

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

TIME: 7:00 PM,
DATE: Tuesday, June 27, 2017
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*** - n/a
5. Delegations
 - (a) Michelle Foxtton, President, Hartington Community Association, re: Hartington OMB Matter and Expert Reports
6. Reports Requiring Action
 - (a) Lindsay Mills, Planner, re: Road Closure and Transfer: Hugheson Island, Bedford District 3 - 10
 - (b) Lindsay Mills, Planner, re: Proposed Road Closure and Transfer: Jutras 11 - 15
 - (c) Forbes Symon, Manager of Development Services, re: Proposed Road Closure and Transfer: Barb Campbell 16 - 20
 - (d) Forbes Symon, Manager of Development Services, re: Recommended Conditions of Draft Approval - Application for Draft Plan of Subdivision - 5550 McFadden Road. 21 - 45
 - (e) Forbes Symon, Manager of Development Services, re: Recommended Conditions of Draft Approval - Application for Draft Plan of Condominium - Shield Shores 46 - 79
 - (f) Wayne Orr, Chief Administrative Officer, re: Skateboarding 80
7. Reports for Information - n/a
8. Rise & Report
 - (a) County Council
 - (b) Arena Board
 - (c) Police Services Board
 - (d) Portland Heritage
9. Information Items
10. Notice of Motions

11. Announcements
12. Question of Clarity (from the public on outcome of agenda items)
13. Closed Session (if requested)
14. Adjournment



**REPORT TO COMMITTEE OF THE
WHOLE**

PLANNING DEPARTMENT



AGENDA DATE: June 13, 2017

REPORT DATE: June 23, 2017

SUBJECT: Road Closure and Transfer: Hugheson Island, Bedford District

RECOMMENDATION:

The recommendation is that the Committee receive the Planning Report dated June 23, 2017 and consider a request to stop up, close and sell part of an unopened road allowance on Hugheson Island in Part of Lot 3 Concession XVII, District of Bedford.

BACKGROUND:

The lawyer representing the owner of an island property is requesting to know whether Council would agree in principle to the closure and sale of an unopened road allowance that runs shore to shore on an island property on Opinicon Lake. Attachment #1 is a copy of the lawyer's letter and Attachment #2 shows the location of the subject island property.

As shown on the attachment, the island is only partially within the Township of South Frontenac as the road allowance forms the municipal boundary between the Township of South Frontenac (Bedford District) and the Township of Rideau Lakes. The letter explains that the request is for approval in principle and that, if the approval is granted, then a formal application would be made to the Township of Rideau Lakes to close the road allowance. The letter notes that the whole road allowance is "pinned" in Leeds County and, thus, the by-laws and transfer would need to be registered in Leeds County.

The subject portion of road allowance is approximately 42 metres (137 ft.) long and is 20 metres (66 ft.) wide. However, only half of this width is in South Frontenac. The owner is also making a request to Rideau Lakes to close the other half of the road allowance lying in that municipality. The attached letter explains the reasons for requesting the road allowance closure and transfer - the primary reason being that the owner is selling the island and the existing cottage is located exactly on the road allowance. Attachment #3 shows the location of the cottage.

Under the Road Closure By-law, the land is sold at \$2.41 per square foot within 300 feet of a lake. In this case, the whole of the road allowance is within 300 feet of the lake and, accordingly, the cost calculation works out to \$9,857.00.

FINANCIAL and STAFFING CONSIDERATIONS

There would be staff time required to prepare reports. The Township would receive \$9,857.00 for the sale of the road allowance.

ATTACHMENTS

Attachment #1 - is the letter from the lawyer Jane Monaghan

Attachment #2 - is a location map.

Attachment #3 - is an air photo of the cottage location on the island.

Approved by: Wayne Orr

Submitted/Prepared by: Lindsay Mills

Lindsay Mills

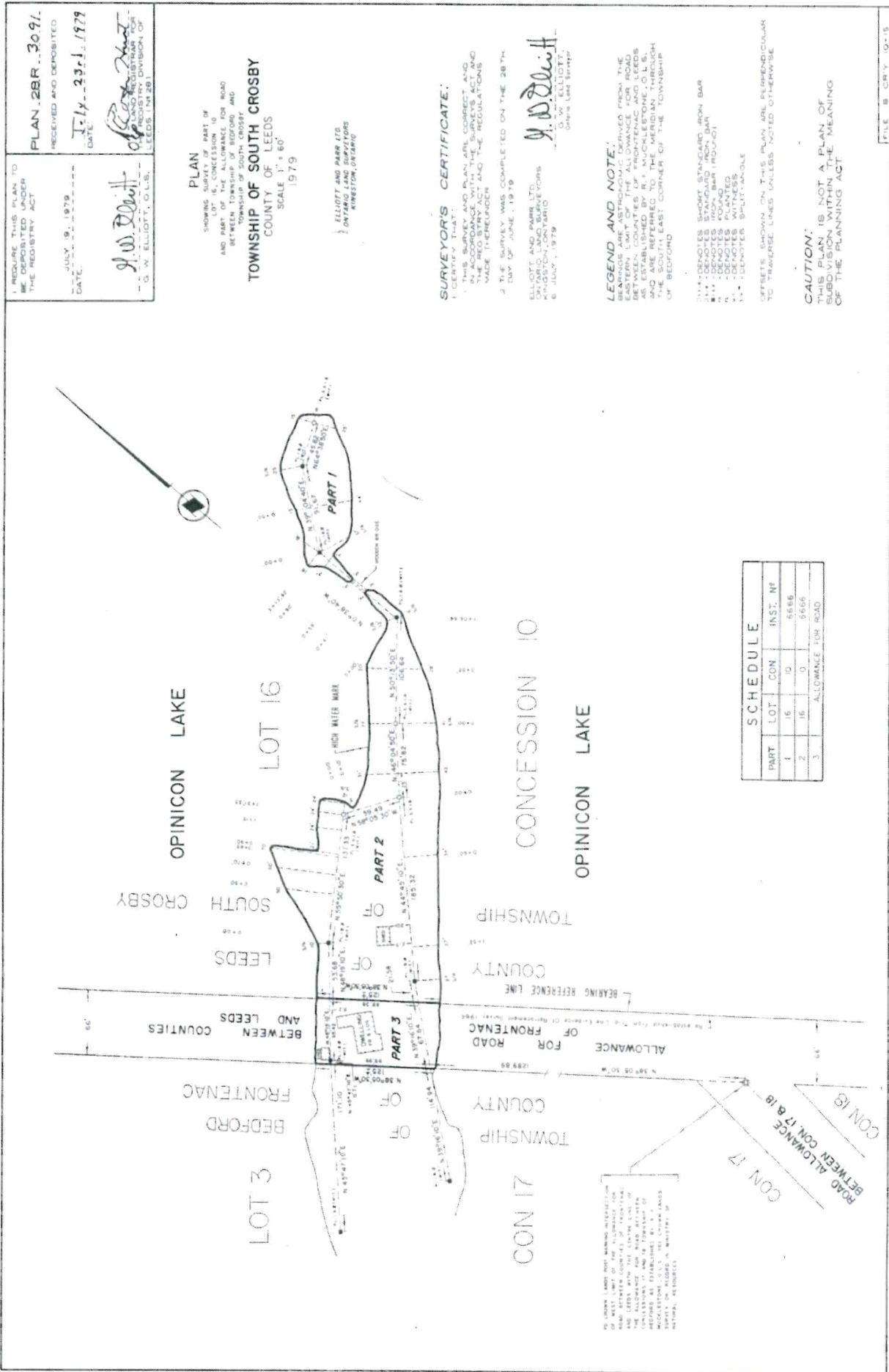
From: Jane Monaghan <janemonaghan@bellnet.ca>
Sent: March-02-17 11:47 AM
To: 'Brittany Mulhern'; Lindsay Mills
Subject: Nasrene MacDonald - Pine Island, Opinicon Lake
Attachments: Scan0024.pdf

Greetings Brittany and Lindsay. I am sending this to both of you as my client, Nasrene MacDonald, owns the above-referenced island, approximately half of which is in each of your respective townships and has a road allowance between the two townships bisecting it. You will note from the Reference Plans attached that, of course (!), the cottage is right on the road allowance. I have also attached the respective PIN maps, with PIN 44107-0334 and Plan 28R3091 being the South Crosby, Rideau Lakes, Leeds side and PIN 36248-0222 and Plan 13R3759 being the Bedford, South Frontenac, Frontenac side.

Nasrene and her late husband, John, have owned the property since 1979. They also acquired the adjacent island in South Crosby, PIN 0336, and a mainland parcel, in Bedford. Although their deed says they were acquiring the road allowance portion of the island, I have not been able to find a by-law closing same in either the Kingston or Brockville Registry Offices. This has not been an issue until now. Upon Conversion from the Registry system, in 2011, to the Land Titles system, the MacDonald's title was qualified by "S/T the interest of the Municipality". This is only on the South Crosby portion as the road allowance (RA) is "pinned" to that municipality. I am seeking confirmation from the Land Titles office that any By-Law and Transfer from South Frontenac for its portion of the RA would be registered on the South Crosby PIN. Ms. MacDonald is now selling the property and prospective buyers want to make sure they are acquiring unqualified title to the land on which the cottage is built.

I look forward to receiving your comments on how best to proceed with this.

Jane M.



#1

ServiceOntario

PRINTED ON 23 FEB, 2017 AT 10:44:21
FOR JMONAGHAN



PROPERTY INDEX MAP
LEEDS (No. 28)

LEGEND

- FREEHOLD PROPERTY
- LEASEHOLD PROPERTY
- LIMITED INTEREST PROPERTY
- CONDOMINIUM PROPERTY
- RETIRED PIN (MAP UPDATE PENDING)
- PROPERTY NUMBER 0449
- BLOCK NUMBER 08050
- GEOGRAPHIC FABRIC EASEMENT

THIS IS NOT A PLAN OF SURVEY

NOTES

REVIEW THE TITLE RECORDS FOR COMPLETE PROPERTY INFORMATION AS THIS MAP MAY NOT REFLECT RECENT REGISTRATIONS

THIS MAP WAS COMPILED FROM PLANS AND DOCUMENTS RECORDED IN THE LAND REGISTRATION SYSTEM AND HAS BEEN PREPARED FOR PROPERTY INDEXING PURPOSES ONLY

FOR DIMENSIONS OF PROPERTIES BOUNDARIES SEE RECORDED PLANS AND DOCUMENTS

ONLY MAJOR EASEMENTS ARE SHOWN

REFERENCE PLANS UNDERLYING MORE RECENT REFERENCE PLANS ARE NOT ILLUSTRATED



ServiceOntario

PRINTED ON 23 FEB, 2017 AT 10:36:57
FOR JMONAGHAN



PROPERTY INDEX MAP
FRONTENAC(No. 13)

LEGEND

- FREEHOLD PROPERTY
- LEASEHOLD PROPERTY
- LIMITED INTEREST PROPERTY
- CONDOMINIUM PROPERTY
- RETIRED PIN (MAP UPDATE PENDING)
- PROPERTY NUMBER
- BLOCK NUMBER
- GEOGRAPHIC FABRIC
- EASEMENT

THIS IS NOT A PLAN OF SURVEY

NOTES

REVIEW THE TITLE RECORDS FOR COMPLETE
PROPERTY INFORMATION AS THIS MAP MAY
NOT REFLECT RECENT REGISTRATIONS

THIS MAP WAS COMPILED FROM PLANS AND
DOCUMENTS RECORDED IN THE LAND
REGISTRATION SYSTEM AND HAS BEEN PREPARED
FOR PROPERTY INDEXING PURPOSES ONLY

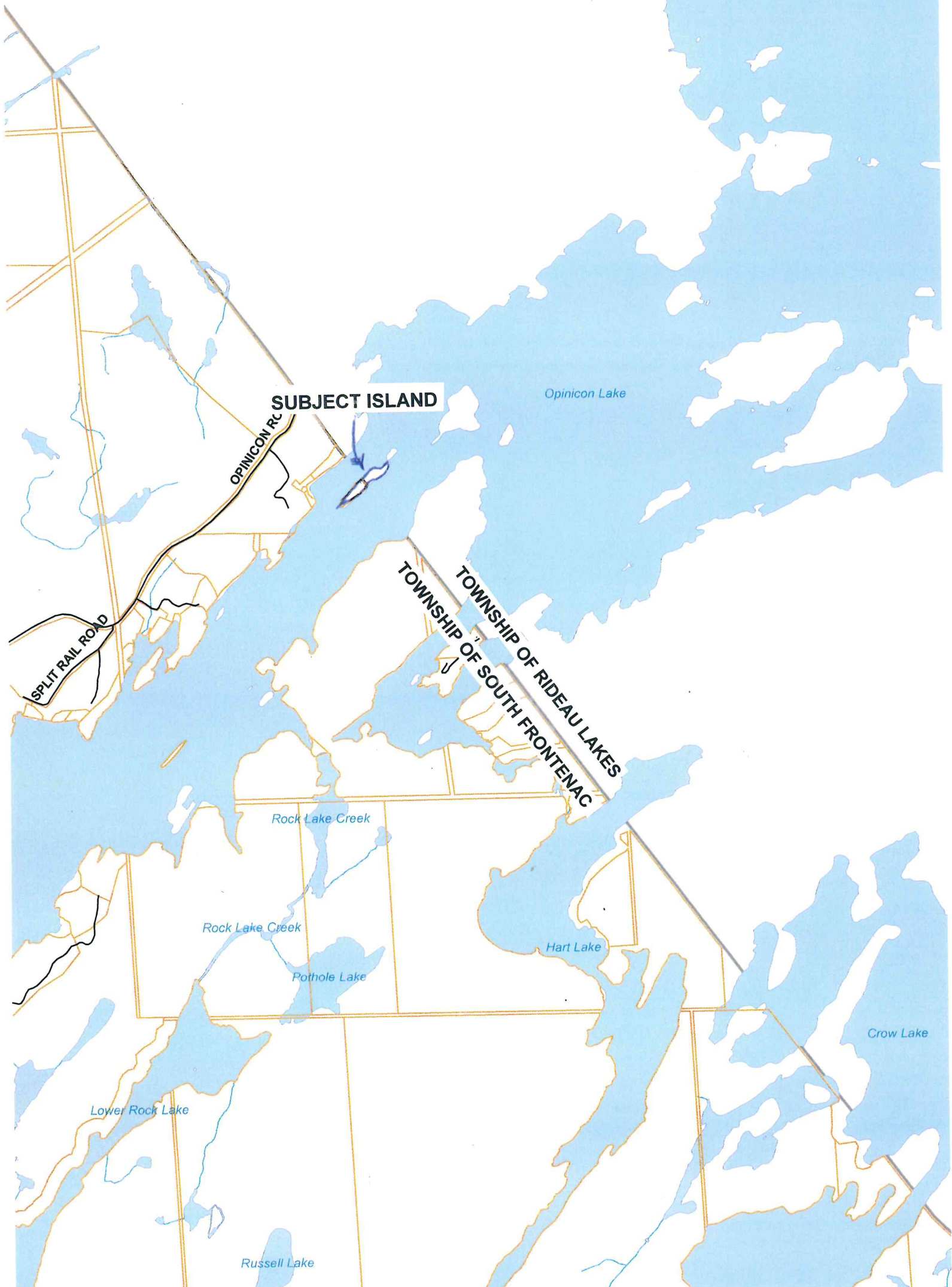
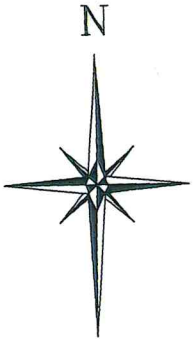
FOR DIMENSIONS OF PROPERTIES BOUNDARIES SEE
RECORDED PLANS AND DOCUMENTS

ONLY MAJOR EASEMENTS ARE SHOWN

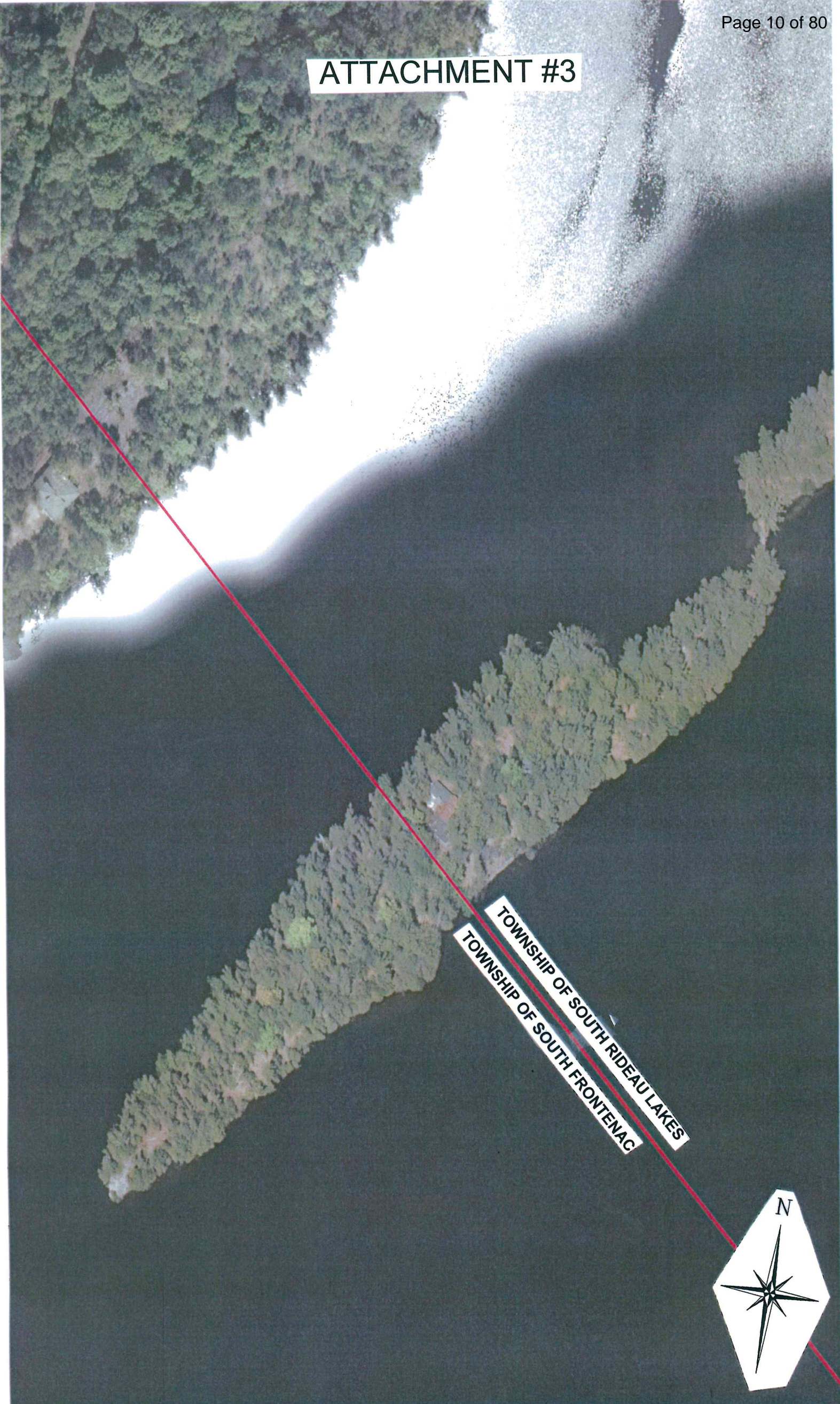
REFERENCE PLANS UNDERLYING MORE RECENT
REFERENCE PLANS ARE NOT ILLUSTRATED



ATTACHMENT #2



ATTACHMENT #3



TOWNSHIP OF SOUTH RIDEAU LAKES
TOWNSHIP OF SOUTH FRONTENAC



**REPORT TO COMMITTEE OF THE
WHOLE
PLANNING DEPARTMENT**



AGENDA DATE: June 27, 2017

REPORT DATE: June 22, 2017

SUBJECT: Proposed Road Closure and Transfer: Jutras

RECOMMENDATION

The recommendation is that the Committee receive the Planning Report dated June 22, 2017 and consider the closing and transferring of ownership of a portion of unopened road allowance in the Village of Harrowsmith in Part of Lot 7, Concession V in the District of Portland.

BACKGROUND

By letter dated June 20, 2017, the representative for the property at 3993 Church Street in the Village of Harrowsmith is requesting to know whether Council would agree to the closure and sale of a portion of unopened road allowance that runs along the north side of the subject property. Attachment #1 is a copy of the letter and Attachment #2 shows the location of the subject property.

The road allowance runs east and west between Road #38 and Notre Dame Street along the north side of the property. It is 91 metres (298 ft.) long and is only 4.6 metres (15 ft.) wide as shown on Attachment #3.

The subject property contains the former St. Paul United Church and a separate rectory residential building. As explained in the attached letter, the land is now owned by the Canadian Montessori Training Centre and is proposed to be used as a multi-unit residential property. Two residential units would be accommodated in the former church building and the former rectory would function as a third separate dwelling. Ultimately, the property would need to be zoned for multiple residential use in order for the project to proceed.

Through his initial inquiries about the proposed multi residential use of the land, the owner was advised by KFL&A Public Health that there is not enough room on the property to place the required septic field for the three residences considering that the property is only 0.56 acres in size. Accordingly, the owner is proposing to add the road allowance land to the property in hopes that there would be enough room for the septic area. The road allowance would only add 0.1 acre onto the property but it would increase the interior side yard where the septic would be located.

Health has advised that this added land might work to accommodate the septic system but, ultimately, an engineered system must be designed to prove that the system can properly meet their requirements. However, at this point the owner is simply requesting approval in principle from the Committee in order to proceed further with the development proposal.

Under the Road Closure By-law, the land is sold at \$0.80 per square foot for residential land. At this rate, the total price for the road allowance land would be \$3,604.00.

FINANCIAL AND STAFFING CONSIDERATIONS

Staff time is required to prepare reports. The Township would receive \$3,604.00 for the sale of the road allowance.

ATTACHMENTS

Attachment #1 - is a copy of a letter requesting the road closure

Attachment #2 - is shows the location of the subject property.

Attachment #3 - is an air photo of the subject land and road allowance.

Approved by: Wayne Orr

Submitted/Prepared by: Lindsay Mills

RoadClosureReportToCofWJutras

ATTACHMENT #1

Tuesday June 20th 2017

Mr. Lindsay Mills
Deputy Clerk
Frontenac Township

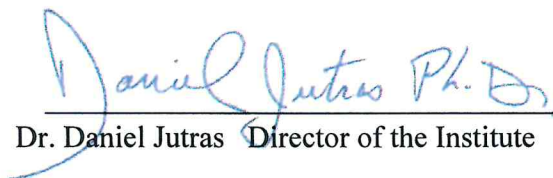
Greetings,

My corporation, Canadian Montessori Training Centre Inc (CMTC), has bought in July 2016 the former St.Paul United Church in Harrowsmith, at the intersection of Church st. and Road # 38.

On behalf of CMTC, I would like to buy from the Frontenac Township the land strip of five meters deep (road allowance) situated at the North limit of the property in order to install a brand new septic system on the property of the former church to be in conformity with the KFL & A Health Unit.

Everything that would be done in that matter will be much appreciated.

Truly with gratitude,


Dr. Daniel Jutras Director of the Institute

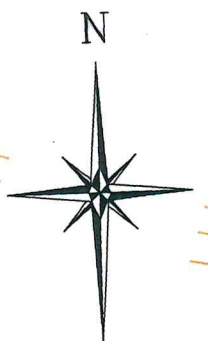


The Canadian Montessori Teacher Education Institute
Mailing Address: 35546 - 2528 Bayview Ave Toronto, Ontario M2L 2Y4
Tel: (416) 458-8970 Fax: 416 848-7768
www.montessori-institute.ca

- xiao
 - haize
 - enfants
 - bambini
 - niños
 - infantes
 - children
 - nihos
 - kinder
 - filhos
 - lapsi
 - p U
 - haize
 - enfants
 - bambini
 - niños
 - infantes
 - children
 - nihos
 - kinder
- Downtown Toronto,**
Downtown Montessori School,
200 Front St. W Toronto ON
- Markham,**
Sunrise Montessori School,
180 Amber St. Markham ON
- Mississauga,**
Royal Montessori School,
2500 Mimosa Row Mississauga ON
- East-York Toronto,**
Abacus Montessori Learning Centre,
1 Credit Union Dr. Toronto ON
- Ottawa,**
Westboro Montessori School,
387 Danforth Ave. Ottawa, ON
- Winnipeg, Manitoba**
Casa Montessori and Orff School,
1055 Wilkes, Winnipeg, Manitoba
- Montréal,**
Académie Montessori Heart, Mind
& Soul / Esprit, coeur et âme
9200 Boul. Pie-IX, Montréal, QC
and Académie Montessori West
Island, 10432 Bl. Gouin Ouest,
Montreal OC Québec
- Québec,**
École Montessori de la Colline,
1605 Chemin Ste-Foy, Québec, QC

**Canadian Montessori
Training Centre Inc.**
(Head Office)
4979 Highway #38
Harrowsmith, ON
K0H 1V0

ATTACHMENT #2



ATTACHMENT #3

UNOPENED ROAD ALLOWANCE

FORMER UNITED CHURCH

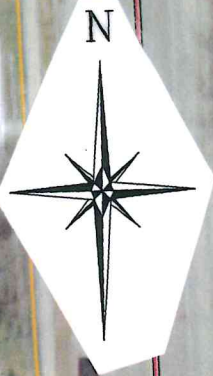
FORMER RECTORY

SUBJECT PROPERTY

HARROWSMITH CHURCH STREET

ROAD 38

NOTRE DAME STREET





REPORT TO COMMITTEE OF THE WHOLE

PLANNING DEPARTMENT



AGENDA DATE: June 27, 2017

REPORT DATE: June 21, 2017

SUBJECT: Proposed Road Closure and Transfer: Barb Campbell

RECOMMENDATION

The recommendation is that the Committee receive the Planning Report dated June 21, 2017 and consider the closing and transferring of ownership of a portion of unopened road allowance lying between Lots 6 and 7, Concession IX in the District of Storrington.

BACKGROUND

A property-owner on Battersea Road in the Hamlet of Battersea has requested to know whether Council would agree to the closure and sale of a portion of unopened road allowance that runs north and south beside her land at Cedar Lake. Attachment #1 shows the location of the subject property.

The road allowance along the east side of her property is 249 metres (816 ft.) long and 2 metres (40 ft.) wide as shown on Attachment #2. It runs from Battersea road in the north to the shore of Cedar Lake in the south and is an extension of Larry York Road to the north of Battersea Road.

The property-owner's land is unusual in shape being only 23 metres (75 ft.) wide and being 177 metres (580 ft.) long - exactly one acre in size. It is not a waterfront lot although it comes within 36 metres (118 ft.) of the lake at its closest point. The property is currently developed with a dwelling accessed by a long driveway to Battersea Road. Attachment #3 is an aerial photo of the property and road allowance. It illustrates the final lot configuration and shows that the access from Battersea Road serves the subject land as well as another waterfront lot - this access being partially within the Township-owned road allowance. Thus, if Council decides to transfer ownership of the road allowance, then the access to the waterfront lot would need to be legally recognized in the new deed for the newly enlarge subject property. Ultimately, the effect of the addition of the 0.73 acre road allowance land to the subject property would be a lot that is 1.73 acres in size.

The road allowance slopes towards the lakefront gradually from Battersea Road but is very steep at the shore. It is Council policy to normally not close road allowances that lead to the lake fronts so that public access to the lakes is not eventually prohibited. In the case of this request, the lake may not be easily accessible because of the steepness of the land but still could provide an interesting public amenity in the future. It should be noted that there are three other access points to Cedar Lake besides this one though unopened road allowances (shown on Attachment #1).

Under the Road Closure By-law, the land is sold at \$2.41 per square foot within 300 feet of a lake and \$0.21 per square foot for bush land. At these rates, the total price for the road allowance land would be \$29,028.00.

FINANCIAL and STAFFING CONSIDERATIONS

Staff time to prepare reports. The Township would receive \$29,028.00 for the sale of the road allowance.

ATTACHMENTS

Attachment #1 - is a location map

Attachment #2 - is a parcel configuration map.

Attachment #3 - is an air photo of the subject land and road allowance.

Approved by: Forbes Symon Submitted/Prepared by: Lindsay Mills

RoadClosureReportToCofWBarbCampbell

Loughborough Lake

ATTACHMENT #1

WELLINGS LANE

CON 9 LOT 9

NOBLE LANE

CON 9 LOT 7

CON 9 LOT 8

CON 9 LOT 5

CON 9 LOT 6

CON 9 LOT 4

KELLAR ROAD

BATTERSEA ROAD

LARRY YORK ROAD

SUBJECT LAND

Cedar Lake

CON 9 LOT 7

ROUND LAKE ROAD

SANDS ROAD

CON 8 LOT 8

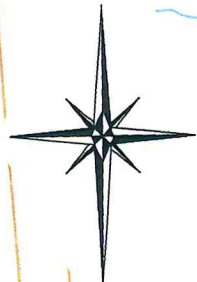
CON 8 LOT 5

CON 8 LOT 6

CON 8 LOT 7

CON 8 LOT 4

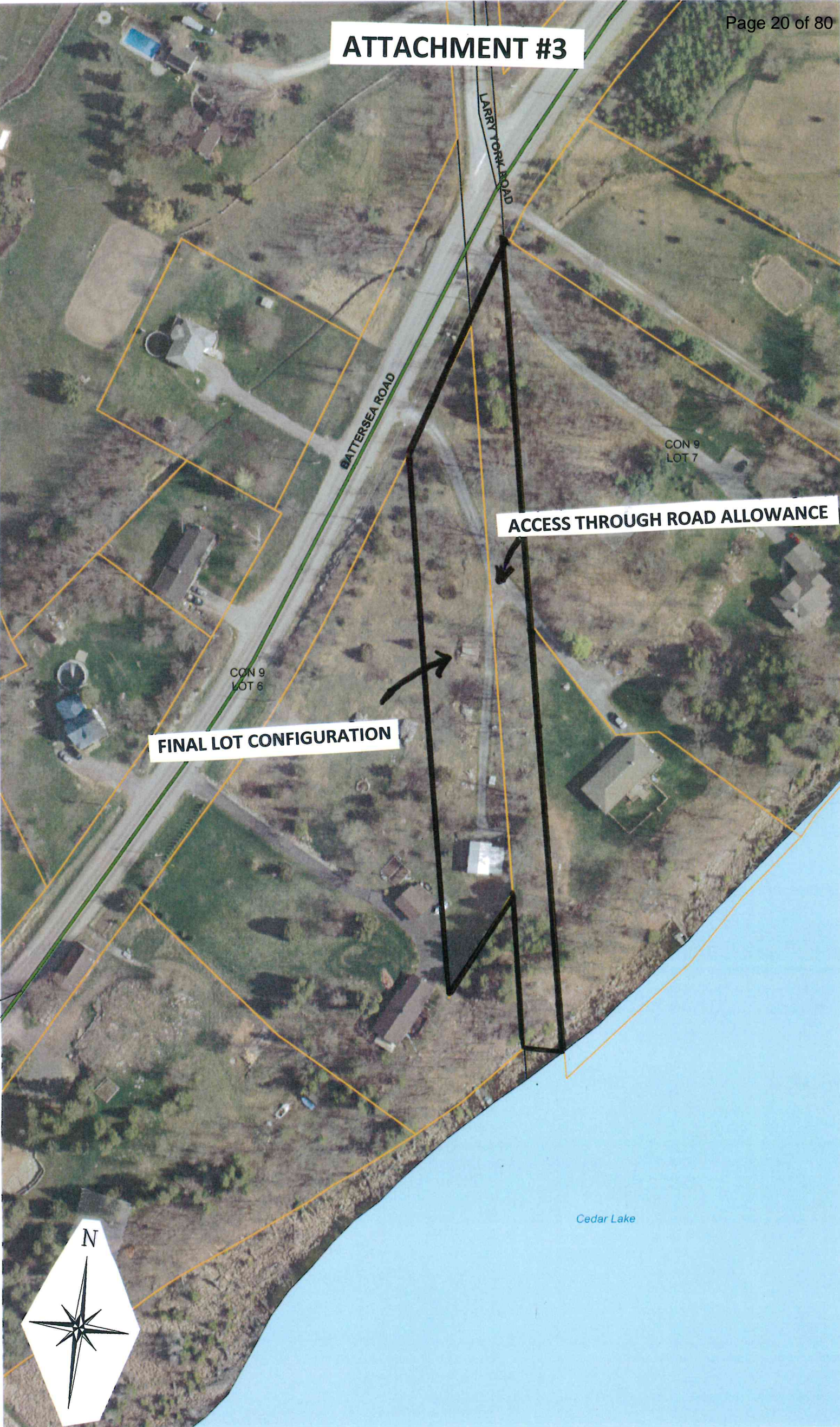
N



ATTACHMENT #2



ATTACHMENT #3



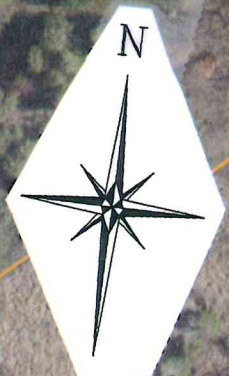
FINAL LOT CONFIGURATION

ACCESS THROUGH ROAD ALLOWANCE

CON 9
LOT 6

CON 9
LOT 7

Cedar Lake





**REPORT TO COMMITTEE
OF THE WHOLE
DEVELOPMENT SERVICES**



AGENDA DATE: June 27, 2017

DATE REPORT PREPARED: June 22, 2017

SUBJECT: Recommended Conditions of Draft Approval - Application for Draft Plan Of Subdivision 10T-2017-001 (5550 McFadden Road)

RECOMMENDATION

The recommendation is that the Committee forward the Planning Report dated June 22, 2017 to Council for further consideration after which Council would forward the report and all attachments to the County of Frontenac as representing the Township's conditions of draft plan approval for the 5550 McFadden Road Draft Plan of Subdivision 10T-2017-001.

BACKGROUND

The purpose of this report is to recommend to Council appropriate Township conditions of draft approval to ensure the orderly development of the proposed subdivision at 5550 McFadden Road.

The applicant has requested a five lot residential plan of subdivision with all proposed lots fronting on McFadden Road. There is very little "works" that are required to support this development. At this point, staff have identified the benefits of all lots having direct access to the Catarqui Trail. Also there is a hydro pole in the front of Lot 5 which extends into the road allowance and should be relocated. There is also the need for the property to be rezoned from Rural to Residential in order to recognize the residential subdivision.

These recommended conditions are being presented to Committee in advance of the County of Frontenac Public Meeting Schedule for June 28th. It is anticipated that there may be changes, additions or deletions from the conditions identified in this report based on the results of the public meeting and agency comments. The final report to Council will update the recommended conditions.

Recommended Conditions

1. That this approval applies to the Draft Plan of Subdivision dated by the Owner of March 20, 2017 showing a total of five residential lots, prepared and certified by Phil Chitty, O.L.S of HC Lands Surveying Inc, March 13, 2017.
2. That the Owner shall agree to enter into a subdivision agreement with the Township of South Frontenac, to the satisfaction of the Township and to be registered on title of the subject land.
3. That the Owner shall agree in writing to satisfy all the requirements, financial or otherwise to the Township of South Frontenac concerning the provision/upgrade of roads, installation of services, drainage works, utilities and all other required works in accordance with the Township's Design Criteria and Guidelines. Further, that the development, construction and use of the lands in this subdivision shall be in accordance with the following reports submitted with the application for draft approval, unless otherwise amended, modified, or directed in writing by the Township and as secured in the subdivision agreement:



REPORT TO COMMITTEE OF THE WHOLE DEVELOPMENT SERVICES



- IBI Group, Planning Report, 5550 McFadden Road Draft Plan of Subdivision, March 2017
 - Josselyn Engineering Inc, Pittsburg Building and Energy Systems, 5550 McFadden Road, Project 1390, March 10, 2017
 - ASC Environmental Inc, Hydrogeological Study, Servicing Options and Terrain Analyses, Proposed Residential Development, 5550 McFadden Road, August 31, 2016
 - NEA, Environmental Impact Study, Pittsburgh Building & Energy Systems Inc Plan of Subdivision, 5550 McFadden Road, March 2017
4. That the Owner shall reimburse the Township of South Frontenac and the County of Frontenac for all legal, engineering, planning, administrative expenses and permit fees, including the cost of any peer review that the Township or the County may require in relation to the development.
 5. That the Owner agrees in writing that any easements as may be required for utility or drainage purposes shall be granted to the appropriate authority.
 6. That the Owner shall agree in writing to relocate the existing hydro line in front of Lot 5 and if necessary install and power street lighting to the satisfaction of the Township and in accordance with Design Criteria and Guidelines.
 7. That the Owner shall agree in writing that all entrances to any lots including entrance culverts be located and constructed to the satisfaction of the Township.
 8. That the Owner agrees in writing to convey up to five percent of the land included in the plan to the Township of South Frontenac for park purposes. Alternatively, the Township may require cash-in-lieu for all or a portion of the conveyance to be paid, in accordance with approved Township policies.
 9. That the Owner agrees to deposit with the Township, securities in the form of a letter of credit, representing 100% of the estimated cost of the works to be provided with respect to the subdivision. The letter of credit shall be reduced, in accordance with the terms and conditions of the Subdivision Agreement.
 10. That the Owner agrees for the subdivision agreement contain a provision requiring the Owner to pay development charges, in place at the time of the issuance of the building permit, prior to the issuance of the building permit and to acknowledge and agree that the Township will not issue any building permit until the development charges have been paid in full.
 11. That the Owner shall agree in writing to obtain permits or approvals as may be required from any federal, provincial, municipal or local authority and to file copies thereof with the Township.



REPORT TO COMMITTEE OF THE WHOLE DEVELOPMENT SERVICES



12. That the Owner shall agree in writing to provide direct access to the Cataraqui Trail for all five proposed residential lots.
13. That the Owner shall agree in writing that the natural soil and vegetation within the 30 metres setback area from the wetlands/watercourses are not to be disturbed and is to be left in its natural state as of the date of draft approval and that the subdivision agreement include provisions that would require protection and or restoration of the 30 metre setback area.
14. That prior to final approval, the County of Frontenac is to be advised by the Township of South Frontenac that this proposed subdivision conforms to the Zoning By-law in effect for the Township. This will require a zoning by-law amendment to place the lands within the "R – Residential" zone.
15. That the Owner shall agree in writing that a Canada Post Centralized Community Mail Boxes, be installed at a location on the road allowance to the satisfaction of Canada Post and the Township.
16. That the following conditions from KFL&A Public Health to the County of Frontenac, be addressed to the satisfaction of the Township and KFL&A Public Health:
 - (a) The site servicing plan showing the location of the house, well, 500 m² envelope for sewage system locations is to be provided to all purchasers of lots in the subdivision, along with all of the conditions listed below that will become part of the subdivision plan.
 - (b) Primary and alternate sewage system locations are to be reserved and maintained solely for that purpose. No constructions of wells, homes, driveways, pools, garages or other structures is to take place in the primary or alternate area.
 - (c) If the sewage systems are raised, pumps may be required.
 - (d) Deviations from the locations on the site servicing plan with respect to sewage system locations may require the submission of an engineering report/design and terrain analysis supporting the proposed changes (including potential impact on adjoining properties).
17. That all requirements and recommendations specified in the hydrogeology report entitled ASC Environmental Inc, Hydrogeological Study, Servicing Options and Terrain Analyses, Proposed Residential Development, 5550 McFadden Road, August 31, 2016 and all associated drawings be addressed to the satisfaction of the Township , KFL&A Public Health and Cataraqui Region Conservation Authority.
18. That any existing wells and/or septic systems that may be present on the site and which are not planned to be used as part of the subdivision development be decommissioned as per applicable regulations.
19. That the recommendations of the environmental impact statement, entitled NEA, Environmental Impact Study, Pittsburgh Building & Energy Systems Inc Plan of Subdivision, 5550 McFadden Road, March 2017 be addressed to the satisfaction of the Township and Cataraqui Region Conservation Authority.



REPORT TO COMMITTEE OF THE WHOLE DEVELOPMENT SERVICES



20. That the recommendation and conditions outlined by the Cataraqui Region Conservation Authority to the County of Frontenac, be addressed to the satisfaction of the Township and the Conservation Authority.
21. That the Owner agree to the final design, construction, maintenance and financing of the stormwater infrastructure, including ditches, swales, retention facilities, and grading and drainage plans be in accordance with the recommendations contained in the Stormwater Management report entitled Josselyn Engineering Inc, Pittsburg Building and Energy Systems, 5550 McFadden Road, Project 1390, March 10, 2017 and in accordance with the Township's Design Criteria and Standards to the satisfaction of the Township.
22. That the Owner agree in writing that a lot grading and drainage plan and a sediment and erosion control plan be completed and approved to the satisfaction of the Township and the Cataraqui Region Conservation Authority.
23. That the Owner agree in writing for the subdivision agreement to include text to the satisfaction of the Township and the Cataraqui Region Conservation Authority notifying the Owner that permission will be required under Ontario Regulation 148/06: Development Interference with Wetlands and Alterations to Shorelines and Watercourses, prior to commencing rough grading, stockpiling, road construction etc. within 30 metres of the wetland features.
24. That the Owner agree in writing for the subdivision agreement to include text to the satisfaction of the Township and the Cataraqui Region Conservation Authority to provide notice to purchasers of Lots _____ that site alteration and construction (including buildings, structures, filling and grading) on these lots may require permission under Ontario Regulation 148/06 Development Interference with Wetlands and Alterations to Shorelines and Watercourses, prior to commencing these activities.
25. That the Owner agree in writing that all servicing including Bell, Hydro etc. be installed underground to the satisfaction of the Township.
26. That the Owner agree in writing to finalize and implement a Landscape Plan which, among other things, provides for one tree to be planted in the front yard of each of the lots in the plan of subdivision to the satisfaction of the Township and in accordance with the Township's Site Plan Guidelines.
27. That the Owner agree in writing for the subdivision agreement to contain a clause providing that any purchaser be advised, and also that a notice be placed in the purchase and sale agreement, alerting a prospective purchasers that, in the event that human remains are discovered during construction or site development of a lot, the property owner shall immediately contact the OPP, the Ministry of Tourism, Culture and Sport and the Registrar or Deputy Registrar of the Cemeteries Unit of the Ministry of Consumer Services (or the applicable agencies at the time of final approval).



REPORT TO COMMITTEE OF THE WHOLE DEVELOPMENT SERVICES



28. That Owner agree in writing that if, during the process of development, any archaeological resources or human remains of Aboriginal interest are encountered, the Algonquins of Ontario Consultation Office will be contacted immediately at:

Algonquins of Ontario Consultation Office
31 Riverside Drive, Suite 101
Pembroke Ontario K8A 8R6
telephone 613-735-3759
fax 613-735-6307
e-mail: algonquins@nrtco.net

29. That Owner agree in writing that public utilities, including without limitation Bell Canada, Hydro One, etc. are adequate to service the proposed development and installed to the satisfaction of the Township.

30. That prior to Final Subdivision Approval, the Owner shall submit a revised Plan, if required, to reflect any significant alterations caused from this Draft Plan Approval.

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

32. That when requesting Final Approval from the County of Frontenac, the Owner shall accompany such request with the required number of originals and copies of the Final Plan, together with a surveyor's certificate stating that the lots/blocks thereon conform to the frontage and area requirements of the zoning by-law. The surveyor's certificate regarding zoning compliance shall be accompanied by written confirmation from the Township of South Frontenac.

33. That prior to Final Subdivision Approval of the subdivision, the County of Frontenac shall be advised by the Township of South Frontenac that all Conditions of Draft Plan Approval requested by the Township have been satisfied; the clearance memorandum shall include a brief statement detailing how each Condition has been met.

34. That prior to Final Subdivision Approval, the County is to be advised in writing by KFL&A Public Health of the method by which its conditions have been addressed.

35. That, prior to Final Subdivision Approval, the County is to be advised in writing by the Cataraqui Region Conservation Authority of the method by which its conditions have been addressed.

36. That pursuant to section 51 (32) of the Planning Act, this Draft Plan Approval is granted for three years from the decision date. The Owner may request the County issue an extension of Draft Approval should that be needed, subject to review and written endorsement by Township.



REPORT TO COMMITTEE
OF THE WHOLE
DEVELOPMENT SERVICES



FINANCIAL and STAFFING CONSIDERATIONS

All financial implications of this development will be borne by the developer. There are no financial or staffing implications associated with this report beyond normal day to day service delivery.

ATTACHMENTS

Draft plan

Applicant's Planning Report

Submitted/approved by:
Wayne Orr, CAO

Prepared by:
Forbes Symon,
Manager of Development
Services

Planning Report

5550 McFadden Road Draft Plan of Subdivision



Prepared for Pittsburgh Building & Energy Systems
by IBI Group

March 2017

Table of Contents

1	Introduction	1
2	Pre-consultation and Required Studies	1
3	Site Overview and Context	2
	3.1 Location and Site Conditions	2
	3.2 Surrounding Uses	2
	3.3 Proposed Development	3
4	Reports Submitted	5
	4.1 Hydrogeological Report	5
	4.2 Environmental Impact Study	5
	4.3 Stormwater Management Brief	5
5	Policy Analysis	5
	5.1 Provincial Policy Statement	5
	5.2 County of Frontenac Official Plan (OP)	7
	5.3 Township of South Frontenac Official Plan (OP) (2003)	10
	5.4 Township of South Frontenac Official Plan (OP) (2014 DRAFT)	14
6	Township of South Frontenac Comprehensive Zoning By-law No. 2003-75...	15
7	Conclusion	16

1 Introduction

This Planning Report is in support of an application for Draft Plan of Subdivision to permit the creation of five (5) vacant lots on private services for residential development. The subject property at 5550 McFadden Road (Figure 1) is proposed to be subdivided to create lots with an area of approximately two to three hectares and having frontage and individual entrances on McFadden Road. The purpose of this Report is to demonstrate that the development will function well and in a manner consistent with the requirements of the Planning Act and the relevant planning documents of the approval authority(s).

The subject property is designated 'Rural' in the local Township of South Frontenac Official Plan and is zoned 'Rural' in the Township's Comprehensive Zoning By-law No. 2003-75. The proposed development complies with the policies of the Official Plan and the provisions of the Zoning By-law, hence relief is not required.

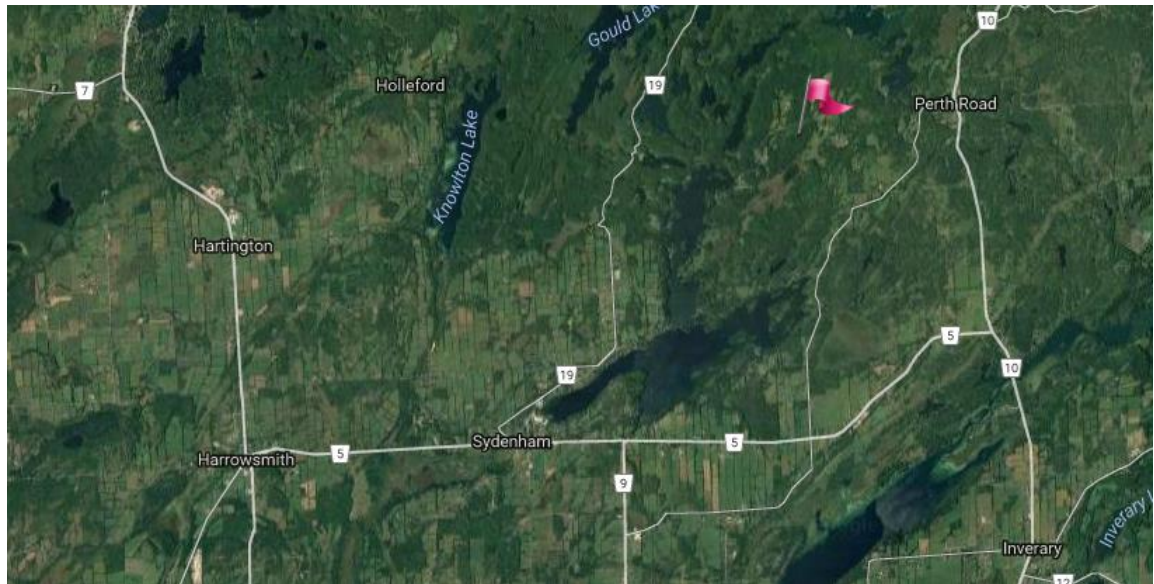


Figure 1: Location of the subject site indicated by red flag (Source: Google, 2016).

2 Pre-consultation and Required Studies

Pre-consultation with County staff was held on June 8, 2016 to determine requirements associated with Planning Approvals. At the pre-consultation meeting, County Staff indicated that an application for Draft Plan of Subdivision approval would be required to permit the proposed development, along with the following supporting submissions:

- Planning Justification
- Environmental Impact Study
- Hydrogeological Study
- Stormwater Management Brief
- Draft Plan of Subdivision

The items identified above are being provided as part of the complete application package.

3 Site Overview and Context

3.1 Location and Site Conditions

The subject property is located at 5550 McFadden Road, 3 kilometres west of Perth Road Village. The lands are legally described as Part of Lots 14 & 15, Concession 8, geographic Township of Loughborough, Township of South Frontenac, County of Frontenac. The subject property has an area of approximately 13 hectares and approximately 445 metres of frontage on McFadden Road (Figure 2), a Township road.

The site was formerly an active sand pit. We understand that the sand pit license has been surrendered and the lands rehabilitated. As per Township By-law 2006-07, the subject lands were re-designated in the Official Plan from “Mineral Aggregate” to “Rural” to reflect this rehabilitation. The lands are currently vacant and there are no existing structures on site. Given the site’s former use, portions of the site topography can be described as “hummocky from borrow pits and soil working”¹. The remaining portions of the site are generally undisturbed and heavily treed. There are two artificial ponds on the subject property: one pond is located near the eastern central portion of the subject property and the second pond is located in the southern central portion of the site.



Figure 2: Site Context – subject property outlined in red (Source: Google, 2016).

3.2 Surrounding Uses

The subject site is located in a predominantly rural area of the Township of South Frontenac. There are clusters of existing rural residential development directly north and northeast of the site

¹ ASC Environmental, *Hydrogeological Study, Servicing Options Study and Terrain Analysis*, pg. iii (August 31, 2016).

on Norway Road. Existing uses East, South and West of the site include a mixture of agricultural, rural residential and undeveloped wooded lands. The southeast corner of the property abuts the Cataraqi Trail. The hamlet of Wilmer is located approximately one kilometre south of the site and Perth Road Village is located three kilometres to the east.

3.3 Proposed Development

The proposed subdivision layout is illustrated below in Figure 3.

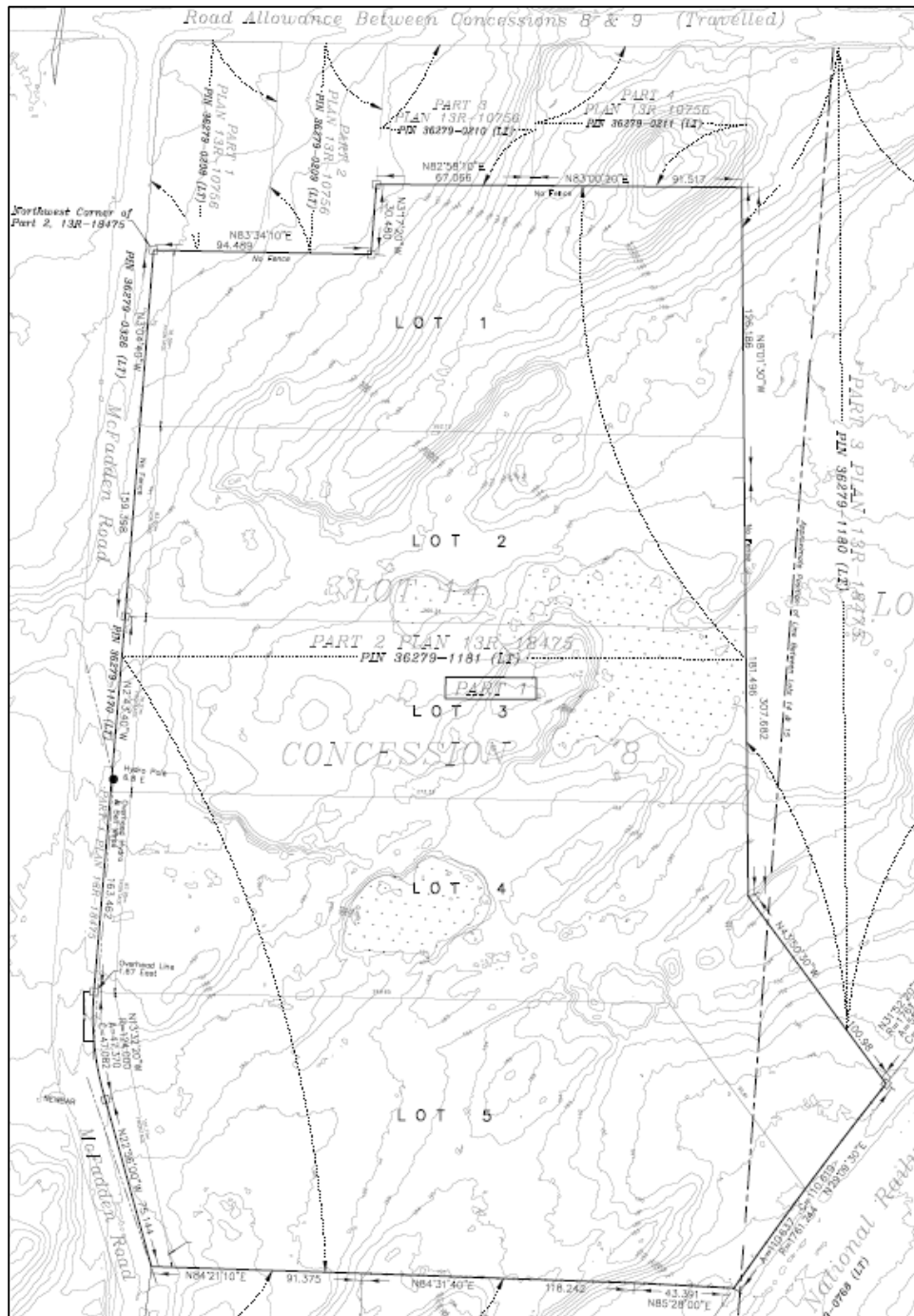


Figure 3: Excerpt of Draft Plan of Subdivision illustrating the five proposed lots.

The applicant is proposing to create five (5) lots for residential development. The lots will range in size from 2.08 hectares to 3.32 hectares, with road frontages ranging from 76.2 metres to 121.7 metres (Table 1). Each lot will be serviced by private septic and water services as recommended by the Hydrogeological Study completed in support of this application. Access to each of the lots will be from McFadden Road, with five individual lot entrances proposed. An entrance permit from the Township is anticipated to be required through the approval process for the lots.

Table 1: Lot Area and Lot Frontage

LOT #	FRONTAGE (M)	AREA (HA)
1	76.4	2.47
2	83.2	2.21
3	76.2	2.08
4	87.3	2.91
5	121.7	3.31

Conceptual building envelopes as well as potential well and septic locations have been identified as illustrated in Figure 4. It is anticipated that residential dwellings will be built along the western edge of each lot, fronting onto McFadden Road.

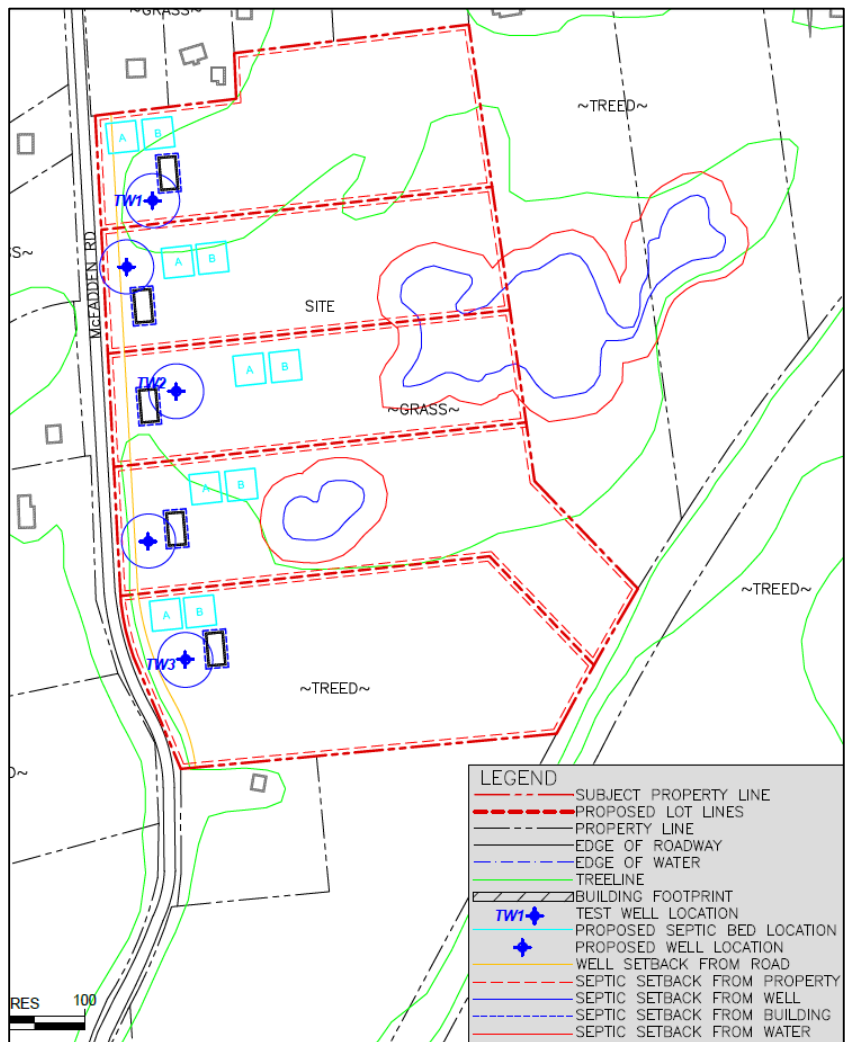


Figure 4: Building envelopes, septic and well locations.

4 Reports Submitted

4.1 Hydrogeological Report

A Hydrogeological Study, Servicing Options and Terrain Analyses was completed by ASC Environmental (August 31, 2016). The report assessed the suitability of the parcel of land for residential development of five (5) lots serviced with individual wells and septic systems. The Study concluded that the site is suitable for private services to support the proposed new 5 lot residential development. In-ground sewage disposal systems were recommended for Lots 1 through 4 and a raised bed sewage disposal systems on proposed Lot 5 is recommended. On this basis, private servicing is recommended for the proposed development.

4.2 Environmental Impact Study

An Environmental Impact Study was prepared by Niblett Environmental Associates (March 15, 2017). Based on NEA's assessment, the woodland and the majority of the wetlands on the property were determined to have limited ecological functions. From the late season field investigations conducted, the authors found a diversity of plant and animal species on this site, but concluded that development of the property will not impact on the continued use of the area for local wildlife movements. The location of the recommended building envelopes near the road frontage will limit the area of clearing and resulting loss of wildlife habitat. Four butternut trees were found on the property with three saplings on the one lot and a non-retainable butternut on the western lot. As long as building envelopes are located adjacent to McFadden Road, there is no anticipated impacts on potential amphibian breeding pools and foraging areas located in the eastern half of the subject lands.

4.3 Stormwater Management Brief

A Stormwater Management Brief was completed by Josselyn Engineering (March 2017). The Report concluded that proposed development does not represent a significant increase to peak flows. The recommended stormwater strategies shall be limited to implementing Low Impact Development Practices as recommended by the CRCA. The analysis found that the use of lot-level and conveyance practices used in a treatment train approach will provide adequate quality and quantity control for the development so as not to impact the adjacent downstream lands.

5 Policy Analysis

This section considers the proposed development in light of the Provincial Policy Statement (PPS) and the County and Township Official Plans.

5.1 Provincial Policy Statement

The 2014 Provincial Policy Statement (PPS) provides policy direction on matters of Provincial Interest. Section 2 of the *Planning Act* requires that municipal councils "be consistent" with the PPS in carrying out their responsibilities under the *Act*. Generally, the PPS requires that municipal councils ensure that there is an efficient pattern of land use, there is a co-ordinated comprehensive approach to arriving at land use decisions, and that development contributes to the long-term economic prosperity of the municipality. The relevant PPS policies are outlined below in Table 2.

Table 2: Relevant PPS Policy Review

PROVINCIAL POLICY STATEMENT	PROPOSED PROJECT
<p>Section 1.1.1: Healthy, livable, communities are sustained by:</p> <p>(a) promoting efficient development patterns which sustain the financial well-being of the Province and municipalities over the long term;</p> <p>(b) accommodating an appropriate range and mix of residential, employment (including industrial, commercial and institutional uses), recreational and open space uses to meet long-term needs;</p> <p>(c) avoiding development and land use patterns which may cause environmental or public health and safety concerns</p> <p>(d) avoid development that would prevent the expansion of <i>settlement areas</i> in those areas which are adjacent or close to settlement areas;</p> <p>(e) promoting cost effective development standards to minimize land consumption and servicing costs</p>	<p>(a) <i>The proposed development is consistent with efficient land development principles. It makes use of existing infrastructure and will be developed on private services.</i></p> <p>(b) <i>The proposed development will contribute to the mix of rural housing opportunities to meet long term needs.</i></p> <p>(c) <i>An EIS was completed which concluded the proposal will not result in adverse effects on natural heritage features. It is not anticipated the residential proposal will result in public health and safety concerns given the nature of the proposal.</i></p> <p>(d) <i>Project site is not located adjacent to a settlement area hence will not prevent the expansion of settlement areas.</i></p> <p>(e) <i>The proposed development makes use of existing transportation infrastructure and will be developed on private services.</i></p>
<p>Section 1.1.5.2: On rural lands located in municipalities, permitted uses are:</p> <p>(a) The management or use of resources;</p> <p>(b) Resource-based recreational uses;</p> <p>(c) Limited residential development;</p> <p>(d) Home occupations and home industries</p> <p>(e) Cemeteries; and</p> <p>(f) Other rural land uses.</p>	<p><i>The proposed residential development is a permitted use in the rural area.</i></p>
<p>Section 1.1.5.4: <i>Development</i> that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.</p>	<p><i>The proposed lots are large in area and frontage, maintaining the rural character of the area and consistent with adjacent rural residential development in the area. As per supporting technical studies, the lots as proposed can be supported by private services</i></p>
<p>Section 1.1.5.5.: Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure.</p>	<p><i>The proposed development will not require undue expansion of existing municipal infrastructure (i.e. roads and programming). Each lot will be supported by individual on-site private wells and septic systems.</i></p>
<p>Section 1.1.5.6.: Opportunities should be retained to locate new or expanding land uses that require separation from other uses.</p>	<p><i>The proposal is for rural residential lots, a sensitive land use. The lots are not located in proximity to any conflicting land uses that require separation.</i></p>
<p>Section 1.1.5.7: Opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.</p>	<p><i>The subject lands were formerly an active sand pit however the license has been surrendered and the lands rehabilitated. Further, the subject lands are not situated in an area of prime agricultural land. The proposal will not negatively impact agricultural or other resource-related uses.</i></p>

<p>Section 1.1.5.8 Agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices should be promoted and protected in accordance with provincial standards.</p>	<p><i>The subject site is not located in an area of prime agricultural land and will not interfere with any agricultural uses.</i></p>
<p>Section 2: Ontario’s long-term prosperity, environmental health, and social well-being depend on conserving biodiversity, protecting natural heritage, water, agricultural, mineral and cultural heritage and archaeological resources for their environmental and social benefits.</p>	<p><i>The proposed development will not negatively impact natural heritage features in the area, as supported by the accompanying EIS. It is not anticipated to negatively affect quality or quantity of water in the Township, will not negatively impact natural resources, including agriculture and is not anticipated to negatively impact cultural heritage or archaeological resources.</i></p>
<p>Section 3: Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.</p>	<p><i>No residential development is proposed on lands in areas of natural hazards, such as flooding or erosion.</i></p>

5.2 County of Frontenac Official Plan (OP)

The County Official Plan (2014) “sets out the general direction for planning and development in Frontenac County by defining strategic goals, broad objectives and policies”.

Section 3.3.3. speaks to residential development in Rural areas. Residential development is permitted in the Rural designation in accordance with the following policies:

- a. *Lot creation should take place either through Plan of Subdivision, Plan of Condominium or consent.*

COMMENT: As required, the five proposed lots are being created through a plan of subdivision.

- b. *Rural residential development shall reflect the intent of preserving the rural, open space character of the County. This will mean that, to the extent possible, the appearance of such development should be unobtrusive and blend in with the rural landscape.*

COMMENT: The proposed lots are large in size and comply with the frontage requirements for rural lots. The development of a single-detached dwelling on the proposed large lots is not anticipated to alter the rural character of the area.

- c. *New residential development should not be located on lands which would involve major public expense in opening up or maintaining access routes, providing drainage, or providing other public services and facilities, unless major public services, access and/or facilities are provided at the developer’s expense.*

COMMENT: The proposed lots have frontage on McFadden Road, an existing public road. The road as existing is anticipated to be capable of accommodating the traffic generated by five residential lots. Each lot will be serviced by private well and septic system.

- d. *It is recognized that the majority of existing and new rural residential development will be serviced by private wells and septic tanks; however, the County and the Townships may be interested in the investigation of new technologies and communal servicing options where it is deemed feasible and is supported by MOECC.*

COMMENT: The proposed lots will be serviced by private wells and septic systems, as supported by the hydrogeological report.

e. *In determining the location and suitability of any proposed residential plan of subdivision, the following criteria shall be considered by both the County and the Townships:*

a. *The design of the subdivision should provide for a range of lot sizes directly related to the site's topography, vegetation and soil and drainage characteristics.*

COMMENT: The subject application will create five new lots. The lots will range in size from two to three hectares and appropriately consider the site's topography, vegetation and soil and drainage characteristics. Each lot has been identified as being appropriate in size, shape, topography and geology to accommodate an appropriate building envelope and private services.

b. *Based on the varying topography across the County, the Local Official Plans should establish a base minimum lot size;*

COMMENT: At 2.0 hectares or larger, the proposed lots exceed the minimum lot size established in the local OP.

c. *The minimum area of lot sizes should be determined by a hydrogeological study and a terrain analysis;*

COMMENT: A Hydrogeological Study and Terrain Analysis was prepared by ASC Environmental in support of this application. The hydrogeological study concluded that the lots as proposed can accommodate the proposed development of residential units on private services.

d. *The subdivision should have direct access to a public road that is maintained year round and is improved to acceptable municipal standards;*

COMMENT: The plan of subdivision will create five new lots. Each of the lots will have frontage on and direct access to McFadden Road, a publically maintained road. An entrance permit will be required for each as a condition of draft approval.

e. *Lots need to be of adequate size to provide for proper installation of private services.*

COMMENT: A Hydrogeological Study and Terrain Analysis was prepared by ASC Environmental in support of this application. The hydrogeological study concluded that the lots as proposed can accommodate the proposed development of residential units on private services.

f. *Any proposed subdivision should not land lock any other adjacent parcel of land and future connection links to adjacent properties shall be provided where determined appropriate;*

COMMENT: The proposal does not result in land locking adjacent parcels or inhibiting future connections.

g. *In order to maintain the rural character of the landscape, the development should be located in areas having natural amenities such as varied topography, mature tree cover, scenic views and should blend in with the natural landscape so that the rural environment is left relatively undisturbed;*

COMMENT: The lots proposed are each intended to accommodate a single detached dwelling. The proposed type and intensity of development is not anticipated to negatively impact the rural character of the landscape. The areas of mature tree cover will be maintained as described in the accompanying EIS.

h. *Rural residential development should avoid locating on lands having significant agricultural capability and near areas where any significant impact on established agricultural activities will occur; and*

COMMENT: The subject site was formerly an active sand pit. The license has been surrendered and the lands rehabilitated. Portions of the lands are heavily treed. The agricultural capabilities of the land and surrounding area are limited.

- i. *The use should be compatible with adjacent land uses.*

COMMENT: The proposed rural residential use is compatible with surrounding land uses which largely include other rural residential development. The proposed sensitive land uses are outside the influence areas of the aggregate operations north of the subject lands. The lands are outside areas of prime agricultural areas and there are no livestock facilities within 1000 metres of the subject site.

Section 7 of the County OP speaks to maintaining environmental sustainability in the County. Specifically, Section 7.1 speaks to the natural heritage systems and provides policies for protection of natural features. Applicable policies include: wetlands (7.1.4.1), significant wildlife habitat (7.1.4.3), endangered and threatened species (7.1.4.5), and significant woodlands (7.1.4.6). An EIS was completed by Niblett Environmental Associates to determine “the extent and significance of the woodland feature on the site and document the existing natural features and ecological functions of the property” (page 1). The findings of the EIS can be summarized in their concluding statement on page 28: “Based on our assessment the woodland and the majority of the wetland on the property have limited ecological functions”. Future development will be required to comply with the 30 metre wetland setback in the general provisions of the zoning by-law. The Report identifies that four butternut trees were observed on the property, a significant vegetative species. Three of the four trees were determined to be retainable based on standardized MNR assessment. Retainable trees require a buffer of 25 metres from the base of the trees. The proposed building envelopes can be located outside of these buffer areas as illustrated in Figure 5. The recommendations outlined in Section 8 of the EIS will help to limit any negative impacts to wildlife habitat, and can be implemented through the Subdivision Agreement.

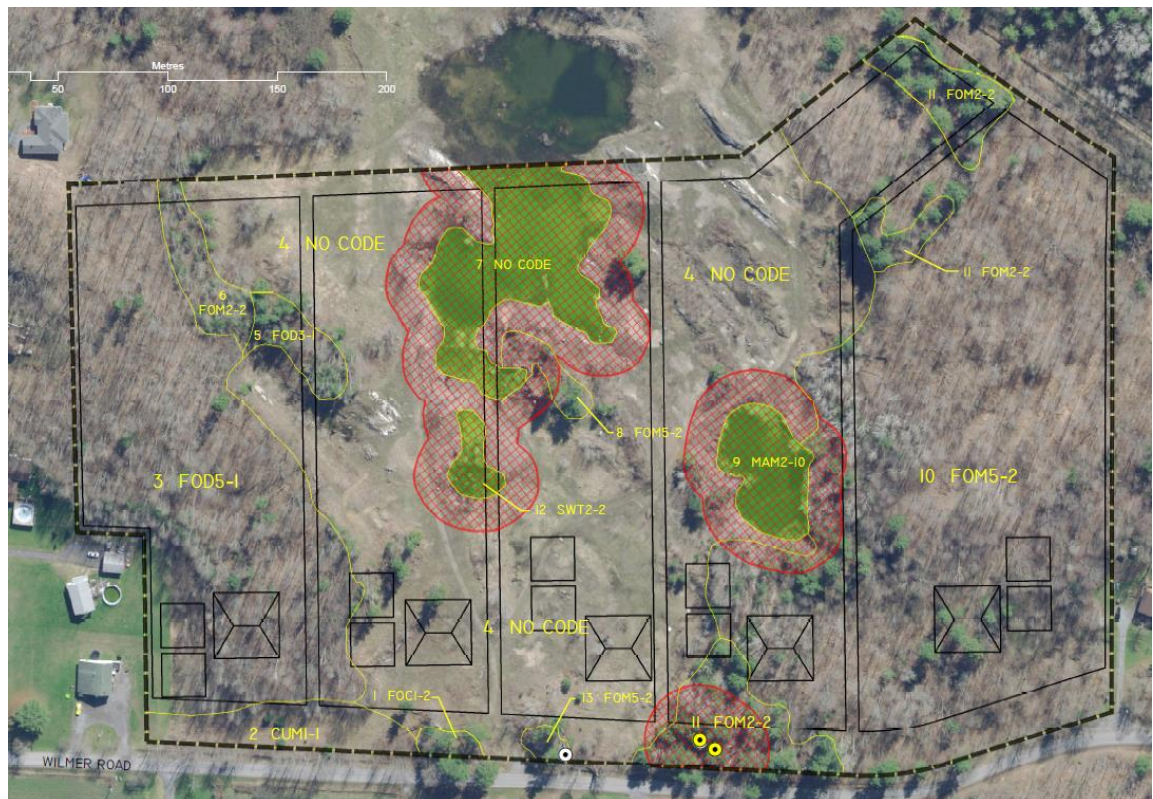


Figure 5: Building envelopes and natural heritage features.

5.3 Township of South Frontenac Official Plan (OP) (2003)

The subject property is designated 'Rural' on Schedule A in the Township of South Frontenac Official Plan (OP) (Figure 6). As per Section 5.7 of the Official Plan:

Lands designated Rural 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 area shall be consistent with maintaining its rural, natural heritage and cultural landscape.

Consistent with the characterization of rural lands, the applicant proposes to create five (5) large rural residential lots on private services. The relevant OP policies are addressed in the following paragraphs.

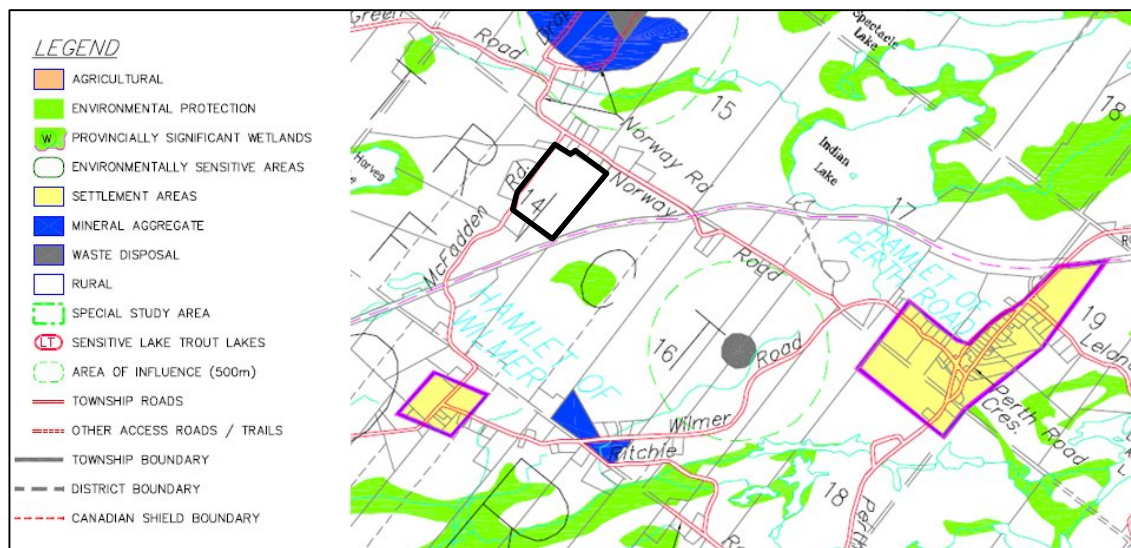


Figure 6: Excerpt of Schedule A of the Township of South Frontenac Official Plan (2003) showing the property designated as 'Rural'.

Vision for South Frontenac (2.0): "The Official Plan provides a framework for directing South Frontenac's growth in a manner which will preserve the Townships environmental integrity while enhancing both its rural character and its long term economic viability". Section 2.2. further defines factors that contribute to the "rural character" of the Township, including:

large, uncrowded residential lots; 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 in small subdivisions/hamlets; limited municipal services.

The proposed development involves the creation of five (5) new rural residential lots. The lots are large in area with a minimum lot size of 2 hectares and frontage of 76 metres. The lots will be serviced by private water and septic systems. The lands were formerly an active sand pit but have been rehabilitated. Portions of the site's topography are generally hummocky from borrow pits and soil working however the remaining portions of the site are generally undisturbed and heavily treed. The development as proposed is consistent with the Township's vision for maintaining the rural character of the area.

Environmental Protection (5.2): The subject lands are not designated 'Environmental Protection' but in general, the OP seeks to protect natural heritage systems and to protect residents from

natural hazards. More recent natural heritage features mapping completed as part of the 2014 OP update identifies woodlands and unevaluated wetlands on the subject lands, hence an Environmental Impact statement was required by the Township to determine the extent and significance of woodland features on the site. An EIS was completed by Niblett Environmental Associates Inc. dated March 2017 and is included as part of this submission. The Study concluded on page 28:

- the woodland and the majority of the wetlands on the property have limited ecological functions; and
- as long as building envelopes are located adjacent to McFadden Road, there is no anticipated impacts on potential amphibian breeding pools and foraging areas located in the eastern half of the subject lands.

The recommendations can be implemented through the Subdivision Agreement to be registered on title. It is noted four butternut trees were found on the property. Three of the four trees were determined to be retainable based on standardized MNRF assessments. Retainable trees require a buffer of 25 metres from the base of the trees. The proposed building envelopes are located outside of this buffer area as illustrated on the plans.

Mineral Aggregate (5.5): It is noted that the lands were formerly an active sand pit. As per Section 5.5.7, “where an aggregate operation has been rehabilitated and the license surrendered, the lands may be re-designated to an appropriate land use”. As per Township By-law 2006-07, the subject lands were re-designated from “Mineral Aggregate” to “Rural” to reflect the change in use.

Rural Residential (5.7.4): The OP provides that the majority of non-agricultural development is intended to be focused in the Township’s Settlement Areas, however “limited non-agricultural residential development may also be permitted within the Rural area so as to provide a variety of living accommodations for the residents of the Township”. The applicant proposes to create five (5) new rural residential lots through a plan of subdivision which will contribute to a diversified housing supply in the Township. “Subdivisions and severances to permit new residential uses shall be appropriately separated from incompatible agricultural areas, existing and proposed waste disposal, mineral extraction site and resource areas, natural heritage features and areas of natural hazards”. As per Schedule A, the site is located outside designated agricultural lands, waste disposal and mineral resource influence areas, and areas of natural hazard. An EIS was completed which identified appropriate building envelopes that will minimize impacts to natural heritage features.

Section 5.4.7.(ii) identifies the policies that must be addressed when considering residential development in the Rural designation:

- a) *As a rule, the minimum lot size shall be 0.8 hectares with 76 metres of frontage on a public road for non-waterfront lots.*

COMMENT: The subject application proposes to create five (5) residential lots. The lots will range in size from 2.08 ha to 3.32 ha, exceeding the minimum lot size requirements. The proposed lot frontages will range in size from the required 76 metres to 122 metres.

- b) *Rural residential development shall be serviced by private water and sanitary sewage disposal systems approved by the appropriate authority.*

COMMENT: A Hydrogeological Study, Servicing Options and Terrain Analysis was completed by ASC Environmental dated August 31, 2016. The Study assessed the suitability of the parcel of land for residential development of five (5) lots serviced with individual wells and septic systems. The Study concluded that the site is suitable for private services to sustain the proposed new 5 lot residential development.

- c) *New lots for rural residential purposes should be created by plan of subdivision in accordance with lot creation policies included in Section 7 of this Plan....Any proposal which would create*

more than three new lots from a lot existing on the day of adoption of this Plan shall only be considered by plan of subdivision.

COMMENT: The subject application proposes to create five (5) new lots. The new lots are to be created via plan of subdivision as required by the Official Plan.

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

COMMENT: The subject site is located on McFadden Road, a public road. Each of the lots will have the minimum required frontage on McFadden Road.

Plan of Subdivision (7.2): Section 7.2 speaks to the subdivision policies applicable to all land use designations as follows:

- a) *Development of land by plan of subdivision shall be required when the creation of more than 4 lots, including severed and retained lots, is proposed.*

COMMENT: The subject application proposes to create five (5) residential lots through a plan of subdivision as required.

- b) *The proposed subdivision shall be at a scale which is compatible with the existing or anticipated scale of development in the area.*

COMMENT: The applicant proposes to create five (5) rural residential lots ranging in size from two to three hectares. Rural residential development is clustered North and northeast of the site on Norway Road. Land uses East, South and West of the site included a mixture of agriculture, rural residential and undeveloped wooded lands. The lots as proposed are consistent with existing rural residential development on Norway Road and will be consistent with the 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.*

COMMENT: Direct access to each of the five (5) lots will be provided via McFadden Road. The additional traffic generated by the creation of five (5) residential lots is not anticipated to generate capacity issues or require upgrading of municipal infrastructure. A Traffic Impact Study was not required as part of this application.

- d) *New subdivision lots shall comply with the minimum lot areas and frontages in Section 5.7.4 (ii)(a) of this Plan.... 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 MOECC guidelines, all of which shall be prepared by a qualified professional satisfactory to the Municipality.*

COMMENT: All of the proposed lots meet the minimum lot area and lot frontage requirements. The lots are to be privately serviced. A Hydrogeological Study, Servicing Options and Terrain Analyses was completed by ASC Environmental dated August 31, 2016. The Study concluded that the site is suitable for private services to sustain the proposed new five lot residential development.

- e) *All applications for subdivision shall be accompanied by a preliminary stormwater management/drainage plan.*

COMMENT: A stormwater brief has been prepared by Josselyn Engineering and is included as part of this submission.

- 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 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.*

COMMENT: The subject application proposes to create five (5) residential lots. Each of the lots is proposed to have access via McFadden Road, an existing municipal road. Given the limited number of lots being created and the proposed residential use, we are of the opinion the proposed accesses are appropriate. Staff have not raised concerns with respect to the proposed accesses from McFadden Road.

- g) *As many trees as possible shall be preserved, particularly mature and healthy stands of trees and reforestation shall take place where appropriate.*

COMMENT: As per the EIS: "limiting the building envelope on the forested lots to approximately 0.5 ha would limit the amount of tree clearing required and impacts on the woodland. Placing the building envelope closer to the road (i.e. within 70 metres) also limits impacts on the interior habitat". Given the proposed intensity of use (i.e. single detached dwelling), we are of the opinion the objective to minimize the building envelope is met and that the woodlands will not be negatively impacted by the proposed development, as supported by the EIS. The recommendations of the EIS can be implemented through the Subdivision Agreement.

- 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.*

COMMENT: The subject lands have been rehabilitated from their former use as a sand pit. The proposed residential uses are compatible with the abutting rural residential uses and do not require buffering to maintain compatibility.

- i) *Plans of Subdivision shall be designed to allow for the appropriate integration of the subject lands with the adjacent lands.*

COMMENT: The proposal will create five (5) generally regularly shaped lots along McFadden Road. To the East the subject lands are bounded by the Cataraqui Trail. The lot fabric as proposed is consistent with existing development in the area and will integrate well with the adjacent lands.

- j) *The proposal shall be appropriately served by existing levels of municipal services such as fire protection, police protection, garbage protection, 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.*

COMMENT: The creation of five (5) rural residential lots can be supported by existing municipal service levels and will not result in the undue expansion or upgrading of existing service levels.

- 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.*

COMMENT: It is understood the applicant will be required to enter into a subdivision agreement with the Municipality.

- 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.*

COMMENT: A Stormwater Management Brief and Environmental Impact Statement have been completed and are included as part of this submission. A separate Traffic Impact Study was not requested. The traffic generated by the creation of five (5) lots on a local Township Road is not anticipated to generate significant adverse traffic impacts on existing development.

- m) *Plans of subdivision shall be compatible with adjacent areas and the general intent of this Plan.*

COMMENT: The applicant proposes to create five (5) rural residential lots ranging in size from two to three hectares. Rural residential development is clustered north and northeast of the site on Norway Road. Existing land uses East, South and West of the site include a mixture of agriculture, rural residential and undeveloped wooded lands. The lots as proposed are consistent with existing rural residential development on Norway Road and will be consistent with the scale of existing development in the area. Compatibility with the general intent of the Plan was addressed previously in this Report in relation to Section 2 of the OP.

- n) *A cultural heritage resource assessment may be required for any lands to be subdivided. The assessment 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.*

COMMENT: The subject lands were not identified as being in an area of archaeological potential given the long standing use of the site as a sand pit hence an assessment was not required.

- 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.*

COMMENT: Section 51(24) outlines the criteria to be regarded when considering a draft plan of subdivision. The plan of subdivision as proposed meets the criteria in that it: is consistent with matters of provincial interest, conforms to the official plan, is suitable for the uses proposed, proposes appropriately sized lots, utilizes existing infrastructure, and does not negatively affect natural resources.

- 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 land suitable for park use.*

COMMENT: Given only five lots are being created through the subject application, cash-in-lieu of parkland is proposed to satisfy the parkland dedication requirement.

5.4 Township of South Frontenac Official Plan (OP) (2014 DRAFT)

It is noted that the Township has undergone a review of its OP and while it has been adopted by Council, it has yet to receive approval from the County of Frontenac, the approval authority. The draft "Schedule A" identifies the lands as "Active Aggregate" and "Other Wetlands – Locally significant and unevaluated". Schedule 'B' does not identify any environmental features on the site. Schedule 'C' identifies McFadden Road as a public road. Schedule 'D' identifies the site as an "Active Aggregate" site and abutting an "Inactive Aggregate" site. Schedule 'E' identifies pockets of 'Woodland Forest' on the subject lands and the area around the Catarqui Trail is identified as a "Natural Heritage Linkage".

As discussed with Staff, Schedules 'A' and 'D' incorrectly identify the subject lands as an active aggregate site. The site was formerly an active sand pit. The sand pit license has been

surrendered and the lands rehabilitated. As per Township By-law 2006-07, the subject lands were re-designated from “Mineral Aggregate” to “Rural” to reflect this change in use. It is understood from Staff that this is a mapping error and will be corrected through the County review process. Please consider this our formal request to have the designation reverted back to ‘Rural’.

An EIS was completed by Niblett Environmental Associates Inc. dated December 2016 and is included as part of this submission to address the natural heritage features identified on-site in the more current mapping, as discussed above in Section 5.3 of this Report.

6 Township of South Frontenac Comprehensive Zoning By-law No. 2003-75

The Township of South Frontenac Comprehensive Zoning By-law No. 2003-75 places the subject lands in the Rural (RU) Zone as per Figure 7.

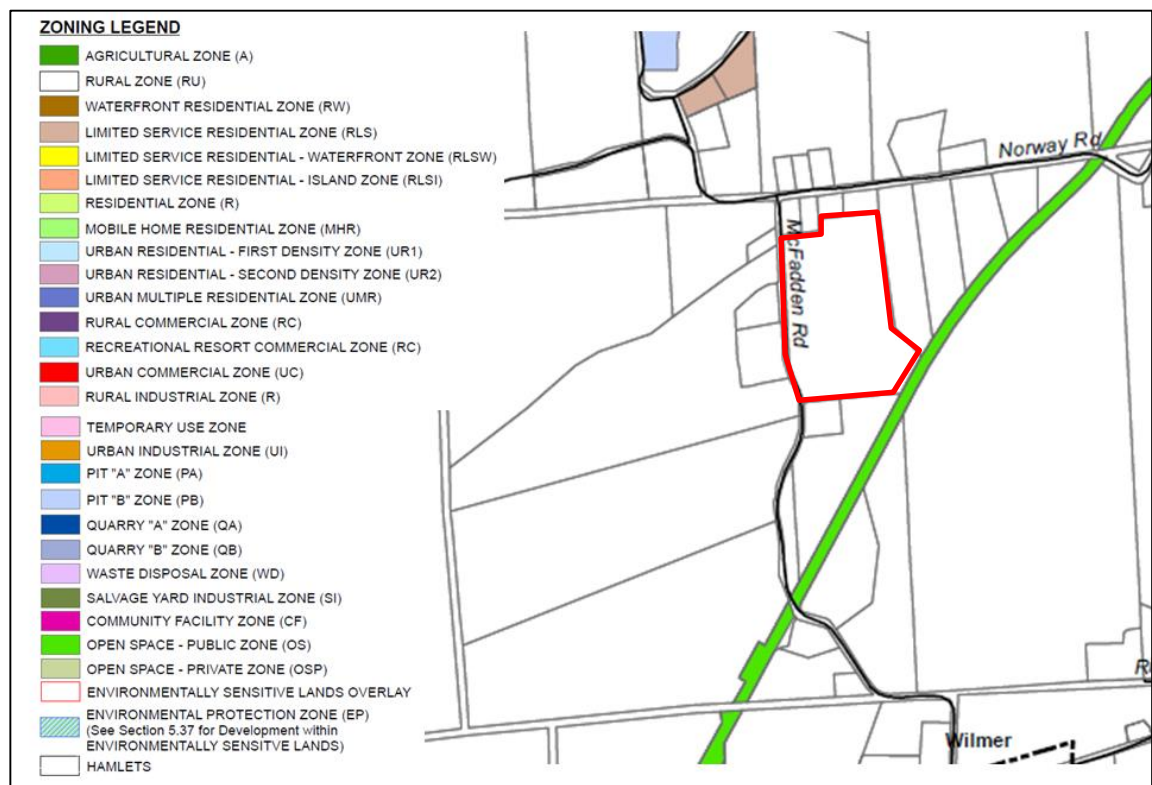


Figure 7: Schedule ‘B’ to By-law 2003-75 identifies the site as Rural (RU).

The general provisions and provisions of the RU Zone are outlined below in Table 2.

Table 2: 5550 McFadden Road Zone Provisions

SECTION	ZONE PROVISION	‘RU’ ZONE REQUIREMENT	PROPOSED	RELIEF REQUIRED
7.2	Permitted Uses	Single detached dwelling, agricultural, etc.	Single detached dwelling	No

7.3.2 (a)	Lot Area (min) (m ²)	8000	20000	No
7.3.2 (b)	Lot Frontage (min) (m)	76	76	No
7.3.2 (c)	Front Yard (min) (m)	20	As required	No
7.3.2 (d)	Rear Yard (min) (m)	10	As required	No
7.3.2 (e)	Side Yard (min) (m)	3	As required	No
7.3.2 (f)	Gross Floor Area (min) (m ²)	59	As required	No
7.3.2 (g)	Lot Coverage (max) (%)	20	As required	No
7.3.2 (h)	Building Height (max) (m)	11	As required	No
7.3.2 (i)	Parking Spaces Required (min)	2/unit	As required	No
7.3.2 (j)	Accessory Bldg – Rear Yard (min)(m)	3	As required	No
7.3.2 (k)	Accessory Bldg – Interior Side Yard (min)(m)	3	As required	No
7.3.2 (l)	Accessory Bldg – Exterior Side Yard (min)(m)	20	As required	No
7.3.2 (m)	Accessory Bldg – Height (min) (m)	6	As required	No
7.3.2 (n)	Setback from Highwater Mark (min)	30	N/A	No
5.6.2.2	Setback from centre of ROW	10	As required	No
5.8.2.1	Setback from watercourse	30	As required	No
5.30.2.1	Off-Street Parking Requirements	As per By-law	As required	No

The lots as proposed comply with the RU Zone provisions and no relief is required. Conceptual building envelopes have been identified which comply with the zoning requirements.

7 Conclusion

We are of the opinion that the proposed five lot subdivision is consistent with the intent of the PPS and conforms to the policies of the Official Plan. The proposal is consistent with OP policies concerning compatibility, servicing, and the subdivision of land. The proposed development will maintain the rural character of the area while contributing to the supply of appropriate rural residential development.

In conclusion, it is our professional opinion that the requested creation of five lots is appropriate and constitutes good planning. We look forward to the County's and Township's consideration of the matter.

Sincerely,

IBI Group



Mark Touw, MCIP, RPP
 Associate, Office Lead



Nancy Cornish, M.Pl., BComm.
 Planner



REPORT TO COMMITTEE OF THE WHOLE DEVELOPMENT SERVICES



AGENDA DATE: June 27, 2017

DATE REPORT PREPARED: June 22, 2017

SUBJECT: Recommended Conditions of Draft Approval - Application for Draft Plan Of Condominium 10T-2016-001 (Shield Shores)

RECOMMENDATION

The recommendation is that the Committee forward the Planning Report dated June 22, 2017 to Council for further consideration after which Council would forward the report and all attachments to the County of Frontenac as representing the Township's conditions of draft plan approval for the Shield Shores 10T-2016-001.

BACKGROUND

The purpose of this report is to recommend to Council appropriate Township conditions of draft approval to ensure the orderly development of the proposed condominium Part Lots 15, 16 and 17, Concession 9, former Township of Storrington, Township of South Frontenac.

The applicant has requested an 18 unit residential plan of condominium with access from Wellington Road via a condominium private lane. The "works" associated with this application are related to the private lanes, stormwater management and various common elements (parkland, water access etc...). At this point, staff have identified the need for the condominium roads to meet the Township's Design Criteria and Standards for private lanes. There is also a need for the applicant to update the traffic impact statement, identify the location of garbage and recycling depot and Canada Post Kiosk. The lands will also need to be rezoned and placed in the appropriate residential zone.

These recommended conditions are being presented to Committee in advance of the Public Meeting Schedule for June 28th. It is anticipated that there may be changes, additions or deletions from the conditions identified in this report based on the results of the public meeting and agency comments. The final report to Council will update the recommended conditions.

Recommended Conditions

1. That this approval applies to the Draft Plan of Condominium dated November 24, 2015, showing a total of 18 residential lots, 4 blocks and two private lanes, all prepared and certified by Leslie M. Higginson (surveyor).
2. That the Owner shall agree to enter into a condominium agreement with the Township of South Frontenac, to the satisfaction of the Township and to be registered on title of the subject land.
3. That the Owner shall agree in writing to satisfy all the requirements, financial or otherwise to the Township of South Frontenac concerning the provision/upgrade of roads, installation of services, drainage works, utilities and all other required works in accordance with the Township's Design Criteria and Guidelines. Further, that the development,



REPORT TO COMMITTEE OF THE WHOLE DEVELOPMENT SERVICES



construction and use of the lands in this subdivision shall be in accordance with the following reports submitted with the application for draft approval, unless otherwise amended, modified, or directed in writing by the Township and as secured in the condominium agreement:

- Fotenn, Planning Report, Shield Shores Residential Development, February 25, 2016
 - Mary Alice Snetsinger, Environmental Impact Statement for Campbell Property, January 10, 2016
 - BluMetric Environmental, Hydrogeological Assessment and Terrain Analysis for Proposed Development of Con 9, Part Lots 15, 16 and 17, Dog Lake Township of South Frontenac, February 2016
 - Josselyn Engineering Inc, Traffic Impact Assessment Report, Shield Shores Condominium, November 25, 2016
 - Josselyn Engineering Inc. Analysis of Stormwater Management Requirements for Dog Lake Subdivision, February 4, 2016
 - Adams Heritage, Archaeological Assessment (Stages 1 & 2), Dog Lake Ridge, May 12, 2015
4. That the Owner shall reimburse the Township of South Frontenac and the County of Frontenac for all legal, engineering, planning, administrative expenses and permit fees, including the cost of any peer review that the Township or the County may require in relation to the development.
 5. That the two proposed private lanes shown in the draft plan be designed and constructed in accordance with most current Design Criteria and Standards and Private Lane Standards for new private lanes and named to the satisfaction of the Township.
 6. That the Owner agrees in writing that any easements as may be required for utility or drainage purposes shall be granted to the appropriate authority.
 7. That 0.3 metre reserves be identified by registered reference plan (survey) along Lots _____ where the lots abut the road allowance of _____ to be held in trust by the Township for the purpose of controlling additional access onto _____.
 8. That the Owner shall agree in writing to install and power street lighting to the satisfaction of the Township and in accordance with Design Criteria and Guidelines.
 9. That the Owner shall agree in writing to install street signage to the satisfaction of the township and in accordance to Design Criteria and Standards.
 10. That the Owner shall agree in writing to install garbage and recycling depot in a location to the satisfaction of the township and in accordance to Design Criteria and Standards.



REPORT TO COMMITTEE OF THE WHOLE DEVELOPMENT SERVICES



11. That the Owner shall agree in writing that all entrances to any lots including entrance culverts be located and constructed to the satisfaction of the Township.
12. That the Owner shall agree update and revise the traffic impact report entitled Josselyn Engineering Inc, Traffic Impact Assessment Report, Shield Shores Condominium, November 25, 2016 to the satisfaction of the Township and in accordance to Design Criteria and Standards.
13. That the Owner agrees in writing to convey up to five percent of the land included in the plan to the Township of South Frontenac for park purposes. Alternatively, the Township may require cash-in-lieu for all or a portion of the conveyance to be paid, in accordance with approved Township policies.
14. That the Owner agrees in writing that the Township may implement whatever measures it deems necessary to ensure development of the plan of condominium proceeds according to the phasing plan set out in the condominium agreement, including but not limited to the requirement of separate condominium agreements, imposition of "h" holding zoning or 0.3 metre reserves.
15. That the Owner agrees to deposit with the Township, securities in the form of a letter of credit, representing 100% of the estimated cost of the works to be provided with respect to the condominium. The letter of credit shall be reduced, in accordance with the terms and conditions of the Condominium Agreement.
16. That the Owner agrees for the condominium agreement to contain a provision requiring the Owner to pay development charges, in place at the time of the issuance of the building permit, prior to the issuance of the building permit and to acknowledge and agree that the Township will not issue any building permit until the development charges have been paid in full.
17. That the Owner shall agree in writing to obtain permits or approvals as may be required from any federal, provincial, municipal or local authority and to file copies thereof with the Township.
18. That the Owner shall agree in writing that the natural soil and vegetation within the 30 metres setback area from the wetland/watercourse is not to be disturbed and is to be left in its natural state as of the date of draft approval and that the condominium agreement include provisions that would require protection and or restoration of the 30 metre setback area.
19. That prior to final approval, the County of Frontenac is to be advised by the Township of South Frontenac that this proposed condominium conforms to the Zoning By-law in effect for the Township.
20. That the Owner shall agree in writing that a Canada Post Centralized Community Mail Boxes be installed at a location on the road allowance to the satisfaction of the Township.
21. That the following conditions from KFL&A Public Health to the County of Frontenac, be addressed to the satisfaction of the Township and KFL&A Public Health:



REPORT TO COMMITTEE OF THE WHOLE DEVELOPMENT SERVICES



- (a) The site servicing plan showing the location of the house, well, sewage system envelopes (primary and alternate), taking into consideration site topography be prepared and provided to all future purchasers.
 - (b) Primary and alternate sewage system locations be reserved and maintained solely for that purpose. No constructions of wells, homes, driveways, pools, garages or other structures is to take place in the primary or alternate area.
 - (c) Existing soil conditions will necessitate the importation of suitable fill for the installation of sewage systems, resulting in fully raised sewage systems. Some lots will require additional fill or extensive site grading to deal with saturated conditions.
 - (d) Deviations from the locations on the updated site servicing plan may require the submission of an engineering report/design and terrain analysis supporting the proposed changes (including potential impact on adjoining properties).
22. That all requirements and recommendations specified in the hydrogeology report entitled BluMetric Environmental, Hydrogeological Assessment and Terrain Analysis for Proposed Development of Con 9, Part Lots 15, 16 and 17, Dog Lake Township of South Frontenac, February 2016 and all associated drawings be addressed to the satisfaction of the Township, KFL&A Public Health and Cataraqui Region Conservation Authority.
23. That any existing wells and/or septic systems that may be present on the site and which are not planned to be used as part of the condominium development be decommissioned as per applicable regulations.
24. That the recommendations of the environmental impact statement, entitled Mary Alice Snetsinger, Environmental Impact Statement for Campbell Property, January 10, be addressed to the satisfaction of the Township and Cataraqui Region Conservation Authority.
25. That the conditions outlined by the Cataraqui Region Conservation Authority to the County of Frontenac, be addressed to the satisfaction of the Township and the Conservation Authority.
26. That the Owner agree to the final design, construction, maintenance and financing of the stormwater infrastructure, including ditches, swales, retention facilities, and grading and drainage plans be in accordance with the recommendations contained in the Stormwater Management report entitled Josselyn Engineering Inc. Analysis of Stormwater Management Requirements for Dog Lake Subdivision, February 4, 2016 in accordance with the Township's Design Criteria and Standards to the satisfaction of the Township.
27. That the Owner agree in writing that a lot grading and drainage plan and a sediment and erosion control plan be completed and approved to the satisfaction of the Township and the Cataraqui Region Conservation Authority.
28. That the Owner agree in writing for the condominium agreement to include text to the satisfaction of the Township and the Cataraqui Region



REPORT TO COMMITTEE OF THE WHOLE DEVELOPMENT SERVICES



Conservation Authority notifying the Owner that permission will be required under Ontario Regulation 148/06: Development Interference with Wetlands and Alterations to Shorelines and Watercourses, prior to commencing rough grading, stockpiling, road construction etc. within 30 metres of the wetland and within 15 metres of the 99.55 metre GSC flood elevation on the subject property.

29. That the Owner agree in writing for the condominium agreement to include text to the satisfaction of the Township and the Cataraqui Region Conservation Authority to provide notice to purchasers of Lots 1, 6, 8, 10, 11 and 12 that site alteration and construction (including buildings, structures, filling and grading) on these lots may require permission under Ontario Regulation 148/06 Development Interference with Wetlands and Alterations to Shorelines and Watercourses, prior to commencing these activities.
30. That the Owner agree in writing that all servicing including Bell, Hydro etc. be installed underground to the satisfaction of the Township.
31. That the Owner agree in writing all recommendations of the archaeological report entitled Adams Heritage, Archaeological Assessment (Stages 1 & 2), Dog Lake Ridge, May 12, 2015 be implemented to the satisfaction of the Township.
32. That the Owner agree in writing to finalize and implement a Landscape Plan which, among other things, provides for one tree to be planted in the front yard of each of the lots in the plan of condominium to the satisfaction of the Township and in accordance with the Township's Site Plan Guidelines.
33. That the Owner agree in writing for the condominium agreement to contain a clause providing that any purchaser be advised, and also that a notice be placed in the purchase and sale agreement, alerting a prospective purchasers that, in the event that human remains are discovered during construction or site development of a lot, the property owner shall immediately contact the OPP, the Ministry of Tourism, Culture and Sport and the Registrar or Deputy Registrar of the Cemeteries Unit of the Ministry of Consumer Services (or the applicable agencies at the time of final approval).
34. That Owner agree in writing that if, during the process of development, any archaeological resources or human remains of Aboriginal interest are encountered, the Algonquins of Ontario Consultation Office will be contacted immediately at:

Algonquins of Ontario Consultation Office
31 Riverside Drive, Suite 101
Pembroke Ontario K8A 8R6
telephone 613-735-3759
fax 613-735-6307
e-mail: algonquins@nrtco.net
35. That Owner agree in writing that public utilities, including without limitation Bell Canada, Hydro One, etc. are adequate to service the proposed development and installed to the satisfaction of the Township.



REPORT TO COMMITTEE OF THE WHOLE DEVELOPMENT SERVICES



36. That prior to Final Condominium Approval, the Owner shall submit a revised Plan, if required, to reflect any significant alterations caused from this Draft Plan Approval.
37. That where final engineering design(s) result in minor variations to the Plan (e.g. in the configuration of lots, etc.), these may be reflected in the Final Plan subject to the satisfaction of the Township and the County.
38. That when requesting Final Approval from the County of Frontenac, the Owner shall accompany such request with the required number of originals and copies of the Final Plan, together with a surveyor's certificate stating that the lots/blocks thereon conform to the frontage and area requirements of the zoning by-law.
39. That prior to Final Condominium Approval, the County of Frontenac shall be advised by the Township of South Frontenac that all Conditions of Draft Plan Approval requested by the Township have been satisfied; the clearance memorandum shall include a brief statement detailing how each Condition has been met.
40. That prior to Final Condominium Approval, the County is to be advised in writing by KFL&A Public Health of the method by which its conditions have been addressed.
41. That, prior to Final Condominium Approval, the County is to be advised in writing by the Cataraqui Region Conservation Authority of the method by which its conditions have been addressed.
42. That pursuant to section 51 (32) of the Planning Act, this Draft Plan Approval is granted for three years from the decision date. The Owner may request the County issue an extension of Draft Approval should that be needed, subject to review and written endorsement by Township.

FINANCIAL and STAFFING CONSIDERATIONS

All financial implications of this development will be borne by the developer. There are no financial or staffing implications associated with this report beyond normal day to day service delivery.

ATTACHMENTS

Draft plan

Applicant's Planning Report

Submitted/approved by:
Wayne Orr, CAO

Prepared by:
Forbes Symon,
Manager of Development
Services

KEY PLAN

NOT TO SCALE

DRAFT PLAN OF CONDOMINIUM PART OF LOTS 15, 16, AND 17 CONCESSION 9

FORMERLY MUNICIPAL TWP OF STORRINGTON

COUNTY OF FRONTENAC

SCALE: 1:1000
DATE: NOVEMBER 24, 2015.



SECTION 51(12) PLANNING ACT - INFORMATION

- A) BOUNDARY OF LANDS TO BE SUBDIVIDED AS SHOWN ON DRAFT PLAN
- B) EXISTING AND PROPOSED ROADWAYS AS SHOWN ON DRAFT PLAN
- C) RELATIONSHIP TO ADJACENT LANDS AS SHOWN ON DRAFT PLAN AND KEY PLAN
- D) LANDS TO BE USED FOR RESIDENTIAL PURPOSES AS SHOWN ON DRAFT PLAN
- E) EXISTING USES OF ADJACENT LANDS AS SHOWN ON DRAFT PLAN
- F) APPROXIMATE DIMENSIONS AND LAYOUT OF UNITS AS SHOWN ON DRAFT PLAN
- G) NATURAL AND ARTIFICIAL FEATURES AS SHOWN ON DRAFT PLAN
- H) PRIVATE WATER WELLS TO BE PROVIDED
- I) SERVICES AVAILABLE INCLUDE HYDRO AND BELL
- J) RESTRICTIONS AFFECTING THE LAND ARE SHOWN ON THE DRAFT PLAN

SITE DATA

Land Use	Number of lots	Number of units	Length	Area (ha.)	Percent (%)
RESIDENTIAL UNITS 1 to 18	-	18	-	-	-
Total	-	-	-	-	100%

OWNER'S CERTIFICATE

I, Barry Campbell, hereby authorize Josselyn Engineering to prepare and submit this plan to the County of Frontenac, for review and approval.

SIGNED: _____ DATE: _____

NOTE AND LEGEND

BEARINGS SHOWN HEREON ARE GRID BEARINGS DERIVED FROM GPS OBSERVATIONS AND ARE RELATED TO MONUMENTS ORP A AND ORP B HAVING A BEARING OF 180° 00' 00" (TRUE) OR 180° 00' 00" (MAGNETIC) NAD83 (GRS) (1997.0).

COMPARISONS SHOWN IN BRACKETS ARE TO ASTROMERIC BEARINGS

INTEGRATION COORDINATE TABLE

OBSERVED REFERENCE POINTS (ORP) DERIVED FROM GPS OBSERVATIONS USING THE PRECISE POINT POSITIONING (PPP) SERVICE, UTM ZONE 18, NAD83 (GRS) (1997.0), RIVAL ACCURACY PER SEC. 14(C) OF O. REG. 216/10

POINT ID	NORTHING (M)	EASTING (M)
ORP A	555555.55	555555.55
ORP B	555555.55	555555.55

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

ALL DISTANCES SHOWN HEREON ARE HORIZONTAL GROUND DISTANCES.

GRID DISTANCES CAN BE CALCULATED BY MULTIPLYING THE GROUND DISTANCES SHOWN ON THE PLAN BY THE COMBINED SCALE FACTOR OF 0.9997333.

- DENOTES SURVEY MONUMENT PLANTED
- SSB SURVEY MONUMENT FOUND
- SB SHORT STANDARD IRON BAR
- SB STANDARD IRON BAR
- IB IRON BAR
- RP ROCK POST
- WS ORIGINAL STONE MONUMENT
- WT WITNESS
- WT WITNESS
- CALC CALCULATED
- S SET
- M MEASURED
- 1801 DAN J. CORNER O.L.S.
- 1022 N. B. CAMPBELL O.L.S.
- 1120 JAMES A. WINNES O.L.S.
- S4SK SMITH & SMITH KINGSTON
- P1 PLAN 13R-12703
- P2 PLAN 13R-15772
- P3 PLAN 13R-18473
- FL BLUE FLAGGING

SURVEYOR'S CERTIFICATE

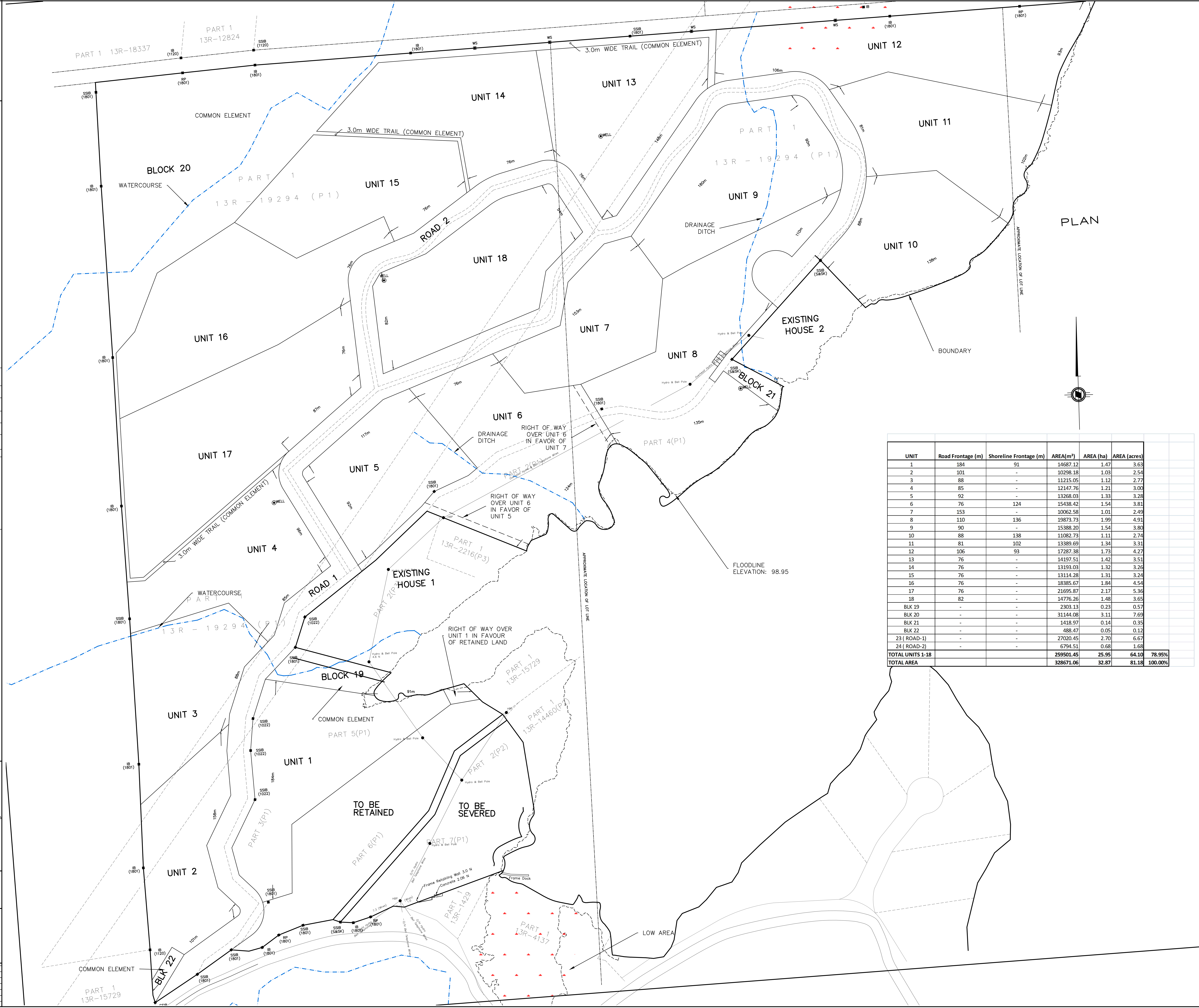
I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYOR'S ACT, THE LAND TITLES ACT, THE CONDOMINIUM ACT 1998 AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE ____TH DAY OF _____, 2015.

LESLIE M. HIGGINSON SURVEYING Ltd.
ONTARIO LAND SURVEYORS
KINGSTON, ONTARIO
DATE: _____
LESLIE M. HIGGINSON
ONTARIO LAND SURVEYOR

LESLIE M. HIGGINSON SURVEYING Ltd.
1064 GARDINERS ROAD
KINGSTON, ONTARIO K7P 1R7
(613) 389-7966 (FAX) 389-5576 or leslie@mhhgins.com

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

No.	By	Date	Revision	Checked



UNIT	Road Frontage (m)	Shoreline Frontage (m)	AREA (m ²)	AREA (ha)	AREA (acres)	
1	184	91	14687.12	1.47	3.63	
2	101	-	10298.18	1.03	2.54	
3	88	-	11215.05	1.12	2.77	
4	85	-	12147.76	1.21	3.00	
5	92	-	13268.09	1.33	3.28	
6	76	124	15438.42	1.54	3.81	
7	153	-	10062.58	1.01	2.49	
8	110	136	19873.73	1.99	4.91	
9	90	-	15388.20	1.54	3.80	
10	88	138	11082.73	1.11	2.74	
11	81	102	13389.69	1.34	3.31	
12	106	93	17287.38	1.73	4.27	
13	76	-	14197.51	1.42	3.51	
14	76	-	13193.03	1.32	3.26	
15	76	-	13114.28	1.31	3.24	
16	76	-	18385.67	1.84	4.54	
17	76	-	21695.87	2.17	5.36	
18	82	-	14776.26	1.48	3.65	
BLK 19	-	-	2303.13	0.23	0.57	
BLK 20	-	-	31144.08	3.11	7.69	
BLK 21	-	-	1418.97	0.14	0.35	
BLK 22	-	-	488.47	0.05	0.12	
23 (ROAD-1)	-	-	27020.45	2.70	6.67	
24 (ROAD-2)	-	-	6794.51	0.68	1.68	
TOTAL UNITS 1-18			259501.45	25.95	64.10	78.95%
TOTAL AREA			328671.06	32.87	81.18	100.00%

Shield Shores

Residential Development

Planning Report
February 25, 2016

Submitted to:
County of Frontenac
&
Township of South Frontenac

In support of applications for:
Plan of Condominium (Vacant Land)
Zoning By-law Amendment

Prepared for:

Mr. Barry Campbell
Kingston, ON
K7M 3A9

Prepared by:

FOTENN

The Woolen Mill
6 Cataraqui Street, Suite 108
Kingston, ON K7K 1Z7
613.542.5454
www.fotenn.com

Contents

1. Introduction	3
2. Overview of Applications	3
3. Site Context and Adjacent Uses	3
4. Development Proposal	5
5. Supporting Studies	6
Environmental Impact Study	6
Hydrogeological Assessment and Terrain Analysis	6
Archaeological Assessment.....	7
Analysis of Stormwater Management Requirements	7
6. Review of Policy Documents	7
Provincial Policy Statement.....	7
County of Frontenac Official Plan.....	10
Township of South Frontenac Official Plan	12
Township of South Frontenac Zoning By-law.....	20
7. Conclusion	24
8. Appendix A - Draft Plan of Condominium	25
9. Appendix B - Proposed Zone Schedule	26
10. Appendix C - Proposed Zoning	27
RLS-X.....	27
RLSW-X.....	27

1. Introduction

This Planning Report, prepared by FOTENN Consultants Inc. on behalf of the owner, Mr. Barry Campbell, is provided in support of an application for Zoning By-Law Amendment and Draft Plan of Vacant Land Condominium for a subject site of approximately 32 hectares. The Plan of Condominium proposes 18 units as low density, estate lots for single-detached homes. The residences will be tied to Common Elements consisting of private roads and parkland.

The County of Frontenac Official Plan, approved February 2, 2016, the Township of South Frontenac Official Plan, dated March 2003, and the Township's Comprehensive Zoning By-law #2003-75, dated May 2003, provide policy direction and regulate the development of the lands. The purpose of this report is to demonstrate the manner in which the proposed vacant land condominium meets the goals and objectives of the Official Plans and represents good land use planning. This report will summarize the existing conditions of the property and surrounding land use context, outline the nature of the proposed development, summarize supporting studies and reports, review the development in relation to provincial and municipal land use planning policies and regulations, and propose required amendments to the Zoning By-law.

2. Overview of Applications

The proposed development consists of a Vacant Land of Condominium Plan containing 18 units as lots for single-detached residential dwellings. For the purposes of this report, reference to lots is referring to the vacant land units that are proposed. The lots will front on, and be tied to, common element private roads. The residential lots will range in area from one to two hectares, with road frontage ranging from 76 metres to 153 metres. Six of the lots will also have water frontage of between 91 metres and 138 metres.

A Zoning By-law Amendment will be required in order to implement the proposed Plan of Condominium. The proposed amendment would rezone the property from Rural (RU) to Site-Specific Limited Service Residential (RLS), Limited Service Residential Waterfront (RLSW) and Open Space Private (OSP).

3. Site Context and Adjacent Uses

The subject lands consist of approximately 32 hectares (81 acres) of land, located on Part of Lots 15, 16 and 17 of Concession 9 of the Township of South Frontenac, formerly the Township of Storrington, in the County of Frontenac. The property is located on Wellington Street and along a portion of the western shore of Dog Lake. Figure 1 illustrates the location of the subject property.

The subject site currently surrounds two existing lots of record, known municipally as 1916 Wellington Street and 1920 Wellington Street. These existing lots are accessed by a laneway. The existing lots will benefit from the road improvement which would result from the proposed development, however the two lots are excluded from these applications. The balance of the property consists of a wooded lot with a mix of trees and brush. The topography of the site is typical of the Frontenac Arch in that it consists of steep changes in grade as well as a ridge with steep relief which crosses the middle of the property.

The lands in proximity to the subject site are characterized by rural and limited service waterfront residential. There are no incompatible uses in proximity to the site. The hamlet of Battersea is located approximately two kilometers west of the subject site, while the serviced area of the City of Kingston is approximately twenty-five kilometers south.



FIGURE 1: SITE LOCATION

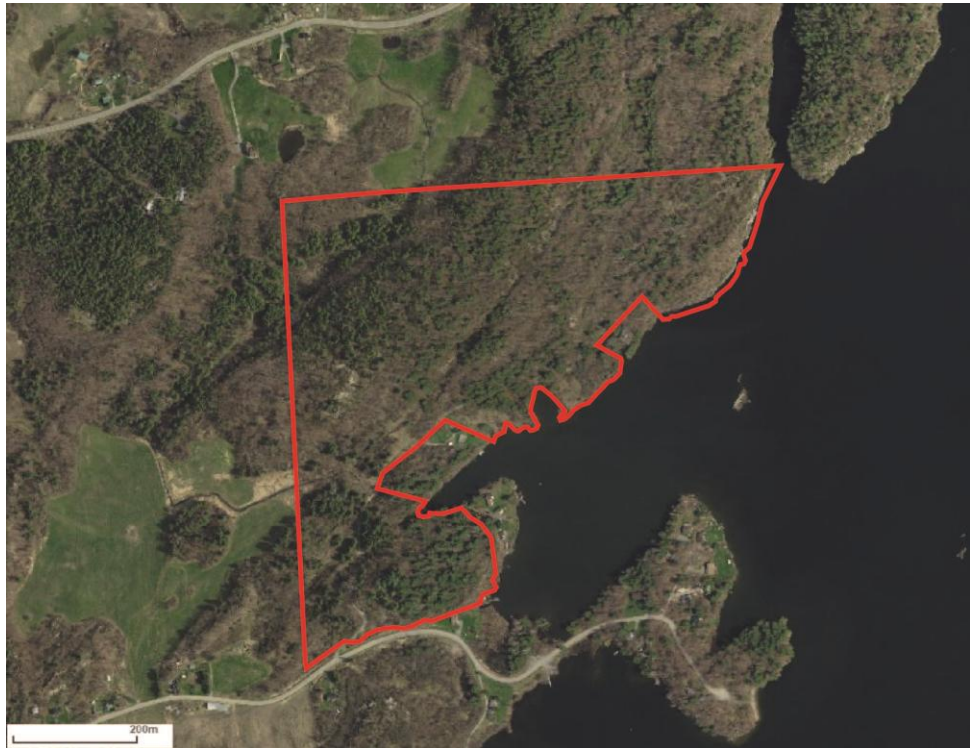


FIGURE 2: AERIAL PHOTO

4. Development Proposal

The proposed condominium layout is illustrated on Figure 3, below. Appendix A includes a reduction of the Draft Plan of Condominium.

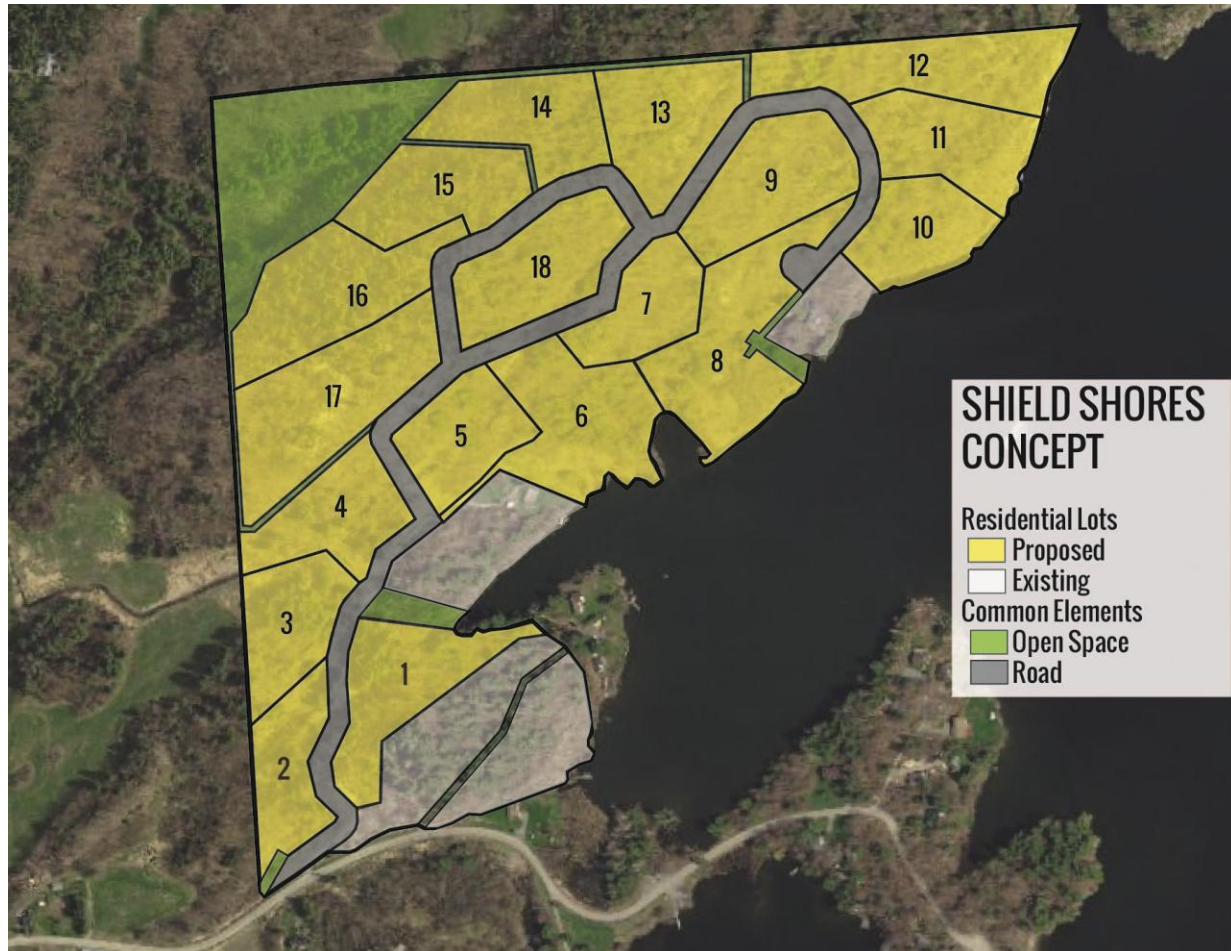


FIGURE 3: LAND USE CONCEPT PLAN

The proposed vacant land condominium development consists of 18 units, each with a single-detached residential dwelling. Lot sizes range from 1.01 hectares to 2.17 hectares in area, with a minimum road frontage of 76 metres. Each unit will be on private septic and water service. Lot access will be provided by two private roads which will be incorporated as Common Elements. The primary road will provide access to 12 proposed lots as well as the two existing lots, and will end in a cul-de-sac. The secondary road will extend as a crescent from the primary road and will provide access to six proposed lots. Lots 1, 6, 8, 10, 11, and 12 will have frontage on Dog Lake, ranging from 91 metres to 138 metres.

Access to the water will be provided to all other units by way of Common Elements Open Space, which will not include docks or boat launches. A private park block with an area of over three hectares is proposed for the northwest corner of the development, with three pedestrian trail connections provided (between lots 4 and 17, lots 14 and 15, and lots 12 and 13). The private park block is intended to be left in its natural state.

5. Supporting Studies

Environmental Impact Study

An Environmental Impact Study (EIS), dated December 9, 2015, was prepared by Ecological Services. Natural heritage constraints were identified for this impact assessment and include Significant Woodland, Significant Wildlife Habitat, Significant Habitat of Threatened Species. The EIS recommends a number of mitigation measures, as follows:

- Vegetation removal occur in the fall and winter and no removal of woody material occur between April 15 and July 15;
- Tree removal be minimized, e.g. through site plan control or site-specific zoning, defining building envelopes, and prohibiting land owners from clearing trees and shrubs outside of the building envelopes;
- Spring surveys for Gray Ratsnake, birds, reptiles, and amphibians should be conducted;
- Minimum building setback of 40 metres from the highwater mark; with a 30 metre “no cut” buffer from the high water mark;
- A landowner’s manual for future residents which describes the natural heritage features of the land as well as stewardship guidelines;
- Small water channels should be protected with a minimum 30 metre top of bank setback, although a reduced setback may be appropriate for some locations as confirmed by the Cataraqui Region Conservation Authority.

For the purposes of the Provincial Policy Statement and the South Frontenac Township Official Plan, there will be no negative impacts to the identified natural heritage features if the recommended mitigation measures are applied.

Hydrogeological Assessment and Terrain Analysis

A Hydrogeological Report and Terrain Analysis, dated February 2016, was prepared by BluMetric Environmental in support of the proposed development. This report summarizes the results of an investigation of the geology, physiography and the study of groundwater occurrence, quantity and quality available as well as a Servicing Options Statement.

Long-term sustainable yield and potential well interference was evaluated by six-hour discharged tests on six test wells throughout the property, five of which were located within the proposed development. The analysis of the drawdown and recovery data indicated that there is sufficient water supply for the proposed development. Chemical analyses found that the groundwater is suitable for domestic supply and that all water supply systems should include treatment systems that include disinfection and pre-disinfection filtration as required by the treatment system designer.

The soil type and overburden thickness of the site is suitable for Class IV sewage disposal systems throughout the subject site. It is noted that some bedrock outcrop and shallow overburden occurs, however the lot sizes are sufficient to ensure adequate placement and setbacks.

Servicing options were considered as well. The nearest municipal water and sewer infrastructure is located 25 kilometres away from the proposed development. This option is therefore severely impractical. Test wells confirmed that there is suitable groundwater

quantity and quality to meet the needs of this development. Private water and sewage servicing is the preferred and recommend option for this development.

Archaeological Assessment

An Archaeological Assessment (Stages One and Two), dated May 12, 2015, was prepared by Adams Heritage. The assessment process consisted of a field inspection, background research and field testing of the subject site. No registered archaeological sites were found to be present or in proximity to the study area and although the potential for pre-Contact First Nations artifacts was identified as “moderate to high”, no artifacts were recovered and no evidence of archaeological sites was found. It was recommended by the archaeologist that no further archaeological work need be conducted at this site.

Analysis of Stormwater Management Requirements

An Analysis of Stormwater Management Requirements dated February 4, 2016, was prepared by Josselyn Engineering Inc. in support of the proposed development. The analysis considered the existing conditions of the subject site, especially the existing watercourses that traverse the site and empty into Dog Lake. The author identified a 30-metre setback requirement for two of the four watercourses on the subject site, and a 6-metre setback for the other two watercourses. Watercourse A crosses Units 5 and 6, and Watercourse B crosses units 12, 9 and 8. The reduced setbacks are justified given the capacity of the existing channels to accommodate the 100-year flow without overtopping, therefore the reduced setback would provide adequate protection for these five units. The study noted that the implementation of Low Impact Development Practices, as recommended by the CRCA, will provide adequate quality control for the proposed development.

6. Review of Policy Documents

Provincial Policy Statement

The Provincial Policy Statement (PPS), issued under the authority of Section 3 of the *Planning Act* and in effect since April 30th, 2014, provides policy direction on matters of provincial interest related to land use planning. Decisions affecting planning matters “must be consistent with” the policy statements issued under the authority of the *Planning Act*.

The Provincial Policy Statement includes a number of policies relating to community development, housing, infrastructure, heritage, agriculture and mineral resources, water quality and quantity, and public health and safety.

Section 1.1.5.1 states that when directing development on rural lands, a planning authority shall apply the relevant policies of Section 1: Building Strong Healthy Communities, as well as the policies of Section 2: Wise Use and Management of Resources, and Section 3: Protecting Public Health and Safety.

Section 1.1.5.2 On rural lands located in municipalities, permitted uses are:

- a) The management or use of resources;*
- b) Resource-based recreational uses (including recreational dwellings);*
- c) Limited residential development;*
- d) Home occupations and home industries;*
- e) Cemeteries; and*
- f) Other rural land uses.*

The proposed development represents limited residential development, which is permitted in the rural area.

Section 1.1.5.3 Recreational, tourism and other economic opportunities should be promoted.

The proposed development includes six waterfront residential units along with common shared access to the water and parkland for all residents within the proposed development which typically appeal to residents seeking to engage in water-based recreational activities.

Section 1.1.5.4 Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.

The proposed development will maintain the rural, picturesque qualities of the landscape by utilizing large lot sizes, large frontages and retaining natural features. Units will be serviced by private septic systems and wells which are appropriate to rural service levels.

Section 1.1.5.5 Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure.

The units will make use of private wells and septic systems. The private roads will be maintained through the condominium corporation which ensures the roads will be appropriately constructed and maintained for emergency access. The proposed development will not require undue expansion of existing municipal infrastructure. Snow removal will also be funded by the condominium's monthly fees while it is anticipated that a garbage receptacle would be constructed along Wellington Street to allow for municipal pick-up.

Section 1.1.5.6 Opportunities should be retained to locate new or expanding land uses that require separation from other uses.

The proposed development is not located in proximity to any land uses that require separation.

Section 1.1.5.7 Opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.

According to the Ontario Agriculture Atlas, the subject lands primarily consist of Class 7 soils. Class 7 soils are not suitable for arable culture or permanent pasture. Further, the site consists of rocky slopes and ground with the areas in between tending towards bog-like conditions.

The subject site is located in proximity to two Mineral Deposit Inventory (MDI) items identified in the Township of South Frontenac's Draft Official Plan, Schedule D - Aggregates. These two mineral deposit sites are shown on Figure 4, below and have been identified in consultation with the Ministry of Northern Development and Mines (MNDM). The northernmost MDI site, adjacent to the subject site, has been identified as a lead and barite occurrence with a galena vein. Another MDI site is located approximately 600 metres south of the subject site, is a hematite occurrence. Records at both of the above MDI sites date to the early 20th century and the MNDM confirmed that no recent work has been done at either of the sites.

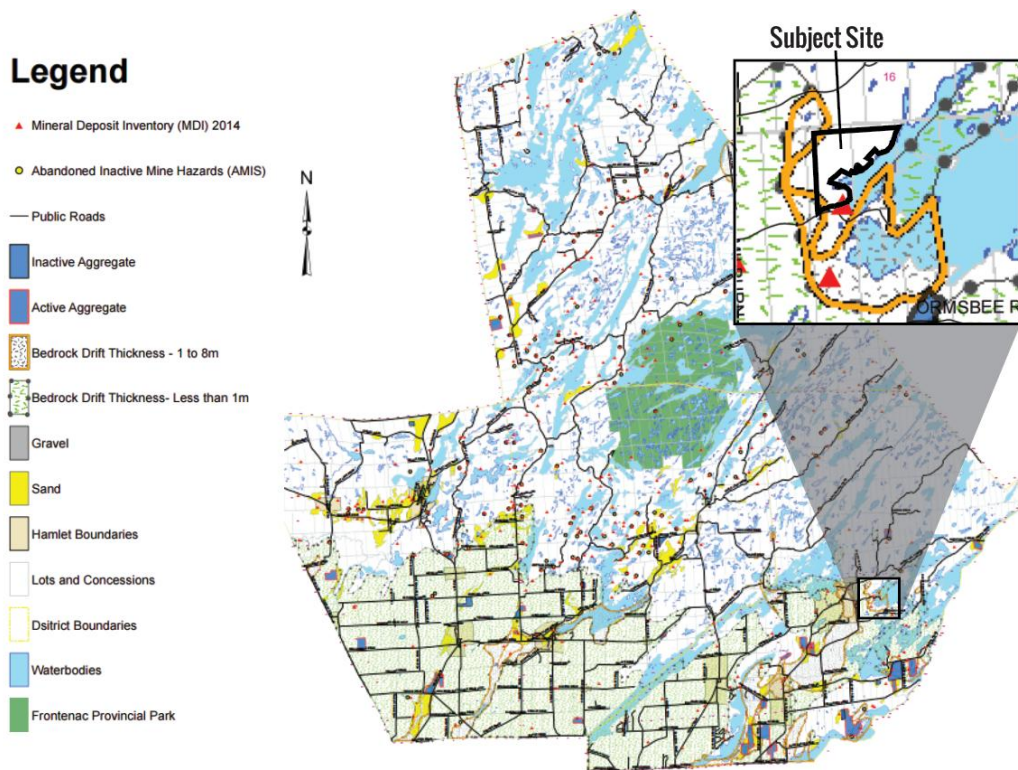


FIGURE 4: SCHEDULE D - AGGREGATES

Section 1.1.5.8 Agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices should be promoted and protected in accordance with provincial standards.

As noted above, the proposed development is located on soil which is not suitable for agriculture or agriculture-related uses. Similarly, the proposed development will not displace or interfere with any agricultural uses.

Section 1.1.5.9 New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.

The proposed development exceeds all MDS requirements as it relates to agricultural uses.

Section 2: Wise Use and Management of Resources

Section 2 of the PPS contains policies that encourage the protection of natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources. The proposed development is consistent with Section 2 in that it:

- Is not expected to compromise local drinking water supplies;
- Will implement stormwater management practices to minimize stormwater volumes;
- Is not located on prime agricultural land;
- Will not preclude or hinder the expansion or continued use of existing mineral mining operations, petroleum operations or mineral aggregate operations; and
- Will mitigate any impact on natural heritage features and resources.

Section 3: Protecting Public Health and Safety

Section 3 of the PPS contains policies intended to reduce the potential for public cost or risk to Ontario's residents from natural or human-made hazards. The proposed development is consistent with these policies in that:

- No dwellings are proposed on lands that are threatened by flooding or erosion;
- The nearby Mineral Deposit Inventory sites have been confirmed by Ministry staff to not pose any risk to the proposed development. Therefore, the site is not located on, abutting or adjacent to lands adversely affected by mine hazards; oil, gas and salt hazards; or former mineral mining operations, mineral aggregate operations or petroleum resource operations.

Based on this review of the PPS with respect to proposed residential development in rural areas, it is our opinion that the proposed low density residential development is consistent with the policies described by the Provincial Policy Statement as set out under the authority of the Planning Act.

County of Frontenac Official Plan

The County of Frontenac Official Plan was adopted by County Council on October 29, 2014. It was approved by the Ministry of Municipal Affairs and Housing in January 2016 and came into force as of February 2, 2016. As an upper tier-municipality, the County of Frontenac OP details high-level goals, objectives and policies for the four constituent municipalities (the Townships of Frontenac Islands, South Frontenac, Central Frontenac, and North Frontenac). The County is the approval authority for all Plan of Condominium applications within its jurisdiction.

Section 3 - Growth Management

3.3.3.4 Special Policies - Waterfront Areas

3.3.3.4.2 Goal - The overall goal of this Plan is to improve and protect the waterfront areas in Frontenac County as a significant cultural, recreational, economic, and natural environment resource and to maintain or enhance the quality of the land areas adjacent to the shore.

The proposed development will include enhanced setbacks as detailed in the Environmental Impact Study to ensure that the waterfront areas are protected.

3.3.3.4.3 Objectives

(2) To permit shoreland development that allows for sustainable growth of existing and new tourist developments and innovative and appropriately designed new residential developments;

The use of Vacant Land Condominium for shoreline development is generally innovative in contrast with traditional plans of subdivision and, in the proposed large-lot configuration, appropriate given the surrounding context. The use of Condominium roads ensures a quality level of access to one's property without increasing the servicing requirements of the Township.

(5) To ensure that the built form along a shoreline is not overly concentrated or dominating to the detriment of the natural form;

The smallest size of the proposed shoreline units is 1.11 hectares and the minimum frontage proposed is 91 metres. The low concentration of waterfront units combined with their large size ensures that the built form is not overly concentrated or dominating to the detriment of the natural form.

(6) To maintain, enhance and/or restore the majority of the developed and undeveloped shorelines in their natural state by promoting property stewardship;

The EIS recommends that a landowner's guide be provided to all future residents of the development. The landowner's guide will include stewardship guidelines.

(7) To preserve and enhance fish and wildlife habitat areas and other natural heritage features that are within and along Waterfront Areas.

The EIS made recommendations to ensure that wildlife habitat and other natural heritage features of the site will be protected. Recommendations from the EIS regarding setbacks will be incorporated into the proposed zoning.

3.3.3.4.4 Policies

(1) The character of Waterfront Areas is linked to the natural and built form that is associated with the lakes and rivers in the County. Generally the natural form includes vegetated shorelines with thin soils over bedrock. The built form is predominated by residential development including resorts and marinas. In this context, new development or redevelopment occurring in the Waterfront Areas should, where possible enhance and protect those qualities that contribute to the area's character;

The proposed development consists of residential dwellings on large lots, consistent with the neighbouring residential lots and therefore the existing built form. Enhanced setbacks from the high water mark will also be provided to ensure further protection of the natural form.

(6) Tree cover and vegetation is encouraged to be retained along the shoreline to maintain the visual and environmental integrity of Waterfront Areas. Where development is proposed along shorelines, Township Official Plans should contain policies relating to the preservation of a natural undisturbed buffer between the water's edge and new development;

A 40-metre setback from the high watermark will be incorporated into the proposed zoning by-law, which will include a 30-metre "no-cut" buffer intended to maintain the visual and environmental integrity of the waterfront.

(7) To maintain the shoreline character and water quality, Township Official Plans and Zoning By-laws shall require that:

a. For new lot creation, buildings and structures, including the septic system tile field, must be set back at least 30 metres (100 feet) from the ordinary high water marks of all waterbodies with non-disturbance of the native soils and very limited shoreline removal.

A 40-metre setback from the high watermark will be incorporated into the proposed zoning by-law, which will include a 30-metre "no-cut" buffer. The 30-metre buffer will not permit any disturbance of the native soils or to the shoreline.

Section 7 - Environmental Sustainability

Section 7 of the County Official Plan contemplates goals, objectives and policies relating to sustainability, the protection of the natural environment and water resources, and protection from hazard lands. Subsection '7.1.4.3 - Significant Wildlife Habitat' details policies dealing with the protection of significant wildlife habitat. Subsection '7.1.4.5 - Endangered and Threatened Species' defines policies relating to the conservation of endangered and threatened species in Frontenac County. Subsection '7.1.4.6 - Significant Woodlands' details policies intended to protect woodlands that are identified as significant. The EIS identified the number of natural heritage features along with mitigation measures to ensure the resources are appropriately protected i.e. increased shore line setbacks. Further analysis will be required to determine if any endangered and threatened species inhabit the site.

Based on this review of the County Official Plan with respect to the proposed development, it is our opinion that the proposed low density residential development conforms to the County Official Plan.

Township of South Frontenac Official Plan

The Township of South Frontenac Official Plan was adopted by Township Council on September 5th, 2000. It was Approved by the Ministry of Municipal Affairs and Housing (MMAH) on April 30, 2002, by the Ontario Municipal Board on November 25, 2003 and text Amendments were again approved by the MMAH on May 23, 2013. Schedule A of the Township Official Plan indicates that the lands are designated 'Rural'.

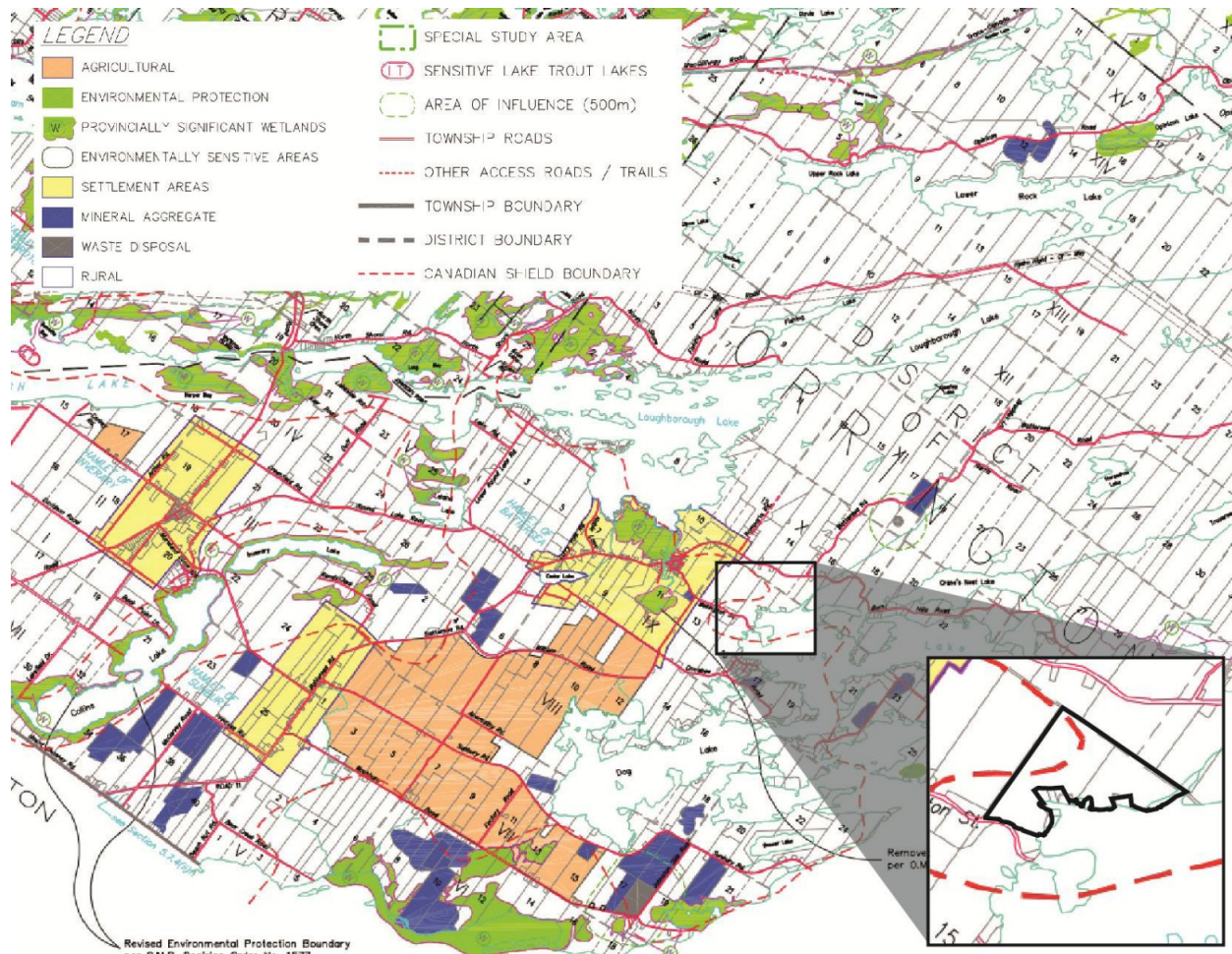


FIGURE 5: TOWNSHIP OF SOUTH FRONTENAC OFFICIAL PLAN: SCHEDULE A - LAND USE PLAN

Section 2 - Vision

Section 2.2 Interpretation of Vision Statement ... "rural character" ... Other factors which define the community as being rural include: large, uncrowded residential lots; private water and septic systems; mixture of woodlands, bush, agricultural fields and open landscapes...

The proposed development consists of residential condominium units, equivalent to lots, with a minimum area of 1.01 hectare at a gross density of 0.55 units per hectare, on private water and septic systems. The development also incorporates Common Elements open space which is intended to be kept in its natural state of woodland and bush. The proposed development exemplifies the Township's vision of rural character.

Section 5 – Land Use Policies

Section 5.2 Environmental Protection

The general intent of Section 5.2 is to preserve the Township's natural heritage systems as well as to protect residents from natural hazards. Given that the proposed development is located on a shoreline, consideration has been given to the following policies:

5.2.7 Environmentally Sensitive Areas

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 for Lake Trout Lakes.

i) All lands within 90 metres (295 feet) of the highwater mark of all lakes and rivers which are not designated Environmental Protection are included as Environmentally Sensitive Areas. Where development and site alterations are proposed in Environmentally Sensitive Areas, 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 feet) 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 environmental and visual lake impacts by reducing phosphorous inputs, preventing erosion and by maintain a natural appearance of the shorelines. No commercial or 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 phosphorous retention capability, setbacks of 90 metres (295 feet) may be required.*

The proposed lot size and layout has been assessed by an ecologist and a hydrogeologist. All lots have been designed with these criteria in mind. In general terms a minimum 40-metre high watermark setback, which will include a 30-metre buffer where no disturbance is permitted has been recommended. Some greater setbacks are also provided on some of the lots to address matters related to steep slopes and thin soil cover.

c) 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 Ministry of Natural Resources, the Ministry of the Environment 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.

It is anticipated that the proponent will comply with any design requirements or mitigation measures identified as being absolutely necessary by the relevant Ministries.

Section 5.7 Rural

It is the general intent of Section 5.7 of the OP that residential development be encouraged to locate in Settlement Areas. Limited residential development may be permitted within the Rural area so as to provide for a variety of dwelling types for residents. New residential developments must be appropriately separated from incompatible agricultural areas, existing and proposed waste disposal, mineral extraction sites and resource areas, natural heritage areas, and natural hazards. Section 5.7.4 (ii) describes the following policies, which must be addressed, when considering residential development in the rural area:

- a) ...As a rule, the minimum lot size shall be 0.8 hectares (2 acres) with 76 metres (250 feet) of frontage on a public road for non-waterfront lots and 1 hectare (2.5 acres) with 76 metres (250 feet) of frontage on a public road and 91 metres (300 feet) of water frontage for waterfront lots. The municipality may consider reductions to the minimum lot size and frontage requirements provided the overall intent of the Plan is maintained.*

Section 7.3 describes the Vacant Land Condominium policies. These policies require that new condominium units comply with Section 5.7.7 'Limited Service Residential Policies' related to lot size and frontages, which are generally larger than the requirements found in Section 5.7.4 and noted above. Sections 5.7.7 and 7.3 are discussed in detail, below.

- b) Rural residential development shall be serviced by private water and sanitary sewage disposal systems approved by the appropriate authority.*

All lots will be serviced by individual well and septic systems and will be assessed by the appropriate approval authorities. The proposed units have been designed so as to accommodate both primary and alternative septic tile beds.

- c) New lots for rural residential purposes should be created by plan of subdivision in accordance with lot creation policies included in Section 7 of this Plan. ...Any proposal which would create more than three new lots (three plus a retained) from a lot existing on the day of adoption of this Plan shall only be considered by plan of subdivision.*

The Units in a Vacant Land Condominium are vacant plots of land upon which dwellings can be constructed once the Plan of Condominium is registered. In this way, a Vacant Land Condominium is functionally nearly identical to a Plan of Subdivision. The primary difference is the shared ownership of common elements, such as roads, pathways and open space.

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

The subject lands front on the north side of Wellington Street. The proposed residential units will front onto private condominium roads under the common ownership of the condominium corporation, which will provide access to Wellington Street.

Further to the above, limited service residential development is intended to be located in the Rural areas of the Township adjacent to water bodies or water courses, where primary access is from a private road or navigable waterway. The following development policies, described in Section 5.7.7 (ii) must be addressed when considering limited service residential development and a plan of condominium in the rural area:

- a) As a rule, the minimum lot size shall be 1 hectare (2.5 acres) with a minimum of 91 metres (300 feet) of water frontage and 76 metres (250 feet) of frontage on a private road. The municipality may consider reductions to the minimum lot size and frontage requirements provided the overall intent of the Plan is maintained.*

The minimum lot size in the proposed development is 1.01 hectares, the minimum water frontage is 91 metres, and the minimum private road frontage is 76 metres. No reduction in the above-noted requirements is being sought for the proposed development.

b) The creation of up to a maximum of three new limited service residential lots per landholding existing on the day of adoption of this Plan may be permitted by consent, in accordance with the General Consent policies of Section 7 of this Plan.

The proposed development is seeking the creation of 18 residential units, therefore a severance would not be permitted. A Plan of Vacant Land Condominium is the mechanism that has been selected for land division in the proposed development.

c) Severances for new waterfront limited service residential lots may be permitted on newly created private roads provided the new private road intersects with an existing public road and is designed and constructed in accordance with Township standards for new private roads.

The proposed development is not seeking any severances. The condominium corporation will be responsible for the routine maintenance (e.g. snow plowing) and periodic upkeep (e.g. road repair) of the private roads. The private roads will also be designed and constructed in accordance with Township standards.

d) Limited service residential development shall be serviced by private water and sanitary sewage disposal systems. Such systems shall be approved by the appropriate authority.

The proposed development will be serviced by individual private well and septic systems, in accordance with the OP. The appropriate approval authorities will assess the servicing for each unit.

e) 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.

The proposed development incorporates three common element open spaces, which are intended to preserve and protect the natural beauty and physical attributes of the site. Tree coverage and varying topography will be maintained on a large open space in the northwest corner of the site, with an area of 3.11 hectares. Two smaller open spaces on the waterfront, with areas of 0.14 hectares and 0.23 hectares, will ensure that all future residents will have access to the stunning scenic views of Dog Lake.

f) Limited service residential development shall be developed in accordance with the applicable policies of Section 5.2 of this Plan.

Please see above for a detailed discussion of how the proposed development relates to the policies of Section 5.2.

g) 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.

No communal docking facilities are proposed for the subject site.

h) 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 road 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 road 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.

There are two existing residential lots that will be surrounded by the proposed development. These two lots will gain access to the private roads maintained by the condominium corporation that provide a linkage to Wellington Street.

Section 7 Division of Land

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.) 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. 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'.

Unit 1 is a waterfront lot with 91 metres of waterfrontage along a small inlet of Dog Lake which meets the criteria noted above for a narrow waterbody. The intent of this policy is to ensure that newly created lots on narrow waterbodies do not contribute to unsafe boating conditions, give the appearance of overdevelopment, or create an unreasonable separation between residential uses. Unit 1 is located between two existing lots and is maximizing the available waterfrontage at this location. It is therefore an existing condition and not one that is being newly created as a result of lot creation.

7.3 General Policies for Plans of Condominium (Vacant Land with Common Elements)

- 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.*

The proposed development consists of one lot with 18 individual units, three common elements open spaces and one common elements private road.

- 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.*

The surrounding area is characterized by rural residential development with some minor agricultural development nearby. The proposed development will surround two existing lots on Dog Lake and will be at a scale comparable to the larger of the two existing lots. The provision of generous unit sizes, large frontages, retained woodlands and natural waterfront area is therefore reflective of the scale and character which is well-established 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.*

Access to the subject site is provided by Wellington Street, which is anticipated to have sufficient capacity to accommodate the additional traffic generated by the proposed

development. All proposed units will front onto condominium roads, which are common elements that will be maintained by 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 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.*

All of the units in the proposed development meet the lot area and frontage requirements outlined in Section 5.7.7 (ii). No reductions are being sought to accommodate the proposed development.

- 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.*

An Analysis of Stormwater Management Requirements has been prepared by Josselyn Engineering. This report recommends measures to mitigate impacts from the proposed development and improve existing drainage conditions throughout the site, protect home owners from flooding, protect Dog Lake, and mitigate impacts during construction.

- f) Condominium units shall have access to 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.*

All of the proposed condominium units shall have access to one of two proposed common elements condominium roads. The roads shall be designed and constructed to meet the Township's requirements for private 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.*

The proposed development will seek to preserve as many trees as possible, on the understanding that a certain degree of tree removal will be required in order to accommodate the proposed development. According to the Environmental Impact Statement (EIS), those portions of the site's woodlands adjacent to the waterfront are significant and provide significant wildlife habitat. In order to prevent and mitigate any negative impacts, the following mitigating measures are recommended:

- All buildings and septic beds will be located in order to maximize setback distances and prevent erosion impacts; and
- The removal of any living tree greater than eight inches in diameter at breast height (DBH) within 40 metres of the waterfront will be prohibited by the condominium agreement. Any trees knocked over by blowdown can be removed.

- 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.*

The EIS recommended a minimum setback of 40 metres from the Dog Lake waterline in order to ensure a 30-metre buffer. All proposed development shall be constructed per the proposed setback.

- 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.*

The subject lands front onto Wellington Street, a public road. Two private condominium roads will provide access to Wellington Street from each unit within the site.

- 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.*

Existing garbage and snow removal are currently provided by the municipality on Wellington Street. A communal garbage facility for residents of the condominium will be established at Wellington Street and internal snow removal will be the responsibility of the condominium corporation. Therefore, the proposed development can be serviced by existing levels of municipal services.

- 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.*

The applicant is prepared to enter into a condominium agreement.

- 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 [sic] and may include drainage studies, traffic impact studies and environmental impact statements.*

A Hydrogeological Study was prepared which indicates that the quality and quantity of groundwater, as well as the general soil conditions of the site, can accommodate the proposed development. A Stormwater Management Analysis is also provided which recommends best practices for managing surface runoff. An Environmental Impact Study was also prepared, which recommends measures for mitigating environmental impacts to the site.

- m) Plans of condominium shall be compatible with adjacent areas and the general intent of this Plan.*

The proposed Vacant Land Condominium describes units which are comparable in size and quality to adjacent areas. The development will also protect the significant natural features of

the site which will result in a development which is consistent with the rural and natural character of the area.

- n) A cultural heritage resource assessment and/or an archaeological assessment may be required for any lands to be developed. The assessment and any recommendations for the conservation of significant cultural heritage resources identified through the assessment may be a condition of condominium approval and may be included in the final agreement with the condominium corporation.*

A Stage 1-2 Archaeological Assessment has been completed. The recommendations of the Archaeological Assessment are that no further archaeological work needs to be conducted on the site due to the absence of any artifacts or signs of historical habitation.

- 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.*

The applicant is prepared to enter into such an agreement.

- 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.*

A Vacant Land Condominium is a form of condominium ownership found in the *Condominium Act, 1998*. Per Section 155(1), it cannot apply where any unit is located above or below any other unit. Further, no building or structure can be constructed prior to the registration of the condominium plan. The proposed development is consistent with the *Condominium Act* in this regard, as units are located on either side of one another and buildings and structures will only be constructed after plan registration.

The sections of the *Planning Act* which describe the approval process of a plan of subdivision application (Sections 51, 51.1 and 51.2) also apply to a plan of condominium application. The *Planning Act* prescribes information that must be provided by the applicant to the approval authority. The Draft Plan of Condominium enclosed includes items (a) through (l) as defined in Section 51(17).

According to Section 51(24) of the *Planning Act*, in considering a plan, regard shall be had to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality. The proposed development conforms to these considerations as it:

- is consistent with matters of provincial interest;
- conforms to the policies of the Official Plan;
- is suitable for the subject lands;
- is accessible via an existing public road;
- conserves the site's natural resources;
- does not require the expansion of municipal services.

Section 51.1(1) of the *Planning Act* addresses parkland dedication requirements. As discussed below, the proposed Common Elements open space meets the requirements of the *Planning Act*.

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.

While the proposal provides over 3 hectares of open space it is intended for the use of the condominium. As such, cash-in-lieu of parkland is proposed to satisfy this requirement.

Based on this review of the Township Official Plan with respect to the proposed development, it is our opinion that the proposed low density residential development conforms to the policies of the Plan.

Township of South Frontenac Zoning By-law

The subject lands are zoned Rural (RU) by Zoning By-law 2003-75.

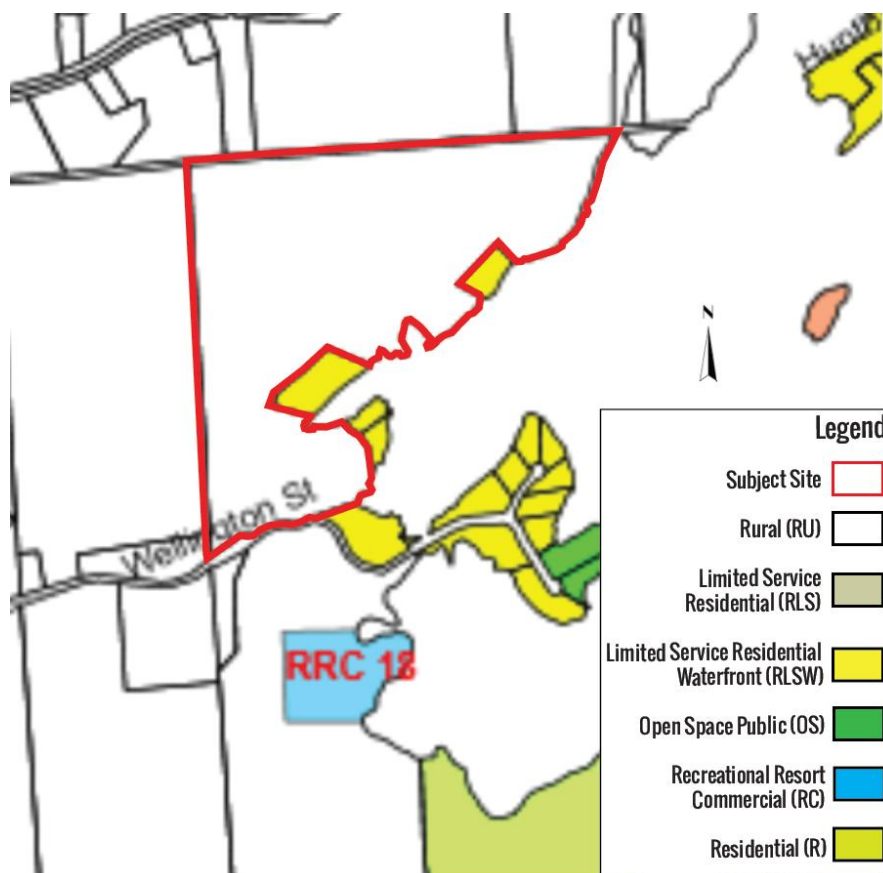


FIGURE 6: TOWNSHIP OF SOUTH FRONTENAC CURRENT ZONING

The proposed zoning for the site will consist of two zones for the residential units, Limited Service Residential (RLS) and Limited Service Residential Waterfront (RLSW). The Common Elements open spaces are to be zoned Open Space Private (OSP). The Hydrogeological Assessment and Terrain Analysis prepared by BluMetric includes a plan showing the proposed locations of building envelopes (20 metres x 20 metres) and both primary and alternative septic bed locations.

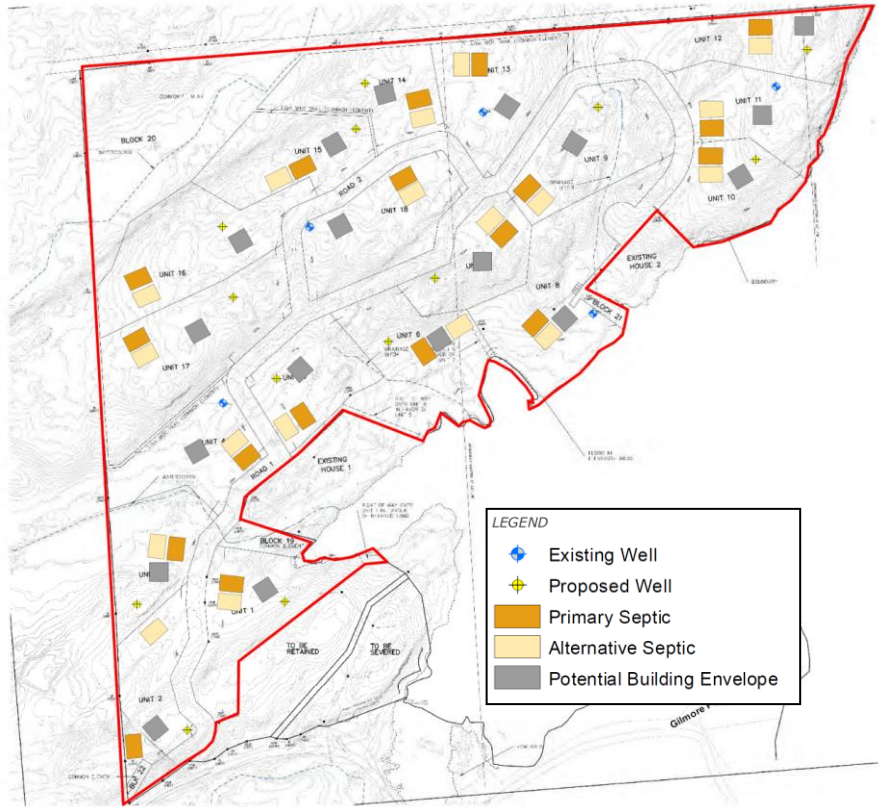


FIGURE 7: PROPOSED BUILDING, WELL AND SEPTIC LOCATIONS

Unit	Object	Distance from (m)	
		Dog Lake	Water Course
1	septic	65	33
	build envelope	44	47
2	septic	NA	NA
	build envelope	NA	NA
3	septic	NA	32
	build envelope	NA	NA
4	septic	NA	52
	build envelope	NA	35
5	septic	NA	66
	build envelope	NA	31
6	septic	40	19.8
	build envelope	43	36
7	septic	NA	NA
	build envelope	NA	NA
8	septic	41	49
	build envelope	42	32
9	septic	NA	47
	build envelope	NA	42

10	septic	61	NA
	build envelope	47	NA
11	septic	97	NA
	build envelope	58	NA
12	septic	91	NA
	build envelope	51	NA
13-18	septic	NA	NA
	build envelope	NA	NA

TABLE 1: PROPOSED SHORELINE BUFFERS FOR BUILDING AND SEPTIC ENVELOPES

LIMITED SERVICE RESIDENTIAL (RLS-X)

PROVISION	REQUIREMENT	PROPOSED	COMPLIANCE
Lot Area (min.)	8,000 sq. metres	10,000 sq. metres	✓
Lot Frontage (min.)	76 metres	76 metres	✓
Front Yard (min.)	20 metres	20 metres	✓
Rear Yard (min.)	10 metres	10 metres	✓
Interior Side Yard (min.)	3 metres	3 metres	✓
Exterior Side Yard (min.)	20 metres	20 metres	✓
Lot Coverage (max.)	10%	10%	✓
Building Height (max.)	11 metres	11 metres	✓
Gross Floor Area (min.)	59 sq. metres	59 sq. metres	✓
Off-street Parking	2 spaces per unit	2 spaces	✓
Private Lane Setback	5 metres	5 metres	✓
Highwater Mark Setback	30 metres	40 metres	✓ Amendment to exceed requirements
Top of Bank Setback	15 metres	15 metres	✓

LIMITED SERVICE RESIDENTIAL WATERFRONT (RLSW-X)

PROVISION	REQUIREMENT	PROPOSED	COMPLIANCE
Lot Area (min.)	10,000 sq. metres	10,000 sq. metres	✓
Lot Frontage (min.)	76 metres	76 metres	✓
Water Frontage (min.)	91 metres	91 metres	✓
Front Yard (min.)	30 metres	30 metres	✓
Rear Yard (min.)	10 metres	10 metres	✓
Interior Side Yard (min.)	3 metres	3 metres	✓
Exterior Side Yard (min.)	10 metres	10 metres	✓
Gross Floor Area (min.)	59 sq. metres	59 sq. metres	✓
Lot Coverage (max.)	5%	5%	✓
Building Height (max.)	11 metres	11 metres	✓

Setback from highwater mark or floodline of a body of water (min.)	30 metres	40 metres	✓
Off-street Parking	2 spaces per unit	2 spaces	✓
Private Lane Setback	5 metres	5 metres	✓
Highwater Mark Setback	30 metres	40 metres	✓ Amendment to exceed requirements
Top of Bank Setback	15 metres	15 metres	✓

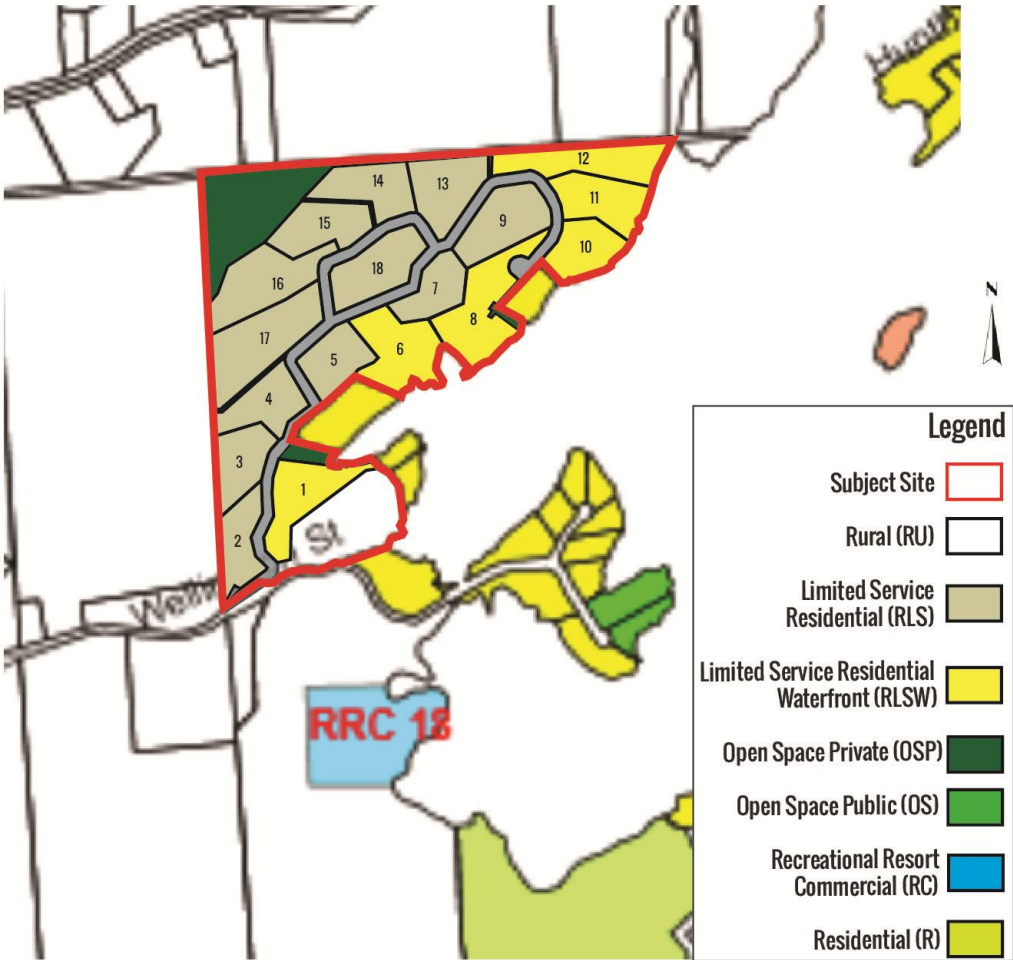


FIGURE 8: TOWNSHIP OF SOUTH FRONTENAC PROPOSED ZONING

The proposed Site Specific zones ‘RLS-X’ and ‘RLSW-X’ do not require any relief from the provisions described in the parent Zoning By-law. The site-specific RLS zone is seeking an expansion in minimum lot area in order to ensure a consistent lot fabric throughout the proposed condominium development. Both zones will also incorporate an enhanced minimum setback of 40 metres from the highwater mark to satisfy the environmental considerations of the site. No amendment is sought for the Open Space Private zone as the language in the parent zoning is appropriate for the proposed use.

7. Conclusion

The descriptive information and policy analysis presented within this report brings us to the conclusion that the proposed Vacant Land Condominium to allow the development of 18 single family dwellings is appropriate and desirable from a land use perspective. The lands within the vicinity of the site are occupied by rural residential and agricultural uses. The proposed development is similar and compatible with adjacent uses. Approval of the proposed Draft Plan of Vacant Land Condominium and Zoning By-law Amendment will provide an opportunity for additional residential development in a manner which is consistent with the vision, goals, objectives, and policies of the Township of South Frontenac's Official Plan. The proposed development is consistent with the *Provincial Policy Statement* as it represents limited residential development and does not require an unnecessary expansion of municipal services. A review of the supporting studies indicates that the proposed development can be serviced appropriately while implementing measures to mitigate any impact on the ecological features of the subject lands.

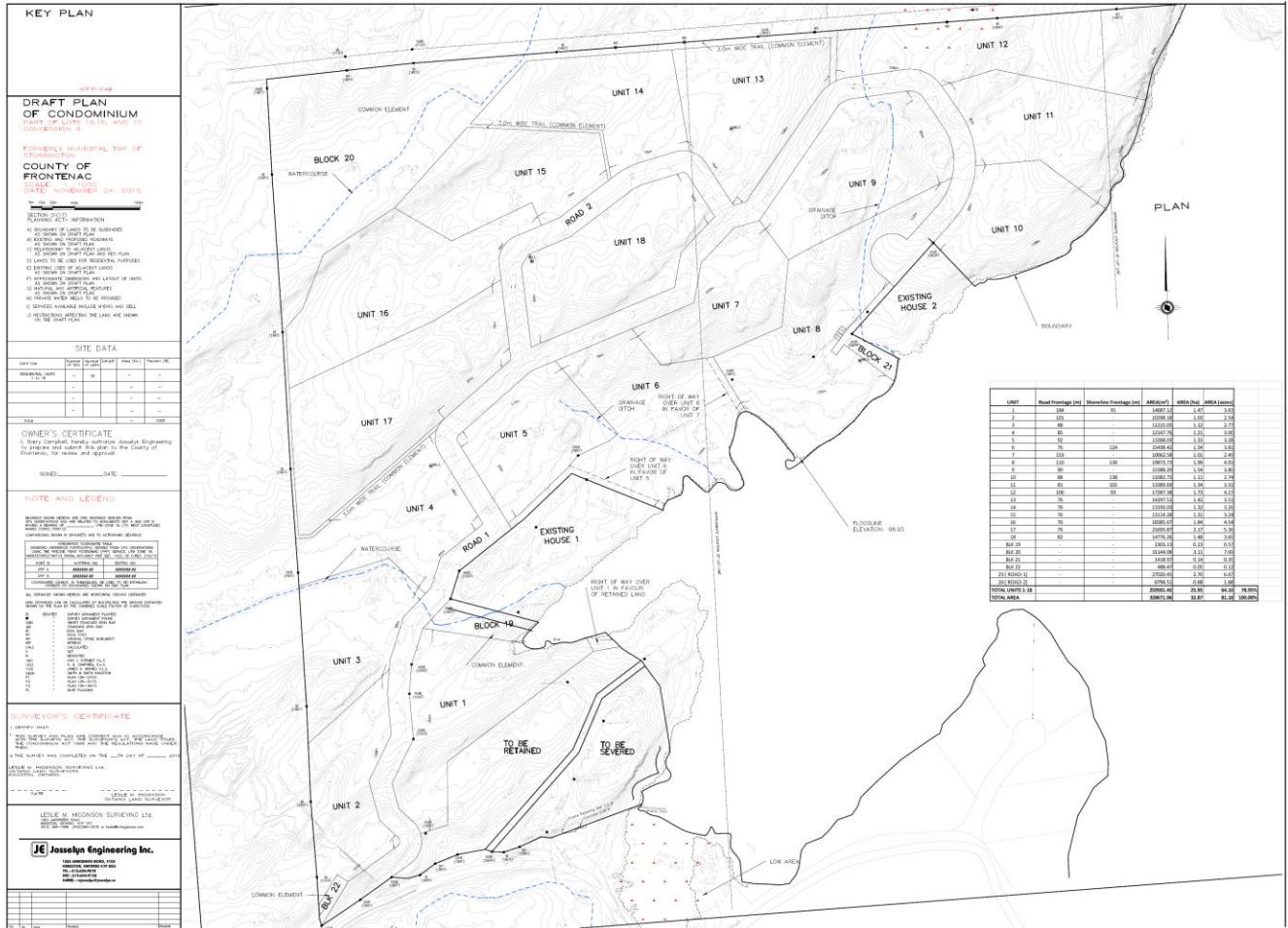
We trust the above-noted and enclosed information and materials are sufficient to allow the Township of South Frontenac to process this application. Should you require any additional information, please do not hesitate to contact the undersigned at 613.542.5454 ext. 221.

Respectfully submitted,

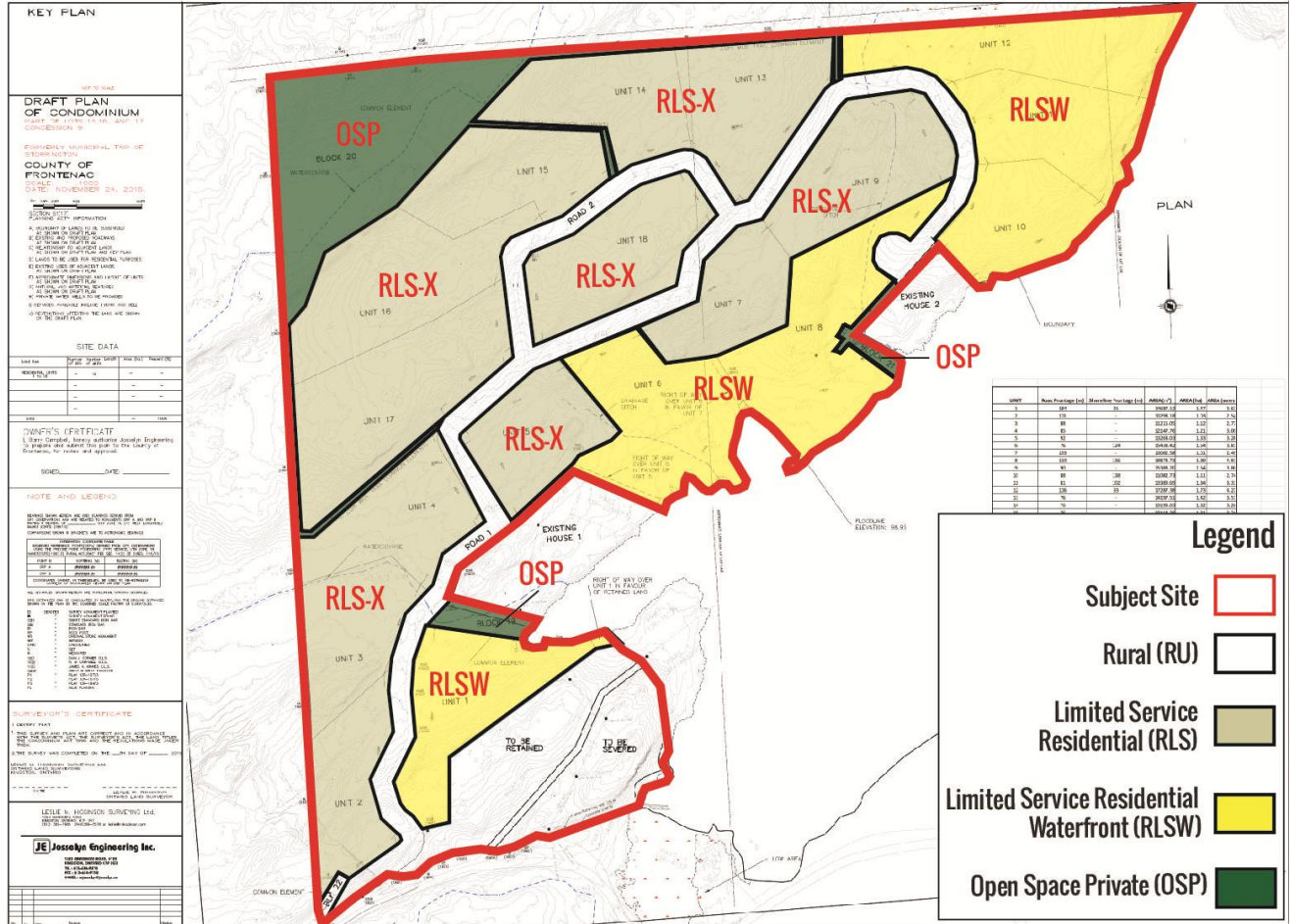


MIKE KEENE, MCIP RPP
Manager, Planning + Policy

8. Appendix A - Draft Plan of Condominium



9. Appendix B - Proposed Zone Schedule



10. Appendix C – Proposed Zoning

RLS-X

Notwithstanding anything in this by-law to the contrary, the lands zoned Site Specific Limited Service Residential shall be used only in accordance with the following:

- a) The minimum lot area shall be 10,000 square metres;
- b) The minimum setback from the established wetland boundary or high water mark shall be 40 metres.
- c) The minimum setback from identified watercourses shall be as follows:
 - a. Units 9 and 12: The minimum setback shall be 6 metres;
 - b. Units 3, 4, 14, 15, and 16: The minimum setback shall be 30 metres.

RLSW-X

Notwithstanding anything in this by-law to the contrary, the lands zoned Site Specific Limited Service Residential Waterfront shall be used only in accordance with the following:

- a) The minimum setback from the established wetland boundary or high water mark shall be 40 metres.
- b) The minimum setback from identified watercourses shall be as follows:
 - a. Units 5, 6 and 8: The minimum setback shall be 6 metres;
 - b. Unit 1: The minimum setback shall be 30 metres.



REPORT TO COUNCIL CLERKS DEPARTMENT



AGENDA DATE: May 2, 2017

SUBJECT: Skateboarding

RECOMMENDATION

That Council decline creating a skateboard bylaw to prohibit skateboarding on the municipal office and library property in Sydenham

BACKGROUND

In May 2016 the issue of creating a bylaw to limit skateboard use on the municipal office property was tabled at the Corporate Services Committee and has remained on the list of outstanding agenda items.

Each spring and fall, after school hours, there are a select number of local youth who skateboard in the parking lot and on the sidewalks of the municipal office site. This is a safety issue for the skateboarders, as well as liability issue for both the township and motorists using the parking lot. Concern has been also expressed by staff about damage to staff vehicles that may have been caused by the skateboarders. To date when the activity has created serious problems (i.e. skateboarding down the accessible ramp at the front of the office) staff have spoken to the youth and advised them to stop. Generally the level of disruption is limited to increased noise heard around the back and side of the building and it lasts for about an hour or so a couple of days per week.

Establishing a bylaw is the only means to formally restrict the activity. Once established, appropriate signage would be required and enforcement would be achieved through Bylaw Services issuing tickets. This may be perceived as excessive and may not fully address the concern.

Council may recall that the issue of creating a skateboard park has been raised from time to time through the recreation committees. Most recently a feasibility study was requested to be included in the 2017 budget but was not prioritized by staff in the draft budget. Prior to a skateboard park being prioritized by Council, consideration would need to be given to the capital costs as well as the liability insurance costs.

FINANCIAL and STAFFING CONSIDERATIONS

Feasibility study costs were estimated at \$5,000, while construction costs for a skateboard park are loosely estimated at \$100,000.

ATTACHMENTS

None

Submitted/approved by:

Wayne Orr, CAO

Prepared by:

Wayne Orr, CAO