



Planning Advisory Committee Meeting
Thursday, September 9, 2021 – 12:30 p.m.
Meeting to be held in combination of in person and Virtual
Electronic Format,
and live streamed on the County of Frontenac's YouTube
Channel
<https://youtu.be/jPDK8B3yLI>

AGENDA

1. Call to Order

2. Adoption of the Agenda

- a) **That** the agenda for the September 9, 2021 meeting of the Planning Advisory Committee be adopted.

3. Disclosure of Pecuniary Interest and General Nature Thereof

4. Adoption of Minutes

- a) Minutes of Meeting held June 9, 2021
That the minutes of the Planning Advisory Committee meeting held June 9, 2021 be adopted.

5. Deputations and/or Presentations

6. Briefings

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

7. Reports to the Planning Advisory Committee

- a) **Report of the Communal Service Governance/Operations Model Review Committee**

The attached report is being considered by the Communal Service Governance/Operations Model Review Committee at 10:30 a.m. The recommendation [or as amended] will then be considered by the Planning Advisory Committee

The Communal Service Governance/Operation Model Review
Committee reports and recommends as follows:

1. **2021-068**
Communal Service Governance
DRAFT Business Case Study

Be It Resolved That the Communal Service Governance –
DRAFT Business Case Study be received as presented [or
amended] and forwarded to the Planning Advisory Committee for
review and referral to County Council;

Further That, the DRAFT Business Case Study be provided to the
member municipalities for their review and input prior to the end of
October 2021.

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b) **2021-069**
Planning and Economic Development Department
Final Report: Willowbrook Estates Subdivision, Phase 2

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

Therefore Be It Resolved That the Council of the County of Frontenac
approve the conditions of draft plan of subdivision for the property
known as Phase 2 of the Willowbrook Estates Subdivision, located in
the Hamlet of Inverary, South Frontenac Township (County File Number
10T-2020-002), subject to the Conditions of Draft Approval contained in
the County Planning and Economic Development report dated
September 9, 2021, noted as Attachment 3 to this report;

And Further That this approval of the draft plan of subdivision
supersede the previous draft approval given by County Council in 2014,
which lapsed prior to the issuance of final approval; and,

And Further That the Clerk be authorized to issue draft approval by
signing the required documents and making any technical corrections to
the conditions as needed.

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c) **2021-070**
Approval of Central Frontenac Official Plan

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

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

And Further That the Council of the County of Frontenac approve the Township of Central Frontenac Official Plan dated July 13th, 2021 (revised August 30, 2021), as contained in Appendix 4.

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- d) **Staff Briefing:** Mr. Joe Gallivan, Director of Planning and Economic Development, will brief the Planning Advisory Committee with respect to the Planning Department 2022 Work Plan.
[See Reports to the Planning Advisory Committee, clause e)]

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- e) **2021-071**
Director of Planning and Economic Development – 2022 Work Plan Recommendation:

Be It Resolve That the County of Frontenac Planning Advisory Committee recommend to County Council the approval of the 2022 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 2022 budget deliberations as well as the Councils of the three municipalities which the department provides planning services.

- 8. **Communications**
- 9. **Other Business**
- 10. **Next Meeting**
- 11. **Adjournment**



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Minutes of the Planning Advisory Committee Meeting June 9, 2021

A meeting of the Planning Advisory Committee was held in virtual electronic format, hosted at the County Administrative Office, 2069 Battersea Road, Glenburnie on Wednesday, June 9, 2021 at 4:00 p.m.

Present:

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

Regrets:

Phil Leonard, due to an inability to connect

Staff Present:

Jannette Amini, Manager of Legislative Services/Clerk (Recording Secretary)
Joe Gallivan, Director of Planning and Economic Development
Sonya Bolton, Manager of Community Planning

1. Call to Order

Ms. Amini called the meeting to order at 4:00 p.m.

2. Election of Officers

Ms. Amini conducted the election of officers.

a) Election of Chair

Moved By: Councillor Smith
Seconded By: Ms. Sproule

That Councillor Higgins be elected Chair of the Planning Advisory Committee for 2021.

Carried

Moved By: Deputy Warden Doyle
Seconded By: Councillor Smith

That nominations for Chair be closed.

Carried

Councillor Higgins accepted the nomination of Chair.

b) Election of Vice Chair

Moved By: Warden Vandewal
Seconded By: Deputy Warden Doyle

That Councillor Smith be elected Vice-Chair of the Planning Advisory Committee for 2021.

Carried

Moved By: Warden Vandewal
Seconded By: Councillor Higgins

That nominations for Vice-Chair be closed.

Carried

Councillor Smith accepted the nomination of Vice-Chair

3. Disclosure of Pecuniary Interest and General Nature Thereof

There were none.

4. Public Meeting Held Pursuant to the Planning Act

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 Ontario Land Tribunal (OLT), unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

**a) 2021-052
Planning and Economic Development Department
Public Meeting Report: Willowbrook Estates Subdivision, Phase 2**

Councillor Higgins explained the purpose of the public meeting.

Ms. Jannette Amini, Manager of Legislative Services/Clerk, announced that pursuant to the requirements of the *Planning Act*, a notice of the statutory public meeting was provided by advertisement in the form of a sign posted on the subject site 20 days in advance of the public meeting. In addition, notices were sent by mail to all property owners within 120 metres of the subject property (according to the latest Tax Assessment Rolls).

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

Ms. Sonya Bolton, Manager of Community Planning, provided an overview of the proposed application for Plan of Subdivision.

Mr. Youko Leclerc, Fotenn Consulting, on behalf of the Applicant, 1059823 Ontario Limited, provided a PowerPoint presentation outlining the application, a copy of which is attached to the record in the Clerk's Office.

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

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

No members of the public spoke to the application.

Deputy Warden Doyle noted an error in the staff report, in the first paragraph under Background, noting that the application was deemed complete on November 27, 2020 and not 2021.

Councillor Higgins closed the public meeting at 4:27 p.m.

5. Planning Advisory Committee Meeting

6. Adoption of the Agenda

Moved By: Councillor Smith

Seconded By: Ms. Henderson

That the agenda for the June 9, 2021 meeting of the Planning Advisory Committee be adopted.

Carried

7. Adoption of Minutes

a) Minutes of Meeting held October 14, 2020

Moved By: Warden Vandewal

Seconded By: Deputy Warden Doyle

That the minutes of the Planning Advisory Committee meeting held October 14, 2020 be adopted.

Carried

8. Deputations and/or Presentations

9. Briefings

- a) Mr. Joe Gullivan**, Director of Planning and Economic Development, and **Sonya Bolton**, Manager of Community Planning, provided the Planning Advisory Committee a briefing and overview of activities of the Planning Department. A copy of the presentation was included with the agenda.

10. Reports to the Planning Advisory Committee

11. Communications

12. Other Business

13. Next Meeting

At the call of the Chair.

14. Adjournment

Moved By: Deputy Warden Doyle

Seconded By: Councillor Smith

That the meeting hereby adjourn at 4:55 p.m.

Carried

**Planning Advisory Committee
Planning Briefing
September 9th, 2021**



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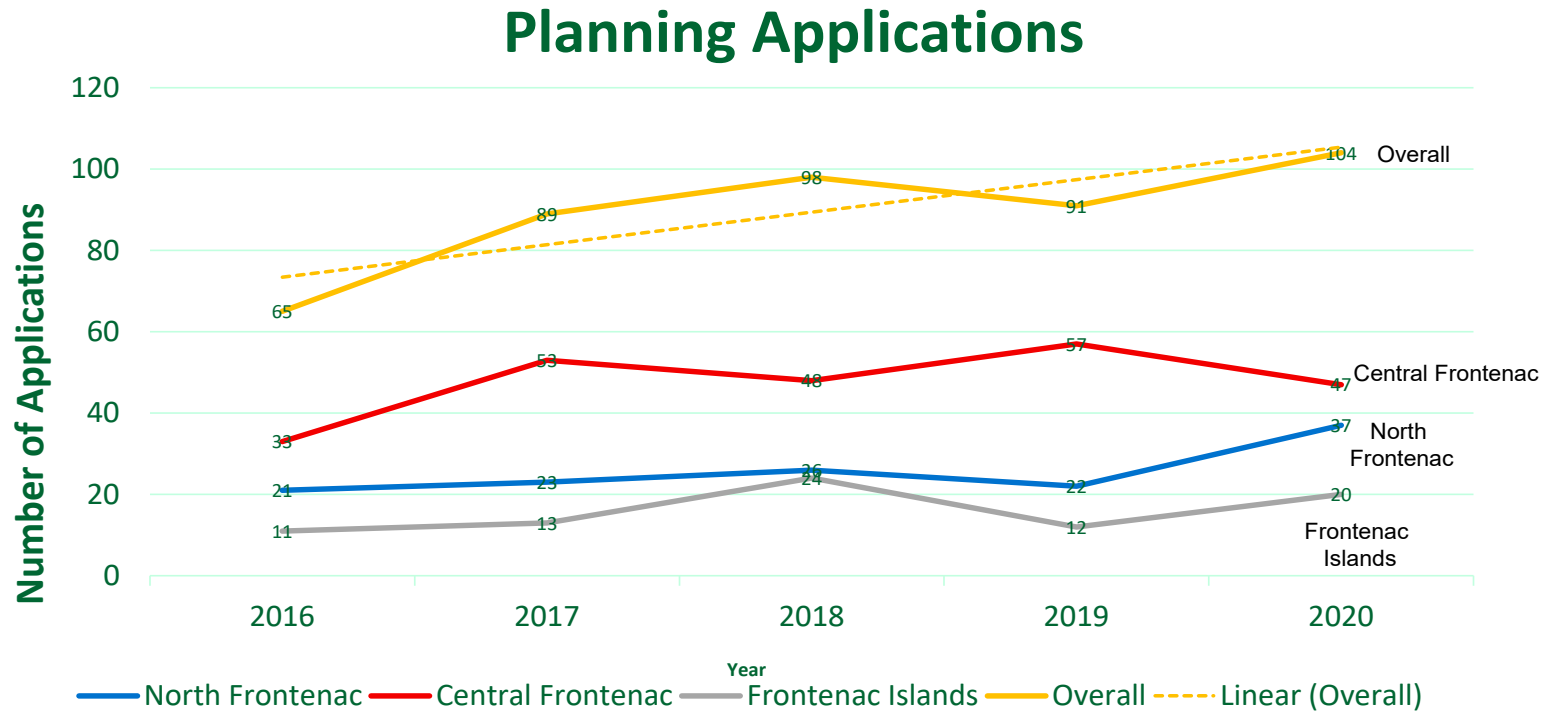
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Where We Are Right Now

- All staff back in office as of September 7th.
- Planning inquiries and application volumes remain very high.
- On-line planning consultation forms are improving efficiency



Planning Applications



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Planning Applications and Inquiries

- Planning Applications Reached 104 in 2020
- By mid-September 2021, planning staff will have processed a total of 122 applications (over 3 townships), which is 117% of the volume of applications that were dealt with in 2020.



Planning Applications and Inquiries continued

- Current level of inquiries is high:
 - Approximately 5-6 formal pre-application meetings every week
 - Approximately 25-30 inquiries per week
 - Note: these numbers do not include follow-up questions after initial inquiry or questions about active applications



Ongoing Work – County

- **Communal Servicing** – proposed ‘Business Plan’ for MSC to be reviewed by Governance Committee on September 9th
- Business Plan to be reviewed/endorsed by County Council at September 15th meeting
 - Final review by Townships by end of October, 2021
- Goal: establish regional utility in 1st Quarter 2022



Ongoing Work – Townships

- Central Frontenac Official Plan update
 - Adopted by Township Council on July 13th
 - PAC Review on September 9th
 - County Council – tentatively September 15th
- Sharbot Lake School Site Redevelopment
 - Engineering feasibility study – Federation of Canadian Municipalities Approved
 - Potential new development on communal services



Ongoing Work – Townships continued

- South Frontenac Official Plan update
 - Virtual Open Houses held in August
 - An online survey is active until September 30th on the South Frontenac page of Engage Frontenac -
<https://engagefrontenac.ca/official-plan-review-south-frontenac-2040>
 - County staff in consultation with Township staff



Ongoing Work – Townships continued

- Marysville Secondary Plan
 - Final public review expected by end of 2021
 - Prepare Official Plan Amendment for implementation
- Frontenac Islands Site Alteration By-law
 - Control fill being added to private lots, particularly waterfront lots.



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Ongoing Work – Townships continued

- Frontenac Islands Development Charges By-law Update
 - Anticipation of more growth in Marysville
- Township Planning Fees Review
 - Working with North, Central, and Frontenac Islands staff to consider possible changes in fee structure and cost recovery.



Thank You.

Questions?



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Report 2021-068

Committee Recommend Report

To: Chair and Members of the Communal Service Governance/Operation Model Review Committee

From: Kelly Pender, Chief Administrative Officer

Prepared by: Joe Gallivan, Director of Planning and Economic Development
Jannette Amini, Manager of Legislative Services/Clerk
Kelly Pender, Chief Administrative Officer

Date of meeting: September 9, 2021

Re: **Communal Service Governance – DRAFT Business Case Study**

Recommendation

Be It Resolved That the Communal Service Governance – DRAFT Business Case Study be received as presented [or amended] and forwarded to the Planning Advisory Committee for review and referral to County Council;

And Further That the DRAFT Business Case Study be provided to the member municipalities for their review and input prior to the end of October 2021.

Background

At the April 7, 2021 meeting of the Communal Services Governance/Operational Model Review Committee, the option to apportion ownership of the potential Municipal Services Corporation (MSC) based upon weighted assessment was recommended and subsequently approved by County Council and the member municipalities. An individual presentation was provided by Mr. Alec Knowles, WSP¹ to all five Councils.

As required by the Municipal Act (and Ontario Regulation 599/06), the potential shareholder municipalities contemplating a MSC are required to prepare a Business Case Study (BCS) and provide the opportunity for public comment.

¹ Note – Mr. Knowles is no longer with WSP.

Subsequently, staff met with Mr. Knowles to review the comments received during the five meetings and compiled a draft Business Case Study for the Committee's review, comment and potential amendments. The draft BCS is attached to this report, **Schedule 'A'**.

An earlier draft was circulated to the township Chief Administrative Officers and their comments incorporated in the draft being presented today.

The draft BCS attempts to either address issues brought forward by the committee and municipalities, or provide a mechanism to resolve matters in the future. As noted in the BCS, it is intended to be read in conjunction with the two prior WSP reports. Where a conflict exists between the BCS and WSP reports, the BCS shall take precedence.

The process for the MSC incorporation is largely based upon the process utilized for the Eastern Ontario Regional Network (EORN) and most recently the Eastern Ontario Leadership Council (EOLC). Mr. Harold Van Winssen, from Templeman LLP assisted with the EOWC and EORN incorporations and has provided legal guidance in the development of the BCS, in particular related to bankruptcy/insolvency. Mr. Wayne Fairbrother, with assistance from Mr. Darrell Mast of Templeman LLP provided guidance on the planning matters, in particular the requirements surrounding Municipal Responsibility Agreements (MRA). Their advice has been incorporated into the BCS.

Comment

While the BCS is a legislative requirement of the incorporation process, it is also a benchmark document that can be utilized by the shareholder municipalities to ensure that a shared vision of the MSC has been articulated.

Feedback and input from the committee will help refine the BCS.

As detailed in the BCS the next steps are as follows:

#	Step	Status
1.	Formally Confirm MSC Selection	Complete
2.	Undertake a Business Case Study	This Document
3.	Hold Public Consultations	Pending
4.	Adopt of the Business Case by Council(s)	Pending
5.	Draft, Approve and Pass Necessary Agreements & Documents	Pending

#	Step	Status
6.	Develop and Adopt an Asset Transfer Policy	Pending
7.	Appoint MSC Boards, Officer/Directors, and Transfer Assets	Pending

Approval of the report recommendation will see the BCS (as presented or amended), circulated to the shareholder municipalities. Should substantive amendments be required as result of the shareholder consultations, another meeting of this committee may be required. Should change be minor in nature, in consultation with the Chair and Warden, the amendments will be made internally and the public engagement phase will be initiated.

Upon consideration of the public input and the approval of the final BCS, the relevant aspects of the study will be incorporated into By-law #1 for the MSC for approval by the new Board at their inaugural meeting.

Financial Implications

There are no financial implications associated with this report. Financial implications resulting from the incorporation process are detailed in the 2021 WSP report and summarized in the BCS.

Strategic Priority Implications

Priority 3.1: Work with the townships, other municipalities and levels of government on broad infrastructure issues — ranging from environmental concerns to regional transportation strategies for residential, social and economic purposes, and access to funding.

Organizations, Departments and Individuals Consulted and/or Affected

County of Frontenac
Township of South Frontenac
Township of North Frontenac
Township of Central Frontenac
Township of Frontenac Islands
Harold Van Winssen, Wayne Fairbrother, Darrell Mast, Templeman LLP

Frontenac Municipal Services Corporation

Business Case Study

FINAL DRAFT

For Discussion Purposes Only

September 9, 2021

The Township of North Frontenac
The Township of Central Frontenac
The Township of South Frontenac
The Township of Frontenac Islands
The County of Frontenac

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Acknowledgements

The Participating Municipalities wish to thank the following individuals for their contribution to this report over the past two years.

- The WSP Canada Inc. team, including Nadia De Santi, Alec Knowles, Sagar Kancharla, Salah Koleilat, Caitlin Larwa
- Michael Wildman, Municipal Government Wayfinders
- Members of the Communal Services Governance Committee
 - Deputy Warden Denis Doyle (Chair), Mayor of the Township of Frontenac Islands
 - Warden Ron Vandewal, Mayor of the Township of South Frontenac
 - Councillor Frances Smith, Mayor of the Township of Central Frontenac
 - Councillor Ron Higgins, Mayor of the Township of North Frontenac
 - Ms. Gwen Glover, Citizen Appointee
 - Mr. Michael Keene, Citizen Appointee
 - Mr. Wayne Robinson, Citizen Appointee
 - Mr. Jim McIntosh, Citizen Appointee
- Jon Orpana, Environmental Planner, Ministry of the Environment and Climate Change
- Peter Sizov, Municipal Advisory, Ministry of Municipal Affairs
- The Councils and staff from the participating municipalities

Numerous members of the Frontenac development community contributed to the background and technical aspects of the various reports and meetings leading up to this Business Case Study. Their participation helped keep the process grounded in the reality of construction and development in Frontenac.

The WSP team completed a best practice review of five similar municipal or joint services organizations. We are appreciative of their time and contribution to our project. Thank you to:

- The Township of Oro-Medonte
- Lakeland Holding Co.
- Grand Bend Area Joint Sewage Board
- Edwardsburgh/Cardinal & Prescott Joint Board
- Union Water Supply System

Terminology & Abbreviations

Abbreviation	Full Name	Definition/Description
MSC	Municipal Services Corporation	The generic reference to a service corporation established under the Municipal Act, S.O. 2001 and Ontario Regulation 599/06.
FMSC	Frontenac Municipal Services Corporation	Frontenac Municipal Services Corporation – the holding company anticipated by this Business Plan
FCSC	Frontenac Communal Services Corporation	Frontenac Communal Services Corporation – the operating company anticipated by this Business Plan
Frontenac	Frontenac	The geographic region encompassed by the municipalities, the County of Frontenac and the four constituent municipalities of the Township of North Frontenac, Township of Central Frontenac, Township of South Frontenac, and the Township of Frontenac Islands.
NF	Township of North Frontenac	The Lower Tier corporate entity operating under the Municipal Act, S.O. 2001.
CF	Township of Central Frontenac	The Lower Tier corporate entity operating under the Municipal Act, S.O. 2001.
SF	Township of South Frontenac	The Lower Tier corporate entity operating under the Municipal Act, S.O. 2001.
FI	Township of Frontenac Islands	The Lower Tier corporate entity operating under the Municipal Act, S.O. 2001.
CofF	County of Frontenac	The Upper Tier corporate entity operating under the Municipal Act, S.O. 2001.
Twp	Townships	The collective lower tier municipalities, namely, North Frontenac, Central Frontenac, South Frontenac and Frontenac Islands
PM	Participating Municipalities	The municipalities participating in the development of this business plan and the anticipated Municipal Service Corporation. • Township of North Frontenac • Township of Central Frontenac • Township of South Frontenac • Township of Frontenac Islands • County of Frontenac
CS	Communal Services	The broad descriptor for centralized water and wastewater services provided to a group of homes or businesses.
MA	Municipal Act, S.O. 2001	The legislative framework for the creation and operation of Ontario municipalities.
BCS or Study	Business Case	The formal requirement under the Municipal

Abbreviation	Full Name	Definition/Description
	Study	Act, S.O. 2001 and Ontario regulation 599/06 as a precursor to the establishment of a Municipal Services Corporation. [Link to Regulation]
MRA	Municipal Responsibility Agreements	The D-5-2 requirements of the Ministry of the Environment where private ownership of a communal service is established.
CSGC	Communal Services Governance Committee	The Committee established by Frontenac County to examine potential governance models for the implementation of a regional entity to oversee the operation of communal services in Frontenac

Introduction

This report has two primary objectives:

1. Provided to the citizens of Frontenac to complete the requirement of the Business Case Study as required under the Municipal Act, S.O. 2001 and Ontario Regulation 599/06.
2. Confirm the substantive elements of the Municipal Services Corporation for the partner Municipalities.

Links to the legislation are provided as follows:

Municipal Act – [Link]

Ontario Regulation 599/06 – [Link]

The BCS will focus on the guiding principles for the establishment of a Municipal Services Corporation with a mandate to own and/or operate communal services in Frontenac.

The geographic region of Frontenac includes the upper tier municipality of the County of Frontenac. The County is an upper tier municipality established under the MA covering a jurisdiction from Lake Ontario in the south to north of Provincial Highway #7, including the lower tier municipalities of:

Township of North Frontenac
Township of Central Frontenac
Township of South Frontenac
Township of Frontenac Islands.

Below, **Figure One** is a map of the area covered by this BCS and the proposed Municipal Services Corporation.

<https://www.frontenacounty.ca/en/living/living.aspx>

Figure One – Area Covered by the Proposed MSC



Background Documents

In preparation for this Study, the parties engaged the services of WSP Canada Inc. to complete two (2) studies examining the potential for using communal services as an alternative to individual or full services in Frontenac. This study will rely upon the findings of these two reports but will not attempt to reiterate all the salient points of the reports. The reader is advised to refer to the source documents for further clarification of the more technical aspects of CS, or the governance aspects of this issue. Citations in the BCS to the WSP documents will be referenced as Report #1 and Report #2.

Where there is a conflict between this document and Reports #1 and 2, this document shall take precedence.

Table of Contents and links to the two reports are provided below:

WSP Report #1 – County of Frontenac – Communal Services Study
WSP Canada Inc. June 2019 [Link to WSP Report - 2019]
226 Pages

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Why are Communal Services the Right Fit for the County of Frontenac?

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B County and Townships Planning Context

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E Engineering Best Practices – Attachments

F Financial Model Sample Outputs

As part of this report, the parties were provided with a comprehensive financial model that will allow for the modeling of expenditures, revenues and commodity pricing for installation and operation of communal services. County of Frontenac senior financial staff were provided with training on the model.

WSP Report #2 – Communal Services Governance Model – Final Report
WSP Canada Inc. 03 March 2021 [Link to WSP Report - 2021]
52 Pages

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Definition of Communal Services

For the purposes of the BCS, the WSP¹ definition of communal services has been adopted. That definition is as follows:

In principle, communal water and wastewater systems function similarly to centralized municipal services in terms of development of sewer connections to central sewage treatment and disposal facilities and/or to a communal well or water source and water-treatment facility for drinking water. Systems generally serve small-to-moderate development sizes with typical ranges between 10 to 300 units within each settlement area², while the Ministry of the Environment, Conservation, and Parks (MECP) defines them as those serving a minimum of five units in a development. Communal systems are typically synonymous with “decentralized systems” and the terms are used interchangeably throughout this report.

Within the above descriptions, the following communal water and wastewater system definitions apply:

- Communal Water Systems: shared potable water systems, including collection from groundwater or freshwater sources and treatment to drinking-water quality standards that are part of a communal service development.
- Communal Wastewater Systems: shared facilities for the collection, treatment, and disposal of sewage that are part of a communal service development.

Frontenac Readiness for Communal Servicing

Frontenac has also taken numerous steps to be ready for residential and commercial growth that will benefit from communal services. **Table One** below provides an overview of the efforts to date.

Table One – Summary of Frontenac Readiness for Communal Servicing

Municipality	Current Status
Frontenac Islands	• Currently completing a Secondary Plan for the village of Marysville on Wolfe Island. Study completion will be in parallel to this report. Secondary Plan will set parameters for communal services. • Expansion of the Wolfe Island Ferry and the doubling of ferry capacity to the Island will be completed in 2022. This will further exacerbate development pressures as Wolfe Island will become a reasonable “bedroom” community option for the City of Kingston • Timelines: Communal servicing pressure anticipated in 2021-22.

¹ Report #2, Section 1.1.1, page 15

² For the purposes of the Business Case Study, the use of the term “settlement area” refers to the cluster of units connected to the communal service and is not intended to be limited to existing settlement areas.

South Frontenac	• Current Official Plan policies discourage communal services • Official Plan and settlement area boundary studies to commence in 2021. • Completed a community strategic plan that identifies regional leadership and community building as goals for the municipality. • Water quantity/quality issues exist in several areas and will require hydro-geological work in order to identify potential development areas (and likely eliminate others). • Development/growth pressures from Kingston will increase development demand. Current “strip” development will not sustain growth • Several settlement areas, namely Inverary, Battersea, Sydenham, Harrowsmith and Verona could see significant benefit from communal services • Timelines: Development pressure is ongoing – Official plan, settlement boundary rationalization and hydro-geological work will likely mean that the first communal service projects will be in the approval process in the 2022-23 time frame.
Central Frontenac	• The Township Official Plan was approved by Council on July 13/21. The new O.P. will encourage communal services • Waterfront policies in the new O.P. will encourage communal servicing in rural/lake front properties which will open up waterfront development potential for the community • The Township has purchased a former school site in downtown Sharbot Lake with a view towards a mixed use communal service project. Planning for the project may include connections to other municipal facilities or business in the downtown core. Funding has been received to commence the engineering feasibility component of this project. • Timelines: Current
North Frontenac	• Official Plan and Zoning By-laws complete in 2017. Recognize communal servicing option • Waterfront policies in the new O.P. and Zoning By-law encourage communal servicing in rural/lake front properties which will open up waterfront development potential for the community • Timelines: Current

County	• Regional Planning Framework: ◦ County Official Plan approved in 2016, update to commence in 2022. ◦ Completed a Regional Roads Study in 2018 in order to permit a more expansive range of development options on non-municipal roads. ◦ Population projections update complete. • Completed a strategic plan in 2019 that emphasis continued economic growth and regional cooperation • Completed a trail connection from the City of Kingston boundary to Clarendon (the K&P Trail), with the commitment to make the connection to the United States and Lanark County. Trail will be extended an additional 14 km north in 2021-22 effectively creating a regional trail corridor that is encouraging rural residential and commercial growth. • In 2016 completed a “regional brand” for Frontenac and implemented the first regional economic development strategy. The brand roll out included a business ambassador program that has been successful in bringing nearly 200 businesses on board with the regional brand. The economic development strategy is anticipated to be refreshed in 2021 • The County has participated and invested in regional broadband and cellular expansion in the area through the Eastern Ontario Regional Network (EORN). • Selected as the preferred vendor by EORN, Rogers Communications has initiated the process of providing 5G cell to the County • The County has participated and invested in the establishment of the Eastern Ontario Leadership Council and region wide economic development initiatives, including workforce development, innovation and transportation. • The County is recognized as a regional leader in Continuous Improvement, utilizing Lean principles to drive efficiency. • Timelines: Current
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Preferred Operational Model

WSP Report Number #2 was supported by the Communal Servicing Governance Committee composed of the four Township Mayors and three citizen appointees. Together with WSP they completed a best practice review of five (5) existing service providers and three (3) governance structures including:

- A Municipal Services Corporation
- A Joint Municipal Board
- County Level Governance

The recommendation of WSP and the CSGC to the member municipalities was to initiate a process to develop a BCS for the implementation of a Municipal Services Corporation. This recommendation was subsequently endorsed by the Councils of the five participating municipalities.

Governance and Corporate Structure

The recommended governance structure for the Corporation³ was detailed by WSP and endorsed by the CSGC as a two MSCs:

1. A Holding MSC – for the purposes of this report, named the Frontenac Municipal Services Corporation (FMSC)
2. An Operating MSC – for the purposes of this report, named the Frontenac Communal Services Corporation (FCSC)

All shares in the Operating MSC will be owned by FMSC.

WSP describes the benefits to this structure as providing the ability to:

- a) Establish additional operating MSCs in the future that are held by the Holding MSC; and
- b) Extend service and/or ownership to other municipalities by limiting purchasing and voting powers to Holding MSC shares only.

Guiding Principles

The following guiding principles have been established for the Business Case Study and the Frontenac Municipal Services Corporation:

1. The establishment of the FMSC will not impinge upon the planning authority of any participating municipality, but rather will provide guidance and/or pre-approval for communal systems that will either be owned/operated or operated by the MSC that will lead to faster approvals by the respective planning authorities and reduce costs for developers and eventually purchases/owners of serviced units
2. One of the primary drivers for the establishment of a MSC for the ownership and operation of communal services is the ability to spread risk by

³ Report #2, Section 3.2.1, page 23

aggregating assets. As such, the partners agree that the MSC will be the owner/operator for communal services

3. It is recognized that the operational aspects of the MSC will evolve slowly as units are constructed and that it may take several years to reach critical mass. It is understood that the Operating Board will be responsible for determining the best operating model and that it is likely that at the outset contracted operating services will be the predominant model
4. The existing Water Treatment and distribution system in the Village of Sydenham, Township of South Frontenac will remain under the ownership and control of the Township and will not be transferred to FMSC upon incorporation. There will be no mechanism or expectation that the system will be transferred to the FMSC. Only the Township of South Frontenac Council will be able to make such a determination.
5. The County of Frontenac would be a non-voting shareholder in the MSC.

Steps for Implementation

WSP Report #2 (page 7), sets out the necessary steps for the establishment of the MSC. **Table Two** below sets the seven steps.

Table Two – Steps for Implementation

#	Step	Status
1.	Formally Confirm MSC Selection	Complete
2.	Undertake a Business Case Study	This Document
3.	Hold Public Consultations	Pending
4.	Adopt of the Business Case by Council(s)	Pending
5.	Draft, Approve and Pass Necessary Agreements & Documents	Pending
6.	Develop and Adopt an Asset Transfer Policy	Pending
7.	Appoint MSC Boards, Officer/Directors, and Transfer Assets	Pending

Benefits of Communal Servicing

Within Frontenac, the use of private services dominates the residential and commercial landscape. Except for the Village of Sydenham water system, servicing largely consists of individual wells and septic systems. While this is efficient on a single home or business basis, it creates a number of issues for communities that are resolved or lessened by the installation of communal services, namely:

- **Risk:** manages and spreads risk
- **Environmental Protection and Aquifer Integrity:** fewer wells drilled into an aquifer, thereby reducing the potential for ground water contamination from surface runoff
- **Monitoring and Environmental Protection:** communal services have stricter testing and reporting requirements than individual services

- **Increased density:** thereby reducing the cost of municipal service delivery and improving community sustainability
- **Efficient Land Use:** Traditional rural pattern development results in approximately 0.57 residential units/hectare⁴, while the same site on communal services could result in 2.23 units/hectare⁵, or approximately 3.9 more residential units/hectare, thereby creating a more efficient use of land.
- **Community Sustainability:**
 - Residential units can be clustered to take advantage of access to recreation corridors such as the K&P or Cataraqui Trails or provide walkable communities that can help sustain rural communities and businesses
 - Existing communities can be serviced in a manner that will assist with rural community sustainability
 - Greater opportunity for main street development and redevelopment, including higher density and upper floor residential development
 - Communal service can be constructed in a scalable manner, thereby aligning costs with revenues for the developer and more reflective of the scale and pace of rural development
 - Business and/or industrial parks can be established utilizing a scalable communal services model, thereby making serviced employment an attractive option in a rural setting.

Municipal Responsibility Agreements

For a full discussion of MRAs, please refer to Report #2 by WSP.

It is the intention of partners that the majority of the communal services constructed moving forward will be owned and operated by the MSC, thereby negating the necessity for an MRA.

It is recommended that each partner municipality enter into an Indemnity Agreement with the MSC to limit future liabilities.

As a condition of a Subdivision or Condominium agreement, communal services would be the responsibility of the developer for a period to be determined by the MSC to establish a viable system, at which time ownership would transfer to the MSC.

In the rare instances where an MRA is contemplated, the WSP reports provide various methods to reduce risk and limit liability. These same tools can be utilized by the MSC to guide the assumption of communal service assets.

⁴ Report #1, page 10, Figure 1-3

⁵ Report #1, page 11, Figure 1-4

Risk Management

The ability to manage and mitigate risk is an important element of the ownership and operation of communal services for municipalities. The establishment of a MSC provides the partner municipalities with the ability to pool and share risk. By aggregating risk, we mean the ability to spread risk across a portfolio of installations. The analogy is the provision of car insurance. Without a pooled model whereby, risk is spread across all insured drivers, each individual owner would be required to hold substantial savings in the event of an accident. By pooling the risk, the cost to any one individual is minimized and costs are lowered to the consumer. Similarly, the risk for one individual communal service failure requires far greater securities to protect the developer, homeowner, and municipality than if the risk is spread across ten installations. This approach has the added benefit of lowering development costs and improving home affordability, both at the time of purchase and for ongoing operating costs.

For a more detailed discussion of the tools available to the MSC to mitigate risk, refer to Report #2⁶.

Asset Transfer Policy

At incorporation, FMSC will not hold any capital assets. Non-capital assets in the form of cash, will be transferred to the corporation in accordance with the financial contribution described in this document and detailed in Report #2⁷.

For clarity, this Policy does not apply to the transfer of communal service assets to the MSC by a developer under the terms of Subdivision or Condominium Agreement.

For the capital assets other than noted above, four (4) options are provided. They are outlined as follows:

Option #1 – Transfer of Assets between Partnering Municipalities and the MSC with a Value Under \$100,000

Where the parties agree that an asset contemplated for transfer is valued at under \$100,000, a transfer may be completed by motion of the shareholders of the FMSC and a motion of the appropriate shareholder municipality. Such a sale will be at a cash value agreed to between the parties. No option exists for such a transfer to involve the transfer of shares.

The parties may agree to conduct the transfer of an asset under this limit, utilizing the terms and conditions described Option #2.

⁶ Report #2, Page 19-21

⁷ Report #2, Page 37-39

It is understood that under Option #1:

- either party may elect to initiate such a process, but that both parties will base any final decision in their own interest without undue influence from the other party
- that the above option may be initiated in the reverse (i.e., the transfer of an asset from the MSC to a shareholder municipality)
- the sole authority for the MSC will be a vote of the shareholders and for the municipality, the Council of the municipality disposing or acquiring the asset.

Option #2 – Transfer of Assets between Partnering Municipalities and the MSC with a Value Over \$100,000.

A shareholder municipality may solely elect to transfer an asset to initiate the process of transferring a municipal asset to the MSC. The FMSC (i.e., the holding company), acting in consultation with the MSC operating arm, may elect to accept the transfer and elect to compensate the municipality based on one of the following:

1. A cash payment based upon the average of two (2) independent appraisals. One completed and paid for by the MSC and a second completed and paid for by the municipality. Both independent appraisals must be accompanied by:
 - a. A statement that the company/individual is qualified and competent to make such an appraisal
 - b. A statement that the company/individual is not in a position of conflict
2. A payment of equivalent share in FMSC base upon the average of two (2) independent appraisals. One completed and paid for by the MSC and a second completed and paid for by the municipality. Both independent appraisals must be accompanied by:
 - a. A statement that the company/individual is qualified and competent to make such an appraisal
 - b. A statement that the company/individual is not in a position of conflict
3. A combination of option 1 and option 2 above (i.e., x% cash payment and y% shares, where $x + y = 100\%$ of the appraised value)

It is understood that under Option #2:

- either party may elect to initiate such a process, but that both parties will base any final decision in their own interest without undue influence from the other party
- that the above option may be initiated in the reverse (i.e., the transfer of an asset from the MSC to a shareholder municipality)
- the sole authority for the MSC will be a vote of the shareholders and for the municipality, the Council of the municipality disposing or acquiring the asset.

Option #3 – Transfer of Assets Between the MSC and a Non-Shareholder Municipality Valued at Under \$100,000

Where an asset is proposed to be transferred between the MSC and a non-shareholder municipality and the parties agree that the value of the asset is less than \$100,000, the parties may agree to a cash transaction at an agreed to fair market value.

Option #4 – Transfer of Assets Between the MSC and a Non-Shareholder Municipality Valued at Over \$100,000.

A non-shareholder municipality may elect to transfer an asset to initiate the process of transferring a municipal asset to the MSC. FMSC may elect to accept the transfer and elect to compensate the municipality based on one of the following:

1. A cash payment based upon the average of two (2) independent appraisals. One completed and paid for by the MSC and a second completed and paid for by the municipality. Both independent appraisals must be accompanied by:
 - a. A statement that the company/individual is qualified and competent to make such an appraisal
 - b. A statement that the company/individual is not in a position of conflict
2. A payment of equivalent share in FMSC based upon the average of two (2) independent appraisals. One completed and paid for by the MSC and a second completed and paid for by the municipality. Both independent appraisals must be accompanied by:
 - a. A statement that the company/individual is qualified and competent to make such an appraisal
 - b. A statement that the company/individual is not in a position of conflict
3. A combination of option 1 and option 2 above (i.e., x% cash payment and y% shares, where $x + y = 100\%$ of the appraised value)

Option #5 – Transfer of Assets Between the MSC and a Private/For Profit Entity or Individual

The transfer of any asset considered to be integral to the operation of a communal water or sewer system, may not be transferred to a private/for profit entity under any circumstance.

Non-operationally integral capital assets valued at under \$100,000 (e.g., a vehicle) may be transferred at an agreed upon fair market price, with a motion of the MSC Operational Board.

Non-operationally integral capital assets valued at over \$100,000 (e.g., a surplus property or equipment) may be transferred at an agreed upon fair market price, with a motion of the FMSC.

Option #6 – Transfer of Assets Between the MSC and a Not-For-Profit/or Charitable Entity

The transfer of any asset considered to be integral to the operation of a communal water or sewer system, may not be transferred to a Not-For-Profit/or Charitable Entity under any circumstances.

Non-operationally integral capital assets valued at under \$100,000 (e.g., a vehicle) may be transferred at an agreed upon fair market price, with a motion of the MSC Operational Board.

Non-operationally integral capital assets valued at over \$100,000 (e.g., a surplus property) may be transferred at an agreed upon fair market price, with a motion of the FMSC Board.

The parties agree that the monetary limits presented may be amended from time to time by a majority vote the shareholders.

Financial Considerations

Report #2⁸ examined four options for the start-up of the MSC and the distribution of shares, namely:

1. Weighted Tax Assessment
2. Equal Allocation
3. Weighted Population
4. Hybrid Allocation

Under all four options, the County of Frontenac would provide a 20% financial (non-voting) contribution, resulting in the remaining 80% being divided between the four remaining partner municipalities.

At the recommendation of the CSGC, the partners endorsed the option of utilizing weighted tax assessment for the distribution. The weighted assessment share will be determined based upon the percent share allocation as determined from assessment data provided by the Municipal Property Assessment Corporation (MPAC) on the date that incorporation of the MSC is received.

The anticipated five (5) year requirement of the MSC is \$696,800⁹. The partners will budget for the total amount of their share in the year of incorporation. A total of 20% of the allocated amount will be transferred to the MSC with thirty (30) days of

⁸ Report #2, pages 37-39

⁹ Report #2, page 39

incorporation. It is anticipated that the MSC will “draw” against the remaining budgeted amount over a five-year period based upon the needs of the Corporation and a majority vote of the shareholders.

For clarity purposes, the draw may be accelerated if development and installation of communal services is accelerated, or conversely, delayed if development is slowed. In any case, the total amount will be held in a designated reserve by the member municipality and will be transferred to the MSC with thirty (30) days of receiving notice to do so. The reserve may be held in an interest-bearing account by the partner municipality. Accrued interest will remain with the municipality and will not accumulate for the benefit of the MSC.

Borrowing from a Shareholder

While a primary benefit of establishing a MSC is the ability to borrow without affecting the Annual Repayment Limit (ARL) of a municipality, from time-to-time it may be prudent for a shareholder municipality to borrow on behalf of the MSC, or to provide such terms of borrowing from internal resources (i.e., reserves) as may be deemed expedient. Such borrowing shall be at fair market terms and rates as determined by the parties. Any such borrowing under \$100,000 may be negotiated between the parties without the approval of the shareholders. Borrowing over \$100,000 will be subject to a vote by the shareholders. A reciprocal arrangement (i.e., a shareholder municipality borrowing from the MSC) will be subject to a vote of the shareholders under all circumstances.

Prior to borrowing being required under this provision, the MSC will establish a borrowing policy that identifies borrowing limits under this provision. Such policy will require the approval of the majority of shareholders.

Under no circumstances will the MSC borrow from a non-shareholder municipality.

Ownership, Share Allocation and Voting

As structured, the shareholders would be represented by one (1) representative from each of the four (4) lower tier partner municipalities. With votes be weighted based upon the value of their shares at incorporation.

For voting on any motion/by-law placed before the shareholders will be deemed to be carried if a minimum of two (2) shareholders, representing more than 50% of the shares votes in favour¹⁰. No single municipality can outvote the remainder of the shareholders.

As noted above, the County will be a contributing, non-voting shareholder. **Table Two** below summarizes the ownership, share allocation and voting that will be utilized by the FMSC.

¹⁰ Report #2, page 36

Table Two – Summary of Ownership, Share Allocation and Voting

Partner	Owner¹¹	Voting on All Matters	Distribution of Assets
NF	Yes	Yes	Yes
CF	Yes	Yes	Yes
SF	Yes	Yes	Yes
FI	Yes	Yes	Yes
CoF	Yes	No ¹²	Yes

Restrictions Regarding a Shareholder Dividend or Community Benefit Policy

A MSC can provide a dividend, or community benefit, to owners on a basis to be determined by the shareholders. As a matter of policy and practicality, the Frontenac MSC will not be in the financial position to distribute until such times as sufficient reserves and/or securities are accumulated to minimize the risk to shareholders. While this option is not a requirement, it is in the interest of the partners to establish the conditions under which such a policy may be considered.

It shall be the policy of the MSC that no dividend or community benefit will be distributed to the owners unless the following conditions are met:

1. A minimum of seven (7) years from the date of incorporation
2. A statement from the auditing firm appointed by the MSC that the risk associated with the ownership and management of the communal services has been substantially ameliorated by a combination of accumulation of reserves, insurance, and/or securities
3. A majority vote of the shareholders¹³

Should the above conditions be met, the shareholders will have three options for the use of a community benefit:

Option #1 – Unrestricted Dividend Policy

Community benefit can be used in any manner deemed appropriate to the shareholder municipality.

Option #2 – Restricted Community Benefit Policy

Community benefit can be used in a manner determined by the shareholders in a restricted manner. Potential examples include:

- Pre-engineering and/or feasibility studies for the expansion of services to an un-serviced area or employment lands

¹¹ The percent ownership will be determined based upon the percentage dollar contribution as determined on the date of incorporation

¹² Report #2, page 39 – Allocated to Lower Tier Municipalities based on weighted assessment on the date of incorporation

¹³ As currently structured, the Township of South Frontenac would have a veto over any the implementation of a dividend/community benefit policy. At the same time, SF plus the affirmative vote of one other municipality would be required in order to approve a policy.

- In conjunction with local improvement charges, utilized for the expansion of communal services in a serviced or un-serviced hamlet or subdivision. Such a policy could benefit all residents served by the MSC by expanding the risk pool, increasing density, and decreasing costs for users
- To be utilized for a specific community enhancement project that will benefit the entire region, for example recreation facilities

Under no circumstances will the MSC provide a community benefit that will place the ongoing viability of the MSC in jeopardy.

Option #3 – Retained by the MSC for Investment in Projects Approved by the Shareholders

To be utilized in a manner that will support or expand communal services or expand business opportunities.

MSC Duty to the Shareholders

The MSC will at a minimum, provide the shareholders with a detailed financial update at the Annual General Meeting of the Corporation, including a presentation of the audited financial statements of the MSC and the opportunity to question the Auditor.

Within nine (9) months of incorporation, the MSC will present to the shareholders a business plan and five (5) year pro-forma budget to the shareholders for consideration and input. The plan will be revised annually and reviewed with the shareholders.

A majority vote of the shareholders will require a full meeting of the MSC. The vote must state the purpose and general nature of the requirement for the meeting.

The MSC will at all times have in place appropriate levels of insurance that covers the actions and decisions of the corporation and indemnifies the shareholders.

Bankruptcy or Insolvency

The MSC will make every reasonable effort to operate in a manner that will ensure the ongoing viability of the corporate entity, subject to annual audit opinions provided to the shareholders. As a corporate entity, bankruptcy would not result in any financial obligations accruing the shareholder municipalities.

New MSC Shareholders

The MSC may consider expansion of the shareholders by a two-thirds percentage vote of the shareholders. Such a vote will be supported by a business case study and, if applicable, an asset valuation as described in the Asset Transfer policy, plus a public meeting or meetings as determined by the shareholders.

New shareholders must be a municipal entity.

Should a new shareholder be approved, the shares in the corporation will be recalibrated based upon the weighted assessment on the date of approval, with the County of Frontenac shares being re-calculated accordingly.

Shareholder Withdrawal from the MSC

A municipality wishing to withdraw from the MSC will be required to provide notice to the MSC prior to September 1st in any given calendar year, with an effective date of December 31st of the subsequent year. A 16 month minimum notice period will ensure sufficient time for the MSC and the remaining shareholders to resolve the requisite legal and personnel matters.

Any municipality exercising their option to withdraw from the MSC will not be entitled to any assets of the corporation and will be required to pay their own legal expenses and the MSC.

Dissolving of the MSC

Where the Councils of all shareholder municipalities vote to dissolve the MSC, the non-cash assets of the corporation shall be valued by an independent third party. Each party will be entitled to receive proceeds from the dissolution as follows:

1. Communal Services physical assets located within the boundaries of their municipality
2. Physical assets not related to the direct operation of communal services (e.g., rolling stock, office space, or maintenance operations) will be sold and the proceeds divided based upon the shareholder's ownership stake on the date of dissolution.
 - a. A shareholder may purchase such assets from the MSC for the appraised value. Where more than one shareholder expresses an interest in purchasing the asset, the successful shareholder will be randomly selected
3. Net of all costs required to wind down the MSC, cash assets and liabilities will be divided based upon shareholder value on the date of dissolution.

The parties may agree to appoint a mutually agreeable independent party to handle the disposition of assets for points 2 and 3 above. The costs of the independent party will either be deducted from the assets or apportioned to the shareholder based upon the value of their shares on the date of dissolution.

All parties will be responsible for their own costs related to the dissolution.

Public Input

This document will be posted publicly on the Frontenac public engagement channel (www.engagefrontenac.ca) for a period of thirty (30) days, commencing on XXXX xx, 2021.

Citizens of Frontenac are invited to provide written comments through the engagement site or by attending a virtual public meeting to be held on XXXX xx, 2021.

The social media channels of the partner municipalities may also be utilized to direct individuals to the engagement site or provide notice of the virtual public meeting. Please

note that comments received through social media channels will not be considered as part of the public input phase component of the BCS.

Respectfully Submitted

On behalf of the Partner Municipalities

This xx day of XXXX month, 2021.



Report 2021-069

Committee Report

To: Chair and Members, Planning Advisory Committee
From: Kelly Pender, Chief Administrative Officer
Prepared by: Sonya Bolton, Manager of Community Planning
Date of meeting: September 9, 2021
Re: **Planning and Economic Development Department**
Final Report: Willowbrook Estates Subdivision, Phase 2

Recommendation

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

Therefore Be It Resolved That the Council of the County of Frontenac approve the conditions of draft plan of subdivision for the property known as Phase 2 of the Willowbrook Estates Subdivision, located in the Hamlet of Inverary, South Frontenac Township (County File Number 10T-2020-002), subject to the Conditions of Draft Approval contained in the County Planning and Economic Development report dated September 9, 2021, noted as Attachment 3 to this report;

And Further That this approval of the draft plan of subdivision supersede the previous draft approval given by County Council in 2014, which lapsed prior to the issuance of final approval; and,

And Further That the Clerk be authorized to issue draft approval by signing the required documents and making any technical corrections to the conditions as needed.

Background

In October 2020, Fotenn Planning and Design submitted an application for a proposed draft plan of subdivision on behalf of 1059823 Ontario Limited. On November 27, 2021, the application was deemed complete pursuant to the Planning Act, R.S.O., 1990, c.P.13, as amended. The application is a re-submission of Phase 2 of Willowbrook Estates; the previous draft approval for the subdivision lapsed prior to the issuance of final approval. The application was the subject of a virtual public open house on December 16, 2020 and a virtual public meeting on June 9, 2021.

Property Description

The lands are legally described as Part of Lots 18 and 19, Concession 2 and Part of Road Allowance between Lots 18 and 19, former Township of Storrington, in the Township of South Frontenac, in the County of Frontenac. The lands are located within the settlement area of Inverary in proximity to the intersection of Perth Road and Willowbrook Drive (refer to the Key Map in Attachment 1).

Proposal

The proposed development is an application for draft plan of subdivision to divide the subject lands into nine lots for residential development and Block 10, which will provide a pedestrian walkway to Perth Road. The application is for Phase 2 of Willowbrook Estates, which was previously draft approved, but lapsed prior to the issuance of final approval. The residential lots will be accessed from an extension from Summerside Drive to Willowbrook Drive that connects to Perth Road. The residential lots will range in area from 0.6 hectares to 1.2 hectares (1.5 acres to 3 acres) with frontage ranging from 52.64 metres to 113.42 metres (172.7 feet to 372 feet) along the proposed extension to Summerside Drive. The residential lots will each be developed with a single detached dwelling and will be serviced with a private well and septic system.

Submission

As part of the application for draft plan of subdivision, the applicant has submitted the following technical reports and drawings:

- Draft Plan of Subdivision (refer to Attachment 2), prepared by Josselyn Engineering;
- Planning Rationale Report, prepared by Fotenn Planning and Design;
- Archaeological Assessment (Stage 1 and 2), prepared by the Cataraqui Archaeological Research Foundation;
- Stormwater Management Report (original and addendum), prepared by Josselyn Engineering;
- Traffic Impact Report, prepared by Josselyn Engineering;
- Hydrogeology and Terrain Analysis Report, prepared by XCG Consultants;
- Environmental Impact Assessment, prepared by Ecological Services;
- Meadowlark Survey, prepared by Ecological Services; and,
- Civil Engineering Binder of Drawings (illustrating servicing, stormwater management and landscaping), prepared by Josselyn Engineering.

A copy of all of this information is available upon request to the County of Frontenac's Manager of Community Planning.

Comment

Technical Review

The application was reviewed by staff at the County of Frontenac, the Township of South Frontenac, and the Cataraqui Region Conservation Authority (CRCA). The County retained Malroz Engineering to peer review the hydrogeological and terrain analysis reports. The Township retained Groundwork Engineering Limited to peer review the terrain analysis, and Ainley Group to peer review the stormwater management report and the traffic impact assessment.

Comments from all staff, peer reviewers, and technical agencies were addressed through the review and have been reflected in the Conditions of Draft Approval in Attachment 3 of this report.

Planning Analysis

The following subsections of this report detail the planning analysis of the application against all relevant legislation, policies, and provisions.

1. Planning Act

Division of land by plan of subdivision is required by Section 50(3)(a) of the Planning Act. Section 51(24) of the Planning Act includes a list of technical requirements that are to be addressed with any plan of subdivision. This list includes: conformity with the Official Plan and adjacent plans of subdivision; the suitability of the land for residential development; the adequacy of internal streets and connections to public roads; the dimensions and shapes of lots; conservation of natural resources and flood control; and the adequacy of utilities and municipal services.

It is the opinion of planning staff that the proposed draft plan of subdivision complies with the requirements of the Planning Act.

2. Provincial Policy Statement (PPS)

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. Under Section 3 of the Planning Act, all municipal decisions regarding land use planning "shall be consistent with" the PPS.

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. Both Sections 1.1.3 and 1.1.4 of the PPS indicate that settlement areas shall be the focus of growth. Section 1.1.4.3 notes that when directing development in rural settlement areas, planning authorities shall give consideration to rural characteristics, the scale of development, and the provision of appropriate service levels. The subject property is located within the Hamlet of Inverary.

Section 1.6.6.4 of the PPS indicates that individual on-site water and sewage services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts. The lots in the proposed subdivision will be serviced by private wells and septic systems, and the applicant has addressed all issues raised through the review of the hydrogeological and terrain analysis reports.

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. Section 2.1, Natural Heritage, includes policies that indicate that the diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, or improved. The Environmental Impact Assessment (EIA) and Addendum, along with the Eastern Meadowlark Survey, demonstrate that the proposed development will not have a negative impact on natural heritage features and areas. The wetland on the subject property is zoned Environmental Protection (EP). This wetland is proposed to be maintained by placing the wetland in a separate block that would be conveyed to the adjacent landowner of a larger portion of the wetland. In addition, all buildings and structures on Lots 1 to 4 of the subdivision will need to be setback a minimum of 30 metres (98.4 feet) from the wetland.

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. For example, development is to be directed away from areas that are impacted by flooding hazards. A floodplain analysis of the wetland was conducted in support of the original draft plan of subdivision application. The analysis demonstrated that the 1:100 year floodplain coincides with the wetland boundary. The draft plan shows that there are sufficient building envelopes on Lots 1 to 4 for buildings and structures beyond the minimum 5 metre (16.4 feet) setback from the floodplain required by the R-28 Zone in Zoning By-Law Number 2003-75 of the Township of South Frontenac.

It is the opinion of staff that the application for draft plan of subdivision is consistent with the policies of the PPS.

3. County of Frontenac Official Plan

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 3.2 of the Plan contains policies that are intended to set a planning framework that will encourage and support the existing settlement areas, both mixed use and primarily residential. Traditionally, these settlement areas have developed as residential, social and commercial centres servicing the surrounding agricultural, mining and forestry communities. While these traditional roles will continue, it is recognized that changes and improvements to transportation facilities over time have lessened the emphasis of

settlement areas as rural service centres and increased their role as residential settlements. The subject property is located within the Hamlet of Inverary and is proposed to be developed as a residential subdivision.

Section 4.2: Servicing indicates that all new development within settlement areas will be provided with appropriate services to sustain permanent occupation. This section also 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. The lots in the proposed subdivision will be serviced by private wells and septic systems, and the applicant has addressed all issues raised through the review of the hydrogeological and terrain analysis reports.

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. As noted above, the EIA and addendum, along with the Eastern Meadowlark Survey, demonstrate that the proposed development will not have a negative impact on natural heritage features and areas. The wetland on the subject property is zoned Environmental Protection (EP). This wetland is proposed to be maintained by placing the wetland in a separate block that would be conveyed to the adjacent landowner of a larger portion of the wetland. In addition, all buildings and structures on Lots 1 to 4 of the subdivision will need to be setback a minimum of 30 metres (98.4 feet) from the wetland.

It is the opinion of staff that the application for draft plan of subdivision conforms to the policies of the County of Frontenac Official Plan.

4. Township of South Frontenac Official Plan

The subject property is designated as a Settlement Area (Hamlet of Inverary) in the Township of South Frontenac Official Plan. Settlement Areas are intended to be the focus of new growth and development, where it can be supported by appropriate services. The draft plan of subdivision includes the development of nine residential lots, proposed to be developed with single detached dwellings, which are a permitted use. The policies of Section 5.6.1 require a minimum lot area of 0.8 hectares (2 acres), but the zoning for the property permits a minimum lot area of 0.6 hectares (1.5 acres). The nine lots proposed range in size from 0.6 hectares to 1.2 hectares (1.5 acres to 3 acres). The lot areas have been supported by the hydrogeological report and terrain analysis submitted with the application.

All new development is to be supported by appropriate services, as required by Section 6.10 of the Official Plan. The lots in the proposed subdivision will be serviced by private wells and septic systems, and the applicant has addressed all issues raised through the review of the hydrogeological and terrain analysis reports.

Section 7.2 of the Official Plan provides policies for the development of plans of subdivision. These policies include: the submission of required studies; compatibility with the existing scale of development; integration of development with adjacent lands and appropriate buffering where required; access by a public road; and, the provision of

appropriate municipal services. The proposed plan of subdivision for Phase 2 of Willowbrook Estates has complied with these policies.

It is the opinion of staff that the application for draft plan of subdivision conforms to the policies of the Township of South Frontenac Official Plan.

5. Township of South Frontenac Zoning By-Law

The subject property is zoned as a Site-Specific Residential Number 28 Zone (R-28), which is specific to Willowbrook Estates, in Zoning By-Law Number 2003-75. The minimum lot area is 0.6 hectares (1.5 acres) and the minimum lot frontage is 52 metres (170 feet). The nine lots in the draft plan of subdivision comply with minimum lot area and lot frontage requirements of the R-28 Zone. There is sufficient space on all of the proposed lots to construct residential dwellings that will comply with the remainder of required zoning provisions.

It is the opinion of staff that the application for draft plan of subdivision complies with the provisions of the Township of South Frontenac Zoning By-Law Number 2003-75.

Conclusion

The application for draft plan of subdivision for Phase 2 of Willowbrook Estates is consistent with the PPS, conforms to the policies of the Official Plans of both the County of Frontenac and the Township of South Frontenac, and complies with the provisions of the Township of South Frontenac Zoning By-Law Number 2003-75. Therefore, staff recommend approval of the application, subject to the conditions outlined in Attachment 3 to this report.

Public Meeting

The statutory public meeting required by the Planning Act was held virtually on June 9, 2021. No comments were received from the members of the public.

Notification and Appeal Rights

As required by the Planning Act, a notice of the statutory public meeting was provided by advertisement in the form of a sign posted on the subject site 20 days in advance of the public meeting. In addition, notices were sent by mail to all property owners within 120 metres of the subject property (according to the latest Tax Assessment Rolls).

Anyone who attends the public meeting may make verbal comments and/or provide a written submission about the proposed application. Also, any person may make written submissions at any time before County Council makes a decision on the application.

If a person or public body does not make oral submissions at a public meeting, if one is held, or make written submissions to the County of Frontenac in respect of the proposed plan of subdivision before the approval authority gives or refuses to give approval to the draft plan of subdivision, the person or public body is not entitled to appeal the decision of the County of Frontenac to the Local Planning Appeal Tribunal.

If a person or public body does not make oral submissions at a public meeting, if one is held, or make written submissions to County of Frontenac in respect of the proposed plan of subdivision before the approval authority gives or refuses to give approval to the draft plan of subdivision, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Anyone wishing to be notified of County Council's decision on the subject application must submit a request to:

Sonya Bolton, Manager of Community Planning
County of Frontenac
Planning and Economic Development Department
2069 Battersea Road
Glenburnie, ON K0H 1S0
613-548-9400, extension 351
Email: planning@frontenacounty.ca

Strategic Priority Implications

This application involves the review and processing of a proposal under the Planning Act and does not directly impact the Strategic Priorities.

Financial Implications

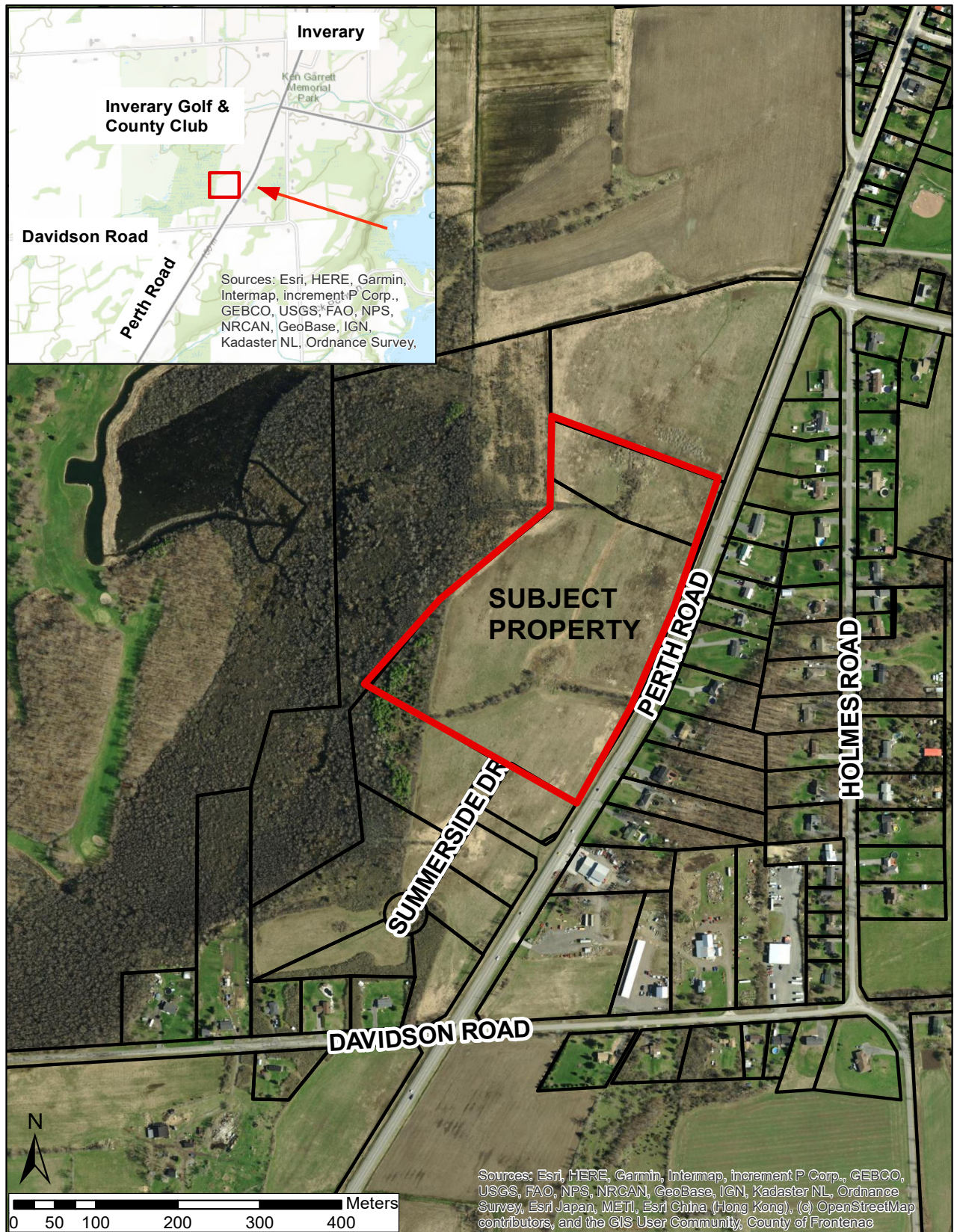
Not applicable

Organizations, Departments and Individuals Consulted and/or Affected

The application was reviewed by staff at the County of Frontenac, the Township of South Frontenac, and the Cataraqui Region Conservation Authority (CRCA). All comments were addressed through the review and have been reflected in this report and the Conditions of Draft Approval (Attachment 3).

Attachments

1. Key Map
2. Draft Plan of Subdivision
3. Conditions of Draft Approval





**DRAFT PLAN
OF SUBDIVISION**
PART OF LOTS 18 AND 19
CONCESSION 2 AND PART OF
ROAD ALLOWANCE BETWEEN
LOTS 18 AND 19
FORMER MUNICIPAL TWP OF
STORRINGTON
TOWNSHIP OF SOUTH FRONTENAC
COUNTY OF FRONTENAC
SCALE: 1 : 1500
DATE: JULY 7, 2021.

- 0m 10m 20m 40m 100m
- SECTION 51(17)
PLANNING ACT- INFORMATION
- A) BOUNDARY OF LANDS TO BE SUBDIVIDED
AS SHOWN ON DRAFT PLAN
B) EXISTING AND PROPOSED ROADWAYS
AS SHOWN ON DRAFT PLAN
C) RELATIONSHIP TO ADJACENT LANDS
AS SHOWN ON DRAFT PLAN AND KEY PLAN
D) LANDS TO BE USED FOR RESIDENTIAL PURPOSES
- E) EXISTING USES OF ADJACENT LANDS
AS SHOWN ON DRAFT PLAN
F) APPROXIMATE DIMENSIONS AND LAYOUT OF LOTS
AS SHOWN ON DRAFT PLAN
G) NATURAL AND ARTIFICIAL FEATURES
AS SHOWN ON DRAFT PLAN
H) PRIVATE WATER WELLS TO BE PROVIDED
I) SOIL IS 0-2m OVERBURDEN OF CLAY, SAND, AND
GRAVEL TILL OVER BEDROCK
J) CONTOURS FROM NOVEMBER 2008 TOPOGRAPHIC
SURVEY BY JOSSELYN ENGINEERING SHOWN ON
DRAFT PLAN
K) SERVICES AVAILABLE INCLUDE HYDRO AND BELL
L) RESTRICTIONS AFFECTING THE LAND ARE SHOWN

ON THE DRAFT PLAN

SITE DATA			
Land Use	Number of lots	Area (ha.)	Percent (%)
LOT 1		1.20	14.19%
LOT 2		0.76	8.97%
LOT 3		0.86	10.17%
LOT 4		0.87	10.27%
LOT 5		0.66	7.78%
LOT 6		0.60	7.12%
LOT 7		0.67	7.91%
LOT 8		0.64	7.56%
LOT 9		0.61	7.27%
RESIDENTIAL LOTS (Lots 1 to 9)	9	6.86	81.23%
BLOCK 10	1	0.03	0.41%
BLOCK 11	1	0.70	8.31%
ROAD	1	0.85	10.05%
Total		8.45	100%

OWNER'S CERTIFICATE
I, Tony Matias, hereby authorize Josselyn Engineering to prepare and submit this plan to the County of Frontenac, for review and approval.

SIGNED: _____ DATE: _____
1059823 Ontario LTD.
O/A Tagus Landholdings & Development

SURVEYOR'S CERTIFICATE:
I CERTIFY THAT:
The boundaries of the lands to be subdivided and their relationship to adjacent lands are correctly shown.

HOPKINS CHITTY LAND SURVEYORS INC

DATE: _____ PHIL W. CHITTY - O.L.S.



HOPKINS CHITTY LAND SURVEYORS INC
Ontario Land Surveyors
www.hopkinschitty.com

634-636 NORRIS COURT
KINGSTON, ONTARIO K7P-2R9
Tel (613) 384-9266
Fax (613) 384-3513

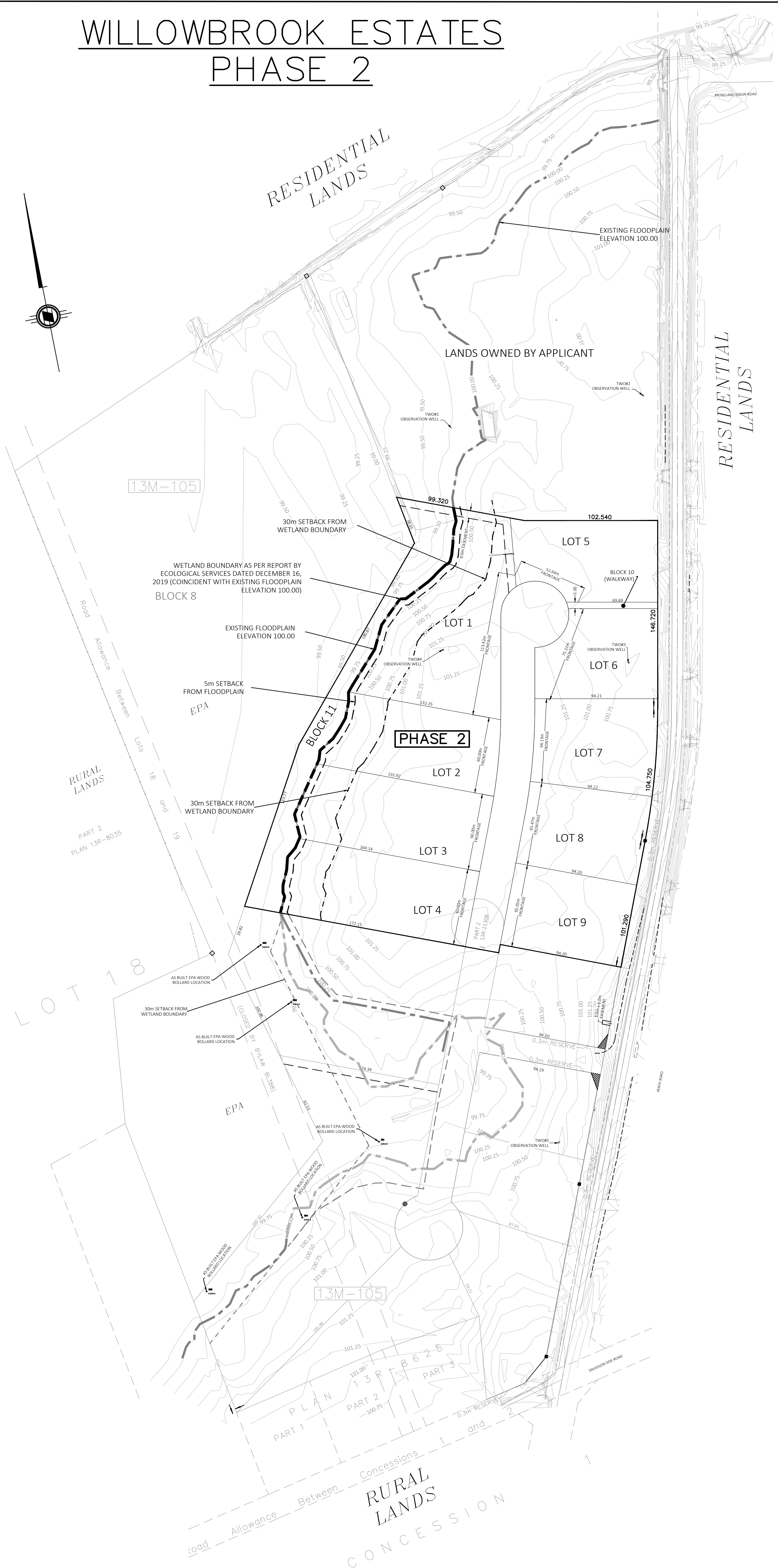
PROJECT No. 2007-229
LOT 18 & 19, CONCESSION 2
Township of Storrington



Josselyn Engineering Inc.

1225 GARDINERS ROAD, #105
KINGSTON, ONTARIO K7P 0G3
TEL : 613-634-9278
FAX : 613-634-9138
E-MAIL : mjosselyn@josselyn.ca

WILLOWBROOK ESTATES PHASE 2



Attachment 3
Draft Plan Conditions for Willowbrook Estates, Phase 2
File Number 10T-2020/002

The conditions of approval for the Draft Plan of Subdivision for Phase 2 of the Willowbrook Estates, which have to be addressed and cleared to the satisfaction of all technical agencies and staff, are as follows:

Approved Draft Plan

1. That this conditional approval applies to the Draft Plan of Subdivision, dated July 7, 2021, prepared by Josselyn Engineering Inc. and Hopkins Chitty Land Surveyors Inc., which shows the following:
 - a. Nine (9) lots for single detached dwellings (identified as Lots 1-9);
 - b. One (1) environmental protection block (identified as Block 11)
 - c. One public walkway block (identified as Block 10)
 - d. One public street.

Subdivision Agreement

2. That the Owner shall agree to enter into a subdivision agreement with the Township of South Frontenac, prepared to the satisfaction of the Township, to be registered on title to the subject land.
3. That the Subdivision Agreement and all Agreements of Purchase and Sale shall include provisions stipulating that on Lots 5 to 9, there must be consistent materials used to façade all four sides of the dwellings to ensure the same facade materials are seen from Perth Road as is seen on the internal street.

Financial Requirements

4. That the Owner shall reimburse the Township of South Frontenac and the County of Frontenac for all legal, engineering, planning, and administrative expenses and permit fees, including the cost of any peer review that the Township of South Frontenac or County of Frontenac may require in relation to the development and the fulfillment of conditions.
5. That the Subdivision Agreement will require the Owner to satisfy all the requirements, financial and otherwise, of the municipality concerning the provision/upgrading of roads, installation of services, drainage works, utilities and all other required works in accordance with Township standards. Further, that the development, construction and use of the lands in this subdivision 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 subdivision agreement.

Draft Plan Conditions for Willowbrook Estates, Phase 2

- a. Planning Rationale Report, dated October 10, 2013, and revised Planning Rationale Report dated October 2020, prepared by McIntosh Perry Consulting Engineers Ltd.;
 - b. Hydrogeology, Terrain Analysis, and Soil Stockpile Sampling, dated October 10, 2013, and technical responses dated July 23, 2014 and August 28, 2014, prepared by XCG Environmental Engineers & Scientists;
 - c. Hydrogeological and Terrain Analysis Update, dated January 24, 2020, prepared by Cambium;
 - d. Environmental Impact Assessment, dated September 18, 2013, and addendum dated February 15, 2020, prepared by Ecological Services;
 - e. Eastern Meadowlark Survey, dated May 26, 2021, prepared by Ecological Services;
 - f. Traffic Impact Assessment Report, dated July 29, 2013 and updated January 25, 2020, prepared by Josselyn Engineering Inc.; and
 - g. Stormwater Management Report, dated April 17, 2015 and updated January 25, 2020 and May 4, 2021, prepared by Josselyn Engineering Inc.
6. That the Subdivision Agreement will require the Owner to deposit with the Township, securities in the form of a letter of credit, representing 100% of the estimated cost of the works to be provided with respect to the subdivision. The letter of credit shall be reduced, in accordance with the terms and conditions of the Subdivision Agreement.
 7. That the Subdivision Agreement shall 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.

Access

8. That the road allowances within the Plan shall be designed in accordance with the Township's engineering standards and shall be dedicated to the Township free of all charges and encumbrances.
9. That the new internal road identified shall be named to the satisfaction of the Township of South Frontenac.
10. That the Owner shall agree to make a financial contribution to the Township of South Frontenac for the construction of a southbound right taper on Perth Road and a sidewalk along the west side of the road allowance of Perth Road from Willowbrook Drive to the northern boundary of the plan of subdivision. The amount of the financial contribution will be determined based on a cost estimate provided by the Owner prior to final plan approval, to the satisfaction of the Township. The amount will be paid at registration, or incorporated into the subdivision agreement and provided following plan registration within a reasonable period of time, as agreed upon by the Owner and the Township.

Draft Plan Conditions for Willowbrook Estates, Phase 2

11. That 0.3 metre reserves be established along Lots 5 to 9 where the lots abut the Perth Road road allowance to the satisfaction of the Township. The 0.3 metre reserves shall be deeded to the Township for the purpose of controlling additional access to the plan of subdivision.

Utilities and On-Site Works

12. That the Subdivision Agreement shall require the Owner to design, construct and commission a street lighting system in accordance with the Township's engineering standards and specifications.
13. That the Subdivision Agreement shall require the Owner to supply and install street name signage and traffic control signage to the satisfaction of the Township.
- ~~14. That the Subdivision Agreement shall stipulate that an entrance permit shall be obtained from Public Services for each lot and block at the time of its development, if required by Public Services.~~
- ~~15.~~14. That the Subdivision Agreement shall require the Owner to install a Canada Post Centralized Community Mail Box at a location on the road allowance of Willowbrook Drive near the entrance to the development at Perth Road, or at an alternative location, if deemed necessary by Canada Post, to the satisfaction of Canada Post and the Township.
- ~~16.~~15. The Owner shall satisfy the Township that public utilities, including without limitation, Bell Canada, Hydro One, etc., are adequate to service the proposed development.
- ~~17.~~16. That all servicing, including Bell, Hydro, etc., be installed underground.
- ~~18.~~17. The Owner shall submit a Landscape Plan to the satisfaction of the Township, which provides for:
 - a. One tree to be planted by the Owner in the front yard of each of Lots 1 to 9.
 - b. A planting area or screening buffer along the rear lot line for the residential lots abutting Perth Road (Lots 5-9) by the Owner. This planting area/buffer may include additional trees for each lot, berms, vegetation, and other measures to the satisfaction of the Township.
 - c. All trees shall be of a type and size to the Township's satisfaction.
- ~~19.~~18. That the Subdivision Agreement shall require the Owner to agree 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.

Parkland Dedication

- ~~20.~~19. That the Subdivision Agreement shall require the Owner to pay cash-in-lieu of parkland in accordance with approved Township policies.

Draft Plan Conditions for Willowbrook Estates, Phase 2

Draft Plan Conditions for Willowbrook Estates, Phase 2

On-site Sewage Disposal and Water Systems

21-20. That the following conditions related to sewage systems, be addressed to the satisfaction of the Township:

- a. A site servicing plan showing the location of the house, well, primary and alternate sewage system locations is to be prepared and provided to all future purchasers through Agreements of Purchase and Sale;
- b. 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 area.
- c. Existing soil conditions will necessitate the importation of suitable fill for the installation of sewage systems, resulting in fully raised sewage systems.
- d. As the sewage systems are raised, pumps may be required.
- e. Deviations from the locations on the site servicing plan with respect to sewage system location may require the submission of an engineering report/design and terrain analysis supporting the proposed changes (including potential impact on adjoining properties).
- f. The Subdivision Agreement and all Agreements of Purchase and Sale shall include provisions recognizing that the Terrain Analysis assumed a maximum 3,000 square foot dwelling size and maximum 3-bedroom occupancy, and outlining the required considerations for larger dwellings and/or more bedrooms (e.g. additional terrain analysis, the use of alternate sewage treatment technologies capable of reducing nutrients and requiring smaller loading areas).

22-21. That all requirements and recommendations specified in the Hydrogeology, Terrain Analysis and Soil Stockpile Sampling Report, dated October 10, 2013, prepared by XCG Environmental Engineers and Scientists, and technical responses to peer reviews dated July 23, 2014 and August 28, 2014, and updated in the letter from Cambium Inc., dated January 24, 2020, and all associated drawings, along with all recommendations from the peer reviewers, shall be addressed to the satisfaction of the Township. Recommendations include the following:

- a. Each well shall be fully grouted to a minimum eight metre depth to provide a seal in the soils and upper fractured limestone bedrock.
- b. Finished grading shall be such that surface runoff in general and specifically in the vicinity of the septic beds is directed away from wellheads.
- c. Geothermal systems (i.e. heat pumps) are not permitted in the plan of subdivision.
- d. Water supply wells require filtration and UV disinfection.

Draft Plan Conditions for Willowbrook Estates, Phase 2

- e. Water treatment may be required for aesthetic parameters. Recommended treatment includes a water softener, reverse osmosis system, and/or a hydrogen peroxide, air or sodium hypochlorite drip system.
- f. Each well should be assessed by a qualified hydrogeologist for water quantity, quality, and interference.
- g. All wells, including existing wells, be properly developed and include a vermin proof cap.
- h. The hydrogeologist should at a minimum provide an opinion on the suitability of the well to be used for domestic purposes and any compensatory water flow and/or any water treatment measures.

~~23-22.~~ 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 plan of subdivision shall be decommissioned as per applicable regulations.

Natural Environment

~~24-23.~~ That the recommendations of the Environmental Impact Assessment, dated September 18, 2013, and the addendum dated February 15, 2020, prepared by Ecological Services, be addressed to the satisfaction of the Township and Cataraqui Region Conservation Authority. The recommendations include:

- a. Site clearing should take place outside of the bird breeding and nesting seasons (mid-April to mid-August) to avoid contravening the *Migratory Birds Convention Act*.
- b. On Lot 1, the dwelling should be located in the southeast corner of the lot, off the western downward sloping portion of the lot based on the existing grading.

~~25-24.~~ That the Owner shall deed the lands described as Block 11 (Environmental Protection Area) to the abutting property described as Block 8 on Plan 13M105. The Owner agrees to ensure that title to Block 11 and the abutting lands are in the same names, with the intent that both parcels will be merged in title. The Owner shall consent to the Township passing a part lot control by-law to effect the merger of title of Block 11 of this Plan and Block 8 on Plan 13M105.

~~26-25.~~ That the lot grading and drainage plan submitted for approval shall provide for permanent markers and signage to be installed by the Owner along the rear lot lines at the rear lot corner of Lots 1 to 4, inclusive, to identify the boundary of the EPA block (Block 11).

Stormwater

~~27-26.~~ That a lot grading and drainage plan and a sediment and erosion control plan be completed and approved to the satisfaction of the Township and the Cataraqui Region

Draft Plan Conditions for Willowbrook Estates, Phase 2

Conservation Authority (CRCA), and be included in the Subdivision Agreement between the Owner and the Township.

28-27. That a final stormwater management plan be prepared by a qualified Professional Engineer and approved to the satisfaction of the Township and the CRCA, and that appropriate text to implement its findings be included in the Subdivision Agreement.

29-28. That the Subdivision Agreement shall contain a provision notifying the Owner that prior written authorization from CRCA will be required under Ontario Regulation 148/06: Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses for rough grading, stockpiling, road construction, etc. within 30 metres of the wetland, and within 15 metres of the 100.00 metre Geodetic Survey of Canada (GSC) flood elevation on the subject property.

29. That the Subdivision Agreement shall include a provision providing that any purchaser of Lots 1 to 4 (inclusive) and Block 11 (based on the July 7, 2021 Draft Plan of Subdivision) be advised, and also that a notice be placed in the purchase and sale agreement alerting any prospective purchasers, that prior written authorization from CRCA may be required under Ontario Regulation 148/06: Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses for site alteration and construction (including but not limited to buildings, structures, filling and grading).

Walkway

30. A walkway shall be provided in the location and width as shown on the approved draft plan. It shall be ensured that any relocation of a walkway is to the satisfaction of the Township.

30-31. That the Subdivision Agreement shall stipulate that an entrance permit shall be obtained from Public Services for the walkway connection to Perth Road prior to the construction of the walkway.

Human Remains and Archaeological Resources

31-32. That the Subdivision Agreement shall contain a clause providing that any purchaser be advised, and also that a notice be placed in the purchase and sale agreement alerting any prospective purchasers:

- a. That in the event that deeply buried archaeological remains are discovered during construction or site development of a lot, that the property owner shall immediately contact the Township of South Frontenac's Development Services Department and the Ministry of Heritage, Sport, Tourism and Culture, and
- b. That in the event that human remains are discovered during construction or site development of a lot, that the property owner shall immediately contact the Township of South Frontenac's Development Services Department, the Ontario Provincial Police (OPP), the Ministry of Heritage, Sport, Tourism and Culture, and the Registrar

Draft Plan Conditions for Willowbrook Estates, Phase 2

or Deputy Registrar of the Cemeteries Unit of the Ministry of Consumer Services (or the applicable agencies at the time of final approval).

- c. 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

Revisions to Draft Plan

~~32-33.~~ That where final engineering design(s) result in minor variations to the Plan (e.g., in the configuration of lots, etc.), these may be reflected in the Final Plan subject to the satisfaction of the Township of South Frontenac and the County of Frontenac.

General Conditions

~~33-34.~~ That when requesting final Approval from the County of Frontenac, the Owner shall accompany such request with the required number of originals and copies of the Final Plan, together with a surveyor's certificate stating that the lots/blocks thereon conform to the frontage and area requirements of the Zoning By-Law.

~~34-35.~~ That prior to final approval, the County of Frontenac is to be advised by the municipality that this proposed subdivision conforms to the Zoning By-Law in effect in the Township of South Frontenac.

Model Homes

~~35-36.~~ That where the Owner proposes to proceed with the construction of a model home(s) prior to registration of the Plan, the Owner shall enter into an Agreement with the Township, setting out the conditions for model homes, and shall fulfill all relevant conditions of that Agreement prior to issuance of a building permit.

Clearance Letters

~~36-37.~~ That Prior to Final Subdivision Approval, the County of Frontenac shall be advised that all Conditions of Draft Plan Approval have been satisfied; the clearance memorandum shall include a brief statement detailing how each Condition has been met.

~~37-38.~~ That Prior to Final Subdivision Approval, the County is to be advised in writing by the Township of South Frontenac the method by which conditions have been addressed.

Draft Plan Conditions for Willowbrook Estates, Phase 2

~~38-39.~~ That Prior to Final Subdivision Approval, the County is to be advised in writing by the Cataraqui Region Conservation Authority the method by which its conditions have been addressed.

Lapsing Provisions

~~39-40.~~ That pursuant to Section 51(32) of the *Planning Act*, this Draft Plan Approval shall lapse at the expiration of three years from the decision date for the issuance of Draft Plan Approval, if Final Approval has not been given, unless an extension is requested by the Owner and, subject to review, granted by the County of Frontenac.

~~40-41.~~ That pursuant to Section 51(33) of the *Planning Act*, the Owner may submit a request to the County of Frontenac for an extension to this Draft Plan Approval. The County of Frontenac shall notify the Township of South Frontenac of any request to extend Draft Plan Approval. The extension period shall be for a period of up to two years and the request for an extension must be submitted in writing a minimum of 60 days prior to the lapsing of Draft Plan Approval. Further extensions may be considered at the discretion of the County of Frontenac, where there are extenuating circumstances.



Report 2021-070

Committee Recommend Report

To: Chair and Members of the Planning Advisory Committee

From: Joe Gallivan, Director, Planning & Economic Development

Date of meeting: September 9th, 2021

Re: **Planning and Economic Development – Adopted Central Frontenac Official Plan**

Recommendation

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

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

And Further That the Council of the County of Frontenac approve the Township of Central Frontenac Official Plan dated July 13th, 2021 (revised August 30, 2021), as contained in Appendix 4.

Background

The Township of Central Frontenac commenced a review of the existing Official Plan in 2017. The current Plan was approved by the Ontario Ministry of Municipal Affairs in June, 2008. Since the time of approval a new Provincial Policy Statement (PPS) was issued in 2014 and the County of Frontenac had its first Official Plan approved in 2016. On May 1st, 2020 a revised Provincial Policy Statement came into effect. As part of creating a new Official Plan the Township needed to ensure that the Plan conform to the County Official Plan and be consistent with the new PPS.

Between August 2017 and April 2021, Township Council held six Open Houses to engage with members of the public on a variety of policy directions in the Official Plan. During that period three drafts of the Official Plan were prepared and revisions made to the plan based on the consultation.

The formal Public Meeting as required by the *Planning Act* was held by Council on May 18, 2021 as a virtual meeting. Additional changes were made to the Plan based on this public meeting.

At a Council meeting held on July 13, 2021, Township Council formally adopted the new Official Plan. (A copy of the Notice of Adoption as well as the minutes from the May 18th Public Meeting are attached as Appendix 1)

At a subsequent Council meeting held August 30th, 2021, Township Council passed a resolution to include technical amendments to the adopted Plan in order to formally incorporate previous Official Plan Amendments that had been made to the 2008 Plan which were still in effect. (A copy of the August 30th Council resolution and staff report are attached as Appendix 2).

Overview / Highlights

The following provides a general overview of the basis of the adopted Central Frontenac Official Plan:

2020 Provincial Policy Statement

The adopted Official Plan was reviewed in its entirety to ensure that the plan conforms to the new Provincial Policy Statement (PPS) that came into effect on May 1st, 2020. Of note, the revised PPS has extended the planning timelines for Official Plans from 20 years to 25 years.

Algonquins of Ontario (Section 3.5.3)

The Algonquins of Ontario consultation office provided detailed comments on the draft plan in correspondence dated June 24th, 2020. The Algonquins support many of the policy sections in the draft Official Plan, including waterfront protection, economic development, the Highway 7 Parkway concept, special protection for White Lake including the Provincial Fish Culture Station, and the 'Destination Sharbot Lake' policy section.

Section 3.5 (Cultural Heritage) of the plan has been revised to include policy statements provided by the Algonquins, using the words directly from the correspondence. (Please see Appendix 3 for a copy of the Algonquins of Ontario correspondence.)

'Destination Sharbot Lake' – Special Policy Area (Section 4.1.4)

The goal of this special policy section is to create a cohesive plan for the future development of Sharbot Lake area which takes into consideration the sustainability of the existing village, its connection to Highway 7, existing and future transportation connections, and economic development. The lakeside location, rich history, and future as a recreational trail hub have the potential for Sharbot Lake to become a leading destination for new residents and a major attraction for tourists. This section of the Plan supports the redevelopment of the Highway 7 corridor adjacent to the village as a 'parkway' rather than a four lane, 400 series Provincial Highway, should the road be redeveloped by the Province.

Lake Protection (Section 4.8)

A Waterfront Area policy section (Section 4.8) is included in the adopted Plan. The intent of these policies are to provide Council and the Committee of Adjustment with a

comprehensive direction with respect to development and redevelopment in the area defined as 'Waterfront Area'. This area generally includes all lands extending 500 feet (150 metres) from the high water mark of a lake or river, "with the intent to protect water quality, shoreline amenities, and natural habitat areas". This policy section is very similar to the Waterfront policies that are included in the North Frontenac Official Plan (approved 2017) with the goal of providing a consistent approach to waterfront protection in the Frontenac region. Note that there is no 'Waterfront Area' designation indicated on the Land Use Schedule. Section 4.8.2.3 states that, "the precise limits of the Waterfront Area designation shall be defined and illustrated in an implementing comprehensive zoning by-law and confirmed by a site visit where necessary"

Special Policy Area - White Lake and Provincial Fish Culture Station (Section 4.8.10)

A special policy section (4.8.10) has been put in place to strengthen the ability to protect White Lake, recognizing the importance of water quality protection for the Provincial fish culture station that was established in 1933. A 300 metre (1000 ft) 'protection area' has been established around the lake with recommendations for zoning implementation.

Comments

The Adopted Central Frontenac Official Plan, as contained in Appendix 4, is a document that is reflective of the community (aided by citizen involvement in six Open Houses and Public Meeting) and has established a vision for growth for the Township. The Plan as presented meets the requirements pursuant to Section 17 of the *Planning Act*, has regard to matters of Provincial Interest, is consistent with the 2020 Provincial Policy Statement, and conforms to the County of Frontenac Official Plan.

Strategic Priority Implications

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

This priority includes the statement, "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 new Official Plan for Central Frontenac establishes the vision to manage growth in the community over the next 25 years, provides proactive direction for the future of Sharbot Lake and Highway 7, strengthens waterfront protection, and acknowledges the collaboration the Township will have in the future with the Algonquins of Ontario.

Financial Implications

There are no financial implications associated with this report.

Organizations, Departments and Individuals Consulted and/or Affected

Township of Central Frontenac
Commenting Agencies for the Township of Central Frontenac

Citizens
Lake Associations
Algonquins of Ontario Consultation Office

Attachments

Appendix 1 – Notice of Adoption of Official Plan (July 13, 2021) and Public Meeting Minutes (May 18, 2021)

Appendix 2 – Township Resolution and Staff Report, August 30th Council meeting

Appendix 3 – Algonquins of Ontario correspondence, June 24th, 2020

Appendix 4 – Adopted Official Plan (including August 30th revisions)



Township of Central Frontenac

1084 Elizabeth Street, P.O. Box 89, Sharbot Lake, ON K0H 2P0

Tel: 613-279-2935 or 1-800-300-6851, Fax: 613-279-2422

www.centralfrontenac.com



NOTICE OF ADOPTION OF THE OFFICIAL PLAN OF THE TOWNSHIP OF CENTRAL FRONTENAC

TAKE NOTICE under Section 17(23) of the *Planning Act, RSO 1990*, that the Council of the Corporation of the Township of Central Frontenac passed By-law Number 2021-45 being a By-law to adopt an Official Plan for the Township of Central Frontenac on July 13, 2021.

PURPOSE AND EFFECT: The Township of Central Frontenac has adopted a new Official Plan, which replaces the previous Official Plan that was approved in 2008. The purpose and effect of the Official Plan is to provide the policy framework intended to manage and direct physical development and its effects on the social, economic, cultural, and natural environment of the Township. It will form the basis for the passing of municipal by-laws, including an update to the Zoning By-law, and the administration and evaluation of planning and other related applications. The Official Plan applies to all lands within the jurisdictional limits of the Township of Central Frontenac.

EFFECT OF WRITTEN AND ORAL SUBMISSIONS RECEIVED

Lake Development and Protection

Public comments were received with respect to lake development including the protection of water quality, shoreline protection (including protection of the natural vegetative buffer and shoreline disturbance from permitted activities), fish and fish habitat protection, and carrying capacity. That consideration be given to the aesthetics and recreational impact from boating and fishing due to development. Recommended development be based on carrying capacity models based on science-based resource planning, including social, recreational, environmental and commercial factors. That forestry/logging not be permitted in the Waterfront Designation Area.

A new Waterfront Area policy section has been added to the Official Plan to provide direction with respect to development and redevelopment in the area defined as Waterfront Area which includes policies to address many of the comments received by the public.

Settlement Areas

Settlement Areas identified in the 2008 Official Plan were reviewed in the context of the 2020 Provincial Policy Statement and the Frontenac County Official Plan (2016). As a result the number of settlement areas was reduced from nine (9) to eight (8).

A new policy section was added to provide vision for the future growth of the Village of Sharbot Lake, recognizing that the village can be considered the regional hub for the northern half of Frontenac County.

Algonquins of Ontario

The Algonquin Land Claim covers the entire jurisdiction of Central Frontenac Township. The Township consulted with the Algonquins of Ontario and received comments and recommendations with respect to water protection, environmental protection, Sharbot Lake settlement area, future development of Highway 7 near Road 38, archaeological policies, economic development, and special protection for the White Lake area. A new policy section was added to the Plan to incorporate these Algonquin interests (s.3.5.3).

Tiny Houses

Comments were received with respect to Tiny Houses and possible amendments may need to be made to meet the requirements of the *Building Code Act*.

Agriculture and Farming

The plan recognizes that while there are no 'prime agricultural' lands in the Township, there are many viable farm operations that need to be protected. New policies have been added to support 'farm-related uses' to help sustain the farm economy.

NOTICE OF DECISION FOR THE OFFICIAL PLAN AMENDMENT

The Official Plan requires approval from the approval authority being the County of Frontenac. Any person or public body is entitled to receive notice of the decision of the County of Frontenac, if a written request to be notified of the decision (including the person's or public body's address, fax number or email address) is made to the County of Frontenac at 2069 Battersea Road, Glenburnie, ON K0H 1S0, or planning@frontenacounty.ca.

ADDITIONAL INFORMATION related to the Official Plan Amendment is available to the public for inspection during regular office hours at the Municipal Office (see address below).

Dated at Sharbot Lake, Ontario this 14th day of July, 2021.

Cindy Deachman, Deputy Clerk
Township of Central Frontenac
Phone: 613-279-2935 x237
Email: cdeachman@centralfrontenac.com



**MINUTES OF THE SPECIAL MEETING OF COUNCIL
PUBLIC MEETING FOR THE NEW OFFICIAL PLAN
May 18, 2021**

A special meeting of the Council of the Township of Central Frontenac was held virtually on Tuesday, May 18, 2021 at 6:00 PM

Present: Mayor Frances Smith, Deputy Mayor Nicki Gowdy, Councillors Cindy Kelsey, Tom Dewey, Bill MacDonald, Victor Heese and Brent Cameron

Regrets: Sherry Whan, Elwin Burke

Staff in Attendance: CAO/Clerk Cathy MacMunn, Deputy Clerk, Cindy Deachman, Development Services Manager Andy Dillon, Director of Planning and Economic Development, County of Frontenac, Joe Gallivan, Manager of Community Planning, County of Frontenac Sonya Bolton

2 Call to Order

- a) Mayor Smith called the meeting to order at 6:02p.m.

3 Approval of Agenda

Motion #: 201-2021 Moved By: Tom Dewey
Seconded By: Bill MacDonald

That the agenda for the public meeting for the new Official Plan for the Township of Central Frontenac be approved as presented.

Carried

4 Disclosure of Pecuniary Interest and General Nature Thereof

none

5 Mayor's Remarks

- a) Mayor Smith noted this meeting was the final opportunity to hear from the public on the official plan. She introduced Joe Gallivan, Director of planning who brought forward his report.

6 Staff Reports/Departmental Updates

- a) **Planning Report**
89-2021 Central Frontenac Draft Official Plan

J. Gallivan provided a brief report to council indicating that there have been six open houses with respect to the new Official Plan. This is the formal Public Meeting under the Planning Act. Staff will be bring back a report to council with the final plan for adoption.

Motion #: 202-2021 Moved By: Nicki Gowdy
Seconded By: Brent Cameron

That Council receive the Central Frontenac Draft Official Plan Report, prepared by the Director of Planning and Economic Development for information.

AND further that Council receive public comments to the draft official plan (3rd draft - December, 2020).

Carried

7 Public Meeting

- a) Mayor Smith explained the process for the public meeting under the Planning Act. Deputy Clerk advised as to when the notices were posted and placed in the Frontenac News. She also explained how to use the raise hand feature and troubleshoot audio issues.

J. Gallivan presented a slide show about the draft plan.

Comments from the public were received from:

- a) Arlene Gregoire - she is property owner on White Lake, member of white Lake Cottage Association. She explained the history of the development of this lake and the importance of environmental protection of this lake. She asks that lot sizes be increased in size to minimize impact (currently 4 acres), and to have the same frontage of rear of lots as waterfront lots. Wants to see what is currently in zoning bylaw maintained to ensure same level of care. She would like to see greater protection afforded to the lake. She noted the importance of development control (subdivision, condo, site plan). She is concerned these processes will control changes to the land, but still a concern to what happens to the lake when a large development is approved. Until there is a lake plan, suggests we consider on an interim basis increasing the lot size and frontage. MNRF doesn't have standards for this type of situation.

J. Gallivan confirmed that the existing OP has no policies on white Lake. Now that it does have special policies, you can look at the lot size and other controls in the zoning bylaw. Councillor MacDonald asked about provincial policy regarding this lake, and how does this impact municipal control. Joe confirmed provincially they control the fish sanctuary and federally the motor boat restriction. The municipality can still control zoning and land controls.

- b) Charmaine Jones - lake and water quality is most important asset. Concern is the quality of the lake and lack of access on east basis for public access for septic pump outs. Weeds are phenomenal. Need to look at harvesting the weeds. Councillor MacDonald suggested that an appeal go out to service providers to see if they can fill that need.

- c) Monte Hummel -he supports the plan. Council and staff have done a good job, especially the water aspects of the environmental conservation focus. This is important to the economic future of the township and is the basis of economic development. It is fundamental to it. He has noticed in previous meeting some concern in protecting headwaters. This is not easily defined. He encourages staff and council to add a reference for special reference to protect headwaters.

J. Gallivan will take a look at it and do more research on it. He will be going to county council to update natural heritage study. Councillor MacDonald asked why not use the terminology of watershed? All waters in the watershed can impact others, not just headwaters.

- d) Mel Marks - Wondering connection between policy and mandatory septic system inspection. Not much progress has been observed. He has an island property and not able to find anyone to pump it out. Mayor Smith will write to ministry to see if province would offer investment dollars to encourage folks to get into the business. Mr. Marks' concern is that the inspection program has no enforcement teeth and therefore cannot protect the water quality. He applauds the need to protect the water. Mayor Smith confirmed the inspection program does have ability to shut down a system if necessary.

8 Adjournment

Motion #: 203-2021 Moved By: Victor Heese
Seconded By: Cindy Kelsey

That By-Law 2021-33 being a bylaw to confirm the proceedings of the public meeting for the new Official Plan for the Township of Central Frontenac be read a first, second and third time, and finally passed this 18th day of May, 2021.

And Further that this meeting be adjourned until 4:00p.m. on the 25th day of May, 2021 said meeting to be held virtually.

Carried

Mayor, Frances L. Smith

CAO/Clerk Cathy MacMunn

#2

Corporation of the Township of Central Frontenac – August 30, 2021

Planning/administration

144-2021 Adopted Central Frontenac Official Plan – Modifications to Add Previous Official Plan Amendments to 2008 Official Plan



Resolution #__"316"__ - 2021

Moved by _"Nicki Gowdy"__ Seconded by _"Tom Dewey"__

That Council receive the 'Adopted Central Frontenac Official Plan – Modifications to Add Previous Official Plan Amendments to 2008 Official Plan' report;

And further that Council accept the text and map changes to the Adopted Plan as contained in Appendix 2 of this report;

And further that staff provide a copy of this resolution to the approval authority (County of Frontenac) to advise that Township Council accepts these modifications in order that previous Official Plan Amendments be incorporated into the final Plan.

Carried __"X"__

Defeated _____

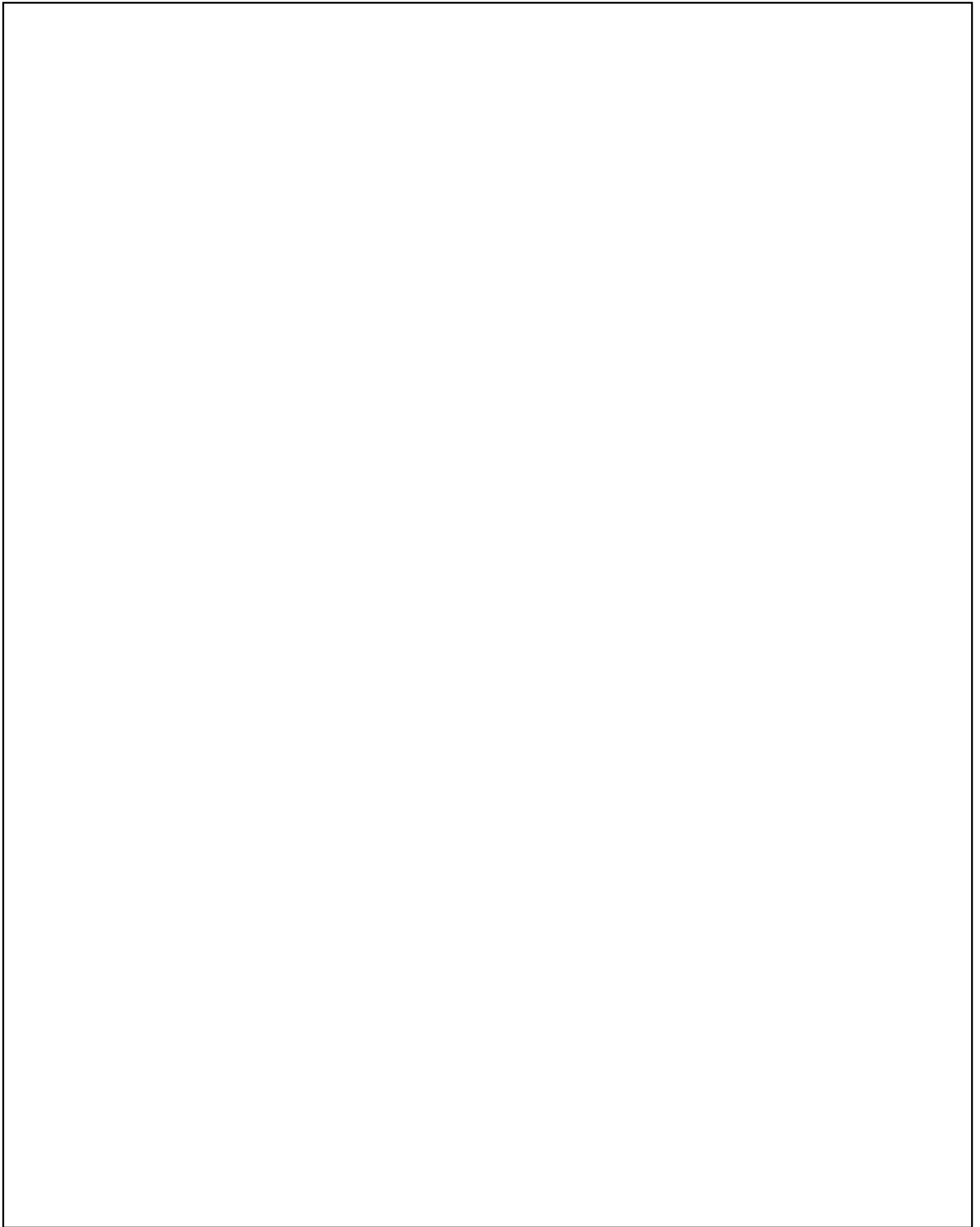
Mayor/Chair __"Frances Smith"__

Recorded Vote

F. Smith _____
C. Kelsey _____
B. MacDonald _____

B. Cameron _____
T. Dewey _____
V. Heese _____

N. Gowdy _____
S. Whan _____



Report

Report No: 144-2021

To: Mayor and Council

From: Joe Gallivan

Director of Planning & Economic Development
County of Frontenac

**Re: Adopted Central Frontenac Official Plan – Modifications to Add Previous
Official Plan Amendments to 2008 Official Plan**

Date Prepared: August 20, 2021

Date of Meeting: August 30, 2021

Recommendation

IT IS RECOMMENDED Council receive the 'Adopted Central Frontenac Official Plan – Modifications to Add Previous Official Plan Amendments to 2008 Official Plan' report;

AND FURTHER that Council accept the text and map changes to the Adopted Plan as contained in Appendix 2 of this report;

AND FURTHER that Council pass a resolution to advise the approval authority (County of Frontenac) that Township Council accepts these modifications in order that previous Official Plan Amendments be incorporated into the final Plan.

Background

The purpose of this report is for Township Council to consider modifications to the adopted Official Plan (July 13th, 2021) in order to include Official Plan Amendments that had been previously been adopted by Township Council and approved by the Ministry of Municipal Affairs between 2010 and 2016. Although these Amendments are in force, they were inadvertently excluded from the text of the draft Official Plan considered by Council. These are not “amendments” to the Official Plan, as the changes to the text of the adopted plan addressed in this report are already part of the Official Plan. These items were inadvertently left out of the text and are now being reinserted to ensure that Council considers the complete text when it also considers the proposed amendments.

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Discussion

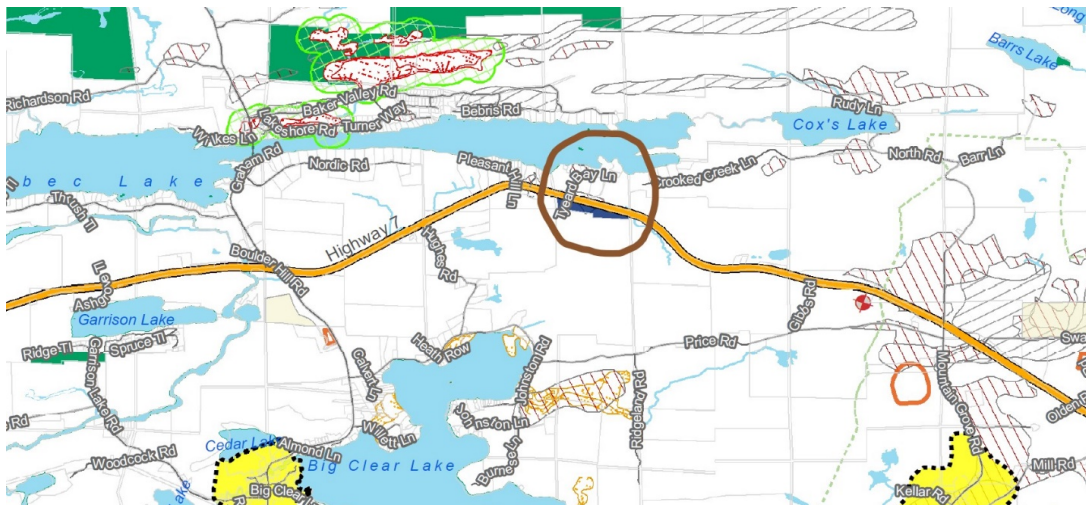
Appendix 1 attached to this report provides a list of the fifteen (15) Official Plan Amendments that were approved under the 2008 Official Plan. Included in the list of Official Plan Amendments (OPAs) is the recommendation to either include or exclude the OPAs to the adopted Plan. Any of the OPAs recommended to be excluded are considered to be redundant.

The changes made to incorporate these modifications into the text of the Plan before Council are relatively minor in nature.

Text Changes - Proposed changes to the text of the Plan are highlighted in yellow in the attached revised document. Please refer to Appendix 1 for additional details.

Land Use Schedule Map Changes - There are two changes to the Land Use Schedule in order to incorporate OPA #3 and OPA #11:

- (1) OPA #3 – 28433 Highway 7 (portable concrete operation) – map change to 'Rural Industrial District'

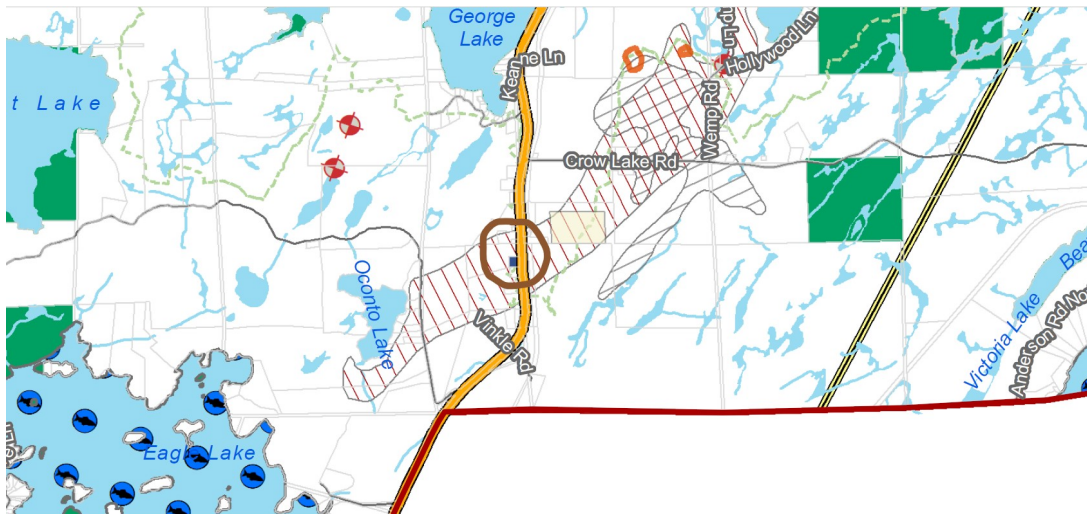


Source: revised Land Use Schedule, August 2021



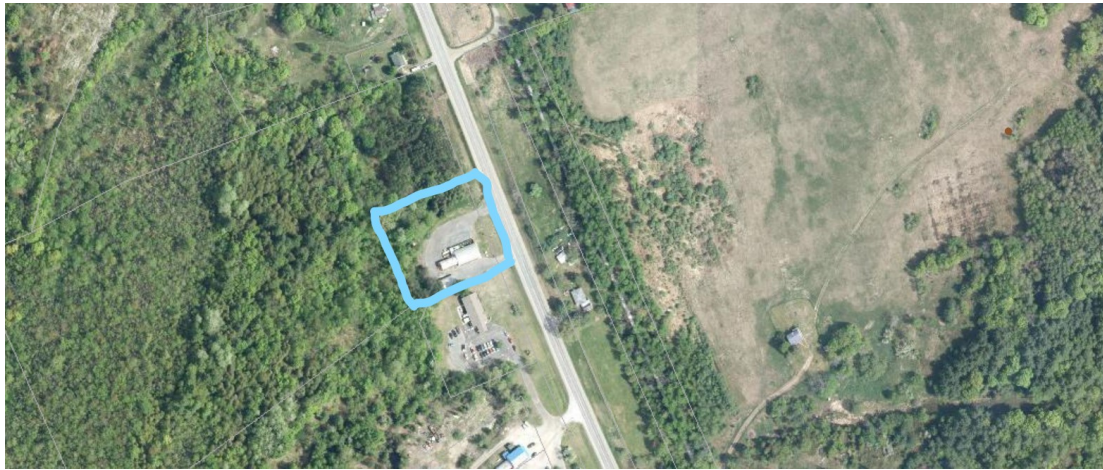
Source: Frontenac Maps (2020 aerial imagery)

(2) OPA #11 - 121821 Road 38 (current 'Seed to Sausage' meat processing and retail operation – map change to 'Rural Industrial District')



Source: revised Land Use Schedule, August 2021

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Source: Frontenac Maps (2020 aerial imagery)

Next Steps and Recommendation

There are two options for Township to consider when dealing with these previously approved Official Plan Amendments:

Option 1 – Endorse Modifications -- Should Township Council endorse these modifications, the revised adopted Plan will be forwarded to the County Planning Advisory Committee for their review and endorsement to County Council. It is expected that County Council will consider approval of the Plan at its meeting scheduled for September 15th, 2021. This option allows these Official Plan Amendments to be incorporated directly into the adopted Plan.

Option 2 – Take No Action – Council can decide to not include the modifications at this time and have County Council proceed with approval of the adopted Plan. At a later date, Township Council can consider a ‘technical Amendment’ to the new Plan to incorporate these changes to recognize previous Official Plan Amendments. The option will require a Public Meeting as required by the Planning Act prior to adoption.

Both Option 1 and Option 2 can be appealed under the *Planning Act*. The appeal would be made on the approval of the Amendments by County Council.

Staff recommend Option 1. These modifications are items that have already been approved by Township Council. These changes should be considered to be technical in nature only and not actual ‘amendments’ to the adopted Plan.

Prepared by:

Joe Gallivan
Director of Planning & Economic Development
County of Frontenac

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Appendix 1 – Official Plan Amendments to Central Frontenac Official Plan

The following is the list of Official Plan Amendments (OPAs) that have been approved between 2006 and 2015. The list includes staff recommendations with respect to proposed modifications to the adopted plan (or 'no action' recommendation).

Note that OPA #1 is not included in this list as that was the Amendment that created the new Plan in 2008:

- **OPA #2** (2006) – Garrison Shores – this is already included in the adopted Plan as Section 4.8.9 (Special Policy Area 1 – Garrison Shores).
Recommendation: No action is necessary to implement this Amendment
- **OPA #3** (2008) – 28433 Highway 7 – this property is the site of a portable concrete plant and is currently zoned 'M2-X2'.
Recommendation: The Land Use Schedule be amended as per OPA #3 to designate the property 'Rural Industrial District' to reflect the already approved designation.
- **OPA #4** (2008) – St Andrew Lakes – map change to re-designate from 'Rural' to 'Waterfront Residential'.
Recommendation: No change necessary as per Section 4.8.2.1 of the adopted Plan which recognizes all lands within 150 metres are to be considered Waterfront, and Section 4.8.2.3 which states that, "the precise limits of the Waterfront Area designation shall be defined and illustrated in an implementing comprehensive zoning by-law and confirmed by a site visit where necessary". The specific OPA has been incorporated for this property and all properties within 150 m of the Waterfront in this general amendment.
- **OPA #5** (2009) – 1096 Clement Road – text amendment to specifically recognize "multiple residential" use on the property (note: this is the seniors' residence built in 2010).
Recommendation: A new Section 4.3.1.1 be added to incorporate the text of the original Amendment.
- **OPA #6** (2011) – Bob's Lake -- map change to re-designate from 'Rural' to 'Waterfront Residential'.
Recommendation: No change to the adopted Plan as per OPA #4 above.
- **OPA #7** (2011) – Kellar Lake -- map change to re-designate from 'Rural' to 'Waterfront Residential'.
Recommendation: No change to the adopted Plan as per comments respecting OPA #4 above.
- **OPA #8** (2010) – St. George's Lake -- map change to re-designate from 'Rural' to 'Waterfront Residential'.
Recommendation: No change to the adopted Plan as per comments respecting OPA #4 above.

- **OPA #9** (2011) – Long Lake -- map change to re-designate from 'Rural' to 'Waterfront Residential'.
Recommendation: No change to the adopted Plan as per comments respecting OPA #4 above.
- **OPA #10** (2011) – Bridgen's Island – OPA #10 included a site specific policy (new Section 4.8.11) as well as a map (Schedule 4.8-2).
Recommendation: A new Section 4.8.11 (Special Policy Area 3 – Bridgen's Island) be added to the text of the Plan as well as a new map (Schedule 4.8-2) to reflect the already approved designation.
- **OPA #11** (2011) – 121821 Road 38 - this property is currently the site of the 'Seed 2 Sausage' plant/store and is currently zoned 'MXCD'.
Recommendation: The Land Use Schedule for the adopted Plan be updated to designate the property 'Rural Industrial District' to reflect to reflect the already approved designation.
- **OPA #12** (2012) –Kennebec Waterfront Communities -- map change to re-designate from 'Rural' to 'Waterfront Residential'.
Recommendation: No change to the adopted Plan as per comments respecting OPA #4 above.
- **OPA #13** (2014) – Oconto Lake -- map change to re-designate from 'Rural' to 'Waterfront Residential'.
Recommendation: No change to the adopted Plan as per comments respecting OPA #4 above.
- **OPA #14** (2014) – 29158 Highway 7 – OPA (text amendment) to allow vacant group home to be converted for multiple residential/institutional uses.
Recommendation: A new Section 4.3.1.2 added to include text from the original Amendment to reflect the already approved designation..
- OPA #15** (2016) – Hungry Lake – map change to re-designate from 'Rural' to 'Waterfront Residential'.
Recommendation: No change to the adopted Plan as per comments respecting OPA #4 above.

**Appendix 2 – Revised Adopted Official Plan to Include Previous Official Plan
Amendments to 2008 Plan**

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Algonquins of Ontario

June 24, 2020

Joe Gallivan
Director of Planning & Economic Development
County of Frontenac
2069 Battersea Road
Glenburnie, ON K0H 1S0

BY EMAIL ONLY

igallivan@frontenacounty.ca

Dear Mr. Gallivan:

**Subject: Proposed Township of Central Frontenac Official Plan
Second Draft Version 2 (July 19, 2019) (Our File CP 78-18)**

Further to your submission dated July 19, 2019 and follow-up correspondence the Algonquins of Ontario (AOO) have now reviewed the Draft Official Plan for the Township of Central Frontenac. As you are aware, the Planning Area is totally within unceded AOO Settlement Area.

There are a number of Algonquin Settlement Lands identified within the Township of Central Frontenac and the AOO share many of the goals and objectives of the Draft Official Plan; which is the subject of this review.

AOO Comments to Draft Official Plan

Section 1 Introduction – no comment

Section 2 Basis of the Official Plan

The AOO appreciate the acknowledgement that the Township of Central Frontenac is in the traditional territory of the Algonquin First Nation.

Section 2.3 Objectives of the Plan

- (11) The Algonquins of Ontario support the Township's intent to develop a partnership approach with First Nations and Indigenous Communities including the use and disposition of Crown land within the Township.
- (12) The Algonquins of Ontario Support the Township's intent to preserve and provide for the wise stewardship of plants, animals and ecological systems while recognizing the rights of First Nation Communities, property owners and the Crown.

31 Riverside Drive, Suite 101, Pembroke, Ontario K8A 8R6
Telephone: (613) 735-3759 Fax: (613) 735-6307
Website: www.tanakiwin.com E-Mail: algonquins@tanakiwin.com

Section 3 General Development Policies

Section 3.5.2 Policy

Request #1 (1) Please add First Nation to the listing of significant cultural heritage Landscape.

(2) Please delete “where appropriate” after “First Nations will also be engaged”.

Request #2 Consideration of the following addition to 3.5.2 (2) (iv) would be appropriate:

The Algonquin Traditional Territory is composed of a diversity of indigenous cultural landscapes. An Indigenous cultural landscape is a living landscape that indigenous people value because of their enduring relationship with that place and its continuing importance to their cultural identity. Traditional Environmental Knowledge (TEK), an intimate knowledge of an area's landforms, plants and animals, is reflected in an indigenous cultural landscape. Many archaeological sites within the Algonquin Traditional Territory are small and contain a minimal amount of archaeological material, and these materials may be of great significance to the Algonquins of Ontario (AOO).

For thousands of years the Algonquin Traditional Territory was characterized by glacial lakes and/or inland seas, resulting in high water levels that have left a sequence of paleo-shorelines and associated archaeological sites often far inland from modern shorelines that are the familiar focus of many archaeologists. The archaeological “visibility” of sites on relic shorelines and fossil islands in the Algonquin Traditional Territory is further affected by the expedient use of local stone for tools, a technology which may unfamiliar and “invisible” to archaeologists.

The AOO regards all cultural heritage sites – from sacred burials to everyday stone tool workshop sites – to be of importance and worthy of investigation and protection. Effective and successful engagement with the AOO begins with early notification. Specific to archaeology this includes the notification of the intention to complete a Stage 1 through Stage 4, the review of these draft reports, as well as the participation of Algonquin Archaeological Liaisons during Stages 2 through Stage 4, and possibly Stage 1 if a site visit is planned.

The AOO are in the process of developing an *AOO Enhanced Archaeology Standards and Guidelines* that will enable the producers of archaeological and cultural heritage reports to understand how to satisfy AOO requirements from the start and to prevent backtracking and study/reporting revisions. We look forward to an opportunity to speak further with the Township of Central Frontenac in the coming months about this important initiative.

Request #3 Since the potential always exists to miss important information in archaeological surveys, AOO request to be notified if any artifacts of indigenous interest or human remains are encountered during development, please contact:

Algonquins of Ontario Consultation Office
31 Riverside Drive, Suite 101
Pembroke, ON K8A 8R6
Tel: 613-735-3759

Fax: 613-735-6307
 E-mail: algonquins@tanakiwin.com

The Algonquins of Ontario would appreciate specific references and encouragement for proponents to contact the Algonquins of Ontario where their projects are within the unceded AOO Settlement Area.

Section 3.5.3 Algonquin Aboriginal Interests

The Algonquins of Ontario are prepared to engage with the Township on matters that affect Aboriginal history and culture as well as land use planning matters cited in Section 3.5.3.

Section 3.18 Coordination of Services

The Algonquins of Ontario support Township Council's intention to coordinate economic development planning and programming with First Nation Communities and will participate fully in the development of protocols for consultation in these matters.

Section 3.23 Forest Management

The Algonquins of Ontario recognize the importance of the forest resource in the Municipality and share the intent to support forest stewardship techniques.

Section 4 Community Development Land Use

Section 4.1.1 Settlement Area General

The Algonquins of Ontario support the concept of Settlement Areas and the policies outlined in the Draft Official Plan for Arden, Mountain Grove, Sharbot Lake, Crow Lake, Parham, Tichborne and Picadilly.

Section 4.1.4 Special Policy Area – Sharbot Lake

The Algonquins of Ontario concur that Sharbot Lake has the potential to become a major attraction for tourists and that a strong sense of place is required at the entrance to the village, on the waterfront and at the Highway 7/38 intersection.

The Algonquins of Ontario also share Council's concern with the negative implications of potential future reconstruction of Highway 7 as a 400 series highway and, like Council, would prefer and support a "parkway concept".

The Algonquins of Ontario are already engaged with Via Rail on the potential development of a high frequency rail line from Toronto to Quebec City through Algonquin Traditional Territory.

Section 4.8.1 Waterfront Area Introduction

The Algonquins of Ontario agree that any new development must be considered in light of its impact on the environmental quality of any lake or river.

Water in all its forms is considered by the Algonquins to be the lifeblood of Mother Earth.

Section 4.8.5 Objectives

The Algonquins of Ontario specifically and particularly support Subsection (I) to maintain a high level of biodiversity; (K) to protect and enhance water quality, (P) to protect and preserve cultural heritage and archaeology resources.

Section 4.8.7 Lake System Health

- (C) The Algonquins of Ontario support a cautious approach to development in order to protect waterbodies.

Section 4.8.8 Lake Trout Lakes

The Algonquins of Ontario support the provisions of Section 4.8.8 with regard to protecting “at capacity” Lake Trout Lakes; being Sharbot Lake (west basin), Hungry Lake, Silver Lake, Crow Lake and Eagle Lake.

Section 4.8.9 Waterfront Special Policy Area 2 White Lake and Provincial Fish Culture Station

The Algonquins of Ontario and particularly the Shabot Obaadjiwan First Nation have a deep and on-going interest and close relationship with the White Lake Provincial Park and Fish Culture Station.

Two Shabot Obaadjiwan Settlement Land Selections are located on the south shore of White Lake

REC 66A Shabot Obaadjiwan Cultural Center 238.0 Acres
Lot 15 and 16, Concession 8, Olden Township

REC 66B Area of Algonquin Interest 602.7 acres
Lot 16 and 17, Concession 7, Olden Township

The Algonquin Nation Land Selections under the Algonquin Land Claim also include:

REC 231 White Lake Island

The Algonquins of Ontario and the Shabot Obaadjiwan First Nation will work closely with the Ministry of Natural Resources and the Township of Central Frontenac to continue to protect the integrity of the White Lake Fish Sanctuary and Fish Culture Station.

The Algonquins of Ontario and the Shabot Obaadjiwan First Nation would be pleased to engage with Council, MNRF and the public in the creation of a lake plan for White Lake as contemplated in Section 4.8.9.

Section 4.10.1 Natural Features Policies

The Algonquins of Ontario specifically support the provisions of the Township of Central Frontenac Draft Official Plan with regard to protection of (B.) Wetlands and Wildlife Habitat, (C.) Fish Habitat and (D.) Endangered and Threatened Species.

The Algonquins of Ontario also support (H.) The Algonquin Park to Adirondacks Park Corridor.

Note: An Algonquin initiative led by Shabot Obaadjiwan and Snimikobi under the Algonquin Land Claim process is expected to result in creation of a new Provincial Park surrounding Crotch Lake to be known as Whiteduck Provincial Park. This proposal should be monitored by the Township as it may extend along its southern boundary into the Township of Central Frontenac.

Section 4.11 Crown Land

The Algonquins of Ontario are prepared to engage with the Township of Central Frontenac and the Province in developing Official Plan designations and Zoning By-laws for all proposed Crown land transfers within the Township.

Please be aware that, subject to reaching substantial agreement through the Algonquin Land Claim negotiations on the Settlement Lands package, there may be certain selections proposed for residential, institutional or tourist commercial development.

In this regard, the Algonquins of Ontario request deletion of the following clause in Section 4.11:

Request #4 “Generally the release of Crown land for non-resources related development is not encouraged except where there are no alternative private lands available for such development or where the lands are required to achieve the economic policies of this Plan.”

The Algonquins will engage directly with the Township on a go forward basis with regard to the use of Crown lands having regard to the Planning Act RSO and Provincial Policy Guidelines 2019 and the proposed Township of Central Frontenac Official Plan.

Section 5 Transportation

Section 5.7.3 Primary Trails and

Section 5.7.4 Spine Network

The Algonquins of Ontario support the development of a recreation trail system throughout the Township of Central Frontenac.

Section 6 The Tools of Implementation

Section 6.9.7 Holding Zone

The Algonquins of Ontario support the use of holding zones.

Our review of the Township of Central Frontenac Draft Official Plan indicates that subject to addressing the four (4) requests as noted herein, Algonquin environmental, cultural and economic interests will not be adversely impacted by the approval of the Township of Central Frontenac Draft Official Plan dated July 19, 2019.

We would, however, appreciate circulation of the final Draft Official Plan which we trust will address AOO requests contained herein.

Notwithstanding the above, land within the Algonquin Land Claim Area has never been surrendered by the Algonquins of Ontario and the Algonquins have never been compensated for any alienation of it. The consent of the AOO to this Official Plan is accordingly without prejudice to all Algonquin aboriginal rights and title and to the right of the AOO to seek accommodation or financial compensation in the context of an Algonquin Treaty for any infringement of Algonquin Aboriginal rights and title that may have resulted or may in the future result from this matter.

Finally, please note that the AOO, like many other Indigenous communities, have shifted capacity and resources to ensure the safety and well-being of its staff and community members due to COVID-19. AOO's physical offices are currently closed and although we are adapting to online and web-based technological tools to maintain business continuity, there may be delays in processing and response times. We respectfully request flexibility and patience where required given these exceptional circumstances.

If you have any questions or wish to discuss these matters further, please do not hesitate to contact the AOO by email at algonquins@tanakiwin.com.

Sincerely,



Janet Stavinga
Executive Director

c.c. Algonquin Negotiation Representatives – AOO
 Chief Doreen Davis, Shabot Obaadjiwan First Nation
 Chief Randy Malcolm, Snimikobi First Nation
 Robert Potts, Principal Negotiator and Senior Legal Counsel – AOO
 J. E. Hunton, MCIP, RPP, Senior Vice President, Jp2g Consultants Inc. – AOO Technical Advisor

Township of Central Frontenac Official Plan

July 2021



**Adopted by the Council of the
Township of Central Frontenac: July 13, 2021**

**Approved by the Council of the County of Frontenac: XXXX,
2021**

(Note: proposed modifications to reflect previous Official Plan Amendments
added August 30, 2021)

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INTRODUCTION

Township of Central Frontenac



1 Introduction

1.1 Township Profile

The Township of Central Frontenac enjoys a unique character and quality of life that distinguishes the municipality from other rural areas in Ontario. The rural values, sense of place, unique landscapes, importance of water resources, and quality of life enjoyed by those who live in and who visit the community is integral to the municipality. The municipality is comprised of 1,025 square kilometers with a permanent population of 4,555 people that more than doubles in the summer due to seasonal residents and visitors attracted to the area.

The Township of Central Frontenac was incorporated on January 1, 1998, and is made up of four former Townships of Kennebec, Olden, Oso and Hinchinbrooke. The first Official Plan for the municipality was approved by the Ministry of Municipal Affairs on June 18, 2008. This version of the Plan provides an update to the community vision for future development in the area to the year 2046.

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

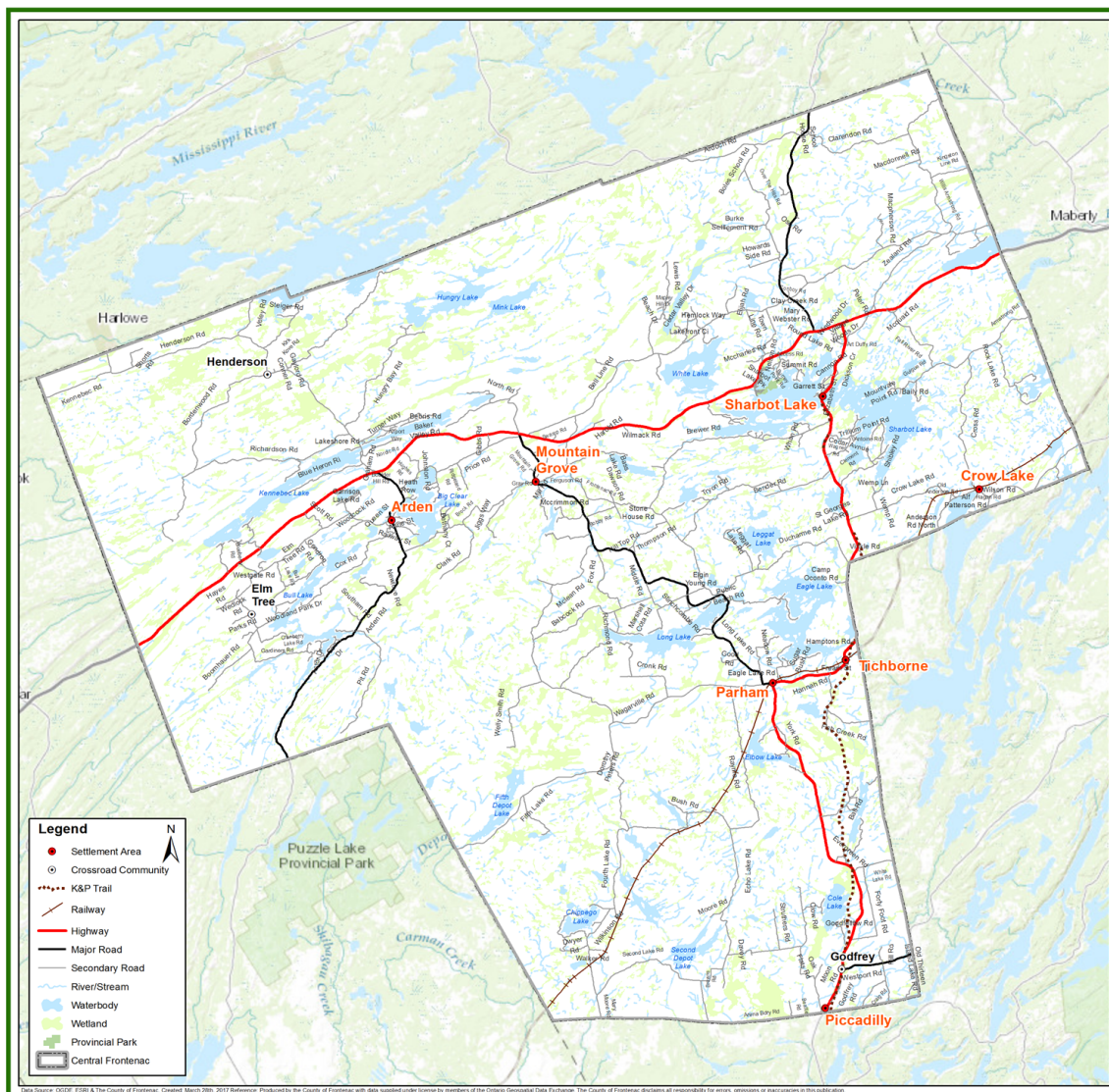


Figure 1. Map of the Township of Central Frontenac.

1.2 Administration of the Official Plan

Council will be responsible for administering this Official Plan. The principal duties of Council will be the review of development applications such as the Official Plan and Zoning By-law amendments, consents, minor variances and subdivisions for conformity to the Official Plan, and where appropriate, the review of the Official Plan to ensure that it remains relevant.

Council will ensure that the Official Plan and all amendments are available to the public so that citizens can be kept informed of the municipality's land use policies. The documents will also be available at the municipal office and the Township website.

While the Official Plan is intended to guide the future development of the Township to the year 2046, it is recognized that the Plan has been prepared on the basis of existing conditions and information available at the time of the Plan's preparation. An Official Plan should be viewed as a work in progress and it is intended that as conditions or priorities change, or as new information becomes available, there will be a need to review various policies from time to time. It is the intent of Council that a special meeting be held, which is open to the public, at any time prior to the end of the 10-year review period, pursuant to the *Planning Act*, to determine the need for review of the Plan.

1.3 Title and Components

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

The Official Plan consists of the following text and Land Use Schedule, which make up the Land Use Plan. The Land Use Plan establishes the pattern of **development** in general terms by dividing the Township into basic land use designations in addition to the general policies that are applicable to **development** across the Township.

Terms used in this Plan are intended to address matters of provincial interest and the definitions of the Provincial Policy Statement. Other terms may also be defined that apply to the interpretation of this Plan and their application to **development** and planning applications.

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

1.4 Interpretation

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

It is intended that all figures and numerical quantities herein shall be considered as approximate unless otherwise stated. An amendments to the Official Plan will not be required for any reasonable variance from any of the proposed figures, provided that in all cases, the intent of the Plan is preserved.

Unless otherwise indicated in this Plan, it is intended that buildings, structures, uses etc. that are normally incidental, accessory or essential to a permitted use will also be allowed even though not specifically stated in the land use policies.

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

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

The indication of any proposed roads, infrastructure, and municipal services in the policy text or on the Land Use Schedule will not be interpreted as a commitment by the Township, nor outline specified timeframes.

1.5 Agency Names and Responsibilities

From time to time, the names of various government or other agencies may change. In addition, responsibilities may shift from agency to agency. This Plan shall be interpreted so as to refer to those agencies named, or to their successors, as conditions or circumstances dictate.

1.6 Planning Period, Review and Amendments

The Planning Period for this Official Plan is intended to be approximately 25 years (2021-2046). The Plan will be subject to a review not less frequently than once every ten (10) years pursuant to Section 26 of the *Planning Act* and will be revised to ensure that the Plan conforms to Provincial policies and is consistent with the Provincial Policy Statement in effect at that time.

The review shall not be deemed to prevent any person or applicant from making an application under Section 22 of the *Planning Act* to amend the Plan. Applications for amendments to this Plan by the public or amendments initiated by Council will be considered in accordance with the requirements of the *Planning Act*. Applications submitted by the public must be complete and where required by this Plan, include studies or reports to determine the impact of the proposed change on the goals, objectives, and policies in this Plan, the Frontenac County Official Plan and the Provincial Policy Statement, the need for the proposed amendment, and the effect of the proposed amendment. The Township shall notify the public, County of Frontenac, and other agencies in accordance with the requirements of the *Planning Act*.

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

1.7 How to Use This Plan

Readers of this Plan are encouraged to begin their review at Section 2, which sets out the principles and vision for the future **development** of the Township. This will provide an understanding of the context for **development**. To determine how this Plan affects a specific property or area, the first step is to locate the parcel of land on the Land Use Schedule and to determine its land use designation(s). The specific land use policy/policies relating to the designation(s) should then be reviewed. It is important to also review the General Development Policies in Section 3, Land Use Policies in Section 4, Transportation Policies in Section 5, and Implementation Tools in Section 6 of this Plan, as they affect the property.

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

- Section 1: Introduction
- Section 2: Basis and Objectives of the Plan
- Section 3: General Development Policies
- Section 4: Community Development - Land Use
- Section 5: Transportation
- Section 6: The Tools of Implementation

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

1.8 Effect of the Official Plan

Upon adoption of the Official Plan by Township Council and approval by the County of Frontenac, the Plan will guide all planning decisions in the Township. No public or private works will be undertaken, and except as provided for in the *Planning Act*, no By-law will be passed for any purpose that does not conform to the Official Plan. The approved Official Plan will provide a basis for the review of the Township's Comprehensive Zoning By-law.



BASIS OF THE OFFICIAL PLAN

Township of Central Frontenac



2 Basis of the Official Plan

2.1 Vision and Context

The community of Central Frontenac is located in Eastern Ontario in the heart of the Land O' Lakes Region and Frontenac County. It is the traditional territory of the Algonquin First Nations. Spread across more than a thousand square kilometres of unspoiled granite terrain, its rolling hills, winding roads, rippling waters, and rugged landscape characterize this rural area of Frontenac and fosters a traditional Canadian environment and lifestyle.

Sharbot Lake is the largest village in the Township and is located approximately 75 kilometres north of the City of Kingston and 120 kilometres west of the City of Ottawa with most of the village located just south of the intersection of Highway 7 and Road 38.

Beyond Sharbot Lake, Central Frontenac is home to a number of hamlets such as Arden, Mountain Grove, Parham, and Tichborne. In addition, there are residential crossroad communities including Piccadilly, Godfrey, Henderson, Elm Tree, and Crow Lake. The Township also includes scattered rural development along many of the backroads as well as extensive waterfront development along the hundreds of lakes and rivers.

Railway and railway history is an important part of the community which is represented in the Railway Heritage Park in Sharbot Lake. The former Kingston and Pembroke rail line runs through the area and has now been converted to the K&P Trail that extends southerly to the City of Kingston and Lake Ontario. The Township owns the remainder of the rail right-of-way from Sharbot Lake to the northern Township border which can allow for future extension of the trail. Policies within the Plan recognize the potential for Sharbot Lake to be recognized as a trail hub with connections to the Trans Canada Trail that runs east-west.

The rural physical environment of Central Frontenac facilitates a healthy lifestyle providing a myriad of recreational choices for individuals, including camping in Sharbot Lake Provincial Park or birding in the Kennebec Wilderness Trails.

Township Council adopted a Strategic Plan (2017-2020) that contains both a Vision Statement and a Mission Statement.

The Vision Statement of Central Frontenac Council is to support “a vibrant progressive community which will continue to provide a clean, friendly, natural environment that promotes a healthy active lifestyle, balanced with economic development opportunities to ensure financial viability”.

The Mission Statement of Central Frontenac Council is “through efficient and effective leadership, Central Frontenac will continue to foster the development of a community in a customer-friendly, cost-efficient, creative and environmentally sensitive manner that provides

opportunity for all to enjoy life, earn a living and pursue leisure activities”.

Council also established six areas of focus that are intended to guide the implementation of the Strategic Plan: Asset Management; Waste Management; Good Governance and Effective Administration; Health, Recreation, Culture and Lifestyle; Infrastructure; and Protection and Health of Natural Environment.

This Official Plan will serve in part as a guiding document for Council's strategic planning priorities.

2.2 General

As a lower-tier municipality, the Township of Central Frontenac is subject to the policies of the Frontenac County Official Plan which was approved by the Ministry of Municipal Affairs in January, 2016. The policies of the County Plan are further implemented through the land use and development policies of this Official Plan. This Plan was written to conform to the County Official Plan, however, in reading this Plan there may also be a need to make reference to the County Plan.

The following fundamental elements form the basis of this Official Plan:

1. The 2020 Provincial Policy Statement is the basis for provincial interests reflected in the policies of this Plan as well as the procedures for the review of planning applications set out in the *Planning Act* and various Ontario Regulations enacted under the authority of the Act.
2. The County of Frontenac Official Plan is the basis for regional interests reflected in the policies of this Plan.
3. The rural character of the Township's physical features and environment is a key element which contributes to the current quality of life.

2.3 Objectives of the Plan

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

1. To promote efficient **development** patterns that optimize the use of land, resources and public investment, and to promote a strong liveable and healthy community that enhances social well-being and is economically and environmentally sound.
2. To develop a healthy diversified local economy, which provides for local employment opportunities and a balanced tax base between residential, commercial and industrial property classes.

3. To provide for a diversity of active and passive recreation opportunities which reflect the range of lifestyle interests, ages, states of health and mobility of community residents.
4. To support and maintain a transportation system that promotes the safe and efficient movement of community residents, tourist traffic and goods, that minimize disruption to communities and the environment, that is integrated with the plans of other transportation authorities, and includes or encourages sustainable transit and active transportation.
5. To encourage development in locations where communal water and wastewater systems are feasible.
6. To provide for a variety of land uses which are appropriate and sustainable within a rural environment and to plan for new development which is sensitive to and preserves the unique features, recreational character and amenities of the community and natural environment.
7. To provide for a range of housing types and densities including the provision of affordable housing, which meet the existing, and future needs of a largely rural community, as well as an aging population.
8. To direct **development** away from lands with natural or human made hazards and/or physical limitations such as poor drainage, organic or contaminated soils, flood susceptibility, erosion or steep slopes.
9. To protect and enhance the water quality, shorelines, habitat areas and natural features of the many waterbodies located in the Township as they are a focal point of residential and recreational activity.
10. To encourage and foster sustainable forms of **development** and **alternative energy systems**, which conserve energy and water and provide for cost-effective delivery of municipal services, while being consistent with sustaining economic viability and environmental sensitivity.
11. To provide for a partnership approach with First Nations and Indigenous communities in the planning and development process including the use of and disposition of **Crown Land** within the Township.
12. To preserve or provide for the wise stewardship of renewable and non-renewable natural resources including plants, animals or ecological systems, while recognizing the rights of property owners, the Crown, and First Nations communities with management of these resources.
13. To provide for the identification and conservation of cultural heritage and **archaeological resources**.
14. To ensure that **public service facilities** are adequate and have the capacity to support further growth and **development**. To provide for the ongoing maintenance, protection,

and where necessary, the replacement of community facilities and to sustain existing **public service facilities**.

15. To encourage sustainable practices in the planning, design and **development** of the community through such measures as reducing energy consumption; conserve or restore **ecological functions**; conserving or promoting biodiversity; recycling, harvesting and conserving water resources including waste water; promoting the production and use of local products and local food production; reducing light and noise pollution; encouraging the recycling of building materials and the adaptive re-use of buildings; promoting the use of **environmentally friendly** building materials and building systems; conducting energy and lifecycle audits; and promoting adaptive technologies that reduce consumptive practices.
16. To administer this plan fairly and consistently in the review of planning applications and the application of the policies of this Plan and to be consistent with the Provincial Policy Statement and the County of Frontenac Official Plan.
17. To improve accessibility for all persons by identifying, preventing and removing land use barriers that restrict full participation in society.
18. To consider climate change adaptation and mitigation through land use and development patterns, stormwater management, and decisions relating to infrastructure development.
19. To reinforce that economic activity is an important factor affecting land use patterns by strengthening the economic base by building on the assets that the pristine area has to offer.
20. To recognize that the village of Sharbot Lake and the intersection of Highway 7 and Road 38 be considered a special policy area and that over the timeline of this Plan the Township will work to make the area a destination for travelers and tourists, including leading efforts to make the lands around this intersection more pedestrian friendly.



GENERAL DEVELOPMENT POLICIES

Township of Central Frontenac



3 General Development Policies

3.1 General

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

3.2 Accessory Uses

Wherever a use is permitted in a land use designation, it is intended that uses, buildings or structures normally incidental, accessory or essential to that use shall also be permitted. Permitted accessory uses shall be identified and provisions provided in the implementing zoning by-law.

3.3 Buffering and Land Use Conflicts

Where land uses may create a land use conflict or are incompatible with each other or may potentially lead to **adverse effects**, buffering may be required. Appropriate buffers shall be identified in the implementing zoning by-law and may further be imposed through planning applications. The intent of this Plan is to require that matters of land use incompatibility be addressed in the review of all planning applications and that buffering and/or mitigation is undertaken wherever required to avoid land use conflicts. Buffering may consist of a physical structure, a separation distance, and an intervening land use that is different from the conflicting land uses but compatible with both, or any combination of these measures.

3.4 Climate Change

The climate in Frontenac is changing. Within the next 20 years climate change modelling predicts that the Central Frontenac area will experience hotter, drier summers with more heat waves and more intense rainfall events, and warmer, milder winters with more freeze-thaw cycles. These climactic changes will likely result in significant changes to the natural environment. The Township should consider climate change impacts when reviewing future development or redevelopment applications, creation of infrastructure, and the planning of improvements and enhancements to public spaces.

Council recognizes that the effects of climate change could alter how land is used in Central Frontenac over the time period of this Plan. The impacts of climate change include:

- Changes in warm weather growing seasons;
- Unpredictable water levels in rivers and lakes and groundwater during droughts or floods;
- Greater stress on public infrastructure from extreme weather events;
- Heat stress and flooding impacts on vulnerable people; and

- Increased demand on emergency services and impacts on tourism and recreation.

Integrating climate change considerations into planning by protecting natural systems such as wetlands and their support systems (groundwater source areas) will reduce the effects of drought and extreme weather events, improve resilience, and protect carbon sequestration potential.

Climate change can in part be mitigated by promoting active transportation and by focusing growth and development in areas where active or public transportation is accessible or planned. The Township will consider prioritizing sustainable transit, by providing infrastructure, regulations, safety measures, and funding to benefit from favourable climatic conditions and that will have a positive impact on climate change.

3.5 Cultural Heritage and Archeological Resources

3.5.1. Introduction

The intent of this Plan is to conserve **built heritage resources**, **cultural heritage landscapes** and **archaeological resources**. Council recognizes the importance of recognition and preservation of the **built heritage** and **archaeological resources** and **cultural heritage landscapes** (including First Nation) as a method of informing and guiding development in a way that is respectful.

3.5.2. Policy

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

1. Provide for the identification, restoration, protection, maintenance and enhancement of significant **archaeological resources** or **areas of archaeological potential**, significant **built heritage resources**, and significant **cultural heritage landscapes** of local, Provincial or Federal heritage value. This may be achieved through a co-operative and co-coordinated approach with senior level governments (e.g., sharing of data bases, designations, and joint funding and conservation initiatives).
2. Consider ways and means in which Council may co-operate in the conservation and/or preservation of cultural heritage resources, including utilization of the *Ontario Heritage Act* in the following ways:

- (i) Council may designate, by by-law, properties, heritage conservation districts and areas having historic and architectural value or interest in the Planning Area under Parts IV and V of the *Ontario Heritage Act*.
- (ii) Council may develop a Municipal register of cultural heritage and **archaeological resources** in the Planning Area or assist other organizations and work with the Ministry of Culture in developing, sharing and maintaining an inventory.
- (iii) Council shall require that in any proposed Plan of Subdivision and prior to the undertaking of any public work, private **development**, planning application, consideration be given to the possible effects and impacts of such works or development on cultural heritage and archaeological resources and those impacts, where identified, are appropriately mitigated.
- (iv) Council shall require an archaeological impact assessment carried out by an archeologist licensed under the *Ontario Heritage Act*, when any public work, private development, planning application will affect an area containing a known archaeological site or cemetery or an area considered to have archaeological potential or is within 250 metres (820 feet) of a Provincially registered or known archeological site or cultural heritage feature. Council shall contact the appropriate government agencies, including the Ministry of Tourism, Culture and Sport, and the OPP when an unmarked human burial site or new archaeological site(s) is discovered and the provisions under the *Ontario Heritage Act* and *Cemeteries Act* shall apply. First Nations will also be engaged.

The Algonquin Traditional Territory is composed of a diversity of indigenous cultural landscapes. An Indigenous cultural landscape is a living landscape that indigenous people value because of their enduring relationship with that place and its continuing importance to their cultural identity. For the Algonquins, Traditional Environmental Knowledge (TEK), an intimate knowledge of an area's landforms, plants and animals, is reflected in an indigenous cultural landscape. Many archaeological sites within the Algonquin Traditional Territory are small and contain a minimal amount of archaeological material, and these materials may be of great significance to the Algonquins of Ontario (AOO).

For thousands of years the Algonquin Traditional Territory was characterized by glacial lakes and/or inland seas, resulting in high water levels that have left a sequence of paleo-shorelines and associated archaeological sites often far inland from modern shorelines that are the familiar focus of many archaeologists. The archaeological 'visibility' of sites on relic shorelines and fossil islands in the Algonquin Traditional Territory is further affected by the use of local stone for tools, a technology which may be unfamiliar to archaeologists but visible to Algonquins.

The AOO regards all cultural heritage sites – from sacred burials to everyday stone tool workshop sites – to be of importance and worthy of investigation and protection. Effective and successful engagement with the AOO is based on early

notification. Specific to archaeology this includes the notifications of the intention to complete Stage 1 through Stage 4, the review of these draft reports, as well as the participation of Algonquin Liaisons during Stages 2 through Stage 4, and possibly Stage 1 if a site visit is planned.

- (v) Council may consider, where appropriate, the passing of archaeological zoning by-laws under Section 34 of the *Planning Act*, to be adopted for the purpose of preserving identified **significant** archeological sites.
 - (vi) **Development** and **site alteration** shall only be permitted on lands containing **archaeological resources** or **areas of archaeological potential** if the significant **archaeological resources** have been **conserved** by removal and documentation, or by preservation in situ. Where significant **archaeological resources** must be preserved on site, only **development** and **site alteration** which maintain the heritage integrity of the site may be permitted.
 - (vii) Council may require the preparation of a Heritage Impact Statement conducted by a qualified Heritage Consultant prior to **development** and **site alteration** on **adjacent lands** to protected heritage property or **cultural heritage landscapes**, or where the proposed **development** has the potential to impact **built heritage resources** or cultural **heritage** landscapes, to demonstrate that the **heritage attributes** of the **protected heritage property** will be **conserved**. Mitigative measures and/or alternative development approaches may be required in order to conserve the **heritage attributes** of the **protected heritage** property affected by the adjacent development or **site alteration**.
3. In all land use designations, it is the intent of Council that appropriate care be taken to preserve mature trees and other vegetation of heritage significance and/or scenic value (i.e. a cultural landscape). Existing landmark trees and tree and hedge lines should be an essential consideration in the design of any **development**. The preservation of trees along streets and roads shall be encouraged by Council, except where removal is necessary because of disease, damage or to ensure public health and safety.

3.5.3. Algonquin Aboriginal Interests

This Plan recognizes that lands within the boundaries of the Township lie within the historic Algonquin Territory that is part of the Treaty Negotiations with the Federal and Provincial Crowns. An Agreement-in-Principle (AIP) was signed by the Federal and Provincial Governments and the Algonquin Nation in October, 2016. As such, this Plan will respond to direction from the Federal and Provincial Crowns and the Algonquins towards the implementation of the AIP on any Official Plan requirements that arise. Council will seek opportunities for mutually beneficial engagement with the Algonquins on matters that affect Aboriginal history and culture.

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

- Protection of water quality and utilization of lakes and rivers;
- Any development that would have an impact on navigable waterways and their waterbeds;
- Any archaeological studies and/or environmental impact study related to proposed development where areas of Algonquin interest have been identified.

The Algonquins of Ontario have been involved in the preparation of this Plan and provided comments in June, 2020. The following is a list of statements and positions expressed in part in the comments:

- Partnership Approach - The Algonquins of Ontario support the Township's intent to develop a partnership approach with First Nations and Indigenous Communities including the use of Crown land within the Township.
- Stewardship -- The Algonquins of Ontario support the Township efforts to preserve and provide for wise stewardship of plants, animals, and ecological systems.
- Economic Development - The Algonquins of Ontario support the intention of the Township to coordinate economic development planning and projects with First Nation Communities and will participate fully in the development of protocols for consultation on these matters.
- Forestry - The Algonquins of Ontario recognize the importance of the forest resources in the Township and share the intent to support forest stewardship techniques.
- Sharbot Lake - The Algonquins of Ontario concur that Sharbot Lake has the potential to become a major attraction for tourists and that a strong sense of place is required at the entrance to the village, on the waterfront, and at the Highway 7/38 intersection.
- Highway 7 Parkway Concept -- The Algonquins of Ontario share the Township's concern with the negative implications of potential future reconstruction of Highway 7 as a 400 series highway and prefer and support a 'parkway' concept.
- Waterfront - The Algonquins of Ontario agree that any new development must be considered in the light of its impact on the environmental quality of any lake or river, and support a cautious approach to development in order.
- Water – Water in all its forms is considered by the Algonquins to be the lifeblood of Mother Earth.
- Natural Features -- The Algonquins of Ontario support the provisions of this Plan with

regard to the protection of wetlands, wildlife habitat, fish habitat, and endangered and threatened species.

- Trails - The Algonquins of Ontario support the development of a recreational trail system throughout the Township.

3.6 Existing Non-Conforming and Non-Complying Buildings, Structures and Uses

The Township recognizes that there are a number of existing land uses in the Township which are legally non-conforming or non-complying. Nothing in this Plan shall affect the continuance and use of buildings and structures on properties where such building, structure or use was legally established under the provisions of any zoning by-law in force on the date of approval of this Plan. This Plan is not intended necessarily to prevent the continuation, expansion, or enlargement of buildings, structures, and uses which do not conform to the designations and provisions of this Plan.

3.6.1 Legal Non-Complying Buildings, Structures and Uses

A legal non-complying building, structure or use is one which is included in the permitted uses for the zone in which the use is located, pursuant to the zoning by-law that implements this Plan, but which does not meet one or more performance standards of the zone such as those relating to yards or waterbody setback. It is the intent of Council that:

1. Non-complying structures shall be allowed to continue or to be replaced in their current location, at their current size (volume, footprint and height), if required;
2. Maximizing compliance shall be encouraged in the rebuilding of non-complying structures; and
3. That the rebuilding and expansion of non-complying structures shall meet the provisions set out in the implementing bylaw or seek the appropriate planning approvals.

The Township may establish criteria by by-law under Section 45 (1.0.1) of the *Planning Act* by which a minor variance application for the expansion, enlargement, or reconstruction of a structure shall conform with.

3.6.2 Legal Non-Conforming Building, Structures and Uses

A legal non-conforming land use is a use which is not included as a permitted use for the land use designation in which the use is located, but which was legally established as of the date that this Plan was adopted. It is not the intent of this Plan to prevent the continuation of uses which do not conform to the designations and provisions of this Plan that were legally permitted.

It may be desirable to permit the extension or enlargement, replacement or change of use of a non-conforming building, structure or use to a similar or more compatible use. Applications for changes to non-conforming uses or limited enlargements or extensions to such uses shall only be considered where the use was: legally established prior to the adoption of the zoning by-law

which rendered it non-conforming; continuous in nature since the use was established; and, located on lands owned and used in connection with the use on the day the zoning by-law was passed. An extension or enlargement, replacement or change of use of a non-conforming building, structure or use may be permitted subject to the provisions of the *Planning Act* and to the following planning principles:

1. The proposed extension, enlargement, replacement, or change of use shall not aggravate the non-conforming/non-complying situation or the enjoyment of neighbouring uses;
2. The proposed extension, enlargement, replacement or change of use shall not further reduce the requirements of the implementing zoning by-law;
3. The proposed extension, enlargement, replacement, or change of use shall not create adverse effects, undue noise, vibration, fumes, smoke, dust, odours, glare from lights, environmental hazards or other public health or safety concerns;
4. Appropriate buffering or screening techniques are used to mitigate the impacts of development on neighbouring properties;
5. Appropriate controls are imposed on lighting, outside storage, signage, waste storage and disposal, etc.;
6. Traffic and parking conditions in the vicinity will not be adversely affected and traffic impacts will be kept to a minimum by the appropriate design of ingress and egress points to and from the site and by improvement of site conditions especially in proximity to intersections with other roads;
7. Adequate provisions have been or will be made for off-street parking and loading facilities where they apply; and
8. Infrastructure and public services such as roads, waste disposal, school bussing, fire protection etc. is adequate or can be made adequate at a reasonable cost to the Township.
9. When proposed extension, enlargement, replacement, or change of use may have an impact on, or be impacted by, a natural heritage feature, the Township may refer to the appropriate agency for comment and may require the submission of an environmental impact assessment.

The Owner is responsible for providing evidence in support of legal non-conforming use claims. In all cases, the purpose of the evidence is to establish: the date from which the use was in place; the specific nature of the activity(ies); and the location, size, and use of all buildings and structures associated with use.

3.7 Group Homes

Council recognizes the varied needs of individuals that can be met by providing for group homes. Accordingly, group homes shall be permitted in all land use designations that permit residential uses in the municipality.

Group homes are generally defined as for the accommodation of 3 to 10 residents, excluding supervisory or operating staff, who live in a single housekeeping unit under responsible supervision consistent with the requirements of its residents for a group living arrangement and residences licensed or funded under a federal or provincial statute.

A group home shall be licensed and/or approved for funding under provincial statutes and in compliance with municipal by-laws. Once an implementing zoning by-law is in effect, the Township may pass a by-law pursuant to Section 163 of the *Municipal Act* requiring the licensing of group homes within Central Frontenac.

3.8 Home Based Businesses and Live/Work Units

Changing patterns of employment in recent years together with improvements in rural cellular/broadband technology means that people often can work and operate a business without the need to commute to employment some distance away. Council recognizes that home based businesses and live/work units are important components of the economic base of the community and can act as the genesis of job creation and the provision of goods and services to local and regional markets.

Home based businesses and live/work units allow for people to work from home and therefore can be considered a sustainable form of development. These businesses can serve as one of the key components of a healthy rural economy. Home based businesses and live/work units shall be encouraged as a means of providing local services, providing an incubator for new businesses and as a means to providing more specialized services to a broader clientele.

3.8.1 Home Based Business

A home based business is defined as a privately operated legal business located within a residential dwelling or an accessory building and which is compatible with the character of a residential setting and is an accessory use or clearly secondary to the principal use. Home based businesses are permitted within the Waterfront Area, Settlement Area and Rural Area designations of this Plan. Home based businesses shall generally be permitted as an accessory use in conjunction with residential development provided they do not create a public nuisance and are compatible with surrounding uses. The implementing zoning by-law shall contain provisions for home based businesses.

3.8.2 Live/Work Units

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

premises. Live/work units shall be permitted in the Rural Area designation of this Plan and shall permit a larger floor space to be designated to business floor space. The uses permitted within live/work units shall include uses permitted in a home based business as well as business appropriate for the rural area as set out in the implementing bylaw. Only one live/work units shall be permitted per lot and shall not be permitted in conjunction with a home based business.

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

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

1. Conversion of Buildings to Live/Work Units:

- a. The Township supports the re-use of traditional rural buildings for live/work units. The conversion of rural buildings to live/work units allow the retention of rural buildings while at the same time reducing the need to travel long distances for employment purposes;
- b. The Township shall encourage the maintenance of the building character that is important to the local community with the conversion of existing building stock;
- c. The Township shall encourage the employment use to be designed so that it can be used independently of the residential use (so that employment potential is not restricted only to the occupants of the residential space); and
- d. Council may require site plan control approval to ensure the functional use of the property as a commercial/residential use.

2. Creation of New Live/Work Units

- a. The Township supports the creation of new live/work units in the Rural Area;
- b. The Township shall encourage the scale and type of building to be appropriate to the surrounding area; and
- c. Council may require site plan control approval to ensure the functional use of the property as a commercial/residential use.

3.9 Food Vehicles

Food vehicles shall be permitted to operate in Settlement Area designation and along arterial roads and provincial highways within the Rural Area and Waterfront Area. Food vehicles may also be permitted on Township property with the appropriate approvals.

The implementing zoning by-law shall establish regulations to control land use and locations

where food vehicles can be permitted and provisions for their placement.

The Township shall consider adopting a Licensing By-law that will be responsible for regulating the location of food vehicles on Township property and the licensing of all food vehicles in the Township.

Council may consider the use of site plan control to illustrate requirements for parking, signage, garbage bins, and other site activities.

3.10 Lots of Record

Lots of record are legally created parcels or tracts of land that can legally be conveyed without *Planning Act* approvals. For the purposes of this Plan, these are deemed to include lots in a registered plan of subdivision, parcels created by consent (in accordance with the *Planning Act*), and/or any other distinct and separate holding, the deed to which is registered in the Land Registry Office.

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

1. The lot upon which such building or structure is to be erected has frontage on and direct access to a public street, a private lane of which the owner has legal deeded access, a Township Road Allowance (subject to an agreement with the Township), or right-of-way/easement as per the requirements of the respective zone in which the lot is situated. Notwithstanding the foregoing, for any permitted use on an island or water access lot, no parking is required on the principal lot provided that a public or private access point and adequate parking is available on the main land;
2. Sewage disposal facilities and potable water can be provided;
3. The lot meets the standards of the Township Zoning By-law for the use proposed; and
4. The lot meets the absolute minimum lot size and frontage for the zone the lot is located within if established within the implementing zoning by-law.

3.11 Natural and Human-Made Hazards

In accordance with the 2020 Provincial Policy Statement, development shall be directed away from areas of natural and human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards. It is the intent of the Township to prohibit development that may represent a risk to health and safety.

Development shall be directed away from lands or areas which are hazardous or susceptible to hazards. In some circumstances, the scope or extent of a hazard may not be known. Where a proposal includes a suspected hazard or if the extent of a known hazard has not been

confirmed, Council must be satisfied that the development will not be affected. The development proposal should be designed to avoid the hazard or engineered to withstand the hazard where permitted. Council may require supporting technical studies prepared by a qualified individual demonstrating no impact.

In exceptional circumstances, certain types of development may be permitted on hazardous lands or sites where measures are undertaken to safeguard such development and the environment from the impacts of such hazards and from the creation of new hazards. An Environmental Impact Statement may be required to demonstrate that there is no viable alternative and that the control of flooding, erosion, or the pollution of conservation land will not be affected.

Development that includes hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools, essential emergency services such as those provided by fire, police, ambulance stations, and electrical substations, and uses associated with the disposal, manufacture, treatment, or storage of hazardous substances shall not be permitted.

3.11.1 Natural Hazards

Natural hazards which are known to be present in the Township include flooding and erosion, unstable soils and bedrock, and wildland fire hazards. These hazards represent risks to public health and safety and property damage, and may be exacerbated by extreme weather events and/or the results of climate change. The Township will work closely with the Conservation Authorities in the identification of natural hazards. The Township shall also prepare for the *impacts of a changing climate* that may increase the risk associated with natural hazards.

A. Erosion Hazards and Steep Slopes

The Provincial Policy Statement directs development away from areas that may be identified as erosion hazards. The extent of erosion hazards are generally determined based on a combination of factors including a slope stability allowance, an erosion allowance, and an access allowance. These allowances vary according to site specific characteristics (i.e. slope height and characteristics). Detailed geotechnical analysis may also determine the extent of an erosion hazard at the site-specific scale.

Lands within and adjacent to lands subject to steep slopes and erosion hazards may be subject to a Regulation made pursuant to Section 28 of the Conservation Authorities Act, which is administered by the Conservation Authority where applicable. While these lands and adjacent lands are designated for various land uses, no buildings or structures shall be constructed or enlarged, and no site alteration such as filling, grading, and excavating shall occur without the written permission of the Conservation Authority in accordance with this Regulation.

Development and site alteration on lands subject to erosion hazards is prohibited, except for those uses that by their nature must be located within the erosion hazard,

such as flood or erosion control structures, shoreline stabilization works, water intake facilities and marine facilities such as docks and boathouses, subject to approval by the Township and the applicable Conservation Authority. Uses such as agriculture, forestry, conservation, wildlife management, outdoor education uses and similar activities will be permitted, provided that no associated buildings or structures are located in the erosion hazard.

Applications for development and site alteration on a portion of a site where the applicable stable slope and erosion allowances are not met shall require the submission of a geotechnical report prepared by a qualified professional to ensure that the property is suitable for development to the satisfaction of the Conservation Authority.

B. Flooding

Development and **site alteration** in the regulatory flood plain is prohibited; where the regulatory flood plain is not identified the Township shall consult the Conservation Authority having jurisdiction to identify the appropriate setback, where information is available.

Except for those uses that by their nature must be located within the regulatory flood plain, such as flood or erosion control structures, shoreline stabilization works, water intake facilities and marine facilities such as docks and boathouses, subject to approval by the Township and the Conservation Authority, no buildings or structures shall be located within the flood plain. Uses such as agriculture, forestry, conservation, wildlife management, outdoor education uses and similar activities will be permitted, provided that no associated buildings or structures are located in the flood plain.

It is the intent of the Waterfront Area policies to require a 30 metre setback from the highwater mark of a waterbody or watercourse for all development. A reduction of the waterbody/watercourse setback shall consider the impact of flooding on the **development**.

On existing lots of record, **development** and **site alteration** shall be permitted on the lands within the regulatory flood plain where the effects and risk to public safety are minor and can be mitigated in accordance with provincial standards to the satisfaction of the Township and Conservation Authority.

C. Organic Soils

Development shall be directed away from lands identified on the Land Use Schedule as organic soils or on any lands found to contain organic soils. Organic soils are normally formed in a water saturated environment (e.g. wetland) where the soil is not exposed to

the air for enough time to permit the breakdown of vegetative material. These soils do not contain sufficient strength to support a building or structure.

Development may be permitted where it has been demonstrated by a qualified professional that acceptable engineering techniques can be used and safe access provided to the satisfaction of the Township and Conservation Authority. No amendment to this Plan or the implementing zoning bylaw is required to permit development within organic soils if engineering techniques and mitigative measures are proposed to the satisfaction of the Township and Conservation Authority.

Where the boundary of organic soils identified has been identified as inaccurate by the Conservation Authority having jurisdiction, no study will be required, provided all other policies of this Plan are met.

D. Wildland Fires

The Ministry of Natural Resources and Forestry has identified areas that have potential for wildland fire. Development will generally be directed to areas outside lands identified as a high to extreme risk for wildland fire, unless the risk can be mitigated in accordance with wildland fire assessment and mitigation standards, as identified by the Province.

Proponents of development applications may be required to assess areas on the subject lands and adjacent properties which would pose a high to extreme risk for wildland fire. A wildland fire assessment must provide a site-specific assessment for wildland fire risk, confirm the presence of a hazardous forest type, and include proposed mitigation measures, if required.

3.11.2 Human-Made Hazards

A. Contaminated Sites, Site Decommissioning and Clean-up

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

It is a policy to ensure the proper decommissioning and clean-up of contaminated sites prior to their **redevelopment** or reuse. Measures to be taken by Council and/or the approval authority and the proponent include the following:

1. Applications for the **development** or **redevelopment** of sites that are identified as being contaminated or potentially contaminated shall require a Phase I Environmental Site Assessment (ESA) and a Phase II ESA should be completed if required. Clean-up of contaminated sites should be done in accordance with the

Record of Site Condition Regulation (O. Reg. 153/04) and Ministry of the Environment, Conservation and Parks guidelines.

2. Where the Record of Site Condition indicates that remediation work is necessary, the approval authority shall require as a condition of approval of **development** or **redevelopment** that appropriate action is taken to implement the components of the site remediation plan.
3. Contaminated sites may be placed in a holding zone in the implementing zoning by-law. Where a holding zone is used, the "H" may be removed when the site has been acceptably decommissioned or cleaned up to the satisfaction of the Township and in accordance with a site remediation plan and subject further, to the submission to the Municipality of a Ministry of the Environment, Conservation and Parks acknowledged Record of Site Condition. No building permit shall be issued prior to the lifting of the holding symbol.

B. Abandoned Mines

Development on, abutting or adjacent to lands affected by **mine hazards** may be permitted only if rehabilitation or other measures to address and mitigate known or suspected hazards are under way or have been completed. The Ministry of Energy, Northern Development and Mines maintained the Abandoned Mines Inventory System (AMIS) which contains information relating to potential mine sites. Abandoned mines are illustrated on the Land Use Schedule and represent the approximate location of known mine hazards.

The Township shall require that an applicant consult with the Ministry for any development within 1 km of an identified abandoned mine site identified on the Land Use Schedule and to undertake any remediation measures as legislated under the *Mining Act*. **Development** on, abutting or adjacent lands shall be permitted if measures to address and mitigate known or suspected hazards are underway or have been completed to the satisfaction of the Township and Province. A study completed to permit development shall identify healthy and safety concerns, identify rehabilitation measures and identify required mitigation measures.

Where the Ministry has provided to the Township that the Abandoned Mine Site does not pose a threat to public health and safety as per the **development** proposed, the Township shall not require a study to be undertaken or an amendment to this Plan, provided all other policies in this Plan are met.

3.12 Noise and Vibration

Feasibility and/or noise/vibration studies using Ministry of the Environment, Conservation and Parks guidelines may be required for applications for **development** of a sensitive land use

within 100 metres (328 feet) of Highway 7 and shall be prepared by a qualified consultant and to the satisfaction of the Municipality. The study shall demonstrate whether noise and vibration levels can be reduced to meet Provincial standards. The conclusions and recommendations of this study shall be implemented through conditions of the development approval. The applicant shall consult with the Ministry of the Environment, Conservation and Parks as well as the Ministry of Transportation to determine if a study is required.

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

These policies do not apply to development on existing lots or record or extension to existing building or structures.

3.13 Public Utilities and Communications Facilities Corridors

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

3.14 Second Units

Second units are self-contained residential units with a private kitchen, bathroom facilities and sleeping areas within dwellings or within structures ancillary to a dwelling. Second units increase the supply and range of affordable rental accommodation. It is a policy of Council that second units shall be permitted in the Rural Area and Settlement Area in detached, semi-detached and row houses if an ancillary building or structure does not contain a second unit and in a building or structure ancillary to these housing types provided that the primary dwelling does not contain a second unit provided that:

- The subject property has frontage on and direct access to an improved road or right-of-way;
- The subject property is a complying lot and the structure complies with all applicable provisions of the zoning by-law;
- Only one secondary dwelling unit is permitted on a lot;
- The secondary dwelling unit shall not be larger than the principal dwelling unit and is limited to ensure the goal of affordable housing is met;
- It is demonstrated that there is adequate water and sewer capacity to accommodate the second unit;

- The secondary dwelling unit shall be designed and located in such a manner to avoid impacts on the residential character of the principal dwelling unit and surrounding neighbourhood; and
- In the Rural Area, detached secondary dwelling units shall be in proximity to the principal dwelling unit and shall use the same driveway;
- Where water quality and quantity are of particular concern, a scoped hydrogeological review may be required as part of any application for a secondary dwelling unit, for review by the appropriate approval authority.

No additional parking space is required for a secondary dwelling unit, and tandem parking in the existing driveway for the principal dwelling unit is permitted. Where a new parking space is provided, it must meet the requirements of the zoning by-law.

The Province recognizes that there may be circumstances where second units may not be appropriate given other planning considerations and policies, particularly relating to health and safety or the natural environment. Second units shall not be permitted in the Waterfront Area in the Township of Central Frontenac.

3.15 Subdivision of Land

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

3.15.1 Consents

Consents shall be the method of land division where the Municipality is satisfied that a Plan of Subdivision or Condominium is not considered necessary for proper development. A consent to convey land may be granted provided the following policies, any other relevant policies including the General Development Policies and Land Use Policies, and that the provisions of the Planning Act are adhered to.

1. The proposed use of the severed lot shall be a use permitted in the underlying land use designation.
2. The lot(s) to be severed and to be retained must meet the requirements of the Zoning By-law. The applicant will be required to demonstrate that there is a sufficient land area suitable for a building envelope on a proposed lot that is outside of natural or human-made hazards, outside of the required 30 metre setback from the water and all yard setbacks and influence areas required, and outside of an easement or any part of a private lane or right-of-way. In determining compliance with the zoning by-law, areas which are not useable on a lot may be excluded for the purposes of calculating the minimum required lot area or a required setback.
3. The consent process is intended to be used for lot line adjustments, easements and similar administrative purposes, or for the creation of limited new lots as follows:

- A maximum of two (2) new lots (2 new lots, plus a retained lot) may be created by consent from a land holding as it existed on June 2, 2008 in the Rural Area and Waterfront Area.
 - A maximum of three (3) new lots (3 new lots, plus a retained lot) may be created by consent from a land holding as it existed on June 2, 2008 in the Settlement Area.
4. Not more than one (1) new lot and one (1) retained lot shall result from one consent application for severance. If more than one (1) new lot is created, an additional application shall be required.
 5. An adequate quantity of potable water and sewage capacity shall be demonstrated to be available for each new lot. Applicants shall provide sufficient technical information to demonstrate this to the satisfaction of the applicable review agency.
 6. The lot shall have frontage on and direct access to a year round maintained public road unless otherwise exempted as follows:
 - A lot may be created which will have frontage on a Township maintained seasonal road or a registered right-of-way or private lane which connects to a Township maintained year round or seasonally maintained road;
 - Severances for lots with water access only may be granted for residential dwellings provided there are adequate docking facilities, accessible, legal access, and provided parking facilities are available and secured through a deed or legal instrument acceptable to the Municipality, and are on the same waterbody. Lands may be zoned to include the lot and the parking in the same zone;
 - Lots for non-habitable buildings or structures associated with forestry, mining, **mineral aggregate operations** and telecommunications may be accessed by private roads;
 7. Where the lot proposed fronts on a Provincial highway (e.g., Highway 7), prior approval must be obtained for access from the Ministry of Transportation.
 8. Where the Township or Ministry has identified the need for a road widening, the necessary land shall be dedicated as a condition of approval. The applicant must receive approval from the Municipality for the location and installation requirements for an entrance and/or culvert for access onto any public road;
 9. The access or entrance to any lot shall not create a traffic hazard (e.g. on a curve or a hill where a driver's sight line is blocked or impaired). To improve the safety of roads in the area, sight distances should be maintained on corner lots;

10. Consents will not be granted which have the effect of limiting access to back lands for future **development** or which have the effect of creating land locked parcels for either the severed or retained lot;
11. Consents shall not be granted in areas where the undue extension of municipal services would be required (e.g. extension of a public road or school bus route);
12. Consents shall not be granted for the creation of a new lot on a waterbody where the lake has reached its development capacity and no residual capacity exists for that waterbody unless it has been demonstrated that the policies in Section 4.8.8 (Lake Trout Lakes) have been met.
13. Consents may not be granted which would interfere with a future public facility such as a park, road, source of water or similar facility;
14. Consents for non-residential uses (industrial, commercial, institutional uses) shall be appropriately located and comply with other policies of this Plan. Non-residential uses more appropriate to a rural setting should be directed to a location outside of the Settlement Area;
15. Consents in any built-up areas shall be proportioned to appropriately fit within the lotting pattern;
16. Despite the criteria outlined in '1' to '15' above, consents may be granted for the following purposes:
 - To correct lot boundaries;
 - To convey additional land to an adjacent lot provided the conveyance does not lead to the creation of an undersized or irregularly shaped lot for the purpose for which it is being or will be used, or the land to be retained;
 - To clarify title to the land; and
 - To permit an easement.
17. Supporting studies or additional information may be required to determine whether a consent application will comply with the policies of this Plan. Such studies or further information may include, but are not limited to any of the following:
 - Archaeological Assessment or Heritage Impact Statement;
 - Environmental Impact Assessment/mitigation measures for natural heritage features, including potential slope and soil hazards;
 - Flood proofing measures;
 - Hydrogeological and Terrain Analysis Report;
 - Lake Capacity calculation;
 - Minimum Distance Separation Formula calculation;
 - Mitigation of industrial impacts;
 - Mitigation of waste disposal impacts;

- Noise or acoustical study;
- Plan/measures for rehabilitation of mine hazards/assessment of mineral potential;
- Record of Site Condition (contaminated sites);
- Servicing Report (water and wastewater);
- Storm Water Management Report/Master Drainage Plan;
- Verification of non-impact for below ground water aggregate operations – Groundwater Impact Study;

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

- A Zoning Amendment under the Zoning By-law or a Minor Variance under Section 45 of the *Planning Act*;
- Site plan control;
- The dedication of land or cash-in-lieu of parkland;
- The conveyance of land or conveyance for road widening, easements for utilities, access control or drainage;
- The construction or upgrading of roads or the installation of drainage facilities and culverts;
- The establishment of buffer strips and landscaping;
- The installation of water supply or sewage disposal systems;
- The entering into of a Consent (Development) Agreement including provisions of financial guarantees;
- Demolition of buildings or structures and/or measures to remediate the property due to hazardous or contaminated conditions;
- Implementation for adequate drainage or storm water management requiring the submission of a survey or reference plan of survey;
- A planting plan approaching or meeting a 30 metre setback from any waterbody, where appropriate and where it is evident that shoreline rehabilitation is necessary;
- The requirement for additional information or studies.

19. Council will consider a comprehensive review of the maximum permitted number of consents per lot as set out in Section 3.15.1.3 for Rural and Waterfront Areas in order to ensure that there is an adequate supply of building lots for future residential uses in the Township.

3.15.3 Plans of Subdivision and Condominiums

Frontenac County Council is the approval authority for Plans of Subdivision or Condominium, in consultation with the Township Council.

In determining the need for a Plan of Subdivision or Condominium, Council shall have regard for the following criteria:

1. Scale of **development**: for larger scale development, such as the creation of four or more lots, which will usually require new services, or will impact the ecological functions of lakes. Waterfront development proposals will be carefully reviewed to determine if they are best addressed through the subdivision or condominium process;
2. Municipal services: a subdivision or condominium will normally be required where new roads will be constructed which may be assumed by the Municipality or there is a need for a cost-benefit analysis in assessing the potential operational costs to the Municipality for providing services (e.g. waste disposal, fire protection);
3. Environmental impacts: **development** expected to have a **significant** impact on the natural environment (e.g. on lake capacity, on the quality or quantity of water, on sensitive habitat), may be best addressed by a Plan of Subdivision or Condominium. Of particular importance is establishing an appropriate (minimum) or sustainable lot size for future development;
4. Impact Studies: where it is necessary to assess the potential impacts of **development** on a broad scale or larger geographic area (e.g. known or potential contaminated site, determining the extent of flood prone lands, determining the exposure to noise and/or vibration), a Plan of Subdivision or Condominium is preferred; and
5. Cumulative **Development**: land which may be developed in phases or over a period of years or where there is a need to consider the cumulative impacts of developing some or all of the property will be reviewed to determine whether a plan of Subdivision or Condominium is the best approach.

Council may request the approval authority to impose conditions and may require the applicant to enter into an agreement under Section 51 (26) of the *Planning Act* for the installation of services; securing the financial arrangements and such other matters as are provided for under the *Planning Act*.

3.15.4. Part-Lot Control

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

3.16 Waste Disposal Facilities

3.16.1. Existing or New Sites

Existing active or new sites (public or private) within the Township may only be operated, expanded or closed in accordance with current Provincial environmental standards and approvals.

Waste disposal activities may include facilities for recycling, composting, septage disposal, hazardous waste control and ancillary activities in accordance with the Environmental Compliance Approval. New sites, including sites for septage disposal, will require an amendment to this Plan and will require approval under the *Environmental Protection Act* before an amendment is considered. Prohibited wastes shall include nuclear wastes, hazardous or pathological wastes. Sites may include transfer sites used for the temporary storage of waste materials.

3.16.2. Closed or Inactive Sites

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

3.16.3. Influence Area

Council recognizes that waste management facilities may have an impact on adjacent land uses. An **influence area** surrounding the waste management facility shall be set out to recognize the potential for **adverse effects** between the existing waste management facility and any abutting land uses.

No **development** shall be permitted on or within 30 metres of the fill area of an active waste disposal facility or area. **Development** proposed beyond the 30 m but within an influence area of 500 metres of the fill area of an active waste disposal facility or area of a waste site closed less than 25 years ago shall be accompanied by a technical study prepared in accordance with the Ministry of the Environment, Conservation and Parks 'D-Series Guidelines' and prepared by a qualified individual that demonstrates that the proposed **development**, particularly a sensitive land use, will not be negatively impacted by the waste disposal facility (e.g. leachate, methane gas, rodents, vermin, odours, fire etc.). Where recommended by the impact assessment, measures to mitigate any adverse impacts will be required as a condition of development.

The **influence area** may be reduced where studies have been undertaken and the public authority having jurisdiction is satisfied that there will be no adverse impact.

No amendment to this Plan is required for construction within an influence area provided that it has been demonstrated to the satisfaction of the Township and any required agency or and Ministry that the proposed development will not be negatively impacted.

3.16.4. Designation on Land Use Plan

Waste Disposal sites and transfer sites are identified on the **Land Use Schedules** as a land use designation with the influence area identified.

3.17 Water Supply and Sewage Disposal

3.17.1. Policy Overview

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

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

3.17.2. Individual On-Site Systems

Lands throughout the Township may be serviced by **individual on-site sewage services** and **individual on-site water services**. Individual on-site services are owned, operated and managed by the owner of the property upon which the system(s) are located. Planning applications for new **development** shall be supported with information satisfactory to addressing relevant parts of the Ministry of Environment and Climate Change D-series Guidelines and the *Ontario Water Resources Act*.

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

3.17.3. Communal Services

Council may consider private sewage and private water communal services for multiple lot/unit **development** and redevelopment.

1. Township Council shall encourage communal servicing as an alternative to private wells and septic tanks, where it is deemed feasible, and is supported by the Ministry of the Environment, Conservation and Parks.

Council shall balance the servicing needs and the fiscal reality of achieving rural affordability.

2. Development on communal services shall be encouraged within the Settlement Area designation. In settlement areas, the priority shall be for residential and commercial development on communal servicing and shall be implemented through plans of subdivision or vacant land condominium.
3. The Township shall require a Municipal Responsibility Agreement to be established between the proponent and the Township or Township's representative. In approving any communal system, the Township may require a peer review of the proposed communal system, and shall require financial securities, and may impose a utility rate, to ensure that all operational, maintenance, and administration costs associated with the private communal services will not create an unacceptable financial burden for the Township, in the event of default by the owner-operator of the system.
4. That the proposed owner/operator shall be required to prepare an appropriate business plan to establish an appropriate cost structure for the installation and operation of the communal services(s). This business case may include preparation, at the expense of the owner, of a wellhead protection study or well yield assessment.
5. That a financial security may be established, to offset potential capital or operational costs arising from the default of the operator to the satisfaction of the Township.
6. Where a private communal sewage service(s) is required for permanent residential development, the Municipality shall be responsible for the service(s) should the system fail or the maintenance be neglected. Where a private communal service is required a responsibility agreement shall be required between the Municipality and the proponent or developer. A responsibility agreement will not be required for a mobile home park or recreational vehicle park for seasonal residential development. A private communal water service may include a Permit to Take Water under the *Ontario Water Resources Act*.

The responsibility agreement shall set out the requirements for the operation and maintenance of the system on a private basis subject to the approval of the Ministry of Environment, Conservation and Parks. The legal agreement shall contain financial assurance provisions which will ensure funds for operation and routine maintenance as well as a secured fund for capital improvements should repair or replacement of the facility become necessary. In addition, the legal agreement may set out the following, but is not limited to:

- Operating and Maintenance Standards;
 - A definition of Default;
 - An outline of remedial action;
 - Registration on title of the subject property; and
 - Easements, where required.
7. Township Council recognizes the policy work being completed by the County of Frontenac (as of the date of adoption of this Plan) to support new residential, commercial, and industrial development on communal services. Council supports this initiative and will consider amendments to this Plan to support this form of development in both settlement areas and rural areas of the Township.

3.17.4. Stormwater Management and Drainage

It is a policy of Council that stormwater management shall be required as a preventative approach to protecting water resources. Best management practices will be encouraged in the application of the following principles:

1. That natural hydrological characteristics are maintained, and where possible, enhanced as the means to protecting the base flow of watercourses. In particular, that post-development flows, particularly in receiving streams, are maintained at pre-development levels and that the cumulative impacts of **development** (within the sub-**watershed**) are considered as part of stormwater **infrastructure** design.
2. That the natural infiltration of water on lands, which are developed, is maximized, through 'Low Impact Development' techniques;
3. That proposed **development** will not result in increased downstream flooding or erosion or cause **adverse effects** on receiving waters, where feasible;
4. To ensure that alterations to natural drainage systems are prohibited or at least minimized by maximizing the retention of natural vegetation and by leaving stream channels in their natural form;
5. That fish and **wildlife habitat** are protected, enhanced or restored including habitat linkages where affected by the discharge or outlet of drainage facilities;
6. That a sustainable environmental approach is utilized in protecting water resources; and
7. That a construction mitigation plan is instituted to prevent stream borne sediments,

changes in flow or other adverse characteristics from affecting the **ecological functions** or other impacts on receiving waters during construction.

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

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

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

3.18 Coordination of Services

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

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

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

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

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

Council will collaborate with the County of Frontenac and the other Townships on projects involving regional infrastructure investment and shared public services.

3.19 Age-Friendly Planning

Like many areas of rural Eastern Ontario, Central Frontenac – and Frontenac County as a whole – has an aging permanent population. This demographic change will result in new priorities and challenges in the areas of affordable housing, accessible transportation, public spaces and **infrastructure**, recreation, and community health. The Township recognizes the importance of adapting its infrastructure and service delivery to meet these challenges, and will support the development of age-friendly communities that promote active aging and a high quality of life among residents at all stages of life. In order to achieve this, the Township will apply an age-friendly perspective in planning for its future. The following objectives and implementation policies will create a more age-friendly community.

3.19.1 Objectives

1. To plan for the needs of the Township's diverse population based on age, gender, ability, support needs, and income.
2. To recognize the interaction between housing, transportation, and other aspects of the physical and social environment in influencing residents' mobility, independence, health and quality of life as they age.
3. To support active aging for all residents by promoting the development of healthy, complete communities that encourage them to age in place.

3.19.2 Policies

The Township shall:

1. Promote the development of communities featuring a range of affordable and barrier-free accessible housing options that are well integrated with transportation choices and community amenities and services.
2. Support development of a well-connected network of active transportation facilities to increase the range of healthy and accessible transportation and recreation options available to residents of all ages and abilities.
3. Promote the use of universal design features in housing and accessibility features in the built environment to create safe, inclusive and barrier-free spaces that enhance the mobility and independence of residents of all ages and abilities.
4. Work collaboratively with other Townships and the County of Frontenac in implementing the regional Age Friendly Planning Study (2017) to create walkable communities with good access to community services, amenities, and green spaces to promote healthy, independent and active aging.

5. Identify areas of the built environment and/or supporting services where improvements can be made to improve universal accessibility.

3.20 Community Improvement

It is a goal of Township Council to maintain, rehabilitate, and upgrade the physical environment in order to ensure the continued viability of Central Frontenac as an attractive place to live, work, visit, and relax.

In order to achieve this goal, it is Council's intention to implement a program of community improvements, as defined in Section 28 of the *Planning Act*, which will fulfil the following objectives:

To foster improvements by:

- Establishing and maintaining the physical infrastructure necessary and appropriate for the various areas including storm drainage, roads, lighting, community facilities, and other such infrastructure;
- Encouraging property owners to take pride in the appearance of their own property and Township lands in general.

In the Settlement Area designation, to foster improvements by:

- Striving for equitable distribution of social amenities to serve various part of the Township with facilities that are well maintained and accessible;
- Ensuring the maintenance of existing housing stock and encouraging the rehabilitation, renovation, and repair of older dwellings;
- Maintaining attractive villages and hamlets with the necessary physical attributes to create pleasant and accessible local service areas;
- Providing incentives through Community Improvement Plans in support of the Settlement Area to foster a healthy local economy for local businesses;
- Ensuring that proposed building changes to businesses generally enhance the area and are compatible with adjacent land uses; and
- Encouraging the participation of the private sector in community improvement initiatives by involving local merchants, residents, and community associations.

This Plan designates the entire Central Frontenac Township as a Community Improvement Policy Area. Council will undertake various improvement programs within the Policy Area as financial resources permit and with local support of residents and the business community.

Council may establish community improvement project areas, as local municipal resources allow and as government funding becomes available. Council recognizes that improvements will be undertaken gradually and that it will be necessary to select project areas on a priority basis. The following considerations should be taken into account when selecting high priority areas for community improvement:

- The level of deterioration of municipal infrastructure;
- The value of the built area in terms of serving local commerce and social and cultural needs; and
- The existing or potential significance of the built area in relation to serving tourism-based economic development objectives.

3.21 Tiny Houses

- A. Tiny houses are becoming an alternative form of affordable housing and have building standards that can allow for seasonal or year-round accommodation. A tiny house differs from a recreational vehicle (RV) in that it is typically intended for year-round, long term living. Generally, many tiny houses look like a regular house – but in miniature.
- C. Tiny houses that are built on approved foundation system with septic system shall be permitted in any zone allowing single detached dwellings.
- D. Tiny houses built on trailers where the suspension/axle components have been removed and the chassis permanently attached on an approved foundation shall be permitted in any zone allowing single detached dwellings.
- E. Tiny houses on mobile chassis where the suspension/axle components remain are considered semi-permanent and shall be permitted in zones that allow mobile homes when constructed to the appropriate CSA standard.
- F. All tiny houses shall be constructed in accordance with the Ontario Building Code and where appropriate required CSA standard.
- G. Tiny houses where the wheels remain attached to the suspension/axle components shall be considered recreational vehicles and shall be permitted where recreational vehicles are permitted. When permitted where recreational vehicles are permitted, tiny houses shall be constructed to the appropriate CSA standard.

3.22 Salvage Yard

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

3.22.1. Permitted Uses

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

3.22.2. Amendment

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

3.22.3. Planning Principles

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

- A. The general need and desirability of the type of operation proposed;
- B. The location of the proposed site relative to the land use and development policies in this Plan;
- C. The suitability of the topography and soils relative to the proposed use;
- D. That insofar as is practical, scrap, junk, salvage and wrecking operations will generally be restricted to areas not exposed to public view;
- E. The adequacy of existing or proposed roads to provide access to the site and capacity to support truck traffic;
- F. That adequate provision is made for fencing, buffering or berming the operation (see Section 3.3 – Buffering and Land Use Conflicts). Council may also impose a minimum distance separation between the salvage yard and an adjacent use(s); and
- G. The entering into of a Site Plan Control Agreement under the *Planning Act* (see **Section 6.9.10. - Site Plan Control**).

3.22.4 Zoning

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

3.23 Forest Management

It is a policy of Council to recognize the importance of forests as a sustainable resource within the Municipality. The stewardship of this resource activity is recognized as taking place on both Crown Land and private land. Council recognizes and encourages timber harvesting and silviculture activities of commercial timber operations licensed by the Ministry of Natural Resources and Forestry or the management of forests by private owners or the Township.

On Crown Land, forest management and wood production activities are encouraged as governed under agreements under the *Crown Forest Sustainability Act*. In the development of such agreements under the *Act*, Council will work with the Province and the forest industry to ensure that other resource attributes are considered and managed for their respective values.

Council will encourage private property owners to develop forest management plans as a means to contribute to the quality of life and economic health of the community. The Township will also support complementary land uses to forest management practices and activities such as **wildlife habitat** improvement, or ecosystem improvement and the active or passive use of forested areas for **recreational** activities such as cross country skiing, picnicking, snowmobile and other similar outdoor **recreational** facilities and resource uses.

In recognizing the importance of the forest resource within the Municipality, it is a policy to both support and help coordinate the application of forest stewardship techniques to ensure compatibility with harvesting, renewal and maintenance operations with other resource attributes, particularly wildlife and **fish habitat**.

4

COMMUNITY DEVELOPMENT LAND USE

Township of Central Frontenac



4 Community Development – Land Use Designations

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

4.1 Settlement Area

4.1.1. General

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

This Plan designates eight (8) **Settlement Areas**, namely, Arden, Mountain Grove, Sharbot Lake, Henderson, Crow Lake, Parham, Tichborne, and Piccadilly, as shown on the **Land Use Plan Schedule**.

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

The Township shall encourage growth and development in the Settlement Area, including mainstreets, to occur on communal systems to revitalize the historic hamlets and provided opportunities for increased density and a mix of land uses.

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

The boundaries of Settlement Area are considered to be suitable for a 25-year time horizon.

4.1.2. Permitted Uses

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

1. **Residential uses:** Development shall generally be limited to low densities such as single-detached dwellings, semi-detached dwellings, and duplexes including home based businesses. Higher density residential uses will also be permitted which serve the changing demographic profile of the community such as housing for small block apartments and row houses. Council will endeavour to provide for affordable housing in meeting future housing demands.
2. **Commercial Uses:** Permitted uses which service the needs of residents and the traveling public and tourism industry may include retail, services, offices, restaurants, tourist services, motels and hotels, service and repair shops, and general business activities appropriate to a commercial area. Commercial uses which act as outlets or producers for local goods and services will also be encouraged.

Such development should front on an arterial or collector road, wherever possible. Council shall ensure that any proposed commercial use is compatible with neighbouring residential uses, particularly in regard to appearance, traffic generation potential, noise and other environmental factors.

Commercial uses are designated as site plan control areas.

3. **Industrial uses:** Light industrial uses and service type industries which provide services and/or products for the immediate area or which use materials produced locally and normally have a retail outlet. Industrial uses shall generally be limited to a Class I use as set out in the Ministry of the Environment, Conservation and Parks Classification system for industrial uses.

Industrial uses are designated as site plan control areas.

4. **Institutional and Public Service Uses:** Permitted uses shall generally be public or community uses that provide services to the general public, such as assembly halls, government offices, libraries, public buildings, places of worship, schools, social service clubs and facilities, recreational facilities, heliport, communication towers.

Institutional and public service uses may be subject to site pan control.

4. **Agricultural / Hobby Farm Uses:** Permitted uses may include low-impact agricultural and farm operations such as livestock, apiaries, poultry (e.g., backyard hens), community gardens, greenhouses. Council will consider passing a licensing by-law under the *Municipal Act* to regulate and monitor such uses.

4.1.3. Settlement Area Planning Principles

The following site development and land use standards shall apply to residential and non-residential uses in the Settlement Area:

1. Ensuring that the lot size is adequate for the proposed use and for potential for future expansion;
2. Ensuring that the lot can be adequately serviced with water supply and sewage disposal;
3. An existing residential property may be converted to a commercial use or may be a mix of commercial and residential uses. Conversions shall only be permitted where Council is satisfied that the use will be compatible with land uses in the immediate vicinity and that the lot size is adequate;
4. Energy efficient and sustainable design will be promoted for all development;
5. Ensure accessibility is considered in design in the review and approval of all development with the aim to identify, remove, and prevent barriers for people with disabilities;
6. Provisions shall be made in the implementing Zoning By-law to classify individual types of land use and to set out the zone requirements for development;
7. Council will encourage development to occur on existing approved lots before considering new development. Opportunities for intensification and redevelopment shall also be promoted where it can be accommodated in the Settlement Area;
8. Lots shall have frontage on or direct access to a public street, a private lane of which the owner has legal deeded access, a Township Road Allowance (subject to an agreement with the Township), or right-of-way/easement as per the requirements of the respective zone in which the lot is situated;
9. The lot area shall be sufficiently large to accommodate the intended use including parking, on-site maneuvering of vehicles, loading, storage of materials and wastes, access by emergency vehicles, future expansion and landscaping;
10. Building coverage and height control standards will be set out in the implementing Zoning By-law. Building height shall not exceed the equivalent of four storeys;
11. Services shall be evaluated to determine if they are adequate to meet the requirements for industrial uses waste management, fire protection and roads. Industrial uses, which consume large quantities of water, will not be permitted;
12. Site plan control shall apply in directing the massing and layout of buildings and storage areas, waste disposal areas, access, parking and loading, lighting, drainage, utilities

and services, landscaping for any new commercial, industrial or public service use and for extensions to existing uses;

13. Where applicable, the policies of section 4.10 – Lake Development Area shall apply to any development proposed within 150 metres (500 feet) of a waterbody.

4.1.4. Special Policy Area – Sharbot Lake

Sharbot Lake is the largest community in Central Frontenac and its central location in the upper half of Frontenac, as well as being adjacent to Provincial Highway 7, will allow the community to thrive over the next 20 years.

The village currently provides a variety of commercial and community services to both year round and seasonal residents. At Highway 7 there are a number of gas service stations, food takeout operations, grocery and corner store, as well as beer and liquor stores and an Ontario Provincial Police detachment.

Sharbot Lake also offers numerous recreational activities including nearby Sharbot Lake Provincial Park, a municipal boat launch, the joining of the Frontenac K&P Trail and the Trans Canada Trail in the middle of the village, and a large waterfront beach and playground. Approximately 250 citizens reside in the Sharbot Lake area.

The goal of this special policy section is to create a cohesive plan for the future development of Sharbot Lake area which takes into consideration the sustainability of the existing village, its connection to Highway 7, existing and future transportation connections, and economic development. The lakeside location, rich history, and future as a recreational trail hub have the potential for Sharbot Lake to become a leading destination for new residents and a major attraction for tourists.

The objectives of the Special Policy Area include:

- To create a built environment that is supportive of pedestrians and encourages active transportation;
- To encourage the retention of existing businesses and the attraction of new businesses to strengthen the village as a regional area;
- To better connect the existing development with the lands adjacent to Highway 7;
- To develop a strong sense of place near the Highway 7/Road 38 intersection;
- To maintain and improve public access to the Sharbot Lake waterfront and other public spaces in the community.

Council may consider developing a secondary plan to guide the implementation of the physical improvements to Sharbot Lake, and to establish a detailed infrastructure plan for capital investment.

The policies in this section should be seen as a toolkit, in that areas or projects can be phased over time based on the Township's strategic priorities and funding availability. All of the projects and/or goals are intended to promote growth and development, so implementing any of these projects at any time should be considered beneficial to residents and tourism.

Destination Sharbot Lake

The Plan identifies five key policy areas within the Special Policy Area – Sharbot Lake that are intended to work together to move Sharbot Lake towards becoming a destination, while strengthening the overall economy and providing the required essential services for the community. The key policy areas include:

- First Impressions: Highway Arrival;
- Re-Establishing a Core: The Village;
- A Central Attraction: The Waterfront;
- Highway 7 Parkway Concept; and
- High Frequency Rail Project: Welcoming Rail Travel Back to Sharbot Lake.

First Impressions: Highway Arrival

First impressions are lasting impressions which makes the arrival at Sharbot Lake on Road 38 and Highway 7 a top priority. It is a goal of Council to support projects and partnerships to attract more visitors to the village. The objective is to create a visual sense of arrival at Sharbot Lake, as well as into the community through traffic speed reduction, landscaping, signage, that will highlight the village and entice visitors to stop.

Road 38 Entrance

The current entrance into Sharbot Lake village from Road 38 (south of village) is dramatic: as the road curves to the north a visitor sees a vista of the lake and the bridge ahead. To a newcomer, the community is quickly viewed as a 'village on the water'.

A well designed gateway can communicate to people that they are leaving a rural road and entering the village.

Council will consider developing a landscape plan to enhance the entrance to the village in the area south of the causeway. The entrance will be developed as a gateway to mark the entrance to the village. Gateway may include but not be limited to: a formal gateway that covers the road; a 'landmark' or 'tower' that marks the beginning of a transition from road to village; and/or a median or island that may be landscaped and/or include signage.



Connecting the Village from Highway 7 / Road 38 Intersection

The Ontario Ministry of Transportation (MTO) operates and manages Provincial Highway 7 that travels east-west across the northern part of Sharbot Lake. The village is the largest community located on the Highway between the Town of Perth to the east and the Village of Madoc to the west.

The current Highway 7 / Road 38 interchange can be described as a 'highway stop' where the goal of the traveller is to stop as quickly as possible to re-fuel. The scale of the businesses, the scale of the streetscape, and the dominance of the car create an unpleasant pedestrian experience. Existing permitted traffic speeds on Highway 7 near Road 38 are too such that visitors may simply miss the community.

Township Council envisions the potential for new commercial development along the Highway 7 corridor to complement and attract visitors to the village, and recognizes that the Highway 7 and Road 38 intersection area has the potential to influence the future of the main village if designed for reduced traffic speeds and a more walkable area. Future design of Highway 7 has the potential to create a positive first impression of the area and can move Sharbot Lake to becoming a destination and strengthen the overall economy of the village and provide the essential services to the community.

Council supports the future design of the Highway 7 / Road 38 intersection as a community entrance and the main northern gateway of Sharbot Lake. This intersection and the surrounding area should have a future design that accommodates pedestrians, cyclists, and vehicles. This design should incorporate:

- Gateway signage and/or architectural elements or public area to symbolize the formal entrance;
- Reduced traffic speeds and the establishment of a stop light at Highway 7 and Road 38; and

- The creation of separated pathways for cycling and walking, recognizing that Sharbot Lake will become a trails hub.



Reinforcing the Core: The Village

The main village of Sharbot Lake is unique as it essentially a peninsula surrounded by lake water. Views of Sharbot Lake are visible at almost any location in the village which lends a sense of connection with the water. The village has the potential to solidify its role as a regional area for this part of the Frontenac region. This will require mainstreet and aesthetic improvements, but also the need to develop infrastructure necessary to sustain existing businesses and community services as well as new commercial development.



Council shall reinforce and reinvigorate the existing settlement area and development by:

- Maintaining the village as a main center of business, employment and economic activity and the social and visual heart of Central Frontenac by providing for a mix of land uses and ensuring its role as a people-place;
- Providing a mix of uses that recognize the value of business, residential, retail, entertainment, cultural and leisure uses in creating vitality and diversity;
- Establishing a formal trail hub in recognition that the village sits at the intersection of the north-south K&P Trail and the east-west Trans Canada Trail, and the potential for Sharbot Lake to become a formal destination on the trail system; and
- Recognizing the Railway Heritage Park as a core public space in the village and support ongoing improvements to enhance its use by citizens and visitors.



A Central Attraction: The Waterfront

The village is surrounded on three sides by the waters of Sharbot Lake and the connection to the water has social, cultural, and economic importance to the community. This water connection also can serve to support Sharbot Lake becoming a destination and a regional hub. It is the intent of Council:

- To recognize the Township-owned Sharbot Lake Beach area as an important community facility for traditional beach use and also for community events;
- To support opportunities for other potential land acquisition along the shoreline of the village for public use; and
- To support the future extension of the K&P trail northerly that will allow for additional waterfront vantage points between the village and Highway 7.

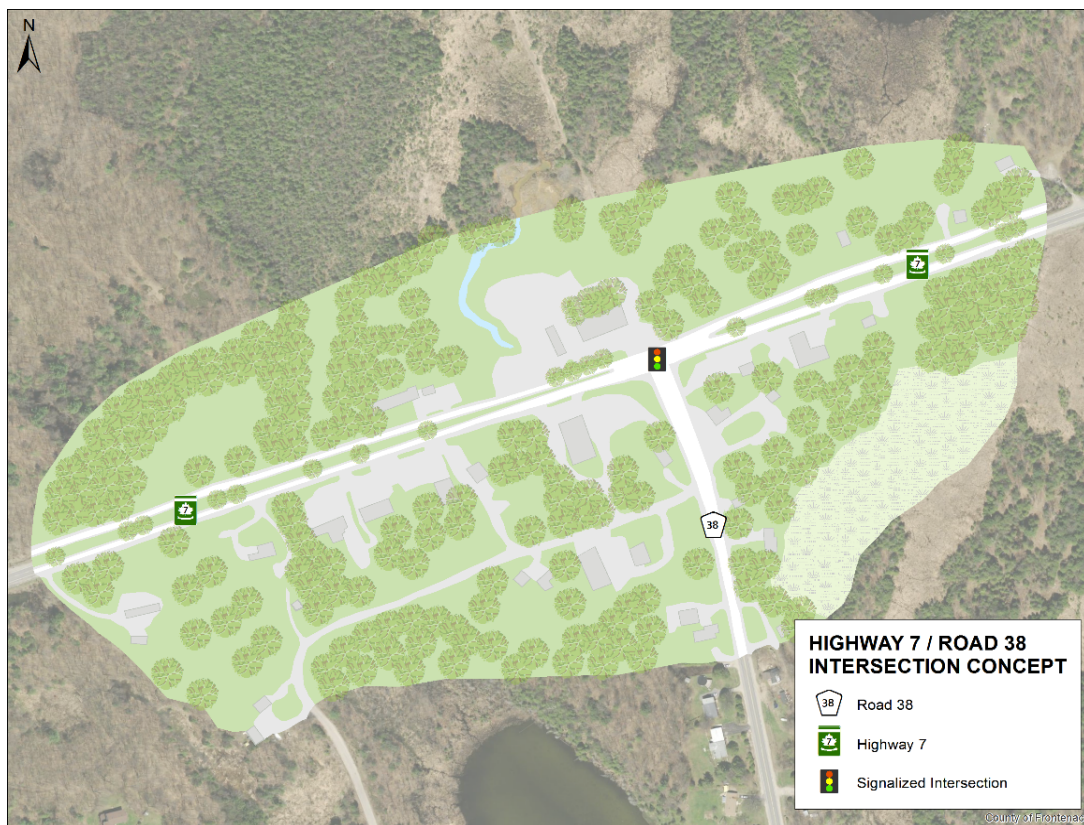
Highway 7 Parkway Concept

The Ontario Ministry of Transportation operates and manages Provincial Highway 7 that travels east-west across the northern part of Sharbot Lake. Township Council envisions the potential for new commercial development along the Highway 7 corridor to complement and attract visitors to the village. Council is aware of the Ministry's long range plans to make Highway 7 a four lane highway between Peterborough and Carleton Place. It is the position of Council that the redesign of Highway 7 as a highway similar to other 400 series Highways in Ontario would damage the future rural economy of this part of the Frontenac region.

It is the intent of Council to support the future design of the Highway 7 area as an active transportation route for the area between Sharbot Lake Provincial Park to the west, and to Fall River Road to the east. The following policies are intended to direct and focus further planning, design, and traffic management efforts for the creation of this parkway:

- The overall goal is to plan a parkway corridor, landscape improvements, and adjacent existing and future land uses in an integrated and high quality manner;

- The Sharbot Lake Parkway shall integrate multiples modes of safe and efficient travel including vehicles, bicycles, and pedestrians. The creation of separated pathways for cycling and walking recognizes that Sharbot Lake will become a trail hub;
- The Sharbot Lake Parkway shall be an innovative four-lane roadway that will be designed in accordance with a 'parkway' theme that will allow for a picturesque driving route in this area of Frontenac which has dynamic landscape features such as the Canadian Shield outcrops, woodlands, wetlands, and lakes. The goal is to emphasize the role of the parkway as a 'place' and 'destination' that is multi-use in nature;
- Consistent landscape and streetscape improvements should be used to enhance the unique visual environment of the Parkway; and
- The Township will take a collaborative approach to work with the Ministry of Transportation and Frontenac County is developing this parkway plan.





High Frequency Rail Project: Welcoming Rail Travel Back to Sharbot Lake

VIA Rail Canada is working on plans to create a new high frequency rail (HFR) line that would run from Toronto to Ottawa and also to Montreal and Quebec City. The rail line would be dedicated to VIA passenger trains. The HFR concept proposed by VIA would triple the number of trains by day in this corridor. One of the proposed train stops considered is Sharbot Lake. At the time of adoption of this Plan it is not known whether the line would need to be constructed partly through the village. It is the intent of Council to:

- Support the VIA Rail proposal to construct a high frequency rail line from Toronto – Ottawa – Montreal – Quebec City, including a train stop in Sharbot Lake;
- Work with VIA Rail on any proposed train stop and train station that will be in the Sharbot Lake area, and consider any municipal infrastructure improvements to allow connection from the village to the train stop; and

- Hold public consultation with residents and businesses in order to best accommodate the VIA Rail project into the existing village.



Proposed High Frequency Rail Line
Source: VIA Rail Canada

4.2 Rural Area

4.2.1. General

The goal of this Plan is to establish policies that will help the Township deliver a sustainable, living, working rural area that supports existing and future residents who wish to live and work in Central Frontenac.

Rural Area policies are meant to support and foster farming, commercial operations, and small businesses in order to create an environment to provide practical rural services and employment needed in the Township. Creating new employment opportunities and affordable living will ensure that services such as schools, post offices, and local commercial uses can be feasible in the long-term. The Township supports the idea of rural sustainability and lands within the rural area are meant to provide a variety of opportunities for work and for living.

Within the Rural Area, the Plan provides for a supply of land for a diversity of traditional and evolving rural uses. These include rural residential, **recreational** oriented uses, rural accommodation uses, uses characterized by large areas of open space; **public utilities and commercial facilities**, and rural commercial and industrial uses.

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

Planning will apply to all **development** for the respective land uses in this Section to ensure that it is environmentally sound and is complementary to the physical and scenic attributes of the natural environment. New **development** will be on the basis of on-site (private) water and sewage disposal systems, or communal systems, where appropriate.

Some uses will require a specific land use designation because of their characteristics, while others will be permitted and governed through the Zoning By-law. A number of uses are located and permitted within the Rural Area designation. These Rural Area designation uses include the Rural Residential uses, the Rural Commercial and Industrial uses, the Rural Recreational and Conservation uses, the Tourist Commercial uses and sites, the Recreational Vehicles and Recreational Vehicle Parks and Campgrounds uses and sites, Home Based Businesses, Special Rural Accommodation uses, and Agriculture uses. There are also within the Rural Area designation, a number of overlay and pattern systems affecting mineral resources and natural heritage features. Waterfront Areas, Crown lands and the **Mineral Aggregate Resources** all have their own site designations that are specifically mapped and shown in the **Land Use Schedule**.

4.3 Rural Residential Uses

4.3.1. Permitted Uses

For the purposes of this Plan, housing types may include permanent rural residential uses including single detached and two unit dwellings, mobile homes and accessory uses including a garden suite and or second units. Housing types may also include continuum-of-care facilities and tenured housing oriented to short-term or seasonal occupancy such as condominiums, fractional ownership and time-sharing. Tiny homes and 'live/work' buildings are also permitted in the rural area to provide a variety of affordable housing options.

Recreational vehicles are not considered to be a form of housing, but rather for short-term recreation-oriented accommodation.

4.3.1.1 - 1096 Clement Road

On lands legally described as part of Lot 8, Concession 1, being Plan 8448, Pcl 1, geographic township of Oso, Township of Central Frontenac (1096 Clement Road), the lands may be used for a multiple housing development.

4.3.1.2 – 29158 Highway 7

For the property at 29158 Highway 7, Arden (Parts of Lots 17 and 18, Concession 8, former Township of Kennebec), multiple residential and institutional uses shall be permitted.

4.3.2. Planning Principles

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

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

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

Rural residential **development** shall comply with Section 4.8 – Waterfront Area policies of this Plan, if applicable.

- B. Residential development shall be adequately serviced with on-site water and sewage disposal services (see Section 3.18 – Water Supply and Sewage Disposal). Council may require a servicing options report as a means to determine the most appropriate option for servicing for large-scale development such as a Plan of Subdivision or for multiple unit projects (fractional ownership, condominium, time share).
- C. Residential **development** will be permitted where it has frontage on and direct access to year round maintained Township roads, preferably the existing network of roads, or on private lanes, either of which must meet municipal standards for road construction (see Section 5 Transportation). In considering the approval of roads, Council shall be satisfied that new roads can be efficiently integrated into the existing road network of the Township and are cost-effective from an operational stand point. Water access will be permitted only for residential development provided the water body has access and long-term parking arrangements are

secured at or near the access point by means of a registered lease, deed or other legal instrument acceptable to the Municipality.

- D. Energy efficient and sustainable design will be promoted for all development. Council may establish performance standards through site plan control and other means.
- E. Accessibility by those with physical and other challenges will be considered in the review and approval of all **development**.
- F. The type of access may be used to distinguish the zoning category and level of service (i.e., public services may not be provided or may be limited on private lanes). **Development** serviced by a private lane or water access only, will be placed in a Limited Services Zone while development, which is serviced by a year round maintained public road, may be placed in a Rural Zone. Rezoning may include both the water access lot and the associated water access location.
- G. All residential **development** is subject to the requirements for influence areas and separation distances (see **Section 3.9**).
- H. Provision shall be made for safe access to a lot by avoiding entrances on curves, grades or where sight lines may be limited.
- I. All residential **development** is subject to the Natural and Human-Made Hazards requirements of this plan including polices in **Section 3.11** for contaminated sites, mine hazards, and hazardous sites.
- J. Dwellings and other structures shall be set back sufficiently from the crest of any embankment or any stream or river valley in order to ensure adequate structural stability and to protect and conserve the amenities of the natural shoreline (e.g. vegetation).
- K. A rural residential **development** shall not land lock any other parcel of land in the immediate vicinity and must be designed to allow for integration with future development, where applicable.

(Note: regard shall be given for other applicable policies of this Plan in considering rural residential development. See also Section 3.2 – Accessory Uses; 3.10 – Lots of Record; and 3.14 – Shoreline Structures)

4.4 Rural Commercial and Industrial Uses

4.4.1. Permitted Uses

Commercial and industrial uses provide employment opportunities for Township residents, as well as important services for area residents, tourists, businesses, and the travelling public.

Permitted commercial uses shall include small-scale uses, which cater to the needs of local residents and to the traveling public. Examples include an auto service station, motor and recreational vehicle sales and service, commercial stores, accommodation services, restaurant, service shop. Residential uses may be permitted as an accessory use.

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

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

4.4.1.1 – 12821 Road 38

On lands described as 12821 Road 38 being part of Lot 2, Concession 11, Township of Olden, now in the Township of Central Frontenac, a mixed use industrial-commercial concept which includes the processing, production, storage, wholesaling and retailing of specialty meat products, and associated retail outlet, a community kitchen and the storage of recreational vehicles and recreation equipment shall be permitted. The applicable planning principles of Section 4.4.2 of this Plan shall continue to apply.

4.4.2. Planning Principles

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

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

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

C. **Development** shall have frontage on a publicly maintained road, or a registered right-of-way or private lane, which connects to a publicly maintained year round, or seasonal road. Access to commercial and industrial uses will be carefully controlled in order to avoid creating a traffic hazard. Generally, there should be no more than two access points per lot. Access to Highway 7 is restricted and is subject to the requirements of the Ministry of Transportation (see Section 5.1 – Provincial Highways);

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

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

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

- (i) **Industrial Uses:** shall be directed away from residential uses.
- (ii) An **Influence Area** as set out by the Ministry of the Environment, Conservation and Parks for Class I, II and III industrial uses shall apply between industrial uses and **sensitive land uses (reciprocally)** and shall be incorporated into the implementing Zoning By-law. **Sensitive land uses** shall not be permitted within the influence area unless it is clearly demonstrated that any **adverse effects** are clearly and fully mitigated to the satisfaction of Council and, where applicable, environmental approvals have been obtained from the Ministry of the Environment, Conservation and Parks. The influence area shall be measured from the nearest point of the property line of an industrial use and the nearest point of the property boundary of the **sensitive land use**. The influence area for a Class I Industry shall be 70 m (230 ft.), a Class II Industry 300 m (984 ft.) and a Class III Industry shall be 1,000 m (3,820 ft.). Where deemed necessary, Council may require buffering or screening by means of fencing, landscaping or berm to reduce any **adverse effects** (see Section 3.3 – Buffering and Land Use Conflicts). Minimum separation distances shall be established in the implementing Zoning By-law for each industrial classification which are consistent with Ministry of the Environment, Conservation

and Parks Guideline D-6, '*Compatibility Between Industrial Facilities and Sensitive Land Uses*'.

- (iii) **Open storage** shall be appropriately screened from adjacent properties and any public street and Highway 7. (see Section 3.3 – Buffering and Land Use Conflicts);
- (iv) The lot area shall be sufficiently large to accommodate the intended use including parking, on-site maneuvering of vehicles, loading, storage of materials and wastes, access by emergency vehicles and landscaping.
- (v) Building coverage and height control standards will be set out in the implementing Zoning By-law. Building height shall not exceed the equivalent of four storeys or exceed the firefighting capability of the Township.
- (vi) Services shall be evaluated to determine if they are adequate to meet the requirements for industrial development (e.g. on-site water and sewer) (see Section 3.17 - Water Supply and Sewage Disposal), waste management, fire protection and roads.

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

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

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

4.5 Rural Recreational and Conservation Uses

4.5.1. Permitted Uses

A key attribute which can be used to encourage tourism -- particularly ecotourism -- is the natural beauty and significant natural heritage of the Canadian Shield within Central Frontenac. The Township intends to work with the business community to encourage this form of tourism, taking advantage of compatible features like the K&P Trail, provincial parks, and the future potential of the Highway 7 Parkway.

Recreation uses are permitted in all areas of the Rural Area designation and shall include such public and private recreation uses which are characterized by large areas of open space and which do not provide for permanent or seasonal residential facilities. Such uses include, but

are not necessarily limited to, parks, playgrounds beaches, nature trails, the K&P trail, conservation areas and other similar uses available to the public. These shall be permitted in the Rural and Limited Service Residential Zone categories of the implementing Zoning By-law. Recreation uses are subject to the following principles.

4.5.2. Planning Principles

- A. Buildings and structures incidental and accessory to the permitted **recreational** uses shall also be permitted and shall be designed to integrate visually and functionally, as much as possible, with the natural landscape;
- B. **Recreational** uses, as defined above, shall be permitted anywhere within the designated Rural Area, provided that there will be no detrimental effects on adjacent uses, and they are appropriately zoned;
- C. Adequate parking shall be provided in accordance with the provisions of the implementing Zoning By-law. Access points to parking areas shall be located so that no traffic hazard will be created;
- D. **Development** of new land-oriented **recreational** facilities should be compatible with surrounding land uses;
- E. Land-oriented recreational **development** shall be permitted in the Rural Zone category of the implementing Zoning By-law;
- F. All rural **recreational** uses requiring servicing shall be located on a lot that can be adequately serviced with water supply and sewage disposal (see Section 3.17 - Water Supply and Sewage Disposal);
- G. Energy efficient and sustainable design will be promoted for all **development**. Council may establish performance standards through site plan control and other means; and
- H. Accessibility by those with physical and other challenges will be considered in the review and approval of all **development**.

4.6 Recreational Commercial Uses

4.6.1. Permitted Uses

Tourist Commercial uses shall include a range of commercial facilities that principally serve the tourist trade, such as lodging facilities, motels and resorts, recreation facilities, golf courses, parks and facilities related to boat traffic, such as marinas, docks and other services. 'Lodging facilities' shall be considered to include traditional lake resorts and also newer forms of smaller scale accommodation such as 'tiny cabins' or 'pods', 'backcountry huts', and similar rural accommodation uses.

Such tourist commercial uses do not include residential uses such as tenured housing oriented to short-term or seasonal occupancy (i.e. condominiums, fractional ownership and time-sharing facilities). Buildings or other items of historic interest, and institutional uses (such as museums and related facilities), shall also be permitted. (Note: Recreational Vehicle Parks and Campgrounds are governed by **Section 4.8**).

4.6.2. Planning Principles

A. Tourist commercial uses should generally be located so that they are readily accessible to tourist traffic either by water or by road. In this regard, water access, as the sole or primary access, may be considered acceptable for seasonally operated uses only (**Section 4.3.2.C**. policies shall apply).

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

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

D. In reviewing applications for tourist commercial **development**, Council should have regard to the protection of the natural environment, the open space character and the scenic qualities of the area. Tourist commercial uses located adjacent to a water body shall comply with Section 4.8 – Waterfront Area policies of this Plan;

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

F. All tourist commercial uses will be placed in a separate category in the implementing Zoning By-law, unless such commercial uses are accessory to a main land use (e.g., farm operation);

G. Depending on the scale of the proposed use, size of the property, and location, Council may require site plan approval; and

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

4.7 Recreational Vehicles and Recreational Vehicle Parks and Campgrounds

4.7.1. Purpose

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

4.7.2. Recreational Vehicle – Definition

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

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

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

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

4.7.3. Recreational Vehicle Parks and Campgrounds

The intent of the Plan is to allow for the development of Recreational Vehicle Parks as a means to accommodating recreational vehicles. It is expected that these parks would be operated on a seasonal basis, (e.g., May–October) and closed during the winter months. The Plan allows for the over wintering or storage of recreational vehicles in these parks.

Recreational Vehicle Parks shall for the purposes of this Plan, be understood to include a campground for tents. Notwithstanding the provisions of this clause, short term occupancy of recreational vehicles during the period November to May will be permitted. Short-term occupancy may pertain, but is not limited to, weekends, Christmas and New Year's holidays and school breaks.

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

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

Communal services shall be the preferred means of servicing multiple units.

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

Decks may be permitted to be constructed in association with a recreational vehicle located in a RV Park or Campground provided they comply with the Zoning By-law and the *Building Code*, where the latter is applicable. Enclosures, roof-overs, extensions or additions to a recreational vehicle shall not be permitted unless such structures or construction has been specifically designed or pre-engineered for the recreational vehicle by the manufacturer or after-market manufacturer and are capable of being removed. No such structures shall be permitted which have the effect of rendering the recreational vehicle as a permanent structure or a permanent residential dwelling on a lot or site.

4.7.6. Development Criteria for Recreational Vehicle Parks and Campground

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

- A. The type of facility proposed and what uses or facilities in addition to recreational vehicle sites are proposed (e.g., camping, picnicking, swimming);
- B. The number of recreational vehicles and the duration of occupancy;
- C. The location of the proposed site relative to the land use and other development policies in this Plan.
- D. The appropriateness of the topography, soils and vegetative cover of the site relative to the proposed uses. Consideration will be given to the integration, conservation and sustainability of the use with respect to **natural heritage features and areas** and the ecology of the natural environment of the lot and adjacent properties. A base line inventory of the natural heritage features (found both on site, and within the vicinity of the site) may be a requirement. An Environmental Impact Study shall be required where applicable.
- E. The compatibility of the proposed use with existing and anticipated surrounding uses. The setting for these parks should include recreation oriented amenities, (e.g., lake frontage, mature tree cover, proximity to wildlife, access to or proximity to **recreational** trails etc.) Buffering from adjacent land uses may be required;
- F. The adequacy of existing or proposed roads to provide for traffic volumes and safe access for traffic and recreational vehicles to the site;
- G. The proposed water supply and sewage disposal systems shall comply with Section 3.17 – Water Supply and Sewage Disposal of the Plan. Water usage and sewage disposal shall take into consideration provisions for shower, rest room and laundry facilities;
- H. The adequacy of additional services to be provided such as hydro, telephone, etc.;

- I. Any additional facilities or uses proposed to be included such as administrative facilities, comfort stations, laundry facilities, sewage pump-out facilities, **recreational** and commercial facilities primarily designed to service patrons of the Recreational Vehicle Park, docks and boat launching facilities etc. Generally, such uses shall be planned and developed as accessory uses to the park;
- J. The adequacy of open space, parking facilities, buffering, storage etc.
- K. The development plan prepared by the applicant shall illustrate the details of the layout of the proposed **development** including phasing and the ultimate plan. Applications will be encouraged to develop a business plan in support of a proposal for development;
- L. The conservation of the water quality of any adjacent water body. A new recreational vehicle park shall be subject to the policies of Section 4.8 – Waterfront Area of this Plan;
- M. On-site provisions for fire prevention and suppression;
- N. Energy efficient and sustainable design will be promoted for all development. Council may establish performance standards through, site plan control and other means;
- O. Accessibility by those with physical and other challenges will be considered in the review and approval of all **development**; and
- P. The entering into of a Site Plan Control Agreement under the *Planning Act*.

4.7.7. Zoning

Provisions shall be made in the implementing Zoning By-law to regulate recreational vehicles and associated accessory uses and to set out the zone requirements for **development** (e.g. lot size, frontage, setbacks, height, parking, etc.). Generally, the setbacks for a recreational vehicle shall be comparable to setbacks for residential uses. Particular regard shall be had for conserving the shoreline of an abutting water body in its natural state by ensuring that all **development** meets a minimum 30 metre setback from a waterbody.

4.8 Waterfront Area

4.8.1 Introduction

The Township is characterized by a landscape with many lakes and rivers. Water is an essential part of the culture of the community. The intent of this Plan is to ensure conservation, protection and enhancement of water resources.

For over a century the areas of Central Frontenac which abut or are adjacent to lakes and rivers have attracted significant interest as summer recreation areas. The cottages that were built during the 1950s to the 1980s were designed to be used solely as a secondary residence on a seasonal basis. Road access, where available, has generally been by private road. This form of development has a long tradition in the Township.

In recent years there have been pressures not just in the Township but in all of 'cottage country' to use waterfront properties on a more intensive, four season basis. As a consequence there has been a demand for the improvement and enlargement of existing dwellings and septic and water systems, the creation of new lots through the consent process, construction of larger new dwellings on vacant lots, and changes in occupancy from secondary or seasonal use to a principal or permanent use.

As undeveloped waterfront property becomes scarce, as existing properties become more intensively used, and as larger dwellings are proposed, there is a need to ensure that the Official Plan provides protection for the Township's waterfront area's unique physical and environmental character.

For the purpose of this Plan, Waterfront Area shall generally include all lands extending 150 metres (492 feet) from the ordinary high water mark of any water body. The policies of this section of the Plan are intended to govern development within 150m (492 feet) of these water bodies and islands with the intent to protect water quality, shoreline amenities and natural habitat areas.

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

The Waterfront Area designation describes shoreline development, which is located around lakes, rivers or headwaters in the Township. Permitted uses in this land use designation include low-density residential development, tourist commercial uses listed in Section 4.6, and recreational vehicle parks and campground uses listed in Section 4.7. Accessory uses may include a sleep cabin or "bunkie" as a detached building or as a loft. Over a garage provided the cabin/loft. is not equipped with cooking facilities.

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

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

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

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

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

4.8.2 Definition

4.8.2.1 The Waterfront Area designation shall generally be defined as those lands extending inland 150 metres (492 feet). More specifically:

Lands which physically or functionally relate to the waterfront area, although extending beyond 150 metres (492 feet) from the waterbody, shall be deemed to be within the Waterfront designation.

Lands which do not physically or functionally relate to the waterfront area, although within 150 metres (492 feet) of the waterbody, shall be deemed not to be within the Waterfront designation.

4.8.2.2 For the purposes of Section 4.8.2.1, when determining whether lands physically or functionally relate to the waterfront, the following guidelines shall be considered:

- A. the boundary shall be extended beyond 150 metres (492 feet) from the waterbody to encompass a significant natural or built feature;
- B. where a road is between 150 metres (492 feet) and 195 metres (645 feet) of a waterbody, the road shall form the boundary;
- C. generally, small remnants of rural area surrounded by the waterfront designation shall be included in the Waterfront Area designation;
- D. all islands shall be included in the Waterfront Area;
- E. for farms, open space and golf courses, the boundary shall generally be 150 metres (492 feet) from the waterbody;

- F. portions of resort properties and recreational vehicle parks and campground uses beyond 150 metres (492 feet) from the waterbody shall be included in the Waterfront Area designation; and,
- G. the Waterfront Area designation shall be outside the limits of Settlement Area designations.

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

For clarity, no 'Waterfront Area' designation is illustrated on the Land Use Schedule; rather, lands adjacent to Waterfront Areas will in most cases have a 'Rural' or 'Environmental Protection' designation.

4.8.2.4 Lands that form the bed of any waterbody defined above shall be considered part of the Waterfront Area. The Township may apply zoning regulations to any of the waterbodies within its jurisdiction.

4.8.3 Basis and Principles

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

- A. The Waterfront Area of the Township is an important resource, which will be protected. The waterfront setting consists of open space and low density residential land uses on mainland and island shorelines; interspersed with some commercial development, primarily resorts; set among a landscape of natural vegetation. This character is recognized and all development shall recognize this character.
- B. The Waterfront Area is a unique resource and asset. On this basis, development – including lot creation – should take place only after careful consideration of those recreational, environmental, socio-economic, and aesthetic qualities which contribute to the attraction of the waterfront and shared enjoyment of its lakes and rivers.
- C. Development should be promoted in locations where demands on public services will be minimized, and where this development will most effectively utilize – or help pay for – existing services.
- D. Limiting the density of buildings and structures in the Waterfront Area is an important part in protecting the character of the lakes and rivers in Central Frontenac. Many factors affect waterfront character such as the number of structures, setbacks, shoreline vegetative buffers, height, size and form of buildings, size and location of shoreline structures, and the historic development of a particular lake or river. A strong vision through the policies in this Plan to limit density related to these factors is fundamental.

- E. The integrity of the natural environment, landscape, shorelines and water quality will be protected.
- F. Natural and cultural heritage, and habitat, will be preserved.
- G. The water resources of the Township will continue to be accessible to both private and public users to protect public access to our waterfronts on lakes and rivers.
- H. Shoreline alterations shall require approval by the Municipality and/or appropriate agency (Conservation Authority; Ministry of Natural Resources and Forestry; Canada Fisheries and Oceans).

4.8.4 Goals

Goals of the Waterfront policies are as follows:

- A. To protect the character of the waterfront in recognition of the different character of individual lakes.
- B. To retain and promote the Waterfront's unique recreational character within the context of primarily a single-tier of development.
- C. To ensure that development is suited to its site and that appropriate access and services are provided.
- D. To encourage optimal growth while taking into consideration the lake system health of the Township's lakes and rivers.
- E. To preserve and enhance the high quality of the recreational and biological aspects of the Waterfront.
- F. To ensure growth is compatible with and has regard for the overall physical, environmental, social, and economic aspects of the waterfront.
- G. To encourage the redevelopment and expansion of commercial businesses such as resorts and to recognize their important economic function.

4.8.5 Objectives

Objectives of the Waterfront Area policies are as follows:

Character

- A. To recognize and protect the character of waterbodies within a single-tier of development around the shoreline with limited, low density backlot development where access permits.
- B. To ensure that built form does not become concentrated or dominate the Waterfront to the detriment of natural form.
- C. To maintain or restore the majority of all developed and undeveloped shorelines in their natural state and promote stewardship of their biological benefits.
- D. To work with Frontenac County and Provincial agencies to develop a process to identify the character of individual lakes through a classification system and assign appropriate limitations in an attempt to protect this character.

Access and Servicing

- E. To ensure that access is provided to all new lots to a standard appropriate to the situation.
- F. To promote the waterways as a major recreational asset that should be made accessible to both public and private users.
- G. To ensure that development does not unduly contribute to a demand for utilities or services which are uneconomical to provide, improve, or maintain.
- H. To encourage public trail systems which provide recreational opportunities and link the waterfront to other areas of the Township.

Natural Areas

- I. To maintain a high level of biodiversity by protecting natural areas and the connections between them.
- J. To ensure that the environment is protected from negative impacts of development.
- K. To protect and, where possible, enhance water quality.

Development

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

- M. To support the continued viability of resorts, campgrounds, other commercial uses, and residential uses as important elements in the Central Frontenac economy.
- N. To control development on the waterfront such that it does not dominate the natural shoreline.
- O. To support redevelopment opportunities of waterfront properties while maintaining the character of the waterfront area.
- P. To protect and preserve the cultural heritage and archaeology resources in the waterfront area.
- Q. To promote healthy and active communities by planning for public spaces, parks, public access to water, trails, and open space.
- R. To ensure all lighting of properties is respectful of neighbours, the environment, navigation and the dark sky.
- S. To ensure development of undersized existing lots of record is compatible with development in the area.

4.8.6 General Development Policies

Character

- A. The Waterfront Area character differentiates the waterfront area from the rural setting of Central Frontenac. Waterfront character is linked to the natural and built form which is oriented toward the lakes and rivers in the Township. Natural form includes predominantly vegetated and forested shorelines with thin soils over the bedrock of the Canadian Shield. Built form includes mostly residential development interspersed with some commercial development, primarily resorts and campgrounds. The Waterfront Area is the focus for recreation, relaxation, water supply, and support for fisheries and wildlife habitat, among others. Where development occurs in the Waterfront Area, it should enhance and protect, where possible, those qualities that contribute to character.
- B. Natural form should dominate the character of the Waterfront. Natural shorelines may visually screen development viewed from the water and buffer uses. Shorelines shall be encouraged to be maintained in a predominantly natural state with tree cover and ground vegetation retained as development occurs.
- C. Waterfront character evolves over time. Traditionally, tourist commercial in the form of cottage resorts as well as residential development has contributed to the character and economic viability of the Central Frontenac. Resorts shall be encouraged to develop and expand in a manner that complements the Township.
- D. Where development occurs in the Waterfront, it should complement the natural and built form and should enhance and protect those qualities that contribute to character.

Permitted Uses

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

- (i) residential uses, which shall be limited to low-density residential development, limited service residential development;
- (ii) commercial uses including: resorts, marinas, tent and trailer parks as listed in Section 4.7;
- (iii) open space uses including parks and recreational uses;
- (iv) public uses;
- (v) accessory structures and buildings to the above-noted uses; and,
- (vi) existing development as defined in an implementing comprehensive zoning by-law.

General Development Standards

F. Waterfront lots should be of sufficient dimension and size to accommodate the use proposed, related structures, and services within acceptable standards. As such, a variety of lot sizes, water frontages, setbacks, and structural limitations are expected in recognition of the natural and built influences in the Waterfront Area. Lots shall be properly proportioned (e.g., have sufficient depth) to accommodate the safe installation of a sewage disposal system. The topography and slope of lots should be conducive to development. Preference will be given in new lot creation to lands with a slope of 6% or less and with a soil mantle exceeding 0.5 metre (1.64 feet) or more in depth. Development on lands which are substantially bare bedrock, swampy, or low lying will be discouraged or prohibited.

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

H. Waterfront Area Lot Size

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

- (i) a lot area of 0.8 hectares (2 acres); and,
- (ii) a water frontage of 77 metres (250 feet).

I. Shoreline Setbacks

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

- (i) Requirement of a shoreline vegetative buffer;
- (ii) Minimizing the dominance of the built form on the natural environment;
- (iii) Maintenance of privacy and noise attenuation especially on properties fronting onto a narrow waterbody;
- (iv) Maintenance of aesthetic qualities of the waterfront; and;
- (v) Protection of natural habitat and minimizing environmental impact in the foreshore area.

J. Building Setbacks

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

- (i) Minor accessory building or structures or marine related facilities, which shall be located as detailed in the implementing comprehensive zoning by-law;
- (ii) Septic tile bed which shall not be permitted within 30 metres (100 feet) of the waterbody;
- (iii) existing development as defined in an implementing zoning by-law;
- (iv) where lake-specific or site-specific conditions suggest that it would be appropriate, the minimum water setback may be increased. Examples may include sites with steep slopes, limited soil depth, or limited vegetative cover; and
- (v) Consideration shall be given in the implementing zoning by-law to the establishment of a maximum floor space index within 60 metres (200 feet) of the high water mark to ensure no large structures are built near the shoreline.

K. Sideyard Setbacks

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

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

- (ii) in the case of shoreline structures, to allow for the ingress and egress of boats to dock spaces and boathouse slips, while maintaining reasonable views and separation for privacy between neighbouring properties; and
- (iii) consideration may be given to alternatives where such setbacks are not possible due to terrain or other constraints.

L. Narrow Channel Policies and Shallow Waters

The confined nature of narrow channels can result in safety and compatibility issues for boaters and landowners. For the purposes of this Plan, a narrow channel is defined as a waterbody (or part of a waterbody) where the distance from shore to shore is 150 metres or less.

New lot creation on narrow channels will be permitted in accordance with the following:

- (i) Where the distance of the narrow channel from shore to shore is 90 metres or greater, a minimum shoreline of 90 metres is required (rather than the 77 metres normally required).
- (ii) Where the distance of the narrow channel from shore to shore is less than 90 metres, a minimum shoreline frontage of 120 metres will be required.

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

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

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

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

Water Access Development

- Q. Due to concerns of character, visual impact, environmental impact, access, and service provision, islands must be a minimum of 0.8 hectares (2 acres) to be developed for residential purposes as established in the comprehensive zoning by-law. Islands less than 0.8 hectares in size shall be limited to a picnic shelter and a dock.
- R. Where the Township is considering a development proposal for an island slightly less than 0.8 hectares (2 acres) in size, the following matters shall be examined in an Environmental Impact Study accompanying a Zoning By-law Amendment application:
- (i) retention of tree cover;
 - (ii) protection of critical fish and wildlife habitat;
 - (iii) adequate soil depth and site suitability for a septic system;
 - (iv) satisfactory long term access and service delivery; and,
 - (v) modest visual impact and appropriate location of building envelopes.

Access

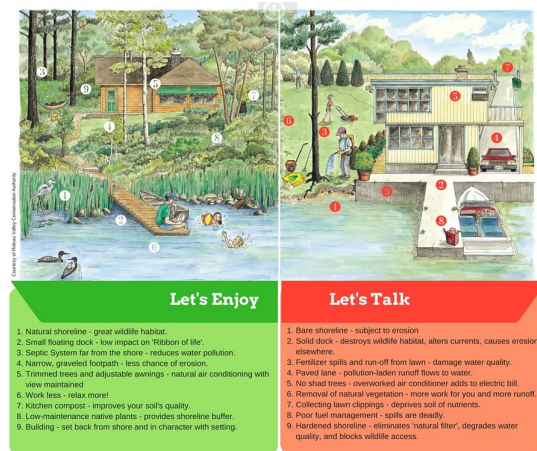
- S. Access to waterfront area development that is not on public roads shall be subject to the Private Roads policies set out in Section 5.3.

Servicing

- T. It is anticipated that the Waterfront Area will generally be serviced by private individual on-site sewage and water systems. There may be opportunities for communal services for waterfront development by Plan of Subdivision or Condominium.
- U. Hydrogeological reports satisfactory to the Township and Conservation Authority or Ministry of Environment, Conservation and Parks may be required to support any proposal on private servicing systems where:
- (i) more than four residential lots are proposed;
 - (ii) construction of a new road(s) is proposed;
 - (iii) there are areas of known or suspect water quantity or quality; or
 - (iv) for commercial or other uses which would produce an effluent flow of greater than 4,500 litres per day.

Visual, Scenic and Aesthetic Qualities

- V. The preservation and protection of the appearance of the shoreline in a natural vegetated state shall be encouraged.
- W. Private roads serving waterfront lots are encouraged to blend in with the waterfront setting and terrain, taking into account slope, tree cover, alignment, and road surface, and the policies of the Private Roads **Section 5.3** of this Plan.
- X. Development shall be located and designed so as to protect the character and prominence of public views and features including such areas as rock cliffs, waterfalls, and landmarks. Where development is proposed in such areas, encouragement shall be given to the dedication or acquisition of such lands for the purposes of conservation, public access, trails, and/or portages.
- Y. The retention of trees and native vegetation shall be encouraged through site plan control or municipal development agreement to uphold the visual and environmental integrity of the Waterfront Area. Where development is proposed, a natural undisturbed buffer is required at the water's edge to generally meet a target of 15 metres (50 feet) in depth from the high water mark. Where little or no natural buffer exists, re-naturalizing will be required, where possible. Minor accessory structures and an access pathway to the shoreline are permitted.



Waterfront Best Practices
Ribbon of Life

Source: Conservation Ontario

Source: Conservation Ontario



Shoreline Structures

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

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

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

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

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

Shoreline structures may be permitted in a front yard on lots having water frontage provided that such uses meet appropriate zoning standards and appropriate Conservation Authority regulations and standards, where applicable.

4.8.7 Lake System Health

- A. Limits to development on lakes may be based on social, physical, biological and other measures of capacity. The Township will work with Frontenac County, the Ministry of Environment Conservation and Parks, the Ministry of Natural Resources and Forestry,

Conservation Authorities, lake associations, and other agencies and qualified volunteer groups to develop a long term plan for comprehensive lake planning.

- B. The Township will encourage and support lake associations to conduct lake stewardship planning. Township Council shall have regard to any such lake plans as part of the information to be considered on planning decisions respecting development or redevelopment on a lake.
- C. The overall health of most lakes and rivers in Central Frontenac can be considered to be very good to excellent. From a planning perspective a cautious approach to development in the Township will be taken in order to protect these waterbodies. In this regard, new lot creation, development or redevelopment should only be permitted where it is determined that phosphorus impacts on water quality can be effectively eliminated.
- D. The role of natural vegetated shorelines in buffering waterbodies from erosion, siltation and nutrient migration adjacent to the sensitive littoral zone is critical to the protection of water quality. Preservation and restoration, where appropriate, of shoreline buffers is therefore necessary. The frontage of a lot will be maintained in a natural state to a target depth of 15 metres (50 feet) from the shoreline where new lots are being created and where vacant lots are being developed. Where lots are already developed and further development or redevelopment is proposed, these targets should be achieved to the extent feasible. Where these targets cannot be met, a net improvement over the existing situation is required.
- E. Construction mitigation measures, storm water management, or other techniques shall be used to minimize negative impacts on water quality.

Site Plan Control / Municipal Development Agreements

- F. Where site plan control or a development agreement is required as part of a planning approval, or where on-site phosphorus management is required, the following matters may be addressed:
 - (i) appropriate location of buildings, structures and sewage disposal systems;
 - (ii) retention or restoration of a natural vegetative buffer to prevent erosion, siltation and nutrient migration;
 - (iii) maintenance or establishment of native tree cover and vegetation on the lot wherever possible;
 - (iv) appropriate location and construction of roads, driveways and pathways, including use of permeable materials; and
 - (v) implementation of stormwater management and construction mitigation techniques, including proper re-contouring, discharging of roof leaders, use of soak away pits and other measures to promote infiltration.

- G. Council shall consider the implementation of a Community Planning Permit System as a planning tool to enhance waterfront protection.

4.8.8 Lake Trout Lakes

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

A. **Trout Lakes at Capacity**

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

- i. The tile fields on each new lot are set back at least 300 metres [984 feet] from the shoreline of the lake or such that the drainage from the tile fields would flow at least 300 metres [984 feet] into the lake;
- ii. The tile fields on each new lot are located such that it would drain into the drainage basin of another water body which is not at capacity;
- iii. To separate existing habitable dwellings, each of which is on a lot that is capable of supporting a Class 4 sewage system, provided that the land use would not change and that there would be no increase in phosphorus loading to the lake;
- iv. The proposed new use has a scale and density that is less than currently exists on the site, and shall demonstrate a net reduction of the phosphorus loading on the lake. Prior to any redevelopment being approved, an Environmental Impact Study (EIS) shall be undertaken by a qualified person and completed to the satisfaction of the Municipality, the Conservation Authority and the Ministries of Environment, Conservation and Parks and the Ministry of Natural Resources and Forestry, respectively. The EIS shall consider and provide recommendations on such matters as hydrogeology, soil types or overburden, vegetation, topography and slope, the location of existing and proposed land uses and a comparison of pre and post **development** nutrient loadings on the adjacent water body(ies);

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

- vi. Existing lots of record and lots in existing and approved Plans of Subdivision may be developed under strict conditions where a proponent can demonstrate there will be no impacts on lake water quality;
- vii. The sewage disposal system intended for use on existing lots of record and lots in existing and approved Plans of Subdivision shall be set back a minimum of 30 metres (98.4 feet) from the shoreline;
- ix. No more than one single detached dwelling unit together with accessory buildings shall be permitted on any existing lot of record or on a lot in an existing and approved Plan of Subdivision;
- x. On existing lots of record and lots in existing and approved Plans of Subdivision, consideration may be given to slight reductions to the minimum setback, only if it is not physically possible or is not environmentally desirable to meet this requirement and it can be demonstrated that there will be no negative impacts on fish habitat;
- xi. Applications for Minor Variances to the Zoning setbacks established for at capacity lake trout lakes may be required to be supported by an Environmental Impact Assessment prepared in accordance with this Plan depending on the extent and impact of the proposal;
- xii. The provisions of **Section 4.7.6.Z** regarding shoreline activity areas and the maintenance of the natural shoreline buffer shall apply;
- xiii. At capacity lake trout lakes are indicated on the Schedules to this Plan with a symbol and include the following lakes:
 - Sharbot Lake (West Basin)
 - Hungry Lake
 - Silver Lake
 - Crow Lake
 - Eagle Lake
- xiv. Should any additional lake trout lakes be determined to be at capacity by the Province that are not specifically listed in this Plan, the policies of Section 4.8.7A shall apply to the lake without an amendment to this Plan.

4.8.9 Waterfront – Special Policy Area 1 – Garrison Shores

A. Scope

The community known as Garrison Shores and administered by a corporate body is a waterfront recreational/residential area characterized by a series of development clusters bordering the shoreline of Garrison Lake. The Garrison Shores area, with associated 'clusters', is identified on Schedule '4.8 - 1' to this Plan.

The intent of the Plan is to provide for the administration of Garrison Shores as a Vacant Land Condominium administered, in turn, by a Vacant Land Condominium Corporation. Under this corporate structure, the intent is to provide for up to 53 "Standard Units" with individual ownership coupled with common elements shared by all owners. Owners of a standard unit (parcel of land) would be responsible for the maintenance of on-site sewage and water services for their respective units.

B. Permitted Uses

Permitted uses within the Waterfront – Special Policy Area 1 shall be limited to existing or new recreational/residential uses and to conversions. Recreational/residential uses include seasonal residential dwellings (i.e. cottages, permanent or year-round residential uses, recreational vehicles and private campsites).

Accessory uses to permitted uses shall be limited to a gazebo, utility or storage shed, deck or viewing area and a detached garage.

A communal dock (i.e. servicing two or more recreational/residential units) shall be permitted. For units or parcels having direct shoreline frontage, a single dock per unit shall be permitted where the unit does not share in a communal dock. Any permitted dock shall comply with **Section 3.14** of this Plan and any governing zoning or site plan control provisions.

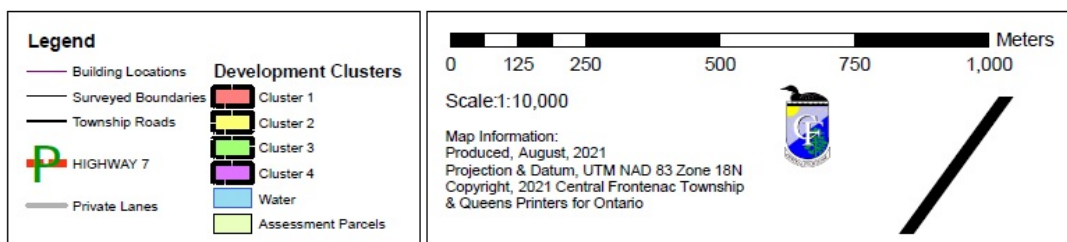
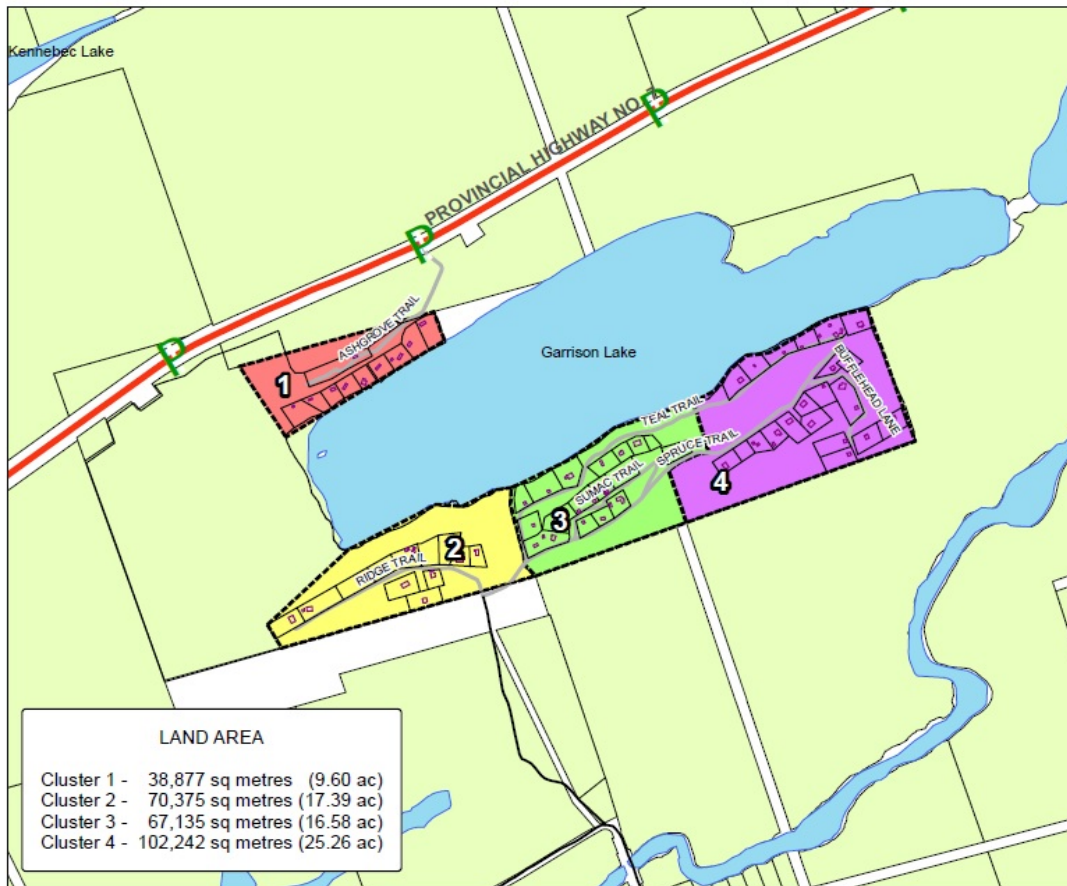
Lands may also be used for open space or conservation uses.

Development or redevelopment of any permitted use is subject to the criteria set out below for the Waterfront – Special Policy Area 1

TOWNSHIP OF CENTRAL FRONTENAC OFFICIAL PLAN

SCHEDULE "4.8-1"

Garrison Shores: Land Area for Selected Development Clusters



C. Development Clusters

For the purposes of this Plan, four development clusters are hereby established. Each development cluster is intended to recognize an area where a specified density of development is permitted and where specific standards for sewage and water services shall apply. Table 1 sets out the maximum development density and number of residential/recreational units permitted within each cluster as well as the maximum overall number of units. A recreational/residential unit is defined as a parcel or area of land devoted to a single residential dwelling or recreational use including accessory uses. This may include the sewage and water services associated with an individual unit. The boundary of each of the respective development clusters is set out on Schedule B.

These boundaries shall not be altered where the effect would be to increase the prescribed development density or number of units.

Lands which are not included in a development cluster shall be left in their natural state as open space and zoned to prohibit development.

(Table 1 -- Development Cluster Standards)

<u>Table 1 - Development Cluster Standards</u>		
Cluster #	Maximum No. Recreational/Residential Units	Maximum Density
1	10	0.4 ha (0.98 ac.)/unit
2	10	0.7 ha (1.7 ac.)/unit
3	16	0.4 ha (0.98 ac.)/unit
4	17	0.6 ha (1.48 ac.)/unit
The Total Number of Recreational/Residential Units for Garrison Shores shall not exceed 53. A single recreational based use shall mean a maximum of one recreational vehicle on a unit/lot.		

D. Sewage and Water Services

The intent of this Plan is to provide for the progressive improvement of sewage and water services for existing development and to ensure that no new development is permitted unless it is clearly demonstrated that the site conditions for sewage and water services are suitable for the long-term provision of such services. Sewage and water systems may include individual on-site services or private communal sewage and water service systems or a mix of both types of systems.

Prior to the approval of any of the following development or redevelopment applications, the procedures set out in Guidelines D-5-4 and D-5-5 of the Ministry of the Environment, Conservation and Parks shall be satisfied in terms of water supply and impact assessment. A planning application shall be supported by a report that addresses the requirements of the Guidelines. In addition, Council may use the provisions of the Safe Drinking Water Act, the Clean Water Act or any other applicable legislation to ensure that malfunctioning sewage disposal systems are rectified and that water wells are properly maintained. Planning applications requiring an assessment include:

- An application to develop a vacant unit or parcel for a residential dwelling or recreational vehicle;
- An application to expand an existing recreational/residential use that creates the demand for water or sewage disposal (i.e. adding a bedroom);
- An application to convert a seasonal dwelling to a permanent year-round dwelling;
- An application to install a new water and/or sewage disposal system even if there is no change to the principal use; and
- An application to change an existing use from a recreational vehicle to a residential dwelling.

The assessment of sewage and water services shall apply to a specific development cluster, except where in the opinion of a qualified professional, consideration has to be given to lands within an adjacent development cluster. Any subsequent applications shall take into consideration the findings and recommendations of a previous assessment.

Sewage disposal systems and water wells may be located outside of a prescribed Recreational/Residential Unit where permitted by the Condominium declaration, provided the overall density of the Development Cluster for which the service is provided is not exceeded.

In no case, will development or redevelopment be permitted which is not environmentally sustainable nor which exceeds the density standards for a development cluster.

The performance of sewage disposal systems may be monitored by Council through a septic tank re-inspection program to ensure that systems are properly maintained. Council

will require that property owners and/or the condominium corporation make provision with a licensed sewage hauler for the pump-out of septic tanks on a regular basis.

E. Development Setbacks and Separation Distances

For the purposes of the Waterfront – Special Policy Area 1, the following development setbacks shall apply:

- Minimum distance (setback) from the shoreline (high water mark) to any main building or recreational vehicle – 20 metres (65.5 feet);
- Minimum distance (setback) from any shoreline (high water mark) to any filter bed or tile field of any approved sewage disposal system – 20 metres (65.6 feet);
- Minimum distance (setback) from any shoreline (high water mark) to any accessory building or structure (dock or wharf excluded) – 15 metres (49.2 feet);
- Minimum separation distance between a sewage disposal system and a water well shall be as set out in the *Building Code Act* or as prescribed in a hydrogeological report, whichever is greater;
- No further encroachment of any existing building or structure into any of the above setbacks shall be permitted. Development may be permitted for extensions to existing buildings or for accessory uses which otherwise meet the prescribed zoning standards and the holding provisions of this Plan (**see Zoning and Site Plan Control**).

F. Natural Vegetation and Vegetation Buffer

The intent of the Official Plan is to provide for the conservation of existing natural vegetation cover wherever possible. Tree cutting and/or reforestation may be regulated through site plan control or a tree cutting bylaw. Council will encourage property owners to seek professional advice in establishing the building envelope for new development in order to minimize the cutting of mature trees.

G. Private Lanes

Council may require the upgrading of one or more lanes within Garrison Shores to an acceptable standard prior to any approval and the provisions of **Section 5.4** of this Plan shall apply.

H. Zoning

Council shall place the lands in Garrison Shores into a Holding Zone as a means to control development and redevelopment.

The provisions of Section 6.9.7 of this Plan shall apply to all development or redevelopment. Council may remove the holding zone for part or all of the lands based on the fulfillment of conditions as deemed warranted. Despite this provision, development may be permitted without an amendment to the holding provision for an extension to an existing building or structure or for an accessory building which does not create the demand for new water or sewage services and which would otherwise meet the zone standards.

The zoning by-law shall be amended to set out appropriate standards for development densities, setbacks and any other standard required ensuring sustainable development.

Site plan control shall be used for all individual units fronting on Garrison Lake in order to regulate the details of site development. Site plan control may also be used for development clusters of individual units which do not front directly on Garrison Lake in order to regulate details of site development. Council may also use the sustainability design elements (set out in Section 41(4) of the *Planning Act*), in the application of site plan control.

I. Condominium Management

Garrison Shores shall be developed only in accordance with the provisions of the *Condominium Act, 1998*, governing vacant land condominiums. Development by consent will not be permitted. Any condominium declaration shall stipulate, in addition to any other provisions, that owners, their heirs or successors or purchasers shall be advised that development or redevelopment may be restricted or prohibited because of limitations to water quantity, water quality and the suitability of lands for sewage disposal systems. The declaration shall prescribe the responsibilities for water and sewage systems maintenance

including provisions for septic tank pump-outs. The declaration shall also stipulate that development is subject to site plan control or other measures designed to conserve shorelines and woodland areas in their natural state.

4.8.10 Waterfront – Special Policy Area 2 – White Lake and Provincial Fish Culture Station

A. Background

White Lake is a warm-water inland lake located immediately north of Highway 7 and approximately 8 kilometres west of Sharbot Lake. The lake is 213 metres above sea level with a lake perimeter of 8.1 kilometres, and the deepest point 29.6 metres. The lake is spring fed and no major surface water bodies drain into the lake. The Ministry of Natural Resources and Forestry (MNRF) operates a fish culture station at the south end of White Lake.

The fish culture station has been in operation since 1933. White Lake is the sole source of water for the station, and the lake water is gravity fed to the station through both a surface and deep water pipe. The lake is classified as a warm water lake, and MNRF stocks fish such as Walleye, Northern Pike, Yellow Perch, and Small and Largemouth Bass. No fishing is permitted on the lake due to its Provincial status as a fish sanctuary.

The high quality of the lake water enables MNRF to have a wide variety of species to be cultured under ideal temperature and rearing conditions. The station supplies rehabilitative and hatchery dependent fisheries for Lake Ontario and hundreds of inland lakes.

As part of the effort to protect the lake water quality MNRF has acquired additional lands since its opening in 1933, and now owns more than 243 hectares (600 acres) along the southern end of White Lake. The remainder of lands around the lake are privately owned, including a grouping of cottages located along the northern shore.

It is recognized that the Algonquins of Ontario particularly the Shabot Obaadjiwan First Nation have a deep and ongoing interest and close relationship with the White Lake Crown Lands and Fish Culture Station.

Two Shabot Obaadjiwan Settlement Area Land Selections are located on the south shore of White Lake with a combined area of more than 840 acres (340 hectares). The land selection also includes White Lake Island.

The Algonquins of Ontario and the Shabot Obaadjiwan First Nation will work closely with the Ministry of Natural Resources and Forestry and the Township to continue to protect the integrity of the White Lake Fish Sanctuary and Fish Culture Station.

B. Policies

The purpose of this special policy section is to ensure the long-term protection of water quality of White Lake as well as the protection of the area's natural heritage system, cultural heritage, and sense of place. Township Council acknowledges that the operation of the MNRF Fish Culture station has significant provincial interest. White Lake has been certified as a fish sanctuary as set out in *Ontario Fishing Regulations (2007)* and prohibits fishing on the lake at all times. It is the intent of the Plan to recognize this fish sanctuary status.



White Lake
Source Frontenac Maps



White Lake Fish Culture Station Sign
Source: Photo by J.Gallivan



White Lake Fish Culture Station Aerial
Source: Frontenac Maps

The Township will develop land use controls to minimize additional activity on the lake. On this basis the Township will apply zoning along the White Lake waterfront to significantly reduce the impact of new residential development.

To provide greater protection to the water quality of White Lake, larger lot sizes, larger lot frontage and reduced permitted uses shall be required within 300 metres of the high water mark of White Lake. The implementing bylaw shall set the minimum area for new lot creation at 1.6 hectares (4 acres) with a minimum of 91 metres (300 feet) of frontage along White Lake, as well as minimum road frontage of 91 metres (300 feet). Uses shall be limited to residential uses with appropriate accessory structures; agricultural uses shall be permitted, excluding livestock facilities.

Development, including the creation of a new lot, a change in land use or the construction of buildings and structures requiring approval under the *Planning Act*, shall be supported by an environmental impact assessment completed by a qualified professional that shall include the requirements of Section 4.10.2.F of this Plan.

New Lots

New lots created through the consent or plan of subdivision process shall be a sufficient size to ensure that the new lot and retained lands can accommodate the proposed use with no decrease to the 30 metre water setback. Dependent on existing constraints (topography, soil conditions) and to ensure protection of water quality and fish habitat, enhanced provisions may be required to be implemented through a zoning bylaw amendment (e.g. enhanced setback, restriction of shoreline structures, reduced lot coverage). The environmental impact assessment shall identify if enhanced provisions are required.

Existing Lots of Record

Development or redevelopment on existing lots of record that require approvals under the *Planning Act* or to support a change in use (e.g. minor variance, zoning bylaw amendment), shall be accompanied by an environmental impact assessment. The study shall identify existing constraints (lot size, topographical constraints), identify appropriate envelopes for dwelling and septic as far back from the high water mark as is reasonably possible and suggest appropriateness of building size (envelope) for the deficient subject lot. The study shall identify mitigation measures and enhanced provisions necessary to ensure the protection of water quality and natural heritage system (e.g. restriction of shoreline structures, reduced lot coverage); this may be implemented through a zoning bylaw amendment.

The Township will consult with the Ministry of Natural Resources and Forestry (MNRF) with respect to 'best practices' to protect the water quality of the lake. Council may also consult with MNRF, the public, and the Algonquins of Ontario on the potential creation of a lake plan. As part of the development of a lake plan, Council may consider the implementation of an Interim Control By-law to restrict any new development around the lakeshore until such time the lake plan is completed.

All other policies of Waterfront Area section of this Plan shall also apply within the Special Policy Area, but shall not supersede the more restrictive policies contained in this section.

4.8.11 Waterfront – Special Policy Area 3 – Bridgen’s Island, Eagle Lake (Con. 2, Part Lot 29, RP 13R2255, Parts 1-17)

Eagle Lake is one of the larger lakes in Central Frontenac, and is located just north of the village of Parham. The lake has been classified a ‘Highly Sensitive Lake Trout Lake’ as set out in Section 4.8.8 of this Plan. As a result new development along the lake needs to be severely restricted to ensure that no new phosphorous sources affect the lake and oxygen levels.

Bridgen’s Island is a prominent island located at the midpoint of the Lake. As of 2010, the ownership of the island has been divided into two separate land parcels. The larger, westerly parcel is largely undisturbed and is occupied by ten (10) cottages (seasonal residential), and has been in a cooperative ownership for more than three decades. It is a policy of Council that this land be developed in accordance with Section 4.8 (Waterfront Area) of this Plan and the following specific policies:

The property identified on Schedule ‘4.8-2’ to this Plan may be developed to create no more than twelve (12) separate lots and a common beach area. In order to protect the lake trout fish habitat of Eagle Lake the policies for development shall include, but not necessarily be limited to the following:

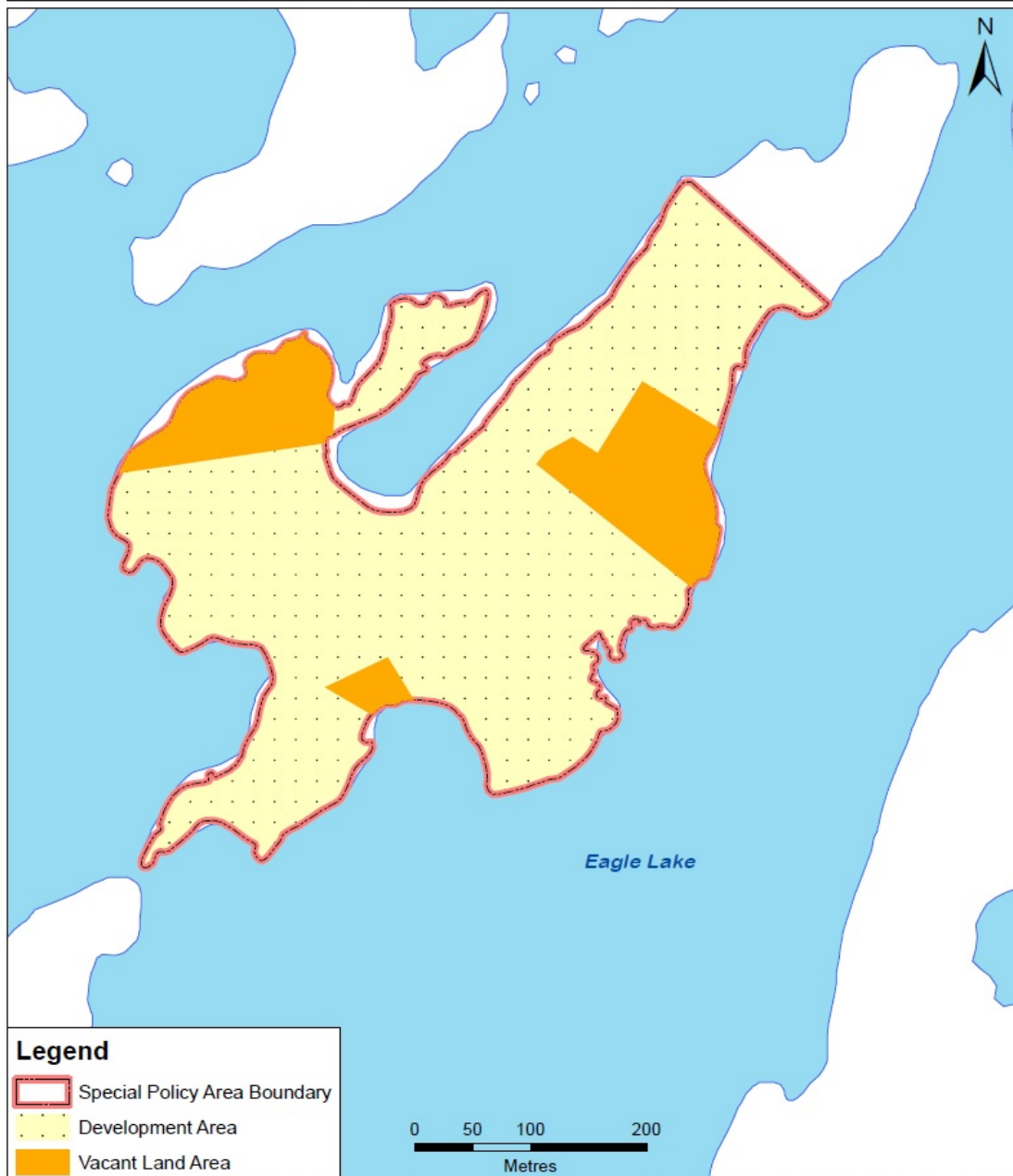
- A. Permitted Uses – Ten (10) of the lots shall be created to recognize the ten (10) existing cottages and accessory uses. The area where these lots will be created is identified as ‘Development Area’ on Schedule ‘4.8-2’. Two (2) of the lots that will be created shall be vacant and no construction of any buildings or structures (including gazebos, viewing platforms or any other structures) shall be permitted with the exception of a boat dock. An additional block of land is to be used as a park and beach for common use of the property owners. Both the vacant lots and the communal park and beach are identified as ‘Vacant Land Area’ on Schedule ‘4.8-2’. Any proposed change to these uses or the identified boundaries on Schedule ‘4.8-2’ shall require an Amendment to this Plan.
- B. Zoning – A ‘Private Open Space’ zone shall apply to the two (2) vacant lots, as well as the common beach area in order to prohibit any type of construction of buildings, sheds, gazebos, viewing platforms, or any other structures with the exception of a boat dock. A ‘Waterfront Residential’ zone shall apply to the ten lots that have existing cottages, and such zone shall include provisions for shoreline management such as setbacks in order to maintain as much vegetative buffer as possible.
- C. Site Plan Control – Council shall consider the use of Site Plan Control for any new development or redevelopment on these lands, including the installation of a sewage disposal system and the conservation of existing natural vegetation wherever possible.

- D. Conditions of Draft Subdivision Plan Approval – the approval authority shall consider imposing conditions of draft approval with respect to the impact that this development may have on Eagle Lake.
- E. Subdivision Conditions – the approval authority shall consider imposing conditions of draft approval that will require certain obligations to be incorporated into the Subdivision Agreement and subsequently registered against title to the lots and therefore binding on all subsequent owners. Such conditions may include:
 - a. Prohibition on developing any of the vacant lots unless the owner first obtains written confirmation from the Province that a proposed sewage disposal system will result in zero impact on the water quality in Eagle Lake;
 - b. Obligation to create and maintain a natural vegetation buffer along the island shoreline to reduce the effects of run-off.
- F. Other Approvals – The approval authority may consider the use of other planning tools or regulations that would be appropriate to ensure lake protection.

TOWNSHIP OF CENTRAL FRONTENAC OFFICIAL PLAN

SCHEDULE "4.8-2"

Bridgen's Island, Eagle Lake - Opposite Lot 29, Con 2



Data Source: CGDE, MPAC & The County of Frontenac. Created August 12, 2021. Reference: Produced by the County of Frontenac with data supplied under license by members of the Ontario Geospatial Data Exchange. The County of Frontenac disclaims all responsibility for errors, omissions or inaccuracies in this publication.

4.8.12 Waterfront Protection Policy - Site Plan Control

1. Area of Application

All lands within the Waterfront Area designation shall be designated as a Site Plan Control Area.

2. Application Requirements

When an application is received for the development or redevelopment of a lot or parcel of record or for the disposition of a shoreline road allowance within the Site Plan Control Area, the application shall be complete and may be accompanied by a site plan which shows:

- A. The location of all existing or proposed buildings, structures, accessory buildings and sewage disposal systems with an indication of accurate dimensions and setback distances from lot lines and from an abutting watercourse or lake; and

The approximate location of all natural and artificial features on the subject land (e.g. roads, drainage ditches, wells, watercourses, banks, slopes, wetlands, wooded areas etc.) including the location of wells and septic tanks on adjacent properties.

3. Site Plan Control Measures

Site Plan Control shall/may apply to the following:

- A. The siting of sewage disposal system components;
- B. The siting of water supplies particularly drilled or dug wells;
- C. Proposed site drainage;
- D. Access corridors to the waterfront;
- E. House and/or building siting;
- F. Requirements for the protection, conservation and/or revegetation of the shoreline riparian zone.
- G. Siltation and erosion controls; and
- H. Site grading and replacement of fill.

4. Natural Vegetation Buffer

When a Site Plan Control Agreement is required for development or redevelopment on lands which front on a lake or on a major tributary, a natural vegetation buffer of not less than 30 metres (98.4 feet) in depth along the shoreline or watercourse shall be identified on the site plan. The cutting or removal of trees, shrubs, leaf litter or ground cover will not generally be permitted within the natural vegetation buffer except for the removal of dead or diseased trees or noxious plants or where a landscaped corridor not greater than 9 metres (29.5 feet) in width is required for access between the dwelling and shoreline. Council may require that a professional competent in shoreline landscaping be engaged to prepare a shoreline vegetation management plan suitable for conserving and sustaining the natural environment with respect to any requirements for an impact assessment for natural heritage features (i.e. fish habitat).

5. Site Plan Control - Additional Information

Where deemed necessary, in accordance with the site plan control guidelines, Council, or its designate, may require additional site information, which may include:

- A. A soils report which identifies site soil characteristics including soil type, depth, leaching characteristics, depth to water table, and mitigation measures for any soil deficiency related to a proposed use. The soils report may also address slope stability and erosion concerns based on the nature of the proposal and existing site conditions. This report should be verified by a soils analyst or consultant with demonstrated competence in soils analysis. This study may be sent to the Conservation Authority having jurisdiction for review and comment. A water quality impact study which shows the impact of the proposed use on water quality and how this impact can be effectively minimized.
- B. A fisheries habitat assessment, satisfactory to the Department of Fisheries and Oceans (DFO), of the existing shoreline or stream with recommendations on how the existing habitat conditions can be preserved and/or enhanced; and
A screening plan showing how the proposed uses will be screened from view or how the existing aesthetic landscape of the waterfront will be preserved or enhanced.

4.10 Natural Heritage Features and Areas

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

4.10.1. Policies

A. Natural Heritage Features

Some Natural Heritage Features and Areas which have been designated in the Township are illustrated the **Land Use Plan Schedule** with an appropriate symbol to identify particular features.

Although occurrences of species at risk and habitat are not shown on the Land Use Plan Schedules, due to data sensitivity, species at risk and habitat **shall** be considered when screening planning applications and prior to application approval. There is potential that suitable/**significant** habitat persists in the Township and the list is subject to change as new information is gathered. The Township will contact the Ministry of Natural Resources and Forestry periodically to update known occurrences of species at risk in the Municipality in order to assist with accurate and effective screening of **development** applications. Headwaters, which are not formally identified by the Province, also need to be recognized and protected over the long term.

B. Wetlands and Wildlife Habitat

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

Development and **site alteration** shall not be permitted in significant **wetlands** or **significant wildlife habitat**. Development and **site alteration** shall not be permitted on the **adjacent lands** of **significant** wetlands or **significant wildlife habitat**, unless it has been demonstrated through the preparation of an Environmental Impact Assessment as required in **Section 4.10.2.F. – Environmental Impact Assessment** of this Plan, that there will be no **negative impacts** on the natural features or on their **ecological functions**.

For the purposes of this policy, **adjacent lands** to **Provincially Significant Wetlands** include a buffer area of 120 m (394 ft.) **Adjacent lands** may also be identified through reference to the *Natural Heritage Reference Manual Policies of the Provincial Policy Statement*. In addition to satisfying **Section 4.10.2.F. – Environmental Impact Assessment**, any new **development** or

site alteration proposed on **adjacent lands** shall also satisfy the land use **policies** of the underlying land use designation as shown on **Land Use Plan Schedule**.

New development shall be set back a minimum of 30 metres [98.4 feet] from the boundary of any wetland that is not a **Provincially Significant Wetland**.

Development in and within 120 metres [394 feet] of a wetland is regulated under the *Conservation Authorities Act* through the “Development, Interference with Wetlands and Alterations to Shoreline and Watercourses Regulations”. Development activities, including construction and **site alteration**, will require a permit from the applicable Conservation Authority.

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

C. Fish Habitat

It is a policy of Council to protect designated cold and warm water bodies and fish spawning areas for their fish habitat values. **Development** and **site alteration** may be permitted in **fish habitat** except in accordance with the implementing Zoning By-law and Provincial and Federal requirements.

Development and **site alteration** on **adjacent lands** to fish habitat may require an *Environmental Impact Assessment* pursuant to **Section 4.10.2.F** at the discretion of Council, to demonstrate that there will be no **negative impacts** on the fish habitat or on their **ecological functions**.

For the purposes of this policy, **adjacent lands** to **fish habitat** include a distance of 30 metres [98.2 feet] from the shoreline abutting the affected water bodies.

D. Endangered and Threatened Species

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

No **development** or **site alteration** shall be permitted within the **significant** habitat of **endangered** or **threatened species**. **Development** and **site alteration** shall not be permitted on the **adjacent lands** of endangered or threatened species, unless it has been demonstrated through the preparation of an impact assessment as required in **Section 4.10.1.F. – Environmental Impact Assessment** of this Plan, that there will be no **negative impacts** on the natural features or on the **ecological functions**.

For the purposes of this policy, **adjacent lands** to **endangered** or **threatened species** include a buffer zone of 120 metres (394 feet) or as otherwise determined by reference to the Natural Heritage Reference Manual Policies of the Provincial Policy Statement. In addition to satisfying **Section 4.10.1.F. – Environmental Impact Assessment**, any new **development** or **site alteration** proposed on **adjacent lands** shall also satisfy the land use policies of the underlying land use designation as shown on **Land Use Plan Schedule**. Council will strive to protect the habitat of **vulnerable** species and will require an Impact Assessment [see **Section 4.10.1.F.**] for **development** or **site alteration** on or within 120 metres (394 feet) of the habitat of such species. The Municipality will consult habitat mapping provided by the Ministry of Natural Resources and Forestry when reviewing development and/or site alteration applications.

E. Areas of Natural and Scientific Interest (ANSI)

Areas of natural and scientific interest are areas of land and water that contain natural landscapes or features that have been identified as having life science or earth science values related to the protection, scientific study or education.

It is a policy of Council to recognize the Harlowe Bog ANSI, Hungry Lake Barrens ANSI, Ardoch Bog ANSI, Black Lake Fen ANSI, the Piccadilly Swamp ANSI, and the Long Lake Blue Calcite ANSI as Provincially Significant ANSIs. These areas are intended to be recognized for their natural and scientific values. These ANSIs are identified on the Land Use Schedule.

Development and **site alteration** shall not be permitted within or on the **adjacent lands** of an area of natural and scientific interest, unless it has been demonstrated through the preparation of an Impact Assessment as required in **Section 4.10.2.F. - Environmental Impact Assessment** of this Plan, that there will be no **negative impacts** on the natural features or on the **ecological functions**.

For the purposes of this policy, **adjacent lands** to an area of natural and scientific interest include a buffer area of 120 metres (394 feet) or as otherwise determined by reference to the Natural Heritage Reference Manual Policies of the Provincial Policy Statement. In addition to satisfying **Section 4.10.2.F. – Environmental Impact Assessment**, any new **development** or **site alteration** proposed on **adjacent lands** shall also satisfy the land use policies of the underlying land use designation as shown on **Land Use Plan Schedules**.

F. Environmental Impact Assessment

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

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

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

- (i) A description of the study area and landscape context;
- (ii) Description of the **development** proposal;
- (iii) Identification of those features and functions likely to be affected by the development proposal;
- (iv) Assessment of the potential impacts of the proposed development on key features and functions;
- (v) Identification of mitigation requirements and monitoring requirements, quantification of residual impacts (those that cannot be mitigated) if any; and
- (vi) Review and decision.

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

G. Implementation Measures

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

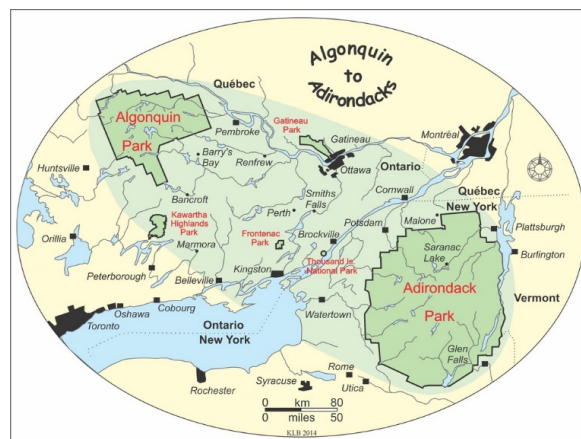
H. The Algonquin Park to Adirondacks Park Corridor

The Algonquin to Adirondacks Collaborative (A2A) promotes programs to connect and improve habitat within the region that extends from Algonquin Park to Adirondacks State Park in New York State. The region connects Canada's Boreal Forest with the Appalachian Mountains down to the State of Georgia as an important area for ecological connectivity.

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

The region and especially the Frontenac Arch, provide north-south pathways that allow wildlife to maintain genetic diversity. Animals travel these pathways, birds follow them, and with global warming pushing climate zones northward, even plants are expanding along them. Central Frontenac Township is adjacent to and connects to the Frontenac Arch UNESCO Biosphere Reserve and the intent of this Plan and the land use decisions that are made is to support the ecological value of the connectivity, its ecosystem function and native biodiversity while respecting human land uses.

Council supports the efforts of the A2A Collaborative to promote and protect this important natural heritage corridor.



ALGONQUIN TO ADIRONDACKS AREA

Source: www.a2acollaborative.org

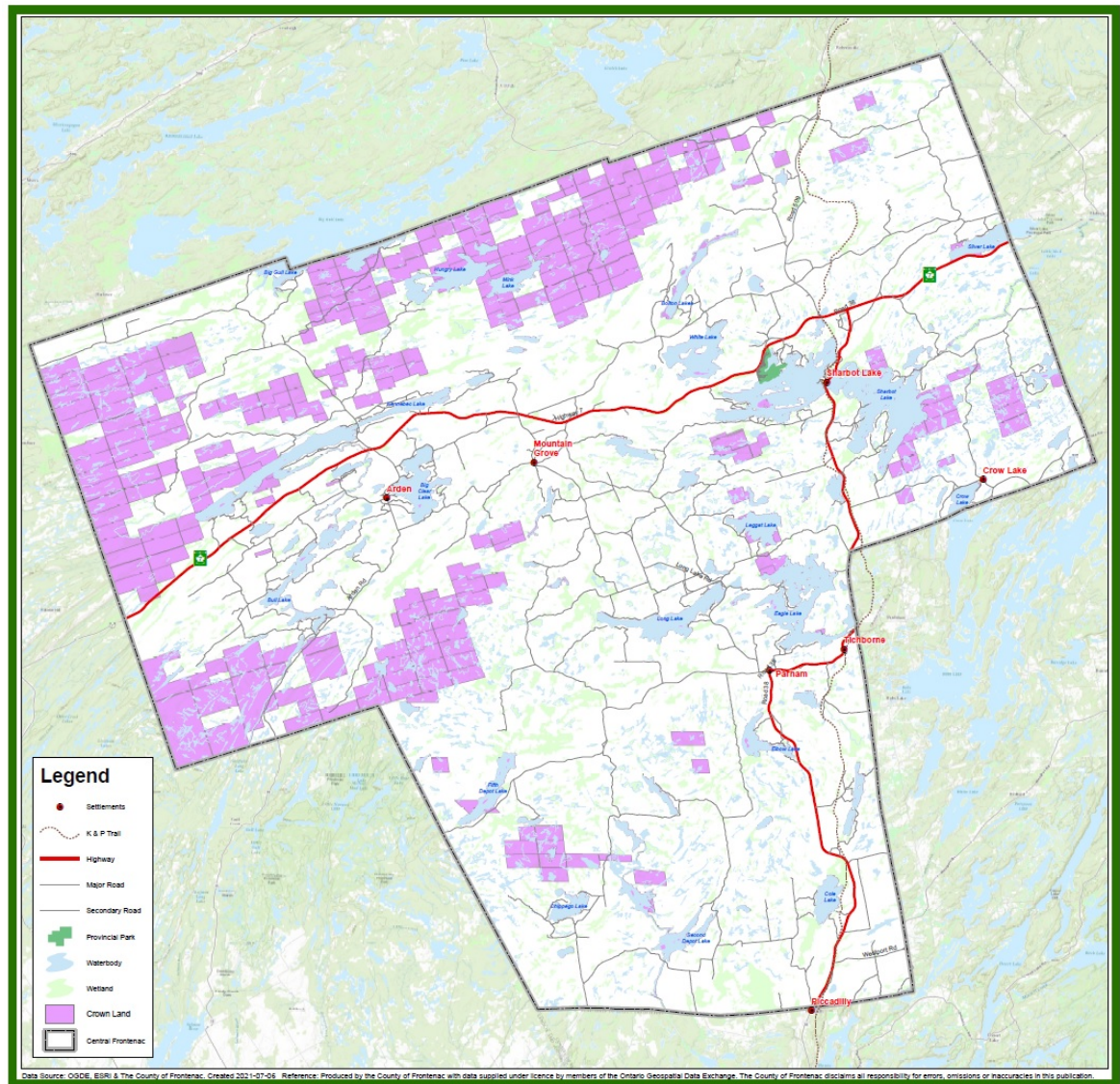
4.11 Crown Land

It is recognized that Council does not have the jurisdiction to enforce the provisions of this Plan as it relates to Crown land since Crown lands fall under the purview and responsibility of the Provincial Government. However, it is expected that Council and Provincial Ministries will work cooperatively in achieving the objectives and spirit of this plan particularly with respect to the review of development applications and in the impacts on municipal **infrastructure**.

It is expected that Crown lands proposed to be released for private or First Nations Communities development not be released by the Crown without prior consultation with Council and that the redesignation of such lands, where required, be in conformity with the Official Plan. It is also the intent of Council to minimize or avoid land use conflicts in resource development since inter-agency cooperation is essential to maximizing the potential of natural resources within the Township.

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

Council anticipates that consultation with respect to the use of Crown Lands will include First Nations Communities, in particular the Algonquins of Ontario.



Crown land in Central Frontenac is shown in the purple.

Source: Frontenac GIS Services (July 2021)

4.12 Agriculture and Farming

It is a policy of Council to promote normal farm practices and to protect the right to farm.

Although there are no **prime agricultural areas** as defined in the 2014 Provincial Policy Statement (PPS) within Central Frontenac, the intent of the Plan is to permit **agricultural uses** in the Rural Area. This is intended to include agricultural-related uses.

A. Minimum Distance Separation Formulae

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

B. Farm-Related Uses

The Township supports the development of uses that highlight the importance and value of farming. On this basis, uses such as farm machinery and equipment exhibitions (on a temporary basis), farm tours, petting zoos, hay rides and sleigh rides, processing operations including maple syrup operations, small scale farm theme playgrounds for children and small-scale educational or training establishments that focus on farming instruction shall be permitted on farms in the Rural Area.

C. Farm Accommodation

Farm vacation homes and bed and breakfast establishments for the temporary accommodation of guests are permitted subject to the following:

- i. The principal residence of the farm owner shall accommodate a maximum number of rooms which will be listed in the implementing Zoning By-law. The character of the farm house as a private residence is maintained;
- ii. Accessory accommodations such as cabins or tiny house structures may be permitted, subject to a maximum building size and a maximum number of permitted accessory accommodation as set out in the implementing Zoning By-law;
- iii. The operation of these uses shall not have an adverse effect on the enjoyment and privacy of neighbouring properties;
- iv. Adequate parking facilities are available on the property for the proposed use; and
- v. The use(s) can be serviced with appropriate water supply and an appropriate means of sewage disposal;
- vi. Farm accommodation development may be subject to Site Plan Control.

4.13 Mineral Resource

The importance of mineral aggregates and minerals and their protection for long term use is recognized through the Mineral Resource designation. This designation has been applied on the basis of information on the extent of resources and existing operations supplied by the Ministry of Natural Resources and Forestry (MNRF) and the Ministry of Northern Development and Mines (MNDM).

The location of Aggregates and other Mineral Resources are shown on the **Land Use Schedule**. In certain cases areas having mineral aggregate or mineral potential have been excluded from the Mineral Resources designation due to the existing landscape such as proximity to existing incompatible land uses or shorelines of water bodies.

In some areas designated Mineral Resources non-mineral development may take place, provided that such development will not compromise the broader objectives with respect to mineral resource protection and extraction.

It is Council's overall intent that important mineral resources will be protected for long term use.

4.13.1 Permitted Uses

Aggregate-related uses permitted include pits and quarries, as well as all associated facilities used in extraction, transport, processing or recycling of mineral aggregates, or the production of secondary related products. These uses include crushing facilities, stockpiles, washing and screening operations, asphalt plants, concrete plants, and aggregate transfer stations.

Mineral-related uses permitted include open pit and underground mining operations and associated facilities such as milling operations.

Wayside pits and quarries are also a permitted use although they are not required to be specifically designated.

Land uses such as agriculture, forestry, conservation and passive recreation uses may be permitted, provided that such uses shall not generally include buildings or activities that would preclude or hinder the establishment of new mineral mining or mineral aggregate operations, or access to mineral resources. Development proposals for other land uses may be permitted in accordance with the Rural policies of this Plan, subject to the agreement of the Ministry of Northern Development and Mines, the Ministry of Natural Resources and Forestry, and any other approvals by relevant approval authorities.

4.13.2 Policies

1. On lands designated Mineral Resource, any lands zoned and licensed for a pit or quarry must be located within the limits of the designated area. Any expansion proposal involving lands beyond the limits of the designation area will require an amendment to the Plan.

2. Existing licensed pits and quarries and other existing mineral resource operations will be identified in the Township Zoning By-law.

New operations, as well as expansions to existing operations will require an amendment to the Zoning By-law. In support of a Zoning Amendment for expansion the Township may require the applicant to undertake certain studies to address the social, economic, environmental and other potential impacts of the proposal.

3. Lands within the Mineral Resource designation that are not zoned for mineral aggregate or mineral mining operations shall be placed in an appropriate zone. Circumstances that will determine proper zoning may include existing/historical land use patterns, an absence of existing mineral-oriented uses in the area, and a low likelihood of future extraction occurring in the vicinity of the subject lands. The Township may consult with the Ministry of Northern Development and Mines or the Ministry of Natural Resources and Forestry to determine the appropriate zoning.

4. All pit and quarry operations shall be licensed by MNRF under the *Aggregate Resources Act*.

5. Access to mineral aggregate or mineral mining operations shall be encouraged to be located on Highway 7 or on Township Arterial Roads as defined in Section 5.3.2 of this Plan, wherever possible. Where access is to be obtained from other Township roads, it must be of adequate standard of construction to support the anticipated truck traffic as determined by the Township Public Works Department.

6. In considering an Amendment to the Plan to change the land use designation from Mineral Resource to another designation, the Township shall be satisfied that a mineral resource use would not be feasible due to qualitative, quantitative, or other constraints, and may consult with MNDF and MNRF to determine the legitimacy of such amendment.

Alternatively, it must be demonstrated that the propose use for which the amendment is proposed is required in the long term public interest and issues related to public health and safety, as well as environmental impact, can be addressed. Additionally, the impact of such re-designation on the potential to use and expand adjacent mineral or mineral aggregate operations that will continue to be designated Mineral Resource shall be considered.

7. Mineral aggregate operations shall be required to undertake progressive rehabilitation to accommodate subsequent land uses.

8. Mineral mining operations, including associated processing facilities, shall undertake rehabilitation, including progressive rehabilitation where feasible, to accommodate subsequent land uses.
9. In evaluating an amendment to the Official Plan to change the designation of lands to Mineral Resources from another designation, the Township shall require the applicant to provide sufficient information to evaluate the application including the following:
 - a. The type and location of neighbouring land uses, having regard to land use compatibility;
 - b. The location and adequacy of proposed access routes, as well as any proposed improvements;
 - c. Reports with respect to the site and proposed operational considerations, including hydrogeology, drainage, influence, potential impacts and mitigation measures.
10. It is a policy of this Plan that existing sensitive land uses such as residences, day care centres, and educational and health facilities shall be protected from the establishment of a new mineral aggregate or mining operation or expansions thereto, where such establishment or expansion would be incompatible for reasons of public health, public safety, and/or environmental impact.



TRANSPORTATION

Township of Central Frontenac



5 Transportation

Transportation **infrastructure** is made up of Provincial Highway 7, Township roads, private lanes, resource access roads and snowmobile and hiking trails such as the K&P Trail and the Trans Canada Trail, while transportation and infrastructure corridors consist of the hydroelectric power transmission lines.

The importance of the road network in maintaining and improving the economy in Central Frontenac cannot be underestimated. The Township is dependent on the road system for the movement of goods and services, as well as for access to health and social services and for tourism use.

This Plan requires that accessible, cost-efficient and effective **infrastructure** be provided commensurate with the planned growth and development within the Township.

Expansions and upgrades shall also consider the effects of climate change on the sizing of infrastructure.

Infrastructure shall be constructed and maintained in compliance with the appropriate and applicable environmental standards/approvals and shall minimize, manage or avoid adverse effects to humans or the natural environment.

5.1 Provincial Highways

5.1.1 Background

Highway 7, as shown on the **Land Use Schedule**, is classified as a special controlled access highway (Class IV Major Highway) designed to carry high volumes of through traffic.

Highway 7 is the only Provincial Highway in Frontenac. The connection to Road 38 at Sharbot Lake is an important local and regional north-south route.

The section of Highway 7 through Central Frontenac runs through one of the most southerly portions of the Canadian Shield. Granite outcrops, lakes, forest and wetlands make the area attractive for full time residents, tourists, and seasonal residents.

5.1.2 Policies

- A. The Ministry of Transportation (MTO) has long term plans to widen most of Highway 7 from two to four lanes between Peterborough and Carleton Place. The Township of Central Frontenac will work with MTO to ensure that changes to Highway 7 through the municipality will involve engagement with community members, Highway 7 property owners, and local businesses.

- B. In addition to all the applicable municipal requirements, all proposed **development** located in the vicinity of Highway 7 may be subject to the limitations under the jurisdiction of the Ministry of Transportation (MTO).

5.2 Frontenac Regional Road System

5.2.1 Background

The Frontenac County Official Plan has identified a regional road system with the goal of recognizing a County-wide road network to support the long-term viability of the system and to ensure access throughout the Frontenacs and connections to the surrounding region.

These roads are recognized as having regional importance. This regional road system is largely comprised of former Provincial Highways and County Roads that were downloaded to each of the four Townships during municipal amalgamation and restructuring that took place in 1998.

Parts of the designated regional road system in Central Frontenac are both former Provincial Highways:

- Road 38 which runs north-south from Highway 7 at Sharbot Lake to Piccadilly (36 kilometres); and
- Road 509 that runs north-south from the northern Township border near Clarendon Station to Highway 7 (11 kilometres).

These regional roads were once funded and maintained by the Province of Ontario. Since amalgamation the costs of maintaining these roads are entirely funded by Central Frontenac Township. The diversion of municipal funds to pay the maintenance costs has a direct impact on the ability of the Township to support the social, cultural, and economic aspects of Central Frontenac.

5.2.2 Policies

- A. Central Frontenac supports a cross-jurisdictional collaborative approach with neighbouring North Frontenac Township and South Frontenac Township, as well as the County of Frontenac, to develop a regional road system that will encourage unity within the County, satisfy local municipal transportation demands, and encourage cost efficiencies with respect to maintenance costs and road reconstruction.
- B. The Township will investigate and support all senior government programs that can provide financial investment in the regional road system.

5.3 Township Roads

5.3.1. Classification of Township Roads

For the purposes of this Plan, the classification of roads within the Township shall include the following:

- A. Arterial Roads, which are maintained year round: includes Road 38 and Long Lake Road, and Road 509;
- B. Township Roads, which are maintained year round;
- C. Township Roads, which are seasonally maintained;
- D. Township Roads, which are unmaintained. This includes both Heritage Roads which are roads that historically existed but are not maintained at the present time, and roads which have been dedicated to the Township but have not yet been assumed by Council; and,
- E. Private Lanes.

5.3.2. Arterial Roads

An arterial road is considered to be an existing or proposed road. The right-of-way width may be increased at intersections with other roads or a Provincial highway. Arterial roads are designed to carry intra-urban and through movement of a large volume of traffic operating at speeds of 50-80 km/hr. In order to maintain the function and safe use of an arterial road, Council may restrict access to abutting parcels and control the spacing of driveways.

5.3.3. Year Round and Seasonally Maintained Township Roads

The primary function of Township roads will be to provide access to abutting properties. Standards for new road construction will include a minimum of 20 metres (66 feet) right-of-way with an appropriate design and layout, drainage and construction. Roads on lands under Plan of Subdivision may be assumed by the Township provided the standards for road construction have been satisfactorily met.

Council may post seasonally maintained roads with signs to indicate that maintenance is limited. Where such roads are classified and posted with a sign, Council will not be obliged to provide winter control services.

There is no obligation by Council to convert a seasonally maintained road to a year-round maintained road. Council may, however, undertake or request a cost-benefit analysis to determine the impact of such a conversion. Where Council is satisfied that potential **development** is justifiable, the status of the road may be changed to year-round. As a condition of the change of status, Council may require one or more applicants to share the cost of improving the road to an acceptable standard. The status of the road may be changed without an amendment to this Plan. In making a decision on the change of status Council may

also consult with school boards to determine whether any additional costs to school busing are reasonable.

5.3.4 Heritage Roads / Colonization Roads

While Council recognizes there are Heritage Roads / abandoned Colonization Roads within the municipality, it is not the intent of Council to maintain these roads nor to permit development on such roads.

Council may, however, require an agreement for the maintenance and repair of such roads. Council may as a condition of development (i.e. creation of a new lot, change in land use, construction of a building), require that the road be upgraded and maintained to a municipal standard.

5.3.5 Unassumed Roads

Council recognizes that the public may use unassumed public road allowances (also known as unopened road allowances) even though they are not maintained by the municipality. Council's policy is to treat these roads as private roads in terms of municipal services provided and, as such, Council is under no obligation to upgrade these roads to municipal standards.

Council may require an agreement for the use, maintenance and repair of such roads. Council may as a condition of development (i.e., creation of a new lot, change in land use, construction of a building), require that the road be upgraded and maintained to a municipal standard. Council may at its sole discretion, register on title, notice that it will not be responsible for the repair or maintenance of unassumed roads.

5.3.6. Road Maintenance and Improvements

Construction or maintenance of existing Township roads and bridges or crossing structures will continue to be based on a regular program of capital expenditures as set out from time-to-time by Council. The total length of surfaced roads may be increased with priority being given to roads with higher traffic volumes and/or the need for improvements to meet contemporary design and safety standards. Road improvements may be undertaken to improve the efficiency, function and safety of roads.

Road maintenance and improvements of Township roads including the addition of roads to the Township road system shall be deemed to be in conformity with section 24 of the *Planning Act*. This shall not limit the authority of the Township to designate truck routes, fire routes and the installation of parking lanes as may be required.

Council may undertake or require the installation of sidewalks to an acceptable standard as part of a Planning Act application approval. In general, sidewalks will be limited to **settlement areas**.

Council may require a traffic study to be undertaken by the proponent of development where it

is anticipated that additional traffic will have an impact on the safety and efficiency of a road. Where the transportation system is not adequate to accommodate a proposed **development**, Council may require as a condition of approval:

- A. Reasonable improvements to the system by the proponent of the **development**; or
- B. Financial contributions towards undertaking the necessary improvements; or
- C. The dedication of a right-of-way for future roads or road widenings of existing roads.

5.4 Private Lanes

Limited service residential development (i.e., where little or no Township services such as garbage collection, road maintenance, or snow ploughing) is generally located in the Waterfront Area of the Township on a body of water or a natural watercourse, where the primary means of access is from a private lane. The development of new “waterfront limited service residential lots” on private lanes shall be considered for approval based on the Private Lane policies of this plan.

A. Seasonal vs. Permanent Residential Screening Policy

Prior to the review of an application for new lot development that would result in the infilling or minor extension of an existing private lane, an assessment of permanent and seasonal residential land use should be completed for the entire lane. Where a majority of existing development on a private lane is determined to be permanent residential, or where the private lane is located in an area where conversion rates will likely result in a majority of permanent residential development in the future, no new lot development in the form of limited infilling or minor extensions shall be permitted unless:

- (i) The private lane is constructed to the Private Lane Construction Standards set out in Appendix 3 to this Plan; or
- (ii) The existing private lane is developed within a common element condominium pursuant to the Condominium Act, 1998, as amended, and connects directly to an existing public road.

B. Infilling

Where a majority of existing development on a private lane is seasonal residential, severances for new “infill” lots may be permitted along existing private lanes, provided that the condition of the lane abutting the new lots (severed and retained) are improved to the Private Lane Construction Standards set out in Appendix 3 to this Plan. In addition, the whole of the existing lane travelled to reach the new proposed lots (severed and retained) will be required to be improved to a minimum standard to allow accessibility to the new lots (severed and retained) by emergency service vehicles.

C. Private Lane Extensions

New lot development on “extensions” of existing private lanes may be permitted in accordance with the Category “A” or Category “B” policies for private lane extensions. The determination of whether the Category “A” or “B” policies apply to a given private lane extension shall be based upon an assessment of the overall future development potential of the private lane extension. The Category “A” private lane policies apply where an assessment of the development potential of the private lane concludes that minor extension of one (1), two (2) or three (3) new lots will complete the development potential of the private lane. The Category “B” private lane policies will apply where an assessment of the development potential of the private lane concludes that four (4) or more lots may be created from the private lane extension. Where a private lane has been assessed as having potential for extension of four (4) or more lots, the Category “A” policies will not apply.

D. Category “A” (Minor) Private Lane Extensions

- (i) Severances for one (1) or two (2) new lots on an extension to an existing private lane that would complete the development potential of the lane may be permitted provided that the extension is designed and constructed in accordance with the Private Lane Construction Standards set out in Appendix “3” to this Plan. In addition, the whole of the existing lane travelled to reach the proposed new lots (severed and retained) will be required to be constructed to a standard that would allow accessibility to the new lots by emergency vehicles.
- (ii) Severance for a private land extension resulting in the creation of three (3) new lots completing the development potential of the lane may be permitted provided that the private lane extension and the whole of the existing lane travelled to reach the new proposed lots (severed and retained) will be required to be improved to the Private Lane Construction Standards set out in Appendix “3” to this Plan.
- (iii) The new lane may only be constructed to the point of access to the last lot on the lane rather than along the full lot frontage for the lot, as required by the implementing zoning by-law.
- (iv) Notwithstanding any provision of this Plan that restricts the maximum number of land severances per holding, up to three (3) new limited service residential lots may be permitted per private lane, provided that the creation of the proposed lots completes the development potential of the private lane.

E. Category “B” (Major) Private Lane Extensions

- (i) Severances for one (1), two (2) or three (3) lots on an extension to an existing private lane that has the potential for the creation of four or more limited service residential lots.
 - a. Severances for one (1) or two (2) new lots on an extension to an existing private lane that has the potential for the creation of four (4) or more limited service residential lots may be permitted provided that the extension is designed and constructed in accordance with the Private Lane Construction Standards set

out in Appendix “3” to this Plan and that a 0.30 metre Township-owned reserve is established at the end of the new extension. Future lot development beyond the Township reserve may be permitted, subject to the original one (1) or two (2) lots being considered in calculating which policies would apply. In addition, the whole of the existing lane travelled to reach the proposed new lots (severed and retained) will be required to be constructed to a standard that would allow accessibility to the new lots by emergency vehicles.

b. Severance for a private land extension resulting in the creation of three (3) lots on an extension to an existing private lane that has the potential for the creation of four (4) or more limited service residential lots may be permitted provided that the private lane extension and the whole of the existing lane travelled to reach the new proposed lots will be required to be improved to the Private Lane Construction Standards set out in Appendix “3” to this Plan.

(ii) Severances for four (4) or more lots on an extension to an existing private lane that has the potential for the creation of four (4) or more limited service residential lots

a. New development on extensions of private lanes having the potential for the creation of four (4) or more limited service residential lots may be created by a plan of subdivision or condominium, where the private lane shall be created as a common element condominium and managed by a condominium corporation.

b. The private lane extension for the proposed lots and the whole of the existing lane travelled on to reach the new proposed lots will be required to be improved to the Private Lane Construction Standards set out in Appendix “3” to this Plan.

c. The owner of the existing private lane and all persons having an existing right-of-way (including unregistered rights of ways that have been legally obtained over time through actual usage) over the existing private lane will have to consent to the creation of the condominium. If this requirement cannot be fulfilled, then a major extension of an existing private lane cannot be granted.

(iii) New Private Lanes

Lot development on new private lanes may be permitted by severance, or by a registered plan of condominium, provided that the new private lane intersects with an existing public road, and is designed and constructed in accordance with the Private Lane Construction Standards set out in Appendix “3” to this Plan and provided that the entire lane is governed by a condominium agreement.

(iv) Private Lane Condition of Severance or Condominium Approval

As a condition of severance or condominium approval for all private lanes the owner of the subject property may be required to enter into an agreement with the Township to construct the private lane to the Private Lane Construction Standards set out in Appendix “3” to this Plan or such other standards which are determined to be

appropriate for emergency service delivery. The agreement shall be registered against the title to the lots and include provisions acknowledging:

- (a) The Township does not maintain or repair the private lane.
- (b) The Township does not provide municipal services normally associated with public roads.
- (c) The owners are responsible for all costs necessary to maintain the private lane.
- (d) The Township is not responsible for any loss or damage created by the owner's failure to maintain the private lane.
- (e) The owners agree to indemnify the Township for any loss or damage.

5.5 Transportation Corridors

It is the intent of this Plan that existing transportation corridors for roads be protected from land use activities which may interfere with the function and safe operation of these corridors including Highway 7, Road 38 and Road 509.

With respect to corridor management, the Township will require the proponent of **development** to secure necessary approvals from the Ministry of Transportation or the Township whichever is applicable for any improvements, access, traffic signs or signals, utility cuts, drainage and the undertaking of a traffic impact study where required, etc. The proponent of development will be expected to fund the cost of such improvements, alterations or reinstatement whether directly or by agreement with the public road authority affected.

It is the intent of this plan that the network of the Trans Ontario Provincial Trails (TOPS) snowmobile system be protected. It is recognized that the TOPS may change from time-to-time. However, an amendment to this Plan is not required for changes to this routing so long as the intent of this policy is upheld. Any trail crossings of Provincial highways will, however, require the prior approval of the Ministry of Transportation.

5.6 Infrastructure Corridors

It is the intent of this Plan that existing **infrastructure** corridors for utilities be protected from land use activities, which may interfere with the function and safe operation of these corridors. Any improvements or alterations to an **infrastructure** corridor are subject to approval by the public authority having jurisdiction or by a private authority (e.g., North Frontenac Telephone Company, Bell Canada) and any costs will normally be borne by the proponent of the **development**.

5.7 Active Transportation

The Frontenac Regional Active Transportation Plan was developed by the County of Frontenac in 2019 with support and advice from member municipalities. The following policies support the priorities laid out in the ATP, and will provide safety and security for walking, cycling and other forms of active transportation in Central Frontenac

5.7.1 Settlement Area Growth

As new development expands within settlement areas, sidewalks, multi-use pathways or other forms of Active Transportation infrastructure should be considered as part of the development. Sidewalks are required on both sides of arterial roads in settlement areas.

5.7.2 Road Construction

All road construction projects must consider paved shoulders, sidewalks or alternative active transportation infrastructure. Improvements to adjacent trails as part of road construction projects may be considered as an appropriate active transportation plan, with a priority set for the spine network. The town

5.7.3 Primary Trails

Primary trails form the basis for a county-wide trail system. They act as the systems' "spine" and are long-distance off-road infrastructure that should be accessible to all users, including those using mobility devices. Portions of the K&P Trail and the Tay-Havelock Trail (also known as the Central Frontenac Trailway) are located in the township and are identified as primary trails.

These trails have been converted from former railway corridors travelling through the township and are active uses are shared on these trails with motorized off-road uses such as ATV, Side-by-Side and Snowmobiles. These trails should be a minimum 3.0 metres wide and the infrastructure should be maintained to support active uses. Trail development standards are available in Regional Active Transportation Plan.

5.7.4 Spine Network

The Regional Active Transportation Plan establishes a spine network to connect to communities throughout Frontenac County. Consideration was also given to key destinations such as provincial parks, regional trails and communities outside of the county. In addition to township roads located within the Township of Central Frontenac, the spine network also utilizes existing trails, including the K&P Trail and the Tay-Havelock Trail, as they provide a low stress route for pedestrians and cyclists. The spine network designation establishes the commitment to continued investment and improvement of existing routes and prioritization of new infrastructure where there currently is none. Figure (x)

demonstrates the County wide spine network and table outlines the spine network locations in Central Frontenac.

Central Frontenac	Tichborne – Mountain Grove	Road 38	On Road	21 km
	Arden – Myers Cave	Henderson Road, Harlowe Road, Myers Cave Road	On Road	32 km
	Tay-Havelock / Trans Canada Trail	Lennox and Addington County to Lanark County	Off Road	45 km
	K&P Trail	South Frontenac to North Frontenac	Off Road	40 km

6

THE TOOLS OF IMPLEMENTATION

Township of Central Frontenac



6 The Tools of Implementation

6.1 Introduction

There are many ‘tools’ at the disposal of a Planning Authority in implementing an Official Plan. This Section of the Plan lists those tools required to implement this Plan. Reference is made to a number of different Provincial statutes and/or Ontario Regulations. The list does not include all of the enabling authority of all legislation, particularly, those *Acts* and *Regulations* which are administered by the Federal or Provincial Government but the list is intended to be reasonably comprehensive.

Over time, amendments are made to legislation, which may change the numbering of sections of various *Acts* or *Regulations*. These changes should not affect the integrity of the following list nor limit the authority of the Municipality to exercise certain controls, unless the legislation is repealed. The *Acts* etc. are listed alphabetically for convenience.

Procedures associated with the Tools of Implementation are included in Appendix 2 for the information and assistance to the reader and do not form part of this Plan. These sections are cross-referenced to assist the reader.

6.2 Building Code Act (See also Appendix 2)

6.2.1. Property Standards

Council may adopt a Property Standards By-law as provided for under the *Act* with the objective of maintaining buildings, structures and properties in the Municipality in a good state of repair.

The By-Law may be reviewed from time-to-time with respect to the standards for maintenance of buildings and without limiting the foregoing, shall include consideration for:

- A. The maintenance of yards and accessory buildings;
- B. The maintenance of residential and non-residential buildings and structures;
- C. Occupancy standards;
- D. Notices and orders; and
- E. Administration and enforcement measures.

6.3 Condominium Act (See Appendix 2) (see also Section 3.15.1. – Plans of Subdivisions and Condominiums)

6.4 Environmental Assessment Act (See Appendix 2)

6.5 Environmental Protection Act (See Appendix 2)

6.6 Gasoline Handling Act and Code (See Appendix 2)

6.7 Municipal Act (See also Appendix 2)

6.8 Ontario Heritage Act (See also Appendix 2)

6.8.1. Requirement for Archeological Assessment

To implement the requirements of **Section 3.4 - Built Heritage Resources, Cultural Heritage Landscapes and Archaeological Resources** of this Plan, the review of a planning application (e.g. Zoning Amendment, Subdivision or Consent) may require a review of the archaeological potential or **archaeological resources** of a site. Where Council determines the need for an Archaeological Assessment, it is Council's policy that the following condition would apply:

The proponent shall carry out an Archaeological Assessment of the subject property and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant **archaeological resources** found. No grading or other soil disturbances shall take place on the property prior to the approval authority and the Ministry of Culture confirming that all **archaeological resources** have met licensing and resource conservation requirements. The assessment shall be carried out by a licensed archaeologist under the *Ontario Heritage Act*.

6.9 Planning Act (See also Appendix 2)

The procedures for applications and other matters are dealt with in sequence by section. Council intends to consult with the public prior to making a decision on a planning application. This may be in addition to any required statutory public meeting. Applications for **development** for an Official Plan Amendment, a Zoning By-law Amendment, or Subdivision shall be reviewed for completeness. The Township/approval authority will not consider an application complete or may refuse an application where studies or other information required by this Plan or the *Planning Act* are not submitted as part of the application. These studies or information may include, but are not limited to:

- ☐ A servicing options report
- ☐ A hydrogeological study and terrain analysis or water assessment report including an assessment of the carrying capacity or appropriate density of **development**
- ☐ A drainage and/or stormwater management report

- ☐ An Environmental Impact Assessment for a natural heritage feature or area
- ☐ An Archaeological Assessment
- ☐ A heritage impact assessment
- ☐ A resource impact report for **development** in proximity to a waste management facility, industrial use or mineral/mineral aggregate use including an assessment of impacts within an influence area
- ☐ A traffic study
- ☐ A **mine hazard** rehabilitation assessment
- ☐ A contaminated site assessment report (environmental site audit/assessment)
- ☐ A noise and/or vibration study
- ☐ A source protection study including a groundwater impact and/or surface water impact study
- ☐ A MDS I or II calculation
- ☐ A minimum separation distance calculation for an industry, waste management facility, pit or quarry
- ☐ An off-site septage haulage report
- ☐ A geotechnical study
- ☐ A municipal servicing capacity report for water and/or sanitary sewage system
- ☐ A water supply assessment
- ☐ A market study
- ☐ A flood plain management/slope stability report
- ☐ A lake capacity assessment
- ☐ A shoreline capability assessment
- ☐ A boat capacity study
- ☐ A cost-benefit study and/or a justification report for a private lane

These studies may be in addition to other requirements set out in Ontario Regulations 543/06, 544/06, 545/06 or 547/06. Council/the Approval Authority may refuse to accept an application as complete in the absence of required studies in support of an Official Plan amendment, a Zoning By-law Amendment, or a Plan of Subdivision.

6.9.1. Amendments to the Official Plan – Section 17 and 22

This Plan provides a long-range development framework to guide the future growth of Central Frontenac. It is the policy of Council that Amendments to the Plan shall only be required where major changes to the broad land use pattern and development policies become necessary as a result of changing circumstances. In determining whether or not an Amendment to the Plan is required, special regard shall be had to the general development policies of **Section 3**, and the definitions and policies of each land use category set out in this Plan. While it is not the intent of Council to limit the rights of any person under the *Planning Act* to apply for an Amendment, any proponent of **development** is encouraged to discuss the need for an Amendment with the Municipality prior to making an application. The Municipality encourages a spirit of pre-consultation in making this determination as well as in the review of any application for an Amendment filed with the Municipality prior to a public meeting or decision. Council may, by By-law require pre-consultation.

(See Appendix 2, Section 9.2 for Procedures)

6.9.2 Public Works – Section 24

Council shall not undertake any public work and no By-law shall be passed that does not conform to the Official Plan. Council may pass a By-law, which does not conform with the Official Plan where they have adopted an Amendment to this Plan and where the public work will comply with the Amendment, once the Amendment is approved.

6.9.3 Acquisition of Land – Section 25

Council may acquire land for any purpose set out in this Plan and may lease or otherwise dispose of such lands where no longer required.

6.9.4. Review and Consistency with the Planning Act– Section 26

Council's intent is to review planning applications for conformity with this Plan and to ensure that applications are consistent with the Provincial Policy Statement, and conform with Provincial plans in effect or do not conflict with them. This Plan will be reviewed every five years in accordance with the requirements of the *Planning Act*.

6.9.5. Community Improvement – Section 28

Community improvement may be used to improve or upgrade **infrastructure, public service facilities** and to maintain, restore or renew buildings and properties. Council may also use the sustainable community development features of the *Planning Act* such as the restoration or **redevelopment** of **brownfield sites**, environmental site assessment, environmental remediation, **development** and **redevelopment**, construction and reconstruction of lands and buildings for rehabilitation purpose or for improving energy efficiency, buildings, structures, works improvements or facilities.

The intent of this Plan is to recognize the entire Municipality as a Community Improvement Area.

Within the Community Improvement Area, Council may undertake or provide for one or more projects through the preparation of a Community Improvement Project Area Plan. This may include energy efficiency, environmental, social or economic development and **affordable** housing as an eligible community improvement activity

Council will use a property standards by-law to provide for the upgrading, maintenance or restoration of buildings and properties. All developments participating in programs and activities contained within Community Improvement Plans shall conform to the policies of this Plan, applicable Community Design Plans, the Zoning By-law, Property Standards By-law and all other related Municipal policies and by-laws.

Council may make grants or loans towards the cost of rehabilitation of lands and buildings in conformity with the Community Improvement Plan. This may include grants and loans for energy efficient uses. The Municipality shall be satisfied that its participation in community improvement will be within the financial capabilities of the Municipality.

6.9.5.1 Brownfields

Brownfield sites are sites where the environmental condition of the property and the quality of the soil or groundwater, particularly on former industrial and waste-disposal sites, may have the potential for **adverse effects** to human health or the natural environment. **Brownfield sites** are defined in the Provincial Policy Statement as: means undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant. The intent of this Plan is to identify and provide for the rehabilitation of brownfields, wherever feasible as a component of community improvement plans.

6.9.5.2 Other Incentive-Based Programs

In addition to programs dealing with lands, grants, loans and property assistance under Section 28 of the Planning Act, the Municipality may offer other incentive-based programs to augment and support community improvement such as:

- A.** Reducing or cancelling fees for planning applications under the Planning Act;
- B.** Utilizing the Brownfields Financial Incentive Program under the Municipal Act;
- C.** Tax increment equivalent financing;
- D.** Heritage grants under the Ontario Heritage Act;
- E.** Heritage Property Tax Relief under the Municipal Act;
- F.** Reducing or cancelling building permit fees under the Building Code Act;

- G. Exempting all or part of a development charge under the Development Charges Act.

6.9.6 Zoning by-laws – Section 34

The Zoning By-law for Central Frontenac shall reflect the principles, policies and land use descriptions in this Plan. The By-law shall zone land and establish regulations to control the use of land and the character, location and use of buildings and structures in accordance with this Plan.

Council may use the powers provided by Section 34 to regulate the use of all land, buildings and structures within the Township of Central Frontenac as well as to govern other matters such as to prohibit land uses and **development** in sites containing a variety of natural heritage features, as well as sites containing an identified **significant** archeological feature. Council may establish any number of zones to classify and control land uses to implement this Plan.

6.9.7. Holding Zone – Section 36

In order to show a future zoning designation while retaining control of the timing of **development**, a “holding” designation may be used, in the form of a symbol “H” as a suffix to the zone designation. As long as the “H” is retained, the use of the land shall be limited to the existing uses.

A. Rationale for the Use of Holding by-laws

Holding by-laws may be used where the principle of development has been established under the *Planning Act*. A Holding By-law may be used under the following circumstances:

- (i) To hold **development** until water and sewage services are provided, or, studies have been undertaken to prove that servicing is possible on the site and the servicing has been included in the Municipal budget or provided for through a Subdivision Agreement or other acceptable means with a developer;
- (ii) To hold land that is designated in the Official Plan, but, as yet is undeveloped until a proposal is submitted to develop the land for the use/uses intended in the Official Plan;
- (iii) To hold land from **development** until other environmental or physical improvements to the site are made. For example, road improvements or infill on a site may be required prior to development of the site;
- (iv) To prevent or limit the use of land in order to achieve orderly phased **development**;

- (v) To ensure that all conditions of development including financial requirements and agreements in accordance with the provisions of this Plan and/or the *Planning Act*, have been complied with; and
- (vi) Contaminated sites may be placed in a Holding Zone in the Municipality's Zoning By-law. Where a holding zone is used, the "H" symbol may be removed when the site has been acceptably decommissioned or cleaned up to the satisfaction of the Municipality and in accordance with a site remediation plan and subject further, to the submission of a Ministry of the Environment, Conservation and Parks acknowledged Record of Site Condition to Council.

B. Conditions to be met for Removal of the Holding Symbol

The Holding "H" may be removed by by-law when the above circumstances have been satisfied and the following conditions met:

- (i) Approval of servicing the site /area is given or servicing of adequate standards is provided on the site;
- (ii) A proposal is submitted for a site that conforms to the policies of the Official Plan;
- (iii) A phasing plan is submitted;
- (iv) Architectural or design drawings and studies, where applicable, are submitted showing the required features;
- (v) Financial securities have been submitted (e.g. bond or letter of credit); and
- (vi) With respect to contaminated sites, the "H" may be removed upon the receipt of a report approved by Council that the appropriate level of remediation, demonstrated by a Ministry of Environment, Conservation and Parks acknowledged Record of Site Condition has been achieved.

6.9.8 Interim Control By-laws – Section 38

In utilizing this authority, it is Council's policy that an interim Control By-law shall be preceded by a By-law or Resolution, directing that a study be undertaken of planning policies in the affected area and setting out the terms of reference for the study.

When an Interim Control By-law expires, the prior zoning shall automatically apply, unless a new zoning by-law is passed.

6.9.9. Temporary Use By-laws – Section 39

In certain circumstances, it may be desirable to pass a Temporary Use By-law to implement the policies of this Plan or to implement measures for economic growth and prosperity (e.g. it may be desirable to locate certain uses in vacant commercial or institutional buildings or on lands zoned for institutional uses on a temporary basis despite the fact the uses are not permitted under the provisions of the Official Plan). It may also be beneficial to temporarily zone lands for industrial or commercial uses as an incubator or temporary location for a use, which does not conform to the Plan.

A Temporary Use By-law may also be passed to permit a garden suite.

Council may, therefore, in a By-law passed under Section 39 of the *Planning Act*, authorize a temporary use of existing structures for any purpose set out therein. The period of time for a temporary use may be for a period of up to ten years for a garden suite and up to three years in all other cases, both of which are renewable. Notice of a Temporary Use By-law shall be given in the same manner as that of a zoning by-law under Section 34 of the *Planning Act*.

As a condition of the passing of a Temporary Use By-law for a garden suite, Council may require the owner of the suite or any other persons to enter into an agreement with the Municipality under the *Municipal Act*.

Any use introduced under such a Temporary Use By-law does not acquire the status of a legal non-conforming use at the expiration of the by-law(s) and at that time must therefore cease.

It is not the intent of the Official Plan that Temporary Use By-laws be used to permit a new use while an Amendment to the Official Plan and/or Zoning By-law is being processed to permit the use on a permanent basis. However, once a temporary use is established and it becomes apparent to Council that the use should be permitted on a permanent basis, the use may continue under a Temporary Use By-law while any required amendments are passed.

6.9.10. Site Plan Control – Section 41

A. Policies

Under the authority of Section 41 of the *Planning Act*, Council may by By-law designate specific areas or land uses within the Municipality which shall be known as Site Plan Control areas. For the purposes of this Plan, the following land use designations and land uses shall be subject to Site Plan Control:

- (i) Any industrial, commercial or public service use;
- (ii) Any multiple residential use consisting of six (6) or more dwelling units;
- (iii) Any lands abutting a lake, water body or **natural heritage feature and area**;
- (iv) All land uses within the Hazard Lands;
- (v) All conversions and **redevelopment** within any of the above categories;
- (vi) Communication towers and facilities; and
- (vii) **Alternative energy systems**

The specific applications of Site Plan Control are set out in the various land use designations in this Plan and should be used as the primary reference.

Council may, by by-law, designate one or more areas as Site Plan Control Areas. Council may require the submission of plans and drawings for all **development** proposals within the Site Plan Control area.

Council may, as a condition of site plan approval, require the dedication of land for the widening of any street to the width set out in **Section 5.2.9** Policies of this Plan for roads as specified by the classification. The conveyance to the Township shall not exceed more than one-half of the deficiency of the width or 5 m (16.4 ft.) whichever is the lesser. The conveyance shall apply to the full frontage of the property wherever the deficiency exists.

Council shall require each applicant submitting such a **development** proposal to enter into an agreement with the Municipality as a condition to the approval of the development proposal. Where a development proposal is of a minor nature, some or all of the points listed below may be waived in the agreement. The agreement may include conditions on the following facilities and matters:

- (a) The construction or reconstruction of the access or egress onto all major roads or highways and any upgrading of the roads, that will be necessary as a result of the increased traffic caused by the development;

- (b) The number and location of all off-street loading areas and parking areas to be provided within each **development**, and the surfacing of such areas and driveways;
- (c) The number, location and construction of all walkways and walkway ramps and pedestrian access points to be provided in the development and how these will eventually be connected to adjacent areas;
- (d) The location, number and power of any facilities for lighting, including floodlighting of the site or any buildings or structures (such as signs) thereon;
- (e) All grading required to be done on the property and how storm, surface and wastewaters will be disposed of in order to prevent erosion including the period during construction of the project. Plans will show the location and connections for all services to municipal services including elevations and inverts;
- (f) The techniques that are to be used on the site for landscaping of the property for the protection of adjoining lands, water bodies or natural heritage features, including the type of vegetation and techniques to be used, the existing (native) vegetation which is to be preserved, and any structures such as walls, fences or barriers that are to be used;
- (g) The location, height, number and size of all residential units to be erected on the site and the method by which the **development** will be staged;
- (h) The location, height, and type of all other buildings located in the proposal;
- (i) Illustration of the contours and final elevations of the site on a contour interval of 1 metre (3.3 feet) or less;
- (j) The location and type of any facilities and enclosures for the storage of recyclables, garbage and other waste materials;
- (k) The location and extent of any easements or other covenants on the land to be conveyed to the Municipality or a local board for public utilities.
- (l) The location and description of facilities designed for accessibility for persons with disabilities;
- (m) The location and description of all easements to be conveyed to the Municipality and other public utilities; and
- (n) A description of any sustainable design elements on any adjoining highway under the Township's jurisdiction, including without limitation trees, shrubs, hedges, plantings or other ground cover, permeable paving

materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities.

In the review of Site Plan Applications, Council may circulate to Municipal Departments and outside Agencies that are considered to have a vested interest for their comments prior to the approval of any site plan or Site Plan Agreement.

Agreements entered into under the authority of Section 41 of the *Planning Act* may be for the provision of any or all of the facilities, works or matters as provided for in the *Act* and the maintenance thereof and for the registration of such agreements against title to the land to which they apply.

Council may use the sustainability features of Section 41 (4) as a means to encourage **sustainable development** (i.e., sustainable design elements adjoining a public road such as trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, curb ramps, waste and recycling containers and bicycle parking facilities) and facilities to provide or enhance accessibility by persons with disabilities or other challenges.

6.9.11. Parkland Dedication or Cash-in-Lieu – Section 42

It is Council's policy to require the conveyance of parkland or the cash-in-lieu equivalent for residential and non-residential **development** as a means to implementing the policies for parks and open space areas of this Plan. The land or cash to be conveyed shall not exceed two per cent (2 %) of the value of the land to be developed for commercial or industrial uses or five per cent (5 %) for residential uses. Where Council requests cash-in-lieu, the value of the land shall be determined on the day before the day the building permit is issued.

6.9.12. Committee of Adjustment – Sections 44 and 45

A. Status of Legal Non-Conforming Uses

It is the intention of this Plan to ensure orderly control of and repair and replacement of non-conforming uses.

The owner/applicant in submitting an application for an expansion, enlargement, replacement or change of a non-conforming use shall demonstrate that all three of the following conditions are met in qualifying a use as a non-conforming use:

- (i) That the use was legally established prior to the passing of any of the Zoning By-laws as set out in **Sections 3.5** of this Plan;
- (ii) That the use has continued without interruption from the date of its establishment of the use, or in the case of an interruption, that there has been a reasonable attempt to continue the use during the period of discontinuance; and

- (iii) That the use is deemed to have existed and continued only if there was in fact, an actual user directly involved with the use.

B. Enlargement, Expansion, Replacement or Change to a Non- Conforming Use

It may be desirable to permit the extension, enlargement, replacement or change of a non--conforming use to a similar or more compatible use subject to the following criteria:

- (i) The extension, enlargement, replacement or change of use does not aggravate the non-conforming situation for neighboring uses;
- (ii) Such extension, enlargement, replacement or change of use shall not further reduce the requirements of the implementing Zoning By-law.
- (iii) The proposed extension, enlargement, replacement or change will not create **adverse effects** undue noise, vibration, fumes, smoke, dust, odors, glare from lights nor environmental hazards;
- (iv) Traffic and parking conditions in the vicinity will not be adversely affected and traffic impacts will be kept to a minimum by the appropriate design of ingress and egress points to and from the site and by improvement of site conditions especially in proximity to intersections;
- (v) Adequate provisions have been or will be made for off-street parking and loading facilities where they apply;
- (vi) **Infrastructure** and public services such as storm drainage, roads, school bussing, fire prevention, emergency services, waste and recycling etc. are adequate or can be made adequate.

6.9.13. Plans of Subdivision and Condominium

Development by Plan of Subdivision may be used for large lot residential development. Consents shall otherwise be the method of land division [see **Section 3.15.2**].

It shall be the policy of Council to consider for endorsement, only those Plans of Subdivision which comply with the policies of this Plan and which, to the satisfaction of the Council, can be supplied with adequate and cost effective **public service facilities**. It is recognized that Frontenac County Council is the approval authority for Plans of Subdivision and Condominiums.

A. Consent Policies and Procedures

Provisions relating to the granting of Consents are set out in Sections 51 and 53 of the *Planning Act*. Council shall be consistent with the Provincial

Policy Statement in addition to the Consent Policy checklist set out in **Section 3.16.2.** of this Plan.

B. Part-Lot Control

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

6.9.14. Tariff of Fees – Section 69 (see Appendix 2)

6.9.15 . Development Charges Act, 1997

Statement of Intent

This Official Plan is to be considered as a Statement of Intent of Council to carry out or authorize to be carried out, various public works as described specifically or in general terms in this Plan and which may be the subject of a development charge.

6.9.16. Community Planning Permit System

The Township may explore the potential use of a Community Planning Permit System pursuant to the Planning Act. This Permit System is a land use planning tool that combines zoning, site plan control, and minor variance processes into one application and approval process.

Should Council consider developing a Community Planning Permit System, comprehensive policies shall be established by amendment to this Plan.

Appendix 1

Definitions

Please see the 2020 Provincial Policy Statement for definitions. All words boldfaced in this document are from the definitions section of the Provincial Policy Statement.

Appendix 2

Procedures and Supplementary Information

1. Building Code Act

1.1 General

The Building Code Act provides the enabling authority for Councils to issue Building Permits through the appointment of a Chief Building Official and the adoption of a Building By-law. The Act also provides for the administration of property standards (transferred from the *Planning Act*). A Building Permit cannot be issued unless the proposed structure complies with 'applicable law' such as a Zoning By-law. The associated *Ontario Building Code* sets out the standards for design and construction of buildings. Building Permits are generally required for:

Construction of a new building or structure (garage or accessory building exceeding 10 m²) including a mobile home or manufactured dwelling;

- A. The repair, reconstruction or retrofitting of a building or other construction which is part of the structural support of a building;
- B. Adding an extension;
- C. Excavating or constructing a foundation;
- D. Installing heating, plumbing, air conditioning or a fire place (solid fuel appliance);
- E. Building or placing a temporary building;
- F. The demolition of a building;
- G. The change of use of a building may require a permit since different code standards may apply to the new use;

Important sections of the *Building Code Act* include:

Section 3 (2) - The Council shall appoint a Chief Building Official and such inspectors as are necessary for the enforcement of the *Building Code Act*.

Section 7 - Enables Council to adopt a Building By-law specifying the classes of permits, application fees, requirements for applications etc.

Section 8 (1) - Provides that no person shall construct or demolish a building unless a permit has been issued.

Section 15.1 - 15.8 - Sets out the enabling authority for property standards including the appointment of a Property Standards Officer, appointment of a Property Standards Committee, issuing of orders to remedy buildings or conditions which do not meet the requirements set out in a Property Standards By-law.

2. Condominium Act

2.1 General

Condominiums are a form of property ownership in which title to a unit, such as an individual apartment in an apartment building or a single detached dwelling in a private subdivision, is held by an individual together with a share of the rest of the property, which is common to all owners. Condominiums can involve a brand new **development**, or an existing rental project, which is converted to condominium ownership. They can apply to any type of residential building as well as commercial and industrial areas. Vacant land is not eligible.

Section 50 (2) - A condominium plan is like any Plan of Subdivision in that it is a way of dividing property and must be approved by the approval authority.

Section 50 (3) may be utilized to exempt approval for buildings which have already been constructed and which satisfy all of the applicable municipal policies and requirements.

2.2 Applications

Applications shall be made to Council utilizing the form prescribed and shall set out a description suitable for registration on title unless otherwise exempted by Council. Council may enter into an agreement with the applicant for the provision of services or such other matters as are governed by *Section 51* of the *Planning Act*. The approval of an application for a condominium is with the County of Frontenac

3. Development Charges Act, 1997

3.1 General

Subject to undertaking a study (*Section 10*), Council may adopt a Development Charges By-law (*Section 6*) for the purposes of imposing a development charge against specified land uses to pay for increased capital costs required because of the increased need for services arising from new development of the area to which the by-law applies.

Section 2 (2) - Development which may precipitate a development charge includes:

- The passing of a Zoning By-law or an amendment to a By-law under Section 34 of the *Planning Act*;
- The approval of a Minor Variance under *Section 45* of the *Planning Act*;
- A conveyance of land to which a by-law passed under *Section 50 (7)* of the *Planning Act* applies;
- The approval of a Plan of Subdivision under *Section 51* of the *Planning Act*;
- A Consent under *Section 53* of the *Planning Act*;
- The approval of a description under *Section 50* of the *Condominium Act*; or
- The issuing of a Building Permit under the *Building Code Act* in relation to a building or structure.

4. Environmental Assessment Act

Prior to the construction of public works or undertakings, such as roads, sewage works, waste disposal facilities, water filtration plants, a Municipality is obliged to follow procedures under the *Environmental Assessment Act*. Some types of undertakings may fall into a class environmental assessment, which is a more streamlined process in reviewing the environmental impacts of the proposed work. Generally, the intent of this Plan is to ensure that the following procedures (generalized description) are followed prior to the construction of a project (undertaking):

Consult with affected parties:

- Involve affected parties early in the process and continuously throughout;
- Encourage the identification and resolution of issues before an EA is formally submitted; and
- Promote mutually acceptable, environmentally sound solutions through consultation.

Consider reasonable alternatives: planning must consider alternatives to the undertaking, which fulfill the purpose of the undertaking in functionally different ways and alternative methods of implementing a particular type of alternative. The 'do-nothing' alternative must also be considered.

Consider all aspects of the environment: the planning process must consider the effects on the natural or biophysical environment as well as effects on the social, economic and cultural conditions that influence the lives of humans of a community.

Systematically evaluate net environmental effects: evaluate alternatives in light of their advantages and disadvantages and the effects remaining after mitigation or enhancement measures have been addressed.

Provide clear, complete documentation: the EA should strive to represent accurately the process that was followed in a clear and understandable way and to communicate the results of that process.

5. Environmental Protection Act

The *Environmental Protection Act* provides control mechanisms for the protection of the environment that has application to the general public as well as to the Council of a Municipality.

Section 46 - land used for a waste disposal site may not be used for another purpose within a period of twenty-five years from the date the land ceased to be used, without the approval of the Minister.

6. Gasoline Handling Act and Code

This legislation prescribes the requirements for the handling of gasoline and associated products and amongst other matters sets out in the associated *Gasoline Handling Code*, the prescribed setbacks of gasoline storage facilities and pump islands from streets and adjacent properties. The intent of this Plan is to ensure that the amending Zoning By-law reflects these standards as a measure of public safety and compatibility with adjacent land uses.

7. Municipal Act

This *Act* provides the enabling authority for a variety of types of by-laws and licensing matters, which serve to implement features of this Plan or to authorize other actions of Council as follows:

Section 31 - Establishing a highway

Section 34 - Closing a highway

Sections 48 - Naming a Private road

Section 99 - Regulating Signs

Section 123 - Regulating dangerous places e.g. cliffs, deep water

Section 124 - Regulating pits and quarries

Section 127 - Regulating refuse and debris (clean yards)

Section 129 - Regulating noise, odour, dust, vibration, outdoor illumination

Section 131 - Regulating wrecking yards

Section 135 - Regulating tree cutting or injury to trees

Section 142 - Site alteration control (e.g. dumping, filling, topsoil removal, grade alteration)

Section 151 to 154- Licensing adult entertainment establishments

Section 163 - Designation and registration of group homes

Section 164 - Licensing trailers and trailer camps

Section 165 - Licensing motor vehicle racing

Section 204 - Establishing a Business Improvement Area

8. Ontario Heritage Act

The Ontario Heritage Act is intended to assist municipalities with the designation and conservation of buildings, structures, districts, landscapes, ruins that may be considered to be cultural heritage or **archaeological resources**. The Municipality may use Part IV of the Act to designate individual buildings, structures or sites/landscapes or use Part V to designate a Heritage Conservation District.

Section 28 - Authorizes Council to establish a Municipal Heritage Committee of 5 or more people to advise Council on all matters related to *Part IV* of the Act.

Section 29 (2) - Authorizes a By-law to designate commencing with a Notice of Intention to Designate a building, structure or site.

Section 31(2) - Authorizes a By-law to repeal a designating by-law.

Section 32 (2) - Owner's application to repeal designating by-law.

Section 33 (4) - Owner's application for permission to alter a designated property.

Section 34 (2) - Owner's application for permission to demolish or remove building or structure which forms part of a designated property.

9. The Planning Act

Amendments To The Official Plan – Sections 17 And 22

The following procedures shall be used in evaluating Official Plan applications.

9.1 General

9.2 Procedures

A. Pre consultation:

The Municipality may pre-consult or require the applicant to pre-consult with the Municipality prior to filing an application. The applicant will be advised as to what the procedures are for considering amendments and what information or studies may be required to support an application.

B. Conduct Preliminary Review of Proposed Amendment:

A complete application shall be filed with the Clerk of the Municipality using an application form prescribed by the Municipality and shall include a map or survey to

identify the location of the property(ies) affected, existing land uses on the subject and surrounding lands, proposed land uses and servicing of the subject property. The application shall include studies and other information as may be required under Section 6.10 of the Official Plan and Ontario Regulation 543/06. An application which is deemed to be incomplete will be deferred pending receipt of the required information or may be refused. Studies may be subject to a peer review at the cost of the applicant.

The application will be reviewed for completeness and the following additional criteria:

- To determine if the proposal will involve amendments to the text, schedule or both;
- To determine the policy sections or land use designations affected that apply;
- To assess the applicant's reasoning or justification for the proposal will be reviewed so that it is clearly understood;
- To determine if the proposal meets the general intent of the overall purpose, goals, objectives and general policies of the Plan;
- To determine if the application is consistent with the Provincial Policy Statement;
- To assess if the change is necessary to achieve the purpose, goals, objectives and policies of the Plan;
- To determine if conditions have changed to warrant the proposed amendment (e.g., consult local studies, statistics etc., which may point to changes in economic conditions or other circumstances);
- To assess if it is likely that the amendment will have positive or negative effects for the future e.g. could approval set the precedent for similar requests;
- To assess appropriateness of location within the context of the Municipality;
- To assess compatibility of proposed use with surrounding land uses;
- To calculate/assess servicing in terms of capacity and adequacy of sewer, water, waste and utilities;
- To assess site suitability in terms of any physical constraints, on-site parking and loading availability etc.; and
- To determine the impacts on the natural environment.

Once the application has been deemed to be complete a notice will be circulated to the prescribed agencies. The *Planning Act* stipulates that the notice of a complete (or incomplete) application must be issued within 30 days from the date of the application and that notice to agencies is to be given within a further 15 days. An applicant may appeal a negative notice to the Ontario Municipal Board within 30 days after the notice of the incomplete application.

C. Provincial Interests:

Pre-consultation may involve discussions with affected agencies and the Ministry of Municipal Affairs and Housing to assess whether the application is consistent with to the most current Provincial Policy Statement.

D. Public Consultation:

Notice of a public meeting shall be advertised within 20 days after the giving of notice in a newspaper having general circulation in the area affected by the amendment **or** a combination of a notices posted on the site of the proposed amendment together with a notice sent by mail to the applicant and all property owners within 120 m of the property(ies) affected by the application. Information must also be made available to the general public with respect to the application and any supporting information.

Following a public meeting Council may adopt the amendment as proposed or with modifications, or may refuse the application. Council shall consider any relevant public concerns with the proposed amendment and whether changes or refinements may be necessary in the public interest e.g. can the amendment be altered or improved to make it acceptable. Should Council refuse to adopt the amendment, they are required to advise the applicant and any other party who requested to be notified within 15 days of the date of the refusal, following which the applicant has 20 days to appeal Council's decision to the Local Planning Appeal Tribunal. Similarly, if Council does not adopt the amendment within 180 days from the date the application is filed, the applicant may also appeal the lack of adoption to the Local Planning Appeal Tribunal.

Where the amendment is adopted, notice of adoption shall be given within 15 days and the amendment together with the record of submission shall be submitted to the approval authority.

The approval authority (County of Frontenac) has 180 days to render a decision on the amendment following which there is a 20-day period for appeal to the Local Planning Appeal Tribunal. Where there is no appeal, the decision is final. Only applicants who have participated in the planning process may appeal i.e. by attending and making an oral submission at the public meeting or by submitting written comments before the amendment is adopted.

The notice procedures as prescribed in Sections 17 and 22 of the *Planning Act*, and Ontario Regulations thereto, shall be adhered to.

However, Council may forego public notification and public meeting(s), in connection with Official Plan changes, if the changes relate to the following:

- A consolidation of the Official Plan, which does not affect the policies, and intent of the Plan;
- Altering the numbers and arrangement of provisions;
- Correcting grammar or typographical errors, changing the format, punctuation or language slightly to obtain a uniform format and mode of expression in the Plan.

9.3 Zoning By-laws – Section 34

A. General

When Council receives an application for a **development** project, which it considers at the time, is desirable, not premature, capable of being adequately serviced, and in conformity with the policies and designations of this Plan, Council may pass an implementing amending by-law to the Zoning By-Law. Council may, as a condition of development or **redevelopment**, require the owner of the land to enter into one or more agreements or requirements with the Municipality dealing with the provision, maintenance and use of certain facilities as set forth in the *Planning Act*. These agreements or requirements may pertain to one or more Sections of the *Planning Act*, such as:

- Holding Provisions - 36 (2);
- Temporary Use Agreement - 39 (1.2);
- Site Plan Control Agreement- 41(7,8);
- Subdivision Control Agreement - 51(26);
- Consent Agreement - 53 (12).

B. The Zoning Amendment Process

Applications for an amendment to the Zoning By-Law shall generally comply with the following process:

Step 1 - Filing an Application

- Pre-consult with the Municipality on the procedures and requirements for filing an application;
- Obtain an application for a Zoning By-Law Amendment; and
- Complete the application in full. The application shall include studies and other information as may be required under Section 6.10 of the Official Plan and Ontario Regulation 545/06. An application which is deemed to be incomplete will be deferred pending receipt of the required information. Studies may be subject to a peer review at the cost of the applicant.

Step 2 - Application Review

Once the application has been deemed to be complete a notice will be circulated to the prescribed agencies. The *Planning Act* stipulates that the notice of a complete (or incomplete) application must be issued within 30 days from the date of the application and that notice to agencies is to be given within a further 15 days. An applicant may appeal a negative notice to the Ontario Municipal Board within 30 days after the notice of the incomplete application.

The application may be circulated for review and pre-consultation with departments within and outside of the Municipality. The Municipality has responsibility for review of the application for compliance with the Official Plan and the Provincial Policy Statement.

Step 3 - Public Meeting

- A public meeting will be held to consider the application;
- Notice of the meeting must be advertised to notify the public and agencies. Advertising may be by (i) newspaper, or (ii) by mail or by personal service and by posting a notice on the site;
- The notice must be given 20 days before the public meeting; and
- The public meeting is held by Council and is open to any member of the public or to an agency to make a presentation for or against the application. Oral submissions at the public meeting or a written submission prior to the adoption of the by-law are required if the applicant subsequently wishes to appeal

Step 4 - Decision

- Council may pass (adopt) a Zoning By-law Amendment, may modify the amendment as proposed or may refuse to pass an amendment;
- If an amending by-law is passed, notice of the passing of the bylaw amendment must be advertised within 15 days of the date of passing; and
- If an amendment is refused or Council does not make a decision within 120 days of the receipt of the application, the applicant may appeal to the Local Planning Appeal Tribunal. Council must advise the applicant in writing within 15 days of a refusal.

Step 5 – Appeal

- Any resident who wishes to object to the Zoning By-Law amendment may appeal if they have participated in the process (attended public meeting and made an oral submission or file a written comment prior to the adoption of the by-law;
- An appeal must be made in writing with reasons for the appeal. The letter of appeal must be submitted to the Clerk within the 20-day appeal period set out in the Notice of Passing.
- The appeal must be accompanied by a prescribed appeal fee payable to the Minister of Finance;
- If no appeal is made within the appeal period, the By-Law is automatically approved; and
- In an appeal is received by the Clerk, the appeal must be sent to the Ontario Municipal Board within 15 days following the last day for appeal. The Local Planning Appeal Tribunal will decide whether the appeal is valid and subject to their decision, may hold a hearing in the Municipality to hear the appeal (or to dismiss the appeal). If they hold a hearing, the decision of the Local Planning Appeal Tribunal is final.

9.4 Holding Zone – Section 36

A. Procedures for Notice

By-laws to establish such Holding Zones shall be subject to the provisions of *Sections 34 and 36 of the Planning Act*, including the notice for and holding of a public meeting. Prior to the removal of the Holding «h» symbol, Council shall give notice of its intention to pass the amending bylaw removing the holding symbol, in accordance with Section 35 of the *Planning Act*.

9.5 Interim Control By-laws – Section 38

In order to control **development** in an area where the Municipality is reviewing its long-term planning, an Interim Control By-Law may be passed, effective for up to one year and renewable for a further year so that the maximum period it is in effect is two years from its imposition. An Interim Control By-Law shall allow the Council to place a temporary freeze on land uses in order to allow a review of land use policies. After that, at least three years must elapse before another Interim Control By-Law may be passed covering any part of the same area.

9.6 Site Plan Control – Section 41

9.6.1 Procedures for Site Plan Control

Applicants are encouraged to pre-consult with Township Planning Staff on potential applications. Applicants shall file a complete application using the Municipal application form together with the application fee. The application shall include a site plan drawn to scale, which includes the following information:

- Layout of all existing and proposed buildings and structures and setbacks from adjacent property lines, lot dimensions;
- Parking and loading spaces including location of handicapped parking, dimensions of parking spaces, driveways, entrances and manoeuvring aisles, location of fire routes;
- Day lighting triangles on corner lots;
- Relationship of the lot to surrounding streets and other physical features e.g. water bodies, rail lines, slopes and rock outcrops;
- Site services and easements (water, sewer, storm drainage, waste disposal, utilities), sewer inverts, catch basins;
- Spot elevations or contours and site grading and landscaping;
- Fencing and signs;
- Building coverage on the lot, parking space calculations, building height, percentage of landscape area;
- Key plan, scale bar, north arrow, civic address or legal description; and

- The applicant should consult with the Municipality on the number of copies of the application to be submitted.

The application will be circulated to affected departments and agencies (e.g., engineer, fire chief, Conservation Authority, Provincial Ministry etc.). Based on comments received, a Planning Report will be prepared and submitted to Council. Council may hold a public meeting to seek public input (although this is not required by the Planning Act). Final revisions may be required to be made to the site plan. Subject to Council approval, a draft Site Plan Agreement is prepared (by the Municipal Solicitor) for review by Council and the applicant. The Site Plan Agreement is then adopted by By-law and registered on title against the property to which it applies. A financial guarantee is required to ensure that the works required by the agreement are completed to the satisfaction of the Municipality. A building permit will be issued (subject to payment of any building permit and development charges or other fees and compliance with the site plan).

Inspections are conducted for compliance to site plan. Financial securities released.

9.7 Parkland Dedication or Cash-in-Lieu – Section 42

The conveyance of parkland or cash-in-lieu of parkland is authorized under *Section 42* of the *Planning Act* for park or public **recreational** uses. The conveyance of land or cash-in-lieu may be required for residential severances or residential subdivisions at the rate of 5% or for commercial or industrial severances or subdivisions at the rate of 2% of the area or value of land, respectively, as set out in *Sections 42, 51, and 53* of the *Planning Act*. Where cash-in-lieu is accepted such monies shall be placed in a special account and spent only for the acquisition of land to be used for park or other **recreational** purposes, including the erection or repair of buildings and the acquisition or machinery for park or other **recreational** purposes.

9.8 Committee of Adjustment – Section 44 and 45

A. General

A Committee of Adjustment, duly appointed under *Section 44* of the *Planning Act*, has several powers as set out in *Section 45* of the *Act*:

- May grant a Minor Variance to the Zoning By-law;
- May grant a permission to expand a non-conforming use or to change that use to a similar or more compatible use;
- May interpret the Zoning By-law to permit a use that is defined in general terms; and
- May grant a variance to any by-law that Council specifies and that implements this Official Plan (e.g., Sign By-law)

B. Minor Variances

In considering an application for a Minor Variance, the Committee of Adjustment shall apply four tests, namely:

- i. Is the variance minor?
- ii. Will it maintain the general intent and purpose of the Zoning By-law?
- iii. Will it maintain the general intent and purpose of this Official Plan?
- iv. Is it desirable for the appropriate **development** or use of the land building or structure?

C. Procedures for Applications

1. Applicants are encouraged to consult with Municipal Planning Staff prior to submitting an application.
2. Applicant to file complete application with the Secretary-Treasurer of the Committee of Adjustment together with the required fee. The application, where required, shall be accompanied by a sketch or plan showing the specific dimensions of buildings or structures which affect or may be affected by the application (including buildings or structures on adjacent properties).
3. Committee shall hold a public meeting duly advertised at least 10 days prior and within 30 days after the application is date stamped as a complete application. A preview of the application (planning report) along with a site visit is recommended.
4. Committee may make a decision or reserve a decision and impose conditions on a decision. Decision to be mailed within 10 days.
5. Applicant or other person has 20 days from the date of the decision to file an appeal with the secretary-treasurer together with an appeal fee upon which the appeal is forwarded to the Local Planning Appeal Tribunal. The LPAT may dismiss the appeal or hold a hearing and render a decision.

9.9 Subdivisions, Consents and Part-Lot Control – Sections 44 and 45

A. Procedures for Processing a Plan of Subdivision

The processing of a Plan of Subdivision shall generally consist of the following steps:

- i. Satisfactory completion of an application together with the submission of the required fee to the approval authority (County of Frontenac). The application shall include studies and other information as may be required under Section 6.10 of the Official Plan and Ontario Regulation 544/06. An application which is deemed to be incomplete will be deferred pending receipt of the required information. Studies may be subject to a peer review at the cost of the applicant.
- ii. Submission of required supplementary studies or information, where required by the County.

- iii. The approval authority will be responsible for evaluating the application in compliance with the relevant policies of this Plan, and the Provincial Policy Statement. This will also include, where required, the circulation of the application to the Ministry of Transportation with respect to an entrance permit onto Highway 7; and the Ministry of Culture or MHC with respect to an archaeological assessment. The County may also circulate to other affected agencies such as the Conservation Authority.
- iv. Holding of a duly advertised public meeting (in accordance with the notice provisions set out in the *Planning Act*) to consider the proposed Plan of Subdivision. The meeting is held by the Frontenac County Planning Advisory Committee.
- v. Draft. plan approval with conditions as may be required by the approval authority, Council, Ministries or other agencies.
- vi. Preparation of a Subdivision Agreement to address the conditions of draft. approval. Agreement is prepared by the Municipal solicitor.
- vii. Execution of the Subdivision Agreement by Council (by by-law) and registration of the agreement against the lands to which it applies.
- viii. Clearance of concerns or requirements by agencies.
- ix. Final approval of the Plan of Subdivision and registration.
- x. **Development** of lands per the requirements of the Subdivision Agreement and approvals or clearances by the Municipality and other agencies upon satisfactory completion of the requirements.
- xi. Conveyance of land or covenants for easements for utilities, access control or drainage.
- xii. Sale of lots and issuance of building permits.
- xiii. Assumption of municipal water, sewer, roads, street lights etc., by the Municipality (subject to meeting warranty and other construction standards set out in the Subdivision Agreement).

B. Consents

Procedures for processing Consent applications may include but not be limited to:

- i. Applicant files a complete application with the Clerk or designate.
- ii. Council may also seek technical input from other selected agencies and municipal staff.
- iii. The application will be reviewed for compliance to the policies of this Plan and the regulations of the implementing Zoning By-law (Planning Report).
- iv. Council may have a public meeting to consider the application.
- v. Council will issue a decision and may impose conditions of approval (provisional consent).
- vi. Decision is advertised (circulated) as required by the *Planning Act*.

- vii. Applicant shall enter into a Consent Agreement (Development Agreement) where required as a means to implement the conditions.
- viii. Applicant has up to one year to fulfil provisions of conditional consent.
- ix. Consent is granted upon fulfillment of conditions and submission of deed or instrument for stamping (certificate).
- x. The compliance must occur within two years from the date the certificate is given or consent will lapse.

C. Part-Lot Control

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

9.10 Tariff of Fees – Section 69

Council may by By-law, adopt a Tariff of Fees By-law for the purpose of levying fees for the costs associated with the processing of planning applications including:

- An amendment to the Official Plan;
- An amendment to the Zoning By-law;
- A Minor Variance or permission related to a non-conforming use;
- Site Plan Control application and agreement;
- A Plan of Subdivision or Condominium application and agreement;
- A Consent Application and Consent Agreement;
- A Change of use.

Appendix 3 Private Lane Construction Standards

Right-of-Way Width	20.0 m (66 ft.)
Width of Clearing	9.0 m (30 ft.)
Surface Width	6.0 (20 ft.)
Surface Material	Crushed Stone
Depth of Surface Material, (Gran. "A")	100 mm (4 in)
Depth of Base Material/Cover Over Bedrock (Gran. "B")	150 mm (6 in)
Depth of Base Material (Gran. "B")	300 mm (12 in)
Granular Shoulder, Including Rounding	1.0 m (3 ft.)
Crown Minimum	2%
Cross Culvert	400 mm (16 in) – 300 mm (12 in) Minimum Cover
Cross Material	Aluminized Corrugated Steel pipe/high density polyethylene (double wall)
Maximum Vertical Grade	12% (1.8) Minimum vertical curve length subject to design speed requirements
Horizontal Turning Radius	Minimum centerline radius 12.0 m (40.0 ft.) – Subject to design speed requirements
Ontario Building Code requirements	Safe passage of emergency vehicles Maximum change of gradient not more than 1 in 12.5 (8%) over a minimum distance of 15 m (50 ft.). Turnaround for dead-end portion of road more than 90.0 m (295 ft.) long.
Ditches, Minimum Depth from Road Centerline to Bottom of Ditch	0.5 m (1.5 ft.) or 0.15 m (6 in) below bottom of granular B whichever is lower
Overhead Clearance Height	5.0 m (16 ft.) minimum



FRONTENAC

2022 – 2026 Business Plan

Planning Division

Planning Advisory Committee

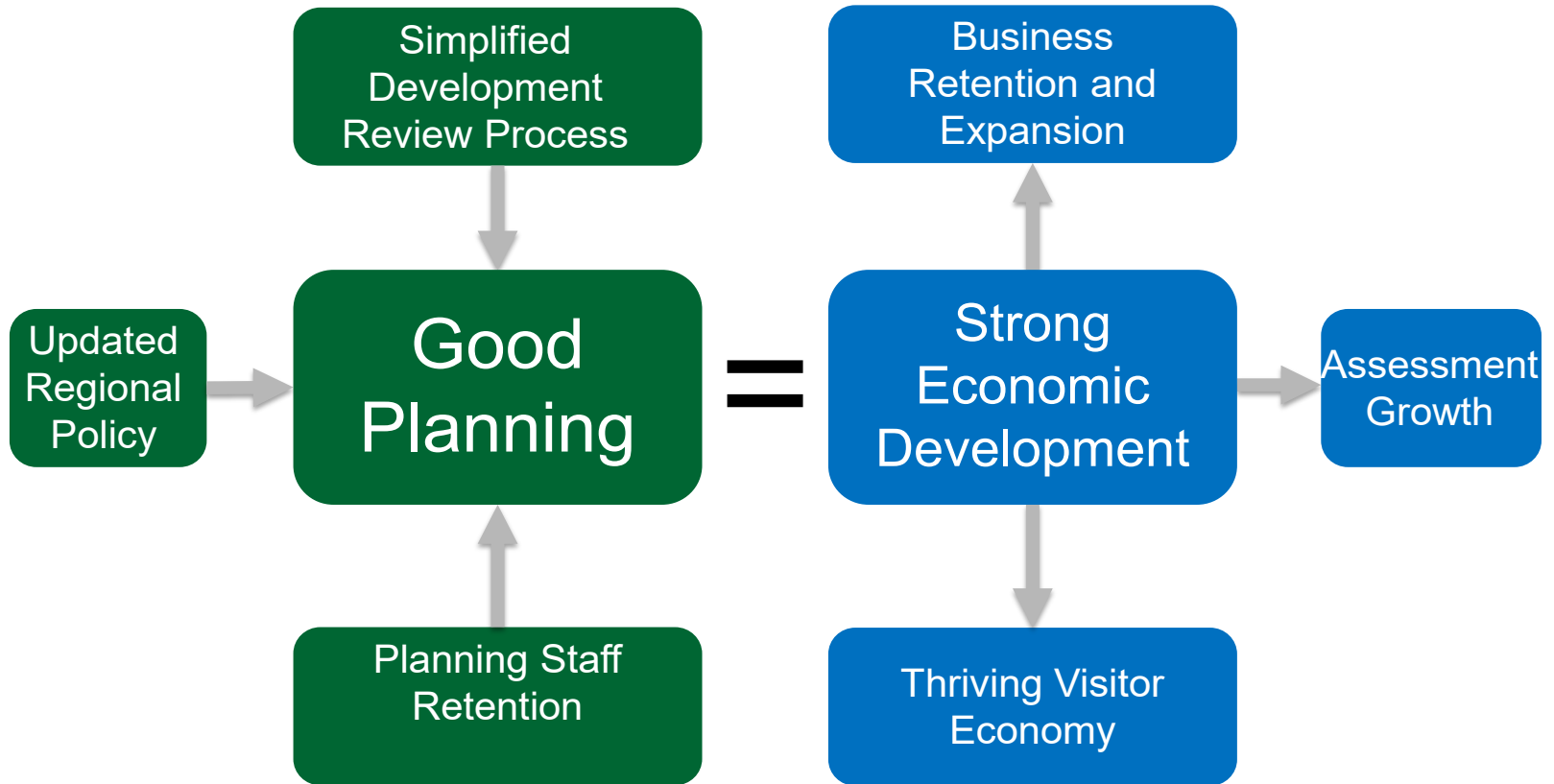
September 9th, 2021

Department Objectives

1. Integrate land use planning and economic development actions
2. Implement **strategic, regional planning policy**
3. Work collaboratively with member Townships to enhance service levels
4. Manage workload capacity
5. Continue to provide sound planning opinions to County and Township Councils

Department Objectives

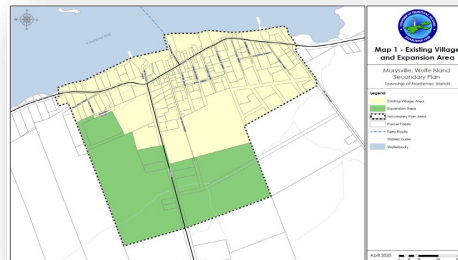
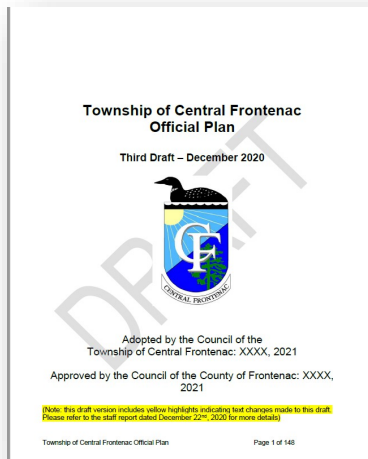
6. Engage and support existing business community through Frontenac Ambassador Program
7. Promote the Frontenac region as a destination to local, national and international tourist markets
8. Seek to attract new businesses and residents to the Frontenac region
9. Implement Economic Development Charter
10. Develop the K&P Trail





Planning Department Priorities

- Champion regional planning priorities
- Work with Townships to plan and deliver 'good planning' and growth opportunities
- Work to foster economic prosperity by collaborating with economic development
- Develop and support a planning approvals system that is consistent across the region and easy to access for both citizens and investors.



2021 Achievements

- Communal Services – Governance Model Study completed – Business Plan nearing completion
- Marysville Secondary Plan nearing completion
- Central Frontenac Official Plan – PAC / County Council approval
- Sharbot Lake – communal services feasibility study underway
- Dealing with high volume of planning applications

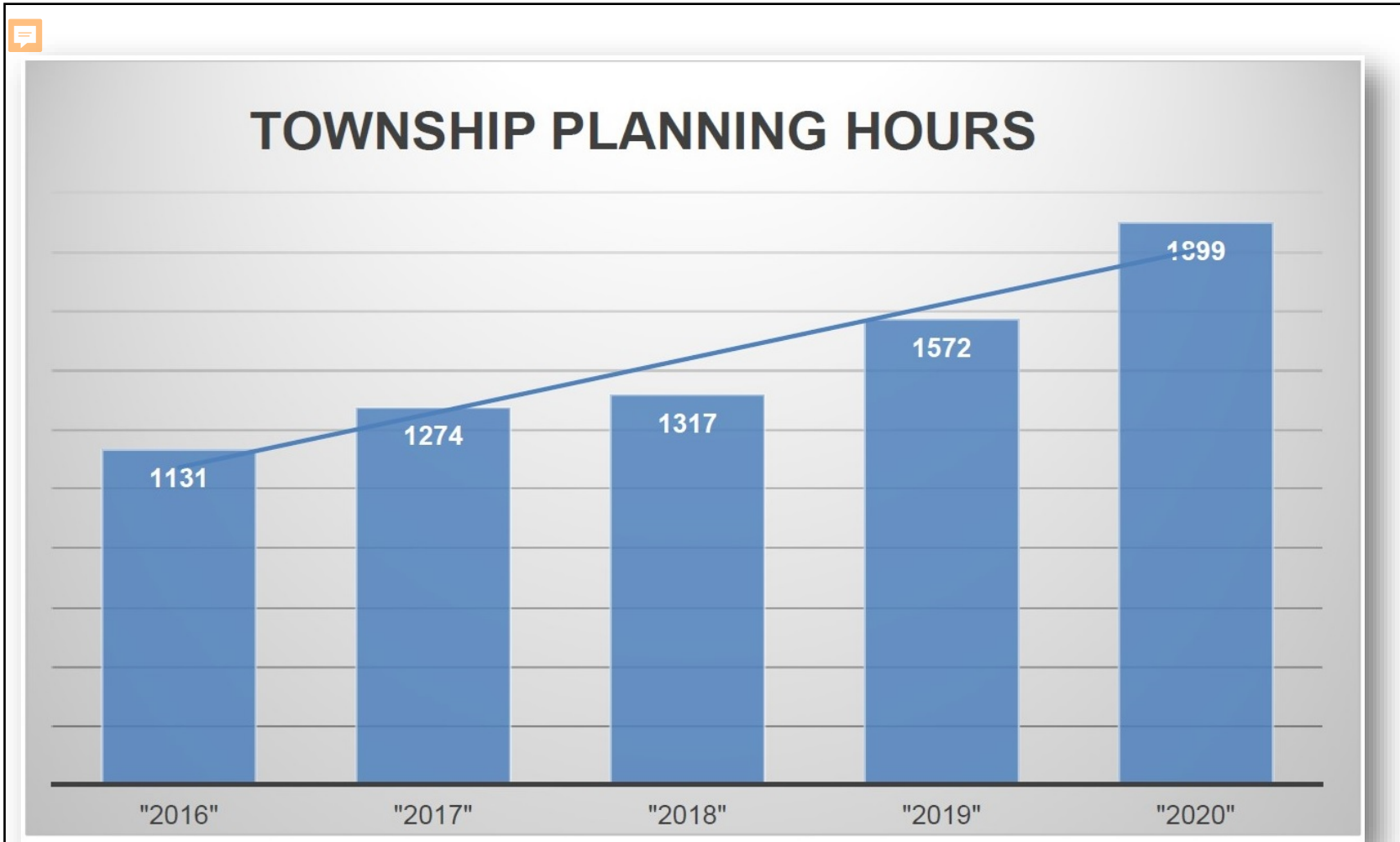




Missed Opportunities – Planning

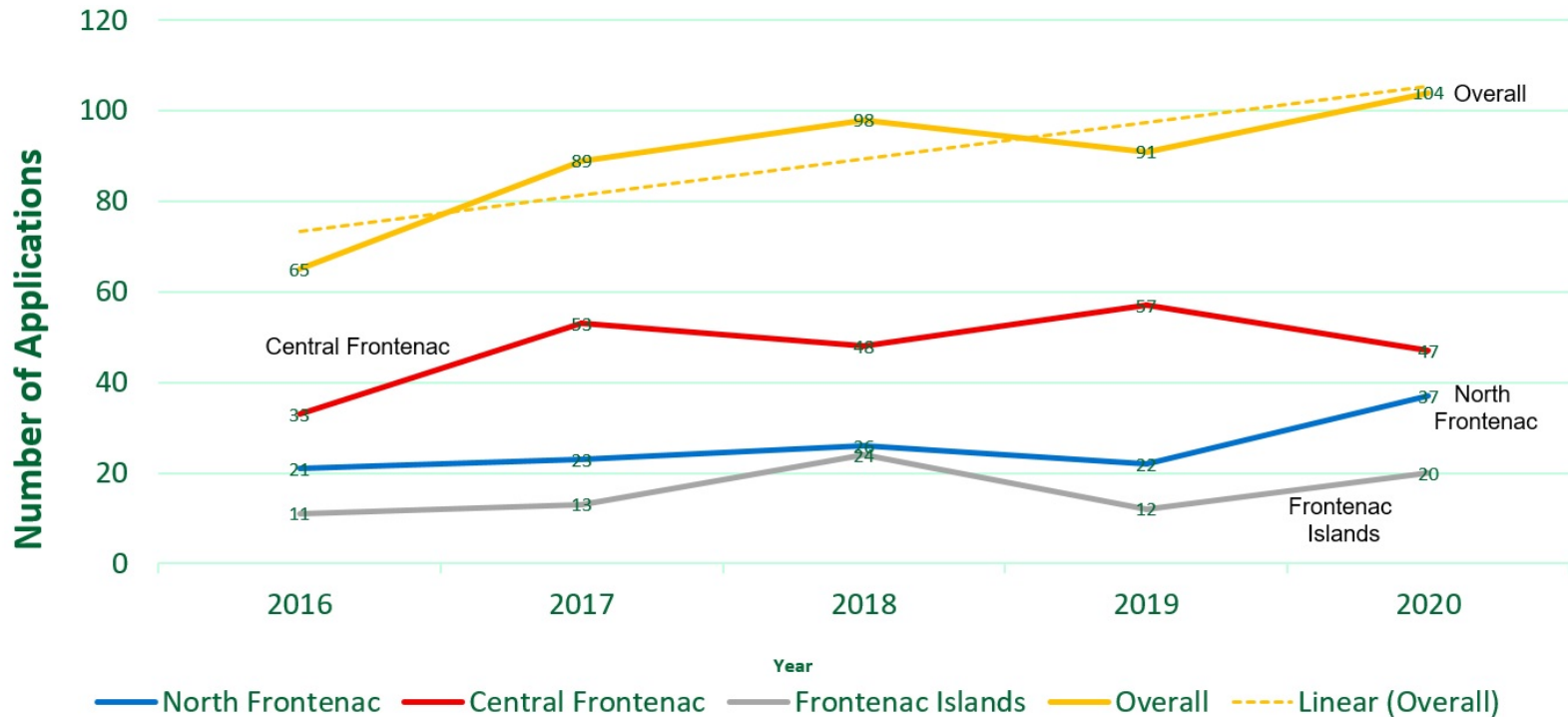
- High demand in planning inquiries / applications impacted time for policy work
- Natural Heritage Study update delayed
- Amendments to County Official Plan delayed (private roads, communal services, 2020 Provincial Policy Statement)
- Community Improvement Plan Updates (overdue)





Township Application Numbers

Between 2016 and 2020 the overall number of applications **has increased by 60%**.
Increase of 14% between 2019 and 2020.



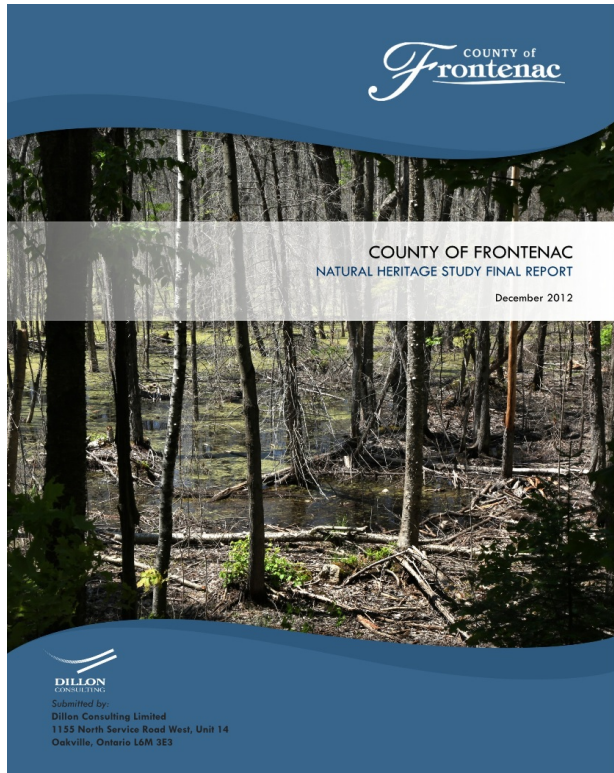
Township Planning Work 2022

- Application Expected to Remain High
 - » Increase in more complex files
 - » Increase in interest in commercial development
- Official Plan Reviews
 - » South Frontenac – August 2022 (approval authority)
 - » Frontenac Islands – expected start-up 2022
- Major Projects
 - » Marysville Secondary Plan
 - » Central Frontenac Zoning By-Law Review – expected 2022

County Planning Work 2022

- Regional Planning
 - » Communal Services (ongoing)
 - » Natural Heritage Study (2022)
 - » Community Planning Permit System Implementation
 - » Regional Community Improvement Plan (CIP) (2022)
- County Official Plan update/amendments (2021 to 2023)
- Subdivision activity
 - » Expect increase if communal services implemented

2022 Budget – Project Proposal Natural Heritage Study Update



- **Background**
- First region-wide Study completed in 2012 for County Official Plan
- Goal: regional protection of Frontenac's natural environment

2022 Budget – Project Proposal Natural Heritage Study Update

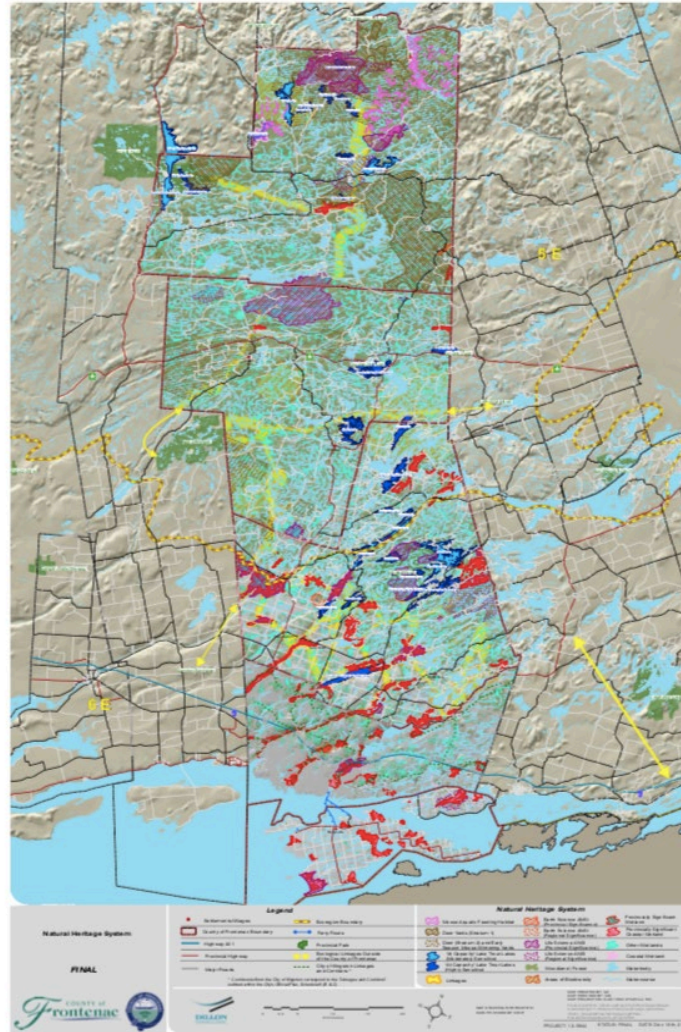
Frontenac's Natural Heritage

- Total Frontenac Area = 4,000 sq km
- Total Frontenac Natural Heritage Area = 2,920 sq km
- 73% of Frontenac is “Natural Heritage”

2022 Budget – Project Proposal Natural Heritage Study Update

“Almost 90 % of planning approvals in Frontenac involve a natural heritage component.”



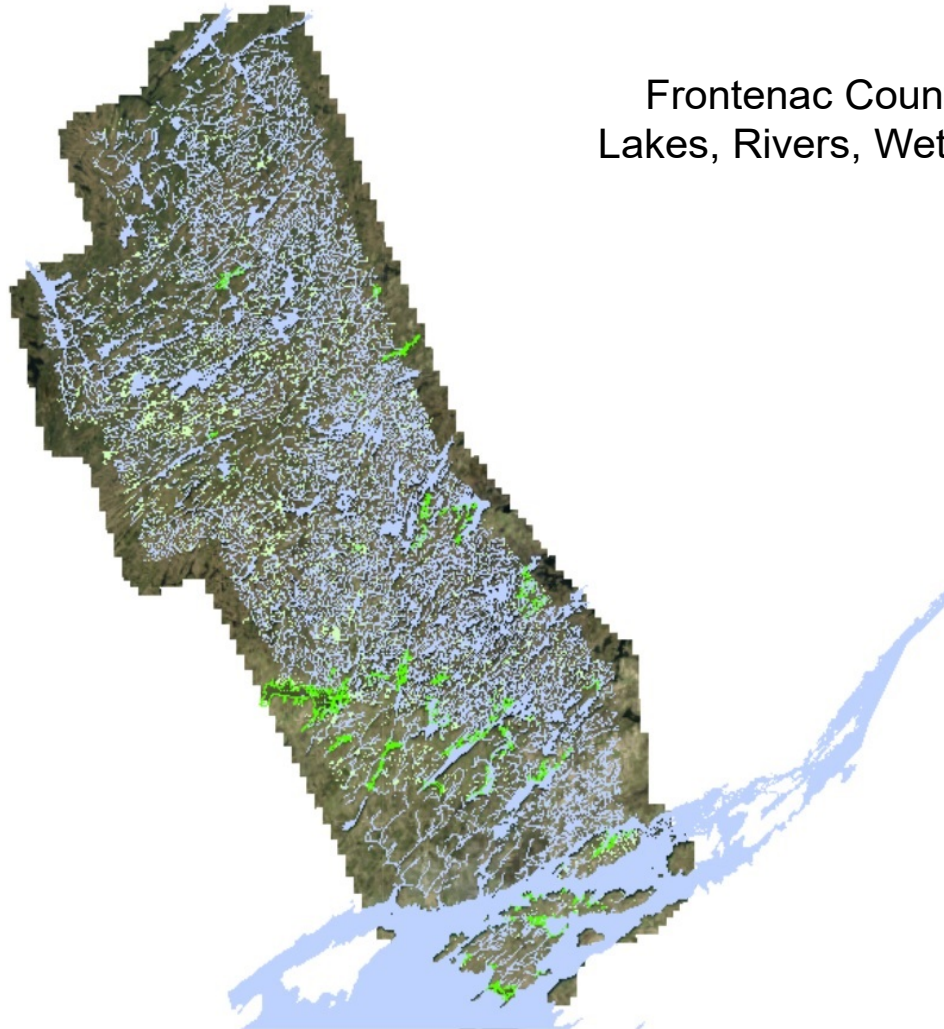


Natural Heritage
Study Map –
“Linkages”

Frontenac County aerial map



Frontenac County aerial map Lakes, Rivers, Wetlands coverage



2022 Budget – Project Proposal Natural Heritage Study Update

Goals:

- A new approach that better reflects the reality of the natural environment in Frontenac
- Current NHS is based on Ministry of Natural Resources and Forestry standard practices.
- MNRF approach covers all of Southern Ontario and may not be the best method for what is on the ground in Frontenac

2022 Budget – Project Proposal Natural Heritage Study Update

Timing of the project – 2022

2022 Revenue Source:

- Sustainability Reserve
 - \$110,000 estimate
- Project will require Council approval as part of 2022 budget process

Risk Analysis and Mitigation - Planning

Level	Issue
Advisement	Delays to Timelines for Planning Applications • Volume of planning applications for 3 Townships expected to equal or greater than 2020-2021 activity. • Risk of delays in planning applications for the 3 Townships being reviewed within Planning Act timelines
Mitigation	
Delays to Planning Applications • Adopt Community Planning Permit System • Continue to implement LEAN process improvements	

Risk Analysis and Mitigation – Planning

Level	Issue
Caution	Delays to Strategic Initiatives - Major policy reviews continue to be delayed/suspended - Less than 10% of time in 2020 dedicated to policy work - Housekeeping updates and consolidation not occurring

Mitigation
Delays to Strategic Initiatives - Continue LEAN process improvements exercise (expand beyond Committee of Adjustment) - Townships will need to retain consultants to do policy work

Intangibles to Business Plan 2022 - 2026

- Volume of Planning Applications
- Township Planning Policy Work
- Communal Services Implementation
- Ontario Land Tribunal (OLT) Appeals





Questions?





Report 202-071

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: September 9, 2021

Re: **Planning Advisory Committee – Director of Planning and Economic Development – 2022 Business Plan**

Recommendation

That the County of Frontenac Planning Advisory Committee recommend to County Council the approval of the 2022 business 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 2022 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 2022.

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 2022, the planning department continues to juggle 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, the volume of planning applications for 3 Townships is expected to be equal or greater than 2020-2021 activity.

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 2022 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 for 2022

Application volume will remain high due to an increase in more complex files as well as an increase in interest in commercial development.

In terms of Official Plan reviews, the Township of South Frontenac is anticipated to adopt a new Official Plan in August 2022, with County Council being the approval authority, and the Township of Frontenac Islands is expected start the process of a new Official Plan in 2022

There are also a two major projects that the department will carry out, those being the Marysville Secondary Plan in the Township of Frontenac Islands, and the Township of Central Frontenac Zoning By-Law Review, expected 2022

It is the outlook from planning staff that the work on behalf of the Townships in 2022 will be equivalent or higher than 2021 and previous years.; however planning staff will continue 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.

Planning Applications – The number of Township planning applications has increased since 2016. Between 2016 and 2020 the overall number of applications has increased by 60%, with an increase of 14% between 2019 and 2020.

Application numbers for 2021 at the time of this report (to 3rd Quarter) indicate that the volume has already surpassed the total number of applications that were dealt with for all of 2020.

County Planning Work – 2022

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.

In terms of Regional Planning, a number of policy documents will be focused on in 2022, including:

- » Communal Services (ongoing)
- » Natural Heritage Study (2022)
- » Community Planning Permit System Implementation
- » Regional Community Improvement Plan (CIP) (2022)

Staff continue to work on the County Official Plan update/amendments, which will begin in 2022 and is anticipated to be completed by 2023. Staff also expect to see an increase in Subdivision activity if communal services governance model is implemented.

For the 2022 County budget review, planning staff will be recommending to County Council a Project Proposal to complete a Natural Heritage Study Update. The goal of the study will see a new approach that better reflects the reality of the natural environment in Frontenac, as currently the Natural Heritage Study is based on Ministry of Natural Resources and Forestry standard that may not be the best method for what is on the ground in Frontenac.

Financial Implications

It is estimated that the budget cost in 2022 for the Natural Heritage Study will come from the Sustainability Reserve which sits at \$110,000.

Organizations, Departments and Individuals Consulted and/or Affected

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