

**TOWNSHIP OF SOUTH FRONTENAC
COMMITTEE OF THE WHOLE MEETING
AGENDA**

TIME: 7:00 PM,
DATE: Tuesday, September 8, 2015
PLACE: Council Chambers.

1. Call to Order
2. Declaration of pecuniary interest and the general nature thereof
3. Scheduled Closed Session - n/a
4. ***Recess - reconvene at 7:00 p.m. for Open Session - n/a
5. Delegations
 - (a) Budget Delegations - No requests to speak received 3 - 4
 - (b) Compass Energy - Roof Top Solar Project for Loughborough Public School
 - (c) Hina Shahzadi, Abundant Solar, re: 3090 Forest Road 5 - 15
 - (d) Michelle Foxtan - Hartington Subdivision 16 - 18
 - (e) Charlie Lafarge - Hartington Subdivision - re: McIntosh Perry Study see 9d)
6. Reports Requiring Action
 - (a) Lindsay Mills, Planner, re: Review of Comments from the Public Meeting - Hartington Subdivision, Concession VII, Part Lot 7 19 - 28
 - (b) Lindsay Mills, Planner, re: Official Plan - REview of Comments from Public Meeting 29 - 159
 - (c) Lindsay Mills, Planner, re; Proposal to name a Private Lane, Part Lot 16, Concession III 160 - 162
 - (d) Wayne Orr, Chief Administrative Officer, re: Procedural By-law 163 - 185
7. Reports for Information
8. Rise & Report
 - (a) County Council
 - (b) Arena Board
 - (c) Police Services Board
9. Information Items
 - (a) Sherry Vivian, re: Fireworks 186

- | | | |
|-----|---|--------------|
| (b) | Ann Barlow, re: Fencing concerns along Stagecoach Rd | 187 -
188 |
| (c) | Peter Tregunno, President, Ottawa Bicycle Club, re: response to Council's concerns | 189 |
| (d) | Michelle Foxtton, re: Hydrogeological Review on Proposed Hartington Subdivision | 190 -
194 |
| (e) | Kingston Frontenac Public Library , re: Request to proclaim October as Canadian Library Month | 195 |
| (f) | Letter to Premier, re: Council's decision on Collins Lake Solar LP | 196 |
| (g) | Joint Lake Association Meeting Minutes of August 20, 2015 | 197 -
199 |
| (h) | Conservation Authority Act Review - Municipal Sessions | 200 -
202 |
| 10. | <u>New Business</u> | |
| 11. | <u>Closed Session (if requested)</u> | |
| 12. | <u>Adjournment</u> | |

From: David Townsend [<mailto:david.townsend@sfcsc.ca>]
Sent: August-20-15 5:11 PM
To: Wayne Orr <worr@southfrontenac.net>
Subject: September 8 Council

Hello Wayne.

Would you be so kind as to share this e-mail with the Township of South Frontenac Mayor and Councillors during the deliberation meeting of September 8, 2015? Let me know if I can or should be more specific.

I would like to start by saying, on behalf of Southern Frontenac Community Services and the seniors we serve, thank you to the Township of South Frontenac for their support of our programs and services that allow many seniors to reside in their own homes in our Township later and longer in life. Without this support, many would be either placed into long term care homes or become an unmanageable burden to their caregivers and loved ones.

The same holds true for the low income population we serve. Well over 200 households utilize the SFCSC Food Bank and financial assistance programs on an annual basis and again, without the support of our Township, many of these people would either be homeless or having to relocate away from our Township. So, thank you for your ongoing support.

This past year, the Township provided Southern Frontenac Community Services with a grant in the amount of \$10,000. This has enabled the Agency to cover its property tax bill as well as launch a Hot Meals on Wheels program, which is providing over 40 seniors a hot lunch time meal once every week. The cost for the meal is approximately \$17.50, delivery included and while the clients all pay \$7, the funding difference comes from support such as the Township's. There are several other programs that also benefit from the Township support but most importantly, it is our community residents who derive the biggest benefit.

As Southern Frontenac Community Services looks ahead, there are several exciting projects on the horizon, from a physical expansion of the Grace Centre to the possibility of using the one acre lot to create affordable housing for seniors to creating decentralized facilities to expand programs and services throughout the Township and into all four Districts. It is in the continued growth and development of new programs and services where we anticipate sharing more successes and continued partnership with the Township and Council.

On behalf of the Agency, we again thank everyone at the Township and our Council for your continued support and vision looking ahead.

All the best.

David.

David Townsend
Executive Director
Southern Frontenac Community Services Corporation (SFCSC)
P.O. Box 43
Sydenham, ON K0H 2T0

613-376-6477, EXT 301

613 – 376-6734 (fax)

1-800-763-9610

www.sfcsc.ca

SFCSC's Enhancement Campaign

Enabling, Enhancing, Enriching Lives

<http://www.sfcsc.ca/enhancementcampaign>

Click on the icons below to visit us online



ABUNDANT Solar Energy Inc.
 Suite 900, 2235 Sheppard Ave E,
 Toronto, ON M2J 5B5
 Tel: 1 416 494 9559
 www.abundantsolarenergy.com

From: Hina Shahzadi
 ABUNDANT Solar Energy Inc.
 Date: August 25, 2015

To: Wayne Orr
 Address: Chief Administrative Officer, Township of South Frontenac

Re: Municipal Support Resolution for Small FIT Solar Projects

SFF Solar (2015) Ltd., as an SPV owned by the Solar Flow-Through Limited Partnership (SFF), is planning on submitting applications for FIT 2015 contracts during the IESO/OPA's application window. As such, we are formally requesting Municipal Council Support, in the forms attached per IESO requirement, from the Township of South Frontenac for the applications. We are submitting applications to build Solar Ground Mount projects on the following properties, in the corresponding size.

Land Address	City / Town	PIN	Postal Code	Project Size (AC)
3090 Forest Road	South Frontenac	36277-0318	K0H 1V0	500 kW

We have attached detailed information as required for your review:

- Municipal Council Support Resolution Form and Conformation
- Schedule A: - Project Address, location, Legal Description and PIN
 - CLI Map
 - Zoning Map
 - Site Plan

Abundant Solar Energy Inc., as an agent of SFF, is a solar photovoltaic (PV) development company. It has more than 300 solar projects under development. Our head office is in Toronto with field staff located across Ontario. We lease non-agricultural small land parcel from your residents for the small FIT Solar program. We also employ local residents for the development, construction and maintenance for the project for 20 years.

Thank you for your consideration in this matter. For any questions, please feel free to contact me.

Sincerely,

Hina Shahzadi

A handwritten signature in blue ink, appearing to read "Hina Shahzadi", written over a horizontal line.

Financial Controller

Mobile: 647-909-3462

Email: hina.shahzadi@abundantsolarenergy.com



FEED-IN TARIFF PROGRAM

WRITABLE FORM

120 Adelaide Street West, Suite 1600
Toronto, Ontario M5H 1T1
T 416-967-7474
F 416-967-1947
www.ieso.ca

TEMPLATE: MUNICIPAL COUNCIL SUPPORT RESOLUTION

Section 5.1(g)(i) of the FIT Rules, Version 4.0

Page 1 of 1 Apr 2015 IESOMRD/f-FIT-010r2

1	Resolution number: _____ Date resolution was passed: _____	FIT Reference Number: _____ <i>(The FIT Reference Number must be inserted by the Applicant in order for the resolution to comply with the FIT Rules, even where Local Municipality letterhead is used. This is not to be inserted by the Local Municipality.)</i>
----------	---	--

2

[WHEREAS] capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 4.0.

[AND WHEREAS] _____ SFF Solar (2015) Ltd. (the "Applicant") proposes to construct and operate a _____ Non-Rooftop Solar PV Project _____ (the "Project") on _____ 3090 Forest Road (PIN: 36277-0318) _____ (the "Lands") in _____ Township of South Frontenac _____ under the province's FIT Program;

[AND WHEREAS] the Applicant has requested that Council of _____ Township of South Frontenac _____ indicate by resolution Council's support for the construction and operation of the Project on the Property.

[AND WHEREAS] pursuant to the FIT Rules, Version 4.0, Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other Persons applying for FIT Contracts;

[NOW THEREFORE BE IT RESOLVED THAT]

Council of the _____ Township of South Frontenac _____ supports the construction and operation of the Project on the Lands.

This resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project, or for any other purpose.

3

Signed: _____	Signed: _____
Title: _____	Title: _____
Date: _____	Date: _____

(Signature lines for elected representatives. At least one signature required.)



FEED-IN TARIFF PROGRAM

WRITABLE FORM

120 Adelaide Street West, Suite 1600
Toronto, Ontario M5H 1T1
T 416-967-7474
F 416-967-1947
www.ieso.ca

PRESCRIBED FORM: MUNICIPAL COUNCIL RESOLUTION CONFIRMATION

Section 3.8(g) and 5.1(g)(i) of the FIT Rules, Version 4.0

Page 1 of 2 Apr 2015 IESOMRD/f-FIT-012r2

1	Resolution number: _____ Date resolution(s) was passed: _____	FIT Reference Number: _____ <i>(The FIT Reference Number must be inserted by the Applicant in order for the resolution to comply with the FIT Rules.)</i>
----------	--	--

2	Capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 4.0. I am the/an _____ of the _____ Township of South Frontenac (the "Municipality"), and have the delegated authority to provide this confirmation on behalf of the Municipality and without personal liability.
----------	--

3	_____ SFF Solar (2015) Ltd. (the "Applicant") proposes to construct and operate a <i>(This must be the same Applicant (i.e., same name) as stated in the Municipal Council Support Resolution or Land Use Restriction Exemption Resolution provided as attached)</i> _____ Non-Rooftop Solar PV Project (the "Project") on <i>(This must be the same description as stated in the Municipal Council Support Resolution or Land Use Restriction Exemption Resolution provided as attached)</i> _____ 3090 Forest Road (PIN: 36277-0318) (the "Lands") in the Municipality under the province's FIT Program. <i>(This must be the same description as the Lands in the Municipal Council Support Resolution or Land Use Restriction Exemption Resolution provided, as attached)</i>
----------	--

4	The resolution(s) provided with this Confirmation is <i>(check one or both as applicable)</i> : a) <input checked="" type="checkbox"/> A Municipal Council Support Resolution <i>(if selected, check one of the following)</i> : 1) <input checked="" type="checkbox"/> A new FIT 4.0 Municipal Council Support Resolution. <i>(if selected the resolution must be attached as Exhibit "A")</i> 2) <input type="checkbox"/> A pre-existing FIT 3.0 Municipal Council Support Resolution which has not been rescinded. <i>(if selected the resolution must be attached as Exhibit "A")</i> ii) I have confirmed that the Project being proposed by the Applicant under the Province's FIT Program is the same Project on the same Lands as the Project that was the subject of the Municipal Council Support Resolution attached as Exhibit "A". b) <input type="checkbox"/> A Land Use Restriction Exemption Resolution <i>(if selected the resolution must be attached as Exhibit "A")</i> .
----------	--

5	Name: _____ Signed: _____ Title: _____ Date: _____ <i>(Signature block for authorized signee. Must be an original ink signature)</i>
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PRESCRIBED FORM: MUNICIPAL COUNCIL RESOLUTION CONFIRMATION

Section 3.8(g) and 5.1(g)(i) of the FIT Rules, Version 4.0

Page 2 of 2 | Apr 2015 | IESOMRD/f-FIT-012r2

EXHIBIT "A" RESOLUTION(S)

(Attach one or more of the new FIT 4.0 Municipal Council Support Resolution, the FIT 3.0 Municipal Council Support Resolution previously passed in support of the Project, and the Land Use Restriction Exemption Resolution, as applicable.)

Schedule A – Project # 913 – PIN: 36277-0318



3090 FOREST ROAD

HARROWSMITH | N/A

[Search By Block](#) | [Enhanced Report](#) | [GeoWarehouse Store](#)

ACTIVE | PIN 362770318

Land Registry Information - PIN: 362770318



[Print](#)

[Store](#)

[Parcel Register](#)

Address: 3090 FOREST ROAD

Municipality: HARROWSMITH

Land Registry Status: ACTIVE

Description: S 1/2 LT 2, CON 2, EXCEPT PT 1, 13R2446, PT 1, 13R13858, PT 1, 13R17635, PTS 1 & 2, 13R17892 & PT 1, 13R20756 TOWNSHIP OF SOUTH FRONTENAC

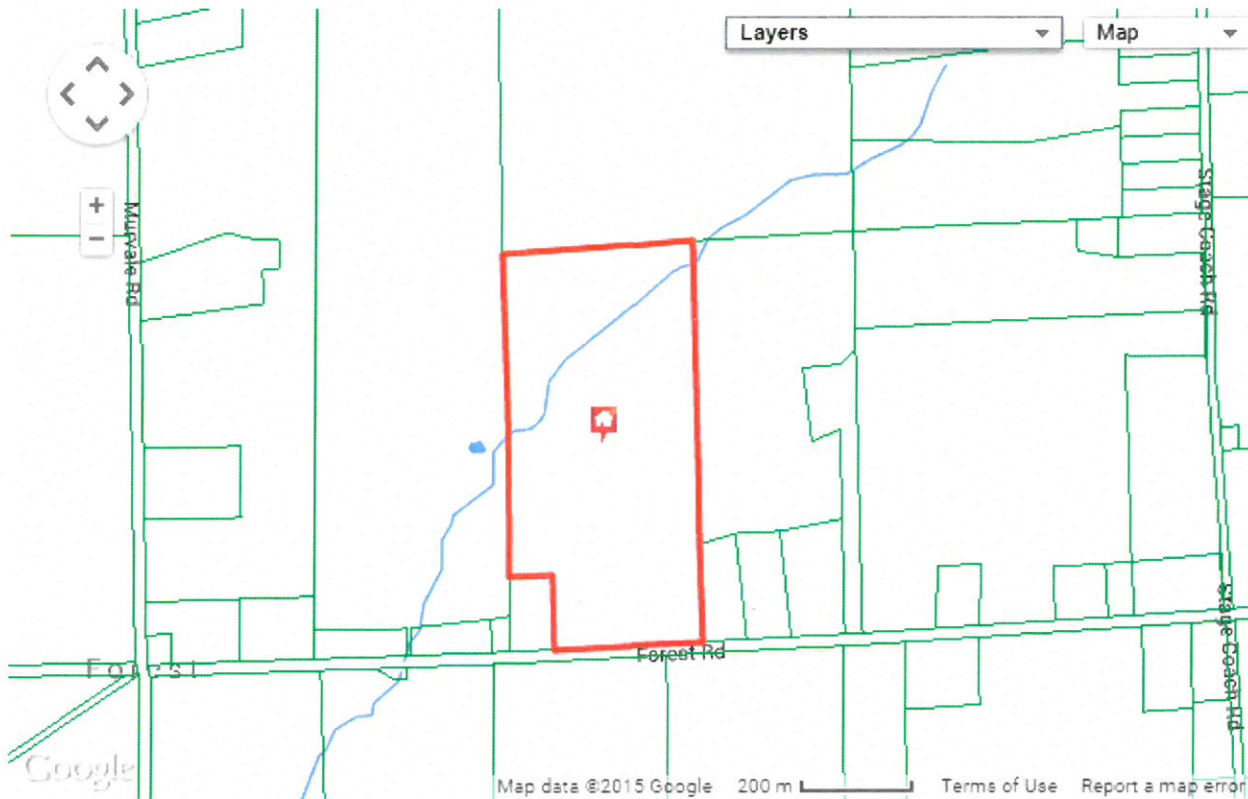
Party To: ADAMS, STEPHEN JOSEPH; ADAMS, SA-EM;

LRO: 13

Area: 215,256 m2

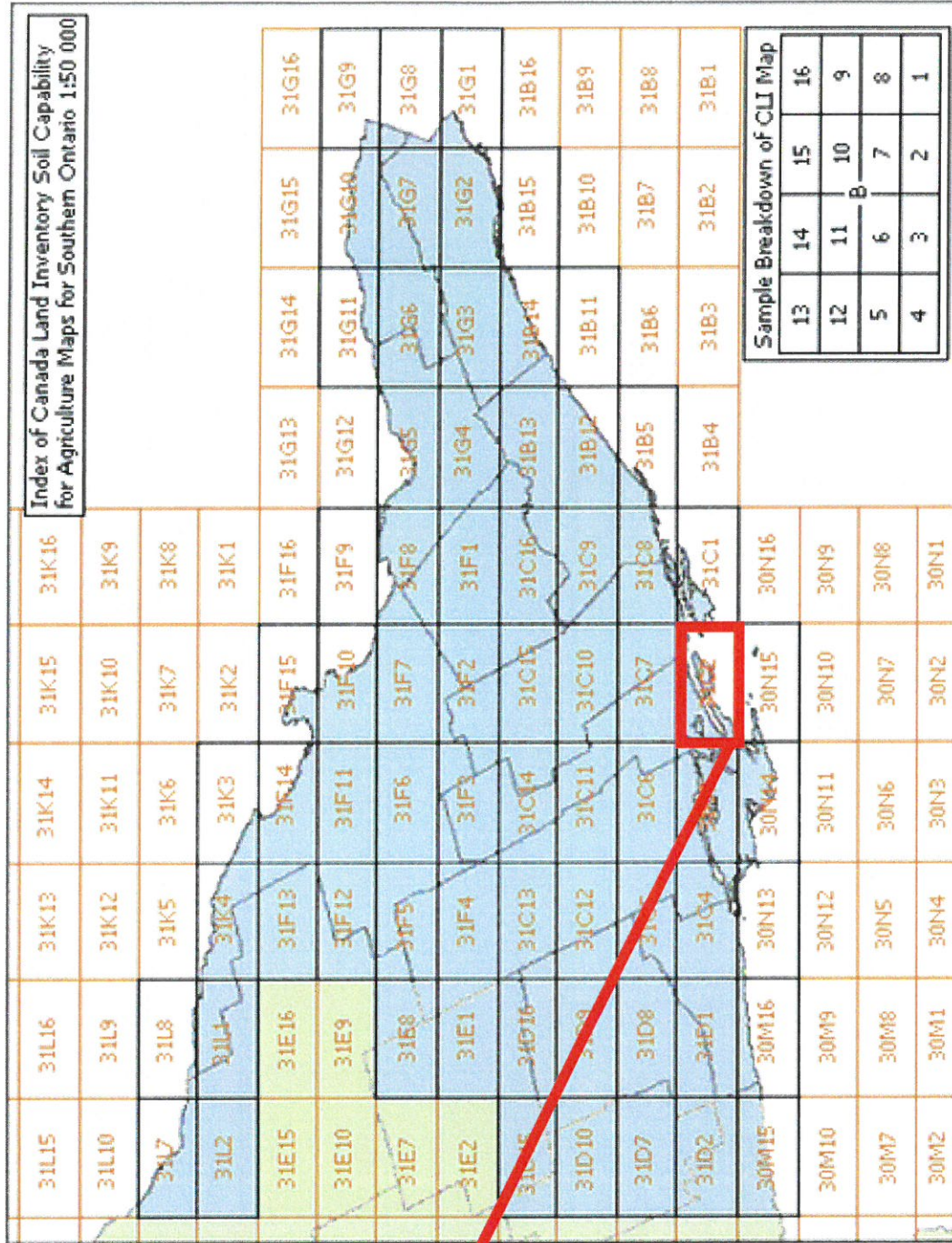
Registration Type: LT

Perimeter: 2,036 m



CLI Map -- Project # 913 -- PIN: 36277-0318
 Soil: 4 to 7

Eastern Ontario



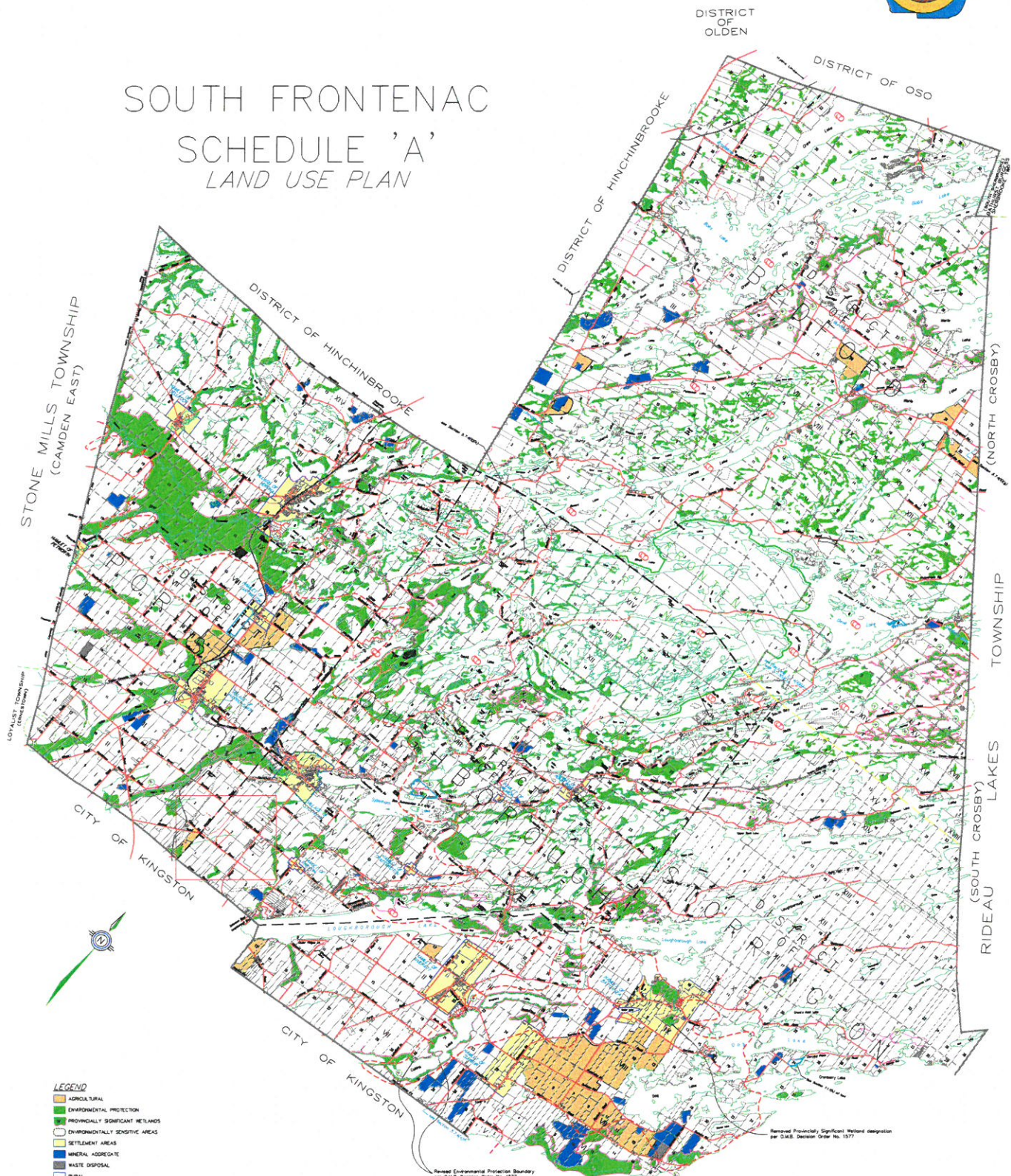
CELL # '31C2'

Zoning Map – Project # 893 – PIN: 362770318

Zoning: Rural, Environmental Protection



SOUTH FRONTENAC SCHEDULE 'A' LAND USE PLAN



- LEGEND**
- AGRICULTURAL
 - ENVIRONMENTAL PROTECTION
 - PROVINCIAL SIGNIFICANT WETLANDS
 - ENVIRONMENTALLY SENSITIVE AREAS
 - SETTLEMENT AREAS
 - MINERAL AGGREGATE
 - WASTE DISPOSAL
 - RURAL
 - SPECIAL STUDY AREA
 - SENSITIVE LAKE TROUT LAKES
 - AREA OF INFLUENCE (500M)
 - TOWNSHIP ROADS
 - OTHER ACCESS ROADS / TRAILS
 - TOWNSHIP BOUNDARY
 - - - DISTRICT BOUNDARY
 - - - CANADIAN SHIELD BOUNDARY

SCALE = 1:50 000



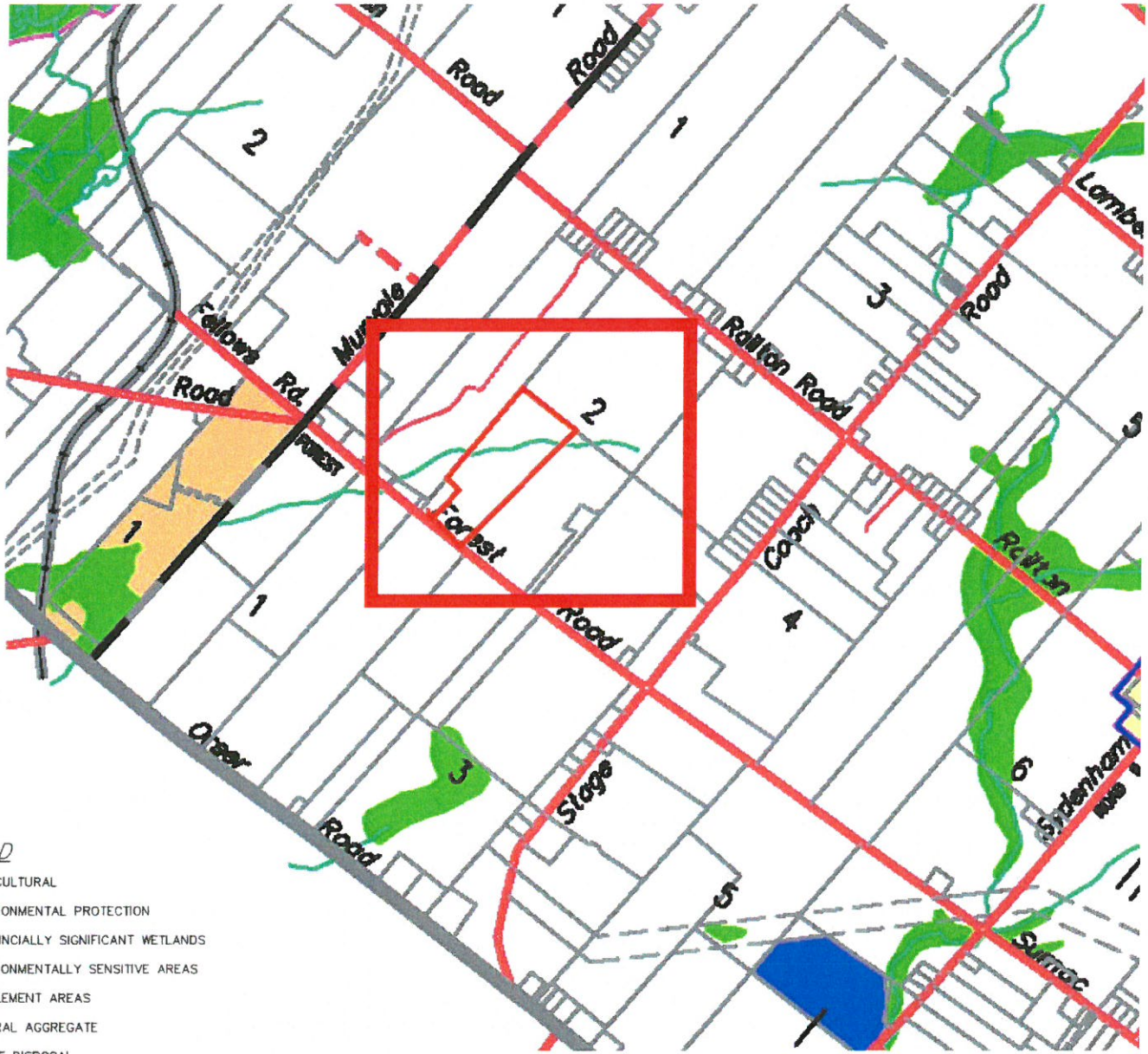
Removed Provincially Significant Wetland designation per O.M.S. Decision Order No. 1577

Removed Environmental Protection Boundary per O.M.S. Decision Order No. 1577

Ainley CONSULTING ENGINEERS & ARCHITECTS		SCALE: 1:50,000	PAGE: 12 OF 16	DATE: (REVISED) MAY 13, 2013
		PROJECT: S.A.S.	DRAWING: S.A.S.	BY: [Name]
DRAWN: S.A.S. / S.P.F. / N.A. / J.S. / M.S. / M.S.		DWG. 98587		

Zoning Map – Project # 893 – PIN: 362770318

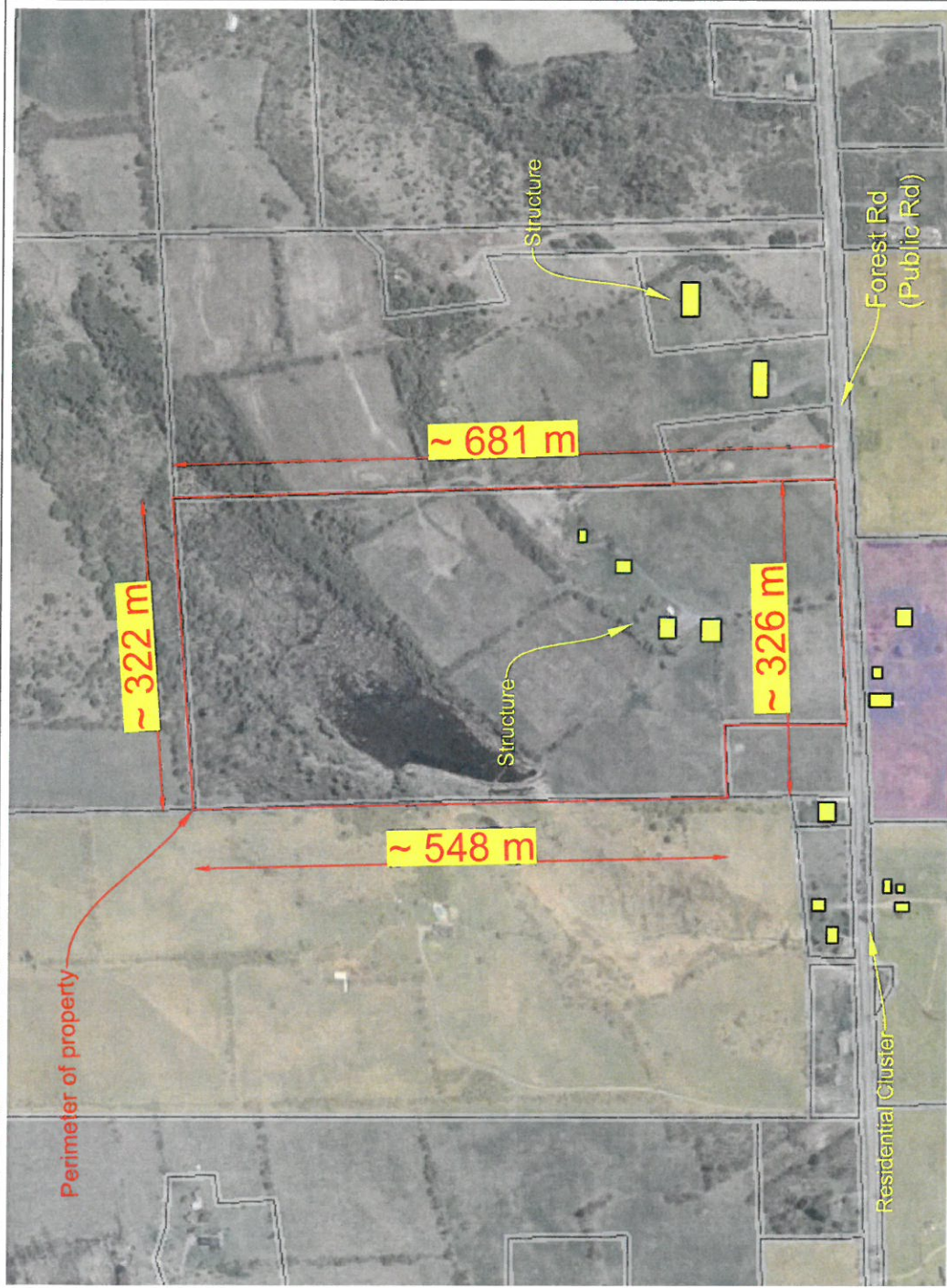
Zoning: Rural, Environmental Protection



LEGEND

- AGRICULTURAL
- ENVIRONMENTAL PROTECTION
- PROVINCIALLY SIGNIFICANT WETLANDS
- ENVIRONMENTALLY SENSITIVE AREAS
- SETTLEMENT AREAS
- MINERAL AGGREGATE
- WASTE DISPOSAL
- RURAL
- SPECIAL STUDY AREA
- SENSITIVE LAKE TROUT LAKES
- AREA OF INFLUENCE (500m)
- TOWNSHIP ROADS
- OTHER ACCESS ROADS / TRAILS
- TOWNSHIP BOUNDARY
- DISTRICT BOUNDARY
- CANADIAN SHIELD BOUNDARY

3090 FOREST ROAD PIN 362770318



Legend

- Parcels**
 - Assessment Parcel
 - From Tax Subsidy Periods - Current Year
 - From Tax Subsidy Periods - Previous Year
- Live Data**
 - Administrative
 - Conservation Authority
 - Geographic Township
 - Lot
 - Ontario Public Access Region
 - Municipality
 - Lower or Single Tier Municipality
 - Upper Tier or District Municipality
 - Environment/Bios
 - Open Corridor
 - Forest Land
 - ARIS
 - NIS-SRS Core
 - Quaternary Wetlands
 - Terrestrial Wetlands
 - Secondary Wetlands
 - Soils - Organic
 - Soils - Cultive
 - Agricultural Tillage Drainage System Type
 - Systemic
 - Non-systemic
 - Barren Use
 - Disturbance
 - Subsidence or Collapse
 - Abandoned or Inactive
 - Operational or Active
 - Unknown or D/B/D Use
 - Water Supply
 - Constructed Drain Type
 - Closed/Dead
 - Open or Unbuilt
 - Completed Drainage Class
 - Fair
 - Good
 - Poor
- Soils - CLU**
 - Class 1
 - Class 2
 - Class 3
 - Class 4
 - Class 5
 - Class 6
 - Class 7
 - Unclassified
 - Water
- Soils - Drainage**
 - Not Applicable
 - Highly Drained
 - Moderately Well Drained
 - Well Drained
 - Very Poorly Drained
 - Very Slightly Drained
 - Very Drained
 - Water
- Soils - Hydrologic Soil Group**
 - A
 - B
 - C
 - D

This map should not be relied on as a precise indicator of routes or locations, nor as a guide to navigation. The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) shall not be liable in any way for the use or any information on this map. of, or reliance upon, this map.

0.3 Kilometers

Scale: 1: 6596

Map Created: August 25, 2015

Map Center: 44.371940 N, -76.608358 W

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August 24, 2015

By E-mail

Township of South Frontenac
4432 George Street
Sydenham, Ontario
K0H 2T0

County of Frontenac
2069 Battersea Road
Glenburnie, Ontario
K0H 1S0

**Attention: Mayor Vandewal
Warden Doyle
Township and County Councillors
Lindsay Mills, Planner
Wayne Orr, Clerk
Peter Young, Planner
Joe Gallivan, Planner**

Dear Mayor, Warden, Councillors, Mr. Mills, Mr. Orr, Mr. Young and Mr. Gallivan:

**Re: Part of Lot 7, Concession 7, Portland District, Township of South Frontenac
Proposed Subdivision Development**

On August 4, 2015, the planner from FOTENN Planning and Urban Design presented a so-called "compromise" to the South Frontenac Council with regards to the proposed Hartington subdivision. Although the developer is now concentrating on the land within the settlement area (as required by the Official Plan), it is disconcerting to see that the new plan is in reality just the unmodified northern portion of the original proposal. In fact, this is no compromise! Instead, it is simply dividing the originally proposed plan into two or three phases. The outcome at the end of this so-called compromise would be the exact same outcome as the original application.

Over the past two years, the Township of South Frontenac and the County of Frontenac have been made aware of a number of critical issues that seriously call into question the advisability of proceeding with this proposed development in any form. The issues have been highlighted in reports, meetings, letters, e-mails, and presentations. Yet few of these issues were addressed by the developer's planner at the August 4th meeting, who despite being aware of the commenting agencies concerns and warnings, chose instead to focus on the fact that the hydrogeological peer reviewer, Malroz Engineering, concurred with proceeding on a well by well basis; a method of last resort for an area with a marginal water supply.

We confirm that the proposal to proceed on a well by well hydrogeological study basis was in fact put forth by the proponent (March 23, 2015 correspondence from ASC Environmental), and we believe was due to the concerns raised by Quinte Conservation and Malroz Engineering, which were of a magnitude to suggest proceeding otherwise would not be advisable. The various concerns raised stem from the reports and studies on record, which have identified the highly sensitive nature of the aquifer and its location in fractured limestone bedrock.

We trust Township and County Councils have been fully apprised of and appreciate the extent of the warnings contained in the materials on record, including the reports from commenting agencies and the information provided by the public. As indicated in the past, if the Township and County fail to heed the content of these materials, the community will hold the Township, the County and all others involved, responsible for any and all damages caused to the quality and/or quantity of the community's water supply.

As Councillor Sleeth aptly noted, the new proposal does nothing to address the significant water issues, including both well-water issues and groundwater water drainage issues. His depiction of water as "the lifeblood of the community" was very accurately on the mark, as everyone who lives in a rural setting well understands.

If the Township and County decide to proceed despite these critical issues and warnings, then from the vantage point of the people living in this area whose lives, livelihoods, and investments depend on your decision, it is critical that no development should occur on the subject lands without the imposition and enforcement of at least the following basic conditions:

1. Based on the information presented at the July 7th public meeting of Council, the concerns submitted by local residents, and the content of Michelle Foxton's August 1, 2015, letter to the Township and County, that the Ministry of the Environment review all materials in the possession of the Township and County concerning groundwater (hydrogeology), septic and stormwater management for the proposed development, including all public comments concerning same, for the purpose of enumerating the areas of concern identified therein and advising whether development on the subject lands is supportable in light of such concerns and if so, at what density.
2. Any and all future hydrogeological testing, including a well by well study as proposed by ASC Environmental and acquiesced to by Malroz Engineering, be conducted by an independent third party (not the proponent's hydrogeologist), such as the Ministry of the Environment, to ensure that any possible harm to the community's source of water is mitigated to the highest degree possible.
3. Due to recent developments with another Environmental Impact Assessment study completed by the same author in this Township, and due to observations by long-time residents of the area of a wide variety of species that qualify under the *Endangered Species Act*, that an independent review by a reputable firm, such as McIntosh Perry, be completed of the Environmental Impact Assessment findings for the proposed Hartington development, with an up-to-date analysis of the current situation.

4. Lot sizes in the hamlet of Hartington must have at least 250 feet of frontage and at least 2 acres in area, or more if required based on the results of the Ministry of the Environment reviews recommended above.
5. No development occur on that portion of the subject lands that are capable of sustaining productive agriculture. The land in question is designated Class 1 prime agricultural land according to the Canada Land Inventory and section 4.3 of the current and proposed Township Official Plans state it is the Township's intention to protect such land from encroachment of incompatible uses by restricting the location of residential...development on such land. The Township must ensure the Official Plan guides its approval process for this and other development applications.
6. Any development application that qualifies after the above conditions have been fulfilled must be within the boundaries of the settlement area.
7. A further public meeting must be held when and if a plan is presented that fulfills the above conditions.

The Township has been made aware of many other concerns including the absence of services, the impacts on schools, traffic, and municipal services that must also be addressed and accounted for in any proposed development plan.

It is clear from the materials submitted to date to the Township and County that the subject property is marginal at best, in terms of being able to provide a safe, sustainable water supply. Imposition and enforcement of the above conditions is the least the community should expect before the Township and County proceed any further.

In light of all materials, warnings and the significance of the above conditions it is evident that the proposed development remains unsustainable.

Yours truly,



Wade Leonard



Charlie Labarge



Michelle L. Foxton



John Lesperance

cc: Ministry of the Environment (Kyle Stephenson, District Engineer)

PLANNING REPORT:

**Township of South Frontenac
Prepared for Committee of the Whole**

Planning Department

Agenda Date: September 8, 2015 Files No. 10T-2013/002 and Z-15/03

Date of Report September 4, 2015

Subject: Review of Comments From Public Meeting: Applications for Hartington Plan of Subdivision and Associated Zoning By-law Amendment, Part of Lot 7, Concession VII, Portland District, Township of South Frontenac: 1278804 Ontario Inc. (Terry Grant)

SUMMARY OF THE RECOMMENDATION

The recommendation is that the Committee receive for information the Planning Report dated September 4, 2015 which reviews the comments from the public meeting of July 7, 2015 on the propose subdivision in Hartington.

PURPOSE OF THE REPORT

The purpose of this report is to bring to the Committee a review of comments from the public meeting of July 7, 2015, so that the Committee/Council may establish their position on the proposed residential plan of subdivision and associated zoning by-law amendment in the Hartington Settlement Area. Council's position would then be forwarded to the County of Frontenac as representing the Townships comments on the subdivision.

BACKGROUND

As the Committee is aware, an application has been submitted to the County of Frontenac for a forty-seven lot residential plan of subdivision in the Township of South Frontenac, Portland District. An application has also been submitted to the Township for a zoning by-law amendment to rezone the subdivision for the new residential uses. **Attachment #1** shows the location of the subject land partially within the Hamlet of Hartington. Attachment #2 shows the layout of the subdivision.

On July 7, 2015, a public meeting was held on the applications. A Planning report recommended that Council receive the report and all comments from the meeting and that they be sent to the County of Frontenac as representing the Townships comments on the subdivision.

Council received the report but chose not to forward the report to the County as they preferred to further review all comments.

DISCUSSION

Following from the above decision, what is listed below is a summary of the concerns expressed at the public meeting by both residents and Council:

It appears that the concerns may be divided into four general categories. These are as follows with comments grouped accordingly:

Water Quality and Quantity

- Mike Keene (proponent of development) advised that there has been 2 years of hydrogeological study by a qualified hydrogeologist. This has been reviewed by 2 separate agencies. He indicated that 8 to 9 wells were tested.
- Concerns about water quality were expressed by Councillor Revill, and Councillor Roberts questioned how many wells and at what time of year the wells were tested.

- Michelle Foxtton thought that the recovery times noted in the hydrog report were not accurate since testing was sometimes done when residents were not home.
- Less than adequate water supply was also a concerns of Charlie Lebarge and Wade Leonard who also was concerned with the levels of sodium and chloride.
- Bob Leonard, Councillor Schjerning and Councillor McDougal also raised concerns over water quality and quantity
- Councillor Schjerning and others questioned why Malroz did not include the results of the draw down tests in their report.

Drainage and Flooding

- Mike Keene explained that there would be 2 small ponds and enhanced swaling to handle runoff.
- Councillor Revill noted problems in the past with the Pleasant Valley Municipal Drain which over flowed and similar comments were noted by Charlie Lebarge, Wade Leonard and Brian Wartman who also thought council was being misled

Affect on Farming

- Councillor Sleeth questioned how the existing agricultural operations would be affected and Mike Keene replied that MDS does not apply because there are already at least 4 homes closer to any agricultural operation. He offered that new potential home-owners in the subdivision would be made aware of the nearby farms.
- Councillor Sutherland was concerned that exiting farms could not locate new farm buildings near the subdivision and both Brian Wartman and John Lesperance thought existing farming could not expand.

Lot Frontages and Aesthetics

- Councillor Revill is not in favour of 46 metre frontages especially since most of the development is outside the hamlet designation. Councillor Sutherland agreed.
- Wade Leonard thought that there is an absence of community planning in this proposal.
- Councillor Sutherland envisioned squarer lots and he and Dennis Saunders thought that the road should not be so straight with cookie-cutter lots.
- Brian Wartman thought that the design was for war-time houses. Some thought that there were too many homes proposed.

Other Concerns

- Some residents noted that their wells were affected by the car wash that located nearby five years ago and thought that this could happen again. Others thought that this density was not reflective of the rural character.

The minutes of the public meeting were recorded and are attached hereto for reference. It should be noted that many of the residents that spoke were delegations with presentation material submitted. Also, a number of comments have come in to the Township since the public meeting.

As Committee/Council members are probably aware, the Hartington Community has hired a hydrogeologist from the firm of McIntosh Perry to undertake a review of the hydrogeological study and the Malroz peer review. Their study concludes that additional investigation with respect to hydrogeological and terrain conditions is required.

RECOMMENDATION

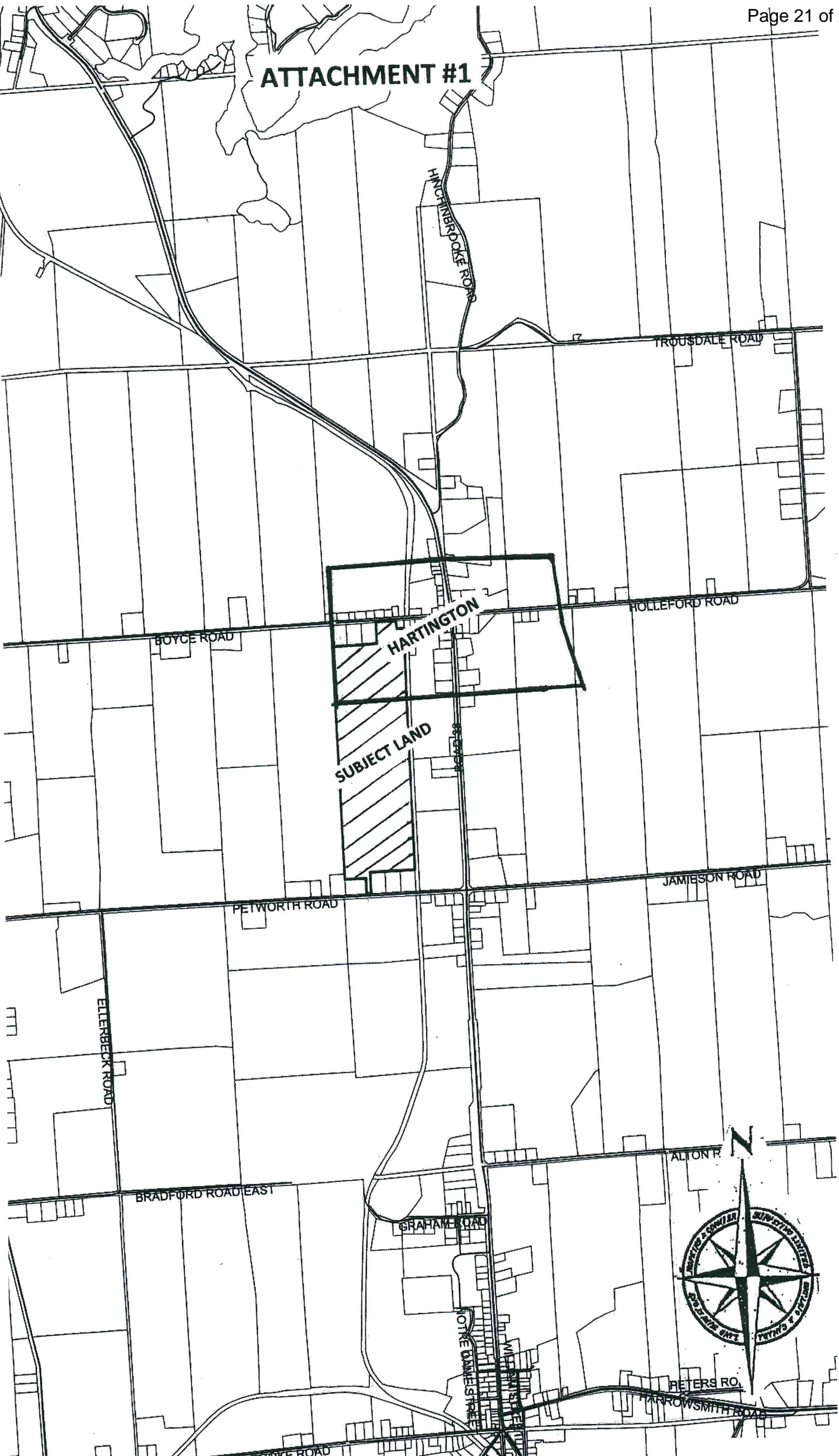
On the basis of the above review, it is recommended that the committee receive the information contained in the Planning Report dated September 4, 2015 to review and help finalize their comments to the County of Frontenac.:

Submitted/approved by: Lindsay Mills **Prepared by:** Lindsay Mills,

attachments

HartingtonSubReportToCofWReCommentsOnPublicMeeting

ATTACHMENT #1





ATTACHMENT #2

EFRONT Engineering Inc.

11801 Engineering Inc.
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416.222.1111 FAX 416.222.1112

INFORMATION REQUIRED UNDER SECTION 11(1) OF THE PLANNING ACT

to be included in the Application Form and Interest
Key Plan.

founder of Sandy Loom
to collect, photos and signs

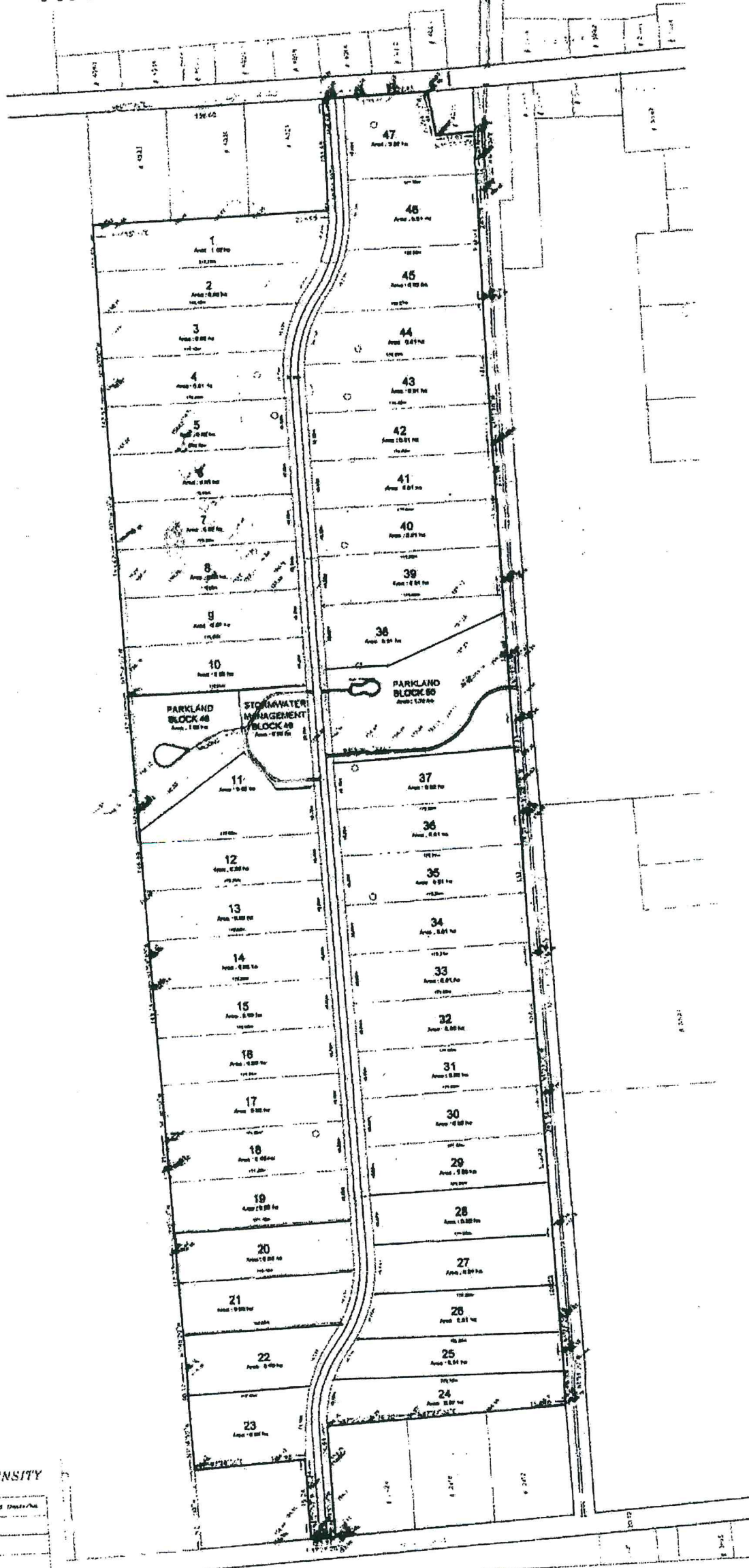
CATE
by Submitter
and Submit This
to
to bind the CORPORATION

CERTIFICATE
THE LANDS TO BE SURVEYED
TO THE ADJACENT LANDS ARE

SMITH SURVEYORS

WILLIAM R. CARD-OLLS

PLAN
C-10



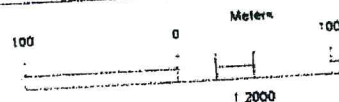
KEY PLAN

SITE DATA

LOTS & BLOCKS AREA 1 DENSITY

STREETS	AREA	AREA 1	DENSITY
STREETS	48, 50	2.88 Acs.	1.22 Dens./Acs.
STREETS	49	0.59 Acs.	
STREETS	48, 49, 50	4.06 Acs.	

REVISED MARCH 3, 2014



~~Anne Marie Young provided an overview of the planning that has taken place over the past four years for the County's 150th Anniversary celebrations. She commended Dan Bell and Pam Morey, local volunteers, for their dedication and hard work to date in the planning process. She also thanked the Public Works Department for the improvements made to the park in anticipation of the event. A copy of the scheduled events, an invitation to Council to attend the opening ceremonies for a group photo was circulated to all Councillors.~~

Alison Vandervelde reviewed the Risk Assessment & Draft Emergency Plan for this event and asked for feedback from South Frontenac staff.

c) Hina Shahzadi, Abundant Solar Energy - Hinchinbrooke Road Site

~~Rob Hitchcock, representing Abundant Solar Energy spoke to the proposed ground mount solar project for 300 Hinchinbrooke Road. The project meets all of the criteria and they are requesting a municipal support resolution.~~

7. Public Meeting

a) Resolution

Resolution No. 2015-24-7
Moved by Councillor Robinson
Seconded by Councillor Sleeth

THAT a public meeting be held to discuss planning matters related to:

- Review of applications for Plan of Subdivision and Associated Zoning By-law Amendment, Part of Lot 7, Concession VII, Portland District

Carried

b) Review of Applications for Plan of Subdivision and Associated Zoning By-law Amendment, Part of Lot 7, Concession VII, Portland District

Mike Keene, FoTenn Consultants, spoke about the 15 years experience that the developer, Terry Grant has had in South Frontenac. Mr. Keene provided an overview of the location, lot size, access to the proposed development, parkland dedication and special zoning for the proposed subdivision. He noted that the reduced lot frontage is consistent with other developments in South Frontenac. The appropriate studies have been conducted and peer reviewed. He noted that two years of extensive groundwater supply evaluation has been done and peer reviewed by a qualified hydrogeologist with no long term water supply issues or significant interference with neighbours anticipated. There is a proposed framework to evaluate water quality, quantity and potential neighbour interference for individual lots during the development stages. He explained that the standard septic system requirements will be enforced and that this development is compatible to the rural character of the area. He recognized there are lots of concerns and the developer is willing to work with the township.

Councillor Revill was concerned with the proposed 45 metre lot frontage. While the Official Plan is silent on frontage, 2/3 of the lots are outside of the hamlet of Hartington and he did not agree with a reduction to the lot frontage. He also referred to concerns about water quantity and off site and on site wells and questioned how the developer will fix the water problems. Recognizing the Pleasant Valley Municipal Drain and that 50% of the drainage ditch overflows, this will be problematic in the "Community Facility" zone portion.

Mike Keene commented that the Official Plan is silent on lot frontages in the hamlets and that lot area for rural development along with technical studies may support the project. Other developers offered similar frontages and studies

Minutes of Council
July, 7, 2015

justify the size. With respect to water concerns, if there is not sufficient water on a lot, the lots could be merged. With respect to drainage, he referenced the one to two year flood event and the 100 year event noting there will be two small ponds and enhanced swaling anticipated within this development.

Councillor Sleeth questioned how the existing agriculture operations will be protected.

Mike Keene explained that the MDS separation trumps any new development and noted that there are already four homes closer to the agriculture use that exist. They will be offering information to potential owners to recognize existing uses and protect the farming use for the long term.

Councillor Sutherland questioned the possibility of the existing farmer being able to locate buildings closer to the lot lines. He also noted the spreading of manure as one more reason to have 250 feet lot frontage. He envisioned squarer lots with more frontage but recognized this would result in fewer lots and felt this should be considered.

Mike Keene noted that the MDS separation works both ways. The spreading of manure and possible impact on wells needs to be considered during the development process. He will take the suggestion of wider lot frontages back to the developer.

Councillor Roberts inquired about the test wells, how many were there and how far apart are they. He also questioned what time of year the wells were tested.

Mike Keene indicated there are 8 - 9 wells that are being tested, the wells were tested in March, June and July.

Michelle Foxtan, 3992 Boyce Road, presented her own individual concerns about water quantity. She felt the township has a duty to protect the residents and felt there is a severe lack of maintaining the existing services and noted that all taxpayers pay for liability if an injury occurs when a street light is out. She noted that water is an important and sensitive resource in the area and she referred to the Planning Act and the Provincial Policy Statement portions regarding water. She felt there were reports lacking from the studies, specifically the local school board and any impact this development would have on local schools. She presented the CAO with a petition that includes 208 signatures against this development. She was disappointed that previous correspondence sent to the Planning Department was not recognized in the Planning Report. She provided a document to the CAO with 18 pieces of correspondence that she felt should be included in the minutes, (These documents will be included in the next Council agenda). Ms. Foxtan suggested there was conflicting information about water quantity and quality reflected in the hydrogeological report. She encouraged Council to look beyond those reports and to the data as the recovery time in the reports were not accurate. When testing was done on the TW2, they were not home so any use noted from her home is not accurate. She explained that they had no problem with the quality of water until after the car wash was constructed and since then they have the smell of sulphur in their water which takes several weeks to dissipate.

Charlie Labarge provided a copy of his presentation to the CAO. He noted that there are four major and critical issues about this proposed subdivision which include the Official Plan variance issues, water supply, drainage and groundwater issues and sustainability and service issues. He commented that sustainable planning makes a conscious effort to design for the community as a whole, including the community facilities that make a place more than a set of roads flanked by houses. Developers who have adopted sustainable planning

Minutes of Council
July, 7, 2015

practices often involve the public in the planning process before submitting an application to the municipality. Mr. Labarge spoke to increased traffic and vehicles and was concerned about the proposed left hand turning lane onto Petworth Road as he felt turning lanes are not utilized properly. He drew Council's attention to the comments from Quinte Conservation regarding water issues. He urged Council to recommend to the County that this proposed subdivision as it now stands not be approved. A copy of Mr. Labarge's presentation will be included in the next Council agenda.

Wade Leonard, 3992 Boyce Road, a long time resident of the area, felt there was an absence of community planning and that the rural aesthetic will not be maintained as well as there will not be any additional services provided to the area. He felt the proposed subdivision will be unsustainable in all aspects and is inconsistent with the Provincial Policy Statements. He was concerned about groundwater contamination, no core for development, no services to support this subdivision in the immediate area and it will not be socially sustainable. Mr. Leonard's presentation included in the agenda package reflected his concerns regarding the drainage and the current state of the Pleasant Valley Municipal Drain. He felt there will be serious implications to the township for flooded septic systems and basements as drainage is a problem in this area. His presentation included photos of the northern part of the proposed subdivision in March 2013 and June 2015 where flooding occurs presently. The lots for this subdivision are located on land that floods quite often; the centre of the proposed subdivision is a basin. Mr. Leonard cautioned Council on approving a subdivision with existing knowledge of poor drainage. He noted that additional infrastructure to alleviate drainage including swales, ditches and ponds will become the township's responsibility to maintain. He expressed his concerns about the wells in the center of the development that exceed provincial standards for sodium and chloride. He suggested that the salt that will be applied to driveway and sidewalks in the winter will be directed to one of the two retention/infiltration ponds adding more salt to the water.

Dennis Saunders referred to his presentation included in the agenda package. He felt this development is not rural and that 47 cookie cutter houses placed side by side on a virtually straight road on a flat farm field is anything but rural. The threat to existing residents water supply was a major concern to him. He noted that most residents on Boyce Road have experienced temporary negative effects as a result of the testing that has been conducted to determine if the aquifer would support a subdivision of this size. He questioned Council on the township's responsibility to protect the water quantity and quality of this area. He stated that he is not against development and his is not a "not in my back yard" response, however he felt a smaller, better planned and more attractive development would make more sense. He asked that Council turn the proposal down as it has been presented.

John Lesperance reviewed his presentation that was included in the agenda package. He outlined what he felt were inconsistencies in the proposed development with respect to South Frontenac's development plan and associated by-laws Mr. Lesperance felt the proposed subdivision does not reflect the rural character and does not protect farmland. He referred to the township vision statement to "direct growth in a manner which will preserve the township's environmental integrity while enhancing both its rural character and its long term economic viability." He felt this subdivision proposal contravenes the settlement boundary policy with 75% of the proposed development outside of the hamlet boundary and does not protect agriculturally productive land. He felt the restricted frontage will not maintain the rural, picturesque landscape or woodlands

Brian Wartman, a resident on Petworth Road, has been in the farming business and operating 3 farms with aspirations of passing the farm on to the next generation. He felt there was no future growth for agriculture and that there wasn't any water problems until the car wash came along. He felt fracking

Minutes of Council
July, 7, 2015

wells should be prohibited. He referred to the Pleasant Valley Municipal Drain and he felt this property was the best piece of land available for farming. He commented that property owners have paid to have the drain installed and maintained. He felt the proposed housing for this subdivision would be similar to war time housing design and referenced the CAO's comments that the township does not make any money on subdivisions. He felt the proposal was not consistent with Provincial Policy Statements. He stated that there are no references made regarding the test wells that are not producing or that are contaminated. He questioned if Council was being misled and appealing only to the developer. He urged Council to listen to the numerous comments about water quality and quantity in this area.

Bob Leonard, 4004 Boyce Road, has lived in the area his entire life and his mother was born and raised on the homestead where he now lives. He is very familiar with the area and noted that his family has always had to be conscious of water quantity and has practiced water conservation his entire life. He noted a time where he had to take cattle to a nearby lake for water and there have been lots of droughts throughout his lifetime. He noted that there is poor drainage on the proposed site and large areas of it within the floodplain. He felt recent developments within the area are affecting the water quality and quantity with evidence of sulphur. He commented that the recharge is short and slow on existing wells in the area.

Lindsay Mills, Planner, spoke to his report, noted that there are no recommendations within his report, only comments as required. He explained that hamlet boundaries are arbitrary and don't factor into this development proposal. The hydrogeological report has been peer reviewed by both Malroz Engineering and Quinte Conservation Authority. The mature trees along the east side boundary are important to be protected and controls should be put in place to ensure they are kept. He explained the role of the Planning Department and the public meeting as an opportunity to gather public comments and he recognized the major concerns presented. He noted the Public Works Department concerns about ditching along the rear of all the lots and how the township would access these lots. There are many issues still to be resolved. He noted that the Planning Department is not supportive of any lots having frontages less than 46 metres. A more detailed traffic study is needed to address traffic onto Road 38 at Boyce Road and at Petworth Road and the effects of traffic movement downstream of the development. Mr. Mills also noted that if the services are provided underground along the new road, there may be a conflict between underground utilities, ditches and the sidewalk within the twenty metre wide right of way as proposed and the right of way may need to be wider. He emphasized that each building envelope must incorporate an area for two conventional septic beds, a well with separations, a single detached dwelling, accessory buildings, a driveway and a six metre setback from the driveway for any septic piping, this will all be required to be shown in a lot grading plan.

Councillor Schjerning referred to the Malroz Engineering report from August 2014 and noted that the drawn down data did not include the results. Mike Keene agreed to provide this information to the township.

Councillor Schjerning also questioned why the Cataraqui Region Conservation had not commented on this proposal as the subject property partially lies within their jurisdiction and how did the two authorities reconcile this. He was not supportive of the 40% reduction in lot frontage.

Mr. Mills explained that Cataraqui Region Conservation Authority requested that Quinte Conservation be the responding authority for this proposal.

Deputy Mayor McDougall questioned the lot by lot hydrogeological study and felt this was a non planning approach. He questioned the width of the proposed

Minutes of Council
July, 7, 2015

lot frontages and questioned whether there would be room for the lots to also have room for a pool.

Mr. Mills confirmed he had not heard of this approach before however there is a lot of variability for this property and this will help to recognize areas of suspect.

Councillor Sutherland was not supportive of arbitrary changes to the Township Official Plan and zoning by-law, he felt this proposal was not respective of the guidelines set out by South Frontenac's Official Plan. He stated that while he is supportive of some type of development on this property he felt it was off base to support smaller lot frontages given the water and drainage problems identified. Councillor Sutherland commented that the expansion of the road would affect the lot sizes.

Lindsay Mills agreed that if the road allowance width was increased, it would affect the proposed lot sizes. He was not supportive of the proposal as is as it does not identify the drainage issues and acknowledged that there is significant community opposition to this subdivision.

Councillor Sleeth agreed with Councillor Sutherland noting that Council needs to relay the concerns expressed in the public meeting. He felt that farming will be extremely affected within the next ten years and this needs to be addressed. He recognized the issue of ongoing water quantity and quality and was not supportive of the township accepting responsibility for the drainage issues for the proposed lots.

Brian Norris, a resident on Wolfe Swamp Road, supported the comments and concerns of the local residents with respect to water quality and quantity. He supported his neighbours and the farming community. He asked that Council not think about tax revenue but the agriculture land that will be destroyed if this property is developed for residential use. He reminded Council that they are working for the public.

Susanna Olivera, a resident on Petworth Road on the south end of the proposed subdivision, stated that there is already water issues on the west of her property to get water to drain and she has had 16 loads of fill put in to help with better drainage. She was concerned about her privacy as traffic will be visible in her back window. She was concerned about her property value and asked if Council will compensate owners for market value just to have one developer benefit. She felt this proposed development was not suitable for a rural area and questioned the liability of the developer after the fact. She asked that Council look twice at and have regard for the concerns expressed.

Gord Mylks, a resident on Boyce Road, asked what stops any other developer from doing the same thing and where would the owners of 47 lots find employment.

Fran Willes referred to her experience on Council and the Planning Committee and felt this was a nightmare subdivision.

Helen Hill stated that she used to live near the proposed subdivision and questioned the liability for new homeowners with flooded basements.

Ruth Gultekin, 4032 Boyce Road, felt this was not a sustainable development and that 47 houses is irresponsible. She questioned the impact on septic systems to wells and groundwater. She noted the concerns about bacteria and nitrates in Sydenham in 1997.

Michelle Foxtan distributed a diagram of the layout of the lots and referred to her slide presentation. With the Health Unit requirement for two septic system

Minutes of Council
July, 7, 2015

locations on each lot, she questioned how the reduced lot frontages would be impacted. She gave the CAO copies of previously submitted letter and felt the Ministry of the Environment should have input and prepare a proper audit on this proposal as Quinte Conservation keeps saying there are "red flags". She commented that there was 144 millimetres of rain during the test periods which is the highest volume recently. She stated that residents are relying on Council to be on the front line for existing residents to be heard.

Umut Gultekin, 4032 Boyce Road, referred to the report indicating that the "developer has invested much time and money in bringing this proposal forward" and stated that area property owners have also invested time and money into their properties and are simply asking for protection of their property.

Deputy Mayor McDougall asked if a swimming pool would be permitted on the lots and if there was a deadline associated with the timeline.

Lindsay Mills replied that swimming pools would be permitted.

Wayne Orr explained that the timeline started when the developer filed his application with the County and the timeline is 180 days.

Councillor Sleeth and Councillor Revill were concerned about Council having an opportunity to comment before submitting to the County.

Councillor Sutherland requested that the prepared resolution be separated into three.

Resolution No. 2015-24-8
Moved by Councillor Sutherland
Seconded by Councillor Schjerning

THAT the resolution be separated into three parts.

Carried

Resolution No. 2015-24-9
Moved by Councillor Sleeth
Seconded by Councillor Robinson

THAT Council receive the comments and attachments contained in the Planning Report dated June 24, 2015.

Carried

Resolution No. 2015-24-10
Moved by Councillor Sleeth
Seconded by Councillor Robinson

THAT Council defer any decision on the subdivision or rezoning of the property until the comments resulting from the public meeting are reviewed.

Carried

Resolution No. 2015-24-11
Moved by Councillor Revill
Seconded by Councillor Barr

THAT Council forward the report, including attachments and all comments from the public meeting to the County of Frontenac as representing the Township's comments on the Hartington Subdivision Proposal, County File 10T-2013/002.

Deferred

PLANNING REPORT:

**Township of South Frontenac
Prepared for Committee of the Whole**

Planning Department

Agenda Date: September 8, 2015

Date of Report: September 2, 2015

**Subject: Revised Township of South Frontenac Official Plan: Review
of Comments from Public Meeting**

SUMMARY OF THE RECOMMENDATION

The recommendation is that the Committee receive the Planning Report dated September 2, 2015 regarding comments from the Public Meeting held on August 11, 2015 of the revised South Frontenac Official Plan.

PURPOSE OF THE REPORT

The purpose of this report is to bring to the Committee a review of comments received from the public and from Council on proposed revisions to the Township's Official Plan.

BACKGROUND

As the Committee is aware, the Planning Department held a Statutory Public Meeting on August 11, 2015 as part of the process to revise and amend the Township's Official Plan. The revisions to the Plan are required by the Planning Act to incorporate changing provincial legislation. However, the revised Plan includes these provincially mandated changes as well as a number of internal changes and clarifications that the Township thought necessary. These changes were to the text of the Plan and to the Schedules (Land Use Maps).

The Ministry of Municipal Affairs and Housing is the authority for final approval of the Plan and they provided comments on the preliminary draft of the Plan. These were incorporated into the Plan.

The revised Official Plan is now in its final draft phase and it is expected that planning will soon bring the document to Council for adoption. Afterwards it will be forwarded to the ministry for final approval.

DISCUSSION

The following is a review of comments received at the August 11, 2015 public meeting. The minutes of the meeting are attached hereto. Comments are listed as they were recorded from the public meeting and each comment is reviewed by Planning in bold type. Note that Planning received written comments from Councillors Sutherland and Revill and these are reviewed separately. The review is as follows:

Councillor Sleeth

The Plan has been changed to state that a maximum of five (5) lots are permitted to be created from an original parent parcel of land. It is not expected that the ministry will approve this change however. In terms of prime agricultural land – this is determined by the Ministry of Agriculture, Food and Rural Affairs who dictate where we designate these lands on our Land Use Schedules. The ministry tries to designate only large contiguous areas as prime agriculture and avoids smaller or fragmented areas. This may be why the area west of Hartington was not designated. Areas of very highly sensitive groundwater are already identified on the land use schedule.

Deputy Mayor McDougall

Linkage corridors are identified on the new mapping (Schedule “E”). Now that they are shown on this mapping we will have regard for these areas as development proposals come forward. Regarding heritage, most sites of known heritage are either old schools or churches. Perhaps they should be looked at and identified for protection. In the opinion of Planning, the Hartington proposed 13 lot subdivision is a good fit with the existing community as it proposes two acre lots which are larger than many of the lots in the established community and frontages that are similar to the community. The subdivision would be in the hamlet designation with a paved road and sidewalk. This seems to fit with the established community and meets the intent of the Official Plan.

Councillor Schjerning

Planning agrees that the 120 metre setback from any waterbody required by the ministry is much too onerous a restriction. This setback covers most of the Township’s land area and would require an EIS for virtually any development. Regarding timing of the Official Plan, it is planned to bring the final draft to Council on September 15, 2015.

Councillor Barr

The Ministry of Agriculture, Food and Rural Affairs dictates that prime agricultural land will not be fragmented (ie., no severances). It is agreed that the Township should look into identifying and protecting cultural heritage and re-starting the septic re-inspection program.

Mayor Vandewal

Secondary suites are now included in the Official Plan – permitted subject to appropriate servicing and off-street parking. It is agreed that the 120 metre setback from all waterbodies provision proposed from the province is too onerous and private communal water and sewer services might be contemplated as long as the proper agreements and securities are in place beforehand (the securities could be extremely high). It is agreed that it does not seem fair for the province to impose large setbacks for any residential development locating near land designated as Mineral Aggregate while at the same time allowing aggregate operations to expand nearer to existing residences. Regarding subdivision proposals, it should be noted that plan of subdivision is the preferred method of creating lots – the Official Plan states this. It also directs them to the hamlets and Planning would argue that in the future, they will be more appropriately located in the areas near and abutting the hamlets because there are so few large tracts of land within hamlets on which to plan a subdivision. The hamlets are usually comprised of smaller lots which don’t lend themselves subdivision developments.

Mike Keene

Planning disagrees that the Official Plan does not contain sufficient policies on development and redevelopment of existing lots of record and for minor variances on water. Section 5.2.7 b) (ii) (2) and (3) contains detailed policies on dealing with lots of record and minor variance proposals near water. Regarding plans of condominium, the OP already has policies specific to development of vacant land plans of condominium (section 7.3). Regarding other forms of condominium development, Mr. Keene recently brought forward an Official Plan amendment application dealing specifically with freehold lot development on common element lanes. Council and staff appeared to not express any opinion on the matter one way or another but the proposal is now with MMA&H awaiting their comments which will come back to Council for discussion and a decision. Regarding Council’s struggle to support subdivision development in settlement areas, it is too early and presumptuous to make that determination. The development proposed in Hartington has generated much public concern and Council must give due consideration to these concerns – especially over effects on wells. However, the Planning Department is favourable to that development in the hamlet.

Michelle Foxton

Ms. Foxton proposes policies that may well be appropriate to include in the Official Plan. However, there would need to be further study and examination of how these policies would apply specifically in this Township. Considering the development stage of the present Official Plan review, which appears ready to submit to the

province, such policies might be better examined as part of a specific amendment to the Plan at a later date.

Wade Leonard

The points raised here seem extremely important considering the high number of solar projects coming forward in the Township recently but the Planning Act does not apply to prohibit or regulate solar or wind power generating projects. Planning would agree with Mr. Leonard that this seems to be an oversight in that these developments have the potential to affect endangered species and other natural heritage. It seems contrary to the natural linkages advocated by the province. However, regulating these uses is outside the application of the Planning Act and, thus, the Official Plan.

There is no tree-cutting by-law in the Township. Tree cutting can only be regulated by site plan agreement. When development proposals are brought to the Township (especially near waterbodies) Planning requires that a site plan agreement be entered into to prohibit tree cutting.

Larry Redden

Mr. Redden's concerns relate to the timing of constructing entrances that are required as part of approval of new lot creation. His concern is that, often, the cost of the entrance construction is passed on to the buyer of the new lot. This is a policy that may need to be looked at further as it also relates to timing of assigning civic numbering.

Brian Wartman

The 250 foot frontage noted in the Plan is necessarily required always. The wording in the plan is clear on that.

Comments on the Official Plan Redraft from Councillor Sutherland

1) 90 vs 120 meters

The current Official Plan already requires an Environmental Impact Study process on all development within 90 meters of all environmentally sensitive lands. This is referenced at numerous points in the plan including 5.2.7 and 6.17.

One problem I see in reading the plan is numerous inconsistencies in definition and silences on what is intended. Some consistency in wording and application, and a re-commitment to the overarching process, will increase the usefulness of the Plan and improve our environmental protection, particularly for lakes. The main outlines of the procedure in the current OP are that any development within 90 meters requires the process in 5.2.11 which is a preliminary Environmental Impact Study, often referred to as a scoped EA, a wording we might consider using, done by a Conservation Authority, followed by a full EIS if anything concerning is found, otherwise development proceeds within the other conditions in the OP, including no development takes place within 30 meters of lakes.

Three changes that will increase consistency and clarity are (all the suggested wording currently exists in our current OP):

Change the second sentence in the last paragraph of the introduction to 5.2.7 to read:

“These lands include significant wildlife habitat, fish habitat, ANSIs, significant woodlands and valley lands as well as all lands within 90 meters of the high-water mark of any river, lake, stream, creek or water course, 300 meters of at capacity or not at capacity lake trout lakes and the adjacent land widths identified in section 5.2 of this plan”. The wording for all bodies comes from the section on what we currently ask Conservation Authorities to do and is the most useful for protecting our lakes since water from streams, creeks and watercourses eventually flows into our lakes.

In 5.2.7. a, change the introductory paragraph to: “Council may permit, within 90 meters adjacent to an environmentally sensitive area, any development for the creation of a new lot, a change in land use or the construction of buildings and structures in accordance

with the underlying land use designation when an Environmental Impact Study prepared in accordance with 5.2.11 indicates that no negative....i

In 5.2.7.c (i) change 120 meters to 90 meters and leave in the second sentence since that is already stated in other areas of the current Official plan.

Response from Planning:

Planning does not agree that any of the above changes should be made as they are stated. However, the points are well-taken in that there needs to be some clarity. It is proposed to change the wording in the fourth paragraph of section 5.2.7 to read:

“Therefore, lands within the Township which have unique natural or scientific features and upon which development and site alterations may negatively impact on the natural ecosystem or the aesthetic and natural appeal of the Township’s waterfronts are identified as Environmentally Sensitive Areas on **Schedule ‘B’** for protection.

These lands may be categorized as follows:

- a) significant wildlife habitat, fish habitat, significant areas of natural and scientific interest, significant woodlands and valleylands;
- b) all lands within 90 metres (295 feet) of the highwater mark of lakes and rivers.

These lands may be developed in accordance with the underlying land use designation and the following policies.

[Note that lands within 300 metres (990 ft.) of at-capacity and not at-capacity lake trout lakes are included as environmentally sensitive lands. Development policies and adjacent land widths for these lakes are identified in section 5.2.8 of this Plan.]”

For (a) above, a full EIS is required but (b) above does not require any study.

Even though no study is required in (b) above, section 5.2.11 requires a preliminary EIS (a scoped study) anyway and, in practice, Planning has always treated the comments from the Conservation Authorities as the scoped study and we have relied on them to determine whether a full EIS is needed. This has been our practice for consent and minor variance applications. Still, for any development in (a) above we have required a full EIS. It should also be noted that, there is really a third category (c) which is ‘sensitive lake trout lakes’. This requires a full EIS for any development within 300 metres. In practice, we have basically not permitted any new lots to be created within 300 metres of these lakes (I think there were 2 that were created in 12 yrs.) and we have always required a full EIS for any minor variance.

2) Private Communal systems:

In 4.8 a (vii) change ‘prohibit’ to ‘limit’ the use of private communal water and sewage systems. In 5.7.5 b we are adding “multiple ownership and sharing arrangements” to a list that includes trailer parks. It would seem possible that some of these arrangements might work better with some sort of cooperative water or sewage system which also might work well for the Township and would permit development and preserve water resources. There is no need to prohibit this option as long as we understand this is one that would only take place in exceptional circumstances.

The concern that has been expressed is that the township might be forced to take them over. We would have no more obligation to take over a private communal system than a private well which fails and which happens on a regular basis. If there is a legal requirement in developments of five or more single family permanent residential dwelling to be on public water systems if it is communal than we might want to recognize this limitation in the OP, once again permitting the possibility for smaller configurations. In the General Development provisions we already say that development shall predominately occur on the basis of private wells and private septic... this is a wording which I think speaks to the intent and keeps open the option for innovative solutions. The section then goes on to say how we would implement private communal systems.

Response from Planning:

Planning is not opposed to this idea but this was the wish of Council on the day of passage of the OP. The proper agreements and securities should be in place beforehand. In the past, the Ministry of the Environment has forced municipalities to take over failed systems

3) Other Options for settlement sewage and water

The current official plan is inconsistent on other potential options for sewage treatment and water provision in settlement areas. While clearly private wells and septic systems will continue to be the main method, except in Sydenham, the OP recognizes the possibility that communal options may be required in other areas and sets out a plan for adoption which seems prudent.

To make the plan a bit more consistent in 5.6 remove the second last paragraph it is in contradiction with the rest of the policy, specifically 6.6.1.(i). In 5.6.2 a add or make clear in the introduction that there may be options other than private wells and septic's for settlement areas. A possible wording might be "notwithstanding any prohibitions in the following sections development may also occur on municipal communal sanitary sewage systems subject to approval of the Ministry of Environment and Council".

Response from Planning:

Agreed, change made..

From 5.7 introduction, a possible wording for the settlement portion: "in areas not serviced with municipal water and /or sewage, lot creation will only be permitted if the proposed development can be supported by the type of servicing being proposed". Add "which will usually be private well and septic system."

4) Remove averaging provision for lot size

Response from Planning:

Planning does not agree. This is an important provision.

7.1.1 What is the rational for "as a general rule". Also change 'may' to 'shall unless the method listed in the OP is followed" for lot creation on shallow water bodies as there is a method for changing the requirements already prescribed.

Response from Planning:

This is required because there may be situations where it is not applicable.

7.2 d. and 7.3.d remove the averaging provision. There is no reason for this provision. It only weakens the power of Council to work with developers to make polices and plans that protect lakes and allow reasonable development. The averaging provision creates the problematic situation where a developer with lands that have some poor water frontage can create large lots on the poor frontage and then small frontage lots on the lands with good water frontage. The averaging provision will weaken sections meant to safeguard lake water fronts and lake quality.

Response from Planning:

This provision must stay.

5) 5.2.7 c (iii) change the Hutchinson study.

Agreed – already done.

6) 5.2.9 Since this is a requirement of the endangered species act it is wise to put it in so that EIS proposals do not neglect to include it in their considerations.

7) 7.1 s – The provision to require water from a well is not necessary and maybe harmful to development since we have many areas of poor water quality and innovative solutions other than a well water may be applicable. The Township's role, even with wells, is make sure that at times of development there is a workable potable water source on site. We do not monitor wells to ensure that they are used or continue to be viable. Removing the well restriction is one way of encouraging development and innovation in areas of low water quality or quantity. We already permit no wells on property next to lakes.

Response from Planning:

Need to discuss.

Added Note: we need to remove the aggregate descriptions on the map for near on Holleford Road and Desert lake Road and near Sumac Lane since they're not viable and will limit the activities of property owners in those areas.

Response from Planning:

The Ministry must agree.

Comments from Councillor Reville

Comments from Councillor Reville are attached. Planning agrees to all the changes except the suggestion that it is not council's intention to direct development to Settlement Areas.

RECOMMENDATION

It is recommended that Council receive the Planning Report, dated September 2, 2015 and the attachments thereto for information.

Submitted/approved by: Lindsay Mills **Prepared by:** Lindsay Mills,

OP2015ReportToCofWReCommentsFromPublicMeeting

Policies and definitions in bold text are added by the Township

Policies and definitions in yellow text are added by the province

Policies in purple text are added by the province – these policies are opposed by the Township

Policies in red are to be deleted

TOWNSHIP OF SOUTH FRONTENAC

OFFICIAL PLAN

Adopted by South Frontenac Township Council September 5th, 2000

Approved by Minister of Municipal Affairs & Housing April 30, 2002

Approved by the Ontario Municipal Board, November 25, 2003

Update Adopted by South Frontenac Township Council October 16, 2012

NOVEMBER 2014

TABLE OF CONTENTS

	<u>PAGE</u>
1.0 PURPOSE AND COMPONENTS OF THE OFFICIAL PLAN	1
1.1 PURPOSE OF THE OFFICIAL PLAN	1
1.2 COMPONENTS	1
2.0 A VISION FOR SOUTH FRONTENAC	1
2.1 VISION STATEMENT	1
2.2 INTERPRETATION OF VISION STATEMENT.....	2
3.0 DEFINITIONS	3
4.0 GOALS AND OBJECTIVES	5
4.1 NATURAL HERITAGE GOAL.....	5
4.2 HOUSING GOAL.....	5
4.3 AGRICULTURAL AND RURAL GOAL.....	6
4.4 MINERAL RESOURCES GOAL	7
4.5 CULTURAL HERITAGE RESOURCES GOAL	7
4.6 PUBLIC HEALTH AND SAFETY GOAL.....	7
4.7 COMMERCIAL GOAL.....	8
4.8 SERVICING AND COMMUNITY IMPROVEMENT GOAL	8
4.9 RECREATIONAL GOAL.....	9
4.10 TRANSPORTATION GOAL.....	9
5.0 LAND USE POLICIES.....	11
5.1 AGRICULTURAL.....	11
5.1.1 Uses Permitted	11
5.1.2 Second Farm Residence	11
5.1.3 Minimum Distance Separation Formula.....	12
5.1.4 Zoning By-laws.....	12
5.1.5 Agricultural Consents	12
5.2 ENVIRONMENTAL PROTECTION	14
5.2.1 Uses Permitted	15
5.2.2 Environmental Protection Boundaries	15

5.2.3	Flood Plains	16
5.2.4	Erosion Hazards	17
5.2.5	Significant Wetlands 'W'	17
5.2.6	Zoning	18
5.2.7	Environmentally Sensitive Areas	18
5.2.8	Lake Trout Lakes	21
5.2.9	Threatened and Endangered Species	24
5.2.10	Lake Impact Assessments	24
5.2.11	Environmental Impact Assessment	24
5.3	MINING	25
5.3.1	Uses Permitted	25
5.3.2	Amendment Criteria	25
5.3.3	Zoning	26
5.3.4	Mineral Potential	26
5.3.5	Mine Rehabilitation	27
5.4	WASTE DISPOSAL AREAS	27
5.4.1	Uses Permitted	27
5.4.2	Ministry of the Environment Approval	27
5.4.3	Amendment Criteria	27
5.4.4	Rehabilitation	28
5.4.5	Area of Influence	28
5.4.6	Zoning	28
5.5	MINERAL AGGREGATE	29
5.5.1	Uses Permitted	29
5.5.2	Influence Area	29
5.5.3	Zoning	30
5.5.4	Amendment Criteria	30
5.5.5	Portable Asphalt Plants	31
5.5.6	Wayside Pits and Quarries	31
5.5.7	Rehabilitation	31
5.6	SETTLEMENT AREAS IN RURAL AREAS	32
5.6.1	Residential Policies	33
5.6.2	Community Facility Policies	36
5.6.3	Commercial Policies	36
5.6.4	Industrial Policies	38
5.6.5	Open Space Policies	39

5.6.6	Settlement Areas Lot Creation Policies	40
5.6.7	Special Settlement Area Policy (Pt. Lot 10,11, Concession IX - Storrington District) (Freeman Sugar Bush)	40
5.7	RURAL LANDS	40
5.7.1	Rural Agricultural Policies	41
5.7.2	Rural Open Space Policies	41
5.7.3	Rural Community Facility Policies	42
5.7.4	Rural Residential Policies (excluding Limited Service Residential)	43
5.7.5	Rural Commercial Policies	45
5.7.6	Rural Industrial Policies	49
5.7.7	Limited Service Residential Policies	50
5.8	RIDEAU CANAL	
	Acknowledgement	52
6.0	GENERAL POLICIES	54
6.1	DEVELOPMENT STAGING	54
6.2	DEVELOPMENT AND RE-DEVELOPMENT POLICIES	54
6.3	DEVELOPMENT AGREEMENTS	54
6.4	AGENCY TECHNICAL REVIEW	54
6.5	GROUP HOMES	55
6.6	HOME OCCUPATIONS AND HOME INDUSTRIES	55
6.7	INSTITUTIONAL AND PUBLIC USES	55
6.8	LAKESHORE ASSESSMENT MAPS	56
6.8.1	Lake Trout Water Quality Model	56
6.9	BUFFERING	57
6.10	SERVICING	57
6.10.1	General	57
6.10.2	Settlement Area Servicing	58
6.10.3	Development Applications	58
6.10.4	Existing Substandard Services	58
6.11	SECONDARY PLANS	59
6.12	FRONTAGE ON PUBLIC ROADS	59
6.13	CONVERSION TO PERMANENT RESIDENTIAL	60
6.14	NOISE ATTENUATION	61

6.15	DEVELOPMENT CHARGES	61
6.16	DESIGN CRITERIA FOR THE PHYSICALLY CHALLENGED	61
6.17	SITE PLAN CONTROL	61
6.18	COMMUNITY IMPROVEMENT POLICIES	63
6.19	FARMING AND FOOD PRODUCTION PROTECTION ACT (FFPPA)	63
6.20	INFLUENCE AREAS	63
6.21	NATURAL HAZARD LANDS	63
6.22	CULTURAL HERITAGE RESOURCES	64
6.23	MINIMUM DISTANCE SEPARATION FORMULAE	65
6.24	MAN-MADE HAZARDS	65
6.25	RAILWAYS	65
6.26	NUTRIENT MANAGEMENT BY-LAW	66
6.27	ABANDONED MINE HAZARDS	66
6.28	SOURCE WATER PROTECTION	67
6.29	SECONDARY SUITES	67
6.30	RIDEAU CANAL	67
7.0	DIVISION OF LAND	67
7.1	GENERAL CONSENT POLICIES APPLICABLE TO ALL LAND USE DESIGNATIONS	67
7.1.1	Special Severance Policies - Shallow and Narrow Bodies of Water	69
7.1.2	Timmerman Island	70
7.2	GENERAL POLICIES FOR PLANS OF SUBDIVISION	70
8.0	IMPLEMENTATION	73
8.1	ZONING BY-LAW	81
8.1.1	Interim Control By-laws	81
8.1.2	Temporary Use By-laws	81
8.1.3	Holding Symbol	81
8.1.4	Development Permit Areas	81
8.2	BUILDING BY-LAW	74
8.3	MAINTENANCE AND OCCUPANCY	74
8.4	OTHER BY-LAWS	74
8.5	SUBDIVISION OF LAND	74
8.6	CONSTRUCTION OF PUBLIC WORKS	74
8.7	LAND ACQUISITION	74
8.8	AMENDMENTS	74
8.9	COMMITTEE OF ADJUSTMENT	83
8.10	REVIEW PROCEDURE	83
8.11	PRE-CONSULTATION	83

8.12 COMPLETE APPLICATIONS.....83
 8.13 PROCEDURAL GUIDELINES.....83
 9.0 INTERPRETATION.....84

1.0 PURPOSE AND COMPONENTS OF THE OFFICIAL PLAN

1.1_ PURPOSE OF THE OFFICIAL PLAN

The purpose of the Official Plan is to provide a vision, goals, objectives and policies to direct the physical development of the Township of South Frontenac while having regard for relevant social, economic and environmental matters.

It is intended that the plan serve to direct the Council, the Committee of Adjustment and other Committees established by Council in their future decisions with respect to land use matters including proposed plans of subdivision; applications for consent and minor variances and applications for amendments to the Official Plan and/or the zoning by-law.

The plan will direct both the public and private sectors with respect to land use and development principles.

It will promote the orderly and economic growth of the Township **to the year 2027 and beyond** while correcting existing problems and safeguarding the health, convenience and economic well-being of the Township’s current and future residents within the financial resources of the municipality.

1.2 COMPONENTS

(1) This Official Plan is comprised of a text and Land Use Schedules. The Schedules comprise:

- Schedule “A” Land Use Plan,
- Schedule “B” Environmental Protection,
- Schedule “C” Roads,
- Schedule “D” Aggregates, and
- Schedule “E” Natural Heritage Systems.

Appendices are also included to provide background and supporting information but they do not form a part of the Official Plan.

- (2) The policies contained in Sections 5.1 to 5.7 inclusive apply directly to the corresponding land use designations and features shown on Schedules ‘A’, ‘B’, ‘C’, ‘D’ and ‘E’. All other policies of the Official Plan apply generally to all areas of the Township.
- (3) To use this Plan, locate on Schedule ‘A’, the parcel of land and determine its land use designation(s). **Then locate the parcel on Schedules “B”, “D” and “E” for further information regarding land uses.** Then review the specific land use policy(ies) relating to the designations and general policies applicable to all areas. **In addition, refer to Schedule ‘C’ for information on the road network throughout the Township and access to particular properties.**

2.0 A VISION FOR SOUTH FRONTENAC

2.1 VISION STATEMENT

South Frontenac is **comprised of a variety of communities with similar interests that have come together through mutual co-operation to achieve common goals.** The Official Plan provides a framework for directing South Frontenac’s growth in a manner that will **conserve** the Township’s environmental integrity, **its rural character, its aesthetic views** and its long-term economic viability.

2.2 INTERPRETATION OF VISION STATEMENT

“... **variety of communities with similar interests ...**” This recognizes that South Frontenac is a diverse collection of hamlets, farms, rural and **seasonal residential** dwellings, commercial enterprises and recreational facilities. Underlying this is a geographic diversity that has shaped the communities and provides the opportunities for the residents to gain sustenance.

“... **common goals ...**” Notwithstanding their diversity, the residents are more alike than they are different. They share a preference for a rural lifestyle, recognize the importance of the environment and accept that long-term considerations are of primary importance in the management of the community.

“... **conserve ...**” This is not meant to prevent change, but to maintain a balance amongst the sometimes competing factors of environmental **protection**, economic development activity and maintenance of rural character. It is the overall balance of these items, over the long term, which the Official Plan seeks to maintain.

“... **mutual co-operation ...**” **deleted**”

“... **provides a framework** ...” The Official Plan documents the community’s values and sets out the manner in which these are to be achieved and maintained. The “Vision Statement” provides overall direction; the “Goals” indicate the desired state in each major area of concern and the “Objectives” detail the manner by which the goals will be achieved. Throughout the document, the supporting role of each item to the Vision must be clear as this will become the foundation upon which municipal decisions will be based.

“... **directing ... growth** ...” This relates to the municipality’s obligation and desire to set the terms for change within the community. It is achieved largely by the passing and enforcement of by-laws that give primacy to the long-term interests of the community as a whole.

“... **environmental integrity** ...” This relates to the sustainability of various activities in the community. Where an activity is not sustainable (eg. mineral extraction), then rehabilitation measures must be enforced to ensure that long-term negative impacts are minimized. Of particular concern are any activities which impact on the quality and/or quantity of **ground and/or surface** water.

“... **enhancing** ...” It is not the intention of the Official Plan to simply maintain the status quo. Rather, measures must be taken which will actually improve upon the present situation. This is the community’s obligation to the next generation.

“... **rural character** ...” This is a combination of many factors which in total differentiates South Frontenac from urban or suburban communities. Key amongst the factors is the sustained use of the land for economic sustenance. Other factors which define the community as being rural include: large, uncrowded residential lots; **aesthetically pleasing and natural waterfront vistas**; private water and septic systems; mixture of woodlands, bush, agricultural fields and open landscapes; major services being located in adjacent cities; industrial activities limited to those which support the local economy; residential activity either singly or more concentrated in small subdivisions/hamlets; limited municipal services.

“... **long-term economic viability** ...” The residents of South Frontenac are committed to making this an outstanding rural community capable of sustaining itself for future generations. To achieve this there must be a full range of activities upon which the financial base for the community can be formed. There is, therefore, a recognition that the residential, recreational, commercial, industrial and agricultural components are not only closely interrelated, but are absolutely essential for the community to survive.

3.0 **DEFINITIONS**

Adjacent Lands means those lands contiguous to transportation corridors; to a specific natural heritage feature; to mineral deposits or aggregate resources; or to a protected heritage property.

Adverse Effects means one or more of:

- impairment of the quality of the natural environment for any use that can be made of it;
- injury or damage to property or plant and animal life;
- harm or material discomfort to any person;
- a negative effect on the health of any person;
- impairment of the safety of any person;
- rendering any property or plant or animal life unfit for use by humans;
- loss of enjoyment of normal use of property; and
- interference with normal conduct of business.

Alternative energy systems means sources of energy or energy conversion processes that significantly reduce the amount of harmful emissions to the environment (air, earth, water) when compared to conventional energy systems.

Archaeological Resources means artifacts and archaeological sites as defined under the Ontario Heritage Act. The identification and evaluation of such resources is based on archaeological field work undertaken in accordance with the Ontario Heritage Act. **2015**

Areas of Archaeological Potential means areas likely to contain archaeological resources. Methods to identify archaeological potential are established by the province but municipal approaches which achieve the same objectives may also be used. The Ontario Heritage Act requires archaeological potential to be confirmed through archaeological field work. **2015**

Areas of Natural and Scientific Interest (ANSI) means areas of land and water containing natural landscapes or features that have been identified as having unique life science or earth science values related to protection, scientific study, or education.

Built Heritage Resource means a building, structure, monument, installation or any manufactured remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Aboriginal community. Built heritage resources are generally located on property which has been designated under Parts IV or V of the Ontario Heritage Act or which is included on local, provincial and/or federal registers. **2015**

Cultural Heritage Landscape means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Aboriginal community. The area may comprise features such as structures, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Examples may include heritage conservation districts designated under the Ontario Heritage Act, villages, parks, gardens, battlefields, main streets and neighbourhoods, cemeteries, trailways, viewsheds, natural areas and industrial complexes of heritage significance and areas recognized by federal designation authorities (eg., National Historic Site or District designation). **2015**

Cultural Heritage Resources means built heritage resources, cultural heritage landscapes and archaeological resources. **2015**

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

Designated vulnerable area means an area defined as vulnerable, in accordance with provincial standards, by virtue of their importance as a drinking water source that may be impacted by activities or events.

Farm Retirement Lot deleted

Fish Habitat (as defined in the Fisheries Act) means the spawning grounds and any other areas including nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life processes.

Flood Plain for River and Stream Systems means the area, usually low lands adjoining a watercourse, which has been or may be subject to flooding hazards.

Limited Service Residential means land and/or buildings used for residential purposes that have frontage only on a seasonally maintained public road, a private lane and /or water. As a result of their location, the Township/County/School Boards may not be able to provide the level of municipal service that would otherwise be available if the lands had frontage on a year round publicly maintained road.

Habitat of Endangered and Threatened Species means:

- a) With respect to a species listed on the Species at Risk in Ontario List as an endangered or threatened species for which a regulation made under clause 55(1)(a) of the Endangered Species Act, 2007 is in force, the area prescribed by that regulation as the habitat of the species; or
- b) With respect to any other species listed on the Species at Risk in Ontario List as an endangered or threatened species, an area on which the species depends, directly or indirectly, to carry on its life processes, including life processes such as reproduction, rearing, hibernation, migration or feeding, as approved by the Ontario Ministry of Natural Resources and Forestry; and
- c) Places in the areas described in clause (a) or (b), whichever is applicable, that are used by members of the species as dens, nests, hibernacula or other residences.

2015

Hazardous forest types for wildland fire means forest types assessed as being associated with the risk of high to extreme wildland fire using risk assessment tools established by the Ontario Ministry of Natural Resources and Forestry, as amended from time to time. **2015**

Natural Heritage Features and Areas means features and areas, including significant wetlands, fish habitat, significant woodlands and significant valleylands in Ecoregion 6E, habitat of endangered species and threatened species, significant wildlife habitat, and significant areas of natural and scientific interest, which are important for their environmental and social values as a legacy of the natural landscapes of an area. **2015**

Natural Heritage System means a system made up of natural heritage features and areas, and linkages intended to provide connectivity (at the regional or site level) and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems. These systems can include natural heritage features and areas, federal and provincial parks and conservation reserves, other natural heritage features, lands that have been restored or have the potential to be restored to a natural state, areas that support hydrologic functions, and working landscapes that enable ecological functions to continue. **2015**

Negative Impacts means:

- a) In regard to fish habitat, any permanent alteration to, or destruction of fish habitat, except where, in conjunction with the appropriate authorities, it has been authorized under the Fisheries Act; and
- b) In regard to other natural heritage features and areas, degradation that threatens the health and integrity of the natural features or ecological functions for which an

area is identified due to single, multiple or successive development or site alteration activities. **2015**

One Hundred Year Flood (for river and stream systems) means that flood, based on an analysis of precipitation, snow melt, or a combination thereof, having a return period of 100 years on average, or having a 1% chance of occurring or being exceeded in any given year.

Rural Areas means a system of lands within municipalities that may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas and resource areas. **2015**

Rural Lands means lands which are located outside settlement areas and which are outside prime agricultural areas. **2015**

Site Alteration means activities, such as fill, grading and excavation, that would change the landform and natural vegetative characteristics of a site.

Significant means:

- a) **in regard to wetlands, and areas of natural and scientific interest**, an area identified as provincially significant by the Ontario Ministry of Natural Resources and Forestry using evaluation procedures established by the province, as amended from time to time;
- b) **in regard to woodlands**, an area which is ecologically important in terms of features such as species composition, age of trees and stand history, functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the Township; or economically important due to site quality, species composition, or past management history. **These are identified using criteria established by the Ministry of Natural Resources and Forestry; 2015**
- c) **in regard to mineral potential**, means an area identified as provincially significant through evaluation procedures **developed** by the province, which procedural documents are amended from time to time such as the Provincially Significant Mineral Potential Index;

Wetlands means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case, the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens.

4.0 GOALS AND OBJECTIVES

4.1 NATURAL HERITAGE GOAL

The natural beauty of South Frontenac Township's lakes, forests and rural landscape is its predominant asset. It is the Natural Heritage Goal of this Official Plan to preserve and enhance South Frontenac Township's environmental quality for the enjoyment of future generations, while realizing its economic potential. To accomplish this, development decisions will be made from a long term cumulative impact point of view which protects the natural heritage systems within the Township.

The Township recognizes the value of 'lake management/stewardship plans' and 'recreational capacity assessments' that are initiated by various lake associations within the municipality. When prepared by qualified professionals, these plans provide further technical data on which to substantiate Official Plan policies to ensure sustainability of the lakes, the lands and the natural ecosystem while supporting continued activity and development.

The Township also recognizes the value of Frontenac Park both in terms of providing recreational opportunities for residents and as a destination centre for visitors to the Township. Council appreciates that the United Nations Organization for Education, Science and Culture (UNESCO) recognized the Frontenac Arch Biosphere in the year 2002.

(a) Objectives

- (i) to promote sustainable development that meets the needs of the present without compromising the ability of future generations to meet their own needs.
- (ii) to approach planning decisions on an ecosystem basis, an approach that recognizes the interconnection of all living organisms, including humans, to their environment and to each other.
- (iii) to consider the cumulative impacts of planning decisions, recognizing that development proposals cannot be addressed only on an individual basis in isolation from past and future decisions.
- (iv) To have consideration for the findings and recommendations of lake management and lake stewardship plans when evaluating the merits of development proposals;
- (v) To promote Frontenac Park as a tourist attraction and to protect its special environmental qualities.
- (vi) to ensure that no net loss of environmental quality occurs.

- (vii) to maintain or improve surface and subsurface water quality.
- (viii) to reduce reliance on conventional energy systems as the major source of energy by encouraging development that uses alternative energy systems.**
- (ix) to encourage the re-establishment of natural vegetation along shorelines and the upgrading of existing development around waterbodies, especially older sewage disposal systems which may be adversely affecting water quality.

4.2 **HOUSING GOAL**

This Official Plan will encourage residential development that is affordable, of high quality and capable of meeting the changing and diverse needs of the rural community. Such development will be carefully planned to reduce land use conflicts, provide long-term protection of the environment and minimize the municipal servicing costs.

(a) Objectives

- (i) to minimize the cost of providing essential municipal services to the residents. This will be accomplished by planning controls that consider the long-term servicing costs of all developments.
- (ii) to maintain the established rural character of the **community outside of built up areas**. This will be accomplished by zoning controls that **mitigate** land use conflicts, minimize the impact of development on traditional rural activities and which respect the environment.
- (iii) to provide for a variety of housing types which will meet the varied and evolving needs of the residents. This will be achieved through by-laws that set out the criteria for construction and maintenance standards of various types of accommodation.
- (iv) to encourage seniors' facilities, group homes and affordable housing to meet the needs of the community. Mindful of the municipality's limited funds, this will be accomplished by zoning by-laws rather than by direct or indirect subsidies.
- (v) to help facilitate affordable housing by permitting 'secondary suites' in existing single detached, semi-detached dwellings and rowhouses subject to appropriate servicing and off-street parking.**
- (vi) to monitor the changing housing needs of the community. This will be accomplished by periodic review of the community's demographics.

4.3 AGRICULTURAL AND RURAL GOAL

The Agricultural and Rural Goal of this Official Plan is to preserve the Township's established rural character and agricultural industry and to promote economic opportunity for family farms.

(a) Objectives

- (i) to protect agriculturally productive land from the encroachment of incompatible land uses by restricting the location of residential, commercial and industrial development on such land and by encouraging such uses not to locate on productive agricultural lands.
- (ii) to maintain agriculturally productive lands in economically viable units by preventing the fragmentation of such land.
- (iii) to protect the viability of confinement livestock enterprises by limiting the encroachment of non-agricultural uses.
- (iv) to protect the established rural character of the Township from uncontrolled strip development.
- (v) to promote the economic viability of farms by facilitating diversification of on-farm uses to include: value-added activities such as food processing and sales directly to the public; renewable energy developments; and agri-tourism activities and facilities.

4.4 MINERAL RESOURCES GOAL

The Mineral Resources Goal of this Official Plan is to protect significant mineral and aggregate resource areas from incompatible land uses to enable their continued or future development.

(a) Objectives

- (i) to protect significant mineral and aggregate resources by restricting non-compatible development on or adjacent to identified areas of mineral and aggregate resource potential.

- (ii) to provide policies to achieve the proper management of mineral and aggregate areas.
- (iii) to ensure that mineral and aggregate areas will be rehabilitated by the operator to facilitate future land use.

4.5 **CULTURAL HERITAGE RESOURCES GOAL**

The Cultural Heritage Resources Goal of this Official Plan is to conserve significant built heritage resources, cultural heritage landscapes and archaeological resources (collectively termed “cultural heritage resources”) in the Township. The Township recognizes the Rideau Canal as a Canadian Heritage River, National Historic Site and as a UNESCO World Heritage Site. The Township has been participating in an initiative termed the ‘Rideau Corridor Landscape Strategy’ the goal of which is to develop planning and management tools to identify and protect the cultural heritage landscape of the corridor. The Township supports the policy directions coming out of this strategy. 2015

(a) Objectives

- (i) to identify and protect buildings, structures, monuments, installations, remains and archaeological sites associated with architectural, cultural, social, political or economic history of the Township.
- (ii) to identify and protect areas of the Township which are significant to the understanding of the history of the Township or its residents.
- (iii) to assess any adverse impacts to identified cultural heritage resources in the Township.
- (iv) to encourage and foster public awareness of, participation in, and involvement in the conservation of cultural heritage resources. 2015
- (v) to ensure the conservation, preservation and enhancement of the rural character of the municipality as a cultural resource including ensuring the viability of the agricultural landscape and industry. 2015
- (vi) to ensure that all cultural heritage resources in the municipality are managed in a way which perpetuates their functional use while maintaining their heritage value, integrity and benefit to the community. 2015
- (vii) to plan new development in a manner which preserves and enhances the context in which cultural heritage resources are situated. 2015

4.6 PUBLIC HEALTH AND SAFETY GOAL

The Public Health and Safety Goal of this Official Plan is to ensure development activity does not jeopardize the health and safety of Township residents.

(a) Objectives

- (i) to identify and direct development away from natural hazard lands such as floodplain, steep slope or erosion-prone areas.
- (ii) to identify and direct development away from man-made hazard lands such as abandoned mine sites and waste disposal areas.

4.7 COMMERCIAL GOAL

The Commercial Goal of this Official Plan is to ensure that there is a well-balanced and varied commercial economy to serve the needs of the residents of the Township and tourists by the provision of adequate commercial land and land use policies.

(a) Objectives

- (i) to encourage commercial establishments to develop in harmony with their surroundings, in proportion to and in conjunction with residential development, as the market demand matures.
- (ii) to maintain and improve existing commercial areas as well as to allow limited commercial expansion in other parts of the Township, having careful regard for good site development standards.
- (iii) to provide adequate commercial facilities oriented to the needs of the tourist industry.
- (iv) to permit commercial infilling adjacent to existing commercial uses in established commercial areas and on marginal agricultural land.

4.8 SERVICING AND COMMUNITY IMPROVEMENT GOAL

The Servicing and Community Improvement Goal of this Official Plan is to require adequate and efficient systems of water supply, sanitary sewage disposal, storm drainage and waste

disposal to all areas of development in the Township and to co-ordinate development with the Township's ability to provide adequate physical and community services.

(a) Objectives

- (i) to provide adequate and up-to-standard physical and community services, especially in built-up areas. Such services may include street paving, street lighting, stormwater drainage as well as libraries, community meeting spaces, recreation parks, etc.
- (ii) to attempt to resolve any problem resulting from existing incompatible land uses in the developed communities, and to ensure that buildings and properties are maintained to an acceptable standard.
- (iii) to require the installation of private water supply systems and private sewage treatment systems in accordance with the requirements of the appropriate governmental agencies.
- (iv) to encourage and facilitate the correction of existing sewage systems identified as decreasing environmental quality and creating health problems.
- (v) to consider development on municipal sewer and water services in the settlement areas only.
- (vi) to require that new development in the Sydenham Settlement Area boundary be serviced by municipal water.
- (vii) to prohibit private communal systems in the Township unless an agreement is entered into including securities.**
- (viii) to encourage redevelopment of contaminated land (i.e. brownfields)**

4.9 RECREATIONAL GOAL

The Recreational Goal of this Official Plan is to optimize the recreational potential of the Township by ensuring sufficient land is preserved for recreational purposes and by maximizing existing recreational resources.

(a) Objectives

18

- (i) to provide sufficient park, recreational and sport facilities by receiving the maximum parkland dedication permitted under the Planning Act.
- (ii) to secure land located along shorelines for public uses.
- (iii) to develop scenic routes, trails and recreational facilities for boating, recreational vehicles, cross-country skiing and hiking.
- (iv) to provide opportunities for nature-oriented activities such as sport fishing, bird watching, and hunting.

4.10 **TRANSPORTATION GOAL**

The Transportation Goal of this Official Plan is to provide an efficient and cost-effective transportation network that optimizes the movement of people and goods throughout the Township. **Schedule 'C' 'Roads' identifies the Township's existing road and lane network and Appendix 1, "Road/Lane Classification Standards", specifies minimum standards for new public roads and private lanes.**

(a) Objectives

- (i) to develop a transportation network consistent with identified needs of the Township
- (ii) to discourage new direct access onto major roads but to encourage access onto collector roads.
- (iii) to encourage the improvement of access to recreational areas.
- (iv) to permit limited service residential development on existing private roads and extensions to private lanes leading to water provided the entire lane is governed by a condominium agreement. 2015**
- (v) to ensure that the location and development of transportation facilities cause minimal environmental and community disruption.
- (vi) to identify the functional classification of roads and provide an appropriate standard for each classification.
- (vii) to avoid upgrading and assuming any existing or new private **lane responsibilities except as may be approved under the 'Private Lane Assistance Program'.**

- (viii) to limit development on roads **and lanes** which are not able to sustain increased usage.
- (ix) Council will only consider the assumption of new public roads provided they are brought up to an appropriate municipal standard.

5.0 LAND USE POLICIES

The land resources within South Frontenac shall be developed in accordance with the vision, goals, objectives and policies of the Official Plan of the Township of South Frontenac. The Official Plan text and Land Use Schedule ‘A’ identify the following seven land use designations: Agricultural, Environmental Protection, Mining, Mineral Aggregate, Settlement Areas, Rural and Waste Disposal. **Schedule “B” Environmental Protection shows **features** that serve to identify and protect certain environmental and natural resource elements in the Township. The **features** include natural heritage elements such as the Drinking Water Protection Zone, Areas of Natural and Scientific Interest, significant woodlands, significant valleylands, significant wildlife habitat, erosion prone areas and steep slope areas. Development of these areas shall be permitted in accordance with the land use designation on Schedule “A” but with the constraints identified on Schedules “B”, “C”, “D” and “E”. 2015**

5.1 AGRICULTURAL

The Agricultural designation means that the predominant use of land in the areas so designated shall be for agricultural purposes and compatible uses that enhance the Township’s agricultural industry. The Agricultural designation has been applied to those lands that are considered to be provincially significant, that have a high capability to produce food and are generally large blocks of Class 1, 2 and 3 soils as identified in the Canada Land Inventory (CLI) for agriculture. The Agricultural designation may also include areas that exhibit established agricultural activity. This designation also includes aquaculture uses on lands suited for such purposes.

5.1.1 Uses Permitted

Uses permitted are agricultural operations (i.e. agriculture, horticulture or silvaculture), aquaculture (i.e. fish farming), the growing, producing or raising of livestock including poultry, rabbits, fur bearing animals, bees, deer, elk, game animals and birds, and the production of agricultural crops, maple syrup and mushrooms, limited farm and non-farm related residences and accessory farm buildings. Secondary uses shall also be permitted such as home occupations, home industries, **agri-tourism activities and facilities for generation of electricity from renewable sources such as biodigesters, wind generators and photovoltaic generation.** Also permitted are uses that produce value-added agricultural products from the agricultural farm operation and conservation projects and passive open space uses (excluding

golf courses) that maintain the existing parcel size and do not require structures. Uses that are directly related to, and are required to be in proximity to, farm operations, such as agricultural supply and service establishments, cold storage for fresh produce or grain drying, may be permitted provided suitable alternative locations within the “Rural” designation are not available.

5.1.2 Minimum Distance Separation Formula (MDS)

Farm and non-farm development shall comply with the Minimum Distance Separation Formulae I and II as amended from time to time.

5.1.3 Zoning By-laws

Agricultural lands shall be zoned in a separate classification in the implementing zoning by-law. Farm related commercial and industrial uses shall be zoned in a separate classification.

5.1.4 Agricultural Consents

Consents in the Agricultural designation shall conform with this section and the General Consent Policies of Section 7 of this Plan. Within the Agricultural designation, the following four (4) types of consents are permitted:

- (a) farm consents;
- (b) **consents for a residence surplus to a farming operation;**
- (c) farm related industrial and commercial consents;
- (d) **infrastructure consents.**

The following consent policies shall apply.

a) Farm Consents

Farm consents shall only be considered where the municipality is satisfied that:

- (i) **both the retained and severed lots are of a size that is appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations.** The minimum lot size shall be established in the implementing Zoning By-law;

- (ii) the proposed consent does not create or promote inappropriate agricultural land fragmentation; and
- (iii) the farm buildings either existing or proposed will be sufficiently separated from buildings on adjacent lots to comply with the Minimum Distance Separation formulae as amended from time to time.

b) **Consents for a Residence Surplus to a Farming Operation**

Consents for farm related residential use may be permitted for an existing residence considered to be surplus as a result of a farm consolidation where the consolidation results in a farm operation of at least 35 ha (86.5 acres) and **provided the vacant remnant parcel of farmland created by the consent is zoned to prohibit any new residential dwelling.**

c) **Farm Related Industrial and Commercial Consents**

Non-residential uses specifically referred to under Section 5.1.1 of this Plan may be permitted within the Agricultural designation. In granting consents related to such uses, regard shall be had for the following:

- (i) a consent to a land severance may be considered by the Committee of Adjustment to allow the establishment of agricultural service and supply industries and other such uses as may be permitted provided such use does not jeopardize the viability of an adjacent farming operation and that the proposed use will comply with the Minimum Distance Separation Formulae I as amended from time to time and is compatible with adjacent land uses;
- (ii) where possible, a lot created for farm related industrial or commercial purposes shall be encouraged to be located within areas of poorer quality soils; and
- (iii) a lot created under the provisions of this Section shall be conditional on the approval of an amendment to the implementing Zoning By-law rezoning the lands within an appropriate zone classification.

d) **Infrastructure Consents**

Lots created for infrastructure purposes are permitted where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.

5.2 ENVIRONMENTAL PROTECTION

The Environmental Protection designation shown on Schedules “A” and “B” applies to lands that play an important role in the preservation of the Township’s natural heritage systems including wetlands (both Provincially Significant and other wetlands), watercourses, lakes and significant portions of the habitat of threatened or endangered species. **The Environmental Protection – W designation shown on Schedule “B” identifies Provincially Significant Wetlands.**

The Environmental Protection designation also includes natural hazard lands that may pose a threat to life and property because of inherent physiographic characteristics such as floodplains, erosion hazards or other similar physical limitations.

It is recognized that not all, lakes, watercourses, floodplains, erosion prone areas, wetlands and significant portions of the habitat of threatened and endangered species are identified on the Schedules because not all significant natural features in the municipality are known. Accordingly, the Township may require proponents to conduct site-specific assessments as a requirement of development applications to identify features such as the habitat of endangered and threatened species, significant wildlife habitat, or other features which have not been evaluated for significance. 2015 When development is proposed in these areas, the Township shall consult the Conservation Authority to determine the appropriate development standards and criteria to ensure no adverse impact on the natural heritage feature or pose a threat to life and property.

Environmentally Sensitive Areas features shown on Schedule ‘B’ identify lands that should be developed in an environmentally sensitive manner and/or protected and preserved in the long term. Such lands are described as Environmentally Sensitive Areas and include lands and adjacent lands identified to have significant biological, geological, zoological or other unique natural features such as sensitive groundwater recharge and discharge areas, natural connections between natural heritage features, fish habitat, significant wildlife habitat, significant woodlands, significant valleylands and significant areas of natural and scientific interest.

The Environmentally Sensitive Areas abutting land width development buffer includes all lands within 90 metres (295 ft.) of all Township lakes and within 300 (984 ft) metres of all at-capacity and not at-capacity lake trout lakes because of the potential impact development may have on water quality and fish habitat. Also, with respect to Significant Areas of Natural and Scientific Interest the abutting land width development buffer shall be 50 metres (164 feet).

The responsibility for confirming the significance of wetlands lies with the Ministry of Natural Resources and Forestry (MNRF). MNRF also has the responsibility for designating species as endangered and threatened and for approving the locations of their habitat, and responsibility for identifying Areas of Natural and Scientific Interest and determining their significance. Other features shall be identified by the municipality or through site-specific assessments as part of the development review process. **2015**

Development of Environmentally Sensitive Areas may be permitted in accordance with the underlying land use designation **shown on Schedule ‘A’** while **ensuring consistency with** the policies of this Plan including Section 5.2.7.

5.2.1 Uses Permitted

Development and site alteration of lands designated Environmental Protection **on Schedule “A”** are limited to agriculture, conservation, wildlife management, research, educational, appropriate passive recreational uses and public or private open space. Buildings, structures or works associated with agriculture, excluding residences, flood or erosion control, water course protection or bank stabilization may be permitted. **Notwithstanding the above**, no development or site alterations shall be permitted within **the habitats of** threatened or endangered species, **except in accordance with provincial and federal requirements, 1:100 year engineered flood plain**, or a **wetland**. However, existing agricultural uses will be permitted and allowed to continue.

5.2.2 Environmental Protection Boundaries

The boundaries of the Environmental Protection **and Environmental Protection – W** designation have been established by air photo interpretation, site inspections, input from the Conservation Authorities and the Ministry of Natural Resources, evaluated wetland mapping and by reference to the engineered flood plain mapping for portions of the Quinte Region and Cataraqui Region watersheds (the Rideau Valley Conservation Authority has no engineered floodline mapping in the Township). When additional information on these and other natural heritage or natural hazard features, wetland mapping or floodline mapping becomes available, this Official Plan and the Zoning By-law shall be amended accordingly.

The boundaries of the Environmental Protection and Environmental Protection - W designations will serve as the basis for the implementing Zoning By-law. Minor changes to the boundaries of these designations may be considered by Council to accommodate development in consultation with the relevant Conservation Authority and the Ministry of Natural Resources **and Forestry** without an amendment to the Official Plan provided the proposed use would be permitted in the adjacent designation and the overall intent of the Plan is maintained. An amendment to the Zoning By-law may be required. **The boundaries of Provincially Significant Wetlands and habitat of endangered and threatened species shall be based on the best available scientific information approved by the Ministry of Natural**

Resources and Forestry. For other wetlands that are not provincially significant, Council may consider changes to the boundaries within the Environmental Protection designation for a proposed development on consideration of the following matters:

- (a) the potential impacts of the proposed development on the environmental feature or adjacent land;
- (b) a description of the potential negative impacts of the proposed development or site alterations on the environmental feature and its ecological functions;
- (c) the proposed methods by which the environmental feature may be protected in a manner consistent with accepted resource management practices; and
- (d) the costs and benefits of any works or resource management practices needed to protect the environmental feature.

There is no obligation, however, to change the designation or zoning of any areas shown as Environmental Protection, if there would be negative impacts on the environmental feature or if the environmental constraint would be difficult or costly to overcome for the developer.

If development is proposed on or within 120 metres of an unevaluated wetland that has characteristics of, or contains components that are typical of, a provincially significant wetland (PSW), a scoped environmental impact study shall be prepared by a qualified person and submitted to the Ministry of Natural Resources and Forestry (MNRF) for approval to determine if it is a PSW. Once the significance is determined, the appropriate policies of this Plan apply. **2015**

5.2.3 **Specific Flood Plain Policies**

Development and site alterations will not be permitted within defined portions of the one in one hundred year floodplain.

Engineered Flood Plain mapping has been completed for portions of the Township. Where Engineered Flood Plain mapping is approved by the appropriate authority and the necessary regulations have been adopted, the following requirements shall apply.

- (a) The erection of new buildings or structures, the removal or placing of fill and/or alterations to waterways will not be permitted without the prior approval of the appropriate authority.
- (b) Where a major alteration is necessary to overcome the hazards within an engineered Flood Plain, an amendment to this Plan will be required.

- (c) An amendment to this Plan will not be required for minor filling within the Flood Plain, provided the appropriate authority approves of such alteration.
- (d) In the absence of detailed floodplain mapping or flood elevations, the boundaries of the lands within the engineered floodplain and designated as Environmental Protection on **Schedule 'A'** shall be used as guides for the preparation of the zoning by-law provisions which will implement the policies of this section.
- (e) In the absence of detailed floodplain mapping, and where a flooding hazard is suspected, Council, in consultation with the local Conservation Authority, will require that a proponent detail the extent of any hazard lands and the measures that would be required to address the following requirements:
 - i) that vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;
 - ii) that new hazards are not created and existing hazards are not aggravated and that no adverse environmental impacts result;
 - iii) that the hazards can be safely addressed and carried out using established standards and procedures and the Conservation Authority has approved any floodproofing measures which are proposed;
 - iv) that a site plan and site plan agreement, if necessary, have been completed to the satisfaction of the Municipality in consultation with the appropriate Conservation Authority; and
 - v) that an amendment to the Zoning By-law setting out any applicable provisions has been obtained where required.

5.2.4 Erosion Hazards

The Township will direct development or site alterations away from lands identified by the municipality which may be subject to shoreline erosion hazards. The Township should consult with the appropriate Conservation Authority with respect to lands that may constitute an erosion hazard.

5.2.5 Significant Wetlands 'W'

Several wetland areas in the Township have been evaluated through the provincial Wetland Evaluation System as being **Significant**. Evaluated wetlands that have been classified as **significant** are designated Environmental Protection and identified by the symbol 'W' on Schedule 'A'. The Township will promote the continued protection of all significant

wetlands to maintain and improve water quality, assist in flood control, provide important fish and wildlife habitat and contribute to substantial social and economic benefits which include selected outdoor recreational and tourism related activities.

Notwithstanding Section 5.2.1, no development or site alterations shall be permitted within any of the significant wetlands.

The Township will zone all provincially significant wetlands as areas for environmental protection and conservation and will encourage protection and conservation of all other wetlands in order to maintain their hydrologic, social, wildlife habitat features and recreational benefits.

No new development or site alteration within 120 metres (394 feet) of a significant wetland, nor the expansion or redevelopment of existing development within or adjacent to a significant wetland is permitted unless it has been determined through an Environmental Impact Study completed in accordance with Section 5.2.11 of this plan that there will be no negative impacts on the natural features or ecological functions of the wetland.

Development on existing lots of record that are adjacent to a provincially significant wetland will be permitted, subject to the requirements of Section 5.2.11.

Notwithstanding the above, established agricultural activities are permitted within and adjacent to a significant wetland without an Environmental Impact Assessment.

5.2.6 Zoning

Environmental Protection areas shall be zoned in a separate classification in the implementing Zoning By-law.

5.2.7 Environmentally Sensitive Areas

Lands within South Frontenac which abut or are adjacent to the Township's many lakes and rivers have historically attracted tremendous interest as areas for summer recreation. The obvious appeal of these areas is the beautiful shorelines with their natural aesthetic qualities as well as the superb leisure and recreational opportunities they offer. Over the years, this attraction has led to development of low density seasonal dwellings whose location has evolved in a linear fashion at the shores of the lakes. These dwellings or cottages traditionally functioned solely as secondary residences used on a seasonal basis by their owners, whose principal place or residence was elsewhere.

In recent years, there has been pressure in the Township to use waterfront residential properties on a more intensive, multi-season basis. The reasons for this are broad and relate largely to the general population growth experienced in the Township but it may also be

attributed to changing lifestyles and better roads and accessibility throughout the municipality. This trend has translated into proposals to enlarge existing lakefront cottages, to create new waterfront lots through the consent process, and to construct increasingly large new dwellings on existing vacant lots and newly-created lots. This has, correspondingly, led to changes in occupancy from secondary or seasonal use to principal or permanent use.

As undeveloped waterfront property becomes increasingly scarce; as existing properties become more intensively used; and as pressures mount to permit higher density development; there is a need to ensure that appropriate Official Plan policies are in place that emphasize the importance of protecting the Township's waterfront areas' unique physical, aesthetic, natural and environmental character.

Therefore, lands within the Township which have unique natural or scientific features and upon which development and site alterations may negatively impact on the natural ecosystem or the aesthetic and natural appeal of the Township's waterfronts are identified as Environmentally Sensitive Areas on **Schedule 'B'** for protection.

These lands may be categorized as follows:

- significant wildlife habitat, fish habitat, significant areas of natural and scientific interest, significant woodlands and valleylands;
- all lands within 90 metres (295 feet) of the highwater mark of lakes and rivers.

These lands may be developed in accordance with the underlying land use designation and the following policies.

[Note that lands within 300 metres (990 ft.) of at-capacity and not at-capacity lake trout lakes are included as environmentally sensitive lands. Development policies and adjacent land widths for these lakes are identified in section 5.2.8 of this Plan.]

Policies for Development or Site Alterations in Fish Habitat, Significant Wildlife Habitat, Areas of Natural and Scientific Interest, Woodlands and Valleylands

In areas identified by Council, development and site alterations in and adjacent to significant wildlife habitat, areas of natural and scientific interest, significant woodlands and significant valleylands and in fish habitat may be permitted in accordance with the following:

- (i) Council may permit development and site alterations within and adjacent to Environmentally Sensitive Areas in accordance with the underlying land use designation when an Environmental Impact Study prepared in

accordance with Section 5.2.11 indicates that no negative impacts on the natural features or the ecological functions would occur.

- (ii) If, in Council's opinion, after reviewing the Environmental Impact Study the proposed development and/or site alteration would not result in any negative impacts to ecological features or functions, the development or site alteration may proceed on the basis of the appropriate land use policies and the Environmental Impact Study. A completed and accepted Environmental Impact Study does not necessarily ensure that the proposal would automatically be permitted.
- (iii) Where an Environmental Study for a proposal is being carried out under the Ontario Environmental Assessment Act or Federal Fisheries Act, that assessment will be deemed to fulfill the Environmental Impact Study requirements of this Plan.
- (iv) The co-operation of adjacent municipalities will be sought to protect Environmentally Sensitive Areas which are only partially located in South Frontenac.
- (v) Private landowners with lands within and abutting Environmentally Sensitive Areas will be encouraged to maintain their lands in a manner which preserves the attributes of Environmentally Sensitive Areas.
- (vi) The protection of Environmentally Sensitive Areas from conflicting uses will be undertaken through the inclusion of appropriate separation distances if required in the implementing zoning by-laws.
- (vii) The implementing Zoning By-law **may** establish a separate category for the lands identified as Environmentally Sensitive Areas. The Zoning By-law may regulate new land uses in order that impacts can be mitigated. Implementation will occur primarily through the review of applications for development and site alterations. Site plan control will be used where appropriate to implement remedial measures/mitigation measures identified by an Environmental Impact Assessment.

b) Policies for Development and Site Alterations Adjacent to Lakes and Rivers

The policies of this section apply to all lakes and rivers, except where they conflict with the policies detailed in Sections 5.2.8 of this Plan.

- (i) All lands within 120 metres of the highwater mark of all lakes, rivers and waterbodies which are not designated Environmental Protection are

included as Environmentally Sensitive Areas. Development and site alteration within these areas shall not be permitted unless it is demonstrated through an Environmental Impact Study that there would be no negative impacts on the features or functions. **2015**

Where development and site alterations occur in these locations, it is the intent of this Official Plan that all buildings, campsites and structures not related to the use of the water and all sewage disposal system leaching beds be well set back from the highwater mark. More specifically, a minimum setback of 30 metres (98.4 ft.) from the highwater mark shall apply but greater setbacks may be required depending on conditions specific to individual sites. Vegetation within the setback area should be disturbed as little as possible consistent with pedestrian passage, safety, provision of views and ventilation. When considering views and ventilation, it is intended that only selective, minor tree cutting and trimming occur. The soil mantle within the setback area should not be altered. These measures are intended to minimize lake impacts by reducing phosphorus inputs, preventing erosion and by maintaining a natural appearance. No commercial clear-cut logging shall be permitted within 90 metres of the highwater mark of all lakes and rivers or on lands sloping towards lakes within the Township.

- (ii) In implementing subsection (i), it is intended that:
- 1) On lots created subsequent to the approval of this plan and having steep slopes, minimal woody vegetation cover, thin soils and/or soils with poor phosphorus retention capability, setbacks of 90 metres (295 feet) may be required.
 - 2) On vacant lots existing on the day of adoption of this Plan, a minimum 30 metre (98.4 ft.) setback from the high watermark for all proposed structures shall be required. Consideration may be given to very slight reductions to the minimum 30 metre (98.4 ft.) setback requirement but only if it is not physically possible to meet the setback anywhere on the parcel. Where it is not physically possible to meet the setback, then the structure shall be constructed as far back as possible from the highwater mark.
 - 3) Proposals to construct additions to existing dwellings that are already within the 30 metre setback may be permitted but will be evaluated on the merits of the proposal based on the following:
 - a) the ultimate total gross floor area, building footprint and lot coverage being proposed;
 - b) the closeness of the existing dwelling to the high

- watermark; and
- c) the capacity of the lot to accommodate new development at a greater setback from the high watermark.

In no case shall an already encroaching structure be permitted to encroach further on the setback from the highwater mark.

For the purpose of this section, the setback requirement shall mean the horizontal distance between the highwater mark and the closest point of the proposed development or site alteration.

- (iii) Appendix ‘2’ provides information that will help interpret the intent of this section. It is taken from the study entitled “Rideau Lakes Carrying Capacities and Proposed Shoreland Development Policies” (1992). **Included is an April, 2014 study by Hutchinson Environmental Sciences Ltd. which provides modifications and additional considerations to the 1992 study. This scientific literature** will be used by Council, municipal staff, applicants, reviewing agencies, Committee of Adjustment and the public in assessing the proposed development or site alterations of any land near water. The objective is to attempt to ensure that development or site alterations are sustainable and in particular to maximize the protection of water quality.
- (d) Prior to constructing, funding or supporting public projects, such as municipal road or drainage works on land within or adjacent to Environmentally Sensitive Areas including lake trout lakes, Council shall consult with the **Conservation Authority**, Ministry of Natural Resources and Forestry, the Ministry of the Environment and Climate Change and the Department of Fisheries and Oceans or agents to determine what design requirements, if any, are necessary to eliminate or mitigate adverse effects on the environmental feature or lake trout habitat including water quality requirements.
- (e) Amendments to Environmentally Sensitive Areas
- (i) Updating of policies and mapping and, where applicable, deleting and adding lands within Environmentally Sensitive Areas including lake trout lakes, will be carried out in co-operation with the appropriate public agency.
- (ii) The boundaries of Environmentally Sensitive Areas may be redefined without an amendment to this Plan after review and approval by the municipality of the Environmental Impact Assessment.

- (iii) Amendments to the boundary of a Significant Wetland or Significant Area of Natural and Scientific Interest will require the approval of the Ministry of Natural Resources.

c) **Policies for Lakeshore Development Capacity**

Lakeshore Capacity refers to the ability of a lake (cold water or warm water) to accommodate further development (ie., residential lot development) without adverse impacts to water quality. Inland lakes have both a finite and measureable capacity for development. Lakeshore capacity assessment encourages land-use decisions to be undertaken that maintain or enhance water quality. In consideration of any environmental lake capacity, lakeshore capacity assessment, the Lakeshore Capacity Assessment Handbook (May 2010) may be considered in the following circumstances:

- When developing or updating official plans;
- If significant improvements to road access to a lake are being considered or have occurred, increasing the use of residences from seasonal to extended seasonal or principal residential use;
- If development (ie., new planning approvals) is being considered within 300 metres of a lake or a permanently-flowing stream within the lake's watershed;
- If significant or unusually large amounts of development is being proposed for a lake beyond the 300 metre boundary;
- If water quality problems (such as elevated levels of phosphorus, loss of water clarity, or algae blooms) are noted;
- If lake trout populations are present;
- If changes in fisheries have been noted, especially diminishing populations of cold water species such as lake trout;
- If people raise concerns about the effects of development on water quality.

2015

5.2.8 Lake Trout Lakes

The Township has one of the highest concentrations of inland lake trout lakes in the Province. Lake trout require cold, deep, well oxygenated water for survival. Development is one of the factors that may reduce the ability of a lake to maintain a healthy self-sustaining lake trout population by adding nutrients (phosphorus and others) which may negatively impact water quality, thereby reducing the lake trout habitat. The policies of this section are designed to ensure that any development on or adjacent to a sensitive lake trout lake takes place in a manner which does not negatively impact water quality in order to maintain a healthy lake trout population.

The following list identifies the lake trout lakes in the Township which are identified as being at-capacity and not at-capacity **2015** for new development and site alterations:

- **At Capacity** Lake Trout Lakes
 - Big Salmon
 - Bobs (Green Bay)
 - Potspoon
 - Loughborough (West Basin)
 - Buck (South Basin and North Basin)
 - Knowlton
 - Garter
 - Crow**
 - Devil**

- **Not At-Capacity** Lake Trout Lakes
 - Big Clear
 - Birch
 - Canoe
 - Desert
 - Gould

In addition all lake trout lakes are identified on Schedule ‘A’ with the symbol “LT”.

The classification of lakes in the Official Plan is subject to change based on factors such as assessments of new water quality data and/or changes in water quality standards. Therefore, the possibility exists that the classification of a lake trout lake as either “not at-capacity” or “at-capacity”, may change during the life of the Official Plan. **2015**

It is the responsibility of the property-owners and any proponent of development, to ensure that they are aware of the current classification of a lake at all times and, in particular, prior to submitting a planning application involving shorelands at lakes. **2015**

The Ministry of the Environment and Climate Change and the local municipality have information on the current classification of lakes and it is recommended that either or both government bodies be consulted prior to any actions being taken which may be affected by the changing classification of a lake. **2015**

The requirements of Section 5.2.7 b) i) apply to all existing and new developments and/or site alterations located adjacent to an **at-capacity** lake trout lake, except where those requirements conflict with the requirements of this Section or the results of a technical study which may be required by subsection 5.2.10 and/or 5.2.11.

All development or site alterations proposed **on existing lots of record** within 30 metres of the highwater mark **of any lake trout lake** will require the submission of an Environmental Impact Study prepared in accordance with section 5.2.11 of this Plan. A Lake Impact Assessment prepared in accordance with Section 5.2.10 of this Plan **will be required for residential subdivisions and resort commercial uses.**

All development or site alterations proposed on or adjacent to an **at-capacity** lake trout lake will be subject to site plan control. Council may also utilize other controls, such as those permitted under the *Municipal Act, 2001*, to help ensure that sensitive lake trout lakes are protected.

(a) **At-Capacity** Lake Trout Lakes

At-Capacity lake trout lakes are lakes which have been determined by the province to be at capacity for development with respect to additional nutrient loadings which may adversely affect water quality. Development and/or site alterations will not be permitted on a highly sensitive lake trout lake, unless it can be demonstrated through site-specific studies that there will be no negative impacts on the lake.

In addition to the above, the following policies shall apply to all proposed development or site alterations on or within 300 metres of an identified **at-capacity** lake trout lake:

- (i) Existing lots of record may be developed in accordance with sections 5.2.7 (b)(ii)(2) and 5.2.7 (b)(ii)(3). Consideration may be given to servicing the lot with a new technology, other than an approved class 4 sewage disposal system, where it has been demonstrated that the use of such technology will not impact on water quality over the long term.
- (ii) Generally, the creation of new lots within 300 metres of the highwater mark of a highly sensitive lake trout lake will not be considered for approval due to the potential to further degrade the water quality necessary to maintain a healthy lake trout population.
- (iii) Notwithstanding (ii) above, Council may consider the creation of new lots in special or unique circumstances where it can be proven to the satisfaction of Council, in consultation with the Ministry of Environment **and Climate Change** and the Ministry of Natural Resources **and Forestry**, that one or more of the following conditions exists:
 - a) **The new lot created would have the effect of separating existing habitable dwellings, each of which has a separate septic system and provided the land use would not change; or**

- b) A study by a qualified professional demonstrates that all new septic system tile fields are located such that the effluent pathway would drain into a drainage basin which is not at-capacity; or
- c) all new septic system tile fields are set back at least 300 metres from the shoreline of the at-capacity lake or from permanently-flowing tributaries flowing to at-capacity lakes; or
- d) a hydrogeological report, prepared by a qualified professional, demonstrates that the effluent pathway from a septic system tile field would flow in a manner equalling a distance of at least 300 metres to the at-capacity lake; or
- e) a site-specific soils investigation, prepared by a qualified professional, demonstrates that phosphorus can be retained in soils on-site. **2015**

Note: It is important to consult with the Ministry of the Environment and Climate Change before preparing any studies associated with these unique circumstances. **2015**

- (iv) Minor variance applications shall be accompanied by an Environmental Impact Study prepared in accordance with Section 5.2.11 of this Plan.

(b) Not At-Capacity Lake Trout Lakes

Not at-capacity lake trout lakes are lake trout lakes which are considered to have limited capacity for additional development. The following policies apply to development on or within 300 metres of an identified **not at-capacity** lake trout lake:

- (i) development including the septic system tile bed, must be set back a minimum of 30 metres from the highwater mark of the lake with non-disturbance to the native soils and very limited removal of shoreline vegetation ;
- (ii) location of the septic system tile field should be as far back as possible from the highwater mark of the lake;
- (iii) stormwater management will be via infiltration galleries, grassed swales and ditches and other best management practices;
- (iv) large development proposals (ie., greater than 5 lots, resorts/condominium development) must be supported with a site evaluation report in consultation with the Ministry of the Environment and Climate Change. **2015**

5.2.9 Threatened and Endangered Species

In order to determine the presence of Threatened or Endangered species prior to approving any proposed development **within those areas identified on Schedule “B”** (added by Township), a site assessment prepared by a qualified professional may be required to be completed at the appropriate time of year. The assessment must identify whether any endangered or threatened species are present and whether the proposed activities would have any impact on Threatened or Endangered species or their habitat and should propose appropriate measures to avoid the impacts. The Ministry of natural Resources and Forestry can be contacted for further direction regarding site-specific proposals. Endangered and Threatened Species and their habitat are protected under the Endangered Species Act. 2007. **2015**

Development and site alterations will not be permitted within significant portions of the habitat of threatened and endangered species. The municipality will ensure that, as part of the review of proposals for development and/or site alteration, developers consult with the Ministry of Natural Resources’ endangered and threatened species mapping to ensure that the proposal does not include lands identified as a significant portion of the habitat of an endangered or threatened species. **to be removed.**

Furthermore, any development or site alteration proposed with 50 metres (164.0 feet) of significant portions of the habitat of an endangered or threatened species habitat will require the submission of an Environmental Impact Study, prepared in accordance with Section 5.2.11 of this Plan. **To be removed**

5.2.10 Lake Impact Assessments **Now required for subdivisions on all lakes 2015**

Development adjacent to any waterbody has the potential to negatively impact on that waterbody by causing impairments to water quality and indirectly impact on fish habitat. It is the municipality’s intention to protect and maintain water quality in its many lakes and, where possible, to improve water quality over the long term. A Lake Impact Assessment **will be required to be submitted in support of any residential subdivision application or recreational or resort commercial development located within 300 metres of lakes** and shall be prepared by a qualified individual in consultation with, and to the satisfaction of, the municipality and the Ministry of Environment **and Climate Change.**

Note: The Township or developer may consider modelling a lake to determine its remaining development capacity. **2015**

5.2.11 Environmental Impact Study

In considering any development or site alteration, including any planning amendments or variances within or adjacent to any Environmentally Sensitive Area, Provincially Significant Wetland, Significant Portions of the Habitat of an Endangered or Threatened Species, or

within 300 metres (984.3 feet) of an **At-Capacity** Lake Trout Lake, Council, in consultation with the Conservation Authority, will require a preliminary Environment Impact Study.

Should the municipality determine from the results of the preliminary assessment that a more detailed Environmental Impact Study is required, it shall be prepared by a qualified individual and shall consist of:

- (a) a description of the proposed development, its purpose including site planning details, a general locational map, proposed buildings, existing land uses and details showing the existing vegetation, site topography, drainage, soils and fish and wildlife habitat areas.
- (b) **a description of the ecological functions present and (2015)** a description of the negative impacts that would be caused or which might reasonably be expected to be caused to the environment and the ecological functions and features associated with the function;
- (c) a description of the negative impacts the proposed development would have on fish habitat including water quality requirements or effect on other features and functions;
- (d) **an identification of existing vegetation and features both on-site and within 120 metres including PSW's, ANSI's, wildlife habitat, watercourses, and occurrences of species at risk; 2015**
- (e) **a statement indicating whether negative impacts would result from the proposal and a description of the actions necessary or which might be expected to be necessary to prevent change or to mitigate or remedy the negative impacts which might be expected to occur to the environment and/or ecological functions and features as a result of the proposed development. In addition, any residual impacts and their significance, severity and longevity should be clearly identified; 2015**
- (f) a description of how the mitigative measures will be implemented and/or enforced;
- (g) any measures, where deemed appropriate, to monitor the mitigation measures and to assess the long term impacts associated with the proposal;
- (h) **a statement as to whether the proposed development would have any negative impacts on the natural heritage features or on the ecological functions for which an area is identified. 2015**

5.3 MINING

The Mining designation is intended to identify mines operating in accordance with the Mining Act and administered by the Ministry of Northern Development and Mines located in South Frontenac. There are currently no operating mines in the Township. An amendment to this Plan is required prior to the establishment of a new or reactivation of a former mine.

5.3.1 Uses Permitted

For the purpose of this Official Plan, mining is understood to include above ground and underground work, pits and quarries used for mineral extraction (excluding pits and quarries licensed by the Ministry of Natural Resources used for aggregate extraction as included in Section 5.5 of this Plan), as well as the associated processing, transportation, waste and tailings storage and directly related activities.

5.3.2 Amendment Criteria

The use of a particular site for mining purposes shall require an amendment to the Official Plan to designate the site and incorporate specific requirements related to the proposed mining activity. When considering a redesignation for mining purposes, Council may request that the Ministry of Environment consider the need for an Environmental Assessment pursuant to the Environmental Assessment Act.

When reviewing an application to amend the Plan, Council shall take into consideration the impacts on the adjacent land uses (those within 500 metres (1,640.4 feet)) and the environment such as noise, dust, air and water discharges, erosion, sedimentation and light, interference with wildlife habitat, vegetation, hydrogeology, roads and aesthetic appearance. The operation should be as self-contained as possible, especially with respect to the use of water. The requirements of all relevant agencies such as the Ministries of Health, Labour, Natural Resources, Environment, Transportation, Northern Development and Mines and the relevant Conservation Authority shall be met by the applicant. Council may request a proponent to supply studies or information on any of the above matters that it considers necessary to determine whether the proposal complies with the Official Plan and will be environmentally acceptable.

Council will require the proponent to pay the Municipal costs associated with the consideration of the proposal, including fees for independent consultants and advisors. Financial assurances will also be required to guarantee the clean-up of the site when activity ceases.

5.3.3 Zoning

Mining operations will be zoned in a separate category in the implementing zoning by-law. The sites approved for mining may be placed in one or more specific zoning categories to carefully control and regulate the use of land.

5.3.4 Significant Mineral Potential

The Ministry of Northern Development and Mines has indicated that portions of the Township have **significant** potential for mineral extraction. While this **significant** mineral potential may be important to the Township, it also has the potential for conflict with the other goals and objectives of the Official Plan. Council will therefore exercise utmost caution when considering a request for a mining operation to ensure that mining is permitted only under enforceable controls which maintain the environmental, residential, tourism, recreational and economic goals and objectives of the Official Plan. In areas adjacent to (within 1,000 metres (3,281 feet) **2015** or in known mineral deposits or in areas of **significant** mineral potential, development which would preclude or hinder the establishment of a new mining operation or expansion of an existing operation or which would prevent access to a mineral resource, will not be permitted unless:

- (a) resource use would not be feasible; or
- (b) the proposed land use or development serves a greater long term public interest; and
- (c) issues of public health and safety and environmental impacts are addressed.

5.3.5 Mine Rehabilitation

Past producing mining operations or active mining operations shall be subject to the provisions of the Mining Act with respect to rehabilitation and/or closure. Progressive rehabilitation will be undertaken where feasible. For lands designated Agriculture, extraction will be permitted, provided the site is rehabilitated to an agricultural use.

Where a mine has been closed and rehabilitated, the lands may be redesignated to an appropriate land use.

5.4 WASTE DISPOSAL

The Waste Disposal designation of land shall mean that the predominant use of the land in areas so designated shall be for public or private waste disposal, management or treatment.

5.4.1 Uses Permitted

The uses permitted shall be limited to municipally or privately operated waste disposal or management sites licensed by the Ministry of Environment and may include transfer stations, waste processing facilities, landfill sites, waste disposal sites, salvage yards, sewage lagoons, sewage treatment plants and water treatment plants. The types of wastes permitted shall be limited to municipal wastes and controlled wastes as defined by the Ministry of the

Environment. Under no circumstances shall any waste disposal site be used for the storage or disposal of nuclear waste, toxic waste or any other waste that poses a threat to life.

In addition, agricultural, open space and forestry uses shall be permitted where such uses do not preclude or hinder future waste disposal operations.

5.4.2 Ministry of the Environment Approval

Waste disposal sites shall be subject to the approval of the Ministry of the Environment and shall conform to the requirements of the Environmental Protection Act and the Environmental Assessment Act.

5.4.3 Amendment Criteria

Once any necessary Environmental Assessment is completed, amendments to the Official Plan and implementing zoning by-law shall be required for the establishment or expansion of waste disposal sites. Prior to the approval of such amendments, appropriate studies shall be prepared which demonstrate to the satisfaction of Council:

- that a need exists for the proposed use;
- that the site is physically suited to the proposed use particularly with regard to topography, relief, land forms, soils and surface and ground water characteristics.

Notwithstanding the general nature of this subsection, no amendment shall be approved until a hydrogeological study has been prepared which conclusively demonstrates that the impact of the proposed operation on the water table will be minimal.

- that the proposed operation is compatible with adjacent land uses or land use designations;
- that the public road system is adequate to serve the site; and
- that other sites posing less potential for impact on surrounding uses and high priority agricultural lands (Classes 1 to 3 according to the Canada Land Inventory classification system) do not exist.

5.4.4 Rehabilitation

Waste disposal sites shall be rehabilitated in accordance with the standards established by the Ministry of the Environment.

No uses, except those approved by the Ministry of the Environment and Council in accordance with the Environmental Protection Act, shall be permitted on rehabilitated waste disposal sites until after the passage of a period of time considered appropriate by the Ministry of the Environment.

5.4.5 Area of Influence

No development shall be permitted within 30 metres (98 feet) of the fill area of a sanitary landfill operation. In addition, no development shall be permitted within 500 metres (1,640 feet) of the fill area of a sanitary landfill unless a study has been completed to the satisfaction of the Township indicating that the landfill operation, including any groundwater contamination, will not have an adverse impact on the proposed development.

5.4.6 Zoning

Waste disposal areas shall be zoned in separate categories in the implementing zoning by-law.

5.5 MINERAL AGGREGATE

The Mineral Aggregate designation includes sand, gravel and limestone resources. These resources have been identified in studies by the Ministry of Northern Development and Mines. The latest inventory is found in the Aggregate Resources Inventory Paper for Frontenac County (2012). 2015 The Township recognizes the importance of its mineral aggregates as a limited and non-renewable resource which may be required to meet the needs of both the Municipality and surrounding areas. It is the intention of Council to protect wherever possible and practical the sand and gravel resources and a reasonable amount of bedrock resources for aggregate extraction and to ensure that the resources are utilized in accordance with proper controls.

Sand and gravel resources are scarce in South Frontenac. The Mineral Aggregate designation includes primary, secondary and tertiary resources. Bedrock resources are included where the drift thickness is less than 8 metres. 2015

Council shall conserve cultural heritage resources when considering the establishment of new operations or the expansion of existing operations. When necessary, Council will require satisfactory measures to mitigate any negative impacts on cultural heritage resources. 2015

5.5.1 Uses Permitted

The Mineral Aggregate designation includes both existing operations licensed by the Ministry of Natural Resources and Forestry as well as reserve areas. In the areas identified as Mineral Aggregate, pits and quarry operations will be permitted together with accessory uses

such as crushing facilities, stockpiles and screening operations. The Zoning By-law will place pits and quarries in separate categories. Asphalt plants, ready-mix concrete plants, and aggregate transfer stations may be permitted within the land designated as Mineral Aggregate and will require site specific zoning in the Zoning By-law but only if the use is considered to be permanent. Within the reserve areas, interim land uses such as agriculture, forestry and outdoor recreation uses may be permitted provided that these do not include buildings or activities which would preclude the establishment of a pit or quarry.

For the areas designated as Mineral Aggregate, the area to be zoned or licensed may extend beyond the boundaries of the designation shown on Schedule 'A' provided such expansion is minor, reasonable, respects any separation distances and does not adversely impact on existing uses in the area.

5.5.2 Influence Area

The concept of an influence area is recognized as a means of protecting against incompatible land uses in the vicinity of Mineral Aggregate designations and to protect existing pits and quarries from encroachment from other incompatible land uses. In accordance with this concept, it shall be the policy of Council to prohibit residential and other incompatible land uses from locating within 500 metres (1,640 feet) of an existing or proposed quarry, 150 metres (492 feet) of an existing or proposed pit above the water table, and within 300 metres (984.3 feet) of an existing or proposed pit, below the water table. In addition, Council will prevent any other incompatible land uses from locating within this setback area and within a 200 metre (656.2 foot) influence area adjacent to this setback for all existing or proposed quarries. **Remove.** These distances shall also apply to areas adjacent to identified aggregate resources. **2015**

5.5.3 Zoning

Generally, only existing licensed pit and quarry operations will be zoned in the Zoning By-law. The zoning will define whether a pit or quarry is permitted and identify the zone requirements that will apply. The influence areas specified in section 5.5.2 shall be included in the implementing zoning by-law. **2015**

Within the areas designated Mineral Aggregate in the Official Plan, the establishment of a new pit or quarry or the expansion of an existing operation onto lands not zoned for such use shall require an amendment to the Zoning By-law.

5.5.4 Amendment Criteria

When considering an amendment to the Official Plan for the expansion of an existing pit or quarry or the establishment of a new pit or quarry, Council shall require the applicant to supply information prepared by qualified individuals addressing the following issues:

- (viii) impact on ground and surface water;
- (ix) environmental and natural heritage impacts;
- (x) noise and dust impacts;
- (xi) land use impacts;
- (xii) traffic impacts;
- (xiii) archaeological and cultural heritage impacts.

The applicant should also submit to the Township all information prepared in support of an aggregate license in accordance with the Aggregate Resources Act.

In areas adjacent to (see influence areas identified in Section 5.5.2 of this Plan) or in known deposits of mineral aggregates, development which would preclude the establishment of new operations or access to the resource will only be permitted if:

- (a) resource use would not be feasible; or
- (b) the proposed use serves a greater long term public interest; and
- (c) issues of public health and safety and environmental impact are addressed.

5.5.5 Portable Asphalt Plants

The Township recognizes portable asphalt plants as an important part of aggregate operations. Portable asphalt plants, used by the Township or its agents, are permitted throughout the Township without the need to amend this Official Plan or the Zoning By-law, provided no environmental disruption will occur and the site is not within an area of residential concentration. If asphalt for a public road project cannot be obtained from an existing asphalt plant, the portable plant should be located in a wayside pit, vacant industrial site, the highway right-of-way, or on inactive or less productive agricultural lands. Portable asphalt plants are subject to the following provisions:

- (i) the portable asphalt plant will be removed from the site upon completion of the project;
- (ii) the portable asphalt plant must have a Certificate of Approval from the Ministry of the Environment and must meet the minimum separation distance of that Ministry;
- (iii) where the site used for a portable asphalt plant is on Class 1 to 3 soils within the Agricultural designation, the site should be rehabilitated with substantially the same area and soil capability for agriculture being restored.

5.5.6 Wayside Pits and Quarries

Wayside pits and quarries are temporary operations established by or on behalf of a public authority on short notice for the purpose of road construction, maintenance. Wayside pit and quarries are generally permitted throughout the municipality without the need to amend this Official Plan or the Zoning By-law, provided no severe environmental disruption will occur and the pit or quarry is not within an area of residential concentration. Prior to the establishment of a wayside pit or quarry for Township purposes, Council will be advised by the Township road superintendent that the proposed operation qualifies as a wayside pit or quarry and that a permit be issued by the Ministry of Natural Resources or by the Ministry of Transportation under the authority of the Aggregate Resources Act.

5.5.7 Rehabilitation

Past producing aggregate operations or active extraction sites shall be subject to the provisions of the Aggregate Resources Act with respect to rehabilitation and/or closure. Progressive and final rehabilitation will be required. 2015 undertaken where feasible **Remove**. For lands designated Agricultural, extraction will be permitted, provided the site is rehabilitated such that substantially the same area and same soil quality for agriculture are restored, unless:

- (a) there is a substantial quantity of aggregate below the water table which warrants extraction; or
- (b) the depth of extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible; and
- (c) other alternatives have been considered by the applicant and found unsuitable; and
- (d) agricultural rehabilitation in remaining areas will be maximized.

Where an aggregate operation has been rehabilitated and the license surrendered, the lands may be redesignated to an appropriate land use.

5.6 SETTLEMENT AREAS WITHIN RURAL AREAS

All of the Township of South Frontenac lies within a 'Rural Area' as per the Provincial Policy Statement 2014 and as defined in this Plan. It is Council's intention that a majority of the new growth in the municipality will be directed to existing settlement areas within the Rural Area where it can be supported by appropriate servicing.

The Settlement Areas designation recognizes the areas of population concentrated in and around Sydenham, Harrowsmith, Verona, Inverary, Sunbury, Battersea, Hartington, Bellrock, Petworth, Perth Road, Railton, Wilmer and Spaffordton. A full range of land uses are permitted within the Settlement Areas in this way relieving the pressure for the creation of new lots in the rural areas. Commercial, industrial, residential, open space and community facility uses shall be permitted in the Settlement Areas on a site specific basis by amendment to the implementing zoning by-law when Council is satisfied that the nature and scale of the proposed use is appropriate.

A Growth Study undertaken for the Township by the firm MHBC, in 2013, concluded that, based on population growth projections to the year 2036 and an analysis of the existing vacant land supply in the Township, the Settlement Areas can accommodate 53 percent of the projected growth for that period and that sufficient designated land exists in Settlement Areas so that they can continue to be the focus of growth in the Township. **Added by Township staff 2015**

The Settlement Areas designation is an expression of Council's long-term vision for the these areas and has been applied:

- (i) to ensure that sufficient lands are available to permit the location of new development in full accordance with the servicing standards of the Ministry of the Environment;
- (ii) to foster the availability of affordable accommodation by providing alternate locations for new residential development and hence, a competitive housing market;
- (iii) to provide an opportunity for a varied and balanced industrial/commercial base;
- (iv) to promote a full range and mix of housing types and densities; and
- (v) to provide sufficient land for industrial, commercial, institutional and residential uses in order to accommodate anticipated growth over the life of the plan.

Where possible, new development in older established areas of historic, architectural, or landscape value shall be encouraged to develop in a manner consistent with the overall character of these areas. **2015**

Development within Settlement Areas will be governed by the servicing requirements of Section 6.10 of this Plan. Where municipal service(s) exist, lot creation will only be permitted if sufficient reserve capacity exists to accommodate the proposed development. In areas that are not serviced with municipal water and/or sewer services, lot creation will only be permitted if the proposed development can be supported by the type of servicing being proposed.

Settlement Areas boundaries will only be considered for expansion at the time of a comprehensive review of the Official Plan and only where it has been demonstrated that:

- a) sufficient opportunities for growth are not available through intensification, redevelopment and designated growth areas to accommodate the projected needs over the identified planning horizon;
- b) the infrastructure and public service facilities which are planned or are available are suitable for any proposed development in the expanded area over the long term, are financially viable over their life cycle and protect public health and safety and the natural environment;
- c) in prime agricultural areas:
 - i) the lands do not comprise specialty crop areas;
 - ii) alternative locations have been evaluated and
 - 1. there are no reasonable alternatives which would avoid prime agricultural areas; and
 - 2. there are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas;
- d) the new or expanded settlement area is in compliance with the minimum distance separation formulae; and
- e) impacts from new or expanding settlement areas on agricultural operations which are adjacent to the settlement area are mitigated to the extent feasible. **2015**

Portions of the Sydenham Settlement Area are on partial services meaning that they are serviced with municipal communal water and all of Sydenham is serviced by private sewage disposal systems. Development in Sydenham shall take place on municipal water and private sewage disposal systems.

This Plan acknowledges that such partial service scenarios are only permitted within Settlement Areas designations generally and are only contemplated when:

1. they are necessary to address failed individual on-site sewage or water services (ie., failed tile field or well); or
2. they would facilitate infilling and minor rounding out of existing development provided the site conditions are suitable for the long term provision of such services with no negative impacts.2015

Notwithstanding the servicing policies for Sydenham and any other future required partial service scenarios, development in all other Settlement Areas designations shall take place on private water and sewage disposal systems.

Notwithstanding any other policies to the contrary, development in Settlement Areas designations, generally, may be undertaken on municipal communal water and sanitary sewage systems subject to approval of the Ministry of the Environment and Climate Change and Council. Otherwise, development shall be undertaken in accordance with the following.

5.6.1 Residential Policies

(i) Permitted Uses

The uses permitted shall include single detached dwellings; semi-detached or duplex dwellings, multiple unit dwellings, single detached dwellings converted to multiple unit dwellings; group homes established in accordance with the provisions of Section 6.5, bed and breakfasts and home occupations.

(ii) Development Criteria for Single Detached, Semi-detached and Duplex Dwellings

- a) All development shall be serviced in accordance with Section 6.10 of this Plan. As such, **except for Sydenham**, development may be permitted to occur on private water supply and sanitary sewage disposal systems. Such systems shall be located and constructed as required by the appropriate approval authority. Notwithstanding the above, development also may be permitted to occur on municipal communal water supply and/or municipal communal sanitary sewage systems subject to the approval of the Ministry of the Environment and Council. **Within Sydenham, development shall occur on the basis of municipal communal water and private sewage disposal systems. Development in Sydenham may also occur on municipal communal sanitary sewage systems subject to the approval of the Ministry of the Environment and Council.**
- b) **Other than in Sydenham, the minimum lot area for a single detached dwelling shall be 0.8 hectares (2 acres) on private services and the minimum lot size**

for semi-detached or duplex dwellings shall be 0.8 hectares (2 acres) when privately serviced, subject to the approval of the appropriate authority and Council. In Sydenham, the minimum lot area for a single detached dwelling shall be 0.4 hectares (1 acre) on municipal water supply and private sewage disposal services and the minimum lot size for semi-detached or duplex dwellings shall be 0.4 hectares (1 acre) on municipal water and private sewage disposal services, subject to the approval of the appropriate authority and Council.

- c) In the case of development proposed to be serviced by municipal communal piped water supply and private sanitary sewage disposal systems, the determination of appropriate minimum lot size criteria shall be made by Council in consultation with the Ministry of the Environment prior to the approval of an amendment to the implementing zoning by-law to permit the development to proceed.
- d) Development of single detached, duplex or semi detached dwellings should be compatible with existing and proposed land uses. In this regard, these uses should not be located adjacent to higher density residential, commercial or industrial uses. In the event such uses are adjacent to single detached, semi detached or duplex dwellings, appropriate buffering or screening shall be provided. Details of the buffering or screening techniques shall be detailed in the Zoning By-law.

(iii) Development Criteria for Multiple Unit (three or more) Dwellings

- a) Multiple unit dwellings shall be located so as to minimize adverse land use impacts on adjacent lower density residential uses. Generally, multiple unit dwellings should be located on major roads or have access to major roads without the necessity of passing through areas of lower residential density.

In considering development applications, Council shall ensure that the proposed multiple unit dwelling will not create a traffic hazard and that its impact on low density residential areas will be minimal.

- b) Adequate off-street parking shall be provided. Access points to parking areas shall be designed in a manner that provides for the adequate and safe movement of vehicular and pedestrian traffic.
- c) Adequate buffering shall be provided between the proposed use and adjacent uses, particularly adjacent single detached residential uses. Such buffering may include the provision of grass strips, screening and the planting of trees and shrubs and the location of a berm or fence.

- d) In Sydenham the servicing of new multiple unit residential development shall be occur only on municipal communal water supply and private sanitary sewage disposal systems subject to the approval of the appropriate authority, insofar as it relates to, among other things, the types of systems to be utilized and minimum lot size. In all other Settlement Areas designations, multiple unit residential development shall be permitted to occur on private water supply and sanitary sewage disposal systems subject to the approval of the appropriate authority, insofar as it relates, among other things, to the types of systems to be utilized and minimum lot size. A hydrogeological study shall be required where development is proposed on private services. Notwithstanding the results of the hydrogeological study, the minimum lot size for a multiple unit dwelling shall not be less than .8 hectares (2 acres). Where serviced by municipal communal water system (**Sydenham**) consideration may be given to a higher residential density subject to the approval of the appropriate authority and Council. Council will not consider development on private communal sewer and/or water systems in any case.

iv) Development Criteria for Residential Conversions

- a) The uses permitted shall be limited to the conversion of single detached dwellings into multiple self-contained residential dwelling units.
- b) Criteria establishing the buildings eligible for conversion shall be included in the implementing zoning by-law.
- c) The proposed water supply and sanitary sewage disposal systems shall be approved by the appropriate authority.
- d) All dwelling units shall be self-contained and shall have private entrances and separate culinary and sanitary facilities.
- e) The converted dwelling shall comply with all pertinent provincial and municipal regulations and by-laws relevant to such matters as fire, health, safety and occupancy.
- f) Adequate buffering and screening shall be provided between the converted dwelling's parking areas and adjacent uses, particularly adjacent single family residential uses. Such buffering may include the provision of grass strips, screening and the planting of trees or shrubs and the location of a berm or fence.
- g) Adequate off-street parking shall be provided.

- h) Council may require a hydrogeological study to determine the servicing requirements of the proposed conversion if the conversion results in the creation of 3 or more dwelling units.

- v) Zoning

Residential uses and residential conversions shall be zoned in separate categories in the implementing zoning by-law.

5.6.2 Community Facility Policies

- (i) Permitted Uses

The uses permitted shall include public, separate and private schools, places of worship, municipal government facilities, community centres, libraries, public or private clubs or association halls, cemeteries, nursing homes, hospitals, public parks and similar community oriented uses.

- (ii) Community Facility Development Policies

- a) Community Facility uses shall occur on lots of an appropriate size for a specific community facility use and the lot shall be of **sufficient size to support the use and on site servicing**. The ability of the lot to accommodate and the location and construction of such systems shall be subject to the approval of the appropriate authority. **Development of Community Facility uses in Sydenham shall take place on the basis of municipal communal water and private sewage disposal systems.**
- b) Adequate buffering shall be provided between Community Facility uses and adjacent land uses and roadways. Such buffers may include the provision of grass strips, screening and the planting of trees and shrubs and the location of a berm or fence.
- c) Adequate off-street parking shall be provided. Access points to parking areas shall be limited in number and designed in such a manner so as to minimize the danger to vehicular and pedestrian traffic.
- d) Where deemed appropriate by Council, a hydrogeological and terrain analysis should be prepared in support of any Community Facility development.

- (iii) Zoning

Community Facility uses shall be rezoned in a separate category in the implementing zoning by-law.

5.6.3 Commercial Policies

(i) Permitted Uses

The uses permitted include those commercial establishments offering goods and services which serve the residents of the Settlement Areas or the market area as a whole such as retail commercial establishments, personal service shops, recreational uses, motels and hotels, places of entertainment, taverns, business and professional offices, eating establishments, funeral homes, motor vehicles service stations and/or gasoline, diesel, propane and liquified natural gas outlets, motor vehicle sales outlets, service shops, convenience stores, building supply outlets, tourist homes, and medical clinics. In addition, residential uses shall be permitted to locate in either the upper stories or in the rear half of the ground storey of buildings in which commercial uses are permitted.

(ii) Commercial Development Policies

- a) Commercial uses should be located on major roads and should not be permitted to infiltrate unnecessarily into adjoining residential areas. Such uses shall be encouraged to be located in groups and, wherever possible, at major road intersections. Where new commercial development is proposed adjacent to residential areas, it shall be demonstrated to the satisfaction of Council that the commercial use will not create a traffic hazard and that its impact on the residential area will be minimal insofar as it relates to such matters as lighting, parking, drainage, noise and traffic movement.

Where appropriate, new commercial uses shall be encouraged to locate in proximity to existing commercial establishments to foster the development of commercial cores.

- b) Commercial development shall occur on lots of an appropriate size for a specific commercial use and **the lot shall be of sufficient size to support the use and all on-site servicing.** The ability of the lot to accommodate and the location and construction of such systems shall be subject to the approval of the appropriate authority. **Commercial development in Sydenham shall take place on the basis of municipal communal water and private sewage disposal systems.**

- c) Adequate off-street parking and loading facilities shall be provided. Access points to parking and loading areas shall be limited in number and designed in such a manner so as to minimize the danger to vehicular and pedestrian traffic.
- d) Adequate buffering shall be provided between commercial uses and adjacent land uses and roadways. Such buffers may include the provision of grass strips, screening and the planting of trees and shrubs and the location of a berm or fence.

(iii) Zoning

Commercial uses may be zoned in separate categories in the implementing zoning by-law.

5.6.4 Industrial Policies

(i) Permitted Uses

The uses permitted include those light industrial uses such as workshops; service shops; manufacturing, processing and assembly operations; concealed storage and warehousing facilities; motor vehicle repair garages and research establishments. In addition, uses accessory to the various permitted uses may be permitted including commercial uses servicing an industrial area; business offices; a residence for a caretaker or a watchman and a retail commercial outlet for the purpose of the sale of goods or materials produced on the premises providing the accessory retail use is located within the industrial building or structure.

(ii) Industrial Development Policies

- a) Industrial uses generally shall be located on major roads, although Council may give consideration to the use of other public roads where they are satisfied that no suitable alternate locations are available. In all cases, it shall be demonstrated that the proposed use will not create a traffic hazard and that the impact of the proposed use on adjacent land uses, particularly residential uses, will be minimal.
- b) Industrial uses shall occur on lots of an appropriate size [generally .8 hectares (2 acres) or larger] and appropriate lot frontage for a specific industrial use and the lot shall be of sufficient size to support private water and sanitary sewage disposal services. The ability of the lot to accommodate and the location and construction of such systems shall be subject to the approval of the appropriate authority. **Industrial development on smaller lots in**

defined portions of Sydenham shall take place on the basis of municipal communal water and private sewage disposal systems.

- c) No industrial use shall be permitted which creates an adverse impact on adjacent land uses as the result of the emission of contaminants into or onto the air, water or land. Adjacent uses shall be adequately protected from industrial emissions in accordance with and subject to the regulations and requirements of the Ministry of the Environment and Council.

Where deemed necessary, a report(s) shall be prepared by a professional engineer(s), biologist or other qualified professional(s) indicating the anticipated impact of the proposed operation on the environment, including air and water pollution, noise, changes in the water table, changes in surface drainage both on and off site and the effectiveness of the proposed ameliorative measures.

- d) Adequate off-street parking and loading facilities shall be provided. Access points to parking areas shall be limited in number and designed in such a manner so as to minimize the danger to vehicular and pedestrian traffic.
- e) Adequate buffering and setbacks shall be provided between the industrial use and adjacent uses and roadways. Such buffers may include the provision of grass strips, screening and the planting of trees and shrubs and the location of a berm or fence.
- f) Industrial uses should be located in accordance with the Ministry of Environment's industrial development locational guidelines as amended from time to time.

(iii) Zoning

Industrial uses shall be zoned in a separate category in the implementing zoning by-law.

5.6.5 Open Space Policies

(i) Uses Permitted

The uses permitted include forestry uses, conservation uses, agricultural uses (but not agricultural uses involving livestock), wood lots and recreational uses including public and private parks, passive and active recreational activities, picnic areas, recreational trails, golf courses and other similar open space activities.

(ii) Open Space Development Policies

- a) Open space uses shall occur on lots of an appropriate size for a specific open space use and where applicable, the lots shall be of sufficient size to support private water or **municipal communal water in Sydenham** and sanitary sewage systems.
- b) Adequate buffering shall be provided between open space areas and adjacent land uses and roadways. Such buffers may include the provision of grass strips, screening and the planting of trees and shrubs and the location of a berm or fence.
- b) Adequate off-street parking areas shall be established in a manner complementary to the landscape features of the area. Access points to parking areas and open space areas shall be located in such a way that the external and internal road pattern provides for the adequate and safe movement of vehicular and pedestrian traffic.

(iii) Zoning

Open Space uses shall be zoned in a separate category in the implementing zoning by-law.

5.6.6 Settlement Areas Lot Creation Policies

The creation of new building lots in the Settlement Areas shall be permitted in accordance with this section 5.6, section 7 and the following.

It is the Municipality's intention that new lot development in Settlement Areas will generally occur by plan of subdivision. However, a **maximum of five (5) severances** (changed from **three (3) severances as per Council**) may be permitted from a lot of record existing on the day of adoption of this Plan by Council (September 5, 2000) where it is demonstrated that a plan of subdivision is not necessary for the orderly development of the land and will not limit such development by plan of subdivision.

5.6.7 Special Settlement Area Policy (Pt. Lot 10,11, Concession IX - Storrington District) (Freeman Sugar Bush)

Notwithstanding anything else in this Plan to the contrary, the lands located in Part of Lot 10,11, Concession IX may be used for a commercial sugar bush operation.

5.7 RURAL LANDS

Lands designated Rural Lands are characterized by a rural landscape which reinforces the historical relationship between the Settlement Areas and the surrounding farm, rural and seasonal residential communities to which the Settlement Areas provide basic services. The amount and type of development in the Rural Lands area shall be consistent with maintaining its rural, natural heritage and cultural landscape.

Development within the Rural Lands designation shall be serviced in accordance with Section 6.10 of this Plan. In areas that are not serviced with municipal water and/or sewer services, lot creation will only be permitted if the proposed development can be supported by the type of servicing being proposed.

The predominant use of land in the Rural Lands designation shall be agriculture; aquaculture; open space; conservation; limited service residential; recreational; community facility and rural oriented non-farm residential; group homes established in accordance with the provisions of section 6.5; commercial and industrial and bed and breakfast and home occupation uses. The policies directing the development of these uses are as follows:

5.7.1 Rural Lands Agricultural Policies

(i) Permitted Uses

The uses permitted include agricultural uses outlined in Section 5.1.1, agriculturally related dwellings, accessory agricultural buildings, forestry, wood lots, kennels, apiaries and riding clubs. In addition, uses directly related and necessary in proximity to agricultural operations such as greenhouses, cold storage and grain drying facilities, livestock assembly areas, and animal husbandry services shall be permitted.

(ii) Rural Lands Agricultural Development Policies

- b) A second agriculturally related single detached residence for an essential farm employee or retiring farmer may be permitted on a viable farm holding of at least 35 hectares (86.5 acres).
- c) Roadside retail outlets for the purpose of the sale of agricultural products produced on the lands upon which the retail use is situated may be permitted providing that the use will not create a traffic hazard.
- d) Severances for agricultural uses may be permitted in accordance with the Lot Creation policies of Section 7 and the farm consents policies, Section 5.1.4 a) of this Plan.

(iii) Zoning

Rural Agricultural uses may be zoned in a separate category in the implementing zoning by-law.

5.7.2 Rural Lands Open Space Policies(i) Permitted Uses

The uses permitted include conservation and passive recreational uses including public and private parks, picnic areas, recreational trails, hunting camps and similar open space activities.

(ii) Rural Lands Open Space Development Policies

- a) Open space uses shall occur on lots of an appropriate size for a specific open space use and where applicable, the lot shall be of sufficient size to support private water and sanitary sewage disposal systems.
- b) Adequate off-street parking areas shall be established in a manner complementary to the landscape features of the area. Access points to parking areas and open space areas generally shall be located in such a way that the external and internal road pattern provides for the adequate and safe movement of vehicular and pedestrian traffic.
- c) Severances for open space uses may be permitted in accordance with Section 7, Lot Creation policies of this Plan and provided the size and shape of the property is appropriate for the proposed open space use.

(iii) Zoning

Open Space uses shall be zoned in a separate category in the implementing zoning by-law.

5.7.3 Rural Lands Community Facility Policies(i) Permitted Uses

Community facility uses are uses which exist for the benefit of the residents of the Township as a whole and which are operated by the municipality or other organizations for this purpose.

The uses permitted include private schools and other educational facilities, libraries, places of worship, cemeteries, municipal government facilities, community centres, public or private clubs or association halls or lodges, nursing homes, public parks, public boat ramps, and similar community oriented uses.

(ii) Rural Lands Community Facility Development Policies

- a) Community facility uses shall occur on lots of an appropriate size for a specific community facility use and the lot shall be of sufficient size to support private water and sanitary sewage disposal services.
- b) Adequate buffering shall be provided between community facility areas and adjacent land uses and roadways. Such buffers may include the provision of grass strips, screening and the planting of trees and shrubs and the location of a berm or fence.
- c) Adequate off-street parking shall be provided. Access points to parking areas shall be limited in number and designed in such a manner so as to minimize the danger to vehicular and pedestrian traffic.
- d) Severances for community facility uses may be permitted in accordance with the Lot Creation policies of this Plan, Section 7 and provided the size and shape of the property is appropriate for the proposed community facility use.

(iii) Zoning

Community Facility uses in Rural Lands shall be zoned in a separate category in the implementing zoning by-law.

5.7.4 Rural Lands Residential Policies (excluding Limited Service Residential)

It is the general intent of this Plan that the majority of permanent non-agricultural residential development be encouraged to locate in the Township's Settlement Areas. However, limited non-agricultural residential development may also be permitted within Rural Lands so as to provide a variety of living accommodation for the residents of the Township.

Residential development in Rural Lands allows for development on appropriately-sized lots and meets the continuing demands for a rural lifestyle for existing and new residents and it may be said that large, rural residential lots are part of the cultural heritage landscape of the Township. A Growth Study undertaken for the Township by the firm MHBC, in 2013, concluded that, based on population growth projections to the year 2036 and an analysis of the existing vacant land supply in the Township, the Settlement Areas can accommodate 53 percent of the projected growth indicating that there is a need for residential lot creation in

Rural Lands to accommodate the remaining 47 percent of the projected growth. Thus, sufficient designated land exists in Settlement Areas so that they can continue to be the focus of growth while permitting some growth in Rural Lands as well. **Added by Township as required by MMAH 2015**

Subdivisions and severances to permit new residential uses in Rural Lands shall be appropriately separated from incompatible agricultural areas, existing and proposed waste disposal, mineral extraction site and resource areas, natural heritage features and areas and natural hazards.

(i) Permitted Uses

Rural residential development including group homes established in accordance with the provisions of Section 6.5, home occupations and home industries may be permitted in the form of single detached dwellings developed on lots created by plan of subdivision or severance by the Committee of Adjustment in accordance with the policies of this Plan.

(ii) Development Policies

- a) The frontage, size and shape of any lot for rural residential purposes created through the severance approval process shall be appropriate for the proposed use and shall conform with the provisions of the zoning by-law. As a rule, the minimum lot size shall be 0.8 hectares (2 acres) with 76 metres (250 ft.) of frontage on a public road for non-waterfront lots and 1 hectare (2.5 acres) with 76 metres (250 ft.) of frontage on a public road and 91 metres (300 ft.) of water frontage of waterfront lots. The municipality may consider reductions in the minimum lot size and frontage requirements provided the overall intent of the Plan is maintained **and provided that site conditions are suitable for the long term provision of water and sewer services with no negative impacts.2015**
- b) Residential development in Rural Lands shall be serviced by private water and sanitary sewage disposal systems approved by the appropriate authority.
- c) New lots for Rural Lands residential purposes should be created by plan of subdivision in accordance with lot creation policies included in Section 7 of this Plan. However, a maximum of five (5) **changed from three (3) as per Council's wish** residential severances in Rural Lands may be permitted from a lot existing on **September 5th 2000** in accordance with the lot creation policies of section 7 of this Plan when the consent approval authority is satisfied that a plan of subdivision is not warranted. Any proposal which

would create more than five new lots (five plus a retained) from a lot existing on **September 5th 2000** shall only be considered by plan of subdivision.

d) All new rural residential lots shall have public road frontage.

e) Special Use Criteria - McGarvey Stone House

Notwithstanding Section 5.7.4 (a) of this Plan to the contrary, on the west half of Lot 38, Concession 7, in the District of Storrington, the existing stone building may be converted into a maximum of four multiple unit dwelling units in accordance with the applicable provisions of Section 5.6.1 (iv) of this Plan.

f) Special Lot Area Criteria (Pt. Lot 37, Concession VII)

Notwithstanding the provisions of Section 5.7.4 (ii) (a), the land located in Part of Lot 37, Concession VII in Storrington District and identified on the Land Use Schedule to this Plan shall have a minimum lot area of .8 hectares (2 acres).

g) Special Use Criteria - Wallond (Pt. Lot 21, Concession 12, Plan 13R-13010, Part 1, Bedford District)

Notwithstanding Section 5.7.4(i) of this Plan to the contrary, the lands legally described as Part 1, Plan 13R-13010 in Part of Lot 21, Concession 12, Bedford District, may be used for a multiple unit residential building containing not more than six dwelling units.

h) Special Lot Frontage and Severance Criteria (Pt. Lot 1, Concession 1, Bedford District)

Notwithstanding the provisions of Sections 5.7.4(ii)(a) and 5.7.4(ii)(c), on the lands identified as Part of Lot 1, Concession 1, Thirteen Island Lake, in Bedford District which are identified on the Land Use Schedule to this Plan and further specific on Map 1 of Schedule 'B', a minimum water frontage of 15 metres (50 ft.) is recognized but none of the lots so identified shall be further severed.

i) Special Lot Area (Part Lot 1, Concession XII, Bedford District)

Notwithstanding the provisions of Subsection 5.7.4(ii)(a), on the lands identified as Part Lot 1, Concession XII, Buck Lake, in Bedford District, which are identified on the Land Use Plan, Schedule 'A', and further

specified on Map 2 of Schedule ‘B’ as “Special Lot Area”, a minimum lot area of 0.32 ha (0.8 acres) is recognized.

All other policies of this Plan shall apply.

5.7.5 Rural Lands Commercial Policies

(i) Permitted Uses

The uses permitted include three distinct types of commercial operations:

- those which are agriculturally and rurally oriented;
- recreationally and resort oriented; and
- highway commercial uses which serve the needs of the traveling public.

a) Agriculturally and Rurally Oriented Commercial Uses

Agriculturally and rurally oriented commercial uses shall include agricultural produce sales establishments, farm services, bulk fuel dealers, farm implement dealers, feed and seed mills, abattoirs, auction barns, veterinary clinics or hospitals and similar uses.

b) Recreational and Resort Commercial Uses

Recreational and resort commercial uses shall include tent and trailer parks; resorts, including privately managed lodges **and multiple ownership/sharing arrangements**; health spas; tourist accommodations such as cabins, motels and hotels; marinas; gift and craft shops; convenience stores; restaurants or snack bars; miniature golf courses and similar uses. Bed and breakfast operations are not considered recreational and resort commercial uses but as a home occupation in accordance with the provision of the implementing zoning by-law.

c) Highway Commercial Uses

Highway commercial uses shall include motor vehicle sales outlets, motor vehicle service stations and/or gasoline, diesel, propane and liquified natural gas outlets, small engine sales and service, building supply sales, recreational equipment sales and service and agricultural produce sales establishments and nurseries or garden centres; motels; hotels; taverns; restaurants; convenience retail stores and similar uses.

d) Special Use Criteria - Collins Lake Estates

Notwithstanding Section 5.7.5 (a)(iii) of this Plan to the contrary, on the lands located on Part of Lot 25, Concession 7 in the District of Storrington, the highway commercial uses shall be limited to daycare facilities, personal service shops, professional offices, grocery stores and retail stores.

e) Special Use Criteria - Buck Lake (Bedford District)

Notwithstanding any other provision of this Plan to the contrary, on the lands identified as Part Lot 1, Concession XII, Buck Lake, in Bedford District, which are identified on the Land Use Plan, Schedule 'A', and further specified on Map 2 of Schedule 'B; as "Special Commercial", a minimum lot area of 92.9 sq. metres (1,000 sq. ft.) is recognized. The use of these lands shall be limited to boat docking facilities only. Docking facilities shall be limited to 25 spaces, 20 of which shall be made available to property owners on Porcupine and Buck Islands. No further severances shall be permitted and, except for the docking structure, the remainder of the lands shall be maintained in a natural vegetative state. Maintenance of the docking facilities shall be undertaken in an environmentally sensitive manner.

(ii) Development Policies Applicable to All Rural Lands Commercial Uses

- a) One residential unit may be permitted as an accessory use to all rural commercial uses.
- b) Adequate off-street parking and loading facilities shall be provided. Access points to parking areas shall be limited in number and designed in such a manner so as to minimize the danger to vehicular and pedestrian traffic.
- c) Adequate buffering shall be provided between commercial uses and adjacent land uses and roadways. Such buffers may include the provisions of grass strips, screening and the planting of trees and shrubs and the location of a berm or fence.
- d) With the exception of tent and trailer parks, commercial uses shall occur on lots of an appropriate size, generally .8 hectares (2.0 acres) or larger.
- e) Highway Commercial uses should be located on major roads. Consideration may be given to the use of other public roads where Council is satisfied that no suitable alternate location is available. In all cases, it shall be demonstrated that the proposed use will not create a traffic hazard, that the impact of the proposed use on adjacent land uses will be minimal and that the public road is of suitable quality to accept traffic generated by the new commercial operation.

- f) Commercial uses shall be serviced by private water and sanitary sewage disposal systems. Such systems shall be located and constructed as required by the appropriate authority.
- g) Severances for rural commercial uses may be permitted in accordance with the Lot Creation policies, section 7 of this Plan.

(iii) Additional Development Policies for Recreational and Resort Commercial Uses

Recreational and resort commercial uses shall be of a scale that permits them to blend into their natural setting and shall be designed to preserve, as much as possible, a site's physical attributes such as tree coverage, varying topography and scenic views.

a) Tent and Trailer Parks

1. Tent and trailer parks shall include seasonally operated parks for recreational purposes and not for permanent year round habitation, not including mobile homes, together with accessory facilities such as an accessory dwelling, docks, and convenience stores catering to the day-to-day needs of the visitors.
2. The minimum lot area for tent and trailer parks shall be 4 ha (10 acres); the maximum number of campsites should be fifty (50) in order to avoid excessive concentrations of development in waterfront areas.
3. Campsites should have sufficient area and frontage along the internal park road to avoid overcrowding and to ensure minimal environmental impact.
4. No campsite, building or structure except a marine facility for launching and/or servicing of boats or a pump house to provide water to a permitted use is permitted within 50 metres (164 feet) of the high water mark of any water body. On steep terrain with thin soils, discontinuous soils or sparse vegetation, setbacks of up to 90 metres (295 feet) may be required.
5. No more than 25% of the total lot area may be used for campsites or for other commercial uses.
6. No tent and trailer park will be permitted where the existing public roads leading to the site are not capable of safely handling the anticipated traffic.

7. Adequate provision shall be made in the establishment of any new tent and trailer park or major expansion of an existing one for recreational facilities and amenities. These may be comprised of beaches, swimming pools, tennis courts, major open space areas or a combination of these and/or similar features. If the primary recreational amenity provided is waterfront, 7.5 metres (24.6 feet) of usable shoreline per site will be required. For the purpose of determining the usability of shoreline, Council may consult with the Ministry of the Environment, Ministry of Natural Resources, Conservation Authority and any other source which might provide relevant advice.
8. The design of any tent and trailer park shall exhibit sensitivity to existing, neighbouring uses and adequate buffering shall be provided between the tent and trailer park and any adjacent residential areas.
9. All tent and trailer sites, comfort stations, accessory buildings with water using fixtures or any facilities requiring sewage disposal require a Certificate of Approval from the Ministry of the Environment and/or its agents for water taking, water works and sewage works approvals.

b) Motels, Hotels, Rental Cabins

1. Any property used for the purpose of a motel, hotel, 1 or more rental cabins, **multiple ownership/sharing arrangements** or other similar type of commercial accommodation, shall have a minimum lot area of 2.0 ha (5 acres).
2. The maximum density for motels, hotels, or cabins shall be one unit per 2,000 m² (½ acre) to a maximum of fifty (50) units, provided the appropriate authority will approve of the sewage disposal systems which are used. In addition to the above, there must be at least 7.5 metres (24.6 ft.) of usable shoreline available per cabin. For the purpose of determining the usability of shoreline, Council may consult with the Ministry of the Environment, Ministry of Natural Resources, Conservation Authority and any other source which might provide relevant advice.
3. The site design shall be sensitive to existing, neighbouring uses and adequate buffering shall be provided between the tourist establishment and any adjacent residential uses.

4. No building, structure, septic tank or tile field, except a marine facility for the launching and/or servicing of boats or a pump house to provide water to a permitted use shall be located closer than 50 metres (164 feet) to the high water mark of any water body. On steep terrain with thin soils, discontinuous soils or sparse vegetation, larger setbacks may be required.
5. Adequate provision must be made for recreational amenities similar to those required in Section 5.7.5(iii)(a)7 above.

(iv) Zoning

Commercial uses shall be zoned in separate categories in the implementing zoning by-law.

5.7.6 Rural Lands Industrial Policies

This plan recognizes that the location of certain industrial uses in the rural setting is both necessary and appropriate to facilitate the provision of adequate industrial services and employment opportunities for residents of the Township. Therefore, industrial uses which pose no threat of pollution to air, land or water and which will not have a deleterious impact on adjacent land uses shall be permitted.

(1) Permitted Uses

The uses permitted include construction yards; warehousing; truck or transportation terminals; motor vehicle repair garages or body shops; the open storage of goods or materials; bulk storage facilities; workshops; saw and planing mills; service shops; processing, manufacturing and/or assembly operations and research establishments.

(2) Development Policies

- e) Industrial uses shall occur on lots of an appropriate size, generally 1 hectare (2.5 acres) or larger.
- f) Industrial uses shall be encouraged to locate on arterial or collector roads. Consideration may be given to the use of other public roads where Council is satisfied that no suitable alternate location is available. In all cases, it shall be demonstrated that the proposed use will not create a traffic hazard, that the impact of the proposed use on adjacent land uses will be minimal and that the public road is of suitable quality to accept traffic generated by the new industrial development.

- g) No industrial use shall be permitted which creates an adverse impact on adjacent land uses as a result of the emission of contaminants into or onto the air, water or land. Adjacent uses shall be adequately protected from industrial emissions in accordance with and subject to the regulations and requirements of the Ministry of the Environment and Council.
Where deemed necessary, a report(s) shall be prepared by a professional engineer(s), biologist or other qualified professional(s) indicating the anticipated impact of the proposed operation on the environment, including air and water pollution, noise, changes in the water table, changes in surface drainage both on and off the site and the effectiveness of the proposed ameliorative measures.
- d) Adequate off-street parking and loading facilities shall be provided. Access points to parking areas shall be limited in number and designed in such a manner so as to minimize the danger to vehicular and pedestrian traffic.
- e) Adequate buffering and setbacks shall be provided between industrial uses and adjacent uses and roadways. Such buffers may include the provision of grass strips, screening and the planting of trees and shrubs and the location of a berm or fence.
- f) Severances for rural industrial uses may be permitted in accordance with the general consent policies of this Plan.

(iii) Zoning

Industrial areas shall be zoned in a separate category in the implementing zoning by-law.

5.7.7 Limited Service Residential Policies

Limited service residential development is generally located in the ‘Rural Lands’ of the Township on a body of water or a natural water course where the primary means of access is from a private **condominium** lane or a navigable waterway.

New Condominium lanes shall be permitted where such road is within a registered plan of condominium pursuant to the Condominium Act, 1998, as amended, where it connects directly to an existing public road and where the subject land has legal frontage on the same existing public road. Internal lanes within the condominium that connect to the public road indirectly through other condominium lanes may also be permissible. 2015

New condominium lanes shall be constructed and maintained to the Townships minimum ‘standards for new private lanes’ or a higher standard at the discretion of Council. Also,

existing private lanes converted to condominium lanes may require upgrading to an acceptable standard to permit emergency vehicle access.2015

Permitted Uses

The uses permitted shall include single detached residential dwellings, seasonal residential dwellings, seasonal dwellings converted to permanent dwellings and home occupations.

(1) Limited Service Residential Development Policies

- a) The frontage size and shape of any lot created for limited service residential purposes created through the severance approval process shall be appropriate for the proposed use and shall conform with the provisions of the zoning by-law. As a rule, the minimum lot size shall be 1 hectare (2.5 acres) with 91 metres (300 ft.) of waterfrontage and 76 metres (250 ft.) abutting a private lane. The municipality may consider reductions in the minimum lot size and frontage requirements provided the overall intent of the Plan is maintained.
- b) A maximum of five (5) **(changed from three (3) as per Council's wish)** new limited service residential lots per landholding existing on **September 5th 2000** may be permitted by consent, in accordance with the General Consent policies of Section 7 of this Plan.
- c) Severances for new 'waterfront limited service residential lots' shall be considered for approval based on the following criteria:
 - i) **severances for new 'infill' waterfront lots may be permitted along existing private lanes provided the condition of the lane abutting the new lot(s) is improved to the Township's 'standards for new private lanes'. In addition, the whole of the lane travelled on to reach the new proposed lot(s) will be required to be improved to a minimum standard to allow accessibility to the new lot(s) by emergency vehicles and provided the entire lane is governed by a condominium agreement.2015**
 - ii) severances for new lots on newly created private lanes may be permitted provided the new private lane intersects with an existing public road and is designed and constructed in accordance with Township standards for new private lanes and provided the entire lane is governed by a condominium agreement.2015
 - iii) severances for new lots on extensions to existing private lanes may be permitted provided the extension is not greater than 182 metres

(600 feet) and is designed and constructed in accordance with Township's standards for new private lanes. **In addition, the whole of the existing lane travelled on to reach the new proposed lot(s) will be required to be constructed to a standard that would allow accessibility to the new lot(s) by emergency vehicles and provided the entire lane is governed by a condominium agreement.2015**

- iv) severances for new lots that would require extensions to existing private lanes greater than 182 metres (600 feet), may be permitted provided the new portion of the lane is designed and constructed in accordance with the Township's standards for 'new private lanes'. **In addition, the whole of the existing lane travelled on to reach the new proposed lot(s) will be required to be improved to the Township's 'standards for new private lanes' to ensure accessibility to the new lot(s) by emergency vehicles and provided the entire lane is governed by a condominium agreement.2015**

- iv) **Despite the policies of subsections ii), iii) and iv) above, where a new private lane or extension to a private lane is proposed to accommodate a new lot(s) and it has been clearly determined by the Township that no further future extension of the lane is possible beyond the point proposed, then the new lane may only be constructed to the point of access to the last lot on the lane ie., the lot(s) would not require the full 76 metres (250 ft.) of frontage on the lane.**

- d) **On existing lanes that do not lead to water, severances will not be permitted and no new such lane will be permitted unless the entire lane is governed by a condominium agreement.2015 .**

- e) Except for the foregoing, no new private lanes will be permitted.

- f) As a condition of severance approval for all waterfront limited service residential lots, the owner of the subject property shall enter into an agreement with the Township to be registered against title to the lots acknowledging:

- The Township does not maintain or repair private lane.
- The Township does not provide municipal services normally associated with public roads.

- Owners are responsible for all costs necessary to maintain the private lane.
 - The Township is not responsible for any loss or damage created by the owner's failure to maintain the private lane.
 - Owners agree to indemnify the Township for any loss or damage.
- g) Limited service residential development shall be serviced by private water and sanitary sewage disposal systems. Such systems shall be approved by the appropriate authority.
- h) Limited service residential development shall be designed to preserve as much as possible a site's physical attributes, such as tree coverage, varying topography, scenic views, etc, for the benefit of future residents.
- i) Limited service residential development shall be developed in accordance with the applicable policies of Section 5.2 of this Plan.
- j) Where communal docking facilities are proposed, such facilities shall be located a suitable distance, generally 60 metres (196.8 feet), from the nearest residential use, residential land use designation or residential zone.
- k) Where an existing limited service residential lot or a lot created by consent of the Committee of Adjustment for limited service residential purposes subsequent to the date of approval of this Plan fronts upon a private lane or unassumed public road, a building permit may be issued for the erection of a building or structure providing the applicant enters into an agreement with the Township which is to be registered on title. This agreement is to indicate:
1. that the owner recognizes that the lot is located on a private lane which is not snowplowed or in any other way maintained by the Township.
 2. that the disposal of garbage, snowplowing and any other lane maintenance is the responsibility of the property owner; and
 3. that the Township assumes no liability in the event that emergency vehicles are not able to access the lot because of impassable lane conditions.

(iii) Water Access Lots

Lakes and rivers within the Township contain a number of islands and remote areas. Many islands and remote areas of the Township offer the opportunity for limited

service residential use. Consequently, limited service residential development shall be permitted on water access only lots providing:

- d) that it is demonstrated to the satisfaction of Council and the authorities responsible for their approval that an adequate supply of potable water is available for each lot on the island and that a satisfactory method of sewage disposal is approved by the appropriate authority;
- e) that access to the water body in which the island is situated is available via a navigable waterway and/or a public road or an existing private **lane** or unassumed public road of sufficient quality to ensure the provision of appropriate services to the island;
- f) that island seasonal residential development is zoned in a separate category from other forms of seasonal residential development;
- g) that, in the case of a lot which has water access only, the owner of the water access lot demonstrates to the satisfaction of Council that land and mooring facilities on the mainland are available to permit the parking of automobiles and/or the storage or docking of boats and boat trailers etc. associated with the use of the water access lot, in this way ensuring minimal disruption to residents on the mainland. Such facilities shall be tied in perpetuity to the water access only lot and be zoned for parking and docking facilities only;
- h) Notwithstanding Section 5.7.7 (b)(i) to the contrary, the minimum lot size for a new water access only lot shall generally be 2 ha (5 acres) in order to minimize impacts in these remote areas.

(iv) Zoning

Limited service residential uses shall be zoned in separate categories in the implementing zoning by-law.

(v) Special Limited Service Residential Development Policy (Part Lot 2, Concession II, Bedford District)

Notwithstanding Section 5.7.7(b)(i) to the contrary, the minimum lot frontage on a private road for a Limited Service Residential lot shall be 24.7 metres (81 feet).

(vi) Special Limited Service Residential Development Policy (Part Lot 21, Concession XI, Bedford District)

Notwithstanding Section 5.7.7(b) to the contrary, the minimum lot frontage on a private road for a Limited Service Residential lot shall be 61.9 metres (203 feet).

5.8 RIDEAU CANAL whole section 2015

The Official Plan acknowledges that the Rideau Canal is a National Historic Site, a Canadian Heritage River and a UNESCO World Heritage Site.

The Rideau Canal was designated as a National Historic Site in the year 1924 in recognition of its construction, survival of a high number of original structures and the unique historical environment of the canal system. In the year 2000, the Canal was designated as a Canadian Heritage River for its outstanding human heritage and recreational values.

In the year 2007, the Rideau Canal was inscribed on the UNESCO World Heritage List because of its construction technology and its role in defending Canada. The Canal is the best preserved slackwater canal in North America and is the only canal from the great North American building era of the early nineteenth century that remains operational along its original line with most of its structures intact.

Pursuant to these designations, Parks Canada has prepared the Rideau Canal National Historic Site of Canada Management Plan and the Rideau Canal World Heritage Site Management Plan.

Located within diverse landscapes rich in history, natural character and scenic beauty, this World Heritage Site is a premiere cultural heritage and natural feature in the Township and provides opportunities for heritage education and appreciation, tourism, enjoyment, recreational pursuits and as a place to live and work. Conservation and sustainable use and development of the Canal and adjacent lands will ensure that it will contribute to the conservation of world heritage and to the quality of life for residents and visitors to the Township for generations to come. The policies of this section shall apply to all development and site alteration adjacent to the Rideau Canal.

Under the federal Historic Canals Regulations, Parks Canada (Rideau Canal Office) oversees all in-water works along the Canal system. An approved in-water work permit must be obtained prior to any proposed construction, and work must adhere to the Rideau Canal Policies for In-Water and Shoreline Works and Related Activities.

The Township supports the protection of the Rideau Canal and will contribute to the conservation and sustainable development of the lands adjacent to the Rideau Canal. The Township will work with Parks Canada to identify the cultural heritage, natural heritage and scenic features and vistas of the Canal landscape and may protect those values through

appropriate land use designations, land division policies, cultural and natural heritage policies, view protection policies and zoning. **2015**

6.0 GENERAL POLICIES

This section contains policies which apply generally to the entire Township or which are not related to a specific land use designation.

6.1 DEVELOPMENT STAGING

In order to protect the residents of the Township of South Frontenac from undue financial hardship, the Council shall ensure that the timing, location and nature of new development is such that the demand for municipal services is not excessive in relation to the taxable assessment provided. New large scale development which would create an appreciable increase in the demand for municipal services shall not be permitted unless it can be demonstrated that the project will maintain or improve the Township's general financial condition.

6.2 DEVELOPMENT AND RE-DEVELOPMENT POLICIES

All types of future development shall occur on the basis of the submission and approval of registered plans of subdivision, **plans of condominium**, land severances by consent or minor variances from the Committee of Adjustment and/or amendments to the implementing zoning by-law.

Residential development should primarily occur by registered plan of subdivision. However, development may occur by consent in accordance with the applicable policies of this plan when a plan of subdivision in the opinion of the Municipality clearly is not necessary to ensure orderly development, taking into consideration the social, economic and environmental impacts.

For proposals for re-development, Council may require the reduction of waste from construction debris as a result of the demolition of buildings by encouraging the adaptive re-use of older and existing building stock. **2015**

6.3 DEVELOPMENT AGREEMENTS

Development shall not create a financial burden on the Township of South Frontenac. Individuals proposing to develop lands may be required, pursuant to the relevant provisions of the Planning Act, to enter into subdivision/severance agreements.

6.4 AGENCY TECHNICAL REVIEW

- (a) The Township of South Frontenac is covered by three Conservation Authority jurisdictions. The degree of involvement in watershed regulations varies from one Authority to the next. In order to properly manage the natural resources of the municipality, any proponent of development for the creation of a new lot, a change in land use or the construction of buildings and structures adjacent to any river, lake, stream, creek or watercourse, should consult with the appropriate Conservation Authority. It is the policy of the Township of South Frontenac to work co-operatively with each Conservation Authority in order to properly manage the water resources of the Municipality.
- (b) Although no specific areas have been designated for forestry use, the Township encourages all land to be used for forestry purposes on a sustainable yield basis. Forestry operations should not employ clear cutting techniques except under the authority of a Forest Management Plan prepared by a Registered Forester.
- (c) Due to the particular sensitivity of the lakes, preservation of the natural vegetation, including forests, is strongly encouraged, especially in the 30 metres abutting a waterbody. Site Plan Control may be used to achieve this.
- (d) Council will encourage the retention of the tree lined character of the Township roads, consistent with traffic safety, drainage, utility installation, and access constraints.
- (e) Council will consult, when deemed appropriate, with various technical review agencies including the Conservation Authorities, the Ministry of Natural Resources, the Ministry of the Environment, the Department of Fisheries and Oceans or any other agency on any development proposal submitted for review by the Township.

6.5 GROUP HOMES

A group home is a single housekeeping unit in a residential dwelling in which up to ten (10) persons, excluding staff, live under responsible supervision consistent with the requirements of its residents and which is funded, licensed or approved under Provincial Statute. Group homes will be permitted in all designations that allow residential uses; however, they should not be permitted to be located on a private **lanes**. **In order to prevent an undue concentration of group homes in specific areas of the Municipality, minimum separation distances between group homes may be incorporated in the Zoning By-law to be removed as per MMAH requirements**

6.6 HOME OCCUPATIONS AND HOME INDUSTRIES

Home occupations, home industries, trades and professional uses may be permitted accessory to any residential use provided they are small scale and compatible with residential uses. Specific provisions relating to home occupations shall be included in the Zoning By-law.

6.7 INSTITUTIONAL AND PUBLIC USES

Institutional uses include educational, municipal and governmental activities which are public or semi-public in nature. Any necessary public use or institutional use required by a public authority to fulfill its role in providing for the health, education, welfare and comfort of the residents shall be permitted anywhere within the Municipality except the Agricultural designation and buildings in Environmental Protection areas provided that the site design and the design of any buildings and structures are in keeping with the character of the surrounding area. Private institutional uses which provide social services to the residents of the area may also be considered, provided they meet the same compatibility criteria as stated above for public and semi-public uses, are of a scale and design in keeping with the surrounding area, have frontage on an open public road which is maintained on a year-round basis, and provided Council is satisfied that the proposed use fulfils a legitimate community need.

Energy and communication facilities, including electric power facilities, transformers and generators, as defined in the Power Corporation Act, shall be permitted in any land use designation without an amendment to this Official Plan provided that such development satisfies the provisions of the Environmental Assessment Act, including Regulations made under the Act and any other relevant statutes. All electric power providers shall be encouraged to consult with the Municipality regarding the location of new transformer stations.

Other energy and communications distribution facilities, including buildings and facilities of electric power providers not used directly for the generation and supply of power, shall comply with the provisions of this Plan and the implementing Zoning By-law.

The Municipality intends to participate in any discussions on the location of new energy and communications facilities.

6.8 LAKESHORE ASSESSMENT MAPS

The Ministry of Natural Resources, together with interested citizens and groups, have begun the process of preparing detailed lakeshore assessment maps which identify the type of foreshore area (bedrock, rubble, sand, silt), submerged and floating vegetation, emergent vegetation, stumps and logs, overhanging trees, cottages, docks, beaver dams, boathouses, shoreline slopes and a variety of fish and wildlife habitat areas. These maps, once reviewed and approved by the Municipality and the Ministry of Natural Resources, will be used by the

Committee of Adjustment, Township staff and various agencies to assist in the review of applications for new lots, variances and rezonings.

6.8.1 Lake Trout Water Quality Model

The Ministry of Environment monitors lake trout lakes in the Township with respect to water quality to support a lake trout fishery. The Township will consider the results of the monitoring program when reviewing any development including the creation of lots, a change in land use and/or the erection of buildings and structures within 300 metres (984 feet) of the affected lake.

6.9 **BUFFERING**

In order to reduce or eliminate the adverse effects of one land use upon another or overcome the conflicts between land uses, the Township will require buffering to be provided. A buffer may be defined as any space or feature placed between two conflicting uses in order to reduce or eliminate conflicts. A buffer may be open space where distance is relied upon to produce the desired results, or it may be a berm, wall, fence, planting strip or land use different from the two conflicting ones but compatible with both, or any combination sufficient to achieve the intended purpose. Buffering provisions will generally be implemented through site plan control and through provisions in the Zoning By-law.

6.10 **SERVICING**

It is the primary objective of the Plan to ensure that existing and proposed development within the Township has an adequate supply of potable water and is serviced by proven sanitary sewage disposal systems.

Where municipal service(s) exist, lot creation will only be permitted if sufficient reserve capacity exists to accommodate the proposed development. All development in serviced areas will utilize that service. In areas which are not serviced with municipal water and/or sewage services, lot creation will only be permitted if the proposed development can be supported by the type of servicing being proposed. Expansion of Settlement Areas will only be permitted where sufficient capacity exists to accommodate the anticipated growth, or where technical studies indicate that sufficient groundwater resources exist to support the expansion and where conditions are suitable over the long term to support the use of private septic systems. Notwithstanding any other sections of this Plan to the contrary, the scale, type, layout, density, etc. of a proposed development will be determined, in part, by the ability of the proposed development to be supported by the type of septic and water service being proposed.

Council will review the development based on the findings of the Western Cataraqui Region Groundwater Study (April, 2007). Proposed development in areas identified in the report and

specified on Schedule 'B' to this Plan as having 'Very High Sensitivity' to groundwater quantity and quality, will require supporting documentation in the form of a hydrogeological report including draw-down tests on existing adjacent wells, prior to any development approvals.

Development shall also proceed in accordance with the following servicing policies:

6.10.1 General

During the planning period of this plan, development predominantly shall occur on the basis of private wells and private septic tank and leaching beds/tile fields in accordance with the standards of the authorities responsible for their approval. Development will only occur on the basis of private individual on-site sources of potable water and septic systems or municipal communal sewer and/or water systems where required. No new private communal sewer and/or water systems will be permitted.

It is the intent of this plan that private on-site sanitary sewage disposal systems primarily consist of septic tanks and leaching beds/tile fields. However, consideration may be given to the use of other proven systems subject to the approval of the Ministry of the Environment and Council.

Where residential development has been proposed of more than five (5) lots on individual, private water and sewage, and has been accepted via the results of a private servicing report, the Township will require a Private Services Impact Assessment Report to be prepared by the owner/developer and submitted for Township review and approval. The report is to demonstrate potable groundwater quality, adequate groundwater yield, negligible groundwater quality interference, soil suitability and sufficient area available for effluent treatment and shall identify the location of the septic system, well and house.

It is Council's intention to work with applicable agencies (eg., Ministry of the Environment and Climate Change, Health Unit) to investigate options for the treatment of hauled sewage from individual on-site private sewage systems. This would include the determination of treatment capacity for this hauled sewage and the resultant implementation of the preferred method of treatment. **2015**

6.10.2 Settlement Area Servicing

In the Sydenham Settlement Area development shall occur primarily on the basis of municipal water and private sanitary sewage disposal systems. Development within the settlement area boundary but beyond the present extent of the municipal water service area, shall require that the existing service be extended, at the developers' expense, to supply the development. In all other settlement areas, development shall occur primarily on the basis of private water and sanitary sewage disposal systems.

Municipal communal water supply systems and/or sanitary sewers and sewage treatment facilities may be constructed on land designated Settlement Areas and in areas of concentrated development when the density of development, the physiographic and/or public health conditions render these services necessary. An Environmental Assessment, completed in accordance with the Environmental Assessment Act, shall be undertaken prior to the installation of any municipal communal sewer and/or water systems.

6.10.3 Development Applications

Where deemed necessary by Council, development applications shall be accompanied by a report prepared by a professional engineer or other qualified professional(s) indicating that an adequate supply of potable water is available for each new lot or use and that soil conditions are suitable for the installation of a septic tank and leaching beds/tile fields that conform to the standards outlined by the authority responsible for their approval. The terms of reference for the report will vary depending on the nature and scale of development. The developer shall consult the Township **and the guidelines of the Ministry of Environment and Climate Change 2015** to determine the level of detail required.

6.10.4 Existing Substandard Services

It is the intent of this plan that all existing substandard private sanitary sewage disposal systems should be improved to at least the minimum standards established by the authority responsible for their approval. **The Township undertook a septic pollution reduction program (septic re-inspection) in recent years to identify existing substandard septic systems at the Townships lakes and require that they be upgraded.** The Township should continue to develop a program to identify and require the upgrading of substandard private sewage disposal systems.

In the event of failure of an existing septic system, the Township, in accordance with the Ontario Building Code provisions, shall require the owner to construct a new system in accordance with the current regulations. No minor variance shall be required for replacement of an existing substandard system.

6.11 **SECONDARY PLANS**

As major development occurs within the Settlement Areas of the Township, it is the intent of this plan that secondary plans be undertaken. The secondary plan shall provide the location of major land uses, transportation patterns and detailed servicing policies for the development area.

Secondary plans shall ensure the environmental integrity of new development particularly as it relates to the potential impacts on the quality and quantity of area ground and surface water

supplies. In addition, secondary plans shall identify cultural heritage resources which may exist within the study area. Development and site alteration shall not be permitted on lands containing archaeological resources or cultural heritage resources. When these resources are identified, the zoning by-law should identify the subject area with a holding 'h' symbol to require an archaeological or cultural heritage management plan to be developed prior to lifting the 'h' symbol to permit any proposed development. **Township staff wording but is required by MMAH 2015**

The preparation of secondary plans shall be guided by the intent and purpose of this plan and shall be developed having regard for surrounding land uses, environmental constraints, the physical suitability of the land in relation to the servicing approach, public utilities, schools, parks and other community facility uses, the major road systems particularly as they relate to accessibility and safety, housing types and projected populations. Secondary plans should be required when the Settlement Area reaches 150 dwellings or 300 persons.

6.12 **FRONTAGE ON PUBLIC ROADS/PRIVATE LANES**

No building or structure shall be erected, extended or enlarged on any lot within the Township of South Frontenac unless such lot fronts on a public road except as follows:

- (a) Where a vacant lot fronts upon a private lane or unassumed public road, a building permit may be issued for the erection of a building or structure providing:
 - (i) the lot existed on or before the date of approval of this plan; or the lot is in the form of infilling or on an extension to a private lane permitted by this Plan and is created by consent of the Committee of Adjustment.
 - (ii) the property is zoned to a Limited Service Residential zone; and
 - (iii) the applicant at his/her expense enters into an agreement with the Township which is to be registered on title. This agreement is to indicate the following:
 - 1. that the owner recognizes that the lot is located on a private lane which is not snowplowed or in any other way maintained by the Township.
 - 2. that the disposal of garbage, snowplowing and any other road maintenance is the responsibility of the property owner; and
 - 3. that the Township assumes no liability in the event that emergency vehicles are not able to access the lot because of impassable road/lane conditions.

- (b) Special Frontage on a Public Roads Policy (Part Lot 7, Concession IX, Storrington District)

Notwithstanding Section 6.12 to the contrary, the creation of two residential lots having frontage on a private lane shall be permitted.

- (c) Special Frontage on a Public Roads Policy (Part Lot 9, Concession IX, Storrington District)

Notwithstanding Section 6.12 to the contrary, the creation of two residential lots having frontage on a private lane shall be permitted.

6.13 CONVERSION TO PERMANENT RESIDENTIAL

Conversion of a seasonal dwelling to permanent residential use requires submission of a building permit application to the Township. In reviewing any such application for approval, the Township will ensure that all of the following are complied with:

- (a) that an adequate supply of potable water is available to the dwelling;
- (b) that the sanitary sewage disposal system has been approved for year-round use by the authority responsible for the approval of such systems;
- (c) that the property and dwelling conform to all relevant provisions of the implementing zoning by-law and any other relevant municipal by-laws;
- (d) that the proposed permanent use is compatible with surrounding land uses;
- (e) that, if the lands are located on a private lane, the property is zoned Limited Service Residential;
- (f) that the building is in compliance with the Ontario Building Code and Building Code Act, 1995;
- (g) that, if the dwelling is located on a private lane, the applicant enters into an agreement in accordance with Section 6.12 (a) iii of this Plan; and
- (h) that, if the dwelling is located on a private lane that is substandard in terms of permitting emergency vehicle access, the lane will be improved to a standard acceptable to the municipality.

6.14 NOISE ATTENUATION

Where development is proposed within the immediate vicinity of a high level noise producer, the development application shall, when deemed necessary by Council in accordance with the Ministry of the Environment guidelines, be accompanied by a noise report which:

- (a) establishes anticipated indoor and outdoor noise levels; and
- (b) if necessary, outlines the proposed noise attenuation techniques to be employed in reducing the anticipated noise levels.

6.15 DEVELOPMENT CHARGES

Council will levy a development charge in accordance with the Development Charges Act for each lot in a proposed subdivision or for each lot created by consent of the Committee of Adjustment in order to finance the provision and expansion of municipal services.

6.16 DESIGN CRITERIA FOR THE PHYSICALLY CHALLENGED

Recognizing the unique accessibility concerns of the physically challenged as they pertain to building design and the general usage of public facilities and transportation systems, Council affirms its commitment to the construction of new facilities and the reconstruction of old facilities in a manner that is consistent with the needs of the physically challenged. In pursuing this goal, the municipality shall:

- (a) require building construction to occur in accordance with the regulations of Part 10 of the “Ontario Building Code”; and
- (b) encourage any relevant construction or reconstruction on public lands to occur in a manner consistent with the needs of the physically challenged.

In addition to the above, the Township will endeavour to provide accessibility solutions in a manner that respects the cultural heritage value or interest of a protected property. Council recognizes that standardized designs may not always suffice and that each heritage property will require unique accessibility plans to ensure that alterations do not adversely affect the heritage attributes. Council encourages this practice for privately-owned heritage buildings that are open to and used by the public.**2015**

6.17 SITE PLAN CONTROL

Site Plan Control is intended to be used to help minimize the impacts of development on neighbouring properties and waterbodies. In order to facilitate this process, the entire Township is proposed for Site Plan Control pursuant to Section 41 of the Planning Act.

The specific land uses, designations and areas which are intended to be subject to this policy are:

- (a) commercial, institutional (community facility) and industrial uses;
- (b) lands used for wrecking yards;
- (c) lands used for hauled septage disposal;
- (d) lands within the Mining designation;
- (e) multi-unit residential uses;
- (f) lands identified as having cultural heritage resources; **2015**
- (g) lands within or adjacent to the Environmental Protection designation;
- (h) all land within 90 metres (295 feet) of a waterbody (primarily waterfront lots), including land used for residential purposes;
- (i) lands within or adjacent to an Environmentally Sensitive Area;
- (j) all lands within 300 metres (984.3 feet) of a Sensitive Lake Trout Lake; and
- (k) all lands which are subject to a natural hazard.

All other land uses, including rural residential uses, may be subject to site plan approval.

Appendix 'A' provides information which will help interpret the intent of this section. It is taken from the study entitled "Rideau Lakes Carrying Capacities and Proposed Shoreland Development Policies" and provides additional information which will be used by Council, municipal staff, applicants, reviewing agencies, Committee of Adjustment and the public in assessing the proposed development of any land near water. The objective is to attempt to ensure that development is sustainable and in particular to maximize the protection of water quality.

In implementing site plan control on lands within 90 metres (295 feet) of a water body, the Township will have regard for Appendix 'A'. It is intended that:

- (a) on land having steep slopes, minimal woody vegetation cover, thin soils and soils with poor phosphorus retention capability, setbacks of up to 90 m (295 feet) measured horizontally will be required.
- (b) on land which has fewer constraints, smaller setbacks are required, diminishing to 30 metres (98 feet) measured horizontally for ideal sites.
- (c) On existing lots, consideration will be given to slight reductions to the minimum requirement of 30 metres (98 feet), only if it is not physically possible or environmentally desirable to meet this requirement.

When a property is the subject of an application for site plan approval, abutting land owners and other neighbouring land owners that may be directly affected, such as those located across a narrow waterbody, should be advised and provided with an opportunity to comment

on the site plan before approval by the Township. Details of the site plan may vary depending on the complexity of each development application.

6.18 COMMUNITY IMPROVEMENT POLICIES

This Plan recognizes the importance of revitalizing the settlement areas, villages and other built-up areas that are aging, and that there may be a need in the future to upgrade such elements as physical infrastructure, buildings, recreational facilities and/or the arrangement of existing land uses and to remediate brownfields. To accomplish this, Community Improvement Plans may be developed.

Community Improvement Plans are enabling policies under the authority of the Planning Act through which Council may provide financial incentives to address an identified need. For the purpose of this Plan, all areas in the Township that are designated as 'Settlement Areas' shall be identified as Community Improvement Areas. Thus, within these established settlements, certain community improvement project areas may be defined from time to time by by-law for which detailed plans may be prepared where there is an identified community need. The approval of such plans, including any associated financial assistance, shall be at the discretion of Council.

6.18.1 Criteria

To establish the need for a community improvement plan in Settlement Areas, one or more of the following criteria should be identified in the subject area:

- a) building stock or any housing units that are sub-standard according to minimum Township standards;
- b) unused or underutilized buildings or land that could be developed, redeveloped, renovated or converted to another use;
- c) hard surfaces such as roads, sidewalks, curbs, gutters and stormsewers that are deficient;
- d) lighting, signage, buildings or other public utilities that are sub-standard according to minimum Township standards or which are not designed for energy-efficiency;
- e) inadequate community services such as public indoor/outdoor recreation facilities or public open space;
- f) inadequate social facilities such as day cares;
- g) inadequate off-street parking facilities;
- h) inefficient traffic circulation or poor accessibility to residential, commercial or industrial areas;
- i) existing land uses that are incompatible with each other;
- j) the overall streetscape or aesthetics of an area requires upgrading;
- k) the presence of visual amenities (such as waterfront areas) which could benefit from protection, enhancement or promotion for tourism;
- l) the presence of brownfields.

6.18.2 Objectives

In Settlement Areas, where any of the above needs have been identified, a community improvement plan would establish one or more of the following objectives:

- a) promote cultural, social, economic and natural environmental sustainability;
- b) maintain the existing building stock and provide amenities and streetscape improvements to enhance the aesthetic appeal of the downtown/main street;
- c) facilitate the construction, reconstruction or rehabilitation of lands and/or buildings;
- d) maintain or improve the existing physical infrastructure for residential commercial, residential, industrial and institutional development;
- e) preserve historically or architecturally significant buildings;
- f) provide a mix of housing types to accommodate a full range of the Township's population;
- g) improve vehicle parking and traffic patterns and provide improved accessibility to all residents and businesses;
- h) improve compatibility between uses in proximity to each other;
- i) improve visual amenities (such as waterfront areas) to encourage and promote tourism;
- j) provide adequate community services and social services and enhance indoor/outdoor recreation facilities and/or public open space;
- k) improve energy efficiency wherever possible;
- l) rehabilitate environmentally compromised land and buildings through appropriate remediation.

6.18.3 Implementation

In implementing any of the above community improvement policies within a Settlement Area, the Township may;

- a) by by-law designate community improvement project areas and prepare community improvement plans for the project areas in accordance with the Planning Act;
- b) carry out community improvement projects in association with other public works projects and Township programs wherever possible;
- c) provide public funds through grants, loans and other financial instruments to the land-owners or their assignees;
- d) waive or reduce development fees to support the desired community improvement;
- e) provide tax assistance under the Municipal Act;
- f) make applications under all appropriate senior level government programs;
- g) provide information to land-owners and developers about the availability of municipal initiatives and financial assistance programs;
- h) where feasible, acquire buildings and/or lands and carry out the clearing and grading of land and/or the improvement of buildings to facilitate the community improvement;

- i) encourage private initiatives regarding the rehabilitation, redevelopment, conversion and environmental remediation of lands or buildings and, where appropriate support infill development and redevelopment;
- j) consider flexibility in zoning restrictions to support community improvement;
- k) require the reduction of waste from construction debris as a result of the demolition or renewal of buildings by encouraging the adaptive re-use of older and existing building stock.**2015**

In addition to the above implementation criteria, Council shall ensure that community improvement plans and programs encourage the preservation, rehabilitation, renewal and reuse of cultural heritage resources.**2015**

The provision of financial assistance in a community improvement plan will be based on the financial capabilities of the Township and will be entirely at the discretion of Council.

6.19 FARMING AND FOOD PRODUCTION PROTECTION ACT (FFPPA)

Nothing in this Official Plan shall conflict with the Farming and Food Production Protection Act (FFPPA). In the event of a conflict between this Plan and the FFPPA, the FFPPA shall take precedent.

6.20 INFLUENCE AREAS

The concept of an influence area is recognized as a means of protecting against incompatible land uses being located in close proximity to each other. This concept applies when a sensitive land use (for example, residential) is being proposed in close proximity to mining or mineral aggregate lands, certain commercial and industrial uses, etc., and conversely when one of these uses are proposed within close proximity to a sensitive land use.

Influence areas are specific to the designation or type of proposed use and will be detailed in the appropriate section of this Plan.

Where possible, influence areas will be based on Provincial guidelines. Council, through the review of development applications within influence areas will ensure that land use compatibility issues are addressed.

6.21 NATURAL HAZARD LANDS

- (i) Within all land use designations, lands identified as having inherent natural hazards such as flood susceptibility, poor drainage, organic soils, steep slopes or other similar physical limitations shall be developed and controlled in accordance with the Environmental Protection policies of this Plan.

- (ii) Where the extent of a hazard has not been determined or where a hazard is suspected, Council may require that a proponent submit a detailed study which identifies the extent of the hazard and, if appropriate, the measures necessary to overcome the hazard. Such a study will be prepared by a qualified individual.
- (iii) Development shall generally be directed to areas outside of lands that are unsafe for development due to the presence of hazardous forest types which are susceptible to wildland fire. Development may be permitted inlands with hazardous forest types where the risk is mitigated in accordance with wildland fire assessment and mitigation standards. **2015**

6.22 CULTURAL HERITAGE RESOURCES

Cultural heritage resources include archaeological resources (including land-based and marine archaeological sites and areas of archaeological potential)**2015**, built heritage resources and cultural heritage landscapes within the boundaries of the municipality. All new development permitted by the land use policies and designations of this Plan shall **conserve known** cultural heritage resources and should, wherever possible, incorporate these resources into any new development plans.

The Township may examine buildings and sites with regard to their desirability and suitability for restoration, conservation and preservation and will support initiatives such as the creation of heritage resource information bases, comprehensive heritage site inventories and heritage master plans. A Municipal Heritage Committee (MHC) may be established pursuant to provisions of the Ontario Heritage Act, to advise and assist Council on matters related to heritage properties, districts and other similar resources.

The municipal clerk is required to maintain a register of all property designated under Part IV of the Ontario Heritage Act. As well, the municipality or its MHC, will maintain an inventory of all properties that are not designated but have been identified as being of cultural heritage value or interest.**2015**

Pursuant to the Ontario Heritage Act, and in consultation with the **Municipal Heritage Committee** if one exists, Council may, by by-law:

- (i) designate properties to be of **cultural heritage value or interest** or in an area with a significant archaeological resource;
- (ii) define the municipality, or any area or areas within the municipality, as an area to be examined for designation as a heritage conservation district; and
- (iii) designate the municipality, or any area or areas within the municipality, as a heritage conservation district.

For any proposed development, the Township may require a statement of impact to significant built heritage or cultural heritage landscape resources, if such resources are known and if they may be affected adversely by development or alteration.

6.22.1 Archaeological Resources

Council **shall** require archaeological assessments carried out by archaeologists licensed under the Ontario Heritage Act, as a condition of any development proposal affecting areas containing a known archaeological site or considered to have archaeological potential. **Archaeological assessment reports prepared by licensed consultant archaeologists are to be in compliance with the 2011 Standards and Guidelines for Consultant Archaeologists as set out by the Ministry of Tourism, Culture and Sport. In recognition that archaeological resources are often located along shorelines, in considering any development in these areas, Council shall ensure that significant known archaeological resources are not adversely affected. When the location of a resource is known, Council will, thus, require satisfactory measures to mitigate any negative impacts that are identified during the development process.**

Areas of archaeological potential are determined through the use of provincial screening criteria or criteria developed by a licensed consultant archaeologist based on the known archaeological record of the municipality and its surrounding region. Such criteria may include a range of environmental, physiographic and historical feature, information from local stakeholders and the effects of past land use.2015

Any alterations to known archaeological sites shall only be performed by licensed archaeologists as per section 48 of the Ontario Heritage Act.2015

Council recognizes that there may be a need for archaeological preservation in situ or rescue excavation of significant archaeological resources as a result of development proposals. Council may consider archaeological preservation in situ as the preferred method of ensuring that the integrity of the resource is maintained.2015

Council may undertake the preparation of an Archaeological Management Plan to assist in land use planning decisions. The Plan would identify and map known archaeological sites registered with the Ontario Archaeological Sites Database as well as areas within the municipality having archaeological potential. The Plan may also outline policies, programs and strategies for the conservation of archaeological resources.2015

Council may obtain available archaeological site data locations from the Ontario Archaeological Sites Database maintained by the Ministry of Tourism, Culture and Sport under the provisions of a municipal-provincial data sharing agreement for the purpose of heritage conservation planning.2015

Council shall consult with appropriate government agencies when an identified human cemetery, marked or unmarked human burial is affected by land use development. The provisions of the Heritage Act and the Cemeteries Act shall apply.

6.22.2 Built Heritage Resources

Council will require a heritage impact assessment to be conducted by a qualified professional whenever a development has the potential to affect **known** built heritage resources. In recognition that built heritage resources are often located along shorelines, in considering any development in these areas, Council shall ensure that significant **known** built heritage resources are not adversely affected. **When the location of the resource is known**, Council will, thus, require satisfactory measures to mitigate any negative impacts that are identified during the development process.**2015**

Council will lead the community in restoring, rehabilitating, enhancing and maintaining built heritage resources owned by the municipality as examples of the proper stewardship of such resources in fulfilment of heritage objectives and policies. As feasible, relevant by-laws, programs and public works undertaken by the municipality will conform to the heritage objective and policies of this Plan.**2015**

6.22.2 Cultural Heritage Landscapes

Council will require a heritage impact assessment to be conducted by a qualified professional whenever a development has the potential to affect **known** cultural heritage landscapes. In recognition that cultural heritage landscapes are often located along shorelines, in considering any development in these areas, Council shall ensure that significant **known** landscapes are not adversely affected. **When the location of the landscape is known**, Council will, thus, require satisfactory measures to mitigate any negative impacts that are identified during the development process.**2015**

Council will lead the community in restoring, rehabilitating and enhancing and maintaining cultural heritage landscapes owned by the municipality as examples of the proper stewardship of such resources in fulfilment of heritage objectives and policies. As feasible, relevant by-laws, programs and public works undertaken by the municipality will conform to the heritage objective and policies of this Plan.**2015**

Council should give consideration to the effects of municipal public works or similar municipal undertakings affecting buildings and features of **cultural heritage landscapes** which are under municipal ownership and/or stewardship.

6.23 MINIMUM DISTANCE SEPARATION FORMULAE

All new farm and non-farm development in the Township shall comply with the Minimum Distance Separation formulae (MDS I and II) as may be amended from time to time.

6.24 HUMAN-MADE HAZARDS

Prior to the approval of a zoning by-law amendment, subdivision, consent and official plan amendment, the past and present uses shall be documented **as they relate to possible human-made hazards on a site**. Restoration of a site may be required prior to approvals being granted or prior to development occurring.

Any required site remediation is to occur in accordance with the Environmental Protection Act and the relevant Ministry of Environment and Climate Change (MOECC) Guidelines and procedures.

6.24.1 Contaminated Lands and Brownfields Sites

The development or re-development of potentially contaminated sites shall be assessed. Any contamination shall be remediated in a manner consistent with the Environmental Protection Act and the relevant Ministry of Environment and Climate Change (MOECC) Guidelines and procedures.**2015**

Sites known to have, or suspected of having, soils contaminated with residue of current or previous industrial or commercial land uses must have the environmental condition of the site assessed. When managing development on potentially contaminated sites, a Record of Site Condition (RSC) must be received by the municipality either prior to the development approval or at time of release of conditions of approval or at the time of issuance of building permits, as required by the municipality.**2015**

When considering applications for development which includes sites suspected or known to be contaminated, the municipality will require at its discretion, that a Phase 1 Environmental Site Assessment (ESA) be undertaken by the applicant in accordance with Ontario Regulation 153/04 as amended. If recommended by a Phase 1 ESA or mandated under O. Reg. 153/04, a Phase 2 ESA must be undertaken by the applicant in accordance with O. Reg. 153/04. This undertaking would require sampling and analysis of the site to confirm and delineate the presence of contamination suspected by the Phase 1 ESA report.**2015**

As a condition of approval, the municipality may require that remediation is to be undertaken to appropriate standards of the MOECC as specified in O. Reg. 153/04 and in the guidelines Soil, Groundwater and Sediment Standards for Use Under Part XV.1 of the Environmental Protection Act or other regulatory requirements of the MOECC, as amended from time to time.**2015**

Mandatory filing of a Record of Site Condition in the Registry by a qualified person, as defined in O. Reg 153/04, is required for any change in use of a property from Industrial or Commercial to Residential or Recreation as defined in the regulation. This record will be acknowledged by the MOECC. A site clean-up plan may be required and the site may need to be cleaned-up in accordance with O, Reg. 153/04 and with MOECC guideline “Records of Site Condition – A Guide on Site Assessment, the Clean-Up of Brownfield Sites and the Filing of Records of Site Condition” document dated October 20014, or associated guidelines.**2015**

A ‘Record of Site Condition’ may, at the municipality’s discretion, be a required condition of approval under this Plan. In addition to any proposed change as prescribed by the Environmental Protection Act (EPA) as a use for which a ‘Record of Site Condition’ is mandatory (ie., a change in use to a more sensitive land use), the municipality may require a RSC to be filed where the application does not involve a change of use to a more sensitive use as defined in the EPA. This requirement is to ensure, to the municipality’s satisfaction, that any remediation, or risk assessment and risk management necessary to permit the intended use is satisfactory to the MOECC.**2015**

6.25 RAILWAYS

For development proposed near railway lines, the Township shall require the proponent to submit a noise feasibility study, to determine whether the proposal is feasible due to possible adverse noise levels that would be incompatible with any sensitive use near:

- (i) a principal railway mainline;
- (ii) a secondary railway main line or former provincial highway right-of-way;
- (iii) all other railway lines or roads.

The decision as to when such a study is required will be left to Council and, when Council deems it appropriate, such study shall be prepared in accordance with the Environmental Noise Guideline (Publication “NPC-300, Stationary and Transportation Sources- Approval and Planning (January 2014)” document published by the Ministry of Environment and Climate Change.**2015**

Provided the Township is satisfied that a proposed development is feasible, following the review of the noise feasibility study described above, the proposal shall incorporate suitable noise control measures in accordance with MOECC guidelines.

6.26 NUTRIENT MANAGEMENT BY-LAW

Council may consider the adoption of a nutrient management by-law to control and regulate the occurrence of large intensive livestock operations in the Township.

6.27 ABANDONED MINE HAZARDS

In reviewing any planning or development application, Council shall verify that the Ministry of Northern Development and Mine's "Abandoned Mine Inventory System" (as updated from time to time) does not indicate that a mine hazard (past or present) exists within close proximity to the subject lands. If the Inventory indicates that a potential hazard exists, the applicant shall be responsible for ensuring that any hazards are mitigated such that the hazard is removed and that the property is safe for the proposed development. Council may require proof by way of a technical study, that the hazard has been removed.

6.28 SOURCE WATER INTAKE PROTECTION

The government of Ontario passed the "Clean Water Act" in 2006 to protect the province's existing and future drinking water sources. The Act, enables municipalities to protect their drinking water sources through the preparation of collaborative, locally developed, science-based assessment reports and source protection plans. In the Sydenham area, three Intake Protections Zones (IPZ's) have been identified based on proximity to the Sydenham water treatment plant intake. These zones are indicated as IPZ-1, IPZ-2 and IPZ-3 on Schedule "B". It should be noted that Schedule "B" also identifies IPZ-3a and IPZ-3b in Portland District which are associated with Intake protections zones located in Picton and Napanee.

Policies will be developed to control and prohibit certain land uses from occurring in these zones.

6.29 SECONDARY SUITES

The Planning Act of Ontario considers the provision of affordable housing to be desirable and to be a matter of provincial interest. Accordingly, a secondary residential unit may be permissible within a single detached dwelling, a semi-detached dwelling or a rowhouse subject to appropriate approvals and servicing. This secondary accommodation is in addition to any sleeping cabin which may already be permitted on a given lot.**2015**

6.30 RIDEAU CANAL

The Township recognizes the Rideau Canal as a Canadian Heritage River, National Historic Site and as a UNESCO World Heritage Site. Parks Canada is the approval authority for any in-water and shoreline works, such as docks along the Rideau Canal. Under the Federal

Historic Canals Regulations, Parks Canada (Rideau Canal Office) oversees all in-water works along the canal system and, accordingly, an approved in-water work permit must be obtained prior to construction and work must adhere to the Rideau Canal Policies for In-Water and Shoreline Works and Related Activities.**2015**

7.0 DIVISION OF LAND

7.1 GENERAL CONSENT POLICIES APPLICABLE TO ALL LAND USE DESIGNATIONS

In addition to all other policies of this Plan, the following general consent policies shall apply to all land use designations.

- (a) Consents shall only be granted when it is clearly not necessary in the public interest that a Plan of Subdivision be registered. In this regard, consents will be considered when the creation of new lots, in the opinion of the Municipality, will clearly have no adverse environmental, social or economic impact on the Township or adjacent land uses.
- (b) Where a land holding has more than one detached dwelling in existence at the time of adoption of this Plan, the severance of a parcel of land including the additional dwelling may be permitted subject to all other policies of this Plan.
- (c) The size of any parcel of land created by consent shall be appropriate for the uses proposed. No parcel of land created as a result of a consent shall be less than that prescribed in the respective land use designations of this Plan, except for parcels created as lot additions or for technical reasons.
- (d) Consents should **generally provide** for a satisfactory geometric design of the severed and retained parcels.
- (e) Consents shall not be granted for a parcel of land which is subject to flooding or erosion, or other physical hazard, and where no building envelope is identified on the lot, when the use of the parcel requires that a building be erected. The advice of the appropriate authority will be sought in this regard.
- (f) All applications for consent shall be accompanied with a sketch showing to scale the dimensions of the lots (severed and retained) to be created by the proposed consent. In addition, existing buildings and setbacks from the property lines and major topographic and land features such as an escarpment, creek or wetland shall be shown. The sketch shall also identify all buildings, septic systems and wells on the lands subject to the consent application as well as on adjacent lands. For those applications which constitute an addition to a holding, the sketch shall show the location, size, use and ownership of the lot to be enlarged.
- (g) The creation of no more than two lots in total (i.e. including severed and retained) shall result from any one severance application for a new lot. Consents that are to

establish a legal right-of-way for more than 21 years will require an application for consent when it is not part of a proposed new lot.

- (h) Consents which result in landlocking a parcel will be denied. All new lots, except limited service residential lots, shall front onto and gain direct access from an existing public road which reflects a reasonable standard of pavement or gravel construction and is maintained year round by the municipality.
- (i) Consents should not be granted for land adjacent to a road from which access is to be obtained where a traffic hazard would be created because of limited sight lines on curves or grades.
- (j) The creation of a residential lot having access only to former provincial Highway No. 38 outside of the Settlement Areas for residential purposes will generally be discouraged. In special circumstances where there is no other alternative available, such a lot may be considered provided that the Township approved the proposed entrance. Entrance requirements to former Highway 38 shall be in accordance with Ministry of Transportation guidelines and regulations. Access to new lots on former Frontenac County Roads will be guided by the Frontenac County Road Entrance Spacing Policy as amended from time to time. However, where this minimum entrance spacing cannot be met exactly as specified, a shared entrance (mutual driveway) arrangement may be considered provided the overall number of permitted entrances is maintained. In such cases, landowners shall enter into an easement agreement specifying that maintenance of the entrance will be the mutual responsibility of the affected landowners.
- (k) Any division of land must respect the separation distances for land uses as set out in this Plan and in the Zoning By-law.
- (l) All division of land for new farm and non-farm uses shall comply with the Minimum Distance Separation Formulae I or II as amended.
- (m) Road widenings may be required as a condition of any division of land.
- (n) The Township is entitled to a dedication of land for park purposes as a condition on any division of land. Cash-in-lieu of land may be requested by the Municipality in situations where there is a public park in the area which is adequate for existing and future population. Cash-in-lieu may also be requested where the amount of land involved is small and therefore unsuitable for park development. Where lands are dedicated for park purposes, the Municipality will accept only those lands suitable for park use.

- (o) For any division of land, the Municipality will impose certain conditions to the approval of the severance or subdivision. An agreement relating to the conditions may be required and may be registered on title.
- (p) In considering applications for division of land, the Municipality may consult with the School Boards and any other Boards or Committees which must plan for future growth.
- (q) The cumulative effect of development and the resulting financial implications for the Municipality will be monitored on an on-going basis.
- (r) The Township will consider applications for severances in light of the number of accesses being created on Township roads. In order to ensure the proper functioning of the road system, the Municipality may require the use of shared entrances by abutting property owners or other such measures. Where a shared entrance is required, the landowners shall enter into an easement agreement which shall ensure that maintenance of the entrance will be the mutual responsibility of the affected landowners.
- (s) Where applicable, the applicant will provide sufficient information to substantiate that all lots created have a source of potable water **from a well** and have appropriate sanitary sewage disposal facilities in accordance with current regulations, to the satisfaction of the Township and the appropriate approval authority. **A well will not be required on proposed waterfront lots or on lots proposed to be 3.1 hectares (10 ac.) or greater in size. Applicants proposing new lots anywhere within those areas identified on 'Schedule B' to this Plan as having 'very high sensitivity' in terms of groundwater quantity and/or quality, shall be required to undertake a hydro-geological study including draw-down tests on abutting lands, to verify that there will be no adverse effects from any proposed new well on existing adjacent domestic wells.**
- (t) Where municipal sanitary sewer and/or water and/or electrical capacity are required, no new lots shall be created where there is not sufficient municipal sanitary sewer and/or water and/or electrical capacity available to accommodate the proposed use.

7.1.1 Special Severance Policies - Shallow and Narrow Bodies of Water

Notwithstanding anything in this Plan to the contrary, no lot with waterfrontage shall be approved adjacent to a narrow waterbody unless the water frontage is at least 150 metres (492 ft.) **as a general rule** in order to ensure safe boating and swimming conditions, to avoid an overdeveloped appearance in a constricted area and to help ensure a reasonable separation between residential uses. **Reductions to this requirement will only be considered when it can be clearly demonstrated that the intent of the policy is maintained.** A narrow waterbody is an

area where the minimum general distance from shoreline to shoreline is 150 metres (492 ft.) for a lake and 50 metres (164 ft.) for a river. Guidelines for measuring narrow waterbodies are included in Appendix 'B'.

Waterfront lots which are proposed adjacent to a shallow waterbody (less than 3 metres (10 ft.) deep, 30 metres (100 ft.) offshore at low water) may be required to have a water frontage of 150 metres (492 ft.). Unless the property abuts a natural sand beach, shallow waterbodies tend to be more environmentally sensitive and less intensive usage is appropriate. Reductions to this requirement will only be considered if convincing environmental evidence prepared by a qualified professional is presented by the applicant demonstrating that no negative impacts will result.

7.1.2 Timmerman Island

Notwithstanding the policy of this Plan that prohibits the placing of more than one dwelling on a lot, up to seven single detached dwellings may be permitted on Part Lots 27, 28 and 29, Concession 6, on Timmerman's Island (Bedford District), provided the following policies and all other relevant policies of this Official Plan are met:

- (i) the property must have sufficient private mainland parking and boat docking/launching facilities to service the number of persons and single detached dwellings proposed without placing demands on existing public access facilities;
- (ii) the lands will be placed in a separate category in the Zoning By-law. The location of the dwellings must meet the setbacks and other lot criteria of the Zoning By-law such that lot division could take place in the future if desirable;
- (iii) these lands are proposed for site plan control. The required site plan will be in sufficient detail to permit it to be adapted for use as an application for a registered plan of subdivision. The development will be by a plan of subdivision, thereby ensuring that the land and the development shown on it will be capable of being subdivided in accordance with the policies of the Official Plan and the requirements of the Planning Act. The site plan shall be registered against the lands.

These policies are intended to allow development on the lands described only and they are not intended to be used to evade the normal consent or subdivision process.

7.2 GENERAL POLICIES FOR PLANS OF SUBDIVISION

In addition to all other policies of this Plan, the following general subdivision policies shall apply to all land use designations.

- (a) Development of land by plan of subdivision shall be required when the creation of more than **five (5)** lots, including severed and retained lots, is proposed.
- (b) The proposed subdivision shall be at a scale which is compatible with the existing or anticipated scale of development in the area.
- (c) Access roads shall have the capability to support the additional traffic loads anticipated from the proposal. Where upgrading and additional maintenance may be required, the Municipality will assess the financial impact of these additional expenditures and may levy charges or request a contribution from the developer to offset these costs. All subdivision development shall occur on a publicly maintained municipal road.
- (d) New subdivision lots shall comply with the minimum lot areas and frontages in Section 5.7.4 (ii) (a) of this Plan unless it is demonstrated through the subdivision review process that reductions to these minimums are justified based on good land use planning principles. **For proposed waterfront lots, some individual lot frontages or areas may be less than the minimum standards specified, provided the average lot frontages and areas comply with these minimums.** For greater certainty, all lots shall have sufficient area so that a private well for water supply can be located without danger of contamination by the sewage system and so that a serious draw down of groundwater levels beyond the boundaries of the lot itself can be avoided.

An application for a privately serviced plan of subdivision shall be accompanied by a detailed hydrogeological study and such other analysis as is required in accordance with Ministry of the Environment guidelines, all of which shall be prepared by a qualified professional and satisfactory to the Municipality.

An application for a privately serviced plan of subdivision shall be in accordance with the Ministry of the Environment and Climate Change's guidelines.

- (e) All applications for subdivision shall be accompanied by a preliminary stormwater management/drainage plan.
- (f) Lots shall have access on an interior public road, developed to standards satisfactory to the Municipality. A limited number of lots may be permitted access on an existing municipal road of an appropriate standard where the Municipality is satisfied that such access is appropriate. Nothing in the aforementioned shall be construed as encouraging access to existing roads.
- (g) As many trees as possible shall be preserved, particularly mature and healthy stands of trees and reforestation shall take place where appropriate.

- (h) Topography and/or vegetation shall be maintained and augmented to create an appropriate or desirable environment and buffering may be requested to ensure compatibility with adjacent uses.
- (i) Plans of subdivision shall be designed to allow for the appropriate integration of the subject lands with the adjacent lands.
- (j) The proposal shall be appropriately served by existing levels of municipal services such as fire protection, police protection, garbage collection and school facilities. Any proposal requiring substantial upgrading to existing services will generally not be permitted unless it is determined by the Municipality and any pertinent agencies to be appropriate.
- (k) The Municipality shall enter into a subdivision agreement with each developer as a condition of the approval of a Plan of Subdivision. This agreement will set out the internal and external services and obligations that shall be required of the developer.
- (l) The developer shall provide background information satisfactory to the Municipality demonstrating the appropriateness of the location for the plan of subdivision. This information may include drainage studies, traffic impact studies and environmental impact statements.
- (m) Plans of subdivision shall be compatible with adjacent areas and the general intent of this Plan.
- (n) Council shall require an archaeological assessment described under section 6.22.1 of this Plan, to be carried out by archaeologists licensed under the Ontario Heritage Act, as a condition of any subdivision proposal affecting areas containing a known archaeological site or considered to have archaeological potential. In addition, Council will require a heritage impact assessment, described under section 6.22.2 of this Plan, to be conducted by a qualified professional whenever a subdivision has the potential to affect **known built heritage resources.**²⁰¹⁵ The assessments and any recommendations for the conservation of significant cultural heritage resources identified through the assessment may be a condition of subdivision approval and may be included in the subdivision agreement.
- (o) The specific provisions of the Planning Act relating to plans of subdivision will apply in addition to the policies set out in this Plan.
- (p) The Township is entitled to a dedication of land for park purposes as a condition on any division of land. Cash-in-lieu of land may be requested by the Municipality in situations where there is a public park in the area which is adequate for existing and future population. Cash-in-lieu may also be requested where the amount of land

involved is small and therefore unsuitable for park development. Where lands are dedicated for park purposes, the Municipality will accept only those lands suitable for park use.

7.3 GENERAL POLICIES FOR PLANS OF CONDOMINIUM (Vacant Land with Common Elements)

In addition to all other policies of this Plan, the following general condominium policies shall apply to all land use designations.

- (a) Development of land by plan of condominium shall be required when the creation of individual units and common areas within a single lot, is proposed.
- (b) The proposed plan of condominium shall be at a scale which is compatible with the existing or anticipated scale of development in the area.
- (c) Existing public access roads shall have the capability to support the additional traffic loads anticipated from the proposal. Where upgrading and additional maintenance may be required, the Municipality will assess the financial impact of these additional expenditures and may levy charges or request a contribution from the developer to offset these costs. All development shall occur on a common element private lane that is maintained through the condominium corporation.
- (d) New condominium units shall comply with the minimum lot areas and frontages outlined in section 5.7.7 (ii) of this Plan. Reductions to these general requirements may be considered provided they are justified through the condominium approval process and provided they are based on good land use planning principles. For proposed waterfront units, some individual lot frontages or areas may be less than the minimum standards specified, provided the average unit frontages and areas comply with these minimums. For greater certainty, all units shall be supported by a sufficient area of land so that a private well for water supply can be located without danger of contamination by the sewage system and so that a serious draw down of groundwater levels beyond the boundaries of the lot itself can be avoided.

An application for a privately serviced plan of condominium shall be accompanied by a detailed hydrogeological study and such other analysis as is required in accordance with Ministry of the Environment guidelines, all of which shall be prepared by a qualified professional and satisfactory to the Municipality.

- (e) All applications for condominium development shall be accompanied by a preliminary stormwater management/drainage plan prepared by a qualified professional and satisfactory to the Municipality.

- (f) Condominium units shall have access on an interior common elements private lane, engineered and constructed to meet or exceed the Township's standards for new private lanes. A higher standard of lane construction may be required by the Township based on the scale of the development and/or conditions that would adversely affect the quality of the lane construction. Nothing in the aforementioned shall be construed as encouraging access to existing roads.
- (g) As many trees as possible shall be preserved as part of the development, particularly mature and healthy stands of trees and reforestation shall take place where appropriate.
- (h) Topography and/or vegetation shall be maintained and augmented to create an appropriate or desirable environment and buffering may be requested to ensure compatibility with adjacent uses.
- (i) Plans of condominium shall be designed to allow for the appropriate integration of the subject land with the adjacent lands. The subject land shall front onto a fully maintained public road and any newly-created private lane on the subject land shall gain its access directly from the public road.
- (j) The proposed development shall be appropriately served by existing levels of municipal services such as fire protection, police protection and school facilities. Additional services shall be provided by the Condominium Corporation including communal garbage facilities at the public road. The corporation may be required to enter into an agreement with a private firm for the provision of these services. Any proposal requiring substantial upgrading to existing municipal services will generally not be permitted unless it is determined by the Municipality and any pertinent agencies to be appropriate.
- (k) The Municipality shall enter into a condominium agreement with the owner in accordance with the Planning Act and Condominium Act as a condition of final approval of a plan of condominium. This agreement will set out the internal and external services and obligations that shall be required of the developer and will specify the necessary financial securities required by the Municipality to ensure that conditions of approval are fulfilled.
- (l) The developer shall provide background information satisfactory to the Municipality demonstrating the appropriateness of the location for the plan of condominium. This information shall include a hydrogeological study (as noted above and may include drainage studies, traffic impact studies and environmental impact statements).
- (m) Plans of condominium shall be compatible with adjacent areas and the general intent of this Plan.

- (n) Council shall require an archaeological assessment described under section 6.22.1 of this Plan, to be carried out by archaeologists licensed under the Ontario Heritage Act, as a condition of any plan of condominium proposal affecting areas containing a known archaeological site or considered to have archaeological potential. In addition, Council will require a heritage impact assessment, described under section 6.22.2 of this Plan, to be conducted by a qualified professional whenever a plan of condominium has the potential to affect **known** built heritage resources. **2015** The assessments and any recommendations for the conservation of significant cultural heritage resources identified through the assessment may be a condition of plan of condominium approval and may be included in the subdivision agreement.
- (o) Where units in a plan of condominium are created that front onto or are accessed by a common elements private lane maintained by the condominium corporation, a building permit may only be issued for the erection of a building or structure providing the applicant enters into an agreement with the Township which is to be registered on title of the subject property. This agreement is to indicate:
1. that the owner recognizes that the lot is located on a private lane which is not snowplowed or in any other way maintained by the Township.
 2. that the disposal of garbage, snowplowing and any other road maintenance is the responsibility of the property owner; and
 3. that the Township assumes no liability in the event that emergency vehicles are not able to access the lot because of impassable road conditions.
- (p) The specific provisions of the Planning Act and the Condominium Act relating to plans of condominium shall apply in addition to the policies set out in this Plan.
- (q) The Township is entitled to and will require a dedication of parkland or cash-in-lieu of parkland under the terms provided in the Planning Act.

8.0 IMPLEMENTATION

8.1 ZONING BY-LAW

Following approval of the Official Plan, the Municipality shall enact new Zoning By-law provisions to implement this Official Plan.

Zoning shall be the primary means for implementing the Official Plan. As set out in Section 34 of the Planning Act, the Zoning By-law will regulate the use of land, the erection and use of buildings and structures, yard requirements, setbacks, parking and loading space requirements and other such matters.

Council may maintain the integrity of archaeological resources by adopting zoning by-laws under section 34(1) 3.3 of the Planning Act R.S.O. 1996, to prohibit any land use activity or the erection of buildings or structures on land which is a **known** site of a significant archaeological resource. In addition, the Ministry of Tourism, Culture and Sport recommends that Property Maintenance and Occupancy Standards By-law provisions will be utilized whenever possible for the protection of cultural heritage resources. Council shall ensure that the application of this by-law is not detrimental to the conservation of heritage resources. Council may also amend this by-law to prescribe minimum standards for the maintenance of heritage attributes for properties designated under the Ontario Heritage Act.**2015**

8.1.1 Interim Control By-laws

The Municipality may pass Interim Control by-laws to control the use of land, buildings or structures within designated areas of the Township and in accordance with the provisions of Section 38 of the Planning Act in order to prevent or limit development until detailed planning studies for the subject lands are completed and approved by the Municipality. Any Interim Control by-law approved by the Municipality shall initially be in effect for a period of up to one year from the date of passing of the by-law but may extend for a maximum of one additional year.

8.1.2 Temporary Use By-laws

Pursuant to Section 39 of the Planning Act, the Municipality may authorize the temporary use of land, buildings or structures for any purpose otherwise prohibited by the Zoning By-law. The temporary use may be initially authorized for a period of time up to three years from the date of the passing of the by-law, except in the case of garden suites which may be authorized for up to ten years. A Temporary Use By-law may be extended by by-law for further periods of not more than three years each. Upon the expiry of a Temporary Use By-law, the use authorized by the by-law shall cease, unless extended by by-law.

Where deemed appropriate by the Municipality, a Temporary Use By-law may be adopted for a purpose which does not conform to the Official Plan, provided that the long-term objectives and policy direction of the Plan shall not be adversely affected by the by-law.

8.1.3 Holding “h” Symbol

Pursuant to Section 36 of the Planning Act, the Municipality may use a holding “h” symbol to be used in conjunction with any zoning by-law passed under section 34 of the Act. The

holding symbol is used when the proposed use of the subject land is known and is specified in a zoning by-law but certain conditions must be met prior to the development proceeding. Such conditions may be the entering into of a site plan agreement with the municipality or the undertaking of certain studies or required infrastructure improvements or site grading. At such time as the requirements are met to the satisfaction of the municipality, the holding symbol may be removed by amendment to the by-law.

8.1.4 Development Permit Areas

Pursuant to the Planning Act, the Municipality may pass by-laws delineating development Permit Areas to specify further controls over such items as the built form and exterior design of development.

8.2 BUILDING BY-LAW

A Building By-law has been passed by the Municipality pursuant to the provisions of the Building Code Act.

8.3 MAINTENANCE AND OCCUPANCY

The Municipality may pass a Maintenance and Occupancy By-law for prescribing the standards for the maintenance and occupancy of property and for prohibiting the use of such property that does not conform to the standards.

8.4 OTHER BY-LAWS

By-laws passed by the Municipality under the authority of the Municipal Act or any other Act may implement the policies of this Plan. For instance, By-laws dealing with the regulation of derelict motor vehicles, wrecking yards, pits and quarries, trailers or signs may be passed by the Municipality where considered appropriate. Any such By-law shall conform to this Official Plan.

8.5 SUBDIVISION OF LAND

The Municipality will use subdivision and consent approval processes to ensure control over the subdivision of land. All plans of subdivision and consent applications must conform to the requirements of this Plan. As part of the approval process, certain requirements may be imposed as a condition to the approval of a plan of subdivision or a consent and the owner may be required to enter into an agreement with the Municipality before final approval.

8.6 CONSTRUCTION OF PUBLIC WORKS

Certain policies of this Plan will be implemented through the construction of public works. No public works will be undertaken that do not conform to the intent and purpose of the Official Plan.

8.7 LAND ACQUISITION

The Municipality may acquire and hold land within the Township for the purpose of developing any feature of the Official Plan. The Municipality may also sell, lease or otherwise dispose of such land when no longer required in accordance with the Municipal Act and other relevant provisions of this Plan.

8.8 AMENDMENTS

Amendments may be made to the Official Plan when such changes are warranted. The provisions of the Planning Act with respect to Official Plans apply similarly to amendments including the approval of the Minister or the Ontario Municipal Board as the case may be. When amendments are made to the Official Plan, appropriate amendments may also be required to the implementing By-laws so that any such By-law is in conformity with the Plan.

8.9 COMMITTEE OF ADJUSTMENT

When a Zoning By-law is in effect, a Committee of Adjustment may be appointed to rule on applications for minor variance from the provisions of the Zoning By-law and for permission. In granting a variance, the Committee will be satisfied that such variance is minor, is desirable for the appropriate development or use of the land, building or structure and that the intent and purpose of the Official Plan and Zoning By-law are maintained. The character, development impact, and future viability of cultural heritage resources will be considered by the Committee of Adjustment in the approval of applications for minor variance. **2015**

In addition to the above appointment, the Committee of Adjustment has the power to permit an extension or enlargement for a building or structure which is a non-conforming use and to grant consents for lands within the Township. The Committee will have regard for the policies of this Plan in reviewing such applications.

8.10 REVIEW PROCEDURE

Under the provisions of the Planning Act, the Official Plan must be updated/revised no less than every five years after it comes into effect. New revisions to the Plan will be required to conform to new provincial plans, have regard to provincial interest as outlined in the Planning Act and will be consistent with provincial policy statements as amended from time to time.

8.11 PRE-CONSULTATION

Under the provisions of the Planning Act, the Township may require applicants to consult with Planning or other appropriate municipal staff prior to any formal submission of applications for any of the following:

1. Official Plan amendment;
2. Zoning By-law amendment;
3. Consent application;
4. Minor variance application;
5. Plan of Subdivision application;
6. Plan of Condominium application;
7. Site Plan Agreement application.

8.12 COMPLETE APPLICATIONS

Under the provisions of the Planning Act, the Township will require submission of complete applications. Such applications comprise the following:

1. Official Plan amendment;
2. Zoning By-law amendment;
3. Consent application;
4. Minor variance application;
5. Site Plan Agreement application.

8.13 PROCEDURAL GUIDELINES

From time to time, the Municipality may adopt procedural guidelines in order to assist the Municipality, Municipal staff and the public in effectively dealing with such matters as subdivisions, consents and site plan control. These guidelines, while not forming a part of the Official Plan, will assist with its implementation.

9.0 **INTERPRETATION**

- (a) It is intended that the boundaries of any land use designation shown on Schedule ‘A’ be considered as approximate only, except where bounded by such features as existing roads, railways, rivers or other natural features. Where the boundary is meant to reflect the boundary of a hazardous, environmentally sensitive or natural heritage feature, the edge of the floodplain, hazardous, environmentally sensitive or natural heritage feature is the boundary. It will not be necessary to make amendments to the Official Plan for minor variations in the approximate boundaries provided that the intent of the Plan is preserved.
- (b) It is intended that all figures and quantities contained in the Plan be considered in the metric form. Amendments will not be required for any reasonable variation from these figures and quantities provided such variations meet the intent of this Plan.
- (c) It is intended that buildings, structures and uses that are normally incidental and accessory to a permitted use will also be allowed even though not specifically stated in the land use policies. Further examples of permitted uses for the designations are intended to indicate the possible range of uses considered appropriate and not to be interpreted as all encompassing unless otherwise stated as such. All permitted uses shall be in conformity with the intent and policies of this Plan.
- (d) Any significant change from the policies contained herein will require an amendment to the Official Plan and implementing By-law. If a change is major, particularly if it will cause changes in the way in which an area is developing, then the Official Plan should be reviewed in whole.
- (e) Where any Act or portion of an Act is referred to in this Plan, such references will be interpreted to include any subsequent legislation that may replace the specified Act.
- (f) For the purposes of this Plan, it shall be interpreted that the word “existing” when used in this Plan shall mean existing as of the date of the approval of this Plan by the Province of Ontario.

APPENDIX 'A'

EXCERPT FROM "RIDEAU LAKES STUDY"

5.3 SHORELINE SETBACKS

5.3.1 Overview

The Sewage System Regulations under the Environmental Protection Act require that sewage systems be set back 15 m from shorelines. This requirement is designed to protect surface water quality from effluent originating in tile fields and leaching beds on the basis of public health concerns. In recent years, the Ontario Ministries of the Environment and Natural Resources have been requesting setbacks for sewage systems and buildings on lake trout lakes which exceed those currently required for sewage systems only. As well, as noted in Section 5.1, some study area municipalities also require building and sewage system setbacks in excess of provincial requirements. The recent concerns advanced by the approval agencies relate to potential changes in lake trophic state due to phosphorus migration from tile fields and related shoreline development to surface waters, and the resulting effects on lake aesthetics and fish and wildlife habitat. Approval agencies are now viewing more extended setbacks as effective mechanisms to reduce impacts resulting from shoreline development.

The underlying principle of an extended setback is that, the greater the distance the tile field and development are from the lake, the greater the capacity of the intervening land base to intercept and retain phosphorus. Some of the factors contributing to phosphorus retention by soils are soil chemistry and absorption capacity, phosphorus concentration in and loading rate of septic tank effluent, composition and density of the vegetation cover, and slope conditions. It is logical to expect variations in the degree of effectiveness of different landscapes to mitigate potential trophic state impacts. For example, deep, sandy loam soils supporting continuous forest growth on level sites would naturally retain more phosphorus than shallow, discontinuous mantles over steeply sloping bedrock. It follows, therefore, that a development located on sites of the former type would not need as great a setback as one located on sites of the latter type.

The degree of setback required remains a matter of conjecture, and the research on the subject is inconclusive. Depending on their viewpoint and objectives, resource manager may phrase the question in one of two ways:

- how far back from a lakeshore must development be situated in order to significantly reduce phosphorus loads from tile fields and surface uses?
- or, how far back must development be situated before it can be assumed that no phosphorus above natural background levels will enter the lake?

Dillon and Rigler (1975) indicated that in Ontario's lake country, development beyond 305 m (1,000 ft.) of the shoreline of a lake or its inflowing streams or rivers should not have any phosphorus impact on the lake. However, this value was essentially picked out of the air.

In 1974, a joint Ministry of the Environment-Ministry of Natural Resources committee in Southeastern Ontario recommended a number of precautionary measures for new development on all recreational waters. The recommended measures were as follows (Aitkens 1975, p.3).

“(a) Set back of [30 m] as a buffer zone for the cottage and waste disposal systems.

- (b) Preservation of the natural vegetation between the cottage and the lake in the buffer zone.
- (c) The use of a tile bed with selected material with a good phosphate retention capability and the use of a siphon or pump to provide an even distribution of septic tank effluent to the tile bed.”

“The proposal put forward by the Joint Committee for engineered tile bed systems combined with a [30 m] setback requirement for the primary structure (cottage) and waste disposal facility is intended as a total package for limiting phosphorus export from a cottage lot to sensitive recreational lakes. The tile bed system would be designed to ensure nutrient containment of the domestic wastes and the [30 m] buffer zone is intended primarily to limit the nutrient export associated with surface drainage (i.e. roof runoff, roads, parking space and soil disturbed during construction of the dwelling and waste disposal facility). As a secondary consideration, the [30 m] buffer zone of undisturbed soil mantle would provide an added margin of protection in the form of phosphorus retention for nutrients which might leave the tile field.”

Field studies undertaken by Brandes (1974) on subsurface movement of pollutants showed that when tile field systems were constructed on soils containing more than 40% clay and silt, and the distance of the tile field to the lake or river was more than about 20 m, no chemical or microbiological pollutants reached the water body. However, when coarse sands (diameter 1.0 to 2.5 mm) were used to construct filter beds 100 cm in depth, a very insignificant removal of phosphorus was observed. Studies by Aitkens (1977) on phosphorus retention capabilities of granular soils on the Precambrian Shield indicated that the main limitation was soil depth, and recommended a 30 m setback for sensitive lakes in Southeastern Ontario. However, the literature also points out that the effluent does not necessarily fan out uniformly from tile fields, and, depending on local relief, soil depth, and the topography and character of the underlying bedrock or comparably impermeable subsoil, may form more concentrated plumes. While the use of a siphon or pump to provide an even distribution of septic tank effluent to the tile bed will obviously assist in mitigating or eliminating this problem, under certain site characteristics, the effluent may run along the soil-bedrock interface and not actually pass through much soil before reaching water bodies.

In a recent report presenting timber management guidelines for protecting fish habitats, the Ministry of Natural Resources (1988b) recommended varying buffer widths around water bodies, depending on slope characteristics, as follows. Figure 5.1, below, shows the relationship between slope percentages and angles.

<u>Slope</u>	<u>Slope Angle</u>	<u>Width of Area of Concern</u>
0% - 15%	0 - 8°	30 m
16% - 30%	9° - 17°	50 m

31% - 45%	18° - 24°	70 m
46% - 60%	25° - 31°	90 m

Although the above setbacks focus on timber operations rather than residential or cottage development, one of the key reasons for applying them relates to reducing “the input of phosphorus to water courses by reducing surface runoff and by trapping phosphorus-bearing sediment and logging debris” (Ontario Ministry of Natural Resources 1988b, pg. 1). In this sense, these setbacks might also be applied more generally to address trophic state concerns related to shoreline development.

However, we are of the opinion that factors other than slope are more important in setting out possible setback guidelines for shoreline development. In the following paragraphs, we describe those biophysical features which we consider to be important (soil depth, soil texture, slope, and vegetation cover), and a proposed scoring system which is subsequently related to recommended shoreline setbacks. We acknowledge that the suggested approach has not been developed on the basis of reams of data collected in a rigorous and scientific fashion; rather, it represents the results of the experience in applying and implementing development setbacks in a wide range of biophysical landscapes across Ontario for a variety of environmental protection and resource management purposes. Also, we emphasize that the discussion which follows relates to existing or predevelopment terrain conditions. An obvious consideration is how far back from the shoreline an analysis must be undertaken for any given lot or landscape. In certain situations, it will be immediately clear that a site has good development capability, and an evaluation of limited extent will be required. However, more complex sites will require more extensive analysis. In effect, the scope of any evaluation is clearly site dependent.

5.3.2 Soil Depth

The Ontario Sewage Systems Regulations require that the bottoms of distribution line trenches be at least 90 cm above impermeable surfaces, such as bedrock or compact clay. Given that the trenches themselves need to be from 60 to 90 cm deep, it follows that the deeper the soil, the more suitable it is for tile field installation. However, soil depth has other implications, the most critical being nutrient, and in particular phosphorus, retention. In this regard, Robertson, Cherry, and Sudicky (1991) reported that phosphorus concentrations in groundwater (expressed as phosphate phosphorus) rapidly decreased with depth directly under weeping tiles; for example, they noted concentrations of 10 mg/L approximately 50 cm below the tiles, 1 mg/L about 100 cm below, and 0.1 mg/L about 150 cm below.

Based on the above considerations, the following scores are suggested for soil depth at the site of a proposed tile field.

<u>Soil Depth</u>	<u>Score</u>
>150 cm	0
100 - 150 cm	2
75 - 100 cm	4

4

50 - 75 cm	6	
25 - 50 cm	8	
<25 cm		10

5.3.3 Soil Texture

The influence of soil texture on water infiltration is well known, and forms much of the basis for establishing total distribution line lengths for septic tile field systems. In this regard, the optimum soils are those that have neither too fast a percolation rate (such as gravels and very coarse sands which do not allow sufficient time for pollutants in tile field effluent to be absorbed by soil particles), nor too slow a percolation rate (such as dense clays which could promote saturation of the tile bed). The Ministry of the Environment's manual for private sewage systems (1984) notes that percolation rates in the order of 0.1 to 0.001 mm/sec are characteristic of soils that are permeable to moderately permeable; these soils are well-suited for tile fields. Soils with faster percolation rates (in the order of 1 mm/sec) than this range are unacceptable for tile fields. Soils with slow rates (in the order of 0.0001 to 0.00001 mm/sec) are classified as having low permeabilities, while those with even slower rates are unacceptable for tile fields. The specific percolation rates of native soils depend on the distribution of various particle sizes, with the percentage of fines (silts and clays) perhaps being the most critical factor. Imported fill of suitable texture and to adequate depths (raised tile beds) is generally required to amend those soils having low to unacceptable percolation rates.

Apart from affecting percolation rates, textural characteristics also influence to some degree a soils ability to retain phosphorus; soil chemistry (for example, aluminum, iron, and calcium concentrations) is perhaps of equal or greater important in this regard. Information on the specific phosphorus retention capacities of various soil texture classes is not well documented; however, data from various publications are informative and allow some generalizations. For example, studies on the subsurface movement of effluent from private sewage disposal systems (Brandes 1974 and 1975, and Robertson, Cherry, and Sudicky 1991) indicate that a decrease in phosphorus concentration below and downgradient of the tile fields is generally relatively rapid, regardless of soil type. Based on the studies of Brandes (1974 and 1975), concentrations decreased most rapidly with increasing silt and clay content in the soil; up to 98% of phosphorus was removed in soils containing 40% silt and clay, with significant reductions in concentrations within the first 3 m of the tile fields. Although the reductions are not as dramatic with sandy soils, as much as 78% phosphorus removal was reported by Brandes (1974), and phosphorus concentrations were typically reduced to 0.1 mg/L within 20 m of the tile fields. Brands (1974) concluded that the bulk of the effluent phosphorus was fixed within the native soil matrix directly below and downgradient of the tile fields, so that phosphorus concentrations reaching the groundwater and/or nearby water bodies were very low, even where sandy soils predominated.

Robertson, Cherry and Sudicky (1991) undertook detailed groundwater monitoring of two single family residences to determine the impact of septic systems on shallow unconfined aquifers in southern Ontario. One site at Cambridge, located on a carbonate-rich sand

aquifer, was in operation for over 12 years, while the other site on the Muskoka River near Bracebridge, on a poorly buffered, carbonate-depleted sand aquifer, was in operation for one year. While high levels (about 10 mg/L) of phosphorus were found in the septic tank effluent, concentrations were substantially attenuated immediately below the tile bed. For example, at the Cambridge site, "... phosphate phosphorus >1 mg/L [was] mostly confined to the aquifer area immediately below the tile bed, while at Muskoka, no detectable phosphate phosphorus (>0.02 mg/L) was observed in the groundwater zone." (Robertson, Cherry and Sudicky 1991, p. 9). While the precise mechanism of attenuation was not confirmed at either site, the geochemistry of the groundwater suggests a hydroxylapatite phosphate phosphorus complexing process at the Cambridge site, while at the Bracebridge site, attenuation was likely controlled by the presence of sparsely soluble phosphate minerals such as strengite (an iron complex) or varisite (an aluminum-based compound), or by absorption.

There is no question that identifying, understanding, and confirming the mechanisms which determine the limits to phosphorus attenuation in different shoreline landscapes is important. For example, if the control is soil surface absorption, then phosphorus mobility will increase when the number of absorption sites are filled. However, if the controlling process continues indefinitely, as in the case of chemical combination with other effluent and soil constituents to form minerals, then phosphorus transport will not be a concern as long as the septic system continues to operate properly. In our opinion, it is probably not one mechanism or the other which operates in any one situation; rather, both mechanisms are likely in effect at most lakeshore sites. Regardless, some guidelines on the phosphorus retention capacity of soils are available; in this regard, the following are reproduced from Aitkens (1977, p. 9):

- “1. Good phosphorus retention capability - generally greater than 7 mg/100 g of soil. Generally uniform results.
2. Acceptable phosphorus retention - generally greater than 6 mg/100 g of soil.
3. Marginally acceptable phosphorus retention - generally greater than 5 mg/100 g of soil.
4. Not acceptable - generally less than 5 mg/100 g of soil.”

From the foregoing, it is difficult to designate a score based on soil texture, simply because coarse and fine textured soils influence percolation and phosphorus retention capacity in different ways. In this regard, tile fields installed on clay soils often need to be partially or fully raised due to the clay's low permeability. The site modifications necessary for this type of site would suggest implementing a more stringent setback than on a site where no soil-based modifications would be required. However, clay has a relatively high phosphorus retention capacity, which would suggest that limited setbacks are required. As a result, the best approach, until such time as more data becomes available, would be to base the score for each soil type on whichever of its percolation and phosphorus retention characteristics is less desirable, as suggested in the following table.

Characteristics

Phosphorus

6

<u>Soil Type</u>	<u>Percolation Rate</u>	<u>Retention Capacity</u>	<u>Score</u>
coarse sand and gravel	excessively rapid	low	10
silty clay and clay	low to impermeable	high	7
well-graded sands	permeable to moderate	low to medium	5
silty sand, clayey sand, silt and fine sand	moderate to low	medium to high	3
sandy loam	moderate to low	medium to high	3
loam	permeable to moderate	medium to high	0

5.3.4 Slope

The Ministry of the Environment (1983a) indicated that the most suitable slopes for installing tile fields are from 0 to 9%. Slopes ranging from 10% to 25% necessitate special installation techniques, while slopes greater than 25% are unacceptable. However, apart from these engineering considerations, slopes can also affect the volume and direction of groundwater flow where bedrock is close to the surface (Ontario Ministry of Agriculture and Food 1983), and by implication, the flow of tile field effluent. Further, the greater the slope, the faster the flow and the greater the erosive potential and sediment-bearing capacity of runoff. As mentioned above, the Ministry of Natural Resources has recommended various setbacks for timber operations from watercourses according to shoreline slope classes to reduce sediment and phosphorus loadings.

Given the above, the following scores are suggested for the average slope of the shoreline (see Figure 5.1 for illustration of the relationship between slope percentages and angles).

<u>Slope</u>	<u>Score</u>
0 - 9%	0
10% - 25%	5
>25%	10

7

FIGURE 5.1**SLOPE PERCENTAGES (%) AND ANGLES IN DEGREES (°)**

Expressing slope as a percentage permits easy comparison of the relationship of the vertical (rise) to the horizontal (run). For example, a 30% slope will rise 30 m vertically over a horizontal distance of 100 m.

This system should work well where slopes are uniform; however, there will be an obvious difficulty in assigning a single value to the varied slope conditions typical of the shorelines of many Ontario lakes, particularly those situated on the Canadian Shield. An example of one approach for addressing this problem is provided by Wischmeier and Smith (1978). In deriving the Universal Soil Loss Equation, they dealt with irregular slopes by segmenting them into uniform, or relatively uniform, grades, after which the slope sections were weighted using predetermined slope length and steepness and soil loss factors. A similar kind of methodology could be used here, as follows:

- identify slope segments according to the three broad slope classes noted above;
- measure the total horizontal lengths of each slope class and determine their respective percentages of the total slope length;
- multiply the percentages by the appropriate scores (see above), and sum the products to yield a weighted score for the entire slope.

The following example shows how this might work for a representative 80 m slope.

Horizontal Length of Class

<u>Slope Class</u>	<u>m</u>	<u>%</u>	<u>Class Score</u>	<u>Weighted Score</u>
0 - 9%	10	12.5%	0	
10% to 25%	30	37.5%	5	1.875
>25%	<u>40</u>	<u>50%</u>	<u>10</u>	<u>5</u>
Total	80	100%		6.875 = 7

5.3.5 Vegetation Cover

The primary influences of vegetation cover in terms of mitigating phosphorus input to water bodies are through direct uptake by roots from the soil solution (although this generally would only apply to the upper soil horizons where the bulk of the rooting systems occur), and through interception of rainfall and runoff and consequent reduction of erosion potential and transport of phosphorus-bearing sediments and particles. The relative importance of different cover conditions in terms of these interrelated values has been expressed in varying ways, for example, vegetation cover types (forest, pasture, cultivated, wetland, etc.) as input factors for erosion soil loss equations. In this regard, the differences in the relative amounts of runoff from natural woodland, old field (permanent pasture), and meadow landscapes are quite minor. Assuming that these plant community types are undisturbed, runoff is typically low; however, trampling and grazing of fields generally produce greater amounts of runoff than woods, old fields, and meadows, with some variation depending on specific crops and cultivation practices. For example, runoff from areas planted with row crops is generally greater than from areas planted with small grains or legumes or from rotation meadows.

Runoff is greatest from straight row treatments, but somewhat less from contoured fields, and less still from contoured and terraced fields. As might be expected, fallow fields produce the greatest amounts of runoff (Wischmeier and Smith 1978 and Dickinson n.d.).

Given the above, an appropriate approach to addressing vegetation cover would be to assign scores to broad cover types, determine the percentage of the area under question covered by each type, and calculate a weighted score in the same manner as was done for slopes. Suggested cover types and their respective scores are as follows.

Vegetation Cover Type

	<u>Scope</u>
Undisturbed woodlands, old fields and meadows	0
Disturbed woodlands, old fields and meadows	3
Close-seeded legumes (clover, alfalfa) and rotation meadows	5
Row crops	7
Fallow fields and base bedrock outcrops	10

An example of how this approach might be applied to a 20 ha site with varying vegetation cover characteristics is as follows:

<u>Cover Type</u>	<u>Area Covered</u>		<u>Class Score</u>	<u>Weighted Score</u>
	<u>ha</u>	<u>%</u>		
Undisturbed woodland	4	20%	0	0
Rotation meadow	6	30%	3	0.9
Row crops	<u>10</u>	<u>50%</u>	7	<u>3.5</u>
Total	<u>20</u>	<u>100%</u>		4.4 = 4

In addition, we would suggest that 5 points be deducted from the vegetation cover score for shorelines fronted by wetlands which extend a minimum of 10 m offshore and consist of dense emergent aquatics and/or lowland thickets or forests, and which are to be retained intact. In this regard, the effect of phosphorus loading on a receiving lake or river is strongly dependent upon the timing and rate of addition. If phosphorus is added at a time when other factors are limiting algal growth, or when phosphorus is already abundant, little additional growth will occur. Factors which control the entry rates and timing of phosphorus loadings to lakes can effectively function to suppress unwanted growth. Accordingly, nearshore wetlands and the vegetation of the land-water interface are important in regulating the timing and rate of phosphorus loading; significant in this regard is the zone of emergent plants including species such as cattails and bulrushes, and the complex community of microflora (algae and bacteria) that grow on the surfaces of the plants and sediments. When phosphorus is added to this zone, it is not immediately utilized and incorporated into plant tissue; rather it tends to be first assimilated by microflora in the sediments and on decaying plant material.

The phosphorus is later recycled to the emergent plants, and eventually becomes part of the bottom sediments following aging and death of the plants.

It should be emphasized that the above vegetation cover type categories are defined at a general level for practical planning purposes. In reality, the actual runoff can vary widely within each category, depending on a number of specific factors such as species composition, plant physiognomy, and stand height, age, and density; however, measurement of these factors would require detailed scientific study.

5.3.6 Recommended Shoreline Setback and Tile Field Fill Guidelines

We propose that a site be assigned a recommended minimum horizontal setback from water, based on its total score as shown in the following table. The setbacks would be not only from the lakes themselves, but also from all permanent and seasonal watercourses tributary to the lakes. Within these setbacks, there should be no buildings, campsites or sewage systems.

Vegetation within the setbacks should be disturbed as little as possible, and the soil mantle should not be altered.

Total Score	Recommended Horizontal Setback Distance (m)
36 - 40	90
31 - 35	80
26 - 30	70
21 - 25	60
16 - 20	50
11 - 15	40
≤10	30

To illustrate how the scoring system would be applied, we provide here five examples representative of typical site characteristics of the Rideau Lakes basin.

1. Rugged terrain dominated by Precambrian bedrock, discontinuous mantles of permeable, sandy soil, and forest cover interspersed with bare outcrops (for example, the north shore of Westport Sand Lake, and the north shore of Upper Rideau Lake east of Westport).

-	soil depth <25 cm	10
-	permeable sandy soil	5
-	slope >25%	10
-	vegetation cover	<u>8</u>
-	setback = 80 m	33
2. Moderately rolling lands underlain by Precambrian bedrock, with shallow but continuous soil and forest cover (for example, the north shore of Big Rideau Lake near Murphy's Point Provincial Park).

11

-	soil depth 25 - 50 cm	8
-	coarse-textured sand	10
-	slope 10% - 25%	5
-	vegetation cover	<u>0</u>
-	setback = 60 m	23

3. Level to moderately sloping lands underlain by limestone bedrock, with shallow but continuous soil and plant cover, varying from forest to uniformly dense old field communities (for example, the south shore of Big Rideau Lake near Jacklins Bay).

-	soil depth 25 - 50 cm	8
-	silty sands	3
-	slope 0 - 9%	0
-	vegetation cover	<u>0</u>
-	setback = 40 m	11

4. Level to moderately sloping lands underlain by limestone bedrock, with deep soils and plant cover consisting predominantly of old fields, meadows, and cultivated fields (for example, the south shore of Westport, Sand Lake and the south shore of Upper Rideau Lake east of Westport).

-	soil depth > 150 cm	0
-	sandy loam	3
-	slope 0 - 9%	0
-	vegetation cover	<u>3</u>
-	setback = 30 m	6

Coupled with these setbacks would be requirements to ensure sufficient phosphorus retention within tile fields. To this end, tile field fill should be installed with and regularly maintained to a phosphorus retention capability of at least 6 mg/100 g of soil (Aitkens1977).

Also, consideration should be given to approving a given setback, on condition that the applicant undertake to modify or abandon cultivation and revegetate the property to the extent required to qualify for that setback through a reduced vegetation cover score.

In conclusion, we believe that if shoreland properties are developed in accordance with the above setback and fill guidelines, the phosphorus impacts of development on lake trophic state will be statistically insignificant.

Our proposed approach to setbacks and fill is based on a review of literature most relevant to Ontario and a wide range of practical experience throughout the province. However, these guidelines are not definitive, and are put forward on the assumption that they will be improved and refined over time as municipalities, resource management agencies, and landowners gain experience in working with them. If the guidelines are implemented, we

12

recommend that after three to five years, a comprehensive evaluation of their strengths, weaknesses and potentials for improvement be conducted.

THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC

BY-LAW NUMBER

The Council of the Township of South Frontenac, in accordance with the provisions of Section 17 of the Planning Act, 1990, hereby enacts as follows:

1. That the attached text and schedule constituting The Official Plan of the Township of South Frontenac which was prepared by the Council of the Township of South Frontenac, is hereby adopted.
2. That the Clerk is hereby authorized and directed to make application to the Minister of Municipal Affairs and Housing for approval of the Official Plan of the Township of South Frontenac.
3. This by-law shall come into force and take effect in accordance with Section 17(38) of the Planning Act R.S.O. 1990 as amended.

READ A FIRST TIME THIS 5TH DAY OF SEPTEMBER, 2000.

READ A SECOND TIME THIS 5TH DAY OF SEPTEMBER, 2000.

READ A THIRD TIME AND FINALLY PASSED THIS 5TH DAY OF SEPTEMBER, 2000.

CLERK

MAYOR

SEAL OF THE CORPORATION

Certified that the above is a true copy of the By-law No. _____ as enacted and passed by the Council of the Corporation of the Township of South Frontenac on the _____ day of _____, 2000.

CLERK OF THE MUNICIPALITY

This consolidated version of the Official Plan includes modifications ordered by the Ontario Municipal Board in Decision Order No. 1577 issued on November 25th, 2003 by N. M. Katary. The modified sections are bolded.

Minutes of Council
August, 11, 2015

Time: 7:00 PM
Location: Council Chambers

Meeting # 26

Present: Mayor Ron Vandewal, Pat Barr, John McDougall, Alan Revil, Bill Robinson, Mark Schjerner, Ron Sleeth, Ross Sutherland

Staff: Wayne Orr, Chief Administrative Officer, Lindsay Mills, Planner, Angela Maddocks, Executive Assistant.

- 1 Call to Order
- 2 Declaration of pecuniary interest and the general nature thereof - n/a
- 3 Statutory Public Meeting
 - a) Resolution

Resolution No. 2015-26-2
Moved by Councillor Barr
Seconded by Councillor Sleeth

THAT a public meeting be held to discuss revisions to the Official Plan.

Carried

- b) Lindsay Mills, Planner, re: Official Plan Revisions 2015

Lindsay Mills reviewed his report with Council noting that updates to Provincial mandates and guidelines are reflected in the revised document. He referred to two more letters he received that were not part of the report included in the agenda. The letters were from Weston Consulting and FoTenn Consultants. Mr. Mills indicated that the Ministry of Municipal Affairs and Housing who is concerned about the maintenance on private lanes to allow for emergency service vehicles and he noted that South Frontenac already has the Lane Standards Policy and the Private Lane Assistant Program in place for this purpose. He noted that he does not support the Ministry's proposal for 120 metre setback from lakes and waterways and an environmental impact assessment for every lot creation. The setback increases to 500 metres from 300 metres from quarries which has implications for the township.

Josh Berry, Planner for Weston Consulting indicated in his correspondence that they have no concerns at this time about the Official Plan but requested clarification on what is meant by a Lake Management and Lake Stewardship Plan and has there been one prepared for Collins Lake. (Copy attached to the minutes)

Since Mr. Keene was in attendance Mr. Mills stated that he would speak to the correspondence submitted by FoTenn directly.

Councillor Revill supplied a copy of his concerns to the CAO and his comments are attached to the minutes. With respect to the 90 metre setback in environmentally sensitive areas, he was not aware of the township fully adhering to this in the past and questioned how this related to the Official Plan and questioned the reference to existing lots and minor variances. He noted that in Section 5.2.7, the reference to Rideau Lakes Carrying Capacity Study" has been superseded with the "Hutchinson Environmental Report" and this should be reflected in the text. Section 6.29 regarding "secondary suites" should indicate that they are approved in all areas of the township. Councillor Revill also questioned Section 5.4.5 and asked if it meant that no development will be permitted within 500 m of a sanitary landfill without study and in no case

Minutes of Council
August, 11, 2015

closer than 30 metres.

Lindsay Mills explained that the 90 metre setback requires an environmental review and that the conservation authority provides a scoped EIA review and they determine if a full EIA will be required, the Ministry wants this required on every waterbody.

Councillor Sutherland asked for clarification on the 90-120 metre setback and what it applies to. A copy of his concerns are attached to the minutes. He asked for clarification on the 5 lots and was this based on what existed in 2000. Mr. Mills confirmed that we are not restarting the clock on severances. Councillor Sutherland supported the possibility of communal water systems, he felt that are lots of new technologies out there and the township needs to recognize other innovative solutions. With different kinds of ownership options there could be opportunities for communal water and sewer systems. Mr. Mills commented that "potable" water could be interpreted as going to the store and buying water and felt the township should not be approving lots that do not have water, however he confirmed that approval for lots over ten acres have not been required to prove water as it is assumed there could be enough water found on a parcel this size. He noted that past Council's have not been supportive of private communal services but are not opposed to the developer providing the service that the township would eventually take over.

Councillor Sleeth stated that he stands firm on the five lots as individual lot creation is the life blood for this community. He questioned the Prime Agricultural designation and if it was evenly applied in all districts. He felt the proposed Hartington development should be zoned prime agricultural and wondered when this would be standardized in all districts. He inquired if there is already identified existing areas with known water issues.

Mr. Mills noted that the Ministry of Agriculture and Food determines the "prime agricultural" areas and that the hamlet of Hartington was there before any agriculture use existed. He stated that generally, the ministry doesn't designate small acreages as prime agriculture or fragmented lots. He indicated that he would follow up with the ministry on the Hartington Subdivision property as it relates to agricultural land. With respect to identified areas with known water issues, Mr. Mills explained that a ground water study was done and it identified areas in South Frontenac and that is why the Committee of Adjustment requires draw down tests in those areas.

Deputy Mayor McDougall felt the township should be more aware of the linkage corridors, he felt the province takes great care in protecting species and having regard for natural heritage..He agreed with Councillor Revill on the scoped studies for Environmental Impact Areas and asked if it is not appropriate for agencies to do. Mr. Mills explained that the conservation authority reviews based on their own checklists first and if criteria is not met, then a full EIA is required and he acknowledged that the developers won't want to spend the money on a study if it is not necessarily required. With respect to heritage properties, Deputy Mayor McDougall stated that attempts have been made each year to identify properties however this has not yet been done. He noted Councillor Revill's comments on whether the proposed Hartington subdivision is a good fit, noting that if the checklist is followed it should be approved however he was concerned with development fitting a community or hamlet.

Mr. Mills commented that the ministry wants marine archaeological studies done however he suggests removing or adding " where known archeological sites exists".

Councillor Schjerning recalled the map previously presented to Council indicating the affected properties that would be impacted by the Ministry

Minutes of Council
August, 11, 2015

proposed 120 metre and stated that he does not support the increased setback as it will fundamentally change the South Frontenac community. He questioned the next steps in the Official Plan Revision process.

Mr. Mills indicated that he will review the rough draft, incorporate all comments and bring back a draft to the September 8 Committee of the Whole meeting and then to the following Council meeting for approval by by-law. He noted that once it has been sent to the Ministry, he has no idea of the timeline involved to get their approval.

Councillor Barr was concerned about agricultural and rural zoning as it relates to family farms. She noted that previous large parcels are now considered medium size due to fragmenting good agriculture land for residential development. She encouraged the protection of livestock uses and that Council should do something to identify, designate and protect cultural and heritage areas. She noted that some conservation authorities have programs available to fund septic inspections.

Mr. Mills noted that properties within the Prime Agriculture designation are not allowed severances but fragmented lots can still be farmed. He felt the ministry is not consistent with the designation noting they removed 200 acres out the PA designation in Storrington justifying their decision by saying it was on the edge of the PA zone.

Mayor Vandewal supported secondary suites as an alternative to affordable housing, he was not opposed to allowing two more lots, and he agreed with the 30 metre setback and felt there was no reason to change that. He was somewhat supportive of communal water and sewer and referred to the trailer park on Bellrock Road that is privately owned. He didn't like the fact that the province allows for the encroachment of quarries into township setbacks but residential development is not allowed to encroach. Mayor Vandewal was concerned about how the township looks at development as there is no consensus on existing subdivision proposals.

Mike Keene, a land use planner for FoTenn Consulting, and a resident of South Frontenac spoke to his correspondence that Lindsay Mills referenced earlier. His concerns focused on development and redevelopment on existing lots of records, lake impact assessments, and common element condominium roads. He outlined measures at a minimum that he felt should be considered for a reassessment of the settlement area boundaries. He suggested that Council clarify their position on condominiums and provide one modification to address subdivisions on condominium roads and in order to protect lakes, more work is required to rectify existing uses on undersized lots. He felt the township should also provide clear direction on when it will consider minor variance applications as it related to lots on the water. He stated that the township needs to determine where they want the growth to occur and referenced 2013 township data that indicated there were still plenty of areas to be developed in South Frontenac at that time. A copy of his correspondence is attached to the minutes. With respect to Section 5.6 - "Council's intention that a majority of new growth will be directed to existing settlement areas where a full range of land uses are permitted including..." he felt this was not Council's position and noted that Council has recently struggled to support settlement area development, he felt that Council needs to have a clearer picture of where Council can support various land uses before intensifying or expanding settlement areas in any significant way.

Fran Willes stated that she wishes to provide written comment about the revisions, however she is awaiting documentation from the Planner prior to her submitting comments. She referred to a Ministry map she has on file that shows land classifications for Loughborough Township which she is willing to share with the township. She noted that there is lots of new information that has

Minutes of Council
August, 11, 2015

come forward and she would appreciate Council providing another opportunity to review and submit comments on the updated and revised document.

Wayne Orr commented that the timeline is September 8 for the Planner to bring back the revised document and then to September 15 Council meeting for approval. He noted that it will be a decision of Council to chose whether other opportunities for input will be offered.

Michelle Foxtton referred to Deputy Mayor McDougall's comments regarding development filling into communities. She referenced a 2008 Stone Mills Township development that speaks to having regard for soil density, existing characteristics of a community, net lots sizes after all services are taken into consideration. The document also reflected concerns about soil overburden, ground water features. With respect to very highly sensitive groundwater issues, she suggested that a radius around the known affected areas should be recognized and that increasing the criteria to meet Ministry of the Environment guidelines be the gold standard required for the studies required. She encouraged the increase of criteria for better regulations in the Official Plan. Ms. Foxtton provided the CAO with a copy of the Stone Mills correspondence she referenced.

Wade Leonard referred to large solar projects in South Frontenac and that the general consensus of Council was that there isn't much opportunity for the township to have input. He suggested a "special use" designation area in order to regulate the 24 regulations and guidelines that can be imposed by Council, noting the Clean Water Act and Endangered Species Act specifically. He felt it is important to maintain the aesthetic landscape of South Frontenac and that this is not being met by current proposed projects. While he is supportive of alternative energy he felt large solar projects dot not take into account the impact on residential areas. He noted that the natural heritage and endangered species are affected and fencing around these projects prohibits the natural path of these species. He felt there should be better restrictions put in place with respect to tree cutting.

Larry Redden, Chair of the Committee of Adjustment, was concerned that the committee has no input on entrances and he felt this should be a committee decision. Mayor Vandewal stated that the Public Works Department provides comments to the committee on safe locations for entrances.

Brian Wartman voiced his concern about the protection of farmland and slowing development around agricultural land. He felt the township should stay with the 250 feet lot frontage requirement.

Resolution No. 2015-26-3
Moved by Councillor Sleeth
Seconded by Councillor Barr

THAT an opportunity having been provided the public meeting be adjourned.

Carried

4 Confirmatory By-law

a) By-law 2015-43

Resolution No. 2015-26-4
Moved by Councillor Sleeth
Seconded by Councillor Barr

Official Plan Comments (Revill)

- Sec 4.10 (a) two single (i)'s
- Sec 5.2 pg. 22 indicates Environmentally Sensitive Areas are to be within 90 M of all Twp lakes. Do we want this limitation?
- Sec 5.2.7 pg. 27 3rd para again includes 90 m as ESA's
- Sec 5.2.7 (c) (i) denotes the figure of 120 M setback from all lakes & rivers as ESA's
- Sec 5.2.7 (c) (iii) references the "Rideau Lakes Carrying Capacity Study" This has now been superseded by the "Hutchinson Environmental Report" that has been adopted by CRCA and likely RVCA (since they helped commission the study). We should update
- Sec 5.4.5 setbacks could be clarified. Does it mean that no development will be permitted within 500 M of a sanitary landfill without study and in no case closer than 30 M?
- Sec 5.5.6 pg. 43 we should change the text from Township Road Superintendent to Public Works Manager
- Sec 5.6 states it is "Council's intention that a majority of the new growth will be directed to existing settlement areas" where a full range of land uses are permitted including Railton, Wilmer and Spaffordton. I don't believe that is Council's intention. Sec 6.11 speaks to Secondary Planning to be put in place when there are 150 houses or 300 persons in the settlement area. I have observed that Council has recently struggled to support settlement area development (Harrowsmith with an Industrial Zoning request and Hartington with a large subdivision application) I believe we need to have a much clearer picture of where Council can support various land uses before we should be intensifying or expanding settlement areas in any significant way.
- Sec 6.17 pg.79 indicates that Appendix "A" reference the "Rideau Lakes carrying Capacity Study" Suggest updating to Hutchinson Environmental report as note previously
- Sec 6.29 Secondary Suites should indicate that they are approved in all areas of the Township
- Sec 7.2 (a) denotes 4 lots. Should it be 6 lots in keeping with our 5 severance proposal?
- Sec 8.1.3 first para first line. Should delineate be either "to delineate or delineating"
- Sec 8.12 typo around "will submission"

PLANNING REPORT:

Township of South Frontenac
Prepared for Committee of the Whole
Agenda Date: September 8, 2015
Date of Report: September 3, 2015

Planning Department
Applicant: Gallant

**Subject: Review of Proposal to Name a Private Lane, Part Lot 16,
 Concession III, Bedford District, Township of South Frontenac**

Summary of Recommendation:

The recommendation is that the Committee receive the Planning Report dated September 3, 2015, and consider adopting the name of Passchendaele Lane for an existing un-named lane in Bedford District.

Purpose of the Report:

The purpose of this report is to bring to the Committee a proposal to name a private lane.

Background

A request has been received to name an existing lane that provides access to six waterfront residential lots located on Bob's Lake in the District of Bedford. The lane takes its access off of Barr Lane which in turn is accessed from Green Bay Road. The location of the subject area is shown on Attachment #1. The lane and the waterfront lots are shown on Attachment #2. The waterfront lots on the lane were created in approximately 1988 and no name was given to this accessway. Presently there is only one dwelling using the lane as the other five lots are vacant. Recently, an application was submitted to the Building Department to construct a dwelling on one of the other vacant lots and, as part of the process to issue a permit, a civic address must be assigned.

It is Township policy that, once there are at least four properties accessed by a private lane, the lane should be named and each lot should have its own address on the newly-named lane. This is to help ensure clarity in assigning addresses and for emergency responders. As noted above, the subject lots were created in the past with no name given to the access route and this has not become an issue since there is only one dwelling using the lane. Now that another dwelling is proposed to be constructed it appears timely to name the lane.

As Committee members are aware, on June 16, 2015, Council passed By-law # 2015-31 containing a list of names to apply to future roads and lanes in the Township. This by-law requires that anyone wishing to name a new road/lane could simply pick from the list and the name would then be applied to that new road/lane.

Accordingly, the Planning Department notified each resident on the lane that a name must be given and the list of names in the by-law was provided from which to choose. The only response was from one resident who requested a name that is not included in the list and proposed the name of "Passchendaele Lane" in honour of the famous Canadian 'Battle of Passchendaele' campaign of the First World War.

Discussion

The purpose of by-law 2015-31 was to provide a list of pre-approve names to avoid the necessity to advertise and hold a public meeting each time a proposed new name is brought forward and, thus, it would be a more efficient and time-saving method to name roads and lanes.

However, it would appear that nothing would prevent a resident bringing another name forward for consideration. Note that the Fire Chief has no objection to the name of Passchendaele Lane.

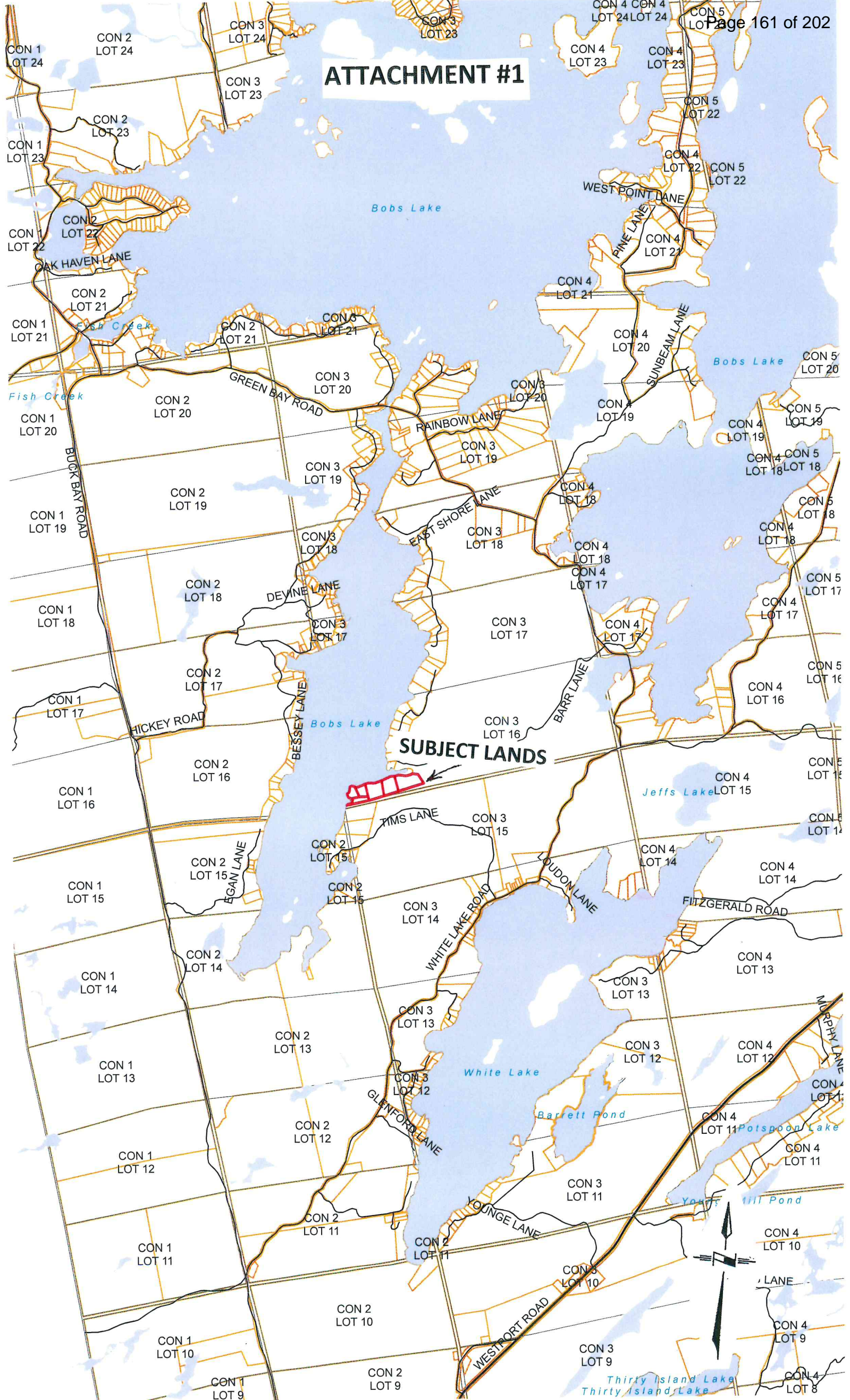
Recommendation

It is recommended that the Committee receive the Planning Report dated September 3, 2015, for consideration in applying the name of "Passchendaele Lane to an existing lane in in Part of Lot 16, Concession III, Bedford District.

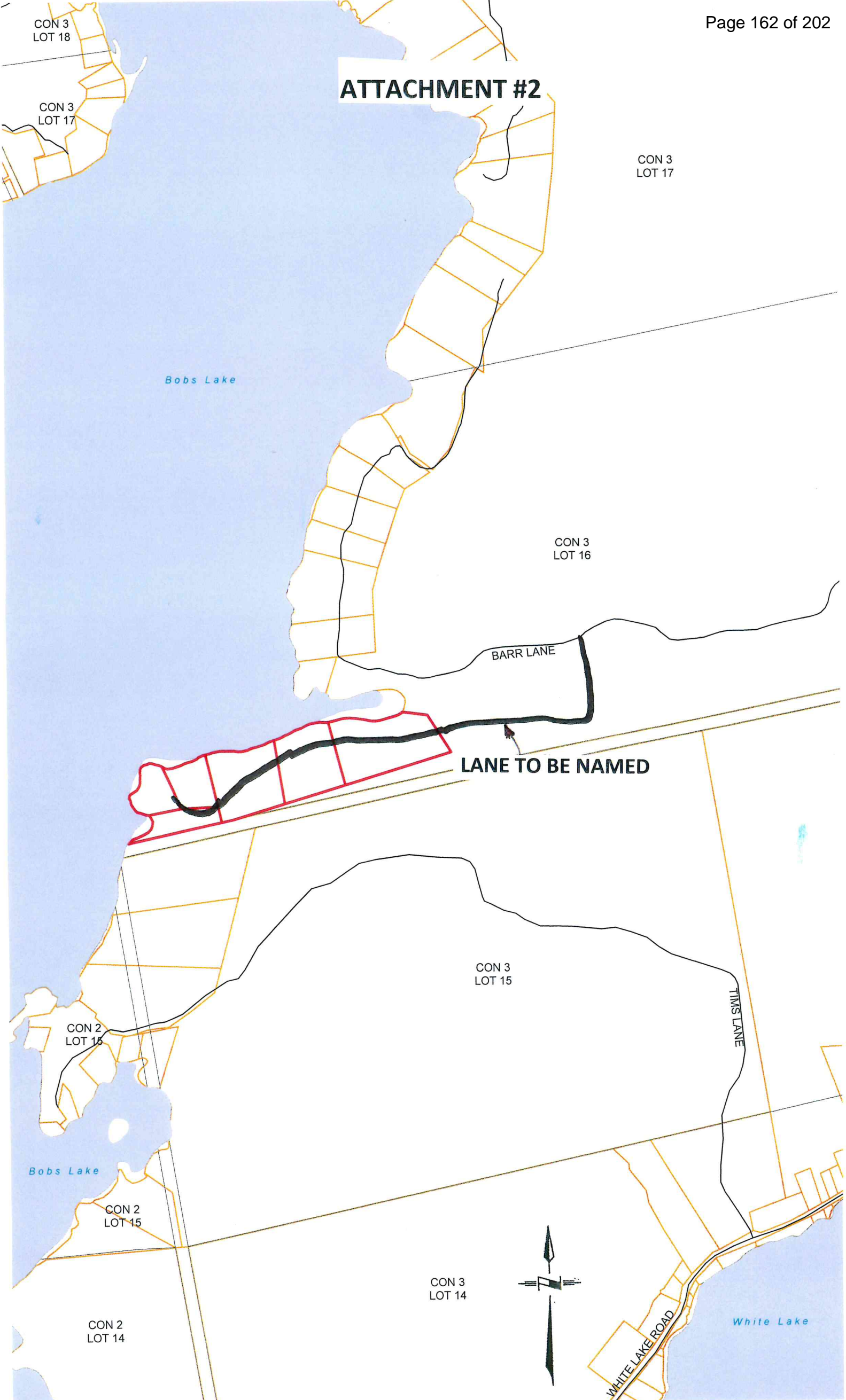
attachments

PasschendaeleLaneReportToCofW

ATTACHMENT #1



ATTACHMENT #2





STAFF REPORT CLERKS DEPARTMENT

PREPARED FOR COUNCIL: September 1, 2105

AGENDA DATE: September 8, 2015

SUBJECT:

Procedural Bylaw

RECOMMENDATION:

That Council provide clarity on the requested changes to the Procedural Bylaw prior to bringing it forward for adoption.

BACKGROUND:

At the first meeting of Council in December 2014 notice of motions were filed on changes to the procedural bylaw. These suggested changes mirrored issues raised during the orientation sessions. With concurrence of Council, staff offered to prepare a DRAFT procedural bylaw for discussion. A draft was presented for discussion and feedback at the Committee of the Whole meeting on December 9. At the Council meeting of December 16 Council passed a motion to limit the number of terms committee members can serve as well as the length of time committee Chairs may serve.

Based on the feedback and decisions of Council a revised draft was presented on January 20, 2015. At that time, recognizing the priorities of Council, the issue was deferred until the first Committee of the Whole in May. Attached is the revised draft presented in January.

On May 12 at Committee of the Whole Council again considered the January 20 draft procedural bylaw. Additional topics before Council included:

- the length of delegations from the public
- the number of times a delegation may return on the same issue
- the length of delegations at the request of Council (Auditor, Consultants etc.)
- whether there should be an opportunity at the end of the meeting for questions from the public

Councillor Schjerning could not be present at the May 12 meeting so he submitted written comments (see attached) for Council's consideration. From the May 12 meeting the following was recorded and subsequently adopted in the minutes:

The CAO received further feedback on changes to the procedural bylaw. The focus of the discussion was on whether to re-establish the Public Services Committee, a reduction in the number of meetings, and changing the starting time to 6:00 p.m. The committee will need to do further work on the bylaw.

With no committee of the Whole meeting scheduled over the summer, on June 23, the CAO committed to scheduling this item for Committee of the Whole in September.

In the interim, the topic of a dress code including the wearing of the Chain of Office has been raised and Council may wish to consider it at this time as well.



STAFF REPORT CLERKS DEPARTMENT

ATTACHMENT:

Revised Draft Procedural Bylaw – Jan 20
Councillor Schjerner's memo – May 10

Submitted/approved by:
Wayne Orr, CAO

SCHEDULE "A" TO BY-LAW 2015-02

PROCEDURAL RULES General	2.1 Page 1 of 2
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2.1 GENERAL

(a) **INTRODUCTION** - This section addresses both basic procedural items and other more complex questions and issues that might arise in Council or Committee meetings. Well-documented procedures result in more productive Council meetings and lessen the amount of extraneous debate on unrelated topics.

(b) **DEFINITIONS** - Listed below are definitions of common procedural terms:

- 1) **AGENDA** and Orders of the Day are synonymous.
- 2) **AMENDMENT** means a change in the form of a Motion. An amendment is designed to alter or vary the terms of the main Motion without materially changing the meaning. It may propose that certain words be left out, that certain words be omitted and replaced by others, or that certain words be inserted or added. Every amendment must be strictly relevant to the question being considered.
- 3) **CLERK** means the C.A.O./Clerk or the Deputy Clerk acting in the Clerk's absence or in the absence of both the CAO/Clerk and the Deputy Clerk, another person appointed by Council resolution.
- 4) **CLOSED SESSION** means a meeting or a part of a meeting of Council or a Committee which is closed to the public. All meetings shall be open to the public except as provided for in the Municipal Act, 2001, Ch. 25, Section 239.
- 5) **COMMITTEE** means any advisory or other committee, subcommittee or similar entity of Council.
- 6) **COMMITTEE CHAIR** is the person presiding at meetings of Committees of Council. Elected by the Committee from its members and may be removed only by vote of a majority of the Committee.
- 7) **COMMITTEE OF THE WHOLE** means Council sitting in Committee.
- 8) **COUNCIL** means the Council of The Corporation of the Township of South Frontenac.
- 9) **HOLIDAY** means a holiday with pay (or statutory holiday) as identified in the current C.U.P.E., Local 4336, Collective Agreement.
- 10) **IN-CAMERA SESSION** shall have the same meaning as closed session (see item #4)
- 11) **MEETING** means any regular, special, committee or other meeting of Council.
- 12) **MEMBER** means a member of Council and a member of a Committee;
- 13) **MINUTES** – In strict accordance with the Municipal Act, 2001, Ch. 25, Sect 228, record, without note or comment, of all resolutions, decisions and other proceedings of Council
- 14) **MOTION** and resolution shall be considered synonymous and will include an original motion or an amendment to a motion;

PROCEDURAL RULES General	2.1 Page 2 of 2
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- 15) **POINT OF ORDER** The purpose of raising a point of order is to bring to the attention of the presiding officer that a rule has been broken or an error in procedure has been made as follows:
- a) Breaches of the rules of order of Council;
 - b) Difficulty in continuation of the meeting;
 - c) Improper, offensive or abusive language;
 - d) Notice that the discussion is outside the scope of the motion or the notice of motion;
 - e) Irregularities in the proceedings.
- 16) **PRESIDING OFFICER** is the Mayor or in his/her absence, Deputy Mayor or in his/her absence the acting head of Council whom presides at meetings of Council or the Chair of a Committee meeting;
- 17) **QUORUM** means a majority of the whole number of members required to constitute Council or a Committee.
- 18) **QUESTION** means that the vote now be taken.
- 19) **RECORDED VOTE** means the calling for the yeas and nays of all members of Council by any member of Council and the yeas and nays of each individual member of Council shall be so noted in the minutes.
- 20) **RULES OF ORDER** (See 2.2. (b))
- 21) **WEBSITE** means the Official Website of the Corporation of the Township of South Frontenac – www.southfrontenac.net

2.2 MEETINGS

(a) **MEETING LOCATION** – All meetings of Council shall be held at the municipal complex, 4432 George Street, Sydenham, Ontario, unless otherwise stipulated in a resolution of Council

(b) **RULES OF ORDER** – The rules of order of the parliament of Canada will govern the proceedings of the Council and the conduct of its members. The official parliamentary guide is Bourinot's Rules of Order. However, where the wording of this by-law varies from Bourinot's Rules of Order, this by-law shall take precedence.

(c) **SEATING** – During a meeting no person is permitted to come within the enclosure formed by the members' chairs or to address Council unless that person:

- Is a member of Council
- Is the C.A.O., the Clerk or Recording Secretary
- Has been given permission from the Presiding Officer

(d) **CHAIR** - The presiding officer of the Council shall be the Mayor. In his or her absence the Deputy Mayor shall preside. The Deputy Mayor will have the powers and duties of the Mayor when performing in that capacity. If neither the Mayor nor the Deputy Mayor is present to open the meeting, the Council shall elect a presiding officer.

(e) **CONVENING MEETINGS** - The inaugural meeting of Council shall be held on the first Tuesday in December at 7 o'clock p.m. but shall not be later than 31 days after Council term commences.

Unless otherwise stipulated, Council shall meet at 6:00 p.m. on the first and third Tuesday in each month from January to December inclusive with the exception of the months of July and August when only one meeting will be held each month, on the first Tuesday of the month. If needed, Council will convene and then proceed into closed session returning to open session at 7:00 p.m.

Council will not meet on a statutory holiday nor will it meet between Christmas and New Years.

Should a Council meeting conflict with any committee meeting, such committee meeting shall be rescheduled after consultation with the Committee Chair.

The Clerk will advertise any meeting date changes caused by this policy.

Council reserves the right to dispense with or alter the time, day or place of any meeting by resolution.

(f) NOTICE REQUIREMENTS

i. Notice to Members of Council and Staff

The Clerk will give notice of all Council and Committee meetings to members of Council and to all Department Heads. The notice will be accompanied by an agenda and any other matter to be addressed at the meeting.

The Clerk will send the notice by delivery, by facsimile, by electronic mail to the residence or place of business of each member or by posting the agenda to AgendaNotes. Generally members will receive notice at least three days before the day of meeting. However failure to receive the notice will not affect the meeting itself, including the timing of or any actions taken there at.

ii. Notice to the Public

The Clerk shall give notice to the public of all regular meetings of Council by posting a schedule of meeting dates on the Township's official web site at the beginning of each calendar year. The agenda shall be posted on the Friday preceding the date of the Council meeting.

The Clerk shall give notice to the public of all special meetings of Council by posting a notice on the Township's website as soon as possible after the date of the special meeting has been confirmed.

(g) SPECIAL MEETINGS - A special meeting may be called under the following circumstances:

- The Mayor may at any time summon a special meeting.
- Upon receipt of a petition of the majority of the members of Council, the Clerk shall call a special meeting for the purpose and at the time mentioned in the petition. Notice may be given by telephone, e-mail or facsimile transmission or posting to AgendaNotes.

If there is no by-law or petition fixing the place of a special meeting, that meeting shall be held at the place where the last regular meeting was held.

(h) CLOSED SESSION

Notwithstanding Section 2.6, as per Subsection 239(2) of the Municipal Act, 2001, as amended, a meeting or part of a meeting may be closed to the public if the subject matter being considered is:

- a) the security of property of the municipality
- b) personal matters about an identifiable individual, including municipal employees
- c) a proposed or pending acquisition or disposition of land by the municipality;
- d) labour relations or employee negotiations
- e) litigation or potential litigation including matters before administrative tribunals effecting the municipality
- f) advice that is subject to solicitor client privilege including communications necessary for that purpose;
- g) a matter in respect of which a council, board, committee or other body has authorized a meeting to be closed under another Act; or
- h) if the meeting is held for the purpose of educating or training the members: and at the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee;

A meeting shall be closed to the public if the subject matter relates to the consideration of a request under the Municipal Freedom of Information and Protection of Privacy Act if the Council is the head of the institution for the purposes of the Act.

Prior to holding a meeting or part of a meeting that is to be closed to the public, Council shall state by resolution the fact that a closed meeting is being held and the general nature of the matter to be considered at the closed meeting.

A meeting may only be closed to the public during a vote, if:

- the subject matter is as defined above; and
- the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the municipality or persons retained by or under contract with the municipality

PROCEDURAL RULES	2.2
Meetings	Page 3 of 3

- i. All information, documentation or deliberations received, reviewed or taken into a closed meeting is confidential.
- ii. The response of Members to enquiries about any matter dealt with by Council or a Committee of Council at a closed meeting, prior to it being reported publicly, shall be “no comment”, or words to that effect. No member shall release or make public any information considered at a closed meeting or discuss the content of such a meeting with persons other than members of Council or relevant senior staff members included in the Closed Session.
- iii. Any violation of this regulation may result in exclusion of the offending Member from future closed meetings of Council or a Committee of Council and that Member no longer being provided with correspondence, material or information proposed to be dealt with by Council at a closed meeting.
- iv. The determination of whether or not a violation of the closed meeting provision of this By-law and the length of the exclusion from closed meetings if so determined, shall be made by Council, and Council in Closed Session shall consider the issue. Prior to this determination by Council, the offending Member shall have the allegation explained to him/her, and he/she shall have the opportunity to provide his/her explanation regarding the matter. The results of Council’s deliberations shall be reported publicly.
- v. Despite clause (iv), the Member affected shall not be permitted to vote on a motion respecting his/her purported violation of the closed meeting provision of the procedural by-law, his or her exclusion from closed meetings, or the length of any such exclusion.
- vi. The release of any information about any matters dealt with by Council at a closed meeting shall be by the Mayor or his delegate only. Once the Mayor or his delegate has released the information, it shall be considered to be public information and a Member may discuss the matter without being considered to be in violation of this By-law.
- vii. Agendas, minutes or any items thereon for consideration by Council at a closed meeting shall not be released to the public.

(i) COMMITTEE OF THE WHOLE COUNCIL

Committee of the Whole Council meetings will be held on the 2nd, 4th and 5th Tuesdays of each month, if required, except during July and August, and shall follow similar rules of procedure as Regular Meetings of Council, except that discussions may be less formal. As appropriate direction provided to staff will be incorporated into reports and will be brought forward for formal approval at Council. Resolutions adopted by Committee of the Whole shall NOT be binding on Council.

Committee of the Whole meetings of Council shall be open to the public except as otherwise provided by The Municipal Act. (See Section 2.2(g)).

The first Committee of the Whole each month shall generally be focused on planning issues and the second Committee of the Whole shall be focused on public services issues. Other organizational issues will be brought forward as needed. Given the timing of some issues, planning and public services issues may need to be intermixed on the agenda.

PROCEDURAL RULES Agenda	2.3 Page 1 of 2
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2.3 AGENDAS

- (a) **REGULAR MEETINGS** - The Clerk will prepare an agenda for the use of members at regular meetings. The Agenda shall be posted in the Municipal Building, Sydenham and delivered to each member of Council by mail, facsimile transmission, e-mail or by posting to AgendaNotes not less than two days (48 hours) prior to the meeting date.

The Clerk will attach copies of all relevant correspondence to the agenda package for Council information.

All items of business for the agenda will be received by the Clerk by 12:00 noon on the Thursday prior to the meeting date.

The business of each meeting follows the order in which it stands on the agenda. The agenda for a meeting may only be amended at that meeting by a motion supported by a majority of the members present. Any undisposed matters will be placed on the agenda for the next meeting.

NOTE: When a "Closed Session" meeting is required, Council will convene at 6:00 p.m., proceed into closed session and then reconvene at 7:00 p.m. in open session.

COUNCIL Agenda:

- 1) Call to Order.
- 2) Declaration of pecuniary interest and the general nature thereof
- 3) **Scheduled** Closed Session
- 4) Recess
- 5) Public Meeting
- 6) Approval of Minutes
- 7) Business Arising
- 8) Reports Requiring Action
- 9) Committee Meeting Minutes
- 10) By-laws
- 11) Reports for Information
- 12) Information Items
- 13) Notice of Motions
- 14) Announcements
- 15) **Closed Session (if requested)**
- 16) Confirmatory By-law
- 17) Adjournment.

COMMITTEE OF THE WHOLE Agenda:

- 1) Call to Order.
- 2) Declaration of pecuniary interest and the general nature thereof
- 3) **Scheduled** Closed Session
- 4) Recess
- 5) Delegations
- 6) Reports Requiring Direction
- 7) Reports for Information
- 8) Rise and Report from Committees of Council (rotating basis)
- 9) Information Items
- 10) Notice of Motions
- 11) Announcements
- 12) **Closed Session (if requested)**
- 13) Adjournment.

During July and August a blended meeting agenda will be used incorporating both delegations and public meetings.

- (b) **DELEGATIONS** – Delegations will be received by Council when sitting as Committee of the Whole only. Delegations will be limited to a maximum ten minute presentation, unless otherwise approved by Council, and are considered in the following order:
- 1) Those persons Council has requested or commissioned to appear (e.g. representatives of senior government, consultants).
 - 2) Citizens, organizations or their representatives who have notified the Clerk in writing of their desire to appear before the appropriate Committee no later than 12 o'clock noon on the Thursday prior to the meeting date.
 - 3) Those persons not included on the agenda but who have requested and been granted permission by Council to address the meeting.

All delegations must provide a written summary of their presentation to the Clerk prior to 12:00 noon on the Thursday prior to the Committee meeting at which they will be appearing.

All Delegates will be encouraged by the Clerk to resolve concerns with the appropriate department head, prior to seeking delegation status.

Only topics which have come before Council or are scheduled to appear on Council's agenda are to be scheduled for delegate status.

Unrelated topics require the delegate to be sponsored by a member of Council, prior to being scheduled. Members of Council may sponsor a delegation by emailing the clerk requesting that the individual / group be given delegate status.

PROCEDURAL RULES Quorum, Presiding Officer	2.4 Page 1 of 1
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2.4 QUORUM, PRESIDING OFFICER

(a) **REGULAR MEETINGS** - As soon as there is a quorum after the hour fixed for the meeting, the Presiding Officer will assume the role as Chair and call the members to order. The Clerk will then take note of attendance.

(b) **TIME LIMIT** - The time limit for a quorum is 30 minutes after the time appointed for the meeting. If no quorum is present after 30 minutes, the Council or Committee will stand adjourned until the next regular day of meeting or until a special meeting is called. The special meeting will deal with the matters intended to be addressed at the adjourned meeting. The Clerk will record the names of the members present at the expiration of the time limit and append this record to the next agenda.

(c) **PRESIDING OFFICER** - The Presiding Officer shall oversee the conduct of the meeting including:

- Call the meeting to order
- Introduce the items listed on the Agenda in the order presented unless otherwise determined by Council
- Call on the CAO or Department Head to address staff reports
- Call on the Clerk to read the motion or by-law as requested by the Presiding Officer
- Designate the Council Member or Staff Member as to who has the floor to speak
- To put to a vote all questions which are properly moved and seconded and after full discussion has been provided, and announce the results of the vote
- Ensure the preservation of good order and decorum
- Ruling on points of order and privilege
- Deciding all questions relating to the orderly procedure of the meeting subject to an appeal by any member of Council from any ruling of the Presiding Officer

The Presiding Officer may expel any person for improper conduct at a meeting.

The Presiding Officer may state his or her position on any matter before Council following the discussion of Council but before a matter is put to a vote. This will not require the Presiding Officer to relinquish the chair.

The Presiding Officer will vacate the chair prior to making a motion or serving a notice of motion. If making a motion, the presiding officer shall remain out of the chair during the debate and vote on the subject.

2.5 CONDUCT OF COUNCIL MEMBERS

(a) **SPEAKING** - Each member must be recognized by the Presiding Officer before speaking on any matter or motion. A member may not speak more than once on a matter without leave of the Presiding Officer, except:

- 1) In explanation of a material part of the speech which may have been misunderstood; or
- 2) In reply after everyone else wishing to speak has spoken

Generally no member may speak to the same matter or in reply for longer than 5 minutes.

Through the Presiding Officer, a member may ask for an explanation of any part of the previous speaker's remarks. A member may also, through the Presiding Officer, ask questions to obtain information relating to the report or minutes presented to Council or any clause contained therein. However this must be done prior to the commencement of the debate on the report, minute or clause.

Following the reading of a motion and during debate, all questions to staff are to be addressed through the Presiding Officer.

(b) **CONDUCT** - Members shall not:

- 1) Speak disrespectfully of the Reigning Sovereign, any member of the Royal Family, the Governor-General or a Lieutenant-Governor;
- 2) Use offensive words or unparliamentary language in Council;
- 3) Disobey the rules of the Council or decision of the Presiding Officer or of Council on questions of order or practice;
- 4) Leave his or her seat or make any noise or disturbance while a vote is being taken and the result is declared;
- 5) Enter the Council Chamber while a vote is being taken;
- 6) Interrupt a member while speaking, except to raise a point of order;
- 7) Pass between a member who is speaking and the Chair.

(c) **DECLARATIONS OF CONFLICT OF INTEREST**

Members shall at all times conduct themselves in accordance with the requirements of the Municipal Conflict of Interest Act, Chapter M50, Revised Statutes of Ontario 1990, including any subsequent amendments, revisions and regulations thereto.

All declarations and disclosures made in accordance with the Act shall be made by the member in accordance with the Act.

If, after making such a declaration, the member determines that he/she does not have a Conflict of Interest, then a public statement to that effect shall be made by the member. Such public statement may be in the same form and substance as the original declaration.

PROCEDURAL RULES Conduct of Council Members	2.5 Page 2 of 2
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d) DISCIPLINARY ACTION

It is not the intention of discipline in a meeting to punish a member but to change the behaviour of the member. If a member commits a breach of conduct, the escalation of remedies is as follows:

- 1) The Presiding Officer requests that the member refrain from breaking the rules and specifies the infraction or rule being broken.
- 2) If this fails, the Presiding Officer provides a sterner warning by calling the member to order.
- 3) If, after this instruction, the member continues with the action or refuses to be seated the Presiding Officer may, if the breach of conduct is serious enough, request that the offending member to apologize or failing an apology to be expelled from the meeting.

If expulsion from the meeting is ordered, the Presiding Officer may establish and appoint individuals to escort the member from the meeting room. If the member refuses to leave, the appropriate civil authorities should be called.

e) EARLY DEPARTURE FROM MEETINGS

A member who wishes to leave a meeting prior to the adjournment must so advise the Presiding Officer. The recording officer will note the member's time of departure.

f) NOTICE OF ABSENCE FROM MEETING

If a member can not be in attendance at a meeting, they should notify the Clerk or the Executive Secretary of their absence at their earliest opportunity.

PROCEDURAL RULES Motions	2.6 Page 1 of 3
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2.6 MOTIONS

(a) NOTICE OF MOTION - The Clerk may receive a notice of motion at any time during a Council meeting. However they will become part of the agenda for the subsequent Council meeting unless otherwise approved by Council. A notice of motion requires a seconder only at the time of debate.

If a motion is not moved and seconded on the day and at the meeting for which notice was given, it cannot be moved at any subsequent meeting without notice being given on the agenda for that meeting.

(b) GENERAL - Every motion, once presented to the Presiding Officer, becomes the property of Council. The presiding officer may call on the Clerk to read the motion. A member can withdraw a motion only when the consent of the majority of Council is present. Motions shall be debated in the order of presentation to the Presiding Officer.

Any member may request that the Clerk read the motion under discussion at any time during the debate, except when another member is speaking.

Any member may request separation of a motion. Each section of the motion will be voted on separately.

When a matter is under debate, no motions can be made other than a motion:

- To refer / defer
- To amend
- To adjourn the meeting
- To vote on the matter

(c) REFER/DEFER - A motion to refer or defer takes precedence over any motion or amendment, except a motion to adjourn. A motion to refer requires direction as to the body to which it is being referred. A motion to defer must include a reason for deferral. Neither motion is debatable.

(d) VOTING - When a member makes a motion that the vote now be taken, it shall be put to a vote without debate. If a majority of the members agree to put a motion to a vote, the motion and any amendments thereto will be submitted to a vote immediately without further notice.

No members may speak or present another motion once the Presiding Officer commences the vote on that motion. Each member present at a Council meeting will vote when the vote is taken on a matter, unless prohibited from so doing by statute. Any member who is present but refuses to vote or abstains to vote, their vote will be deemed to be a vote in the negative.

A recorded vote on a motion before Council may be requested at any time by any Council member before the vote is taken or after the vote has been taken unless Council has commenced discussion on a new matter on the agenda.

When a member requests a recorded vote, all members will vote in the following order when polled by the Clerk in alphabetical order and Mayor. The Clerk will note the names of those who voted for and against in the minutes, and will announce the results.

If a member disagrees with the results of the vote, he or she may object to the declaration and ask that the Clerk retake the vote. An objection to any resolution shall not be recorded unless a recorded vote is requested.

PROCEDURAL RULES
Motions

2.6
Page 2 of 3

(e) AMENDMENT - A member may present only one amendment to the main motion at a time. Another amendment may be introduced only after the previous one has been disposed of. In the case of an amendment, the amendment to the motion may not be withdrawn or defeated until the amendment to the amendment has been dealt with.

(f) NEW MATTER - A member may not introduce a new matter without notice, unless Council without debate dispenses with the notice requirements by two-thirds vote.

(g) RECONSIDERATION

- i) A member who voted with the prevailing side may move for reconsideration at the **same meeting** as follows:

If the motion to reconsider receives a seconder, the motion for reconsideration shall be open to debate and voted upon. The motion will require the votes of two thirds of members present to pass.

If adopted, the motion to reconsider temporarily nullifies the previous decision. The main motion originally voted on is again pending. The motion may now be amended or considered as moved and voted upon.

Example:

1. Original Motion → Vote
2. Motion to Reconsider → Vote
3. Reconsideration of main motion (it may now be amended)→ Vote

- ii) If a member who voted on the prevailing side presents a motion for reconsideration at a **subsequent meeting**, the motion must be preceded by a notice of motion. At the subsequent meeting, the motion to reconsider follows the same process, as noted above. It will require a two thirds majority vote of the members present to carry.

Example:	Meeting #1 →	Vote on original motion
	Meeting #2 →	Notice of Motion to be received
	Meeting #3 →	Motion to Reconsider to be voted on
	Meeting #3 →	Matter for Reconsideration to be voted on

No matter may be reconsidered more than once in a twelve-month period.

A notice of motion for reconsideration will not stop or delay action on the decided matter unless Council agrees otherwise. In this case, Council must approve the injunction by a two-thirds majority vote of the members present.

If Council approves a motion to reconsider, the reconsideration will become the next order of business, unless the motion calls for a future definite date. Debate on the matter shall proceed as though it had not been previously voted upon. The debate must be confined to reasons for or against reconsideration only.

(h) ADJOURNMENT - A motion to adjourn a meeting will be in order except:

- ◆ When a member is in possession of the floor.
- ◆ When it has been decided that the vote now be taken.
- ◆ During the taking of a vote.
- ◆ If determined in the negative the vote shall not be taken again until some intermediate proceedings have been taken by Council

PROCEDURAL RULES Motions	2.6 Page 3 of 3
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Members may not leave their places on adjournment until the Presiding Officer vacates the role as Chair.

Council will adjourn at 10:00 p.m. if in session at that hour, unless determined otherwise by a majority vote of the members present.

(i) BYLAWS - The agenda may contain a summary of the contents of each by-law. If a majority of Council requests, the Clerk will read the by-law in its entirety.

All by-laws must be passed in meetings that are open to the public.

A Confirmatory By-law, to confirm the proceedings of Council during the meeting, will be placed before Council each meeting.

(j) SUSPENSION OF THE RULES – Any Member may request that the rules of procedure be temporarily suspended. An example of a motion to suspend the rules would be to extend the meeting past 10:00 p.m.

(k) ULTRA VIRES – No motion shall be put on a matter which is Ultra Vires the jurisdiction of Council

(l) CHANGES TO COUNCIL COMPOSITION - Where Council wishes to consider changes to the composition of council:

1. 5 votes shall be required to support the change,
2. At least one Councillor from each district shall support the change,
3. There shall be widespread consultation with voters before any proposal is adopted including at least one public meeting in advance of day of the meeting where the resolution is decided. Normal municipal procedures for public notice shall apply.

PROCEDURAL RULES Committees	2.7 Page 1 of 1
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2.7 COMMITTEES

(a) **SPECIAL PURPOSE COMMITTEES** - Council may from time to time appoint, by resolution, special purpose or “Ad Hoc” committees with Terms of Reference as set out in the appointment resolution.

(b) **EXTERNAL COMMITTEES/BOARDS** – Council may from time to time appoint, by resolution, individuals to external committees or boards. The term of office for community members shall be two terms, the length of which will be decided by Council. Terms are to be staggered such that there is always a productive mix of experienced and new volunteer members.

(c) **COMMITTEE CHAIR** - Each Committee at its first meeting in the year will elect a Committee Chair and Committee Vice-Chair from its members. The Committee Chair may be removed only by a vote of a majority of the Committee. The Chair shall only serve a maximum of two years.

The Committee will also at the first meeting arrange its own schedule of meetings.

(d) **QUORUM** - A quorum shall be a majority of those appointed to a Committee by Council. A majority is more than half of the total number of those appointed to the Committee (Bourinet’s Rules of Order).

(e) **COMMENCEMENT OF MEETINGS** - If a Committee Chair or Committee Vice-Chair is not present within fifteen minutes from the time of the opening of the Committee meeting, the members present will elect another member of the Committee to preside. That member will discharge the duties of the Presiding Officer for that meeting, or until the arrival of the Committee Chair or Vice-Chair.

(f) **RULES** - The rules governing the procedure of Council will be observed in all Committees, except that the number of times speaking on a question will not be limited.

(g) **VOTING** - The Mayor or his/her designate will be an ex-officio member of all Committees of Council. Further the Mayor or designate will have the same rights and privileges as any other Committee member and may constitute part of the quorum.

Any member, including the Committee Chair, may propose or second a motion. When the Committee Chair proposes a motion, he or she must vacate the chair to the Acting Chair of the Committee during the debate on the motion and resume the chair following the vote. All members will vote on all motions except when disqualified by reasons of interest or otherwise. A tie vote at the Committee level shall be considered lost.

(h) **DUTIES** - The Committee may report to Council any Committee member who refuses or neglects to attend a meeting. Council may then remove that member from the Committee and appoint another member in his/her place.

Council may discharge from responsibility any Committee, which refuses or neglects to give due consideration to any matter before it. Council may then allot such responsibility to another Committee.

All Committees are subject to the control and direction of Council.

Each Committee must submit to Council reports including minutes and recommendations on all matters connected with their duties.

Report to South Frontenac Township Council

From: Councillor Mark Schjerning
Date: May 10, 2015
Subject: Procedural Rules

Mayor Vandewal and Fellow Councillors:

I am writing this report as I am unable to attend the May 12, 2015 Committee of the Whole meeting where the Procedural Rules are on the agenda for review and discussion.

As you are all aware, I feel that there are a number of areas where this document should be changed. My motion to defer discussing this issue until a meeting in May was supported by Council. This allowed us to deal with more pressing issues and gain some experience as a group.

The Council of South Frontenac Township has operated under these guidelines for a number of years. I feel that there are some improvements that can be made in how we conduct our meetings. The goal is for us to become more effective and efficient as a Council and Staff.

I will list the areas that I feel changes need to be considered and then expand on each item listed and provide the rationale for the change. These are listed in the order that they appear in the current documents. The section number is also listed for reference.

It is important that we have a consensus document for this and can adopt the new procedures without the need for amendments. This may require follow-up at the May 26th COW meeting.

I would ask that this report be attached to the meeting minutes and copies provided to all members of Council.

Thank you.



Suggested Changes

1. Rules of Order
2. Convening Meetings
3. Closed Sessions
4. Delegations
5. Presiding Officer
6. Other

1. Rules of Order (2.2 (b))

The current procedural rules states that “The rules of order of the parliament of Canada will govern the proceedings if the Council and the conduct of members. The official parliamentary guide is Bourinot’s Rules of Order. However, where the wording in this by-law varies from Bourinot’s Rules of Order, this by-law shall take precedence”.

The procedural rules are Schedule ‘A’ to the By-Law. The statement should say that “the wording in the Procedural Rules made under this By-Law shall take precedence”.

Observation

To me, Bourinot’s Rules of Order reads like a story book. It does not provide definitive guidance on how meetings are to be conducted and the rules of order applied. It makes many references to the Parliament. We do not have access to these, and as such cannot rely on them to guide us during a meeting. We would be better served by having rules of order that are prescriptive, outline the precedence of motions and procedures and provide clear guidance.

Suggested Change

- Adopt “Robert’s Rules of Order” as the rules of order for Council
 - These are procedural rules that have been adopted by many Councils, organizations, associations and groups
 - They are readily available and many are familiar with them
 - They provide clear direction on how meetings should be conducted
 - They outline the order and precedence of motions and required vote to carry
 - Without changing to these rules we could become bogged down at our meetings as the Presiding Officer would not have a reference readily available to provide guidance
-

2. Convening Meetings (2.2 (e) and (i); 2.3 (a))

There are several changes suggested to how often and when we meet. It is common for Councils to meet twice monthly vs meeting every week.

The suggested changes are outlined below.

Meeting Frequency and Names

Currently Council meets every Tuesday. Agendas are prepared each week and sent out by the end of the work week ahead of the meeting. This also requires the various reports to be completed by staff in time to be included in the agenda package for the next meeting.

A considerable amount of staff time is spent on Council meetings. Reducing the number of meetings would allow staff to devote their time to other matters. Having a week between meeting agendas having to be prepared would allow more time to plan and develop agendas and to prepare the various reports.

There is a report on the agenda for the May 12, 2015 COW meeting that speaks to the issue of staff needing to manage their time. Not having to prepare reports for the next Council or COW meeting each week would alleviate some of the demands on staff time.

Suggested Change

- Reduce meetings to two (2) per month
 - One “Working Session” and one “Regular Meeting” would be held
 - “Working Sessions” (see below) would take place the first Tuesday of the month
 - “Regular Meetings” would take place the third Tuesday of the month
 - Additional meetings could be scheduled at the call of the Mayor
 - Special Meetings are currently permitted under 2.2 (g)
 - Examples of additional meetings would be for budget deliberations

Meeting Start Times

Currently meetings are scheduled to start at 7:00 pm.

Suggested Change

- Move the normal starting time 30 minutes earlier to 6:30 pm.
 - This could be adjusted as needed
 - An example of this could be when there needs to be a “Closed Session” that requires the attendance of someone other than the members of Council or staff (see below)
 - This would normally occur when Council requires advice on legal matters and the Township Solicitor is required to attend

Meeting Names

Currently there are “Regular Meetings” and “Committee of the Whole” meetings. Council is limited to conducting business and passing resolutions at Council meetings.

The open debate of a COW meeting is beneficial and should continue. This could be done during a “Working Session” while still allowing Council business to be conducted.

Suggested Change

- Change “Committee of the Whole” to “Working Session”
 - In this meeting, Council could move to meet as a COW
 - This could be done for a number of the agenda items listed under the COW
 - These could include:
 - 5) Delegations
 - 7) Reports for Information
 - 8) Rise and Report from Committees of Council
 - 9) Information Items
 - Meeting in this format would allow Council to provide direction by passing resolutions and not having to wait until the next Regular Meeting

3. Closed Sessions (2.2 (h))

Currently there are Closed Sessions (scheduled) at the beginning of the meeting agendas and Closed Sessions (if requested) at the end of meeting agendas.

Previously, we were told that there was a requirement to report in open session (“Rise and Report”) as to the general nature of the discussions in closed session. At our last meeting the requirement to do this was asked and the CAO/Clerk responded by saying that this was not a requirement under the Act.

It has also been noted that the reason for having the Closed Sessions at the beginning of the meeting meant that members of the public and media did not have to wait around for the end of a Closed Session held at the end of the meeting to learn about the general nature of the discussions.

If there is a requirement to report on the general nature of the closed meeting, it should be done. This does seem a bit redundant as it would pretty much be the same as the resolution to move into Closed Session. “Be it resolved that...Council move into Closed Session to discuss a matter related to “XXX”, followed by, “Council discussed a matter related to “XXX” in Closed Session”, sort of thing.

Suggested Change

- Two forms of Closed Session
 - (i) Where advice (legal or otherwise) is required
 - (ii) Where only members of Council and staff are required
- The first would be scheduled at the start of the meeting and starting time adjusted accordingly (i.e. the current 6:00 pm)
- This would accommodate the schedule of the individual required to attend to provide information and advice (usually the Township Solicitor)
- The second would be scheduled at the end of the meeting
- This would allow members of Council and any required staff to meet as a last agenda item prior to adjournment
 - The length of the Closed Sessions that we have had so far during this current term have varied considerably in length
 - One was just over 30 minutes and one less than 10 minutes
 - One where we received advice of a legal nature took over 60 minutes
 - The above changes would allow for a more productive use of our time and not have to wait around for the scheduled reconvening of Open Session
 - Council must not be restrained in the time it takes to conduct business during a closed session
 - Closed Sessions that take place early in the meeting agenda should not be cut short to allow Council to make it back into chambers by a specified time
 - If a meeting is called to order at 6:00 pm in “Open Session” and then moves into “Closed Session”, it should move back into “Open Session” when the “Closed Session” business has been concluded. There should be no recess.

4. Delegations (2.3 (b))

The current rules allow for delegations at COW meetings only. Delegations are limited to ten (10) minutes.

Suggested Change

- Differentiate between “Delegations” and “Presentations” to Council

Delegations:

- would continue to follow the current process
- would be during Council sitting as a COW
- the actual presentation by the delegation would be limited to 15 minutes
- the delegation would be timed and advised when the time limit is reached
- members of Council would be able to ask questions following the presentation
- there would be no time limit for Council to ask questions

Other items to consider regarding delegations include:

- who can request a delegation to Council
- a process for reviewing and screening applications for a delegation
- an approval process (should one not already exist) - perhaps delegations are reviewed and approved by the CAO and Mayor
- limiting the number of delegations at any one meeting
- looking at a limit on the number of times an individual, group, or association can have a delegation on the same topic
- developing a procedure document that can be sent to delegations that outlines how the delegation can present (should one not already exist) - i.e. 15 minute time limit, will be stopped once the time limit is reached, members of Council may ask questions, etc.

Presentations:

- could be made to Council at any meeting
- there would be no time limit for the presentation
- members of Council would be able to ask questions at any point during or following the presentation
- there would be no time limit for Council to ask questions

Presentations would be reports that are required or have been requested by Council.

Recent examples of “Delegations” that could have been “Presentations” include:

- Creative Condominiums (Township Solicitor)
- Strategic Plan Draft (8020Info)
- Annual Reports on Waste Disposal Sites (AECOM)
- “The Point” Shoreline Rehabilitation (Riggs Engineering)

As “Delegations” they were subject to the existing 10 minute time period. Most of these presentations exceeded the allowed timeframe for “Delegations”. When the 10 minute requirement contained in the current Procedural Rules of Council were pointed out, the presentations were rushed and all the required information was not properly presented to Council.

These “Delegations” should be named as “Presentations” in the agenda and not subject to a time limit.

Council should benefit from hearing the full presentation and have the opportunity to ask any questions.

5. Presiding Officer (2.4 (c))

In the draft document, section 2.4 (c) reads “The Presiding Officer may state his or her position on any matter before Council following the discussion of Council but before a matter is put to a vote. This will not require the Presiding Officer to relinquish the chair”.

There is no issue with this occurring during a meeting where Council is meeting as a Committee of the Whole and open discussion is taking place.

An issue does arise when Council is debating a motion that has been moved and seconded and is before Council for consideration.

The role of the individual responsible for serving as the chairperson of a meeting (Presiding Officer) is to ensure that debate is conducted in an orderly fashion and to rule on any procedural issues that may arise. This includes ruling on “Points of Order”.

There is a reason that procedural rules call for the person presiding over a meeting to step out of the chair to speak to a motion and participate in a debate. This is to ensure that there is someone who can make rulings on any procedural issues that may arise when they are speaking.

The Speaker of the House of Commons does not participate in the debate in Parliament. Likewise, the Speaker of the Legislative Assembly does not participate in the debate. The “game requires that there be a referee”.

Suggested Change

- Amend this to require that “The Presiding Officer must relinquish the chair prior to participating in the debate of any motion before Council”.
 - This will allow for the orderly debate of a motion
 - You cannot be placed in a position to rule on any procedural issue that is raised concerning your own conduct
 - You are able to freely state your opinion
 - This is the normal and expected way to conduct a meeting

6. Other

The present agendas list "New Business" prior to "Closed Session (if requested)". The January 2015 draft has "Notices of Motion" and "Announcements".

I would suggest that "New Business" be kept and both "Notices of Motion" and "Announcements" be added. Perhaps we add "Statements by Members" as well.

There may be occasion where there is "New Business" that needs to be presented and discussed at a meeting.

I do not support having questions being asked by members of the Public at the end of a meeting.

The public should be directed to staff to have their questions addressed and answered. Should they not be satisfied with the response they have other avenues that can be followed. The first step should be to contact their representative on Council. Following this, they could contact the Mayor, write to Council, or request a delegation.

-----Original Message-----

From: noreply@esolutionsgroup.ca [<mailto:noreply@esolutionsgroup.ca>] On Behalf Of sherivivian@xplornet.ca

Sent: August-31-15 2:24 PM

To: Website Administrator

Subject: Firecracker Bylaw

Dear Mr. Orr,

I recently read the new noise bylaw regarding non-approved fireworks and I would like to express my concerns over said bylaw. It does not seem at all reasonable that fireworks are only allowed for Victoria Day and July 1st holidays. Why would the township not allow fireworks for the August and September long weekends? In fact these are the only 2 long weekends that are guaranteed during the actual summer months and warm weather.

I am not really sure why the township should ban fireworks at any time, especially during the short summer period. I think it is reasonable to put a 'time' on the discharge of fireworks, example up to 11:00 pm is allowed at any time of the year, but to fully ban them during the summer especially makes no sense at all!

Thanks

Sheri Vivian

RECEIVED**AUG 28 2015
TOWNSHIP OF
SOUTH FRONTENAC**

3894 Stagecoach Rd., Sydenham Aug. 16, 2015

Dear Council re: Controlling animal behavior---human and otherwise

I recall, at a recent public event, the mayor referring to me as a "struggling artist."

Believe me...dealing with Percy Snider exacerbates the struggle! He hasn't got a legal leg to stand on, but neither the Township nor Council will insist that he show common respect for the community by repairing or replacing a few hundred feet of fence, a fence that separates some 50 head of livestock from a busy street.

I am not wealthy. My son has done everything that he can to shore up the structure in question with materials that he had at hand. We don't need fencing, so these materials are not sufficient; a determined animal could get through. Perhaps the next exodus will be through the fence along the Stagecoach Rd. which is in nearly as bad shape (see enclosed). Winter, which is approaching, destroys weak fences! Spring will come!!

Jesse's efforts demonstrate our sincere desire to protect innocent lives, but what if there were no Jesse? You have left me standing completely alone to confront the bully.

Most disappointing to me has been the reaction of Percy Snider, Mr. Orr and the council to the probability of death or injury on the Stagecoach Rd. should Mr. Snider's animals collide with a vehicle. Perhaps I am more cognizant of the potential harm, having seen my child lying unconscious in a pool of blood on the very spot where these creatures are likely to emerge. Calling police, as you suggest I do, would be sadly after the fact in the event of an accident. Wouldn't it? Surely prevention is a preferable and possible path.

There is a wise old saying that is posed as a question. What can you do when there is nothing you can do? I respectfully suggest that council find an answer.

Yours truly 
Ann Barlow





Ottawa Bicycle Club

P.O. Box 4298, Station E, Ottawa, Ontario K1S 5B3 (613) 230-1064

Township of South Frontenac
Attention Wayne Orr
PO Box 100
Sydenham, Ontario
K0H 2T0

RECEIVED
AUG 28 2015
TOWNSHIP OF
SOUTH FRONTENAC

August 24, 2015

Dear Mr. Orr,

The Board of Directors of the Ottawa Bicycle Club, during the course of their meeting of August 10, 2015, acknowledged receipt of the Township's letter of June 25, 2015, informing us of the Council's motion of June 16, 2015.

We, as a club, and as organizers of the Rideau Lakes Cycle Tour, will, for 2016, undertake to redouble our efforts in educating participants of their responsibilities with respect to the use of the road. For the past number of years, our rider packages have included information on cycling and the Highway Traffic Act – our principle message has always been that, as cyclists, we are considered vehicles under the HTA, and that we have to responsibly use the road.

As a note, the 2015 Tour utilized the services of four paid duty Ontario Provincial Police officers who patrol the route. The role of these officers is to ensure the safety of both cyclists and motorists. In our pre-tour briefing with the officers, we request that they help us in ensuring that cyclists obey the HTA.

If you, or the members of the Township Council have further questions, I can be reached at (613) 277-8407, or via e-mail at peter.tregunno@gmail.com.

With Regards,

A handwritten signature in black ink, appearing to read 'D. Tregunno', with a horizontal line extending to the right.

Peter Tregunno
President, Ottawa Bicycle Club

-----Original Message-----

From: Michelle Foxtton [<mailto:foxtton@personainternet.com>]

Sent: September-01-15 12:43 PM

To: Ron Vandewal <rvandewal@southfrontenac.net>; councillorrevill@gmail.com; john.mcdougall@xplornet.ca; elbe@web.ca; patbarr1@aol.com; Mark Schjerning <markschjerning@outlook.com>; robinsonw@bell.net; councillornroberts@gmail.com; sfcron.sleeth@gmail.com; Wayne Orr <worr@southfrontenac.net>; Lindsay Mills <lmills@southfrontenac.net>; denisdoyle@kos.net; mayor_smith@centralfrontenac.com; john@lwl.ca; tdeweyone@gmail.com; nossaln@hotmail.com; ron.higgins@xplornet.com; jgallivan@frontenacounty.ca; Peter Young <pyoung@frontenacounty.ca>

Cc: Labarge Charlie <charlie.labarge@gmail.com>; John Lesperance <lesperance2@hotmail.com>; Mr. Leonard Wade <wadel@personainternet.com>

Subject: Proposed Hartington Subdivision - Hydrogeological Review by McIntosh Perry

Dear Mayor, Warden, Councillors, Mr. Orr, Mr. Mills, Mr. Gallivan and Mr. Young,

Further to recent Community submissions concerning the proposed Hartington subdivision, the firm McIntosh Perry has been retained to provide a hydrogeological review on behalf of the Community. A copy of McIntosh Perry's review results are attached hereto for your review. We request this document be added to the public record concerning this matter. We also request this document be forwarded to Malroz Engineering for review and comment and that we receive a response to same.

Yours truly,

Michelle Foxtton, Wade Leonard, Charlie Labarge & John Lesperance c/o P.O. Box 130 Hartington, ON
K0H 1W0
613-372-0887



September 1, 2015

Michelle Foxton, Charlie Labarge & John Lesperance
c/o P.O. Box 130
Hartington, Ontario
K0H 1W0

Dear Michelle, Charlie & John,

Re: Review Technical Support Documentation - Hartington Subdivision

Part Lot 7, Concession 7, Township of South Frontenac, County of Frontenac (MP File No. OCP-15-0397)

Per your request, McIntosh Perry Consulting Engineers Ltd. (McIntosh Perry) has conducted a review of scientific and engineering documentation (Hydrogeological Assessment) prepared in support of a proposed subdivision situated in the Hartington, Ontario area. This submission is intended to present our findings with respect to a review of the publicly available documentation.

In undertaking this evaluation the following documents were reviewed:

- Hydrogeological Study, Servicing Options and Terrain Analyses; Proposed Residential Development, Part of Lot 7, Concession 7, Township of South Frontenac, Geographic Township of Portland, County of Frontenac – ASC Environmental, October 31, 2013; File Number ASC-095-101r
- Peer Review of Application for Plan of Subdivision – Hartington, Part Lot 7, Concession 7, Township of South Frontenac, County of Frontenac – Malroz Engineering Inc., January 21, 2014; File Number 840-101.00
- Proposed Plan of Subdivision, File 10T-2013/002, Part Lot 7, Concession 7, Geographic Township of Portland, Municipality of South Frontenac - Quinte Conservation, January 31, 2014
- Hydrogeological Study and Terrain Analyses, Proposed Hartington Subdivision, Hamlet of Hartington, Ontario - ASC Environmental, September 15, 2014; File Number ASC-110I
- Peer Review (#2) of Application for Plan of Subdivision – Hartington, Part Lot 7, Concession 7, Township of South Frontenac, County of Frontenac – Malroz Engineering Inc., October 17, 2014; File Number 840-103.00
- Hydrogeological Study and Terrain Analyses- 2nd Peer Review, Proposed Hartington Subdivision, Hamlet of Hartington, Ontario - ASC Environmental, March 23, 2015; File Number ASC-111I
- Hartington Subdivision Proposal, Part Lot 7, Concession 7, Township of south Frontenac, District of Portland – KFL&A Health unit, December 12, 2014
- Hydrogeological Assessment Review, Terry Grant Construction – Hartington Subdivision – Quinte Conservation, May 6, 2015

- Hydrogeological Assessment Review, Terry Grant Construction – Hartington Subdivision - ASC Environmental, May 20, 2015; File Number ASC-095 1121
- Peer Review (#3) of Application for Plan of Subdivision – Hartington, Part Lot 7, Concession 7, Township of South Frontenac, County of Frontenac – Malroz Engineering Inc., April 9, 2015; File Number 840-104.00
- Proposed Plan of Subdivision, File 10T-2013/002, Part Lot 7, Concession 7, Geographic Township of Portland, Municipality of South Frontenac - Quinte Conservation, June 2, 2015
- Hydrogeological Methodology for Individual Lot Assessment, Terry Grant Construction – Hartington Subdivision, Hartington, ON – ASC Environmental, June 23, 2015; File Number ASC-095 1131
- Procedure D-5-5, Technical Guideline for Private wells: Water Supply Assessment – MOE, 1996
- Procedure D-5-4, Technical Guideline for Individual On-Site Sewage Systems: Water Quality Impact Risk Assessment, MOE 1996

From our review, it is our understanding that the proposed subdivision may ultimately comprise 47 development lots situated on 45 hectares. We also understand that the proponent is now proposing a phased development beginning with 13 proposed development lots in the north section, an area that lies within the hamlet of Hartington. The site is located partially within the Hamlet of Hartington, Ontario, west of County Road 38 between Boyce Road (north) and Petworth Road (south). The site is described as having a slight north to south gradient with grass coverage; with former and present site usage being primarily for crop cultivation. The site is situated in a region of karst bedrock (limestone) with overburden coverage ranging from 0.3 to 0.9 m depths. Local land uses include agricultural and residential, however commercial uses such as a carwash and two fuel retail outlets (one in current operation and the other decommissioned) are located within 250 m of the site. It is also noted that a section of the former K & P railway line (now a recreational trail) extends along the eastern boundary of the subject site. Water supply for the area is from two aquifers: one within the underlying limestone bedrock and the other within the Precambrian granite found beneath the limestone; Well yields noted from Well Records range from 1 ½ GPM to 10 GPM with the average around 3 to 4 GPM. Sanitary (wastewater) services for the area are supplied by private on-site sewage systems. A total of 12 test wells were constructed on-site with two wells being decommissioned (TW-07 and TW-11) due to poor water quality. Reportedly, construction of some of the test wells utilized hydro-fracturing to achieve suitable groundwater quantity.

Based on our review, McIntosh Perry notes the following items of potential concern:

- While pumping tests were performed on test wells advanced on site, the pumping tests were performed during periods more typical of recharge and relatively high water levels. Specifically, the initial pumping tests were performed in March of 2013 when approximately 100 mm of precipitation was recorded for the month preceding the tests and in August-September of 2014 when approximately 156 mm of precipitation

was recorded for the month preceding the tests. Furthermore it was revealed through monitoring of groundwater static levels in 2013, groundwater level dropped between 2 to 5 metres between the period of March and September, 2013. No pumping tests were performed when the supply aquifer(s) were stressed. McIntosh Perry is of the opinion that satisfactory information regarding the abilities of the source aquifers to adequately supply users has not been presented; in this regard pumping tests performed during stressed period should be undertaken.

- One of the test wells (TW-02) utilized for pumping tests intersects groundwater from both the aquifers (upper limestone bedrock as well as the lower Precambrian granite bedrock). While the pumping test conducted on this well does demonstrate that it has an adequate yield, McIntosh Perry does not believe that the results of the pumping test can be correlated to an individual aquifer. Comments should be made as to the ability of both aquifers to supply water for development.
- During the pumping tests, the time between the collection of samples to determine groundwater quality ranged from one to five hours with the average more in the order of two to three hours. Procedure D-5-5 outlines that, during a six-hour pumping test, samples are to be collected within the first and within the last hour of pumping. The purpose of collecting samples approximately five hours apart is to demonstrate that the quality of the groundwater is consistent and what future users may be able to expect in the long term. McIntosh Perry believes that back-to-back collection of samples (i.e., less than five hour separation) cannot necessarily provide an adequate characterization of the longer term groundwater quality.
- Complete characterization of groundwater quality in the area was not performed. Specifically, there are existing and former nearby land uses (gasoline retail outlets and a rail line) which could have potential effect on the groundwater quality. No assessment of the groundwater with respect to petroleum hydrocarbon parameters (PHC), volatile organic compounds (VOC) and polycyclic aromatic hydrocarbons (PAH) were performed. As the sources for all of the aforementioned parameters are found within 250 metres of the site and that these parameters have health based standards, McIntosh Perry believes that assessment in this regard is required.
- With respect to the wells advanced into the Precambrian granite bedrock, McIntosh Perry is of the opinion that the groundwater obtained from these wells should be assessed for radionuclides as Precambrian bedrock is a known source for these parameters.
- In regards to the terrain assessment, the proponent sub-divides the site into thirds and then applies the average background nitrate-nitrite concentration for each third in determining the attenuation capabilities for the site; we do not believe that this is a correct application for the attenuation assessment as prescribed in Procedure D-5-4. When applying a conservative approach, the maximum concentration should be utilized (in this case, 4.21 mg/L detected at TW-10). As it is also our understanding that the present proposal by the proponent is for phased development commencing at the north end, then the higher background nitrate concentration should be used in calculating the number of possible lots. When

utilizing the spatial area for the 13 northernmost lots (1 to 6 and 41 to 47; 10.72 ha) and the 4.21 mg/L detected nitrate-nitrite concentration, McIntosh Perry calculates a lot density of 7-8 lots (7.7) for this portion based on nitrate dilution.

- Review of the hydrogeological reports does not reveal the implementation of hydro-fracturing during the well construction. If hydro-fracturing was utilized the proponent should explain the rationale for utilizing this methodology and any possible requirements for the future development of the property, if hydro-fracturing is required to obtain a suitable yield. Furthermore, if hydro-fracturing was employed, what were the well yields prior to fracturing?
- It is noted the proponent considers the site to be moderately to highly sensitive from a hydrogeological perspective. It was also noted that there were a number of parameters in groundwater that were elevated and would require treatment, including fluoride which is a health-related parameter. These conditions would suggest a higher level of investigation is required prior to approval and approval of development is questionable if treatment of groundwater is required for health-related parameters to meet Ontario Drinking Water Standards.

In light of the aforementioned concerns, McIntosh Perry is of the opinion that additional investigation with respect to hydrogeological and terrain conditions are required in order to demonstrate that the subject site can adequately support the development as proposed.

We trust that this submission satisfies your present requirements. However, should you have any questions or require additional information, please feel free to contact the undersigned. Furthermore, McIntosh Perry is prepared to review on your behalf the proponent's responses to the aforementioned concerns, should you require.

Respectfully,

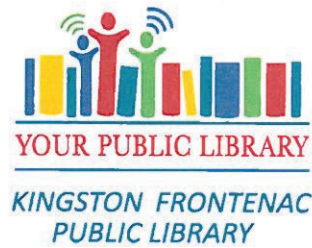
McIntosh Perry Consulting Engineers Ltd.



Fraser Armstrong, P.Eng.
Sr. Geo-Environmental Engineer



Mark Priddle, P.Geo.
Senior Hydrogeologist



September 1, 2015

Township of South Frontenac
P.O. Box 100
Sydenham ON K0H 2T0

The Kingston Frontenac Public Library is asking the Township of South Frontenac to proclaim the month of October 2015 as Public Library Month 2015. During this month, libraries and library partners across Canada raise awareness of the valuable role libraries play in Canadians' lives. In Ontario, we celebrate our public libraries during Ontario Public Library Week (OPLW) October 18 to 24, 2015.

The draft wording of the proclamation is as follows:

PROCLAMATION

Canadian Library Month - October 2015, and
Ontario Public Library Week – October 18-24, 2015
Celebrate your library!

WHEREAS the public library offers access to information; and

WHEREAS the public library supports personal growth, economic renewal and quality of life; and

WHEREAS we recognize that the board and staff of the Kingston Frontenac Public Library provide a vital service to our community

THEREFORE I HEREBY PROCLAIM the month of October 2015 to be Public Library Month, and I encourage every person to use the public library this month and throughout the year.

Yours sincerely,

Patricia Enright
Chief Librarian/CEO



TOWNSHIP OF SOUTH FRONTENAC

*P.O. Box 100
4432 George Street
Sydenham, Ontario, K0H 2T0*

*Telephone 376-3027 / 1-800-559-5862
FAX (613) 376-6657
E-mail: worr@southfrontenac.net*

August 26, 2015

Honourable Kathleen Wynne
Premier of Ontario
Room 281
111 Wellesley Street West
Toronto, Ontario
M7A 1A1

VIA Registered Mail

Dear Premier:

The Council of the Corporation of the Township of South Frontenac unanimously endorsed the following resolution at their Special Council meeting held August 25, 2015:

“THAT the Council of the Township of South Frontenac **rejects** the proposal put forward by Collins Lake Solar LP as represented by Canadian Solar and Suncor for a ground mount solar project with up to 13 MW capacity, located within the Township of South Frontenac on the Northeast ¼ of Lot 16, and Part of Lots 18 and 19, Concession 1, South Frontenac;

AND THAT this resolution be forwarded to the Premier of Ontario, the Minister of Natural Resources, the Minister of the Environment, the IESO and the local MPP’s;

AND THAT the Township Clerk be authorized to sign the prescribed Municipal Meeting Confirmation form confirming the attendance of Canada Solar and Suncor at the August 4 meeting. Carried”

Council was not supportive of this particular project as it lies within a residential area and would strongly affect the property values, rural landscape and lifestyle to local residents. Council calls on your government and the IESO not to award a contract for this specific project.

Yours sincerely,

Wayne Orr
Chief Administrative Officer

WO:am

c.c. Honourable Glen R. Murray, Minister of Environment & Climate Change
Honourable Bill Mauro, Minister of Natural Resources & Forestry
Bruce Campbell, President and CEO, IESO
Randy Hillier, MPP, Lanark-Frontenac-Lennox and Addington

**Joint Lake Association Meeting
 August 20, 2015 – 7:00 p.m.
 (Council Chambers)**

Attendance:

Larry Arpaia, President, Bob's Lake & Crowe Lake
 Bob & Fugler, Loughborough Lake
 Barbara Canton, Loughborough Lake
 Paul Thompson, Wolfe Lake
 Bill Garland, Wolfe Lake
 Kim McGlynn, Inverary Lake
 Greg Fisher, Buck Lake
 Fran Willes, Friend of all Lake Associations
 Ron Kramer, Buck Lake
 Rik Saaltink, Desert Lake
 Jim Rhodes, Knowlton Lake
 Alan Boyce, Fourteen Island Lake & Mink Lake
 Bill Pears, Sydenham Lake
 Duncan Sinclair, Buck Lake
 Evonne Potts, Loughborough Lake

Councillors:

Mayor Ron Vandewal
 Deputy Mayor John McDougall
 Councillor Alan Revill
 Councillor Mark Schjerning
 Councillor Ross Sutherland
 Councillor Norm Roberts
 Councillor Ron Sleeth

Staff:

Wayne Orr, Chief Administrative Officer
 Brian Gass, Chief Building Official
 Louise Fragnito, Treasurer
 Lindsay Mills, Planner
 Tim Laprade, Recreation/Arena Supervisor

Mayor Vandewal opened the meeting by welcoming everyone. The format of the meeting was meant as an open dialogue with members of Council and Staff.

Discussion items and concerns included the following:

PLANNING AND DEVELOPMENT

- Are Development Charges allocated to the road they are collected on?
 No development charges are collected, allocated to specific departmental initiatives and then used across the township for these initiatives as approved by Council
- Given the more recent controversial projects on Loughborough Lake the question was asked - how are we to be engaged? A Notice of Motion regarding enhanced notice provisions has been referred to the Corporate Service Committee and a development flow chart is being prepared in response to the Strategic plan to add clarity to the development process.
- The concept of an email listing for lake associations is being explored. However keeping it up to date would be the responsibility of the associations.
- There is a balance between informing the public of rumours of development and allowing a developer to explore options before an application is submitted.

- Corporate Services Committee is committed to bringing forward enhanced signage.
- Given that South Frontenac is in the Frontenac Arch Biosphere is this a target of our branding? How do we develop an attitude of respect for our environment? Could we post signage that you are entering the FAB... check your attitude at the sign.
- Lake Associations are facing less financial support for lake monitoring even though we are gathering resources for the township.
- It would be a good business decision to keep lake score cards up to date. Is there support for this?
- Could GIS students be monitoring this through the watershed? This may result in better Planning decisions.
- Over the long term there is value in long term data. The data needs to be standardized and should be watershed based.
- Does a Conservation Authority have the ability to support Lake Associations?
- There is the Lake Partnership Project from the Ministry of Natural Resources and Forestry. The information is provided on line.
- What parameters would be recommended... Dalhousie or St Mary's out of Nova Scotia are doing an evaluation. Items to consider would be pH, oxygen levels would be specified depths, phosphorus.
- Is there support for an integrated approach and providing the equipment?
- Given the pace of growth we need to be prepared.
- There are lots of existing programs with the Ministry of Natural Resources, Federation of Cottages Association. Conservation Authorities update watershed reports.
- Can the township be a partner in this process... watershed cross Counties
- The Rideau Valley Conservation Authority routinely does watershed reports, however the Cataraqui Region Conservation Authority is not as far along in this process.
- There are lots of groups doing pieces. Could the township take on the coordination and is there capacity to do so?
- The Township could promote the Lake Links meeting on October 14. The Lake Partners Project with about 40 groups, meets quarterly and topics include OPP Marine issues and cottage safety etc.
- Is access to your lake clear for fire services?
- The Federation of Cottages Association (FOCA) has reported on ticks and wild parsnip.
- Could there be a Lake Information section on the township website? Could there be a directory of contacts?
- Generally speaking the information is out there
- Do townships always have the data to make decisions?
- With regard to the mandated septic re-inspections, this is a major problem that is being tackled by Tay Township and Central Frontenac. It was suggested that South Frontenac needs to get the ball rolling as it is estimated at any time that 2-4% of septic systems are faulty. Lake Associations have not been able to get movement. The CRCA triggers inspection when permits are requested. Is mandatory pumping an option compared to inspection? The Township would keep the records however it is recognized that there are implications of staffing and costs. The township needs to be conscious that we don't treat lake residents any differently than those in hamlets in terms of septic rules.
- It was noted that Central Frontenac is looking at licensing pumpers and that Quebec has a requirement that is linked to charging it back to taxes.
- The question of how does the township support someone who can't afford to replace their septic system arose and a suggestion was made to spread the cost over 20 years on taxes.

ROADS

- Norman Lane, a highly used lane with 33 permanent residents, needs Township maintenance and more supplies as well as the pushing back of snow.
- The decision of Council on providing year round maintenance to some partially maintained roads with permanent residents was explained.
- The Private Lane Upgrade program has been expanded.
- Roads need more investigation, including classification, and clarity on ownership and what is assumed and unassumed would be helpful. The townships efforts need to continue with the establishment of procedures.
- Lee Road – concerns that ½ of the project has been done but the rest requires frequent/constant grading. However the road bed seems to be the problem. Is there a timeline for this project?
- Randy Clark Road – still waiting for feedback on the band aid solutions that have been put in place

OTHER AREAS OF CONCERN OR COMMENTS

- Garbage pickup in Bedford District has been very successful
- Fermoy Hall is an asset. How could it be used? Investing in the well, water, heat and washroom would improve this site as a rental opportunity. The community should be consulted on how it would be used.
- The process of trailer bylaw enforcement was reviewed.
- Notes from the last meeting were requested to be distributed with this year to both Council and by email to those attending.
- Updates from Staff are useful and it would be ideal if all key staff could be here.
- Lakes are an economic driver for the township.
- The County Official Plan process was highlighted.
- The Ministry of Natural Resources has withdrawn resources for enforcement.

**Ministry of Natural
Resources and Forestry**

Natural Resources
Conservation Policy Branch
Policy Division
300 Water Street
Peterborough, ON K9J 8M5
Telephone: 705-755-5375
Facsimile: 705-755-1971

**Ministère des Richesses naturelles
et des Forêts**

Direction des politiques de
conservation des richesses naturelles
Division de l'élaboration des politiques
300, rue Water
Peterborough (Ontario) K9J 8M5
Téléphone : 705-755-5375
Télécopieur : 705-755-1971



Conservation Authorities Act Review Municipal Engagement Sessions

The Ministry of Natural Resources and Forestry (MNRF) is engaging with ministries, municipalities and stakeholders to initiate a review of the *Conservation Authorities Act*, including addressing roles, responsibilities, funding and governance of conservation authorities in resource management and environmental protection.

A number of regional engagement sessions have been scheduled to provide municipal officials, staff and associations with an opportunity to provide input into the review.

Date	Location	Time
Wednesday September 2 nd	Newmarket Community Centre 200 Doug Duncan Dr. Newmarket, Ontario	9am to 12pm
Tuesday September 8 th	London Public Library 251 Dundas St., London, Ontario	1pm to 4pm
Thursday September 24 th	Smith Falls Memorial Community Centre 71 Cornelia Street West Smith Falls, Ontario	1pm to 4pm
Wednesday September 30 th	The Columbus Centre 301 May St. South Thunder Bay, Ontario	9am to 12pm
Friday October 2 nd	The Steelworkers' Union Hall and Conference Centre 66 Brady Street Sudbury, Ontario	9am to 12pm

Parties interested in participating in these sessions are asked to RSVP to the Water Resources Section at mnrwaterpolicy@ontario.ca

Additional Ways to Provide Input

In addition to the engagement sessions outlined above, municipalities can also provide input into the review through:

- 1) Responding to the Environmental Bill of Rights registry posting
<http://www.ebr.gov.on.ca/ERS-WEB-External/>
- 2) Sending comments directly to the MNRF at mnrwaterpolicy@ontario.ca
- 3) Submitting answers to the questions outlined in the discussion paper through an online survey: <https://www.surveymonkey.com/s/caactdiscussionpaper>

Contact Us

If you require any additional information regarding municipal engagement sessions or how to provide your input into the review please contact:

Julia Holder

Policy Analyst, Water Resources Section
Ministry of Natural Resources and Forestry
300 Water Street, Peterborough, ON
705-755-5905
julia.holder@ontario.ca

Providing new, sustainable ways to manage key natural resources is part of the government's economic plan to build Ontario up. The MNRF looks forward to working with municipalities towards this goal.

Conservation Authorities Act Review Development, Agricultural and Environmental Engagement Sessions

The MNRF have invited the following provincial level organizations to participate in a series of engagement sessions on behalf of their sector.

Development Sector reps:

- Ontario Home Builders Association (OHBA)
- Building Industry and Land Development Association (BILD)
- Hamilton-Halton Home Builder's Association (HHHBA)
- Ontario Stone, Sand and Gravel Association (OSSGA)

Agricultural sector reps:

- Ontario Federation of Agriculture
- Christian Farmers Federation of Ontario
- Ontario Farm Environmental Coalition
- National Farmers Union
- Farm and Food Care
- Land Improvement Contractors of Ontario
- Drainage Superintendents Association of Ontario
- Ontario Society of Professional Engineers
- Ontario Soil and Crop Improvement Association

Environmental sector reps:

- Ontario Climate Consortium
- Ontario Centre for Climate Impacts and Adaptation Resources
- Sierra Club
- Environmental Defence
- Ecojustice
- Ontario Nature
- Nature Conservancy of Canada
- Canadian Water Resources Association
- Canadian Water Network
- Canadian Environmental Law Association
- Ontario Headwaters Institute
- Ontario Federation of Anglers and Hunters
- Ducks Unlimited