



**Planning Advisory Committee Meeting
Wednesday, October 8, 2020 – 10:00 a.m.**

Meeting to be held in Hybrid Format and
live streamed on the County of Frontenac's YouTube Channel

<https://youtu.be/hSoDxlin7mA>

AGENDA

Page

1. Call to Order

2. Adoption of the Agenda

- a) **That** the agenda for the October 14, 2020 meeting of the Planning Advisory Committee be adopted.

3. Disclosure of Pecuniary Interest and General Nature Thereof

4. Adoption of Minutes

4 - 8

- a) Minutes of Meeting held June 22, 2020

That the minutes of the Planning Advisory Committee meeting held June 22, 2020 be adopted.

9 - 15

- b) Minutes of Meeting held July 22, 2020

 **That** the minutes of the Planning Advisory Committee meeting held July 22, 2020 be adopted.

5. Deputations and/or Presentations

- a) **Ms. Beverly Saunders**, Planner, EcoVue Consulting Services Inc., representing Ardoch Lake Developments Inc. will provide all members of committee an overview on the amended application for Plan of Condominium

6. Briefings

7. Reports to the Planning Advisory Committee

16 - 44

- a) **2020-091**
Planning Advisory Committee
Application for Draft Plan of Vacant Land Condominium Approval
10CD-2012/001 located at Part of Lots 22 & 23, Concessions 1 & 2,
Geographic Township of Clarendon, Township of North Frontenac,

County of Frontenac (Ardoch Lake)
Recommendation

Whereas an application has been filed with the County of Frontenac for a Draft Plan of Vacant Land Condominium located at Part of Lots 22 &23, Concessions 1 & 2, Geographic Township of Clarendon, Township of North Frontenac, County of Frontenac;

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

And Whereas the application is consistent with the Provincial Policy Statement (2020), conforms to the Frontenac County Official Plan, Township of North Frontenac Official Plan, will comply with the Township of North Frontenac Zoning By-law, and has been reviewed in accordance with the criteria of Section 51 (24) of the *Planning Act*.

Therefore Be It Resolved That the Planning Advisory Committee receive the Planning Advisory Committee – Application for Draft Plan of Vacant Land Condominium Approval 10CD-2012/001 located at Part of Lots 22 &23, Concessions 1 & 2, Geographic Township of Clarendon, Township of North Frontenac, County of Frontenac (Ardoch Lake) report;

And Further That the Council of the County of Frontenac approve 10CD-2012/001 vacant land condominium development, including Draft Conditions of Approval attached to this report as Attachment 2.

- 45 - 52
- b) **2020-094**
Planning Advisory Committee
Director of Planning and Economic Development – 2021 Work Plan
Recommendation

That the County of Frontenac Planning Advisory Committee recommend to County Council the approval of the 2021 work plan for the Planning and Economic Development as it relates to planning matters; and

Further, that the Director provide an overview to County Council as part of the 2021 budget deliberations as well as the Councils of the three municipalities which the department provides planning services.

8. Communications

- a) Public Comments received on amended application to August 5th, 2020

[Distributed to Members of Planning Advisory Committee August 11, 2020]

- b) Amended Draft Plan of Vacant Land Condominium, July 2020
[Distributed to Members of Planning Advisory Committee August 11, 2020]
- c) Amended Concept Plan, July 2020
[Distributed to Members of Planning Advisory Committee August 11, 2020]
- d) Letter from Brian Schonauer, concerned citizen regarding Ardoch Lake Development
[Distributed to Members of Planning Advisory Committee August 24, 2020]

9. Other Business

10. Next Meeting

- a) The next regular meeting of the Planning Advisory Committee meeting is scheduled for Monday, December 7, 2020 at the County Administrative Offices.

11. Adjournment



FRONTENAC

Minutes of the Planning Advisory Committee Meeting June 22, 2020

A meeting of the Planning Advisory Committee was held in virtual electronic format, hosted at the County Administrative Office, 2069 Battersea Road, Glenburnie on Monday, June 22, 2020 at 10:00 a.m.

Present:

Councillor Doyle, Chair
Councillor Higgins
Phil Leonard
Barbara Sproule
Lisa Henderson
Councillor Higgins

Regrets:

Deputy Warden Vandewal
Warden Smith

Staff Present:

Brieanna McEathron, Administrative Clerk (Recording Secretary)
Joe Gallivan, Director of Planning and Economic Development
Megan Rueckwald, Manager of Community Planning

1 Call to Order

The Chair called the meeting to order at 10:02 a.m.

2 Adoption of the Agenda

Moved By: Mr. Leonard
Seconded By: Ms. Sproule

That the agenda for the June 22, 2020 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 March 10, 2020

Moved By: Mr. Leonard

Seconded By: Ms. Sproule

That the minutes of the Planning Advisory Committee meeting held March 10, 2020 be adopted.

Carried As Amended

(See motion to Amend below which was Carried)

Motion to Amend

Moved By: Councillor Higgins

Seconded By: Mr. Leonard

That the motion to adopt the minutes be amended by deleting 22 and replacing with 10 to correct the date of the previous meeting.

Carried

5 Deputations and/or Presentations

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**6 Briefings**

**a) Mr. Joe Gallivan**, Director of Planning and Economic Development provided the Planning Advisory Committee with the planning briefing

Ms. Rueckwald provided the Planning Advisory Committee with an overview of the current planning applications. It was also noted that the current lean project will lead to township process improvements which will be implemented in the coming months.

**7 Reports to the Planning Advisory Committee**

**a) 2020-064  
Planning and Economic Development  
Submission of Amended Application for Ardoch Lake Draft Plan of  
Vacant Land Condominium (10CD/2012-001)**

Moved By: Councillor Higgins

Seconded By: Mr. Leonard

**Whereas** an amended draft plan has been filed with the County of Frontenac for a Vacant Land Condominium located at Part of Lots 22 & 23, Concessions 1 and 2, Geographic Township of Clarendon, Township of North Frontenac, County of Frontenac referred to as Ardoch Lake;

**And Whereas** there has been significant engagement by the public and agencies throughout the review of the application including two public meetings and the submission of written comments;

**Therefore Be It Resolved That** the Planning Advisory Committee receive the Planning Advisory Committee – Submission of Amended Application for Ardoch Lake Draft Plan of Vacant Land Condominium (10CD/2012-001) and:

- direct staff to circulate notices of amended application in accordance with the *Planning Act*, including members of the public who have requested to be notified;
- direct staff to seek a recommendation from the Council of the Township of North Frontenac; and
- provide direction to staff on the need to hold an additional public meeting.

**Carried As Amended**

(See motion to Amend below which was Carried)

Motion to Amend

Moved By: Councillor Higgins

Seconded By: Mr. Leonard

- That the motion be amended by adding an additional, clause as follows:

**And Further That** the committee will be endorsing that a public meeting be held on July 22, 2020 and although, not required by the Planning Act we will be holding the meeting due to the delay in submission as a courtesy to the public as a whole.

**Carried**

Ms. Rueckwald gave an overview of the Ardoch Lake Draft Plan which included changes to the draft plan that was submitted at the August 2017 Public Meeting. Councillor Higgins noted that the developer is not required to follow the new planning guidelines and has been very accommodating and diligent in complying with the additional requirements of North Frontenac Township.

Councillor Higgins noted that one map in the Ardoch applications states "potential Walleye Spawning site". The lake association monitors spawning sites and this is not a "potential" spawning bed it is a confirmed spawning bed.

Ms. Rueckwald noted that these reports that were submitted will be reviewed in full detail and all applicable changes will be corrected. Mr. Rueckwald will contact the developer and advise of the confirmed spawning location.

In response to having a public meeting, it was the consensus of the committee members to have a public meeting. It was noted that this is not required by the planning act but, due to the delay in submission it will be held as a courtesy to the public as a whole.

Lisa Henderson entered meeting at 10:48 p.m.

**b) 2020-065  
Planning and Economic Development  
Proposed Plan of Subdivision 10T-2020/001 (Sunbury, South  
Frontenac Township)**

This report was for information only.

Ms. Rueckwald provided an over view if the proposed Plan of Subdivision for Sunbury, South Frontenac Township.

Councillor Doyle noted that 20mm of sodium per litre of water seems high and wanted to know if the Committee will receive more information in regards to this issue.

Ms. Rueckwald noted that Malroz Engineering, County peer reviewer for hydrogeological studies, will review the water quality and at that the Committee will receive further information.

**8. Communications**

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9. Other Business

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**10. Next Meeting**

- a) The next regular meeting of the Planning Advisory Committee meeting is scheduled for Monday, September 14, 2020 at the County Administrative Offices.

**11 Adjournment**

Moved By: Councillor Higgins

Seconded By: Mr. Leonard

**That** the meeting hereby adjourn at 11:04 a.m.

**Carried**



# FRONTENAC

## **Minutes of the Planning Advisory Committee Meeting July 22, 2020**

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A meeting of the Planning Advisory Committee was held in virtual electronic format, hosted at the County Administrative Office, 2069 Battersea Road, Glenburnie on Monday, June 22, 2020 at 6:30 p.m.

**Present:**

Councillor Doyle, Chair  
Councillor Higgins  
Phil Leonard  
Barbara Sproule  
Lisa Henderson  
Deputy Warden Vandewal  
Warden Smith

**Staff Present:**

Brieanna McEathron, Administrative Clerk (Recording Secretary)  
Joe Gallivan, Director of Planning and Economic Development  
Megan Rueckwald, Manager of Community Planning  
Kelly Pender, Chief Administrative Officer

**1. Call to Order**

The Chair called the meeting to order at 6:33 p.m.

**3. Disclosure of Pecuniary Interest and General Nature Thereof**

There were none.

**5. Public Meeting Reports to the Planning Advisory Committee****Public Meeting Introduction**

**Notice of Collection** – Personal information collected as a result of this public meeting 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 the applicant, 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.

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 Local Planning Appeal Tribunal, unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

a) **2020-067  
Public Meeting  
Application for Ardoch Lake Draft Plan of Vacant Land Condominium  
(10CD/2012-001)**

This report provides information on an amended application for a proposed plan of vacant land condominium on which the Planning Advisory Committee is seeking input from the public. The Planning Advisory Committee elected to hold an additional public meeting, exceeding requirements of the *Planning Act*, to solicit feedback from the public on the amended draft plan. Two statutory public meetings were held to review the draft plan in August 2014 and August 2017.

Councillor Doyle explained the purpose of the public meeting.

Ms. Brieanna McEathron, Administrative Clerk, announced that pursuant to the Planning Act, a notice was placed in the Frontenac News to advise members of the public of the public meeting as well as a notice circulated to all property owners within 120 meters of the property. Anyone who had previously attended a Public Meeting, provided comments, or requested to be notified was also sent a copy of the Public Meeting notice. A courtesy notice was also placed on the County's website. Notices were circulated on June 29<sup>th</sup>.

Councillor Doyle reviewed the procedure for the public meeting and read the rights and obligations given to the Committee members and members of the public during public meetings.

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

Beverly Saunders, Planner, EcoVue Consulting Services Inc., representing Ardoch Lake Developments Inc. provided an overview of the updated features in regards to the amended application for Plan of Condominium since the previous public meetings in 2014 and 2017. She stated that the original submission proposed 28 waterfront units, 17 inland units (45 total) with 3 internal roads and 6 open space/wetland blocks. The amended application has had a large reduction in units and includes 17 waterfront units, 6 inland units (23 total) accessed by 2 internal roads and 3 blocks for open space/wetland and one communal dock. She noted that generally the *Planning Act* does not require a boating capacity study and at this time neither North Frontenac Township nor the County of Frontenac have required this study. Her teams completed preliminary studies in regards to the Ardoch lake capacity for boats and it is their position that this lake is large enough to accommodate the application. With respect to aesthetic concerns, the development proposes a 30m set-back and limiting docking space to one communal dock. She noted that neither North Frontenac Township nor the County of Frontenac required a traffic study but, it is to be understood that the 2 internal roads will be maintained by the condominium organization.

Chris Ellingwood, GHD, Environmentalist noted that they are aware of the Heron colony and will ensure that there is a 300m buffer zone as to protect the colony. He also noted that they will be in contact with the Ministry to pursue other mitigation measures. It was determined that after an official assessment of the lake that it is better to have a communal dock instead of each property having access to their own dock. An assessment of the shoreline was completed and the communal dock proposed should not interrupt the fish habitat.

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

Councillor Doyle provided members of the public with an opportunity to provide comment.

Brenda Martin stated that her concern is in regards to the communal boat launch. At this time the Malcom Lake boat launch is very busy and dangerous and she is wondering if all of the Ardoch Lake residences proposed will have access to the new communal boat launch as she believe this is the best idea.

Megan Rueckwald stated that she is accepting this comment and indicated that the final design of the communal dock has not yet been undertaken, but a boat launch could be considered to serve the residents of the condominium.

Gord Neilsen, consultant hired by the landowners of Ardoch Lake, provided comments on the Ardoch Lake Development Inc. Development of Condominium Application. A copy of his comments can be found attached to the record in the Clerk's Office.

Beverly Saunders, indicated that both the official plan/policy contemplated development in this area and that herself and the development team are of the opinion that Ardoch Lake is a sufficient size to accommodate this development plan. The proponents have reduced the lots from 43 to 27 and believe that they can mitigate harm to the wetland. She also noted that she is aware of the milfoil and will look into this issue further.

Chris Ellingwood, noted that the amended plan was adjusted for the both the road allowance and the buffer which will be enough mitigation measures to reduce the impact to the wetlands. He noted that there will be a more technical response at a later date to answer all of the questions and comments.

Ruth Cooper, spoke on behalf of Malcolm and Ardoch Lakes Landowners' Association (MALLA) and provided comments regarding the Ardoch Lake Draft Plan for Vacant Land Condominium. A copy of her comments can be found attached to the record in the Clerk's Office.

Megan Rueckwald noted that there has been an influx of tertiary systems all across the province specifically along waterfront.

Brian Palmer, stated that he wanted to address the common space that is being proposed and seeks clarification of boat traffic.

Beverly Saunders, states that she is being very conservative with number of boats compared acreage of Ardoch Lake.

Brian Palmer stated that he finds it disturbing that the dock will have 50 boats attached to it. He then asked how this many boats attached to the boat launch in such a small lake is going to be to aesthetically pleasing. He expressed to all other residents that it is in their best interest to take a look at the proposed common dock when it becomes available to ensure that this does not take away from the aesthetics of the lake.

Beverley Saunders, advised that they are not proposing that 46 boats be docked at the boat launch. She stated in consideration of the lake it is best to have a common boat launch and that the numbers provided are estimates.

Megan Rueckwald stated that any dock that is proposed by Ardoch Lake Developments inc. will be reviewed by the Mississippi Valley Conservation Authority (MVCA) and they would need to be satisfied by the proposed plan of the communal dock.

Brian Palmer asked if the Condominium Corporation is prepared to limit the number of boats that will be allowed to dock at the communal boat launch?

Beverley Saunders, indicated that the detailed design of the communal dock will be enforced by the Condominium Corporation.

Megan Rueckwald indicated that there will be a response letter that is sent out that will respond to all written and verbal comments. This will be a public document and will be included on the Planning Advisory Committee Agenda.

Brenda Martin indicated that the stewardship committee conducts a survey and estimated in regards to how many boats are on Ardoch Lake daily and she thinks that this information would be important for the development team to review this document.

Beverly Saunders and Chris Ellingwood indicated that this may have already been received and reviewed but, both parties will look into this information.

Julie and Greg Marquette, provided a comment in the comment box that read "I am not sure if I am understanding what is being said correctly. We are a current resident of Ardoch Lake and we are not seasonal residents. we are at our cottage more than we are at our other residence so I just wanted to make that clear that we are there all year round for more than half of the week every week. We have all the boats coming from Malcolm Lake we already have a lot of boats on the lake. The boating capacity if this development went through would definitely be excessive. I am disappointed to hear that you are not concerned with this because we definitely are very concerned, but for the environment and for our enjoyment of the lake, this proposal should absolutely not go forward I can't even believe we are discussing this? Do you realize how small our lake is? This is completely unacceptable. Has this woman speaking even seen the lake? What is educational material and signage going to do for the already big problem of invasive species problem we have? I don't think she gets how small our lake. We have 5 boats on the lake now almost daily not alone before all of these units for a dock to be able to accommodate 23 units (boats) the dock would have to stretch across the lake, this makes no sense what so ever. You are wrong big time!!!"

Beverly Saunders, reiterated that at this time with all of the studies and estimates in regards to boating capacity the lake is more than sufficient to accommodate this condominium proposal.

John Cooper wrote in the comment box that Gord Nielsen is a consultant hired by landowners on Ardoch Lake and to please use the chair's prerogative to extend his ten minutes if required.

Brian Palmer wrote in the comment box and spoke to that if there was no evidence of turtles on the development site that he has photographs of two female snapping turtles laying eggs at the intersection of the development access road with the Ardoch Road. Snapping turtles are faithful to their nest sites and return each year for up to 80 years. The fact that the environmental assessment done by the development company was unable to find evidence of turtles, calls into question the efficiency and diligence of said assessment.

Chris Ellingwood noted that the development company has actually found snapping turtles on the site when they conducted their environmental impact study. He noted that there will be numerous mitigation measures to ensure that the snapping turtles will not be affected at the time of construction.

Megan Rueckwald, read an email submission on behalf of Bruce Moore, President of the North Frontenac Lake Association Alliance. This statement read:

"Dear Chair

As the President of the North Frontenac Lake Association Alliance, I speak on behalf of the 20 Lake Associations located within the Township. These Lake Associations are aware of the ongoing discussions that the Ardoch Lake Condominium Proposal has involved. At this stage, most of what needs to be said may be considered, by some, to have been said and that the marathon is nearing the finish line.

Our 20 Lake Associations, representing a very significant majority of the Township's tax base, seriously disagrees with the introduction of lot size averaging as an approach to justify that the development is in compliance with the Official Plan. The outcome, if accepted, will be that 16-17 of the 23 lots will be below the 77 metre waterfront frontage as set forth in the Township's Official Plan of May 2017. We disagree with the various ways and means by which other factors are used to consider the plan in compliance. It was always considered, throughout the Official Planning Process, that lot area and water frontage would be base line minimums to be enhanced by other environmentally appropriate interventions.

Those responsible for taking this decision should be aware that:

1. The Federation of Ontario Cottagers Associations has no knowledge of lot averaging being used to permit lowering the lot area and frontage below that of their Township or County's Official Plan. FOCA is the largest coalition of lake front property owners across the province.
2. Today, July 22, during the meeting of the FOCA Board of Directors, the Directors express alarm that this was happening, spoke to the precedent setting consequences of a favourable decision, also reinforcing no known cases of lot size averaging.
3. The Chair of the Lake Networking Group, a well-known, broad-based lake association network in the wider region, also expressed concern that this approach was being considered and further reinforcing that lot size where a base

to be enhanced by other measures but not reduced by use of other environmental and social/political factors. The NFLAA, as with FOCA, recognizes the need for development. We recognize the thin tax base in many sectors of our rural areas. This is not the issue. The issue is development in compliance with agreed standards.

The NFLAA requests to have these comments put into the record of this meeting showing that our Alliance of 20 Lake Associations is not in agreement with the use of lot size averaging to justify approval for the proposal.

It is not a legitimate claim and puts the Official Plan's credibility at risk of further misuse if subject to the precedent this proposal will have, if approved.

Thank you for your consideration of our submissions".

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

**8. Communications**



**10. Next Meeting**

- a) The next regular meeting of the Planning Advisory Committee meeting is scheduled for Monday, September 14, 2020 at the County Administrative Offices

**11. Adjournment**

Moved By: Warden Smith  
Seconded By: Ms. Barbara Sproule

**That** the meeting hereby adjourn at 8:43 p.m.

**Carried**



**Report 2020-091**

**Committee Recommend Report**

**To:** Chair and Members of the Planning Advisory Committee

**From:** Megan Rueckwald, Manager of Community Planning

**Date of meeting:** October 14, 2020

**Re: Planning Advisory Committee – Application for Draft Plan of Vacant Land Condominium Approval 10CD-2012/001 located at Part of Lots 22 &23, Concessions 1 & 2, Geographic Township of Clarendon, Township of North Frontenac, County of Frontenac (Ardoch Lake)**

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**Recommendation**

**Whereas** an application has been filed with the County of Frontenac for a Draft Plan of Vacant Land Condominium located at Part of Lots 22 &23, Concessions 1 & 2, Geographic Township of Clarendon, Township of North Frontenac, County of Frontenac;

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

**And Whereas** the application is consistent with the Provincial Policy Statement (2020), conforms to the Frontenac County Official Plan, Township of North Frontenac Official Plan, will comply with the Township of North Frontenac Zoning By-law, and has been reviewed in accordance with the criteria of Section 51 (24) of the *Planning Act*.

**Therefore Be It Resolved That** the Planning Advisory Committee receive the Planning Advisory Committee – Application for Draft Plan of Vacant Land Condominium Approval 10CD-2012/001 located at Part of Lots 22 &23, Concessions 1 & 2, Geographic Township of Clarendon, Township of North Frontenac, County of Frontenac (Ardoch Lake) report;

**And Further That** the Council of the County of Frontenac approve 10CD-2012/001 vacant land condominium development, including Draft Conditions of Approval attached to this report as Attachment 2.

**Background**

On January 4, 2012, the County of Frontenac deemed an application complete for a plan of vacant land condominium submitted by EcoVue Consulting Services on behalf of Ardoch Lake Developments Inc., with respect to lands described as Part of Lots 22 & 23, Concessions 1 and 2, Geographic Township of Clarendon, Township of North Frontenac, County of Frontenac. The original submission proposed the creation of 28 waterfront units and 17 inland units, totaling 45 residential units, with three internal roads and six open space/wetland blocks on the subject property.

Since that time, several amendments have been made to the draft plan in response to comments received through the technical circulation and public meetings. On September 3, 2020, the County of Frontenac received an amended application in response to comments received at the August 14, 2020, Township of North Frontenac Council meeting and public comments at the July 22, 2020 public meeting.

The amended development consists of 15 waterfront and 8 inland residential units to be serviced with private services (23 units total) with access along 2 blocks of common element roads with 3 blocks for open space/wetland and 1 block for communal docking/water access. The amended application reduces the number of waterfront units from 15; each waterfront unit has a minimum of 77 meters of waterfrontage along Ardoch Lake and is a minimum of 0.8 ha in area. Previous inland Unit 23 has been divided in three to create to 2 additional inland units, meeting the minimum frontage and area requirements for a rural lot. The septic systems inland units for inland Units 16 – 22 will be setback a minimum of 300 meters from the highwater mark of Ardoch Lake; the septic system on Unit 23 will be setback over 100m from the highwater mark of Ardoch Lake, but within 300 meters and as such will be a tertiary system.

Public meetings were held in August 2014, August 2017, and July 2020 to receive comments from the public on the proposed application.

The County has now received recommended conditions of draft approval from each of the required commenting agencies and the Township of North Frontenac, all in support of the amended application. Planning Advisory Committee will put forth a recommendation to County Council for the October 21, 2020 Council meeting to either draft approve or refuse the application. A notice of decision will be prepared by planning staff following the decision and circulated in accordance with the *Planning Act*.

**Application**

The application was submitted to the County of Frontenac in December 2011 and deemed complete January 4, 2012. Through the technical review process, a number of iterations to the draft plan were proposed; the draft plan for vacant land condominium before Council is dated September 2020 (Attachment 1). The following studies and corresponding addendums have been received by the County in support of the amended application:

- EcoVue Consulting Inc. Planning Report Addendum March 12, 2020; 2020 Provincial Policy Statement Consistency Letter prepared by EcoVue Consulting Services, July 10, 2020; EcoVue Consulting Inc. Response to North Frontenac Council Comments, September 3, 2020;
- Genivar, Phosphorus Budget Assessment (Response to Comments), July 6, 2012, technical addendum October 23, 2012;
- Niblett Environmental Associates, Environmental Impact Study (Response to Comments), November 12, 2012; Addendum Report March 26, 2015; Final Addendum, January 13, 2020; and Update to Environmental Impact Study, July 10, 2020;
- Genivar Servicing Options Statement (Response to Comments), July 2013; Revised Letter prepared by WSP, August 14, 2017; Final Servicing Plan prepared by WSP, July 2020; WSP, Conceptual Lot Servicing Plan, September, 2020;
- D.M. Wills, Stormwater Management Brief, December 23, 2011;
- Jagger Hims Ltd. Rural Servicing Study, November 2007; Addendum prepared by Genivar April 12, 2011; Response to Comments prepared by Genivar, September 12, 2012; and
- Northeastern Archaeological Associates, Archaeological Assessment Stage 1 to 3, March 2009.

**Proposed Development**

The subject land is approximately 228 acres in area with approximately 1.8 kilometers of frontage along Ardoch Lake and is accessed from Ardoch Road, a Township maintained road. The lands are located on the southern shores of Ardoch Lake and located in a rural area within the Township. Existing uses in the vicinity of the development include developed waterfront residential lots along the northern side of Ardoch Lake along with larger rural lots surrounding the subject lands. The lands can be described as hilly, with rock outcrops, meadows, extensive tree cover and areas of wetlands, including the large wetland contained in Block 'B' with an identified heron rookery. Two watercourses cross the property, generally draining in a northern direction to wetlands identified along the shoreline of Ardoch Lake.

The applicant is proposing to develop a Vacant Land Condominium containing 23 units on which single-detached dwellings are proposed to be constructed that will front on and be accessed by common element private roads. The 15 residential waterfront units will range in area from 0.8 hectares to 2.3 hectares with a minimum of 77 meters of waterfrontage along Ardoch Lake. The 8 inland units will range in area from 1.7 hectares to 4.7 hectares with a minimum of 109 meters of frontage along the private roads. Access will be provided from Ardoch Road over the existing access lane, which will be

constructed in accordance with the Private Roads Standards. Three common element blocks are proposed for wetland/open space identified as Block 'A', 'B' and 'C'. Block 'D' is proposed to be a common access point for the waterfront and will contain a communal docking location and boat launch facility to be used by waterfront properties that are not permitted individual docks and inland units. The proposed 23 residential units will be accessed through individual entrances from the private roads. Each lot will be privately serviced with individual private septic and water services.

**Table 1.** Lot frontage, area and intended use of the units and blocks of the proposed vacant land condominium.

| PROPOSED LAND USE |              |           |           |                                        |          |  |
|-------------------|--------------|-----------|-----------|----------------------------------------|----------|--|
| Location          | Frontage (m) |           | Area (ha) | Intended Use                           | Total    |  |
|                   | R.O.W.       | Shoreline |           |                                        |          |  |
| LOT 1             | 481.95       | —         | 5.624     | Seasonal Residential (linked on title) | 20 Units |  |
| LOT 1A            | 207.80       | 202.19    | 0.820     |                                        |          |  |
| LOT 2             | 158.60       | 159.42    | 2.372     |                                        |          |  |
| LOT 3             | 157.63       | 150.56    | 0.948     |                                        |          |  |
| LOT 4             | 93.65        | 90.00     | 0.835     |                                        |          |  |
| LOT 5             | 85.71        | 85.00     | 0.876     |                                        |          |  |
| LOT 6             | 96.91        | 96.47     | 1.262     |                                        |          |  |
| LOT 7             | 80.00        | 79.76     | 1.040     |                                        |          |  |
| LOT 8             | 80.50        | 80.00     | 1.180     |                                        |          |  |
| LOT 9             | 80.20        | 80.00     | 1.294     |                                        |          |  |
| LOT 10            | 81.00        | 80.00     | 1.460     | Seasonal Residential                   |          |  |
| LOT 11            | 112.49       | 90.00     | 1.140     |                                        |          |  |
| LOT 12            | 77.97        | 80.00     | 1.014     |                                        |          |  |
| LOT 13            | 88.94        | 80.00     | 1.384     |                                        |          |  |
| LOT 14            | 62.55        | 100.23    | 1.575     |                                        |          |  |
| LOT 15            | 75.48        | 77.00     | 2.290     |                                        |          |  |
| LOT 16            | 344.70       | —         | 1.793     |                                        |          |  |
| LOT 17            | 143.72       | —         | 2.345     |                                        |          |  |
| LOT 18            | 123.96       | —         | 2.144     |                                        |          |  |
| LOT 19            | 109.23       | —         | 2.545     |                                        |          |  |
| LOT 20            | 142.73       | —         | 3.756     |                                        |          |  |
| Sub-Total         | N/A          | N/A       | 37.733 ha | N/A                                    | 20 Units |  |

| PROPOSED LAND USE |                      |           |                |                                  |         |
|-------------------|----------------------|-----------|----------------|----------------------------------|---------|
| Location          | Frontage (m)         |           | Area (ha)      | Intended Use                     | Total   |
|                   | R.O.W.               | Shoreline |                |                                  |         |
| LOT 21            | 181.92               | —         | 4.761          | Seasonal Residential             | 3 Units |
| LOT 22            | 180.12               | —         | 2.792          |                                  |         |
| LOT 23            | 144.12               | —         | 2.088          |                                  |         |
| R.O.W.'s          | (Road A)<br>(Road B) |           | 4.374<br>1.166 | Road subject to Easement Road    |         |
| OPEN SPC          | (Blocks A,B,C)       |           | 39.446         | Open space/ Wetland/ Watercourse |         |
| WATER ACCESS      | (Block D)            |           | 0.846          | Common Water Access              |         |
| TOTAL             |                      |           | 93.206 ha      | 23 Units AND COMMON ELEMENTS     |         |

The development proposes a 30 meter vegetated buffer along the waterfront units, with a maximum clearing width of 1.5 meters for access to the waterfront and no waterfront structures within the 30 meter setback with the exception of a dock along the waterfront units outside of the identified fish spawning grounds. A 40 meter setback for structures and building (excluding septic systems) is recommended by staff to achieve a cleared area of 10 meters between the vegetated buffer and residential development. Block 'D' is proposed for communal access to the waterfront and it is recommended by staff that the proposed design incorporate a boat launch facility and shall be constructed to accommodate access to the water and shall be designed to minimize aesthetic and water quality impacts along the waterfront. Township of North Frontenac Council supported individual docks on waterfront units beyond the fish spawning grounds with restricted area (6 feet by 18 feet); these provisions will be included in the corresponding Township zoning bylaw amendment application.

In 2018, Ministry of the Environment, Conservation and Parks provided an update on the lake capacity model to assess the condominium application and its impact on the trophic status of the lake. The County of Frontenac directed that the condominium development be modelled as "permanent year-round residential" and that the sewage systems for all

of the waterfront units will use a phosphorous reduction technology capable of consistently achieving a phosphorous effluent concentration of at least 1mg/L. The Ministry concluded that the Ardoch Lake phosphorous concentrations resulting from the conversion of the existing development to extended seasonal usage and the proposed condominium are considered an acceptable change in phosphorus levels. Conditions of draft plan approval include the requirement for phosphorous reduction technology consistently achieving a phosphorous reduction technology of at least 1mg/L along with a maintenance agreement that requires regular monitoring and testing. The septic systems on the 7 of the inland units will be located a minimum of 300 meters from the highwater mark of Ardoch Lake as proposed through the comprehensive zoning bylaw amendment. Unit 23 will not be located outside of the 300 meter setback and subsequently will be required to be a tertiary system.

### **Agency Comments**

The County circulated the draft plan of condominium application to a number of agencies for review and comment. The County coordinated with the Township of North Frontenac planning, building, public works and emergency services staff to develop the conditions of draft plan approval along with the review from KFL&A Public Health, Ministry of the Environment, Conservation and Parks, and Mississippi Valley Conservation Authority. Conditions included in Attachment 2 are a result of a coordinated review from the agencies and consideration of public comments.

#### **Malroz Engineering, County of Frontenac Peer Review – Hydrogeology**

A peer review was completed by Malroz Engineering on behalf of the County of Frontenac to review the hydrogeological study submitted. Malroz has no objection to the study as presented and recommend that septic systems be upgradient of the water supply wells; this recommendation has been incorporated into the Concept Plan prepared by WSP.

#### **Ministry of the Environment, Conservation and Parks**

In comments dated May 29, 2020, Ministry staff supported the application as revised (17 waterfront units) given consideration to the amendments to the development which reduce the proposed number of dwelling units.

#### **Mississippi Valley Conservation Authority (MVCA)**

In comments received June 3, 2020, MVCA completed a review of the amended application with consideration to the revised Environmental Impact Statement including fish habitat and communal docking, heron colony, lakes/wetlands, and watercourses. The comments received also included review of the lot development and site assessment, stormwater management plan, and site servicing and lake capacity. MVCA staff recommended clarification on the recommended development setback from the two identified tributaries of the lake identified in their assessment of watercourses and also included recommended draft plan conditions. Two conditions were highlighted in the comment letter including:

1. The preparation of one final EIS that incorporates all recommendations of all versions and Addendums, for ease of reference in the Draft Plan Conditions and for future homeowners. In addition, the following modifications to *Section 7.0 Recommendations* in the EIS are recommended:

- Include all recommendations found throughout the EIS, including recommended setbacks from both wetlands, and the retention of vegetative buffers from wetlands, watercourses, and lake.
- Amend recommendation 3) to include a maximum tree clearing, in terms of a percentage;
- Amend recommendation 8), concerning approvals for the communal dock to add MVCA as an approval agency.

2. A Constraints Plan shall be prepared that shows all natural heritage features and natural hazards and their recommended setbacks and vegetative buffers, in relation to the proposed building envelopes, as follows:

- Ardoch Lake, its 30m setback and vegetative buffer;
- Two tributaries, their development setback and vegetative buffer;
- Two wetlands, their 30m setback and vegetative buffer;
- Active Herony Colony and 300m setback;
- Walleye Spawning Area;
- 10 m setback from the crest of slopes exceeding 3:1 (H:V) and 3m in height;
- Proposed building envelope including dwelling, septic, laneway.

The draft plan conditions contained in Attachment 2 incorporate the revisions from Mississippi Valley Conservation Authority and the constraints were added to the Draft Plan of Vacant Land Condominium.

#### **KFL&A Public Health**

Comments received June 1, 2020, indicate that KFL&A Public Health have no objection to the proposal and included conditions to be included as part of draft plan approval and the subsequent condominium agreement. The conditions included:

- The site servicing plan showing the location of the house, well and the envelopes for the primary and alternative sewage system locations is to be provided to all purchasers of lots in the subdivision, along with all of the conditions listed below that will become part of the subdivision plan. The reserved areas for the primary and alternate sewage system locations much each by 500m<sup>2</sup>; the mantle portion of the reserved areas may overlap.
- Primary and alternate sewage system locations are to be reserved and maintained solely for that purpose. No constructions of wells, homes,

driveways, pools, garages or other structures is to take place in the primary or alternate locations.

- Existing soil conditions may necessitate the importation of suitable fill for the installation of the sewage system, resulting in partially or fully raised sewage systems.
- As the sewage systems are raised, pumps may be required.
- Deviations from the locations on the site servicing plan with respect to sewage location may require the submission of an engineering report/design and terrain analysis supporting the proposed changes (including the potential impact on adjoining properties).

In response to the comments received from Mississippi Valley Conservation Authority, KFL&A Public Health and the County of Frontenac and in preparation for the July 22<sup>nd</sup>, 2020 Public Meeting, EcoVue Consulting Services prepared a Response to Comments letter dated July 10, 2020. The responses review the recommendations of the commenting agencies and highlights amendments made to the proposed draft plan and conditions of draft plan approval. The application was then amended in response to the comments received from North Frontenac Council at the August Township Council meeting.

Documents submitted include:

- Amended Draft Plan of Vacant Land Condominium prepared by DM Wills, September 2020, which includes an overlay of all development constraints identified on the property, including but not limited to setbacks, confirmed spawning grounds, and identification of natural features.
- Update to Environmental Impact Study prepared by GHD (formerly Niblett Environmental Associates), July 10, 2020, which responds to the comments provided by Mississippi Valley Conservation Authority and compiles all recommended environmental conditions of draft plan approval into a single document.
- Amended Concept Plan prepared by WSP, September 2020, with identified natural heritage constraints and setbacks, inclusion of the 300 meter setback for the placement of septic systems for the inland units, and demonstration of primary and alternative sewage system location each with an area of 500m<sup>2</sup>.
- 2020 Provincial Policy Statement Consistency Letter prepared by EcoVue Consulting Services, July 10, 2020, demonstrating how the proposed development is consistent with the new Provincial Policy Statement.

### **Township of North Frontenac Council**

At the September 9, 2020 Township of North Frontenac Council meeting, Township Council passed the following resolutions:

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Recommend Report to Planning Advisory Committee  
Application for Draft Plan of Vacant Land Condominium Approval 10CD-2012/001 Ardoch Lake  
October 14, 2020

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**#336-20**

Revised Draft Plan for Ardoch Lake Condominium Development – Beverly Saunder, B. Sc., M.Sc., E.P., Land Use and Environmental Planner

**Moved by Deputy Mayor Martin, Seconded by Councillor Fowler #336-20**

**Be It Resolved That** Council receives for information the Delegation and Report from Beverly Saunders, Land Use and Environmental Planner, EcoVue Consulting Services, Inc. regarding the Amended Ardoch Lake Development Inc. Draft Plan of Vacant Land Condominium and Amended Zoning By-law Amendment;

**And That** Council receives the detailed response to Council concerns raised at the August 14, 2020 Council Meeting;

**And That** the Developer is seeking input from Council on docking options and has provided five options for consideration including:

1. Prohibiting docks on the shoreline lots and not allowing any mooring, necessitating boats to be removed after each use (proposal brought forward on August 14, 2020);
2. Option 1 but allowing some boat slips at the common docking area for day use only, with no permanent seasonal mooring of boats;
3. The allowance of new individual docks for shoreline lots that do not have frontage adjacent to the walleye spawning area, plus the inclusion of 3 boat slips in the common docking area for the remaining shoreline lots – backlots would be required to remove boats after each use;
4. Option 3 but with 6 boat slips to enable daytime mooring for backlot use;
5. Option 3 but with 11 boat slips at the common docking area, allowing every lot (including backlots) to have a boat seasonally moored.

**And That**, should the development be approved by County Council, Council supports Option 4 for docking;

**And That** Council supports a maximum dock size of 6 feet by 18 feet for the private lots.

This was a Recorded Vote:

|  |                                           |     |
|-----------------------------------------------------------------------------------|-------------------------------------------|-----|
| Yes✓                                                                              | Name of Member of Council                 | No✓ |
| ✓                                                                                 | Councillor Fowler                         |     |
| ✓                                                                                 | Councillor Good                           |     |
| ✓                                                                                 | Councillor Hermer                         |     |
|                                                                                   | Councillor Inglis                         | ✓   |
| ✓                                                                                 | Deputy Mayor Martin                       |     |
|                                                                                   | Councillor Perry                          |     |
| ✓                                                                                 | Mayor Higgins                             |     |
| 5                                                                                 | Carried by:                      Lost by: | 1   |

**Carried**

**#338-20**

Suspend the Rules of Procedure to Reconsider a Decided Matter

**Moved by Deputy Mayor Martin, Seconded by Councillor Hermer      #338-20**

**Be It Resolved That**, as per Section 4.12 of the Procedural Policy, Council does hereby suspend the rules of procedure to permit reconsideration of a decided matter by Council within the last year, specifically the Draft Plan for the Ardoch Lake Condominium Development;

**And That** Council has received the Amended Application and Reports from the Planner representing the Developer and the Contract Planner for the Township at today's Meeting and based on these amendments which address Council's concerns raised at the August 14, 2020 Council Meeting, Council recommends the County of Frontenac approve the Plan of Vacant Land Condominium 10CD-2012/001 (Ardoch Lake) as amended, with the conditions outlined in the Planning Report "Ardoch Lake Draft Plan of Vacant Land Condominium – Amended Application" from the September 11, 2020 Township Council Meeting, as amended based on the supported docking proposal.

**Carried**

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Recommend Report to Planning Advisory Committee  
Application for Draft Plan of Vacant Land Condominium Approval 10CD-2012/001 Ardoch Lake  
October 14, 2020

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**Public Comments**

The application was circulated to all members of the public who requested to be notified and all property owners within 120 meters of the subject lands as part of the July 22, 2020 Public Meeting. All public comments received to date were circulated to the Planning Advisory Committee August 11, 2020. No additional public comments have been received since then. EcoVue Consulting prepared a response to public comments received and comments from North Frontenac Township Council that were circulated to the Planning Advisory Committee on September 4, 2020. Both documents have been included as correspondence on the October 14<sup>th</sup> Planning Advisory Committee agenda.

**Planning Analysis****Provincial Policy Statement, 2020**

The 2020 Provincial Policy Statement (PPS) provides direction on matters of Provincial interest related to land use planning and development. The PPS promotes efficient land use and development patterns that support strong, liveable and healthy communities, protect the environment and public health and safety, and facilitate economic growth. Section 2 of the Planning Act requires that decisions be 'consistent with' the PPS; a new PPS came into effect on May 1, 2020.

When assessing development applications on rural lands, planning authorities must comply with Section 1.1.5.1 of the PPS; this section requires application of relevant policy of Section 1: Building Strong Healthy Communities, Section 2: Wise Use and Management of Resources, and Section 3: Protecting Public Health and Safety by the approval authority.

Section 1: Building Strong Healthy Communities of the PPS promotes the building of healthy communities and includes policies about avoiding development and land use patterns which may cause environmental or public health and safety concerns. Section 1.1.5.2 of the PPS permits residential development that is locally appropriate on rural lands in Ontario municipalities and also resource-based recreational uses (including recreational dwellings) and in Section 1.1.5.4 promotes development that is compatible with the rural landscape and can be sustained by rural service levels. Section 1.1.4.1 a. speaks to building upon rural character and leveraging rural amenities.

Section 2: Wise Use and Management of Resources of the PPS contains policies that encourage the protection of natural heritage, water, agricultural, mineral and cultural heritage and archaeological resources for their economic, environmental and social benefits. The proposed development has been reviewed by Mississippi Valley Conservation Authority and the Ministry of the Environment, Conservation and Parks, who have proposed conditions of draft plan approval to support the development. The proposed conditions of draft plan approval protect natural features and area for the long-term.

Section 3: Protecting Public Health and Safety of the PPS contains policies intended to reduce the potential for public cost or risk to Ontario's residents from natural or human-

made hazards. The applications were circulated to Mississippi Valley Conservation Authority (MVCA) and the Ministry of the Environment, Conservation and Parks for review. The Conservation Authority identified setback requirements from steep slope on Unit 2, recommended a setback of 10 meters from the top of slope.

The proposed development is consistent with the direction of the PPS. In terms of its location, as outlined above, the proposed resource-based recreational uses on the residential lots with low density on a private 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.

### **County of Frontenac Official Plan, 2016**

The County of Frontenac Official Plan is a framework for guiding development in the County through the management and protection of the natural environment and by providing direction and influence on growth patterns. It is focused on the six themes of economic sustainability, growth management, community building, housing and social services, heritage and culture, and environmental sustainability.

Section 3: Growth Management sets out policies intended to help guide new development across the County as well as manage change at a regional level. The policies in the Rural Lands section are meant to recognize the importance of rural areas for future growth and create guidelines for development that is sensitive to the surroundings. The proposed residential units have identified building envelopes, with primary and secondary locations reserved for septic systems, and entrances proposed from the private lane, which will be upgraded as a condition of draft plan approval. The Blocks proposed relate to the site's topography, vegetation, soil and drainage characteristics. The proposed lots are adequate in size to provide individual services and do not land lock any adjacent parcels.

Section 3: Growth Management also contains special policies for development in waterfront areas. The Official Plan specifies that lands generally located within 150 m of a lake are to be considered Waterfront Areas. Section 3.3.3.4 permits residential development in these areas, with the intent of improving and protecting them as cultural, recreational, economic, and natural resources. Section 3.3.3.4.4 (7) of the Frontenac County Official Plan requires that Township Official Plans and Zoning By-laws include policies that will maintain the shoreline character and water quality of Waterfront Areas.

Section 3.3.3.4.2 Goal of the Plan is to improve and protect the waterfront area 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. Objectives in this section include ensuring that the built form along the shoreline is not overly concentrated, maintain and improve water quality on a watershed-wide basis and to maintain, enhance and/or restore the majority of the developed and undeveloped shorelines in their natural state by promoting property stewardship. The proposal has been reviewed by Mississippi Valley Conservation Authority and the recommendations included as conditions for draft approval. Provisions

will be included in the subsequent zoning bylaw amendment to limit the impact of residential units along Ardoch Lake, including phosphorous reduction technology to be included in the septic systems, a 30 meter vegetated buffer, a maximum clearing width of 1.5 meters through the vegetated buffer, the exclusion of waterfront structures within 30 meters (except for docks along waterfront units beyond the identified spawning grounds and communal docking), and an enhanced waterbody setback of 40 meters for buildings and structures along the water (with the exception of a septic system and individual docks).

Section 4.2: Servicing provides policies for the use of private services provided that site conditions are suitable for the long-term provision of such services with no negative impacts. KFL&A Public Health and the Ministry of the Environment, Conservation and Parks were circulated as part of the application review process to ensure the proposed units can be adequately serviced. The file was also reviewed by the County's hydrogeology peer reviewer, Malroz Engineering Inc., who recommended conditions of draft plan approval as outlined in Attachment 2.

Section 7: Environmental Sustainability of the County's Official Plan sets out policies for environmental sustainability and protection of the natural heritage system and ecological functions provided. This policies have been addressed with the proposed development.

The proposed vacant land condominium conforms to the County of Frontenac Official Plan, 2016.

#### **Township of North Frontenac Official Plan, 2017**

The subject property is designated as Rural Area and Waterfront Area in the Township's Official Plan.

Section 2 Basis of the Official Plan states that 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 healthy and sustainable growth while encouraging economic development which will benefit all residents of the Township. Section 2.3 Objectives of the Plan sets out a number of objectives that are to be considered in relation to each other and are not mutually exclusive.

All development within the Township of North Frontenac is subject to the General Development policies contained in Section 3 of the Official Plan.

Section 3.4 Cultural Heritage and Archeological Resources requires the completion of an archaeological assessment. An Archaeological Assessment Stage 1 to 3 was completed by Northeastern Archaeological Associates (March 2009) and entered into the Ontario Public Register of Archaeological Reports as confirmed by the Ministry of Tourism, Culture and Sports (January 22, 2014).

Section 3.14 Shoreline Structures of the Official Plan supports shoreline structures only for uses by which their natural need to be located near the shoreline, such as docks, boathouses, marine storage sheds, viewing platforms and docks. The application proposes an amendment to the Township Zoning Bylaw to restrict shoreline structures on the waterfront residential units and instead proposing communal access on Block 'D' and to only permit individual docks on waterfront units beyond the spawning grounds. North Frontenac Council recommended a reduced area for docks on individual waterfront units which will be incorporated into the zoning bylaw amendment application. The communal dock will reduce the amount of disturbance along the shoreline and will be constructed in a manner to minimize impact along the waterfront. Draft plan conditions have been amended to reflect the recommendation from the Township of North Frontenac.

Section 3.15 Subdivisions, Condominiums, Consents and Part-lot Control sets out the requirements for when a plan of subdivision/condominium is required as the proper planning tool for the subdivision of land, as opposed to a consent application. It was identified by the County of Frontenac -- approval authority for the proposed development -- that a plan of condominium was required for the proposed development to support the management of the private road and mechanisms for waterfront protection managed through the condominium corporation.

3.16 Waste Disposal includes policy direction for ensuring that the capacity of existing landfill sites will be maintained for future development and that improvements will be undertaken as required. Council, in the review of planning applications, will ensure that there is sufficient capacity to accommodate the waste disposal needs of the proposed development. Planning staff confirmed with the Township Public Works Department that sufficient capacity exists in the Township landfills to support the development. It was a recommendation from the Public Works Department that this development proposal will follow waste management and recycling in the same manner as current North Frontenac residents.

Section 3.17 Water Supply and Sewage Disposal sets out the requirements for water supply and sewage disposal, including development through a plan of condominium for on-site individual services. The application has been reviewed by KFL&A Public Health and the Ministry of the Environment, Conservation and Parks, who have no objection to the application as presented and have included recommended conditions of draft plan approval. The proposed development will be serviced by individual on-site water and sewage services with phosphorous reduction technology proposed for the waterfront units, along with maintenance agreement and requirement monitoring/reporting. Condition 33 requires that the Owner agrees in writing that a permit shall be obtained from the Kingston, Frontenac, Lennox & Addington Public Health Unit, or applicable agency, and that all septic systems be designed to the satisfaction of the Township and MECP including the recommended specifications. Septic systems on the inland units will be located a minimum of 300 meters from the highwater mark of Ardoch Lake or require the installation of a tertiary system for Unit 23.

Stormwater controls and construction mitigation are included as recommended conditions of draft plan approval, supported by Mississippi Valley Conservation Authority. Condition 36 requires that the Owner shall prepare a detailed stormwater management design. The stormwater design shall demonstrate how stormwater drainage from the development will be accommodated, and shall address both water quantity and quality, and erosion and sedimentation control both during and after construction and that appropriate text to implement its findings be included in the Condominium Agreement to the satisfaction of Mississippi Valley Conservation Authority and the Township.

Section 4 Community Development Land Use, provides Council and the public with land use policies that guide development for certain area or land uses in the Township. The policies are to be read in conjunction with Section 3 (General Development Policies) when considering development proposals.

Section 4.3 Rural Residential Uses sets out uses permitted within the Rural Area, including housing types such as permanent rural residential uses including single detached and two unit dwellings, mobile homes and accessory uses including a garden suite and or secondary suites. The application proposes single detached dwellings on individual lots, which conforms to the permitted uses within the Rural Residential Uses section.

Section 4.3 Rural Residential Uses also states that rural residential development shall comply with Section 4.10 – Waterfront Area policies of this Plan, if applicable. The goal of Section 4.10 Waterfront Area is to ensure conservation, protection and enhancement of water resources. The Waterfront Area 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. Waterfront Area policies are intended to govern development within 150 m (500 ft.) of waterbodies and islands with the intent of protecting water quality, shoreline amenities and natural habitat areas. It is Council's intent that the water quality of all waterbodies in the Municipality will be maintained at their present level or enhanced. New development must be considered in light of its impact on the environmental quality of any lake or river.

4.10.3 Basis and Principles outlines principles A-J which apply to growth and development within the Waterfront Area. The principles recognize that the Waterfront Area in North Frontenac is a unique resource and asset and that new lot creation should take place after careful consideration of recreational, environmental, socio-economic, and aesthetic qualities which contribute to the attraction of the waterfront and shared enjoyment. The proposed application reviewed the development in light of recreational, environmental, socio-economic, and aesthetic qualities. Principle D speaks to limiting the density of buildings or structures in the Waterfront Areas as an important part in protecting the character of lakes in North Frontenac, identifying factors such as number of structures, setbacks, vegetated buffers, height, form and location of shoreline structures. The vacant land condominium proposes enhanced vegetated buffers with minimal clearing along waterfront units, greater setbacks for main buildings and

structures, as well as the restriction of any structures along the waterfront, with the expectation of communal docking at Block 'D' and docks along waterfront units beyond the identified spawning grounds. Each of the waterfront units will be a minimum of 0.8 ha in area and have a minimum of 77 meters of frontage along Ardoch Lake.

Section 4.10.5 Objectives outlines the objectives of the Waterfront Area which include character, access and servicing, natural areas, and development. Limiting the density of buildings and structures in the Waterfront Area is an important part of protecting the character of waterbodies in North Frontenac. Permitted uses within the Waterfront Area include low-density residential development. The application is to create 15 waterfront units on the subject property with Blocks 'A', 'B', and 'C' proposed as Wetland/Open House and Block 'D' for communal docking. The units proposed are of sufficient area and size to accommodate the proposed development, with mitigation measures in place to ensure water quality protection.

Section 4.10.6 General Development Policies contains policy direction for new development within the Waterfront Area. General Development Standards, policy F, states that 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. Policy H sets out the Waterfront Area Lot Size, stating that 0.8 hectares (2 acres) and waterfrontage of 77 meters (250 feet) constitute the minimum lot requirement, unless otherwise stated. The proposed waterfront units meet the minimum area requirements, ranging in area from 0.8 hectares to over 2 hectares in area and have a minimum of 77 meters of waterfrontage along Ardoch Lake.

Section 5.3 Private Lane Policies requires that the development of new "waterfront limited service residential lots" on private lanes be considered for approval based on the Private Lane policies contained in the plan. 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. An agreement is required to be registered on title alerting future purchasers that the Township does not maintain the road and that the Township is not responsible for any loss or damage created by the owner's failure to maintain the private lane and further that the owners agree to indemnify the Township for any loss or damage. Condition 4 states "That the Owner shall reimburse the Township of North Frontenac and the County of Frontenac for all legal, engineering, planning, administrative expenses and permit fees, including the cost of any peer review that the Township or the County may require in relation to the development and the fulfillment of conditions." Through conversations with the Public Works Manager, the Township will initiate retaining an engineering firm to assist with the peer review of the development and Condition 5 states that the Township shall require certification by the Owner's professional consultants that the works have been designed and constructed in accordance with the approved reports,

studies, standards and specifications and plans to the satisfaction of the Township. This condition will ensure that works are carried out in accordance with the approved conditions, including the construction of the road.

**Draft Approval Conditions**

The proposed draft approval conditions reflect comments from Township staff and Council and other commenting agencies including Mississippi Valley Conservation Authority, KFL&A Public Health, Ministry of the Environment, Conservation and Parks. The Township condominium agreement will be the main document to implement these comments and conditions. While most of the draft conditions are standard, the Township, Mississippi Valley Conservation Authority and Ministry of the Environment, Conservation and Parks provided conditions specific to the proposed development and waterfront protection. For instance, Condition 21, states “That the Owner shall agree to provide a detailed design of the common access area on Block ‘D’, prepared by a qualified professional, to the satisfaction of the Township, Mississippi Valley Conservation, Ministry of Natural Resources and Forestry (if applicable) and applicable permitting agencies (Department of Fisheries and Oceans, etc.). The design shall incorporate a boat launch facility and shall be constructed to accommodate access to the water and shall be designed to minimize aesthetic and water quality impacts along the waterfront. The owner shall obtain an amendment to the comprehensive Zoning By-law to the satisfaction of the Township to permit communal docking at Block ‘D’.”

**Comments and Discussion**

Based on the foregoing comments and discussion, staff are of the opinion that the Draft Plan of Vacant Land Condominium and related draft conditions are consistent with the Provincial Policy Statement, 2020, and conform to the Frontenac County Official Plan, 2016 and Township of North Frontenac Official Plan, 2017.

**Sustainability Implications**

In 2019, the Council of the Corporation of the County of Frontenac adopted the County of Frontenac Strategic Plan 2019 – 2022 with the mission of effective, efficient and sustainable delivery of services to citizens.

**Priority 1: Get behind plans that build community vitality and resilience in times of growth and change.**

This priority responds to high interest as well as concern shared broadly across the County that communities in the Frontenacs be well supported with infrastructure and services essential to vitality and sustainability in today’s world. This strategy also responds to the pressures for managing growth, housing and development wisely, in ways that are sensitive to local values and priorities.

**Objectives in support of this strategy:**

- Refine and invest in efforts to accelerate economic development — to grow businesses, attract more visits and expand the tax base.
- Pursue proactive planning approaches that reflect local concerns and priorities within strategic regional planning policy so as to enhance service levels, manage rising demand for new housing and deal with new types of development.

The County of Frontenac is the approval authority for plans of subdivision and condominium applications across the County. The County works collaboratively with the Townships, commenting agencies, the public and the applicant throughout the review process to ensure proper development controls are in place to support good planning.

**Financial Implications**

All financial implications of this development will be borne by the developer through the draft plan conditions and the condominium agreement.

**Organizations, Departments and Individuals Consulted and/or Affected**

Planning and Economic Development Department  
Township of North Frontenac  
Members of the Public  
Commenting Agencies (MVCA, KFL&A, MECP, etc)  
Applicant and Applicant's Agent  
John Pyke, Environmental Geoscientist, Malroz Engineering Inc.

**Attachments**

Attachment 1 – Draft Plan of Vacant Land Condominium  
Attachment 2 – Draft Plan Conditions for 10CD-2012/001

**Attachment 2 – Conditions of Draft Plan Approval, 10CD/2012-001 (Ardoch Lake)**

Please find below the proposed conditions for draft plan approval of vacant land condominium 10CD/2012-001:

1. That this approval applies to the Draft Plan of Vacant Land Condominium dated **September 14, 2020**, showing a total of 23 residential Units, 4 Blocks and two private lanes, prepared and certified by DM Wills and Associates (engineer).
2. That the Owner shall agree to enter into a condominium agreement with the Township of North Frontenac, to the satisfaction of the Township and to be registered on title of the subject land.
3. That the Owner shall agree in writing to satisfy all the requirements, financial or otherwise to the Township of North Frontenac concerning the provision/upgrade of roads, installation of services, drainage works, utilities and all other required works in accordance with the Township's Design Criteria and Guidelines. Further, that the development, construction and use of the lands in this condominium shall be in accordance with the following reports submitted with the application for draft approval, unless otherwise amended, modified, or directed in writing by the Township and as secured in the condominium agreement:
  - EcoVue Consulting Inc. Response to North Frontenac Council Comments, September 3, 2020
  - WSP, Conceptual Lot Servicing Plan, September, 2020
  - EcoVue Consulting Inc. Planning Report Addendum March 12, 2020;
  - Genivar, Phosphorus Budget Assessment (Response to Comments), July 6, 2012, technical addendum October 23, 2012;
  - Niblett Environmental Associates, Environmental Impact Study (Response to Comments), November 12, 2012; Addendum Report March 26, 2015; Final Addendum, January 13, 2020; and Update to Environmental Impact Study, July 10, 2020;

- Genivar Servicing Options Statement (Response to Comments), July 2013; Revised Letter prepared by WSP, August 14, 2017; Final Servicing Plan prepared by WSP, July 2020;
  - D.M. Wills, Stormwater Management Brief, December 23, 2011;
  - Jagger Hims Ltd. Rural Servicing Study, November 2007; Addendum prepared by Genivar April 12, 2011; Response to Comments prepared by Genivar, September 12, 2012;
  - Northeastern Archaeological Associates, Archaeological Assessment Stage 1 to 3, March 2009;
4. That the Owner shall reimburse the Township of North Frontenac and the County of Frontenac for all legal, engineering, planning, administrative expenses and permit fees, including the cost of any peer review that the Township or the County may require in relation to the development and the fulfillment of conditions.
  5. That the Owner acknowledges and agrees that all reports and studies required as a result of approval of the Plan of Vacant Land Condominium shall be implemented to the satisfaction of the Township at the sole expense of the Owner. Further, that the Township shall require certification by the Owner's professional consultants that the works have been designed and constructed in accordance with the approved reports, studies, standards and specifications and plans to the satisfaction of the Township.
  6. That the Owner shall prepare and furnish, at its own cost, all plans, specifications, calculations, contours or other information pertaining to the works which may be required by the Township, and shall also prepare and submit to the Township estimates of the quantities and costs of the Municipal Works, and substantiate same to the Township if requested. In all respects, the specifications used for the Municipal Works shall be equivalent to or exceed Township specifications and, in all cases, be acceptable to the Township.
  7. That the two proposed private lanes shown in the draft plan (Road A and B, from the intersection with Ardoch Road) be designed and constructed, at a minimum, in accordance with Township Design Criteria and Standards and Private Lane Standards for new private lanes.

8. That the condominium roads be subject to a joint use agreement, or comparable agreement, to be registered on title, between the condominium corporation/declarant and any property owners beyond the subject lands that gain access over the condominium road to the satisfaction of the Township.
9. That an easement in favour of CLARENDON NE RANGE PT LOT 21;22,23 CON 2 PT LOT 22 23 SW;RANGE PT LOT 21,22 RP 13R;5753 PT PART 2 shall be established over Road A (and the retained lands, if applicable) to maintain the current access to 5026A Ardoch Road to the satisfaction of the Township. This condition shall be deemed to be satisfied if alternative legal access to 5026A is obtained to the satisfaction of the Township.
10. That the retained lands to the north of Road A, abutting 5026A Ardoch Road, will not be a standalone, legally conveyable parcel of land in the Land Registry Office to the satisfaction of the Township.
11. That the Owner agrees in writing that any easements as may be required for utility, road access, or drainage purposes shall be granted to the appropriate authority or residence.
12. That the Owner, shall ensure all dedications, easements and reserves as required by the Township for this development be granted to the Township free and clear of all encumbrances.
13. That the Owner shall prepare a report to outline in detail any need for blasting and that shall identify the need for a precondition survey of lots abutting the subject lands and others within the immediate area which may be affected by the development and include any recommendation for mitigation of blasting impacts. The Owner will comply with each and every recommendation contained in said report, to the satisfaction of the Township and any applicable government agency. Any works performed shall be in compliance with the Township of North Frontenac Noise Control Policy.
14. That the Owner, prior to final approval, shall install street lighting at the entrance to the development at Ardoch Road intersection and that such lighting shall illuminate the intersection and mail box location to the satisfaction of the Township.

15. That the Owner, prior to final approval, shall undertake a Traffic Impact Assessment completed by a qualified professional to determine any required upgrades to the intersection of the condominium road with Ardoch Road and that such works be undertaken to the satisfaction of the Township.
16. That the Owner shall agree to provide signage at the entrance of the condominium road, advising the public that the condominium road is private.
17. That the Owner agrees that the only shoreline works (boathouses, etc.) permitted within the development will be located within the common access area of Block 'D' and individual docks on waterfront units beyond the identified fish spawning grounds, with the exception of shoreline erosion controls measures, if required.
18. That the Owner shall agree in writing to name the streets in accordance with Township Civic Addressing By-law for the Township and shall install signage to the satisfaction of the Township and in accordance with Township Design Criteria and Standards.
19. That the Owner shall agree in writing to obtain a permit for each residential unit and Block D entrance proposed along Roads A and B in accordance with the Township Construction of Entrances Policy; a single entrance shall be provided to each residential unit.
20. That the Owner shall provide adequate onsite water capacity in a manner or method as approved in accordance with the Ontario Fire Code to the satisfaction of the Township. That this reservoir or hydrant(s) shall be left unobstructed and accessed by the Township for inspection anytime year round and shall be maintained by the Condominium Corporation, which requirement shall be incorporated into the final condominium agreement. Construction and maintenance costs shall be borne by the Owner/Condominium Corporation and shall be to the satisfaction of the Township.
21. That the Owner shall agree to provide a detailed design of the common access area on Block 'D', prepared by a qualified professional, to the satisfaction of the Township, Mississippi Valley Conservation, Ministry of Natural Resources and Forestry (if applicable) and applicable permitting agencies (Department of Fisheries and Oceans, etc.). The design shall incorporate a boat launch facility and shall be constructed to accommodate access to the water and shall be designed to minimize aesthetic and

water quality impacts along the waterfront. The owner shall obtain an amendment to the comprehensive Zoning By-law to the satisfaction of the Township to permit communal docking at Block 'D'.

22. That the Owner shall agree to provide signage at the common waterfront access area on Block 'D' advising the public of the impact of invasive species; such signage shall be designed to be consistent with existing Township signage to the satisfaction of the Township.
23. That the Owner shall prepare and distribute educational materials for future homeowners describing the importance of all significant natural heritage features on the subject property, and the required protective measures (e.g. vegetative buffers, setbacks, restriction on individual docks and boathouses, sediment and erosion control during construction).
24. That the Owner agrees in writing to pay cash-in-lieu of parkland in accordance with approved Township policies and By-law to Provide for the Conveyance of Land for Park or Other Public Recreational Purpose and/or Cash-in-Lieu of Parkland Dedication.
25. That the Owner agrees in writing that the Township may implement whatever measures it deems necessary to ensure orderly development of the plan of condominium, including but not limited to the requirement of condominium agreements, the design and construction of Block 'D' (i.e., the common access area), and imposition of "h" holding zoning or 0.3 metre reserves.
26. That the Owner agrees to deposit with the Township, securities in the form of a letter of credit, representing 100% of the estimated cost of the works to be provided with respect to the condominium. The letter of credit shall be reduced, in accordance with the terms and conditions of the Condominium Agreement.
27. That the Owner agrees for the condominium agreement to contain a provision requiring the Owner to pay development charges, in place at the time of the issuance of the building permit, prior to the issuance of the building permit and to acknowledge and agree that the Township will not issue any building permit until the development charges have been paid in full.

28. That the Owner shall agree in writing to obtain permits or approvals as may be required from any federal, provincial, municipal or local authority and to file copies thereof with the Township.
29. That the Owner shall agree in writing that the natural soil and vegetation within the 30 metre setback area from Ardoch Lake is not to be disturbed and is to be left in its natural state as of the date of draft approval. The condominium agreement and condominium declaration include provisions that would require unit owners to provide protection of natural vegetation within the 30 metre setback area. This shall not prevent the establishment of a 1.5m wide (maximum) pathway to the lake or the removal of noxious weeds or invasive species; dead or diseased trees for safety reasons as determine by a Licensed Tree Marker, Registered Professional Forester or Certified Arborist.
30. That prior to final approval, that Block 'A', 'B'. and 'C' and all applicable wetland and shoreline setbacks (excluding those within the Road 'A' block) are rezoned to restrict structures and site alteration. This shall not prevent the establishment of common access structures and docking on Block 'D' nor individual docks on waterfront units beyond the identified fish spawning grounds.
31. That prior to final approval, County of Frontenac is to be advised by the Township of North Frontenac that this proposed condominium complies with the Zoning By-law in effect for the Township.
32. That the Owner shall agree in writing that a Canada Post Centralized Community Mail Boxes, be installed, if deemed necessary by Canada Post, at a location to the satisfaction of Canada Post and the Township.
33. That the Owner agrees in writing that permit shall be obtained from the Kingston, Frontenac, Lennox & Addington Public Health Unit, or applicable agency, and that all septic systems be designed to the satisfaction of the Township and MECP. To address septic systems to the satisfaction of MECP, the following conditions will need to be met:
  - a. the phosphorus add-on units, which perform to a standard of 1mg/L of total phosphorus, are installed as part of the approved septic system design for Units 1-15 and 23;
  - b. phosphorus add-on units are maintained and inspected as per manufacturer specifications;

- c. a monitoring program, designed to the satisfaction of the MECP and the Township, is implemented via the Condominium agreement and monitoring results are provided to the County, Township, Health Unit and MECP.
  - d. The Zoning By-law for the Units 16-22 require that all septic systems be located beyond the 300 metre setback from the lake;
  - e. The Zoning By-law for the residential waterfront lots should maintain a minimum 30 metre setback for all structures and sewage systems, and the buffer lands should be protected during and after construction;
  - f. Full sized leaching beds should be incorporated into the design of the sewage systems to provide enhanced treatment of the final effluent and should be constructed with imported acidic soils to promote phosphorus attenuation. Pumps shall be provided for raised sewage systems, where determined as part of the permitting process.
  - g. The site servicing plan showing the location of the house, well, sewage system envelopes (primary and alternate), taking into consideration site topography be prepared and provided to all future purchasers. The reserved areas for the primary and alternate sewage system locations must each be 500m<sup>2</sup>, the mantle portion of the reserved areas may overlap.
  - h. Primary and alternate sewage system locations be reserved and maintained solely for that purpose. No constructions of wells, homes, driveways, pools, garages or other structures is to take place in the primary or alternate area.
  - i. Deviations from the locations on the site servicing plan may require the submission of an engineering report/design and terrain analysis supporting the proposed changes (including potential impact on adjoining properties).
34. That any existing wells and/or septic systems that may be present on the site and which are not planned to be used as part of the condominium development be decommissioned as per applicable regulations.
35. That the recommendations of the Environmental Impact Statement, entitled Environmental Impact Study, August 2011 and subsequent addendums (November 12, 2012, March 26, 2015, January 13, 2020, July 10, 2020) be addressed and implemented to the satisfaction of the Township and Mississippi Valley Conservation.

36. That the Owner shall prepare a detailed stormwater management design. The stormwater design shall demonstrate how stormwater drainage from the development will be accommodated, and shall address both water quantity and quality, and erosion and sedimentation control both during and after construction and that appropriate text to implement its findings be included in the Condominium Agreement to the satisfaction of Mississippi Valley Conservation Authority and the Township.
37. That the Condominium Agreement contain a provision that a permit is required from MVCA, pursuant to Ontario Regulation 153/06 - "Development, Interference with Wetlands and Alterations to Shorelines and Watercourses", prior to the initiation of any alterations to the shoreline of the lake and watercourse (including water crossings); or for any interference in, or within 30 m of, the identified wetlands.
38. That the Owner shall obtain an amendment to the comprehensive Zoning By-law to the satisfaction of the Township, to implement the requirements of the development, including, but not limited to:
- a. A minimum 40 m water setback for all buildings and structures will apply with the exception of a 30 meter setback for the septic system from the high water mark;
  - b. A 30 meter vegetated buffer with a maximum clearing of 1.5 meters and no shoreline structures on Units 1-15 (existing dock on Unit 11 excluded);
  - c. Communal docking with permitted shoreline structures on Block 'D' and individual docking on waterfront units beyond the identified fish spawning grounds; and
  - d. Recognition of the existing seasonal dwelling and dock on Unit 11.
39. That the Owner shall agree in writing that the existing dwelling on Unit 11 is a non-complying structure and any expansion in height, volume or footprint will necessitate planning approvals and should the structure be demolished, a new structure shall be located outside of the 40 meter setback on the property and comply with all other zoning provisions.
40. That the Owner shall agree in writing that the installation of a new septic system, and any future septic systems at Unit 11 shall be installed in accordance with Condition 33, requiring phosphorus a add-on unit, which performs to a standard of 1mg/L of total phosphorus, is installed as part of the approved septic system design.

41. All in-water and shoreline works to be restricted to those associated with common access area at Block 'D' and permitted individual waterfront unit docks, may only be constructed in accordance with approvals issued by Department of Fisheries and Oceans, Ministry of Natural Resources and Forestry, or Mississippi Valley Conservation Authority, where deemed necessary under applicable legislation.
42. That the Owner agree in writing all recommendations of the archaeological report entitled Northeastern Archaeological Associates, Archaeological Assessment (Stages 1 to 3), Ardoch Lake, March 2009 be implemented to the satisfaction of the Township.
43. That the Owner prepare a vegetative preservation/ landscape plan to the satisfaction of the Township and the Mississippi Valley Conservation Authority, which includes a recommendation for sturdy fencing or a similar barrier (at least 1 metre high) during construction, to ensure the natural vegetative buffer within 30-metres of the high water mark remains in-tact and that other vegetation loss on the site is minimized.
44. The Owner agree in writing for the condominium agreement to contain a clause providing that any purchaser be advised, and also that a notice be placed in the purchase and sale agreement, alerting a prospective purchasers that, in the event that human remains are discovered during construction or site development of a unit, the property owner shall immediately contact the OPP, the Ministry of Tourism, Culture and Sport and the Registrar or Deputy Registrar of the Cemeteries Unit of the Ministry of Consumer Services (or the applicable agencies at the time of final approval).
45. That Owner agree in writing that if, during the process of development, any archaeological resources or human remains of Aboriginal interest are encountered, the Algonquins of Ontario Consultation Office will be contacted immediately at:

Algonquins of Ontario Consultation Office  
31 Riverside Drive, Suite 101  
Pembroke Ontario K8A 8R6  
Telephone 613-735-3759  
Fax 613-735-6307  
E-mail: [algonquins@tanakiwin.com](mailto:algonquins@tanakiwin.com)

46. That Owner agree in writing that public utilities, including without limitation Bell Canada (or alternative provider for telecommunication and cable), Hydro One, etc. are adequate to service the proposed development and installed to the satisfaction of the Township.
47. That the Owner submit a draft Condominium Declaration for approval by the Township containing but not limited to the following provisions:
  - a. That the parking and storage of derelict vehicles and recreation vehicles on the subject lands is prohibited.
  - b. The following warning clause: "All owners and tenants/future purchasers acknowledge and agree that the ownership and maintenance of the private lane and driveways, including snow removal, shall remain the sole responsibility of the Condominium Corporation under the provisions of the Condominium Act and the Township of North Frontenac will have no jurisdiction and further liabilities within the private lane and driveways."
  - c. The provisions for Private Lanes as required in Section 5.3 Private Lane Policies of the Township of North Frontenac Official Plan.
48. That prior to final approval, the solicitor(s) for the Owner shall advise the Township and County, in writing, that the proposed condominium declaration has been unconditionally approved as to form and content by the Registry Office.
49. That prior to final approval, the solicitor(s) for the Owner advise the Township and County that the declaration has been executed on behalf of the Owner and that all of the schedules to the proposed condominium declaration have been signed by the requisite signatories including the Owner, the project surveyor, the project solicitor and the project engineer and/or architect and all mortgagees.
50. That the Owner shall provide a copy of all reference plans associated with this application to the Township and County for approval prior to registration.
51. That the Owner, prior to final approval, shall pay the balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) to the Township.
52. That prior to Final Condominium Approval, the Owner shall submit a revised Plan, if required, to reflect any significant alterations caused from this Draft Plan Approval.

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

53. That when requesting Final Approval from the County of Frontenac, the Owner shall accompany such request with the required number of originals and copies of the Final Plan, together with a surveyor's certificate stating that the units/blocks thereon conform to the frontage and area requirements of the zoning by-law.
54. That pursuant to section 51 (32) of the Planning Act, this Draft Plan Approval is granted for three years from the decision date. The Owner may request the County issue an extension of Draft Approval should that be needed. The County shall notify the Township of any request to extend Draft Approval.

55. Clearance Letters:

- a. That prior to Final Condominium Approval, the County of Frontenac shall be advised by the Township of North Frontenac that all Conditions of Draft Plan Approval requested by the Township have been satisfied; the clearance memorandum shall include a brief statement detailing how each Condition has been met.
- b. That prior to Final Condominium Approval, the County is to be advised in writing by KFL&A Public Health of the method by which its conditions have been addressed.
- c. That prior to Final Condominium Approval, the County is to be advised in writing by MECP of the method by which its conditions have been addressed.
- d. That, prior to Final Condominium Approval, the County is to be advised in writing by the Mississippi Valley Conservation Authority of the method by which its conditions have been addressed.

**Notes of Draft Approval:**

- This draft approval is for a period of three (3) years. The Owner is advised that they are to apply for any extension at least sixty (60) days prior to lapsing date or in accordance with the County of Frontenac Plan of Subdivision and Condominium Guidelines. This

approval may be extended pursuant to Subsection 51(33) of the Planning Act, but no extension can be granted once the approval has lapsed.

- If final approval is not given to this plan within three (3) years of the draft approval date, and no extensions have been granted, draft approval will lapse under Section 51(32) of the Planning Act, R.S.O. 1990.
- It is the applicant's/owner's responsibility to fulfill the conditions of draft approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the Approval Authority, quoting file number 10CD-2012/001 (Ardoch Lake).
- All measurements in the final plans must be presented in metric units.
- Please note that an updated review of the plan, and revision of the conditions of approval, may be necessary if an extension is to be granted.
- Where a condition makes reference to legislation of the Township of North Frontenac, County of Frontenac, Government of Ontario or the Government of Canada, such reference shall be deemed to include any and all amendments or successors or changes in the titles, numbering, or regulations thereunder. Where a conditions makes reference to the jurisdiction or policy of a public agency and where the name or responsibilities of said public agency are changed, the said reference shall be deemed to include any and all successors to such public agency, legislation or policy.
- Please consult the County of Frontenac Plan of Subdivision and Condominium Guidelines and Planning Department for submission requirements for final approval including number of copies required, requirements for review of final plans, and, submission timelines.



**Report 2020-094**

**Committee Recommend Report**

**To:** Chair and Member, Planning Advisory Committee

**From:** Kelly Pender, Chief Administrative Officer

**Prepared by:** Joe Gallivan, Director of Planning and Economic Development

**Date of meeting:** October 14, 2020

**Re:** **Planning Advisory Committee – Director of Planning and Economic Development – 2021 Work Plan**

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**Recommendation**

**That** the County of Frontenac Planning Advisory Committee recommend to County Council the approval of the 2021 work plan for the Planning and Economic Development as it relates to planning matters; and

**Further**, that the Director provide an overview to County Council as part of the 2021 budget deliberations as well as the Councils of the three municipalities which the department provides planning services.

**Background**

The purpose of this report is to provide the Planning Advisory Committee with a projection of the workload and key initiatives for the planning section of the Planning and Economic Development Department. In addition, this report sets out further directions for multi-year projects that the department anticipates undertaking, but which are not projected to start in 2021.

This report is intended to provide the Committee with the opportunity to provide input and help set priorities for the planning related work plan for the department.

**Comment**

As we enter 2021, the planning department is at a turning point in the delivery of planning services, and there are decisions required in how the department operates and the ability to advance regional planning initiatives.

While it is not possible to make precise predictions on the volume of application activity for a given year, it is possible to interpolate that based on the number of planning inquiries, pre-application consultations, and application volume, that 2021 is likely to be comparable or higher to 2020 for development applications in the three Townships for which the department provides planning services.

The department is committed to continuous improvement and quality service to citizens, investors, and both Township and County Councils. We are expecting to work with the three Townships in 2021 to bring in new ways of managing planning applications. It is hoped that the department will be bringing forward a number of process improvements in the next year including such measures as extending the work completed in the LEAN planning process to make it easier for citizens to file planning applications and inquiries. Planning staff will also communicate with Township staff and Councils the opportunities available for implementing the Community Planning Permit System (CPPS) for some planning approvals (note: the CPPS initiative is one of the recommendations of the municipal Joint Services Review completed in 2020).

It is the regional planning work that is done by the department that can have a positive effect across Frontenac in promoting community development and advancing progressive rural planning for all four Townships. Regional planning initiatives – such as communal servicing, private roads, waterfront planning policies, promotion of affordable housing initiatives – integrate good planning with local economic development imperatives. These type of projects drive responsible growth, provide the Frontenac with a competitive advantage and increase our tax base. Regional planning is also important in tying regional economic development to good planning, and is key in updating planning policy to be relevant to existing business conditions.

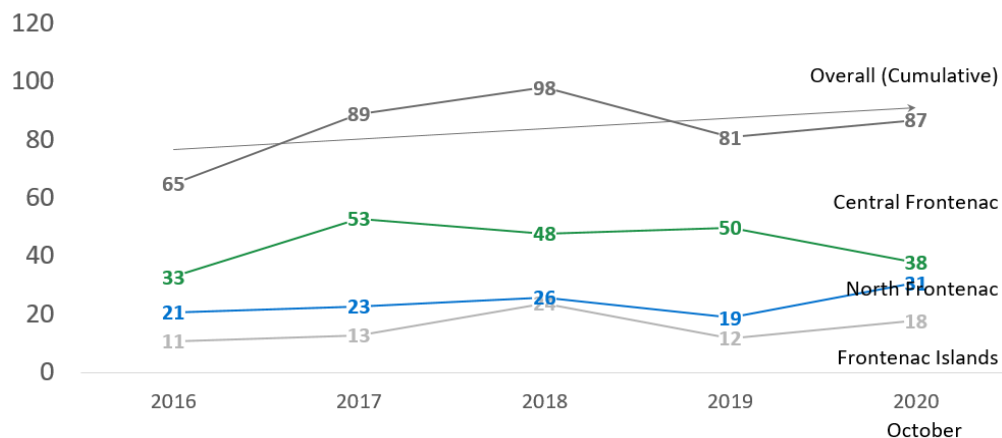
### Township Planning Work – Increasing Workload

Both the number of planning applications and the time spent working on Township planning – both applications and policy work – have been increasing over the past four years.

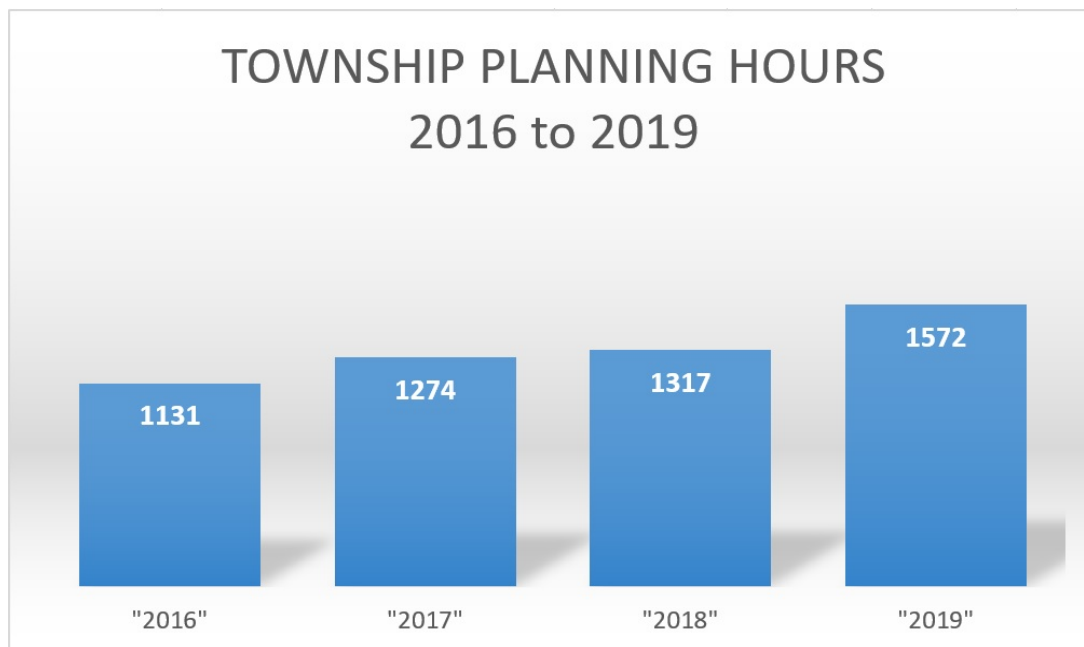
- Planning Applications -- The number of Township planning applications has increased since 2016. Application numbers for 2020 at the time of this report (to 3<sup>rd</sup> Quarter) indicate that the volume is already over 80 applications and similar to the past three years. In October alone, planning staff have prepared reports for 20 applications to be considered by Township Council and Committee members.

## Township Application Numbers

Between 2016 and 2019 the overall number of applications **has increased by 34%**.



- Total Township Planning Hours -- The time allocation related to Township planning applications has increased by more than 45% since 2016, and has increased on an annual basis. This volume has taken up significantly more staff time than anticipated three or four years ago. This is due in part to an increase in the number of planning inquiries, preconsultation meetings, and complexity of some planning files which require more time to review prior to presentation to Councils or Committees of Adjustment. These hours also include policy work for the Townships such as the Central Frontenac Official Plan update, North Frontenac Zoning By-law review, and the Marysville Secondary Plan.



#### Planning Services – 2021 and Beyond

With the approval of the Frontenac County Official Plan in 2016 and the creation of the Department, one of the key objectives has been the emphasis on ensuring that planning policies and plans, both at the local and regional level integrate good planning with local economic development imperatives. Towards this aim, projects such as private roads, communal servicing, live/work provisions, tiny homes and waterfront policies have been developed with the goal of driving responsible growth, provide Frontenac with a competitive advantage, and increase our tax base.

As noted above, it is the outlook from planning staff that the work on behalf of the Townships in 2021 will be equivalent or higher than 2020 and previous years.

Also, total planning hours in the department – both County and Township work – increased more than 60% between 2018 and 2019. This increase can be attributed in part to the new Manager of Community Planning position which was created in September, 2018. However, it is also a reflection of the significant overtime hours for staff and is untenable for the Department.

There are two courses of action that can take place in 2021:

- Option 1 is to continue to do planning work with existing staff resources which will impact on the delivery of the regional planning projects that benefit all of Frontenac and reduce the collaboration between economic development and land use planning.

- Option 2 involves a budget request to County Council to create an additional planner position that can be involved in both planning application work and regional planning work, and help reduce delays in delivering the regional projects.

#### OPTION 1 – Status Quo Resources

This option is based on current staff complement operating under the current planning process.

The work in 2021 would focus on three projects:

1. Day-to-Day Planning – Township and County Planning – with the expected increase in applications in 2021 this work will involve the entire department and dominate the work plan. Pre-consultations in the 3<sup>rd</sup> quarter of 2020 indicate an increase in interest in new commercial development which will have a positive impact on the economy if projects are able to move forward but are also time consuming in plan review.
2. Central Frontenac Official Plan – this project is in the final stage and is expected to be before Township Council by the end of this year or early 2021, with the plan coming to County Council for approval in 2021.
3. Marysville Secondary Plan Official Plan Amendment (OPA) – a comprehensive Official Plan Amendment is necessary to implement the Marysville Secondary Plan which will be endorsed by Township Council. The OPA is necessary in order to prepare for the expected increase in growth that will be driven by the arrival of the new Wolfe Island ferry at the end of 2021.

Also during 2021 planning staff intend to work with Township staff to advance process improvements in the current planning system in order to make the process more efficient and less time consuming for both applicants and staff.

Should this option be selected it will likely result in the Central Frontenac, North Frontenac and Frontenac Islands having to contract consultants to do work that is beyond the planning application work (e.g. official plans, zoning bylaws), resulting in increased costs at the Township level (for example, the cost of preparing an Official Plan for a rural municipality in Eastern Ontario ranges on average from \$90,000 to \$120,000 depending on the complexity of planning issues and amount of public consultation).

#### Option 2 – Add Planning Resources to Advance Development Applications and Long Range Planning Projects

For the 2021 County budget review, planning staff will be recommending to County Council the creation of a second Community Planner on a permanent basis.

This planner position would be involved in development applications and long range planning projects (e.g., Frontenac Islands OPA). It will allow for some of the time of the Manager of Community Development to be re-allocated from development review to project management and the time to deal with complex planning applications.

It is recognized that this position will increase the cost of planning services. At the same time it will help to alleviate the very high workload that has been ongoing since 2019 and is not expected to abate. This is a positive situation in that planning inquiries are increasing across the region and ultimately improving the tax base. It also makes it essential that work is done alongside Township staff and Councils to look at methods of improving cost recovery and a comprehensive review of planning fees and charges.

The Table below provides an overview of the department work plan for the next 12 to 18 months. The plan represents our current best estimates. Increased day-to-day planning activities will create delays. The only project currently being completed with the assistance of external consultants is the Communal Services Governance Model. Should the committee wish to advance priorities/timelines, the use of external consultants could be considered for some the projects.

|                                    | <b>Frontenac Islands</b>                                                                                                                                                        |  | <b>Central Frontenac</b> | <b>North Frontenac</b> | <b>Regional/Cou<br/>nty</b>                                        |
|------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--------------------------|------------------------|--------------------------------------------------------------------|
| <b>Strategic Planning Projects</b> |                                                                                                                                                                                 |  |                          |                        | Regional Community Improvement Plan (CIP)<br><br>Project Start TBD |
|                                    | Communal Servicing Governance Model<br>Consultant – Project Management – Strategic Input<br>80-100+ hrs Project Specific – Implementation 2021<br>Target End of 2020/Early 2021 |  |                          |                        |                                                                    |

|                              |                                                                                                                         |  |                                                                                                                                             |  |                                                                                                                                                                           |
|------------------------------|-------------------------------------------------------------------------------------------------------------------------|--|---------------------------------------------------------------------------------------------------------------------------------------------|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Official Plans</b>        | <p>FI Official Plan Review</p> <p>350+ hours or project manage consultants</p> <p>Target 2022</p>                       |  | <p>CF Official Plan Development, Review, Approval</p> <p>75-100 hrs</p> <p>Target 2021</p>                                                  |  | <p>County Official Plan Update</p> <p>100-200 hours 'in house'</p> <p>Target 2022-23</p> <p>SF Official Plan Review/ Approval</p> <p>200+ hrs</p> <p>Target 2022/2023</p> |
| <b>Zoning By-law Updates</b> | <p>FI Zoning By-law Amendment –</p> <p>Connected to Marysville Secondary Plan</p> <p>Hrs Unknown</p> <p>Target 2021</p> |  | <p>CF Zoning By-law Update – Review, Approval</p> <p>75+ hrs if managing consultants</p> <p>Target Summer 2021 (if done by consultants)</p> |  |                                                                                                                                                                           |
| <b>Policy Development</b>    | <p>Marysville Secondary Plan</p> <p>Official Plan Amendment</p> <p>Hours Unknown</p> <p>Target 2021</p>                 |  |                                                                                                                                             |  | <p>Natural Heritage Study Update</p> <p>150+ Hours project management</p> <p>Target 2022</p>                                                                              |

|                                                  |  |  |  |  |                                         |
|--------------------------------------------------|--|--|--|--|-----------------------------------------|
| <b>Cost Recoveries and Planning Efficiencies</b> |  |  |  |  | Review of Township Planning Fees        |
|                                                  |  |  |  |  | High Priority<br>Early 2021             |
|                                                  |  |  |  |  | Community Planning Permit System Review |
|                                                  |  |  |  |  | High Priority<br>Early 2021             |

**Frontenac County Strategic Plan**

Bringing an additional planner to the department will help support the increase in workload that is being driven primarily by new growth. The position will provide the necessary resources for the department and County Council, and will support two pillars of the County Strategic Plan:

- Building community vitality and resilience; and
- Champion and coordinating collaborative efforts.

**Financial Implications**

It is estimated that the budget cost in 2021 for the Community Planner will be approximately \$63,000. This cost is subsidized in part by monies remaining in the 2020 budget left from the contract planner budget assigned to the LEAN planning project.

**Organizations, Departments and Individuals Consulted and/or Affected**

Frontenac County Chief Administrative Officers and their related front line planning staff.