Planning Advisory Committee Meeting
Wednesday, June 28, 2017 – 4:00 p.m.
Township of South Frontenac Council Chamber
4432 George St, Sydenham, ON

The Planning Advisory Committee will reconvene for the Public Meeting at 6:00 p.m.

AGENDA

Page

1. Call to Order

2. Adoption of the Agenda

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

3. Disclosure of Pecuniary Interest and General Nature Thereof

4. Adoption of Minutes

5 - 9 a) Minutes of Meeting held April 10, 2017

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

5. Deputations and/or Presentations

6. Briefings

a) Mr. Joe Gallivan, Director of Planning and Economic Development will provide the Planning Advisory Committee with his committee briefing.

7. Reports to the Planning Advisory Committee

10 - 184 a) **2017-088**
Planning Advisory Committee
Approval of the Township of North Frontenac Adopted Official Plan

Recommendation:

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.

185 - 188 b) **2017-089**
Planning Advisory Committee
Applications for Plan of Vacant Land Condominium – Ardoch Lake

This report is for information purposes only.

189 - 203 c) **2017-090**
Planning Advisory Committee
Request from the Township of South Frontenac for expanded public notification provisions regarding planning applications

Recommendation:

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.

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.

204 - 239 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)

This report provides information on an application for a proposed Plan of Subdivision and staff are seeking input from the public on this application.

240 - 246 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)

This report provides information on an application for a proposed Plan of Subdivision and staff are seeking input from the public on this application.

9. Communications

247 - 250 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 meeting of the Planning Advisory Committee is scheduled for Monday, September 11, 2017 at 10 a.m. at the County Administrative Office.

12. Adjournment

Minutes of the Planning Advisory Committee Meeting
April 10, 2017

A meeting of the Planning Advisory Committee was held in the Bud Clayton Memorial Room, County Administrative Office, 2069 Battersea Road, Glenburnie on Monday, April 10, 2017 at 10:00 a.m.

Present:
Deputy Warden Higgins, Chair
Councillor Smith, Vice-Chair
Warden Vandewal
Councillor Doyle
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 10:00 a.m.

2. Adoption of the Agenda

Moved By: Councillor Smith
Seconded By: Mr. Leonard

That the agenda for the April 10, 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 February 21, 2017

Moved By: Councillor Doyle
Seconded By: Mr. Sproule

That the minutes of the Planning Advisory Committee meeting held February 21, 2017 be adopted.

Carried

5. Deputations and/or Presentations

6. Reports to the Planning Advisory Committee

a) 2017-029
Planning Advisory Committee
Director of Planning and Economic Development – 2017 Work Plan

Moved By: Councillor Smith
Seconded By: Mr. McIntosh

That County Council approve the 2017 work plan for the Director of Planning and Economic Development as it relates to Planning matters;

And Further That the Director provide an overview of his work plan to County Council and the Councils of each of the member municipalities.

Carried

Mr. Gallivan provided an overview of the report. He did note that the new Manager of Development Services for South Frontenac will be implementing a Public Review Team that will bring together all commenting agencies, including the County of Frontenac, so that when matters come to the County, the County will be well aware and informed of the issue/applications.

The question was raised that the report indicates a minimum 80% to a maximum of 120% of time capacity; however there is no percentage for contingencies, should another OMB hearing arise. Mr. Pender noted that the contingency would be that certain items will get bumped. For example, strategic planning would be bumped in favour of day to day planning.

Mr. Gallivan noted the incline in recent planning applications and expects this incline to continue with the influx of American investors.

Warden Vandewal noted that the Township of South Frontenac intends to apply for delegated authority to make decisions on Plans of Subdivisions at the Township level and as such does not want to see any additional staffing. He noted that the Township has taken steps to move in this direction as it has increased staffing levels with the new position of Manager of Development Services. Mr. Gallivan noted that Plans of Subdivision only account for between 17 and 20% of planning work and relate to only between 8 and 10% of staff time. As such, delegating authority to South Frontenac to approved Plans of Subdivision will not free up a lot of planning staff time.

The issue was noted of staff capacity and the question was raised around if additional planning staff are required. Mr. Pender noted that this report is coming to the committee so that the planner is not put in a position of determining priorities between two competing townships. At the present, the County is comfortable with the current planning staff being able to handle the work load, under normal circumstances. Should another issue arise, this could be revisited.

b) 2017-046
Planning Advisory Committee
Adoption of a Planning Advisory Committee Public Meeting Policy

Moved By: Mr. Leonard
Seconded By: Councillor Smith

Be It Resolved That the Planning Advisory Committee accept the Planning Advisory Committee – Adoption of a Planning Advisory Committee Public Meeting Policy report for information:

And Further That the Council of the County of Frontenac adopt a Planning Advisory Committee Public Meeting Policy attached as Appendix A.

Carried

c) 2017-047
Planning Advisory Committee
Adoption of a Planning Advisory Committee Site Visit Policy

Moved By: Mr. Leonard
Seconded By: Warden Vandewal

Be It Resolved That the Planning Advisory Committee accept the Planning Advisory Committee – Adoption of a Planning Advisory Committee Site Visit Policy report for information;

And Further That the Council of the County of Frontenac adopt a Planning Advisory Committee Site Visit Policy attached as Appendix A.

Carried

Questions were raised around the need for citizen appointees to sign a waiver form, as this has not been the typical process in the past, specifically around the K&P Trail. It was also noted that this is not done at the Township level. Ms. Amini indicated that when volunteers are on County property or Township property, the County (or Township) has insurance on that property and as such, volunteers would be covered. Site visits will be taking place on privately owned lands where the County cannot guaranteed the members health or safety.

Staff will follow up with the County's insurance carrier to determine the cost of having the County's insurance cover citizen appointees carrying out site visits on privately owned lands.

d) 2017-049
Planning Advisory Committee
North Frontenac Draft Official Plan Review

Moved By: Councillor Doyle
Seconded By: Mr. Leonard

Be It Resolved That the Council of the County of Frontenac agrees that the North Frontenac Draft Official Plan is an excellent Plan and has no comments;

And Further That a copy of this resolution be provided to the Township of North Frontenac.

Carried

Mr. Gallivan provided a PowerPoint presentation, a copy of which is attached to the record in the Clerk's Office.

Mr. Gallivan will provide the Committee at its June 12th meeting with a presentation on the Private Roads Study that was carried out by the County in 2015/2016.

e) 2017-048
Planning Advisory Committee
Application for Draft Plan of Subdivision – 5550 McFadden Road, South Frontenac Township (File No. 10T-2017-001)

This report was for the Committees information only. Mr. McIntosh and Mr. Leonard volunteered to attend a site visit for this application.

Moved By: Councillor Doyle
Seconded By: Mr. Sproule

That Phil Leonard and Jim McIntosh be granted permission to attend the site visit for the 5550 McFadden Road Plan of Subdivision.

Carried

7. Communications

a) From Jannette Amini, Manager of Legislative Services/Clerk to the Township CAO's regarding a request from the Township of South Frontenac for expanded public notification provisions regarding planning applications

8. Other Business

Mr. Gallivan noted the recently received Water Quality Management of Lake Trout Lakes: County of Frontenac, 2005 and 2012, which was received from the Ministry of the Environment and Climate Change. Mr. Gallivan will post this to the County's website for those interested.

9. Next Meeting

a) The next regular meeting of the Planning Advisory Committee is scheduled for Monday, June 12, 2017 at the County Administrative Office, Bud Clayton Memorial Room.

10. Adjournment

Moved By: Councillor Doyle.
Seconded By: Mr. Leonard

That the meeting hereby adjourn at 11:56 a.m.

Carried

FRONTENAC

Report 2017-088

Recommend Report

To:	Chair and Members of the Planning Advisory Committee
From:	Megan Rueckwald, Community Planner
Prepared by:	Megan Rueckwald, Community Planner
Date of meeting:	June 28, 2017
Re:	**Planning Advisory Committee – Township of North Frontenac Adopted Official Plan**

Recommendation

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.

Background

The Township of North Frontenac began a five year review process of its Official Plan in 2010. A five year review of a local Official Plan is required under the *Planning Act*. Township Council adopted the Official Plan in 2012 and consequently sent the plan to the Ministry of Municipal Affairs and Housing (MMAH) for approval.

The North Frontenac Official Plan was never approved by MMAH. When the Frontenac County Official Plan was approved in January, 2016, County Council was automatically delegated as the approval authority for local Official Plans and Official Plan Amendments and is now responsible for approving this new Township Official Plan.

Township Council passed a by-law in 2016 to rescind the 2012 adopting by-law in order to re-start the process. Starting the process over again was important for a number of reasons:

- The Province approved a new Provincial Policy Statement (PPS) in 2014 and the previous plan was reviewed under the 2005 PPS. It is important that this new Plan be consistent with the most up to date Provincial policies;
- As of January 2016, the new County Official Plan is in effect and the Township Official Plan needs to be aligned with the County Plan; and
- The time period between now and the previous adoption was considered to be too long as the public had not been adequately consulted over the four year time frame, and a new Council was elected in 2014 that had not been involved in the previous community engagement.

As a result, Township Council received the first draft of a new Official Plan on May 20th, 2016 and has held two public open houses, one in June, 2016, and one in February, 2017. Township Council held a special meeting on January 16th, 2017 to review the second draft of the Plan in detail. Changes were made to the Plan based on Township Council's comments. Changes were again made to the Plan from public comments and correspondence following the February open house meeting. Township Council held the formal Public Meeting, as required under the *Planning Act,* on April 22, 2017 at the Ompah Community Hall. Comments received from Council and the public at this Public Meeting as well as those sent in following the meeting have been incorporated in the adopted Plan. At the Council meeting on June 19, 2017 Township Council incorporated final changes into the Final Draft of the Plan and adopted the new Official Plan for the Township of North Frontenac as found in Appendix A.

Purpose

The purpose of this report is to inform the Committee of changes that have been made to the Plan since the last Committee meeting and prior to adoption. The changes that have been made reflect comments received from the public, input from Township Council, and comments received form the agencies circulated. Changes have also been made to ensure the Plan is in conformity with the Provincial Policy Statement (PPS) 2014 and the County Official Plan as well as to support rural sustainability. Minor revisions have also been made to the text to correct spelling and grammar errors and enhance readability. Formatting changes have been made to ensure the document is more accessible and formatted consistently.

Revisions to the Plan

The changes made to this final draft are relatively minor in nature, with the exception of the recommended inclusion of Snow Road Station and Harlowe as a settlement area designation.

Generally, the revisions are as follows:

- Waterfront Area mapping on Official Plan Schedule;
- Snow Road Station and Harlowe Settlement Area;
- Settlement Area Boundary Refinement;

- Updating existing map layers;
- Minor spelling and grammatical areas; and
- Reformatting of the document (pages numbers, titles, etc.).

Waterfront Area

The Waterfront Area designation has been mapped based on the 150 metre boundary as stated in Section 4.10 of the Plan. The Waterfront Area has been designated along waterbodies in excess of 8 hectares and major rivers and waterways. In the text of Section 4.10.1, a water body has been deemed to be a permanent standing water body in excess of 8 hectares or a major river or waterway. This definition is consistent with Official Plans across Ontario.

Snow Road Station and Harlowe Settlement Area

At the Public Meeting on April 22, 2017 in Ompah, Council received comments from a number of citizens who recommended that the draft Plan be revised to include Snow Road Station as a settlement area. Further, members of Council also questioned whether Harlowe should be included as well. Snow Road Station and Harlowe have been designated as a settlement area since the Official Plan was approved in December of 2003. Planning staff recommended that they not be included based on an analysis of settlement areas as defined in the Provincial Policy Statement.

Following direction from Council and information provided by the public, further study into the inclusion of Snow Road Station as a settlement area was conducted by staff. Residents provided direction for the expansion of the boundary to Snow Road Station to include greater scope of residential areas and commercial uses to better reflect where they considered the boundary to be. Residents also provided written letters to the Township stating their support. Planning staff are of the opinion that the new boundary, proposed by planning staff, better reflects what is considered a settlement area under the Provincial Policy Statement 2014. The decision to include Snow Road Station as a settlement area was ultimately the decision of Township Council and included.

At the Council Meeting, further discussion was had between members of Council and planning staff regarding the inclusion of Harlowe. Planning staff were of the opinion that Harlowe did not meet the criteria for a settlement area under the PPS 2014. Council decided to include Harlowe as a settlement area and the plan was amended at the meeting to include Harlowe on the map and in the text.

Settlement Area Boundary Refinement

Settlement Area boundaries were redrawn to include parcels of land in their entirety, as opposed to the settlement area boundary dissecting properties. Existing parcels of land that were entirely included in the settlement boundary area previously, were included in the new boundary. However, large parcels of land that only a small portion of the land was included have been removed. The general shape of the settlement boundaries remained the same, but the mapping follows along parcel lines.

The Interpretation section of the Plan, Section 1.4, provides policies for the interpretation of the boundaries. For instance, Section 1.4.1 states, “it is intended that the boundaries of the land use designations shown on the Land Use Schedules, be

considered as approximate (emphasis added). Boundaries are to be considered absolute only where clearly bounded by roads, railways, rivers or streams or other geographical barriers."

Updating Existing Map Layers

New map layers provided by the Ministry of Natural Resources and Forestry were downloaded to the Frontenac County GIS from the Land Information Ontario Data Warehouse. Updated layers include water bodies, ANSI, PSW, Organic Soils, Mineral Resources (Sand and Gravel), and Crown Land. These layers reflect the most up to date information in the Ministry of Natural Resources and Forestry databases and have resulted in some designation boundary adjustments. Endangered species and species at risk were removed from the Official Plan Schedule to reflect Provincial changes to exclude this information to better protect the species itself.

Correction of Minor Errors and Reformatting

While working with the document, planning staff noted minor grammatical errors and reformatting that was required. For instance, instead of "trough street", the Plan was changed to read "through street". Further, the page numbers in the Table of Content were revised to meet where the new section areas are found in the Plan.

Final Edits by County Staff

County planning staff, reviewed the Plan in detail prior to writing this report to ensure that all comments received had been incorporated in to the Plan and any changes required for additional review by the Committee were identified. Final edits were made by planning staff for minor revisions including formatting (e.g. correcting fonts, policy numbers, and sections with no text beside them). Township staff were consulted in the process to ensure that missing information was included when needed. Further, titles and approval systems were updated where required (e.g. Certificate of Approvals have been renamed to Environmental Compliance Approvals). County Staff will inform and walk the Committee through any changes that have been made and any changes that may result from the meeting will be directly incorporated into the Plan.

Restricting Logging and Forestry in the Lakefront Development Area

Township Council passed a resolution at the June 9th, 2017 Council Meeting to restrict logging and forestry in the Lakefront Development Area. The resolution read as follows:

Moved by Councillor Martin, Seconded by Deputy Mayor Perry #283-17

Be It Resolved That Council receives for information the Clerk/Planning Manager's Administrative Report entitled "Resident Comments Received on the Adopted Official Plan and to Repeal By-law #25-03 Adopting the Original Official Plan for the Township of North Frontenac";

And That Council endorses the addition of a policy to restrict forestry and logging operations within the Waterfront Development Area in the new Official Plan and instructs the Clerk to provide a copy of this Resolution to the Director of Planning and Economic Development;

Carried

Planning staff have selected a potential location for the policy and request the Committee's confirmation of the location and policy wording.

Comments

Comments were received from the Ministry of Municipal Affairs (MMA) on May 18, 2017. The comments provided considerations for Township Council to consider prior to adoption. The letter provided to the Township is found in Appendix B along with the response provided by the Director of Planning and Economic Development. MMA's comments focused on three specific areas of provincial interest of the then Final Draft of the Plan. Comments were as follows:

- Section 3.9.1: Lots of Record and 3.15.2 Consents
    - The lot eligibility date is intended as a tool to limit residential development in the rural area and focus development in the settlement areas. The current Plan proposed to reset the date from 2003 until 2017. This is not advised. Also, it is recommended that the policy permit a maximum of three severances.
- Section 4.3.4. F Tiny Houses
    - The Township may not adjust the Building Code, and it is recommended that the policy be removed from the Draft Plan.
- Second Suites
    - The *Planning Act* authorizes second suites. The Ministry commends the inclusion of second unit policies in Sections 2.3.7 and 4.1.2A. It is recommended that the Township also add second units as a permitted use in Rural Areas (Section 4.3.1) and Waterfront Areas (Section 4.10).

The Director of planning and Economic Development prepared an email to Township Council to provide Council with planning comments. In the email it was recommended that Council adopt the plan with no changes from the letter. It was advised that the characteristics of North Frontenac (65% Crown Land, aging population, limited new residential development in the rural area) warranted resetting the severance policy date. Council was further advised that the Township was the first in Eastern Ontario to support tiny houses which offers the Township a competitive edge. Through extensive public consultation, Council made a decision not to include second suites along the waterfront and this decision should be upheld. However, after speaking with Township Staff it is advised that second suites be included in the Rural Area designation (Section 4.3.1) and this has now been added to the Plan.

Comments are still outstanding from the Mississippi Valley Conservation Authority and further clarification is being sought as to when (if at all) the CA was circulated. County planning staff will welcome the comments when received and will update the Committee if the comments warrant this.

Sustainability Implications

One of the key focus areas of *Directions for Our Future*, the County's Sustainability Plan, is Land Use Planning and Management. From a sustainability perspective, this involves an approach that ensures a clean and healthy environment, a strong economy, and long term viability. Approval of this Plan will continue to maintain strong protection for a clean and healthy environment especially the newly revised Lakefront Development Area policies. Further, the Plan focuses on `rural sustainability` and strives to improve economic viability of development within the Township and County.

Financial Implications

There are no direct financial implications to the County of Frontenac for this approval.

Organizations, Departments and Individuals Consulted and/or Affected

Township of North Frontenac
Commenting Agencies for the Township of North Frontenac
Ministry of Municipal Affairs
Citizens
Lake Associations
County Planning and Economic Development Department

Township of North Frontenac

Official Plan

Adopted: May 19, 2017

Township of North Frontenac Official Plan

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TOWNSHIP OF NORTH FRONTENAC OFFICIAL PLAN

1 INTRODUCTION

1.1 Introduction

1.1.1 The Township of North Frontenac has unique social and environmental conditions that require varied approaches to land development. The Township's Official Plan creates the objectives and policies for guiding land use changes by protecting and managing the natural environment, directing and influencing growth patterns and facilitating the vision of Council to develop a strong and diverse economy in the Township, and to ensure all aspects necessary for a healthy community are protected, managed and made available to existing and future residents.

1.1.2 Regard shall be had to all provisions and policies of this Plan and the *Provincial Policy Statement* in reviewing all types of planning applications (e.g. Official Plan Amendments, Zoning By-law Amendments, Subdivisions, Consents, Minor Variances). It is the intent of Council that land use planning applications will conform to this Plan, and will be consistent with Provincial Plans and the Provincial Policy Statement.

1.2 Authority

The Official Plan of the Township of North Frontenac was prepared under the authority of *Section 16* of the *Planning Act,* which states that:

"An Official Plan shall contain goals, objectives and policies established primarily to manage and direct physical change and the effects on the social, economic and natural environment of the Municipality" and "may contain a description of the measures and procedures proposed to attain the objectives of the Plan and procedures for informing and obtaining the views of the public in respect of a proposed amendment to the Official Plan or proposed revision of the Plan or in respect of a proposed Zoning By-law". Also, "the Council of a municipality may by by-law elect to follow the prescribed processes and develop materials prescribed for the preparation of an Official Plan".

1.3 Title and Components

1.3.1 This policy document shall be known as the "Official Plan for the Township of North Frontenac" and is hereinafter referenced as the Official Plan or the Plan.

1.3.2 The Official Plan consists of the following text and Schedules, which make up the Land Use Plan. The Land Use Plan establishes the pattern of ***development*** in general terms by dividing the Township into basic land use designations. The policies governing each of the designations are set out in **Section 4 - Community Development – Land Use** of the Plan.

1.3.3 Background statements, illustrations and any other information as set out in the appendices of this plan are provided for information purposes only and do not constitute a formal part of the Official Plan.

1.4 Interpretation

1.4.1 It is intended that the boundaries of the land use designations shown on the Land Use Schedules, be considered as approximate. Boundaries are to be considered absolute only where clearly bounded by roads, railways, rivers or streams or other geographical barriers. Amendments to the Official Plan will not be required in order to make minor adjustments to the boundaries of land use designations or features or other symbols nor to the location of roads, provided that in all cases, the general intent of the Plan is preserved. Such minor deviations may not be reflected on the Land Use Plan.

1.4.2 It is intended that all figures and numerical quantities herein shall be considered as approximate unless otherwise stated. Amendments to the Official Plan will not be required for any reasonable variance from any of the proposed figures.

1.4.3 Unless otherwise indicated in this Plan, it is intended that buildings, structures, uses etc. that are normally incidental, accessory or essential to a permitted use will also be allowed even though not specifically stated in the land use policies. (*Example: home-based business accessory to a residential dwelling, administrative office accessory to a campground or retail business*.).

1.4.4 Where examples of permitted uses are provided for in the land use policies of this Plan, it is intended to indicate the possible range of uses considered appropriate and not to be interpreted as all-encompassing unless otherwise stated as such. However, all uses shall be in conformity with the general intent and policies of the general land use designations of this Plan.

1.4.5 Where an *Act* or portion of an *Act* is referred to in this Plan, such references will be interpreted to include any subsequent legislation that may supersede the *Act* so named.

1.4.6 For the purposes of this Plan, ***development*** means the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the *Planning Act*; but does not include activities that create or maintain infrastructure authorized under the environmental assessment process or works subject to the *Drainage Act*.

1.4.7 This Plan utilizes words or terms defined in the Provincial Policy Statement of 2014 as well as other definitions. These definitions shall apply in the interpretation of the policies of this Plan and their application to **development** proposals and planning applications.

1.4.8 The indication of any proposed roads, infrastructure, and municipal services in the policy text or on the Land Use Plan Schedules will not be interpreted as a commitment by the Township to provide the features within a specified time frame. Minor adjustments to the location of these features do not require an amendment to the plan if the intent of the plan is maintained.

1.5 Agency Names and Responsibilities

1.5.1 From time to time, the names of various government or other agencies may change. In addition, responsibilities may shift from agency to agency. The names of the various agencies responsible for the many programs, regulations and approvals are given in this Plan as of the adoption date of this Plan. It is not intended that the Plan be amended each time a name change or change in responsibility occurs. Rather, this Plan shall be interpreted so as to refer to those agencies named, or to their successors, as conditions or circumstances dictate.

1.6 Planning Period, Review and Amendments

1.6.1 The Planning Period for this Official Plan is intended to be approximately 20 years (2017-2037). The Plan will be subject to a review not less frequently than once every five years pursuant to *Section 26* of the *Planning Act* and will be revised to ensure that the Plan conforms to Provincial policies and is consistent with the Provincial Policy Statement in effect at that time. The first five year review began in 2007-2007 and was completed in 2012 and submitted to the Ministry of Municipal Affairs and Housing for approval. The County has since adopted a County Official Plan and the Ministry has transferred approval of Official Plans and Amendments to the County for approval. This 2017 amended Official Plan will be presented to Frontenac

County Council for approval, once adopted by the North Frontenac Township Council.

1.6.2. The review shall not be deemed to prevent any person or applicant from making an application under Section 22 of the *Planning Act* to amend the Plan. Applications for Amendments to this Plan by the public or Amendments initiated by Council will be considered in accordance with the requirements of the *Planning Act*. Applications submitted by the public must be complete and where required by this Plan, include studies or reports to determine conformity with the policies of the Plan (see Section 6.9) to provide consistency with the Provincial Policy Statement and conformity with other Provincial plans.

1.6.3. Where the policies of this Plan require consultation, or where consultation is required under the *Planning Act*, the Township and/or the applicant shall consult with the Frontenac County Planning Department where the County Council is the approval authority, or other agencies where they are so named and with the First Nations, where applicable.

1.6.4. Where studies or assessments are required under this Plan, the Plan should be generally interpreted to mean that it is Council's responsibility to ensure that they are consistent with the Provincial Policy Statement in effect at that time.

1.6.5. Council shall consult with the public for amendments to and reviews of this Plan. The consultation process shall include the provision of adequate information in a timely manner, as well as opportunities for members of the public, review agencies and other stakeholders to present their views to Council. Council will convene at least one public meeting in accordance with the *Planning Act* to consider an amendment to the Official Plan prior to adopting an amendment, but may decline to have a meeting if they refuse to adopt the amendment or the application is not deemed to be complete.

1.6.6. Amendments will be required for a change in a land use designation shown on the Land Use Plan Schedules or for changes in the policy or text of the Plan. An amendment will not be required for typographic changes, numbering or formatting the Plan, provided there is no substantive change to the policies.

1.7 How to Use This Plan

Readers of this plan are encouraged to begin their review at **Section 2**, which sets out the principles and vision for the future ***development*** of the Township. This will provide an understanding of the context for ***development***. To determine how this

Plan affects a specific property or area, the first step is to locate the parcel of land on the **Land Use Schedule** and to determine its land use designation(s). The specific land use policy(ies) relating to the designation(s) should then be reviewed. It is important to also review the **General Development Policies** in **Section 3**, **Land Use Policies** in **Sections 4 and 5***,* and **Implementation Policies** in **Section 6** of this Plan, as they affect the property.

For the purposes of setting out the Official Plan policies in an organized, easily understood manner, this Plan has been divided into six (6) sections, as follows:

Section 1: Introduction
Section 2: Basis and Objectives of the Plan
Section 3: General Development Polices (sets out the policies which apply to the entire Township)
Section 4: Community Development - Land Use
Section 5: Transportation
Section 6: The Tools of Implementation

For the convenience of the reader, all Federal and Provincial statutes referred to in this Plan are shown in *italics*.

2 BASIS OF THE OFFICIAL PLAN

2.1. General

The purpose of this Plan is to guide and direct future growth in a logical and orderly

manner, to protect existing ***development*** from the ***adverse effects***, which may arise from incompatible ***development*** and ***redevelopment***, and to ensure a healthy and sustainable growth while encouraging economic development which will benefit all residents of the Township.

Only ***development*** that contributes to a healthy, ***environmentally friendly***, prosperous and sustainable community will be encouraged. Environmentally friendly means the use of building materials, building methods or practices which minimize harm to the natural environment, which avoid injury or damage to property or plant or animal life or human life and wherever possible improve or enhance the ecological function of natural habitats.

2.2 Vision

North Frontenac is composed of a mainly natural environment. There are a number of hamlets, scattered rural development, and cottage waterfront development. This rural physical environment facilitates a healthy living style, with little to no pollution, providing a myriad of ***recreational*** choices for individuals, including hiking trails, swimming, walking, cross-country skiing, snowmobiling and ATVing, fishing and ice fishing, boating, water skiing, and camping in both commercial campgrounds and wilderness camping. North Frontenac Township is the first Municipality in Canada to receive the Dark Sky Preserve recognition from the Royal Astronomical Society of Canada, and Council's goal is to protect this designation through lighting policies that reduce light pollution.

The Mission Statement of North Frontenac Council is to provide effective, efficient and sustainable delivery of services to its citizens.

The Vision Statement of North Frontenac Council is to preserve our unique and pristine natural environment to promote a strong, resilient rural community.

Council's intent is to create a strong community identity that reflects the unique rural ***recreational*** character of the area; respects the principles of orderly, well managed growth and ***development***; is adequately serviced; maintains (and preferably enhances) the quality of the natural environment and which provides for ***sustainable development***. ***Sustainable development*** is described as development that meets the needs of the present without compromising the ability of future generations to meet their own needs. ***Sustainable development*** is a process of managing change in which exploitation of resources, the direction of investments, the orientation of technological development, and institutional change are all in harmony and enhance both current and future potential to ensure a balance between humans and the biophysical environment (i.e., fauna,

flora, the air, water and soil). The Township's vision embraces the concept of ***sustainable development*** through land use decisions that integrate human needs with the natural and built environment. Land use decisions will also include sustainable design measures for transportation, infrastructure, waste management, energy systems and the harvesting and use of natural resources. The vision intends to be adaptive to innovative design and human activities that support sustainability.

2.3 Objectives of the Plan

The following objectives reflect the general aspirations of the community and form the basis upon which the policies in this Plan are formulated. These objectives are not mutually exclusive but, rather, must be considered in relation to each other.

2.3.1. To develop a healthy diversified local economy, which provides for local employment opportunities and a balanced tax base between residential, commercial and industrial property classes. Appropriate commercial and industrial ***development*** will be encouraged in order to achieve this objective.

2.3.2. To promote efficient ***development*** patterns that optimize the use of land, resources and public investment, and to promote a strong liveable and healthy community that enhances social well-being and is economically and environmentally sound. Council will monitor and assess demographic trends in the Municipality and their impacts on community services or the potential benefits to the economic, social and cultural advancement of the community.

2.3.3. To provide for a diversity of active and passive recreation opportunities which reflect the range of lifestyle interests, ages, states of health and mobility of community residents.

2.3.4. To support and maintain a transportation system that promotes the safe and efficient movement of community residents, tourist traffic and goods, that minimize disruption to communities and the environment, that is integrated with the plans of other transportation authorities, and includes or encourages sustainable transport (e.g., car-pooling, cycling, and energy efficient vehicles). An appropriate hierarchy of roads will be established so that both the efficient movement of traffic and access to property can be achieved.

2.3.5. To provide for a low-density settlement pattern which can be efficiently serviced, but which will avoid densities that will require the need for piped municipal services. ***Development*** will be encouraged in locations where

services (for example, snow plowing, school bussing, fire protection, ambulance service and waste disposal) are available or can be made available at a reasonable cost.

2.3.6. To provide for a variety of land uses which are appropriate and sustainable within a rural environment and to plan for new development which is sensitive to and preserves the unique feature, recreational character and amenities of the community and natural environment.

2.3.7. To provide for a range of housing types and densities, which meet the existing, and future needs of a largely rural demographic, as well as an aging population who wish to remain in their community. The provision of ***affordable*** housing in communities is now considered to be a Provincial interest in the *Ontario Planning Act.* As a result, the Provincial Government has now changed legislation to facilitate the creation of second units in a detached house; semi-detached house or row house if no building or structure ancillary (accessory structure) to the house contains a second residential unit; and further, to allow the use of a residential unit in a building or structure ancillary to a detached house, semi-detached house or row house if the house contains a single residential unit. This policy shall not apply to sleeping cabins or “bunkies” and accessory structures located on waterfront properties, as this could create an adverse effect on the lake quality.

2.3.8. To direct development away from lands with natural or human made hazards and/or physical limitations such as poor drainage, organic or contaminated soils, flood susceptibility, erosion or steep slopes.

2.3.9. To plan for new *development*, which is sensitive to and preserves the unique features, *recreational* character and amenities of the community and the natural environment. In recognizing the potential extraction of *minerals* and the concurrent need for *sustainable development* as a keystone principle of the Township’s vision, proponents of *mineral mining operations* will be required to propose and implement *sustainable development* practices in the design, development, operation and closure of any mineral mining operation.

2.3.10. In recognizing that the many water bodies located in the Township are a valuable natural resource and a focal point of residential and recreation activity, it is an objective to protect and enhance the water quality, shorelines and habitat areas and natural features of these lakes and rivers.

2.3.11. To encourage and foster sustainable forms of *development* and *alternative energy systems*, which conserve energy and water and provide for cost-effective delivery of Municipal services, while being consistent with

sustaining economic viability, as expressed in the Township's Strategic Plan and Goals (i.e. tourism)

2.3.12. To promote reducing, re-using and recycling of waste in the Township.

2.3.13. To provide for a partnership approach with the Province and First Nations communities in the planning, management, use and disposition of ***Crown Land*** within the Township. Also, to work cooperatively in the assumption and/or maintenance of facilities such as resource access roads, water access points, campsites, dams etc. and in providing for fire protection on public as well as private lands.

2.3.14. To preserve or provide for the wise stewardship of renewable and non-renewable natural resources of the area (e.g. forests, ***minerals***, mineral aggregates, water). Wherever possible, the policies of the Plan are structured to balance the rights of property owners, the Crown and First Nations communities with management of these resources.

2.3.15. To provide for the identification and conservation of cultural heritage and ***archaeological resources***, which reflect the historical legacy of Aboriginal and Pioneer settlements and to consult with Provincial authorities and First Nations Communities in the conservation and protection of significant ***built heritage resources***, significant ***cultural heritage landscapes*** and significant ***archaeological resources***

2.3.16. To ensure that ***public service facilities*** are adequate and have the capacity to support further growth and ***development*** (e.g. schools, fire and police services, social and medical, ambulance, air ambulance and leisure services). To provide for the ongoing maintenance, protection, and where necessary, the replacement of community, and Municipal Capital Assets and to sustain existing ***public service facilities***. In this regard, Council will undertake an ongoing program of capital planning for the replacement of capital assets which have reached the end of their life cycle.

2.3.17. To encourage sustainable practices in the planning, design and ***development*** of the community through such measures as reducing energy consumption; conserving or promoting biodiversity; recycling, harvesting and conserving water resources including waste water; promoting the production and use of local products and local food production; reducing light and noise pollution; encouraging the recycling of building materials and the adaptive re-use of buildings; promoting the use of ***environmentally friendly*** building materials and building systems; conducting energy and lifecycle audits; and promoting adaptive technologies that reduce consumptive practices.

2.3.18. Council will endeavor to administer this plan fairly and consistently in the review of planning applications and the application of the policies of this Plan and shall be consistent with the Provincial Policy Statement and the County Official Plan.

2.3.19. **Economic Development -** To reinforce that economic activity is an important factor affecting land use patterns. The economic base of the Township is primarily a resource-based and service-based economy. The commercial/industrial assessment base is less than 5% of the total assessment value of properties within the Township. The most significant economic ***development*** potential of the Township is to capitalize on the appeal of the community's unspoiled wilderness and scenic beauty as a setting for eco-tourism, destination travel and small business development (e.g., such as in the telecommuting information industries).

The intent of Council is to strengthen the economic base by building on the assets that a remote and pristine area has to offer. This will take the form of encouraging residential ***development*** that is environmentally sustainable, by encouraging home based and small businesses, by fostering the expansion of the service industry sector and by conserving areas of renewable and non-renewable resources for their economic benefit. Water is an important resource from the standpoint of ***recreational*** activities and waterfront-oriented development such that this resource will play a key role in attracting economic growth. Forests are also recognized as an important renewable resource for harvest and recreational activities.

The Council shall, at all times, bear in mind the financial status of the Township and its residents alike in the evaluation of new ***development*** proposals. In order to protect the financial position of the Township, the timing, nature and location of new ***development*** shall be such that the demand for municipal services is not excessive in relation to the taxable assessment. For example, ***development*** will be encouraged where it takes advantage of existing infrastructure, rather than the extension or provision of new infrastructure, notably roads. It is also Council's expectation that the proponent of development will bear the costs associated with development (e.g., studies, servicing etc.).

3 GENERAL DEVELOPMENT POLICIES

3.1 General

The following **General Development Policies** have application throughout the Township of North Frontenac. It is a policy of Council that all ***development*** shall

take place in accordance with the **General Development Policies**, where they are relevant, in addition to the policies for specific land use designations.

3.2 Accessory Uses

Wherever a use is permitted in a land use designation, it is intended that uses, buildings or structures normally incidental, accessory or essential to that use shall also be permitted. Permitted accessory uses shall be listed in the implementing Zoning By-law. (*Examples: a swimming pool, shed, garage, home based business, boat house, garden suite to a residential use or a storage building, parking area, or accessory dwelling for non-residential uses*.)

3.3 Buffering and Land Use Conflicts

Where land uses may create a land use conflict or are incompatible with each other or may potentially lead to ***adverse effects***, buffering may be required. The intent of this Plan is to require that matters of land use incompatibility be addressed in the review of all planning applications and that buffering and/or mitigation is undertaken wherever required to avoid land use conflicts. Buffering may consist of a fence, open space, a berm, a wall, landscaping or plantings, a separation distance, an intervening land use that is different from the conflicting land uses but compatible with both, or any combination of these measures. Buffering may be imposed through the use of zoning or site plan control to achieve the goal of reducing or mitigating potential adverse impacts. On matters of land use compatibility, Council, in the review of planning applications, will consult with the public as required by the *Planning Act.* Council may extend consultation with the public to applications for site plan approval.

3.4 Cultural Heritage and Archeological Resources

3.4.1. Introduction

The intent of this Plan is to conserve built ***heritage*** resources, ***cultural heritage landscapes*** and ***archeological resources. Built heritage resources*** means one or more ***significant*** buildings, structures, monuments, installations, or remains associated with architectural, cultural, social, political, economic, or military history, and identified as being important to a community. These resources may be identified through designation or heritage conservation easement under the *Ontario Heritage Act*, or listed by local, provincial or Federal jurisdictions.

A cultural heritage landscape means a defined geographical area of heritage significance which has been modified by human activities and is valued by a community. It involves a grouping(s) of individual heritage features such as structures, spaces, archaeological sites and natural elements, which together

form a ***significant*** type of heritage form, distinctive from that of its constituent elements or parts. Examples may include, but are not limited to, heritage conservation districts designated under the *Ontario Heritage* Act; and villages, parks, gardens, battlefields, main streets and neighbourhoods, cemeteries, trailways and industrial complexes of cultural heritage value.

Areas of archaeological potential are determined through the use of Provincial screening criteria, or criteria based on known archaeological records within the Township with the assistance of a licensed archaeologist.

Archaeological resources include artifacts, archaeological sites and marine archaeological sites. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the *Ontario Heritage Act.* Such criteria include features such as proximity to water (such as current or ancient shorelines, rolling topography, unusual landforms, and any locally known ***significant*** heritage areas such as portage routes or other places of past human settlement). Archaeological potential is confirmed through archaeological fieldwork undertaken in accordance with the *Ontario Heritage Act.*

3.4.2. Policies

It is a policy of Council to consider cultural heritage and archaeology in all land use planning decisions. Cultural heritage and archaeology resources referred to in this Plan include, but are not restricted to, ***significant*** archaeological resources or ***areas of archaeological potential***, significant ***built heritage resources***, and significant ***cultural heritage landscapes***. To implement this policy, Council shall:

A. Provide for the identification, restoration, protection, maintenance and enhancement of significant ***archaeological resources*** or ***areas of archaeological potential***, significant built ***heritage*** resources, and significant ***cultural*** heritage landscapes of local, Provincial or Federal heritage value. This may be achieved through a co-operative and co-coordinated approach with senior level governments (e.g., sharing of data bases, designations, and joint funding and conservation initiatives).

B. Consider ways and means in which Council may co-operate in the conservation and/or preservation of cultural heritage resources, including utilization of the *Ontario Heritage Act* in the following ways:

(i) Council may establish a Municipal Heritage Committee (MHC) with the goals and objectives of such a Committee to advise Council by identifying and considering cultural heritage resources throughout the Planning Area.

(ii) Council may designate, by By-law, properties, heritage conservation districts and areas having historic and

architectural value or interest in the Planning Area under Parts IV and V of the *Ontario Heritage Act*.

(iii) Council may develop a Municipal register of cultural heritage and ***archaeological resources*** in the Planning Area or assist other organizations and work with the Ministry of Culture in developing, sharing and maintaining an inventory.

(iv) Council will require that in any proposed Plan of Subdivision and prior to the undertaking of any public work, private ***development***, Consent or Zoning By-law Amendment, consideration be given to the possible effects and impacts of such works or development on cultural heritage and archaeological resources and those impacts, where identified, are appropriately mitigated.

(v) Council shall require an archeological impact assessment carried out by an archeologist licensed under the *Ontario Heritage Act*, when any public work, private development, Consent or Zoning By-law Amendment will affect an area containing a known archeological site or cemetery or an area considered to have archeological potential or is within 250 m (820 ft.) of a Provincially registered or known archeological site or cultural heritage feature. Council shall contact the appropriate government agencies, including the Ministry of Culture, the Ministry of Small Business and Consumer Services – Cemeteries Regulation Unit and the OPP when an unmarked human burial site or new archaeological site(s) is discovered and the provisions under the *Ontario Heritage Act* and *Cemeteries Act* shall apply. First Nations will also be contacted and/or consulted where appropriate. (*Note: the provisions of the Ontario Heritage Act and Cemeteries Act would apply.*)

(vi) Council may consider, where appropriate, the passing of Archeological Zoning By-laws under Section 34 of the *Planning Act*, to be adopted for the purpose of preserving identified ***significant*** archeological sites.

(vii) ***Development*** and ***site alteration*** shall only be permitted on lands containing ***archaeological resources*** or ***areas of archaeological potential*** if the significant ***archaeological resources*** have been ***conserved*** by removal and documentation, or by preservation in situ. Where significant ***archaeological resources*** must be preserved on site, only

development and ***site alteration*** which maintain the heritage integrity of the site may be permitted.

(viii) Council may require the preparation of a Heritage Impact Statement conducted by a qualified Heritage Consultant prior to ***development*** and ***site alteration*** on ***adjacent lands*** to protected heritage property or ***cultural heritage landscapes***, or where the proposed **development** has the potential to impact ***built heritage resources*** or cultural ***heritage*** landscapes, to demonstrate that the ***heritage attributes*** of the ***protected heritage property*** will be ***conserved***. Mitigative measures and/or alternative development approaches may be required in order to conserve the ***heritage attributes*** of the ***protected heritage*** property affected by the adjacent development or ***site alteration.***

C. Council may participate in the conversation of cultural heritage and **archaeological resources** through the acquisition, assembly, resale, joint ventures or other forms of involvement that shall result in the sensitive conservation, restoration and/or rehabilitation of those resources.

D. In all land use designations, it is the intent of Council that appropriate care be taken to preserve mature trees and other vegetation of heritage significance and/or scenic value (i.e. a cultural landscape). Existing landmark trees and tree and hedge lines should be an essential consideration in the design of any ***development***. The preservation of trees along streets and roads shall be encouraged by Council, except where removal is necessary because of disease, damage or to ensure public health and safety.

E. Council may utilize available government or non-government funding assistance programs (e.g. Ontario Heritage Foundation) to assist in the implementation of cultural heritage conservation policies. Council, where appropriate, shall co-operate with other levels of government, as well as private agencies and individuals, in the conservation of cultural heritage resources in the community. Council shall coordinate its heritage plans and programs with the plans and programs of senior levels of government.

3.4.3. Algonquin Aboriginal Interests

This Plan recognizes that lands within the boundaries of the Township lie within the historic Algonquin Territory that is part of the Treaty Negotiations with the Federal and Provincial Crowns. An Agreement-in-Principle (AIP) was signed by the Federal and Provincial Governments and the Algonquin Nation in October,

2016. As such, this Plan will respond to direction from the Federal and Provincial Crowns and the Algonquins towards the implementation of the AIP on any Official Plan requirements that arise. Council will seek opportunities for mutually beneficial engagement with the Algonquins on matters that affect aboriginal history and culture.

The Township may consult with the Algonquins of Ontario with regard to land use planning affecting any of the following matters within the land claim area:

Protection of water quality and utilization of lakes and rivers within the Land Claim area;

a) Any development that would have an impact on navigable waterways and their waterbeds;

b) Any Archaeological Studies related to proposed development where areas of Algonquin interest have been identified; and

c) Any Environmental Impact Studies related to proposed development where areas of Algonquin interest have been identified.

3.5 Minor Variances, Existing and Non-Conforming Buildings and Structures and Non-Complying Uses

Section 45 of the *Planning Act* authorizes a Committee of Adjustment to grant variances and permission for enlargements or extensions to non-complying buildings or structures or changes in the use of lands, buildings or structures for non-conforming uses to a similar or more compatible use. The Committee may approve applications, which comply with the four criteria of the *Act*, namely, that (1) the general intent and purpose of the Official Plan are maintained, (2) the general intent and purpose of the Zoning By-law are maintained, (3) the variance is minor, and (4) the proposed use of land, building or structure is desirable for appropriate development. In the review of applications, the

Committee will avoid any further encroachment or development into an existing substandard setback on the shore of a water body within the Township.

Nothing in this Plan shall affect the continuance of uses (non-conforming) or setbacks (non-complying) on properties legally established under the provisions of any zoning by-law in force on the date of approval of this Plan.

It may be desirable to permit the extension or enlargement, replacement or change of use of a non-conforming/non-complying property to a similar or more compatible use subject to the provisions of Section 45 of the *Planning Act* and to the following planning principles:

3.5.1. The extension or enlargement, replacement, or change of use does not aggravate the non-conforming/non-complying situation or the enjoyment of neighbouring uses. The following criteria shall be considered by the Township's Committee of Adjustment when considering such applications:

- The use of buffering or screening techniques may be used to mitigate the impacts of development (see **Section 3.3 – Buffering and Lands Use Conflicts**) on neighbouring properties.
- Controls may be imposed on lighting, outside storage, signage, waste storage and disposal etc.
- Such extension, enlargement, replacement or change of use shall not further reduce the requirements of the implementing Zoning By-law.
- The proposed extension, enlargement, replacement, or change of use will not create adverse effects, undue noise, vibration, fumes, smoke, dust, odours, glare from lights, environmental hazards or other public health or safety concerns.
- Traffic and parking conditions in the vicinity will not be adversely affected and traffic impacts will be kept to a minimum by the appropriate design of ingress and egress points to and from the site and by improvement of site conditions especially in proximity to intersections.
- Adequate provisions have been or will be made for off-street parking and loading facilities where they apply.
- Infrastructure and public services such as roads, waste disposal, school bussing, fire protection etc. is adequate or can be made adequate at a reasonable cost to the Township.

3.6 Group Homes

Council recognizes the special and varied needs of individuals that can be met by providing for group homes in a rural residential setting. Accordingly, group homes may be permitted in all zoned areas that permit permanent residential uses in the municipality.

Group homes are generally defined as residences licensed or funded under a federal or provincial statute for the accommodation of 3 to 10 residents (excluding supervisory or operating staff) live together under responsible supervision consistent with the requirements of its residents for a group living arrangement. The group home shall be licensed or approved under provincial statute and shall

comply with municipal by-laws.

A group home shall be licensed and/or approved for funding under provincial statutes and in compliance with municipal by-laws (Note: As defined under Section 163 of the *Municipal Act*).

In permitting group homes, Council does not mean to exclude other persons which may live in a group setting where provincial licensing or approval is not required, but who meet requirements of the zoning by-law.

Group homes may be subject to Site Plan Control by the Township to address such matters as ensuring that the site design is in keeping with the character of the area and that sufficient space is available to accommodate the needs of the residents.

3.7 Home Based Businesses

Home Based Businesses shall generally be permitted as an accessory use in conjunction with residential development provided they do not create a public nuisance (e.g., noise, electrical interference, excessive traffic, odour etc.) and shall be appropriately regulated (Building Code, Fire Regulations; Public Health Regulations, Zoning By-law, etc.) to ensure that they are compatible with surrounding uses. The size, type and scale of the operation shall be established in the implementing Zoning By-law.

Council recognizes that home based businesses are an important component of the economic base of the community and are the genesis of job creation and the provision of goods and services to local and regional markets. A home based business is defined as a privately operated legal business located within a residential dwelling or an accessory building and which is compatible with the character of a residential setting and is an accessory use or clearly secondary to the principal use. Home based businesses shall be encouraged as a means of providing local services, to providing an incubator for new businesses and as a means to providing more specialized services to a broader clientele.

3.8 Influence Areas and Separation Distances

3.8.1. Description

It is a priority of Council to use influence areas and, where appropriate, separation distances, to prevent potentially incompatible land uses from being located so close to each other that **adverse effects** occur. This is

particularly the case with sensitive land uses which may be negatively affected if they are located too close to such uses as mineral aggregate sites, waste disposal sites, wrecking yards, highways, and livestock operations. Sensitive land uses are buildings and areas where normal activities occur and include, but are not limited to dwellings, schools, day care centres, health facilities, etc.

An influence area is an area, within which sensitive land uses may be located, but only when the appropriate studies and public consultation have been done or information provided to determine if and where the sensitive land use can be placed to avoid or mitigate any adverse effects, which may include but are not limited to such effects as harm or damage to a property or the health of a person, injury or damage to plant and animal life, impairment of the safety of any person, interference with normal conduct of business.

A separation distance, however, provides a definite measured limit within which sensitive and other specified land uses will not be permitted. It is also possible for the two approaches to be combined. Council intends to use the influence area approach in the majority of cases.

3.8.2. Application

Reference would be made to the following Sections of this Plan for a description of the particular influence areas or separation distances, which may apply:

A. Mineral Resources - **Influence Area [4.16.6]**

B. Mineral Aggregate Resources - **Influence Area [4.15.4]**

C. General Setbacks from Water **[4.10.6.I]**

D. At capacity Lake Trout Water **[4.10.8.A]**

E. Lake Trout Waters Not At Capacity **[4.10.8.B]**

F. Waste Disposal Sites - **Influence Area [3.16.3]**

G. Salvage Yard Use **[4.11.3.F.]**

H. Provincial Highways **[5.1]**

I. Industrial Uses **[4.1.2.C., 4.5.2.F.(ii)]**

J. Mine Hazards **[3.11]**

K. Noise and Vibration **[3.12]**

L. Minimum Distance Separation Formulae I and II **[4.14]**

M. Natural Heritage Features - **Adjacent Lands [4.12.2.A.-E.]**

3.8.3. Zoning By-law and Development Controls

The Zoning By-law shall set out separation distances specific to particular land uses and set out the requirements for influence areas. In addition, the Township may use agreements relating to specific developments, such as subdivision or site plan control agreements, to implement any mitigative measures, which may be required.

3.9 Lots of Record

3.9.1. Lots of record are legally created parcels or tracts of land that can legally be conveyed. For the purposes of this Plan, these are deemed to include lots in a registered plan of subdivision, parcels created by Consent (in accordance with the *Planning Act*), and/or any other distinct and separate holding, the deed to which is registered in the Land Registry Office. For further clarification, a lot of record shall be deemed to be a lot that meets the above criteria and existed as of May 19, 2017.

3.9.2. Lots of record which are vacant and which existed on the date of adoption of this Plan may be used for building purposes, provided that, prior to a building permit being issued, the Township is satisfied that:

A. The lot fronts on an existing public road which is opened and maintained year-round and which has a reasonable standard of pavement or gravel construction; or, alternatively, the lot has access, by a private lane. The private-lane shall be connected to an opened and maintained public road with a reasonable standard of pavement or gravel construction. The private lane shall meet the requirements of **Section 5.3** of this Plan. Lots of record that are water access only may be granted for residential dwellings provided there are adequate docking facilities with legal access, and provided parking facilities are available and secured through a deed or other legal instrument acceptable to the Municipality.

B. Sewage disposal facilities and potable water can be provided in accordance with **Section 3.17** of this Plan.

C. The lot meets the standards of the Zoning By-law for the use proposed.

D. An absolute minimum lot size shall be established in the Zoning By-law for development on a lot of record.

E. Development will not create or exacerbate an environmental or public health and safety concern.

F. Development will meet the requirements for an Environmental Impact Assessment or other relevant studies, where applicable under this Plan.

G. Development may be subject to an Archaeological Assessment or Heritage Impact Assessment on lots with known or potential ***archaeological resources***.

H. Development may be restricted on lots which are characterized as having natural or human-made hazards.

3.10 Municipal Road Allowance (Shoreline and Concession/Lot)

Where Shore Road Allowances along the shores of lakes and rivers or Concession/Lot Road Allowances have been laid out in locations where they do not function or are not required to provide public access to the water for public purposes, such Shore Road Allowances or Concession Road Allowances may be closed by the Township and sold in accordance with the procedures requirements of the *Municipal Act*.

3.11 Natural and Human-Made Hazards

3.11.1. Contaminated Sites, Site Decommissioning and Clean-up

Potentially contaminated sites include lands where contaminants may be present due to previous industrial, transportation, utility, mining or similar uses. Sources of site contamination can include disposal of waste materials, raw material storage, residues left in containers, lands associated with rail operations, maintenance activities and spills. Some commercial uses such as gasoline stations, automotive repair garages, and salvage yards have a similar potential.

It is a policy to ensure the proper decommissioning and clean-up of contaminated sites prior to their ***redevelopment*** or

reuse. Measures to be taken by Council and/or the approval authority and the proponent include the following:

A. Applications for the ***development*** or ***redevelopment*** of sites that are identified as being contaminated or potentially contaminated shall require a Phase I Environmental Assessment (ESA) and a Phase II ESA should be completed if required. Clean-up of contaminated sites should be done in accordance with the record of Site condition Regulation (O. Reg. 153/04) and Ministry of the Environment and Climate Change guidelines.

B. Where the Record of Site Condition indicates that remediation work is necessary, the approval authority shall require as a condition of approval of ***development*** or ***redevelopment*** that appropriate action is taken to implement the components of the site remediation plan.

C. Site plan control may be used as a measure to enhance site decommissioning and remediation. (See **Section 6.9.10 - Site Plan Control**).

D. Contaminated sites may be placed in a holding zone in the Municipality's zoning by-law. Where a holding zone is used, the "H" may be removed when the site has been acceptably decommissioned or cleaned up to the satisfaction of the Municipality and in accordance with a site remediation plan and subject further, to the submission to the Municipality of a Ministry of the Environment and Climate Change acknowledged Record of Site Condition. No building permit shall be issued prior to the lifting of the holding symbol.

3.12 Noise and Vibration

3.12.1 Feasibility and/or noise/vibration studies using Ministry of the Environment and Climate Change guidelines may be required for applications for ***development*** of a sensitive land use (e.g., residential use, daycare, education or health care facility) within 100 m (328 ft.) of Highway 41 and shall be prepared by a qualified consultant and to the satisfaction of the Municipality. The study shall demonstrate whether noise and vibrations levels can be reduced to meet Provincial standards. The

conclusions and recommendations of this study shall be implemented through conditions of the development approval.

3.12.2. Feasibility and/or noise/vibration studies may be required for development within the influence area of a stationary noise source (i.e. industry, electrical generating station, hydro transformer, water pumping station etc.) Such studies shall be prepared by a qualified consultant in accordance with Ministry of the Environment and Climate Change Guidelines and shall demonstrate whether noise and vibrations levels can be reduced to meet Provincial standards. The conclusions and recommendations of these studies shall be implemented through conditions of the development approval.

3.12.3. These policies do not apply to infill on Lots of Record or extensions to existing buildings.

3.13 Public Utilities and Communications Facilities Corridors

The sustainability, health and safety of North Frontenac residents and its economy is closely linked to the hydroelectric corridors and utilities networks. These facilities and corridors include a wide variety of utilities that are owned and operated by both public and private entities, including broadband and fibre optic networks. Also, some waterfront areas are serviced by underwater utilities.

3.14 Shoreline Structures

The policies of the Zoning By-law shall apply to shoreline structures abutting any lake or water body. All shoreline structures and activity areas shall require Municipal approval prior to commencing any work. Other government agency approvals may also be required, such as the Conservation Authority.

Shoreline structures are permitted only for uses which by their nature need to be located near the shoreline, such as docks, single storey boathouses and boat ports, marine storage sheds, viewing decks and gazebos and do not include sleeping cabins, bunkies or large storage structures.

3.14.1. With the exception of docks and (wet) boathouses which extend into the water, all shoreline structures shall be constructed within the confines of the property boundaries of a lot.

3.14.2. Interior finishing or occupancy of any portion of a boathouse, boat port or any other permitted shoreline structure for use or occupancy as a dwelling shall not be permitted.

3.14.3. Construction of a second storey addition for any shoreline structure shall not be permitted.

3.14.4. Shoreline structures may be permitted in a front yard on lots having water frontage provided that such uses meet appropriate zoning standards and appropriate Conservation Authority regulations and standards, where applicable. **(see Section 4.10.2.B. (vii) and Section 4.12.2.C.)**

3.15 Subdivisions, Condominiums, Consents and Part-lot Control

3.15.1. Plans of Subdivision and Condominium

Land ***development*** shall generally take place by Consent for small scale development or Plan of Subdivision or Condominium for large scale developments.

Consents shall be the method of land division where the Municipality is satisfied that a Plan of Subdivision or Condominium is not feasible or practical. Frontenac County Council is the approval authority for Plans of Subdivision or Condominium, in consultation with the Township Council.
In determining the need for a Plan of Subdivision or Condominium, Council shall have regard for the following criteria:

A. Scale of ***development***: for larger scale development, such as the creation of four or more lots, which will usually require new services, or will have an impact on lakes if waterfront development, proposals will be carefully reviewed to determine if they are best addressed through the subdivision or condominium process;

B. Municipal Services: a subdivision or condominium will normally be required where new roads will be constructed which may be assumed by the Municipality or there is a need for a cost-benefit analysis in assessing the potential

operational costs to the Municipality for providing services (e.g. waste disposal, fire protection);

C. Environmental impacts: ***development*** expected to have a ***significant*** impact on the natural environment (e.g. on lake capacity, on the quality or quantity of water, on sensitive habitat), may be best addressed by a Plan of Subdivision or Condominium. Of particular importance is establishing an appropriate (minimum) or sustainable lot size for future development.

D. Impact Studies: where it is necessary to assess the potential impacts of ***development*** on a broad scale or larger geographic area (e.g. known or potential contaminated site, determining the extent of flood prone lands, determining the exposure to noise and/or vibration), a Plan of Subdivision or Condominium is preferred.

E. Cumulative ***Development***: land which may be developed in phases or over a period of years or where there is a need to consider the cumulative impacts of developing some or all of the property will be reviewed to determine whether a plan of Subdivision or Condominium is the best approach.

An application for a Plan of Subdivision and Condominium shall be in accordance with the requirements of the *Planning Act*. Applications for Plans of Subdivision and Condominium will not be considered complete until the information and materials required under the Planning Act and Regulation 544/06, along with any other information and materials identified by the County have been provided. Additional information may be required in assessing the appropriateness and the location of the subdivision. Regard shall be given to the requirements for an impact assessment for subdivisions proposed within the Lake Development Area or in the vicinity of identified natural heritage features (see **Land Use Plan Schedules**), archaeological or cultural heritage resources (see **Section 3.4**) or natural (i.e. organic soils and steep or unstable slopes) and human-made hazards (see **Section 3.11**), noise and vibration (see **Section 3.12**), or waste disposal facilities (see **Section 3.16**). Reference shall also be made to the servicing policies of this Plan (see **Section 3.17**) for the requirements for water supply and sewage disposal. In developing a Plan of Subdivision or Condominium, applications shall be consistent with the Provincial Policy Statement in effect at the time and to other Provincial plans where applicable.

It shall be the policy of Council to consider for approval, only those plans of Subdivision or Condominium which comply with the policies of this Plan and

which, to the satisfaction of the Council, can be supplied with adequate and cost effective public service.

Council may request the approval authority to impose conditions (e.g., land dedication or conveyance for road widening or parks, impact studies, zoning etc.) and may require the applicant to enter into an agreement under Section 51 (26) of the *Planning Act* for the installation of services; securing the financial arrangements and such other matters as are provided for under the *Planning Act.*

3.15.2. Consents

Provisions relating to the granting of Consents are set out in Sections 51 and 53 of the *Planning Act*. Council shall ensure that decisions on Consents are consistent with the Provincial Policy Statement in addition to the following Consent policy checklist, which is intended to be used by the Committee of Adjustment in the review of Consent Applications.

A. The Consent Application shall be complete and shall include the prescribed information and sketch set out in Ontario Regulation 547/06, and the prescribed application fee and shall comply with the requirements of the *Planning Act* and associated Ontario Regulation for the filing, review, notice and decision procedures;

B. The sketch shall show the lands to be severed and the prescribed information set out in the Ontario Regulation 547/06 including but not limited to lands to be retained, existing and proposed lot dimensions, lot areas and buildings, natural physical features (water bodies, slopes, tree cover) and sufficient information to be able to easily locate the land;

C. The proposed use of the severed lot shall be a use permitted in the underlying land use designation (e.g., refer to the Official Plan **Land Uses Plan Schedules** to determine designation and then refer to corresponding list of permitted uses for that designation in the text of this Plan);

D. The lot(s) to be severed and to be retained must meet the requirements of the Zoning By-law. The applicant will be required to demonstrate that there is a sufficient land area suitable for a building envelope on a proposed lot that is outside of ***hazardous lands*** (i.e. flood plain, rock outcrop, steep slope, unstable soils),

outside of the required 30 metre setback from the water and all yard setbacks required by the Zoning By-law, and outside of an easement or any part of a private lane or right-of-way. In determining compliance with the Zoning By-law, areas which are not useable on a lot may be excluded for the purposes of calculating the minimum required lot area or a required setback.

The lot(s) to be severed and to be retained must meet the requirements of the–influence area or special setback or separation requirements where the intended use of the lot is for a sensitive land use (e.g. a dwelling, daycare facility, educational facility or health care facility, or other land use were applicable). Reference should be made to all applicable Sections of this Plan for further explanation, i.e. ***Hazardous Sites; Mine Hazards***; Lake Development Areas, etc. including the following:

(i) **3.4** – Built Heritage Resources, Cultural Heritage Landscapes and Archeological Resources;

(ii) **3.11** – Natural and Human-Made Hazards;

(iii) **3.12** – Noise And Vibration;

(iv) **4.12** – Natural Heritage Features;

(v) **3.16** – Waste Disposal;

(vi) **4.1.2.C** – Industrial Land Uses;

(vii) **4.14** – Agriculture Resource Lands (Minimum Distance Formulae I and II)

(viii) **4.15** – Mineral Aggregate Resources (pits and quarries)

(ix) **4.16** – Mineral Resources

(x) **4.10.2** – Lake Capacity/Environmental Impact

E. The Committee of Adjustment or Planner may require the application be supported by studies or other information, which may be required to determine

whether the application will comply with the policies of this Plan. Such studies or further information may include, but are not limited to any of the following:

(i) Mitigation of industrial impacts;

(ii) Mitigation of waste disposal impacts;

(iii) Verification of non-impact for below ground water aggregate operations – Groundwater Impact Study;

(iv) Plan/measures for rehabilitation of ***mine hazards*** assessment of mineral potential;

(v) Environmental Impact Assessment/mitigation measures for natural heritage features;

(vi) Flood proofing measures;

(vii) Noise or acoustical study;

(viii) Record of Site Condition (contaminated sites) (see **Section 3.11.1 - Contaminated Sites);**

(ix) Archaeological Assessment or Heritage Impact Statement (see **Section 3.4);**

(x) Minimum Distance Formula calculation;

(xi) Lake Capacity calculation;

(xii) Proof of off-site reserve system sewage capacity;

(xiii) Hydrogeological and Terrain Analysis Report;

(xiv) Storm Water Management Report/Master Drainage Plan;

(xv) Engineered drawings confirming the safety of a walk-out basement if dwelling is built on or near a steep slope.

In the absence of appropriate mitigation, the application will be refused. The intent of the Plan is to

ensure satisfactory compatibility between the proposed land use and existing land uses;

F. The application should be supported with information or an environmental compliance approval or evidence to verify suitability of the lot for sewage disposal. This may include approval for an individual on-site system or a communal system or a hydrogeological study (see **Section 3.17, Water Supply and Sewage Disposal**);

G. The applicant shall provide proof of a potable water source prior to the stamping of the deed to create a new lot, excluding waterfront properties*.*

H. The lot shall have the frontage on and direct access to a year round maintained public road unless otherwise exempted as follows:

(i) A lot may be created which will have frontage on a publicly maintained seasonal road, or a designated ***recreational*** road owned by the Crown but managed through a Land Use Permit (LUP) by the Municipality, or a registered right-of-way or private lane which connects to a publicly maintained year round or seasonal road;

(ii) Severances for lots with water access only may be granted for residential dwellings provided there are adequate docking facilities, accessible, legal access, and provided parking facilities are available and secured through a deed or legal instrument acceptable to the Municipality, and are on the same water body. Lands may be zoned to include the lot and the parking in the same zone;

(iii) Lots for non-habitable buildings or structures associated with forestry, mining, ***mineral aggregate operations*** and telecommunications may be accessed by private roads;

I. Where the lot proposed fronts on a Provincial highway, prior approval must be obtained for access from the Ministry of Transportation. Also, where the Ministry

has identified the need for a road widening, the necessary land shall be dedicated as a condition of approval. The applicant must receive approval from the Municipality for the location and installation requirements for an entrance and/or culvert for access onto any public road;

J. The access or entrance to any lot should not create a traffic hazard (e.g. on a curve or a hill where a driver's sight line is blocked or impaired). To improve the safety of roads in the area, sight distances should be maintained on corner lots;

K. Where the potential for a cultural heritage site or archeological site has been identified, an archeological assessment or heritage assessment may be required. The applicant should consult with the Municipality, or the Ministry of Culture (see **Section 3.4 Built Heritage Resources, Cultural Heritage Landscapes** and Archeological Resources and **6.8 – Ontario Heritage Act**);

L. Consents will not be granted which have the effect of limiting access to back lands for future ***development*** or which have the effect of creating land locked parcels for either the severed or retained lot;

M. Consents may not be granted in areas where the undue extension of municipal services would be required (e.g. extension of a public road or school bus route);

N. Consents may not be granted for the creation of a new lot on a water body where the lake has reached its development capacity and no residual capacity exists for that water body (see Section 4.10.3);

O. Consents may not be granted which would interfere with a future public facility such as a park, road, source of water or similar facility;

P. Consents for non-residential uses (industrial, commercial, institutional uses) shall be appropriately located and comply with other policies of this Plan. Non-residential uses more appropriate to a rural setting

should be directed to a location outside of Hamlet ***settlement areas***;

Q. Consents in any built-up areas shall be proportioned to appropriately fit within the lotting pattern and serve to enhance the viability of the urban areas;

R. Despite the criteria outlined in 'A' to 'Q' above, Consents may be granted for the following purposes:

(i) To correct lot boundaries;

(ii) To convey additional land to an adjacent lot provided the conveyance does not lead to the creation of an undersized or irregularly shaped lot for the purpose for which it is being or will be used, or the land to be retained;

(iii) To clarify title to the land;

(iv) Where the effect of the settlement does not create an additional building lot; and

(v) To permit an easement;

S. Conditions may be imposed by Council in the granting of severances, which may include but not be limited to the following:

(i) A Zoning Amendment under the Zoning By-law or a Minor Variance under Section 45 of the *Planning Act*;

(ii) Site plan control;

(iii) The dedication of land or cash-in-lieu of parkland;

(iv) The conveyance of land or conveyance for easements for utilities, access control or drainage;

(v) The construction or upgrading of roads or the installation of drainage facilities and culverts;

(vi) The establishment of buffer strips and landscaping;

(vii) The installation of water supply or sewage disposal systems;

(viii) The entering into of a Consent (Development) Agreement including provisions of financial guarantees;

(ix) Demolition of buildings or structures and/or measures to remediate the property due to hazardous or contaminated conditions;

(x) Implementation for adequate drainage or storm water management requiring the submission of a survey or reference plan of survey;

(xi) The requirement for additional information or studies

3.15.3. Part-Lot Control

Part-lot control may be used for existing plans of subdivision where it is necessary to realign lot boundaries, to clarify or grant title, to exact specific servicing requirements as a condition of consent such as a road widening or to further control internal ***development*** on a lot.

3.16 Waste Disposal

3.16.1. Existing or New Sites

Existing active or new sites (public or private) within the Municipality may only be operated, expanded or closed in accordance with current Provincial environmental standards and approvals. Waste disposal activities may include facilities for recycling, composting, septage disposal, hazardous waste control and ancillary activities in accordance with the Environmental Compliance Approval. New sites, including sites for septage disposal, will require an amendment to this Plan and will require approval under the *Environmental Protection Act* before an amendment is considered. Prohibited wastes shall include nuclear wastes, hazardous or pathological wastes. Sites may include transfer sites used for the temporary storage of waste materials.

3.16.2. Closed or Inactive Sites

Closed or inactive sites may be used for other purposes subject to meeting requirements of the *Environmental Protection Act* (*Section 46*). In general, no buildings or other use may be made of land used as a waste management facility within a period of 25 years from the year in which the site was closed without the prior approval of the Minister of the Environment. Exceptions include the use of the property for Solar Energy Infrastructure.

3.16.3. Influence Area

Council recognizes that waste management facilities may have an impact on adjacent land uses. An influence area surrounding the waste management facility will be set out in the implementing zoning by-law to recognize the potential for ***adverse effects*** between the existing waste management facility and any abutting land uses. No ***development*** shall be permitted on or within 30 m (98.4 ft.) of the fill area of an active waste disposal facility or area. ***Development*** proposed beyond the 30 m (98.4 ft.) but within an influence area of 500 m (1,640 ft.) of the fill area of an active waste disposal facility or area of a waste site closed less than 25 years ago shall be accompanied by a technical study prepared in accordance with the Ministry of the Environment, Climate Change and Energy's 'D-Series Guidelines' and prepared by a qualified individual that demonstrates that the proposed ***development***, particularly a sensitive land use will not be negatively impacted by the waste disposal facility (e.g. leachate, methane gas, rodents, vermin, odours, fire etc.). Where recommended by the impact assessment, measures to mitigate any adverse impacts will be required as a condition of development.

3.16.4. Designation on Land Use Plan

Waste Disposal sites are identified on the **Land Use Plan Schedules** as a land use designation.

3.16.5. Development to Have Adequate Capacity

Council, in the review of planning applications, will ensure that there is sufficient capacity to accommodate the waste disposal needs of the proposed ***development***. Council will continue to monitor the capacity of the existing sites and will undertake improvements as required (e.g. expand sites or implement operational plans), to maintain adequate capacity for future development.

Council will monitor the environmental impacts of sites to ensure that there is no off-site migration of leachate.

3.16.6.Three R's

Recycling is mandatory in the Municipality. Council supports a program to reduce, reuse and recycle waste products with new initiatives in waste management being introduced as is feasible.

***Reference document: Guideline D-4, Land Use on or Near Landfills and Dumps, Ministry of the Environment and Climate Change.*

3.17 Water Supply and Sewage Disposal

3.17.1. Policy Overview

The Provincial Policy Statement identifies a servicing hierarchy of which **municipal sewage services** and **municipal water services** (connected to a centralized water and waste water treatment facility) are the preferred form of servicing for **settlement areas**. It is the intent of Council, in having regard for this statement, to balance the servicing needs of the area with the character of **development**. Servicing will be on the basis of **individual on-site sewage** services and **individual on-site water services**. This reflects the character of the area as well as the intent to avoid densities, which may necessitate the installation of piped services. This may not preclude the need for private communal sewage and water services for larger scale permanent residential (condominium or tenured ownership), developments, commercial developments such as ***recreational*** vehicle park, tourist commercial operation etc.

Where applicable, Council will have regard for Ontario's "*Safe Drinking Water Act",* which ensures that Ontarians have access to a safe drinking water supply.

3.17.2. Individual On-Site Systems

A. Lands throughout the Planning Area may be serviced by **individual on-site sewage services** and **individual on-site water services**. Individual on-site services are owned, operated and managed by the owner of the property upon which the system(s) are located. Planning applications for new **development** shall be supported with information satisfactory to meeting the approval requirements under the *Building Code Act* or the *Ontario Water Resources Act*:

B. Where a lot or lots are serviced with individual on-site water and sewage services site conditions shall be suitable for the long-term provision of such services. This may require a hydrogeological and water supply assessment study designed to assess the potential risk to groundwater. Reference shall be made to Ministry of the Environment and Climate Change, Guideline D-5-4, Technical Guideline for Individual On-Site Sewage Systems: Water Quality Impact Risk Assessment, in undertaking the appropriate assessment. Approval of new lots shall include sufficient off-site ***reserve sewage system capacity*** for hauled sewage and the lot shall be accessible by a sewage hauler.

3.17.3. Communal Services

Council may consider private sewage and private water communal services for multiple lot/unit ***development*** (more than five lots/units).

Prior to considering the need for a communal service Council shall be satisfied that the following criteria are considered:

A. That the proposed density of development is essential to the viability of the project and that other development or servicing options have been thoroughly considered (i.e. different location, method of servicing, acquisition of a larger land holding etc.), and that as a result, the only reasonable or economical alternative is a communal service.

B. That the potential for remedial measures has been adequately investigated with respect to health related matters (i.e. well contamination, nutrient management, and that no reasonable or economical alternative exits for resolving such health concerns than to install a communal service.

C. That the Ministry of the Environment and Climate Change has issued an order under the *"Ontario Water Resources Act"* requiring the installation of a communal system and/or the proposed communal service qualifies for Certificate of Approval from the Ministry.

D. That the proposed owner/operator has prepared an appropriate business plan to establish an appropriate cost structure for the installation and operation of the communal services(s).

E. That a financial security can be established (e.g. trust fund and/or insurance policy), to offset potential capital or operational costs arising from the default of the operator.

F. Where such a service is deemed to be necessary based on the above criteria and is approved, Council will assume ownership and operation after the issuance of a Environmental Compliance Approval where a private communal sewage service and or a private communal water service are required for permanent freehold residential development. Where a private communal sewage service(s) is required for permanent residential development, the Municipality shall be responsible for the service(s) should the system fail or the maintenance be neglected. Where a private communal service is required a responsibility agreement shall be required between the Municipality and the proponent or developer. A responsibility agreement will not be required for a mobile home park or ***recreational*** vehicle park for non-permanent residential development.

(Note: a private communal water service may include a Permit to Take Water under the Ontario Water Resources Act.) The responsibility agreement shall set out the requirements for the operation and maintenance of the system on a private basis subject to the approval of the Ministry of Environment. The legal agreement shall contain financial assurance provisions which will ensure funds for operation and routine maintenance as well as a secured fund for capital improvements should repair or replacement of the facility become necessary. In addition, the legal agreement shall set out the following:

(i) Operating and Maintenance Standards.

(ii) A definition of Default.

(iii) An outline of remedial action.

(iv) Registration on title of the subject property.

(v) Easements, where required.

Council will assume ownership/operation for the private communal sewage and/or water service should the system fail or should the operator fail to operate or maintain the system according to the agreement and will utilize the financial

security as needs to be in the operation/repair of the communal sewage service(s).

For the purposes of this Plan, private communal services means a sewage works within the meaning of Section 1 of the Ontario Water Resources Act that serves **six or more lots** or private residences and is not owned by a Municipality. **Private communal water services** means a non-municipal drinking water system within the meaning of Section 2 of the Safe Drinking Water Act, 2002 that serves six or more lots of private residences.

It is recognized that Frontenac County will be preparing a regional communal servicing study in 2017 that may result in Amendments to this Plan.

3.17.4. Stormwater Management and Drainage

It is Council's policy that storm water management shall be required as a preventative approach (rather than relying solely on end-of-pipe quality control) to protecting water resources (quality and quantity). Best management practices will be encouraged in the application of the following principles:

A. That natural hydrological characteristics are maintained, and where possible, enhanced as the means to protecting the base flow of watercourses. In particular, that post-development flows, particularly in receiving streams, are maintained at pre-development levels and that the cumulative impacts of ***development*** (within the sub-***watershed***) are considered as part of storm water ***infrastructure*** design.

B. That the natural infiltration of water on lands, which are developed, is maximized;

C. That proposed ***development*** will not result in increased downstream flooding or erosion or cause ***adverse effects*** on receiving waters;

D. To ensure that alterations to natural drainage systems are prohibited or at least minimized by maximizing the retention of natural vegetation and by leaving stream channels in their natural form;

E. That fish and ***wildlife habitat*** are protected, enhanced or restored including habitat linkages where affected by the discharge or outlet of drainage facilities;

F. That a sustainable environmental approach is utilized in protecting water resources. Examples include the recirculation of stormwater on-site for irrigation, systems designed to retain all stormwater on-site, green roof, etc.

G. That a construction mitigation plan is instituted to prevent stream borne sediments, changes in flow or other adverse characteristics from affecting the ***ecological functions*** or other impacts on receiving waters during construction.

It is the intent of Council to incorporate storm water management controls into the ***development*** review and approval process. Proponents of development may be required to plan for and undertake storm water management, which complies with the above principles as well as any master drainage plan. This may require a sub-***watershed*** management plan for large tracts of land or a storm water site management plan.

Depending on the size and scope of a particular ***development***, Council may require the preparation of a master drainage plan. Where these plans are in place, stormwater management plans should conform. Council will consult with the Conservation Authority, if applicable, in the review of these plans.

Improvements to storm sewer mains (e.g. replacement, or extensions) are anticipated as part of the regular program of maintenance by the Township and are deemed to comply with this Plan.

The intent of this Plan is to ensure conservation and protection of water resources.

(Reference documents for storm water management include: Storm Water Management Practices & Design Manual, Ministry of the Environment; Guidelines on Erosion and Sediment Control for Urban Construction Sites, Ministry of the Environment. Assistance or consultation with the conservation authority having jurisdiction in the implementation of these guidelines.

3.18 Co-Ordination of Services

Council intends to monitor population, employment and housing development having regard to trends across the County of Frontenac and their impact on growth management strategy in North Frontenac.

Council will co-ordinate economic development planning and programming among community stakeholders such as business, municipalities, government and education organizations and the First Nations community.

Council will protect common transportation and ***infrastructure*** corridors with neighbouring municipalities and the Province.

Council will conserve cultural heritage and ***archaeological resources*** by developing protocols for consultation with adjoining municipalities and the First Nations.

Council will conserve ***natural heritage features and areas*** and area municipalities in ensuring the integrity of the ***natural heritage system***, notably wildlife corridors, wetland complexes and other features which cross municipal boundaries.

Council will coordinate the design, ***development***, expansion and monitoring of waste management systems and the environmental impacts on common ***watersheds***.

4. COMMUNITY DEVELOPMENT – LAND USE

The purpose of the Community Development section of this Plan is to provide Council and the public with land use policies that guide development for certain areas or land uses in the Township. These policies are to be read in conjunction with Section 3 (General Development Policies) when considering development or redevelopment proposals.

4.1 Hamlet Settlement Areas

4.1.1. General

The **Hamlet Settlement Areas**, shown on the **Land Use Plan Schedule,** are the built-up settlements that provide the focus for basic community services required to serve the needs of area residents and visitors. Hamlets also make-up a part of the unique character of the community. Within the areas designated as Hamlet Settlement Areas a mix of land uses will be permitted, notably residential, public service, commercial and industrial. Residential development will be particularly encouraged in order to provide an adequate all-season basis for local businesses and industry.

This Plan designates five **Hamlet Settlement Areas**, namely, Ardoch, Cloyne, Harlowe, Ompah, Plevna, and Snow Road Station, as shown on the **Land Use Plan Schedule.**

In the review of planning applications for Consents, Zoning Amendments and Plans of Subdivision, and in considering lots of record, Council shall encourage the development of the **Hamlet Settlement Areas** by in-fill rather than as strips along the main roads. Provisions shall be made in appropriate locations to reserve road allowances from the main road to future internal lots behind existing development. The development of existing vacant lands within the built-up areas of the Hamlets shall be encouraged.

To achieve as much flexibility as possible, the permitted uses within the Hamlet Settlement Areas are established by policy statements rather than by attempting to designate specific areas for each use on the **Land Use Plan Schedules.**

The boundaries of Hamlet Settlement Areas are considered to be suitable for a 20-year time horizon. Hamlet Settlement Area boundaries may only be adjusted (by amendment to this Plan) where the hamlet does not have a sufficient land supply to accommodate the growth projected for the

Township.

4.1.2. Permitted Uses

Permitted uses in the **Hamlet Settlement Areas** designation as shown on the **Land Use Plan Schedule** shall include:

A. ***Residential uses:*** single detached and two-unit dwellings, group homes and garden suites. Two unit dwellings shall include semi-detached dwellings, duplexes and converted dwellings. Higher density residential uses will also be permitted which serve the changing demographic profile of the community such as housing for retirees, continuum-of-care facilities, small block apartments and town housing. Council will endeavour to provide for affordable housing in meeting future housing demands.

Council shall allow the use of a second residential unit by authorizing the use of two residential units in a detached house, semi-detached house or row-house if no building or structure accessory to the house contains a residential unit, and; allow the use of a residential unit in a building or structure accessory to a detached house, semidetached house or row-house if the house contains a single residential unit.

This Policy shall not apply to sleeping cabins or “bunkies” located on waterfront properties.

B. ***Commercial Uses:*** uses which service the needs of residents and the traveling public and tourism industry including but not limited to a grocery store, hardware store and similar convenience retail stores, gift and antique shops, personal service businesses (examples: hair care, pet care, repair shops, bait suppliers, computer services, business offices, financial services, self-storage facilities), existing recreational vehicle parks and campgrounds, accommodation and food services and automotive uses (auto and recreational vehicle sales and services) and tourist outfitters. Commercial uses which act as outlets for local goods and services will also be encouraged such as a farmer’s market, artisan’s crafts or maple syrup products.

C. ***Industrial uses:*** light and medium industrial uses and service type industries which provide services and/or products for the immediate area or which use materials produced locally and normally have a retail outlet. Such uses may include, but not be limited to, a building supply yard, a warehouse, a public garage, and a woodworking establishment, transportation depot. Industrial uses shall be limited

to a Class I or Class II use as set out in the Ministry of the Environment Classification system for industrial uses:

(i) **Class I Industry – *Light Industrial***

Means a place of business for a small scale, self-contained plant or building which produces, manufactures, assembles or stores a product which is contained in a package and has a low probability of fugitive emissions (e.g. noise, odour, dust and vibration). Such industries operate in the daytime only with infrequent movement of products and /or heavy trucks and no outside storage. Examples include: Electronics manufacturing and repair, high technology industries, furniture repair and refinishing, beverage bottling, package and crafting services, small-scale assembly, auto parts supply.

(ii) **Class II Industry – *Medium Industrial***

Means a place of business for medium scale process and manufacturing with outdoor storage of wastes or materials (e.g. it has an open process) and where there are periodic or occasional outputs of fugitive emissions (e.g. noise, odours, dust and/or vibration). Shift operations occur and there is frequent movement of products and /or heavy trucks during daytime hours. Examples include dry cleaning services, printing establishments, paint spray booths, welding shops, courier and transport services, heavy vehicle repairs, bulk fuel storage, raw product storage (aggregates, logs/lumber), warehousing, and contractor's yard.

Recognition shall be given to existing mineral aggregate uses in hamlets provided that extraction operations comply with the policies of **Section 4.15 – Mineral Aggregate Resources**.

D. ***Home Based Businesses:*** see Section 3.7 – **Home Based Businesses** for requirements.

E. ***Garden Suites:*** which are defined as a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary (accessory) to an existing residential structure and that is designed to be portable. Garden suites are intended for people who are largely capable of living independently but who, by virtue of their age or because of a disability require some support to live on their own. Council may provide opportunities for garden suites on a site-specific basis provided the lot is of a sufficient size and the unit can be

properly serviced with on-site services (water supply and sewage disposal). The Zoning By-law may be used to establish a floor area and unit type for a garden suit. In-law suites may also be permitted where they serve the same purpose.

F. ***Public Service Uses:*** assembly halls, cemeteries, government offices, libraries, public buildings, places of worship, schools, social service clubs and facilities, recreational facilities, heliport, communication towers (see **Section 3.13 – Public Utilities and Communications Facilities** for requirements.).

G. ***Accessory Uses:*** including accessory dwelling units (see **Section 2.3.7)**

H. The Municipal Housing Strategy of Frontenac County Council and the City of Kingston was adopted in 2011. This Strategy has been aligned with the 10-year Housing and Homelessness Plan developed in 2013. It will provide guidance for County Council to ensure that the citizens of the Township are housed in affordable, safe, sanitary and adequate accommodation. Council, with the assistance of the County, shall establish and implement targets for the provision of housing which is affordable to low and moderate income households.

4.1.3. Hamlet Planning Principles

The following site development and zoning standards shall apply to residential and non-residential uses in the Hamlet Settlement areas:

A. Ensuring that the lot size is adequate for the proposed use (e.g. to allow for access, parking and loading, private services, storage, signage, landscaping and buffering, privacy or open space areas, accessory buildings, light, air and access to the rear of the lot) and for potential for future expansion (i.e., enlarging, expanding, phasing and the addition of the industrial building to meet the long-term needs of the business).

B. Ensuring that the lot can be adequately serviced with water supply and sewage disposal (see **Section 3.17 - Water Supply and Sewage Disposal**).

C. An existing residential property may be converted to a commercial use or may be a mix of commercial and residential uses. Conversions shall only be permitted where Council is satisfied that the use will be compatible with land uses in the immediate vicinity and that the lot size is adequate (see **4.1.2 (A)** above). Council may

also require buffering (see **Section 3.3 – Buffering and Land Use Conflicts**).

D. Energy efficient and sustainable design will be promoted for all development. Council may establish performance standards through conditional zoning, site plan control and other means.

E. Accessibility by those with physical and other challenges will be considered in the review and approval of all development.

F. Provisions shall be made in the implementing Zoning By-law to classify individual types of land use and to set out the zone requirements for development (e.g. lot size, frontage, setbacks, height, parking, signs, landscaping, etc.). Where commercial or public service facilities are located adjacent to residential uses, provisions may be made for increased setbacks, buffering or screening to avoid land use conflicts with adjacent or nearby residential uses buffering (see **Section 3.3 – Buffering and Land Use Conflicts**).

G. Council will encourage development to occur on existing approved lots before considering new development. Opportunities for intensification and redevelopment shall also be promoted where it can be accommodated in the Hamlets through existing building stock, infill, on existing lots of record and through the rehabilitation and redevelopment of brownfields. Consideration for such initiatives shall recognize the long-term sustainability of development on private water and sewage services or the serving option selected for a hamlet or part thereof. Council shall establish and implement targets for intensification and redevelopment recognizing local servicing limitations.

H. Lots shall have frontage on or direct access onto a public road or onto a private lane where legal access is verified.

I. New industrial development shall have regard to the applicable planning principles listed above and below for industrial development. Existing uses may be expanded where they are compatible to adjacent land uses and adverse effects can be mitigated. The following additional principles shall apply to industrial uses:

(i) Industrial Uses: shall be directed away from residential uses;

(ii) An Influence Area as set out by the Ministry of the Environment and Climate Change for Class I and II industrial

uses shall apply between industrial uses and ***sensitive land uses*** (reciprocally) and shall be incorporated into the implementing Zoning By-law. ***Sensitive land uses*** shall not be permitted within the influence area unless it is clearly demonstrated that any ***adverse effects*** are clearly and fully mitigated to the satisfaction of Council and, where applicable, environmental approvals have been obtained from the Ministry of the Environment. The influence area shall be measured from the nearest point of the property line of an industrial use and the nearest point of the property boundary of the ***sensitive*** land use. The influence area for a Class I Industry shall be 70 m (230 ft.) and a Class II Industry 300 m (984 ft.). Where deemed necessary, Council may require buffering or screening by means of fencing, landscaping or berm to reduce any ***adverse effects*** (see **Section 3.3 – Buffering and Land Use Conflicts**). Minimum separation distances shall be established in the implementing Zoning By-law for each industrial classification which is consistent with Ministry of the Environment Guideline D-6, *'Compatibility Between industrial Facilities and Sensitive Land Uses*'.

(iii) Open storage shall be appropriately screened from adjacent properties and any public street and Provincial highways (see **Section 3.3 – Buffering and Land Use Conflicts**);

(iv) The lot area shall be sufficiently large to accommodate the intended use including parking, on-site maneuvering of vehicles, loading, storage of materials and wastes, access by emergency vehicles, future expansion (i.e., enlarging, expanding, phasing and the addition of industrial buildings to meet the long-term needs of the business) and landscaping;

(v) Building coverage and height control standards will be set out in the implementing Zoning By-law. Building height shall not exceed the equivalent of four storeys;

(vi) Services shall be evaluated to determine if they are adequate to meet the requirements for industrial uses **(i.e. see Section 3.17 - Water Supply and Sewage Disposal)**, waste management, fire protection and roads. Industrial uses, which consume large quantities of water, will not be permitted.

J. Site plan control shall apply in governing the massing and layout of buildings and storage areas, waste disposal areas, access, parking and loading, lighting, drainage, utilities and services, landscaping for

any new commercial, industrial or public service use and for extensions to existing uses (see **Section 6.9.10 - Site Plan Control**).

K. Where applicable, the policies of section **4.10 – Lake Development Area** shall apply to any ***development*** proposed within 150 m (500 ft) of a waterbody.

4.2 Rural Area

4.2.1. General

The goal of this Plan is to establish policies that will help the Township deliver a sustainable, living, working rural area that supports existing and future residents who wish to live and work in North Frontenac. Rural Area policies are meant to support and foster farming, commercial operations, and small businesses in order to create an environment to provide practical rural services and employment needed in the Township. Creating new employment opportunities and affordable living will ensure that services such as schools, post offices, and local commercial uses can be feasible in the long term.

Within the Rural Area, the Plan provides for a supply of land for a diversity of traditional and evolving rural uses. These include rural residential, rural co-operative areas, ***recreational*** oriented uses, uses characterized by large areas of open space; p***ublic utilities and commercial facilities*** (see **Section 3.13** for requirements); rural commercial and industrial uses and air strips.

The Plan recognizes the economic value of renewable and non-renewable resources within the Rural Area (e.g. forestry, mineral aggregates, ***minerals***, agriculture and water) and the need for the stewardship of these resources. The Plan provides for resource development and measures for minimizing the land use conflicts, which may arise from such ***development***.

Planning principles (as set out in **Sections 4.3, 4.9, 4.11** or development criteria in **Sections 4.8 and 4.10**) will apply to all ***development*** for the respective land uses in these Sections to ensure that it is environmentally sound and is complementary to the physical and scenic attributes of the natural environment. New ***development*** will be on the basis of on-site (private) water and sewage disposal systems, or communal systems, where necessary (see **Section 3.17**).

Some uses will require a specific land use designation because of their characteristics, while others will be permitted and governed through the

Zoning By-law. A number of uses are located and permitted within the Rural Area designation. These Rural Area designation uses include the Rural Residential uses, the Rural Commercial and Industrial uses, the Rural Recreational and Conservation uses, the Tourist Commercial uses and sites, the Recreational Vehicles and Recreational Vehicle Parks and Campgrounds uses and sites, Home Based Businesses, Mobile Home Developments and Agriculture uses. There are also within the Rural Area designation, a number of overlay and pattern systems affecting mineral resources and natural heritage features. Rural Co-operatives, Lake Development Areas, Crown lands and the ***Mineral Aggregate Resources*** all have their own site designations that are specifically mapped and shown on Schedules “A1”, “A2”, and “A3”.

4.3 Rural Residential Uses

4.3.1. Permitted Uses

For the purposes of this Plan, housing types may include permanent rural residential uses including single detached and two unit dwellings, mobile homes and accessory uses including a garden suite. Housing types may also include continuum-of-care facilities and tenured housing oriented to short-term or seasonal occupancy such as condominiums, fractional ownership and time-sharing. Recreational vehicles are not considered to be a form of housing, but rather for short-term ***recreational***-oriented accommodation.

4.3.2. Planning Principles

A. Residential development may occur on individually created lots or by Plan of Subdivision subject to **Section 3.15– Subdivisions, Consents and Part-Lot Control**.

Lot sizes for rural residential ***development*** or waterfront residential ***development*** shall be no less than 0.8 ha (2 acres). In determining whether there is a suitable building envelope, all required yard setbacks, steep slopes, rocks bluffs, ***wetlands***, etc. must be subtracted from the overall lot size **(see Section 3.15.2 D).**

Lot sizes may be reduced in developments created by Plan of Subdivision or for multiple unit projects (fractional ownership, condominium, and time share).

Lot sizes or density may only be reduced where the risk assessment arising out of the study clearly indicates that there will be no reduction in water quality in a ground or surface water supply, that the quantity is sustainable for the intended use without the drawdown or well interference with adjacent wells and that other design standards criteria are generally exceeded. The study shall be undertaken by a professional (team) competent in the field of hydrology, hydrogeology and ecology subject to terms of reference approved by the Municipality. The study shall be subject to a peer review at the cost of the applicant for development. The study shall also recommend measures to restore or improve ***sensitive*** surface water features, ***sensitive*** groundwater features and their ***hydrologic functions***.

Rural residential ***development*** shall comply with **Section 4.10 – Waterfront Area** policies of this Plan, if applicable.

It is expected that subdivisions will be developed with public road access, although Council may consider a condominium where they are satisfied that development standards and maintenance for roads and other services will be adequate. Developers will be expected to locate and design a subdivision with a view to complementing and enhancing natural landscapes, emphasize scenic vistas, conserve ecological attributes, natural vegetation and the wilderness setting. A landscape plan shall be submitted to illustrate measures for the conservation or revegetation of the subdivision. Council may control the approval and phasing of subdivision ***development*** to balance the supply and demand for lots while ensuring that revenues are in keeping with the operational costs of providing or maintaining roads and other municipal services. ***Garden Suites*** are permitted in accordance with **Section 4.1.2.E.**

B. Residential development shall be adequately serviced with on-site water and sewage disposal services (see Section 3.18 – Water Supply and Sewage Disposal). Council will require a servicing options report as a means to determine the most appropriate option for servicing for large-scale development such as a Plan of Subdivision or for multiple unit projects (fractional ownership, condominium, time share).

C. Residential ***development*** will be permitted where it has frontage on and direct access to year round maintained roads, preferably the existing network of roads, or on private lanes, either of which must meet municipal standards for road construction (see **Section 5 – Transportation**). In considering the approval of roads, Council shall

be satisfied that new roads can be efficiently integrated into the existing road network of the Township and are cost-effective from an operational stand point. Water access will be permitted only for residential development provided the water body has access and long-term parking arrangements are secured at or near the access point by means of a registered lease, deed or other legal instrument acceptable to the Municipality.

D. Energy efficient and sustainable design will be promoted for all ***development.*** Council may establish performance standards through conditional zoning, site plan control and other means.

E. Accessibility by those with physical and other challenges will be considered in the review and approval of all ***development***.

F. The type of access may be used to distinguish the zoning category and level of service (i.e., public services may not be provided or may be limited on private lanes). ***Development*** serviced by a private lane or water access only, will be placed in a Limited Services Zone while development, which is serviced by a year round maintained public road, may be placed in a Rural Zone. Rezoning may include both the water access lot and the associated water access location.

G. All residential ***development*** is subject to the requirements for influence areas and separation distances (see **Section 3.8**).

H. Provision shall be made for safe access to a lot by avoiding entrances on curves, grades or where sight lines may be limited.

I. All residential ***development*** is subject to the natural and human-made hazards requirements of this plan including polices in **Section 3.11** for contaminated sites, mine hazards, and hazardous sites.

J. Dwellings and other structures shall be set back sufficiently from the crest of any embankment or any stream or river valley in order to ensure adequate structural stability and to protect and conserve the amenities of the natural shoreline (e.g. vegetation).

K. A rural residential ***development*** shall not land lock any other parcel of land in the immediate vicinity and must be designed to allow for integration with future development, where applicable.

(Note: regard shall be given for other applicable policies of this Plan in considering rural residential development. See also **Section 3.2 – Accessory Uses; 3.9 – Lots of Record; and 3.14 – Shoreline Structures**)

4.3.3. Live/Work Development

A. Changing patterns of employment in recent years together with improvements in cellular/broadband technology means that people often can work and operate a business without the need to commute to employment some distance away.

In order to promote affordable housing and small business, the Township supports the creation of 'live/work' units. Live/work units can be defined as small-scale developments which include both residential and business floor space. Specifically, these units are designed primarily for employment purposes but also include residential space connected to the employment premises.

Live/work units allow for people to work from home and therefore can be considered a sustainable form of development. Live/work units can be important in helping to create economic development in the rural area of North Frontenac.

B. There are two main policy directions for live/work units:

i) to provide guidance on the creation of live/work units from existing traditional rural buildings, such as barns, community buildings, surplus school sites, former church buildings; and

ii) to provide guidance on the creation of new build live/work units.

C. Conversion of Buildings to Live/Work Units

North Frontenac supports the re-use of traditional rural buildings for live/work units. The conversion of rural buildings to live/work units allow the retention of rural buildings while at the same time reducing the need to travel long distances for employment purposes.

The Township will consider the conversion of an existing rural buildings to employment generating uses with accessory living accommodation under the following conditions:

i) the building has direct access to a public road or a year-round maintained private road;

ii) the scale and type of building is appropriate to the surrounding area;

iii) in general, the building has character that is important to the local community and is structurally sound and capable of a proposed re-use without major rebuilding;

iv) relates to an employment use which is designed so that it can be used independently of the residential use (so that employment potential is not restricted only to the occupants of the residential space);

v) demonstrates that the building is of sufficient size to accommodate a genuine business use and that any residential use will be accessory to that use. A proposal that has substantial residential use with only a small area for business use will be considered to be residential development and will be subject to the Home-Based Business policies of this plan (Section 3.7);

vi) the occupancy of the residential space is to be restricted to a person directly involved with the business being operated;

vii) Council may require Site Plan Control approval to ensure the functional use of the property as a commercial/residential use, and to also ensure that the buildings retain their rural character after conversion.

viii) The Township will not support conversions of a building in a farmyard area of a working farm where such a conversion could hinder the future operation of the farm business.

D. Creation of New Live/Work Units

The proportion of people who work from home in rural Eastern Ontario is higher than those who work at home in the urban areas such as Ottawa, Kingston, and Belleville. On this basis, as well as the need to provide rural economic development, North Frontenac supports the creation of new live/work units in the Rural Area of the Township.

Township Council recognizes that the Provincial Policy Statement (2014) directs new growth to settlement areas. However, new live/work units in the Rural Area will provide for new employment opportunities to meet the needs of the rural economy and support existing community services.

The Township will consider the creation of new live/work units under the following conditions:

i) the property has direct access to a public road or a year-round maintained private road;

ii) the scale and type of building is appropriate to the surrounding area;

iii) the employment use shall be located on the ground floor level of a new live/work structure, with the residential space on the floors above;

iv) there will be no adverse impacts of the new live/work operation on adjacent properties;

v) that the building is of sufficient size to accommodate a genuine business use and that any residential use will be accessory to that use. A proposal that has substantial residential use with only a small area for business use will be considered to be residential development and will be subject to the Home-Based Business policies of this plan (Section 3.7)

vi) Council may require Site Plan Control approval to ensure the functional use of the property as a commercial/residential use.

4.3.4 Tiny Houses

A. Tiny houses are becoming an alternative form of affordable housing and have building standards that can allow for year-round accommodation. For the purposes of this Plan, a tiny house may be defined as a building of less than 400 square feet (37.2 sq. m).

B. The implementing comprehensive zoning by-law will establish minimum lot sizes and setbacks for tiny house location, as well as minimum building size.

C. As a general principle, tiny houses that are built on approved foundation system with septic system shall be permitted in any zone allowing single detached dwellings.

D. Tiny houses built on trailers where the suspension/axle components have been removed and the chassis permanently attached on an approved foundation shall be permitted in any zone allowing single detached dwellings.

E. Tiny houses on mobile chassis where the suspension/axle components remain are considered semi-permanent and shall be permitted in zones that allow mobile homes.

F. The Township will establish building code adjustments to accommodate tiny house living including: minimum room dimension; ceiling height; egress and ingress for sleeping and living areas; bathroom and kitchen requirements; access to loft areas; and any other such adjustments deemed necessary to ensure a safe and liveable dwelling.

4.4 Rural Cooperative Area

4.4.1. Concept and Permitted Uses

For the purposes of this Plan, the **Rural Co-operative Area** designation of land as shown on the **Schedule** to the **Land Use Plan** shall mean that the predominant use of land in the areas so designated shall be for a single planned ***development*** on property owned in common, such as an incorporated co-operative or non-profit organization, land trust or family farm where the ownership and responsibility for the maintenance of all land uses, buildings, services and general management rests with the members. The permitted uses shall be those uses permitted in the Rural Area (Section 4.2).

4.4.2. Planning Principles

Rural Co-operative developments shall be subject to the following:

A. Frontage shall be on a public road that is opened and maintained year-round and which is of a reasonable standard of pavement or gravel construction or, frontage may be on an existing private lane further to Private Lane policies to this Plan (See 5.3 Private Lane Policies). Access to the road shall be such that no traffic hazards are created by limited sight lines.

B. Good agricultural and wood lot land shall be preserved.

C. No buildings shall be erected on any part of any lot subject to flooding, subsidence, erosion or any other physical hazard;

D. Where necessary, adequate buffering shall be provided between the rural co-operative development and adjacent land uses to reduce or eliminate the ***adverse effects*** of one use upon the other and;

E. Energy efficient and sustainable design will be promoted for all ***development***. Council may establish performance standards through conditional zoning, site plan control and other means.

4.4.3. Development Plan

Prior to any new ***development*** taking place in the **Rural Cooperative Area**, the Owners shall prepare and present for approval to the Township a development plan which shall include the location of major land uses, including the road pattern, the existing conditions of any water body to be utilized in the development (if applicable), the staging of such development (if applicable) and an assessment of the economic impact of the proposed uses on such matters as public road maintenance, fire protection services, school bussing, etc. and the on-site servicing requirements of the public body having jurisdiction. In reviewing the rural co-operative development the Municipality may circulate the development plan to any affected public bodies deemed necessary for comment. The approved development plan together with any site plan control and/or other agreements required by the Municipality shall be registered against the lands to which they apply and development on the lands shall take place in accordance with the registered Development Plan and Agreement. The application of site plan control approval will depend on the scale and type of activity involved. (See **Section 6.9.10 - Site Plan Control**).

4.4.4. Dissolution

In the event of dissolution of the development, the existence of separate dwellings and other buildings will not be accepted as justification for Consents outside of what is permitted by the Consent Policies for lands designated as Rural by this Plan. The Consent policies in **Section 3.15.2 Consents** of this Plan shall apply.

4.4.5. Zoning

Rural co-operative uses shall be appropriately zoned in the implementing Zoning By-law.

4.5 Rural Commercial and Industrial Uses

4.5.1. Permitted Uses

Permitted commercial uses shall include small-scale uses, which cater to the needs of local residents and to the traveling public. Examples include an auto service station, motor and recreational vehicle sales and service,

general store, tourist outfitter, accommodation services, an eatery, an antique store, gift or craft store or service repair store. Residential uses may be permitted as an accessory use.

Industrial uses shall include a Class I, II or III (Ministry of the Environment classification). Class I and II are described in **Section 4.1.2.C. (i) and (ii).**

Class III Industrial uses are described as a place of business for uses characterized as having emissions such as noise, smoke, odour, fumes or vibrations or extensive outside storage as part of their normal operations. Such uses include sawmills, pulp and paper mills, refineries, smelting operations and similar uses which are intended to be secluded from residential or other ***sensitive land uses*** in order to limit and potential ***adverse effects*** on the environment or the surrounding areas and public health. No industrial use will be permitted that produces noise, smoke, odour, fumes and/or vibrations to such an extent that the reasonable use and enjoyment of surrounding lands, buildings and/or uses is impaired and/or the air quality, water resources and/or public health of the area are negatively impacted. Residential uses may be permitted as an accessory use.

4.5.2. Planning Principles

The following site development and zoning standards shall apply to commercial and industrial uses in the Rural Area:

A. Ensuring that the lot size is adequate for the proposed use (e.g. to allow for access, parking and loading, private services, storage, signage, landscaping and buffering, privacy or open space areas, accessory buildings, light, air and access to the rear of the lot) and for the potential for future expansion (i.e., enlarging, expanding, phasing and the addition of industrial buildings to meet the long-term needs of the business);

B. Ensuring that the lot can be adequately serviced with water supply and sewage disposal (**see Section 3.17 - Water Supply and Sewage Disposal**);

C. ***Development*** shall have frontage on a publicly maintained road, or a designated ***recreational*** road owned by the Crown but maintained by the Municipality, or a registered right-of-way or private lane, which connects to a publicly maintained year round, or seasonal road. Access to commercial and industrial uses will be carefully controlled in order to avoid creating a traffic hazard. Generally, there should be no more than two access points per lot.

Access to a Provincial highway is restricted and is subject to the requirements of the Ministry of Transportation (see **Section 5.1 – Provincial Highway**);

D. Where commercial uses are located adjacent to residential uses, provisions may be made for increased setbacks, buffering or screening to avoid land use conflicts with adjacent or nearby residential uses buffering (see **Section 3.3 – Buffering and Land Use Conflicts**);

E. Provisions shall be made in the implementing Zoning By-law to classify individual types of land use and to set out the zone requirements for ***development*** (e.g. lot size, frontage, setbacks, height, parking, signs, landscaping, etc.). Council may establish separation distances between industrial uses and ***sensitive land uses*** and other uses;

F. New industrial ***development***, shall proceed by amendment to this Plan and shall have regard to the applicable planning principles listed above and below for industrial development. Existing uses may be expanded where there are compatible to adjacent land uses and ***adverse effects*** can be mitigated. The following additional principles shall apply to industrial uses:

(i) ***Industrial Uses:*** shall be directed away from residential uses.

(ii) An ***Influence Area*** as set out by the Ministry of the Environment for Class I, II and III industrial uses shall apply between industrial uses and ***sensitive land uses*** **(reciprocally)** and shall be incorporated into the implementing Zoning By-law. ***Sensitive land uses*** shall not be permitted within the influence area unless it is clearly demonstrated that any ***adverse effects*** are clearly and fully mitigated to the satisfaction of Council and, where applicable, environmental approvals have been obtained from the Ministry of the Environment and Climate Change. The influence area shall be measured from the nearest point of the property line of an industrial use and the nearest point of the property boundary of the ***sensitive land use***. The influence area for a Class I Industry shall be 70 m (230 ft.), a Class II Industry 300 m (984 ft.) and a Class III Industry shall be 1,000 m (3,820 ft.). Where deemed necessary, Council may require buffering or screening by means of fencing, landscaping or berm to reduce any ***adverse effects*** (see

Section 3.3 – Buffering and Land Use Conflicts). Minimum separation distances shall be established in the implementing Zoning By-law for each industrial classification which are consistent with Ministry of the Environment and Climate Change Guideline D-6, '*Compatibility Between Industrial Facilities and Sensitive Land Uses'.*

(iii) ***Open storage*** shall be appropriately screened from adjacent properties and any public street and Provincial highways. (see **Section 3.3 – Buffering and Land Use Conflicts**);

(iv) The lot area shall be sufficiently large to accommodate the intended use including parking, on-site maneuvering of vehicles, loading, storage of materials and wastes, access by emergency vehicles and landscaping.

(v) Building coverage and height control standards will be set out in the implementing Zoning By-law. Building height shall not exceed the equivalent of four storeys or exceed the firefighting capability of the Municipality.

(vi) Services shall be evaluated to determine if they are adequate to meet the requirements for industrial development (e.g. on-site water and sewer) (see **Section 3.17 - Water Supply and Sewage Disposal**), waste management, fire protection and roads.

G. Site plan control shall apply in governing the massing and layout of buildings and storage areas, waste disposal areas, access, parking and loading, lighting, drainage, utilities and services, landscaping for any new commercial or industrial and for extensions to existing uses (see **Section 6.9.10 - Site Plan Control**);

H. Energy efficient and sustainable design will be promoted for all ***development***. Council may establish performance standards through conditional zoning, site plan control and other means;

I. Accessibility by those with physical and other challenges will be considered in the review and approval of all ***development***;

4.6 Rural Recreational and Conservation Uses

4.6.1. Permitted Uses

Recreation uses are permitted in all areas of the Rural Area designation and shall include such public and private recreation uses which are

characterized by large areas of open space and which do not provide for permanent or seasonal residential facilities. Such uses include, but are not necessarily limited to, parks, playgrounds beaches, nature trails, hunting and fishing camps, conservation areas and other similar uses available to the public. These shall be permitted in the Rural and Limited Service Residential Zone categories of the implementing Zoning By-law. Recreation uses are subject to the following principles.

4.6.2. Planning Principles

A. Buildings and structures incidental and accessory to the permitted ***recreational*** uses shall also be permitted and shall be designed to integrate visually and functionally, as much as possible, with the natural landscape;

B. ***Recreational*** uses, as defined above, shall be permitted anywhere within the designated Rural Area, provided that there will be no detrimental effects on adjacent uses, and they are appropriately zoned;

C. *Adequate parking* shall be provided in accordance with the provisions of the implementing Zoning By-law. Access points to parking areas shall be located so that no traffic hazard will be created;

D. ***Development*** of new land-oriented ***recreational*** facilities should be compatible with surrounding land uses;

E. Land-oriented recreational ***development*** shall be permitted in the Rural Zone category of the implementing Zoning By-law;

F. A camp (recreational based camp) may be permitted under a land use permit with the Crown or as a remote use on private land, provided that appropriate arrangements are made for on-site servicing. The requirements for frontage on a road may be waived;

G. All rural ***recreational*** uses requiring servicing shall be located on a lot that can be adequately serviced with water supply and sewage disposal (see **Section 3.17 - Water Supply and Sewage Disposal**);

H. Energy efficient and sustainable design will be promoted for all ***development***. Council may establish performance standards through conditional zoning, site plan control and other means; and

I. Accessibility by those with physical and other challenges will be considered in the review and approval of all ***development***.

4.7 Tourist Commercial Uses

4.7.1. Permitted Uses

Tourist Commercial uses shall include a range of commercial facilities that principally serve the tourist trade, such as lodging facilities, motels and resorts, recreation facilities, golf courses, parks and facilities related to boat traffic, such as marinas, docks and other services. Such uses do not include residential uses such as tenured housing oriented to short-term or seasonal occupancy (i.e. condominiums, fractional ownership and time-sharing facilities). Buildings or other items of historic interest, and institutional uses (such as museums and related facilities), shall also be permitted. (Note: Recreational Vehicle Parks and Campgrounds are governed by **Section 4.8)**.

4.7.2. Planning Principles

A. Council will endeavor to concentrate tourist commercial uses into coherent groupings, providing a variety of services in key locations in the Municipality;

B. Tourist commercial uses should be located so that they are readily accessible to tourist traffic either by water or by road. In this regard, water access, as the sole or primary access, may be considered acceptable for seasonally operated uses only **(Section 4.3.2.C.** policies shall apply). Other uses requiring access shall only be permitted on lots with frontage on an open and year round maintained public road or on an existing private lane. (**Section 5.3** policies shall apply);

C. All tourist commercial uses requiring servicing shall be located on a lot that can be adequately serviced with water supply and sewage disposal (see **Section 3.17 - Water Supply and Sewage Disposal**);

D. Residential dwellings shall be permitted as accessory uses on tourist commercial properties for use by either the owner, operator or employees of such establishments;

E. In reviewing applications for tourist commercial **development,** Council should have regard to the protection of the natural environment, the open space character and the scenic qualities of

the area. Tourist commercial uses located adjacent to a water body shall comply with **Section 4.10 – Waterfront Area** policies of this Plan;

F. Tourist commercial uses should be adequately buffered or screened by distance, sight and sound, from any nearby residential use (see **Section 3.3 – Buffering and Land Use Conflicts**);

G. All tourist commercial uses will be placed in a separate category in the implementing Zoning By-law;

H. Energy efficient and sustainable design will be promoted for all ***development***. Council may establish performance standards through conditional zoning, site plan control and other means; and

I. Accessibility by those with physical and other challenges will be considered in the review and approval of all ***development***.

4.8 Recreational Vehicles and Recreational Vehicle Parks and Campgrounds

4.8.1. Purpose

The purpose of a Recreational Vehicle is to provide for a temporary living accommodation that is intended for seasonal use. Recreational vehicles are not permitted to be a substitute for a permanent residential dwelling.

4.8.2. Recreational Vehicle – Definition

Recreational Vehicles, which are also known as travel trailers, motor homes, campers and trailers are for the purposes of this Plan, defined as follows: means any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or is propelled by the motor vehicle and is capable of being used for the living, sleeping or eating accommodation of persons on a temporary, transient or short term basis, even if the vehicle is jacked up or its running gear is removed.

For the purposes of this Plan, a recreational vehicle, as defined shall be considered to be a structure for the purposes of establishing setbacks only.

A recreational vehicle does not include a mobile home, park model trailer, or a manufactured home as defined in the *Planning Act* or as governed by the *Building Code Act.*

This definition does not apply to prevent the storage of boats, boat or vehicle trailers, personal water craft, snowmobiles, all-terrain vehicles (ATVs) or other ***recreational*** equipment normally stored or parked on a lot.

4.8.3. Recreational Vehicle Parks and Campgrounds

The intent of the Plan is to allow for the development of Recreational Vehicle Parks as a means to accommodating recreational vehicles. It is expected that these parks would be operated on a seasonal basis, (e.g., May – October) and closed during the winter months. The Plan allows for the over wintering or storage of recreational vehicles in these parks. Recreational Vehicle Parks shall for the purposes of this Plan, be understood to include a campground for tents. Notwithstanding the provisions of this clause, short term occupancy of recreational vehicles during the period November to May will be permitted. Short-term occupancy may pertain, but is not limited to, weekends, Christmas and New Year's holidays and school breaks.

Recreational vehicles, as defined above, shall be permitted within a Recreational Vehicle Park or campground on land zoned for this purpose in the implementing Zoning By-law.

Where a number of new recreational vehicles are permitted, such as in a designated Recreational Vehicle Park and the aggregate sewage effluent discharge is greater than 10,000 liters per day, the approval of the Ministry of the Environment and Climate Change shall be required as set out in the *Ontario Water Resources Act*. Communal services shall be the preferred means of servicing multiple units. (see also **Section 3.17 – Water Supply and Sewage Disposal**). This policy shall not be deemed to exempt any existing recreational vehicles from compliance with the *Building Code Act or Ontario Water Resources Act*, respectively, where a compliance order is issued.

(Explanatory Note: pollution caused by the inappropriate discharge of sewage including grey water from an existing recreational vehicle may lead to a requirement for, or legal action to rectify the situation)

4.8.4. Recreational Vehicles on Individual Lots

The intent of the Plan is to allow one recreational vehicle to be stored, or to be used on a temporary basis on an individual (building) lot, whether the lot is vacant or whether the lot is occupied by a seasonal or permanent dwelling, subject to the provisions of the Township's Recreational Vehicle Licensing By-law**,** as amended.

However, in recognizing the need to accommodate hunters and fishers, the Plan may allow for additional recreational vehicles on larger lots as set out in the implementing Zoning By-law.

One recreational vehicle only may be used or stored on a vacant lot or on a lot occupied by a dwelling. A recreational vehicle may be used for recreation purposes while located on such a property provided the accommodation is temporary or short term only (e.g., for leisure or vacation purposes). The period of occupancy may be restricted (e.g. to a specified number of days per month).

Individual recreational vehicles shall only be permitted where they are adequately serviced with a potable water supply, and with an on-site sewage disposal system as approved under the *Building Code Act.* Such sewage disposal system shall be in addition to any self-contained or on-board holding tanks. The intent of the Plan is to avoid the illegal discharge of sewage or grey water on any lands occupied by a recreational vehicle. This provision shall not apply to recreational vehicles which are stored on a lot (but not used) and to recreational vehicles, which are used on a lot occupied by a residential dwelling, for a short duration only (i.e., two weeks or less over the course of a season)**.**

4.8.5. Licensing

Recreational Vehicles may be licensed by the Municipality under the authority of *The Municipal Act.* The licensing **By-law #41-03** shall specify the period of occupancy and the permit fees for recreational vehicles. Licensing provisions shall not apply to recreational vehicles where they are stored only and not used or for recreational vehicles in an RV Park or Campground.

4.8.6. Decks, Enclosures, Additions and Accessory Buildings and Structures

Decks may be permitted to be constructed in association with a recreational vehicle provided they comply with the Zoning By-law and the *Building Code,* where the latter is applicable. Enclosures, roof-overs, extensions or additions to a recreational vehicle shall not be permitted unless such

structures or construction has been specifically designed or pre-engineered for the recreational vehicle by the manufacturer or after-market manufacturer and are capable of being removed. No such structures shall be permitted which have the effect of rendering the recreational vehicle as a permanent structure or a permanent residential dwelling on a lot or site.

Accessory buildings (examples: storage or garden shed, gazebo, swimming pools) and structures (examples: sewage disposal systems, docks) shall be permitted. A private garage may be constructed as an accessory building for the long-term storage (i.e. over winter) of a recreational vehicle. All accessory buildings shall comply with the relevant zoning standards. (*Note: Docks may require a permit and/or approval from the Ministry of Natural Resources, The conservation authority having jurisdiction and the Department of Fisheries and Oceans*.)

4.8.7. Development Criteria for Recreational Vehicle Parks and Campground

In considering applications for amendments to the Zoning By-law to zone an area for a new Recreational Vehicle Park or campground or the expansion of an existing Recreational Vehicle Park or campground (of more than five units), the Council shall, amongst other matters, give consideration to the following development criteria:

A. The type of facility proposed and what uses or facilities in addition to recreational vehicle sites are proposed (e.g., camping, picnicking, swimming);

B. The number of recreational vehicles and the duration of occupancy;

C. The location of the proposed site relative to the land use and other development policies in this Plan.

D. The appropriateness of the topography, soils and vegetative cover of the site relative to the proposed uses. Consideration will be given to the integration, conservation and sustainability of the use with respect to ***natural heritage features and areas*** and the ecology of the natural environment of the lot and adjacent properties. A base line inventory of the natural heritage features (found both on site, and within the vicinity of the site) may be a requirement. An Environmental Impact Study shall be required where applicable under **Section 4.12** of this Plan;

E. The compatibility of the proposed use with existing and anticipated surrounding uses. The setting for these parks should include recreation oriented amenities, (e.g., lake frontage, mature tree cover,

proximity to wildlife, access to or proximity to ***recreational*** trails etc.) Buffering from adjacent land uses may be required;

F. The adequacy of existing or proposed roads to provide for traffic volumes and safe access for traffic and recreational vehicles to the site;

G. The proposed water supply and sewage disposal systems shall comply with **Section 3.17 – Water Supply and Sewage Disposal** of the Plan. Water usage and sewage disposal shall take into consideration provisions for shower, rest room and laundry facilities;

H. The adequacy of additional services to be provided such as hydro, telephone etc.;

I. Any additional facilities or uses proposed to be included such as administrative facilities, comfort stations, laundry facilities, sewage pump-out facilities, ***recreational*** and commercial facilities primarily designed to service patrons of the Recreational Vehicle Park, docks and boat launching facilities etc. Generally, such uses shall be planned and developed as accessory uses to the park;

J. The adequacy of open space, parking facilities, buffering, storage etc.;

K. The development plan prepared by the applicant shall illustrate the details of the layout of the proposed ***development*** including phasing and the ultimate plan. Applications will be encouraged to develop a business plan in support of a proposal for development;

L. The conservation of the water quality of any adjacent water body. A new recreational vehicle park shall be subject to the policies of **Section 4.10 – Waterfront Area** of this Plan;

M. On-site provisions for fire prevention and suppression;

N. Energy efficient and sustainable design will be promoted for all development. Council may establish performance standards through conditional zoning, site plan control and other means;

O. Accessibility by those with physical and other challenges will be considered in the review and approval of all ***development;*** and

P. The entering into of a Site Plan Control Agreement under the *Planning Act.*

4.8.8. Zoning

That provisions are made in the implementing Zoning By-law to regulate recreational vehicles and associated accessory uses and to set out the zone requirements for ***development*** (e.g. lot size, frontage, setbacks, height, parking etc.). Generally, the setbacks for a recreational vehicle shall be comparable to setbacks for residential uses. Particular regard shall be had for conserving the shoreline of an abutting water body in its natural state by establishing setbacks for ***development***.

4.8.9. Property Standards

Council may enact a Property Standards By-law under the Building *Code Act* to regulate the maintenance of properties, buildings and structures used for recreational vehicles or accessory thereto.

4.9 Mobile Home Developments

Mobile Home Developments shall be subject to the policies of this section.

4.9.1. Definitions

For the purposes of this Plan, the following definitions shall apply:

Mobile Home: means any dwelling that is designed to be made mobile, and constructed or manufactured to provide a permanent residence for one or more persons but does not include a travel trailer or tent trailer or trailer otherwise designed. A Mobile home shall also require a certification label as required by the *Building Code Act.*

Mobile Home Park: means a mobile home development which is under private ownership and managed by a mobile home park operator. Lots alone or lots (sites) with individual mobile homes, whether in a registered Plan of Subdivision or not, may be rented (or sold if within a registered Plan of Subdivision). Ownership and responsibility for the maintenance of internal roads, underground services, commercial areas and buildings, together with general park management (including snow clearance, garbage collection, etc.) rests with the owner. (Note: a mobile home is designed for year-round living and is distinguished from a recreational vehicle and park model trailer which is for seasonal accommodation. A mobile home may be a single wide or double wide unit which is designed and constructed off site to be joined together on-site.)

Mobile Home Subdivision: means a mobile home development which is

registered as a subdivision containing lots under either freehold or lease hold tenure.

4.9.2. Planning Principles

Mobile Home Developments shall be properly laid out and shall be approved by the Municipality. In considering applications for Mobile Home Developments, Council should be satisfied with respect to the following principles:

A. Consideration shall only be given to Mobile Home Developments which represent a high standard of quality and which have adequate resources to be properly administered with due regard to all operating aspects. Mobile Home Parks adjacent to a water body shall be subject to the policies of **Section 4.10 – Waterfront Area** of this Plan;

B. Mobile Home Developments should be adapted to individual site conditions, type of market to be serviced, and trends in design of the mobile home itself.

C. Where a number of new mobile homes are permitted, such as in a designated Mobile Home Park ***development***, and the aggregate sewage effluent discharge is greater than 10,000 liters per day, the approval of the Ministry of the Environment and Climate Change shall be required as set out in the *Ontario Water Resources Act*. Communal services shall be the preferred means of servicing multiple units. Where a communal service is installed, a responsibility agreement will be required between the owner of the recreational vehicle park and the Municipality regarding the ownership and operation of the system. (see also **Section 3.17 – Water Supply and Sewage Disposal**). The proposed water supply and sewage disposal systems shall comply with **Section 3.17 – Water Supply and Sewage Disposal** of the Plan where the effluent discharge is less than 10,000 liters per day. Water usage and sewage disposal shall take into consideration provisions for shower, rest room and laundry facilities;

D. Adequate provision shall be made for adequate off-street parking, landscaping and buffering (see **Section 3.3 – Buffering and Land Use Conflicts**);

E. All streets shall have a paved or compacted granular surface and shall be well drained and graded, suitable for use in all seasons of the year;

F. Mobile homes should be arranged in planned groups or clusters. Not more than one mobile home shall be located on one mobile home lot or site;

G. A wide variety of lot shapes should be provided to accommodate mobile home units of differing sizes including expandable and doublewide units. The placement of individual units should be varied to avoid monotony;

H. Not less than 10 % of the gross site area shall be devoted to ***recreational*** facilities, which shall generally be provided in a central location. In large ***developments*** (involving more than 30 units), recreation facilities may be decentralized, with at least one area large enough for activities such as a small softball park. Recreation areas may include space for community buildings as well as community ***recreational*** facilities. Recreation areas should be bordered by a fence or hedge where it is desirable to control access to the area or separate the area from traffic or nearby mobile home lots. Recreation areas should be landscaped with lawns, shrubbery, roads, etc. to give a pleasing appearance;

I. Vacant lots not occupied by a mobile home shall not be allowed to become weed covered and overgrown and shall be maintained by the park management;

J. Energy efficient and sustainable design will be promoted for all ***development***. Council may establish performance standards through conditional zoning, site plan control and other means;

K. Accessibility by those with physical and other challenges will be considered in the review and approval of all ***development***;

L. To ensure adequate control, ***development*** shall be subject to Site Plan Control and regulated by a site specific rezoning;

M. Mobile Home Developments shall be included in a separate ***zoning*** category in the implementing Zoning By-law; and

N. A mobile home which is transported on a Municipal Road may be subject to a permit issued by the Municipality to ensure the safe movement of the mobile home.

4.9.3 Applications

The Municipality shall require that the applicant submit the following information, so that the full impact of such proposed ***development*** can be

assessed:

A. The area and dimension of the land to be developed;

B. An overall plan, fully dimensioned, showing the location and size of all mobile home lots service buildings, communal facilities, roads, walks and parking areas, with details of water supply and sewage facilities;

C. Details of the individual mobile home lots, showing the location and size of mobile home sites, service connections, patios, parking areas, storage buildings, fences and landscaping;

D. Full details of site ***development*** and landscaping, with special attention to grading and overall surface drainage patterns;

E. Details of surrounding developments, with special attention to existing and proposed zoning and land use patterns; and

F. An indication of the proposed type, size and design of the mobile home units.

4.10 Waterfront Area

4.10.1 Introduction

The Township is characterized by a landscape with many lakes and rivers. The intent of this Plan is to ensure conservation, protection and enhancement of water resources. For the purpose of this Plan, Waterfront Areas shall generally include all lands extending 150 metres (500 feet) from the ordinary high water mark of any water body. A water body shall be deemed to be a permanent standing water body in excess of 8 hectares or a major river or waterway. The policies of this section of the Plan are intended to govern development within 150m (500 ft.) of these water bodies and islands with the intent to protect water quality, shoreline amenities and natural habitat areas.

It is Council's intent that the water quality of all water bodies in the Municipality will be maintained at their present level or enhanced. Any new development must be considered in light of its effect of its impact on the environmental quality of any lake or river and, in particular, the provisions of **Section 4.10.8. Lake Trout Waters**.

The Waterfront Area designation describes shoreline development, which is located around the lakes or along the significant rivers in the Township. Permitted uses in this land use designation include low-density residential development, tourist commercial uses listed in **Section 4.7**, and recreational vehicle parks and campground uses listed in **Section 4.8.** Rural residential uses with tenured occupancy such as condominiums, fractional ownership and time sharing are also permitted where such projects also comply with the policies of **Section 4.3.2** of this Plan. Accessory uses may include a sleep cabin or "bunkie" as a detached building or as a loft over a garage provided the cabin/loft is not equipped with cooking facilities.

The shoreline area and water resources, which have attracted settlement, possess physically and environmentally sensitive areas. Water quality, wetlands, natural heritage, and habitat areas must be preserved and protected.

The application of the Waterfront Area designation must be flexible in order to respond to the varied terrain and development conditions within the Township. Generally, land that is on the shoreline or which physically or visually relates to the waterfront is included within this designation.

The Waterfront Area designation identifies and describes the overall low-density shoreline development, which is composed of residential, waterfront, commercial and open space uses, and is related to the recreational and aesthetic opportunities presented by a significant water resource.

The water resources and Waterfront Areas provide the major leisure and recreational opportunities, which benefit the Township.

The Waterfront Area designation also forms the primary basis of the tourism sector, and provides the basis for a strong Township's economic base.

4.10.2 Definition

4.10.2.1 The Waterfront Area designation shall generally be defined as those lands extending inland 150 metres (500 feet). More specifically:

A. Lands which physically or functionally relate to the waterfront area, although extending beyond 150 metres (500 feet) from the waterbody, shall be deemed to be within the Waterfront designation.

B. Lands which do not physically or functionally relate to the waterfront area, although within 150 metres (500 feet) of the waterbody, shall be deemed not to be within the Waterfront designation.

4.10.2.2 For the purposes of Section 4.10.2.1, when determining whether lands physically or functionally relate to the waterfront, the following guidelines shall be considered:

A. the boundary shall be extended beyond 150 metres (500 feet) from the waterbody to encompass a significant natural or built feature;

B. where a road is between 150 metres (500 feet) and 195 metres (650 feet) of a waterbody, the road shall form the boundary;

C. generally, small remnants of rural area surrounded by the waterfront designation shall be included in the Waterfront Area designation;

D. all islands shall be included in the Waterfront Area;

E. for farms, open space and golf courses, the boundary shall be 150 metres (500 feet) from the waterbody;

F. portions of resort properties and recreational vehicle parks and campground uses beyond 150 metres (500 feet) from the waterbody shall be included in the Waterfront Area designation; and,

G. the Waterfront Area designation shall be outside the limits of Settlement Area designations.

4.10.2.3 Recognizing that the Waterfront Area boundaries should be flexible in order to recognize the varied terrain and development conditions within the Township, the precise limits of the Waterfront Area designation shall be defined and illustrated in an implementing comprehensive zoning by-law and confirmed by a site visit where necessary.

4.10.2.4 Lands that form the bed of any waterbody defined above shall be considered part of the Waterfront Area.

4.10.3 Basis and Principles

The following principles will apply to growth and development within the Waterfront Area designation:

A. The waterfront area of the Township is an important resource, which will be protected. The waterfront setting consists of open space and low density residential land uses on mainland and island shorelines; interspersed with some commercial development, primarily resorts; set among a forested landscape. This character is recognized and all development shall recognize this character.

B. The Waterfront Area on North Frontenac is a unique resource and asset. On this basis, development – including lot creation – should take place only after careful consideration of those recreational, environmental, socio-economic, and aesthetic qualities which contribute to the attraction of the waterfront and shared enjoyment of its lakes and rivers.

C. Development should be promoted in locations where demands on public services will be minimized, and where this development will most effectively utilize – or help pay for – existing services.

D. Limiting the density of buildings and structures in the Waterfront Area is an important part in protecting the character of the lakes and rivers in North Frontenac. Many factors affect waterfront character such as the number of structures, setbacks, shoreline vegetative buffers, height, size and form of buildings, size and location of shoreline structures, and the historic development of a particular lake or river. A strong vision through the policies in this Plan to limit density related to these factors is fundamental.

E. The integrity of the natural environment, landscape, shorelines and water quality will be protected.

F. Natural and cultural heritage, and habitat will be preserved.

G. The water resources of the Township will continue to be accessible to both private and public users.

H. It is recognized that there are Waterfront Areas in North Frontenac, particularly smaller lakes that are areas that have limited access or are lands that are or have been in the ownership of the Crown. These lands remain mostly undeveloped and provide important recreational and tourism opportunities.

I. Crown land tenure is significant in the Waterfront Area, and First Nation interests are expected to influence land use planning in this area.

J. Shoreline alterations shall require approval by the Municipality and/or appropriate agency (Conservation Authority; Ministry of Natural Resources and Forestry; Canada Fisheries and Oceans).

4.10.4 Goals

Goals of the Waterfront policies are as follows:

A. To protect the character of the waterfront in recognition of the different character of individual lakes.

B. To retain and promote the Waterfront's unique recreational character within the context of primarily a single-tier of development.

C. To ensure that development is suited to its site and that appropriate access and services are provided.

D. To encourage optimal growth while taking into consideration the lake system health of the Township's lakes and rivers.

E. To preserve and enhance the high quality of the recreational and biological aspects of the Waterfront.

F. To ensure growth is compatible with and has regard for the overall physical, environmental, social, and economic aspects of the waterfront.

G. To encourage the redevelopment and expansion of commercial businesses such as resorts and to recognize their important economic function.

4.10.5 Objectives

Objectives of the Waterfront Area policies are as follows:

Character

A. To recognize and protect the character of waterbodies within a single tier of development around the shoreline with limited, low density backlot development where access permits.

B. To ensure that built form does not become concentrated or dominate the Waterfront to the detriment of natural form.

C. To maintain or restore the majority of all developed and undeveloped shorelines in their natural state and promote stewardship of their biological benefits.

D. To work with Frontenac County and Provincial agencies to develop a process to identify the character of individual lakes through a classification system and assign appropriate limitations in an effect to protect this character.

Access and Servicing

E. To ensure that access is provided to all new lots to a standard appropriate to the situation.

F. To promote the waterways as a major recreational asset that should be made accessible to both public and private users.

G. To ensure that development does not unduly contribute to a demand for utilities or services which are uneconomical to provide, improve, or maintain.

H. To encourage public trail systems which provide recreational opportunities and link the waterfront to other areas of the Township.

Natural Areas

I. To maintain a high level of biodiversity by protecting natural areas and the connections between them.

J. To ensure that the environment is protected from negative impacts of development.

K. To protect and, where possible, enhance water quality.

Development

L. To encourage development which will contribute to the attraction and viability of the Waterfront for visitors and residents.

M. To support the continued viability of resorts, campgrounds, other commercial uses, and residential uses as important elements in the North Frontenac economy.

N. To control development on the waterfront such that it does not dominate the natural shoreline.

O. To support redevelopment opportunities of waterfront properties while maintaining the character of the waterfront area.

P. To protect and preserve the cultural heritage and archaeology resources in the waterfront area.

Q. To promote healthy and active communities by planning for public spaces, parks, public access to water, trails, and open space.

R. To ensure all lighting of properties is respectful of neighbours, the environment, navigation and the dark sky.

S. To ensure development of small lots is compatible with development in the area.

4.10.6 General Development Policies

Character

A. The Waterfront Area character differentiates the waterfront area from the rural setting of North Frontenac. Waterfront character is linked to the natural and built form which is oriented toward the lakes and rivers in the Township. Natural form includes predominantly vegetated and forested shorelines with thin soils over the bedrock of the Canadian Shield. Built form includes mostly residential development interspersed with some commercial development, primarily resorts and campgrounds. The Waterfront Area is the focus for recreation, relaxation, water supply, and support for fisheries and wildlife habitat, among others. Where development occurs in the Waterfront Area, it should enhance and protect, where possible, those qualities that contribute to character.

B. Natural form should dominate the character of the Waterfront. Natural shorelines may visually screen development viewed from the water and buffer uses. Shorelines shall be encouraged to be maintained in a predominantly natural state with tree cover and ground vegetation retained as development occurs.

C. Waterfront character evolves over time. Traditionally, tourist commercial in the form of cottage resorts as well as residential development has contributed to the character and economic viability of the North Frontenac. Resorts shall be encouraged to develop and expand in a manner that complements the Township.

D. Where development occurs in the Waterfront, it should complement the natural and built form and should enhance and protect those qualities that contribute to character.

Permitted Uses

E. Permitted uses in areas designated as Waterfront Area are limited to the following:

(i) Residential uses, which shall be limited to low-density residential development, limited service residential development;

(ii) commercial uses including: resorts, marinas, tent and trailer parks as listed in Section 4.8;

(iii) open space uses including parks and recreational uses;

(iv) public uses;

(v) accessory structures and buildings to the above-noted uses; and,

(vi) existing development as defined in an implementing comprehensive zoning by-law.

General Development Standards

F. Waterfront lots should be of sufficient dimension and size to accommodate the use proposed, related structures, and services within acceptable standards. As such, a variety of lot sizes, water frontages, setbacks, and structural limitations are expected in recognition of the natural and built influences in the Waterfront Area.

G. All major development and redevelopment shall be subject to site plan control including all commercial, industrial and institutional uses, as more specifically described in an implementing site plan control by-law.

H. Waterfront Area Lot Size

The following shall constitute minimum lot requirements, unless otherwise specified:

(i) a lot area of 0.8 hectares (2 acres); and,

(ii) a water frontage of 77 metres (250 feet).

I. Shoreline Setbacks

The front yard setbacks, as detailed in an implementing comprehensive zoning by-law, are established in recognition of:

(i) Requirement of a shoreline vegetative buffer;

(ii) Minimizing the dominance of the built form on the natural environment;

(iii) Maintenance of privacy and noise attenuation especially on properties fronting onto a narrow waterbody;

(iv) Maintenance of aesthetic qualities of the waterfront; and;

(v) Protection of natural habitat and minimizing environmental impact in the foreshore area.

J. Building Setbacks

Land based buildings and structures (unless otherwise specified in the Plan) shall be located a minimum of 30 metres (100 feet) from the normal or controlled high water mark of a waterbody with the exception of the following:

(i) Minor accessory building or structures or marine related facilities, which shall be located as detailed in the implementing comprehensive zoning by-law;

(ii) Septic tile bed and mantle, which shall not be permitted within 30 metres (100 feet) of the waterbody;

(iii) existing development as defined in an implementing zoning by-law;

(iv) where lake-specific or site-specific conditions suggest that it would be appropriate, the minimum water setback may be increased. Examples may include sites with steep slopes, limited soil depth, or limited vegetative cover; and

(v) Consideration shall be given in the implementing zoning by-law to the establishment of a maximum floor space index within 60 m (200 feet) of the high water mark to ensure no large structures are built near the shoreline.

K. Sideyard Setbacks

Sideyard setbacks shall be established in an implementing comprehensive zoning by-law in recognition of the following:

(i) in the case of land structures, to maintain a natural area between buildings so as to reduce the dominance of the built form on the natural environment, maintain privacy, attenuate noise, connect habitat, ensure compatibility, and contribute to the aesthetic qualities of the waterfront;

(ii) in the case of shoreline structures, to allow for the ingress and egress of boats to dock spaces and boathouse slips, while maintaining reasonable views and separation for privacy between neighbouring properties; and

(iii) consideration may be given to alternatives where such setbacks are not possible due to terrain or other constraints.

L. Council may consider the implementation of a Tree Preservation By-law in waterfront areas and any development or redevelopment of this area may be permitted in accordance with the By-law.

M. Redevelopment of existing properties shall be encouraged to follow current development standards, as closely as possible, to be compatible with and consistent with sound planning principles including environmental considerations. In addition, encouragement shall be given to restoring and preserving natural shorelines.

N. The preparation of an Environmental Impact Study (EIS) shall be required for all major development in waterfront areas.

O. Aggregate operations shall not be permitted in the Waterfront Area designation.

Water Access Development

P. The following shall generally constitute minimum lot sizes for new lots with water access only, unless otherwise stated:

   (i) a lot area of 0.8 hectares (2 acres); and,

   (ii) a water frontage of 90 metres (300 feet).

Q. Due to concerns of character, visual impact, environmental impact, access, and service provision, islands must be a minimum of 0.8 hectares (2 acres) to be developed for residential purposes as established in the comprehensive zoning by-law. Islands less than 0.8 hectares in size shall be limited to a picnic shelter and a dock, or existing development as of the date of adoption of this Plan.

R. Where the Township is considering a development proposal for an island slightly less than 0.8 hectares (2 acres) in size, the following matters shall be examined in an Environmental Impact Study accompanying a Zoning By-law Amendment application:

   (i) retention of tree cover;

   (ii) protection of critical fish and wildlife habitat;

   (iii) adequate soil depth and site suitability for a septic system;

   (iv) satisfactory long term access and service delivery; and,

   (v) modest visual impact and appropriate location of building envelopes.

Access

S. Access to waterfront area development that is not on public roads shall be subject to the Private Roads policies set out in Section 5.3.

Servicing

T. It is anticipated that the Waterfront Area will be serviced by private individual on-site sewage and water systems.

U. Hydrogeological reports satisfactory to the Township and Conservation Authority or Ministry of Environment and Climate Change may be required to support any proposal on private servicing systems where:

   (i) more than four residential lots are proposed;

   (ii) construction of a new road(s) is proposed;

(iii) there are areas of known or suspect water quantity or quality; or

(iv) for commercial, industrial or other uses which would produce an effluent flow of greater than 4,500 litres per day.

V. The County of Frontenac is undertaking a communal servicing study in 2017. The results of this work will assist the Township in developing policies for private communal servicing development options in the Waterfront Area.

Visual, Scenic and Aesthetic Qualities

W. The preservation and protection of the appearance of the shoreline in a natural vegetated state shall be encouraged.

X. Private roads serving waterfront lots are encouraged to blend in with the waterfront setting and terrain, taking into account slope, tree cover, alignment, and road surface, and the policies of the Private Roads Section 5.3 of this Plan.

Y. Development shall be located and designed so as to protect the character and prominence of public views and features including such areas as rock cliffs, waterfalls, rapids, and landmarks. Where development is proposed in such areas, encouragement shall be given to the dedication or acquisition of such lands for the purposes of conservation, public access, trails, and/or portages.

Z. The retention of trees and native vegetation shall be encouraged through site plan control or municipal development agreement to uphold the visual and environmental integrity of the Waterfront Area. Where development is proposed, a natural undisturbed buffer is required at the water's edge to generally meet a target of 15 metres (50 feet) in depth from the high water mark. Where little or no natural buffer exists, renaturalizing will be required, where possible. Minor accessory structures and an access pathway to the shoreline are permitted.

4.10.7 Lake System Health

A. Limits to development on lakes may be based on social, physical, biological and other measures of capacity. The Township will work with Frontenac County, the Frontenac Stewardship Foundation, the Ministry of Environment and Climate Change, the Ministry of Natural Resources and Forestry, Conservation Authorities, lake associations, and other agencies to develop a long term plan for comprehensive lake planning.

B. The Township will encourage and support lake associations to conduct lake stewardship planning. Township Council shall have regard to any such lake plans as part of the information to be considered on planning decisions respecting development or redevelopment on a lake.

C. The overall health of most lakes and rivers in North Frontenac can be considered to be very good to excellent. From a planning perspective a cautious approach to development in the Township will be taken in order to protect these waterbodies. In this regard, new lot creation, development or redevelopment should only be permitted where it is determined that phosphorus impacts on water quality can be effectively eliminated.

D. The role of natural vegetated shorelines in buffering waterbodies from erosion, siltation and nutrient migration adjacent to the sensitive littoral zone is critical to the protection of water quality. Preservation and restoration, where appropriate, of shoreline buffers is therefore necessary. The frontage of a lot will be maintained in a natural state to a target depth of 15 metres (50 feet) from the shoreline where new lots are being created and where vacant lots are being developed. Where lots are already developed and further development or redevelopment is proposed, these targets should be achieved to the extent feasible. Where these targets cannot be met, a net improvement over the existing situation is required.

E. Construction mitigation measures, storm water management, or other techniques shall be used to minimize negative impacts on water quality.

Site Plan Control / Municipal Development Agreements

F. Where site plan control or a development agreement is required as part of a planning approval, or where on-site phosphorus management is required, the following matters may be addressed:

(i) appropriate location of buildings, structures and sewage disposal systems;

(ii) retention or restoration of a natural vegetative buffer to prevent erosion, siltation and nutrient migration;

(iii) maintenance or establishment of native tree cover and vegetation on the lot wherever possible;

(iv) appropriate location and construction of roads, driveways and pathways, including use of permeable materials; and

(v) implementation of stormwater management and construction mitigation techniques, including proper re-contouring, discharging of roof leaders, use of soak away pits and other measures to promote infiltration.

4.10.8 Lake Trout Waters

Lakes which have suitable quality of water to be managed for lake trout are a limited and non-renewable resource and thus the protection of this resource are an objective of this Plan, in view of the recreational and tourist nature of the area. Lakes presently managed for lake trout are indicated on the **Land Use Plan Schedule** and have been classified as having high or moderate sensitivity. The following development policies shall apply to lands abutting these lakes, in addition to any other policies outlined in this Plan:

A. **Trout Lakes at Capacity**

The lake trout lakes included in this category (**see Section A xii below for list**) are extremely sensitive to development. The following policies shall apply to all lot creation or site alterations undertaken on or within 300m (984 ft.) of an identified at capacity lake trout lake. ***Development*** will be prohibited on lands adjacent to a water body where the water body has reached or may reach its development capacity except where one or more of the following conditions exists:

i. The tile fields on each new lot are set back at least 300 m [984 ft.] from the shoreline of the lake or such that the drainage from the tile fields would flow at least 300 m [984 ft.] into the lake;

ii. The tile fields on each new lot are located such that it would drain into the drainage basin of another water body which is not at capacity;

iii. The proposed new use complies with the underlying land use designation;

iv. To separate existing habitable dwellings, each of which is on a lot that is capable of supporting a Class 4 sewage system, provided that the land use would not change and that there would be no increase in phosphorus loading to the lake;

v. The proposed new use has a scale and density that is less than currently exists on the site, and shall demonstrate a net reduction of the phosphorus loading on the lake. Prior to any redevelopment being approved, an Environmental Impact Study (EIS) shall be undertaken by a qualified person and completed to the satisfaction of the Municipality, the Conservation Authority and the Ministries of Environment and Climate Change and the Ministry of Natural Resources and Forestry, respectively. The EIS shall consider and provide recommendations on such matters as hydrogeology, soil types or overburden, vegetation, topography and slope, the location of existing and proposed land uses and a comparison of pre and post ***development*** nutrient loadings on the adjacent water body(ies);

An Official Plan amendment may be required to provide for the creation of any new lots and shall be required for Plans of Subdivisions or multiple Consents proposed on lands not designated as Lake Development Area and which are proposed within 300m (984 ft.) of any at capacity lake;

vi. Existing lots of record and lots in existing and approved Plans of Subdivision may be developed under strict conditions where a proponent can demonstrate there will be no impacts on lake water quality and in accordance with the **Sections 3.15, 3.17, 4.3.2., 4.10.1.** and **4.10.6.** of this Plan;

vii. The sewage disposal system intended for use on existing lots of record and lots in existing and approved Plans of Subdivision shall be set back a minimum of 30m (98.4 ft.) from the shoreline;

ix. No more than one single detached dwelling unit together with accessory buildings shall be permitted on any existing lot of record or on a lot in an existing and approved Plan of Subdivision;

x. On existing lots of record and lots in existing and approved Plans of Subdivision, consideration may be given to slight reductions to the minimum setback, only if it is not physically possible or is not environmentally desirable to meet this requirement and it can be demonstrated that there will be no negative impacts on fish habitat;

xi. Applications for Minor Variances to the Zoning setbacks established for at capacity lake trout lakes may be required to be supported by an Environmental Impact Assessment prepared in accordance with **4.10.2.B.** of this Plan depending on the extent and impact of the proposal;

xii. The provisions of Section **4.10.2.C** regarding shoreline activity areas and the maintenance of the natural shoreline buffer shall apply;

xiii. At capacity lake trout lakes are indicated on the Schedules to this Plan with a symbol and include the following lakes:

- Reid Lake (Boundry Lake)
- Lucky Lake
- Mackie Lake
- Camp Lake (Little Mackie)

- Big Ohlmann Lake (Rock Lake)
- Mosque Lake
- Kishkebus Lake
- Shabomeka Lake (Buck Lake)
- Little Green Lake
- Buckshot Lake
- Round Schooner Lake

xiv. Should a lake trout lake be determined to be at capacity, the policies of Section 4.10.3 A shall apply to the lake without an amendment to this Plan.

xv. Special Policy – Mississagagon Lake
Mississagagon Lake is not classified as a lake trout lake by the Province of Ontario. In 2016, the Ministry of Environment and Climate Change designated Mississagagon Lake to be 'at capacity' for new development based on water quality. The policies of Section 4.10.3 shall apply to Mississagagon Lake.

B. **Lake Trout Waters Not At Capacity**

(i) The lake trout waters in this category are those which are considered capable of supporting additional shoreline ***development*** (i.e. within 300 m (984 ft.) of the shoreline), provided that special precautions are taken to ensure that maximum containment of phosphorus occurs on the lot except as otherwise permitted in this section. In cases where a lake-wide capacity assessment **(see Section 4.10., Lake Development Area)** has been undertaken, the Municipality will use the information to determine whether the lake can support additional development. The Ministry of Environment and Energy and the Ministry of Natural Resources and Forestry shall be consulted in these situations.

(ii) The approval of any new lot with shoreline frontage either by means of severance or through Plan of Subdivision, shall be restricted to one single detached dwelling unit together with accessory buildings and shall be conditional upon the structure, and associated private waste disposal systems meeting required setbacks.

The provisions of **Section 4.10.2.C and D** regarding the maintenance of shoreline in its natural state shall apply.

(iii) The sewage disposal system serving any ***development*** shall use the best available phosphorus removal technology and shall be setback a minimum of 30 m (98.4 ft.) from the shoreline.

(iv) Lake trout lakes not at capacity include:

- Brule Lake
- Mazinaw Lake
- Palmerston Lake

4.11 Salvage Yard Use

Because of the potential land use conflicts associated with this type of land use, the intent of the Plan is to direct these uses to locations which minimize the impact on surrounding or adjacent land uses.

4.11.1. Permitted Uses

On lands to be used as a salvage yard, the uses shall include the storage, crushing, dismantling, recycling, sorting or transfer of vehicles, building materials, non-hazardous wastes, junk and other materials and shall include the incidental retail, shipping and receiving of such materials. A salvage yard use may include a Derelict Motor Vehicle (DMV) site. Accessory uses may include storage facilities, accessory dwelling unit for the owner and administration facilities.

4.11.2. Amendment

New scrap, junk, salvage or wrecking yards or a DMV site shall be located on lands designated for these purposes by an amendment to this Plan. Existing sites may also be recognized which comply with the intent of the following planning principles.

4.11.3. Planning Principles

In considering applications for Amendments to this Plan to designate an area for scrap, junk, salvage or wrecking operations or an extension to an existing area, Council shall amongst other matters give consideration to the following planning principles:

A. The general need and desirability of the type of operation proposed;

B. The location of the proposed site relative to the land use and development policies in this Plan;

C. The suitability of the topography and soils relative to the proposed use;

D. That insofar as is practical, scrap, junk, salvage and wrecking operations will generally be restricted to areas not exposed to public view;

E. The adequacy of existing or proposed roads to provide access to the site and capacity to support truck traffic;

F. That adequate provision is made for fencing, buffering or berming the operation (see **Section 3.3 – Buffering and Land Use Conflicts**). Council may also impose a minimum distance separation between the salvage yard and an adjacent use(s); and

G. The entering into of a Site Plan Control Agreement under the *Planning Act* **(see Section 6.9.10. - Site Plan Control**).

4.11.4 Zoning

Provisions shall be made in the implementing zoning by-law to regulate salvage yards.

4.12 Natural Heritage Features

Natural heritage features and areas are those areas, which are important for their environmental and social values as a legacy of the natural landscapes of the area. Collectively, the individual ***natural heritage features*** and areas within a given Planning Area form a ***natural heritage system***. It is intended that the particular features identified in North Frontenac will be ***conserved*** for their natural heritage value. Known Natural Heritage Features are shown on the **Land Use Plan Schedules**.

4.12.1. Definitions

For the purposes of this Plan, the definitions, as excerpted from the Provincial Policy Statement listed in Appendix 1 shall be utilized in the application of the ***Natural Heritage Features and Areas*** policies:

4.12.2. Policies

A. **Natural Heritage Features**

Some ***Natural Heritage Features and Areas*** which have been designated in the Municipality are illustrated the **Land Use Plan Schedule** with an appropriate symbol to identify particular features. Although occurrences of species at risk and habitat are not shown on the Land Use Plan Schedules, due to data sensitivity, species at risk and habitat will be considered when screening planning applications and prior to application approval. There is potential that suitable/***significant*** habitat persists in the Municipality and the list is subject to change as new information is gathered. The Municipality will contact the Ministry of Natural Resources and Forestry periodically to update known occurrences of species at risk in the Municipality in order to assist with accurate and effective screening of ***development*** applications.

B. **Wetlands and Wildlife Habitat**

It is a policy of Council to protect and manage the identified ***wetlands*** as ecosystems which are important as habitat for a variety of plant and animal species, for water quality, flood control and water storage and recharge areas and for their value for passive recreation. The only Provincially Significant Wetland in the Township is the Mud Lake Wetland.

Development and ***site alteration*** shall not be permitted in significant ***wetlands*** or ***significant wildlife habitat***. Development and ***site alteration*** shall not be permitted on the ***adjacent lands*** of ***significant*** wetlands or ***significant wildlife habitat***, unless it has been demonstrated through the preparation of an Environmental Impact Assessment as required in **Section 4.12.2.F. – Environmental Impact Assessment** of this Plan, that there will be no ***negative impacts*** on the natural features or on their ***ecological functions***.

For the purposes of this policy, ***adjacent lands*** to ***Provincially Significant Wetlands*** include an area of 120 m (394 ft.) ***Adjacent lands*** may also be identified through reference to the *Natural Heritage Reference Manual Policies of the Provincial Policy Statement.* In addition to satisfying **Section 4.12.2.F. – Environmental Impact Assessment**, any new ***development*** or ***site alteration*** proposed on ***adjacent lands*** shall also satisfy the land use **policies** of the underlying land use designation as shown on **Land Use Plan Schedules**.

New development shall be set back a minimum of 30 m [98.4 ft.] from the high water mark of any wetland. ***Development*** in and within 120 m [394 ft.] of a wetland is regulated under the *Conservation Authorities Act* through the "Development, Interference with Wetlands and Alterations to Shoreline and Watercourses Regulations". Development activities, including construction and ***site alteration***, will require a permit from the applicable Conservation Authority.

Council may designate locally ***significant*** wetlands where the basis of the information is adequate to determine the classification of the wetland. Locally ***significant*** wetlands may be established by amendment to the Plan or as part of a regular update to the Plan. Where a wetland has not been identified on the **Land Use Schedules** to this Plan, this may not preclude the requirement for an environmental impact assessment in the review of the planning application. The policy provisions for Provincially Significant Wetlands shall also apply to locally significant wetlands.

C. **Fish Habitat**

It is a policy of Council to protect designated cold and warm water bodies and fish spawning areas for their fish habitat values. ***Development*** and ***site alteration*** may be permitted in ***fish habitat*** except in accordance with the implementing Zoning By-law and Provincial and Federal requirements.
Development and ***site alteration*** on ***adjacent lands*** to fish habitat may require an *Environmental Impact Assessment pursuant* to **Section 4.12.2.F** at the discretion of Council, to demonstrate that there will be no ***negative impacts*** on the fish habitat or on their ***ecological functions***.

For the purposes of this policy, ***adjacent lands*** to ***fish habitat*** include a distance of 30 m [98.2 ft.] from the shoreline abutting the affected water bodies. Council recognizes that fish habitat areas are not limited to the above noted lakes and Council may require an impact assessment for ***development*** abutting the shoreline of other water bodies in the Planning Area.

D. **Endangered and Threatened Species**

The *Endangered Species Act*, 2007 (ESA) is designed to protect the habitat of ***endangered*** or ***threatened species*** and to provide for the protection and recovery of Ontario's species at risk and their habitats. Species-specific habitat regulations are being gradually introduced to protect both ***significant*** and other habitat for listed species. In the interim (prior to the regulations) Council's strategy will be to use habitat descriptions, recovery strategies, species status reports or species occurrence information or Ministry of Natural Resources and Forestry records to identify habitat areas that warrant protection. The Township may seek technical assistance from the Ministry of Natural Resources and Forestry in scoping the requirements for an Impact Assessment (IA) required by this Plan which is designed to protect habitats of listed species under the ESA.

No ***development*** or ***site alteration*** shall be permitted within the ***significant*** habitat of ***endangered*** *or* ***threatened species***. ***Development*** and ***site alteration*** shall not be permitted on the ***adjacent lands*** of endangered or threatened species, unless it has been demonstrated through the

preparation of an impact assessment as required in **Section 4.12.2.F. – Environmental Impact Assessment** of this Plan, that there will be no ***negative impacts*** on the natural features or on the ***ecological functions***~~.~~

For the purposes of this policy, ***adjacent lands*** to ***endangered*** or ***threatened species*** include an area of 120 m (394 ft.) or as otherwise determined by reference to the Natural Heritage Reference Manual Policies of the Provincial Policy Statement. In addition to satisfying **Section 4.12.2.F. – Environmental Impact Assessment**, any new ***development*** or ***site alteration*** proposed on ***adjacent lands*** shall also satisfy the land use policies of the underlying land use designation as shown on **Land Use Plan Schedule.** Council will strive to protect the habitat of ***vulnerable*** species and will require an Impact Assessment **[see Section 4.12.2.F.]** for ***development*** or ***site alteration*** on or within 120 m (394 ft.) of the habitat of such species. The Municipality will consult habitat mapping provided by the Ministry of Natural Resources and Forestry when reviewing development and/or site alteration applications.

E. **Areas of Natural and Scientific Interest (ANSI)**

It is a policy of Council to recognize the Summit Lake ANSI, the Snow Road ANSI (*details regarding* ***development*** *within the Snow Road ANSI can be found in the Zoning By-law)* and the Fortune-Schooner ANSI as Provincially Significant ANSIs. These areas are intended to be recognized for their natural and scientific values.

Development and ***site alteration*** shall not be permitted within or on the ***adjacent lands*** of an area of natural and scientific interest, unless it has been demonstrated through the preparation of an Impact Assessment as required in **Section 4.12.2.F. - Environmental Impact Assessment** of this Plan, that there will be no ***negative impacts*** on the natural features or on the ***ecological functions***.

For the purposes of this policy, ***adjacent lands*** to an area of natural and scientific interest include an area of 120 m (394 ft.) or as otherwise determined by reference to the Natural Heritage Reference Manual Policies of the Provincial Policy Statement. In addition to satisfying **Section 4.12.2.F. – Environmental Impact Assessment**, any new ***development*** or ***site alteration*** proposed on ***adjacent lands*** shall also satisfy the land use policies of the underlying land use designation as shown on **Land Use Plan Schedules.**

F. **Environmental Impact Assessment**

Council will require an impact assessment for ***development*** and ***site alteration*** proposed in designated Natural Heritage Features and ***adjacent***

lands. An Environmental Impact Assessment (EIA) will be prepared to support planning applications such as Official Plan Amendments, Zoning By-law Amendments, Plans of Subdivision, Consent etc., and prior to the approval of the proposed ***development*** or ***site alteration***. Where the impact of the ***development*** and/or ***site alteration*** cannot be mitigated, it will not be permitted (e.g. 'no development option').

An Environmental Impact Assessment (EIA) is intended to provide for an assessment of the potential impact of a proposed ***development*** or ***site alteration*** on a particular natural heritage feature and shall be used to determine whether the proposed ***development***, ***redevelopment*** or ***site alteration*** should or should not be permitted. The EIA will be undertaken by the proponent of ***development*** and/or ***site alteration***.

The components of the EIA shall be tailored to the scale of development and may range from a simplified assessment (scoped assessment) to a full site assessment. (*For example, a single detached dwelling may only require a scoped assessment while a subdivision, multiple unit residential complex, major commercial or industrial development, golf course etc. will require a full site assessment*). Council may consult with the Conservation Authority having jurisdiction and the Ministry of Natural Resources and Forestry in determining information requirements and the type and content of an EIA. The following is intended to provide a guideline on the potential scope of an EIA:

(i) A description of the study area and landscape context;

(ii) Description of the ***development*** proposal;

(iii) Identification of those features and functions likely to be affected by the development proposal;

(iv) Assessment of the potential impacts of the proposed development on key features and functions;

(v) Identification of mitigation requirements and monitoring requirements, quantification of residual impacts (those that cannot be mitigated) if any; and

(vi) Review and decision.

Council may consult with a public authority to assist with the technical review and findings of an EIA. Council may also engage such professionals as are required for the purpose of reviewing the Environmental Impact Assessment report. Costs will normally be recovered from the applicant.

G. **Implementation Measures**

Council may use zoning, site plan control and the provisions of the *Municipal Act* (***site alteration*** controls) as measures to implement recommendations or results of an Environmental Impact Assessment or to govern the spatial relationship of buildings and structures to ***natural heritage features and areas***.

H. **Resource Management Lands**

Council proposes to establish and conserve natural features of ecological, ***recreational*** or other values to the residents of Ontario and identifies the following resource management lands located within the Township:

(i) Mazinaw Lake – Enhanced Management Area;

(ii) Bon Echo Additions – Provincial Park Addition;

(iii) Crotch Lake Conservation Reserve; and

(iv) Hungary Lake Conservation Reserve.

The intent of Council is to recognize the conservation and resource management values of these features and to work with the Crown in their use and management.

I. **The Algonquin Park to Adirondacks Park Corridor**

The Algonquin to Adirondacks Conservation Association promotes programs to connect and improve habitat within the region that extends from Algonquin Park to Adirondacks State Park in New York State. The region connects Canada's Boreal Forest with the Appalachian Mountains down to the State of Georgia as an important area for ecological connectivity.

At the core of the region are the two parks linked by the Frontenac Arch, the southerly extension of the Precambrian Shield. To the west, and for a short distance to the east, there is limestone and, further to the east, the St. Lawrence lowlands; areas which support distinctive ecosystems which merge in the Thousand Islands to form a diverse ecosystem.

The region and especially the Frontenac Arch, provide north-south pathways that allow wildlife to maintain genetic diversity. Animals travel these pathways, birds follow them, and with global warming pushing climate zones northward, even plants are expanding along them. North Frontenac Township is adjacent to and connects to the Frontenac Arch UNESCO Biosphere and the intent of this Plan and the land use decisions that are

made is to support the ecological value of the connectivity, its ecosystem function and native biodiversity while respecting human land uses.

4.13 Crown Land

It is recognized that Council does not have the jurisdiction to enforce the provisions of this Plan as it relates to Crown land (including Provincial Parks and resource management lands as described in **Section 4.12.2 H**) since Crown lands are recognized as falling under the purview and responsibility of the Provincial Government. However, it is expected that Council and Provincial Ministries will work cooperatively in achieving the objectives and spirit of this plan particularly with respect to the review of development applications and in the impacts on municipal ***infrastructure*** i.e. roads. It is expected that Crown lands proposed to be released for private or First Nations Communities development not be released by the Crown without prior consultation with Council and that the redesignation of such lands, where required, be in conformity with the Official Plan. Generally, the release of Crown land for non-resources related ***development*** is not encouraged except where there are no alternative private lands available for such development or where the lands are required to achieve the economic policies of this Plan. It is also the intent of Council to minimize or avoid land use conflicts in resource development since inter-agency cooperation is essential to maximizing the potential of natural resources within the Township.

Council is cognizant of the many resource attributes on Crown land within the planning area and wishes to ensure a balanced approach to resource management to ensure that resource development is optimized for the economic health of the area while taking into consideration the ***ecological functions*** of wildlife and ***fish habitat***. The predominant resource use is forestry. Outdoor recreation uses are also active uses such as hiking, hunting, trapping canoeing and snowmobiling. Mining also has potential as does mineral aggregate extraction.

The Municipality expects the continued cooperation with respect to an inter-agency fire protection agreement.

Council anticipates that consultation with respect to the use of Crown Lands will include First Nations Communities.

4.14 Agriculture

Although there are no prime agricultural areas within the Municipality, the intent of the Plan is to permit ***agricultural uses*** (e.g. growing of crops, nursery, horticultural crops, the raising of livestock and other animals for food or fur, including poultry and fish aquaculture, apiaries, maple syrup production, agroforestry etc.) in the Rural Area. This is intended to include agricultural-related uses. Where livestock operations are part of an agricultural use, the ***Minimum Distance Separation***

Formulae I and II in effect at the time, will apply to farming operations and to all non-farm ***development*** as a means to reduce incompatibility concerns about odour. Non-farm development in the vicinity of viable farming operations will be discouraged unless they are compatible and will not interfere with normal farming practices. Council supports nutrient management planning as a means to protect water quality.

Minimum Distance Separation Formulae

A. New land uses, including the creation of lots and new or expanding livestock operations, shall comply with the ***Minimum Distance Separation Formulae (MDS)*****.** For the purposes of this Plan, the MDS I will not apply to the following:

i. To existing vacant lots of record of 2 ha [5 ac.] or less;

ii. To new lot creation which will abut an existing cluster of four or more non-farm uses which is closer to the subject livestock facility and in the immediate proximity to the MDS 1 application. The proposed lot must not however, be closer to the livestock facility than the four or more existing non-farm uses;

iii. To an existing non-farm residential uses which is destroyed by a catastrophic event provided the replacement building is not built any closer to the livestock facility than before the event;

iv. To the expansion of an existing residential dwelling provided that it is expanded no closer toward an adjacent livestock facility that would be impacted by such an expansion; or

v. To accessory structures to a dwelling (i.e., decks, garden sheds, gazebos, patios, pools or similar buildings and structures).

B. MDS II will apply to the ***development*** or expansion of a livestock facility on an existing lot of record and shall apply for the determination of separation requirements from existing residential lots of record. MDS II shall not apply to the following:

i. To an existing livestock facility which is destroyed by a catastrophic event provided the replacement building is not built any closer to the residential use than before the event and if the reconstruction does not result in a higher values for odour, nutrient units or manure or material storage; or

ii. To an accessory building or structure (i.e. kennel, machinery shed, outbuilding or similar buildings and structures).

C. For the purposes of applying MDS in this Plan:

i. A cemetery shall be classified as a Type B land use where it is closed or receives low levels of visitation;

ii. The MDS will not apply to a structurally unsound livestock facility or where the facility cannot be restored or has been permanently converted to another use. (*Examples include: conversion to a dwelling, commercial or industrial building)*;

iii. MDS will not apply to abattoirs, apiaries, assembly yards, fairgrounds, feed storages, field shade shelters, greenhouses, kennels, livestock facilities <10 m^2 [108 ft^2] in floor area, machinery sheds, mushroom farms, pastures, slaughter houses, a dead stock composting facility, stockyards or temporary field nutrient storage sites.

4.15 Mineral Aggregate Resources

4.15.1. Definitions

Mineral Aggregate: means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the *Aggregate Resources Act* suitable for construction, industrial, manufacturing and maintenance purposes, but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other materials prescribed under the *Mining Act*

4.15.2 Policies

It is a policy that ***mineral aggregate resources*** will be protected for their resource value and their long-term use through the designation of active pits and quarries and mineral aggregate reserves as a Mineral Aggregate Resources Area (see **Land Use Plan Schedules**). As much of the mineral aggregate resources as is realistically possible will be made available to supply mineral resource needs as close to markets as is possible. This shall also include ***wayside pits and quarries*** although they are not required to be specifically designated.

4.15.3. Permitted Uses

It is a policy that the permitted uses within areas designated ***Mineral Aggregate Resources*** include the following:

A. Pits and quarries;

B. ***Wayside pits and quarries***;

C. An agricultural use excluding any permanent buildings;

D. Forestry excluding any permanent buildings;

E. ***Mineral Aggregate Operations*** associated with pit and quarry operations such as crushing facilities, stock piles, screening operations, asphalt plants and aggregate transfer or recycling operations provided they do not prevent the opening of a pit, quarry, wayside pit or quarry, also crushers, screeners, weigh scales, storage buildings to house equipment, asphalt and concrete plants and recycling operations are permitted where they have been certified and the site approved by the Ministry of the Environment and Climate Change, where applicable;

F. Passive recreation uses; and

G. An accessory dwelling unit for an owner or operator of the pit or quarry only.

4.15.4. Influence Area

It is a policy to recognize an influence area as a means of protecting against incompatible land uses in the vicinity of proposed pits and quarries and to protect existing pits and quarries from encroachment from other incompatible land uses. It is a policy of Council to discourage incompatible land uses in areas surrounding Mineral Aggregate Resource Areas. For the purposes of this plan, the influence area shall be considered to be:

A. 500 m (1,640 ft.) for quarries with a recommended separation distance of 300 m (984.2 ft.); and

B. 300 m (984.2 ft.) for pits with a recommended separation distance of 70 m (229.6 ft.)

Measurement of the distances shall be from the boundary of the ***Mineral Aggregate Resources*** land use designation shown on the **Land Use Plan Schedules**. The extent of the influence area may be modified in consultation with the public body having jurisdiction without amendment to this plan.

Within the influence area, and outside of the recommended separation distance (of 300 m or 70 m respectively), ***development*** may be permitted where it is clearly demonstrated (through studies), that impacts such as noise, dust, vibration can be mitigated by the operator and the quality and

quantity of ground water on adjacent properties will not be compromised where excavation activities are below the water table.

The recommended separation distances shall apply on a reciprocal basis in establishing a new pit or quarry in the vicinity of an existing ***sensitive land use*** (as defined in **Section 3.8.3** of this Plan.

4.15.5. Site Development of Pits and Quarries

Applicants will be required to utilize the Provincial Standards set out in the "Aggregate Resources of Ontario" (Queen's Printer, 1997) as a guideline in the preparation of the site plans and required plans for the licensing of pits and quarries. Details to be shown in the site plan will include but not necessarily be limited to the following matters and will be utilized to assist Council in the review of applications for redesignations and rezonings which may be concurrent with a licensing application under the *Aggregate Resources Act*. Council may use controls under the *Municipal Act* and the *Planning Act* to govern matters not addressed in the licensing requirements (i.e., off-site haulage routes, noise controls) and site plan controls.

A. Existing features and topography;

B. Existing and proposed surface water drainage and drainage facilities;

C. The location of existing and proposed stockpiles of topsoil and overburden;

D. The sequence and direction of proposed pit or quarry development;

E. The elevation of the groundwater table and the final depth of excavation;

F. Existing and proposed areas for fuel storage and scrap materials;

G. The area in hectares to be excavated;

H. The location and labeling of all excavation setbacks from the property boundaries;

I. The location of any proposed berms, their heights and landscaping;

J. The location and setback of buildings and structures e.g. weigh scales and vehicle storage areas;

K. The location and widths of entrances to the site and haul routes off site;

L. Details on the hours of operation and truck volumes;

M. The maximum number of tonnes to be removed from the site in any calendar year;

N. The sequence and direction of progressive rehabilitation;

O. Details on slopes and how the slope will be established on the excavation faces and the pit floor; and

P. Details of the final rehabilitation of the site (e.g. landscaping, drainage, elevations, buildings, final slope gradient);

4.15.6. Review of Applications

Council will review planning applications for compliance with the relevant policies of this Plan to ensure that the resource is protected and that adequate measures are undertaken to mitigate impacts of pit and quarry operations on ***sensitive land uses*** and to address the impacts of operations on the municipal road ***infrastructure***. This may include the passing of by-laws pursuant to the *Municipal Act* and other applicable legislation to ensure that matters of municipal interest such as haul routes, operating hours, noise, etc. are appropriately controlled.

4.15.7. Wayside Pits and Quarries

It is a policy to permit ***wayside pits and quarries***.

A wayside pit or wayside quarry means a temporary pit or a quarry opened and used by a Public Road Authority solely for the purpose of a particular project or contract of road construction and not located on a road right-of-way.

Wayside pits and quarries are permitted throughout the Planning Area without an amendment to this Plan or to the Zoning By-law except in areas designated as a Hamlet Settlement area or on environmentally ***sensitive*** lands (e.g. natural heritage feature, flood plain) which have been determined to be incompatible with extraction and associated activities.

4.15.8. Portable Asphalt/Concrete Plants

It is a policy to recognize portable asphalt/concrete plants as an important part of aggregate operations.

Portable asphalt/concrete plants, used by a Public Road Authority or their agents, shall be permitted throughout the Planning Area without an

amendment to this plan or to the Zoning By-law. Portable asphalt/concrete plants are not permitted in areas designated as a Hamlet or on Environmentally Sensitive Lands.

If asphalt or concrete for a public road project cannot be obtained from an existing asphalt/concrete plant, attempts should be made to locate the portable plant in a wayside pit, vacant industrial site, the highway right-of-way, or on inactive or less productive agricultural lands.

Portable asphalt plants are subject to the following provisions:

A. Portable asphalt/concrete plants will be removed from the site upon completion of the project;

B. All portable asphalt/concrete plants must have an Environmental Compliance Approval from the Ministry of the Environment and Climate Change and shall also require a location approval by the district manager of the Ministry of the Environment and Climate Change; and

C. Sites used for portable asphalt/concrete plants within the agricultural area shall be rehabilitated to their former agricultural capability.

4.15.9. Definition

For the purposes of this Plan, the definitions from the Provincial Policy Statement listed in Appendix 2 shall be utilized in the application to the policies for ***Mineral Aggregate Resources.***

4.15.10. Resource Identification or Depletion and Rehabilitation

It is a policy that an amendment is required to this Plan to designate mineral aggregate resource lands not currently identified or conversely to redesignate existing lands wherein the resource has been depleted. In any redesignation, consideration shall be given to the following criteria.

A. Evidence, provided by the applicant, indicating that the aggregate extraction is unfeasible due to quality, quantity, and other ***development*** constraints or that the resource has been depleted or that the proposed land use or development serves a greater long-term public interest and issues of public safety and environmental impact are addressed;

B. The necessity of the land use change in comparison to the necessity of conserving the aggregate resource (e.g. ***development*** of the land

will not sterilise the use of resources on ***adjacent lands***), the lands are not natural heritage features (***wetlands***, habitat areas);

C. The reason for the choice of location and the consideration given to alternate locations on non-aggregate land;

D. The consideration given to the option of sequential land use, in which the aggregate is removed prior to the development of the land for the proposed use; and

E. Progressive and final rehabilitation shall be required to accommodate subsequent land uses, to promote land use compatibility, and to recognize the interim nature of extraction. Final rehabilitation shall take surrounding land uses and approved land use designations into consideration.

4.16 Mineral Resources

4.16.1. Definitions

For the purposes of this Plan, the definitions from the Provincial Policy Statement listed in Appendix 2 shall be utilized in the application to the policies for ***Minerals***.

4.16.2. Policies

Minerals shall be protected for long term use from development and land or activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. Areas intended to be ***conserved*** for their ***significant*** mineral potential have been identified using the Mineral Deposit Inventory (MDI) and are shown on the Land Use Plan Schedules as a Mineral Resource Constraint Overlay. ***Development*** within a mineral constraint overlay area may only be permitted where Council is satisfied through consultation with the Ministry of Northern Development, Mines and Forestry that the proposed use will not preclude or hinder the future extraction of mineral resources **(see Section 4.16.3 for further interpretation of this policy).**

Council recognizes that some lands will be designated as a land use because of the presence of active ***mineral mining operations*** or where the resource value of the ***minerals*** must be protected. Such lands will be shown as a land use designation and may be used for a Mineral Mining Operation. These lands shall be subject to the policies of **Section 4.16.7** of this Plan or to an amendment where lands are proposed to be used for other purposes

4.16.3. Mineral Resources as a Constraint

It is a policy that mineral resource lands be recognized as a development constraint overlay. This shall mean that mineral resource-related uses such as exploration, development and ***mineral mining operations*** and ancillary uses shall be permitted where they meet the development criteria set out in this Plan and the requirements of applicable law (i.e. *Environmental Assessment Act, Mining Act* etc.)

4.16.4. New Mines

It is a policy that the establishment of new mines shall be subject to the approval of the Ministry of Northern Development and Mines under the *Mining Act* and the *Environmental Protection Act* and will require an amendment to the Official Plan and an amendment to the Official Plan and an amendment to the Zoning By-law. Permitted uses within any potential Mine Designation shall include ***mineral mining operations*** and ancillary uses.

4.16.5. Rehabilitation

It shall be a policy that active ***mineral mining operations*** shall be subject to the provisions of the *Mining Act* with respect to rehabilitation and/or closure, such that future land uses can be accommodated after extraction and other related activities have ceased. This shall include progressive and final rehabilitation, wherever feasible **(See Section 3.11. – Natural and Human Made Hazards)**.

4.16.6. Influence Area

It is a policy to recognize an influence area as a means of protecting against incompatible land uses in the vicinity of active mining operations and to protect mining operations from encroachment from other incompatible land uses. It is a policy of the Council to discourage or prohibit incompatible land uses adjacent to a mineral mining operation. ***Development*** may be permitted in the influence area where the impacts of mining operations can be properly mitigated. For the purposes of this Plan, the influence area shall be generally 1,000 m (3,280 ft.). The establishment or modification of the influence area should be carried out in consultation with the Ministry of Northern Development and Mines and the Ministry of the Environment and Climate Change and may be done without amendment to this Plan.

4.16.7. Resource Depletion

Where the mineral resource has been depleted and the mine or lands associated with the mining operation have been rehabilitated or closed in accordance with plans approved by the Ministry of Northern Development

and Mines, these lands may revert to an alternative resource use where there is an overlapping designation with the mining resource lands designation or alternatively where such is not the case, the lands may be redesignated by amendment to this Plan provided that such redesignation does not prejudice ***mineral mining operations*** or other resource lands on adjacent properties.

4.16.8. Implementation

Measures to achieve policies of the Council respecting mineral resources are as follows:

A. In the review of planning applications i.e. Plan of Subdivision, Zoning or Official Plan Amendment, Council shall consult or circulate to the Ministry of Northern Development, Mines and Forestry where the proposed ***development*** is located within lands identified as having ***significant*** mineral potential by the Ministry of Northern Development, Mines and Forestry. [*Reference may also be made to mapping provided by the Ministry of Northern Development, Mines and Forestry* ***(Geology Ontario)*** *which identifies sites in the Mineral Deposit Inventory (MDI)*].

B. The proponent of development may be required to provide appropriate information to Council to demonstrate that the proposed ***developmen***t:

(i) Will not preclude or hinder the establishment of new mining operations;

(ii) That the resource use would not be feasible; or

(iii) That the proposed land uses or development serves a greater long term public interest; and

(iv) That issues of public health and safety and environmental impacts are addressed.

4.17 Forest Management and Related Uses

It is a policy of Council to recognize the importance of forests as a sustainable resource within the Municipality. The stewardship of this resource activity is recognized as taking place on both Crown Land and private land. On Crown Land, forest management and wood production activities are encouraged as governed under agreements under the *Crown Forest Sustainability Act*. In the development of such agreements under the *Act*, Council will work with the Province and the forest industry to ensure that other resource attributes are considered and managed for their respective values. Council will encourage private property

owners to develop forest management plans as a means to contribute to the quality of life and economic health of the community. The Municipality will also permit complementary land uses to forest management practices and activities such as ***wildlife habitat*** improvement, or ecosystem improvement and the active or passive use of forested areas for ***recreational*** activities such as cross country skiing, picnicking, snowmobile and other similar outdoor ***recreational*** facilities and resource uses.

In recognizing the importance of the forest resource within the Municipality, it is a policy to both support and help coordinate the application of forest stewardship techniques to ensure compatibility with harvesting, renewal and maintenance operations with other resource attributes, particularly wildlife and ***fish habitat***.

4.18 Energy, Air Quality and Sustainability

4.18.1 Scope

The Municipality recognizes the importance of its air quality as a resource in maintaining the quality of life of residents as well as moving towards a more sustainable community. Council intends to examine different approaches to reach environmental sustainability by encouraging the ***development*** of new sources of 'green energy' into the community, together with improving the air quality.

4.18.2 Planning Principles

A. Council, in promoting energy conservation, may encourage energy audits and implementation measures to retrofit the existing stock (i.e., upgrading of windows, fixtures, energy efficient furnaces, etc.). Council will also encourage non-vehicular movement (pedestrian) within the community;

B. Council will encourage the installation of: energy efficient solid fuel burning appliances; proper, energy efficient insulation; water conserving fixtures, etc. This may be enforced through a property standards by-law;

C. Council encourages initiation of a recycling program within the community which may include: wastes, plastics, metals, wood, etc.;

D. Energy efficient and sustainable design will be promoted for all ***development***. Council may establish performance standards through conditional zoning, site plan control and other means; and

E. The intent of this Plan is to encourage the ***development*** of ***renewable energy systems*** and ***alternative energy systems*** (i.e., renewable resources of wind, water, solar, etc.) in conjunction with ensuring that measures are taken to improve air quality. A renewable energy generation facility, a renewable energy project, a renewable energy testing facility or a

renewable energy testing project, as defined in subsection 1(1) of the *Planning Act* is exempt from the provisions of the *Planning Act* except as set out in subsection 62.0.2 of the *Act*. Council will encourage a consultative process in the installation of **renewable *energy systems.*** Development of ***renewable energy systems*** will be encouraged to have regard to safe access to a lot, setbacks that are consistent with zoning standards, adequate lot size, access to and conservation of other natural resources (i.e., prime agricultural land, ***minerals***, mineral aggregates, and ***natural heritage features and areas***) and visual compatibility with surrounding land uses.

4.18.2.1 Special Policy – Large Scale Renewable Energy Projects and Community Character

Council recognizes that a renewable energy generation facility, a renewable energy project, a renewable energy testing facility or a renewable energy testing project, as defined in subsection 1(1) of the *Planning Act* is exempt from the provisions of the *Planning Act* except as set out in subsection 62.0.2 of the *Act.*

Council will encourage a consultative process in the installation of renewable energy systems. Development of renewable energy systems will be encouraged to have regard to safe access to a lot, setbacks that are consistent with zoning standards, adequate lot size, access to and conservation of other natural resources (i.e. prime agricultural land, minerals, mineral aggregates, and natural heritage features and areas) and visual compatibility with surrounding land uses.

The landscape character of North Frontenac is unique and unspoiled. The large tracts of Crown land, hundreds of lakes, wetlands, and the hills of the Madawaska Highlands all combine to create a sense of place. This character is a key foundation for the future economic development opportunities including accommodations, recreational outfitters, small businesses, and specialty businesses such as craft breweries and artisan foods. In order to maintain this place, it is a policy of Council to not support any large scale renewable energy project that will have a negative impact on the overall landscape of the Township.

5. TRANSPORTATION

Transportation ***infrastructure*** is made up of Provincial highways, Township roads, private lanes, resource access roads and snowmobile trails while transportation and infrastructure corridors consist of the hydroelectric power

transmission lines.

5.1 Provincial Highways

Highway 41, as shown on the **Land Use Plan Schedules**, is classified as a special controlled access highway (Class IV Major Highway) designed to carry high volumes of through traffic. In addition to all the applicable municipal requirements, all proposed ***development*** located in the vicinity of Highway 41 will be subject to the Ministry of Transportation (MTO) approval under the *Public Transportation and Highway Improvement* Act. Any new areas in the Municipality identified for future development that are located adjacent or in the vicinity of Highway 41 and/or intersection within MTO's permit control area under the *Public Transportation and Highway Improvement Act* will be subject to MTO's access management policies, standards and requirements. Direct access will be discouraged and often prohibited. Access to Provincial highways is restricted and ***development*** shall only be permitted where the applicable approvals/permits have been obtained. This may include a traffic study. Any new roads proposed to be connected to a Provincial highway are subject to Provincial approval including spacing requirements between intersections. Noise and vibration studies may be required prior to considering whether ***development*** should be approved adjacent to Highway 41.

5.2 Roads

5.2.1. Classification of Roads

For the purposes of this Plan, the classification of roads within the Township shall include the following:

A. Provincial Highway 41 as it travels through North Frontenac from Wintergreen Road in the south to Bon Echo Provincial Park in the north;

B. Arterial Roads, which are maintained year round: includes Road 506 and Road 509 Harlowe Road and Ardoch Road;

C. Township Roads, which are maintained year round;

D. Township Roads, which are seasonally maintained;

E. Township Roads, which are unmaintained;

F. Crown Land Recreational Stewardship Roads;

G Private Lanes.

The classification system for Township roads as set out above is illustrated on the **Land Use Plan Schedules** to this Plan.

5.2.2. Arterial Roads

An arterial road is considered to be an existing or proposed road. The right-of-way width may be increased at intersections with other roads or a Provincial highway. Arterial roads are designed to carry intra-urban and through movement of a large volume of traffic operating at speeds of 50-80 km/hr. In order to maintain the function and safe use of an arterial road, Council may restrict access to abutting parcels and control the spacing of driveways.

5.2.3. Year Round and Seasonally Maintained Township Road

See the Road Level of Service Policy, as may be amended from time to time.

The primary function of Township roads will be to provide access to abutting properties. Standards for new road construction will include a minimum of 20 m (66 ft.) right-of-way with an appropriate design and layout, drainage and construction. Roads on lands under Plan of Subdivision may be assumed by the township provided the standards for road construction have been satisfactorily met.

Council may post seasonally maintained roads with signs to indicate that maintenance is limited. Where such roads are classified and posted with a sign, Council will not be obliged to provide winter control services.

There is no obligation by Council to convert a seasonally maintained road to a year-round maintained road. Council may, however, undertake or request a cost-benefit analysis to determine the impact of such a conversion. Where Council is satisfied that potential ***development*** is justifiable, the status of the road may be changed to year-round. As a condition of the change of status, Council may require one or more applicants to share the cost of improving the road to an acceptable standard. The status of the road may be changed without an amendment to this Plan. In making a decision on the change of status Council may also consult with school boards to determine whether any additional costs to school busing are reasonable.

5.2.4. Unmaintained Roads

Council recognizes that there are Municipal roads, which are abandoned and are no longer maintained by the Municipality. Where such roads have been abandoned, it is not the intent of Council to maintain these roads nor to permit ***development*** on such roads. Council may give consideration to new development (i.e. creation of a new lot, change in land uses, construction of a building) provided that the road is upgraded and maintained to a Municipal standard and provided Council is satisfied that the operational costs of maintaining the road will be reasonably offset by property tax revenues.

5.2.5. Unassumed and Unopened Road Allowances

Council recognizes that the public may use unopened road allowances for access by vehicles, or for use by snowmobile or recreational vehicles even though they are not maintained by the Township. Council is under no obligation to maintain such roads, but may require an agreement for their use or maintenance. Council may open a road allowance or assume a road where the road is developed to municipal standards in accordance with **Section 5.2.3.** above and provided Council is satisfied that the operational costs of maintaining the road will be reasonably offset by property tax revenues.

5.2.6. Road Maintenance and Improvements

Construction or maintenance of existing Township roads and bridges or crossing structures will continue to be based on a regular program of capital expenditures as set out from time-to-time by Council. The kilometrage of hard surfaced roads may be increased with priority being given to roads with higher traffic volumes and/or the need for improvements to meet contemporary design and safety standards. Road improvements may be undertaken to improve the efficiency, function and safety of roads.

Road maintenance and improvements of Municipal roads including the addition of roads to the Municipal road system shall be deemed to be in conformity with section 24 of the *Planning Act.* This shall not limit the authority of the Township to designate truck routes, fire routes and the installation of parking lanes as may be required.

Council may undertake or require the installation of sidewalks to an acceptable standard. In general, however, sidewalks will be limited to Hamlet ***settlement areas***.

Council may require a traffic study to be undertaken by the proponent of development where it is anticipated that additional traffic will have an impact on the safety and efficiency of a road. Where the transportation

system is not adequate to accommodate a proposed ***development***, Council may require as a condition of approval:

A. Reasonable improvements to the system by the proponent of the ***development***;

B. Financial contributions towards undertaking the necessary improvements; or

C. The dedication of a right-of-way for future roads or road widenings of existing roads.

5.2.7. Culverts and Entrance Permits

A properly installed culvert and/or entrance permit will be required, where applicable, for any new access to or intersection with a Township road. The installation or replacement of culverts will be to acceptable standards for drainage to the satisfaction of the Municipality.

5.2.8. Safe Access

New entrances onto Township roads will only be permitted where sight lines are adequate. Generally, new entrances will not be permitted on curves or hills where safety may be compromised. Council may require the use of a shared entrance as a means to provide for a safe entrance.

5.2.9. Road Widening and Conveyance

As a condition of ***development*** or ***redevelopment*** or site plan control (see **Section 6.9.10. – Site Plan Control**) Council may require the dedication or conveyance of land for a road widening to meet municipal right-of-way widths. Such conveyances will be equal to one-half the required deficiency to a maximum of 9 m (29.5 ft.) along the entire property frontage where the deficiency exists. (*For Example: an existing ROW is 16 m (52.4 ft.). The deficiency is 4 m (13.1 ft.) across the entire frontage of the property. The applicant on the side of the road where the* ***development*** *is proposed would be required to convey 2 m (6.56m) to the Township. This represents one-half the deficiency.*)

5.3 Private Lane Policies

Limited service residential development is generally located in the Waterfront Area of the Township on a body of water or a natural watercourse, where the primary means of access is from a private lane.

The development of new “waterfront limited service residential lots” on private lanes shall be considered for approval based on the Private Lane policies of this plan.

A. Seasonal vs. Permanent Residential Screening Policy

Prior to the review of an application for new lot development that would result in the infilling or minor extension of an existing private lane, an assessment of permanent and seasonal residential land use should be completed for the entire lane. Where a majority of existing development on a private lane is determined to be permanent residential, or where the private lane is located in an area where conversion rates will likely result in a majority of permanent residential development in the future, no new lot development in the form of limited infilling or minor extensions shall be permitted unless:

(i) The private lane is constructed to the Private Lane Construction Standards set out in Appendix “3” to this Plan.

(ii) The existing private lane is developed within a common element condominium pursuant to the Condominium Act, 1998, as amended, and connects directly to an existing public road.

B. Infilling

Where a majority of existing development on a private lane is seasonal residential, severances for new “infill” lots may be permitted along existing private lanes, provided that the condition of the lane abutting the new lots (severed and retained) are improved to the Private Lane Construction Standards set out in Appendix “3” to this Plan. In addition, the whole of the lane travelled on reach the new proposed lots (severed and retained) will be required to be improved to a minimum standard to allow accessibility to the new lots (severed and retained) by emergency service vehicles.

C. Private Lane Extensions

New lot development on “extensions” of existing private lanes may be permitted in accordance with the Category “A” or Category “B” policies for private lane extensions. The determination of whether the Category “A” or “B” policies apply to a given private lane extension shall be based upon an assessment of the overall future development potential of the private lane extension. The Category “A” private lane policies apply where an assessment of the development potential of the private lane concludes that minor extension of one (1), two (2) or three (3) new lots will complete

the development potential of the private lane. The Category “B” private lane policies will apply where an assessment of the development potential of the private lane concludes that four (4) or more lots may be created from the private lane extension. Where a private lane has been assessed as having potential for extension of four (4) or more lots, the Category “A” policies will not apply.

D. Category “A” (Minor) Private Lane Extensions

(i) Severances for one (1) or two (2) new lots on an extension to an existing private lane that would complete the development potential of the lane may be permitted provided that the extension is designed and constructed in accordance with the Private Lane Construction Standards set out in Appendix “3” to this Plan. In addition, the whole of the existing lane travelled to reach the proposed new lots (severed and retained) will be required to be constructed to a standard that would allow accessibility to the new lots by emergency vehicles.

(ii) Severance for a private land extension resulting in the creation of three (3) new lots completing the development potential of the lane may be permitted provided that the private lane extension and the whole of the existing lane travelled to reach the new proposed lots (severed and retained) will be required to be improved to the Private Lane Construction Standards set out in Appendix “3” to this Plan.

(iii) The new lane may only be constructed to the point of access to the last lot on the lane rather than along the full lot frontage for the lot, as required by the implementing zoning by-law.

(iv) Notwithstanding any provision of this Plan that restricts the maximum number of land severances per holding, up to three (3) new limited service residential lots may be permitted per private lane, provided that the creation of the proposed lots completes the development potential of the private lane.

E. Category “B” (Major) Private Lane Extensions

(i) Severances for one (1), two (2) or three (3) lots on an extension to an existing private lane that has the potential for the creation of four or more limited service residential lots.

a. Severances for one (1) or two (2) new lots on an extension to an existing private lane that has the potential for the creation of four (4) or more limited service residential lots may be permitted provided that the extension is designed and constructed in accordance with the Private Lane Construction Standards set out in Appendix “3” to this Plan and that

a 0.30 metre Township-owned reserve is established at the end of the new extension. Future lot development beyond the Township reserve may be permitted, subject to the original one (1) or two (2) lots being considered in calculating which policies would apply. In addition, the whole of the existing lane travelled to reach the proposed new lots (severed and retained) will be required to be constructed to a standard that would allow accessibility to the new lots by emergency vehicles.

b. Severance for a private land extension resulting in the creation of three (3) lots on an extension to an existing private lane that has the potential for the creation of four (4) or more limited service residential lots may be permitted provided that the private lane extension and the whole of the existing lane travelled to reach the new proposed lots will be required to be improved to the Private Lane Construction Standards set out in Appendix “3” to this Plan.

(ii) Severances for four (4) or more lots on an extension to an existing private lane that has the potential for the creation of four (4) or more limited service residential lots

a. New development on extensions of private lanes having the potential for the creation of four (4) or more limited service residential lots may be created by a plan of subdivision or condominium, where the private lane shall be created as a common element condominium and managed by a condominium corporation.

b. The private lane extension for the proposed lots and the whole of the existing lane travelled on to reach the new proposed lots will be required to be improved to the Private Lane Construction Standards set out in Appendix “3” to this Plan or such other standard deemed appropriate by the Township.

c. The owner of the existing private lane and all persons having an existing right-of-way (including unregistered rights of ways that have been legally obtained over time through actual usage) over the existing private lane will have to consent to the creation of the condominium. If this requirement cannot be fulfilled, then a major extension of an existing private lane cannot be granted.

(iii) New Private Lanes

Lot development on new private lanes may be permitted by severance, or by a registered plan of condominium, provided that the new private lane intersects with an existing public road, and is designed and constructed in accordance with the Private Lane Construction Standards set out in

Appendix “3” to this Plan and provided that the entire lane is governed by a condominium agreement.

(iv) Private Lane Condition of Severance or Condominium Approval

As a condition of severance or condominium approval for all waterfront limited service residential lots, the owner of the subject property shall enter into an agreement with the Township to construct the private lane to the Private Lane Construction Standards set out in Appendix “3” to this Plan or such other standards which are determined to be appropriate for emergency service delivery. The agreement shall be registered against the title to the lots and include provisions acknowledging:

(a) The Township does not maintain or repair the private lane.

(b) The Township does not provide municipal services normally associated with public roads.

(c) The owners are responsible for all costs necessary to maintain the private lane.

(d) The Township is not responsible for any loss or damage created by the owner’s failure to maintain the private lane.

(e) The owners agree to indemnify the Township for any loss or damage.

5.4 Resource Access Roads

5.4.1. General

For the purposes of this Plan, resource access roads as shown on the **Land Use Plan Schedule** are intended to provide access to resource-based land uses such as forestry, mineral or mineral aggregate extraction and are generally not intended to provide access to residential or commercial land uses.

Resource roads are expected to be maintained by private enterprise under lease or other arrangements with the Crown.

Roads owned by the Crown (MNRF) but maintained on their behalf through an agreement by the Township are restricted for seasonal use only. Such roads will be maintained at a nominal standard with the costs for maintenance recouped through a toll imposed on users. The Township maintains its right to restrict land uses on such roads and the scope of public services that may be provided.

5.5 Transportation Corridors

It is the intent of this Plan that existing transportation corridors for roads be protected from land use activities which may interfere with the function and safe operation of these corridors including Highway 41, Road 506 and Road 509.

With respect to corridor management, the Township will require the proponent of ***development*** to secure necessary approvals from the Ministry of Transportation or the Township whichever is applicable for any improvements, access, traffic signs or signals, utility cuts, drainage and the undertaking of a traffic impact study where required**,** etc. The proponent of development will be expected to fund the cost of such improvements, alterations or reinstatement whether directly or by agreement with the public road authority affected.

It is the intent of this plan that the network of the Trans Ontario Provincial Trails (TOPS) snowmobile system be protected. It is recognized that the TOPS may change from time-to-time. However, an amendment to this Plan is not required for changes to this routing so long as the intent of this policy is upheld. Any trail crossings of Provincial highways will, however, require the prior approval of the Ministry of Transportation.

5.6 Infrastructure Corridors

It is the intent of this Plan that existing ***infrastructure*** corridors for utilities be protected from land use activities, which may interfere with the function and safe operation of these corridors. Any improvements or alterations to an ***infrastructure*** corridor are subject to approval by the public authority having jurisdiction or by a private authority (i.e. Bell Canada, Cable Television Company) and any costs will normally be borne by the proponent of the ***development***.

6 THE TOOLS OF IMPLEMENTATION

6.1 Introduction

There are many ‘tools’ at the disposal of a Planning Authority in implementing an Official Plan. This Section of the Plan lists those tools required to implement this Plan. Reference is made to a number of different Provincial statutes and/or Ontario Regulations. The list does not include all of the enabling authority of all legislation, particularly, those *Acts* and Regulations which are administered by the Federal or Provincial Government but the list is intended to be reasonably comprehensive.

Over time, amendments are made to legislation, which may change the numbering of sections of various *Acts* or *Regulations*. These changes should not affect the integrity of the following list nor limit the authority of the Municipality to exercise certain controls, unless the legislation is repealed. The *Acts* etc. are listed alphabetically for convenience.

Procedures associated with the Tools of Implementation are included in **Appendix 2** for the information and assistance to the reader and do not form part of this Plan. These sections are cross-referenced to assist the reader.

6.2 Building Code Act (See also Appendix 2)

6.2.1. Property Standards

Council may adopt a Property Standards By-law as provided for under the *Act* with the objective of maintaining buildings, structures and properties in the Municipality in a good state of repair.

The By-Law may be reviewed from time-to-time with respect to the standards for maintenance of buildings and without limiting the foregoing, shall include consideration for:

A. The maintenance of yards and accessory buildings;

B. The maintenance of residential and non-residential buildings and structures;

C. Occupancy standards;

D. Notices and orders; and

E. Administration and enforcement measures.

6.3 Condominium Act (See Appendix 2) **(see also Section 3.15.1. – Plans of Subdivisions and Condominiums)**

6.4 Environmental Assessment Act (See Appendix 2)

6.5 Environmental Protection Act (See Appendix 2)

6.6 Gasoline Handling Act and Code (See Appendix 2)

6.7 Municipal Act (See also Appendix 2)

6.8 Ontario Heritage Act (See also Appendix 2)

6.8.1. Requirement for Archeological Assessment

To implement the requirements of **Section 3.4 - Built Heritage Resources, Cultural Heritage Landscapes and Archaeological Resources** of this Plan, the review of a planning application (e.g. Zoning Amendment, Subdivision or Consent) may require a review of the archaeological potential or ***archaeological resources*** of a site. Where Council determines the need for an Archaeological Assessment, it is Council's policy that the following condition would apply:

The proponent shall carry out an Archaeological Assessment of the subject property and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant ***archaeological resources*** found. No grading or other soil disturbances shall take place on the property prior to the approval authority and the Ministry of Culture confirming that all ***archaeological resources*** have met licensing and resource conservation requirements. The assessment shall be carried out by a licensed archaeologist under the *Ontario Heritage Act.*

6.9 Planning Act (See also Appendix 2)

The procedures for applications and other matters are dealt with in sequence by section. Council intends to consult with the public prior to making a decision on a planning application. This may be in addition to any required statutory public meeting. Applications for ***development*** for an Official Plan Amendment, a Zoning By-law Amendment, or Subdivision shall be reviewed for completeness. The Township/approval authority will not consider an application complete or may refuse an application where studies or other information required by this Plan or the *Planning Act* are not submitted as part of the application. These studies or information may include, but are not limited to:

- ☐ A servicing options report
- ☐ A hydrogeological study and terrain analysis or water assessment report including an assessment of the carrying capacity or appropriate density of ***development***
- ☐ A drainage and/or stormwater management report
- ☐ An Environmental Impact Assessment for a natural heritage feature or area
- ☐ An Archaeological Assessment
- ☐ A heritage impact assessment

- ☐ A resource impact report for ***development*** in proximity to a waste management facility, industrial use or mineral/mineral aggregate use including an assessment of impacts within an influence area
- ☐ A traffic study
- ☐ A ***mine hazard*** rehabilitation assessment
- ☐ A contaminated site assessment report (environmental site audit/assessment)
- ☐ A noise and/or vibration study
- ☐ A source protection study including a groundwater impact and/or surface water impact study
- ☐ A MDS I or II calculation
- ☐ A minimum separation distance calculation for an industry, waste management facility, pit or quarry
- ☐ An off-site septage haulage report
- ☐ A geotechnical study
- ☐ A municipal servicing capacity report for water and/or sanitary sewage system
- ☐ A water supply assessment
- ☐ A market study
- ☐ A flood plain management/slope stability report
- ☐ A lake capacity assessment
- ☐ A shoreline capability assessment
- ☐ A boat capacity study
- ☐ A cost-benefit study and/or a justification report for a private lane

These studies may be in addition to other requirements set out in Ontario Regulations 543/06, 544/06, 545/06 or 547/06. Council/the Approval Authority may refuse to accept an application as complete in the absence of required studies in support of an Official Plan amendment, a Zoning By-law Amendment, or a Plan of Subdivision.

6.9.1. Amendments to the Official Plan – Section 17 and 22

This Plan provides a long-range development framework to guide the future growth of North Frontenac. It is the policy of Council that Amendments to the Plan shall only be required where major changes to the broad land use pattern and development policies become necessary as a result of changing circumstances. In determining whether or not an Amendment to the Plan is required, special regard shall be had to the general development policies of **Section 3**, and the definitions and policies of each land use category set out in this Plan. While it is not the intent of Council to limit the rights of any person under the *Planning Act* to apply for an Amendment, any proponent of ***development*** is encouraged to discuss the need for an Amendment with the Municipality prior to making an application. The Municipality encourages a spirit of pre-consultation in making this determination as well as in the review of any application for an Amendment filed with the Municipality prior to a public meeting or decision. Council may, by By-law require pre-consultation.

(See Appendix 2, Section 9.2 for Procedures)

6.9.2 Public Works – Section 24

Council shall not undertake any public work and no By-law shall be passed that does not conform to the Official Plan. Council may pass a By-law, which does not conform with the Official Plan where they have adopted an Amendment to this Plan and where the public work will comply with the Amendment, once the Amendment is approved.

6.9.3 Acquisition of Land – Section 25

Council may acquire land for any purpose set out in this Plan and may lease or otherwise dispose of such lands where no longer required.

6.9.4. Review and Consistency with the Planning Act– Section 26

Council's intent is to review planning applications for conformity with this Plan and to ensure that applications are consistent with the Provincial Policy Statement, and conform with Provincial plans in effect or do not conflict with them. This Plan will be reviewed every five years in accordance with the requirements of the *Planning Act.*

6.9.5. Community Improvement – Section 28

Community improvement may be used to improve or upgrade ***infrastructure***, ***public service facilities*** and to maintain, restore or renew buildings and properties. Council may also use the sustainable community development features of the *Planning Act* such as the restoration or ***redevelopment*** of ***brownfield sites***, environmental site assessment, environmental remediation, ***development*** and ***redevelopment***, construction and reconstruction of lands and buildings for rehabilitation purpose or for improving energy efficiency, buildings, structures, works improvements or facilities.

The intent of this Plan is to recognize the entire Municipality as a Community Improvement Area.

Within the Community Improvement Area, Council may undertake or provide for one or more projects through the preparation of a Community Improvement Project Area Plan. This may include energy efficiency, environmental, social or economic development and ***affordable*** housing as an eligible community improvement activity

Council will use a property standards by-law to provide for the upgrading, maintenance or restoration of buildings and properties. All developments participating in programs and activities contained within Community Improvement Plans shall conform to the policies of this Plan, applicable Community Design Plans, the Zoning By-law, Property Standards By-law and all other related Municipal policies and by-laws.

Council may make grants or loans towards the cost of rehabilitation of lands and buildings in conformity with the Community Improvement Plan. This may include grants and loans for energy efficient uses. The Municipality shall be satisfied that its participation in community improvement will be within the financial capabilities of the Municipality.

6.9.5.1 Brownfields

Brownfield sites are sites where the environmental condition of the property and the quality of the soil or groundwater, particularly on former industrial and waste-disposal sites, may have the potential for ***adverse effects*** to human health or the natural environment. ***Brownfield*** *sites* are defined in the Provincial Policy Statement as: means undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant. The intent of this Plan is to identify and provide for the rehabilitation of brownfields, wherever feasible as a component of community improvement plans.

6.9.5.2 Other Incentive-Based Programs

In addition to programs dealing with lands, grants, loans and property assistance under Section 28 of the Planning Act, the Municipality may offer other incentive-based programs to augment and support community improvement such as:

A. Reducing or cancelling fees for planning applications under the Planning Act;

B. Utilizing the Brownfields Financial Incentive Program under the Municipal Act;

C. Tax increment equivalent financing;

D. Heritage grants under the Ontario Heritage Act;

E. Heritage Property Tax Relief under the Municipal Act;

F. Reducing or cancelling building permit fees under the Building Code Act;

G. Exempting all or part of a development charge under the Development Charges Act.

6.9.6 Zoning by-laws – Section 34

The Zoning By-law for North Frontenac shall reflect the principles, policies and land use descriptions in this Plan. The By-law shall zone land and establish regulations to control the use of land and the character, location and use of buildings and structures in accordance with this Plan.

Council may use the powers provided by Section 34 to regulate the use of all land, buildings and structures within the Township of North Frontenac as well as to govern other matters such as to prohibit land uses and ***development*** in sites containing a variety of natural heritage features, as well as sites containing an identified ***significant*** archeological feature. Council may establish any number of zones to classify and control land uses to implement this Plan. Conditional zoning may be used as a planning tool subject to the proclamation of a regulation for conditional zoning under Section 16 of the *Planning Act* and provisions set out in this Plan.

6.9.7. Holding Zone – Section 36

In order to show a future zoning designation while retaining control of the timing of ***development***, a “holding” designation may be used, in the form of

a symbol “H” as a suffix to the zone designation. As long as the “H" is retained, the use of the land shall be limited.

A. **Rationale for the Use of Holding by-laws**

Holding by-laws may be used where the principle of development has been established under the *Planning Act.* A Holding By-law may be used under the following circumstances:

(i) To hold ***development*** until water and sewage services are provided, or, studies have been undertaken to prove that servicing is possible on the site and the servicing has been included in the Municipal budget or provided for through a Subdivision Agreement or other acceptable means with a developer;

(ii) To hold land that is designated in the Official Plan, but, as yet is undeveloped until a proposal is submitted to develop the land for the use/uses intended in the Official Plan;

(iii) To hold land from ***development*** until other environmental or physical improvements to the site are made. For example, road improvements or infill on a site may be required prior to development of the site;

(iv) To prevent or limit the use of land in order to achieve orderly phased ***development***;

(v) To ensure that all conditions of development including financial requirements and agreements in accordance with the provisions of this Plan and/or the *Planning Act*, have been complied with; and

(vi) Contaminated sites may be placed in a Holding Zone in the Municipality's Zoning By-law. Where a holding zone is used, the “H” symbol may be removed when the site has been acceptably decommissioned or cleaned up to the satisfaction of the Municipality and in accordance with a site remediation plan and subject further, to the submission of a Ministry of the Environment and Climate Change acknowledged Record of Site Condition to Council.

B. **Conditions to be met for Removal of the Holding Symbol**

The Holding "H" may be removed by by-law when the above circumstances have been satisfied and the following conditions met:

(i) Approval of servicing the site /area is given or servicing of adequate standards is provided on the site;

(ii) A proposal is submitted for a site that conforms to the policies of the Official Plan;

(iii) A phasing plan is submitted;

(iv) Architectural or design drawings and studies, where applicable, are submitted showing the required features;

(v) Financial securities have been submitted (e.g. bond or letter of credit); and

(vi) With respect to contaminated sites, the “H” may be removed upon the receipt of a report approved by Council that the appropriate level of remediation, demonstrated by a Ministry of Environment acknowledged Record of Site Condition has been achieved.

6.9.8 Interim Control By-laws – Section 38

In utilizing this authority, it is Council’s policy that an interim Control By-law shall be preceded by a By-law or Resolution, directing that a study be undertaken of planning policies in the affected area and setting out the terms of reference for the study.

When an Interim Control By-law expires, the prior zoning shall automatically apply, unless a new zoning by-law is passed.

6.9.9. Temporary Use By-laws – Section 39

In certain circumstances, it may be desirable to pass a Temporary Use By-law to implement the policies of this Plan or to implement measures for economic growth and prosperity (e.g. it may be desirable to locate certain uses in vacant commercial or institutional buildings or on lands zoned for institutional uses on a temporary basis despite the fact the uses are not permitted under the provisions of the Official Plan). It may also be beneficial to temporarily zone lands for industrial or commercial uses as an incubator or temporary location for a use, which does not conform to the Plan.

A Temporary Use By-law may also be passed to permit a garden suite.

Council may, therefore, in a By-law passed under Section 39 of the *Planning Act*, authorize a temporary use of existing structures for any purpose set out therein. The period of time for a temporary use may be for a period of up to ten years for a garden suite and up to three years in all other cases, both of which are renewable. Notice of a Temporary Use By-law shall be given in the same manner as that of a zoning by-law under Section 34 of the *Planning Act*.

As a condition of the passing of a Temporary Use By-law for a garden suite, Council may require the owner of the suite or any other persons to enter into an agreement with the Municipality under the *Municipal Act.*

Any use introduced under such a Temporary Use By-law does not acquire the status of a legal non-conforming use at the expiration of the by-law(s) and at that time must therefore cease.

It is not the intent of the Official Plan that Temporary Use By-laws be used to permit a new use while an Amendment to the Official Plan and/or Zoning By-law is being processed to permit the use on a permanent basis. However, once a temporary use is established and it becomes apparent to Council that the use should be permitted on a permanent basis, the use may continue under a Temporary Use By-law while any required amendments are passed.

6.9.10. Site Plan Control – Section 41

A. **Policies**

Under the authority of Section 41 of the *Planning Act*, Council may by By-law designate specific areas or land uses within the Municipality which shall be known as Site Plan Control areas. For the purposes of this Plan, the following land use designations and land uses shall be subject to Site Plan Control:

(i) Any industrial, commercial or public service use;

(ii) Any multiple residential use consisting of six (6) or more dwelling units;

(iii) Any lands abutting a lake, water body or ***natural heritage feature and area***;

(iv) All land uses within the Hazard Lands;

(v) All conversions and ***redevelopment*** within any of the above categories;

(vi) Communication towers and facilities; and

(vii) ***Alternative energy systems***

The specific applications of Site Plan Control are set out in the various land use designations in this Plan and should be used as the primary reference.
Council may by by-law designate one or more areas as Site Plan Control Areas. Council may require the submission of plans and drawings for all ***development*** proposals within the Site Plan Control area.
Council may, as a condition of site plan approval, require the dedication of land for the widening of any street to the width set out in **Section 5.2.9** Policies of this Plan for roads as specified by the classification. The conveyance to the Municipality shall not exceed more than one-half of the deficiency of the width or 5 m (16.4 ft.) whichever is the lesser. The conveyance shall apply to the full frontage of the property wherever the deficiency exists.
Council shall require each applicant submitting such a ***development*** proposal to enter into an agreement with the Municipality as a condition to the approval of the development proposal. Where a development proposal is of a minor nature, some or all of the points listed below may be waived in the agreement. The agreement may include conditions on the following facilities and matters.

(a) The construction or reconstruction of the access or egress onto all major roads or highways and any upgrading of the roads, that will be necessary as a result of the increased traffic caused by the development;

(b) The number and location of all off-street loading areas and parking areas to be provided within each ***development***, and the surfacing of such areas and driveways;

(c) The number, location and construction of all walkways and walkway ramps and pedestrian access points to be provided in the development and how these will eventually be connected to adjacent areas;

(d) The location, number and power of any facilities for lighting, including floodlighting of the site or any buildings or structures (such as signs) thereon;

(e) All grading required to be done on the property and how storm, surface and wastewaters will be disposed of in order to prevent erosion including the period during construction of the project. Plans will show the location and connections for all services to municipal services including elevations and inverts;

(f) The techniques that are to be used on the site for landscaping of the property for the protection of adjoining lands, water bodies or natural heritage features, including the type of vegetation and techniques to be used, the existing (native) vegetation which is to be preserved, and any structures such as walls, fences or barriers that are to be used;

(g) The location, height, number and size of all residential units to be erected on the site and the method by which the ***development*** will be staged;

(h) The location, height, and type of all other buildings located in the proposal;

(i) Illustration of the contours and final elevations of the site on a contour interval of 1 m (3.3 ft.) or less;

(j) The location and type of any facilities and enclosures for the storage of recyclables, garbage and other waste materials;

(k) The location and extent of any easements or other covenants on the land to be conveyed to the Municipality or a local board for public utilities.

(l) The location and description of facilities designed for accessibility for persons with disabilities;

(m) The location and description of all easements to be conveyed to the Municipality and other public utilities; and

(n) A description of any sustainable design elements on any adjoining highway under the Municipality's jurisdiction, including without limitation trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities.

In the review of Site Plan Applications, Council may circulate to Municipal Departments and outside Agencies that are considered to have a vested interest for their comments prior to the approval of any site plan or Site Plan Agreement.

Agreements entered into under the authority of Section 41 of the *Planning Act* may be for the provision of any or all of the facilities, works or matters as provided for in the *Act* and the maintenance thereof and for the registration of such agreements against title to the land to which they apply.

Council may use the sustainability features of Section 41 (4) as a means to encourage ***sustainable development*** (i.e., sustainable design elements adjoining a public road such as trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, curb ramps, waste and recycling containers and bicycle parking facilities) and facilities to provide or enhance accessibility by persons with disabilities or other challenges.

6.9.11. Parkland Dedication or Cash-in-Lieu – Section 42

It is Council's policy to require the conveyance of parkland or the cash-in-lieu equivalent for residential and non-residential ***development*** as a means to implementing the policies for parks and open space areas of this Plan. The land or cash to be conveyed shall not exceed two per cent (2 %) of the value of the land to be developed for commercial or industrial uses or five per cent (5 %) for residential uses. Where Council requests cash-in-lieu, the value of the land shall be determined on the day before the day the building permit is issued.

6.9.12. Committee of Adjustment – Sections 44 and 45

A. **Status of Legal Non-Conforming Uses**

It is the intention of this Plan to ensure orderly control of and repair and replacement of non-conforming uses.

The owner/applicant in submitting an application for an expansion, enlargement, replacement or change of a non-conforming use shall demonstrate that all three of the following conditions are met in qualifying a use as a non-conforming use:

(i) That the use was legally established prior to the passing of any of the Zoning By-laws as set out in **Sections 3.5** of this Plan;

(ii) That the use has continued without interruption from the date of its establishment of the use, or in the case of an interruption, that there has been a reasonable attempt to continue the use during the period of discontinuance; and

(iii) That the use is deemed to have existed and continued only if there was in fact, an actual user directly involved with the use.

B. **Enlargement of Expansion, Replacement or Change to a Non-Conforming**

It may be desirable, however, to permit the extension, enlargement, replacement or change of a non-conforming use to a similar or more compatible use subject to the following criteria:

(i) The extension, enlargement, replacement or change of use does not aggravate the non-conforming situation for neighboring uses;

(ii) Such extension, enlargement, replacement or change of use shall not further reduce the requirements of the implementing Zoning By-law.

(iii) The proposed extension, enlargement, replacement or change will not create ***adverse effects*** undue noise, vibration, fumes, smoke, dust, odors, glare from lights nor environmental hazards;

(iv) Traffic and parking conditions in the vicinity will not be adversely affected and traffic impacts will be kept to a minimum by the appropriate design of ingress and egress points to and from the site and by improvement of site conditions especially in proximity to intersections;

(v) Adequate provisions have been or will be made for off-street parking and loading facilities where they apply;

(vi) ***Infrastructure*** and public services such as water and sewer, storm drainage, roads, school bussing, fire prevention, emergency services, waste and recycling etc. are adequate or can be made adequate.

6.9.13. Plans of Subdivisions and Condominium

Development by Plan of Subdivision may be used for large lot residential development. Consents shall otherwise be the method of land division [see **Section 3.16.2**].

It shall be the policy of Council to consider for endorsement, only those Plans of Subdivision which comply with the policies of this Plan and which, to the satisfaction of the Council, can be supplied with adequate and cost effective ***public service facilities***. It is recognized that Frontenac County Council is the approval authority for Plans of Subdivision and Condominiums.

A. **Consent Policies and Procedures**

Provisions relating to the granting of Consents are set out in Sections 51 and 53 of the *Planning Act*. Council shall be consistent with the Provincial Policy Statement in addition to the Consent Policy checklist set out in **Section 3.16.2.** of this Plan.

B. **Part-Lot Control**

Part-lot control may be used for existing Plans of Subdivision where it is necessary to re-align lot boundaries to clarify or grant title, exact specific servicing requirements as a condition of consent such as a road widening or to further control internal ***development*** on a lot.

6.9.14. Tariff of Fees – Section 69 (see Appendix 2)

6.9.15. Development Charges Act, 1997

Statement of Intent
This Official Plan is to be considered as a Statement of Intent of Council to carry out or authorize to be carried out, various public works as described specifically or in general terms in this Plan and which may be the subject of a development charge.

APPENDIX 1

DEFINITIONS

Access standards:

means methods or procedures to ensure safe vehicular and pedestrian movement, and access for the maintenance and repair of protection works, during times of flooding hazards, ***erosion hazard***s and/or other water-related hazards.

Adjacent lands: means

a. for the purposes of the Provincial Policy Statement, those lands contiguous (abutting) to a specific natural heritage feature or area where it is likely that ***development*** or ***site alteration*** would have a negative impact on the feature or area. The extent of the ***adjacent lands*** may be recommended by the Province or based on municipal approaches which achieve the same objectives; and
b. for the purposes of the Provincial Policy Statement, those lands contiguous (abutting) to a ***protected heritage property*** or as otherwise defined in the municipal official plan.

Adverse effects:

as defined in the *Environmental Protection Act*, means one or more of:

a. impairment of the quality of the natural environment for any use that can be made of it;
b. injury or damage to property or plant or animal life;
c. harm or material discomfort to any person;
d. an adverse effect on the health of any person;
e. impairment of the safety of any person;
f. rendering any property or plant or animal life unfit for human use;
g. loss of enjoyment of normal use of property; and
h. interference with normal conduct of business.

Affordable: means

a) in the case of ownership housing, the least expensive of:

1. housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for ***low and moderate income households;*** or

2. housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the ***regional market area***;

b) in the case of rental housing, the least expensive of:

1. a unit for which the rent does not exceed 30 percent of gross annual household income for ***low and moderate income households***; or
2. a unit for which the rent is at or below the average market rent of a unit in the ***regional market area***.

Agricultural uses:

means the growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

Agriculture-related uses:

means those farm-related commercial and farm-related industrial uses that are small scale and directly related to the farm operation and are required in close proximity to the farm operation.

Airports:

means all Ontario airports, including designated lands for future airports, with Noise Exposure Forecast (NEF)/Noise Exposure Projection (NEP) mapping.

Alternative energy systems:

means sources of energy or energy conversion processes that significantly reduce the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems.

Archaeological resources:

includes artefacts, archaeological sites and marine archaeological sites. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the Ontario Heritage Act.

Areas of archaeological potential:

means areas with the likelihood to contain ***archaeological resources***. Criteria for determining archaeological potential are established by the Province, but

municipal approaches which achieve the same objectives may also be used. Archaeological potential is confirmed through archaeological fieldwork undertaken in accordance with the Ontario Heritage Act.

Areas of mineral potential:

means areas favourable to the discovery of ***mineral deposits*** due to geology, the presence of known ***mineral deposits*** or other technical evidence.

Areas of natural and scientific interest (ANSI):

means areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education.

Areas of petroleum potential:

means areas favourable to the discovery of petroleum resources due to geology, the presence of known petroleum resources or other technical evidence.

Brownfield sites:

means undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

Built heritage resources:

means one or more ***significant*** buildings, structures, monuments, installations or remains associated with architectural, cultural, social, political, economic or military history and identified as being important to a community. These resources may be identified through designation or heritage conservation easement under the Ontario Heritage Act, or listed by local, Provincial or Federal jurisdictions.

Conserved:

means the identification, protection, use and/or management of cultural heritage and ***archaeological resources*** in such a way that their heritage values, attributes and integrity are retained. This may be addressed through a conservation plan or heritage impact assessment.

Cultural heritage landscape:

means a defined geographical area of heritage significance which has been modified by human activities and is valued by a community. It involves a

grouping(s) of individual heritage features such as structures, spaces, archaeological sites and natural elements, which together form a ***significant*** type of heritage form, distinctive from that of its constituent elements or parts.
Examples may include, but are not limited to, heritage conservation districts designated under the Ontario Heritage Act; and villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways and industrial complexes of cultural heritage value.

Designated and available:

for the purposes of the Provincial Policy Statement, means lands designated in the Official Plan for urban residential use. For Municipalities where more detailed Official Plan policies (e.g. secondary plans) are required before development applications can be considered for approval, only lands that have commenced the more detailed planning process are considered to be designated for the purposes of this definition.

Designated vulnerable area:

means areas defined as ***vulnerable***, in accordance with Provincial standards, by virtue of their importance as a drinking water source that may be impacted by activities or events.

Development:

means the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the Planning Act, but does not include:

a. activities that create or maintain ***infrastructure*** authorized under an environmental assessment process;
b. works subject to the Drainage Act; or
c. for the purposes of the Provincial Policy Statement, underground or surface mining of ***minerals*** or advanced exploration on mining lands in significant ***areas of mineral potential*** in Ecoregion 5E, where advanced exploration has the same meaning as under the Mining Act. Instead, those matters shall be subject to the Provincial Policy Statement policies.

Ecological function:

means the natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and

landscapes. These may include biological, physical and socio-economic interactions.

Endangered species:

means a species that is listed or categorized as an "***Endangered Species***" on the Ontario Ministry of Natural Resources and Forestry's official species at risk list, as updated and amended from time to time.

Environmentally Friendly:

means the use of building materials, building methods or practices which are not harmful to the natural environment, which avoid injury or damage to property or

plant or animal life and wherever possible improve or enhance the ecological function of natural habitats.

Erosion hazard:

means the loss of land, due to human or natural processes, that poses a threat to life and property. The ***erosion hazard*** limit is determined using considerations that include the 100 year erosion rate (the average annual rate of recession extended over an one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance.

Fish:

means fish, which as defined in S.2 of the Fisheries Act, c. F-14, as amended, includes fish, shellfish, crustaceans, and marine animals, at all stages of their life cycles.

Fish habitat:

as defined in the Fisheries Act, c. F-14, means spawning grounds and nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life processes.

Ground water feature:

refers to water-related features in the earth's subsurface, including recharge/discharge areas, water tables, aquifers and unsaturated zones that can be defined by surface and subsurface hydrogeologic investigations.

Hazardous lands:

means property or lands that could be unsafe for ***development*** due to naturally occurring processes. Along the shorelines of the Great Lakes - St. Lawrence River System, this means the land, including that covered by water, between the international boundary, where applicable, and the furthest landward limit of the flooding hazard, ***erosion hazard*** or dynamic beach hazard limits. Along the shorelines of large inland lakes, this means the land, including that covered by water, between a defined offshore distance or depth and the furthest landward limit of the flooding hazard, ***erosion hazard*** or dynamic beach hazard limits. Along river, stream and small inland lake systems, this means the land, including that covered by water, to the furthest landward limit of the flooding hazard or ***erosion hazard*** limits.

Hazardous sites:

means property or lands that could be unsafe for ***development*** and ***site alteration*** due to naturally occurring hazards. These may include unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst topography).

Hazardous substances:

means substances which, individually, or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological.

Heritage attributes:

means the principal features, characteristics, context and appearance that contribute to the cultural heritage significance of a ***protected heritage property***.

Hydrologic function:

means the functions of the hydrological cycle that include the occurrence, circulation, distribution and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water's interaction with the environment including its relation to living things.

Individual on-site sewage services:

means individual, autonomous sewage disposal systems within the meaning of s.8.1.2, O.Reg. 403/97, under the Building Code Act, 1992 that are owned, operated and managed by the owner of the property upon which the system is located.

Individual on-site water services:

means individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.

Infrastructure:

means physical structures (facilities and corridors) that form the foundation for development. ***Infrastructure*** includes: sewage and water systems, septage treatment systems, waste management systems, electric power generation and transmission, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.

Intensification:

means the ***development*** of a property, site or area at a higher density than currently exists through:

a. ***redevelopment***, including the reuse of ***brownfield sites***;
b. the development of vacant and/or underutilized lots within previously developed areas;
c. infill development; and
d. the expansion or conversion of existing buildings.

Large inland lakes:

means those waterbodies having a surface area of equal to or greater than 100 square kilometres where there is not a measurable or predictable response to a single runoff event.

Legal or technical reasons:

for the purposes of the Provincial Policy Statement, means severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot.

Low and moderate income households: means

a. in the case of ownership housing, households with incomes in the lowest 60 percent of the income distribution for the ***regional market area***; or

b. in the case of rental housing, households with incomes in the lowest 60 percent of the income distribution for renter households for the ***regional market area***.

Mine hazard:

means any feature of a mine as defined under the Mining Act, or any related disturbance of the ground that has not been rehabilitated.

Minerals:

means metallic ***minerals*** and non-metallic minerals as herein defined, but does not include ***mineral aggregate resources*** or petroleum resources. Metallic minerals means those minerals from which metals (e.g. copper, nickel, gold) are derived.
Non-metallic minerals means those minerals that are of value for intrinsic properties of the minerals themselves and not as a source of metal. They are generally synonymous with industrial minerals (e.g., asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, and wollastonite).

Mineral aggregate operation: means

a. lands under license or permit, other than for ***wayside pits and quarries***, issued in accordance with the Aggregate Resources Act, or successors thereto;
b. for lands not designated under the Aggregate Resources Act, established pits and quarries that are not in contravention of municipal zoning by-laws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and
c. associated facilities used in extraction, transport, beneficiation, processing or recycling of ***mineral aggregate resources*** and derived products such as asphalt and concrete, or the production of secondary related products.

Mineral aggregate resources:

means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the Aggregate Resources Act suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the Mining Act.

Mineral deposits:

means areas of identified ***minerals*** that have sufficient quantity and quality based on specific geological evidence to warrant present or future extraction.

Mineral mining operation:

means mining operations and associated facilities, or, past producing mines with remaining mineral development potential that have not been permanently rehabilitated to another use.

Minimum distance separation formulae:

means formulae developed by the Province to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

Multi-modal transportation system:

means a transportation system which may include several forms of transportation such as automobiles, walking, trucks, cycling, buses, rapid transit, rail (such as commuter and freight), air and marine.

Municipal sewage services:

means a sewage works within the meaning of Section 1 of the Ontario Water Resources Act that is owned or operated by a Municipality.

Municipal water services:

means a municipal drinking-water system within the meaning of Section 2 of the Safe Drinking Water Act, 2002.

Natural heritage features and areas:

means features and areas, including ***significant wetlands***, ***significant*** coastal ***wetlands***, ***fish habitat***, ***significant woodlands*** south and east of the Canadian Shield, ***significant*** valleylands south and east of the Canadian Shield, ***significant*** habitat of ***endangered species*** and ***threatened species***, significant ***wildlife habitat***, and significant ***areas of natural and scientific*** interest, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

Natural heritage system:

means a system made up of ***natural heritage features and areas***, linked by natural corridors which are necessary to maintain biological and geological

diversity, natural functions, viable populations of indigenous species and ecosystems. These systems can include lands that have been restored and areas with the potential to be restored to a natural state.

Negative impacts:
means

a. in regard to policy 2.2 of the Provincial Policy Statement, degradation to the quality and quantity of water, ***sensitive surface water features*** and sensitive ***ground water features***, and their related ***hydrologic functions***, due to single, multiple or successive ***development*** or ***site alteration*** activities;
b. in regard to ***fish habitat***, the harmful alteration, disruption or destruction of fish habitat, except where, in conjunction with the appropriate authorities, it has been authorized under the Fisheries Act, using the guiding principle of no net loss of productive capacity; and
c. in regard to other ***natural heritage features and areas***, degradation that threatens the health and integrity of the natural features or ***ecological functions*** for which an area is identified due to single, multiple or successive development or ***site alteration*** activities.

Normal farm practices:

means a practice, as defined in the Farming and Food Production Protection Act, 1998, that is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or makes use of innovative technology in a manner consistent with proper advanced farm management practices. ***Normal farm practices*** shall be consistent with the Nutrient Management Act, 2002 and regulations made under that Act.

Partial services: means

a. ***municipal sewage services*** or ***private communal sewage services*** and ***individual on-site water services***; or
b. ***municipal water services*** or ***private communal water services*** and ***individual on-site sewage services***.

Planned corridors:

means corridors identified through Provincial plans or preferred alignment(s) determined through the Environmental Assessment Act process which are required to meet projected needs.

Portable asphalt plant: means a facility

a. with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and
b. which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

Portable concrete plant: means a building or structure

a. with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and
b. which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

Private communal sewage services:

means a sewage works within the meaning of Section 1 of the Ontario Water Resources Act that serves six or more lots or private residences and is not owned by a Municipality.

Private communal water services:

means a non-municipal drinking-water system within the meaning of Section 2 of the Safe Drinking Water Act, 2002 that serves six or more lots or private residences.

Protected heritage property:

means real property designated under Parts IV, V or VI of the Ontario Heritage Act; heritage conservation easement property under Parts II or IV of the Ontario Heritage Act; and property that is the subject of a covenant or agreement between the owner of a property and a conservation body or level of government, registered on title and executed with the primary purpose of preserving, conserving and maintaining a cultural heritage feature or resource, or preventing its destruction, demolition or loss.

Protection works standards:

means the combination of non-structural or structural works and allowances for slope stability and flooding/erosion to reduce the damage caused by flooding hazards, ***erosion hazard***s and other water-related hazards, and to allow access for their maintenance and repair.

Provincial and Federal requirements: means

a. in regard to the Provincial Policy Statement, legislation and policies administered by the Federal or Provincial Governments for the purpose of protecting the environment from potential impacts associated with energy facilities and ensuring that the necessary approvals are obtained; and
b. in regard to the Provincial Policy Statement, legislation and policies administered by the Federal or Provincial Governments for the purpose of the protection of fish and ***fish habitat***, and related, scientifically established standards such as water quality criteria for protecting lake trout populations.

Provincial plan:

means a plan approved by the Lieutenant Governor in Council or the Minister of Municipal Affairs and Housing, but does not include Municipal Official Plans.

Public service facilities:

means land, buildings and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health and educational programs, and cultural services. ***Public service facilities*** do not include ***infrastructure***.

Quality and quantity of water:

is measured by indicators such as minimum base flow, depth to water table, aquifer pressure, oxygen levels, suspended solids, temperature, bacteria, nutrients and hazardous contaminants, and hydrologic regime.

Recreation:

means leisure time activity undertaken in built or natural settings for purposes of physical activity, health benefits, sport participation and skill development, personal enjoyment, positive social interaction and the achievement of human potential.

Redevelopment:

means the creation of new units, uses or lots on previously developed land in existing communities, including ***brownfield sites***.

Regional market area:

refers to an area, generally broader than a Lower-tier Municipality, that has a high degree of social and economic interaction. In southern Ontario, the Upper or Single-tier Municipality will normally serve as the ***regional market area***. Where a ***regional market area*** extends significantly beyond upper or single-tier boundaries, it may include a combination of upper, single and/or lower-tier municipalities.

Renewable energy systems:

means the production of electrical power from an energy source that is renewed by natural processes including, but not limited to, wind, water, a biomass resource or product, or solar and geothermal energy.

Reserve sewage system capacity:

means design or planned capacity in a centralized waste water treatment facility which is not yet committed to existing or approved development. For the purposes of the Provincial Policy Statement, reserve capacity for private communal sewage services and ***individual on-site sewage services*** is considered sufficient if the hauled sewage from the ***development*** can be treated or disposed of at sites approved under the *Environmental Protection Act* or the *Ontario Water Resources Act*, but not by land-applying untreated, hauled sewage.

Reserve water system capacity:

means design or planned capacity in a centralized water treatment facility which is not yet committed to existing or approved ***development***.

Residence surplus to a farming operation:

means an existing farm residence that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation).

Residential intensification:

means ***intensification*** of a property, site or area which results in a net increase in residential units or accommodation and includes:

a. ***redevelopment***, including the redevelopment of ***brownfield sites***;
b. the development of vacant or underutilized lots within previously developed areas;
c. infill ***development***;
d. the conversion or expansion of existing industrial, commercial and institutional buildings for residential use; and
e. the conversion or expansion of existing residential buildings to create new residential units or accommodation, including accessory apartments, secondary suites and rooming houses.

River, stream and small inland lake systems:

means all watercourses, rivers, streams, and small inland lakes or waterbodies that have a measurable or predictable response to a single runoff event.

Rural areas:

means lands in the rural area which are located outside ***settlement areas*** and which are outside prime agricultural areas.

Secondary uses:

means uses secondary to the principal use of the property, including but not limited to, home occupations, home industries, and uses that produce value-added agricultural products from the farm operation on the property.

Sensitive:

in regard to ***surface water features*** and ***ground water features***, means areas that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants.

Sensitive land uses:

means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more ***adverse effects*** from contaminant discharges generated by a nearby major facility. ***Sensitive land uses*** may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.

Settlement areas:

means urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets) that are:

a. built up areas where ***development*** is concentrated and which have a mix of land uses; and
b. lands which have been designated in an Official Plan for development over the long term planning horizon provided for in the Provincial Policy Statement. In cases where land in designated growth areas is not available, the settlement area may be no larger than the area where ***development*** is concentrated.

Sewage and water services:

includes ***municipal sewage services*** and ***municipal water services***, private communal sewage services and ***private communal water services***, ***individual on-site sewage services*** and ***individual on-site water services***, and ***partial services***.

Significant: means

a. in regard to ***wetlands***, coastal wetlands and ***areas of natural and scientific*** interest, an area identified as Provincially Significant by the Ontario Ministry of Natural Resources and Forestry using evaluation procedures established by the Province, as amended from time to time;
b. in regard to the habitat of ***endangered species*** and ***threatened species***, means the habitat, as approved by the Ontario Ministry of Natural Resources and Forestry, that is necessary for the maintenance, survival, and/or the recovery of naturally occurring or reintroduced populations of ***endangered species*** or ***threatened species***, and where those areas of occurrence are occupied or habitually occupied by the species during all or any part(s) of its life cycle;
c. in regard to ***woodlands***, an area which is ecologically important in terms of features such as species composition, age of trees and stand history;
d. functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history;
e. in regard to other features and areas in policy 2.1 of the Provincial Policy Statement, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or ***natural heritage system***;
f. in regard to mineral potential, means an area identified as Provincially Significant through comprehensive studies prepared using evaluation procedures established by the Province, as amended from time to time, such as the Provincially Significant Mineral Potential Index;
g. in regard to potential for petroleum resources, means an area identified as Provincially Significant through comprehensive studies prepared using

evaluation procedures established by the Province, as amended from time to time; and

h. in regard to cultural heritage and archaeology, resources that are valued for the important contribution they make to our understanding of the history of a place, an event, or a people.

Criteria for determining significance for the resources identified in sections (c)-(g) are recommended by the Province, but municipal approaches that achieve or exceed the same objective may also be used.

While some ***significant*** resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.

Site alteration:

means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site. For the purposes of the Provincial Policy Statement, ***site alteration*** does not include underground or surface mining of ***minerals*** or advanced exploration on mining lands in significant ***areas of mineral potential*** in Ecoregion 5E, where advanced exploration has the same meaning as in the Mining Act. Instead, those matters shall be subject to the policies in Section 2.4 of the Provincial Policy Statement.

Special needs:

means any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of ***special needs*** housing may include, but are not limited to, housing for persons with disabilities such as physical, sensory or mental health disabilities, and housing for the elderly.

Sustainable development

is a process of managing change in which exploitation of resources, the direction of investments, the orientation of technological development, and institutional change are all in harmony and enhance both current and future potential to ensure a balance between humans and the biophysical environment (i.e. fauna, flora, the air, water and soil).

Surface water feature:

refers to water-related features on the earth’s surface, including headwaters, rivers, stream channels, inland lakes, seepage areas, recharge/discharge areas,

springs, ***wetlands***, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics.

Threatened species:

means a species that is listed or categorized as a “Threatened Species” on the Ontario Ministry of Natural Resources and Forestry’s official species at risk list, as updated and amended from time to time.

Transportation systems:

means a system consisting of corridors and rights-of way for the movement of people and goods, and associated transportation facilities including transit stops and stations, cycle lanes, bus lanes, high occupancy vehicle lanes, rail facilities, park’n’ride lots, service centres, rest stops, vehicle inspection stations, intermodal terminals, harbours, and associated facilities such as storage and maintenance.

Vulnerable:

means surface and groundwater that can be easily changed or impacted by activities or events, either by virtue of their vicinity to such activities or events or by permissive pathways between such activities and the surface and/or groundwater.

Waste management system:

means sites and facilities to accommodate solid waste from one or more municipalities and includes landfill sites, recycling facilities, transfer stations, processing sites and hazardous waste depots.

Watershed:

means an area that is drained by a river and its tributaries.

Wayside pits and quarries:

means a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

Wetlands:

means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of ***wetlands*** are swamps, marshes, bogs and fens. Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be ***wetlands*** for the purposes of this definition.

Wildlife habitat:

means areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific ***wildlife habitat***s of concern may include areas where species concentrate at a ***vulnerable*** point in their annual or life cycle; and areas which are important to migratory or non-migratory species.

Woodlands:

means treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of ***wildlife habitat***, outdoor ***recreational*** opportunities, and the sustainable harvest of a wide range of woodland products. ***Woodlands*** include treed areas, woodlots or forested areas and vary in their level of significance at the local, regional and Provincial levels.

APPENDIX 2 - PROCEDURES AND SUPPLEMENTARY INFORMATION

1. BUILDING CODE ACT

1.1 General

The Building Code Act provides the enabling authority for Councils to issue Building Permits through the appointment of a Chief Building Official and the adoption of a Building By-law. The Act also provides for the administration of property standards (transferred from the *Planning Act*). A Building Permit cannot be issued unless the proposed structure complies with 'applicable law' such as a Zoning By-law. The associated *Ontario Building Code* sets out the standards for design and construction of buildings. Building Permits are generally required for:

Construction of a new building or structure (garage or accessory building exceeding 10 m^2) including a mobile home or manufactured dwelling;

A. The repair, reconstruction or retrofitting of a building or other construction which is part of the structural support of a building;

B. Adding an extension;

C. Excavating or constructing a foundation;

D. Installing heating, plumbing, air conditioning or a fire place (solid fuel appliance);

E. Building or placing a temporary building;

F. The demolition of a building;

G. The change of use of a building may require a permit since different code standards may apply to the new use;

Important sections of the *Building Code Act* include:

Section 3 (2) - The Council shall appoint a Chief Building Official and such inspectors as are necessary for the enforcement of the *Building Code Act*.

Section 7 - Enables Council to adopt a Building By-law specifying the classes of permits, application fees, requirements for applications etc.

Section 8 (1) - Provides that no person shall construct or demolish a building unless a permit has been issued.

Section 15.1 - 15.8 - Sets out the enabling authority for property standards including the appointment of a Property Standards Officer, appointment of a Property Standards Committee, issuing of orders to remedy buildings or conditions which do not meet the requirements set out in a Property Standards By-law.

2. CONDOMINIUM ACT

2.1 General

Condominiums are a form of property ownership in which title to a unit, such as an individual apartment in an apartment building or a single detached dwelling in a private subdivision, is held by an individual together with a share of the rest of the property, which is common to all owners. Condominiums can involve a brand new ***development***, or an existing rental project, which is converted to condominium ownership. They can apply to any type of residential building as well as commercial and industrial areas. Vacant land is not eligible.

Section 50 (2) - A condominium plan is like any Plan of Subdivision in that it is a way of dividing property and must be approved by the approval authority.

Section 50 (3) may be utilized to exempt approval for buildings which have already been constructed and which satisfy all of the applicable municipal policies and requirements.

2.2 Applications

Applications shall be made to Council utilizing the form prescribed and shall set out a description suitable for registration on title unless otherwise exempted by Council. Council may enter into an agreement with the applicant for the provision of services or such other matters as are governed by *Section 51* of the *Planning Act*. The approval of an application for a condominium is with the County of Frontenac

3. DEVELOPMENT CHARGES ACT, 1997

3.1 General

Subject to undertaking a study (*Section 10*), Council may adopt a Development Charges By-law (*Section 6*) for the purposes of imposing a development charge against specified land uses to pay for increased capital costs required because of the increased need for services arising from new development of the area to which the by-law applies.

Section 2 (2) - ***Development*** which may precipitate a development charge includes:

- The passing of a Zoning By-law or an amendment to a By-law under Section 34 of the *Planning Act;*
- The approval of a Minor Variance under *Section 45* of the *Planning Act*;

- A conveyance of land to which a by-law passed under *Section 50 (7)* of the *Planning Act* applies;
- The approval of a Plan of Subdivision under *Section 51* of the *Planning Act*;
- A Consent under *Section 53* of the *Planning Act*;
- The approval of a description under *Section 50* of the *Condominium Act*; or
- The issuing of a Building Permit under the *Building Code Act* in relation to a building or structure.

4. ENVIRONMENTAL ASSESSMENT ACT

Prior to the construction of public works or undertakings, such as roads, sewage works, waste disposal facilities, water filtration plants, a Municipality is obliged to follow procedures under the *Environmental Assessment Act*. Some types of undertakings may fall into a class environmental assessment, which is a more streamlined process in reviewing the environmental impacts of the proposed work. Generally, the intent of this Plan is to ensure that the following procedures (generalized description) are followed prior to the construction of a project (undertaking):

Consult with affected parties:

- Involve affected parties early in the process and continuously throughout;
- Encourage the identification and resolution of issues before an EA is formally submitted; and
- Promote mutually acceptable, environmentally sound solutions through consultation.

Consider reasonable alternatives: planning must consider alternatives to the undertaking, which fulfill the purpose of the undertaking in functionally different ways and alternative methods of implementing a particular type of alternative. The ‘do-nothing’ alternative must also be considered.

Consider all aspects of the environment: the planning process must consider the effects on the natural or biophysical environment as well as effects on the social, economic and cultural conditions that influence the lives of humans of a community.

Systematically evaluate net environmental effects: evaluate alternatives in light of their advantages and disadvantages and the effects remaining after mitigation or enhancement measures have been addressed.

Provide clear, complete documentation: the EA should strive to represent accurately the process that was followed in a clear and understandable way and to communicate the results of that process.

5. ENVIRONMENTAL PROTECTION ACT

The *Environmental Protection Act* provides control mechanisms for the protection of the environment that has application to the general public as well as to the Council of a Municipality.

Section 46 - land used for a waste disposal site may not be used for another purpose within a period of twenty-five years from the date the land ceased to be used, without the approval of the Minister.

6. GASOLINE HANDLING ACT AND CODE

This legislation prescribes the requirements for the handling of gasoline and associated products and amongst other matters sets out in the associated *Gasoline Handling Code*, the prescribed setbacks of gasoline storage facilities and pump islands from streets and adjacent properties. The intent of this Plan is to ensure that the amending Zoning By-law reflects these standards as a measure of public safety and compatibility with adjacent land uses.

7. MUNICIPAL ACT

This *Act* provides the enabling authority for a variety of types of by-laws and licensing matters, which serve to implement features of this Plan or to authorize other actions of Council as follows:

Section 31 - Establishing a highway
Section 34 - Closing a highway
Sections 37/38 - Closing a private road
Sections 47/48 - Naming a road
Section 99 - Regulating Signs
Section 123 - Regulating dangerous places e.g. cliffs, deep water
Section 124 - Regulating pits and quarries
Section 127 - Regulating refuse and debris (clean yards)
Section 129 - Regulating noise, odour, dust, vibration, outdoor illumination
Section 131 - Regulating wrecking yards
Section 135 - Regulating tree cutting or injury to trees

Section 142 - Site alteration control (e.g. dumping, filling, topsoil removal, grade alteration)
Section 151 - Licensing adult entertainment establishments
Section 166 - Designation and registration of group homes
Section 168/169 - Licensing trailers and trailer camps
Section 170 - Licensing motor vehicle racing
Section 204 - Establishing a Business Improvement Area

8. ONTARIO HERITAGE ACT

The Ontario Heritage Act is intended to assist municipalities with the designation and conservation of buildings, structures, districts, landscapes, ruins that may be considered to be cultural heritage or ***archaeological resources***. The Municipality may use Part IV of the Act to designate individual buildings, structures or sites/landscapes or use Part V to designate a Heritage Conservation District.

Section 28 - Authorizes Council to establish a Municipal Heritage Committee of 5 or more people to advise Council on all matters related to *Part IV* of the *Act*.

Section 29 (2) - Authorizes a By-law to designate commencing with a Notice of Intention to Designate a building, structure or site.

Section 31(2) - Authorizes a By-law to repeal a designating by-law.

Section 32 (2) - Owner's application to repeal designating by-law.

Section 33 (4) - Owner's application for permission to alter a designated property.

Section 34 (2) - Owner's application for permission to demolish or remove building or structure which forms part of a designated property.

9. THE PLANNING ACT

AMENDMENTS TO THE OFFICIAL PLAN – Sections 17 and 22

The following procedures shall be used in evaluating Official Plan applications.

9.1 General

9.2 Procedures

A. Pre consultation:

The Municipality may pre-consult or require the applicant to pre-consult with the Municipality prior to filing an application. The applicant will be advised as to what the procedures are for considering amendments and what information or studies may be required to support an application.

B. Conduct Preliminary Review of Proposed Amendment:

A complete application shall be filed with the Clerk of the Municipality using an application form prescribed by the Municipality and shall include a map or survey to identify the location of the property(ies) affected, existing land uses on the subject and surrounding lands, proposed land uses and servicing of the subject property. The application shall include studies and other information as may be required under Section 6.10 of the Official Plan and Ontario Regulation 543/06. An application which is deemed to be incomplete will be deferred pending receipt of the required information or may be refused. Studies may be subject to a peer review at the cost of the applicant.

The application will be reviewed for completeness and the following additional criteria:

- To determine if the proposal will involve amendments to the text, schedule or both;
- To determine the policy sections or land use designations affected that apply;
- To assess the applicant's reasoning or justification for the proposal will be reviewed so that it is clearly understood;
- To determine if the proposal meets the general intent of the overall purpose, goals, objectives and general policies of the Plan;
- To determine if the application is consistent with the Provincial Policy Statement;
- To assess if the change is necessary to achieve the purpose, goals, objectives and policies of the Plan;
- To determine if conditions have changed to warrant the proposed amendment (e.g., consult local studies, statistics etc., which may point to changes in economic conditions or other circumstances);
- To assess if it is likely that the amendment will have positive or negative effects for the future e.g. could approval set the precedent for similar requests;
- To assess appropriateness of location within the context of the Municipality;
- To assess compatibility of proposed use with surrounding land uses;
- To calculate/assess servicing in terms of capacity and adequacy of sewer, water, waste and utilities;

- To assess site suitability in terms of any physical constraints, on-site parking and loading availability etc.; and
- To determine the impacts on the natural environment

Once the application has been deemed to be complete a notice will be circulated to the prescribed agencies. The Planning Act stipulates that the notice of a complete (or incomplete) application must be issued within 30 days from the date of the application and that notice to agencies is to be given within a further 15 days. An applicant may appeal a negative notice to the Ontario Municipal Board within 30 days after the notice of the incomplete application.

C. Provincial Interests:

Pre-consultation will involve discussions with affected agencies and the Ministry of Municipal Affairs and Housing to assess whether the application is consistent with to the most current Provincial Policy Statement.

D. Public Consultation:

Notice of a public meeting shall be advertised within 20 days after the giving of notice in a newspaper having general circulation in the area affected by the amendment **or** a combination of a notices posted on the site of the proposed amendment together with a notice sent by mail to the applicant and all property owners within 120 m of the property (ies) affected by the application. Information must also be made available to the general public with respect to the application and any supporting information.

Following a public meeting Council may adopt the amendment as proposed or with modifications, or may refuse the application. Council shall consider any relevant public concerns with the proposed amendment and whether changes or refinements may be necessary in the public interest e.g. can the amendment be altered or improved to make it acceptable. Should Council refuse to adopt the amendment, they are required to advise the applicant and any other party who requested to be notified within 15 days of the date of the refusal, following which the applicant has 20 days to appeal Council's decision to the Ontario Municipal Board. Similarly, if Council does not adopt the amendment within 180 days from the date the application is filed, the applicant may also appeal the lack of adoption to the Ontario Municipal Board.

Where the amendment is adopted, notice of adoption shall be given within 15 days and the amendment together with the record of submission shall be submitted to the approval authority.

The approval authority (County of Frontenac) has 180 days to render a decision on the amendment following which there is a 20-day period for appeal to the Ontario Municipal Board. Where there is no appeal, the decision is final. Only applicants who have participated in the planning process may appeal i.e. by attending and making an oral submission at the public meeting or by submitting written comments before the amendment is adopted.

The notice procedures as prescribed in Sections 17 and 22 of the *Planning Act*, and Ontario Regulations thereto, shall be adhered to.

However, Council may forego public notification and public meeting(s), in connection with Official Plan changes, if the changes relate to the following:

- ☐ A consolidation of the Official Plan, which does not affect the policies, and intent of the Plan;
- ☐ Altering the numbers and arrangement of provisions;
- ☐ Correcting grammar or typographical errors, changing the format, punctuation or language slightly to obtain a uniform format and mode of expression in the Plan.

9.3 Zoning By-laws – Section 34

A. General

When Council receives an application for a ***development*** project, which it considers at the time, is desirable, not premature, capable of being adequately serviced, and in conformity with the policies and designations of this Plan, Council may pass an implementing amending by-law to the Zoning By-Law. Council may, as a condition of development or ***redevelopment***, require the owner of the land to enter into one or more agreements or requirements with the Municipality dealing with the provision, maintenance and use of certain facilities as set forth in the *Planning Act*. These agreements or requirements may pertain to one or more Sections of the *Planning Act*, such as:

- Holding Provisions - *36 (2)*;
- Temporary Use Agreement - *39 (1.2)*;
- Site Plan Control Agreement- *41(7,8)*;
- Subdivision Control Agreement - *51(26);*
- Consent Agreement - *53 (12);*

B. The Zoning Amendment Process

Applications for an amendment to the Zoning By-Law shall generally comply with the following process:

Step 1 - Filing an Application

- Pre-consult with the Municipality on the procedures and requirements for filing an application;
- Obtain an application for a Zoning By-Law Amendment; and
- Complete the application in full. The application shall include studies and other information as may be required under Section 6.10 of the Official Plan and Ontario Regulation 545/06. An application which is deemed to be incomplete will be deferred pending receipt of the required information. Studies may be subject to a peer review at the cost of the applicant.

Step 2 - **Application Review**

Once the application has been deemed to be complete a notice will be circulated to the prescribed agencies. The Planning Act stipulates that the notice of a complete (or incomplete) application must be issued within 30 days from the date of the application and that notice to agencies is to be given within a further 15 days. An applicant may appeal a negative notice to the Ontario Municipal Board within 30 days after the notice of the incomplete application.

The application may be circulated for review and pre-consultation with departments within and outside of the Municipality. The Municipality has responsibility for review of the application for compliance with the Official Plan and the Provincial Policy Statement.

Step 3 - **Public Meeting**

- A public meeting will be held to consider the application;
- Notice of the meeting must be advertised to notify the public and agencies. Advertising may be by (i) newspaper, or (ii) by mail or by personal service and by posting a notice on the site;
- The notice must be given 20 days before the public meeting; and
- The public meeting is held by Council and is open to any member of the public or to an agency to make a presentation for or against the application. Oral submissions at the public meeting or a written submission prior to the adoption of the by-law are required if the applicant subsequently wishes tom appeal

Step 4 - Decision

- Council may pass (adopt) a Zoning By-law Amendment, may modify the amendment as proposed or may refuse to pass an amendment;
- If an amending by-law is passed, notice of the passing of the bylaw amendment must be advertised within 15 days of the date of passing; and
- If an amendment is refused or Council does not make a decision within 120 days of the receipt of the application, the applicant may appeal to the Ontario Municipal Board. Council must advise the applicant in writing within 15 days of a refusal.

Step 5 – Appeal

- Any resident who wishes to object to the Zoning By-Law amendment may appeal if they have participated in the process (attended public meeting and made an oral submission or file a written comment prior to the adoption of the by-law;
- An appeal must be made in writing with reasons for the appeal. The letter of appeal must be submitted to the Clerk within the 20-day appeal period set out in the Notice of Passing.
- The appeal must be accompanied by a prescribed appeal fee payable to the Minister of Finance;
- If no appeal is made within the appeal period, the By-Law is automatically approved; and
- In an appeal is received by the Clerk, the appeal must be sent to the Ontario Municipal Board within 15 days following the last day for appeal. The Ontario Municipal Board will decide whether the appeal is valid and subject to their decision, may hold a hearing in the Municipality to hear the appeal (or to dismiss the appeal). If they hold a hearing, the decision of the Ontario Municipal Board is final.

9.4 Holding Zone – Section 36

A. **Procedures for Notice**

By-laws to establish such Holding Zones shall be subject to the provisions of *Sections 34* and *36* of the *Planning Act*, including the notice for and holding of a public meeting. Prior to the removal of the Holding «h» symbol, Council shall give notice of its intention to pass the amending bylaw removing the holding symbol, in accordance with Section 35 of the *Planning Act*.

9.5 Interim Control By-laws – Section 38

In order to control ***development*** in an area where the Municipality is reviewing its long-term planning, an Interim Control By-Law may be passed, effective for up to one year and renewable for a further year so that the maximum period it is in effect is two years from its imposition. An Interim Control By-Law shall allow the Council to place a temporary freeze on land uses in order to allow a review of land use policies. After that, at least three years must elapse before another Interim Control By-Law may be passed covering any part of the same area.

9.6 Site Plan Control – Section 41

9.6.1 Procedures for Site Plan Control

Applicants are encouraged to pre-consult with Township Planning Staff on potential applications. Applicants shall file a complete application using the Municipal application form together with the application fee. The application shall include a site plan drawn to scale, which includes the following information:

- Layout of all existing and proposed buildings and structures and setbacks from adjacent property lines, lot dimensions;
- Parking and loading spaces including location of handicapped parking, dimensions of parking spaces, driveways, entrances and manoeuvring aisles, location of fire routes;
- Day lighting triangles on corner lots;
- Relationship of the lot to surrounding streets and other physical features e.g. water bodies, rail lines, slopes and rock outcrops;
- Site services and easements (water, sewer, storm drainage, waste disposal, utilities), sewer inverts, catch basins;
- Spot elevations or contours and site grading and landscaping;
- Fencing and signs;
- Building coverage on the lot, parking space calculations, building height, percentage of landscape area;
- Key plan, scale bar, north arrow, civic address or legal description; and
- The applicant should consult with the Municipality on the number of copies of the application to be submitted.

The application will be circulated to affected departments and agencies (e.g., engineer, fire chief, Conservation Authority, Provincial Ministry etc.). Based on comments received, a Planning Report will be prepared and submitted to Council. Council may hold a public meeting to seek public input (although this is not required by the Planning Act). Final revisions may be required to be made to the site plan. Subject to Council approval, a draft Site Plan Agreement is prepared (by the Municipal Solicitor) for review by Council and the applicant. The Site Plan Agreement is then adopted by By-law and registered on title against the property to which it applies. A financial guarantee is required to ensure that the works required by the agreement are completed to the satisfaction of the Municipality. A

building permit will be issued (subject to payment of any building permit and development charges or other fees and compliance with the site plan).

Inspections are conducted for compliance to site plan. Financial securities released.

9.7 Parkland Dedication or Cash-in-Lieu – Section 42

The conveyance of parkland or cash-in-lieu of parkland is authorized under *Section 42* of the *Planning Act* for park or public ***recreational*** uses. The conveyance of land or cash-in-lieu may be required for residential severances or residential subdivisions at the rate of 5% or for commercial or industrial severances or subdivisions at the rate of 2% of the area or value of land, respectively, as set out in *Sections 42, 51, and 53* of the *Planning Act*. Where cash-in-lieu is accepted such monies shall be placed in a special account and spent only for the acquisition of land to be used for park or other ***recreational*** purposes, including the erection or repair of buildings and the acquisition or machinery for park or other ***recreational*** purposes.

9.8 Committee of Adjustment – Section 44 and 45

A. General

A Committee of Adjustment, duly appointed under *Section 44* of the *Planning Act*, has several powers as set out in *Section 45* of the *Act*:

- May grant a Minor Variance to the Zoning By-law;
- May grant a permission to expand a non-conforming use or to change that use to a similar or more compatible use;
- May interpret the Zoning By-law to permit a use that is defined in general terms; and
- May grant a variance to any by-law that Council specifies and that implements this Official Plan (e.g., Sign By-law)

B. Minor Variances

In considering an application for a Minor Variance, the Committee of Adjustment shall apply four tests, namely:

i. Is the variance minor?
ii. Will it maintain the general intent and purpose of the Zoning By-law?
iii. Will it maintain the general intent and purpose of this Official Plan?
iv. Is it desirable for the appropriate ***development*** or use of the land building or structure?

C. **Procedures for Applications**

1. Applicants are encouraged to consult with Municipal Planning Staff prior to submitting an application.
2. Applicant to file complete application with the Secretary-Treasurer of the Committee of Adjustment together with the required fee. The application, where required, shall be accompanied by a sketch or plan showing the specific dimensions of buildings or structures which affect or may be affected by the application (including buildings or structures on adjacent properties).
3. Committee shall hold a public meeting duly advertised at least 10 days prior and within 30 days after the application is date stamped as a complete application. A preview of the application (planning report) along with a site visit is recommended.
4. Committee may make a decision or reserve a decision and impose conditions on a decision. Decision to be mailed within 10 days.
5. Applicant or other person has 20 days from the date of the decision to file an appeal with the secretary-treasurer together with an appeal fee upon which the appeal is forwarded to the Ontario Municipal Board. The OMB may dismiss the appeal or hold a hearing and render a decision.

9.9 Subdivisions, Consents and Part-Lot Control – Sections 44 and 45

A. **Procedures for Processing a Plan of Subdivision**

The processing of a Plan of Subdivision shall generally consist of the following steps:

i. Satisfactory completion of an application together with the submission of the required fee to the approval authority (County of Frontenac). The application shall include studies and other information as may be required under Section 6.10 of the Official Plan and Ontario Regulation 544/06. An application which is deemed to be incomplete will be deferred pending receipt of the required information. Studies may be subject to a peer review at the cost of the applicant.

ii. Submission of required supplementary studies or information, where required by the County.

iii. The approval authority will be responsible for evaluating the application in compliance with the relevant policies of this Plan, and the Provincial Policy Statement. This will also include, where required, the circulation of the application to the Ministry of Transportation with respect to an entrance permit onto Highway 41; and the Ministry of Culture or MHC

with respect to an archaeological assessment. The County may also circulate to other affected agencies such as the Conservation Authority.

iv. Holding of a duly advertised public meeting (in accordance with the notice provisions set out in the *Planning Act*) to consider the proposed Plan of Subdivision. The meeting is usually held by the Township of North Frontenac on behalf of the County and may be jointly convened with a meeting for a Zoning Amendment if this is also required for the Plan of Subdivision.

v. Draft plan approval with conditions as may be required by the approval authority, Council, Ministries or other agencies.

vi. Preparation of a Subdivision Agreement to address the conditions of draft approval. Agreement is prepared by the Municipal solicitor.

vii. Execution of the Subdivision Agreement by Council (by by-law) and registration of the agreement against the lands to which it applies.

viii. Clearance of concerns or requirements by agencies.

ix. Final approval of the Plan of Subdivision and registration.

x. ***Development*** of lands per the requirements of the Subdivision Agreement and approvals or clearances by the Municipality and other agencies upon satisfactory completion of the requirements.

xi. Conveyance of land or covenants for easements for utilities, access control or drainage.

xii. Sale of lots and issuance of building permits.

xiii. Assumption of municipal water, sewer, roads, street lights etc., by the Municipality (subject to meeting warranty and other construction standards set out in the Subdivision Agreement).

B. **Consents**

Procedures for processing Consent applications may include but not be limited to:

i. Applicant files a complete application with the Clerk.

ii. Council may also seek technical input from other selected agencies and municipal staff.

iii. The application will be reviewed for compliance to the policies of this Plan and the regulations of the implementing Zoning By-law (Planning Report).

iv. Council may have a public meeting to consider the application.

v. Council will issue a decision and may impose conditions of approval (provisional consent).

vi. Decision is advertised (circulated) as required by the *Planning Act*.

vii. Applicant shall enter into a Consent Agreement (Development Agreement) where required as a means to implement the conditions.

viii. Applicant has up to one year to fulfil provisions of conditional consent.

ix. Consent is granted upon fulfillment of conditions and submission of deed or instrument for stamping (certificate).

x. The compliance must occur within two years from the date the certificate is given or consent will lapse.

C. **Part-Lot Control**

Part-lot control may be used for existing Plans of Subdivision where it is necessary to realign lot boundaries to clarify or grant title, exact specific servicing requirements as a condition of consent such as a road widening or to further control internal ***development*** on a lot.

9.10 Tariff of Fees – Section 69

Council may by By-law, adopt a Tariff of Fees By-law for the purpose of levying fees for the costs associated with the processing of planning applications including:

☐ An amendment to the Official Plan;
☐ An amendment to the Zoning By-law;
☐ A Minor Variance or permission related to a non-conforming use;
☐ Site Plan Control application and agreement;
☐ A Plan of Subdivision or Condominium application and agreement;
☐ A Consent Application and Consent Agreement;
☐ A Change of use.

APPENDIX 3 – PRIVATE LANE CONSTRUCTION STANDARDS

Right-of-Way Width	20.0 m (66 ft)
Width of Clearing	9.0 m (30 ft)
Surface Width	6.0 (20 ft)
Surface Material	Crushed Stone
Depth of Surface Material, (Gran. "A")	100 mm (4 in)
Depth of Base Material/Cover Over Bedrock (Gran. "B")	150 mm (6 in)
Depth of Base Material (Gran. "B")	300 mm (12 in)
Granular Shoulder, Including Rounding	1.0 m (3 ft)
Crown Minimum	2%
Cross Culvert	400 mm (16 in) – 300 mm (12 in) Minimum Cover

Cross Material	Aluminized Corrugated Steel pipe/high density polyethylene (double wall)
Maximum Vertical Grade	12% (1.8) Minimum vertical curve length subject to design speed requirements
Horizontal Turning Radius	Minimum centerline radius 12.0 m (40.0 ft) – Subject to design speed requirements
Ontario Building Code requirements	Safe passage of emergency vehicles Maximum change of gradient not more than 1 in 12.5 (8%) over a minimum distance of 15 m (50 ft). Turnaround for dead-end portion of road more than 90.0 m (295 ft) long.
Ditches, Minimum Depth from Road Centerline to Bottom of Ditch	0.5 m (1.5 ft) or 0.15 m (6 in) below bottom of granular B whichever is lower
Overhead Clearance Height	5.0 m (16 ft) minimum

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Township of North Frontenac - Official Plan

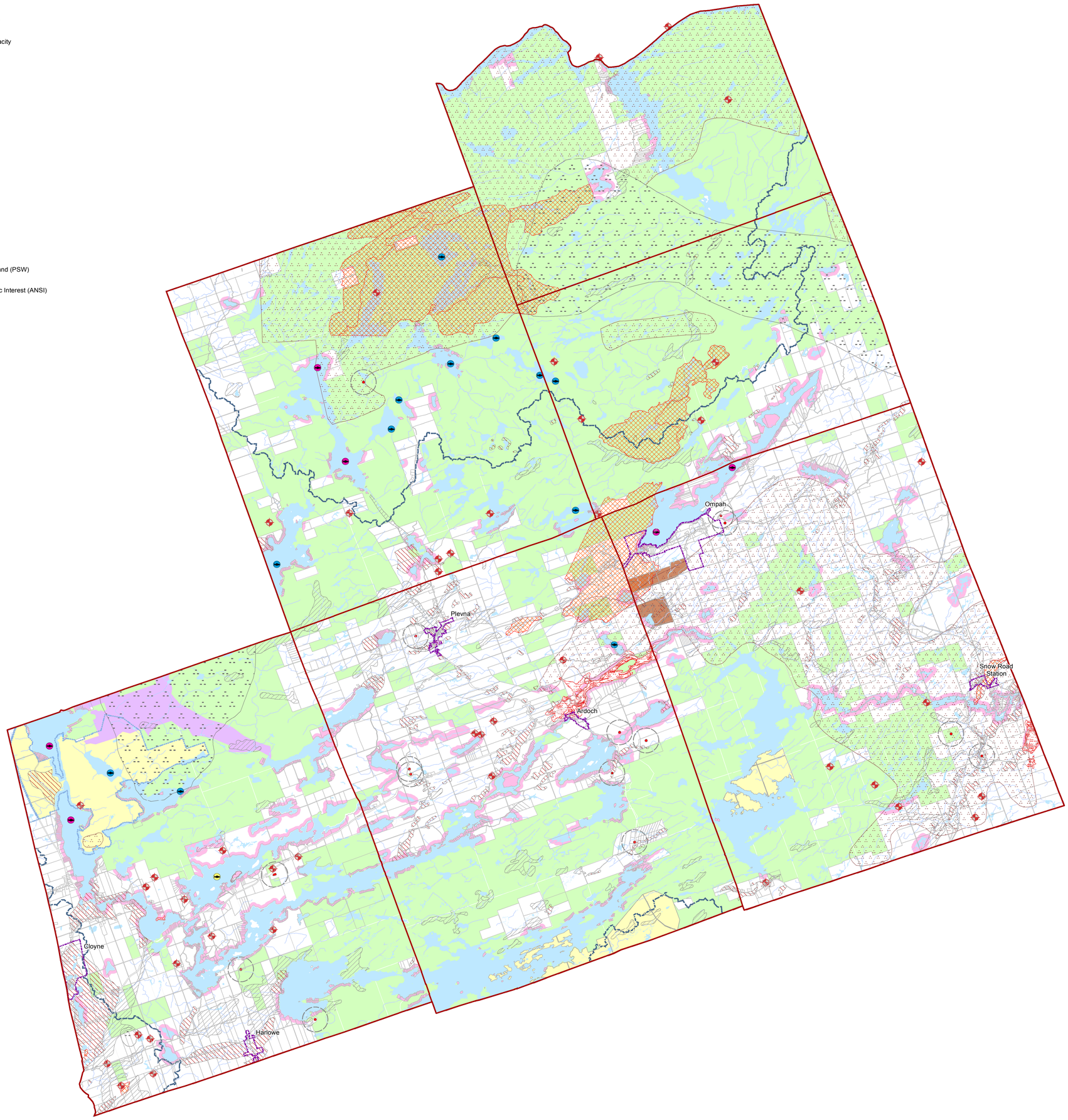
Legend

- At Capacity Lake
- Lake Trout Lake At Capacity
- Lake Trout Lake Not At Capacity
- Mine Hazard
- River/Stream
- Waterbody
- Property / Lot Fabric
- Hamlet
- Watershed Boundary
- Provincial Park
- 500m Influence Area
- Moose Early Wintering Area
- Deer Wintering Area
- Provincially Significant Wetland (PSW)
- Area of Natural and Scientific Interest (ANSI)
- Crown Land
- Rural
- Waterfront Area
- Mineral Resources
- Organic Soils
- Rural Cooperative Area
- Waste Disposal Facility
- Conservation Area
- Township / Ward Boundary

Ontario's Living Legacy

- Bon Echo OLL
- Mazinaw OLL

N



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Data Source: OGDE, Teranet & The County of Frontenac. Created: May 25th, 2017 Reference: Produced by the County of Frontenac with data supplied under license by members of the Ontario Geospatial Data Exchange. The County of Frontenac disclaims all responsibilty for errors, omissions or inaccuracies in this publication.

Ministry of Municipal Affairs | **Ministère des Affaires municipales**

Ontario

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Eastern Region
8 Estate Lane
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Kingston ON K7M 9A8
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Fax: (613) 548-6822
Toll Free: 1-800-267-9438

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Maison Rockwood
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Sans frais: 1-800-267-9438

May 18, 2017

Tara Mieske
Clerk/Planning Manager
Township of North Frontenac
6648 Road 506
Plevna, Ontario
K0H 2M0

Re: Township of North Frontenac Draft Official Plan
MMA file: 10-EOPA-179726

Dear Ms. Mieske:

I am writing with regards to the draft Official Plan for the Township of North Frontenac and wish to share the following comments related to specific policy areas in the proposed Official Plan.

As you are aware, with the Ministry's approval of the new Official Plan for Frontenac County in 2016, the County was automatically assigned the approval authority for all lower tier Official Plans Amendments in accordance with the Planning Act. As such, the Ministry is no longer the approval authority for the Township of North Frontenac's Official Plan. Given the County's new approval authority roles, they are responsible for ensuring that matters involving the Provincial Policy Statement (PPS) and provincial plans and legislation are adequately addressed in the Township's Official Plan. At this time, the Ministry is providing comments for your consideration involving three specific areas of provincial interest. There may be more identified by the County through its new approval roles.

Section 3.9.1: Lots of Records and 3.15.2: Consents

It is understood that Section 3.9.1 of the draft Official Plan for the Township of North Frontenac proposes to reset the date that defines a lot of record. The draft proposes to reset the date from the date of adoption of the current plan (approved in 2003) to the date of adoption of the proposed Official Plan (anticipated in summer 2017). The date that defines a lot of record determines the eligibility of the lot for consent.

The policies of Sections 1.1.4 of the Provincial Policy Statement (PPS) include provisions that contemplate development in rural areas and lands. Section 1.1.4.2 of the PPS directs growth and development to settlement areas in rural areas. Where rural lands are to be developed, Section 1.1.5 of the PPS provides criteria for what is considered appropriate growth. Section 1.1.5.2.b) of the PPS states that 'limited residential development' is a permitted use on rural lands. The term 'limited residential development' is not a defined term; however, the intended purpose of the policy is to ensure that municipalities establish policies by which consents on rural lands are controlled and limited. Section 1.1.5.5 further provides criteria for development on rural lands, which "shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure".

The lot eligibility date is intended as a tool to limit residential development in the rural area and prevent the fragmentation of rural lands through lot creation in accordance with the policies of the PPS. It is understood that the proposed changes to the Official Plan would, in effect, permit an increase in the number of consents permitted in the rural area. Focusing growth to settlement areas is a key policy of the PPS, supporting the creation of healthy, livable, and sustainable communities, promoting development and land use patterns that sustain the financial well-being of the municipality over the long-term. The Ministry expects that the County will address this PPS matter similarly across all lower tiers in the County of Frontenac. In addition, it is recommended that section 3.15.2 (Consents) insert a section to clarify the maximum number of lots that may be created on a lot of record, with the same objective of establishing a framework that will limit rural development and focus growth to settlement areas. It is recommended that the policy permit a maximum of 3 consents from an existing lot of record.

4.3.4F Tiny Houses

Please note that with regards to Subsection F under Section 4.3.4 of the draft Official Plan, the Township may not adjust the Building Code, which is provincial law under the *Building Code Act*. The Building Code provides standards for minimum room dimensions, ceiling heights, and proper egress and ingress standards which may not be lessened or increased through municipal by-laws or other means. Section 35 of the *Building Code Act* says that any municipal by-law respecting the construction or demolition of buildings is superseded by the Act and the Building Code. Therefore, it is recommended that this policy be removed from the draft Official Plan.

Second Units

As you are aware, the *Planning Act* requires Official Plan policies and Zoning By-laws to authorize second units in single-detached, semi-detached, and rowhouse dwellings, or in ancillary structures. The provision of second units benefits homeowners, tenants, and the wider community in a number of ways:

- Increases the stock of affordable rental units to create mixed income communities
- Creating jobs in the construction/renovation industry, and supporting local businesses and the local labour market
- Allows homeowners an opportunity to earn additional income to help meet the costs of homeownership
- Supporting changing demographics by providing more affordable housing options for extended
- Optimizes infrastructure

The Ministry commends the Township for the inclusion of second unit policies in Sections 2.3.7 and 4.1.2A. It is recommended that the Township also add second units as a permitted use in Rural Areas (Section 4.3.1) as well as Waterfront Areas (Section 4.10) in addition to settlement areas to support the goals mentioned above. Within Waterfront Areas, the municipality may wish to restrict the construction of a second unit within 30 metres of a waterbody, within 300 metres of an at capacity lake, and on lands subject to flooding.

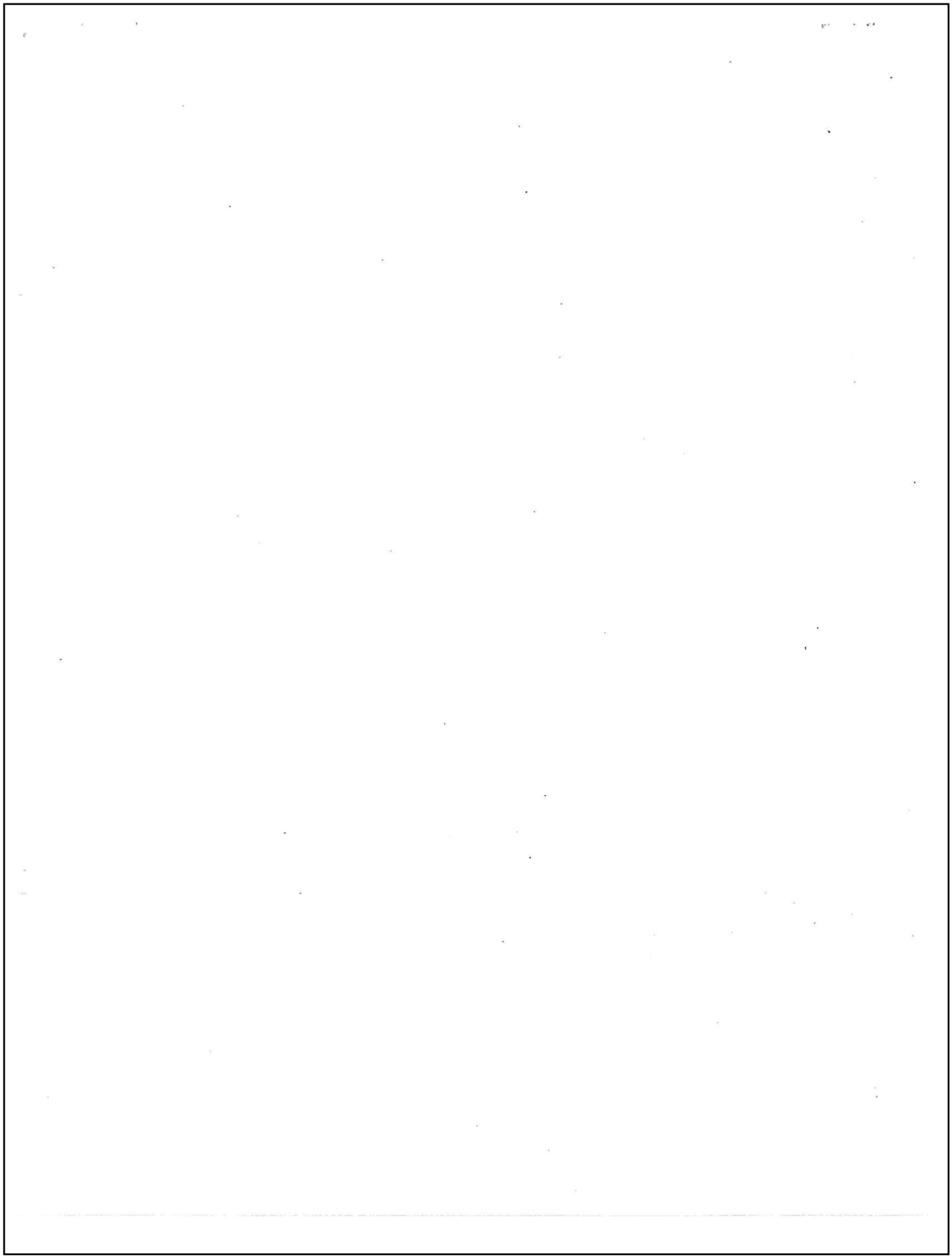
For properties on private water and sewer services, you may wish to establish measure for lots less than 0.8 ha to enable the evaluation of off-site and groundwater quality impacts.

I trust this information helps in your development of the Township of North Frontenac's Official Plan. If you have any questions or would like to meet and discuss these comments further, please do not hesitate to call Dan Ethier at 613-742-3371 or by email at dan.ethier@ontario.ca. Please continue to keep the Ministry on your notice of Decision list for the Official Plan.

Yours Truly,

Morgan Alger, Planner
Municipal Services Office East

cc. Joe Gallivan, County of Frontenac
Dan Ethier, Ministry of Municipal Affairs



Tara Mieske

From: Joe Gallivan <JGallivan@FRONTENACCOUNTY.CA>
Sent: May-18-17 7:46 PM
To: Tara Mieske
Cc: Megan Rueckwald
Subject: RE: North Frontenac Official Plan

Importance: High

Hello, Tara,

Re: North Frontenac Draft Official Plan

The purpose of this email is to provide you with planning comments with respect to the correspondence received by the Township from the Ministry of Municipal Affairs dated May 18th, 2017.

MAH is requesting changes to three sections of the draft Official Plan.

My recommendation is that Council consider adoption of the draft Plan 'as is', with no changes from the MAH letter.

The Township staff report dated May 19th, 2017 attached to the draft Plan provides Council with reasons to proceed in this fashion.

The following is a brief review of the three changes to the Plan recommended by MAH:

1) Lots of Record

MAH recommend that the time period for consents not be 'reset' to the date of adoption of the Plan, and that it remain as the current Plan (2003).

In my opinion, the MAH position does not take into consideration the characteristics of North Frontenac (i.e., over 65% Crown Land, aging population, limited new residential development in the rural area). As part of recognizing the geography of North Frontenac, Council has supported a new policy statement in the Plan that describes 'rural sustainability' and the goal of bringing more permanent residents into the area. This position recognizes the local character and is also supported by the policies in the County Official Plan.

Recommendation: No change.

2) Tiny Houses – Building Code compliance

The Tiny Houses policy section is intended to promote a new type of affordable housing, and to formally recognize that North Frontenac supports tiny houses. This is the first Official Plan in Eastern Ontario that formally supports tiny houses and provides the Township with a competitive advantage in welcoming this type of housing.

MAH has recommended deletion of part of this section as the Ministry's opinion is that it is not in compliance with the *Ontario Building Code*. Staff will research this issue prior to the Plan being reviewed by the Frontenac County Planning Advisory Committee at their June 28th meeting to confirm the validity of the MAH position.

Recommendation: No change.

3) Second Units

MAH request that 'second units' be permitted in most areas of the Township, including the Waterfront Area designation.

The *Planning Act* requires that second units be permitted through policy in an Official Plan. However, it is the opinion of staff that this does not mean that second units have to be allowed in all land use designations. Through the extensive public consultation that has taken place during the update of the Township Official Plan, Council has made a decision to not permit second units in Waterfront Areas in order to protect lake quality and lake character. This is a policy decision based on 'good planning' principles.

Recommendation: No change.

Summary

Council should consider adoption of the Official Plan without the changes recommended by the Ministry of Municipal Affairs.

Following adoption, the Plan will be sent to the County and will be reviewed by the County Planning Advisory Committee before it is considered by County Council for approval. If MAH continues to have concerns their staff will have the ability to attend the committee meeting and explain their position.

Township planning staff continue to recommend adoption of the draft Plan on the basis that it is consistent with the Provincial Policy Statement and the Frontenac County Official Plan.

Sincerely,

Joe Gallivan
Director
Planning & Economic Development
County of Frontenac
2069 Battersea Road,
Glenburnie ON K0H 1S0
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Report 2017-089

Committee Information Report

To: Chair and Members of the Planning Advisory Committee

From: Joe Gallivan, Director of Planning and Economic Development

Date of meeting: June 28, 2017

Re: Planning Advisory Committee – Applications for Plan of Vacant Land Condominium – Ardoch Lake

Recommendation

This report is for information purposes only.

Background

Revised applications have been submitted proposing a 28 lot (unit) vacant land condominium on Ardoch Lake (see Map 1). The County of Frontenac is the approval authority for the vacant land condominium and the Township of North Frontenac is the approval authority for the zoning amendment. This application is a revision of the original plan that was submitted in 2011 that included 45 lots, and a further revision of 34 lots in 2014.

Comment

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 Lots 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).

Map 1 provides aerial imagery of the location of the property with an overlay of the proposed lots and blocks of land to be created.

The applicant has applied for a vacant land condominium (i.e., lotting pattern, road layout, 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 plan of vacant land condominium is very similar to a plan of subdivision, except that the roads and most other facilities are privately owned, rather than being owned and operated by the Township. Unlike most private road development by consent, there is a strong legal mechanism to repair commonly owned property such as these roads or private parkland, including mandatory condominium dues and a mandatory reserve fund.

The applicant has submitted a number of studies and plans in support of the development.

The studies and plans include:

- A draft plan of vacant land showing the layout of the proposed development and what parts of the development will be shared ("common elements")
- Planning report
- Stormwater management brief
- Phosphorous budget assessment
- Rural servicing study
- Servicing options statement
- Archaeological assessment
- Environmental impact study

These studies will be uploaded prior to the Public Meeting on the County Google Drive web site.

Agencies involved in the review include: Mississippi Valley Conservation Authority; Ministry of Environment; Ministry of Culture; Malroz Engineering (hydrogeological peer review for Frontenac County); and KFL&A Public Health.

The Township of North Frontenac Council held a public meeting on August 22nd, 2014. Since that time, planning staff have been consulting with the Ontario Ministry of Environment and Climate Change (MOECC) and the Mississippi Valley Conservation Authority (MVCA) to not only review the studies provided as part of the planning application but also to review comments and submissions made by the public at the August 22nd meeting.

Next Steps

1) Staff recommend a Public Meeting date be set by the Planning Committee for this coming August. In the interest of the cottagers, it is recommended that the Public Meeting be scheduled for a Saturday morning in North Frontenac Township.

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

Township of North Frontenac
Ministry of Environment and Climate Change
Members of the Public

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ARDOCH LAKE - REVISED PLAN

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Report 2017-090

Committee Information Report

To: Chair and Members of the Planning Advisory Committee

From: Joe Gallivan, Director of Planning and Economic Development
Jannette Amini, Manager of Legislative Services/Clerk

Date of meeting: June 28, 2017

Re: Planning Advisory Committee – Request from the Township of South Frontenac for expanded public notification provisions regarding planning applications

Recommendation

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.

Background

The Planning Advisory Committee is responsible for advising County Council on all regional development, planning, and the *Planning Act* implications of economic development within the County of Frontenac in accordance with the County's Official Plan document.

As part of that role, Public Meetings held pursuant to the Planning Act will be conducted through the Planning Advisory Committee on behalf of County Council.

Comment

The County's Planning Advisory Committee is now responsible for holding Public Meetings being held pursuant to the Planning Act on behalf of County Council, a role which was previously carried out by the Townships.

As a result, the County of Frontenac is in receipt of a request from the Council of the Township of South Frontenac, attached as Appendix A, to implement expanded public notification provisions when considering proposed subdivision and vacant land condominium developments in South Frontenac, which the Township was previously doing as required through Schedule 11 to Township of South Frontenac By-law 2016-73. Specifically, in addition to the requirements set out in the *Planning Act*, the

Township of South Frontenac is asking that for any subdivision or plan of condominium greater than 3 units be subject to the following enhanced provisions:

1. Bring to the attention of the public through a presentation to the Committee of the Whole any proposal for subdivision or plan of condominium greater than 3 units, after the developer has completed the pre consultation phase. This shall occur no later than 30 days before the notice for a statutory public meeting;
2. Provide six calendar weeks' notice of the statutory public meeting through the regulated means of advertising;
3. Have the developer install, at their expense, a durable sign, notifying the community of the public meeting at least six weeks in advance of the meeting date;
4. Ensure that the sign for the proposed development is in a visible location at the edge of the property on the road abutting the property. The developer is to remove the signage 30 days after the public meeting;
5. Ensure that the sign shall be at least 1 metre by 1.2 metres in size and contain the information specified by the Planning Department;
6. Have the developer provide photographic evidence that the sign is erected on the date required;
7. Advertise a summary of the Notice in the weekly banner advertising directing readers to the website six weeks in advance of the meeting. A subsequent notice shall be published three weeks In advance and again one week in advance of the meeting.

Given that the County must apply consistency across the entire County when considering planning applications, any approval by County Council to implement any or all of these expanded public notification provisions would be applied to proposed subdivision and vacant land condominium developments in all 4 Townships.

The Township of South Frontenac has provided no rationale for requiring these enhanced notice provisions nor have they provided any evidence to suggest that this may be common practice among other municipalities.

Points for Discussion

1. Provide a presentation to the Committee of the Whole any proposal for subdivision or plan of condominium greater than 3 units, after the developer has completed the pre consultation phase.

   Township staff are invited to and participate in any pre-consultation meetings and may continue to bring information back to their respective Councils on an individual Township basis. This request from South Frontenac does not require any official change in policy at the County level as this would be a local initiative.

2. Provide six calendar weeks' notice of the statutory public meeting through the regulated means of advertising.

   The Planning Act, requires 14 days’ notice of the statutory public meeting as noted under Section 51(20) which states:

Notice

(20) At least 14 days before a decision is made by an approval authority under subsection (31), the approval authority shall ensure that,

(a) notice of the application is given, if required by regulation, in the manner and to the persons and public bodies and containing the information prescribed; and

(b) a public meeting is held, if required by regulation, notice of which shall be given in the manner and to the persons and public bodies and containing the information prescribed. 1996, c. 4, s. 28 (4).

The request from South Frontenac is to require six calendar weeks or 42 days' notice of the statutory public meeting. Section 51(34) permits an applicant to appeal to the Ontario Municipal Board if the approval authority fails to make a decision within 180 days. Staff are concerned that by extending the notice requirements to six weeks would prolong the application process and potentially prevent the County in meeting its 180 day legislated timeline for approving applications given that 1/3 of that time would become dormant while public notice is being provided. Staff do not recommend endorsing this request.

Although the County of Frontenac is greatly committed to public engagement, accountability and transparency, there is no evidence to suggest that placing these additional extensive timelines on the public notice requirements provides greater community engagement or accountability. It should also be noted that this question was posed to other County Planners at the recent County Planners Conference and none of the Counties represented provide such an extended notice provision, and some had raised concerns of extending a process for no good planning reasons.

3. Have the developer install, at their expense, a durable sign, notifying the community of the public meeting at least six weeks in advance of the meeting date.
4. Ensure that the sign for the proposed development is in a visible location at the edge of the property on the road abutting the property. The developer is to remove the signage 30 days after the public meeting;
5. Ensure that the sign shall be at least 1 metre by 1.2 metres in size and contain the information specified by the Planning Department;
6. Have the developer provide photographic evidence that the sign is erected on the date required;

Ontario Regulation 544/06, Plans of Subdivision states:

Notice of application for approval of plan of subdivision (s. 51 (20) (a) of Act)

(2) Notice shall be given,

(a) by personal service or ordinary mail, to every owner of land within 120 metres of the subject land and every owner of land within 120 metres of land that abuts the subject land and is owned by the same person that owns the subject land; and

(b) by posting a notice, clearly visible and legible from a public highway or other place to which the public has access, at every separately assessed property within the subject land or, if posting on the property is impractical, at a nearby location chosen by the official described in subsection (6). O. Reg. 544/06, s. 4 (2).

As such, it is currently a requirement under the *Planning Act* to have a sign posted on the subject property. Staff are currently working on a Signage Policy and this will be brought back to the Committee at its September meeting. Until such policy is adopted by County Council through recommendations from the Planning Advisory Committee, staff will work with each of the Townships to follow their respective current signage policies in place.

7. Advertise a summary of the Notice in the weekly banner advertising directing readers to the website six weeks in advance of the meeting. A subsequent notice shall be published three weeks In advance and again one week in advance of the meeting.

   Ontario Regulation 544/06, Plans of Subdivision states:

   Notice of application for approval of plan of subdivision (s. 51 (20) (a) of Act)

   (5) Notice shall be given by publishing it in a newspaper that, in the opinion of the official described in subsection (6), is of sufficiently general circulation in the area adjoining the subject land that it would give the public reasonable notice of the application. O. Reg. 544/06, s. 4 (5).

   In addition to this requirement, staff also advertise public notices on the County website and request that the affected Township also post the notice on its website. The notice is provided to the respective townships and as such the township may continue to place this notice in it's weekly banner. This request from South Frontenac does not require any official change in policy at the County level as this would be a local initiative.

Public Comments

The following is a summary of all of the public input received to-date. All original public comments are available in Appendix B – Public Correspondence.

- I agree with South Frontenac's requests to improve the Public Notification process with respect to subdivisions.

  The current requirement of 20 days' notice simply does not give residents enough time to prepare for a public meeting and give helpful feedback. From past experience it took me several months and several requests to get an Environmental Impact Statement from the Township. Once we had the proper information we were able to give important feedback to staff such as pointing out

Areas of Natural and Scientific Interest and identifying Species at Risk Habitat on the proposed development land. Unfortunately this feedback didn't come until much after the public meeting. If we had of been in a position to give this feedback earlier in the process the Plan of Condominium could have been revised earlier in the process and potentially saved the Developer, the Township and County thousands of dollars in legal fees which were spent trying to negotiate a settlement agreement.

Let me be blunt, its a natural reaction for people to become defensive when they are notified of large developments in their area. We are lucky to live a very unique township that holds more freshwater lakes than anywhere on earth. This however creates some extra environmental challenges when it comes to developing the land and therefore using the minimum requirement for public notice of less than 3 weeks set out by the province is not adequate.

If staff are cooperative and give residents the proper information and adequate time to absorb the details there is a better chance they will come to the public meeting with a more informed and objective approach as opposed to a confrontational and negative approach.

In addition, I would suggest that these 7 specific provisions regarding proposed subdivision and vacant land condominium developments be applied to all townships in the County of Frontenac so the implementation is fair, equitable and easy to manage.

- **Be It Resolved That** Council receives for information the email dated April 5, 2017 from the County of Frontenac regarding a request from the Township of South Frontenac to consider expanded Public Notification provisions regarding Planning Applications ;

  And That Council supports the Township of South Frontenac's proposal for expanded Public Notification, but would recommend reducing the six weeks' notice to four weeks' notice in Item #1 and Item #7 - with advertisements being reduced to two newspaper notices.

- **Whereas** an email dated April 5, 2017; from the County of Frontenac regarding the Township of South Frontenac Council's Resolution, dated March 22, 2017 with respect to expanded public notification provisions when considering proposed subdivision and vacant land condominium developments within South Frontenac Township;

  And Whereas the County of Frontenac has a Planning Advisory Committee that has the responsibility to advise County Council on all regional development, planning and the Planning Act implications of economic development within the County;

And Whereas the Frontenac Planning Advisory Committee will be responsible to conduct Public Meetings pursuant to the Planning Act, and must apply consistency across the entire County for all planning applications;

And Whereas the staff at the County level desire to take a report to the June 12th Planning Advisory committee meeting, the County requests that all Townships submit comments and feedback no later than May 29, 2017 such that it can be considered by the Planning Advisory Committee.

And Whereas, the Manager of Development Services/Chief Building Official is recommending that Council not support the increased notifications as this additional notification will add at minimum 52 days to any application;

Now Therefore Be It Resolved, that Council for the Township of Central Frontenac support the Manager of Development Services/Chief Building Official's recommendation and not support the increased notifications as was previously required in South Frontenac By-Law 201673 under Schedule 11.

Conclusions

In conclusion, staff are recommending that no further action be taken regarding the request from the Township of South Frontenac for enhance notice provisions at this time although staff will be bringing back to the Committee in September a Signage Policy related to Plans of Subdivision and Plans of Condominium.

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

Kelly Pender, Chief Administrative Officer
Susan Brant, Director of Corporate Services/Treasurer
Member Municipalities
Members of the Public

TOWNSHIP OF SOUTH FRONTENAC
4432 George St, Box 100
Sydenham ON, K0H 2T0
613-376-3027 Ext 2225 or 1-800-559-5862
worr@southfrontenac.net

CANADA 150

March 22, 2017

Ms. Jannette Amini
Manager of Legislative Services/Clerk
County of Frontenac
2069 Battersea Rd
Glenburnie ON
K0H 1S0

Dear Ms. Amini:

The Council of the Township of South Frontenac approved the following resolution at their regular meeting held March 21, 2017:

> "THAT South Frontenac forward Schedule 11 of By-law 2016-73 to the County of Frontenac and ask them to respect and implement the expanded public notification provisions found in the by-law when considering the proposed subdivision and vacant land condominium developments in South Frontenac Township. Carried."

A copy of Schedule 11 is enclosed for your reference.

I trust this is satisfactory for your purposes.

Yours truly,

Wayne Orr
Chief Administrative Officer

WO:am
Encl.
c.c. Joe Gallivan, Director of Planning and Economic Development
Lindsay Mills, Planner/Deputy Clerk

Schedule "11" to By-law 2016-73
Procedures for Notice – Development

In addition to the requirements as set out in the Planning Act, the municipality shall:

For any subdivision or plan of condominium greater than 3 units:

- Bring to the attention of the public through a presentation to the Committee of the Whole any proposal for subdivision or plan of condominium greater than 3 units, after the developer has completed the pre consultation phase. This shall occur no later than 30 days before the notice for a statutory public meeting
- Provide six calendar weeks' notice of the statutory public meeting through the regulated means of advertising
- Have the developer install, at their expense, a durable sign, notifying the community of the public meeting at least six weeks in advance of the meeting date.
- Ensure that the sign for the proposed development is in a visible location at the edge of the property on the road abutting the property. The developer is to remove the signage 30 days after the public meeting.
- Ensure that the sign shall be at least 1 metre by 1.2 metres in size and contain the information specified by the Planning Department
- Have the developer provide photographic evidence that the sign is erected on the date required.
- Advertise a summary of the Notice in the weekly banner advertising directing readers to the website six weeks in advance of the meeting. A subsequent notice shall be published three weeks in advance and again one week in advance of the meeting.

Jannette Amini

From: Matthew Rennie <mattrennie27@hotmail.com>
Sent: Friday, May 26, 2017 1:11 PM
To: Julie Boucher; Jannette Amini
Subject: Input Re South Frontenac Request - Public Notification

Jannette Amini, County Clerk
The Corporation of the County of Frontenac

May 22, 2017

To Whom It May Concern,

I agree with South Frontenac's requests to improve the Public Notification process with respect to subdivisions.

The current requirement of 20 days notice simply does not give residents enough time to prepare for a public meeting and give helpful feedback. From past experience it took me several months and several requests to get an Environmental Impact Statement from the Township. Once we had the proper information we were able to give important feedback to staff such as pointing out Areas of Natural and Scientific Interest and identifying Species at Risk Habitat on the proposed development land. Unfortunately this feedback didn't come until much after the public meeting. If we had of been in a position to give this feedback earlier in the process the Plan of Condominium could have been revised earlier in the process and potentially saved the Developer, the Township and County thousands of dollars in legal fees which were spent trying to negotiate a settlement agreement.

`

Let me be blunt, its a natural reaction for people to become defensive when they are notified of large developments in their area. We are lucky to live a very unique township that holds more freshwater lakes than anywhere on earth. This however creates some extra environmental challenges when it comes to developing the land and therefore using the minimum requirement for public notice of less than 3 weeks set out by the province is not adequate.

If staff are cooperative and give residents the proper information and adequate time to absorb the details there is a better chance they will come to the public meeting with a more informed and objective approach as opposed to a confrontational and negative approach.

In addition, I would suggest that these 7 specific provisions regarding proposed subdivision and vacant land condominium developments be applied to all townships in the County of Frontenac so the implementation is fair, equitable and easy to manage.

Sincerely,

Matt Rennie

Township of North Frontenac
6648 Road 506, Plevna, Ontario, K0H 2M0
Tel: (613) 479-2231 or 1-800-234-3953, Fax: (613) 479-2352
www.northfrontenac.ca

May 1, 2017

Jannette Amini
Manager of Legislative Services/Clerk
County of Frontenac

Via E-mail: jamini@FRONTENACCOUNTY.CA

Dear Ms. Amini:

RE: County of Frontenac Planning Advisory Committee –Request from the Township of South Frontenac for Expanded Public Notification Provisions Regarding Planning Applications

Please be advised that the following Resolution was passed by the Council of the Corporation of North Frontenac at their meeting on April 28, 2017:
Moved by Councillor Inglis, Seconded by Deputy Mayor Perry #207-17
BE IT RESOLVED THAT Council receives for information the email dated April 5, 2017 from the County of Frontenac regarding a request from the Township of South Frontenac to consider expanded Public Notification provisions regarding Planning Applications;
AND THAT Council supports the Township of South Frontenac's proposal for expanded Public Notification, but would recommend reducing the six weeks' notice to four weeks' notice in Item #1 and Item #7 – with advertisements being reduced to two newspaper notices.
Carried

If you have any questions please do not hesitate to contact me.

Yours truly,

Tara Miekse

Tara Miekse
Clerk/Planning Manager
TM/jd

CORPORATION OF THE
TOWNSHIP OF CENTRAL FRONTENAC
1084 Elizabeth Street, P.O. Box 89
Sharbot Lake, Ontario K0H 2P0
www.centralfrontenac.com

Tel: 613-279-2935
Fax: 613-279-2422

May 24, 2017

Jannette Amini, Dipl.M.M.,CMO
Manager of Legislative Services/Clerk
County of Frontenac
2069 Battersea Road
Glenburnie, ON K0H 1SO

RE: Regional Approach to Expanded Public Notification in Frontenac County

Dear Ms. Amini:

This letter is confirm that the above was discussed at the Council meeting on May 23, 2017 and as a result the following resolution was passed:

"WHEREAS an email dated April 5, 2017; from the County of Frontenac regarding the Township of South Frontenac Council's Resolution, dated March 22, 2017 with respect to expanded public notification provisions when considering proposed subdivision and vacant land condominium developments within South Frontenac Township;

AND WHEREAS the County of Frontenac has a Planning Advisory Committee that has the responsibility to advise County Council on all regional development, planning and the Planning Act implications of economic development within the County;

AND WHEREAS the Frontenac Planning Advisory Committee will be responsible to conduct Public Meetings pursuant to the Planning Act, and must apply consistency across the entire County for all planning applications;

AND WHEREAS the staff at the County level desire to take a report to the June 12th Planning Advisory committee meeting, the County requests that all Townships submit comments and feedback no later than May 29, 2017 such that it can be considered by the Planning Advisory Committee.

AND WHEREAS, the Manager of Development Services/Chief Building Official is recommending that Council not support the increased notifications as this additional notification will add at minimum 52 days to any application;

NOW THEREFORE BE IT RESOLVED, that Council for the Township of Central Frontenac support the Manager of Development Services/Chief Building Official's recommendation and not support the increased notifications as was previously required in South Frontenac By-Law 2016-73 under Schedule 11."

If you have any further questions do not hesitate to give me a call.

Sincerely,

Cathy MacMunn, AMCT, ACST
Clerk/Administrator

THE CORPORATION OF THE TOWNSHIP OF CENTRAL FRONTENAC

REPORT TO COUNCIL

Report Number: **56-2017**
Date of Meeting: **May 23, 2017**
From: **Shawn Merriman, Manager of Development Services/Chief Building Official**

Re: Regional Approach to Expanded Public Notification in Frontenac County

A. RECOMMENDATION:

WHEREAS an email dated April 5, 2017; from the County of Frontenac regarding the Township of South Frontenac Council's Resolution, dated March 22, 2017 with respect to expanded public notification provisions when considering proposed subdivision and vacant land condominium developments within South Frontenac Township.

AND WHEREAS the County of Frontenac has a Planning Advisory Committee that has the responsibility to advise County Council on all regional development, planning and the Planning Act implications of economic development within the County.

AND WHEREAS the Frontenac Planning Advisory Committee will be responsible to conduct Public Meetings pursuant to the Planning Act, and must apply consistency across the entire County for all planning applications;

AND WHEREAS the staff at the County level desire to take a report to the June 12th Planning Advisory committee meeting, the County requests that all Townships submit comments and feedback no later than May 29, 2017 such that it can be considered by the Planning Advisory Committee.

AND WHEREAS, the Manager of Development Services/Chief Building Official is recommending that Council **not** support the increased notifications as this additional notification will add at minimum 52 days to any application.,

NOW THEREFORE BE IT RESOLVED, that Council for the Township of Central Frontenac support the Manager of Development Services/Chief Building Official's recommendation and **not** support the increased notifications as was previously required in South Frontenac By-Law 2016-73 under Schedule 11.

B. BACKGROUND/ INFORMATION

This department has no doubt that the proposal that was put forth by the Township of South Frontenac is with good intentions.
The intentions include attempting to show that this area will not rush applications and that all projects receive adequate feedback and consideration before approval.

However, Central Frontenac Township staff is concerned that this increased notification requirements will not accomplish the intended goal for the following reasons.

1) By ultimately increasing the time for all applications for subdivision and condominiums, for basically all applications, only the largest developers will have the resources to submit applications. This will freeze out the smaller local developers who have a vested interest in making the community a better place to live as they live in the region already. This additional notification will add at minimum 52 days to any application, if not, months due to the required minimum requirements of advertising prior to open houses, the public meeting and attending a local committee of the whole meeting in the host Township. In addition, this increased time line may actually damper public participation, as the longer the lead time, the more confusion as to which meeting the public need/should attend. The public will worry “have they missed it” and allow un-reputable developers to massage their message from feedback received.

2) Increased requirements leads to increased opportunities by staff to misstep which although minor in nature, may lead to litigation against the various parties.

3) A rural community survival is best enhanced through niche development which these requirements will add additional time costs. These time costs must be passed on to the end customer which may sideline, if not, completely remove the incentive of economic development as time costs are difficult to gauge and quantify.

4) This increased notification has not addressed what is most important in any development which is community benefit.

In the end, this request for increased notification is not in the best interest of the County as a whole. Of which, Central Frontenac Township is an important factor. There are numerous areas, that could be considered, which would not need to add undue amounts of time to an application, promote niche development and improve the communities of the Townships. These areas could include, but not need to be limited to increased notification ranges, individual community improvement areas or plans, and community amenities agreements or development charges.

C. FINANCIAL IMPLICATIONS

No concerns at this point in relation to finances.

D. ATTACHMENTS

A copy of a resolution passed by South Frontenac Council dated March 22, 2017 along with a copy of Schedule 11 of the Township's By-law 2016-73

A copy of the email from Jannette Amini, Manager of Legislative Services/Clerk for the County of Frontenac

FRONTENAC

Report 2017-091

Committee Information Report

To: Chair and Members of the Planning Advisory Committee

From: Joe Gallivan, Director of Planning and Economic Development
Jannette Amini, Manager of Legislative Services/Clerk

Date of meeting: June 28, 2017

Re: Planning Advisory Committee – Public Meeting Report – Application for Plan of Condominium, Part of Lots 15, 16 & 17, Concession IX, Storrington District, Township of South Frontenac: Shield Shores

Recommendation

This report provides information on an application for a proposed Plan of Condominium and staff are seeking input from the public on this application

Background

The following is a Public Meeting report to the Planning Advisory Committee regarding applications for a Plan of Condominium submitted by FOTENN Consultants Inc. on behalf of Barry Campbell, with respect to lands legally described as Part of Lots 15, 16 & 17, Concession IX, Storrington District, Township of South Frontenac. This report describes the proposed applications and includes an overview of the relevant policies and regulations that will be evaluated as part of a future comprehensive report.

The applicant is proposing to develop a plan of condominium to create 18 lots for single-family dwelling construction and 3 blocks for common open space/parkland.

In support of the application, the applicant has submitted the following:

- Complete Application Form
- Planning Justification Report
- Environmental Impact Assessment
- Hydrogeological Report (including servicing statements)
- Stormwater Management Report
- Archaeological Assessment Report

All submission materials are available online through the County's Google Drive.

Comment

Public Meeting Process

Anyone who attends a Planning Advisory Committee Public Meeting may present an oral submission, and/or provide a written submission on the proposed applications. Also, any person may make written submissions at any time before County Council makes a decision on the applications. If a person or public body does not make an oral submission at a Public Meeting, or does not make a written submission to the County of Frontenac before a decision is made by County Council, the person or public body is not entitled to appeal the decision of the County of Frontenac to the Ontario Municipal Board and may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to add the person or public body as a party. The Planning Advisory Committee will consider a comprehensive report and recommendation from the Director of Planning, respecting the subject applications, at a future meeting. The Committee will make its recommendation to County Council at the meeting. The decision of County Council will be final unless appealed. All persons who made oral or written submissions, or have requested notification in writing, will be given written notice of the future meeting(s) of the Planning Advisory Committee at which time the subject application will be considered. Anyone wishing to be notified of Council's decision on the subject application must submit a written request to:

Joe Gallivan, Director of Planning and Economic Development
The Corporation of the County of Frontenac
2069 Battersea Road
Glenburnie, ON
K0H 1S0
jgallivan@frontenaccounty.ca
613-548-9400, ext. 350

Points for Discussion

Site Location and Characteristics

The subject land is 32.8 hectares (82 acres) in size and fronts on Wellington Street approximately 700 metres to the east of the Battersea Settlement Area designation. It is bounded by Dog Lake on the east, by an unopened road allowance to the north, a large rural land holding to the west and Wellington Street on the south. The land is forested and is part of the Frontenac Arch/Canadian Shield and is adjacent to the Rideau Canal waterway. Typical of this geography the land is very rugged with drastic grade changes and very steep cliffs especially towards the north east waterfront portion of the land. A Hydro Transmission line with a 35 metre wide easement bisects the property from the southwest through to the northeast.

Eighteen (18) new residential units would be accessed by two private lanes. The main access lane (labelled as "Road 1" on the Plan) follows the existing access right-of-way from Wellington Street that is already established on the subject land giving access to two waterfront residential lots at the shore of the lake. However, this lane would be

extended and the route altered to provide the access and frontages needed for the residential uses proposed. In addition, a second road – a crescent (identified as "Road 2" on the Plan) is proposed to provide access and frontages for three more of the units. Attachments #1 (contours) and #2 (no contours) show the layout of the planned development.

Under this condominium development scenario, the entire land parcel would be owned by a condominium corporation and certain features in the plan (such as the new roads or rights-of-way) would become common elements where monthly condominium fees would be assessed for their ongoing maintenance. As a result, the Township of South Frontenac would not be responsible to maintain the lanes, provide garbage collection, or winter snow plowing. However, through the conditions of approval the Township will be able to ensure that these private common element roads are constructed to minimum Township standards for new lanes to ensure, among other things, adequate emergency vehicle access.

A private park is also proposed in the northwest portion of the subject land. This would be three hectares in size with three pedestrian trail connections provided (between units 5 and 17, units 14 and 15 and units 12 and 13). This would be a passive-use park mostly left in a natural state for exclusive use by residents of the development. It would be a common element block ultimately to be managed and maintained by the condominium corporation.

The table below summarizes the proposed use of the land:

Land Use	Area
Waterfront Residential – Estate (Units 2, 7, 8, 10-12)	9.18 hectares (22.6 ac.)
Non-Waterfront Residential Estate (Units 1, 3-5, 6, 9, 13-18)	16.78 hectares (41.5 ac.)
Private Parkland/Open Space Block (Block 20)	3.11 hectares (7.69 ac.)
Common Element Lanes (Road 1 and 2)	3.38 hectares (8.4 ac)
One Water Access Block (Block 19)	0.37 hectares (0.91 ac.)
Total	32.82 hectares (82 ac.)

The lots would range in size from one hectare (2.5 ac.) to two hectares (5 ac.). Frontages on the private lanes range from 76 metres to 153 metres and waterfrontages (for the six waterfront units) are from 91 metres (300 ft.) to 138 metres (452 ft.). Each unit would be serviced through private an on-site septic system and water supply.

Provincial Policy Statement

The Provincial Policy Statement 2014 (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.

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 states 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 appears to be consistent with the direction of the Provincial Policy Statement in terms of its location and, as outlined above, the proposed large lots with low density at the waterfront are consistent with PPS policy. Furthermore, the development is located away from any prime agricultural land, aggregate areas, wetlands etc. and it would promote business in the Battersea settlement area located only 700 metres to the west.

County of Frontenac Official Plan

The County of Frontenac Official Plan (January, 2016) has as one of its goals in the Growth Management section of the Plan to improve and protect the waterfront areas in Frontenac County as a significant cultural, recreational, economic and natural environment resource and to maintain or enhance the quality of the land areas adjacent to the shore.

An objective of the Plan is to permit shoreline development that allows for sustainable growth of existing and new tourist developments and innovative and appropriately designed new residential developments. The Official Plan also would ensure that the built form along a shoreline is not overly concentrated or dominating to the detriment of the natural form,

The condominium development as submitted includes increased minimum setbacks from the lake of forty metres for any development based on the recommendations of the environmental study included with the application. The planned development is appropriately designed in that the large units/lots with appropriate separations and low density near the lake and, through a condominium corporation, the private lanes providing access can be well maintained. Thus, the development conforms to the intent of these sections of the Plan.

Township of South Frontenac Official Plan

The land is designated 'Rural' in the South Frontenac Township Official Plan. Single detached dwellings as proposed located on lots/units developed through a plan of subdivision or condominium are envisaged in the Rural designation.

The Plan sets out objectives for housing in the Township including the requirement that development should minimize the cost of providing essential municipal services to residents and this will be accomplished by planning controls which consider the long-term servicing costs of all developments. In terms of preserving natural heritage (the environment), the Plan's objective is to approach planning decisions on an ecosystem basis considering the cumulative impact of planning decisions. The goal is to ensure that no net loss of environmental quality occurs.

In regards to meeting the above, the proposed development would provide housing options to the community that are consistent with the area's established waterfront rural character. No municipal physical services need to be expanded for the reason that each lot would be serviced by individual private water supply and sewage systems, the design and capacity of which would be approved by the appropriate government agencies. The Township is not obliged to provide any maintenance of roads within the development and will only be required to collect garbage at the entrance location at the public road. In terms of natural heritage, there are no environmentally protected areas or sensitive habitats located in proximity and minimum setbacks of 40 metres from the shore of Dog Lake (as proposed) would be more than normally required for shoreline development.

A 'Planning Report', dated February 25, 2016 prepared by FoTenn Consulting, was submitted in support of the condominium development and the zoning by-law amendment applications. It further outlines the policies of the Provincial Policy Statement and the Township Official Plan that support the proposed development and it describes the new zones. Relevant excerpts from the report are attached as Attachment #3.

Further, in correspondence from the Township's Manager of Development Services dated June 12th, 2017, it is the position of Township staff that the proposed development conforms to the Township Official Plan.

Technical Circulation Process

The application has been circulated to a number of internal departments and external agencies for review and comments. The responses to the technical circulation will be addressed in the technical review and included in the comprehensive report for consideration at a future Planning Advisory Committee meeting.

Attached Comments

Attached to this report are a series of technical comments received to date from a number of agencies. Additional comments (e.g., school board) can be found on the Google Drive site.

- Attachment #3 -- South Frontenac Township technical comments (June 12th, 2017)
- Attachment #s 4-5 -- Rideau Waterway Development Review Team (2016 and 2017
- Attachment #6 – KFL&A Public Health Unit (March 16th, 2017)

Notice Provisions:

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 in the Township of Central Frontenac Website and was publicized through the County's Social Media outlets.

Sustainability Implications

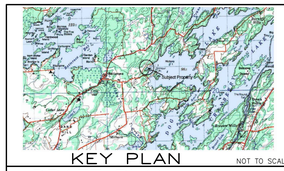
As stated in *Directions for Our Future,* Government decision-making processes are clear, transparent, forward thinking and focused on the longer term. The public is interested, informed, and meaningfully involved in local governance.

Financial Implications

There are no direct financial implications associated with this report.

Organizations, Departments and Individuals Consulted and/or Affected

Kelly Pender, Chief Administrative Officer
Township of South Frontenac
Members of the Public



KEY PLAN NOT TO SCALE

DRAFT PLAN OF CONDOMINIUM

PART OF LOTS 15,16, AND 17
CONCESSION 9

TOWNSHIP OF SOUTH FRONTENAC
(GEOGRAPHIC TOWNSHIP OF PITTSBURGH)
(FORMER MUNICIPAL TOWNSHIP OF STORRINGTON)

COUNTY OF FRONTENAC

SCALE: 1 :1000
DATE: JANUARY 17 2017

0m 10m 20m 40m 100m

METRIC
DISTANCES & COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

SECTION 51(17)
PLANNING ACT– INFORMATION

A) BOUNDARY OF LANDS TO BE SUBDIVIDED AS SHOWN ON DRAFT PLAN
B) EXISTING AND PROPOSED ROADWAYS AS SHOWN ON DRAFT PLAN
C) RELATIONSHIP TO ADJACENT LANDS AS SHOWN ON DRAFT PLAN AND KEY PLAN
D) LANDS TO BE USED FOR RESIDENTIAL PURPOSES
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H) PRIVATE WATER WELLS TO BE PROVIDED
I) SERVICES AVAILABLE INCLUDE HYDRO AND BELL
J) RESTRICTIONS AFFECTING THE LAND ARE SHOWN ON THE DRAFT PLAN

SITE DATA

Land Use	Number of lots	Number of units	Length	Area (ha.)	Percent (%)
RESIDENTIAL UNITS 1 to 18	–	18		26.35	79.27%
COMMON ELEMENT (OPEN SPACE)	–	19–20 21–22		3.73	11.21%
COMMON ELEMENT (ROADS)	–	23–24		3.16	9.52%
Total				33.24	100.00%

NOTE AND LEGEND

BEARINGS SHOWN HEREON ARE GRID BEARINGS DERIVED FROM GPS OBSERVATIONS USING THE PRECISE POINT POSITIONING (PPP) SERVICE, UTM ZONE 18, NAD83(CSRS)(1997.0)

P1 DENOTES PLAN 13R–12703
P2 " PLAN 13R–15775
P3 " PLAN 13R–18473

SURVEYOR'S CERTIFICATE:

I CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE CORRECTLY SHOWN.

DATE — LESLIE M. HIGGINSON ONTARIO LAND SURVEYOR

OWNER'S CERTIFICATE:

I, Barry Campbell, hereby authorize Josselyn Engineering to prepare and submit this plan to the County of Frontenac, for review and approval.

DATE — BARRY KEITH CAMPBELL

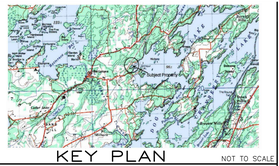
LESLIE M. HIGGINSON SURVEYING Ltd.
1064 GARDINERS ROAD
KINGSTON, ONTARIO K7P 1R7
(613) 389–7986 (FAX)389–5578 or leslie@mhigginson.com

Josselyn Engineering Inc.
1225 GARDINERS ROAD, #105
KINGSTON, ONTARIO K7P 0G3
TEL : 613-634-9278
FAX : 613-634-9138
e-MAIL : mjosselyn@josselyn.ca

No.	By	Date	Revision	Checked

UNIT	Road Frontage (m)	Shoreline Frontage (m)	AREA(m^2)	AREA (ha)	AREA (acres)
1	104	-	**10129.32**	1.01	2.50
2	127	126	11952.89	1.20	2.95
3	155	-	10298.18	1.03	2.54
4	92	-	11215.05	1.12	2.77
5	84	-	12147.76	1.21	3.00
6	92	-	12349.91	1.23	3.05
7	121	118	20348.52	2.03	5.03
8	49	100	14564.85	1.46	3.60
9	182	-	20880.26	2.09	5.16
10	76	91	13070.75	1.31	3.23
11	76	157	15182.64	1.52	3.75
12	106	95	16074.82	1.61	3.97
13	76	-	14200.05	1.42	3.51
14	76	-	12096.99	1.21	2.99
15	76	-	12922.57	1.29	3.19
16	76	-	20632.26	2.06	5.10
17	76	-	20652.52	2.07	5.10
18	82	-	14775.75	1.48	3.65
BLK 19	-	-	5130.56	0.51	1.27
BLK 20	-	-	31231.96	3.12	7.71
BLK 21	-	-	488.47	0.05	0.12
BLK 22	-	-	417.01	0.04	0.10
BKL 23	-	-	24929.55	2.49	6.16
BLK 24	-	-	6710.26	0.67	1.66
TOTAL UNITS 1-18			**263495.10**	**26.35**	**65.08**	**79.27%**
TOTAL AREA			**332402.91**	**33.24**	**82.10**	**100.00%**
RETAINED PARCEL	90	-	10189.85	1.02	2.52	

AGENDA ITEM #a)



KEY PLAN NOT TO SCALE

PART OF LOTS 15,16, AND 17
CONCESSION 9
TOWNSHIP OF SOUTH FRONTENAC
(GEOGRAPHIC TOWNSHIP OF PITTSBURGH)
(FORMER MUNICIPAL TOWNSHIP OF STORRINGTON)
COUNTY OF FRONTENAC
SCALE: 1 :1000
DATE: JANUARY 17 2017

0m 10m 20m 40m 100m

METRIC
DISTANCES & COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

SECTION 51(17)
PLANNING ACT- INFORMATION

A) BOUNDARY OF LANDS TO BE SUBDIVIDED AS SHOWN ON DRAFT PLAN
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Township of South Frontenac
Development Services Department
4432 George St., PO Box 100
Sydenham, ON, K0H 2T0

12 June 2017

Joe Gallivan
Director
Planning & Economic Development
County of Frontenac
2069 Battersea Road,
Glenburnie ON
K0H 1S0

Dear Joe,

RE: Application for Plan of Subdivision
Application 10T-2016/001 (Shield Shores)
Former Township of Storrington
Township of South Frontenac

We have now had an opportunity at the staff level to review the above noted application for plan of subdivision. We offer the following staff comments for your consideration. At this time these comments do not constitute conditions of draft approval from South Frontenac but rather comments stemming from staff's review of the application.

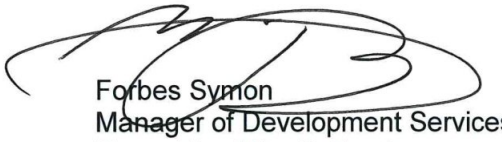
1. Staff are of the opinion that the development, as presented conforms to the South Frontenac Official Plan.
2. Staff are concerned with the proposed connection of the Common Element Condo lane at Wellington Street. The current design does not meet the Township's Design Standards and requires further consideration by the developer's engineer. We would be happy to meet with the developer's team and discuss this matter further.
3. The Private Road standards used are from 2006 and not current standards. The common element condo lanes appear to have slopes in certain locations which seem to exceed our Design Standards. There are also concerns that the lane does not appear to meet emergency vehicle turning radius in certain areas.
4. The anticipated traffic volumes in the traffic impact statement seem low. Further consideration of this matter is warranted.
5. There needs to be a location identified for garbage and recycling depot and for Canada Post postal kiosk.
6. A Zoning By-law Amendment would be required.

Please be advised that following the formal public meeting scheduled for June 28, 2017, South Frontenac Council will consider a report from staff which outlines recommended conditions of draft approval to address Township matters. We request that the County not consider granting

of draft approval until after the Township Council has had an opportunity to deliberate on possible conditions of draft approval. If you could notify me when you plan to bring a recommendation for draft plan approval to your Committee/Council it would help us facilitate your time lines.

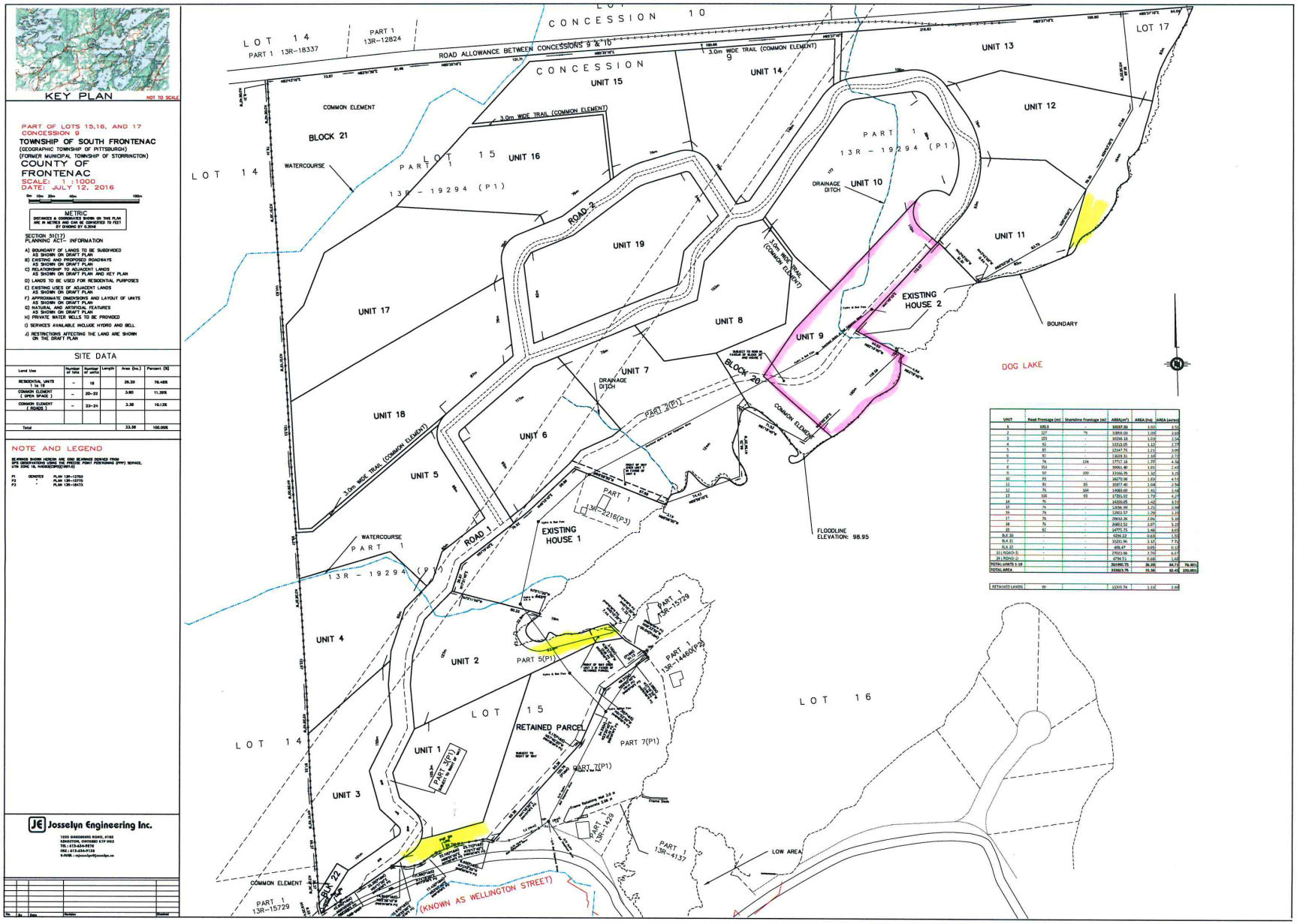
Should you have any questions or comments, please feel free to contact me at your convenience.

Respectfully yours,



Forbes Symon
Manager of Development Services
Township of South Frontenac

Cc Mayor
CAO
Planner
Manager of Public Works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PART OF LOTS 15,16, AND 17
CONCESSION 9
TOWNSHIP OF SOUTH FRONTENAC
(GEOGRAPHIC TOWNSHIP OF PITTSBURGH)
(FORMER MUNICIPAL TOWNSHIP OF STORRINGTON)
COUNTY OF
FRONTENAC
SCALE: 1 : 1000
DATE: JULY 12, 2016
METRIC
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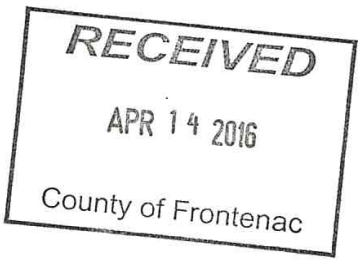
SITE DATA
NOTE AND LEGEND
Josselyn Engineering Inc.
CONCESSION 10
CONCESSION 9
ROAD ALLOWANCE BETWEEN CONCESSIONS 9 & 10
LOT 14
LOT 15
LOT 16
LOT 17
PART 1 13R-18337
PART 1 13R-12824
PART 1 13R-19294 (P1)
3.0m WIDE TRAIL (COMMON ELEMENT)
COMMON ELEMENT
BLOCK 21
BLOCK 20
BLOCK 22
WATERCOURSE
DRAINAGE DITCH
ROAD 1
ROAD 2
UNIT 1
UNIT 2
UNIT 3
UNIT 4
UNIT 5
UNIT 6
UNIT 7
UNIT 8
UNIT 9
UNIT 10
UNIT 11
UNIT 12
UNIT 13
UNIT 14
UNIT 15
UNIT 16
UNIT 17
UNIT 18
UNIT 19
EXISTING HOUSE 1
EXISTING HOUSE 2
RETAINED PARCEL
BOUNDARY
DOG LAKE
FLOODLINE ELEVATION: 98.95
LOW AREA
(KNOWN AS WELLINGTON STREET)
PART 1 13R-15729
PART 1 13R-14460(P2)
PART 1 13R-4137
PART 1 13R-2216(P3)
PART 5(P1)
PART 7(P1)
PART 2(P1)

Rideau Waterway
Development Review Team

April 12, 2016 CRCA File: SUBD/FRS/38/2016

Sent by Email and Regular Mail



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

Dear Mr. Gallivan:

Re: Application for Draft Plan of Vacant Land Condominium 10CD-2016/001
Dog Lake Development – Barry Campbell
Part of Lots 15, 16 & 17, Concession 9, Geographic Township of Storrington
Township of South Frontenac, County of Frontenac
Waterbody: Dog Lake / Rideau Canal

The Rideau Waterway Development Review Team (RWDRT), made up of staff from the Cataraqui Region Conservation Authority (CRCA) and Parks Canada, has received the technical circulation for the above-noted application, including the following:

- Notice of Complete Application, County of Frontenac (March 3, 2016)
- Application for Condominium Description, Barry Campbell (February 25, 2016)
- Draft Plan of Condominium, Josselyn Engineering Inc. (November 24, 2015)
- Planning Report, FOTENN (February 25, 2016)
- Environmental Impact Statement, Ecological Services (January 10, 2016)
- Preliminary Stormwater Management Report, Josselyn engineering Inc. (February 4, 2016)
- Hutchinson Evaluation Letter, FOTENN (March 31, 2016)

Staff provide the following comments for the County's consideration and for action/response from the applicant. The subject lands were visited by staff on April 5, 2016.

Summary of Proposal / Site Description

The proposal involves the creation of a vacant land condominium development consisting of 18 residential units, private lanes, two blocks for private water access and an open space block. The subject property consists of approximately 32 hectares of land located along a portion of the western shore of Dog Lake. The property has road frontage onto Wellington Street and water frontage on Dog Lake, which is part of the Rideau Canal National Historic Site and UNESCO World Heritage Site.

The 18 units range in size from 1.01 ha to 2.17 ha in area with a minimum road frontage of 76 metres. Six of the lots will have water frontage of between 91 metres and 138 metres. Access will be provided from Wellington Street to the south with a primary road that ends in a cul-de-sac. A secondary road will extend as a crescent from the primary road and will provide access to six of the proposed lots.

The subject property contains a mix of heavily wooded upland area and lower-lying area (units 1, 6, 8). Six of the proposed units, plus Blocks 19 and 21 have frontage on Dog Lake. There are also four watercourses crossing through the property. These features generally convey drainage in a southeasterly direction, eventually outletting into Dog Lake.

The subject property is designated 'Rural' in the Township of South Frontenac Official Plan and is zoned 'Rural' in the implementing Zoning By-law. A concurrent Zoning By-law amendment has been submitted in support of this application. The proposed zoning for the site will consist of two zones for the existing residential units, Limited Service Residential (RLS) and Limited Service Residential Waterfront (RLSW). The common element open spaces are to be zoned Open Space Private (OSP).

Discussion

The main interests of the RWDRT in this application are protection of surface water quality of the unnamed watercourses and Dog Lake, the avoidance of natural hazards (e.g. flooding and erosion) associated with the watercourses and the lake, natural heritage, as well as the provision of adequate stormwater management.

Parks Canada is also particularly interested in proposals for water access facilities on this property, namely docks, as well as the protection and enhancement of the cultural and natural heritage and scenic values of the Rideau Canal National Historic Site and UNESCO World Heritage Site.

Water Quality

Section 2.2 of the Provincial Policy Statement (PPS) suggests that planning authorities should seek to protect, improve or restore the quality and quantity of water. Accordingly, the Official Plan and Zoning By-law for the Township of South Frontenac provide guidance with respect to how development should occur in consideration of protecting, improving and restoring water quality within the municipality. Similarly, the CRCA's Planning Policy (April, 2015) contains provisions that seek to support these objectives.

The 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 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 along the shoreline, which will help to filter runoff, prevent soil erosion, and provide wildlife habitat.

The Environmental Impact Statement (EIS) submitted along with the draft plan of condominium application recognizes the importance of a natural shoreline and recommends that development be set back a minimum distance of 40 metres from the high water mark of Dog Lake, and that 30 metres of this

setback be maintained as an undisturbed buffer of natural vegetation. Generally, RWDRT staff support these recommendations. However, policy 6.1.6 of the CRCA's Planning Policy suggests that development setbacks should be based on the findings of lake management plans and site evaluation guidelines if available. For Precambrian shield lakes such as this one, Appendix G of the Planning Policy is used to establish an appropriate setback for future development. Appendix G was developed in consideration of the findings of a report entitled "Assessment of Municipal Site Evaluation Guidelines for Waterfront Development in Eastern Ontario's Lake Country" completed by Hutchinson Environmental Sciences Ltd. (April, 2014). These guidelines define a horizontal water setback distance based upon site characteristics such as soil texture and depth, slope and vegetation along the shoreline.

Based upon observations made during the site visit, the recommended minimum depth of shoreline buffer for development for Units 1, 6, and 8 should be 40 metres to protect the water quality of Dog Lake. The recommended setback for development for Units 10, 11 and 12 is 70 metres. The Hutchinson Evaluation Letter provided by FOTENN suggests that the building envelopes and septic systems on Units 1, 6 and 8 will meet the minimum 40 metre setback as suggested by the Hutchinson Report and the EIS. The FOTENN letter also suggests that the septic and building envelope for Unit 10, and the building envelopes for Units 11 and 12 will be less than the required setback. However, staff agree with the rationale provided in the FOTENN letter for a reduction to the required setback, more specifically, that the proposed development on Units 10, 11, and 12 will be situated in a location that provides drainage away from the shoreline of Dog Lake. Therefore, RWDRT staff are satisfied that the proposed development meets the intent of the PPS, the Official Plan, and the CRCA's Planning Policy for water quality.

In order to ensure that future residential development is consistent with the setbacks noted in the FOTENN letter, staff recommend that additional controls be placed on Units 1, 6, 8, 10, 11 and 12.

1. *RWDRT staff recommend that site specific limited service waterfront residential zones be applied to Units 1, 6, 8, 10, 11 and 12 that requires development (including the septic systems) to meet the setbacks identified in the FOTENN letter entitled "Hutchinson Evaluation Letter" (March 31, 2016).*

2. *RWDRT staff recommend that Units 1, 6, 8, 10, 11 and 12 be subject to site plan approval to control the location of buildings, structures and site alteration on the subject lots.*

3. *RWDRT staff recommend that the RWDRT be circulated the site plan applications for Units 1, 6, 8, 10, 11 and 12 for review prior to receiving final site plan approval and that this be added as a condition of approval.*

Natural Hazards

Flooding Hazard – Dog Lake

In our review of development applications, RWDRT staff, in accordance with Section 3.1 of the Provincial Policy Statement and through Ontario Regulation 148/06, direct development away from areas subject to potential flood risk. The CRCA's Planning Policy suggests that new development be set back a minimum horizontal distance of 15 metres from the extent of the regulatory flood plain. In the absence of engineered flood plain mapping, the RWDRT uses the maximum recorded water level to

define the extent of the flood hazard. The maximum recorded water level for Dog Lake is 98.95 metres geodetic. Based on site observations and our review of contours shown on the draft plan, some of the lands adjacent to Dog Lake appear to be low-lying (Units 1, 6 and 8). However, staff note that the 15 metre setback from the flood plain will be contained within the setback recommended by the EIS. Therefore, staff have no concerns with meeting the 15 metre setback from the flood plain of Dog Lake.

In addition to the 15 metre setback from the maximum recorded water level, the RWDRT, through implementation of Ontario Regulation 148/06, requires that buildings, structures, roads and septic systems meet specific floodproofing standards when proposed adjacent to a waterbody. At this stage (Draft Plan), the lowest finished floor and opening elevations for proposed dwellings have yet to be proposed. It may be helpful to at least consider this aspect at this time. Recommendations in the past have sometimes used 0.3 metre minimum vertical freeboard above the 100 year floodplain elevation for the lowest finished floor and opening elevations. In recent years, staff has found this to be insufficient on some sites. Factors such as ice jams/dams, blocked/collapsed culverts, beaver activity, hydrologic changes resulting from development upstream/downstream, fill in the floodplain, and unknown variations between assumed hydrologic conditions used in analysis and reality can contribute to increasing flood risk to dwellings and structures adjacent to watercourses. Staff note that evidence of beaver activity on this site has been found.

In consideration of this, staff recommend that the minimum finished floor elevation (i.e. basement floor) and all exterior openings of all dwellings on the subject property must be located at or above 99.55 metres geodetic (0.6 m above maximum recorded water level). It is also suggested that all roads and driveways have a finished grade no lower than 98.7 metres geodetic (0.25 m below the maximum recorded water level). Finally, the distribution system for individual leaching beds must be located at or above 99.95 metres geodetic (1.0 m above).

4. *RWDRT staff recommend that a final grading plan be submitted as a condition of draft plan approval, and that the grading plan will indicate the above noted floodproofing requirements for Units 1, 6, and 8.*

Flooding Hazard – Unnamed Watercourses

As noted above, there are four small watercourses that convey drainage through the site. Three of those watercourses flow through one or more of the proposed units. The fourth watercourse is located on a common element parcel (Block 20).

The RWDRT does not have floodplain mapping for these features. In such situations, the RWDRT requires that new development be located a minimum distance of 30 metres from the top of bank of a watercourse, where there is a suitable elevation difference between the top of bank and adjacent land.

The Analysis of Stormwater Management Requirements provides a floodplain analysis for two of the watercourses that cross the site. RWDRT staff provide the following comments with respect to this analysis.

5. *RWDRT staff recommend that the consultant review the drainage areas provided for Watercourses A and B. Based on a review of Lidar topographic mapping, staff suggest that the drainage area for*

Watercourse A is approximately 4.5 ha in size as opposed to the suggested 3.9 ha, and that the drainage area for Watercourse B is approximately 7 ha in size as opposed to the suggested 3.9 ha.

Staff note that the Airport Method is being used to estimate the time of concentration in flow calculations for both Watercourse A and B. This method was developed for airfields and may not be appropriate for this site.

6. *RWDRT staff recommend using a more conservative time of concentration calculation method (e.g. Watt and Chow).*

The Frontenac County Soil Map was consulted to determine the overburden material and associated hydrologic soil group (HSG) for use in determining runoff. The report indicates that the overburden material consists predominately of sandy loam. The report also indicates that soil depths range from 0 to 5 metres over bedrock. An HSG of A was selected for the floodplain analysis based on MTO design charts. CRCA staff concur that sandy loam is a major component of the native soils on-site, but caution that the particular soil type associated with this site, according to the County soil map, is a soil complex called Monteagle Sandy Loam - Rock (i.e. rock outcrop). As such CRCA staff is concerned that the selection of HSG A is an over-simplification of soil type, ignoring the rock outcrop component, which may lead to underestimating the runoff and resulting flows and flood depths in the watercourses being evaluated. CRCA soils mapping information concurs with the County map in that the soils on-site are 'Monteagle Sandy Loam – Rock'. The information specifies that the soil consists of 70% HSG D and 30% HSG C.

7. *RWDRT staff recommends the use of a more conservative HSG selection for the floodplain analysis.*

Manning roughness coefficient values of 0.030 and 0.032 are used in channel calculations in determining 100-year flood depths, but no explanation is given to support their use.

8. *RWDRT staff recommends existing watercourse conditions be properly documented (e.g. photos) and reference the specific locations on appropriate design charts to support the use of the roughness coefficient values.*

Staff note that the report suggests a 6 metre setback from the centreline of the watercourses for which floodplain analysis was performed. The CRCA's guidelines for implementing Ontario Regulation 148/06 suggests that all buildings and structures must be located a minimum horizontal distance of 6 metres beyond the furthest landward extent of the regulatory flood plain.

9. *RWDRT staff recommends that the report be revised to reflect a 6 metre setback measured from the regulatory floodplain and not measured from the centerline of the watercourse.*

Natural Heritage and Wildlife Habitat

Staff provide the following comments with respect to the natural heritage and wildlife habitat information contained with the EIS provided by Ecological Services dated January 10, 2016.

Section 4.2 Natural Heritage Features
The consultant notes consultation with the OMNF Natural Heritage Information Centre (NHIC) database for species records in the 3 - 1km2 blocks within which the property is located. Staff, through consultation with OMNRF staff in the past year, has found that it is best to contact OMNRF staff directly to ensure that any recent information can be relayed to the consultant as NHIC records may not be up to date. CRCA staff have accepted the use of the NHIC database in the past, however based on the recent communications with OMNRF staff, the consultant should be advised that direct contact with OMNRF is encouraged.

10. *RWDRT staff recommend that the NHIC review be expanded as per the Natural Heritage Reference Manual (pg. 52) and that the NHIC database search include consideration of species records within a 1km buffer around the site.*

Section 6.1 Woodland Habitat
It is recommended that the consultant discuss the planning area size that is used for forest cover with CRCA staff. The report references the use of the OMNRF site district 6E-10 as a planning area scale. *The County NHS recommends that woodland cover within a watershed be used to inform which size criteria denotes significant woodlands*. The NHRM notes that the planning area should be at a reasonable scale and suggests the use of municipal or watershed boundaries. As the selection of the planning area is not specific and using eco-district areas is also mentioned, the consultant has adopted a specific approach consistent with the NHRM. Due to the nature of the region, staff believe that a more representative approach would be to define the planning area based on the landscape that the site is located in. It would be appropriate for the consultant to review the various landscape scales and determine what would be appropriate for the site. It is not expected that the findings of the report will change, however the report may be modified such that it recognizes a refined planning area consistent with the County NHS. CRCA staff, through the preparation of watershed report cards, has woodland statistics for the Cataraqui River Watershed. However consultation with GIS staff was not possible to obtain this specific number at the time of this review. This information can be relayed to the consultant as soon as it is available.

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prior to addressing ESA concerns to OMNRF's satisfaction can create conflicts and potentially be in conflict with the PPS.

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11. RWDRT staff recommend that the additional information collected from the surveys yet to be done be forwarded to the CRCA for review. This should be done prior to draft plan approval.

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CRCA and Parks Canada staff had the opportunity to walk the site with the developer and his consultants (planning and ecological). The site does have a mix of habitat types and it may be appropriate for the ecological consultant to identify any additional sensitive features that could be preserved through a site plan or condominium agreement. These sensitive features may not be specific at a provincial or regulatory scale, but could be at a local scale to make the development fit into the landscape to the best extent possible. It may also be beneficial to have a landowners guide prepared for the landowners identifying the features of importance.

12. RWDRT staff recommend that the consultant contact Tom Beaubiah (CRCA biologist) to discuss the above noted sections of the EIS further.

Cultural Heritage

Given the location of the development, Parks Canada staff note the absence in the Planning Justification Report of a discussion on the impact of this development proposal on the heritage values of the Rideau Canal. The Rideau Canal National Historic Site of Canada, a Canadian Heritage River and a UNESCO World Heritage Site, is administered by Parks Canada to preserve the cultural, natural and scenic values so that all Canadians can enjoy this legacy into the future. All parties have a responsibility to ensure the stewardship and conservation of this internationally recognized waterway.

To respect the visual setting of the Rideau Canal, the RWDRT recommends that any new development proposed on this property be unobtrusive, visually screened and integrated within the vegetation and topography. The objective is to minimize impact on the scenic views from the water and the heritage values of the waterway. Staff also recommend that building envelopes and associated services are sited to minimize disturbance to the landscape, including vegetation removal.

In the future residential development of each waterfront lot (Lots 1, 6, 8, 10, 11 and 12), it is recommended that the architectural design of the dwellings complement the rugged Canadian Shield landscape character of the area and all building facades are clad using natural materials such as wood and stone and the application of earthen-tone colours to complement and integrate the buildings into the surrounding landscape.

Docks

The Planning Report (FOTENN) suggests that only those lots having direct waterfront onto Dog Lake will have the opportunity to apply for a dock, through Parks Canada's in-water and shoreline permitting process. While the interior lots will have access to water through Blocks 19 and 21, Parks Canada reminds the proponent that no docks will be permitted on these blocks.

RWDRT staff noted during the inspection that there appears to be no suitable shoreline access to allow for the construction of a dock on Unit 11 as presently configured. However, there may be opportunity for Unit 11 to have suitable shoreline access for a dock by altering the lot line between Units 10, 11 and 12. Due to the steep shoreline of Unit 12, a dock will not be permitted for this lot.

Given the shallow waters at Units 1, 6, 8 and the southern end of Unit 10, (approximately 3 feet or less), this waterfront area is not conducive to recreational boating. Should a dock be approved for these units, no dredging will be permitted to accommodate larger boats or to provide access to deeper water.

Please note that Parks Canada's *Policies for In-Water and Shoreline Works and Related Activities* require docks to be situated a minimum of 4.5 metres from side lot lines, with no more than 25% or 15metres (50ft), whichever is less, of shoreline development. In the identification of suitable dock areas for Lots 1, 6, 8, 10 and 11, we caution the proponent to be mindful of the angle of side lot lines as a dock must be 4.5 metres from the projection of the lines out into the water.

13. *RWDRT staff do not support the placement of an access structure to the shoreline or a dock on Unit 11 as presently configured.*

14. *RWDRT staff do not support the placement of an access structure to the shoreline or a dock on Unit 12.*

15. *RWDRT staff do not support dredging of Dog Lake to accommodate larger boats or to provide access to deeper water.*

RWDRT staff also note that there are three water access right-of-ways proposed for Units 5 and 7 as well as the retained lot, adjacent to Unit 1. Please note that only one dock is permitted per lot. Parks Canada staff will not support applications for a dock at these right-of-way locations.

16. *RWDRT staff do not support the placement of a dock structure on the water access right-of-ways for Units 5 and 7 as they do not meet the permitting policies of Parks Canada.*

Stormwater Management

Generally, the SWM report proposes the use of lot-level and conveyance practices.

A) Quantity Control

Pre-development and post-development flows are not quantified. Currently quantity controls are not proposed for this site. The SWM report justifies this due to the apparently insignificant increase to peak

flows that will result from this development and the proximity to Dog Lake, to which stormwater flows will be discharged.

17. *In order to mitigate the cumulative effects of development, RWDRT staff recommend (per CRCA policy) that pre-development and post-development flows are determined and that peak flows be held to pre-development levels for 2-year through 100-year storm events.*

18. *RWDRT staff recommend that asphalt be assumed in the proposed condition when evaluating post-development flows and storage requirements in the event that the roadway surface and driveways are changed to asphalt in the future. Alternatively, the approval authority (Frontenac County) may prefer that the necessary changes (retrofits) that would need to be made, in the event that asphalt was installed, be determined for future implementation, should they be required.*

B) *Quality Control*

The SWM report suggests that an *enhanced* level of protection is targeted for this site.

A 20 metre wide municipal road allowance is proposed with a 9 metre clearing to allow for a 4.5 metre lane width and roadside ditches. A gravel roadway surface is proposed. It is assumed that the majority of quality protection that will be provided on-site for roadway runoff will occur in the proposed roadside ditches.

19. *Similar to recommendation 13 above, RWDRT staff recommend that asphalt be assumed in the event that the roadway surface is changed to asphalt in the future.*

20. *RWDRT staff recommend that the Low Impact Development Stormwater Management Planning & Design Guide (CVC/TRCA, 2010) be consulted during design of the roadside swales/ditches to ensure the design is going to provide the level of function and performance appropriate for this site.*

C) *Drainage*

21. *The SWM report indicates that roadside ditches will convey stormwater runoff and the Draft Plan of Condominium drawing illustrates the proposed road network, but it is not clear from the information provided how/where post-development stormwater will be directed via roadside ditches through the site and where discharge(s) will occur. Please address.*

D) *General*

22. *RWDRT staff recommend that the Township be consulted to discuss their concerns regarding stormwater management maintenance should the situation arise in which maintenance responsibility is not fulfilled or otherwise transferred to the Township.*

23. *RWDRT staff recommend that the design have regard for maintenance efficiency [e.g. pre-treatment practices such as sediment forebay(s) to ensure optimal function, prevent premature failure (e.g. clogging) and concentrate sediment build-up to facilitate maintenance by those responsible].*

24. RWDRT staff recommend that the final SWM report include a section on maintenance that indicates inspection & cleanout frequency/procedure, and those responsible. It would also be prudent to specify SWM maintenance responsibilities and associated/estimated costs in the condominium agreement.

Climate Change

25. RWDRT staff recommend that the potential effects of climate change be considered (e.g. how storms of greater intensity/precipitation volume might impact overland flow routes/depths/extents).

Proposed Zoning

On page 20 of the Shield Shores Planning Report (FOTENN), the consultant indicates that the proposed zoning will consist of two zones for the residential units, Limited Service Residential (RLS) and Limited Service Residential Waterfront (RLSW). The Common Elements open space areas are to be zoned Open Space Private (OSP).

26. RWDRT staff request that the proposed zoning by-law amendment be drafted, and circulated to RWDRT staff for review prior to draft plan approval.

27. RWDRT staff recommend that the 30 metre setback from the high water mark of Dog Lake, as well as the identified development setbacks from the watercourses be zoned 'Environmental Protection' (EP).

Recommendation

Staff recommend deferral of application 10CD-2016/001 until the above noted recommendations are addressed to the satisfaction of RWDRT staff. Once our concerns are addressed, staff will be able to provide conditions for Draft Plan approval.

Parks Canada - Rideau Canal Office oversees all in-water works along the Canal system. If the landowner wishes to carry out any in-water works in the future, the Rideau Canal Office must be contacted and written approval obtained prior to the commencement of construction.

Ontario Regulation 148/06
Portions of the property are subject to 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. By virtue of this regulation, the CRCA regulates all development and site alteration activities (including grading and filling) within 15 metres of the maximum recorded water level of Dog Lake, 15 metres inland from the top of valley, and within 30 metres of the watercourses on the subject property. Within a regulated area, written permission must be obtained from the CRCA prior to development or site alteration taking place.

Stormwater management and flood plain analysis queries should be directed to Shawn Fairbank at extension 284, or by email at sfairbank@crca.ca. Queries pertaining to the review of the EIS should be directed to Tom Beaubiah at extension 240, or by email to tbeaubiah@crca.ca.

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 email at aschmidt@crca.ca.

Yours truly,

Andrew Schmidt, C.Tech.
Development Review Manager

cc: Susan Millar, Program/Policy Officer, Parks Canada, via email
Lindsay Mills, Planning Coordinator, Township of South Frontenac, via email
Mike Keene, FOTENN, via email

Rideau Waterway
Development Review Team

February 27, 2017 CRCA File: SUBD/FRS/38/2016

Sent by Email and Regular Mail

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

Dear Mr. Gallivan:

Re: Application for Draft Plan of Vacant Land Condominium 10CD-2016/001 – Second Submission; Dog Lake Development – Barry Campbell
Part of Lots 15, 16 & 17, Concession 9, Geographic Township of Storrington
Township of South Frontenac, County of Frontenac
Waterbody: Dog Lake / Rideau Canal

The Rideau Waterway Development Review Team (RWDRT), made up of staff from the Cataraqui Region Conservation Authority (CRCA) and Parks Canada, has received the technical circulation for the above-noted application, including the following:

- Notice of Complete Application, County of Frontenac (March 3, 2016)
- Application for Condominium Description, Barry Campbell (February 25, 2016)
- Draft Plan of Condominium, Josselyn Engineering Inc. (November 24, 2015)
- Planning Report, FOTENN (February 25, 2016)
- Environmental Impact Statement, Ecological Services (January 10, 2016)
- Preliminary Stormwater Management Report, Josselyn engineering Inc. (February 4, 2016)
- Hutchinson Evaluation Letter, FOTENN (March 31, 2016)

Staff provide the following comments for the County's consideration and for action/response from the applicant. The subject lands were visited by staff on April 5, 2016.

New comments from those made in previous correspondence dated April 12, 2016 have been highlighted in bold italic font for viewing convenience.

Summary of Proposal / Site Description

The proposal involves the creation of a vacant land condominium development consisting of 18 residential units, private lanes, two blocks for private water access and an open space block. The subject property consists of approximately 32 hectares of land located along a portion of the western shore of

Dog Lake. The property has road frontage onto Wellington Street and water frontage on Dog Lake, which is part of the Rideau Canal National Historic Site and UNESCO World Heritage Site.

The 18 units range in size from 1.01 ha to 2.17 ha in area with a minimum road frontage of 76 metres. Six of the lots will have water frontage of between 91 metres and 138 metres. Access will be provided from Wellington Street to the south with a primary road that ends in a cul-de-sac. A secondary road will extend as a crescent from the primary road and will provide access to six of the proposed lots.

The subject property contains a mix of heavily wooded upland area and lower-lying area (units 1, 6, 8). Six of the proposed units, plus Blocks 19 and 21 have frontage on Dog Lake. There are also four watercourses crossing through the property. These features generally convey drainage in a southeasterly direction, eventually outletting into Dog Lake.

The subject property is designated 'Rural' in the Township of South Frontenac Official Plan and is zoned 'Rural' in the implementing Zoning By-law. A concurrent Zoning By-law amendment has been submitted in support of this application. The proposed zoning for the site will consist of two zones for the existing residential units, Limited Service Residential (RLS) and Limited Service Residential Waterfront (RLSW). The common element open spaces are to be zoned Open Space Private (OSP).

Discussion

The main interests of the RWDRT in this application are protection of surface water quality of the unnamed watercourses and Dog Lake, the avoidance of natural hazards (e.g. flooding and erosion) associated with the watercourses and the lake, natural heritage, as well as the provision of adequate stormwater management.

Parks Canada is also particularly interested in proposals for water access facilities on this property, namely docks, as well as the protection and enhancement of the cultural and natural heritage and scenic values of the Rideau Canal National Historic Site and UNESCO World Heritage Site.

Water Quality

Section 2.2 of the Provincial Policy Statement (PPS) suggests that planning authorities should seek to protect, improve or restore the quality and quantity of water. Accordingly, the Official Plan and Zoning By-law for the Township of South Frontenac provide guidance with respect to how development should occur in consideration of protecting, improving and restoring water quality within the municipality. Similarly, the CRCA's Planning Policy (April, 2015) contains provisions that seek to support these objectives.

The 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 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 along the shoreline, which will help to filter runoff, prevent soil erosion, and provide wildlife habitat.

The Environmental Impact Statement (EIS) submitted along with the draft plan of condominium application recognizes the importance of a natural shoreline and recommends that development be set back a minimum distance of 40 metres from the high water mark of Dog Lake, and that 30 metres of this setback be maintained as an undisturbed buffer of natural vegetation. Generally, RWDRT staff support these recommendations. However, policy 6.1.6 of the CRCA's Planning Policy suggests that development setbacks should be based on the findings of lake management plans and site evaluation guidelines if available. For Precambrian shield lakes such as this one, Appendix G of the Planning Policy is used to establish an appropriate setback for future development. Appendix G was developed in consideration of the findings of a report entitled "Assessment of Municipal Site Evaluation Guidelines for Waterfront Development in Eastern Ontario's Lake Country" completed by Hutchinson Environmental Sciences Ltd. (April, 2014). These guidelines define a horizontal water setback distance based upon site characteristics such as soil texture and depth, slope and vegetation along the shoreline.

Based upon observations made during the site visit, the recommended minimum depth of shoreline buffer for development for Units 1, 6, and 8 should be 40 metres to protect the water quality of Dog Lake. The recommended setback for development for Units 10, 11 and 12 is 70 metres. The Hutchinson Evaluation Letter provided by FOTENN suggests that the building envelopes and septic systems on Units 1, 6 and 8 will meet the minimum 40 metre setback as suggested by the Hutchinson Report and the EIS. The FOTENN letter also suggests that the septic and building envelope for Unit 10, and the building envelopes for Units 11 and 12 will be less than the required setback. However, staff agree with the rationale provided in the FOTENN letter for a reduction to the required setback, more specifically, that the proposed development on Units 10, 11, and 12 will be situated in a location that provides drainage away from the shoreline of Dog Lake. Therefore, RWDRT staff are satisfied that the proposed development meets the intent of the PPS, the Official Plan, and the CRCA's Planning Policy for water quality.

In order to ensure that future residential development is consistent with the setbacks noted in the FOTENN letter, staff recommend that additional controls be placed on Units 1, 6, 8, 10, 11 and 12.

1. *RWDRT staff recommend that site specific limited service waterfront residential zones be applied to Units 1, 6, 8, 10, 11 and 12 that requires development (including the septic systems) to meet the setbacks identified in the FOTENN letter entitled "Hutchinson Evaluation Letter" (March 31, 2016).*

Addressed.

2. *RWDRT staff recommend that Units 1, 6, 8, 10, 11 and 12 be subject to site plan approval to control the location of buildings, structures and site alteration on the subject lots.*

Noted by the applicant.

3. *RWDRT staff recommend that the RWDRT be circulated the site plan applications for Units 1, 6, 8, 10, 11 and 12 for review prior to receiving final site plan approval and that this be added as a condition of approval.*

Noted by the applicant.

Natural Hazards

Flooding Hazard – Dog Lake

In our review of development applications, RWDRT staff, in accordance with Section 3.1 of the Provincial Policy Statement and through Ontario Regulation 148/06, direct development away from areas subject to potential flood risk. The CRCA's Planning Policy suggests that new development be set back a minimum horizontal distance of 15 metres from the extent of the regulatory flood plain. In the absence of engineered flood plain mapping, the RWDRT uses the maximum recorded water level to define the extent of the flood hazard. The maximum recorded water level for Dog Lake is 98.95 metres geodetic. Based on site observations and our review of contours shown on the draft plan, some of the lands adjacent to Dog Lake appear to be low-lying (Units 1, 6 and 8). However, staff note that the 15 metre setback from the flood plain will be contained within the setback recommended by the EIS. Therefore, staff have no concerns with meeting the 15 metre setback from the flood plain of Dog Lake.

In addition to the 15 metre setback from the maximum recorded water level, the RWDRT, through implementation of Ontario Regulation 148/06, requires that buildings, structures, roads and septic systems meet specific floodproofing standards when proposed adjacent to a waterbody. At this stage (Draft Plan), the lowest finished floor and opening elevations for proposed dwellings have yet to be proposed. It may be helpful to at least consider this aspect at this time. Recommendations in the past have sometimes used 0.3 metre minimum vertical freeboard above the 100 year floodplain elevation for the lowest finished floor and opening elevations. In recent years, staff has found this to be insufficient on some sites. Factors such as ice jams/dams, blocked/collapsed culverts, beaver activity, hydrologic changes resulting from development upstream/downstream, fill in the floodplain, and unknown variations between assumed hydrologic conditions used in analysis and reality can contribute to increasing flood risk to dwellings and structures adjacent to watercourses. Staff note that evidence of beaver activity on this site has been found.

In consideration of this, staff recommend that the minimum finished floor elevation (i.e. basement floor) and all exterior openings of all dwellings on the subject property must be located at or above 99.55 metres geodetic (0.6 m above maximum recorded water level). It is also suggested that all roads and driveways have a finished grade no lower than 98.7 metres geodetic (0.25 m below the maximum recorded water level). Finally, the distribution system for individual leaching beds must be located at or above 99.95 metres geodetic (1.0 m above).

4. *RWDRT staff recommend that a final grading plan be submitted as a condition of draft plan approval, and that the grading plan will indicate the above noted floodproofing requirements for Units 1, 6, and 8.*

Noted by the applicant.

Flooding Hazard – Unnamed Watercourses

As noted above, there are four small watercourses that convey drainage through the site. Three of those watercourses flow through one or more of the proposed units. The fourth watercourse is located on a common element parcel (Block 20).

The RWDRT does not have floodplain mapping for these features. In such situations, the RWDRT requires that new development be located a minimum distance of 30 metres from the top of bank of a watercourse, where there is a suitable elevation difference between the top of bank and adjacent land.

The Analysis of Stormwater Management Requirements provides a floodplain analysis for two of the watercourses that cross the site. RWDRT staff provide the following comments with respect to this analysis.

5. *RWDRT staff recommend that the consultant review the drainage areas provided for Watercourses A and B. Based on a review of Lidar topographic mapping, staff suggest that the drainage area for Watercourse A is approximately 4.5 ha in size as opposed to the suggested 3.9 ha, and that the drainage area for Watercourse B is approximately 7 ha in size as opposed to the suggested 3.9 ha.*

Not addressed. The revised report addresses staff's original concern and the drainage areas have been increased accordingly. However, an important cross section was missing from the analysis (adjacent to Unit 8, formerly Unit 9). Additional information was submitted (via e-mail) following a discussion between staff and the consultant on January 11, 2017, including an additional cross section on Unit 9. There were issues with the consultant's analysis of this new information which is being further considered by the consultant.

Staff note that the Airport Method is being used to estimate the time of concentration in flow calculations for both Watercourse A and B. This method was developed for airfields and may not be appropriate for this site.

6. *RWDRT staff recommend using a more conservative time of concentration calculation method (e.g. Watt and Chow).*

Addressed.

The Frontenac County Soil Map was consulted to determine the overburden material and associated hydrologic soil group (HSG) for use in determining runoff. The report indicates that the overburden material consists predominately of sandy loam. The report also indicates that soil depths range from 0 to 5 metres over bedrock. An HSG of A was selected for the floodplain analysis based on MTO design charts. CRCA staff concur that sandy loam is a major component of the native soils on-site, but caution that the particular soil type associated with this site, according to the County soil map, is a soil complex called Monteagle Sandy Loam - Rock (i.e. rock outcrop). As such CRCA staff is concerned that the selection of HSG A is an over-simplification of soil type, ignoring the rock outcrop component, which may lead to underestimating the runoff and resulting flows and flood depths in the watercourses being evaluated. CRCA soils mapping information concurs with the County map in that the soils on-site are 'Monteagle Sandy Loam – Rock'. The information specifies that the soil consists of 70% HSG D and 30% HSG C.

7. *RWDRT staff recommends the use of a more conservative HSG selection for the floodplain analysis.*

Addressed. Hydrologic Soil Group assumptions for floodplain analysis appear to be appropriate according to the information presented in the text of the SWM report. However, CRCA staff request that subsequent submissions also indicate all pertinent modelling inputs (assumptions) in the appendices.

Manning roughness coefficient values of 0.030 and 0.032 are used in channel calculations in determining 100-year flood depths, but no explanation is given to support their use.

8. *RWDRT staff recommends existing watercourse conditions be properly documented (e.g. photos) and reference the specific locations on appropriate design charts to support the use of the roughness coefficient values.*

Addressed.

Staff note that the report suggests a 6 metre setback from the centreline of the watercourses for which floodplain analysis was performed. The CRCA's guidelines for implementing Ontario Regulation 148/06 suggests that all buildings and structures must be located a minimum horizontal distance of 6 metres beyond the furthest landward extent of the regulatory flood plain.

9. *RWDRT staff recommends that the report be revised to reflect a 6 metre setback measured from the regulatory floodplain and not measured from the centerline of the watercourse.*

Not addressed. The flood plain analysis (noted in 5 above) remains incomplete. The flood plain setback on the Site Plan and Draft Plan of Condominium drawings continues to be shown from the centerline of the watercourse instead of the engineered flood plain limit (as defined by the consultant).

Natural Heritage and Wildlife Habitat

Staff provide the following comments with respect to the natural heritage and wildlife habitat information contained with the EIS provided by Ecological Services dated January 10, 2016.

Section 4.2 Natural Heritage Features
The consultant notes consultation with the OMNF Natural Heritage Information Centre (NHIC) database for species records in the 3 - 1km2 blocks within which the property is located. Staff, through consultation with OMNRF staff in the past year, has found that it is best to contact OMNRF staff directly to ensure that any recent information can be relayed to the consultant as NHIC records may not be up to date. CRCA staff have accepted the use of the NHIC database in the past, however based on the recent communications with OMNRF staff, the consultant should be advised that direct contact with OMNRF is encouraged.

10. *RWDRT staff recommend that the NHIC review be expanded as per the Natural Heritage Reference Manual (pg. 52) and that the NHIC database search include consideration of species records within a 1km buffer around the site.*

Addressed in the consultant's addendum letter of August 24, 2016.

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It is recommended that the consultant discuss the planning area size that is used for forest cover with CRCA staff. The report references the use of the OMNRF site district 6E-10 as a planning area scale. *The County NHS recommends that woodland cover within a watershed be used to inform which size criteria denotes significant woodlands*. The NHRM notes that the planning area should be at a reasonable scale and suggests the use of municipal or watershed boundaries. As the selection of the planning area is not specific and using eco-district areas is also mentioned, the consultant has adopted a specific approach consistent with the NHRM. Due to the nature of the region, staff believe that a more representative approach would be to define the planning area based on the landscape that the site is located in. It would be appropriate for the consultant to review the various landscape scales and determine what would be appropriate for the site. It is not expected that the findings of the report will change, however the report may be modified such that it recognizes a refined planning area consistent with the County NHS. CRCA staff, through the preparation of watershed report cards, has woodland statistics for the Cataraqui River Watershed. However consultation with GIS staff was not possible to obtain this specific number at the time of this review. This information can be relayed to the consultant as soon as it is available.

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Docks

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RWDRT staff noted during the inspection that there appears to be no suitable shoreline access to allow for the construction of a dock on Unit 11 as presently configured. However, there may be opportunity for Unit 11 to have suitable shoreline access for a dock by altering the lot line between Units 10, 11 and 12. Due to the steep shoreline of Unit 12, a dock will not be permitted for this lot.

Given the shallow waters at Units 1, 6, 8 and the southern end of Unit 10, (approximately 3 feet or less), this waterfront area is not conducive to recreational boating. Should a dock be approved for these units, no dredging will be permitted to accommodate larger boats or to provide access to deeper water.

Please note that Parks Canada's *Policies for In-Water and Shoreline Works and Related Activities* require docks to be situated a minimum of 4.5 metres from side lot lines, with no more than 25% or 15metres (50ft), whichever is less, of shoreline development. In the identification of suitable dock areas for Lots 1, 6, 8, 10 and 11, we caution the proponent to be mindful of the angle of side lot lines as a dock must be 4.5 metres from the projection of the lines out into the water.

13. RWDRT staff do not support the placement of an access structure to the shoreline or a dock on Unit 11 as presently configured.

The RWDRT has previously stated that no access structure or dock will be permitted for Unit 12 (formerly Unit 11), based on the steepness of the slope in this location. Staff note that the boundary between what is now known as Units 11 and 12 has been adjusted to accommodate a suitable dock access location. If the proponent feels that there is a suitable location on this Unit for a dock, staff representing the RWDRT would be willing to visit the site to assess its suitability. Feedback on this matter will be provided (by email) to the proponent once this visit has been completed.

14. RWDRT staff do not support the placement of an access structure to the shoreline or a dock on Unit 12.

The RWDRT has previously stated that no access structure or dock will be permitted for Unit 13 (formerly Unit 12), based on the steepness of the slope in this location. The proponent has responded that there is a potentially suitable site for a dock on the northern side of Unit 13, which was not viewed during the April 12th, 2016 site visit. Accordingly, staff representing the RWDRT are intending to visit this site in order to assess its suitability for an access structure (stairs) and a dock. Feedback on this matter will be provided (by email) to the proponent once this visit has been completed.

15. RWDRT staff do not support dredging of Dog Lake to accommodate larger boats or to provide access to deeper water.

Acknowledged in FOTENN letter of September 7, 2016.

RWDRT staff also note that there are three water access right-of-ways proposed for Units 5 and 7 as well as the retained lot, adjacent to Unit 1. Please note that only one dock is permitted per lot. Parks Canada staff will not support applications for a dock at these right-of-way locations.

16. RWDRT staff do not support the placement of a dock structure on the water access right-of-ways for Units 5 and 7 as they do not meet the permitting policies of Parks Canada.

Acknowledged in FOTENN letter of September 7, 2016.

With respect to the Block 20 common elements area, Parks Canada will entertain a proposal for a modest paddle dock only, with dimensions no larger than 19 ft in length and 10 ft in width. Docking for backlot units is not typically supported on the Rideau Canal. As was previously communicated, should the proponent wish to have a communal docking facility for use by the entire condominium complex (as presented in the first docking proposal), a full size lot must be dedicated for this use, the facility will be treated as a commercial dock requiring a commercial water lot license, and no individual docks will be permitted. There has been increasing interest in providing community access to the Rideau Canal, and in some cases access has been supported via the installation of small paddle docks. Note that the maximum width of 10 ft as referenced above is slightly larger than what would be approved under the Policies for In-Water and Shoreline Work for residential properties (maximum width of 8 ft) and is based on the width measurement of a Parks Canada paddle dock located in the City of Ottawa.

Stormwater Management

Generally, the SWM report proposes the use of lot-level and conveyance practices.

A) Quantity Control

Pre-development and post-development flows are not quantified. Currently quantity controls are not proposed for this site. The SWM report justifies this due to the apparently insignificant increase to peak flows that will result from this development and the proximity to Dog Lake, to which stormwater flows will be discharged.

17. In order to mitigate the cumulative effects of development, RWDRT staff recommend (per CRCA policy) that pre-development and post-development flows are determined and that peak flows be held to pre-development levels for 2-year through 100-year storm events.

Partially addressed. Pre-development and post-development peak flow rates have now been determined for 2, 5, and 100-year storm events. However, there are questions about how pre-development weighted CN values were determined/calculated. CRCA information, based on OMAF 2016 soils update, indicates that the majority of the site consists of Monteagle sandy loam composed of 70% hydrologic soil groups (HSG) A and 30% HSG B. The SWM report mentions the presence of a "…rock outcrop condition which constitutes a small portion of the overall site, and located along the shoreline". The report suggests that a weighted CN 60 is assumed for pre-development peak flow runoff analysis, but a calculation that takes into account the aforementioned 70/30 HSG condition and area of rock outcrop is not provided. Also, if the rock outcrop is located primarily along the shore then it would have much less impact on peak flow rates generated from the site.

Please include pre-dev weighted CN calculations and all pertinent modelling inputs in the appendices. It may also be appropriate to re-evaluate post-development weighted CN values based on

the above comments.

The intent of the SWM report is to demonstrate that post-dev peak flows will be held to pre-development rates (per CRCA policy). The SWM report appears to reference content from the Low Impact Development Stormwater Management Planning & Design Guide (CVC/TRCA, 2010) about runoff reduction (provided by various LID practices). CRCA staff note that the performance information provided in the LID Guide is referring to volumetric runoff reduction not peak flow rate reduction. The Stormwater report lists 4 proposed LID practices (i.e. #1 roof leader downspout disconnection, #2 vegetated filter strip, #3 grassed swales/roadside ditches, and #4 grassed swales/watercourse). CRCA staff note that the naturally occurring watercourses (#4 in the above list), into which stormwater flows from the site will be discharged, cannot be used (counted) for quantity or quality control. Controls should for the most part be implemented upstream of these features.

The 3 remaining LID practices listed above certainly have the potential to assist in meeting some of the design criteria (e.g. quality protection), and do provide some stream channel erosion control benefits, but do not specifically address peak flow rate control. The SWM report also make some assumptions about soil infiltration rates based on soils mapping, which while helpful during hydrologic analysis for estimating flows on a large scale, soil maps are limited in their value for the hydraulics of infiltration practices. Soil infiltration testing is required to confirm infiltration rates. Soil depths (depth to bedrock) are also not known. Storage capacity in proposed grassed swales/roadside ditches has also not been determined. One of the criteria for evaluating water quality improvement of grass swales is whether velocities, in grass swales/roadside ditches, resulting from a 4 hour, 25 mm Chicago storm will be less than 0.5 m/s. This has also not been evaluated. There are a number of assumptions on which the current proposal is based (e.g. infiltration rates, soil depths) and there are a number of items that will require more detailed analysis/design (e.g. vegetated filter strip dimensions, grass swale/roadside ditch storage volumes, swale velocities).

To ensure that the area set aside for the proposed road allowance (which it is assumed will need to provide room for proposed vegetated filter strips, grass swale/roadside ditch storage) is sufficient CRCA staff recommends that additional design details be determined at this time and that relevant roadway cross sections be provided.

CRCA staff understands that existing characteristics (grades, slopes, topography, etc.) where construction is proposed can sometimes pose challenges in deploying roadside swales/ditches to provide storage and outlet restriction to achieve 2 through 100-year post to pre peak flow control. It was the understanding of CRCA staff, following a pre-consultation meeting at CRCA in 2016, that although challenges were expected, efforts would be made to accommodate peak flow controls where feasible and that LIDs would assist in meeting quality control targets.

It appears that the intent of the current submission is to meet appropriate design criteria, but various items still need to be addressed and specified prior to draft plan approval.

18. RWDRT staff recommend that asphalt be assumed in the proposed condition when evaluating post-development flows and storage requirements in the event that the roadway surface and driveways

are changed to asphalt in the future. Alternatively, the approval authority (Frontenac County) may prefer that the necessary changes (retrofits) that would need to be made, in the event that asphalt was installed, be determined for future implementation, should they be required.

Addressed.

B) Quality Control

The SWM report suggests that an *enhanced* level of protection is targeted for this site.

A 20 metre wide municipal road allowance is proposed with a 9 metre clearing to allow for a 4.5 metre lane width and roadside ditches. A gravel roadway surface is proposed. It is assumed that the majority of quality protection that will be provided on-site for roadway runoff will occur in the proposed roadside ditches.

19. Similar to recommendation 13 above, RWDRT staff recommend that asphalt be assumed in the event that the roadway surface is changed to asphalt in the future.

Addressed.

20. RWDRT staff recommend that the Low Impact Development Stormwater Management Planning & Design Guide (CVC/TRCA, 2010) be consulted during design of the roadside swales/ditches to ensure the design is going to provide the level of function and performance appropriate for this site.

Addressed.

C) *Drainage*

21. The SWM report indicates that roadside ditches will convey stormwater runoff and the Draft Plan of Condominium drawing illustrates the proposed road network, but it is not clear from the information provided how/where post-development stormwater will be directed via roadside ditches through the site and where discharge(s) will occur. Please address.

Addressed.

D) General

22. RWDRT staff recommend that the Township be consulted to discuss their concerns regarding stormwater management maintenance should the situation arise in which maintenance responsibility is not fulfilled or otherwise transferred to the Township.

Noted by the applicant.

23. RWDRT staff recommend that the design have regard for maintenance efficiency [e.g. pre-treatment practices such as sediment forebay(s) to ensure optimal function, prevent premature failure (e.g. clogging) and concentrate sediment build-up to facilitate maintenance by those responsible].

Addressed.

24. RWDRT staff recommend that the final SWM report include a section on maintenance that indicates inspection & cleanout frequency/procedure, and those responsible. It would also be prudent to specify SWM maintenance responsibilities and associated/estimated costs in the condominium agreement.

Noted by the applicant.

Climate Change

25. RWDRT staff recommend that the potential effects of climate change be considered (e.g. how storms of greater intensity/precipitation volume might impact overland flow routes/depths/extents).

Addressed.

Proposed Zoning

On page 20 of the Shield Shores Planning Report (FOTENN), the consultant indicates that the proposed zoning will consist of two zones for the residential units, Limited Service Residential (RLS) and Limited Service Residential Waterfront (RLSW). The Common Elements open space areas are to be zoned Open Space Private (OSP).

26. RWDRT staff request that the proposed zoning by-law amendment be drafted, and circulated to RWDRT staff for review prior to draft plan approval.

27. RWDRT staff recommend that the 30 metre setback from the high water mark of Dog Lake, as well as the identified development setbacks from the watercourses be zoned 'Environmental Protection' (EP).

Recommendation

Staff recommend deferral of application 10CD-2016/001 until the above noted recommendations are addressed to the satisfaction of RWDRT staff. Once our concerns are addressed, staff will be able to provide conditions for Draft Plan approval.

Parks Canada - Rideau Canal Office oversees all in-water works along the Canal system. If the landowner wishes to carry out any in-water works in the future, the Rideau Canal Office must be contacted and written approval obtained prior to the commencement of construction.

Ontario Regulation 148/06
Portions of the property are subject to 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. By virtue of this regulation, the CRCA regulates all development and site alteration activities (including grading and filling) within 15 metres of the maximum recorded water level of Dog Lake, 15 metres inland from the top of valley, and within 30 metres of the watercourses on the subject property. Within a regulated area, written permission must be obtained from the CRCA prior to development or site alteration taking place.

Stormwater management and flood plain analysis queries should be directed to Shawn Fairbank at extension 284, or by email at sfairbank@crca.ca. Queries pertaining to the review of the EIS should be directed to Tom Beaubiah at extension 240, or by email to tbeaubiah@crca.ca.

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 email at aschmidt@crca.ca.

Yours truly,

Andrew Schmidt, C.Tech.
Development Review Manager

cc: Hillary Knack, Parks Canada (via email)
Tom Green, Parks Canada (via email)
Lindsay Mills, Planner, Township of South Frontenac (via email)
Mike Keene, FOTENN (via email)

FRONTENAC

Report 2017-092

Committee Information Report

To: Chair and Members of the Planning Advisory Committee

From: Megan Rueckwald, Community Planner

Date of meeting: June 28, 2017

Re: 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)

Recommendation

This report provides information on an application for a proposed Plan of Subdivision and staff are seeking input from the public on this application.

Background

The following is a Public Meeting report to the Planning Advisory Committee regarding application for a Plan of Subdivision 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 Part 2, Township of South Frontenac and known as 5550 McFadden Road. This report describes the proposed application and includes an overview of the relevant policies and regulations that will be evaluated as part of a future comprehensive report.

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.

In support of the application, the applicant has submitted the following:

- Complete Application Form
- Planning Report (Prepared by IBI Group)
- Environmental Impact Study (Prepared by Niblett Environmental Associates Inc.)
- Hydrogeological Study, Servicing Options and Terrain Analyses (Prepared by ASC Environmental Inc.)
- Stormwater Management Brief (Prepared by Josselyn Engineering Inc.)
- Draft Plan of Subdivision

All submission materials are available online through the County's Google Drive.

Public Meeting Process

Anyone who attends a Planning Advisory Committee Public Meeting may present an oral submission, and/or provide a written submission on the proposed application. Also, any person may make written submissions at any time before County Council makes a decision on the application. If a person or public body does not make an oral submission at a Public Meeting, or does not make a written submission to the County of Frontenac before a decision is made by County Council, the person or public body is not entitled to appeal the decision of the County of Frontenac to the Ontario Municipal Board and may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to add the person or public body as a party. The Planning Advisory Committee will consider a comprehensive report and recommendation from the Director of Planning, respecting the subject application, at a future meeting. The Committee will make its recommendation to County Council at the meeting. The decision of County Council will be final unless appealed. All persons who made oral or written submissions, or have requested notification in writing, will be given written notice of the future meeting(s) of the Planning Advisory Committee at which time the subject application will be considered. Anyone wishing to be notified of Council's decision on the subject application must submit a written request to:

Megan Rueckwald, Community Planner
The Corporation of the County of Frontenac
2069 Battersea Road
Glenburnie, ON
K0H 1S0
mrueckwald@frontenaccounty.ca
613-548-9400, ext. 359

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.

The site was formerly an active sand pit. The applicant understands that 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 2.08 – 3.32 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	2.47
2	83.2	2.21
3	76.2	2.08
4	87.3	2.91
5	121.7	3.31

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 appears to be 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 outs 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. Future consultation will be done 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. If required, future evaluation of this will be done with the writing of the comprehensive report. 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.

Technical Circulation Process

The application has been circulated to a number of internal departments and external agencies for review and comments. The responses to the technical circulation will be addressed in the technical review and included in the comprehensive report for consideration at a future Planning Advisory Committee meeting. 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 is available for review on the County`s Google Drive.

Notice Provisions:

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.

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.

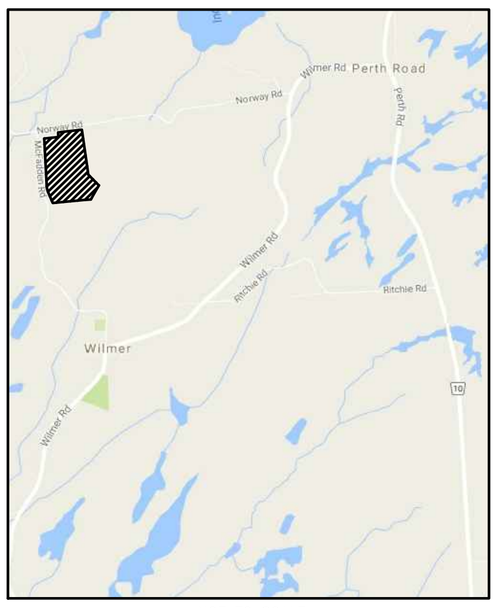
Financial Implications

There are no direct financial implications associated with this report.

Organizations, Departments and Individuals Consulted and/or Affected

Planning and Economic Development Department
Township of South Frontenac
Members of the Public
Commenting Agencies

KEY PLAN



NOT TO SCALE

DRAFT PLAN OF SUBDIVISION
5550 McFADDEN ROAD

DRAFT PLAN OF SUBDIVISION

PART OF LOTS 14 AND 15
CONCESSION 8
GEOGRAPHIC TOWNSHIP OF
LOUGHBOROUGH

COUNTY OF SOUTH FRONTENAC

SCALE: 1 :1000
DATE: FEBRUARY 22, 2017.

0m 10m 20m 40m 100m

ADDITIONAL INFORMATION UNDER THE PLANNING ACT SECTION 51.17 (A–L) OF THE PLANNING ACT.

A. THE BOUNDARIES OF THE LAND PROPOSED TO BE SUBDIVIDED ARE SHOWN ON PLAN

B. THE LOCATIONS AND NAMES OF EXISTING HIGHWAYS ON WHICH THE PROPOSED SUBDIVISION ABUTS ARE SHOWN ON THE PLAN

C. THE RELATIONSHIP TO ADJACENT LANDS IS SHOWN ON THE DRAFT PLAN AND KEY PLAN

D. THE LANDS TO BE USED FOR RESIDENTIAL PURPOSES.

E. ADJOINING LANDS ARE RURAL RESIDENTIAL;

F. THE APPROXIMATE DIMENSIONS AND LAYOUT OF THE PROPOSED LOTS IS SHOWN ON DRAFT PLAN;

G. NATURAL AND ARTIFICIAL FEATURES WITHIN OR ADJACENT TO THE LAND PROPOSED TO BE SUBDIVIDED ARE SHOWN.

H. PRIVATE WATER WELLS ARE TO BE PROVIDED;

I. SOIL IS 1.2–5.2m OVERBURDEN OF SAND, AND SILT SAND OVER BEDROCK;

J. CONTOURS DERIVED FROM LIDAR INFORMATION PROVIDED BY CATARAQUI REGION CONSERVATION AUTHORITY.

K. THE SERVICES AVAILABLE INCLUDE HYDRO AND BELL; AND

L. THE NATURE AND EXTENT OF ANY RESTRICTIONS AFFECTING THE LAND PROPOSED TO BE SUBDIVIDED, INCLUDING RESTRICTIVE COVENANTS OR EASEMENTS ARE SHOWN.

SITE DATA

Land Use	Number of lots	Number of units	Length	Area (ha.)	Percent (%)
RESIDENTIAL LOTS (Lots 1 to 5)	5			12.98	100%
Total				12.98	100%

OWNER'S CERTIFICATE

I, Sean Marshall, hereby authorize Josselyn Engineering to prepare and submit this plan to the County of Frontenac, for review and approval.

SIGNED: _____ DATE: March 20, 2017
Sean Marshall
Pittsburgh Building & Energy Systems

LEGEND:

SSIB'S PLANTED DUE TO INSUFFICIENT OVERBURDEN

⊣□⊢	denotes	Planted Survey Monument
⊣■⊢	"	Found Survey Monument
SIB	"	Standard Iron Bar
SSIB	"	Short Standard Iron Bar
IB	"	Iron Bar
IBø	"	Iron Bar (round)
RB	"	Rock Bar
RP	"	Rock Post
RPL	"	Rock Plug
(WIT)	"	Witness
(M)	"	Measured
(R.P.)	"	Registered Plan
(HP)	"	Hydro Pole
(P1)	"	Expropriation Plan No. 1401
(P2)	"	Plan 13R–8625
(P3)	"	Plan 13R–8035
(1022)	"	N.B. Campbell O.L.S.
(1120)	"	James A. Minnes O.L.S.
(1407)	"	M.P. Allen O.L.S.
(1801)	"	Hopkins, Cormier & Chitty O.L.S

SURVEYOR'S CERTIFICATE:

I CERTIFY THAT:

The boundaries of the lands to be subdivided and their relationship to adjacent lands are correctly shown.

HC LAND SURVEYING Inc.

DATE: March 13, 2017 _____
PHIL W. CHITTY – O.L.S.

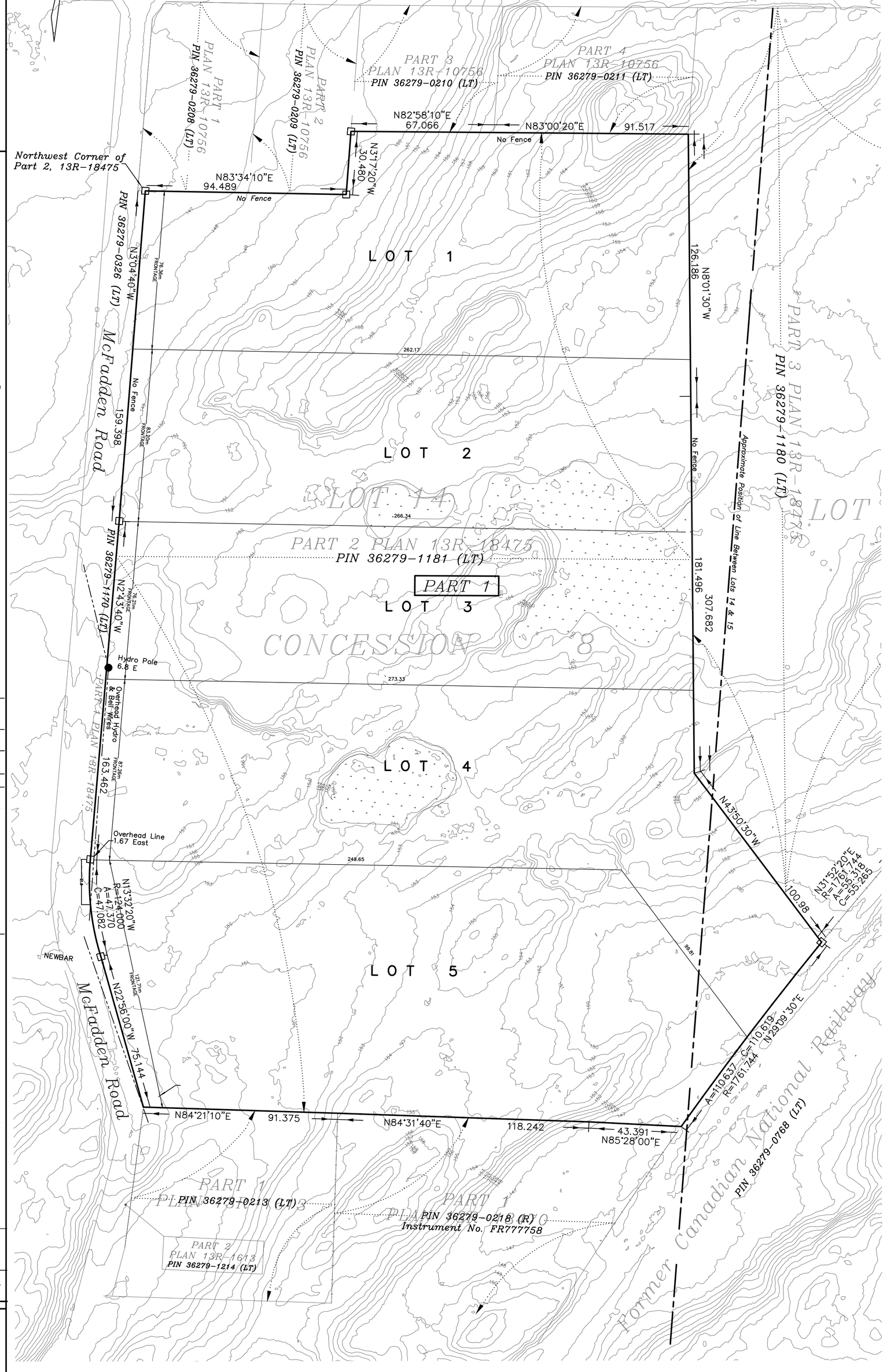
HCS
HOPKINS CHITTY
Land Surveyors Inc.
Ontario Land Surveyors
www.hopkinschitty.com

634–636 NORRIS COURT
KINGSTON, ONTARIO K7P–2R9
Tel (613) 384–9266
Fax (613) 384–3513

PROJECT No. 2018–316
LOT 14 & 15, CONCESSION 8
Township of Loughborough

Josselyn Engineering Inc.
1225 GARDINERS ROAD, #105
KINGSTON, ONTARIO K7P 0G3
TEL : 613-634-9278
FAX : 613-634-9138
E-MAIL : mjosselyn@josselyn.ca

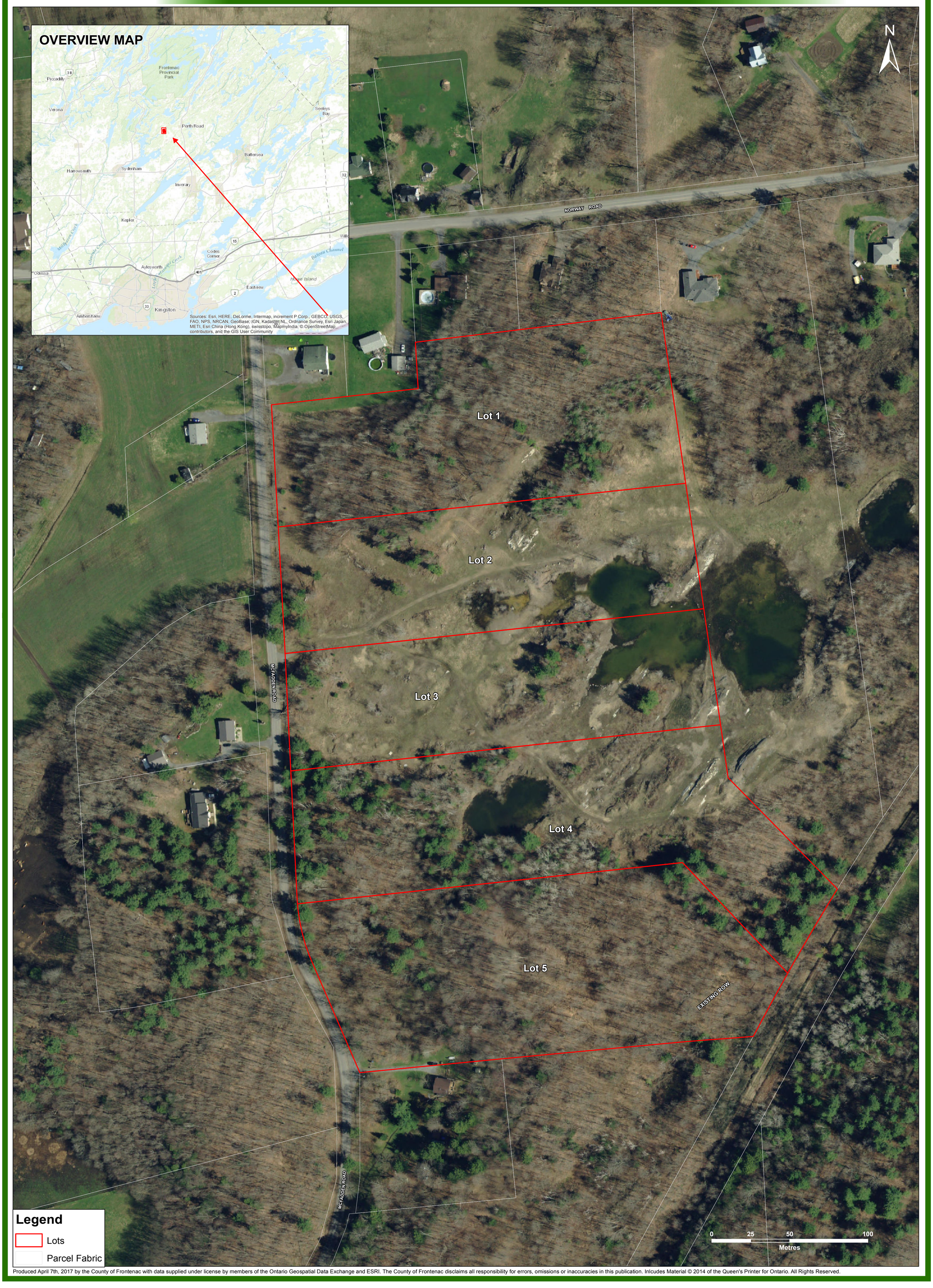
No.	By	Date	Revision	Checked



LOT	Frontage (m)	AREA(m²)	AREA (ha)	AREA (acres)	
1	76.36	24749.49	2.47	6.11	
2	83.20	22061.96	2.21	5.45	
3	76.21	20761.75	2.08	5.13	
4	87.26	29127.28	2.91	7.19	
5	121.71	33050.07	3.31	8.16	
TOTAL LOTS 1-5		129750.55	12.98	32.05	100.00%
TOTAL AREA		129750.55	12.98	32.05	100.00%

FRONTENAC

5550 MCFADDEN RD



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Docks

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RWDRT staff noted during the inspection that there appears to be no suitable shoreline access to allow for the construction of a dock on Unit 11 as presently configured. However, there may be opportunity for Unit 11 to have suitable shoreline access for a dock by altering the lot line between Units 10, 11 and 12. Due to the steep shoreline of Unit 12, a dock will not be permitted for this lot.

Given the shallow waters at Units 1, 6, 8 and the southern end of Unit 10, (approximately 3 feet or less), this waterfront area is not conducive to recreational boating. Should a dock be approved for these units, no dredging will be permitted to accommodate larger boats or to provide access to deeper water.

Please note that Parks Canada's *Policies for In-Water and Shoreline Works and Related Activities* require docks to be situated a minimum of 4.5 metres from side lot lines, with no more than 25% or 15metres (50ft), whichever is less, of shoreline development. In the identification of suitable dock areas for Lots 1, 6, 8, 10 and 11, we caution the proponent to be mindful of the angle of side lot lines as a dock must be 4.5 metres from the projection of the lines out into the water.

13. RWDRT staff do not support the placement of an access structure to the shoreline or a dock on Unit 11 as presently configured.

14. RWDRT staff do not support the placement of an access structure to the shoreline or a dock on Unit 12.

15. RWDRT staff do not support dredging of Dog Lake to accommodate larger boats or to provide access to deeper water.

RWDRT staff also note that there are three water access right-of-ways proposed for Units 5 and 7 as well as the retained lot, adjacent to Unit 1. Please note that only one dock is permitted per lot. Parks Canada staff will not support applications for a dock at these right-of-way locations.

16. RWDRT staff do not support the placement of a dock structure on the water access right-of-ways for Units 5 and 7 as they do not meet the permitting policies of Parks Canada.

Stormwater Management

Generally, the SWM report proposes the use of lot-level and conveyance practices.

From: Matthew Rennie
Sent: Thursday, June 22, 2017 1:29 PM
To: Joe Gallivan
Subject: Sheild Shores Development

Hi Joe,

Could you please pass along the following concerns and questions regarding the Shield Shores VLC to the appropriate committee members.

Please Refer to the attached showing SFT OP Section 7.1.1 Policy for Shallow and Narrow bodies of water and Conservation Remarks regarding water depths.

Concerns:

1. Unit 2 appears to be adjacent to a narrow water body and does not meet the required minimum of 150m water frontage as per SFT OP 7.1.1

2. Based on the Conservation Comments attached and depth charts of Dog Lake all waterfront units are adjacent to Shallow Water Bodies and therefore require 150m of water-frontage. Only Unit 11 meets this minimum requirement.

3. Multi layer access points - In addition to the waterfront units the proposed plan shows 3 additional access points to the water, Block 19, a Right of way over UNIT 2 and a Right of way over UNIT 7. Given the sensitivity of the shallow water body these extra access points would seem to defeat the purpose of having minimum waterfront requirements. The extra access points increases the waterfront density which is already very questionable given the multiple layers of homes in this development. One common element would seem to be a more reasonable approach.

4. Given SAR were found onsite I'm concerned that the full extent of SAR habitat has not be adequately substantiated.

Questions:

1. What is the correct way to measure water frontage for an irregular shaped shoreline such as UNIT 2?

2. Are multiple access points for internal Units consistent with the Township/ County Official Plans and Bylaws?

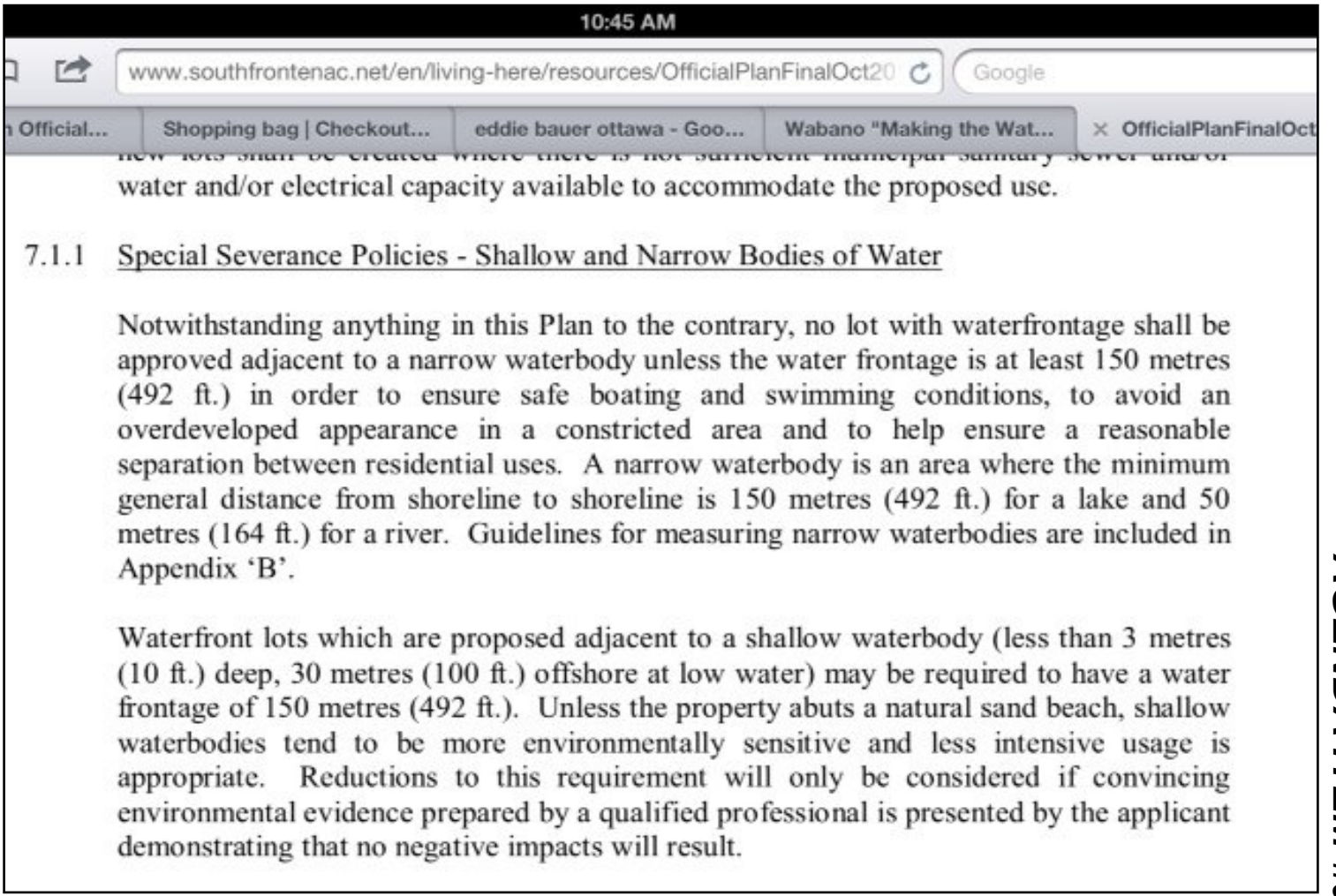
3. Has there been any correspondence between the MNRF and staff with respect to the Species at risk found on site and potential Benefit Permits required moving forward?

I'm planning on attending the meeting next week so hopefully the above questions and concerns will be addressed at that time or earlier if possible.

I wish to be notified of any decisions made regarding this plan of condominium moving forward

Thanks

Matt



new lots shall be created where there is not sufficient municipal sanitary sewer and/or water and/or electrical capacity available to accommodate the proposed use.

7.1.1 Special Severance Policies - Shallow and Narrow Bodies of Water

Notwithstanding anything in this Plan to the contrary, no lot with waterfrontage shall be approved adjacent to a narrow waterbody unless the water frontage is at least 150 metres (492 ft.) in order to ensure safe boating and swimming conditions, to avoid an overdeveloped appearance in a constricted area and to help ensure a reasonable separation between residential uses. A narrow waterbody is an area where the minimum general distance from shoreline to shoreline is 150 metres (492 ft.) for a lake and 50 metres (164 ft.) for a river. Guidelines for measuring narrow waterbodies are included in Appendix 'B'.

Waterfront lots which are proposed adjacent to a shallow waterbody (less than 3 metres (10 ft.) deep, 30 metres (100 ft.) offshore at low water) may be required to have a water frontage of 150 metres (492 ft.). Unless the property abuts a natural sand beach, shallow waterbodies tend to be more environmentally sensitive and less intensive usage is appropriate. Reductions to this requirement will only be considered if convincing environmental evidence prepared by a qualified professional is presented by the applicant demonstrating that no negative impacts will result.