



**Planning Advisory Committee Meeting**  
**Thursday, November 10, 2022 –10:00 a.m.**  
Meeting to be held in Virtual Electronic Format,  
and live streamed on the County of Frontenac's YouTube  
Channel,  
<https://youtu.be/U4BH7x8PxV4>

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## **AGENDA**

Page

1. **Call to Order**
2. **Adoption of the agenda**
  - a)  
**That** the agenda for the November 10, 2022 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 October 11, 2022  
**That** the minutes of the Planning Advisory Committee meeting held October 11, 2022 be adopted.
5. **Public Meeting Reports to the Planning Advisory Committee**  
**Public Meeting Introduction**

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

The purpose of public meetings is to present planning applications in a public forum as required by *The Planning Act*. Following presentations by the applicant, the meeting will then be opened to the public for comments and questions. Interested persons are requested to give their name and address for recording in the minutes.

4 - 7

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.

- 8 - 23 a) **2022-124**  
**Planning and Economic Development Department**  
**Public Meeting Report: Sunbury Subdivision, 3863 Battersea Road, Township of South Frontenac**

The following is a Public Meeting for the proposed Sunbury Subdivision.

- 24 - 36 b) **2022-125**  
**Planning and Economic Development Department**  
**Official Plan Amendment – County of Frontenac Official Plan**  
**Administrative Amendments to Address Bills 13 and 109**

The following is a Public Meeting and comprehensive report recommending approval to the Planning Advisory Committee regarding the proposed Official Plan Amendment to the County of Frontenac Official Plan regarding Administrative Amendments to Address Bills 13 and 109.

**6. Reports to the Planning Advisory Committee**

- 37 - 49 a) **2022-125**  
**Planning and Economic Development Department**  
**Official Plan Amendment – County of Frontenac Official Plan**  
**Administrative Amendments to Address Bills 13 and 109**  
**Recommendation**

**Be It Resolved That** the County of Frontenac Planning Advisory Committee recommends to County Council:


**That** the draft by-law, included as Attachment 1 to Report Number 2022-125, adopting Official Plan Amendment Number 2 to the County of Frontenac Official Plan, to implement Bills 13 and 109, **be approved**; and,

**That** the Official Plan of the County of Frontenac, as amended, be further amended as per the draft by-law in Attachment 1 to Report

Number 2022-125, being Official Plan Amendment Number 2 for the County of Frontenac Official Plan.

**7. Communications**


**50 - 51**

a) Comments from Keeley & Martin regarding the Sunbury Subdivision  
 dated November 8, 2022

**52 - 53**

b) Comments from MMAH regarding Proposed Official Plan Amendments  
 dated October 20, 2022

**54 - 55**

c) Comments from the CRCA regarding Proposed Official Plan  
 Amendments dated November 4, 2022

**8. Next Meeting**

**9. Adjournment**



# FRONTENAC

## Minutes of the Community Development Advisory Committee Meeting October 11, 2022

A meeting of the Community Development Advisory Committee was held in the Bud Clayton Memorial Room, County Administrative Office, 2069 Battersea Road, Glenburnie on Tuesday, October 11, 2022 at 10:00 AM

**Present:**

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

**Regrets:**

Councillor Higgins  
Phil Leonard

**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 10:00 a.m.

**2. Election of Officers**

**a) Election of Chair**

Moved By: Warden Doyle  
Seconded By: Ms. Henderson

**That** Councillor Ron Vandewal be elected Chair of the Planning Advisory Committee for 2022.

**Carried**

Moved By: Councillor Smith  
Seconded By: Ms. Sproule

**That** nominations for Chair be closed.

**Carried**

Councillor Vandewal accepted the nomination of Chair

**b) Election of Vice Chair**

Moved By: Councillor Vandewal  
Seconded By: Ms. Henderson

**That** Councillor Fran Smith be elected Vice-Chair of the Planning Advisory Committee for 2022.

**Carried**

Moved By: Warden Doyle  
Seconded By: Ms. Henderson

**That** nominations for Vice-Chair be closed.

**Carried**

Councillor Smith accepted the nomination of Vice Chair

**3. Adoption of the Agenda**

Moved By: Councillor Smith  
Seconded By: Ms. Henderson

**That** the agenda for the October 11, 2022 meeting of the Planning Advisory Committee be adopted.

**Carried**

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

There were none.

**5. Adoption of Minutes**

**a) Minutes of Meeting held September 9, 2021**

Moved By: Councillor Doyle  
Seconded By: Councillor Smith

**That** the minutes of the Planning Advisory Committee meeting held September 9, 2021 be adopted.

**Carried**

**6. Deputations and/or Presentations**

## 7. Briefings

- a) **Jannette Amini**, Manager of Legislative Services/Clerk, provided the Community Development Advisory Committee with a briefing on the new Planning and Economic Development Advisory Committee mandate.
- b) **Mr. Joe Gallivan**, Director of Planning and Economic Development will provide the Planning Advisory Committee with his Directors Planning briefing.

In terms of the question regarding the status of a Development Charges Study that was approved at budget, Mr. Pender noted that the RFP has been drafted, but given the upcoming municipal election, it will be released following that. Mr. Pender was able to confirm that the Townships of South Frontenac, Frontenac Islands and Central Frontenac have approved to be part of communal services, with North Frontenac opting not to participate. This will be finalized during the election period with the hope to be released in the new year.

## 8. Reports to the Planning Advisory Committee

- a) **Staff Briefing:** Ms. Sonya Bolton, Manager of Community Planning, provided the Planning Advisory Committee a briefing regarding the Marysville Secondary Plan Official Plan Amendment.

[See Reports to the Planning Advisory Committee, clause b)]

In terms of the expansion area to the south of the village, Ms. Bolton clarified that the intent is not to remove any existing buildings so the existing buildings and properties would need to be incorporated into any new development.

- b) **2022-112  
Planning Advisory Committee  
Official Plan Amendment – Township of Frontenac Islands –  
Marysville Secondary Plan**

Moved By: Councillor Smith

Seconded By: Warden Doyle

**That** the County of Frontenac Planning Advisory Committee recommends to County Council:

**That** By-Law Number 2022-20 of the Township of Frontenac Islands, adopting Official Plan Amendment Number 7 for the Marysville Secondary Plan, dated

September 12, 2022 and included as Attachment 1 to Report Number 2022-112, **be approved**; and,

**That** the Official Plan of the Township of Frontenac Islands, as amended, be further amended as per Township By-Law Number 2022-20 in Attachment 1 to Report Number 2022-112, being Official Plan Amendment Number 7 for the Marysville Secondary Plan; and,

**That** the Official Plan of the Township of Frontenac Islands, as amended, be further amended by County Council through a technical modification to remove the words “and 75% in the Marysville” from Section 4.8.3.iv of the document.

**Carried**

**9. Communications**

**10. Other Business**

**11. Next Meeting**

To be determined

**12. Adjournment**

Moved By: Ms. Sproule

Seconded By: Ms. Henderson

**That** the meeting hereby adjourn at 10:36 a.m.

**Carried**



# Sunbury Subdivision

Public Meeting

November 10, 2022

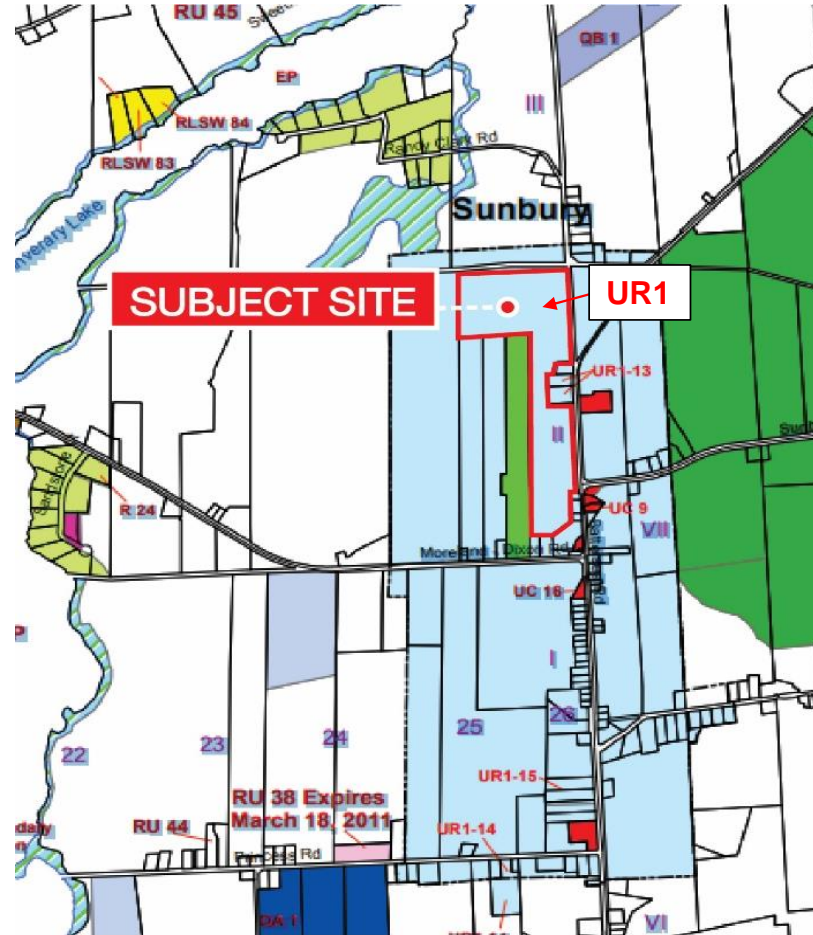
# Background

- ✓ The Sunbury Subdivision is located west of Battersea Road and north of Moreland-Dixon Road
- ✓ The subject lands are within the Sunbury Settlement Area
- ✓ Planning applications for Draft Plan of Subdivision and Zoning By-Law Amendment have been submitted for the proposed development



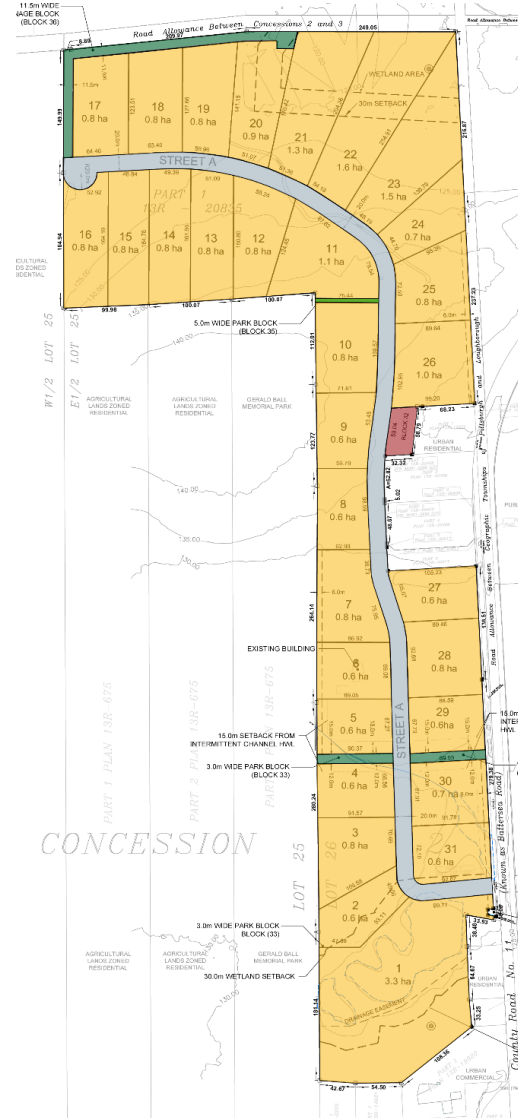
# Policy Background

- / The subject lands are designated Settlement Area in the Township of South Frontenac Official Plan
- / The subject lands are zoned Urban First Density Residential (UR1) in the Zoning By-law 2003-75



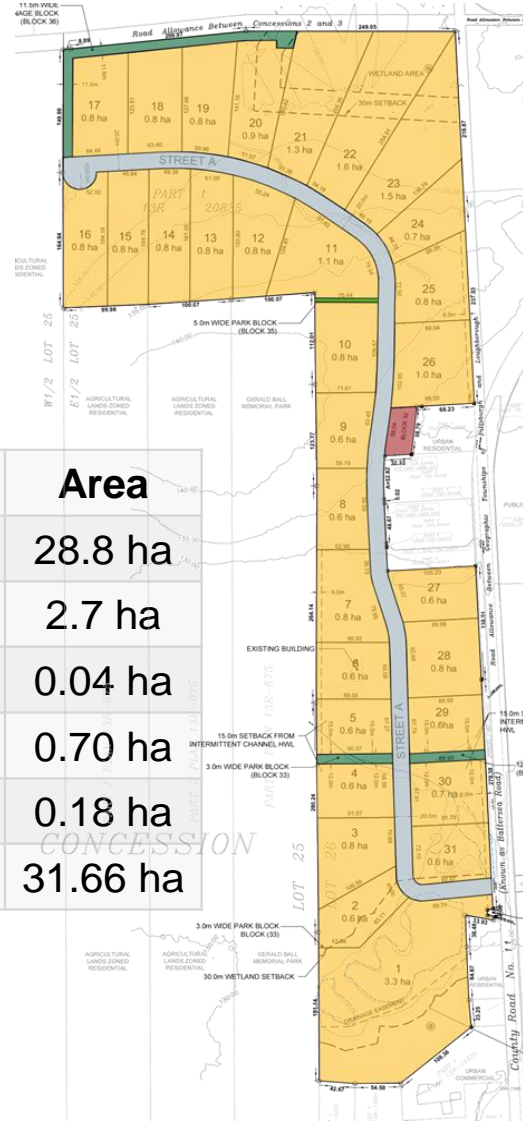
# Proposed Development

- ✓ The draft plan of subdivision provides 33 lots and blocks, including:
  - 31 residential lots;
  - 1 parkland block;
  - 3 stormwater management blocks; and
  - 1 lot potentially added to the neighbouring property.
- ✓ The subdivision is organized around a new street, which connects to the existing intersection of Battersea Road and Sunbury Road
- ✓ The parkland block will connect the proposed subdivision to Gerald Ball Memorial Park, located adjacent to the subject site



# Proposed Draft Plan of Subdivision

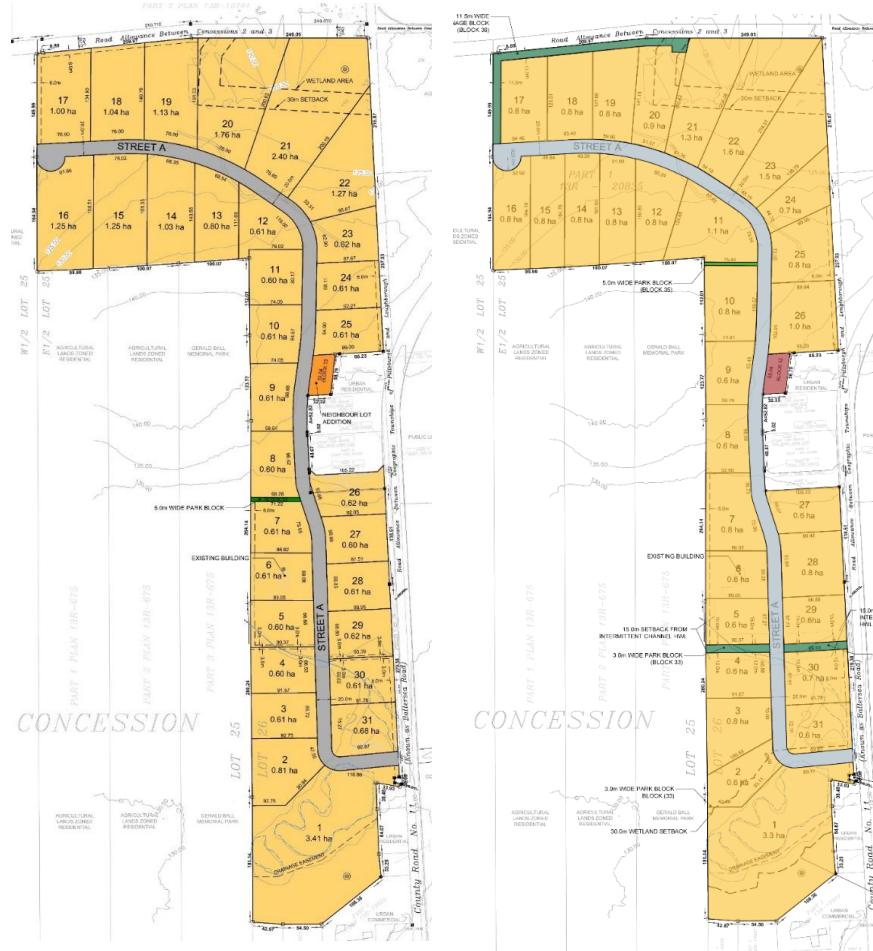
Land Use	Lots & Blocks	Area	
	Residential	1-31	28.8 ha
	Streets/Reserves	Street A	2.7 ha
	Parkland	Block 32	0.04 ha
	Drainage Blocks	Blocks 33, 34, 36	0.70 ha
	Potential Lot Addition	Block 33	0.18 ha
	Total		31.66 ha



Sunbury Subdivision

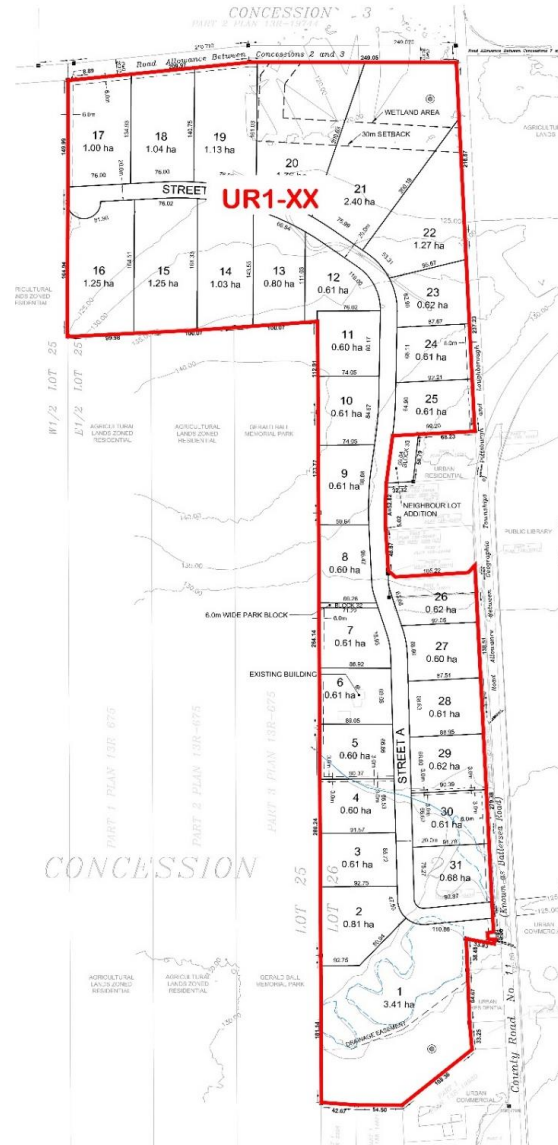
# Revisions to the Draft Plan following the Open House

- ✓ Drainage blocks added
- ✓ Parkland block moved north to better align with naturalized trail portion of the Gerald Ball Memorial Park
- ✓ Residential lot division altered in favor of more regularly shaped lots
  - No additional lots are proposed



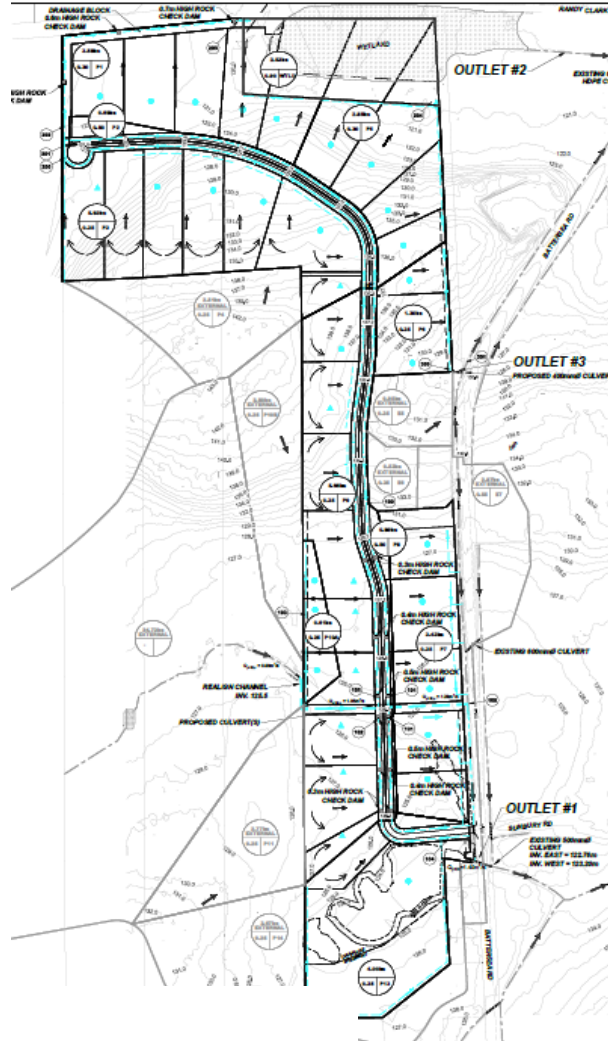
# Proposed Zoning

- Site-specific Residential First Density Zone (UR1-XX)
- Relief from minimum lot area (Proposed: 6,000 m<sup>2</sup>)
- Relief from minimum lot frontage (Proposed 45.0 m)



# Questions?

# Stormwater Management Plan





**Report 2022-124**

### **Committee Information 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:** November 10, 2022

**Re:** **Planning and Economic Development Department  
Public Meeting Report: Sunbury Subdivision, 3863 Battersea  
Road, Township of South Frontenac**

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### **Recommendation**

This report is for information purposes as part of the public meeting for the proposed Sunbury Subdivision.

### **Background**

In April 2020, an application for a proposed draft plan of subdivision was submitted by 2628100 Ontario Inc. On May 28, 2020, the application was deemed complete pursuant to the *Planning Act, R.S.O., 1990, c.P.13*, as amended. The application was the subject of a virtual public open house on July 22, 2020.

### **Property Description**

The subject property is municipally addressed as 3863 Battersea Road and is in the Hamlet/Settlement Area of Sunbury. The lands are legally described as Part of Lots 25 and 26, Concession 2, former Township of Loughborough, in the Township of South Frontenac, in the County of Frontenac (refer to the Key Map in Attachment 1).

## Proposal

The proposed development is an application for Draft Plan of Subdivision to divide the subject property into 31 lots for residential development. The residential lots will be accessed from a new local road to be built by the developer that will connect to Battersea Road, across from the access to Sunbury Road. The residential lots will range in area from 0.6 hectares to 3.3 hectares (1.48 acres to 8.15 acres) with frontage ranging from 44.7 metres to 167.2 metres (146.65 feet to 548.6 feet) along the proposed new local road. 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:

- Concept Plan (refer to Attachment 2), prepared by Forefront Engineering;
- Draft Plan of Subdivision (refer to Attachment 3), prepared by Hopkins Chitty Land Surveyors Inc.;
- Stormwater Management Report and Culvert Memo, prepared by Forefront Engineering;
- Terrain Analysis Report, prepared by XCG Consultants;
- Hydrogeology Report, prepared by BluMetric Environmental Inc.;
- Environmental Impact Assessment and addendums, prepared by Ecological Services;
- Traffic Impact Study, prepared by GHD;
- Archaeological Assessment (Stage 1 and 2), prepared by the Cataraqui Archaeological Research Foundation; and,
- Planning Rationale Report, prepared by Fotenn Planning and Design.

A copy of all this information is available upon request to the County of Frontenac staff member listed below and is also available online at [Engage Frontenac](#).

Please note that the Archaeological Assessment is the one document not posted online, as wide public distribution of such studies can impact the security of cultural heritage resources. The report remains available by request. Staff note that the applicant has received a clearance letter from the Province of Ontario with respect to the submission of the Archaeological Assessment, and no further assessment has been deemed necessary. If the subdivision is approved, the agreement for the development will include clauses with respect to the accidental discovery of artifacts or human remains.

## Technical Review

The application is being reviewed by staff at the County of Frontenac, the Township of South Frontenac, and the Cataraqui Region Conservation Authority (CRCA). Notice of the complete application and the virtual open house in July 2020, along with the notice of this public meeting, has been circulate to all agencies as required by the *Planning Act*.

The outcome of the technical review will be addressed in the final recommendation report, which will be presented for consideration at a future Planning Advisory Committee meeting.

## **Comment**

### **Public Meeting**

The purpose of the report is to provide information about the application to the Planning Advisory Committee and members of the public. The statutory public meeting required by the Planning Act is scheduled for November 10, 2022. At this meeting, the applicant will provide a brief presentation about the proposal. After the presentation, the applicant and staff will address questions from the Committee, as well as members of the public.

No recommendations or decisions will be made at the public meeting. Instead, the applicant will be required to address all the public comments and the comments from technical agencies to the satisfaction of the Township of South Frontenac and the County of Frontenac. A recommendation report regarding draft approval of the plan of subdivision will be brought forward to the Planning Advisory Committee at a future date. The recommendation made by County staff will include consideration of comments and draft conditions provided by the Township of South Frontenac.

### **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 14 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). The notice was also posted on the County of Frontenac's website and online at [Engage Frontenac](#).

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 Ontario Land 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 Ontario Land 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](mailto: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**

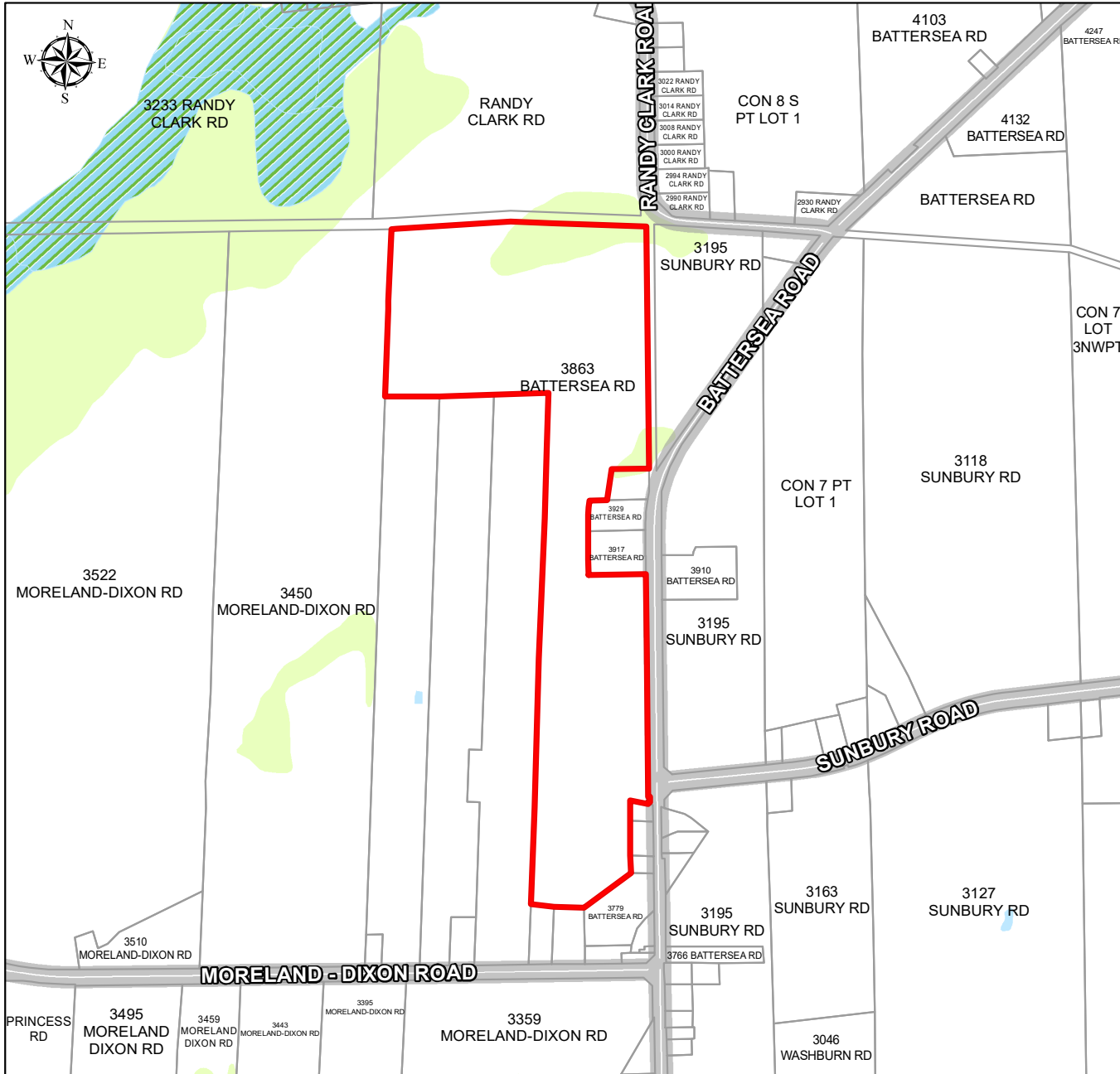
Not applicable

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

The application is being reviewed by staff at the County of Frontenac, the Township of South Frontenac, and the Cataraqui Region Conservation Authority (CRCA). Notice of the complete application and this public meeting, has been circulate to all agencies as required by the *Planning Act*.

### **Attachments**

1. Key Map
2. Concept Plan
3. Draft Plan of Subdivision



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**Sunbury Subdivision**  
**3863 BATTERSEA ROAD**

**Legend**

-  Subject Property
-  Parcel Fabric
-  Provincially Significant Wetlands
-  Wetland

Produced by the County Frontenac under license with the Ontario Ministry of Natural Resources © Queen's Printer for Ontario, 2022.

While the County makes every effort to insure that the information presented is accurate for the intended uses of this map, there is an inherent error in all mapping products, and accuracy of the mapping cannot be guaranteed for all possible uses. This map displays basic topographic features only.

Scale 1:10,000

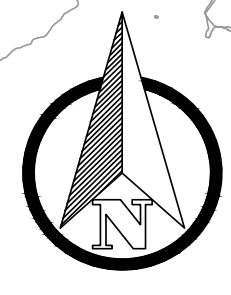
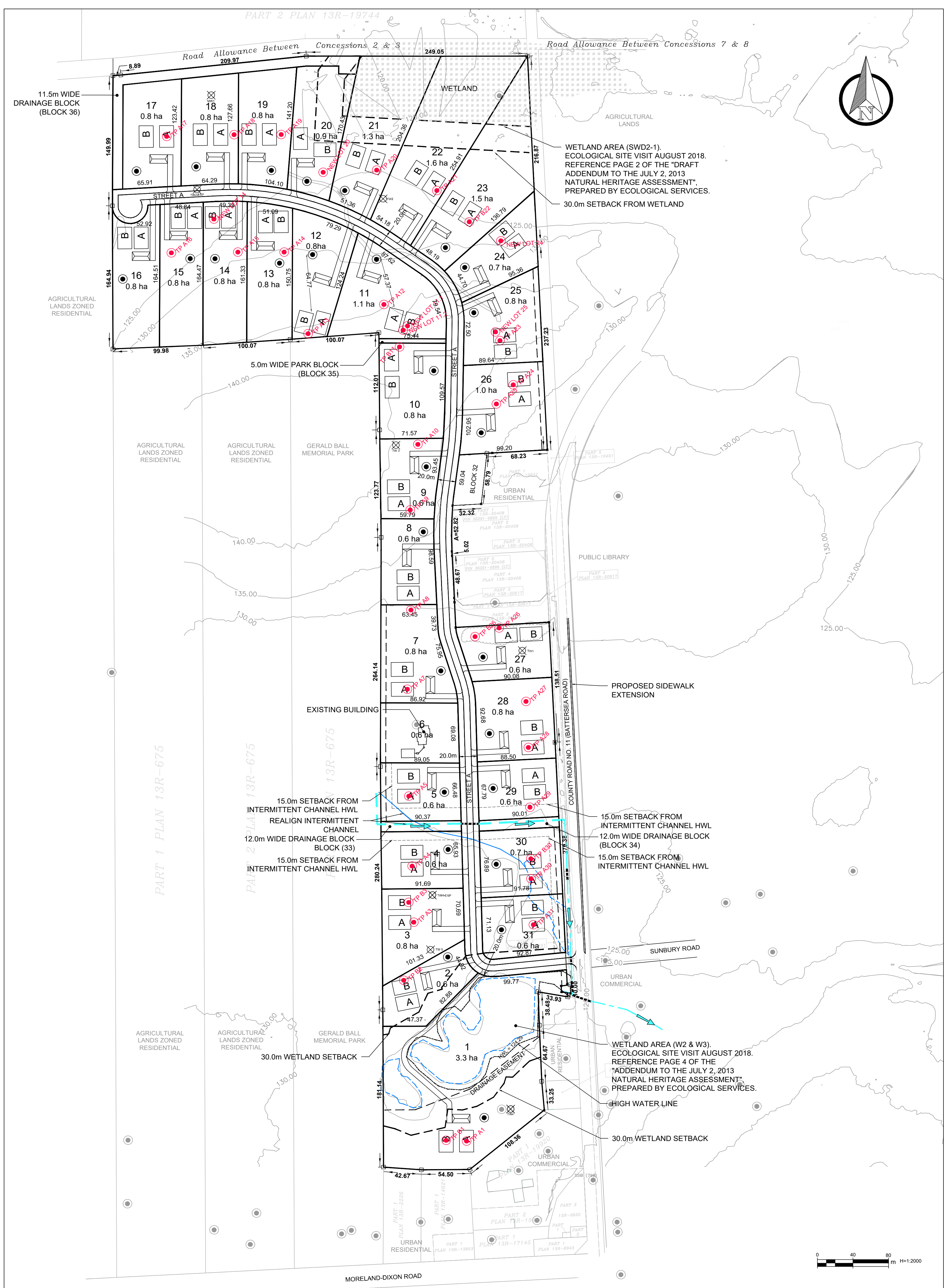
0 55 110 220 330 440



Meters

UTM Projection NAD 83

Date: 2022-10-20



No.	Revision/Issue	Date
01	AS PER AGENCY COMMENTS	OCT 2023

- LEGEND:**
- JTP ## SEPTIC TEST PITS
  - EXISTING WELL
  - PROPOSED WELL
  - ⊗ MONITORING WELL
  - ▲ PROPOSED SEPTIC OPTION 1
  - PROPOSED SEPTIC OPTION 2
  - ▭ PROPOSED HOUSE
  - INTERMITTENT CHANNEL REALIGNMENT



1329 Gardiners Road, Suite 210  
 Kingston, ON, Canada K7P 0L8  
 613.834.9009 tel.  
 1.888.884.9392 fax.

Client  
**2628100 ONTARIO INC.**

Project  
**SUNBURY SUBDIVISION**

Drawing  
**CONCEPT PLAN**

Drawn by JB	Checked by DKN	Project No.
Designed by DKN	Approved by DKN	Drawing No.

Date  
 AUGUST 2020

Scale  
 1:2000 (ANSI 0)

**C1**

DRAFT PLAN of PROPOSED SUBDIVISION

PART of LOTS 25 & 26, CONCESSION 2  
 Geographic Township of Loughborough  
 Formerly Township of Storrington  
 TOWNSHIP of SOUTH FRONTENAC  
 COUNTY of FRONTENAC



ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51.17(A-L) OF THE PLANNING ACT

- a: Shown On Draft Plan
- b: Shown On Draft Plan
- c: All Lands Owned, or In Which the Applicants Have An Interest are Shown On the Key Plan.
- d: Residential
- e: Shown On Draft Plan
- f: Shown On Draft Plan
- g: Shown On Draft Plan
- h: Wells and Septics
- i: Silt Loom
- j: Shown On Draft Plan
- k: Open ditch, Road Maintenance, Garbage Collection, Phone, Cable, Gas, Hydro
- l: Shown On Draft Plan
- m: Lot Frontage measured at 9.0m setback

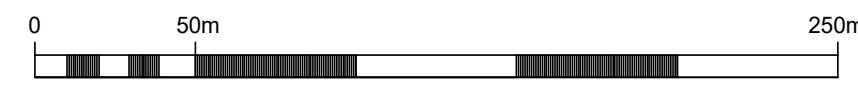
LEGEND

- LANDS TO BE SUBDIVIDED
- - - PROPOSED EASEMENT

SITE DATA

LAND USE	LOTS & BLOCKS	AREA ± UNITS	DENSITY
RESIDENTIAL	1-31	27.8 ha	31
STREETS/RESERVES	MUNICIPAL RIGHT OF WAY	2.70 ha	
PARKLAND	BLOCK 35	0.04 ha	
NEIGHBOUR LOT ADDITION	BLOCK 32	0.18 ha	
DRAINAGE BLOCK	BLOCKS 33, 34, 36	0.70 ha	
<b>TOTAL</b>		<b>31.37± ha</b>	<b>31</b>

SCALE = 1:2000



METRIC  
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

OWNER'S CERTIFICATE

I, Steve McLure, Hereby Authorize FOREFRONT to Prepare and Submit This Plan For Review and Approval.

SIGNED:

STEVE McLURE - 2628100 ONTARIO INC.

DATE:

2628100 ONTARIO INC.  
 I HAVE THE AUTHORITY TO BIND THE CORPORATION

SURVEYOR'S CERTIFICATE:

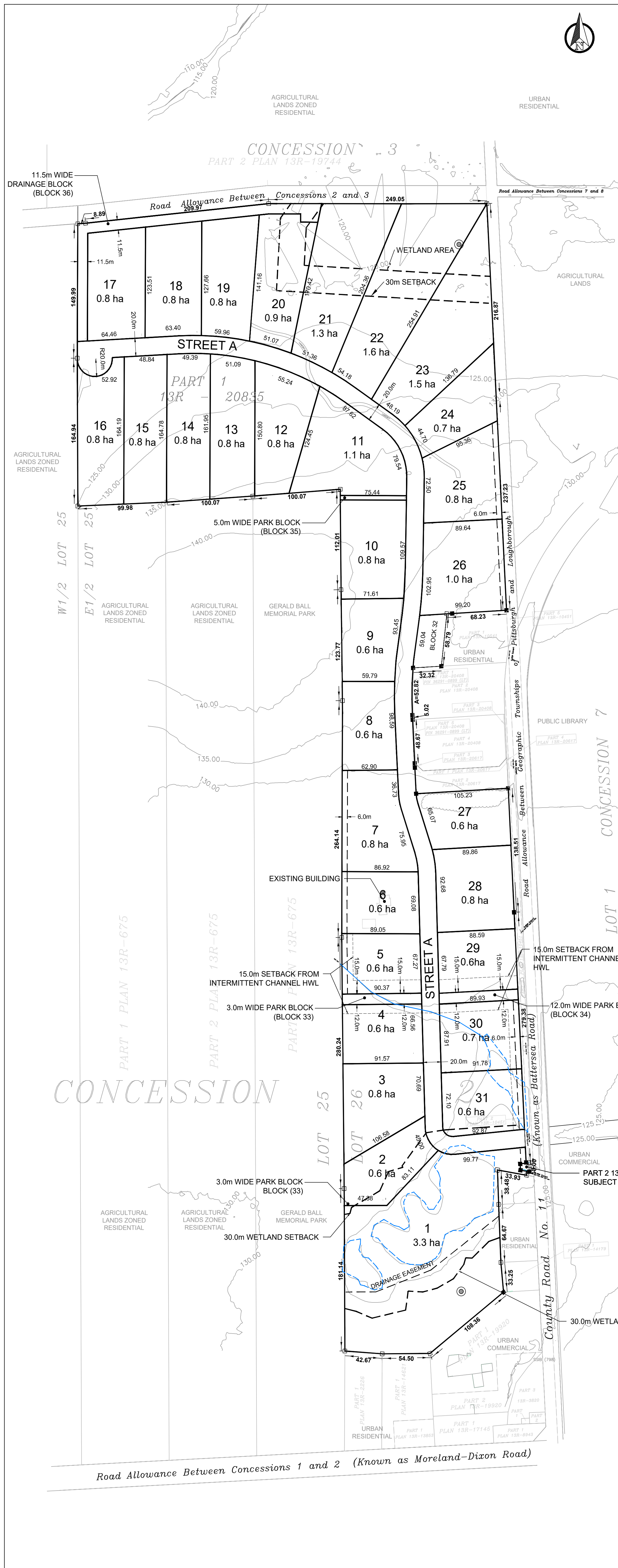
I CERTIFY THAT:  
 1. THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AND THE RELATIONSHIP TO THE ADJACENT LANDS ARE CORRECTLY SHOWN.

HOPKINS CHITTY LAND SURVEYORS INC.

DATE

PHIL W. CHITTY - O.L.S.

1329 Gardiners Road, Suite 210,  
 Kingston, Ontario, Canada K7P 2X8  
 T:613.634.9009 F:888.884.9392





Report 2022-125

### Planning Advisory Committee Recommend Report

**To:** Chair and Members of Planning Advisory Committee  
**From:** Kelly Pender, Chief Administrative Officer  
**Prepared by:** Sonya Bolton, Manager of Community Planning  
**Date of meeting:** November 10, 2022

**Re:** **Planning and Economic Development Department  
Official Plan Amendment – County of Frontenac Official Plan  
Administrative Amendments to Address Bills 13 and 109**

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#### Recommendation

**Be It Resolved That** the County of Frontenac Planning Advisory Committee recommends to County Council:

**That** the draft by-law, included as Attachment 1 to Report Number 2022-125, adopting Official Plan Amendment Number 2 to the County of Frontenac Official Plan, to implement Bills 13 and 109, **be approved**; and,

**That** the Official Plan of the County of Frontenac, as amended, be further amended as per the draft by-law in Attachment 1 to Report Number 2022-125, being Official Plan Amendment Number 2 for the County of Frontenac Official Plan.

#### Background

The purpose of the Official Plan Amendment is to make administrative changes to the County's Official Plan to implement recent changes to the Ontario *Planning Act* through *Bill 13, Supporting Businesses and People Act, 2021* and *Bill 109, More Homes for Everyone Act, 2022*. Specifically, the amendment will include policies in the County Official Plan regarding complete planning applications, pre-application consultation for planning applications, and delegated authority for planning approvals. A copy of the draft by-law for the amendment is included as Attachment 1 to this report, while a track changes version of the Official Plan Amendment text is included as Attachment 2.

### **Bill 13, Supporting People and Businesses Act, 2021**

[Bill 13](#), the *Supporting People and Businesses Act, 2021*, was introduced on October 7, 2021. Schedule 19 of the Bill made changes to the *Planning Act*, which came into force December 2, 2021, upon royal assent. The change that was made was to provide municipal councils with broader authority to allow more planning decisions to be made by committees of council or staff. In addition to other forms of delegated authority (e.g., consents dealing with lot additions or easements being delegated to senior staff), municipalities can now delegate decisions dealing with minor amendments to zoning by-laws. These minor amendments would include temporary use by-laws and the removal of holding symbols. The municipality's official plan must outline the types of by-laws that may be subject to delegated authority, and then they must pass a by-law specifically outlining who is assigned the authority and any conditions associated with it.

### **Bill 109, More Homes for Everyone Act, 2022**

[Bill 109](#), the *More Homes for Everyone Act, 2022*, received Royal Assent on April 14, 2022, and most amendments being made came into force on that day. Other dates where amendments come into force include July 1, 2022 and January 1, 2023.

There are several different Acts that are affected by Bill 109. The following summary covers the key amendments specific to the *Planning Act*, which is Schedule 5 of Bill 109.

#### **a. Commenced on Royal Assent (April 14, 2022)**

The following is a summary of the key changes that took effect on April 14, 2022:

- To help with completeness of site plan control applications, municipalities will establish complete application requirements. Applicants are already required to consult with the municipality before submitting plans and drawings for approval. The timeline for municipalities to approve site plan control applications has increased from 30 to 60 days.
- For plans of subdivision, the changes establish a one-time discretionary authority to allow municipalities (in this case the County of Frontenac) to reinstate draft plans of subdivision that have lapsed within the past five years without the need for a new application. This authority only applies where no agreements of purchase and sale had been entered into prior to the lapsing of the draft plan of subdivision. The changes also establish regulation-making authority for the province to prescribe what can and/or cannot be required as a condition of draft plan of subdivision approval.
- If the approval authority for an Official Plan is the Minister, the Minister may suspend the time period required after which there may be appeals of the failure of the Minister to make a decision in respect of an official plan or an official plan amendment.
- New process in place for the Minister as an approval authority to refer all or part of official plans to the Ontario Land Tribunal for a recommendation before making a decision.

- Processes and rules are outlined for an additional type of Minister's Order that is being added where they are responding to municipal council resolutions requesting expedited zoning. Provincial plans, the Provincial Policy Statement, and municipal Official Plans would not apply to the Minister's order, and the Minister would be able to impose conditions on the municipality and/or proponent. These conditions could be reflected in agreements registered on title. The Minister must issue guidelines governing the scope of how this authority may be used before an order can be made, and the Province has just release the [Community Infrastructure and Housing Accelerator](#) tool and guidelines as part of the implementation of Bill 109.

**b. Commenced on July 1, 2022**

As of July 1, 2022, the approval of site plan control applications must be delegated to an authorized person (employee/staff, appointed officer, or agent of the municipality) to make a decision, instead of municipal councils or committees of council. This applies to all site plan control applications received on or after July 1, 2022.

All four townships in the County of Frontenac have passed by-laws delegating the authority to approve site plan control applications to senior township staff. These by-laws were in place for the July 1, 2022 deadline.

**c. To Commence on January 1, 2023**

A refund schedule is being put in place for certain planning applications where a decision is not made by the municipality within certain timeframes. This change will affect Official Plan Amendments, Zoning By-Law Amendments, and Site Plan Control Applications. At present, the refund requirement does not apply to Committee of Adjustment applications (e.g., consents and minor variances).

The following are the refund requirements set by the province:

	<b>No Refund</b>	<b>50% Refund</b>	<b>75% Refund</b>	<b>100% Refund</b>
<b>Zoning By-Law Amendment</b>	Decision made within 90 days	Decision made within 91 to 149 days	Decision made within 150 and 209 days	Decision made 210 days or later
<b>Combined Zoning By-Law and Official Plan Amendment</b>	Decisions made within 120 days	Decision made within 121 and 179 days	Decision made within 180 and 239 days	Decision made 240 days or later
<b>Site Plan Control</b>	Decision made within 60 days	Decision made within 61 and 89 days	Decision made within 90 and 119 days	Decision made 120 days or later

## **Comment**

### **Public Meeting**

The purpose of the report is to provide information about the proposed amendment to the Planning Advisory Committee and members of the public. The statutory public meeting required by the *Planning Act* is scheduled for November 10, 2022. At this meeting, County staff will provide a brief presentation about the proposed amendment. After the presentation, staff will address questions from the Committee, as well as members of the public.

Subject to any concerns being raised at the public meeting, staff will be making a recommendation to the Planning Advisory Committee regarding the Official Plan Amendment at the same meeting. The recommendation of the committee will be presented to County Council at their next regular meeting.

### **Notification and Appeal Rights**

As required by the *Planning Act*, a notice of the statutory public meeting was provided by advertisement in the *Frontenac News*, 20 days in advance of the public meeting. In addition, The notice was also posted on the County of Frontenac's website on the [Current Planning Applications](#) webpage.

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

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 Official Plan Amendment before the approval authority gives or refuses to give approval to the Official Plan Amendment, the person or public body is not entitled to appeal the decision of the County of Frontenac to the Ontario Land 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 Official Plan Amendment before the approval authority gives or refuses to give approval to the Official Plan Amendment, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Anyone wishing to be notified of County Council's decision on the subject amendment 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](mailto:planning@frontenacounty.ca)

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Recommend Report to Planning Advisory Committee  
Official Plan Amendment, Bills 13 and 109  
November 10, 2022

Page 4 of 7

## **Policy Review**

Official Plan Amendments are required to be consistent with the Provincial Policy Statement, 2020 and conform to the County of Frontenac Official Plan.

### **a. Provincial Policy Statement (2020)**

The Provincial Policy Statement (PPS) provides direction on matters of provincial interest related to land use planning and development. The PPS promotes the wise use and management of resources, efficient land use and development patterns that support strong, liveable, and healthy communities, and the protection of the environment and public health and safety. Under Section 3 of the Planning Act, all municipal decisions regarding planning applications “shall be consistent with” applicable provincial policy.

It is the opinion of County planning staff that the Official Plan Amendment being considered is administrative in nature and required to comply with provincial legislation, and as such is consistent with the policies of the PPS.

### **b. County of Frontenac Official Plan (2016)**

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

It is the opinion of County planning staff that the Official Plan Amendment being considered is administrative in nature and required to comply with provincial legislation, and that it conforms to the general intent of the County of Frontenac Official Plan.

## **Planning Analysis**

County planning staff met with staff from all four townships on September 20, 2022 to discuss how to address their planning processes for the types of applications noted above, to meet the required timelines, and avoid the need to refund fees. The following is a summary of the revised process that was discussed:

- Clearly define what constitutes a complete application, including any formal comments from technical review agencies or third-party peer reviews of studies.
- Restructure the pre-application consultation process so that it includes multiple phases: initial consultation, site visit, and technical review, etcetera, prior to an application being deemed complete.
- Holding an open house for large or complex files (at the discretion of the townships), so that the public can provide comments before the application is deemed complete.
- Once all issues have been resolved to the townships' satisfaction, the application can be deemed complete and the regular process of scheduling the public meeting

(for Official Plan Amendments and Zoning By-Law Amendments), circulating the public notice, preparing the report, etcetera, can proceed.

- Site plan control applications will have to go through the revised pre-application process, but do not require public notice and are now delegated to township staff for approval. The site plan process also allows for conditional approvals, so conditional approval can be issued within the required 60 days, and then the applicant would have to fulfill those conditions prior to the site plan agreement being signed and registered on title.

The proposed Official Plan Amendment outlined in Attachments 1 and 2 addresses the points above by providing enabling policies for both the County and townships to be able to modify their processes for pre-application consultations and complete applications, and to enable both upper and lower tier municipalities to use the delegated authority provided by the province, as suits each municipality.

All townships now have delegated their authority to staff for site plan control applications, as required by Bill 109. The Township of South Frontenac also has delegated authority for undisputed consents. County Planning staff will be reaching out to staff at the other three townships in 2023 to discuss options for using delegated authority for certain types of planning applications to help manage workload for committees, councils, and staff, and to improve the development approval process for applicants.

With respect to implementing process changes for complete applications and pre-application consultation, County planning staff continue to collaborate with township staff, as well as staff at the four conservation authorities and the septic authority (Township of South Frontenac).

Following the approval of the amendment to the County Official Plan, planning staff will be continuing their work on helping the townships prepare for the implementation of these new processes, and the following steps will be addressed this fall into early winter:

- Prepare new processes/workflows for Official Plan Amendments, Zoning By-Law Amendments, and Site Plan Control applications.
- Amend the Township Official Plans to ensure that they contain appropriate policies related to complete applications and pre-application consultation.
- Update fee by-laws to ensure that the fees charged reflect the new processes and adequately cover administrative costs associated with processing applications.
- Update pre-application consultation by-laws to ensure that they reflect the revised processes.
- Review and update site plan control by-laws to ensure that they reflect the revised process.
- Investigate options for how to best have peer reviews of studies conducted. For example, where a study is not reviewed by an existing agency, would it be beneficial

for the township to have a consultant (peer reviewer) on retainer? Would there be benefits to having peer reviewers on retainer for certain studies that would assist all the townships in the County?

### **Conclusion**

It is the opinion of County planning staff that the Official Plan Amendment to implement Bills 13 and 109 is consistent with the Provincial Policy Statement and conforms to the general intent of the County of Frontenac Official Plan. Therefore, County planning staff are recommending that the Planning Advisory Committee recommend that County Council approve Official Plan Amendment Number 2 to the County of Frontenac Official Plan.

### **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**

Planning and Economic Development Department, County of Frontenac

Township of North Frontenac

Township of Central Frontenac

Township of South Frontenac

Township of Frontenac Islands

Catarauqui Conservation

Quinte Conservation

Rideau Valley Conservation Authority

Mississippi Valley Conservation Authority

### **Attachments**

1. Draft By-Law to Amend the County of Frontenac Official Plan (Amendment Number 2) to Implement Bills 13 and 109
2. Excerpt from Section 8, Implementation, of the County of Frontenac Official Plan showing Official Plan Amendment Number 2 with track changes

**The Corporation of the County of Frontenac**

**By-Law Number 2022-0044**

**A By-Law to Amend the County of Frontenac Official Plan (Amendment Number 2, Bills 13 and 109)**

---

**Whereas** the Province of Ontario passed *Bill 13, Supporting People and Businesses Act, 2021* on December 2, 2021, providing municipal councils with broader authority to allow more planning decisions to be made by staff or committees of council; and,

**Whereas** the Province of Ontario passed *Bill 109, More Homes for Everyone Act, 2022* on April 14, 2022, which made numerous changes to various pieces of legislation, including the *Planning Act*, including the requirement to refund the fees for certain types of planning applications if provincial timelines are not met; and

**Whereas** County staff having been collaborating with the staff at all four townships to prepare for the implementation of the changes brought about through Bills 13 and 109; and

**Whereas** County staff are proposing some administrative amendments to the County Official Plan to enable both the County and the Townships to respond appropriately to the changes brought about through Bills 13 and 109, specifically as it relates to complete applications, the pre-application consultation process, and delegated authority for planning approvals; and,

**Whereas** the County held a statutory Public Meeting about the proposed Official Plan Amendment, as required by the *Planning Act*, on November 10, 2022;

**Now Therefore**, the Council of The Corporation of the County of Frontenac, in accordance with the provisions of Section 17 of the *Planning Act, R.S.O. 1990.c.P.13*, as amended, enacts as follows:

1. The County of Frontenac Official Plan is hereby amended by the following changes, which shall constitute Amendment Number 2 to the Official Plan:
  - a. **Amend** the text of Section 8.7, Planning Applications – Consultation and Complete Application Requirements, by adding a new first paragraph with the following wording and number it as Section 8.7.1:

“8.7.1 The submission of a complete application may include, but not be limited to, the completion of any applicable municipal forms, the payment of all required fees, the submission of studies, reports and drawings, and technical comments on studies, reports and drawings by all relevant departments, agencies, ministries, or third-party peer reviewers.”

- b. **Amend** the text of Section 8.7, Planning Applications – Consultation and Complete Application Requirements, by numbering the existing first paragraph, which begins with the words, “In situations where...”, as Section 8.7.2.
- c. **Amend** the text of the second sentence in Section 8.7.2, noted above, by adding the words “that may be required to deem an application complete” following the words “Such information”, so that the second sentence once amended reads as follows:

“Such information that may be required to deem an application complete may include but is not limited to any of the following...”

- d. **Amend** the text of Section 8.7.2, noted above, by deleting the bullet point with the words : “Official Plan Amendment or Zoning By-Law” from the list of studies.
- e. **Amend** the text of Section 8.7, Planning Applications – Consultation and Complete Application Requirements, by adding four new paragraphs with the following wording and numbering them as Sections 8.7.3 through 8.7.6:

“8.7.3 All required reports and technical studies will be carried out by qualified persons retained by and at the expense of the proponent. The County may require a peer review of any report or study by an appropriate public agency or a professional consultant retained by the County at the proponent’s expense.

8.7.4 Pre-application consultation is required for all applications where the County is the approval authority. The County may structure the pre-application consultation process to include multiple stages, where warranted, based on the complexity of the proposal and the type of application.

8.7.5 The County may require a proponent to hold a public open house early in the process, including prior to any statutory public meetings required by the Planning Act.

8.7.6 Township Official Plans may include policies for pre-application consultation and complete applications for planning applications where the Township is the approval authority.”

- f. **Amend** Section 8, Implementation, of the County of Frontenac Official Plan, by adding a new Section 8.10, Delegated Authority, as follows:

**“8.10 Delegated Authority**

8.10.1 The County may delegate its authority for various approval or advisory functions in accordance with the provisions of enabling legislation including the Planning Act, the Municipal Act, and the Ontario Heritage Act.

8.10.2 Township Official Plans may include policies for Township Councils to delegate their authority for various approval or advisory functions in accordance with the provisions of enabling legislation including the Planning Act, the Municipal Act, and the Ontario Heritage Act.”

2. This by-law shall come into force and take effect on the date of final passing by the Council of The Corporation of the County of Frontenac, subject to the provisions of the *Planning Act, R.S.O, 1990.c.P.13*, as amended.

Read a first and second time this 21<sup>st</sup> day of December 2022.

Read a third time and finally passed this 21<sup>st</sup> day of December 2022.

\_\_\_\_\_  
[Redacted], Warden

\_\_\_\_\_  
Jannette Amini, Clerk

**County of Frontenac Official Plan  
Draft Official Plan Amendment Number 2  
Implementation of Bills 13 and 109**

**Excerpt of Section 8, Implementation, with track changes**

**8.7 Planning Applications – Consultation and Complete Application Requirements**

8.7.1 The submission of a complete application may include, but not be limited to, the completion of any applicable municipal forms, the payment of all required fees, the submission of studies, reports and drawings, and technical comments on studies, reports and drawings by all relevant departments, agencies, ministries, or third-party peer reviewers.

8.7.2 In situations where County Council acts as the planning approval authority, the County shall request additional information and material that it needs when considering development proposals or Planning Act applications. Such information that may be required to deem an application complete may include but is not limited to any of the following:

- Hydrogeological and Terrain Analysis Report
- Water Supply Assessment
- Groundwater Impact Study
- Surface Water Impact Study
- Storm Water Management Report/Master Drainage Plan
- Environmental Impact Study/Statement
- Environmental Site Audit/Assessment
- Flood Plain Management/Slope Stability Report
- Geotechnical Karst Study

*(MMAH Approval dated January 11, 2016)*

- Lake Capacity Study
- Boat Capacity Study
- Transportation/Traffic Impact Study

- Municipal Servicing Capacity Reports
- Servicing Options Report
- Archaeological Resource Study
- Cultural Heritage Impact Statement
- Natural Heritage Evaluation
- Aggregate study
- Noise/Dust/Vibration Study
- Agricultural Soils Assessment Study
- Minimum Distance Separation calculation
- Market Study
- Planning Rationale
- ~~Official Plan Amendment or Zoning By-law~~
- Concept Plan showing ultimate use of land
- Previous Land Use Inventory
- Financial Impact Report
- Any other studies required by the County which are not reflected in the above list
- Any other studies identified in the Township Official Plans

8.7.3 All required reports and technical studies will be carried out by qualified persons retained by and at the expense of the proponent. The County may require a peer review of any report or study by an appropriate public agency or a professional consultant retained by the County at the proponent's expense.

8.7.4 Pre-application consultation is required for all applications where the County is the approval authority. The County may structure the pre-application consultation process to include multiple stages, where warranted, based on the complexity of the proposal and the type of application.

8.7.5 The County may require a proponent to hold a public open house early in the process, including prior to any statutory public meetings required by the Planning Act.

8.7.6 Township Official Plans may include policies for pre-application consultation and complete applications for planning applications where the Township is the approval authority.

**8.10 Delegated Authority (New Sub-section)**

8.10.1 The County may delegate its authority for various approval or advisory functions in accordance with the provisions of enabling legislation including the Planning Act, the Municipal Act, and the Ontario Heritage Act.

8.10.2 Township Official Plans may include policies for Township Councils to delegate their authority for various approval or advisory functions in accordance with the provisions of enabling legislation including the Planning Act, the Municipal Act, and the Ontario Heritage Act.



Report 2022-125

### Planning Advisory Committee Recommend Report

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

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

**Prepared by:** Sonya Bolton, Manager of Community Planning

**Date of meeting:** November 10, 2022

**Re:** **Planning and Economic Development Department  
Official Plan Amendment – County of Frontenac Official Plan  
Administrative Amendments to Address Bills 13 and 109**

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#### Recommendation

**Be It Resolved That** the County of Frontenac Planning Advisory Committee recommends to County Council:

**That** the draft by-law, included as Attachment 1 to Report Number 2022-125, adopting Official Plan Amendment Number 2 to the County of Frontenac Official Plan, to implement Bills 13 and 109, **be approved**; and,

**That** the Official Plan of the County of Frontenac, as amended, be further amended as per the draft by-law in Attachment 1 to Report Number 2022-125, being Official Plan Amendment Number 2 for the County of Frontenac Official Plan.

#### Background

The purpose of the Official Plan Amendment is to make administrative changes to the County's Official Plan to implement recent changes to the Ontario *Planning Act* through *Bill 13, Supporting Businesses and People Act, 2021* and *Bill 109, More Homes for Everyone Act, 2022*. Specifically, the amendment will include policies in the County Official Plan regarding complete planning applications, pre-application consultation for planning applications, and delegated authority for planning approvals. A copy of the draft by-law for the amendment is included as Attachment 1 to this report, while a track changes version of the Official Plan Amendment text is included as Attachment 2.

## **Bill 13, Supporting People and Businesses Act, 2021**

[Bill 13](#), the *Supporting People and Businesses Act, 2021*, was introduced on October 7, 2021. Schedule 19 of the Bill made changes to the *Planning Act*, which came into force December 2, 2021, upon royal assent. The change that was made was to provide municipal councils with broader authority to allow more planning decisions to be made by committees of council or staff. In addition to other forms of delegated authority (e.g., consents dealing with lot additions or easements being delegated to senior staff), municipalities can now delegate decisions dealing with minor amendments to zoning by-laws. These minor amendments would include temporary use by-laws and the removal of holding symbols. The municipality's official plan must outline the types of by-laws that may be subject to delegated authority, and then they must pass a by-law specifically outlining who is assigned the authority and any conditions associated with it.

## **Bill 109, More Homes for Everyone Act, 2022**

[Bill 109](#), the *More Homes for Everyone Act, 2022*, received Royal Assent on April 14, 2022, and most amendments being made came into force on that day. Other dates where amendments come into force include July 1, 2022 and January 1, 2023.

There are several different Acts that are affected by Bill 109. The following summary covers the key amendments specific to the *Planning Act*, which is Schedule 5 of Bill 109.

### **a. Commenced on Royal Assent (April 14, 2022)**

The following is a summary of the key changes that took effect on April 14, 2022:

- To help with completeness of site plan control applications, municipalities will establish complete application requirements. Applicants are already required to consult with the municipality before submitting plans and drawings for approval. The timeline for municipalities to approve site plan control applications has increased from 30 to 60 days.
- For plans of subdivision, the changes establish a one-time discretionary authority to allow municipalities (in this case the County of Frontenac) to reinstate draft plans of subdivision that have lapsed within the past five years without the need for a new application. This authority only applies where no agreements of purchase and sale had been entered into prior to the lapsing of the draft plan of subdivision. The changes also establish regulation-making authority for the province to prescribe what can and/or cannot be required as a condition of draft plan of subdivision approval.
- If the approval authority for an Official Plan is the Minister, the Minister may suspend the time period required after which there may be appeals of the failure of the Minister to make a decision in respect of an official plan or an official plan amendment.
- New process in place for the Minister as an approval authority to refer all or part of official plans to the Ontario Land Tribunal for a recommendation before making a decision.

- Processes and rules are outlined for an additional type of Minister's Order that is being added where they are responding to municipal council resolutions requesting expedited zoning. Provincial plans, the Provincial Policy Statement, and municipal Official Plans would not apply to the Minister's order, and the Minister would be able to impose conditions on the municipality and/or proponent. These conditions could be reflected in agreements registered on title. The Minister must issue guidelines governing the scope of how this authority may be used before an order can be made, and the Province has just release the [Community Infrastructure and Housing Accelerator](#) tool and guidelines as part of the implementation of Bill 109.

**b. Commenced on July 1, 2022**

As of July 1, 2022, the approval of site plan control applications must be delegated to an authorized person (employee/staff, appointed officer, or agent of the municipality) to make a decision, instead of municipal councils or committees of council. This applies to all site plan control applications received on or after July 1, 2022.

All four townships in the County of Frontenac have passed by-laws delegating the authority to approve site plan control applications to senior township staff. These by-laws were in place for the July 1, 2022 deadline.

**c. To Commence on January 1, 2023**

A refund schedule is being put in place for certain planning applications where a decision is not made by the municipality within certain timeframes. This change will affect Official Plan Amendments, Zoning By-Law Amendments, and Site Plan Control Applications. At present, the refund requirement does not apply to Committee of Adjustment applications (e.g., consents and minor variances).

The following are the refund requirements set by the province:

	<b>No Refund</b>	<b>50% Refund</b>	<b>75% Refund</b>	<b>100% Refund</b>
<b>Zoning By-Law Amendment</b>	Decision made within 90 days	Decision made within 91 to 149 days	Decision made within 150 and 209 days	Decision made 210 days or later
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## **Comment**

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Subject to any concerns being raised at the public meeting, staff will be making a recommendation to the Planning Advisory Committee regarding the Official Plan Amendment at the same meeting. The recommendation of the committee will be presented to County Council at their next regular meeting.

### **Notification and Appeal Rights**

As required by the *Planning Act*, a notice of the statutory public meeting was provided by advertisement in the *Frontenac News*, 20 days in advance of the public meeting. In addition, The notice was also posted on the County of Frontenac's website on the [Current Planning Applications](#) webpage.

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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 Official Plan Amendment before the approval authority gives or refuses to give approval to the Official Plan Amendment, the person or public body is not entitled to appeal the decision of the County of Frontenac to the Ontario Land Tribunal.

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Recommend Report to Planning Advisory Committee  
Official Plan Amendment, Bills 13 and 109  
November 10, 2022

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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.

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The proposed Official Plan Amendment outlined in Attachments 1 and 2 addresses the points above by providing enabling policies for both the County and townships to be able to modify their processes for pre-application consultations and complete applications, and to enable both upper and lower tier municipalities to use the delegated authority provided by the province, as suits each municipality.

All townships now have delegated their authority to staff for site plan control applications, as required by Bill 109. The Township of South Frontenac also has delegated authority for undisputed consents. County Planning staff will be reaching out to staff at the other three townships in 2023 to discuss options for using delegated authority for certain types of planning applications to help manage workload for committees, councils, and staff, and to improve the development approval process for applicants.

With respect to implementing process changes for complete applications and pre-application consultation, County planning staff continue to collaborate with township staff, as well as staff at the four conservation authorities and the septic authority (Township of South Frontenac).

Following the approval of the amendment to the County Official Plan, planning staff will be continuing their work on helping the townships prepare for the implementation of these new processes, and the following steps will be addressed this fall into early winter:

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- Amend the Township Official Plans to ensure that they contain appropriate policies related to complete applications and pre-application consultation.
- Update fee by-laws to ensure that the fees charged reflect the new processes and adequately cover administrative costs associated with processing applications.
- Update pre-application consultation by-laws to ensure that they reflect the revised processes.
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- Investigate options for how to best have peer reviews of studies conducted. For example, where a study is not reviewed by an existing agency, would it be beneficial

for the township to have a consultant (peer reviewer) on retainer? Would there be benefits to having peer reviewers on retainer for certain studies that would assist all the townships in the County?

### **Conclusion**

It is the opinion of County planning staff that the Official Plan Amendment to implement Bills 13 and 109 is consistent with the Provincial Policy Statement and conforms to the general intent of the County of Frontenac Official Plan. Therefore, County planning staff are recommending that the Planning Advisory Committee recommend that County Council approve Official Plan Amendment Number 2 to the County of Frontenac Official Plan.

### **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**

Planning and Economic Development Department, County of Frontenac

Township of North Frontenac

Township of Central Frontenac

Township of South Frontenac

Township of Frontenac Islands

Catarauqui Conservation

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### **Attachments**

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2. Excerpt from Section 8, Implementation, of the County of Frontenac Official Plan showing Official Plan Amendment Number 2 with track changes

**The Corporation of the County of Frontenac**

**By-Law Number 2022-0044**

**A By-Law to Amend the County of Frontenac Official Plan (Amendment Number 2, Bills 13 and 109)**

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**Whereas** the Province of Ontario passed *Bill 13, Supporting People and Businesses Act, 2021* on December 2, 2021, providing municipal councils with broader authority to allow more planning decisions to be made by staff or committees of council; and,

**Whereas** the Province of Ontario passed *Bill 109, More Homes for Everyone Act, 2022* on April 14, 2022, which made numerous changes to various pieces of legislation, including the *Planning Act*, including the requirement to refund the fees for certain types of planning applications if provincial timelines are not met; and

**Whereas** County staff having been collaborating with the staff at all four townships to prepare for the implementation of the changes brought about through Bills 13 and 109; and

**Whereas** County staff are proposing some administrative amendments to the County Official Plan to enable both the County and the Townships to respond appropriately to the changes brought about through Bills 13 and 109, specifically as it relates to complete applications, the pre-application consultation process, and delegated authority for planning approvals; and,

**Whereas** the County held a statutory Public Meeting about the proposed Official Plan Amendment, as required by the *Planning Act*, on November 10, 2022;

**Now Therefore**, the Council of The Corporation of the County of Frontenac, in accordance with the provisions of Section 17 of the *Planning Act, R.S.O. 1990.c.P. 13*, as amended, enacts as follows:

1. The County of Frontenac Official Plan is hereby amended by the following changes, which shall constitute Amendment Number 2 to the Official Plan:
  - a. **Amend** the text of Section 8.7, Planning Applications – Consultation and Complete Application Requirements, by adding a new first paragraph with the following wording and number it as Section 8.7.1:

“8.7.1 The submission of a complete application may include, but not be limited to, the completion of any applicable municipal forms, the payment of all required fees, the submission of studies, reports and drawings, and technical comments on studies, reports and drawings by all relevant departments, agencies, ministries, or third-party peer reviewers.”

- b. **Amend** the text of Section 8.7, Planning Applications – Consultation and Complete Application Requirements, by numbering the existing first paragraph, which begins with the words, “In situations where...”, as Section 8.7.2.
- c. **Amend** the text of the second sentence in Section 8.7.2, noted above, by adding the words “that may be required to deem an application complete” following the words “Such information”, so that the second sentence once amended reads as follows:

“Such information that may be required to deem an application complete may include but is not limited to any of the following...”

- d. **Amend** the text of Section 8.7.2, noted above, by deleting the bullet point with the words : “Official Plan Amendment or Zoning By-Law” from the list of studies.
- e. **Amend** the text of Section 8.7, Planning Applications – Consultation and Complete Application Requirements, by adding four new paragraphs with the following wording and numbering them as Sections 8.7.3 through 8.7.6:

“8.7.3 All required reports and technical studies will be carried out by qualified persons retained by and at the expense of the proponent. The County may require a peer review of any report or study by an appropriate public agency or a professional consultant retained by the County at the proponent’s expense.

8.7.4 Pre-application consultation is required for all applications where the County is the approval authority. The County may structure the pre-application consultation process to include multiple stages, where warranted, based on the complexity of the proposal and the type of application.

8.7.5 The County may require a proponent to hold a public open house early in the process, including prior to any statutory public meetings required by the Planning Act.

8.7.6 Township Official Plans may include policies for pre-application consultation and complete applications for planning applications where the Township is the approval authority.”

- f. **Amend** Section 8, Implementation, of the County of Frontenac Official Plan, by adding a new Section 8.10, Delegated Authority, as follows:

**“8.10 Delegated Authority**

8.10.1 The County may delegate its authority for various approval or advisory functions in accordance with the provisions of enabling legislation including the Planning Act, the Municipal Act, and the Ontario Heritage Act.

8.10.2 Township Official Plans may include policies for Township Councils to delegate their authority for various approval or advisory functions in accordance with the provisions of enabling legislation including the Planning Act, the Municipal Act, and the Ontario Heritage Act.”

2. This by-law shall come into force and take effect on the date of final passing by the Council of The Corporation of the County of Frontenac, subject to the provisions of the *Planning Act, R.S.O., 1990.c.P.13*, as amended.

Read a first and second time this 21<sup>st</sup> day of December 2022.

Read a third time and finally passed this 21<sup>st</sup> day of December 2022.

\_\_\_\_\_  
[Redacted], Warden

\_\_\_\_\_  
Jannette Amini, Clerk

**County of Frontenac Official Plan  
Draft Official Plan Amendment Number 2  
Implementation of Bills 13 and 109**

**Excerpt of Section 8, Implementation, with track changes**

**8.7 Planning Applications – Consultation and Complete Application Requirements**

8.7.1 The submission of a complete application may include, but not be limited to, the completion of any applicable municipal forms, the payment of all required fees, the submission of studies, reports and drawings, and technical comments on studies, reports and drawings by all relevant departments, agencies, ministries, or third-party peer reviewers.

8.7.2 In situations where County Council acts as the planning approval authority, the County shall request additional information and material that it needs when considering development proposals or Planning Act applications. Such information that may be required to deem an application complete may include but is not limited to any of the following:

- Hydrogeological and Terrain Analysis Report
- Water Supply Assessment
- Groundwater Impact Study
- Surface Water Impact Study
- Storm Water Management Report/Master Drainage Plan
- Environmental Impact Study/Statement
- Environmental Site Audit/Assessment
- Flood Plain Management/Slope Stability Report
- Geotechnical Karst Study

*(MMAH Approval dated January 11, 2016)*

- Lake Capacity Study
- Boat Capacity Study
- Transportation/Traffic Impact Study

- Municipal Servicing Capacity Reports
- Servicing Options Report
- Archaeological Resource Study
- Cultural Heritage Impact Statement
- Natural Heritage Evaluation
- Aggregate study
- Noise/Dust/Vibration Study
- Agricultural Soils Assessment Study
- Minimum Distance Separation calculation
- Market Study
- Planning Rationale
- ~~Official Plan Amendment or Zoning By-law~~
- Concept Plan showing ultimate use of land
- Previous Land Use Inventory
- Financial Impact Report
- Any other studies required by the County which are not reflected in the above list
- Any other studies identified in the Township Official Plans

8.7.3 All required reports and technical studies will be carried out by qualified persons retained by and at the expense of the proponent. The County may require a peer review of any report or study by an appropriate public agency or a professional consultant retained by the County at the proponent's expense.

8.7.4 Pre-application consultation is required for all applications where the County is the approval authority. The County may structure the pre-application consultation process to include multiple stages, where warranted, based on the complexity of the proposal and the type of application.

8.7.5 The County may require a proponent to hold a public open house early in the process, including prior to any statutory public meetings required by the Planning Act.

8.7.6 Township Official Plans may include policies for pre-application consultation and complete applications for planning applications where the Township is the approval authority.

**8.10 Delegated Authority (New Sub-section)**

8.10.1 The County may delegate its authority for various approval or advisory functions in accordance with the provisions of enabling legislation including the Planning Act, the Municipal Act, and the Ontario Heritage Act.

8.10.2 Township Official Plans may include policies for Township Councils to delegate their authority for various approval or advisory functions in accordance with the provisions of enabling legislation including the Planning Act, the Municipal Act, and the Ontario Heritage Act.

**Subject: Sunbury Subdivision Comments - 8 November 2022**

**To: Sonya Bolton, Christine Woods, Norm Roberts**

**From: Christine Martine & Steve Keeley - [REDACTED]**

We would welcome the construction of the subdivision.<sup>1</sup> From a public point of view it ticks many of the boxes of the Provincial Policy Statement (PPS). The subdivision is rightly situated in a development area as part of the Sunbury Hamlet and backed along and entirely accessible to a park, not just an undesirable lot as is often the case in subdivisions but a fully operational and well-appointed facility.

On a personal level the proposed roadway ditches would likely mitigate some of the water that races down the hill behind us and onto and across our yard. Plus, the proposed culvert at Outlet 3 might relieve the ponding of that water at the north-east corner of our property. That being said we have concerns that may seem negative or anti subdivision, they are not.

The reasoning behind the request for lot size and frontage reduction of 25 and 40 percent respectively is not clear and we think not readily defensible. In Fotenn's Sunbury Subdivision Zoning By-Law Amendment reasons given for altering the By-Law in section 6.1 are:

- the strength of the Hydrogeological study and
- to provide flexibility to the surveyor in ensuring that the lot will be compliant with zoning.

Despite "surveyor flexibility" the lots are not compliant with present zoning. The decision to reduce lot size and frontage based upon the strength of the hydrogeological assessment it is not at all confidence inspiring for a number of reasons:

- Pumping tests at ~19.5 litres per minute (l/m) are no more than the rate our 75-foot garden-hose delivers water. Not a rigorous test of the aquifer in our opinion.
- It is also concerning that of the 6 test wells drilled one was abandoned for lack of water<sup>2</sup> - and
- the 95% recovery times for test wells TW3 and T4-EXP were reported over 1000 minutes (16+ hours)! Was that really the case?

Given the above we have reservations about the "strength" of the Hydrological Study.

Along with the proposed subdivision's significant reduction in both area and frontage there is no accommodation of the PPSs call for "an appropriate range and mix of

---

<sup>1</sup> Provided of course we and our neighbours the community and the potential purchasers of the subdivisions lots experience no adverse effects.

<sup>2</sup> We were unable to find the location of this well in figure 03 or the reason it may have failed.

residential (including second units, affordable housing and housing for older persons), ... uses to meet long-term needs;<sup>3</sup> Fotenn's response for this and others is – "The proposed development provides residential lots that contribute to the range and mix of residential uses available in the Township, and will better connect the core of the Hamlet with Gerald Ball Memorial Park." The core of the hamlet is already connected to the park by a length of new sidewalk and a strip of pavement along Moreland – Dixon. And really there is not a contribution to the range and mix of residential uses within the proposed development – they are all single family lots serviced by well and septic.

It is unfortunate that the approach of this development makes it difficult for planners and planning authorities to provide that range and mix of housing types that is expected of them. Perhaps a less uniform approach along the development would be more socially practical and politically approvable. Frontenac is near to breaking ground with such an approach in Sharbot Lake, Marysville and Sydenham ... why not Sunbury?

Again we are in favour of the subdivision moving ahead. However, given the information provided along with this application notice, with a pedestrian understanding of the PPS and some knowledge of Communal Services in Frontenac we have a few questions and concerns that can hopefully be addressed. Thanks.

#### **Other Concerns and Suggestions and Observations**

**Location of Septic** – Although wells on all of lots 13 through 26 are uphill of septic on lots 10, 11 and 12 the wells are immediately downstream of the septic.

**Blocks 33, 34, 36** In the Draft Plan of Proposed Subdivision – Drawing there seem to have two block 33s. Drainage blocks 33, 34 and 36 and park blocks are labeled the same.

**Exclusion of Block 32** - It seems Block 32 was not included in either the pre or post conditions of SWM Plan calculations. It likely should have been included in at least pre conditions to better estimate water flow in catchment area E3

**Soil Type 3.2.1.2-** Sandy Clay Loam was named first and later Silty Clay Loam. We believe it had been earlier established that it was a Silty that and hopefully was used in the SWM calculation.

**Well Depth** To obtain the best well water quality it is recommended that water wells not exceed a depth of 30m. Test wells were deeper than 30 meters so why the limitation at 30?

**Ditch Maintenance Section 3.4** - To site that required yearly maintenance on the ditch is in our estimation out of the question for Township Staff. Aside from the annual mowing ditches should continue to function for decades before any structural maintenance should be required.

Thanks for your attention and

Best regards,

Christine Martine and Steve Keeley [REDACTED]

---

<sup>3</sup> Provincial Policy Statement section 1.1.1 (b)

**From:** [Kalnina, Anna \(MMAH\)](#)  
**To:** [Sonya Bolton](#)  
**Subject:** RE: County of Frontenac - Public Meeting Notice for Proposed Official Plan Amendment  
**Date:** October 20, 2022 4:41:45 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)

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Good afternoon Sonya,

I am pleased to see the County responding to legislative changes, and facilitating and encouraging the use of *Planning Act* tools by local municipalities.

I have no comments at this time.

Sincerely,

Anna Kalnina | Planner  
Ministry of Municipal Affairs & Housing  
Municipal Services Office Eastern (Kingston)  
8 Estate Lane, Kingston, ON K7M 9A8  
Phone: 613-483-4566  
[anna.kalnina@ontario.ca](mailto:anna.kalnina@ontario.ca)

---

**From:** Sonya Bolton <[sbolton@FRONTENACCOUNTY.CA](mailto:sbolton@FRONTENACCOUNTY.CA)>  
**Sent:** October 20, 2022 11:09 AM  
**To:** Jannette Amini <[jamini@FRONTENACCOUNTY.CA](mailto:jamini@FRONTENACCOUNTY.CA)>; [planning@alcdsb.on.ca](mailto:planning@alcdsb.on.ca); Downie, Charlyn <[downiec@limestone.on.ca](mailto:downiec@limestone.on.ca)>; [inquiries@ucdsb.on.ca](mailto:inquiries@ucdsb.on.ca); [planification@cepeo.on.ca](mailto:planification@cepeo.on.ca); [planification@ecolecatholique.ca](mailto:planification@ecolecatholique.ca); [mdakin@crca.ca](mailto:mdakin@crca.ca); [glen.mcdonald@rvca.ca](mailto:glen.mcdonald@rvca.ca); [PMcCoy@quinteconservation.ca](mailto:PMcCoy@quinteconservation.ca); [mcraig@mvc.on.ca](mailto:mcraig@mvc.on.ca); [landuseplanning@hydroone.com](mailto:landuseplanning@hydroone.com); [brad.macculloch@cornwallelectric.com](mailto:brad.macculloch@cornwallelectric.com); [ONTUGLLandsINQ@uniongas.com](mailto:ONTUGLLandsINQ@uniongas.com); [Executivevp.lawanddevelopment@opg.com](mailto:Executivevp.lawanddevelopment@opg.com); [landuseplanning@hydroone.com](mailto:landuseplanning@hydroone.com); [est.reg.crossing@enbridge.com](mailto:est.reg.crossing@enbridge.com); [est.reg.crossing@enbridge.com](mailto:est.reg.crossing@enbridge.com); [dpresley@mhbcplan.com](mailto:dpresley@mhbcplan.com); [seedgar@tnpi.ca](mailto:seedgar@tnpi.ca); [wwatt@tnpi.ca](mailto:wwatt@tnpi.ca); [proximity@cn.ca](mailto:proximity@cn.ca); [NoticeReview@infrastructureontario.ca](mailto:NoticeReview@infrastructureontario.ca); [susan.millar@canada.ca](mailto:susan.millar@canada.ca); [vanessa@townshipleeds.on.ca](mailto:vanessa@townshipleeds.on.ca); [dachapman@loyalist.ca](mailto:dachapman@loyalist.ca); [clerk@tayvalleytwp.ca](mailto:clerk@tayvalleytwp.ca); [clerkplanning@northfrontenac.ca](mailto:clerkplanning@northfrontenac.ca); [cmacmunnn@centralfrontenac.com](mailto:cmacmunnn@centralfrontenac.com); [dplumley@frontenacislands.ca](mailto:dplumley@frontenacislands.ca); [amaddocks@southfrontenac.net](mailto:amaddocks@southfrontenac.net); [clerk@gananoque.ca](mailto:clerk@gananoque.ca); [tmckenzie@lennox-addington.on.ca](mailto:tmckenzie@lennox-addington.on.ca); [jbolognone@cityofkingston.ca](mailto:jbolognone@cityofkingston.ca); [Lesley.Todd@uclg.on.ca](mailto:Lesley.Todd@uclg.on.ca); [amanda@townshipleeds.on.ca](mailto:amanda@townshipleeds.on.ca); [mvenditti@townshipleeds.on.ca](mailto:mvenditti@townshipleeds.on.ca); [afurniss@loyalist.ca](mailto:afurniss@loyalist.ca); [clerkplanning@northfrontenac.ca](mailto:clerkplanning@northfrontenac.ca); [cnedow@centralfrontenac.com](mailto:cnedow@centralfrontenac.com); [dplumley@frontenacislands.ca](mailto:dplumley@frontenacislands.ca); [cwoods@southfrontenac.net](mailto:cwoods@southfrontenac.net); [bguy@gananoque.ca](mailto:bguy@gananoque.ca); [ageladi@lennox-addington.on.ca](mailto:ageladi@lennox-addington.on.ca); Joe Gallivan

<JGallivan@FRONTENACCOUNTY.CA>; planner@uclg.on.ca; algonquins@tanakiwin.com; Scott, Allan (MMAH) <Allan.Scott@ontario.ca>

**Cc:** Joe Gallivan <JGallivan@FRONTENACCOUNTY.CA>; Kalnina, Anna (MMAH) <Anna.Kalnina@ontario.ca>; cao@northfrontenac.ca; Brooke Drechsler <deputyclerk@northfrontenac.ca>; Cindy Deachman <cdeachman@centralfrontenac.com>; Louise Fragnito <lfragnito@southfrontenac.net>; Jennie Kapusta <jkapusta@FRONTENACCOUNTY.CA>; Dmitry Kurylovich <DKurylovich@FRONTENACCOUNTY.CA>; Sonya Bolton <sbolton@FRONTENACCOUNTY.CA>

**Subject:** County of Frontenac - Public Meeting Notice for Proposed Official Plan Amendment

**CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.**

Hello,

Please find attached the formal public meeting notice for a proposed amendment to the County of Frontenac's Official Plan. The proposed amendment is administrative in nature and is intended to implement provincial Bills 13 and 109. A draft of the proposed text changes is also attached for review.

If there are any questions or comments, please feel free to contact the undersigned.

Best regards,  
Sonya Bolton

**Sonya Bolton M.PL., MCIP, RPP**  
Manager of Community Planning  
Planning and Economic Development  
County of Frontenac  
2069 Battersea Road,  
Glenburnie ON K0H 1S0  
Phone: 613-548-9400 ext.351  
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[FrontenacMaps.ca](http://FrontenacMaps.ca)



**From:** [Mike Dakin](#)  
**To:** [Sonya Bolton](#)  
**Cc:** [Janelle Treash](#)  
**Subject:** RE: County of Frontenac - Public Meeting Notice for Proposed Official Plan Amendment  
**Date:** November 4, 2022 3:31:29 PM  
**Attachments:** [image006.png](#)  
[image008.png](#)  
[image009.png](#)  
[image010.png](#)  
[image011.png](#)

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Hello Sonya,

CRCA has reviewed the proposed amendment to the County's Official Plan intended to implement changes from Bill 13 and Bill 109. We are supportive of the proposed amendment, which, among others, will require pre-consultation on planning applications subject to County approval and specifies the requirements for a complete application. We believe these changes will make the County, municipalities and conservation authorities well-positioned to appropriately respond to the challenges associated with the legislative changes under these Bills. We will continue to work closely with the County and municipalities as we adapt to these changes and will maintain high quality service standards through our plan review role.

Thanks for circulating.

Best regards,  
Mike

**Michael Dakin** MCIP, RPP  
Supervisor, Development Review



**Phone:** (613) 546-4228 ext. 228  
**Toll-Free:** 1-877-956-2722  
**Web:** [www.CatarauquiConservation.ca](http://www.CatarauquiConservation.ca)

---

**From:** Sonya Bolton <[sbolton@FRONTENACCOUNTY.CA](mailto:sbolton@FRONTENACCOUNTY.CA)>  
**Sent:** October 20, 2022 11:09 AM  
**To:** Jannette Amini <[jamini@FRONTENACCOUNTY.CA](mailto:jamini@FRONTENACCOUNTY.CA)>; [planning@alcdsb.on.ca](mailto:planning@alcdsb.on.ca);  
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Dmitry Kurylovich <DKurylovich@FRONTENACCOUNTY.CA>; Sonya Bolton  
<sbolton@FRONTENACCOUNTY.CA>

**Subject:** County of Frontenac - Public Meeting Notice for Proposed Official Plan Amendment

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Best regards,  
Sonya Bolton

**Sonya Bolton M.PL., MCIP, RPP**  
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Planning and Economic Development  
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