



**Planning and Economic Development Advisory Committee  
Meeting**  
**Wednesday, May 3, 2023 –10:00 a.m.**  
**Township of South Frontenac Council Chamber,**  
**4432 George Street, Sydenham, ON**  
<https://youtube.com/live/Mh1Coplbvog?feature=share>

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**AGENDA**

Page

**1. Call to Order**

**2. Adoption of the Agenda**

- a) **That** the agenda for the May 3, 2023 meeting of the Planning and Economic Development Advisory Committee be adopted.

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

**4. Adoption of Minutes**

- a) Minutes of Meeting held March 29, 2023  
**That** the minutes of the Planning and Economic Development Advisory Committee meeting held March 29, 2023 be adopted.

**5. Deputations and/or Presentations**

**6. Briefings**

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

- a) **Staff Briefing:** Sonya Bolton, Manager of Community Planning will provide a briefing to the Planning and Economic Development Advisory Committee with respect to the background and proposal of the Application for Draft Plan of Subdivision, 3863 Battersea Road (Sunbury), Township of South Frontenac (File Number 10T-2020/001).

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

- b) **2023-059**  
**Planning and Economic Development**

3 - 7

8 - 17

18 - 49

**Application for Draft Plan of Subdivision, 3863 Battersea Road (Sunbury), Township of South Frontenac (File Number 10T-2020/001)**

**Whereas** an application was filed with the County of Frontenac for a Draft Plan of Subdivision located at Part of Lots 25 and 26, Concession 2, Geographic Township of Loughborough, in the Township of South Frontenac, in the County of Frontenac (municipally known as 3863 Battersea Road); and,

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

**Whereas** the application is consistent with the Provincial Policy Statement (2020), conforms to the Frontenac County Official Plan, conforms to the Township of South Frontenac Official Plan, and has been reviewed in accordance with the criteria of Section 51 (24) of the *Planning Act*.

**Therefore Be It Resolved That** the Planning and Economic Development Advisory Committee receive the Planning and Economic Development Advisory Committee – Application for Draft Plan of Subdivision, 3863 Battersea Road (Sunbury), Township of South Frontenac (File Number 10T-2020/001) report; and,

**Further That** the Council of the County of Frontenac approve File Number 10T-2020/001 for draft plan of subdivision, subject to the Draft Approval Conditions included with this report as Attachment 3.

**8. Communications**

**9. Other Business**

**10. Next Meeting**

- a) The next meeting of the Planning and Economic Development Advisory Committee meeting is scheduled for Wednesday, July 5th, 2023 at 10:00 a.m. in the Township of South Frontenac Council Chamber.

**11. Adjournment**



# FRONTENAC

**Minutes of the Planning and Economic Development Advisory Committee  
Meeting  
March 29, 2023**

A meeting of the Planning and Economic Development Advisory Committee was held in the Township of South Frontenac Council Chamber, 4432 George Street, Sydenham, on Wednesday, March 29, 2023 at 10:00 AM

**Present:**

Councillor Fred Fowler  
Councillor Judy Greenwood-Speers  
Deputy Warden Fran Smith  
Warden Ron Vandewal  
Leona Fleischmann  
Mike Hage  
Phil Leonard  
Jim McIntosh

**Staff Present:**

Richard Allen, Manager of Economic Development  
Jannette Amini, Manager of Legislative Services/Clerk (Recording Secretary)  
Sonya Bolton, Manager of Community Planning  
Joe Gallivan, Director of Planning and Economic Development  
Debbi Miller, Community Development Officer  
Kelly Pender, Chief Administrative Officer

**1. Call to Order**

Ms. McEathron called the meeting to order at 10:00 a.m. and asked that the new members take a moment to introduce themselves.

**2. Election of Officers**

Ms. McEathron conducted the election of officers.

**a) Election of Chair**

Moved By: Mr. Leonard  
Seconded By: Councillor Greenwood-Speers

**That** Deputy Warden Fran Smith be elected Chair of the Planning and Economic Development Advisory Committee for 2023.

**Carried**

Moved By: Warden Ron Vandewal  
Seconded By: Councillor Greenwood-Speers

**That** nominations for the Chair be closed.

**Carried**

Deputy Warden Fran Smith accepted the nomination of Chair.

**b) Election of Vice Chair**

Moved By: Warden Ron Vandewal  
Seconded By: Mr. Hage

**That** Councillor Fred Fowler be elected Vice Chair of the Planning and Economic Development Advisory Committee for 2021.

**Carried**

Moved By: Councillor Greenwood-Speers  
Seconded By: Warden Ron Vandewal

**That** nominations for the Vice Chair be closed

**Carried**

Councillor Fowler accepted the nomination of Vice Chair

**3. Adoption of the Agenda**

Moved By: Councillor Judy Greenwood-Speers  
Seconded By: Mr. Leonard

**That** the agenda for the March 29, 2023, meeting of the Planning and Economic Development Advisory Committee be adopted.

**Carried**

Warden Ron Vandewal exited at 10:04 a.m.

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

There were none.

**5. Adoption of Minutes**

**6. Deputations and/or Presentations**

**7. Briefings**

- a) **Ms. Jannette Amini**, Manager of Legislative Services/Clerk, provided the new Planning and Economic Development Advisory Committee with an orientation on the Committee and its meetings, and on the Council/Committee Code of Conduct.
- b) **Mr. Joe Gallivan**, Director of Planning and Economic Development and **Ms. Sonya Bolton**, Manager of Community Planning provided the Planning Advisory Committee with an Introductory Briefing of the Planning and Economic Development Department.

Councillor Greenwood-Speers asked for the cost for Communal Services to the residents. Mr. Gallivan noted that researchers provided an estimate of \$150-\$200 dollars a month for well and septic services. He also provided the committee with the motion that was approved by County Council regarding the Municipal Service Corporation; 3 of the 4 townships have signed up to be apart of the MSC.

Councillor Fred Fowler asked about the benefits as a buyer to join a community with the Communal Services. Mr. Gallivan noted that there are long-term benefits for residents to join the communal services because they are more sustainable.

Councillor Fred Fowler asked about homelessness and will the EOWC "7 in 7" solve this problem. Mr. Pender noted that this will not fix the homelessness issue, but the 7000 homes will help with the issue which has over 30,000 people on the list.

Councillor Greenwood-Speers noted that waiting to revise the Frontenac Population, Housing and Employment projects may need to be updated sooner than 2025 as COVID greatly effected this issue and the numbers are out of date.

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

- a) **2023-043**  
**Planning and Economic Development Advisory Committee**  
**Open Farms 2023**

Moved By: Councillor Judy Greenwood-Speers

Seconded By: Councillor Fred Fowler

**Be it Resolved That** County Council endorses the direction and actions related to Open Farms outlined in Report 2023-043.

**And Further That** a proclamation be brought forward to Council in July proclaiming September 1 to October 15 as Open Farm Days.

**Carried**

Mr. Hage wanted to know if there were any costs incurred by the Farms to participate in Open Farms. Ms. Miller noted that the County does not receive any money from the farms to help with this event.

**b) 2023-044  
Planning and Economic Development Advisory Committee  
2022 Annual Business Survey Results**

This report was for information purposes only.

Councillor Judy Greenwood-Speers noted that we should be proactive in seeking out additional responses from people. Deputy Warden Smith noted that this is something we should bring to their respective councils to promote these surveys.

**c) 2023-045  
Planning and Economic Development Advisory Committee  
Business Retreat and Awards**

This report was for information purposes only.

**d) 2023-046  
Planning and Economic Development Advisory Committee  
Frontenac Discovery Guide**

This report was for information purposes only.

**e) 2023-047  
Planning and Economic Development Advisory Committee  
Frontenac Immigrant Entrepreneur Pilot Program**

This report was for information only. It is being shared with the committee for advice and input on the Frontenac Immigrant Entrepreneur Pilot Program.

**f) 2023-048  
Planning and Economic Development Advisory Committee  
Trailside Small Scale Business Initiative**

This report was for information purposes only and is intended to solicit feedback from the Committee.

Councillor Fred Fowler asked if we could promote the smaller villages between Verona and Calabogie instead of stopping in the larger rural centers. Mr. Allen noted that they will continue to promote the smaller villages to strengthen the economy.

Councillor Fred Fowler noted the conflict of motorized vehicles on the trail. Mr. Allen noted that he will be bringing a report to the committee regarding trail usage.

**g) 2023-049  
Planning and Economic Development Advisory Committee  
Visit Frontenac Tourism Brand Expansion Project**

This report was for information purposes only.

**9. Communications**

**10. Other Business**

**11. Next Meeting**

- a) The next meeting of the Planning and Economic Development Advisory Committee is scheduled for Wednesday, May 3, 2023 at 10:00 a.m. in the Township of South Frontenac.

**12. Adjournment**

Moved By: Councillor Judy Greenwood-Speers

Seconded By: Jim McIntosh

**That** the meeting hereby adjourned at 12:00 p.m.

**Carried**

# Draft Plan of Subdivision Application Proposed Sunbury Subdivision

Planning & Economic Development Advisory Committee  
May 3, 2023



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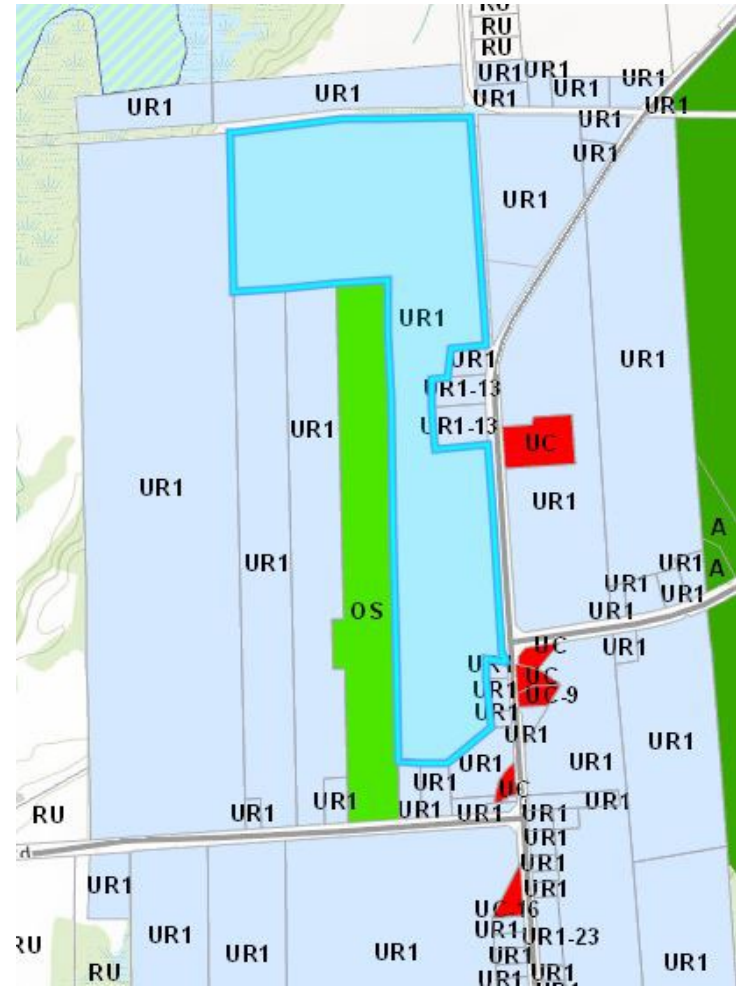
## Site Information

- 31.4 hectares (77.65 acres) in area
- 432.9 metres (1,420 feet) of frontage on Battersea Road
- Located in the Hamlet of Sunbury, Township of South Frontenac
- Designated in the Official Plan as a Settlement Area



# Zoning

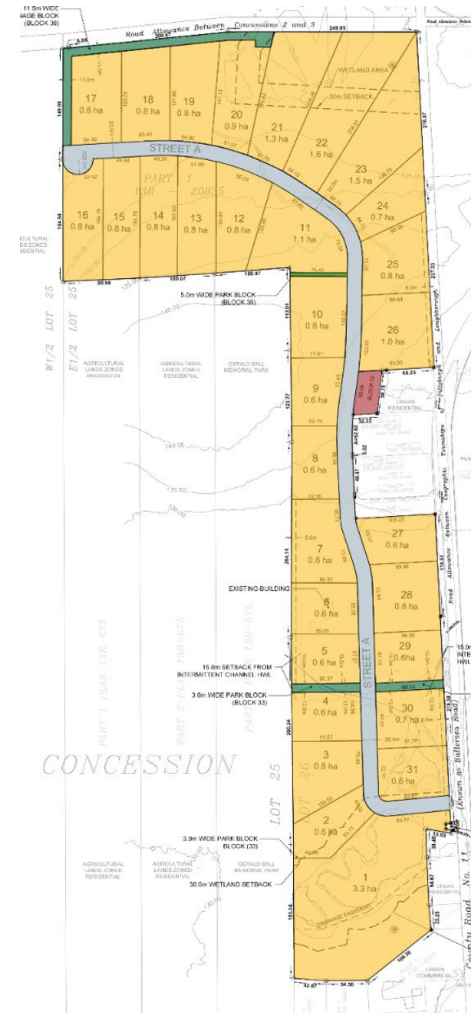
- Urban Residential – First Density Zone (UR1) in Zoning By-Law Number 2003-75
- Single detached dwellings are a permitted use
- Applicant is applying to the Township of South Frontenac for a site-specific zone to request relief from minimum lot area and minimum road frontage for some lots.



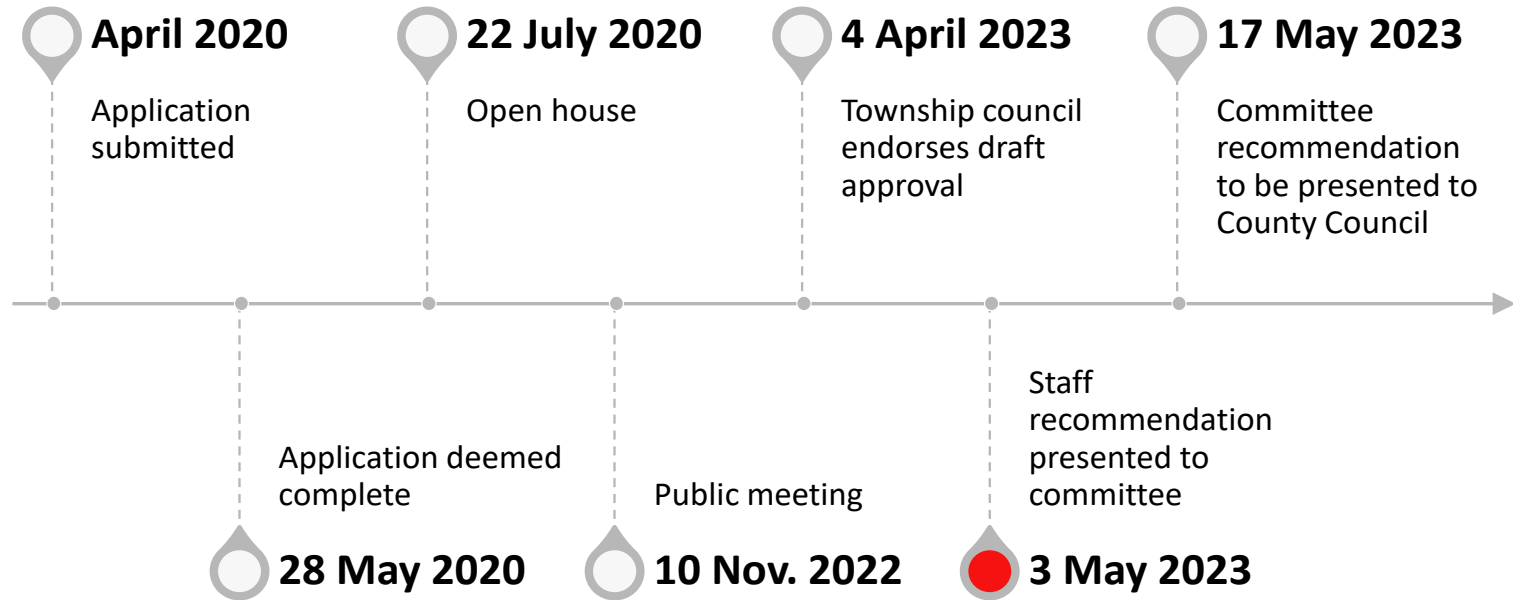
# Proposal

- Proposed draft plan of subdivision includes:
  - » 31 residential lots
  - » 5 blocks – walkway to park, drainage, and one potential lot addition
- New local road that will connect to the existing intersection of Battersea Road and Sunbury Road.

Image source: Fotenn Planning + Design



# Project Timeline



## Technical Studies Submitted

- Stormwater management report
- Terrain analysis
- Hydrogeological Assessment
- Natural Heritage Assessment & Addendums
- Traffic Impact Study
- Archaeological Assessment
- Planning Demonstration Report and Addendum



## Public Comments

- Farming and agriculture
- Proposed lots and houses
- Wells and septic systems
- Traffic and safety
- Green space, wetlands, and natural environment
- Unopened road allowance
- Stormwater management



## Draft Conditions

- Access (road and sidewalks; public walkway)
- Utilities and on-site works (easements for utilities and drainage; landscape plan; fencing)
- Cash-in-lieu of parkland dedication
- On-site sewage disposal and water systems, including further study about the ability to accommodate additional residential units
- Natural environment, including a tree preservation plan
- Lot grading and drainage plan; sediment and erosion control plan



## Conclusion & Recommendation

- Application is consistent with the Provincial Policy Statement, County Official Plan, and Township Official Plan
- Staff are satisfied that concerns raised to date have been adequately addressed for the purpose of draft plan approval.
- Staff recommend draft approval of the plan of subdivision, subject to the conditions outlined in the report.



Thank you  
Questions?



**Report 2023-059**

**Committee Recommend Report**

**To:** Chair and Members, Planning and Economic Development Advisory Committee

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

**Date of meeting:** May 3, 2023

**Re:** **Planning and Economic Development Department – Application for Draft Plan of Subdivision, 3863 Battersea Road (Sunbury), Township of South Frontenac (File Number 10T-2020/001)**

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**Recommendation**

**Whereas** an application was filed with the County of Frontenac for a Draft Plan of Subdivision located at Part of Lots 25 and 26, Concession 2, Geographic Township of Loughborough, in the Township of South Frontenac, in the County of Frontenac (municipally known as 3863 Battersea Road); and,

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

**Whereas** the application is consistent with the Provincial Policy Statement (2020), conforms to the Frontenac County Official Plan, conforms to the Township of South Frontenac Official Plan, and has been reviewed in accordance with the criteria of Section 51 (24) of the *Planning Act*.

**Therefore Be It Resolved That** the Planning and Economic Development Advisory Committee receive the Planning and Economic Development Advisory Committee – Application for Draft Plan of Subdivision, 3863 Battersea Road (Sunbury), Township of South Frontenac (File Number 10T-2020/001) report; and,

**Further That** the Council of the County of Frontenac approve File Number 10T-2020/001 for draft plan of subdivision, subject to the Draft Approval Conditions included with this report as Attachment 3.

### **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, and the statutory Public Meeting, as required by the *Planning Act*, was held virtually on November 10, 2022.

### **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).

The subject property is approximately 31.4 hectares (77.65 acres) in area with approximately 432.9 metres (1,420 feet) of frontage along Battersea Road. The property consists of cultivated fields and a forested area. There is a wetland and a watercourse/drainage ditch in the southern half of the property. There is another wetland in the northeast corner of the property. About two-thirds of the lands drain south towards Sunbury Road, while the other one-third drains north towards the second wetland. The property is currently developed with a single detached dwelling.

The subject property is surrounded by the following land uses:

- North: agricultural fields and residential uses
- East: residential uses, Battersea Road, fire station, commercial businesses
- South: residential uses, agricultural fields
- West: Township-owned park

### **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.

### **Supporting Documentation**

The final version of the draft plan of subdivision is dated June 7, 2022, and is included as Attachment 2 to this report. The following reports and corresponding addendums

were received and review by the County of Frontenac, as well as the Township of South Frontenac:

- a. Preliminary Stormwater Management Report, dated October 2021, prepared by Forefront Engineering Inc.;
- b. Battersea Road Culvert Memorandum, dated December 18, 2020, prepared by Forefront Engineering Inc.;
- c. Terrain Analysis, dated January 18, 2013, prepared by XCG Consultants Ltd.;
- d. Hydrogeological Assessment, dated January 14, 2021, prepared by BluMetric Environmental Inc.;
- e. Test Pit Logs, dated July 2020, prepared by BluMetric Environmental Inc.;
- f. Hydrogeological Memorandum, dated January 14, 2021, prepared by BluMetric Environmental Inc.;
- g. Response to Hydrogeology and Terrain Analysis Technical Review Comments, dated November 5, 2021, prepared by BluMetric Environmental Inc.;
- h. Response to Hydrogeology and Terrain Analysis Technical Review Comments, dated April 6, 2022, prepared by BluMetric Environmental Inc.;
- i. Natural Heritage Assessment, dated July 2, 2013, prepared by Ecological Services;
- j. Natural Heritage Assessment Addendum, dated February 14, 2019, prepared by Ecological Services;
- k. Natural Heritage Assessment Addendum, dated January 25, 2021, prepared by Ecological Services;
- l. Natural Heritage Assessment Addendum, dated November 4, 2021, prepared by Ecological Services;
- m. Traffic Impact Study, dated December 1, 2021, prepared by GHD;
- n. Stage 1 and 2 Archeological Assessment, dated January 2011, prepared by Cataraqui Archeological Research Foundation;
- o. Archeological Clearance Letter, dated December 20, 2013, prepared by the Ministry of Tourism, Culture and Sport;
- p. Planning Demonstration Report, dated April 6, 2020, prepared by Fotenn Planning + Design; and
- q. Additional Planning Rationale, dated January 26, 2021, prepared by Fotenn Planning + Design.

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

Please note that the Archeological Assessment is 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 Archeological 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.

## Comment

### Technical Review

The County retained Malroz Engineering to review the hydrogeological assessment and the Township of South Frontenac retained Groundwork Engineering Limited to review the terrain analysis. There was extensive discussion between all parties on the potential impact of the proposed development on the groundwater resource. Ultimately, both County and Township staff, as well as the peer review consultants, are satisfied with the assessments and conclusions of these studies for the purpose of draft plan approval.

The draft plan conditions in Attachment 3 to this report include conditions to implement the recommendations of the study reports. The study recommendations include well construction methods, lot grading, and a requirement for water treatment (i.e., filtration and disinfection, aesthetic parameters). The draft plan conditions also acknowledge the assumptions made in the terrain analysis regarding house size and outline considerations for larger dwellings and/or more bedrooms (e.g., additional terrain analysis, the use of alternate sewage treatment technologies). The draft plan conditions also require additional work to address how additional dwelling units will be accommodated within the subdivision.

The Township of South Frontenac retained Ainley Group to review the stormwater management report. Public Services staff at the Township and Cataraqui Conservation staff also reviewed the stormwater management report. All three groups, along with County staff, are satisfied that the report is adequate to support draft plan approval. The draft plan conditions in Attachment 3 include conditions requiring detailed engineering plans that will implement the stormwater management report (e.g., grading and drainage plan).

Ainley Group and Public Services staff at the Township also reviewed the traffic impact study. The draft plan conditions in Attachment 3 include conditions related to traffic control.

Cataraqui Conservation reviewed and were satisfied with the Environmental Impact Assessment (EIA) and EIA Addendum and have indicated that any natural hazards have been addressed adequately for the purpose of draft plan approval. The draft plan conditions in Attachment 3 include conditions requiring implementation of recommendations of the EIA and EIA Addendum. It should be noted that due to provincial *Bill 23, More Homes Built Faster Act, 2022*, the conservation authority is no longer able to review planning applications for natural heritage matters but is still responsible for commenting on matters related to natural hazards, including stormwater management. Cataraqui Conservation's review of this file was complete before Bill 23 came into effect; however, any draft plan conditions in Attachment 3 related to natural heritage features will have to be cleared by the Township of South Frontenac before final plan of subdivision approval is granted.

On April 4, 2023, the Council of the Township of South Frontenac passed the following resolution:

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Recommend Report to Planning & Economic Development Advisory Committee  
Application for Draft Plan of Subdivision, 3863 Battersea Road (Sunbury), Township of South Frontenac (File Number 10T-2020/001)  
May 3, 2023

Page 4 of 9

Application for Draft Plan of Subdivision 10T-2020/001 (Sunbury Subdivision),  
3863 Battersea Road

Resolution No. 2023-17-09  
Moved by Councillor Roberts  
Seconded by Councillor Morey

That South Frontenac Council recommend the County of Frontenac approve  
plan of subdivision application 10T-2020/001 subject to the conditions  
outlined in the Planning Report prepared by the Senior Planner and dated  
April 4, 2023.

Carried

### **Public Comments**

An Open House regarding the proposal was held virtually on May 28, 2020, and the  
statutory Public Meeting was held virtually on November 10, 2022.

The Sunbury subdivision proposal was the first of two public meetings held by the  
Planning Advisory Committee on November 10. During the second public meeting,  
County staff were made aware that a member of the public had been unable to  
participate in the Sunbury subdivision public meeting by phone. Once the second public  
meeting was complete, the Planning Advisory Committee reopened the public meeting  
for the Sunbury subdivision to hear the additional comments. The applicant and agent  
were not in attendance to hear the comments; however, the comments, minutes, and  
video recording were sent to them for their review. Following the committee meeting,  
County staff also circulated the link to the meeting recording to the email list of  
interested members of the public, indicating what had happened, and that the additional  
comments could be found at approximately the 54-minute mark of the video.

The recording of the meeting can be found online at the following link: [November 10,  
2022 meeting](#) and a copy of the minutes from the meeting have been included as  
Attachment 4 to this report

The County received several written submissions from members of the public, as well as  
verbal comments from the Open House and Public Meeting. Attachment 5 to this report  
summarizes the comments by theme and includes responses.

It is the opinion of planning staff that public comments received to date have been  
addressed adequately for the purpose of draft plan approval. The applicant/owner will  
have to address all conditions outlined in Attachment 3 in this report before applying for  
final plan of subdivision approval, which is required before any building permits can be  
issued.

### **Planning Analysis**

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

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Recommend Report to Planning & Economic Development Advisory Committee  
Application for Draft Plan of Subdivision, 3863 Battersea Road (Sunbury), Township of South Frontenac (File Number  
10T-2020/001)  
May 3, 2023

Page 5 of 9

## **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**

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 settlement area of Sunbury. This proposed development will create new residential housing within the settlement area of Sunbury and this housing will be in proximity to the services being offered in the settlement area. The proposed subdivision is also adjacent to a Township park.

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, sufficient for conditional draft plan approval. The draft plan conditions outlined in Attachment 3 will have to be fulfilled before the applicant can apply for final plan of subdivision approval.

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 EIA Addendum demonstrate that the proposed development will not have a negative impact on natural heritage features and areas. There is a wetland on Lot 1. There is also a wetland in the northeast corner of the subject property at the rear of Lots 20 to 23. All buildings and structures on these lots will need to be set back a minimum of 30 metres from the wetland. Further restrictions (e.g., no site clearing and tree clearing within 30 metres of the wetland) would be noted in the required subdivision agreement that will be registered on the title of these lots.

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. Conservation authorities are responsible for reviewing and ensuring that proposed development is consistent with the relevant natural hazard policies of the PPS. Cataraqui Conservation have indicated that all their comments have been adequately addressed for the purpose of draft plan approval and they have no further concerns. Cataraqui Conservation will be reviewing the detailed stormwater management design when the applicant applies for final plan of subdivision approval.

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 (2016)**

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

Section 3.2 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 settlement area of Sunbury 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, sufficient for conditional draft plan approval. The draft plan conditions outlined in Attachment 3 will have to be fulfilled before the applicant can apply for final plan of subdivision approval.

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 demonstrate that the proposed development will not have a negative impact on natural heritage features and areas. There is a wetland on Lot 1. There is also a wetland in the northeast corner of the subject property at the rear of Lots 20 to 23. All buildings and structures on these lots will need to be setback a minimum of 30 metres from the wetland. Further restrictions (e.g., no site clearing and tree clearing within 30 metres of the wetland) would be noted in the required subdivision agreement that will be registered on the title of these lots.

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 (2003)**

The subject property is designated as a Settlement Area (Hamlet of Sunbury) 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 31 residential lots, proposed to be developed with single detached dwellings, which are a permitted use.

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, sufficient for conditional draft plan approval. The draft plan conditions outlined in Attachment 3 will have to be fulfilled before the applicant can apply for final plan of subdivision approval.

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 the Sunbury subdivision 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 Number 2003-75**

The subject property is zoned as Urban Residential – First Density Zone (UR1) in Zoning By-Law Number 2003-75. The minimum lot area is 0.8 hectares (2 acres) and the minimum lot frontage is 76 metres (250 feet). The proposed 31 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).

As a condition of draft plan approval, the applicant will have to show that the proposed lots comply with the requirements of the zoning by-law. The applicant will be required to apply for a zoning by-law amendment to the Township of South Frontenac.

### **Conclusion**

The proposed draft plan conditions listed in Attachment 3 reflect comments from County staff, Township, staff, peer review consultants, Cataraqui Conservation, as well as recommendations from the study reports. Most of the conditions are standard draft plan of subdivision conditions. The subdivision agreement between the owner and the Township will be the main document to implement these conditions. The applicant and their agent have had the opportunity to review and comment on the draft plan conditions.

The application for draft plan of subdivision for Sunbury subdivision is consistent with the provisions of the *Planning Act* and the policies of the PPS and conforms to the policies of the Official Plans of both the County of Frontenac and the Township of South Frontenac. Therefore, staff recommend approval of the application, subject to the conditions outlined in Attachment 3 to this report.

### **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**

County of Frontenac, Planning and Economic Development Department  
Township of South Frontenac  
Cataraqui Conservation

### **Attachments**

1. Key Map
2. Draft Plan of Subdivision
3. Recommended Draft Plan Approval Conditions dated March 6, 2023
4. Planning Advisory Committee Minutes from November 10, 2022
5. Comment and Response Matrix – Public Comments





## **Sunbury Subdivision - Recommended Draft Plan Approval Conditions (March 6, 2023)**

### **Approved Draft Plan**

1. That this conditional approval applies to the Draft Plan of Subdivision, dated June 7, 2022 prepared and certified by Hopkins Chitty Land Surveyors Inc OLS, which shows the following:
  - a. Thirty-one (31) lots for single detached dwellings (Lots 1-31)
  - b. Four (4) park blocks (Blocks 33, 34, 35 and 36)
  - c. Neighbour lot addition (Block 32)
  - d. One street (Street A)

### **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 of the subject land.

### **Financial Requirements**

3. That the Owner shall reimburse the Township of South Frontenac and County of Frontenac for all legal, engineering, planning, administrative expenses and permit fees including the cost of any peer review that the Township of South Frontenac or County of Frontenac may require in relation to the development and the fulfillment of conditions.
4. 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.
  - a. Preliminary Stormwater Management Report, dated October 2021, prepared by Forefront Engineering Inc.;
  - b. Battersea Road Culvert Memorandum, dated December 18, 2020, prepared by Forefront Engineering Inc.;
  - c. Terrain Analysis, dated January 18, 2013, prepared by XCG Consultants Ltd.;
  - d. Hydrogeological Assessment, dated January 14, 2021, prepared by BluMetric Environmental Inc.;
  - e. Test Pit Logs, dated July 2020, prepared by BluMetric Environmental Inc.;
  - f. Hydrogeological Memorandum, dated January 14, 2021, prepared by BluMetric Environmental Inc.;
  - g. Response to Hydrogeology and Terrain Analysis Technical Review Comments, dated November 5, 2021, prepared by BluMetric Environmental Inc.;
  - h. Response to Hydrogeology and Terrain Analysis Technical Review Comments, dated April 6, 2022, prepared by BluMetric Environmental Inc.;
  - i. Natural Heritage Assessment, dated July 2, 2013, prepared by Ecological Services;
  - j. Natural Heritage Assessment Addendum, dated February 14, 2019, prepared by Ecological Services;

- k. Natural Heritage Assessment Addendum, dated January 25, 2021, prepared by Ecological Services;
  - l. Natural Heritage Assessment Addendum, dated November 4, 2021, prepared by Ecological Services;
  - m. Traffic Impact Study, dated December 1, 2021, prepared by GHD;
  - n. Stage 1 and 2 Archeological Assessment, dated January 2011, prepared by Cataraqui Archeological Research Foundation;
  - o. Archeological Clearance Letter, dated December 20, 2013, prepared by the Ministry of Tourism, Culture and Sport;
  - p. Planning Demonstration Report, dated April 6, 2020, prepared by Fotenn Planning + Design; and
  - q. Additional Planning Rationale, dated January 26, 2021, prepared by Fotenn Planning + Design.
5. That the Subdivision Agreement will require the Owner to agree that the Township may implement whatever measures it deems necessary to ensure orderly development of the plan of subdivision, including imposition of zoning holding provisions or 0.3 metre reserves.
  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 future sidewalk connection along the east side of the road allowance of Battersea Road from Sunbury Road north to 3910 Battersea Road. The amount of the financial contribution would 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.
11. That 0.3 metre reserves be established along Lots 27 to 31 where the lots abut the Battersea Road road allowance, and along the east side of the internal street (Street A) between Lot 26 and 27, 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 grant any easement as may be required for utility or drainage purposes to the appropriate authority.
13. 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.
14. 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.
15. 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 the internal street (Street A) near the entrance to the development at Battersea Road, or at an alternative location, if deemed necessary by Canada Post, to the satisfaction of Canada Post and the Township.
16. 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. That all servicing including Bell, Hydro, etc. be installed underground.
18. 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 31.
  - b. A planting area or screening buffer along the rear lot line for the residential lots abutting Battersea Road (Lots 27 to 31) 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. That the Subdivision Agreement shall require the Owner to install a page wire fence on the west side of Lot 17, and at the rear of Lots 17 to 20 to restrict access to Block 36 and the unopened road allowance.
20. 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**

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

### **On-site Sewage Disposal and Water Systems**

22. 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, appropriately sized 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, dated January 18, 2013, prepared by XCG Consultants Ltd assumed a total daily design flow of 2,900 L/day for each lot, and shall outline the required considerations for larger dwellings and/or more bedrooms, and/or additional dwelling units that exceed this total daily design flow (e.g. additional terrain analysis, the use of alternate sewage treatment technologies capable of reducing nutrients and requiring smaller loading areas).
23. That all requirements and recommendations specified in the Terrain Analysis, dated January 18, 2013, prepared by XCG Consultants Ltd.; Hydrogeological Assessment, dated January 14, 2021, prepared by BluMetric Environmental Inc.; Test Pit Logs, dated July 2020, prepared by BluMetric Environmental Inc.; Hydrogeological Memorandum, dated January 14, 2021, prepared by BluMetric Environmental Inc.; Response to Hydrogeology and Terrain Analysis Technical Review Comments, dated November 5, 2021, prepared by BluMetric Environmental Inc.; Response to Hydrogeology and Terrain Analysis Technical Review Comments, dated April 6, 2022, prepared by BluMetric Environmental Inc. and all associated drawings, shall be addressed to the satisfaction of the Township. Recommendations identified in these reports include the following:
- a. Construction of water supply wells, must as a minimum, comply with the specifications of Ontario Regulation 903. For example, finished grading shall be such that surface runoff in general and specifically in the vicinity of the septic beds is directed away from wellheads, and each well, including the existing test wells, shall be properly developed and upgraded to include a vermin proof cap.
  - b. Water supply wells should only be advanced to a depth where adequate flow is encountered as poorer quality water has been encountered at depth at this site and in the area in general.

- c. Water supply wells should be cased and sealed at least one metre into the sandstone bedrock. From existing wells this has been to a minimum depth of 12 mbgs (42 feet).
  - d. The white sandstone formation appears to produce the highest quantity and quality of groundwater in the area. Casing to this formation is recommended to isolate it as the water supply. Shallower and deeper formations have yielded poor water quality.
  - e. All water supply systems should have treatment systems which include disinfection and any pre-disinfection filtration required as determined by the treatment system designer.
  - f. Quality of water from supply wells should be monitored and treated as necessary and that appropriate disinfection treatment be included in any drinking water system.
  - g. Include notice to purchasers about sodium concentrations (for people with low sodium dietary requirements).
  - h. Future homeowners should have newly constructed wells be pumped for a minimum of 12 hours after construction to ensure adequate well development and to reduce groundwater turbidity and colour to acceptable levels prior to connection to the residence's plumbing system.
  - i. Homeowners should complete regular well inspections to ensure the well is consistently maintained to meet the requirements of Ontario Regulation 903. The inspection should verify the well cap is firmly in place, that no ground settlement or erosion has developed around the well casing and should verify there is no potential sources of contamination near the well, such as downspouts directing water towards the well, seasonal ponding in the vicinity of the well or the presence of animal wastes where the well location.
24. 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.
25. That prior to the Township considering an application for zoning by-law amendment for the Plan of Subdivision, the Owner shall provide a final version of the hydrogeological assessment and terrain analysis, which addresses how additional dwelling units will be accommodated within the subdivision based on the most recent nitrate assessment (BluMetric Environmental, dated April 6, 2022). If additional dwelling units can be accommodated in the subdivision, then the Owner shall provide parameters and criteria about how additional dwelling units are to be addressed on a property-by-property basis at the building permit stage, so that this can be captured in the zoning, through the use of a holding symbol, if necessary.
26. That the Subdivision Agreement shall include any conditions necessary to implement recommendations of the final version of the hydrogeological assessment and terrain analysis as well as of any subsequent peer and technical reviews required to fulfill condition 25 relative to additional dwelling units.

## Natural Environment

27. That the recommendations of the Natural Heritage Assessment, dated July 2, 2013, Addendum dated February 14, 2019, Addendum, dated January 25, 2021, and Addendum, dated November 4, 2021, prepared by Ecological Services be addressed to the satisfaction of the Township, and be implemented through appropriate provisions in the Subdivision Agreement. The recommendations include:
- a. Silt barriers to be employed between construction areas and wetland vegetation.
  - b. Tree clearing for the purposes of development (e.g., site clearing) must take place outside of the bird breeding and nesting seasons (mid-April to mid-August) to avoid contravening the *Migratory Birds Convention Act*.
  - c. Attempt to minimize tree loss.
  - d. Maintenance of lands within 30 metres of the black ash swamp on Lots 20 to 23 as a natural, undisturbed area (except for the removal of dead trees outside of the bird breeding season (April 15 to August 15)).
  - e. Maintenance of wetland vegetation and wetland edge vegetation (i.e., within 30 metres of the wetland) on Lot 1 as a natural, undisturbed area, except for a driveway which can be 15 metres from the wetland.
28. That a tree preservation plan shall be completed and approved to the satisfaction of the Township, and be implemented through appropriate provisions in the Subdivision Agreement.

## Stormwater

29. That a lot grading and drainage plan and a sediment and erosion control plan shall be completed and approved to the satisfaction of the Township and the Cataraqui Region Conservation Authority (CRCA), and be included in the Subdivision Agreement between the Owner and the Township.
30. That a final stormwater management report and plan shall 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, including any access and maintenance requirements, be included in the Subdivision Agreement.
31. 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 watercourse alterations, as well as for rough grading, stockpiling, road construction, etc. within 30 metres of the wetland, and within 15 metres of the floodplain of the watercourse on the subject property.
32. That the Subdivision Agreement shall include a provision providing that any purchaser of Lots 1, 2, 4, 5, 20 to 23, and 29 to 31 (based on June 7, 2022 Draft Plan) 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**

33. Walkways shall be provided in Blocks 33 and 35 as shown on the approved draft plan. The walkways shall be of a width and material to the satisfaction of the Township. It shall be ensured that any relocation of a walkway is to the satisfaction of the Township.

#### **Human Remains and Archaeological Resources**

34. 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 Policy (OPP), the Ministry of Heritage, Sport, Tourism and Culture, and the Registrar or Deputy Registrar of the Cemeteries Unit of the Ministry of Consumer Services (or the applicable agencies at the time of final approval).
- 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  
email: algonquins@tanakiwin.com

#### **Revisions to Draft Plan**

35. 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**

36. 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.

37. 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**

38. That where the Owner proposes to proceed with the construction of a model home(s) prior to registration of the Plan, the model home(s) shall comply with the Zoning By-Law and 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**

39. 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.

40. 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.

41. 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**

42. 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.

43. 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.



# FRONTENAC

## Minutes of the Planning Advisory Committee Meeting November 10, 2022

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A meeting of the Planning Advisory Committee was held in virtual electronic format, hosted at the County Administrative Office, 2069 Battersea Road, Glenburnie on Thursday, November, 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)  
Brianna McEathron, Executive Assistant  
Joe Gallivan, Director of Planning and Economic Development  
Sonya Bolton, Manager of Community Planning

**1. Call to Order**

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

**2. Adoption of the agenda**

Moved By: Ms. Sproule  
Seconded By: Ms. Henderson

**That** the agenda for the November 10, 2022 meeting of the Planning Advisory Committee be adopted.

**Carried**

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

There were none.

#### 4. Adoption of Minutes

##### a) Minutes of Meeting held October 11, 2022

Moved By: Councillor Smith

Seconded By: Ms. Henderson

**That** the minutes of the Planning Advisory Committee meeting held October 11, 2022 be adopted.

**Carried**

#### 5. Public Meeting Reports to the Planning Advisory Committee

##### Public Meeting Introduction

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

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

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

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

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

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

Councillor Vandewal explained the purpose of the public meeting.

Ms. Brianna McEathron, Executive Assistant and Recording Clerk, announced that pursuant to 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](#).

Councillor Vandewal 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 history of the application, along with the path moving forward. She then introduced Mr. Michael Keene, Fotenn Planning and Design who provided an overview of the proposed application for Plan of Subdivision. A copy of his presentation was attached to the agenda.

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

Warden Doyle noted the correspondence dated November 8 which was included in the agenda regarding the wells and asked if this correspondence has been reviewed by staff and the applicant. Ms. Bolton indicated this correspondence has been shared with both the Committee and the applicant and this, along with the questions and comments being raised today will be reviewed by staff and addressed in the comprehensive report which will come back to the Committee at a later date. In terms of the concerns, Mr. Keene noted there are a few lots where the septic tank is higher than the well. When designing these lots a hydrogeologist provided expertise and this will also go through a peer review with the County's hydrogeologist. The wells on these lots have a significantly greater distance from the septic systems than the other lots, more than doubling the required setbacks. There is a list of issues that will be addressed with staff.

Councillor Vandewal asked if there is parkland in the subdivision or will the municipality just take the cash in lieu given the proximity of an existing park. Mr. Keene indicated it makes more sense for this development to contribute cash to the municipality.

Ms. Judy Greenwood-Speers asked why this development is being done on well and septic as opposed to communal services. Ms. Bolton noted that the Municipal Service Corporation (MSC) for communal services has not yet been approved. At the time the application was deemed complete, the only option for the development was well and septic. To change this now would require a considerable amount of time and expense to the applicant. Mr. Keene confirmed this and reiterated that many technical experts are involved in this application.

Mr. Albert Moreland stated he has no objection to the subdivision however has concerns that he is an established farm and that homeowners may have complaints and may wish to alter his farming world. Ms. Bolton stated that normal farm practices are protected under provincial legislation. These would be nuisance complaints but would not be enforced. Cultural practices were taken into consideration when the design was being developed.

Ms. Dana Beattie asked that she be provided with a copy of the decision and the minutes.

Councillor Vandewal 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.

The public meeting concluded at 10:31 am.

Ms. Brianna McEathron, Executive Assistant and Recording Clerk advised the Chair at 10:53 am that a member of the public who had called in was not able to raise their hand during the meeting. As such, the public meeting re-opened at 10:53 to consider the below public comments. The Applicant and Mr. Keene were not in attendance to hear the comments; however the comments and minutes will be sent to them for response to be included in the comprehensive report.

Mr. Adam Voith of 4675 Battersea Road stated that he is speaking on behalf of his father, Mr. Michael Voith, 3207 Randy Clark Road who is an adjacent land owner and requested that a copy of the minutes be sent to him. Mr. Voith addressed 2 issues, the first being storm water management. He noted that the proposed revised report still utilizes several incorrect types of service pipes which creates run off. He also noted that the developer has used satellite imagery and asked what year this imagery was obtained as a large number of trees had been cut down since 2009 which leaves the land bare. He feels that the applicant needs to review the issue of service pipes and surface run off. There have been flooding issues in the northern portion of the property due to the tree cutting and they have had to put in drainage tiles and he doesn't see from the design being presented, how this will improve as nowhere does it show that the nearby wetlands have the capacity to accommodate this additional run off. There is currently seasonal flooding every year and with the design being proposed a lot of the run off flows into the wetland and he doesn't see that their solution improves the process. With regards to storm water management, the plan indicates that individual land owners are responsible for maintaining ditches but this will lead to a high risk of failure. This should be a township responsibility so budgeting and maintenance requirements need to be taken into consideration by the township. He reiterated that this problem has been made worse by the tree cutting that occurred in 2009 so they need to go back and propose a different solution.

Mr. Voith also noted concerns around fencing and feels there needs to be fencing requirements along the property line between the subdivision and his father's lands in order to delineate the subdivision and the farm to avoid anyone moving out there going

onto a farmers field, specifically with ATV's and trampling crops. He also felt that it should be the responsibility of the developer and that potential homeowners should be made aware that they would be responsible for 50% of the cost of future fence maintenance.

The public meeting concluded at 11:02 am.

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

Councillor Vandewal explained the purpose of the public meeting.

Ms. Brianna McEathron, Executive Assistant and Recording Clerk, announced that pursuant to 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.

Councillor Vandewal 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 administrative amendments to the Official Plan Amendment of the County of Frontenac Official Plan which address Bills 13 and 109. A copy of her presentation is attached to the record in the Clerk's Office.

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

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

Concerns were raised by Councillor Smith that this could present a deterrent for potential applicants who want zoning or official plan changes, Ms. Bolton noted that staff always try to work with individuals to ensure they present the best application, and they would be advised upfront if the request was not viable. With these timelines that the province has now put in place, we no longer have the time to do the back and forth once an application is submitted and deemed complete, so we will now have that back and forth conversation prior to getting into the formal application process. If technical reviews will be done in advance of an application being deemed complete, the County and Townships will need to update their fee by-laws to start charging for the pre-application process. For larger applications, we could require that the applicant hold an open house prior to an application so that they can provide their initial proposal to

the public. That way, by the time we get to the complete application and formal public meeting, there should be no concerns.

Ms. Judy Greenwood-Speers noted that the County posts advertisements in just the Frontenac News and its website and this is insufficient as Marysville will be greatly affected by this. 81% are opposed of what is coming down and there seems to be a lack of effort. There needs to be an aggressive effort of educating the public on these bills. 81% are opposed to the Marysville secondary plan so we need to up our game.

Councillor Vandewal asked that any person who wishes to receive notice of the adoption of the proposed Official Plan Amendment, should give their full name, address and postal code to the Clerk prior to leaving the meeting.

The public meeting concluded at 10:53 am.

The Committee now re-opened the Public Meeting regarding the Sunbury Subdivision, 3863 Battersea Road, Township of South Frontenac to accommodate a member of the public who had telephoned into the meeting and was unable to raise his hand to speak.

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

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

Moved By: Councillor Smith

Seconded By: Warden Doyle

**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.

**Carried**

## **7. Communications**

Warden Doyle made a statement that this has been a good Committee and thanked staff for their hard work. He noted that the County of Frontenac is leading Ontario on Communal Services.

**8. Next Meeting**

**9. Adjournment**

Moved By: Ms. Sproule

Seconded By: Ms. Henderson

**That** the meeting hereby adjourn at 11:05 a.m.

**Carried**

## Public Comments – Comment & Response Matrix

### Draft Plan of Subdivision Application Sunbury Subdivision (File Number 10T-2020/001)

Comment or Question	Response
<p><b>Farming and Agriculture</b></p> <p>a. Shouldn't the subject land be retained for farming?</p> <p>b. How will the new subdivision affect other existing farming operations in the area? Concerns were expressed about trespass on to farm properties by all-terrain vehicles (ATVs) and nuisance complaints about normal farm practices (e.g., odours and dust).</p>	<p>a. The subject property is in the Hamlet of Sunbury, which is identified as a Settlement Area in the South Frontenac Official Plan. The Provincial Policy Statement (PPS) directs future growth to locate within existing Settlement Areas. Minimum Distance Separation (MDS) formulae for setbacks between livestock facilities and sensitive uses such as residences, is not required for lands situated in a Settlement Area,</p> <p>b. Draft Approval Condition Number 19 requires the owner to provide fencing to the west side of Lot 17 and the rear of Lots 17 to 20. The County and the Township cannot control complaints that may be received, but any farmer operating under Normal Farm Practices as defined by the province does not have to alter their agricultural practices.</p>
<p><b>Proposed Lots and Houses</b></p> <p>a. What are the lot sizes? What size of houses are proposed? What are the other blocks of land for?</p> <p>b. What is proposed doesn't look like it complies with the zoning by-law.</p> <p>c. The proposal seems to lack a mix of housing types and affordability. Will there be any rental units?</p>	<p>a. The 31 residential lots 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). The studies for the wells and septic systems (hydrogeology report and terrain analysis) were done for residential units of up to four bedrooms. Blocks 33 through 36 are for access, while Block 32 is for a potential addition to a neighbouring lot.</p> <p>b. Draft Approval Condition Numbers 36 and 37 require the owner to prove that the proposed lots meet the requirements of the zoning by-law.</p>

Comment or Question	Response
	<p>The owner will need to apply to the Township of South Frontenac for a zoning by-law amendment.</p> <p>c. Development on private wells and septic systems makes it difficult to promote other forms of housing. Draft Approval Condition Number 25 requires the owner to undertake further hydrogeological work to determine if the proposed lots are capable of supporting additional residential units.</p>
<p><b>Wells and Septic Systems</b></p> <p>a. Who is responsible for monitoring and testing wells in the new subdivision?</p> <p>b. Concerns were expressed by several residents about water quality, including that some of the proposed wells appeared to be located at a lower elevation than some of the septic systems.</p>	<p>a. Once constructed, the subdivision will function the same as any other rural residential development, with each homeowner responsible for their own well and septic system.</p> <p>b. Those wells shown at a lower elevation than a septic system have had a greater setback applied. The subdivision agreement can specify that wells in proximity to farm fields where manure is spread be required to drill wells with casings that extend to a depth of more than 6 metres or meet or exceed a 15-metre minimum horizontal separation distance from sources of contaminants. It is the opinion of County staff that all technical concerns related to the hydrogeological report and terrain analysis have been addressed adequately for the purpose of draft plan approval. Any outstanding issues will be addressed by the owner through the Draft Approval Conditions in Attachment 3.</p>
<p><b>Traffic</b></p> <p>Concerns were raised early in the process about traffic volume, pedestrian safety, the location of the entrance, and the impact on the intersection.</p>	<p>The property was subject to two consent applications in 2012. One of the conditions of approval of 3917 Battersea Road (across from the Storrington Community Centre) was that the southern portion of the lot be reserved for a</p>

Comment or Question	Response
	<p>potential second roadway into the subdivision. Township staff reviewed this matter further as part of the draft plan application. While they acknowledge that a second emergency entrance would be beneficial, the location of the entrance creates concerns from a pedestrian and vehicular safety perspective and was not pursued for this development. It was also determined that a sidewalk should be located on the east side of the road, and pedestrians should be encouraged to cross Battersea Road at the Sunbury Road intersection.</p> <p>Concerns raised to date have been adequately addressed in the technical work with the Traffic Impact Study to the satisfaction of the County for the purpose of draft plan approval. Any outstanding issues (e.g., traffic control signage) will be addressed by the owner through the Draft Approval Conditions in Attachment 3.</p>
<p><b>Green Space, Wetlands, and the Natural Environment</b></p> <p>Concerns were expressed over the loss of green space and wildlife habitat and impact on the wetland at the south end of the property.</p>	<p>As noted above, the subject property is in a Settlement Area, which is noted by the Province, the County, and the Township, as an area for growth and development. The Environment Impact Assessment (EIA) and EIA Addendum demonstrated that the proposed development would not have a negative impact on natural heritage features and areas. There is a wetland on Lot 1, as well as in the northeast corner of the subject property at the rear of Lots 20 to 23. All buildings and structures on these lots will need to be set back a minimum of 30 metres from the wetland. Further restrictions (e.g., no site clearing and tree clearing within 30 metres of the wetland) would be noted in the required subdivision agreement which would be registered on the title of these lots.</p>
<p><b>Unopened Road Allowance</b></p>	<p>The unopened road allowance is owned</p>

Comment or Question	Response
<p>There is an unopened road allowance at the north end of the subject property that separates Concessions 2 and 3. A question was received about what was to happen with this road allowance in the future.</p>	<p>by the Township and there have been no requests to close it. It is not part of the proposed subdivision. One of the proposed conditions of draft plan approval is to require a page wire fence along the rear lot lines of Lots 17 to 20 to restrict access to the drainage block and the unopened road allowance.</p>
<p><b>Stormwater Management</b></p> <p>The County received detailed questions about stormwater management and drainage for the proposed subdivision. These questions have been listed below, with responses provided by the applicant's engineer (sub-sections a through f).</p> <p>a. The Stormwater Management Report overgeneralizes the soil type for the subdivision. The terrain analysis identifies several soil types in the proposed subdivision, but only silty clay loam is used whereas in water catchment areas E1 and E3, large areas of clay are present.</p> <p>b. The surface cover types used in the Stormwater Management Report are incorrect for E1, E2 and E3. There are large percentages described as "bare" when in fact this is arable land currently used for agriculture. Over the years these fields have been used for hay/alfalfa, oats, barley and soybeans. The arable land has not been left bare. Likewise, parts of E1, E2 and E3 were heavily forested with a good cross section of mature to young trees. As part of the subdivision development, the proponent has cut most of the trees leaving exposed bedrock. The original state is not what is present today.</p> <p>c. The issues raised [above] result in the</p>	<p>a. A generalization of the soil type is typical of a site of this nature. Further to this, the XCG report notes that the grain size analysis for the site is reasonably consistent and made up of silty clay and sand with traces of gravel. The model uses infiltration parameters for silty clay loam and is a conservative estimate and approximation for the area. Note, the soil parameters effect on runoff is only relevant for low depth storms and would be negligible on higher depth storms, i.e., it would not affect the storage required for the 100-year event.</p> <p>b. It is correct that the northwest corner of E1 includes arable land currently used for agriculture. However, from the imagery large portions of E1, E2 and E3 are forest covered and/or bare with exposed bedrock. Imagery dated from several years past is used to estimate the pre-development land use. Up to 40% of the land use in E1 and E2 is described as grass covered which covers arable land.</p> <p>c. Note, the differences of imperviousness between bare land and arable land have negligible changes on the pre-development peak flow as the difference in imperviousness between the two surface types is 1.0%. As an example, if 100% grass cover land use is input</p>

Comment or Question	Response
<p>over-estimation of pre-development runoff. This can be clearly demonstrated utilizing table 3.1 of the Ontario Government Stormwater Management Planning and Design Manual: Environmental Design Criteria. We know that subdivisions create more surface runoff and therefore require mitigation measures to limit the impact. By over-estimating predevelopment runoff and comparing it with high levels of post development runoff, the proponent will show that there is only minor difference between predevelopment and post-development runoff and can therefore minimize runoff mitigation measures.</p> <p>d. From our perspective, lining the north boundary with check dams does nothing to mitigate surface water runoff from spilling into our field. The check dams will slow the water flow which will percolate through the check dam into our field. This will make the field wet for a longer period of time. Instead of being able to crop the field in April/May, the field will remain wet until May/June each year. Without proper drainage, we will experience wet fields longer and our farming operation will be penalized with lower crop production.</p> <p>e. The increase in surface runoff will increase flooding in the wetland to the north. Outlet 2 on the east side of Battersea Road is only a six-inch tile drain which will not allow for the quick removal of excess water. The ditches along Randy Clark Road abruptly end and do not continue to Battersea Road. Every spring the ditches are full of water and houses experience water issues because the water cannot drain quickly. The construction of the</p>	<p>into the stormwater model the resulting peak flow would change from 0.41 metres cubed per second to 0.40 metres cubed per second.</p> <p>d. Enhanced swales with rock check dams in the context of rural subdivisions is a proven technique utilized in numerous subdivisions in the CRCA jurisdiction for quality and quantity control. The enhanced swales are to be designed with the major flow high water level contained within the swale and will include 0.3 metres of freeboard.</p> <p>e. Flows discharging offsite will be at or below pre-development levels and will not impact the existing situation.</p> <p>f. Long term maintenance recommendations, including regular inspections and removing sediment buildup are the responsibility of the Township. Short term maintenance including weed control and grass cutting can be expected to be carried out by the homeowner, however, it is ultimately the responsibility of the Township.</p> <p>Concerns raised to date have been adequately addressed by the applicant in the technical work to the satisfaction of the County for the purpose of draft plan approval. Any outstanding issues will be addressed by the owner through the Draft Approval Conditions in Attachment 3, including the preparation of a detailed stormwater management design that will be submitted when the applicant applies for final plan of subdivision approval.</p>

Comment or Question	Response
<p>subdivision will increase the post development runoff and will exacerbate the problem. To solve this, more extensive drainage measures need to be put in place on the north part of the subdivision, along Randy Clark Road and outlet 2.</p> <p>f. The Stormwater Management Plan makes specific recommendations for the yearly maintenance of the drainage control measures and for their reconstruction in future years. The report suggests that the lot owners will perform routine maintenance work yearly and rebuild drainage infrastructure as required. We do not agree with the maintenance recommendations as not all lot owners will perform the routine maintenance or rebuild the drainage infrastructure as needed. This function needs to be maintained and budgeted for by South Frontenac Township.</p>	