TOWNSHIP OF SOUTH FRONTENAC
Council Agenda
Meeting # 30

TIME: 6:00 PM,
DATE: Tuesday, August 9, 2022
PLACE: Council Chambers/Virtual.

1. *Call to Order and Roll Call*

a) **Resolution**

2. *Declaration of pecuniary interest and the general nature thereof*

3. *Approval of Agenda*

a) **Resolution**

4. *Scheduled Closed Session (at end of agenda)*

5. *Delegations - none*

6. *Public Meeting (7:00 pm)*

a) **Resolutio**n - Public Meeting Statement for Zoning Applications 4 - 55

b) RC-21-03 (5006755 Ontario Ltd.) (Beach - Agent) – Application to stop up, close and transfer a portion of unopened road allowance between former Townships Portland and Loughborough 56 - 62

c) Zoning By-law Amendment Application - PL-ZBA-2022-0050 (Huehn)(Fotenn) – 38 Phoebe Lane 63 - 74

d) Zoning By-law Amendment Application - PL-ZBA-2022-0088 (Prikker) – 1466 Devil Lake Road 75 - 81

e) Zoning By-law Amendment Application - PL-SB-2022-0096, Battersea Road (102906003011515) 82 - 90

f) Zoning By-law Amendment Application PL-ZBA-2022-0097 (Klassen) – 73 Mill Bay Lane 91 - 102

g) **Resolution** to Close Public Meeting

7. *Approval of Minutes*

a) **July 12, 2022 Council Meeting** 103 - 111

8. *Business Arising from the Minutes*

9. *Reports Requiring Action*

a) **Project Award: Centennial Multipurpose Facility Roof Structure** 112 - 116
- This report provides information on awarding the contract for the Centennial Multipurpose Roof Structure

b) **Conservation Signage - Devil Lake Boat Launch** 117 - 123
- The purpose of this report to provide Council with background on a request from the Devil Lake Association for the installation of privately funded educational and conservation signage at the Devil Lake boat launch on Perth Road

10. *Committee Meeting Minutes*

a) Harrowsmith Beautification Committee meeting held July 6, 2022 124 - 125

11. *By-laws*

a) **By-law 2022-70, 202-71. 2022-72 - Implementation of Administrative Monetary Penalties – Municipal By-law Enforcement** 126 - 148
The purpose of the Report is to provide Council with information regarding the proposed expansion of the application of Administrative Monetary Penalties (AMPs) to two Township of South Frontenac by-laws. The expanded use of AMPs will assist the Township of South Frontenac in deterring behaviours prohibited under the Trailer License By-law (By-law 2004-93) and the Safe Property By-law (By-law 2007-13).

b) **By-law 2022-73 - Site Plan Control Application - PL-SPR-2022-0078 - Shelly and Michael Lacelle (applicant); ZanderPlan Inc. (agent) - Unit 3, Johnston Point Plan of Condominium** 149 - 173
This report recommends that Council approve the individual site plan control application for Unit 3 in Johnston Point. This Unit is located on the west side of Hinterland Lane and is proposed to be developed with a single detached dwelling and a pool.

c) **By-law 2022-74 - Site Plan Control Application - PL-SPR-2022-0069 - Brenda MacDonald & Dave Dobing (applicant); Unit 7, Johnston Point Plan of Condominium** 174 - 199
This report recommends that Council approve the individual site plan control application for Unit 7 in Johnston Point. This Unit is located on the west side of Hinterland Lane and is proposed to be developed with a single detached dwelling with attached garage.

d) **By-law 2022-75 - Site Plan Control Application PL-SPR-2022-0077 - David and Ashley Logan (applicant); ZanderPlan Inc. (agent) - Unit 10, Johnston Point Plan of Condominium** 200 - 225
This report recommends that Council approve the individual site plan control application for Unit 10 in Johnston Point. This Unit is located on the east side of Hinterland Lane and is proposed to be developed with a single detached dwelling with an attached garage.

12. *Reports for Information*

a) **Quarterly Report - Capital Works Program** 226 - 231
The purpose of this report to provide Council with the first of a series of new quarterly reports that will be issued going forward on the status of capital works projects within the Public Services Department

b) **2nd Quarter 2022- Planning Services Report** 232 - 236

This report documents the delivery of Planning Services within the Development Services Department between April 1, 2022 and April 30, 2022

c) **2nd Quarter 2022 - Building Services Report** 237 - 241
This report documents the delivery of Building Services within the Development Services Department between April 1, 2022, and June 30, 2022

13. *Information Items*

a) **2022 Q2 Update from Frontenac County Economic Development** 242 - 251

14. *Notice of Motions*

15. *Announcements/Statements by Councillors*

16. *Question of Clarity (from the public on outcome of agenda items)*

17. *Closed Session*

a) **Resolution** - Council will move into a closed session as permitted by the Municipal Act, Section 239.2 (d) labour relations or employee negotiations, including municipal or local board employees, regarding the organizational requirements for Human Resources.

b) **Human Resources Requirements**

c) **Resolution** - Move out of Closed Session

18. *Rise & Report*

a) **Resolution**

19. *Confirmatory By-law*

a) By-law 2022-76 252

20. *Adjournment*

a) **Resolution**

Public Meeting

under the *Municipal Act*

Application for Unopened Road Allowance Closure, Transfer and Purchase

RC-21-03

Tuesday, August 9, 2022

7:00 p.m. Virtual Council Meeting

Agenda

- Staff reviews proposal and delivers report
- Public questions and comments
- Council questions and comments

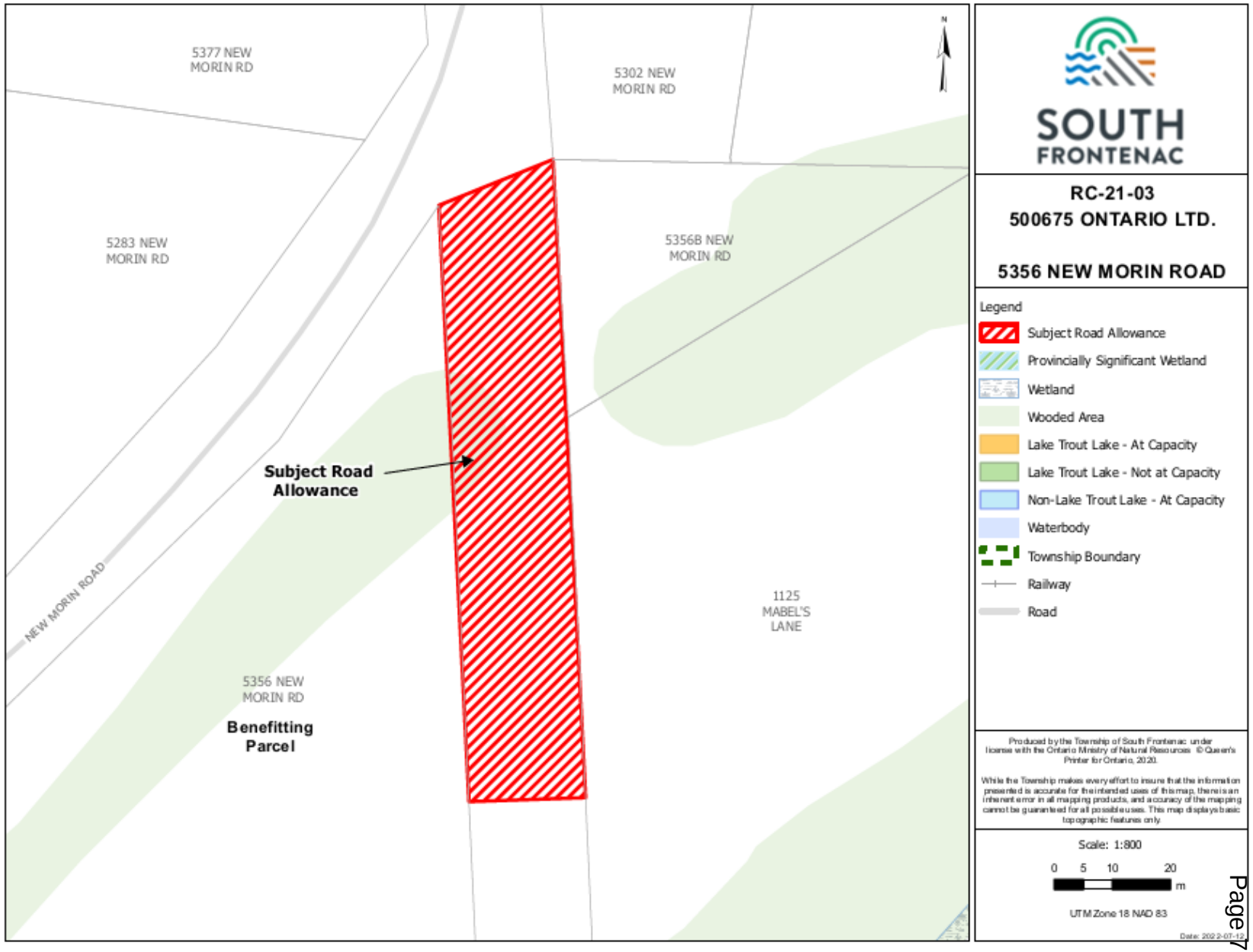
RC-21-03

Applicant: 5006755 Ontario Ltd.

Agent: Gary Beach

Property: 5356 New Morin Road (benefitting lands)

Location Map



SOUTH FRONTENAC

Full Overview

Photograph of where the road allowance meets New Morin Road

View of the dwelling and road allowance

Portion of dwelling on the road allowance (rear)

Portion of dwelling on the road allowance (front)

View of road allowance beyond the dwelling – Knowlton Lake on the left

Department and Agency Comments

- **Public Services** – no concerns, will make comments on the Private Lane when applicable
- **Recreation Department –** no concerns
- **Cataraqui Conservation –** has no concerns as long as the road allowance within 30 metres of the wetlands and Knowlton Lake are not sold. Portions of the property may be subject to their regulation.
- **Ontario Natural Resources –** none received

Public Comments

- **Tom Babcook** has expressed concerns throughout the process and is considering filing an application to purchase the road allowance himself.
- **Chris Freeman** is concerned with respect to the future development implications the sale of this unopened road allowance may have.
- **Bob and Marjorie Clow** are concerned with future development of the lands and the natural path the unopened road allowance has created for wildlife to and from Knowlton Lake.
- **Erin and Vincent Babcook** have concerns relating to the past use of the lands including garbage and vegetation removal as well as road maintenance.
- **Irwin and Geraldine Babcook** have concerns with respect to tree cutting, road maintenance and garbage.

Public Questions and Comments

If you would like to speak:

- Use “Raise Hand” feature at the bottom of your screen.
- Dial*9 (star nine) for phone.
- Please wait to speak until you hear your name and your microphone has been unmuted.

Council Questions and Comments

SOUTH FRONTENAC

Public Meeting

under the Planning Act

Applications for Zoning By-law Amendment

PL-ZBA-2022-0050

PL-ZBA-2022-0088

PL-ZBA-2022-0096

PL-ZBA-2022-0097

Tuesday, August 9, 2022

7:00 p.m. Virtual Council Meeting

Public Meeting Statement

- The purpose of this public meeting is to hear comments on Zoning By-Law Amendment Applications PL-ZBA-2022-0050, PL-ZBA-2022-0088, PL-ZBA-2022-0096 and PL-ZBA-2022-0097.
- If a person or public body does not make oral or written submissions at this public meeting, or make written submissions to South Frontenac Township before any by-law is passed, the person or public body may not be added to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.
- If you wish to be notified of the decision of Council in respect to the application, you must submit a written request to the Clerk via email at amaddocks@southfrontenac.net. This will also entitle you to be advised of an Ontario Land Tribunal appeal.
- Anyone may appeal the decision to the Ontario Land Tribunal. The appeal must be filed with the Clerk within 20 days of the notice of decision. The notice of appeal must set out the reasons for the appeal and be accompanied by the fee required by the Tribunal.

SOUTH FRONTENAC

Format for Each Application

- Planner reviews proposal and delivers report
- Public questions and comments
- Council questions and comments

PL-ZBA-2022-0050

Applicant: Linda Huehn

Agent: Fotenn Consultants Inc.

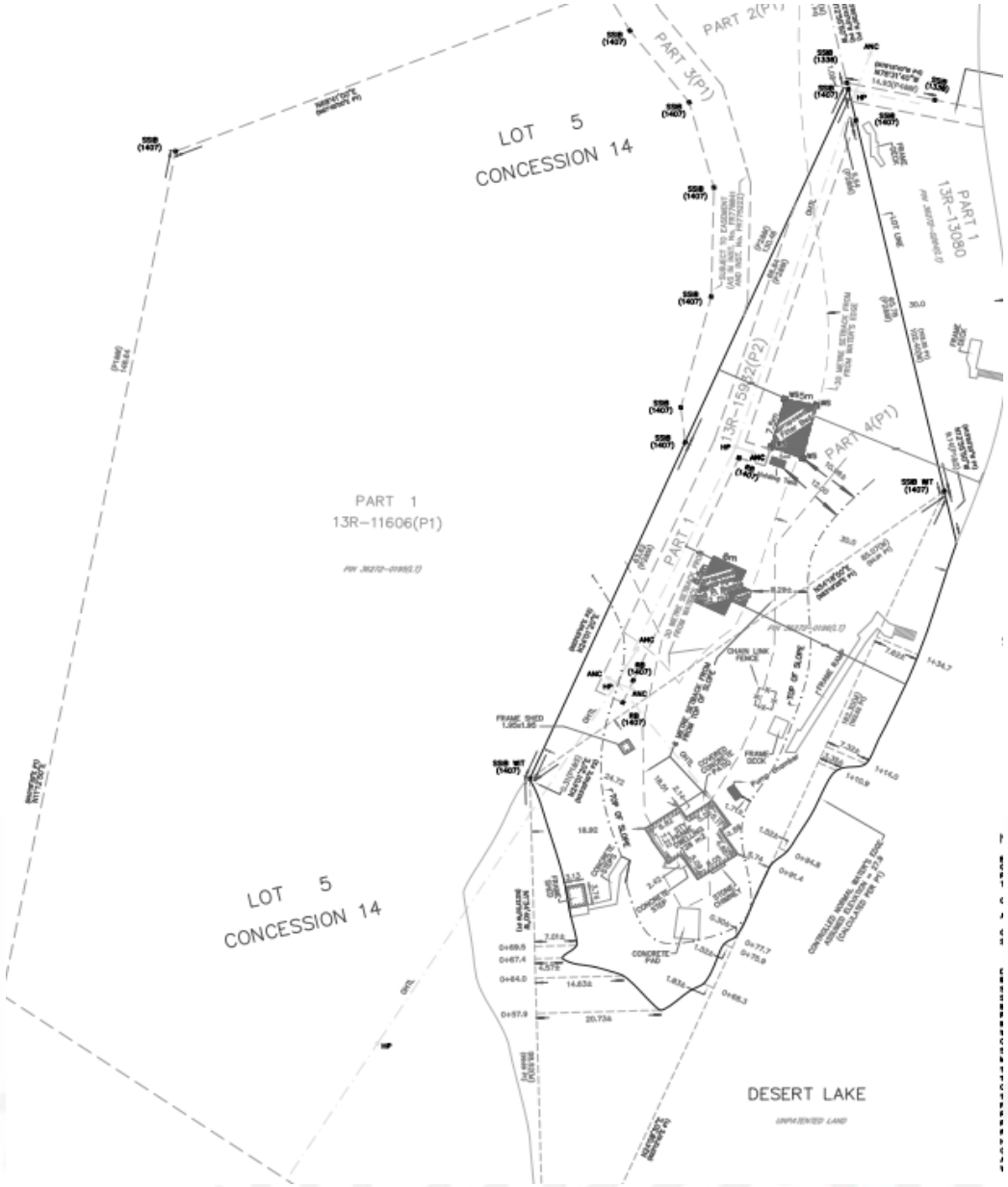
Property: 38 Phoebe Lane, District of Loughborough

Location

Deyos Rd
Desert Lake Rd
Rose Ln
Desert Point Ln
Canoe Lake
Waterway Inn Ln
Desert Lake

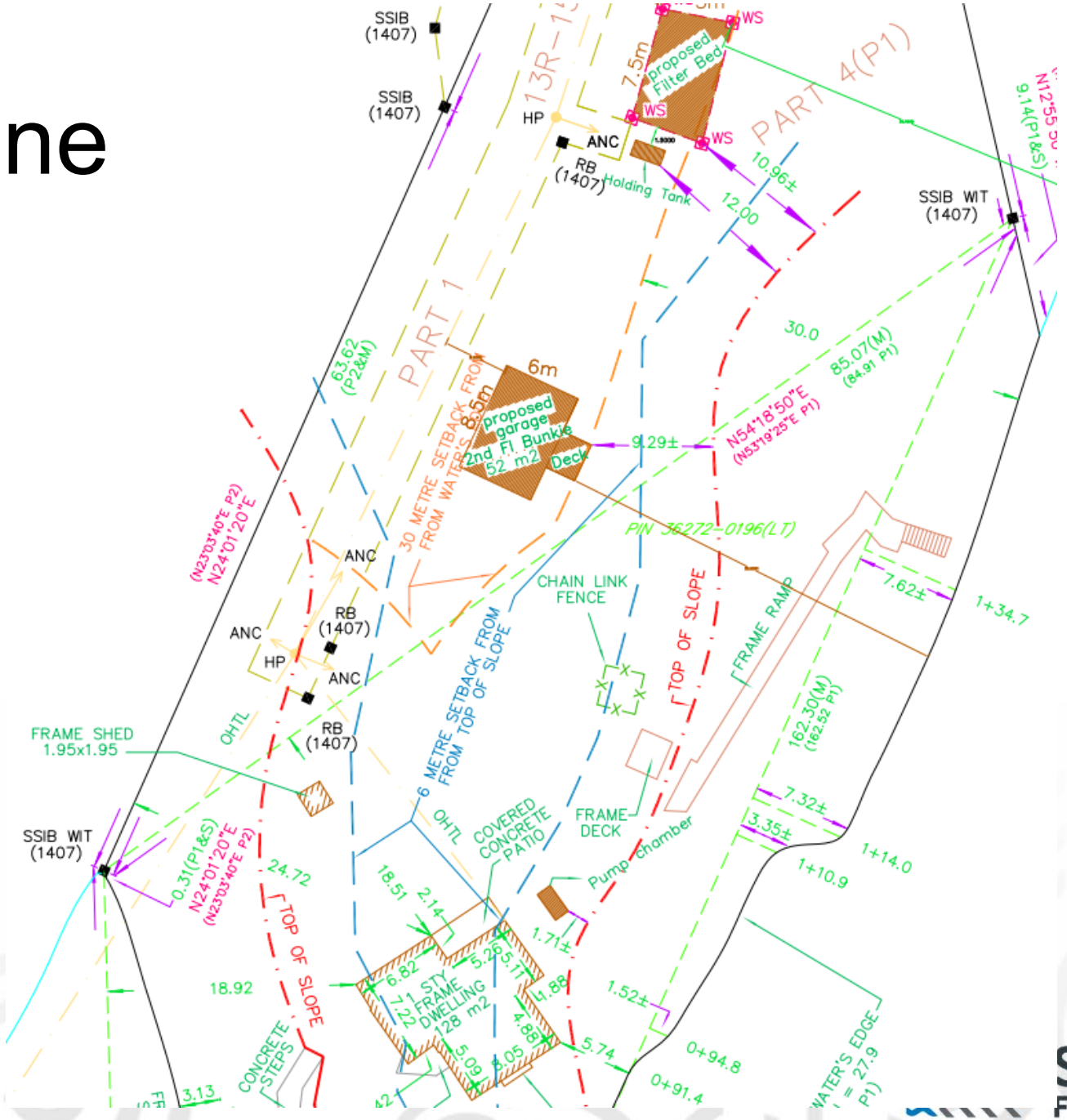
Proposal

- Existing Zone: RLSW
- Proposed Zone: Site Specific RLSW-XXX



Site Specific Zone

- To allow the second storey of an accessory, detached garage to be used similar to a sleeping cabin
- Exceed maximum building height
- Reduced setback from top of bank
- Prohibit future sleeping cabins



SOUTH FRONTENAC

View of proposed location

Vegetation between water and building with a view towards the lane

Department, Agency and Public Comments

- Building Services – No objection
- Cataraqui Conservation – No objections. A permit will be required.
- Public comments – None to date

Policy Framework

Provincial Policy Statement

Frontenac County Official Plan

Township of South Frontenac Official Plan

Limited Service Residential Waterfront

Accessory Buildings & Uses

Natural Hazards

Next Steps

- South Frontenac Council should receive comments from the public
- A report with a recommendation will be brought to a future Council meeting

Public Questions and Comments

If you would like to speak:

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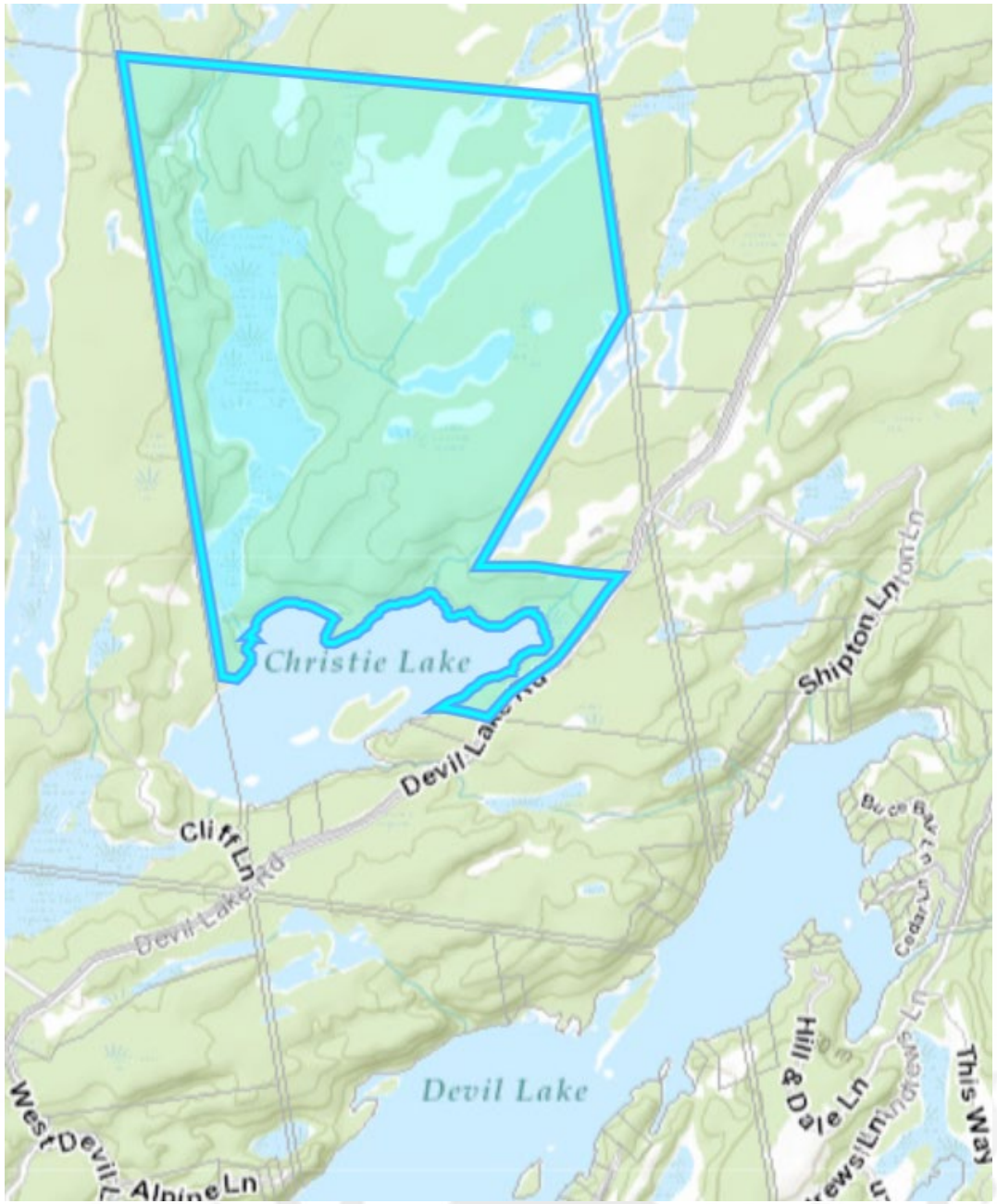
Council Questions and Comments

PL-ZBA-2022-0088

Applicant: Meredith and Brett Prikker

Property: 1466 Devil Lake Road

Location

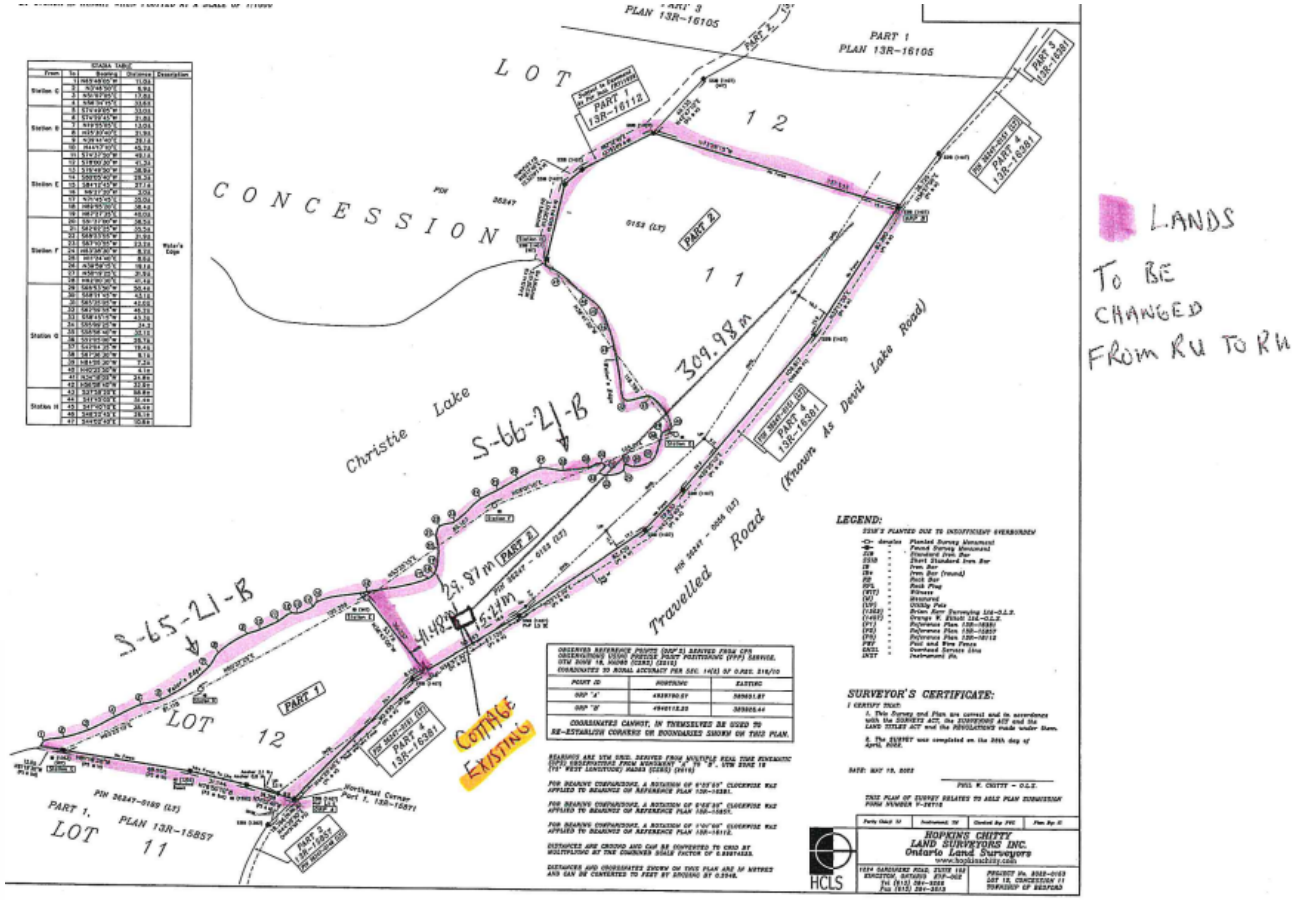


SOUTH FRONTENAC

Proposal

- New lot creation for residential properties
- Existing zone – Rural
- Proposed zone – RW

- Acknowledge that the waterfront properties have frontage on and are accessed by a public road
- limit the permitted uses to either a seasonal dwelling or a single detached dwelling



Subject Lands

Department, Agency and Public Comments

- Public Services, Building Services and the Cataraqui Conservation did not provide comments on the rezoning application as they had no objections to the consent application.

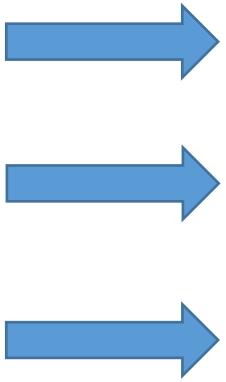
- Public comments – None to date

Policy Framework

Provincial Policy Statement

Frontenac County Official Plan

Township of South Frontenac Official Plan



Limited Service Residential development

Environmental Protection

Next Steps

- South Frontenac Council should receive comments from the public
- A report with a recommendation will be brought to a future Council meeting

Public Questions and Comments

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Council Questions and Comments

PL-ZBA-2022-0096

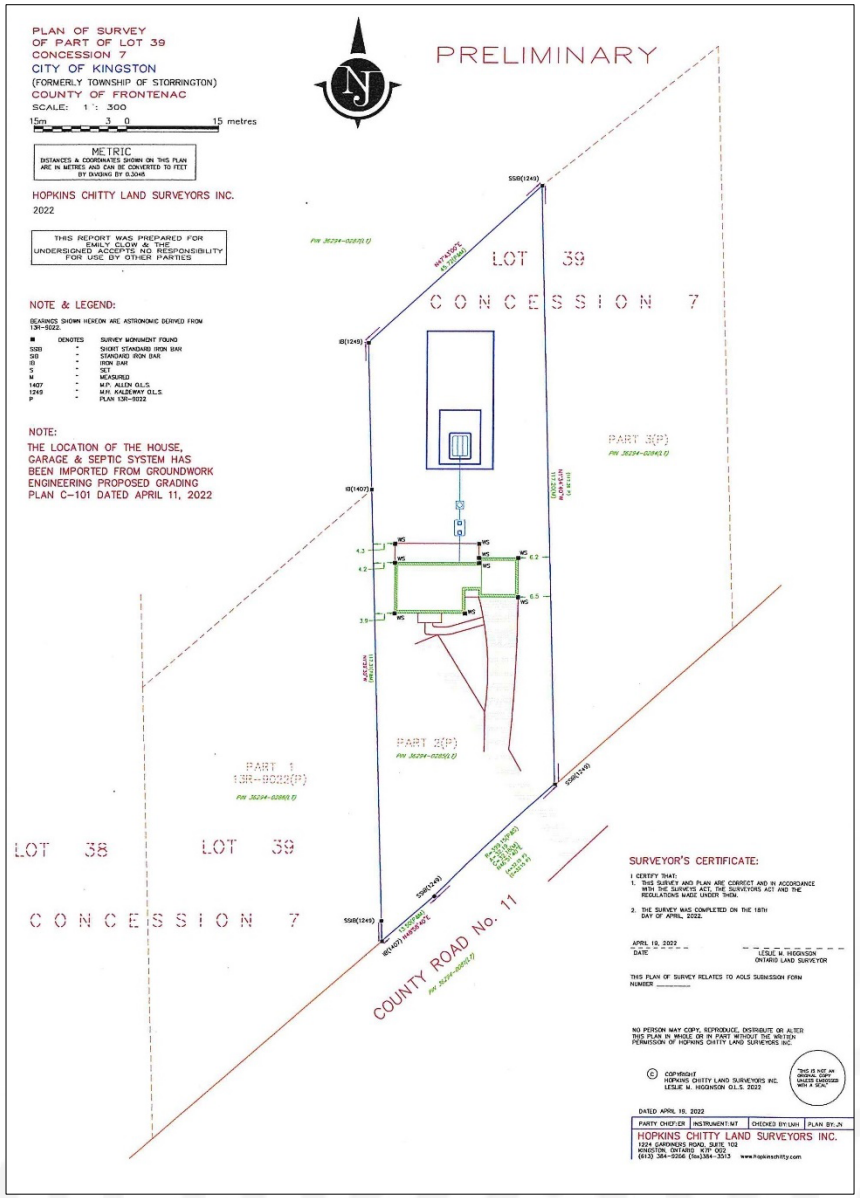
Property: 0 Battersea Road (102906003011515)

Location

Mcgarvey Rd
Battersea Rd
Bear Creek Rd
Beach Nut Rd
Frontenac Rd

Proposal

- Existing Zone – RU
- Proposed Zone – RU-XX
- Permit a dwelling within 300 metres of two existing quarries



Building Location

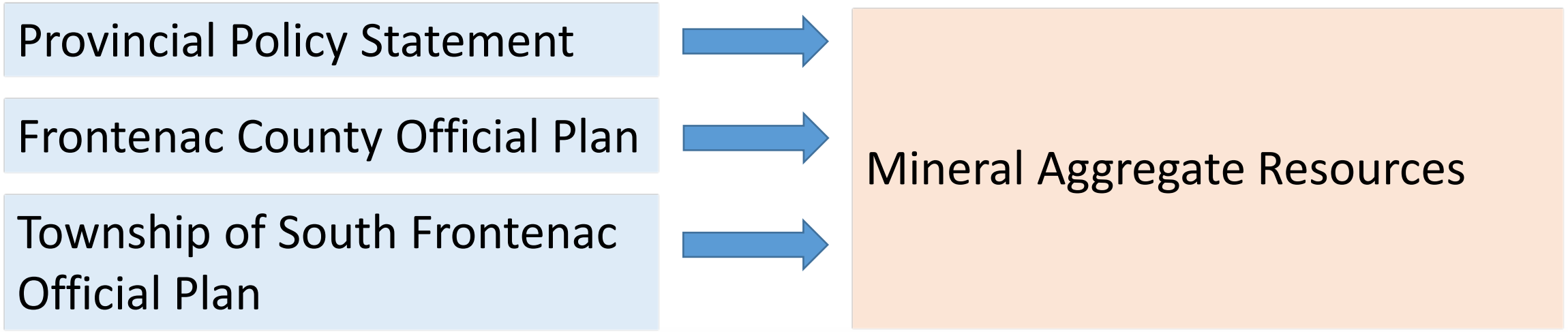
View Toward Battersea Road

Quarry Berm on South Side of Battersea Road

Department and Public Comments

- Public Services – no objection
- Public comments – none received

Policy Framework



Next Steps

- South Frontenac Council should receive comments from the public
- A report with a recommendation will be brought to a future Council meeting

Public Questions and Comments

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Council Questions and Comments

SOUTH FRONTENAC

PL-ZBA-2022-0097

Applicant: Andrew Klassen

Property: 73 Mill Bay Lane

Location

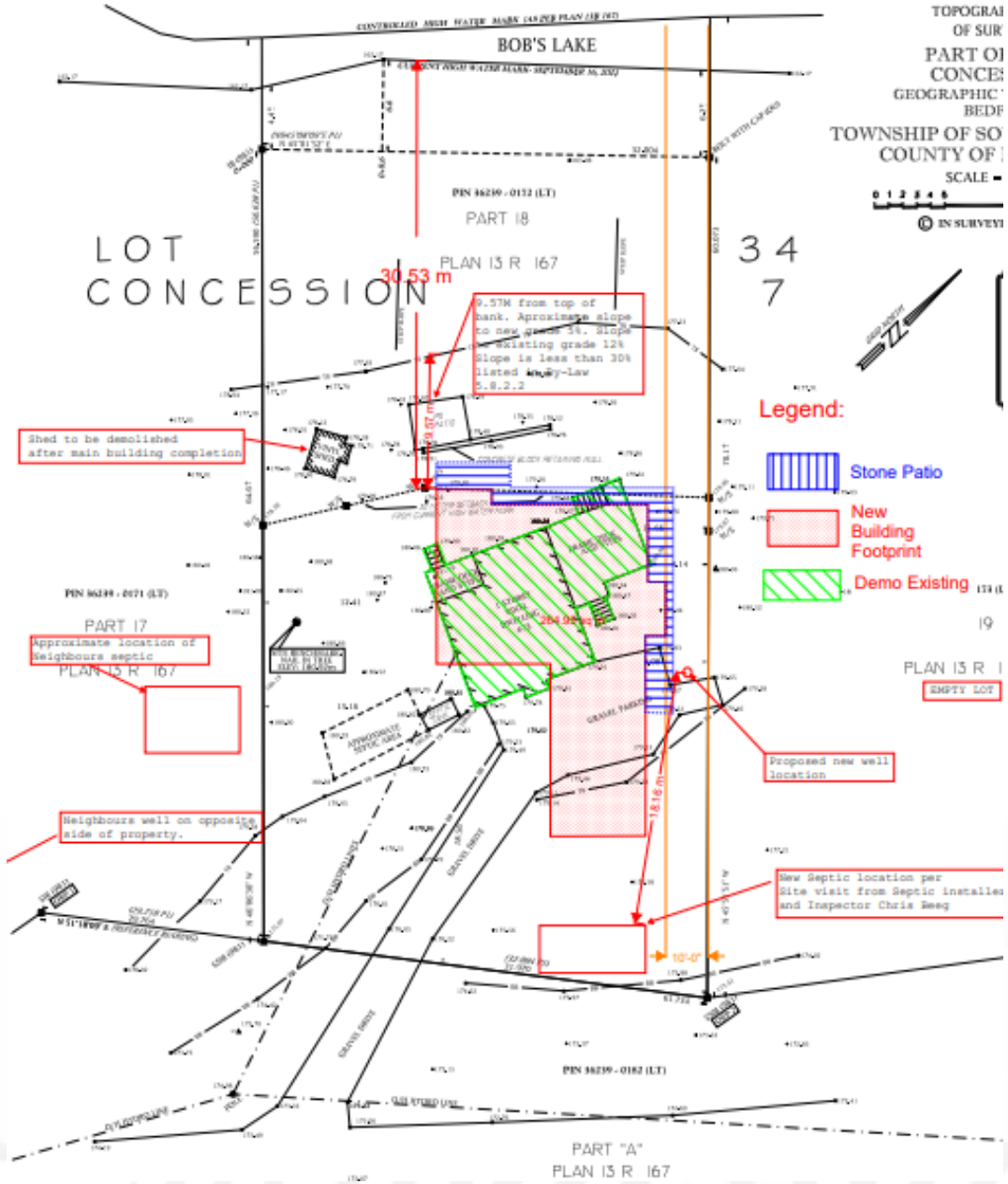
Driftwood Ln
Badour Rd
Thistle Ln
Penny Ln
Exit Ln
Co Op Ln
Mill Bay Ln
175 m
Fairhaven Ln
Point Ln
Haven Ln

Proposal

- Existing Zone: RLSW
- Proposed Zone: Site Specific RLSW-XXX

- permit a maximum of 12.4% lot coverage for the principal building
- prohibit the construction of any accessory buildings and structures on the property
- setback 9.5 metres from the top of bank

- Applicant submitted Slope Stability Study



View from the water

View from the neighboring property

Department, Agency and Public Comments

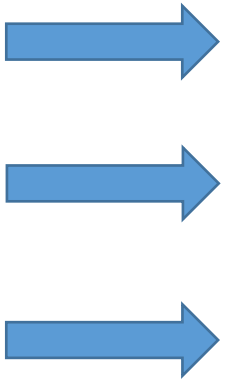
- Building Services – No objection
- Rideau Valley Conservation Authority – No objections A permit will be required.
- Public comments – None to date for the rezoning application

Policy Framework

Provincial Policy Statement

Frontenac County Official Plan

Township of South Frontenac Official Plan



Waterfront Residential Development

Accessory Buildings & Uses

Natural Hazards

Next Steps

- South Frontenac Council should receive comments from the public
- A report with a recommendation will be brought to a future Council meeting

Public Questions and Comments

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Council Questions and Comments

Adjourn Public Meeting

Township of South Frontenac

Staff Report

To:	Council
Prepared by:	Development Services Department
Date of Meeting:	August 9, 2022
Subject:	**RC-21-03 (5006755 Ontario Ltd.) (Beach - Agent) – Public Meeting for Application to stop up, close and transfer a portion of unopened road allowance between former Townships Portland and Loughborough.**

Summary

Under the *Municipal Act* a public meeting is required for Council to consider comments from the public on the proposed closure and transfer of portions of road allowances. This report provides Council with information about application RC-21-03 to close and transfer a portion of unopened road allowance between the former Townships of Portland and Loughborough to correct a historic encroachment of a dwelling on the unopened road allowance.

Recommendation

That this report be received for information.

Background

The subject road allowance is aligned from north to south, running from New Morin Road to Knowlton Lake Road. The southerly portion of the road allowance, consisting of approximately 765 metres is open and Knowlton Lake Road runs along this portion. The road allowance is the boundary line between the former townships of Portland and Loughborough. New Morin Road follows the road allowance that meets this subject road allowance before New Morin Road takes a turn to the west and becomes a forced road wrapping around the property municipally known as 5356 New Morin Road. New Morin Road ends at the intersection to the south where it meets Vanluven Road, Attachment #1, location map.

The benefitting property known as 5356 New Morin Road is approximately 40 acres in size and is developed with a dwelling and sewage system. Most of the property lies at the bottom of a steep slope from the road and extends down towards a wetland that is directly connected to Knowlton Lake. Knowlton Lake is an at capacity lake trout lake. The benefitting property is also subject to consent applications S-11-21-P, S-12-21-P are to create two vacant residential lots and S-13-21-P is to sever the existing dwelling and

accessory buildings that is currently accessed by the driveway over this unopened road allowance.

The subject road allowance, is entirely owned by the Township and no portion has previously been stopped up, closed and transferred. The northerly portion of the road allowance is used as access to four properties known as 5356 New Morin Road, 5356B New Morin Road, 1125 Mabel's Lane and 5300 New Morin Road. The road allowance is also encumbered by a portion of the home that was built on 5356 New Morin Road. Through a property file search it was discovered there is a long history of Encroachment Agreements as well as proposed unopened road allowance closures that were never finalized. The current owner of the property at 5356 New Morin Road recently entered into an Encroachment Agreement following the purchase of the property to recognize the encroachment as the prior agreements had lapsed and these agreements do not transfer through title, they end when the property is transferred.

The owner of the property at 5356 New Morin Road has submitted an application to stop up, transfer and close a portion of the unopened road allowance to permanently remedy the situation of the encroachment of the building. The request is to purchase 182.87 metres in length of the road allowance by it's width of 20.12 metres. Attachment #2, aerial image of the property / encroachment of the dwelling.

Discussion/Analysis

Following the submission of the unopened road allowance closure application and the first Council meeting, Planning staff have had several conversation with the agent and surrounding property owners that use the unopened road allowance as access to their lands.

Planning staff and Public Service staff visited the site on August 3, 2022.

Planning Staff recognize that there will be a need to ensure the existing access is maintained. Access is proposed to be maintained by registering a right of way. If Council directs Staff to close and transfer the unopened road allowance, Planning Staff will bring a recommendation to Council with respect to establishing a right-of-way over the necessary portion of the unopened road allowance. The right-of-way will be conditioned to be surveyed, deeded, and constructed in accordance with the Township of South Frontenac Private Lanes Cross Section Policy and will be a named private lane. A review of the civic addresses to ensure accurate addressing shall also be completed prior to any transfer being finalized.

Public Service staff have noted that one of the entrances to New Morin Road should be closed and made inaccessible for the purposes of ensuring proper and safe access.

Recreation Staff were circulated with respect to this proposal and advised they have no concerns and see no conflict with future recreation plans for the Township.

Cataraqui Region Conservation Authority advised they have no concerns with the proposal, however, they noted they would prefer if any portion within 30 metres of the wetlands and Knowlton Lake are not sold, and are kept under the ownership of the Township of South Frontenac.

No comments have been received from Ontario Natural Resources.

To date, several comments have been provided from area residents.

Planning staff have had several conversations with Mr. Babcook who is a property owner that accesses his land via the unopened road allowance. Mr. Babcook has several concerns with the closure of the road allowance and subsequent transfer to the benefitting lands at 5356 New Morin Road. His concerns are with respect to his own access as well as family members accessing the lands beyond the unopened road allowance. He has indicated that he wishes to submit an application to purchase the unopened road allowance.

Comments from Mr. & Mrs. Clow were received by planning staff, they advised they are opposed to the proposal as it would restrict access to the lower part of the Concession, and they mentioned the unopened road allowance is a natural trail for many species of wildlife that come from the farmers fields to go to the lake.

Mr. Freeman submitted concerns with respect to the proposed closure of the unopened road allowance. He noted that he believes the owner of the benefitting lands of the proposal have a desire to stretch development on the lands beyond what is optimal and he does have concerns about the impacts of the closure of the unopened road allowance.

Financial Implications

The application fee and legal deposit has been paid by the applicant to process this road closing application. The final purchase price will be determined once the survey has been finalized with respect to the portions being purchased and the survey is deposited and comprehensively reviewed by Planning Staff. Fees to survey the road allowance are to be paid by the applicant.

Relationship to Strategic Plans

☒ Not applicable to this report.

☐ This initiative is supported by the following priorities of the 2019-2022 Strategic Plan.

- Priority: Choose an item.

- Action Item (if applicable):

Climate Considerations

☒ Not applicable to this report.

☐ This initiative supports climate change mitigation/adaption efforts in South Frontenac; and/or impacts the Township's resilience to climate change.

Notice/Consultation

Notice was provided to the following internal departments:

- Public Services
- Recreation Department

Notice was provided to the following external agencies:

- Cataraqui Conservation Authority
- Ontario Natural Resources

Notice was posted at the entrance to the property.
Notice was circulated in the Frontenac News beginning on July 12th for 4 weeks.
Notice was also posted on the Township website beginning July 12th for 4 weeks.
Notice was mailed to all property owners abutting the unopened road allowance.

Attachments

Attachment #1 – Location Map

Attachment #2 – Aerial image of the property

Approvals

Report Author:
Michelle Hannah, Planning Assistant

Submitted By:

Claire Dodds, MCIP, RPP
Director of Development Services

Approved By:

Louise Fragnito, CPA, CGA
Chief Administrative Officer

SOUTH FRONTENAC

RC-21-03
500675 ONTARIO LTD.

5356 NEW MORIN ROAD

Legend

- Subject Road Allowance
- Provincially Significant Wetland
- Wetland
- Wooded Area
- Lake Trout Lake - At Capacity
- Lake Trout Lake - Not at Capacity
- Non-Lake Trout Lake - At Capacity
- Waterbody
- Township Boundary
- Railway
- Road

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

Scale: 1:800

0 5 10 20 m

UTM Zone 18 NAD 83

Date: 2022-07-22

FRONTENAC | Map Title

Legend

Road
- Highway
- Major Road
- Secondary Road
- Ferry Route

Assessment Parcels

Location Labels

Notes

0.2 0 0.11 0.2 Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere

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Township of South Frontenac
Staff Report

To:	Council
Prepared by:	Development Services Department
Date of Meeting:	August 9, 2022
Subject:	**Public Meeting for Zoning By-law Amendment Application PL-ZBA-2022-0050 (Huehn)(Fotenn) – 38 Phoebe Lane**

Summary

This report provides Council with information about Zoning By-law Amendment Application PL-ZBA-2022-0050 for 38 Phoebe Lane. If approved, the zone on the subject lands would be changed from Limited Service Residential - Waterfront (RLSW) to a property specific Limited Service Residential - Waterfront zone (RLSW-XXX).

Consistent with Council's Procedural By-law, Council will receive comments from the public on the application. Staff will then bring a more detailed report considering applicable policy and public comments, as well as provide a recommendation to Council on this application at a future meeting.

Recommendation

This report is for information only.

Background

The proposal is to change the zone on the property from Limited Service Residential - Waterfront (RLSW) to a property specific Limited Service Residential Waterfront zone (RLSW-XXX) to allow the second storey of an accessory, detached garage to be used similar to a sleeping cabin (i.e. sleeping accommodation only). The zone would permit this building to be used for human habitation, to exceed the maximum building height permitted in the RLSW zone, and to have a reduced setback from the top of bank.

The applicant proposes to construct a two-storey accessory building that would be setback at least 30 metres from the highwater mark. The building would have a height of 8 metres. The 52 square metre (560 square foot) main floor area would be used as a garage for vehicle parking. The floor area of the second floor, 33.4 square metres (360 square feet), would be less than the main floor due to the proposed roofline. The second floor would be used like a sleeping cabin, with a sleeping space and a bathroom. It would have a 7.4 square metre (80 square foot) attached deck.

The existing single detached dwelling and the proposed accessory building are planned to be serviced by one new sewage system that has been designed for the intended use.

Under the Planning Act, a public meeting is required to be held to receive comments from the public on the proposed rezoning. The public meeting for the application will be a virtual public meeting using Zoom and telephone.

Discussion/Analysis

Property Description

The subject lands are located at the end of Phoebe Lane, which is accessed off Rose Lane, off Desert Lake Road. Attachment 1 to this report shows the location of the subject lands.

The subject lands have an area of approximately 0.55 hectares (1.37 acres) with water frontage on Desert Lake. The property consists of a small peninsula with a steeply sloping shoreline The property rises steeply from Desert Lake and then continues to rise gradually towards Phoebe Lane. The lands are generally level in the area of the developed portion of the property.

The property is developed with a single detached dwelling and a holding tank. The dwelling is setback 5.74 metres from the top of bank and the highwater mark. The dwelling is one storey with a height of 5.5 metres. The floor area of the dwelling is 128 square metres (1378 square feet).

Supporting Documentation – Planning Justification Report

A Planning Justification Report (Fotenn, March 30, 2022) was submitted in support of the rezoning application. The Planning Justification Report includes a description of the area, a site plan drawing as well as elevation and floor plan drawings of the proposed building. The report assesses the appropriateness of the proposed zoning by-law amendment in the context of the surrounding area as well as its conformity to applicable policy and regulatory framework. The Planning Justification Report focuses on the definition of sleeping cabin, specifically the maximum footprint that is permitted. The report proposes a new revised definition for a sleeping cabin to allow the proposed development. It is the opinion of Township Staff that the application is about allowing habitable space in an accessory building that is not a dwelling and that does not meet the definition of a sleeping cabin.

The report is available for review in the Township's Civic Web Document Centre (https://southfrontenac.civicweb.net/filepro/documents/87239/).

Department, Agency and Public Comments

Cataraqui Conservation provided comments on May 25, 2022. Cataraqui Conservation staff noted that the proposed building (detached garage) and the septic bed will be located at least 30 metres from the highwater mark. They noted that the bedrock shoreline appears to be stable, and so they could support a minimum 6 metre setback from the top of bank for development on the property rather than the 15 metres required by the Zoning By-law. They noted that the building and septic bed would be located more than 6 metres from the top of bank. However, they recommended that the septic tank be shifted to a location that would be at least 6 metres from the top of bank, so that it could be permitted under O. Reg. 148/06, and at least 15.8 metre from the highwater mark of Desert Lake to ensure the protection of water quality.

Staff also provide various recommendations including:

1) enhancing the native vegetation between all buildings/structures and the water and use of runoff controls to direct stormwater from hardened surfaces away from the lake where natural infiltration can occur;
2) proper sediment and erosion controls be incorporated into construction plans;
3) tree and vegetation removal be limited to the footprint of the building and septic system and that vegetation clearing occur outside the bird breeding season.

The applicant took into consideration these comments and moved the septic tank to be a minimum 6 metres from the top of bank. Cataraqui Conservation provided updated comments on June 28, 2022 indicating that they had no objections to the application. They note that development within 15 metres of the top of bank will require a permit under O. Reg. 148/06.

Building Services provided comments on June 15, 2022. They note that a site specific location as identified in the preliminary plan of Survey 2021-0056 GNDC POS by Hopkins Chitty Land Surveyors Inc, dated May 14, 2021 is acceptable for the installation of a new Class 4 Sewage System which will serve the proposed development.

Preliminary Planning Analysis

Zoning By-law No. 2003-75 permits accessory buildings and structures in the RLSW zone. However, an accessory building may not be used for human habitation except if it is a sleeping cabin. The Zoning By-law permits a sleeping cabin on any residential waterfront property provided that the building meets the definition of a sleeping cabin (e.g. maximum

footprint area, maximum building height) and all zoning provisions including minimum setbacks.

Based on the Zoning By-law definitions, the proposed two storey combined garage and sleeping cabin is not a permitted use. A zoning by-law amendment is required to permit the proposed use of the building. The amendment would also need to specify development standards including an increased building height and a reduced setback from top of bank.

The proposed rezoning needs to be assessed against the applicable policies of the Provincial Policy Statement 2020 (PPS), County of Frontenac Official Plan, and Township of South Frontenac Official Plan, as well as the provisions of Zoning By-law No. 2003-75.

Accessory Buildings and Uses

The PPS and the County Official Plan speak to permitting resource-based recreational uses and development that is sensitive to the surroundings.

The subject lands are designated Rural in the Township Official Plan. The Township Official Plan suggests that the type and amount of development on 'Rural' lands must maintain the rural character, natural heritage, and cultural landscape in the Township. The Official Plan permits some limited service residential development in the form of single detached dwellings and seasonal dwellings on waterfront properties accessed from a private road. Residential land uses may include accessory buildings and structures.

The lands are currently zoned Limited Service Residential - Waterfront (RLSW). The RLSW zone permits accessory buildings including one sleeping cabin where there is a dwelling on a property. The subject property has an existing dwelling.

As indicated above, an accessory building may not be used for human habitation unless it is expressly permitted in the zoning. A sleeping cabin is a permitted use, but it must be single storey with a maximum footprint of 27.9 square metres (300 square feet) designed as sleeping accommodation only. It may contain plumbing or a bathroom, but not a kitchen. It can also not be used for the temporary accommodation of members of the public for a fee.

As an undersized waterfront property, there are limited options for the placement of accessory buildings. The applicants propose to combine the two uses in one building in order to minimize physical impacts such as site alteration and vegetation removal. The second floor of the building would actually have a lesser area due to the proposed roofline. It would have an area of 33.4 square metres (360 square feet). The second floor would have a bathroom but no kitchen. No dwelling unit would be permitted.

The draft by-law (attachment 2) proposes to limit the use of the second floor of the garage to sleeping accommodation only, in the spirit of the definition of a sleeping cabin, and to specify a maximum square footage. The draft by-law would also prohibit the establishment of a separate sleeping cabin on the property.

Accessory buildings in the RLSW zone are permitted to have a maximum height of 6 metres. The proposed garage would have a building height of 8 metres to accommodate the second storey. This height is typical for a two-storey detached garage. The proposed design of the building would minimize visual impacts. The structure would be located on a higher point on the ground. Being located on a peninsula and the elevation difference would both provide buffering from the shoreline. A new dwelling is being constructed to the north of the proposed location, approximately 100 metres from the structure. The proposed garage/sleeping cabin is located in such a way that it is not anticipated to prevent views of the water for the adjacent property.

Staff would consider this proposal appropriate development for the lands. Incorporating sleeping accommodations into a second storey on the proposed garage and prohibiting a standalone sleeping cabin would, reduce the footprint of buildings on the subject property, preserving not only the character of the waterfront property, but the vegetation and natural landscape of the property. Staff note that the proposed area of the sleeping accommodations would maintain the intent of the Zoning By-law.

Natural Hazards

The shoreline of the property rises steeply from the lake. The Township Official Plan, consistent with the PPS, directs development away from lands that might be subject to shoreline erosion hazards. As per section 5.8.2(b) of the Township Zoning By-law, no building or structure including the septic tank installation shall be located within 15 metres from the top of bank if the slopes is greater than 30%. A review of the subject lands revealed that portion of the subject property contain steep slopes of 30% or more. Cataraqui Conservation indicated that the extent of potential erosion hazards on the property is 6 metres from the stable top of bank.

The proposed building would be setback 9.2 metres from the top of the steep slope (top of bank). This is reflected in the proposed by-law. The sewage system would be setback 10.9 metres from the top of bank. Planning approval is not required for the replacement sewage system per section 6.10.4 of the Township Official Plan. The proposed building and sewage system are located as far back from the top of bank as possible on the subject property. The new sewage system represents an improvement to the property and is located farther from the lake than the existing holding tank. Cataraqui Conservation had no concerns with the proposal from a natural hazards perspective.

Any indirect impacts associated with stormwater runoff during construction should be minimal, especially with proper erosion and sediment control tools used.

Financial Implications

Not applicable.

Relationship to Strategic Plans

☒ Not applicable to this report.

☐ This initiative is supported by the following priorities of the 2019-2022 Strategic Plan.

- Priority: Choose an item.

Climate Considerations

☒ Not applicable to this report.

Notice/Consultation

Notice of the Statutory Public Meeting was given pursuant to the requirements of the Planning Act, 20 days in advance of the Public Meeting. This included notice given:

- by mail to every owner of land within 120 metres of the subject lands
- by posting notice signs on the subject lands
- by posting on the Township's Current Planning Application webpage
- by e-mail to prescribed persons and public bodies

Attachments

1. Location Map
2. Draft By-law
3. 3. Survey Sketch

Approvals

Report Prepared By:
Anna Geladi, MCIP, RPP, Planner

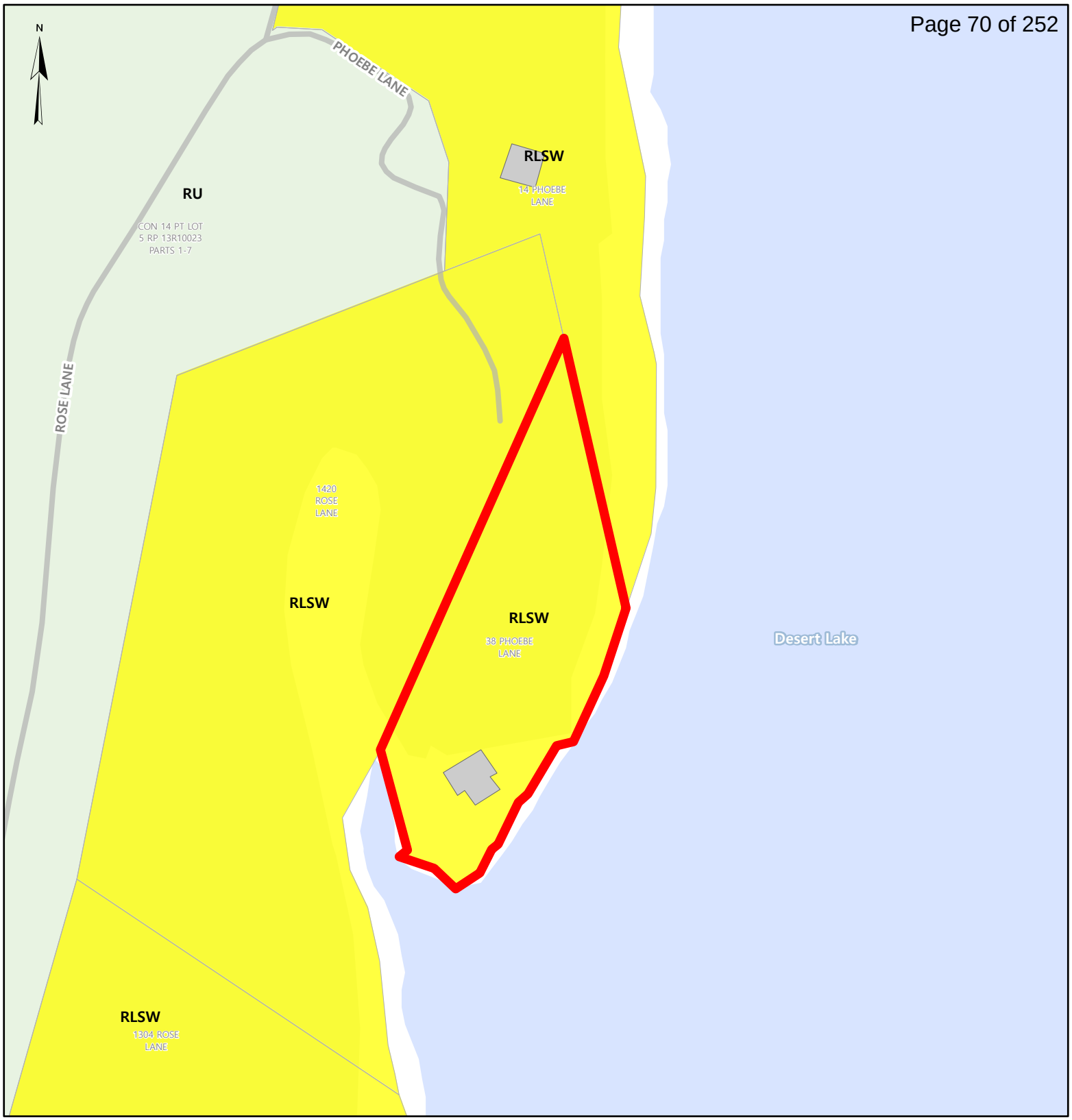
Report Reviewed By:
Christine Woods, MCIP, RPP, Senior Planner

Submitted By:

Claire Dodds, MCIP, RPP
Director of Development Services

Approved By:

Louise Fragnito, CPA, CGA
Chief Administrative Officer



SOUTH FRONTENAC

(HUEHN) (FOTENN)

38 PHOEBE LANE
PL-ZBA-2022-0050

0 10 20 40 m
Scale: 1:1,500

LEGEND

- Subject Lands
- Road
- Assessment Parcel
- Building Footprints
- Wooded Area
- Waterbody

Zoning

- AGRICULTURAL ZONE (A)
- COMMUNITY FACILITY ZONE (CF)
- ENVIRONMENTAL PROTECTION ZONE (EP)
- MOBILE HOME RESIDENTIAL ZONE (MHR)
- OPEN SPACE - PUBLIC ZONE (OS)
- OPEN SPACE - PRIVATE ZONE (OSP)
- PIT 'A' ZONE (PA)
- PIT 'B' ZONE (PB)
- QUARRY 'A' ZONE (QA)
- QUARRY 'B' ZONE (QB)
- RESIDENTIAL ZONE (R)
- RURAL COMMERCIAL ZONE (RC)
- RURAL INDUSTRIAL ZONE (RI)
- LIMITED SERVICE RESIDENTIAL ZONE (RLS)
- LIMITED SERVICE RESIDENTIAL - ISLAND ZONE (RLSI)
- LIMITED SERVICE RESIDENTIAL - WATERFRONT ZONE (RLSW)
- RECREATIONAL RESORT COMMERCIAL ZONE (RRC)
- RURAL ZONE (RU)
- WATERFRONT RESIDENTIAL ZONE (RW)
- SALVAGE YARD INDUSTRIAL ZONE (SI)
- TUZ
- URBAN COMMERCIAL ZONE (UC)
- URBAN INDUSTRIAL ZONE (UI)
- URBAN MULTIPLE RESIDENTIAL ZONE (UMR)
- URBAN RESIDENTIAL ZONE - FIRST DENSITY ZONE (UR1)
- URBAN RESIDENTIAL ZONE - SECOND DENSITY (UR2)
- WASTE DISPOSAL ZONE (WD)

Produced by the Township of South Frontenac under license with the Ontario Ministry of Natural Resources © Queen's Printer for Ontario, 2015. While the Township makes every effort to insure that the information presented is accurate for the intended uses of this map, there is an inherent error in all mapping products, and accuracy of the mapping cannot be guaranteed for all possible uses. This map displays basic topographic features only.

UTM Projection NAD 83 | Date: 2022-05-10

TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2022-XX

BEING A BY-LAW TO AMEND BY-LAW 2003-75, AS AMENDED, TO REZONE LAND FROM LIMITED SERVICE RESIDENTIAL – WATERFRONT (RLSW) TO LIMITED SERVICE RESIDENTIAL – WATERFRONT – SPECIAL PROVISION (RLSW-XXX) ON LANDS DESCRIBED AS 38 PHOEBE LANE, PART 4 ON PLAN 13R11606, PART OF LOT 5, CONCESSION 14, DISTRICT OF LOUGHBOROUGH: HUEHN

WHEREAS pursuant to the provisions of Section 34 of the *Planning Act*, RSO 1990 as amended, the Council of a Municipality may enact by-laws regulating the use of land and the erection, location and use of buildings and structures thereon;

AND WHEREAS By-law 2003-75 being the Zoning By-law regulates the use of land and the erection, location and use of buildings and structures within the Township of South Frontenac;

AND WHEREAS the Council of the Corporation of the Township of South Frontenac considered all written and oral submissions received on this application, the effect of which helped Council make an informed decision;

AND that there be no further notice pursuant to Section 34 (17) of the *Planning Act*;

NOW THEREFORE, the Council of the Corporation of the Township of South Frontenac, hereby enacts as follows:

1. **THAT** Schedule “B”, to Zoning By-law Number 2003-75 as amended, is hereby further amended by changing the zoning from Limited Service Residential – Waterfront (RLSW) to Limited Service Residential – Waterfront – Special Provision (RLSW-XXX) on the lands shown on Schedule “1”.

2. **THAT** Zoning By-law Number 2003-75 as amended is hereby further amended by adding a new section RLSW-XXX (Huehn, Part 4 on Plan 13R11606, Part of Lot 5, Concession 14, District of Loughborough) immediately after the last Limited Service Residential – Waterfront – Special Provision section to read as follows:

   RLSW-XXX (Part of Part 4 on Plan 13R11606, Lot 5, Concession 14, District of Loughborough; Huehn)

   Notwithstanding the provisions of section 10.3.2 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential – Waterfront (RLSW-XXX), the following provisions shall apply:

   - *An accessory building is permitted to have a second storey used for human habitation. The following provisions shall apply to an accessory building that contains human habitation:*
     - *Human habitation is permitted in accordance with the range of uses permitted under the sleeping cabin definition of this by-law.*
     - *No use shall be established that meets the definition of a dwelling unit in this by-law.*
     - *The area used for human habitation is permitted to have a maximum floor area of 33.4 square metres (360 square feet) and is limited to the second floor of the building.*
     - *Building height (maximum) 8 metres (26.5 feet)*
     - *Top of Bank setback (minimum) 9.2 metres (30 feet)*

   No additional accessory buildings that meet the definition of a sleeping cabin are permitted to be established on the lands zoned RLSW-XXX)
   All other provisions of this by-law shall apply.

3. THIS BY-LAW shall come into force in accordance with Section 34 of the Planning Act, 1990, as amended, either upon the date of passage or as otherwise provided by said Section 34.

DRAFT

Dated at the Township of South Frontenac this Xth day of XX, 2022.

Read a first and second time this Xth day of XX, 2022.

Read a third time and finally passed this Xth day of XX, 2022.

THE CORPORATION OF THE
TOWNSHIP OF SOUTH FRONTENAC

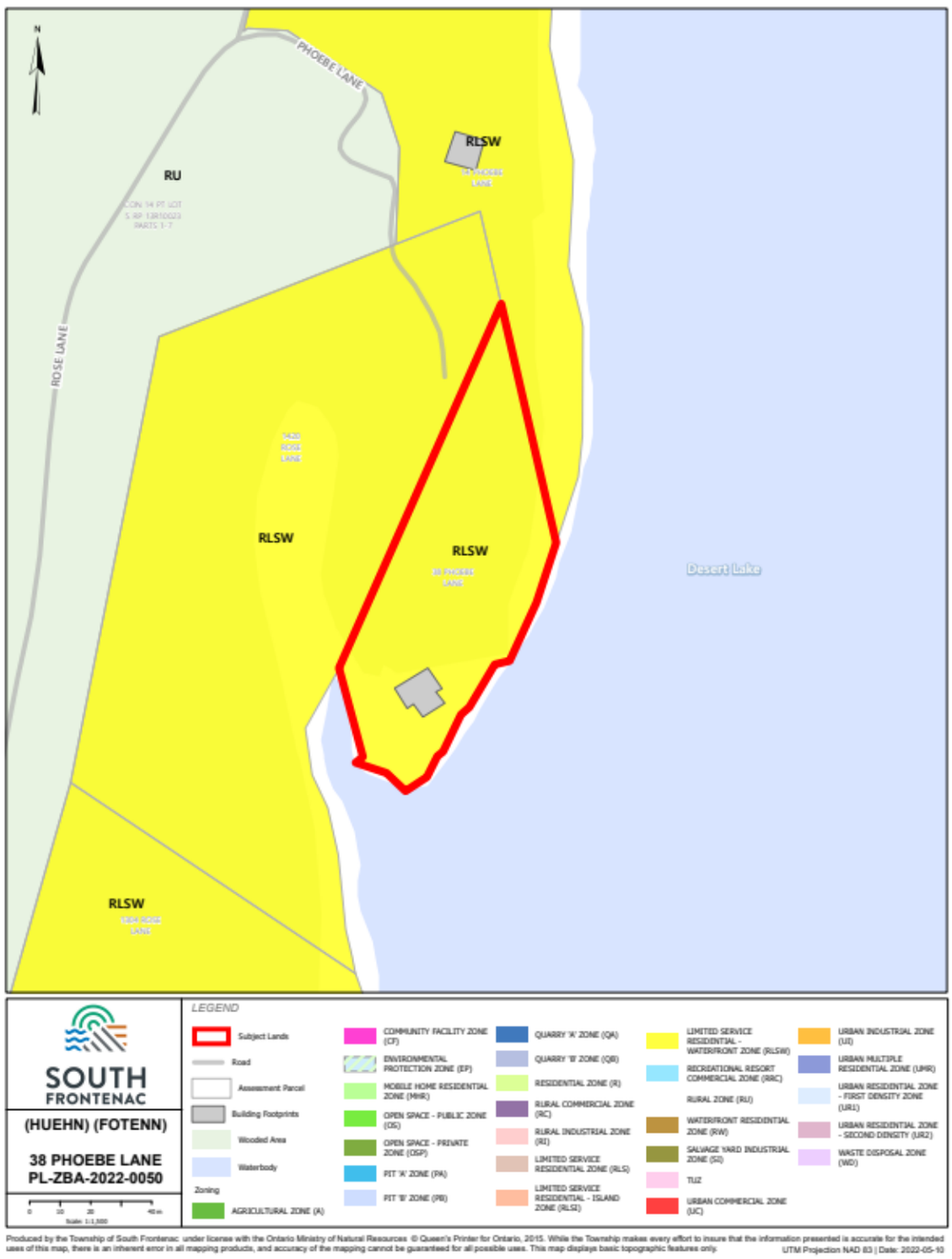
_____
Ron Vandewal, Mayor

_____
Angela Maddocks, Clerk

DRAFT

Schedule 1

This is Schedule “1” to By-law No. 2022- XX.



Passed this Xth day of XX, 2022

Ron Vandewal, Mayor

Angela Maddocks, Clerk

PLAN OF SURVEY
OF PART OF LOT 5
CONCESSION 14
TOWNSHIP OF SOUTH FRONTENAC
(GEOGRAPHIC TOWNSHIP OF LOUGHBOROUGH)
COUNTY OF FRONTENAC

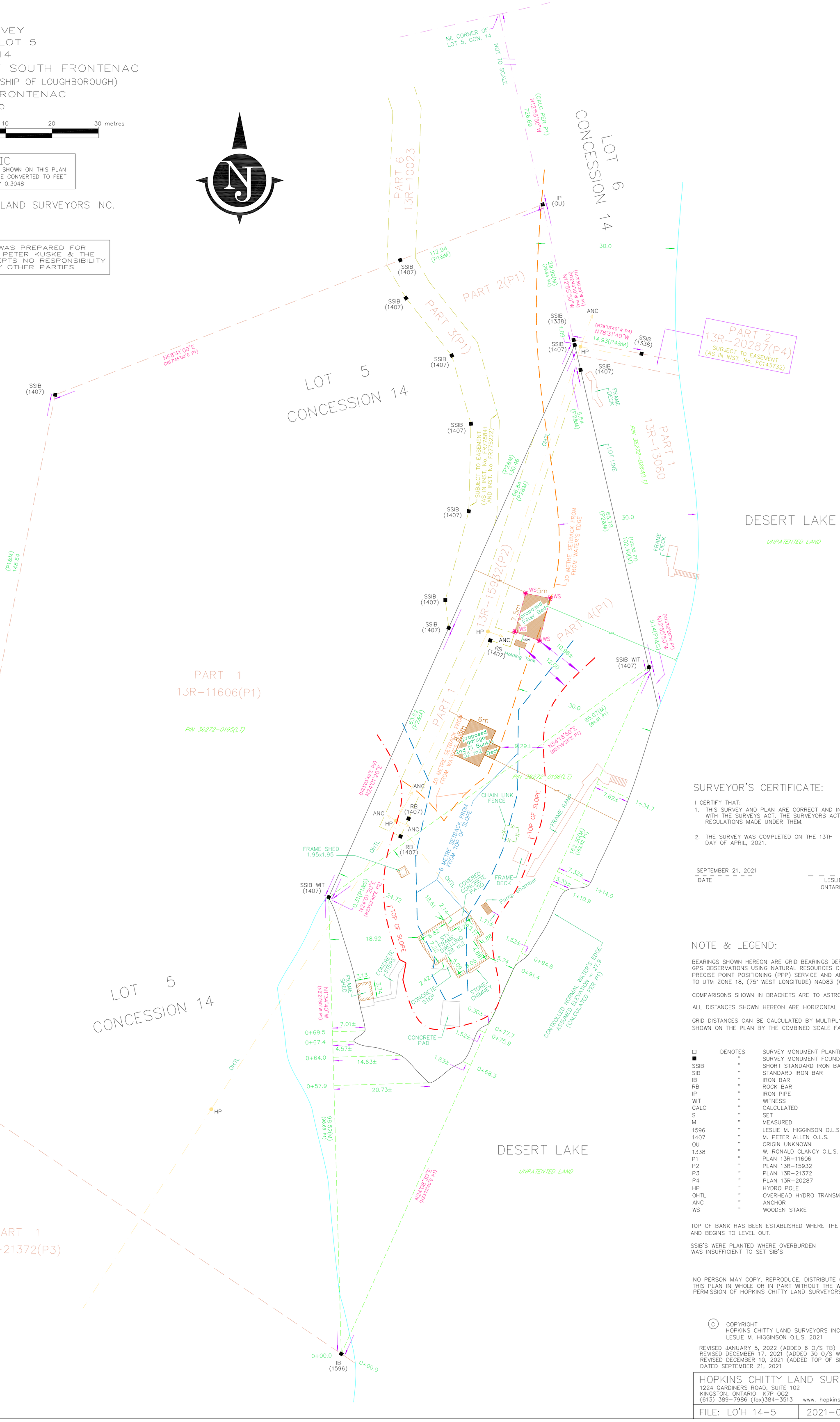
SCALE: 1 : 400

10m 0 10 20 30 metres

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

HOPKINS CHITTY LAND SURVEYORS INC.
2021

THIS REPORT WAS PREPARED FOR LINDA HUEHN – PETER KUSKE & THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES



SURVEYOR'S CERTIFICATE:

I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 13TH DAY OF APRIL, 2021.

SEPTEMBER 21, 2021
DATE

LESLIE M. HIGGINSON
ONTARIO LAND SURVEYOR

NOTE & LEGEND:

BEARINGS SHOWN HEREON ARE GRID BEARINGS DERIVED FROM GPS OBSERVATIONS USING NATURAL RESOURCES CANADA (NRCAN) PRECISE POINT POSITIONING (PPP) SERVICE AND ARE RELATED TO UTM ZONE 18, (75° WEST LONGITUDE) NAD83 (CSRS) (2010).

COMPARISONS SHOWN IN BRACKETS ARE TO ASTRONOMIC BEARINGS

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 0.99978027.

□	DENOTES	SURVEY MONUMENT PLANTED
■	"	SURVEY MONUMENT FOUND
SSIB	"	SHORT STANDARD IRON BAR
SIB	"	STANDARD IRON BAR
IB	"	IRON BAR
RB	"	ROCK BAR
IP	"	IRON PIPE
WIT	"	WITNESS
CALC	"	CALCULATED
S	"	SET
M	"	MEASURED
1596	"	LESLIE M. HIGGINSON O.L.S.
1407	"	M. PETER ALLEN O.L.S.
OU	"	ORIGIN UNKNOWN
1338	"	W. RONALD CLANCY O.L.S.
P1	"	PLAN 13R-11606
P2	"	PLAN 13R-15932
P3	"	PLAN 13R-21372
P4	"	PLAN 13R-20287
HP	"	HYDRO POLE
OHTL	"	OVERHEAD HYDRO TRANSMISSION LINE
ANC	"	ANCHOR
WS	"	WOODEN STAKE

TOP OF BANK HAS BEEN ESTABLISHED WHERE THE SLOPE BREAKS AND BEGINS TO LEVEL OUT.

SSIB'S WERE PLANTED WHERE OVERBURDEN WAS INSUFFICIENT TO SET SIB'S

NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF HOPKINS CHITTY LAND SURVEYORS INC.

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HOPKINS CHITTY LAND SURVEYORS INC.
LESLIE M. HIGGINSON O.L.S. 2021

"THIS IS NOT AN ORIGINAL COPY UNLESS EMBOSSED WITH A SEAL"

REVISED JANUARY 5, 2022 (ADDED 6 O/S TB)
REVISED DECEMBER 17, 2021 (ADDED 30 O/S WE)
REVISED DECEMBER 10, 2021 (ADDED TOP OF SLOPE)
DATED SEPTEMBER 21, 2021

HOPKINS CHITTY LAND SURVEYORS INC.
1224 GARDINERS ROAD, SUITE 102
KINGSTON, ONTARIO K7P 0G2
(613) 389-7986 (fax)384-3513 www. hopkinschitty.com

FILE: LO'H 14-5 | 2021-0056 GNDC POS

Township of South Frontenac

Staff Report

To:	Council
Prepared by:	Development Services Department
Date of Meeting:	August 9, 2022
Subject:	**Public Meeting for Zoning By-law Amendment Application PL-ZBA-2022-0088 (Prikker) – 1466 Devil Lake Road**

Summary

This report provides Council with information about Zoning By-law Amendment Application PL-ZBA-2022-0088 for 1466 Devil Lake Road. If approved, the zone on a portion of the subject lands would be changed from Rural (RU) to Waterfront Residential (RW).

Consistent with Council's Procedural By-law, Council will receive comments from the public on this application. Staff will bring a more detailed report considering applicable policy and public comments, as well as providing a recommendation to Council on this application at a future meeting.

Recommendation

This report is for information only.

Background

The subject property is subject to consent applications S-65-21-B and S-66-21-B for the creation of two new waterfront residential lots. Provisional approval of consent application S-65-21-B was granted subject to conditions by the Director of Development Services on March 9, 2022. Provisional approval of consent application S-66-21-B was granted subject to conditions by the Director of Development Services on May 5, 2022. One condition for each of these consent applications requires the severed parcels to be rezoned.

The proposal is to change the zone on the severed parcel from Rural (RU) to Waterfront Residential (RW). This change is required to acknowledge that the waterfront properties have frontage on and are accessed by a public road and also to limit the permitted uses to either a seasonal dwelling or a single detached dwelling.

Under the Planning Act, a public meeting is required to be held to receive comments from the public on the proposed rezoning. The public meeting for this application will be a virtual public meeting using Zoom and telephone.

Discussion/Analysis

Property Description

The subject property is located on the north side of Devil Lake Road and has water frontage on Christie Lake. The subject lands consist of large pockets of wetlands, ponds and large forested areas. There is a right-of-way which provides access to Christie Lake for a separate property located to the east the subject property. The subject property is surrounded by large rural landholdings and residential development along Devil Lake Road.

Lot 1 (S-65-21-B) is located on the west-most side of the subject property. It consists of 1.04 ha (2.57 acres) of land with 99 metres (325 feet) of road frontage on Devil Lake Road and 171 metres (561 feet) of water frontage on Christie Lake. The severed parcel consists of vacant land and is forested.

Lot 2 (S-66-21-B) is located to the east of Lot 1 and to the west of the retained parcel. The severed parcel contains a dwelling. The dwelling is located on the south-west side of the property, close to Devil Lake Road. It is located within the 30 metre setback from the highwater mark of Christie Lake.

The retained parcel is approximately 179.4 hectares (443.4 acres) of land with 92 metres (301 feet) of road frontage on Devil Lake Road and 1276 metres (4186 feet) of water frontage on Christie Lake. The retained parcel contains pockets of wetlands and ponds, and is forested.

Attachment 1 to this report shows the location of the subject property and the severed parcels.

Department, Agency and Public Comments

Public Services, Building Services and the Cataraqui Conservation did not provide comments on the rezoning application as they had no objections to the consent application.

No comments have been received from members of the public on the re-zoning application to date.

Preliminary Planning Analysis

The proposed rezoning needs to be assessed against the applicable policies of the Provincial Policy Statement 2020, County of Frontenac Official Plan, and Township of South Frontenac Official Plan, as well as the provisions of Zoning By-law No. 2003-75.

The Provincial Policy Statement (2020) allows growth and development to be directed to rural lands, including locally appropriate residential lot creation (section 1.1.5). The County

of Frontenac Official Plan and the Township of South Frontenac Official Plan also permit residential development in the Rural designation.

The Director of Development Services had consideration for the 2020 PPS as well as the County and Township Official Plans in the decision to grant provisional approval to the consent applications for two new residential lots.

The subject property is zoned Rural (RU). A condition of the consent approvals was to change the zone on the severed parcels to Waterfront Residential (RW). The RW zone contains more stringent provisions that are applicable to waterfront properties with a frontage on a public road (e.g. minimum lot area, maximum lot coverage), and also limits the permitted uses to either a seasonal dwelling or a single detached dwelling. The RW zone would ensure that zoning provisions can be properly applied should the owner propose to make modifications to the existing dwelling on Lot 2 or to construct any new buildings in the future.

Staff note that the retained parcel is large, roughly 179 ha (440 acres) of land. The retained parcel, although it also has frontage on a public road and frontage on Christie Lake is not required to be re-zoned due to the large area and the environmental features (wetlands and ponds) present on the retained parcel. The retained parcel will continue to function as a rural property.

The proposal to rezone the lands through this application is consistent with the 2020 PPS as well as the County and Township Official Plans and Zoning By-law No. 2003-75.

Attachment 2 to this report is a draft by-law.

Financial Implications

Not applicable.

Relationship to Strategic Plans

☒ Not applicable to this report.

☐ This initiative is supported by the following priorities of the 2019-2022 Strategic Plan.

- Priority: Choose an item.
- Action Item (if applicable): N/A

Climate Considerations

☒ Not applicable to this report.

☐ This initiative supports climate change mitigation/adaption efforts in South Frontenac; and/or impacts the Township's resilience to climate change.

Notice/Consultation

Notice of the Statutory Public Meeting was given pursuant to the requirements of the Planning Act, 20 days in advance of the Public Meeting. This included notice given:

- by mail to every owner of land within 120 metres of the subject lands
- by posting notice signs on the subject lands
- by posting on the Township's Current Planning Application webpage
- by e-mail to prescribed persons and public bodies

Attachments

1. Location Map
2. Draft By-law

Approvals

Report Prepared By:

Anne (Anna) Geladi, MCIP, RPP, Planner

Reviewed By:

Christine Woods, MCIP, RPP, Senior Planner

Submitted By:

Claire Dodds, MCIP, RPP
Director of Development Services

Approved By:

Louise Fragnito, CPA, CGA
Chief Administrative Officer

SOUTH FRONTENAC

(PRIKKER)

DEVIL LAKE ROAD
PL-ZBA-2022-0088

0 15 30 60 m
Scale: 1:2,800

LEGEND

- Subject Lands
- Road
- Assessment Parcel
- Building Footprints
- Wooded Area
- Waterbody

Zoning

- AGRICULTURAL ZONE (A)
- COMMUNITY FACILITY ZONE (CF)
- ENVIRONMENTAL PROTECTION ZONE (EP)
- MOBILE HOME RESIDENTIAL ZONE (MHR)
- OPEN SPACE - PUBLIC ZONE (OS)
- OPEN SPACE - PRIVATE ZONE (OSP)
- PIT 'A' ZONE (PA)
- PIT 'B' ZONE (PB)
- QUARRY 'A' ZONE (QA)
- QUARRY 'B' ZONE (QB)
- RESIDENTIAL ZONE (R)
- RURAL COMMERCIAL ZONE (RC)
- RURAL INDUSTRIAL ZONE (RI)
- LIMITED SERVICE RESIDENTIAL ZONE (RLS)
- LIMITED SERVICE RESIDENTIAL - ISLAND ZONE (RLSI)
- LIMITED SERVICE RESIDENTIAL - WATERFRONT ZONE (RLSW)
- RECREATIONAL RESORT COMMERCIAL ZONE (RRC)
- RURAL ZONE (RU)
- WATERFRONT RESIDENTIAL ZONE (RW)
- SALVAGE YARD INDUSTRIAL ZONE (SI)
- TUZ
- URBAN COMMERCIAL ZONE (UC)
- URBAN INDUSTRIAL ZONE (UI)
- URBAN MULTIPLE RESIDENTIAL ZONE (UMR)
- URBAN RESIDENTIAL ZONE - FIRST DENSITY ZONE (UR1)
- URBAN RESIDENTIAL ZONE - SECOND DENSITY (UR2)
- WASTE DISPOSAL ZONE (WD)

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UTM Projection NAD 83 | Date: 2022-07-11

TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2022-##

BEING A BY-LAW TO AMEND BY-LAW 2003-75, AS AMENDED, TO REZONE LAND FROM RURAL (RU) TO RESIDENTIAL – WATERFRONT (RW) ON PART OF LANDS DESCRIBED AS 1466 DEVIL LAKE ROAD, PART LOTS 12, 13, 14, CONCESSION 11, DISTRICT OF BEDFORD; PRIKKER

WHEREAS pursuant to the provisions of Section 34 of the *Planning Act*, RSO 1990 as amended, the Council of a Municipality may enact by-laws regulating the use of land and the erection, location and use of buildings and structures thereon;

AND WHEREAS By-law 2003-75 being the Zoning By-law regulates the use of land and the erection, location and use of buildings and structures within the Township of South Frontenac;

AND WHEREAS the Council of the Corporation of the Township of South Frontenac considered all written and oral submissions received on this application, the effect of which helped Council make an informed decision;

AND that there be no further notice pursuant to Section 34 (17) of the *Planning Act*;

NOW THEREFORE, the Council of the Corporation of the Township of South Frontenac, hereby enacts as follows:

1. **THAT** Schedule “D”, to Zoning By-law Number 2003-75 as amended, is hereby further amended by changing the zoning from Rural (RU) to Residential – Waterfront (RW) for the lands shown on Schedule “1”.

2. THIS BY-LAW shall come into force in accordance with Section 34 of the Planning Act, 1990, as amended, either upon the date of passage or as otherwise provided by said Section 34.

Dated at the Township of South Frontenac this ##th day of MONTH, 2022.

Read a first and second time this ##th day of MONTH, 2022.

Read a third time and finally passed this ##th day of MONTH, 2022.

THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC

_____

Ron Vandewal, Mayor

_____

Angela Maddocks, Clerk

DRAFT

Schedule 1

This is Schedule "1" to By-law No. 2022- XX.

Passed this ##th day of MONTH, 2022

Ron Vandewal, Mayor

Angela Maddocks, Clerk

Township of South Frontenac

Staff Report

To:	Council
Prepared by:	Development Services Department
Date of Meeting:	August 9, 2022
Subject:	**Public Meeting for Zoning By-law Amendment Application PL-ZBA-2022-0096, Battersea Road (102906003011515)**

Summary

This report provides Council with information about Zoning By-law Amendment Application PL-ZBA-2022-0096 for 0 Battersea Road (102906003011515). If approved, the zone on the subject lands would be changed from Rural (RU) to a property specific Rural zone (RU-XX).

Consistent with Council's Procedural By-law, Council will receive comments from the public on the application. Staff will bring a more detailed report considering applicable policy and public comments, as well as providing a recommendation to Council on this application at a future meeting.

Recommendation

This report is for information only.

Background

The subject property is near two active quarries. The Zoning By-law does not allow new houses within 300 metres of a quarry. The purpose of the proposed by-law is to permit a house on the property, approximately 67 metres from the nearest quarry. The zone on the property would change from Rural (RU) to Rural - Special Provision (RU-XX) to establish a minimum 37 metre front yard. This is equivalent to 67 metres from the nearest quarry. The effect of the proposed by-law is to allow a building permit to be issued for a house on the property.

Under the *Planning Act*, a public meeting is required to be held to receive comments from the public on the proposed rezoning. The public meeting for the application will be a virtual public meeting using Zoom and telephone.

Discussion/Analysis

Property Description

The subject property is located on Battersea Road between McGarvey Road and Bear Creek Road. The property is 0.4 hectares (1 acre) in area and has approximately 45 metres of road frontage. There are developed, residential lots to the west and to the east of the property. There is a quarry immediately across for the property on the south side of Battersea Road. There are also quarries to the north and to the southeast.

The subject lands are slightly lower in elevation than Battersea Road. Approximately half the property is a lawn. The other half is a wide area of trees and tall shrubs beside the road.

Attachment 1 to this report shows the location of the subject property relative to local landmarks.

Related Applications

The subject property is not subject to any other applications under the *Planning Act*.

Supporting Documentation – Mineral Aggregate Land Use Compatibility Report

A Mineral Aggregate Land Use Compatibility Report (Pro-Inspect, July 11, 2022) was submitted in support of the rezoning application. The report is available for review in the Township's Civic Web Document Centre (https://southfrontenac.civicweb.net/filepro/documents/87266/).

The Report assessed the compatibility of the proposed dwelling with the existing mineral aggregate operations in the surrounding area. The Report also assessed the proposal's conformity with the applicable policy and regulatory framework.

The subject property was created more than 30 years ago for residential use. The Mulrooney Quarry, immediately south of the property, was in operation at that time. It was identified that this crushed stone quarry operation is nearing depletion and that there is up to three years of reserves remaining. The current excavation is 8 metres deep. The depth of the excavation minimizes noise and dust from the crushing/screening plant on the quarry floor. Any blasting must meet Provincial guidelines for noise and vibration. Rehabilitation by backfilling is underway at the north end of the excavation area, nearest the subject property.

The Rideauview Contracts Quarry is a building stone quarry located southeast of the subject property. This quarry was licensed under the Aggregate Resources Act (ARA) in

2011 (e.g. 11 years ago). There would have been consideration for the subject property through the licensing process. A building stone quarry is less impactful than a crushed stone operation as the use of mechanical equipment is limited, there is no drilling or blasting and no processing in the form of crushing or screening.

The Report included letters of support from the operators of the two mineral aggregate operations.

The Report concluded that rezoning the subject property to allow a residential use would not result in any incompatibility with the mineral aggregate operations that would not be addressed through the ARA licenses, and the operation characteristics and control that currently exist.

Department and Agency Comments

Public Services confirmed that the property can be safely accessed at the present driveway location. They noted that noise and dust can be an issue for residential uses near quarries.

Public Comments

No comments have been received from members of the public to date.

Preliminary Planning Analysis

The proposed rezoning needs to be assessed against the applicable policies of the Provincial Policy Statement 2020 (PPS), County of Frontenac Official Plan, and Township of South Frontenac Official Plan, as well as the provisions of Zoning By-law No. 2003-75.

The PPS requires mineral aggregate resources to be protected for long-term use (section 2.5). The PPS also requires mineral aggregate operations to be protected from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact.

The County Official Plan contains policies that are consistent with the PPS. Local official plans are required to identify mineral aggregate resources, protect them from incompatible uses so their future use is ensured and establish buffer areas where incompatible development is not permitted.

The Township Official Plan recognizes the concept of an influence area as a means of protecting mineral aggregates and existing quarries from incompatible land uses. For this reason, the Official Plan prohibits residential land uses within 300 metres of an existing or proposed quarry and may prevent other incompatible land uses within this area as well as

within a further 200 metre influence area. The Zoning By-law implements this policy by prohibiting residential land uses (houses) within 300 metres of an existing or proposed quarry. The subject property is not within an identified mineral aggregate resource reserve. However, it is within 300 metres of two existing quarries.

The Official Plan and Zoning By-law do not provide exceptions from this requirement for vacant properties that were created before the Official Plan was adopted. A building permit cannot be issued for a building that would be in violation of the Zoning By-law. A zoning by-law amendment is required to allow a house to be constructed on the subject property closer than 300 metres to the nearest quarry. It was determined that an Official Plan Amendment was not required as numbers in the Official Plan are not fixed or rigid. The zoning by-law amendment is determined to meet the general intent of the Official Plan.

The Mineral Aggregate Land Use Compatibility Report (Pro-Inspect, July 11, 2022) highlighted that the Township's prohibition on residential land uses within 300 metres of an existing quarry is not a universal practice across Eastern Ontario municipalities. The influence area concept is commonly accepted not as a strict setback area in which development is prohibited, but rather an area where impacts may occur, and that development may occur subject to a technical assessment. Typically, municipalities also do not prohibit the development of residential uses on lots of record. In addition, the Aggregate Resources Act applies an influence area concept for development and does not require strict setback areas.

The Mineral Aggregate Land Use Compatibility Report demonstrated that the proposed dwelling on the subject property should not be impacted by the existing quarries, and that the quarries should not be impacted by the dwelling. The consultant's conclusion was based on their knowledge of both the quarry operations and the regulatory framework under which they operation.

The draft by-law would establish a minimum 37 metre front yard on the subject property. This measurement was based on the submitted plot plan. A 37 metre front yard is equivalent to 67 metres from the nearest quarry. The dwelling on the property would be generally in line with the dwelling to the east. Township staff note that maintaining the existing vegetated buffer between the dwelling and the road would help to mitigate noise and dust impacts from the quarry operations.

Attachment 2 to this report is a draft by-law for the proposed development.

Financial Implications

Not applicable.

Relationship to Strategic Plans

☒ Not applicable to this report.

☐ This initiative is supported by the following priorities of the 2019-2022 Strategic Plan.

- Priority: Choose an item.
- Action Item (if applicable): N/A

Climate Considerations

☒ Not applicable to this report.

☐ This initiative supports climate change mitigation/adaption efforts in South Frontenac; and/or impacts the Township's resilience to climate change.

Notice/Consultation

Notice of the Statutory Public Meeting was given pursuant to the requirements of the Planning Act, 20 days in advance of the Public Meeting. This included notice given:

- by mail to every owner of land within 120 metres of the subject lands
- by posting notice signs on the subject lands
- by posting on the Township's Current Planning Application webpage
- by e-mail to prescribed persons and public bodies

Attachments

1. Location Map
2. Draft By-law

Approvals

Report Prepared By:

Christine Woods, MCIP, RPP, Senior Planner

Submitted By:

Claire Dodds, MCIP, RPP
Director of Development Services

Approved By:

Louise Fragnito, CPA, CGA
Chief Administrative Officer

FRONTENAC | Attachment 1. Location Map

Legend

- Authorized Aggregate Site - Ac
- Sand and Gravel
  - Primary
  - Secondary
  - Tertiary
- Road
  - Highway
  - Major Road
  - Secondary Road
  - Ferry Route
- Assessment Parcels
- City of Kingston

Notes

PL-ZBA-2022-0096

0.9 0 0.46 0.9 Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere

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This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2022-XX

BEING A BY-LAW TO AMEND BY-LAW 2003-75, AS AMENDED, TO REZONE LAND FROM RURAL (RU) TO RURAL – SPECIAL PROVISION (RU-XX) ON LANDS DESCRIBED AS PART 2 ON REFERENCE PLAN 13R9022, PART LOT 39, CONCESSION 7, DISTRICT OF STORRINGTON

WHEREAS pursuant to the provisions of Section 34 of the *Planning Act*, RSO 1990 as amended, the Council of a Municipality may enact by-laws regulating the use of land and the erection, location and use of buildings and structures thereon;

AND WHEREAS By-law 2003-75 being the Zoning By-law regulates the use of land and the erection, location and use of buildings and structures within the Township of South Frontenac;

AND WHEREAS the Council of the Corporation of the Township of South Frontenac considered all written and oral submissions received on this application, the effect of which helped Council make an informed decision;

AND that there be no further notice pursuant to Section 34 (17) of the *Planning Act*;

NOW THEREFORE, the Council of the Corporation of the Township of South Frontenac, hereby enacts as follows:

1. **THAT** Schedule “C” to Zoning By-law Number 2003-75 as amended, is hereby further amended by changing the zoning from Rural (RU) to Rural – Special Provision (RU-XX) for the lands shown on Schedule “1”.

2. **THAT** Zoning By-law Number 2003-75 as amended is hereby further amended by adding a new section RU-XX (Part 2 on Reference Plan 9022, Part Lot 39, Concession 7, District of Storrington) immediately after the last Rural – Special Provision section to read as follows:

   RU-XX (Part 2 on Reference Plan 9022, Part Lot 39, Concession 7, District of Storrington)

   Notwithstanding the provisions of Section 7 or any other provision of this By-law to the contrary, on the lands zoned Special Rural (RU-XX), the following provisions apply:

   - *Front Yard (Minimum)* *37 Metres (121 ft.)*

   All other provisions of this by-law shall apply.

3. THIS BY-LAW shall come into force in accordance with Section 34 of the Planning Act, 1990, as amended, either upon the date of passage or as otherwise provided by said Section 34.

   Dated at the Township of South Frontenac this ##th day of MONTH, 2022.

   Read a first and second time this ##th day of MONTH, 2022.

   Read a third time and finally passed this ##th day of MONTH, 2022.

THE CORPORATION OF THE
TOWNSHIP OF SOUTH FRONTENAC

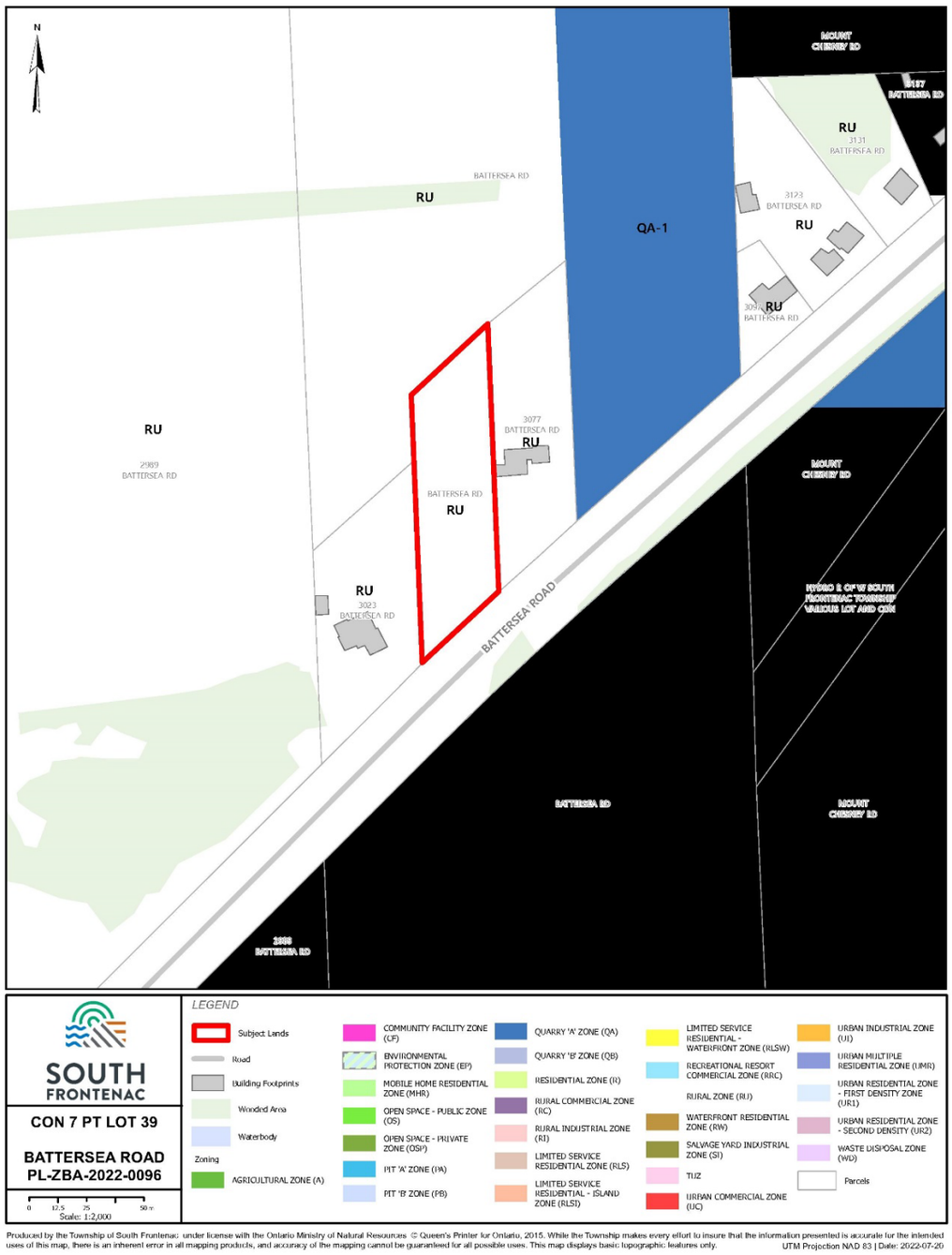
_____
Ron Vandewal, Mayor

_____
Angela Maddocks, Clerk

DRAFT

Schedule 1

This is Schedule “1” to By-law No. 2022-XX.



Passed this ##th day of MONTH, 2022

Ron Vandewal, Mayor

Angela Maddocks, Clerk

Township of South Frontenac

Staff Report

To:	Council
Prepared by:	Development Services Department
Date of Meeting:	August 9, 2022
Subject:	**Public Meeting for Zoning By-law Amendment Application PL-ZBA-2022-0097 (Klassen) – 73 Mill Bay Lane, District of Bedford**

Summary

This report provides Council with information about Zoning By-law Amendment Application PL-ZBA-2022-0097 for 73 Mill Bay Lane. If approved, the zone on the subject lands would be changed from Limited Service Residential - Waterfront (RLSW) to a property specific Limited Service Residential - Waterfront zone (RLSW-XXX).

Consistent with Council's Procedural By-law, Council will receive comments from the public on the application. Staff will then bring a more detailed report considering applicable policy and public comments, as well as provide a recommendation to Council on this application at a future meeting.

Recommendation

This report is for information only.

Background

The proposal is to change the zone on the property from Limited Service Residential - Waterfront zone (RLSW) to a property specific Limited Service Residential - Waterfront zone (RLSW-XXX) to permit a maximum of 12.4% lot coverage for the principal building and to prohibit the construction of any accessory buildings and structures on the property. The site-specific zone would also permit the principal building to be located 9.5 metres from the top of bank.

The applicant originally applied for a minor variance application. Upon review of the minor variance application, planning staff recommended that it would be more appropriate to pursue the proposed development through a zoning by-law amendment rather than a minor variance. Committee of Adjustment members noted that allowing a 12% principal dwelling would not prevent the applicant from having an additional 5% for accessory structures as allowed by the By-law. As the minor variance application form had the potential impact of creating a property that would inadvertently be granted a possible 17% lot coverage, the

Committee of Adjustment did not meet the test that the application was minor. As such, the Committee of Adjustment denied the application at the hearing on June 9, 2022.

The applicant is proposing to demolish the existing dwelling, attached deck and shed and build a new dwelling with an attached garage on the same general footprint. The new dwelling with attached garage will be one storey with a height of 6.4 metres (21 feet) and have a ground floor area of 264.95 square metres (2,851.89 square feet). It would have a slab-on-grade foundation. There will not be an attached deck. It will be setback 30 metres from the highwater mark of Bob's Lake and 9.5 metres from the top of bank. The new dwelling with attached garage will be larger than the existing dwelling and will result in an increase of lot coverage for a total of 12.4%.

The applicant is also installing a new sewage system on the property because the existing system is substandard. The new sewage system will be located more than 30 metres from the highwater mark, between the dwelling and the lane, to the east of the driveway. The old system will need to be removed and the site will need to be restored.

Under the Planning Act, a public meeting is required to be held to receive comments from the public on the proposed rezoning. The public meeting for the application will be a virtual public meeting using Zoom and telephone.

Discussion/Analysis

Property Description

The subject property is located at 73 Mill Bay Lane and has an area of approximately 0.2 hectares (0.53 acres) with frontage on Bobs Lake. The subject property is located on the north side of Mill Bay Lane.

The property contains a single detached dwelling with attached deck and a small shed. The property rises steeply from the shoreline of Bobs Lake to a flat area where the existing dwelling is located. The property drops steeply from the location of the existing dwelling towards the lane. The area between the shoreline and the flat area consists of bedrock and is predominately forested. The land between the flat area and the lane is also treed.

The existing dwelling is one storey and has an attached deck located on the north side. The building has a height of 6 metres and a ground floor area of 77.6 square metres (835 square feet). The total footprint of the dwelling and deck is 127 square metres (1367 square feet). The dwelling and deck are setback more than 30 metres from the highwater mark, except for the landing for the deck stairs, which is setback 29 metres (96 feet). The dwelling and deck are setback 10 metres from the top of bank, at the closest point. The lot coverage of the existing dwelling and deck is 5.9%.

The shed is located to the south of the dwelling, 21 metres (70 feet) from the highwater mark of Bobs Lake. It has a footprint of 8 square metres (90 square feet). The shed has a lot coverage of 0.3%.

A sewage system is located south of the dwelling, between the dwelling and the neighbouring property to the south. The property is in an area of similarly developed waterfront residential properties.

Supporting Documentation – Slope Stability Study

The applicant submitted a Slope Stability Study in support of the proposal (Malroz Engineering Inc, dated April 28, 2022) which speaks to assessing construction near the steep slope to ensure that any slope stability or erosion hazard risks would be addressed. This was required as the proposed reconstruction would encroach on the required 15 metre setback from the top of bank. The study concluded that the slope is stable and that the proposed dwelling is suitable to be constructed at the existing setback of 9.3 metres.

Department, Agency and Public Comments

Rideau Valley Conservation Authority provided comments on the minor variance application in which they recommended that the applicant detach the garage or apply for a zoning by-law amendment with a provision that limits lot coverage on the property. RVCA peer reviewed the slope stability study. The Director of Engineering and Regulations for RVCA provided comments in a letter dated May 20, 2022 indicating that the proposed setback of 9.5 metres to the new dwelling from the top of the slope is acceptable. RVCA recommends that the lands within 6 metres of the top of the slope be left natural and not be disturbed.

RVCA was circulated the re-zoning application. They confirmed by e-mail on July 28, 2022 that they have no objections to the application and recommend taking into consideration any mitigations such as French drains or natural areas with robust vegetation to promote infiltration of surface water. They note that the development proposed in the application will not require a permit from RVCA because it does not include any site alteration within the area they regulate.

Building Services provided comments on the minor variance application. They had no objections to the location of the sewage system and noted that the installer will need to provide a revised design advanced treatment Eljen system due to site constraints.

Building Services was circulated the re-zoning application. They confirm that revised sewage system drawings had been received and they have no objections to the application.

Preliminary Planning Analysis

The proposed rezoning needs to be assessed against the applicable policies of the Provincial Policy Statement 2020 (PPS), County of Frontenac Official Plan, and Township of South Frontenac Official Plan, as well as the provisions of Zoning By-law No. 2003-75.

The PPS and the County Official Plan sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. They speak to permitting resource-based recreational uses and development that is sensitive to the surroundings.

Waterfront Residential Development

The subject lands are designated Rural in the Township Official Plan. The Township Official Plan suggests that the type and amount of development on 'Rural' lands must maintain the rural character, natural heritage, and cultural landscape in the Township. The Official Plan permits some limited service residential development in the form of single detached dwellings and seasonal dwellings on waterfront properties accessed from a private road. Residential land uses may include accessory buildings and structures.

The Township of South Frontenac Official Plan's housing goal encourages residential development which is affordable, of high quality and capable of meeting the changing and diverse needs of the rural community. The proposed dwelling with attached garage is consistent with the permitted residential use of the property and would contribute to improved housing in the Township.

The policies of the Township Official Plan intend to protect and strengthen the character of the waterfront areas, while taking into consideration changing lifestyles and accessibility throughout the municipality and the transition from a more seasonal dwelling to more permanent dwellings in the area. As pressures amount to permit higher density development, there is a need protect the Township's waterfront areas, unique natural and environmental character. Two of the ways that these policies are implemented through the Zoning By-law are minimum setbacks and maximum lot coverage provisions.

Maximum lot coverage provisions are intended to control the scale and density of development on a parcel, avoid an overdeveloped appearance of a lot and shoreline, ensure there is adequate landscaped space, and to minimize site disturbance and vegetation removal. They can also provide for consistent building envelopes on lots in a neighbourhood and maintain compatible mass and scale of new construction.

The Mill Bay Lane community is characterized by predominately small single detached dwellings with waterfront view or access to the shoreline. From an aerial analysis as well as MPAC data obtained from Frontenac Maps, properties along Mill Bay Lane are all undersized waterfront lots developed with single detached dwellings. The average lot coverage for a dwelling on properties similar in size to the subject property is 7%.

The subject lands are currently zoned Limited Service Residential - Waterfront (RLSW). The RLSW zone permits a dwelling and accessory buildings. The proposed dwelling meets all required zoning setbacks, except from the top of bank, and will maintain sufficient space between adjacent buildings, lot lines and the highwater mark.

The proposed dwelling will be on the same general footprint as the existing dwelling where it will have minimal visual impact on surrounding the lake and neighbouring properties. Building on the same footprint will cause minimal disturbance to the natural features on the subject property. There is not anticipated to be any visual impacts from the lane due to the change in elevation (e.g. the dwelling would be several metres above the lane). Similarly, the proposed dwelling is setback more than 30 metres from the highwater mark and several metres above the lake. The proposal allows for the maintenance of the existing natural treed buffer between the dwelling and the steep cliff to the water.

The RLSW zone permits a maximum 5% lot coverage for the dwelling, and the General Provisions Section 5.24.1 permits an additional maximum 5% lot coverage for accessory buildings and structures. The existing dwelling on the subject property accounts for 5.9% lot coverage. The proposed dwelling would result in 12.4% lot coverage.

If the proposed building is broken down into components, the dwelling is roughly 8.4% and the attached garage is roughly 4%. The dwelling component would have a similar lot coverage to other properties on the lane. The garage component would be consistent with the 5% permitted for accessory buildings and structures.

One way to reduce the lot coverage of the principal building to be more in keeping with the average lot coverage in the neighbourhood would be to detach the garage from the dwelling. However, the applicants are proposing to build a dwelling with an attached garage to allow for easier movement between the garage and the house as the applicants age in their home.

The proposed increase in lot coverage was not supported by the Committee of Adjustment because if the requested variance to more than double the allowable lot coverage for a principal building was granted, there would be no mechanism to stop the current or subsequent landowners from obtaining a building permit for accessory buildings on their property in a location that is compliant with the RLSW zone, thereby further increasing lot coverage on the subject property beyond what is intended by the Zoning By-law.

The proposed zoning by-law amendment proposes to establish a maximum lot coverage for the principal building and prohibit the construction of any additional accessory buildings and structures. Limiting the construction of any additional accessory buildings and allocating the lot coverage that would normally be permitted for detached accessory buildings to the principal building is the best approach to staff would maintain the intent of the Township Official Plan and Zoning By-law for development of this property.

Natural Hazards

The Township Official Plan, consistent with the PPS, directs development away from lands that might be subject to shoreline erosion hazards. The Zoning By-law requires a minimum 15 metre setback from the top of bank in order to implement this policy. The Slope Stability Study (Malroz Engineering Inc, dated April 28, 2022) confirmed that the proposed dwelling is not expected to be subject to an erosion hazard, and supports a 9.5 metre setback from the top of bank.

The draft by-law (attachment 1) would permit a maximum of 12.4% lot coverage for the principal building and prohibit accessory buildings and structures. It also permits a 9.5 metre setback from the top of bank.

Financial Implications

Not applicable.

Relationship to Strategic Plans

☒ Not applicable to this report.

☐ This initiative is supported by the following priorities of the 2019-2022 Strategic Plan.

- Priority: Choose an item.
- Action Item (if applicable): *N/A*

Climate Considerations

☒ Not applicable to this report.

☐ This initiative supports climate change mitigation/adaption efforts in South Frontenac; and/or impacts the Township's resilience to climate change.

Notice/Consultation

Notice of the Statutory Public Meeting was given pursuant to the requirements of the Planning Act, 20 days in advance of the Public Meeting. This included notice given:

- by mail to every owner of land within 120 metres of the subject lands

- by posting notice signs on the subject lands
- by posting on the Township's Current Planning Application webpage
- by e-mail to prescribed persons and public bodies

Attachments

1. Draft By-law

Approvals

Report Prepared By:
Anna Geladi, MCIP, RPP, Planner

Report Reviewed By:
Christine Woods, MCIP, RPP, Senior Planner

Submitted By:

Claire Dodds, MCIP
RPP, Director of Development Services

Approved By:

Louise Fragnito
Chief Administrative Officer

SOUTH FRONTENAC

(KLASSEN)

73 MILL BAY LANE
PL-ZBA-2022-0097

0 3 6 12 m
Scale: 1:500

LEGEND

- Subject Lands
- Road
- Assessment Parcel
- Building Footprints
- Wooded Area
- Waterbody

Zoning

- AGRICULTURAL ZONE (A)
- COMMUNITY FACILITY ZONE (CF)
- ENVIRONMENTAL PROTECTION ZONE (EP)
- MOBILE HOME RESIDENTIAL ZONE (MHR)
- OPEN SPACE - PUBLIC ZONE (OS)
- OPEN SPACE - PRIVATE ZONE (OSP)
- PIT 'A' ZONE (PA)
- PIT 'B' ZONE (PB)
- QUARRY 'A' ZONE (QA)
- QUARRY 'B' ZONE (QB)
- RESIDENTIAL ZONE (R)
- RURAL COMMERCIAL ZONE (RC)
- RURAL INDUSTRIAL ZONE (RI)
- LIMITED SERVICE RESIDENTIAL ZONE (RLS)
- LIMITED SERVICE RESIDENTIAL - ISLAND ZONE (RLSI)
- LIMITED SERVICE RESIDENTIAL - WATERFRONT ZONE (RLSW)
- RECREATIONAL RESORT COMMERCIAL ZONE (RRC)
- RURAL ZONE (RU)
- WATERFRONT RESIDENTIAL ZONE (RW)
- SALVAGE YARD INDUSTRIAL ZONE (SI)
- TUZ
- URBAN COMMERCIAL ZONE (UC)
- URBAN INDUSTRIAL ZONE (UI)
- URBAN MULTIPLE RESIDENTIAL ZONE (UMR)
- URBAN RESIDENTIAL ZONE - FIRST DENSITY ZONE (UR1)
- URBAN RESIDENTIAL ZONE - SECOND DENSITY (UR2)
- WASTE DISPOSAL ZONE (WD)

Produced by the Township of South Frontenac under license with the Ontario Ministry of Natural Resources © Queen's Printer for Ontario, 2015. While the Township makes every effort to insure that the information presented is accurate for the intended uses of this map, there is an inherent error in all mapping products, and accuracy of the mapping cannot be guaranteed for all possible uses. This map displays basic topographic features only.

UTM Projection NAD 83 | Date: 2022-07-11

TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2022-XX

BEING A BY-LAW TO AMEND BY-LAW 2003-75, AS AMENDED, TO REZONE LAND FROM LIMITED SERVICE RESIDENTIAL – WATERFRONT (RLSW) TO LIMITED SERVICE RESIDENTIAL – WATERFRONT – SPECIAL PROVISION (RLSW-XXX) ON LANDS DESCRIBED AS 73 MILL BAY LANE, PART 18 ON PLAN 13R167, LOT 33 TO 34, CONCESSION 7, DISTRICT OF BEDFORD: KLASSEN

WHEREAS pursuant to the provisions of Section 34 of the *Planning Act*, RSO 1990 as amended, the Council of a Municipality may enact by-laws regulating the use of land and the erection, location and use of buildings and structures thereon;

AND WHEREAS By-law 2003-75 being the Zoning By-law regulates the use of land and the erection, location and use of buildings and structures within the Township of South Frontenac;

AND WHEREAS the Council of the Corporation of the Township of South Frontenac considered all written and oral submissions received on this application, the effect of which helped Council make an informed decision;

AND that there be no further notice pursuant to Section 34 (17) of the *Planning Act*;

NOW THEREFORE, the Council of the Corporation of the Township of South Frontenac, hereby enacts as follows:

1. **THAT** Schedule "D", to Zoning By-law Number 2003-75 as amended, is hereby further amended by changing the zoning from Limited Service Residential – Waterfront to Limited Service Residential – Waterfront – Special Provision (RLSW-XXX) on the lands as shown on Schedule "1".

2. **THAT** Zoning By-law Number 2003-75 as amended is hereby further amended by adding a new section RLSW-XXX (73 Mill Bay Lane, Part 18 On Plan 13R167, Lot 33 to 34, Concession 7, District of Bedford: Klassen) immediately after the last Limited Service Residential – Waterfront – Special Provision section to read as follows:

   RLSW-XXX (73 Mill Bay Lane, Part 18 On Plan 13R167, Lot 33 to 34, Concession 7, District of Bedford: Klassen)

   Notwithstanding the provisions of section 10.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential – Waterfront (RLSW-XXX), the following provision shall apply:

   - *For the Principal Dwelling:*
     a) Lot Coverage (Maximum) 12.4%
     b) Top of Bank setback (Minimum) 9.5 metres (31 feet)
   - *No accessory buildings and structures are permitted.*

   All other provisions of this by-law shall apply.

3. THIS BY-LAW shall come into force in accordance with Section 34 of the Planning Act, 1990, as amended, either upon the date of passage or as otherwise provided by said Section 34.

Dated at the Township of South Frontenac this XXth day of XX, 2022.

Read a first and second time this XXth day of XX, 2022.

Read a third time and finally passed this XXth day of XX, 2022.

DRAFT

THE CORPORATION OF THE
TOWNSHIP OF SOUTH FRONTENAC

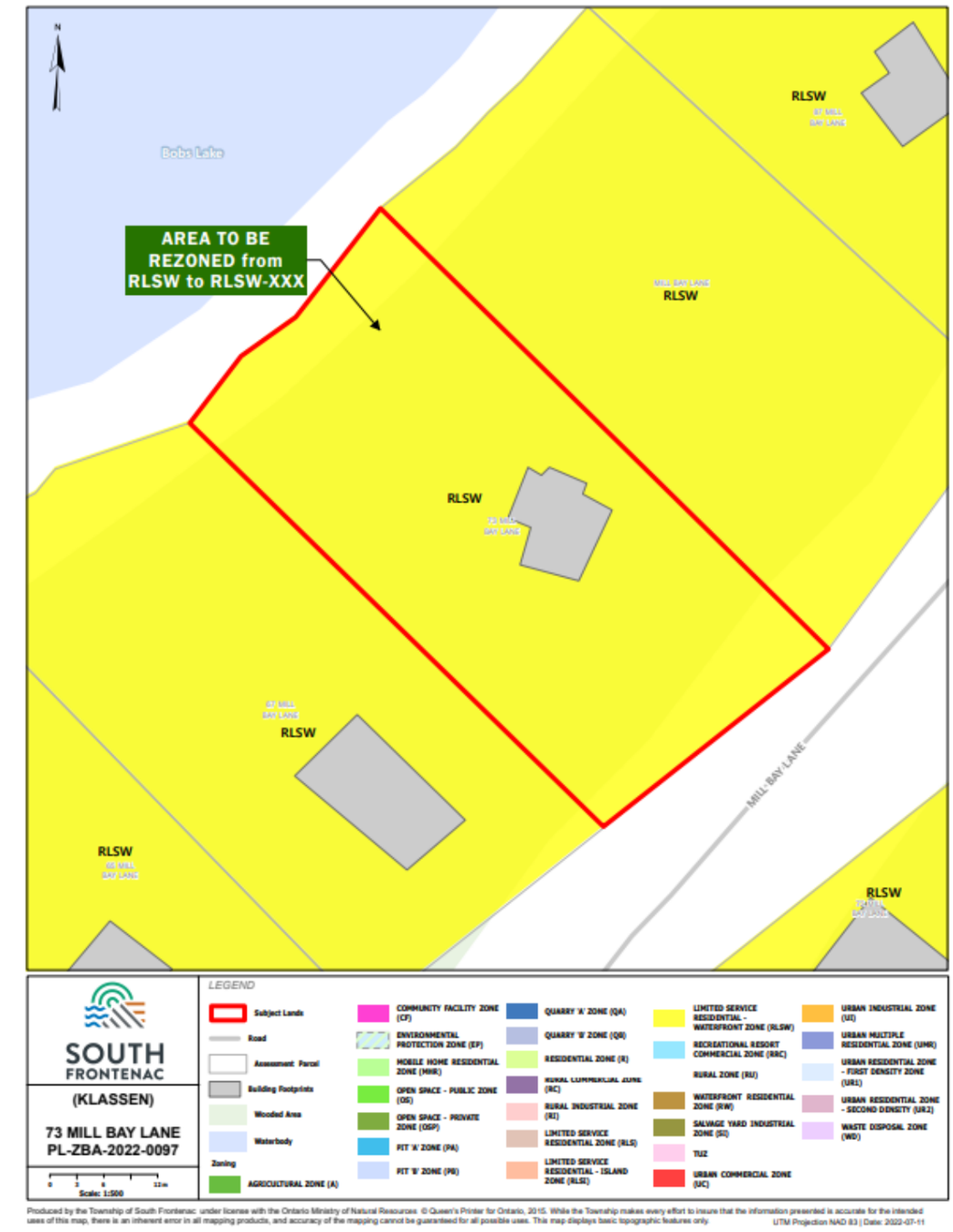
_____
Ron Vandewal, Mayor

_____
Angela Maddocks, Clerk

DRAFT

Schedule 1

This is Schedule "1" to By-law No. 2022- XX.



Passed this XXth day of XX, 2022

Ron Vandewal, Mayor

Angela Maddocks, Clerk

TOPOGRAPHIC PLAN OF SURVEY OF PART OF LOT 34 CONCESSION 7 GEOGRAPHIC TOWNSHIP OF BEDFORD TOWNSHIP OF SOUTH FRONTENAC COUNTY OF FRONTENAC

SCALE = 1 : 200

0 1 2 3 4 5 10 15m

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ASSOCIATION OF ONTARIO LAND SURVEYORS
PLAN SUBMISSION FORM
2175411

THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR
In accordance with Regulation 1026, Section 29(3).

CONTROLLED HIGH WATER MARK (AS PER PLAN 13R 167)

BOB'S LAKE

CURRENT HIGH WATER MARK- SEPTEMBER 16, 2021

(N045°08'09"E P1)
N 45°01'52" E
32.004
165.08

IB (981) 0+000
0+8.6
6.6
4.4±
6.2±
BOLT WITH CAP (OU)

PIN 36239 - 0172 (LT)

PART 18
PLAN 13 R 167

LOT 34
CONCESSION 7

56.590 (56.638 P1)
60.073

30.53 m

9.57M from top of bank. Aproximate slope to new grade 5%. Slope to existing grade 12% Slope is less than 30% listed in By-Law 5.8.2.2

9.57 m

PS PATIO

STEEP SLOPE

CONCRETE BLOCK RETAINING WALL

Shed to be demolished after main building completion

VINYL SHED

64.6±
70.1±

W/S

30 METER SETBACK FROM CURRENT HIGH WATER MARK

FRAME DECK AND STEPS

1 STOREY VINYL DWELLING #73

264.95 sq m

11.66
4.14
12.41
15.16
3.08

SITE BENCHMARK: NAIL IN TREE ELEV: 180.92m

PIN 36239 - 0171 (LT)

PART 17
PLAN 13 R 167

Approximate location of Neighbours septic

APPROXIMATE SEPTIC AREA
SEPTIC TANK

GRAVEL PARKING

Proposed new well location

18.16 m

Neighbours well on opposite side of property.

GRAVEL DRIVE
18.56

O/H HYDRO LINES

N 46°06'30" W
N 45°51'51" W

SIB (981) ORP-1
N 51°18'09" E (REFERENCE BEARING)
(29.718 P1)
29.764

SSIB (981)

New Septic location per Site visit from Septic installer and Inspector Chris Beeg

10'-0"

(32.004 P1)
31.970
61.734

SSIB (981) ORP-2

PIN 36239 - 0182 (LT)

POLE
O/H HYDRO LINE

PART "A"
PLAN 13 R 167
(KNOWN AS MILL BAY LANE)

PART 38
PART 37
PLAN 13 R 167
PART 36

Legend:

- Stone Patio
- New Building Footprint
- Demo Existing

PIN 36239 - 0173 (LT)

19

PLAN 13 R 167

EMPTY LOT

SURVEY INTEGRATION NOTES:

1. THE INFORMATION PROVIDED ON THIS SURVEY COMPLIES WITH SECTION 14(1) & (2) SUCH THAT THE COORDINATES ARE ACCURATE, AT THE 95% CONFIDENCE LEVEL, TO 0.2 METRES IN RURAL AREAS.
2. COORDINATES HAVE BEEN DIRECTLY OBSERVED USING GPS;
   - REAL TIME NETWORK (RTN) COORDINATES FROM TOPCON NETWORK
3. DISTANCES ON THIS PLAN ARE HORIZONTAL GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY THE AVERAGE COMBINED SCALE FACTOR OF 0.99976621

SURVEY NOTES:

1. BEARINGS ARE UTM GRID DERIVED FROM GPS - REAL TIME NETWORK (RTN) OBSERVATIONS ON MONUMENTS ORP-1 AND ORP-2, HAVING A GRID BEARING OF N51°18'09"E, NAD83 (CSRS 1997.0) AND ARE REFERRED TO THE CENTRAL MERIDIAN IN UTM ZONE 18 (75°W).
2. DISTANCES AND COORDINATES ILLUSTRATED ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
3. THE HIGH WATER MARK IS CONTROLLED BY A DAM AT THE OUTLET OF BOB'S LAKE

SITE BENCHMARK

1. SITE BENCHMARK IS A NAIL IN TREE HAVING A GEODETIC ELEVATION OF 180.92m
2. ELEVATIONS ARE GEODETIC AND HAVE BEEN DERIVED USING GPS, CGVD-1928 DATUM

BEARINGS ARE UTM GRID DERIVED FROM GPS - REAL TIME NETWORK (RTN) OBSERVATIONS. FOR BEARING COMPARISONS A ROTATION FACTOR WAS APPLIED TO CONVERT TO UTM BEARINGS, AS NOTED BELOW.

PLAN ID.	BEARING ROTATION	DIRECTION
P1	01°05'09"	CLOCKWISE

ALL COORDINATES ARE IN METRES, ARE RELATED TO UTM ZONE 18 (75°W LONGITUDE) NAD83 CSRS AND HAVE A RELATIVE ACCURACY TO MEET THE REQUIREMENTS OF A RURAL AREA AT A 95% CONFIDENCE LEVEL. OBSERVED REFERENCE POINT (ORP) OR SPECIFIED CONTROL POINT (SCP)

POINT ID.	POINT DESC.	NORTHING (N)	EASTING (E)
ORP-1	SIB (981)	4 953 250.7	375 928.4
ORP-2	SSIB (981)	4 953 289.3	375 976.6

THE COORDINATE(S) ILLUSTRATED CANNOT, THEMSELVES, BE USED TO RE-ESTABLISH THE CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

LEGEND

□	DENOTES PLANTED MONUMENT	RB	DENOTES ROCK BAR
■	DENOTES FOUND MONUMENT	CC	DENOTES CUT CROSS
SIB	DENOTES STANDARD IRON BAR	IP	DENOTES IRON PIPE
SSIB	DENOTES SHORT STANDARD IRON BAR	WIT	DENOTES WITNESS
IB	DENOTES IRON BAR	FN	DENOTES FIELD NOTES
RIB	DENOTES ROUND IRON BAR	-x-x-	DENOTES FENCE
CM	DENOTES CONCRETE MONUMENT	-TB-	DENOTES TOP OF BANK
(N)	DENOTES DIRECTION (NORTH, EAST, SOUTH & WEST)	-BB-	DENOTES BOTTOM OF BANK
P1	DENOTES PLAN 13R 167	W/S	DENOTES WOODEN STAKE
(981)	DENOTES L.U. MAUGHAN, O.L.S	IPS	DENOTES INTERLOCKING PAVING STONES
(OU)	DENOTES ORIGIN UNKNOWN	GW	DENOTES GUY WIRE
		⊕	DENOTES SITE BENCHMARK

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 16TH DAY OF SEPTEMBER, 2021.

OCTOBER 26, 2021.

W. B. COLLETT
ONTARIO LAND SURVEYOR

ENGINEERING + SURVEYING
SUITE #205, 51 KING ST. E. - BROCKVILLE, ONTARIO - K6V 1A8
TEL. 613-342-2611 OR 1-800-267-4433
E-MAIL : info@ineng.ca
www.inengineering.ca

THIS PLAN IS NOT A VALID COPY UNLESS EMBOSSED WITH SURVEYOR'S SEAL

MAP CHECK	PTY. CH.	DRN. BY	FILE NO.
J.Mc.	M.S.	J.Mc.	10831 MT

Minutes of Council
July, 12, 2022

TOWNSHIP OF SOUTH FRONTENAC
Council Meeting Minutes

Meeting # 29

Time: 7:00 pm
Location: Council Chambers and Virtual Participation

Council Present in Council Chambers Mayor Ron Vandewal, Ray Leonard, John McDougall, Doug Morey, Alan Revill, Norm Roberts, Ron Sleeth, Ross Sutherland

Council Present via Electronic Participation: Randy Ruttan

Staff Present in Council Chambers: Louise Fragnito - Chief Administrative Officer, Angela Maddocks - Clerk, James Thompson - Deputy Clerk, Claire Dodds - Director of Development Services, Darcy Knott - Director of Fire and Emergency Services, Shelley Stedall - Director of Corporate Services and Treasurer, Troy Dunlop - Manager of Technical Services and Infrastructure, Michelle Hannah - Planning Assistant

1. Call to Order and Roll Call

a) Resolution

Resolution No. 2022-29-01
Moved by Councillor Sleeth
Seconded by Councillor Ruttan
That the Council meeting of July 12, 2022 be called order at 7:00 p.m.

Carried

b) The Deputy Clerk conducted the roll call as outlined in the attendance noted above.

2. Declaration of pecuniary interest and the general nature thereof

a) There were no declarations reported.

3. Approval of Agenda

a) Resolution

Resolution No. 2022-29-02
Moved by Councillor Revill
Seconded by Deputy Mayor Leonard
That the agenda be approved, as presented.

Carried

4. Scheduled Closed Session (Conclusion of Agenda)

5. Delegations - None

6. Public Meeting

a) Resolution to Open Public Meeting and Notice of Collection

The Clerk provided details on the notice of collection as defined by the Municipal Freedom of Information and Protection of Privacy Act.

Resolution No. 2022-29-03
Moved by Councillor Roberts
Seconded by Councillor Sutherland
That a public meeting be held to allow for input regarding the following road closing applications:

- RC-21-09
- RC-21-08

Carried

b) **RC-21-09 (Boychuk) (Wilson, Brigneti) – Application to stop up, close and transfer a portion of unopened road allowance between Concessions 8 & 9, Storrington**

Michelle Hannah, Planning Assistant presented the report and noted that this application came before Council for initial consideration on May 17, 2022 where Council directed staff to move forward with the process to stop up, close and transfer these portions of unopened road allowance. The first step of the process is to hold a public meeting to hear comments and concerns from the public. She noted that the road allowance runs from east to west along a peninsula in Dog Lake and that the unopened road allowance splits two properties owned by the applicant, municipally known as 4394 Atkins Lane The property to the north of the unopened road allowance is developed with a small cottage and outbuildings. The property to the south of the unopened road allowance is developed with a former bait house, now used as a multi-purpose building/workshop. A portion of this structure was constructed on the unopened road allowance. The main building on the property was constructed almost entirely on the unopened road allowance. Ms. Hannah noted that the closure and transfer of the unopened road allowance is required to clear title and to merge the properties together to allow a building permit to be issued for the structure on the road allowance which is proposed to be ungraded in the future. There were no concerns received as a result of this application being circulated to Public Services and Recreation staff. The Cataraqui Region Conservation Authority had no concerns with the proposal, however, they noted portions of the road allowance (within 30 metres of the water, approximately) are subject to the CRCA's Ontario Regulation 148/06, so permit approval may be necessary for any future development or site alteration.

There were no comments received from Ontario Natural Resources or members of the public. However since the writing of the report, staff received a telephone inquiry from an abutting property owner was received about the purchase blocking access to their property. Ms. Hannah noted that the original mapping was incorrect an this will be addressed in the survey.

The report noted that the final purchase price will be determined once the services of a real estate appraiser have been engaged following the public meeting for the shared road allowance. The final purchase price will be determined for the road allowance between Concessions 8 & 9 once the survey is deposited and comprehensively reviewed by Planning Staff. Fees to survey the road allowance are to be paid by the applicant

Councillor Sleeth felt it was appropriate to approve this application as it would clear up a situation that was created many years ago.

There were no other comments from Council or from the public.

c) **RC-21-08 (Rosnak) – Application to stop up, close and transfer a portion of unopened road allowance between Concessions 8 & 9, Lot 36 and between the Township of South Frontenac and the Township of Central Frontenac**

Michelle Hannah, Planning assistant presented the report on application RC-21-08 to close and transfer a portion of unopened road allowance between Concessions 8 & 9, Lot 36 and a portion of road allowance between the Township of South Frontenac (former Township of Bedford) and the Township of Central Frontenac (former Township of Oso) to facilitate access to vacant land for the purpose of development. The first portion of road allowance, being the shared road allowance between the Township of South Frontenac and the Township of Central Frontenac is aligned east to west across a peninsula surrounded by Bobs Lake. She noted that there are no properties abutting the lands, other than one property to the north in Central Frontenac that is also owned by the applicant. The second portion of road allowance, being the road allowance between Concession 8 & 9, Lot 36 is aligned from north to south and begins at the shared road allowance between the Township of South Frontenac and the Township of Central Frontenac and ends at the waters edge of Bobs Lake. Ms. Hannah further explained that the properties on the east and west sides of the unopened road allowance are owned by the applicant, there are no abutting lands. The property is a peninsula that extends into Bobs Lake. The properties located in South Frontenac owned by the applicant are accessed by a driveway running through the parcel of land to the north of the unopened road allowances owned by the applicant and located in Central Frontenac. The closure and transfer of the unopened road allowances will provide unobstructed access to the parcels of land located in South Frontenac and facilitate future development of these lands.

Ms. Hannah noted that thee were no concerns expressed by Public Services or Recreation staff. Planning staff have been working with Central Frontenac staff to ensure the process is coordinated between the two townships. There were no comments received from Rideau Valley Conservation Authority or Ontario Natural Resources or the public. The final purchase price will be determined once the services of a real estate appraiser have been engaged following the public meeting for the shared road allowance. The final purchase price will be determined for the road allowance between Concessions 8 & 9 once the survey is deposited and comprehensively reviewed by Planning Staff.

Councillor Revill felt this made sense to close these road allowances to give the applicant the opportunity to build a seasonal residence without complications.

Councillor Sutherland asked if there would be any remnant pieces of road allowances which staff confirmed would not be any leftover pieces.

Mr. Rosnak, the applicant who had been granted an exception to attend in person, thanked staff and Council for their assistance in this application and indicated he would answer any questions that Council may have.

d) **Resolution to Close Public Meeting**

Resolution No. 2022-29-04
Moved by Councillor McDougall
Seconded by Councillor Ruttan
That having provided an opportunity for input, the pubic meeting be closed.

Carried

7. Approval of Minutes

a) Resolution

Resolution No. 2022-29-05
Moved by Deputy Mayor Leonard
Seconded by Councillor Roberts

That the minutes of the June 7, 2022 - Council Meeting, June 14, 2022 - Committee of the Whole Meeting, June 21, 2022 - Council Meeting and the June 28, 2022 Special Committee of the Whole Meeting, be approved, as presented.

Carried

8. Business Arising from the Minutes

a) **Notice of Motion – Climate Change Action Committee**

At the June 21, 2022, Council meeting, Councillor Sutherland filed a Notice of Motion requesting that staff prepare a report to establish a Climate Change Action Committee.

Resolution No. 2022-29-06
Moved by Councillor Sutherland
Seconded by Councillor McDougall
That staff be directed to prepare a report to Council to establish a Climate Change Action Committee.

Carried

9. Reports Requiring Action

a) **Pre-Budget Approval Request – Volunteer Firefighter Recruitment (x24) in 2023**

This report outlined the rationale for a request for pre-budget approval for a 2023 recruitment of 24 volunteer firefighters.

Resolution No. 2022-29-07
Moved by Councillor Sleeth
Seconded by Councillor Ruttan
That Council provide pre-budget approval in the amount of $137,000 for a recruitment of 24 volunteer firefighters in 2023; and

That the budget request for the volunteer firefighter recruitment be funded from the SFFR wage stabilization reserve.

Carried

b) **SFFR Tanker Purchase – 2024 Pre Budget Approval**

This report outlines the rationale for a request for pre-budget approval for a SFFR Tanker due for replacement in 2024 as planned in the SFFR Fleet and Equipment Asset Management Plan and Schedule.

Resolution No. 2022-29-08
Moved by Councillor Revill
Seconded by Councillor McDougall
That Council approve a budgeted value of $575,000.00 for the 2024 SFFR Capital Budget for a replacement Tanker to be received in 2024.

Carried

c) **Timelines for Adoption of the new South Frontenac Official Plan**

Staff sought support from Council to proceed with the timeline to adopt the new Official Plan following the October 2022 municipal election.

Resolution No. 2022-29-09
Moved by Councillor Sutherland
Seconded by Deputy Mayor Leonard

ThatCouncil endorse the timeline to consider the adoption of the Official Plan following the October 2022 municipal election; and
ThatCouncil direct staff to circulate the draft South Frontenac Official Plan to external agencies for technical review and comment; and
That Council direct staff to circulate the draft South Frontenac Official Plan to First Nations Communities for review and comment; and
ThatCouncil postpone public consultation on the draft South Frontenac Official Plan until after the October 2022 municipal election.

Carried

d) **2022 Private Lane Upgrade Assistance Program – July Update**

The purpose of the attached report is to summarize the remaining applications received under the 2022 Private Lane Upgrade Assistance Program and to seek approval from Council for the approval of grant funding amounts.

Resolution No. 2022-29-10
Moved by Councillor Ruttan
Seconded by Councillor Roberts
ThatCouncil approve the grant subsidies for the 2022 Private Lane Upgrade Assistance Program for Cedar Ridges Lane and Meredith Lane as outlined in the July 12th, 2022, report totalling $8,412.50.

Carried

10. Committee Meeting Minutes

a) **Bellrock Community Hall Committee Meeting Minutes - June 15, 2022**

Resolution No. 2022-29-11
Moved by Councillor Sutherland
Seconded by Councillor McDougall
That Council receives for information the minutes of the Bellrock Community Hall Committee meeting held June 15, 2022.

Carried

11. By-laws

a) **By-law 2022-63 - PL-ZBA-2022-0055 (Blake & Williams) – 2858 Beach Nut Road**

This report recommended that Council pass a by-law to change the zone on the subject lands from Rural (RU) to property specific Waterfront Residential zones (RW-48, RW-49, RW-50) to establish setbacks greater than 30 metres from the highwater mark for development (building and sewage systems) as recommended in an Environmental Impact Assessment.

Resolution No. 2022-29-12
Moved by Councillor Roberts
Seconded by Councillor McDougall
ThatBy-law 2022-63, being a by-law to amend zoning on the lands in Part 1 and 2 on Plan 13R16215, Part of Lot 5, Concession 5, District of Storrington, be given first and second reading.

Carried

Resolution No. 2022-29-13
Moved by Councillor Roberts
Seconded by Councillor McDougall
That By-law 2022-63, be given third reading, signed and sealed.

Carried

b) **By-law 2022-64 - PL-ZBA-2022-0072 (Fitzgerald) - 15 Trout Lane**

This report recommended that Council pass a by-law to change the zone on a portion of the subject lands from Rural (RU) to a property specific Limited Service Residential – Waterfront (RLSW-132) zone to acknowledge that this waterfront property is accessed by a private lane and to acknowledge the 70 metres of waterfrontage on Canoe Lake.

Resolution No. 2022-29-14
Moved by Councillor Revill
Seconded by Councillor Morey
That By-law 2022-64, being a by-law to amend the zoning on lands in Part of Lot 9, Concession 7, District of Bedford, be given first and second reading.

Carried

Resolution No. 2022-29-15
Moved by Councillor Revill
Seconded by Councillor Morey
That By-law 2022-64, be given third reading, signed and sealed.

Carried

c) **By-law 2022-65 - RC-21-06 (Allan) – Request to stop up, close and transfer a portion of an Unopened Road Allowance between Concessions 10 & 11, Portland**

An application was received by Development Services Staff to request to stop up, close and transfer a portion of unopened road allowance.

Resolution No. 2022-29-16
Moved by Councillor Morey
Seconded by Councillor Revill
That By-law 2022-65, being a by-law to stop up, close and transfer ownership of Part 2 Plan 13R22675 being a portion of unopened road allowance to the adjacent property municipally known as 1267 Cedarwoods Lane, PIN 36147-0188 and Part 3 Plan 13R22675 being a portion of unopened road allowance to the adjacent vacant property located on Silver Rock Lane, PIN 36148-0559 be given first and second reading.

Carried

Resolution No. 2022-29-17
Moved by Councillor Morey
Seconded by Councillor Revill
That By-law 2022-65, be given third reading, signed and sealed.

Carried

d) **By-law 2022-66 - PL-EA-2022-0075 (Hanlon) – Encroachment Agreement Request - 6901 Road 38**

The report recommended an Encroachment Agreement to recognize the existing encroachment of an accessory building, being a detached garage and the existing driveway over a Township owned unopened road allowance.

Resolution No. 2022-29-18
Moved by Councillor Sutherland
Seconded by Deputy Mayor Leonard
ThatBy-law 2022-66, being a by-law to authorize the Mayor and Clerk to enter into an Encroachment Agreement with Patrick Hanlon for the purposes of recognizing the existing encroachment onto the Unopened Road Allowance, be given first and second reading.

Carried

Resolution No. 2022-29-19
Moved by Councillor Sutherland
Seconded by Deputy Mayor Leonard
That By-law 2022-66 be given third reading, signed and sealed.

Carried

e) **By-law 2022-67 - PL-LA-2022-0098 (Robinson) Licence Agreement Application, 493B Anderson Road North**

An application was received asking that Council consider entering into a Licence Agreement to allow the development and continued use of a portion of unopened road allowance for the purposes of a driveway for access to the owner's property.

Resolution No. 2022-29-20
Moved by Councillor Ruttan
Seconded by Councillor Roberts
That By-law 2022-67, being a by-law to authorize the Mayor and Clerk to enter into a Licence Agreement with the Applicants, Wayne and Alison Robinson for purposes of legally recognizing access to the property at 493B Anderson Road North over a Township owned unopened road allowance, be given first and second reading.

Carried

Resolution No. 2022-29-21
Moved by Councillor Ruttan
Seconded by Councillor Roberts
That By-law 2022-67 be given third reading, signed and sealed.

Carried

f) **By-law 2022-68 - Records Retention By-law and Records Management Policy Revisions**

This report provided Council with information regarding proposed revisions to the Records Retention By-law and the introduction of a Records Management Policy. Additionally, the Report recommends that Council approve the Records Retention By-law and Records Management Policy attached as Exhibit A and repeal By-law 2004-29.

Resolution No. 2022-29-22
Moved by Councillor Roberts
Seconded by Councillor Sutherland
That By-law 2022-68, being a by-law to adopt the Records Retention Schedule and Records Management Policy for the Township of South Frontenac, be given first and second reading.

Carried

Resolution No. 2022-29-23
Moved by Councillor Roberts
Seconded by Councillor Sutherland
That By-law 2022-68, be given third reading, signed and sealed.

Carried

g) **By-law 2022-69 - PL-SPR-2022-0086, Dawe and Brown - 3045 Hilltop Lane**

This report recommended that Council pass a by-law to approve a Site Plan Control agreement for 3045 Hilltop Lane. By-law 2003-25 requires site plan

control to ensure that the Township's development and environmental standards will be met on properties with frontage on at-capacity lake trout lakes.

Resolution No. 2022-29-24
Moved by Councillor McDougall
Seconded by Councillor Sleeth
That By-law 2022-69 , being a by-law to authorize the Mayor and Clerk to enter into a Site Plan Agreement with the Owner, James Dawe and Sommar Brown, for 3045 Hilltop Lane, be given first and second reading.

Carried

Resolution No. 2022-29-25
Moved by Councillor McDougall
Seconded by Councillor Sleeth
That By-law 2022-69 be given third reading, signed and sealed.

Carried

12. Reports for Information - none

13. Information Items

a) Speed Limit Reduction Request - Silverwood Drive

14. Notice of Motion - none

15. Announcements/Statements by Councillors

a) Councillor Sleeth thanked the South Frontenac Fire and Rescue crew for their assistance on Canada Day at Gerald Ball Memorial Park.

b) Councilor Sutherland brought to Council's attention the public access to the beach area on Canoe lake Road at the causeway. There is concern about this access being blocked by new owners and signage is required to be posted in this area.

c) Councillor Sutherland questioned what would be done about the ongoing issue of goose manure at the beach at The Point that has resulted in the beach being closed by public health officials.

The CAO reported that there has been daily maintenance completed to clean up and are looking into special pellets that were used previously that deterred the geese from this area.

d) Deputy Mayor Leonard thanked Amanda Pantrey, Public Events and Education Coordinator for the recent music event held at McMullen Park

16. Question of Clarity (from the public on outcome of agenda items)

a) There were no questions of clarity.

17. Closed Session

a) Resolution to resolve into Closed Session

Resolution No. 2022-29-26
Moved by Councillor Sleeth
Seconded by Councillor McDougall
That Council move into Closed Session pursuant to Section 239.2 (b) of the Municipal Act to consider the following items:

- Personal matters about an identifiable individual, including municipal or local board employees, a verbal update from the CAO on reorganization;
- Personal matters about an identifiable individual, including municipal or local board employees regarding the recruitment; of a Director Public Services.

Carried

b) Personal matters about an identifiable individual, including municipal or local board employees, Reorganization, Verbal Update

c) Personal matters about an identifiable individual, including municipal or local board employees, Recruitment; Director, Public Services

d) Resolution to rise from Closed Session

Resolution No. 2022-29-27
Moved by Councillor Roberts
Seconded by Councillor Morey
That Council move out of Closed Session.

Carried

18. Confirmatory By-law

a) By-law 2022-70

Resolution No. 2022-29-28
Moved by Councillor Morey
Seconded by Councillor Roberts
That By-law 2022-70, being a by-law to confirm generally all actions and proceedings of the Council meeting of the Corporation of the Township of South Frontenac on July 12, 2022 be given first and second reading.

Carried

Resolution No. 2022-29-29
Moved by Councillor Morey
Seconded by Councillor Roberts
That By-law 2022-70, being the confirmatory by-law, be given third reading, signed and sealed.

Carried

19. Adjournment

a) Resolution

Resolution No. 2022-29-30
Moved by Councillor Ruttan
Seconded by Councillor Revill
That the Council meeting be adjourned at 7:50 p.m.

Carried

Ron Vandewal, Mayor

Angela Maddocks, Clerk

Township of South Frontenac

Staff Report

To:	Council
Prepared by:	Public Services Department
Date of Meeting:	August 9, 2022
Subject:	**Project Award: Centennial Multipurpose Facility Roof Structure**

Summary

This report provides information on awarding the contract for the Centennial Multipurpose Roof Structure

Recommendation

That Council approved the bid submission from Ubcon Construction Limited in the amount of $334,000 in relation to the Tender for PS-2022-14 - Centennial Multipurpose Facility Roof Structure;

AND

That Council authorize the Clerk and Mayor to enter into an agreement with Ubcon Construction Limited;

AND

That an additional $74,878 be allocated from the Infrastructure reserve to support the project.

Background

The Harrowsmith Centennial Park is one of the Township's most frequented outdoor amenities. The Township and Council has received a great deal of interest from the Community for the development of a multipurpose surface that could act as a dedicated space to support the growth of Stockport while providing a multipurpose space for other activities.

In October of 2020 Council approved the first phase of this project being the installation of the Multipurpose Facility surface. The first phase of the project was completed in the Spring of 2021.

When completed this one-of-a-kind facility will provide a vibrant accessible space for South Frontenac residents and Visitors to participate in a wide range of activities.

These include.

- The site of the 2023 Stocksport America's Cup
- Year-round use by the South Frontenac Stocksport Club

- Site for a Farmer's Market
- Vendor space for Canada Day, Dog Agility show, car shows and more
- Road hockey
- Basketball
- Shuffleboard
- Four square
- Group yoga or other exercise / fitness activities
- Potential future site for an outdoor skating rink, which has been on the Community wish list for many years.

Discussion/Analysis

Tender PS-2022-14 was issued on July 5, 2022 and closed July 27, 2022. Three (3) bids were received and are listed below:

CONTRACTOR	Price excluding HST
Ubcon Construction Limited	$334,000.00
Wemp & Smith Construction Ltd.	$433,000.00
Jeffrey G. Wallans Construction Ltd.	$547,000.00

This phase of the project includes the roof structure, a storage bunker and lighting/electrical with the lighting/electrical being a separate award from the current tender.

Ubcon Construction Limited was the lowest bidder for this project. Ubcon Construction is a very reputable company that has experience in overseeing construction projects of a similar nature. Township Staff have full confidence in the experience and expertise of Ubcon Construction to meet the project specifications and complete this outdoor facility.

Ubcon Construction have met all the Tender submission requirements.

The submission in the amount of $334,000 is competitive and is reflective of increase costs in material from what was originally budgeted and includes an enclosed ceiling, eaves/downspouts as well as the addition of the storage bunker at the site.

Financial Implications

Below is a breakdown of the anticipated project costs:

ITEM	Price
Roof and Storage Bunker	$339,878 (includes non-refundable portion of HST)

Electrical and Lighting	$20,000
Engineering Review	$5,000
TOTAL	**$364,878**

The 2022 Budget allowance for the overall project is $290,000. An additional $74,878 is required to fund the project. Staff recommend the use of the Infrastructure Reserve.

Relationship to Strategic Plans

☐ Not applicable to this report.

☒ This initiative is supported by the following priorities of the 2019-2022 Strategic Plan.

- Priority: 4. Be a catalyst for the creation of vibrant, complete communities.
- Action Item (if applicable):

Climate Considerations

☒ Not applicable to this report.

Notice/Consultation

- Louise Fragnito, CAO.
- Jamie Brash, Manager of Facilities & Solid Waste
- Amanda Pantrey, Program, Events & Education Coordinator

Attachments

- Concept Design Centennial Park Multipurpose Facility

Approvals

Submitted By:

T Laprade

Tim Laprade
Manager of Recreation and Arena

Approved By:

Louise Fragnito, CPA, CGA
Chief Administrative Officer

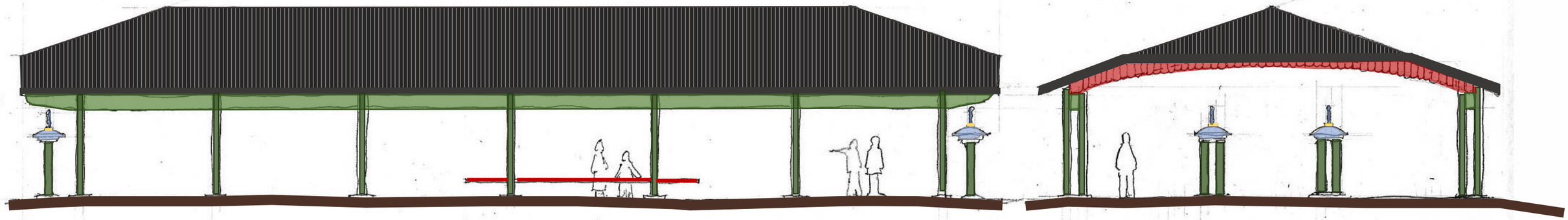
POSSIBLE LOCATION
FOR CONCESSIONS

STOCKSPORT PLAYING FACILITY

14 M (46 FT)

32 M (105 FT)

PLAN SHOWING 3 PLAYING
SURFACES FOR STOCKSPORT



SIDE ELEVATION

END ELEVATION

TOWNSHIP OF SOUTH FRONTENAC

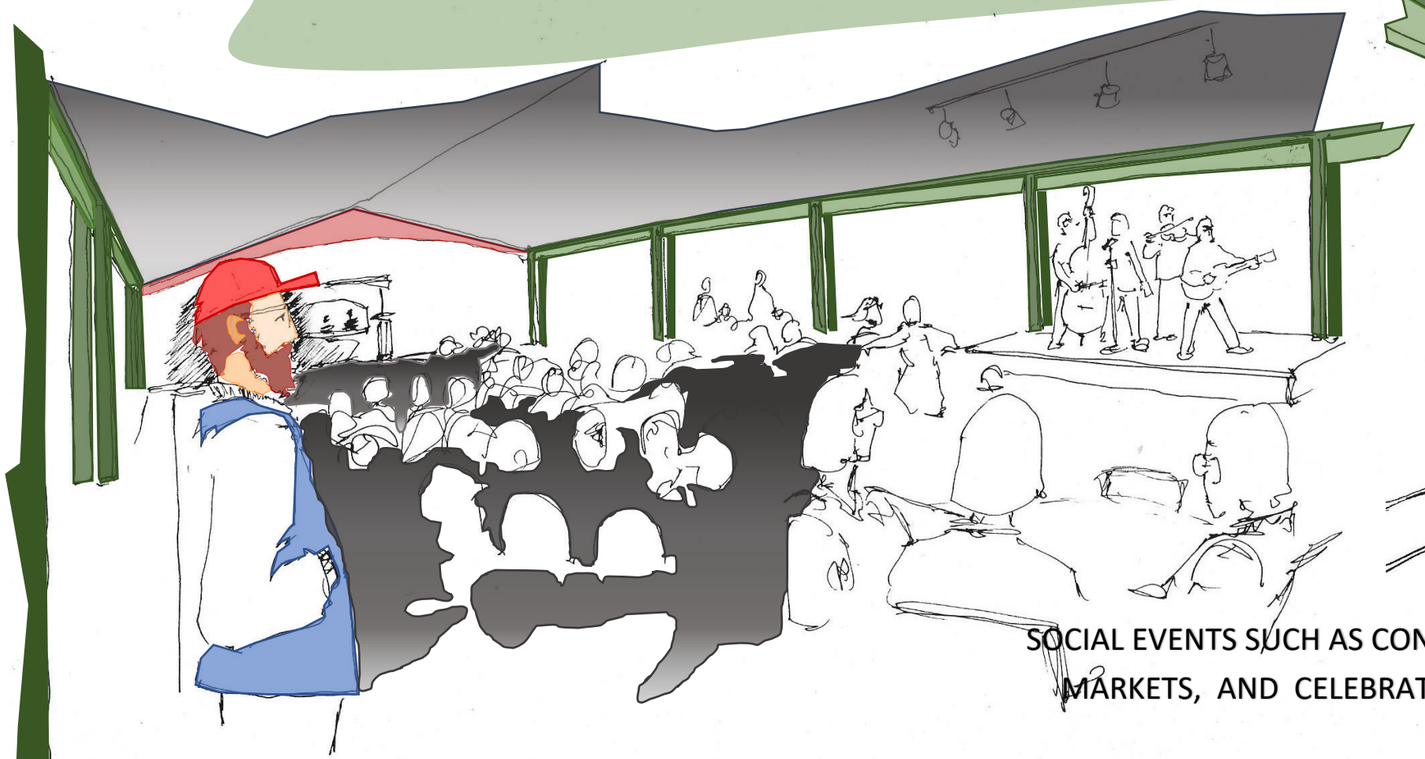
MIKAELA HUGHES ARCHITECT

CONCEPT DRAWING

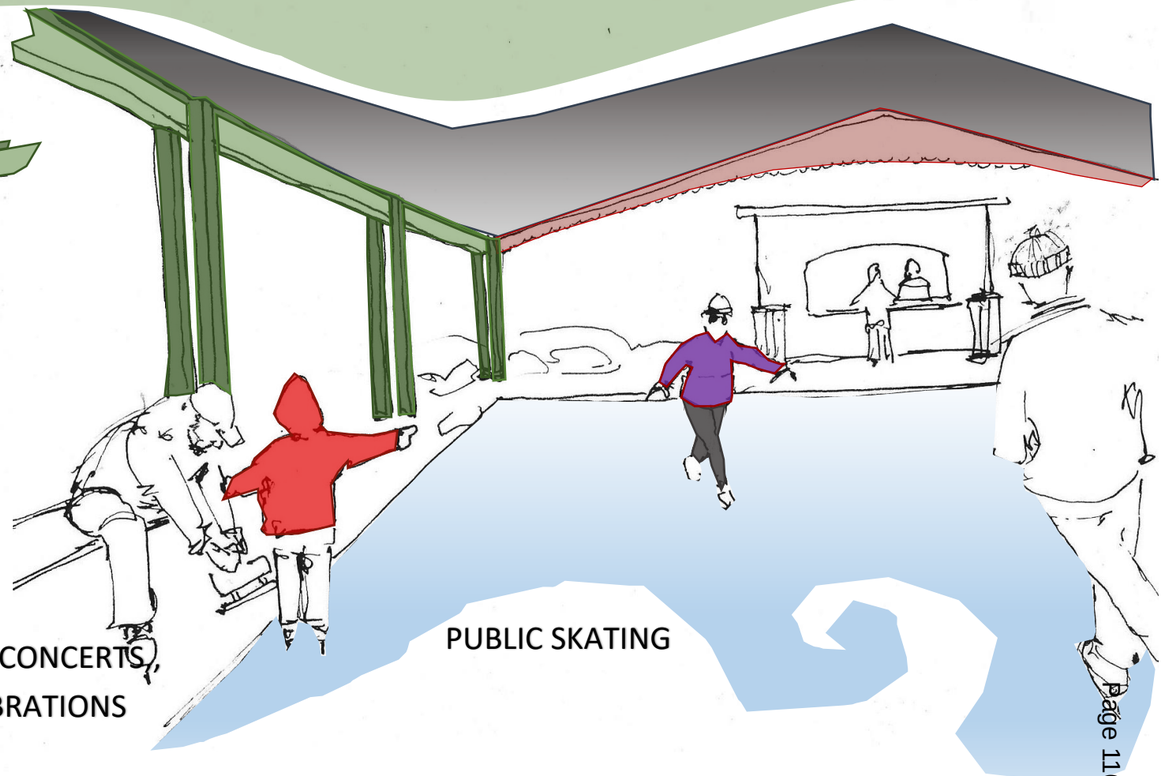
CENTENNIAL PARK MULTIPURPOSE PAVILLION

Feb 9, 2020

STOCK SPORT



SOCIAL EVENTS SUCH AS CONCERTS,
MARKETS, AND CELEBRATIONS



PUBLIC SKATING

TOWNSHIP OF SOUTH FRONTENAC

MIKAELA HUGHES ARCHITECT

CONCEPT DRAWING

CENTENNIAL PARK MULTIPURPOSE PAVILLION

Feb 9, 2020

Township of South Frontenac
Staff Report

To:	Council
Prepared by:	Public Services Department
Date of Meeting:	August 9, 2022
Subject:	**Conservation Signage – Devil Lake Boat Launch**

Summary

The purpose of this report to provide Council with background on a request from the Devil Lake Association for the installation of privately funded educational and conservation signage at the Devil Lake boat launch on Perth Road.

Recommendation

That Council support the request from the Devil Lake Association (DLA) for the installation of privately funded educational and conservation signage on public lands at the Devil Lake boat launch on Perth Road.

Background

On May 27th, 2022, the Public Services Department was approached by the Board of the Devil Lake Association (DLA) with a request for the installation of a privately funded sign/kiosk at the main boat launch on Perth Road. The signage that is currently being proposed is aimed at promoting environmental protection and conservation measures for the protection of local flora and fauna.

Discussion/Analysis

On May 31st, staff met with members of the DLA to look at the boat launch and to review potential locations that would offer a safe place to view the sign while not interfering with the movement of boats in and out of the launch. At the conclusion of the meeting a preferred location was found on the lake side of the guiderail system near the top of the boat launch. Township staff then offered to consult on the DLA's behalf with the Cataraqui Conservation Authority regarding site approval and/or permit requirements.

On July 11th, the Cataraqui Conservation Authority (CRCA) provided organizational support for the initiative and also provided endorsement of the site location. No permits are required for the installation of the sign. The CRCA also agreed to participate in the review of the

sign messaging and a series of edits were recommended to maintain consistent themes on messaging within the overall watershed. A rendering of the most recent sign design and content has been included as Attachment A to this report.

Staff are currently recommending that the Township support the Devil Lake Association on their significant stewardship efforts and that the Public Services Department work collaboratively with the DLA's sign contractor on the final installation.

Financial Implications

The new signage installation at the Devil Lake boat launch will be a privately funded asset and the Devil Lake Association has confirmed that the structure will be maintained at the sole cost of the association going forward.

Relationship to Strategic Plans

☒ Not applicable to this report.

☐ This initiative is supported by the following priorities of the 2019-2022 Strategic Plan.

- Priority: Choose an item.

Climate Considerations

☒ Not applicable to this report.

☐ This initiative supports climate change mitigation/adaption efforts in South Frontenac; and/or impacts the Township's resilience to climate change.

Notice/Consultation

- Manager of Operations and Fleet
- Manager of Facilities and Solid Waste
- Manager of Recreation and Arena

Attachments

- Attachment A –Devil Lake Association Request and Sign Rendering

Approvals

Submitted By:

W. Troy Dunlop, C.E.T.
Manager of Technical Services and Infrastructure

Reviewed By:

Kyle Bolton, C.E.T.
Director of Public Services

Approved By:

Louise Fragnito, CPA, CGA
Chief Administrative Officer

DEVIL LAKE ASSOCIATION
OF FRONTENAC COUNTY

Mr. Troy Dunlop
Manager of Technical Services and Infrastructure
Township of South Frontenac
Sydenham, ON

26 July 2022

Troy:

Re: Proposed Sign at the Devil Lake Perth Road Boat Ramp

Thank you for meeting with a number of the Devil Lake Association directors at the Devil Lake Perth Road boat ramp today. Following suggestions from the Township and CRCA, we will be revising the sign design and will endeavour to have the final draft in your hands by 6 August so it can be given to the Council for its approval on 12 August.

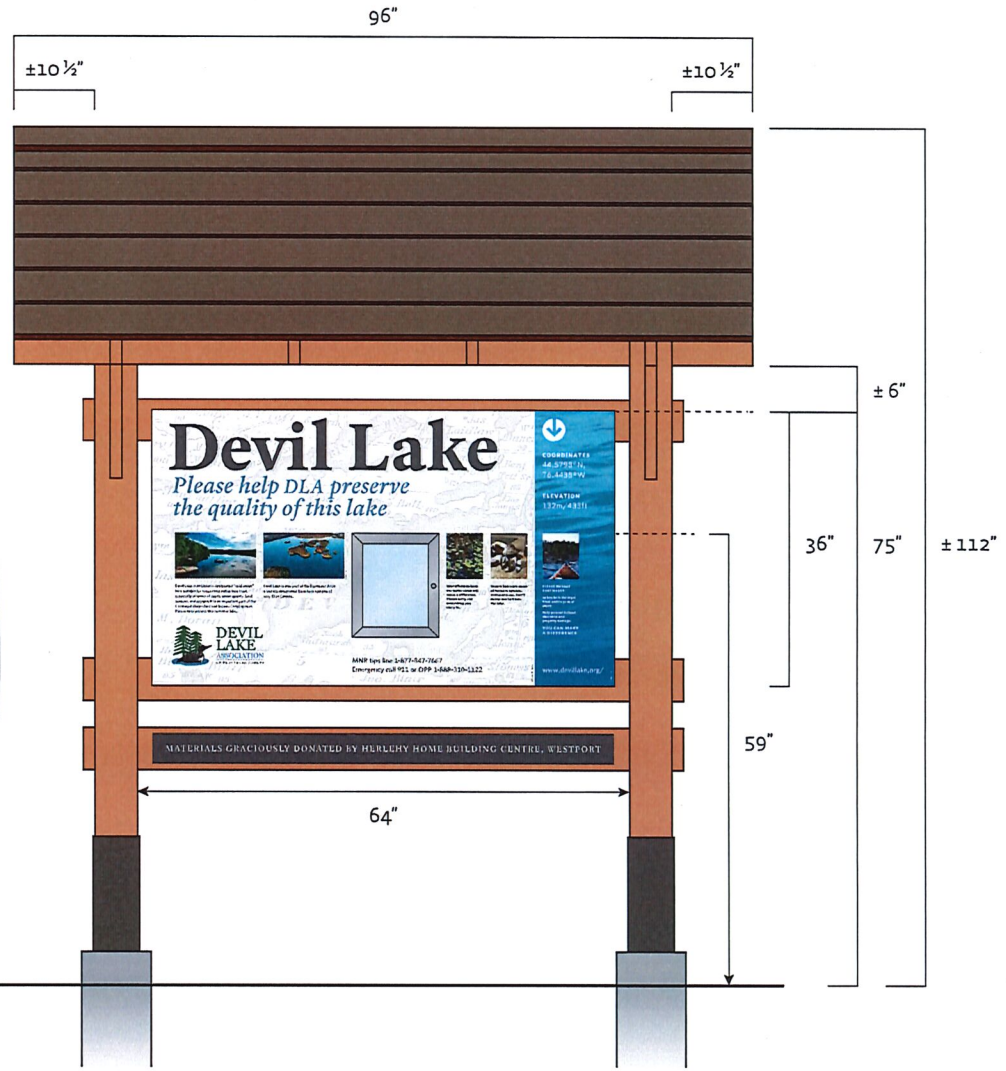
The sign is being funded by the Devil Lake Association for installation at Devil Lake's busiest public boat ramp to promote key environmental messaging for the protection of the lake.

We graciously thank you and the Township for all the assistance that has been provided to date. It is a pleasure to work with you on this very important initiative.

Sincerely,

Tim Gardiner
President

Devil Lake Kiosk
Side View
Scale ½" = 1'



Devil Lake Kiosk
Elevation
Scale ½" = 1'

Kiosk by Cottagers/Association

Devil Lake Sign Panel and Sponsor Panel

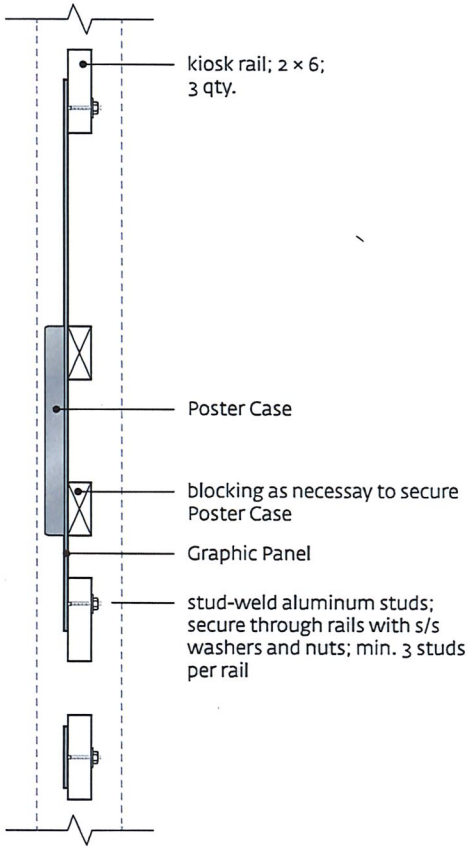
Front Elevation

Scale 1" = 1'

Poster Case
waterproof aluminum construction; clear polycarbonate face; lockable

e.g. SECO 8.5 in. × 11 in. Silver Locking Poster Case (or similar);
o/a dimension = 13 ¾" × 11 ¼" × 1 ¼"
https://www.homedepot.com/p/SECO-8-5-in-x-11-in-Silver-Locking-Poster-Case-LCASE8511/314330012

Graphic Panels
inkjet print to 6 mm thick Dibond Digital (or similar) aluminum composite panel (ACM); wrap with UV/anti-grafitti overlaminate



Devil Lake Sign Panel and Sponsor Panel

Section

Scale 1" = 1'

Option 2

Materials graciously donated by Herlehy Home Building Centre, Westport

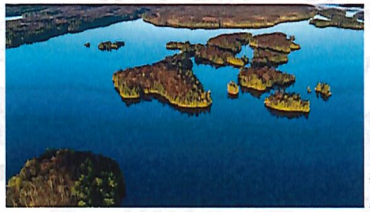
Option 3

Materials graciously donated by Herlehy Home Building Centre, Westport

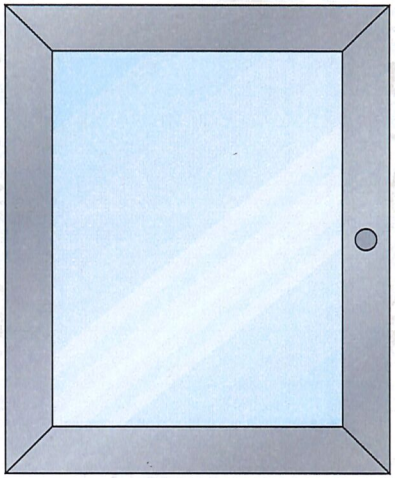
Devil Lake

Please help DLA preserve the quality of this lake

Devil Lake is an Ontario designated "cold water" lake suitable for supporting native lake trout, especially in terms of depth, water quality, food sources, and oxygen. It is an important part of the Cataraqui Watershed and Rideau Canal system. Please help protect this sensitive lake.



Devil Lake is also part of the Frontenac Arch, a UNESCO designated Biosphere and one of only 18 in Canada.



Your efforts to keep our water clean will make a difference. Please carry out everything you carry in.

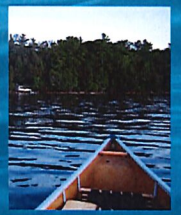
Ensure boats are clean of invasive species, inside and out. Don't dump live bait into the lake.

DEVIL LAKE ASSOCIATION OF FRONTENAC COUNTY

MNR tips line 1-877-847-7667
Emergency call 911 or OPP 1-888-310-1122

COORDINATES
44.5798°N,
76.4438°W

ELEVATION
132m/433ft



PLEASE MANAGE BOAT WAKES

10 km/hr is the legal limit within 30 m of shore.

Help prevent habitat, shoreline and property damage.

YOU CAN MAKE A DIFFERENCE.

www.devillake.org/

July 6th, 2022

Harrowsmith Beautification Committee Meeting

Attendees: Greg Hamelin, Adele Hamelin, Lindsey Morey, Brenda Taylor, Doug Morey (Township Rep)

Special Guest: Brenda Crawford

Minutes:

Nominations were put forward and it was decided by the committee unanimously that Gregg Hamelin would serve as Chair while Lindsey Morey would serve as vice chair/secretary.

Brenda Crawford gave a brief presentation on her tenure with the committee and projects that were still outstanding. There was also a discussion of where things are kept and contacts to further projects that are still in process.

There was discussion about the benches and whether the committee would like to go ahead with purchasing a new one. It was decided that in order to proceed the committee would like to request a treasury report to assess if we have the funds to continue with certain projects.

> ACTION ITEM: requesting a treasury report of the committee's finances before our next meeting (September 7th)

On the topic of benches, the committee discussed placing memorial plaques and where would be the best place for them, existing bench, picnic tables at centennial park or even to plant a tree. It was discussed that it would be best if we put a plaque on a picnic table as they are presently being maintained and will touch base with the family to find out more information.

The large cement container under the harrowsmith sign is sinking into the ditch. The committee discussed appetite for keeping the container but felt it best to request it be removed.

> ACTION ITEM: Cement container needs to be removed.

Centennial Park was discussed extensively. The committee members believe that there should be more garbage cans placed in the park as community events during the week and people just using the park has increased the amount of waste. There was discussion of "Butt out buckets" being placed in high traffic areas, however Councilor Doug more noted that this may be a fire hazard and would touch base with council and the fire chief on this request.

It was discussed and decided that the Chair should put together a timeline of tasks that are performed to proceed with scheduling meetings and volunteer time. There was a great deal of discussion about how this would give a clear picture of what needs to be done and when and allow for division of tasks to other committee members.

Lastly it was discussed that the committee would be better suited to having 6-8 sitting members and there was talk about recruitment.

Meeting was adjourned at 8pm

Next meeting is scheduled for September 7th, 2022

Township of South Frontenac

Staff Report

To:	Council
Prepared by:	Office of the Clerk
Date of Meeting:	August 9, 2022
Subject:	**Implementation of Administrative Monetary Penalties – Municipal By-law Enforcement**

Summary

The purpose of the Report is to provide Council with information regarding the proposed expansion of the application of Administrative Monetary Penalties (AMPs) to two Township of South Frontenac by-laws. The expanded use of AMPs will assist the Township of South Frontenac in deterring behaviours prohibited under the Trailer License By-law (By-law 2004-93) and the Safe Property By-law (By-law 2007-13).

Recommendation

That Council recommend as follows:

a) **That** By-law 2022-70 attached as Exhibit A, being "A By-Law to Impose Administrative Monetary Penalties on Violations Of Municipal By-Laws", be given first and second reading.

b) **That** By-law 2022-70 attached as Exhibit A, being "A By-Law to Impose Administrative Monetary Penalties on Violations Of Municipal By-Laws", be given third reading, signed and sealed.

c) **That** By-law 2022-71 attached as Exhibit B, being "A By-Law to Amend By-Law 2004-93, 'A By-Law to License Trailers Which Are Lawfully Located In The Municipality, Except Those Located In An Established Trailer Park In The Municipality', be given first and second reading.

d) **That** By-law 2022-71 attached as Exhibit B, being "A By-Law to Amend By-Law 2004-93, 'A By-Law to License Trailers Which Are Lawfully Located In The Municipality, Except Those Located In An Established Trailer Park In The Municipality', be given third reading, signed and sealed.

e) **That** By-Law 2022-72 attached as Exhibit C, being "A By-Law to Amend By-Law 2007-13, 'A By-Law to Provide For The Safety Of Properties In The Township Of South Frontenac'", be given first and second reading.

f) **That** By-Law 2022-72 attached as Exhibit C, being "A By-Law to Amend By-Law 2007-13, 'A By-Law to Provide For The Safety Of Properties In The Township Of South Frontenac'", be given third reading, signed and sealed.

Background

On August 17, 2021, Council enacted By-law 2021-44, A By-law to Impose Administrative Monetary Penalties on Violations of Municipal By-laws (Administrative Monetary Penalties By-law). By-law 2021-44 established the procedures required for the administration of AMPs by the Township of South Frontenac. Subsequently, the Administrative Monetary Penalties By-law was amended by By-law 2021-53 at the September 21, 2021 Council meeting to replace restrictive language to allow for a broad range of infractions to be addressed by AMPs.

Despite establishing the aforementioned framework in which AMPs could be administered, the Township of South Frontenac has yet to include any by-laws in Schedule A of the Administrative Monetary Penalties By-law. As such, there are not any Township of South Frontenac by-laws subject to AMPs with the exception of a separate program exclusively tied to the Devil Lake causeway.

Discussion/Analysis

Currently, the only recourse in which the Township of South Frontenac can seek prosecution with respect to a municipal by-law violation is under the *Provincial Offences Act.* Traditionally, prosecution under the *Provincial Offences Act* involves an often lengthy and costly process. Due to continued delays stemming from court closures during the pandemic, it is reasonable to expect a delay of several years before a case is heard by the provincial court system. As such, it has become commonplace for municipalities to adjudicate by-law offences through the administration of AMPs. This process is much more cost effective and efficient than seeking prosecution under the *Provincial Offences Act*. Furthermore, unpaid AMPs can be assigned to the property tax roll.

Through conversations with residents, members of Council as well as the municipal solicitor, it has become apparent that there is an immediate need for the Township of South Frontenac to expand the administrative monetary penalties framework to effectively address specific municipal by-law offences.

To facilitate the application of AMPS under the Trailer License By-law and the Safe Property By-law, several administrative amendments are required to the Administrative Monetary Penalties By-law (Exhibit A), Trailer License By-law (Exhibit B) and Safe Property By-law (Exhibit C). Additionally, the amendments outlined in Exhibit C include additional house keeping amendments recommended by the municipal solicitor which provide clarity and are essential to ensure that the Safe Property By-law can be effectively administered. It is inherent to note that the amendments outlined in the Report will not alter the by-law

enforcement strategy within the Township of South Frontenac. By-law violations will continue to be investigated only on a complaint basis.

The following provides a detail summary of the proposed amendments.

Summary of Administrative Amendments to the Administrative Monetary Penalties By-law (Exhibit A):

a) By-law 2022-70

To alleviate confusion due to the proposed amendments to Schedule A and Schedule B of the Administrative Monetary Penalties By-law it is recommended that both By-law 2021-44 and By-law 2021-53 be repealed upon the passage of By-law 2022-70.

To preserve procedural justice, staff have recommended that the By-law be amended to define the Screening Officer as the Director of Corporate Services rather than the Clerk as the Clerk's Department is directly involved with the administration of by-law enforcement.

No other substantial amendments are proposed to the By-law at this time with the exception of the following amendments to Schedule A and Schedule B.

b) By-law 2022-70, Schedule A

As previously noted, in order for a Township of South Frontenac by-law to be subject to administrative monetary penalties it must form part of Schedule A of the Administrative Monetary Penalties By-law. As such, it is recommended that Schedule A of By-law 2022-70 be amended to include the following by-laws:

1. Township of South Frontenac, By-law 2004-93, A By-Law to License Trailers Which Are Lawfully Located In The Municipality Except Those Located In An Established Trailer Park In The Municipality, as amended from time to time.

2. Township of South Frontenac, By-law 2007-13, A By-Law to Provide For The Safety Of Properties In The Township of South Frontenac, as amended from time to time.

c) By-law 2022-70, Schedule B

The following standard fees and penalties are proposed to be applied to all by-laws included in Schedule A of By-law 2022-70.

Obstruct an Officer	$500.00
Continued failure to remedy an order. (AMP may be issued once in every seven-day period when compliance is not achieved by prescribed date)	$500.00
Administrative Penalty Fee – Failing to pay the AMP by the date on which it is due.	$ 50.00

Administrative Penalty Fee – Failing to appear for a hearing before the Hearings Officer.	$100.00
Screening Officer Appeal Fee	$ 50.00
Hearing Officer Appeal Fee	$200.00

i. By-Law Number 2004-93, A By-Law to License Trailers Which Are Lawfully Located in The Municipality Except Those Located In An Established Trailer Park In The Municipality

It is recommended that an administrative monetary penalty be implemented to reduce situations where residents use or keep a trailer on any property within the Township; except in an established Trailer Park, where the use is permitted and conforms to the Township of South Frontenac Comprehensive Zoning By-law. The proposed AMP for this offence is $250.00.

ii. Township of South Frontenac, By-Law Number 2007-13, A By-Law to Provide For The Safety Of Properties In The Township of South Frontenac

It is recommended that the following administrative monetary penalties be implemented to ensure compliance in maintaining properties in a neat, tidy and safe condition consistent with surrounding properties. The proposed range of AMPs is between $100.00 and $500.00. The Short Wording is reflective of the house keeping amendments outlined further in Exhibit C.

By-Law Section	Short Wording	Penalty Amount
2.a.	Failure to remedy an order related to rubbish, garbage, waste and other debris	$100.00
2.b.	Failure to remedy an order related to grass greater than twenty centimeters in height, brush and clippings, noxious weeds, or any other condition that may promote or be susceptible to fire or infestation by weeds, rodents or other noxious conditions	$100.00
2.c.	Failure to remedy an order related to timber, lumber, building materials, granular or soil materials or any other type of product or material stored in a location visible to the public for a period of more than thirty days	$500.00
2.d.	Failure to remedy an order related to scrap and junk material including without limiting its generality, wrecked, dismantled, unused, unlicensed or non-restorable vehicles, trailers, machinery, tools, tires, appliances, equipment or any part thereof, except in an establishment licensed or permitted to conduct and operate such a business, and only then under circumstances that prevent unsafe or unsightly conditions	$500.00

2.e.	Failure to remedy an order related to any pit, precipice, excavation or deep waters that are unfenced or unprotected against unauthorized entry	$200.00
2.f.	Failure to remedy an order related to buildings, fences, scaffolding, retaining walls or any other erection that, is in a dilapidated state	$200.00
2.g.	Failure to remedy an order related to any combustible, flammable, volatile, caustic or explosive substance unless stored under conditions that are safe and free from risk or fire or accident	$200.00

The proposed penalties have been tailored to address specific violations that are problematic in the Township of South Frontenac. The proposed penalties are within the range of fines ($75.00 to $600.00) levied by other municipalities to address similar offenses. It is important to note that as per the *Municipal Act, 2001*, the fine amount of an AMP may not be punitive in nature and shall not exceed the amount reasonably required to promote compliance with a by-law.

Summary of Administrative Amendments to the Trailer License By-law (Exhibit B):

By-law 2022-71 attached to the Report as Exhibit B outlines amendments to the Trailer Licensing By-law which are required for the administration of administrative monetary penalties.

To address obstruction of Provincial Offences Officers while undertaking their duties, it is recommended that By-law 2004-93 be amended to include the following clause:

> "3.5 No person shall obstruct or hinder or attempt to obstruct or hinder a Provincial Offences Officer or other authorized employee or agent of the Township in the exercise of a power or the performance of a duty under this by-law. Without limiting the generality of the foregoing, for purposes of this By-law, any person who fails to provide proof of identification satisfactory to the Provincial Offences Officer when requested to do so by the Provincial Offences Officer is deemed to obstruct an Officer under this By-Law."

To permit administrative monetary penalties to be applied to violations under the Trailer License By-law, it is recommended that By-law 2004-93 be further amended to include the following clause:

> "6.3 Every Person who contravenes any provision of this By-Law shall, upon issuance of a Penalty Notice in accordance with the By-Law to Impose Administrative Monetary Penalties On Violations Of Municipal By-Laws 2022-70, be liable to pay to the Township an Administrative Monetary Penalty in accordance with By-Law Number 2022-70."

Summary of Administrative Amendments to the Safe Property By-law (Exhibit C):

By-law 2022-72 attached to the Report as Exhibit C outlines amendments to the Safe Property By-law which are required for the administration of administrative monetary penalties.

To permit administrative monetary penalties to be applied to violations under the Safe Property By-law, it is recommended that By-law 2007-13 be amended to include the following clause:

"9.a. Every Person who contravenes any provision of this By-Law shall, upon issuance of a Penalty Notice in accordance with the By-Law to Impose Administrative Monetary Penalties On Violations Of Municipal By-Laws 2022-70, be liable to pay to the Township an Administrative Monetary Penalty in accordance with By-Law Number 2022-70."

To address obstruction of Provincial Offences Officers while undertaking their duties, it is recommended that By-law 2007-13 be amended to include the following clause:

"11. No person shall obstruct or hinder or attempt to obstruct or hinder a Provincial Offences Officer or other authorized employee or agent of the Township in the exercise of a power or the performance of a duty under this by-law.; Without limiting the generality of the foregoing, the following are deemed to constitute obstruction pursuant to this By-law:

(a) any person who fails to provide proof of identification satisfactory to the Provincial Offences Officer when requested to do so; and

(b) any person who fails to provide information to the Provincial Offences Officer from the Ministry of Transportation regarding the licensing status of any vehicle when requested to do so, regardless of the ownership of the vehicle."

Following consultation with the municipal solicitor during the review of the administrative monetary penalties procedures, the following house keeping amendments were recommended in order to ensure that the Safe Property By-law remains a viable tool capable of effectively addressing violations. A summary is of the proposed house keeping amendments are outlined in the following table:

Additional House Keeping Amendments to By-law 2007-13

NOW THEREFORE THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC, BY ITS COUNCIL, HEREBY ENACTS AS FOLLOWS:

1. No owner or occupant of any property shall cause, allow or permit any building, yard lot or grounds to be or remain in a condition contrary to the requirements of this by-law.

2. Every property in the municipality shall be kept in a **neat, tidy and safe condition consistent with surrounding properties, and free from**:

(Note: Provided for Context, No Amendments Proposed)

Section	Existing Wording	Amended Wording
2.a.	rubbish, garbage, waste and other debris on the property, or which may blow or drift or otherwise be transported onto neighbouring properties;	rubbish, garbage, waste and other debris;
2.b.	long grass, discarded brush and clippings, excessive weed growth, or any other condition that may promote or be susceptible to fire or infestation by weeds, rodents or other noxious conditions;	grass greater than twenty centimeters in height, brush and clippings, noxious weeds, or any other condition that may promote or be susceptible to fire or infestation by weeds, rodents or other noxious conditions;
2.c.	timber, lumber, building materials or any other type of product or material stored or kept under conditions that are unsafe from fire or other dangerous risk or accident;	timber, lumber, building materials, granular or soil materials or any other type of product or material stored in a location visible to the public for a period of more than thirty days;
2.d.	scrap and junk material including without limiting its generality, wrecked, dismantled, unused, unlicensed or non-restorable vehicles, trailers, machinery, tools, tires, appliances, equipment or any part thereof, except in an established licensed or permitted to conduct and operate such a business, and only then under circumstances that prevent unsafe or unsightly conditions;	Section 2.d. remains unchanged with the exception of replacing the word “established” with “establishment”.
2.e.	any pit, precipice, excavation or deep waters that are unfenced or unprotected against dangerous risk or accident;	any pit, precipice, excavation or deep waters that are unfenced or unprotected against unauthorized entry;

Section	Existing Wording	Updated Wording
2.f.	buildings, fences, scaffolding, retaining walls or any other erection that, by reason to its ruinous or dilapidated state, faulty construction or otherwise, is in an unsafe condition as regards danger from fire or risk of accident;	buildings, fences, scaffolding, retaining walls or any other erection that, is in a dilapidated state;
2.g.	any combustible, flammable, volatile, caustic or explosive substance unless stored under conditions that are safe and free from risk or fire or accident.	Amendment not required.

The proposed amendments have been recommended by the municipal solicitor as they offer clarity with respect to the intention of the by-law and are deemed defensible if challenged before a court.

Due to the amendments outlined above the remaining sections of By-law 2007-13 are required to be renumbered accordingly.

Next Steps:

As outlined at the June 21, 2022 Council meeting, staff remain committed to conducting public consultation in the form of a survey to receive additional information regarding enforcement concerns. Furthermore, staff will report back to Council to provide a comprehensive review of enforcement by-laws as outlined in the aforementioned report.

Conclusion:

Due to the identification of an immediate need to address municipal by-law offences, staff are recommending that Council approve the expansion of the application of administrative monetary penalties to the Trailer License By-law and Safe Property By-law. As demonstrated in other municipalities, AMPs have proven to be effective in improving compliance in an efficient fashion.

Financial Implications

Revenue stemming from administrative monetary penalties and estimated revenues in future years will be included as part of the by-law enforcement section of the budget.

Relationship to Strategic Plans

☐ Not applicable to this report.

☒ This initiative is supported by the following priorities of the 2019-2022 Strategic Plan.

- Priority: 3. Ensure the organizational capacity to deliver cost-effective services in a changing world.

Climate Considerations

☒ Not applicable to this report.

Notice/Consultation

- Corporate Services
- Frontenac Municipal Law Enforcement
- Municipal Solicitor

Attachments

Exhibit A – By-law 2022-70 - A By-Law to Impose Administrative Monetary Penalties on Violations Of Municipal By-Laws

Exhibit B – By-law 2022-71- A By-Law to Amend By-Law 2004-93, 'A By-Law to License Trailers Which Are Lawfully Located In The Municipality, Except Those Located In An Established Trailer Park In The Municipality'

Exhibit C – By-law 2022-72 - A By-Law to Amend By-Law 2007-13, 'A By-Law to Provide For The Safety Of Properties In The Township Of South Frontenac'

Approvals

Prepared by:

James Thompson, Deputy Clerk

Submitted By:

Angela Maddocks
Clerk

Approved By:

Louise Fragnito, CPA, CGA
Chief Administrative Officer

TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2022-70

BEING A BY-LAW TO IMPOSE ADMINISTRATIVE MONETARY PENALTIES ON VIOLATIONS OF MUNICIPAL BY-LAWS

WHEREAS the Municipal Act, 2001, as amended, permits municipalities to enact by-laws under the category of "broad powers' relating to the health, safety and well-being of residents of South Frontenac, and under the category of "spheres of jurisdiction" namely highways, including parking and traffic on municipal highways,

AND WHEREAS the Council of the Corporation of the Township of South Frontenac considers it desirable and necessary to provide for a system of administrative penalties and administrative fees for the designated Township by-laws or portions of a designated Township by-law,

AND WHEREAS Section 434.1 (1) of the Municipal Act, 2001, provides that without limiting sections 9, 10 and 11, a municipality may require a person to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with a by-law of the municipality passed under this Act,

NOW THEREFORE BE IT RESOLVED THAT:

DEFINITIONS:

CAO - shall mean the Chief Administrative Officer or their designate.

Screening Officer - shall mean the Director of Corporate Services.

Hearing Officer - shall be an impartial person outside of the organization and shall be appointed by the CAO when required.

1. By-laws subject to Administrative Monetary Penalty

1.1. Any and all schedules attached and forming part of this by-law shall be subject to penalties as outlined in Section 1.2 below.

1.2. Any person who contravenes this By-law is liable to pay an Administrative Monetary Penalty in an amount as outlined in the relevant schedule(s) to this by-law, in accordance with this By-law, provided that an offence notice under the *Provincial Offences Act* has not been issued for the same person for the same offence on the same day.

2. Administrative Monetary Penalty Notice

2.1. Subject to section 3, each Person who contravenes this By-law shall, if given an Administrative Monetary Penalty Notice (hereinafter referred to as "Penalty Notice"), be liable to pay to the Township of South Frontenac (hereinafter the "Township") an Administrative Penalty as outlined in the relevant schedule(s) to this by-law.

2.2. Any person designated to enforce this By-law (hereinafter an "Officer") who has reasonable grounds to believe that a person has contravened any provision of this By-law may give to the person a Penalty Notice.

2.3. The Penalty Notice shall be given to the person as soon as is reasonably practicable after the contravention has occurred and shall include the following information:

a. the date the Penalty Notice is given;

b. a reference number that is unique to that Penalty Notice;

c. particulars of the contravention, including the date and location of the contravention, and the person(s) to whom the Penalty Notice is being given;

d. the monetary amount of the Administrative Penalty;

e. such information as the CAO determines is appropriate respecting the process by which the Person may exercise the Person's right to request a review of the Administrative Penalty; and

f. a statement advising that an Administrative Penalty will, unless cancelled or reduced pursuant to the review and appeal processes, constitute a debt of the Person to the Township.

2.4. A person who is given a Penalty Notice may request that the Administrative Penalty be reviewed by a Screening Officer pursuant to section 3.

3. Review by Screening Officer

3.1. Section 3 applies to reviews of an Administrative Penalty by a Screening Officer.

3.2. A person's right to request a review expires if it has not been exercised in the manner prescribed in section 3.4 before 4:30 p.m. on the fifteenth (15th) day after the Penalty Notice is deemed to have been received pursuant to section 5.

3.3. A person's right to request an extension of the time to request a review expires if it has not been exercised in the manner prescribed in section 3.4 before 4:30 p.m on the tenth (10th) day after the date the Penalty Notice is deemed to have been received pursuant to section 5, at which time:

a. the person shall be deemed to have waived the right to request a review;

b. the Administrative Penalty shall be deemed to be affirmed; and

c. the Administrative Penalty shall not be subject to review, including review by any Court.

No extension granted under this section will extend beyond the thirtieth (30th) day after the date receipt of the Penalty Notice is deemed to have occurred pursuant to section 5.

3.4. A person's rights to request a review and/or to request an extension of time to request a review are exercised by giving to the Township written notice of such request(s) that includes:

a. the Penalty Notice Number;

b. the person's mailing address and, if applicable, facsimile transmission number and/or e-mail address;

c. in the case of a request to extend the time to request a review, the reasons, if any, for having failed to exercise the right to request a review within the time limited by section 3.2; and

d. in the case of a request to review, the particulars of all grounds upon which the request to review is based.

3.5. The Screening Officer shall undertake the review upon receipt of the request for review and may request further information from the person requesting the review as needed, and any time limit for the review may be adjusted in the Screening Officer's sole discretion.

3.6. The Screening Officer may

a. receive submissions from the Officer who issued the Penalty Notice under review; and

b. cancel, reduce or extend the time for payment of the Administrative Penalty where the Screening Officer is satisfied that doing so would maintain the general intent and purpose of this By-law and that:

(i) there is reason to doubt that the person contravened this By-law; or that
(ii) the person took all reasonable steps to prevent the contravention; or that
(iii) the cancellation, reduction or extension of the time for payment is necessary to relieve undue financial hardship.

3.7. The Screening Decision shall be given to the person in writing as soon as is reasonably practicable.

3.8. The person may appeal to a Hearings Officer against the Screening Decision pursuant to section 4.

4. Appeal to Hearings Officer

4.1. Section 4 applies to appeals to a Hearings Officer against Screening Decisions:

4.2. The right to appeal is limited to the following:

a. a person who has been given a Screening Decision; or

b. the CAO.

4.3. A Person's right to appeal expires if it has not been exercised in the manner prescribed in section 4.5 before 4:30 p.m. on the fifteenth (15^{th}) day after the Screening Decision Date.

4.4. A person's right to request an extension of the time to appeal expires if it has not been exercised in the manner prescribed in section 4.5 before 4:30 p.m. on the tenth (10^{th}) day after the Screening Decision Date at which time:

a. the person shall be deemed to have waived the right to appeal;

b. the Screening Decision and the Administrative Penalty as it may have been affected by the Screening Decision shall be deemed to be affirmed; and

c. the Screening Decision and the Administrative Penalty as it may have been affected by the Screening Decision shall not be subject to review, including review by any Court.

No extension granted under this section will extend beyond the Thirtieth (30th) day after the Screening date.

4.5. A right to appeal is exercised by giving to the Township written notice of the appeal that includes:

a. the Penalty Notice Number;

b. the person's mailing address and, if applicable, facsimile transmission number and/or e-mail address;

c. in the case of a request to extend the time to appeal, the reasons, if any, for having failed to exercise the right to appeal within the time limited by section 4.3; and

d. particulars of all grounds upon which the appeal is made.

4.6. The person shall be given no fewer than seven (7) days' notice of the date, time and place of the hearing of the appeal.

4.7. Where the Person fails to appear at the time and place scheduled for a hearing of the appeal:

a. the Person shall be deemed to have abandoned the appeal;

b. the Screening Decision and the Administrative Penalty as it may have been affected by the Screening Decision shall be deemed to be affirmed;

c. the Screening Decision and the Administrative Penalty as it may have been affected by the Screening Decision shall not be subject to review, including review by any Court; and

d. the person shall pay to the Township an additional Fee for failure to appear in the amount of $100.

4.8. Except in the case of a person who is deemed to have abandoned their appeal, a Hearings Officer shall not make any decision respecting an appeal unless the Hearings Officer has given each of the person, the CAO and the Officer who gave the Penalty Notice an opportunity to be heard at the time and place scheduled for the hearing of the appeal.

4.9. Subject to sections 4.4, 4.7 and 4.8, a Hearings Officer may:

a. extend the time to request an appeal; and may

b. make any decision that the Screening Officer could have made pursuant to this By-law.

4.10. The decision of a Hearings Officer is final and not subject to review including review by any Court.

5. Notice

5.1. Subject to section 5.3, any notice or document respecting this By-law, including the Penalty Notice, may be given in writing in any of the following ways and is effective:

a. when a copy is placed on or affixed in any manner to a Person's vehicle;

b. when a copy is delivered to the person to whom it is addressed;

c. on the third (3rd) day after a copy is sent by registered mail or by regular lettermail to the person's last known address;

d. upon the conclusion of the transmission of a copy by facsimile transmission to the person's last known facsimile transmission number; or

e. upon the sending of the notice or document or a copy thereof by e-mail transmission to the person's last known e-mail address.

5.2. For the purpose of section 5.1, a person's last known address, last known facsimile transmission number and last known e-mail address are deemed to include those provided by the person pursuant to paragraphs 3.4(b) and 4.5(b).

5.3. Any notice or document respecting this By-law to be given to the Township shall be in writing, shall be given in any of the following ways, and is effective:

a. when a copy is delivered to the Clerk of the Township during regular business hours at its reception area, at 4432 George Street, Sydenham, Ontario;

b. on the third (3rd) day after a copy is sent by registered mail or by regular lettermail to "Administrative Penalties, Township of South Frontenac, c/o Township Clerk, 4432 George Street, Sydenham, Ontario, K0H 2T0"; or

c. upon the conclusion of the transmission of a copy by facsimile transmission to 613-376-6657.

6. Financial Administration

6.1. No Officer who gives a Penalty Notice may accept payment of the Administrative Penalty respecting that Penalty Notice.

6.2. An Administrative Penalty that is affirmed or reduced or in respect of which the time for payment has been extended pursuant to this By-law is due and payable and constitutes a debt to the Township of each person to whom or to which the Penalty Notice was given.

6.3. The Township may add to the Tax roll of any person who fails to pay an Administrative Penalty the amount of the Administrative Penalty, including any additional penalties imposed under this By-law, and collect all amounts in the same manner as municipal taxes.

6.4. Where a person has paid an Administrative Penalty or an administrative fee that is then cancelled or reduced pursuant to this By-law, the Township shall refund the amount cancelled or reduced.

6.5. Where an Administrative Penalty or any administrative fees respecting that Administrative Penalty are not paid within fifteen (15) days after the date that they become due and payable, each person to whom the Penalty Notice was given shall pay to the Township an additional Fee for late payment in an amount of $50.

7. General

7.1. The CAO may appoint as Screening Officers and Hearings Officers such individuals and on such terms as the CAO considers appropriate.

7.2. Nothing in this By-law limits the Township's right to enforce this By-law by any other legal means or to use any other process of enforcement available under law.

That this by-law shall come into force and take effect on the date of its passing.

That By-law 2021-44 be repealed upon passage of this by-law.

That By-law 2021-53 be repealed upon passage of this by-law.

Read a first and second time this 9th day of August, 2022.

Read a third time, signed and sealed this 9th day of August, 2022.

THE CORPORATION OF THE
TOWNSHIP OF SOUTH FRONTENAC

_____
Ron Vandewal, Mayor

_____
Angela Maddocks, Clerk

Schedule A

1. Township of South Frontenac, By-Law Number 2004-93, A By-Law to License Trailers Which Are Lawfully Located In The Municipality Except Those Located In An Established Trailer Park In The Municipality, as amended from time to time.

2. Township of South Frontenac, By-Law Number 2007-13, A By-Law to Provide For The Safety Of Properties In The Township of South Frontenac, as amended from time to time.

Schedule B

Administrative Monetary Penalties

By-Law Number 2004-93, A By-Law to License Trailers Which Are Lawfully Located in The Municipality Except Those Located In An Established Trailer Park In The Municipality		
By-Law Section	**Short Wording**	**Penalty Amount**
3.1	No person shall use and or keep a trailer on any property within the Township; except in an established Trailer Park, where the use is permitted and conforms to the Township of South Frontenac Comprehensive Zoning By-law.	$250.00
3.5	Obstruct an Officer	$500.00
	Continued failure to remedy an order. (AMP may be issued once in every seven-day period when compliance is not achieved by prescribed date)	$500.00
	Administrative Penalty Fee – Failing to pay the AMP by the date on which it is due.	$ 50.00
	Administrative Penalty Fee – Failing to appear for a hearing before the Hearings Officer.	$100.00
	Screening Officer Appeal Fee	$ 50.00
	Hearing Officer Appeal Fee	$200.00

By-Law Number 2007-13, A By-Law to Provide For The Safety Of Properties In The Township of South Frontenac		
By-Law Section	**Short Wording**	**Penalty Amount**
2.a	Failure to remedy an order related to rubbish, garbage, waste and other debris.	$100.00
2.b	Failure to remedy an order related to grass greater than twenty centimeters in height, brush and clippings, noxious weeds, or any other condition that may promote or be susceptible to fire or infestation by weeds, rodents or other noxious conditions.	$100.00
2.c	Failure to remedy an order related to timber, lumber, building materials, granular or soil materials or any other type of product or material stored in a location visible to the public for a period of more than thirty days.	$500.00
2.d	Failure to remedy an order related to scrap and junk material including without limiting its generality, wrecked, dismantled, unused, unlicensed or non-restorable vehicles, trailers, machinery, tools, tires, appliances, equipment or any part thereof, except in an establishment licensed or permitted to conduct and operate such a business, and only then under circumstances that prevent unsafe or unsightly conditions.	$500.00
2.e	Failure to remedy an order related to any pit, precipice, excavation or deep waters that are unfenced or unprotected against unauthorized entry.	$200.00
2.f	Failure to remedy an order related to buildings, fences, scaffolding, retaining walls or any other erection that, is in a dilapidated state.	$200.00
2.g	Failure to remedy an order related to any combustible, flammable, volatile, caustic or explosive substance unless stored under conditions that are safe and free from risk or fire or accident.	$200.00
11.	Obstruct an Officer	$500.00
	Continued failure to remedy an order. (AMP may be issued once in every seven-day period when compliance is not achieved by prescribed date)	$500.00
	Administrative Penalty Fee – Failing to pay the AMP by the date on which it is due.	$ 50.00
	Administrative Penalty Fee – Failing to appear for a hearing before the Hearings Officer.	$100.00
	Screening Officer Appeal Fee	$ 50.00
	Hearing Officer Appeal Fee	$200.00

TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2022-71

A BY-LAW TO AMEND BY-LAW 2004-93, "A BY-LAW TO LICENSE TRAILERS WHICH ARE LAWFULLY LOCATED IN THE MUNICIPALITY, EXCEPT THOSE LOCATED IN AN ESTABLISHED TRAILER PARK IN THE MUNICIPALITY"

WHEREAS the Corporation of the Township of South Frontenac desires to license trailers lawfully located within the boundaries of the Township of South Frontenac, other than those in an established Trailer Park located in the Township of South Frontenac; and

WHEREAS The Municipal Act, S.O. 2001, Section 168 authorizes a municipality to pass by-laws to license trailers;

NOW THEREFORE the Corporation of the Township of South Frontenac enacts as follows:

1. By-law 2004-93, "A By-Law to License Trailers Which Are Lawfully Located In The Municipality, Except Those Located In An Established Trailer Park In The Municipality", is hereby amended as follows:

   Section 2 is amended by adding the following after Clause 3.4:

   "3.5 No person shall obstruct or hinder or attempt to obstruct or hinder a Provincial Offences Officer or other authorized employee or agent of the Township in the exercise of a power or the performance of a duty under this by-law. Without limiting the generality of the foregoing, for purposes of this By-law, any person who fails to provide proof of identification satisfactory to the Provincial Offences Officer when requested to do so by the Provincial Offences Officer is deemed to obstruct an Officer under this By-law."

   Section 6 is amended by adding Section 6.3 following Section 6.2 to read as follows:

   "6.3 Every Person who contravenes any provision of this By-Law shall, upon issuance of a Penalty Notice in accordance with the By-Law to Impose Administrative Monetary Penalties On Violations Of Municipal By-Laws 2022-70, be liable to pay to the Township an Administrative Monetary Penalty in accordance with By-law 2022-70."

2. This By-law will come into force and take effect on the date of its passing.

Given First and Second Readings: August 9, 2022

Given Third Reading and Passed: August 9, 2022

THE CORPORATION OF THE
TOWNSHIP OF SOUTH FRONTENAC

_____

Angela Maddocks, Clerk

_____

Ron Vandewal, Mayor

TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2022-72

A BY-LAW TO AMEND BY-LAW 2007-13, "A BY-LAW TO PROVIDE FOR THE SAFETY OF PROPERTIES IN THE TOWNSHIP OF SOUTH FRONTENAC"

WHEREAS Council desires to update By-law 2007-13;

NOW THEREFORE the Corporation of the Township of South Frontenac enacts as follows:

1. By-law 2007-13, "A By-Law To Provide For The Safety Of Properties In The Township Of South Frontenac", is hereby amended as follows:

   Section 2. a is deleted and replaced with the following:

   (a) rubbish, garbage, waste and other debris;

   Section 2. b is deleted and replaced with the following:

   (b) grass greater than twenty centimeters in height, brush and clippings, noxious weeds, or any other condition that may promote or be susceptible to fire or infestation by weeds, rodents or other noxious conditions;

   Section 2. c is deleted and replaced with the following:

   (c) timber, lumber, building materials, granular or soil materials or any other type of product or material stored in a location visible to the public for a period of more than thirty days;

   Section 2. d is deleted and replaced with the following:

   (d) scrap and junk material including without limiting its generality, wrecked, dismantled, unused, unlicensed or non-restorable vehicles, trailers, machinery, tools, tires, appliances, equipment or any part thereof, except in an establishment licensed or permitted to conduct and operate such a business, and only then under circumstances that prevent unsafe or unsightly conditions;

Section 2. e is deleted and replaced with the following:

(e) any pit, precipice, excavation or deep waters that are unfenced or unprotected against unauthorized entry;

Section 2. f is deleted and replaced with the following:

(f) buildings, fences, scaffolding, retaining walls or any other erection that, is in a dilapidated state;

Section 9. is amended by adding Section 9.a. to read as follows:

"9.a Every Person who contravenes any provision of this By-law shall, upon issuance of a Penalty Notice in accordance with the By-Law to Impose Administrative Monetary Penalties On Violations Of Municipal By-Laws 2022-70, be liable to pay to the Township an Administrative Monetary Penalty in accordance with By-Law 2022-70."

Section 11. is deleted and amended to read as follows:

"11. No person shall obstruct or hinder or attempt to obstruct or hinder a Provincial Offences Officer or other authorized employee or agent of the Township in the exercise of a power or the performance of a duty under this by-law. Without limiting the generality of the foregoing, the following are deemed to constitute obstruction pursuant to this By-law:

(a) any person who fails to provide proof of identification satisfactory to the Provincial Offences Officer when requested to do so; and
(b) any person who fails to provide information to the Provincial Offences Officer from the Ministry of Transportation regarding the licensing status of any vehicle when requested to do so, regardless of the ownership of the vehicle."; and

Section 12. is deleted and amended to read as follows:

"12. By-law 1998-64 is hereby repealed."; and

Section 13. is deleted and amended to read as follows:

"13. That this by-law shall come into force and take effect

from the date of passing."; and

By adding Section 14. Following Section 13. to read as follows:

"14. This by-law shall be referred to as the "Safe Property By-law"".;

2. This By-law will come into force and take effect on the date of its passing.

Given First and Second Readings: August 9, 2022

Given Third Reading and Passed: August 9, 2022

THE CORPORATION OF THE
TOWNSHIP OF SOUTH FRONTENAC

Angela Maddocks, Clerk

Ron Vandewal, Mayor

Township of South Frontenac

Staff Report

To:	Council
Prepared by:	Development Services Department
Date of Meeting:	August 9, 2022
Subject:	**Site Plan Control Application** **PL-SPR-2022-0078** **Shelly and Michael Lacelle (applicant); ZanderPlan Inc. (agent)** **Unit 3, Johnston Point Plan of Condominium**

Summary

This report recommends that Council approve the individual site plan control application for Unit 3 in Johnston Point. This Unit is located on the west side of Hinterland Lane and is proposed to be developed with a single detached dwelling and a pool.

The Johnston Point Condominium and Master Site Plan Agreements require individual Units within the condominium to obtain site plan control approval prior to the issuance of a building permit.

Recommendation

THAT By-law 2022-73 to authorize the Mayor and Clerk to enter into a Site Plan Agreement with the Owner, Shelly and Michael Lacelle, for Unit 3, Vacant Land Condominium Plan No. 85, Johnston Point, District of Loughborough, Township of South Frontenac be passed.

Background

South Frontenac Council entered into the Master Site Plan Control Agreement with Magenta Waterfront Development Corporation and the owners of Units within the Johnston Point Plan of Condominium on December 21, 2021.

The Master Site Plan Agreement has been registered on the title of all the lands within the Johnston Point Plan of Condominium. The Master Site Plan establishes the requirements for individual site plan applications in Johnston Point.

Individual unit site plans must be prepared by an Ontario Land Surveyor or be prepared by a professional consultant based on a plan prepared by an Ontario Land Surveyor and conform to the following:

- Environmental Benefit Permit (PT-C-001-16) issued October 28, 2018.
- All municipal conditions of the condominium agreement.
- Exterior lighting.
- Identified locations, dimensions and materials for driveway. The driveway shall be designed by a professional engineer to direct stormwater runoff and minimize erosion.
- Identification and maintenance of all vegetation in its natural state within 30m of the shoreline, save only for invasive species and the 1.5m pathway to the shoreline.
- Identified location, materials and width of the 1.5m pathway to the shoreline.
- Identification of the 40m tree protection setback from the shoreline where vegetation removal is limited to only those trees that require removal.
- Confirmation all structures meet zoning and setbacks from wetlands.
- Confirmation that the total area of disturbance for all structures, driveways and pathways conforms to the Environmental Benefit Permit & Master Site Plan.

Council will issue approval on each individual site plan agreement and enter into a further, more detailed, agreement with each Unit owner prior to the issuance of a building permit for construction on their Unit.

Discussion/Analysis

The individual site plan was prepared by ZanderPlan Inc. and was based on a survey prepared by Hopkins Chitty Land Surveyors Inc. who are a member of the Association of Ontario Land Surveyors.

- The site plan shows the location of the dwelling, pool, deck, garage, driveway, well, primary and alternate sewage system. The property is proposed to be serviced with a Class IV – Filterbed sewage system. The agreement speaks to the requirements for maintenance and reporting requirements for the sewage system.

- Exterior lighting is referenced through the agreement. Exterior lighting is required to follow best practices for Dark Sky compliance lighting. Based on language in the agreement - a review of exterior lighting will be done within 4 months of occupancy and prior to the issuance of a final inspection for the building permit.

- The driveway location and design is shown on both the site plan and the lot grading and drainage plan. The driveway was designed by a professional engineer to direct stormwater runoff and has satisfied the requirements of the Township's Manager of Technical Services and Infrastructure. The driveway is gravel and will be maintained in that condition.

- The site plan identifies the 30m buffer of the shoreline and notes that all vegetation must remain in its natural state within 30m of the shoreline, save only for invasive species and the 1.5m pathway to the shoreline. The agreement includes clauses that state the same.

- The site plan identifies the location of the 1.5m pathway to the shoreline in a different location than what was shown on the conceptual plan in the Master Site Plan. This new pathway location is supported by a report from Ecological Services (Pathway Inspection, Lot 3, Johnston Point, Ecological Services, Dated June 27, 2022). The report notes that the proposed pathway has a smaller potential impact footprint, no brush clearing is required for the proposed pathway and will have less impact to wetland ecology including aquatic species. As stated in the master site plan, Schedule D, #12, the pathway proposed to be constructed may only be constructed after the approval of this individual site plan. Township Staff are satisfied that the new pathway follows a natural route to the waters edge that minimizes the removal of trees in this area. The new pathway location was also reviewed by Cataraqui Conservation. Cataraqui Conservation Staff confirmed they have no objections to the relocation of the path.

- The site plan shows the 40m tree protection setback from the shoreline. This setback is also staked on the property. There is no vegetation proposed to be removed within the 40m setback other than the 1.5m wide pathway that leads to the water's edge. The well is located outside the 40m setback.

- Trees have been removed from the building envelope, outside the 40m setback. A Species at Risk assessment was completed by a qualified professional in accordance with the Environmental Benefit Permit prior to vegetation clearing on the Unit.

- The dock shown on the site plan for Unit 3 complies with the size restrictions (maximum size of 15m^2). The dock is proposed in a different location than what was approved in the condominium agreement. The dock will be located off the new proposed pathway. The new proposed location of the dock will result in a lower ecological impact and is supported by a report from Ecological Services (Pathway Inspection, Lot 3, Johnston Point, Ecological Services, Dated June 27, 2022). Cataraqui Conservation also reviewed the new location and indicated in an e-mail dated July 4, 2022 that they have no concerns.

- The Unit 3 site plan complies with the RLSW-105 zone provisions that apply to this property. The site plan includes a table that shows the requirements of the RLSW-105 zone versus the actual setbacks/lot coverage proposed for the development of Unit 3.

- The site plan has been based off information prepared by an OLS that has confirmed that all structures and the driveway are outside of the 50m setback from the highwater mark.

- The Master Site Plan allocated a maximum area of disturbance of 1,337 m^2 for Unit 3. The maximum area of disturbance as shown on the site plan for Unit 3 is 1,298 m^2, which is less that what is permitted by the Master Site Plan for Johnston Point.

Township staff are satisfied that the individual site plan for Unit 3 meets the relevant conditions of the Johnston Point Plan of Condominium and Master Site Plan Agreement. Staff are also satisfied that the site plan for Unit 3 meets the relevant conditions of the Environmental Benefit Permit (PT-C-001-16) issued October 28, 2018 for Johnston Point.

Species at Risk Pre-Clearing Report

The Individual Site Plan, Master Site Plan and the condominium agreement require the owners within Johnston Point to comply with the terms and conditions of the Environmental Benefit Permit with regards to Species at Risk.

Township staff request Unit owners within the Johnston Point Condominium to provide a copy of the Species at Risk Pre-Clearing Report with the Individual Site Plan Control application for the purpose of demonstrating compliance with the Environmental Benefit Permit for any clearing of vegetation that has occurred on the Unit.

The Species at Risk Pre-Clearing Report is not included as an attachment to this report because this report contains species specific information about Species at Risk within an identifiable location. Sharing this information has the potential to put threatened and endangers species at greater risk if this information is shared publicly.

The owners of Unit 3 provided staff with a copy of the Species at Risk Pre-Clearing Report that was prepared by a qualified professional prior to the removal of vegetation within the building envelope identified on the site plan, thereby demonstrating they are in compliance with the vegetation removal condition of the Environmental Benefit Permit.

While Planning Services staff request this information as a check on the owners' compliance with the Environmental Benefit Permit at the Individual Site Plan application stage, the legal authority for enforcement of the Environmental Benefit Permit is through the Species at Risk branch of the Ministry of Environment, Conservation and Parks (MECP).

Site Plan Agreement

The individual site plan agreement (attached) carries forward several key requirements from the Condominium Agreement and Master Site Plan. The site plan also establishes conditions that address the enforcement of the agreement.

The site plan agreement binds current and future owners of the subject property and will be registered on the title of the lands by the Township's solicitor.

The Owner has been provided a draft copy of the site plan agreement for review. Original signed copies of the site plan agreement, which indicate the owner's agreement to the site plan agreement, will be provided to Township Staff prior to the Council Meeting.

Relationship to Strategic Plans

☒ Not applicable to this report.

☐ This initiative is supported by the following priorities of the 2019-2022 Strategic Plan.

- Priority: Choose an item.

Climate Considerations

☒ Not applicable to this report.

Notice/Consultation

The site plan drawing was reviewed by Planning Services staff for conformity with the condominium agreement, Master Site Plan agreement and the Environmental Benefit Permit for Johnston Point.

Building Services staff reviewed the application from a Part 8 – Sewage Review perspective and are satisfied that the location and area shown on the site plan application is sufficient for the Filterbed sewage system. Further detailed review will occur through the issuance of the building permit for the sewage system and the dwelling.

Building Services staff also reviewed the application from a Building perspective and are satisfied that the proposed dwelling for Unit 3 will fit within the allowable disturbed area and that the house and drilled well will be outside of the 50 metre setback from the lake, in a compliant location.

Public Services staff reviewed the lot grading and drainage plan and the design of the driveway. Public Services staff are satisfied with the site plan, the design of the driveway and lot grading and drainage plan for Unit 3.

The site plan was circulated to Cataraqui Conservation for review. Cataraqui Conservation staff have no objection to the approval of application PL-SPR-2022-0078 based upon their consideration for natural hazards, natural heritage, and water quality protection policies. Cataraqui Conservation has no concerns about the change in location of the pathway.

The comments provided by Cataraqui Conservation dated June 24, 2022 indicate that the proposed location for the development is located within an area that is subject to their regulation and therefore a permit is required.

Attachments

1. Individual Unit Site Plan – Unit 3, Johnston Point – July 18, 2022
2. By-law 2022-73 – A by-law to enter into a Site Plan Agreement
3. Individual Unit Site Plan Agreement – Unit 3, Johnston Point
4. Supporting information drawings and studies
    - Letters from Hopkins Chitty Land Surveyors Inc., OLS – May 20, 2022
    - Lot Grading & Drainage Plan - Unit 3, Johnston Point – July 30, 2022
5. Conceptual Site Plan – Unit 3 – March 9, 2022 - Master Site Plan Agreement
6. Cataraqui Conservation – Comments on PL-SPR-2022-0078 – June 24, 2022

Approvals

Report prepared by:

Anna Geladi, Planner

Submitted by:

Claire Dodds, MCIP, RPP
Director of Development Services

Approved By:

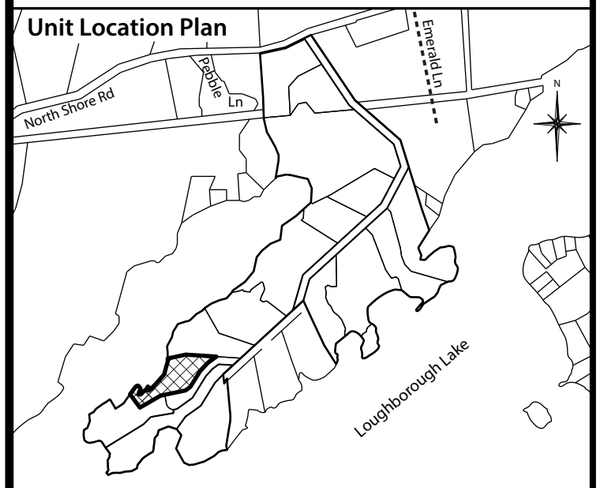
Louise Fragnito, CPA, CGA
Chief Administrative Officer

Lacelle Site Plan Sketch
Johnston Point - Unit 3

Part Lot 23, Concession 6
Geographic Township of Loughborough
Township of South Frontenac
COUNTY OF FRONTENAC

Unit specific plans included with the Master Site Plan are for conceptual purposes only and have not been tested or verified by consultants as will be required in the case of individual site plan applications. ZanderPlan assumes no responsibility for the accuracy or viability of the conceptual unit site plans that are subject to all municipal requirements, engineering studies, the requirements of the benefit permit, the requirements of the condominium agreement, and the requirements of the declaration.

The co-ordinates used for the preparation of the Master Plan are reproduced from the draft plan of condominium and accuracy of that plan is verified by an Ontario Land Surveyor.



Disturbed Area
Master Plan Maximum - 1,337sq.m
Dwelling Area - 588.8sq.m, Septic Area - 525.0sq.m,
Path to Water - 83.6sq.m, Driveway Area - 100.9sq.m
TOTAL - 1,298sq.m

Notes:
1. The proposed dwelling, deck, covered porch and pool area have been located entirely within the 595sq.m Construction Area shown on the conceptual site plan for Unit 3. The septic system proposed is located entirely within the primary septic system area on the conceptual site plan, save for the septic tank located closer to the proposed dwelling.
2. Per the Overall Benefit Permit exclusion fencing has been shown along the PSW area of Unit 1 to deter wildlife from crossing the road.
3. Lands within the 30 metre setback from the High Water Mark / Flood Line for the lot will comprise a shoreline protection area / no cut zone. All vegetation with the exception of invasive species shall be retained and maintained in a natural state.
4. Lands within the 40 metre setback from the High Water Mark / Flood Line of the lot will comprise a Tree Protection Area to ensure all living trees greater than four inches in diameter at breast height shall be maintained unless approved for removal. Vegetation clearing for development including driveways, building and septic fields shall not occur between April 1st and October 30th. Clearing may only occur during this period if a qualified professional is present on-site.
5. The proposed dock must only be a pole dock or floating dock. Removal of aquatic vegetation is not permitted.
6. The proposed path to the water has been revised per the Conceptual Unit Plan to an less invasive area requiring less tree removal.

Version Date: July 18, 2022

File No. 22-010 | Drawn By: CC

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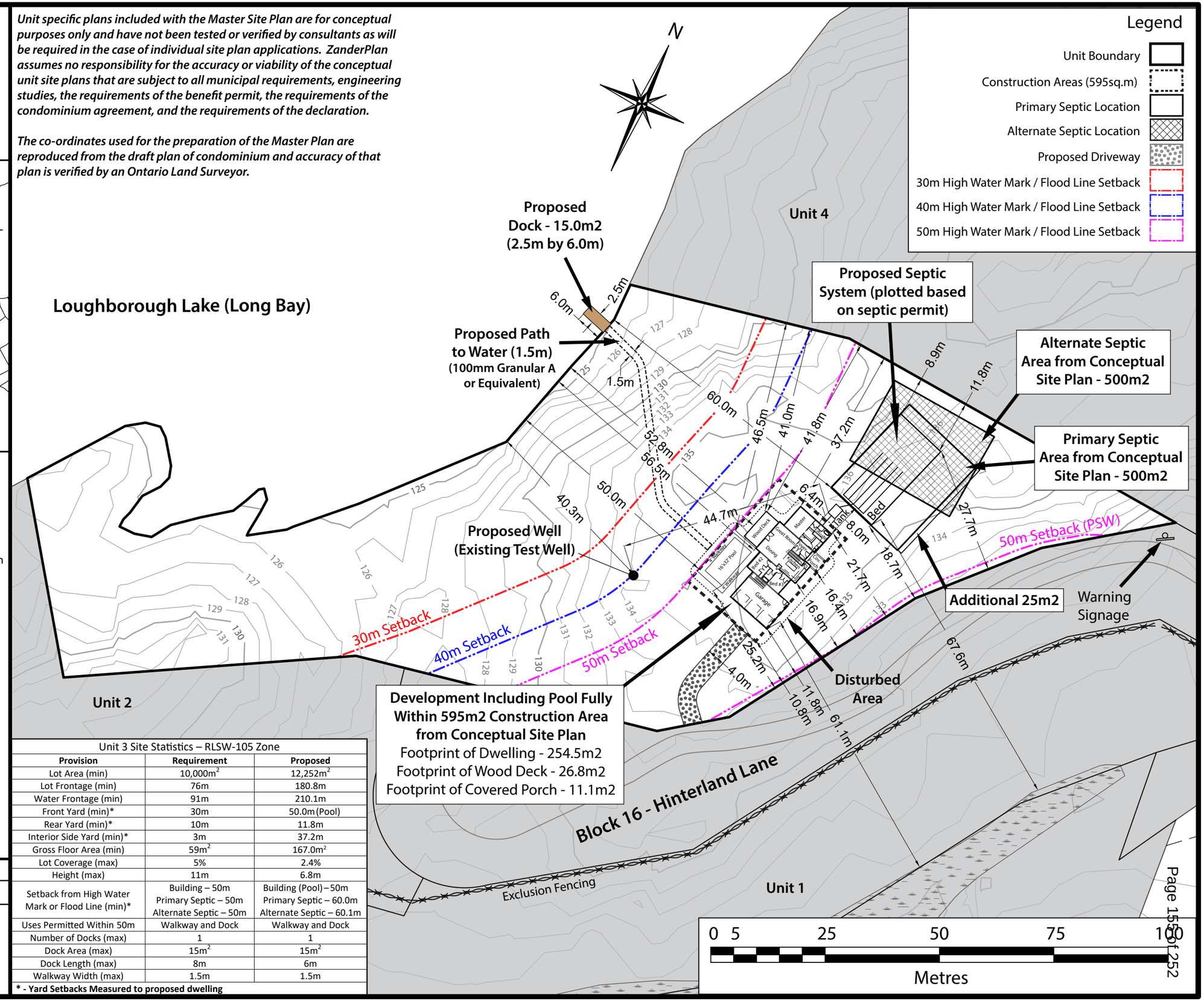
Your rural land planning experts
40 Sunset Boulevard, Perth, ON K7H 2Y4 613-264-9600



Unit 3 Site Statistics – RLSW-105 Zone

Provision	Requirement	Proposed
Lot Area (min)	10,000m^2	12,252m^2
Lot Frontage (min)	76m	180.8m
Water Frontage (min)	91m	210.1m
Front Yard (min)*	30m	50.0m (Pool)
Rear Yard (min)*	10m	11.8m
Interior Side Yard (min)*	3m	37.2m
Gross Floor Area (min)	59m^2	167.0m^2
Lot Coverage (max)	5%	2.4%
Height (max)	11m	6.8m
Setback from High Water Mark or Flood Line (min)*	Building – 50m Primary Septic – 50m Alternate Septic – 50m	Building (Pool) – 50m Primary Septic – 60.0m Alternate Septic – 60.1m
Uses Permitted Within 50m	Walkway and Dock	Walkway and Dock
Number of Docks (max)	1	1
Dock Area (max)	15m^2	15m^2
Dock Length (max)	8m	6m
Walkway Width (max)	1.5m	1.5m

*** - Yard Setbacks Measured to proposed dwelling**

TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2022-73

BEING A BY-LAW TO AUTHORIZE THE MAYOR AND THE CLERK TO EXECUTE A SITE PLAN AGREEMENT BETWEEN THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC AND SHELLY AND MICHAEL LACELLE

WHEREAS a Site Plan and Site Plan Agreement have been prepared to the satisfaction of the Township of South Frontenac;

NOW THEREFORE THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC BY ITS COUNCIL, HEREBY ENACTS AS FOLLOWS:

1. THAT the Mayor and the Clerk are hereby authorized to execute a Site Plan Agreement between the Corporation of the Township of South Frontenac and Shelly and Michael Lacelle, a copy of which is attached hereto forming part of this By-law.

2. THAT the Agreement shall be registered on title of the property described as Unit 3, Level 1, Frontenac Vacant Land Condominium Plan No. 85 (Johnston Point) and its Appurtenant Interest; subject to and together with Easements as set out in Schedule A as in FC331360; Township of South Frontenac.

3. THIS By-law shall come into force and effect in accordance with Section 41 of the Planning Act 1990, either upon the date of passage or as otherwise provided by the said Section 41.

Dated at the Township of South Frontenac this 9th day of August, 2022.

Read a first and second time this 9th day of August, 2022.

Read a third time and finally passed this 9th day of August, 2022.

THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC

_____

Ron Vandewal, Mayor

_____

Angela Maddocks, Clerk

SITE PLAN CONTROL AGREEMENT

THIS AGREEMENT made in triplicate this _____ day of_____, 2022.

BETWEEN:

SHELLY AND MICHAEL LACELLE

hereinafter called the "Owner"

- and -

THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC

hereinafter called the "Municipality"

WHEREAS the Owner is the registered owner in fee simple of certain lands described in Schedule "A", attached hereto, located in the Township of South Frontenac (the "Owner's Lands");

AND WHEREAS the Municipality is authorized to enter into this agreement and register it against the title to the Owner's Lands pursuant to section 41 of the Planning Act and section 6.17 of the Township of South Frontenac Official Plan;

AND WHEREAS the Municipality has passed by-law No. 2003-75 to designate all of the Township of South Frontenac as a "Site Plan Control Area";

AND WHEREAS the Owner acknowledges and agrees that the Owner's Lands are governed by a Master Site Plan Agreement, which agreement requires the execution of this individual Site Plan Agreement for the Owner's Lands in order to permit development;

NOW THEREFORE, THIS AGREEMENT WITNESSETH that in consideration of the mutual covenants and agreements contained herein, the parties agree each with the other as follows:

1. The Owner covenants that the Owner is the Owner in fee simple of the Owner's Lands described in Schedule "A", attached hereto.

2. The obligations imposed by this Agreement affect the land described in Schedule "A" hereto and any restrictive covenants expressed herein run with the land and bind successors in title to the said lands as well as the successors and assigns of the Owner.

3. The Owner shall, at its sole risk and expense and to the satisfaction of the Municipality, develop the Owner's Lands in accordance with this Site Plan Agreement and the Master Site Plan Agreement and shall construct, use, and maintain those facilities and works in accordance with the terms of this Agreement. The drawings listed in Schedule "B" are hereby incorporated by reference into this Agreement. The originals of the Schedules are on file in the offices of the Municipality and shall govern in the event of any dispute.

4. The following schedules are attached to, and form part of this Agreement and no new building, structure or other facility shall be erected, altered or placed on the said land except in accordance with the attached schedules which consist of:
    a. Legal Description of Lands;
    b. Site Plan Drawings and Reports; and
    c. Municipal Conditions of Approval.

5. The Owner shall comply with any amendments, additions or deletions to the Site Plan Drawings that the Municipality may reasonably require after the date of this Agreement in order to better ensure the proper and orderly development of the Owner's Lands and the construction of the works and facilities required by this Agreement.

6. Prior to the commencement of any construction, and subject to clause 8 below, the Owner agrees to obtain all other permits and approvals required by any other agency or authority having jurisdiction.

7. The Owner covenants and agrees to develop the Owner's Lands in accordance with those municipal conditions set out in Schedule "C" to this Agreement. No development shall occur on the Owner's Lands that is inconsistent with this Agreement.

8. The Owner agrees that they shall not apply for any building permits for the development of the Owner's Lands that is inconsistent with the Environmental Benefit Permit PT-C-001-16 issued on October 28, 2018 ("Environmental Benefit Permit"), and all work undertaken pursuant to this Site Plan Agreement shall be in conformity therewith.

    a. The Owner acknowledges that the Municipality recommends consulting a biologist in connection with the Site Plan and development of the Owner's Lands to ensure compliance with the requirements of the registered Condominium Agreement, the Condominium Declaration and the Environmental Benefit Permit.
    b. The Owner acknowledges and agrees that the actual disturbed area calculation, which is limited by the terms of the Environmental Benefit Permit, has been calculated by the Owner and incorporated into this site plan approval and no development shall be undertaken that exceeds the calculation.

9. All site servicing is indicated on the Site Plan Drawings and the Owner covenants and agrees to comply with all setbacks shown thereon. Without limiting the generality of the foregoing, the Owner agrees that any well shall be located outside of the 40m setback from the highwater mark. All well construction shall comply with the general restrictions on construction imposed by the Environmental Benefit Permit.

10. Development of the Owner's Lands shall be in accordance with the Condominium Agreement registered on title as Instrument Number FC329989 and the Master Site Plan for Johnston Point. In the event that there is any inconsistency between this Agreement, the Environmental Benefit Permit or the requirements of the Condominium Agreement, the Environmental Benefit Permit shall govern, followed in order of priority by this Site Plan Agreement, the Master Site Plan Agreement, and the Condominium Agreement to the extent of any inconsistency.

11. The Owner acknowledges that the Municipality shall not maintain or repair and will have no obligation to maintain or repair the private gravel lane (right-of-way) that provides access to the Owner's Lands or to perform or provide

any other municipal services normally associated with public highways within the Municipality. The Owner acknowledges and agrees that the entire length of the private lane shall remain unpaved in perpetuity.

12. The Owner acknowledges and agrees that the Municipality shall not be responsible for providing fire, ambulance, and other emergency services to the Owner's Lands if the operator of the emergency vehicle, having made reasonable efforts in the circumstances, determines that the condition of the roads or driveways as constructed or maintained at the time, prevents the vehicle from being operated properly or safely in order to access or exit the Owner's Lands.

13. The Owner acknowledges and agrees that the Municipality shall not provide curbside waste disposal services to the Owner's Lands. Waste pickup will be available at the Township Road in a designated garbage and recycling collection facilities.

14. In the event that the Owner fails to install or maintain the facilities covered by this Agreement, the Director of Development Services or designate shall provide seven days written notice by pre-paid registered mail to the Owner to correct the deficiencies. Where the Owner has not corrected the deficiencies or taken meaningful steps to remedy the deficiencies within seven (7) days, the Municipality, through its employees, agents or contractors, may, without further notice, enter upon the Owner's Lands and proceed to supply all materials and to do all the necessary inspections and works in connection with the facilities, including without limitation the replacement of vegetation or other materials which have been removed from buffer areas and to charge the cost thereof, together with the cost of engineering and any other expenses incurred by the Municipality, against the Owner. Such entry and work shall not be deemed as an assumption by the Municipality of any liability. It is expressly agreed that the Owner or any person in possession shall not question the cost incurred by the Municipality for labour, materials or any other costs incidental to do the said work and this provision shall be deemed to operate as an effective estoppel in judicial proceedings if such costs are challenged or placed in question. Provided the Municipality is satisfied that the Owner is making meaningful progress towards correcting the deficiencies noted, the Municipality may extend any deadline for compliance.

15. The Owner hereby agrees to indemnify and save harmless the Municipality against all actions, causes of action, suits, claims, demands and costs whatsoever arising by reason of any matter under this Agreement, including without limitation any actions, causes of action, suits, claims, demands or costs directly or indirectly related to the construction, use, operation or maintenance of the private road(s) serving the Owner's Lands, including the inability to operate an emergency vehicle properly or safely in order to access or exit any given unit due in whole or in part to the condition of the roads or driveways at the time.

16. Time shall be of the essence of this Agreement and of any extension of time that may be agreed upon by the parties.

17. The Municipality will make reasonable efforts with the number of personnel available to it to inspect the works and facilities to be constructed in accordance with the Site Plan Drawings and this Agreement, but the Owner shall indemnify and save harmless the Municipality, its servants, agents and contractors from any responsibility or liability arising directly or indirectly from any failure or delay in completing such inspections.

18. The Owner hereby grants to the Municipality, its servants and contractors, a

licence to enter the Owner's Lands during normal operating hours for the purpose of inspecting the works and facilities and to perform any work arising from or the result of any default by the Owner under this Agreement.

19. It is the intent of this Agreement that the Municipality shall not incur any expense for the development of the Owner's Lands and every obligation of the Owner under this Agreement shall be deemed to include the words "at the expense of the Owner", unless specifically stated otherwise.

20. The Owner agrees to pay the legal, engineering, landscape architectural, planning and administrative costs incurred by the Municipality to process the Site Plan Drawings, including but not limited to, the preparation of this Agreement and all plans and specifications, and the supervision and inspection of the Works.

21. All invoices, costs and expenses received or incurred by the Municipality and payable by the Owner shall be paid within thirty (30) days of the Municipality's invoice or demand for payment to the Owner, failing which the Owner shall be in default under this agreement and shall continue in default until payment plus all accrued interest is made in full.

22. Interest shall be paid by the Owner on all overdue amounts at the same rate per annum and calculated in the same manner as the Municipality charges on overdue municipal taxes and any payments received shall be applied first on account of accumulated interest and then on the outstanding amount.

23. The Owner consents to the registration by the Municipality at the Owner's expense of this Agreement against the title to the Owner's Lands and, in accordance with s. 41(10) of the Planning Act, all of the terms and conditions of this Agreement may be enforced against the Owner and any and all subsequent owners of the Owner's Lands.

24. The Owner shall ensure that the requirements of this Agreement and the Site Plan Drawings are brought to the attention of its contractors, employees and workers prior to the start of any construction.

25. All covenants in this Agreement shall be construed as being joint and several and that, when the context so requires or permits, the singular number shall be read as if the plural were expressed, and the masculine gender as if the feminine or neuter gender, as the case may be, were expressed.

26. The Owner covenants and agrees that nothing in this Agreement releases the Owner from the obligation to comply with the provisions of all other by-laws of the Municipality that may now or in future be in effect.

27. Any dispute between the parties with respect to this Agreement shall, at the request of a party, be submitted to arbitration pursuant to the Arbitrations Act and the decision of the arbitrator or, if more than one, the decision of a majority shall be final and binding on the parties.

28. Each party shall pay its own costs of the arbitration and shall share equally the costs of the arbitrator(s).

29. The Owner agrees that if any section, clause or provision of this Agreement, is for any reason declared by a Court of competent jurisdiction to be invalid the same shall not affect the validity of the Agreement as a whole or any part thereof, other than the section, clause, or provision so declared to be invalid and it is hereby declared to be the intention that all the remaining sections, clauses or provisions of this Agreement shall remain in full force and effect, notwithstanding that one or more provisions thereof shall be declared to be invalid.

30. This Agreement shall endure to and be binding upon the parties hereto, and their respective successors and assigns.

IN WITNESS WHEREOF the parties hereto have by the hands and seals executed this agreement as of the first date set out above.

SIGNED, SEALED AND DELIVERED:

THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC

_____
Ron Vandewal - Mayor

_____

Angela Maddocks – Clerk

We have authority to bind the Corporation

_____
SHELLY LACELLE

_____
MICHAEL LACELLE

SCHEDULE "A"

LEGAL DESCRIPTION OF LANDS

Unit 3, Level 1, Frontenac Vacant Land Condominium Plan No. 85 and its Appurtenant Interest; subject to and together with Easements as set out in Schedule A as in FC331360; Township of South Frontenac

SCHEDULE "B"

SITE PLAN DRAWINGS

THE ORIGINAL OF ALL PLANS AND REPORTS LISTED IN THIS SCHEDULE AND INCORPORATED BY REFERENCE INTO THIS AGREEMENT ARE ON FILE IN THE OFFICE OF THE SOUTH FRONTENAC DEVELOPMENT SERVICES DEPARTMENT AND SHALL GOVERN IN THE EVENT OF ANY DISPUTE.

1. Unit 3, Johnston Point – Individual Site Plan. Prepared by ZanderPlan Inc. Dated: July 18, 2022

2. Lot Grading and Drainage Plan. Prepared by E.V. Trought, Hambly Group. Dated: July 30, 2022

3. Letter from Hopkins Chitty Land Surveyors Inc., O.L.S. re Surveyors Certificate Unit 3 – Johnston Point Dated: May 20, 2022

4. Natural Heritage Site Inspection on Johnston Point, Lot 3. Ecological Services. Dated: May 20, 2022

5. Pathway Inspection on Johnston Point, Lot 3. Ecological Services. Dated June 27, 2022

SCHEDULE "C"
MUNICIPAL CONDITIONS

The Owner further covenants and agrees to develop the Owner's Lands in accordance with the following Municipal Conditions:

1. The Owner agrees to construct all works and facilities in a good and workmanlike manner and, where applicable, according to the Municipality's normal standards and specifications.

2. The Owner agrees to take all reasonable precautions to reduce dust, noise and other nuisances and to ensure public safety during the development of the Owner's Lands and construction of the works and facilities required by this Agreement.

3. The Owner shall be responsible for installing and maintaining all sediment and erosion controls in accordance with best management practices prior to and during construction activities.

4. The Owner agrees to undertake site alteration consistent with the lot grading and drainage plan approved by the Municipality. The lot grading and drainage shall be maintained consistent with the plan. Any deviation from the approved lot grading and drainage plan must be reviewed by the Municipal Engineer or their designate prior to any work being started. Minor deviations may be approved by the Municipal Engineer in consultation with the Director of Development Services. Should the deviation be considered major by the Municipal Engineer and the Director of Development Services, an amendment to the site plan agreement will be required to be approved by Council.

5. The driveway shall be located a minimum of 30 metres from any waterbody and shall be designed by a qualified Engineer to ensure mitigative measures are applied to direct stormwater runoff and reduce erosion. The driveway shall be constructed and maintained in accordance with the design approved by the Municipality.

6. The Owner acknowledges that consistent with the Environmental Benefit Permit, driveways must remain unpaved, however footprints for cars may be paved.

7. The Owner agrees to obtain the approval of Hydro One Networks Inc prior to connecting to or relocating existing hydro services.

8. The Owner shall ensure that all development conforms, at a minimum, to the following:
    a. The Environmental Benefit Permit;
    b. All development on the Lands within 120 metres of the Provincially Significant Wetlands and within 50 metres of the shoreline of Loughborough Lake is subject to the "Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation" (Ontario Regulation 148/06). The Owner shall obtain written permission by obtaining a Permit from Cataraqui Conservation Authority prior to any development (e.g. filling, lot grading, construction) taking place within the regulated area, alteration to the shoreline and/or interference with a wetland. A copy of any Permit issued by Cataraqui Conservation for works occurring on the Owner's Lands shall also be provided to the Municipality;
    c. All Municipal Conditions as set out in Schedule "E" of the Condominium Agreement;

d. Exterior lighting shall be installed and maintained consistent with the International Dark Sky Associations' best practices which includes directing any light emitted downwards and away from adjacent uses or the shoreline. An exterior lighting review will be completed by Township staff within 4 months of the occupancy certificate being issued for the dwelling and prior to the final inspection under the Ontario Building Code;
e. The location, materials and dimensions for docks and pathways shall conform to the Condominium Agreement and this Agreement and shall not be varied without further approval from the Municipality;
f. Only one (1) dock shall be permitted to service Unit 3, and all other existing docks shall be removed. The surface area of the dock located on Unit 3 may not exceed 15 m^2 and its length shall not exceed 8 m;
g. In-water works, such as construction and maintenance of a dock, shall comply with the applicable Federal or Provincial in-water work timing restriction windows for fish spawning and turtle nesting. Any required permits shall be obtained by the Owner;
h. The location, dimensions and materials for the driveway shall conform to the Condominium Agreement and this Agreement and shall not be varied without further approval from the Municipality;
i. The 30 metre shoreline vegetation protection area shall be maintained in a natural state and all vegetation shall be retained, save only for invasive species, and the 1.5m wide pathway to the shoreline; and
j. The 40 metre tree protection setback from the shoreline shall be maintained in a natural state except for the removal of vegetation shown on the Site Plan Drawings listed in Schedule "B".

9. The Owner agrees that an Ontario Land Surveyor shall mark and stake the 40 and 50 metre setback from the highwater mark and shall stake the footprint of the buildings and primary sewage system area within the boundary of the building envelope. These marks and staking shall remain in place during construction and until a final inspection is completed by the Chief Building Official or their designate. It is acknowledged that the Chief Building Official or their designate may request other setbacks be confirmed by an Ontario Land Surveyor as required in order to confirm construction is consistent with the Site Plan drawing included in Schedule "B".

10. The owner acknowledges the placement of a small wooden 8 ft x 8 ft shed within the boundaries of Unit 3 that is not shown on the site plan and has not been considered in the evaluation of site plan approval. The existing 8 ft x 8 ft shed on Unit 3 may be permitted to be located within the approved disturbed area for the dwelling and may be placed under the covered deck. The shed shall be moved prior to the issuance of an occupancy permit.

11. The Owner acknowledges that the Site Plan identifies a primary and alternative location for sewage systems. The Owner agrees that there shall be no construction of a well, dwelling, driveway, pool, garage or any other structure or site grading within the area reserved for the primary or alternate sewage system.

12. The dwelling on this Unit is serviced by a Level IV Filter Bed sewage treatment system (as defined by the Ontario Building Code).

The Owner is required to obtain a sewage permit from the authority responsible for Part 8 of the Ontario Building Code. The Level IV sewage treatment system shall be designed and installed by a professional who is qualified and certified under the Ontario Building Code Act.

The sewage system is to be maintained in accordance with the Ontario Building Code Act and the manufacturer's instructions. The Owner is expected to follow all instructions provided by the installer and maintenance provider.

Any deviation from the location and dimensions of the sewage system on the approved site plan in Schedule "B" shall be reviewed by the Chief Building Official or their designate prior to any work being started. Minor deviations may be approved by the Chief Building Official or their designate in consultation with the Director of Development Services. Should the deviation be considered major by the Chief Building Official and the Director of Development Services, an amendment to the site plan agreement will be required. A major deviation to the location of the sewage disposal system shall be supported by a Professional Engineer with expertise in the field and approved by the Chief Building Official or their designate. Any deviation in the location and size of the sewage system must continue to meet the maximum disturbed area allocation for the Unit, consistent with the Master Site Plan agreement for Johnston Point.

13. Human Remains and Archaeological Resources

a. That in the event that deeply buried archaeological remains are discovered during construction or site development of a lot, the Owner shall immediately contact the Township of South Frontenac Development Services Department and the Ministry of Tourism, Culture and Sport, and
b. That in the event that human remains are discovered during construction or site development of a lot, Owner shall immediately contact the Township of South Frontenac Development Services Department, the Ontario Provincial Police (OPP), the Ministry of Tourism, Culture and Sport and the Registrar or Deputy Registrar of the Cemeteries Unit of the Ministry of Consumer Services.
c. That if during the process of development any archaeological resources or human remains of Aboriginal interest are encountered, the Owner shall immediately contact the Algonquins of Ontario Consultation Office at:

Algonquins of Ontario Consultation Office
31 Riverside Drive, Suite 101
Pembroke, Ontario K8A 8R6
Telephone: (613) 735-3759
Fax: (613) 735-6307
email: algonquins@tanakiwin.com

Hopkins Chitty Land Surveyors Inc.
Ontario Land Surveyors
1224 Gardiners Road, Suite 102,
Kingston, Ontario K7P 0G2
Tel: (613)389-7986 Fax: (613)384-3513

Surveyor's Certificate

Unit 3 – Johnstone Point
Frontenac Vacant Land Condominium Plan No. 85 (FCP No.85)
Township of South Frontenac (Geographic Township of Loughborough)

Zoning By-Law 2003-75

This is to confirm the following for the proposed Building Location and Building Envelope shown on the attached Sketch dated May 20, 2022. File:2022-0080 GNDC TOPO

1) The Front Yard (Minimum) and Interior Side Yard (Minimum) as defined in Section 9.3.1 of By-Law 2003-75 which is LIMITED SERVICE RESIDENTIAL ZONE (RLS) for Unit 3 is 10 m and 3 m respectively.

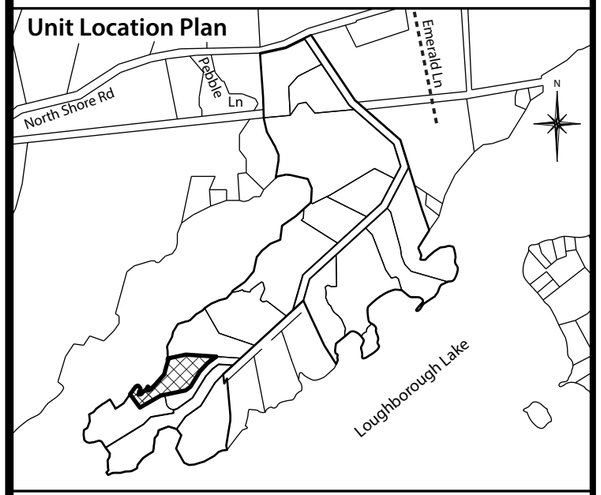
2) The Setback for the proposed building from the Water's Edge and Provincially Significant Wetland, as established on FCP No. 85 as defined in Section 9.5 of By-Law 2003-75 which is LIMITED SERVICE RESIDENTIAL WATERFRONT ZONE (RLSW-105) for Unit 3 is 50 m.

The proposed Building is located within the Building Envelope established with the above noted limits and Wooden Stakes have been set at the proposed Building, Garage, Pool and Septic Bed corners.

Leslie M. Higginson
Ontario Land Surveyor
May 20, 2022

Johnston Point Conceptual Site Plan - Unit 3

Part Lot 23, Concession 6
Geographic Township of Loughborough
Township of South Frontenac
COUNTY OF FRONTENAC



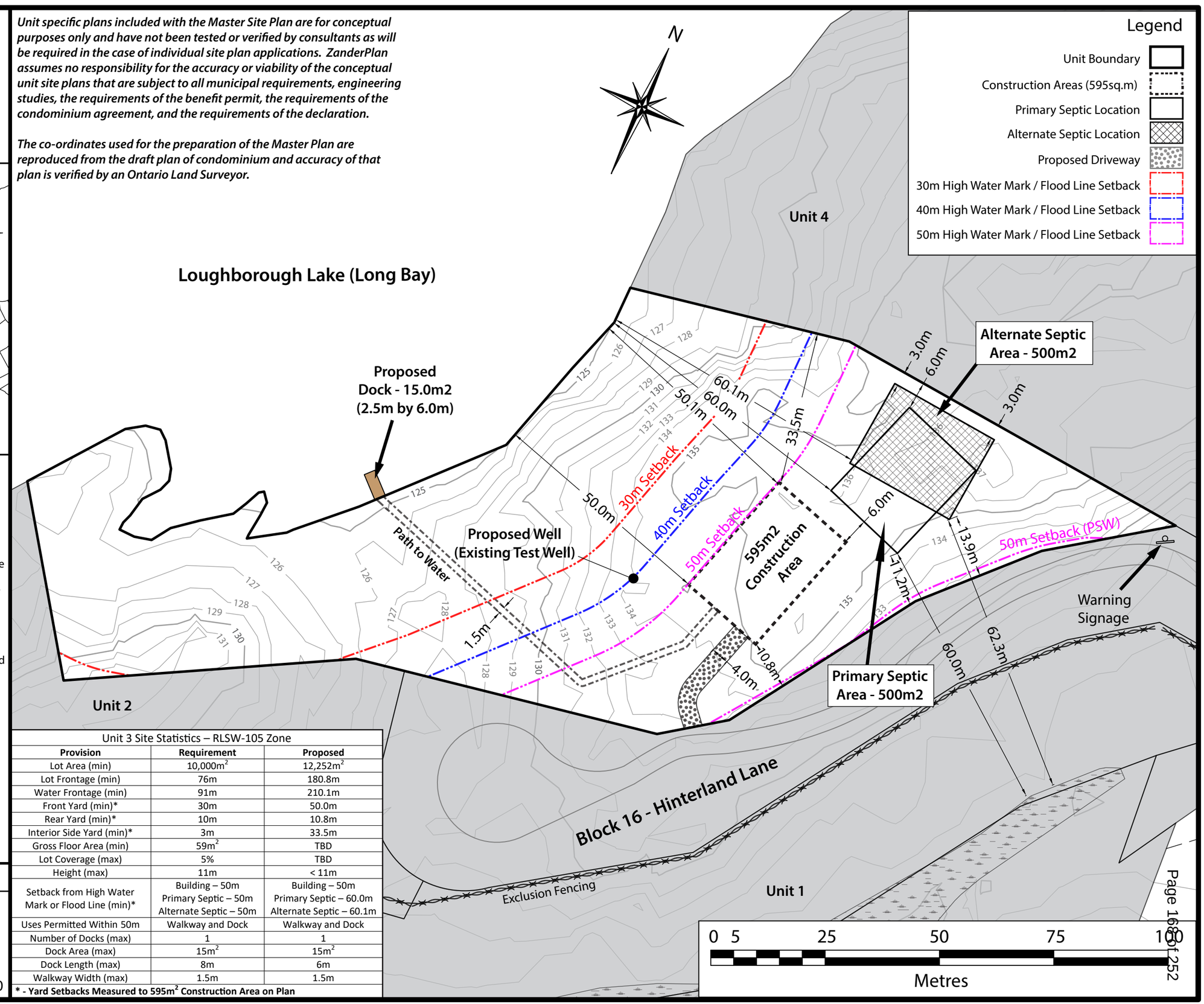
Unit specific plans included with the Master Site Plan are for conceptual purposes only and have not been tested or verified by consultants as will be required in the case of individual site plan applications. ZanderPlan assumes no responsibility for the accuracy or viability of the conceptual unit site plans that are subject to all municipal requirements, engineering studies, the requirements of the benefit permit, the requirements of the condominium agreement, and the requirements of the declaration.

The co-ordinates used for the preparation of the Master Plan are reproduced from the draft plan of condominium and accuracy of that plan is verified by an Ontario Land Surveyor.

Notes:
1. Final dwelling size & location, septic size & location, dock location, and the pathway to the water will be determined through a future site plan control application for the unit. All site improvements shown in the conceptual master plans, including but not limited to driveway locations, have been placed without regard to topography or feasibility of design or construction of such features in locations shown and may change or be relocated subject to all restrictions in the zoning, condominium agreement, declaration and master site plan agreement.
2. Per the Overall Benefit Permit exclusion fencing has been shown along the PSW area of Unit 1 to deter wildlife from crossing the travelled road.
3. Lands within the 30 metre setback from the High Water Mark / Flood Line for the lot will comprise a shoreline protection area / no cut zone. All vegetation with the exception of invasive species shall be retained and maintained in a natural state.
4. Lands within the 40 metre setback from the High Water Mark / Flood Line of the lot will comprise a Tree Protection Area to ensure all living trees greater than four inches in diameter at breast height shall be maintained unless approved for removal. Vegetation clearing for development including driveways, building and septic fields shall not occur between April 1st and October 30th. Clearing may only occur during this period if a qualified professional is present on-site.
5. The proposed dock must only be a pole dock or floating dock. Removal of aquatic vegetation is not permitted.

Version Date: November 9, 2021	File No. 19-005

zanderPLAN
Your rural land planning experts
40 Sunset Boulevard, Perth, ON 613-264-9600



Unit 3 Site Statistics – RLSW-105 Zone		
Provision	**Requirement**	**Proposed**
Lot Area (min)	10,000m^2	12,252m^2
Lot Frontage (min)	76m	180.8m
Water Frontage (min)	91m	210.1m
Front Yard (min)*	30m	50.0m
Rear Yard (min)*	10m	10.8m
Interior Side Yard (min)*	3m	33.5m
Gross Floor Area (min)	59m^2	TBD
Lot Coverage (max)	5%	TBD
Height (max)	11m	< 11m
Setback from High Water Mark or Flood Line (min)*	Building – 50m Primary Septic – 50m Alternate Septic – 50m	Building – 50m Primary Septic – 60.0m Alternate Septic – 60.1m
Uses Permitted Within 50m	Walkway and Dock	Walkway and Dock
Number of Docks (max)	1	1
Dock Area (max)	15m^2	15m^2
Dock Length (max)	8m	6m
Walkway Width (max)	1.5m	1.5m

*** - Yard Setbacks Measured to 595m^2 Construction Area on Plan**

June 24, 2022 File: SPC/FRS/193/2022

Sent by E-mail

Claire Dodds, Director of Development Services
Township of South Frontenac
P.O. Box 100
Sydenham, ON K0H 2T0

Dear Ms. Dodds:

Re: Application for Site Plan Control PL-SPR-2022-0078 (Lacelle / ZanderPlan)
Part Lot 23, Concession 6; Unit 3 Johnston Point Condominium
Township of South Frontenac (Loughborough District)
Waterbody: Loughborough Lake / Provincially Significant Wetland

Cataraqui Conservation staff have reviewed the technical circulation for the above-noted application, including the following:

- Application for Site Plan Approval (May 24, 2022)
- Site Plan for Unit 3 – Lacelle Site Plan Sketch (ZanderPlan, June 6, 2022)
- Unit 3 Lot Grading & Drainage Plan, Pages 1-3 (E.V. Trought, April 26, 2022)
- Ecologist Letter for Lot 3 (Ecological Services, May 20, 2022)

Summary of Proposal / Site Description

The proposal involves construction, filling and site alteration / lot grading for a 1.22 hectare parcel of land described as Unit 3, Johnston Point Condominium. The subject property is located along the north shore of the east basin of Loughborough Lake, east of Perth Road and south of North Shore Road in South Frontenac Township. The property is currently vacant.

The property is located near the western end of the Johnston Point plan of condominium development on the north side of the peninsula. A portion of the Loughborough Lake provincially significant wetland (PSW) is located adjacent to the north of the property. The wetland is also designated as a candidate area of natural and scientific interest (ANSI). The topography of the property can be characterized as rising up relatively quickly from the shoreline then levelling out somewhat in the area where development is proposed.

Discussion

The main interests of Cataraqui Conservation in this proposal are the avoidance of natural hazards (e.g. flooding and erosion) associated with the shoreline of Loughborough Lake, the protection of natural heritage features (e.g. woodlands and wetlands) and water quality. Staff provide the following comments for the Township's consideration and action/response by the applicant.

Natural Hazards

1. The setbacks for development proposed in the original Environmental Impact Assessment (EIA) (Ecological Services, June 12, 2014) and the addendums to the EIA (Ecological Services, March 30, 2016 and November 2, 2020) place all development outside of any area that may be subject to risk due to flooding and erosion associated with the shoreline of Loughborough Lake. Staff have no concerns from a natural hazard perspective.

Natural Heritage / Water Quality

2. The EIA recommended a 30 metre "no cut" zone so that a proper buffer is maintained along the shoreline. This area has been appropriately identified on the site plan sketch as a "30M Shoreline Protection Area/No Cut Zone" in notation #3.

3. Staff have no concerns with the information provided within the ecologist letter submitted with the site plan application (Ecological Services, May 20, 2022).

4. Staff note that all development is proposed to be outside of the required 50 metre setback from the highwater mark of Loughborough Lake.

5. Staff also note that the Unit 3 site plan appears to conform with the previously approved master site plan for the Johnston Point Condominium development.

   Staff have no concerns from a natural heritage and water quality perspective.

Ontario Regulation 148/06

6. Staff note that a permit under Ontario Regulation 148/06 (see description below) is required for development (e.g. construction, filling, and lot grading) within 120 metres of the Loughborough Lake PSW. Therefore, a Cataraqui Conservation permit will be required prior to development taking place.

Recommendation

Staff have no objection to the approval of application PL-SPR-0078 based upon our consideration for natural hazards, natural heritage, and water quality protection policies. Please inform this office in writing of any decisions made by South Frontenac Township regarding this application.

Ontario Regulation 148/06

Please note that the entire property is subject to Ontario Regulation 148/06: Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses, which is administered by Cataraqui Conservation. The purpose of the regulation is to ensure that proposed changes (e.g. development and site alteration) to a property are not affected by natural hazards, such as flooding and erosion, and that the Loughborough Lake wetland complex is protected. As noted above, A Cataraqui Conservation permit will be required prior to development taking place.

If you have any questions, please contact the undersigned at (613)546-4228 extension 244, or by e-mail to aschmidt@crca.ca.

Yours truly,

Andrew Schmidt

Andrew Schmidt
Manager, Watershed Planning & Engineering

/as
c.c. Michelle Hannah, Planning Assistant, South Frontenac Township (via e-mail)
Anna Geladi, Planner, South Frontenac Township (via e-mail)

ELEVATIONS:	ELEVATIONS IN METRES
MAIN FLOOR UPPER LEVEL	138.00
LOWER LEVEL - WALKOUT BASEMENT	134.65
FINISHED GRADE AT REAR ENTRY	134.50
GARAGE FINISHED FLOOR	135.00

NOTES:

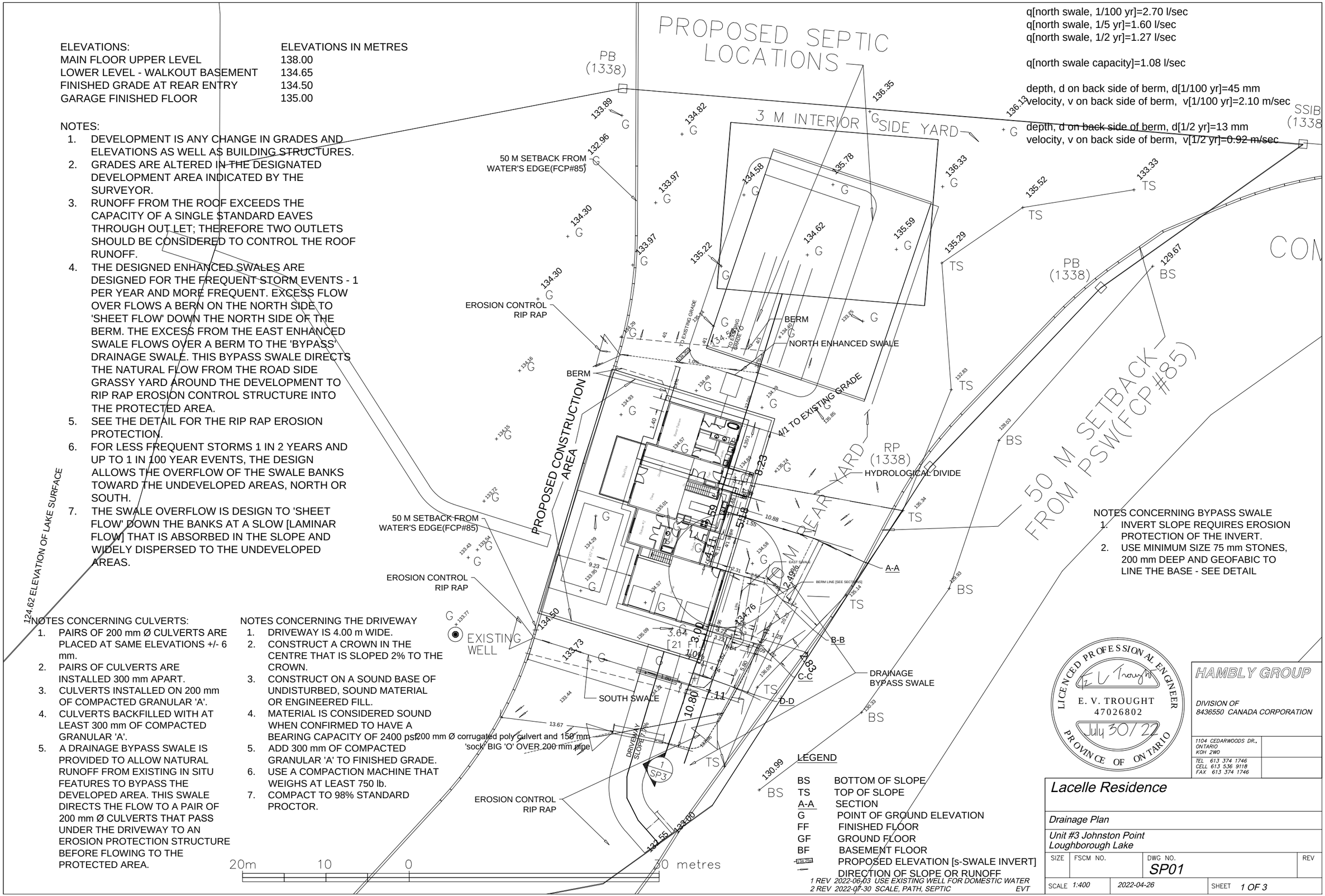
1. DEVELOPMENT IS ANY CHANGE IN GRADES AND ELEVATIONS AS WELL AS BUILDING STRUCTURES.
2. GRADES ARE ALTERED IN THE DESIGNATED DEVELOPMENT AREA INDICATED BY THE SURVEYOR.
3. RUNOFF FROM THE ROOF EXCEEDS THE CAPACITY OF A SINGLE STANDARD EAVES THROUGH OUT LET; THEREFORE TWO OUTLETS SHOULD BE CONSIDERED TO CONTROL THE ROOF RUNOFF.
4. THE DESIGNED ENHANCED SWALES ARE DESIGNED FOR THE FREQUENT STORM EVENTS - 1 PER YEAR AND MORE FREQUENT. EXCESS FLOW OVER FLOWS A BERN ON THE NORTH SIDE TO 'SHEET FLOW' DOWN THE NORTH SIDE OF THE BERM. THE EXCESS FROM THE EAST ENHANCED SWALE FLOWS OVER A BERM TO THE 'BYPASS' DRAINAGE SWALE. THIS BYPASS SWALE DIRECTS THE NATURAL FLOW FROM THE ROAD SIDE GRASSY YARD AROUND THE DEVELOPMENT TO RIP RAP EROSION CONTROL STRUCTURE INTO THE PROTECTED AREA.
5. SEE THE DETAIL FOR THE RIP RAP EROSION PROTECTION.
6. FOR LESS FREQUENT STORMS 1 IN 2 YEARS AND UP TO 1 IN 100 YEAR EVENTS, THE DESIGN ALLOWS THE OVERFLOW OF THE SWALE BANKS TOWARD THE UNDEVELOPED AREAS, NORTH OR SOUTH.
7. THE SWALE OVERFLOW IS DESIGN TO 'SHEET FLOW' DOWN THE BANKS AT A SLOW [LAMINAR FLOW] THAT IS ABSORBED IN THE SLOPE AND WIDELY DISPERSED TO THE UNDEVELOPED AREAS.

NOTES CONCERNING CULVERTS:

1. PAIRS OF 200 mm Ø CULVERTS ARE PLACED AT SAME ELEVATIONS +/- 6 mm.
2. PAIRS OF CULVERTS ARE INSTALLED 300 mm APART.
3. CULVERTS INSTALLED ON 200 mm OF COMPACTED GRANULAR 'A'.
4. CULVERTS BACKFILLED WITH AT LEAST 300 mm OF COMPACTED GRANULAR 'A'.
5. A DRAINAGE BYPASS SWALE IS PROVIDED TO ALLOW NATURAL RUNOFF FROM EXISTING IN SITU FEATURES TO BYPASS THE DEVELOPED AREA. THIS SWALE DIRECTS THE FLOW TO A PAIR OF 200 mm Ø CULVERTS THAT PASS UNDER THE DRIVEWAY TO AN EROSION PROTECTION STRUCTURE BEFORE FLOWING TO THE PROTECTED AREA.

NOTES CONCERNING THE DRIVEWAY

1. DRIVEWAY IS 4.00 m WIDE.
2. CONSTRUCT A CROWN IN THE CENTRE THAT IS SLOPED 2% TO THE CROWN.
3. CONSTRUCT ON A SOUND BASE OF UNDISTURBED, SOUND MATERIAL OR ENGINEERED FILL.
4. MATERIAL IS CONSIDERED SOUND WHEN CONFIRMED TO HAVE A BEARING CAPACITY OF 2400 psf.
5. ADD 300 mm OF COMPACTED GRANULAR 'A' TO FINISHED GRADE.
6. USE A COMPACTION MACHINE THAT WEIGHS AT LEAST 750 lb.
7. COMPACT TO 98% STANDARD PROCTOR.



LEGEND

BS	BOTTOM OF SLOPE
TS	TOP OF SLOPE
A-A	SECTION
G	POINT OF GROUND ELEVATION
FF	FINISHED FLOOR
GF	GROUND FLOOR
BF	BASEMENT FLOOR
133.25s	PROPOSED ELEVATION [s-SWALE INVERT]
	DIRECTION OF SLOPE OR RUNOFF

q[north swale, 1/100 yr]=2.70 l/sec
q[north swale, 1/5 yr]=1.60 l/sec
q[north swale, 1/2 yr]=1.27 l/sec

q[north swale capacity]=1.08 l/sec

depth, d on back side of berm, d[1/100 yr]=45 mm
velocity, v on back side of berm, v[1/100 yr]=2.10 m/sec

depth, d on back side of berm, d[1/2 yr]=13 mm
velocity, v on back side of berm, v[1/2 yr]=0.92 m/sec

NOTES CONCERNING BYPASS SWALE

1. INVERT SLOPE REQUIRES EROSION PROTECTION OF THE INVERT.
2. USE MINIMUM SIZE 75 mm STONES, 200 mm DEEP AND GEOFABIC TO LINE THE BASE - SEE DETAIL

1 REV 2022-06-03 USE EXISTING WELL FOR DOMESTIC WATER
2 REV 2022-07-30 SCALE, PATH, SEPTIC EVT

LICENCED PROFESSIONAL ENGINEER
E. V. TROUGHT
47026802
July 30/22
PROVINCE OF ONTARIO

HAMBLY GROUP
DIVISION OF
8436550 CANADA CORPORATION
1104 CEDARWOODS DR., ONTARIO K0H 2W0
TEL 613 374 1746
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FAX 613 374 1746

Lacelle Residence

Drainage Plan

Unit #3 Johnston Point
Loughborough Lake

SIZE	FSCM NO.	DWG NO.	REV
		SP01	

SCALE 1:400	2022-04-26	SHEET 1 OF 3

RIP RAP

BERM

NORTH ENHANCED SWALE

BERM

PROPOSED CONSTRUCTION AREA

4/1 TO EXISTING GRADE

HYDROLOGICAL DIVIDE

50 M SETBACK FROM WATER'S EDGE(FCP#85)

EROSION CONTROL RIP RAP

EXISTING WELL

GARAGE F/F EL. 135.00

SOUTH SWALE

EAST SWALE

BERM LINE [SEE SECTIONS]

DRAINAGE BYPASS SWALE

LANE EL. 130.95

A-A

B-B

C-C

D-D

20m 10m 0m

200 mm Ø corrugated poly culvert and 150 mm 'sock' BIG 'O' OVER 200 mm pipe

LICENCED PROFESSIONAL ENGINEER
E. V. TROUGHT
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July 30/ 22
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Lacelle Residence
ELEVATIONS
Unit #3 Johnston Point
Loughborough Lake

SIZE	FSCM NO.	DWG NO.	REV
		SP02	

SCALE 200:1 | 2022-03-31 | SHEET 2 of 3

1 REV 2022-06-03 USE EXISTING WELL FOR DOMESTIC WATER EVT
2 REV 2022-07-30 SCALE, PATH, SEPTIC EVT

Township of South Frontenac

Staff Report

To:	Council
Prepared by:	Development Services Department
Date of Meeting:	August 9, 2022
Subject:	**Site Plan Control Application PL-SPR-2022-0069 Brenda MacDonald & Dave Dobing (applicant); Unit 7, Johnston Point Plan of Condominium**

Summary

This report recommends that Council approve the individual site plan control application for Unit 7 in Johnston Point. This Unit is located on the west side of Hinterland Lane and is proposed to be developed with a single detached dwelling with attached garage.

The Johnston Point Condominium and Master Site Plan Agreements require individual Units within the condominium to obtain site plan control approval prior to the issuance of a building permit.

Recommendation

THAT By-law 2022-74 to authorize the Mayor and Clerk to enter into a Site Plan Agreement with the Owner, Brenda MacDonald and Dave Dobing, for Unit 7, Vacant Land Condominium Plan No. 85, Johnston Point, District of Loughborough, Township of South Frontenac be passed.

Background

South Frontenac Council entered into the Master Site Plan Control Agreement with Magenta Waterfront Development Corporation and the owners of Units within the Johnston Point Plan of Condominium on December 21, 2021.

The Master Site Plan Agreement has been registered on the title of all the lands within the Johnston Point Plan of Condominium. The Master Site Plan establishes the requirements for individual site plan applications in Johnston Point.

Individual unit site plans must be prepared by an Ontario Land Surveyor or be prepared by a professional consultant based on a plan prepared by an Ontario Land Surveyor and conform to the following:

- Environmental Benefit Permit (PT-C-001-16) issued October 28, 2018.
- All municipal conditions of the condominium agreement.
- Exterior lighting.
- Identified locations, dimensions and materials for driveway. The driveway shall be designed by a professional engineer to direct stormwater runoff and minimize erosion.
- Identification and maintenance of all vegetation in its natural state within 30m of the shoreline, save only for invasive species and the 1.5m pathway to the shoreline.
- Identified location, materials and width of the 1.5m pathway to the shoreline.
- Identification of the 40m tree protection setback from the shoreline where vegetation removal is limited to only those trees that require removal.
- Confirmation all structures meet zoning and setbacks from wetlands.
- Confirmation that the total area of disturbance for all structures, driveways and pathways conforms to the Environmental Benefit Permit & Master Site Plan.

Council will issue approval on each individual site plan agreement and enter into a further, more detailed, agreement with each Unit owner prior to the issuance of a building permit for construction on their Unit.

Discussion/Analysis

The individual site plan was prepared by Concord Engineering and was based on a survey prepared by Hopkins Chitty Land Surveyors Inc. who are a member of the Association of Ontario Land Surveyors.

- The site plan shows the location of the dwelling, attached garage, shed, driveway, well, primary and alternate sewage system. The property is proposed to be serviced with a Class IV – sewage system. The agreement speaks to the requirements for maintenance and reporting requirements for the sewage system.

- Exterior lighting is referenced through the agreement. Exterior lighting is required to follow best practices for Dark Sky compliance lighting. Based on language in the agreement - a review of exterior lighting will be done within 4 months of occupancy and prior to the issuance of a final inspection for the building permit.

- The driveway location and design is shown on both the site plan and the lot grading and drainage plan. The driveway was designed by a professional engineer to direct stormwater runoff and has satisfied the requirements of the Township's Manager of Technical Services and Infrastructure. The driveway is gravel and will be maintained in that condition.

- The site plan identifies the 30m buffer of the shoreline and notes that all vegetation must remain in its natural state within 30m of the shoreline, save only for invasive species. The agreement includes clauses that state the same.

- Unit 7 is not permitted to have a walkway to the shoreline and is also not permitted to have a dock, therefore no walkway nor dock are identified on the site plan. Unit 7 has water access via the common walkway and dock on Unit 10.

- The site plan shows the 40m tree protection setback from the shoreline. There is no vegetation proposed to be removed within the 40m setback. The well is located outside the 40m setback.

- Trees have been removed from the building envelope, outside the 50m setback. A Species at Risk assessment was completed by a qualified professional in accordance with the Environmental Benefit Permit prior to vegetation clearing on the Unit.

- The Unit 7 site plan complies with the RLS-6 zone provisions that apply to this property. The site plan includes a table that shows the requirements of the RLS-6 zone versus the actual setbacks/lot coverage proposed for the development of Unit 7.

- The site plan has been based off information prepared by an OLS that has confirmed that all structures and the driveway are outside of the 50m setback from the highwater mark.

- The Master Site Plan allocated a maximum area of disturbance of 1,308 m^2 for Unit 7. The maximum area of disturbance as shown on the site plan for Unit 7 is less that what is permitted by the Master Site Plan for Johnston Point.

Township staff are satisfied that the individual site plan for Unit 7 meets the relevant conditions of the Johnston Point Plan of Condominium and Master Site Plan Agreement. Staff are also satisfied that the site plan for Unit 7 meets the relevant conditions of the Environmental Benefit Permit (PT-C-001-16) issued October 28, 2018 for Johnston Point.

Species at Risk Pre-Clearing Report

The Individual Site Plan, Master Site Plan and the condominium agreement require the owners within Johnston Point to comply with the terms and conditions of the Environmental Benefit Permit with regards to Species at Risk.

Township staff request Unit owners within the Johnston Point Condominium to provide a copy of the Species at Risk Pre-Clearing Report with the Individual Site Plan Control application for the purpose of demonstrating compliance with the Environmental Benefit Permit for any clearing of vegetation that has occurred on the Unit.

The Species at Risk Pre-Clearing Report is not included as an attachment to this report because this report contains species specific information about Species at Risk within an identifiable location. Sharing this information has the potential to put threatened and endangers species at greater risk if this information is shared publicly.

The owners of Unit 7 provided staff with a copy of the Species at Risk Pre-Clearing Report that was prepared by a qualified professional prior to the removal of vegetation within the building envelope identified on the site plan, thereby demonstrating they are in compliance with the vegetation removal condition of the Environmental Benefit Permit.

While Planning Services staff request this information as a check on the owners' compliance with the Environmental Benefit Permit at the Individual Site Plan application stage, the legal authority for enforcement of the Environmental Benefit Permit is through the Species at Risk branch of the Ministry of Environment, Conservation and Parks (MECP).

Site Plan Agreement

The individual site plan agreement (attached) carries forward several key requirements from the Condominium Agreement and Master Site Plan. The site plan also establishes conditions that address the enforcement of the agreement.

The site plan agreement binds current and future owners of the subject property and will be registered on the title of the lands by the Township's solicitor.

The Owner has been provided a draft copy of the site plan agreement for review. Original signed copies of the site plan agreement, which indicate the owner's agreement to the site plan agreement, will be provided to Township Staff prior to the Council Meeting.

Financial Implications

Not applicable.

Relationship to Strategic Plans

☒ Not applicable to this report.

☐ This initiative is supported by the following priorities of the 2019-2022 Strategic Plan.

- Priority: Choose an item.
- Action Item (if applicable): N/A

Climate Considerations

☒ Not applicable to this report.

☐ This initiative supports climate change mitigation/adaption efforts in South Frontenac; and/or impacts the Township's resilience to climate change.

Notice/Consultation

The site plan drawing was reviewed by Planning Services staff for conformity with the condominium agreement, Master Site Plan agreement and the Environmental Benefit Permit for Johnston Point.

Building Services staff reviewed the application from a Part 8 – Sewage Review perspective and are satisfied that the location and area shown on the site plan application is sufficient for the sewage system. Further detailed review will occur through the issuance of the building permit for the sewage system and the dwelling.

Public Services staff reviewed the lot grading and drainage plan and the design of the driveway. Public Services staff are satisfied with the site plan, the design of the driveway and lot grading and drainage plan for Unit 7.

The site plan was circulated to Cataraqui Conservation for review. Cataraqui Conservation staff have no objection to the approval of application PL-SPR-2022-0069 based upon their consideration for natural hazards, natural heritage, and water quality protection policies.

The comments provided by Cataraqui Conservation dated July 7, 2022 indicate that the proposed location for the development is located within an area that is subject to their regulation and therefore a permit is required.

Attachments

1. Individual Unit Site Plan – Unit 7, Johnston Point – August 3, 2022
2. By-law 2022-74 – A by-law to enter into a Site Plan Agreement
3. Individual Unit Site Plan Agreement – Unit 7, Johnston Point
4. Supporting information drawings and studies
   - Letters from Hopkins Chitty Land Surveyors Inc., OLS – May 4, 2022
   - Lot Grading & Drainage Plan - Unit 7, Johnston Point – August 3, 2022
5. Conceptual Site Plan – Unit 7 – March 9, 2022 - Master Site Plan Agreement
6. Cataraqui Conservation – Comments on PL-SPR-2022-0069 – July 7, 2022

Approvals

Report prepared by:

Anna Geladi, Planner

Submitted by:

Claire Dodds, MCIP, RPP
Director of Development Services

Approved By:

Louise Fragnito, CPA, CGA
Chief Administrative Officer

Ref.No.: 22-0116
Report No. 1
Drawing No.1/4

LOUGHBOROUGH LAKE

UNIT 15

UNIT 6

HINTERLAND LANE

REGISTERED VACANT LOT 7 CONDO PLAN

(N62°22'40"W P1)
N62°23'30"W
5.400(P1 & Set)

REBAR

(N62°22'40"W P1)
N62°23'30"W

(P1 & Set) 18.690
N34°47'00"E

PB (1338)

(P1 & M)
48.88

30m Setback

40m Setback

Proposed interior side yard setback
50.74m

Proposed setback from water's edge
61.19m

73.59m

34.42m

Refer to Drawing 2/3

18.42m

60.98m

65.62m

54.55m

56.22m

Proposed setback from water's edge
58.15m

(N44°20'30"E P1)
N44°21'10"E
23.720 (P1)

(N44°20'30"E P1)
N44°21'10"E

16.000 (P1 & Set)
N56°43'20"W
(N56°40'10"W P1)

N56°43'00"W
(N56°40'10"W P1)

99.03
(P1 & M)

113.67 (P1 & M)

104.700 (P1 & Set)

104.760 (P1 & Set)

N48°39'10"E
(N48°40'30"E P1)

5.76m

4.96m

9.24m

10.10m

4.01m

8.10m

4.20m

13.13m

8.48m

27.30m

Basement floor
135.92

Single Family Dwelling

Covered Deck

Garage

4800 L Septic Tank

Limit of disturbed area

23.34m

14.52m

15.94m

46.24m

17.65m

7.30m

55.83m

44.00m

44.72m

15.26m

Proposed interior side yard setback
23.50m

Proposed interior side yard setback
23.22m

3mx3m Storage Shed

Proposed Gravel Driveway

Max. 3:1 Slope

Legend:

- Property Line Approximate
- Proposed Dwelling
- Proposed Gravel Driveway
- Proposed Primary Septic Location
- Proposed Alternate Septic Location

DISTURBED AREA:

MAXIMUM DEVELOPMENT AREA 1179.0 M²
DWELLING AREA–188.08 M², GARAGE AREA–62.03 M²
COVERED PORCH AREA–24.0 M², DRIVEWAY AREA–453.28 M²
SEPTIC AREA–318.30 M², STORAGE SHED AREA–9.0 M²
TOTAL – 1054.69 M²

NOTES:

1.THE PROPOSED DWELLING, COVERED PORCH, GARAGE AND STORAGE SHED AREA ARE WITHIN THE 595M² FROM CONCEPTUAL PLAN.
2.LANDS WITHIN THE 30 METRE SETBACK FROM THE HIGH WATER MARK/FLOOD LINE FOR THE LOT WILL COMPROMISE A SHORELINE PROTECTION AREA/NO CUT ZONE. ALL VEGETATION WITH EXCEPTION OF INVASIVE SPECIES SHALL BE RETAINED AND MAINTAINED IN A NATURAL STATE.
3.LANDS WITHIN THE 40 METRE SETBACK FROM THE HIGH WATER MARK/FLOOD LINE OF THE LOT WILL COMPRISE A TREE PROTECTION AREA TO ENSURE ALL LIVING TREES GREATER THAN FOUR INCHES IN DIAMETER AT BREAST HEIGHT SHALL BE MAINTAINED UNLESS APPROVED FOR REMOVAL.VEGETATION CLEARING FOR DEVELOPMENT INCLUDING DRIVEWAYS, BUILDINGS AND SEPTIC FIELDS SHALL NOT OCCUR BETWEEN APRIL 1st AND OCTOBER 30th. CLEARING MAY OCCUR DURING THIS PERIOD IF A QUALIFIED PROFESSIONAL IS PRESENTED ON–SITE.

FLOOR HEIGHT/GRADING CALCULATIONS

LOT 7 JOHNSTON POINT, LOUGHBOROUGH LAKE

		METERS	INCHES
FRONT GRADE:		138.05	
	+	0.61	24.00
TOP OF MAIN FLOOR:		138.66	
	-	2.74	108.00
TOP OF BASEMENT FLOOR:		135.92	
	-	2.74	4.00
GRADE @ WALKOUT:		135.82	

REFER TO DWG. 4/4 FOR ZONING AND SITE RESTRICTIONS NOTES

0m 5m 10m 20m

CONCORD
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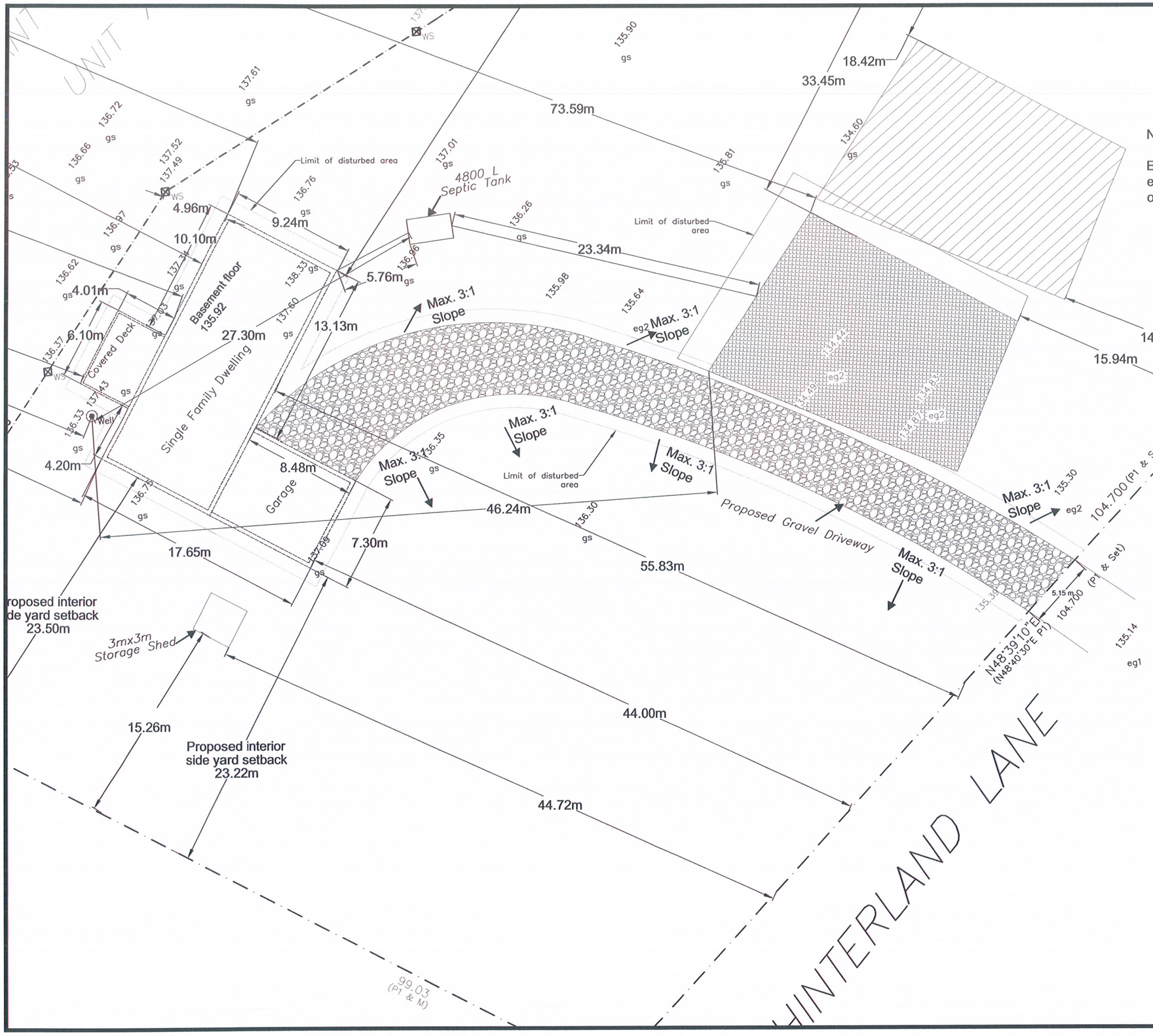
755 Baker Crescent
Kingston, Ontario K7M 6P5
Tel: (613) 634-4357
Fax: (613) 634-4353
E-mail: concorde@kos.net

Project:	Proposed Single Family Residence Lot 7 Johnston Point Loughborough Lake South Frontenac, Ontario		
Drawing:	Site Plan	Scale: NTS	
Client:	Dave Dobing & Brenda MacDonald		
Designer:	Dwn by: CS	Chd by:	Date: 3–Aug–22

Ref.No.: 22-0116
Report No. 1
Drawing No.2/4

Notes:

Existing and proposed driveways shall be extended with 100mm granular 'A' gravel only and must be maintained in a gravel.



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Project:	Proposed Single Family Residence Lot 7 Johnston Point Loughborough Lake South Frontenac, Ontario		
Drawing:	Proposed Gravel Driveway	Scale: NTS	
Client:	Dave Dobing & Brenda MacDonald		
Designer:	Dwn by: CS	Chd by:	Date: 3-Aug-22

Ref.No.: 22-0116
Report No. 1
Drawing No.3/4

Legend:
Property Line Approximate
Proposed Dwelling
138.05 / 137.19 Proposed Finish Grade / Existing Grade
Proposed Primary Septic Location
Proposed Alternate Septic Location

4800 L Septic Tank
Min. 2% Slope away from foundation
Limit of disturbed area
Limit of slope
Max. 3:1 Slope
Proposed Gravel Driveway
Basement floor 135.92
Single Family Dwelling
138.66
Covered Deck
Well
Garage 138.20
3mx3m Storage Shed
UNIT 7
VACANT
Proposed interior side yard setback 23.50m
Proposed interior side yard setback 23.22m
15.26m
44.00m
44.72m
55.83m
73.59m
33.45m
18.42m
23.34m
14.52m
15.94m
4.96m
43.43m
3% @13.34m
4.8% @9.97m
4.8% @12.24m
4.8% @10.28m
104.700 (P1 & Set)
N48°39'10"E (N48°40'30"E P1)
5.15m
137.00 WS
137.61 gs
135.90 gs
134.60 gs
135.81 gs
136.26 gs
136.96
137.01 gs
136.76 gs
137.47 / 137.53
138.33 gs
137.60 gs
135.98
135.64 eg2
137.66 / 136.70
137.41 / 136.98
137.77 / 137.53
138.05 / 137.19
137.60 / 136.53
137.42 / 135.79
136.85 / 134.90
136.37 / 134.44
135.78 / 134.83
135.30 eg2
135.14 eg2
135.14 eg1
136.72 gs
136.66 gs
137.52
137.49 WS
135.55 gs
136.97 gs
136.62 gs
137.34 gs
135.77 gs
135.71 / 137.43
137.03 gs
135.82 / 136.85
136.37 WS
137.43 gs
136.33 gs
135.71 / 136.33 gs
136.01 / 136.75
136.75 gs
136.69 / 136.63
137.57 / 136.95
137.83 gs / 137.09
136.35 gs
136.30 gs
137.62 gs
136.37 gs
135.78 / 135.39
136.01 / 137.66
0m 5m 10m 20m

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Project: Proposed Single Family Residence
Lot 7 Johnston Point
Loughborough Lake
South Frontenac, Ontario

Drawing: Lot Grading Plan Scale: NTS
Client: Dave Dobing & Brenda MacDonald
Designer: | Dwn by: CS | Chd by: | Date: 3-Aug-22

ZONING AND SITE RESTRICTIONS NOTES

Municipality and Project Information	
• Project type and description	New single Family Dwelling
• Municipality	TOWNSHIP OF SOUTH FRONTENAC
• Zoning designation	RLS–7 (LIMITED SERVICE RESIDENTIAL)

Lot area	
• Estimated Total lot area	126906.5 sq.ft / 11790 m^2 / 2.91 ac

	Permitted (ft/m)	Proposed (ft/m)
• Lot coverage	(10%) 12 690.65 sq.ft/ 1179.0m^2	(8.9%) 11352.59 sq.ft / 1054.69 m^2

Setbacks	Permitted (ft/m)	Proposed (ft/m)
• Interior Side Yard (Minimum)	9'–9 5/8" / 3 m	77'– 1 3/16" / 23.5 m
• Building Setback from water's edge	131'–2 3/4" / 50 m	200'–9 1/2"/61.19m
• Septic Setback from water's edge	196'–10 3/16" / 60 m	241'–5 1/4"/73.59m
• Right Lot setback	65'–7 3/8" / 20 m	166'–5 5/8" / 50.74m
• Exterior Side Yard (Minimum)	N/A	----------

• Building height	36'–1" / 11 m	30'–10" / 9.6m
• Dwelling area	----------	2024.47 sq.ft / 188.08 m^2
• Garage area	----------	667.68 sq.ft / 62.03 m^2
• Covered Porch area	----------	258.33 sq.ft / 24.0 m^2
• Storage Shed area	----------	96.87 sq.ft / 3.0 m^2
• Maximum construction area	6404.52 sq.ft / 595 m^2	3047.37 sq.ft / 283.11 m^2
• Septic area	5381.96 sq.ft / 500 m^2	3426.15 sq.ft / 318.30 m^2
• New driveway area	----------	4879.06 sq.ft / 453.28 m^2
• Maximum Development Area	12 690.65 sq.ft/ 1179.0m^2	11352.59 sq.ft / 1054.69 m^2
• Path Way Area	N/A	----------
• Water Frontage	N/A	----------
• Yard Setbacks Measured to 249.0 m^2 Construction Area on Plan		

CONCORD
ENGINEERING
755 Baker Crescent
Kingston, Ontario K7M 6P5
Tel: (613) 634-4357
Fax: (613) 634-4353
E-mail: concorde@kos.net

Project: Proposed Single Family Residence
Lot 7 Johnston Point
Loughborough Lake
South Frontenac, Ontario

Drawing: Zoning and Site Restrictions Notes
Client: Dave Dobing & Brenda MacDonald
Designer: | Dwn by: CS | Chd by: | Date: 3–Aug–22

TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2022-74

BEING A BY-LAW TO AUTHORIZE THE MAYOR AND THE CLERK TO EXECUTE A SITE PLAN AGREEMENT BETWEEN THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC AND BRENDA MACDONALD AND DAVE DOBING

WHEREAS a Site Plan and Site Plan Agreement have been prepared to the satisfaction of the Township of South Frontenac;

NOW THEREFORE THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC BY ITS COUNCIL, HEREBY ENACTS AS FOLLOWS:

1. THAT the Mayor and the Clerk are hereby authorized to execute a Site Plan Agreement between the Corporation of the Township of South Frontenac and Brenda MacDonald and Dave Dobing, a copy of which is attached hereto forming part of this By-law.

2. THAT the Agreement shall be registered on title of the property described as Unit 7, Level 1, Frontenac Vacant Land Condominium Plan No. 85 (Johnston Point) and its Appurtenant Interest; subject to and together with Easements as set out in Schedule A as in FC331360; Township of South Frontenac.

3. THIS By-law shall come into force and effect in accordance with Section 41 of the Planning Act 1990, either upon the date of passage or as otherwise provided by the said Section 41.

Dated at the Township of South Frontenac this 9th day of August, 2022.

Read a first and second time this 9th day of August, 2022.

Read a third time and finally passed this 9th day of August, 2022.

THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC

_____

Ron Vandewal, Mayor

_____

Angela Maddocks, Clerk

SITE PLAN CONTROL AGREEMENT

THIS AGREEMENT made in triplicate this _____ day of_____, 2022.

BETWEEN:

BRENDA MACDONALD AND DAVE DOBING

hereinafter called the "Owner"

- and -

THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC

hereinafter called the "Municipality"

WHEREAS the Owner is the registered owner in fee simple of certain lands described in Schedule "A", attached hereto, located in the Township of South Frontenac (the "Owner's Lands");

AND WHEREAS the Municipality is authorized to enter into this agreement and register it against the title to the Owner's Lands pursuant to section 41 of the Planning Act and section 6.17 of the Township of South Frontenac Official Plan;

AND WHEREAS the Municipality has passed by-law No. 2003-75 to designate all of the Township of South Frontenac as a "Site Plan Control Area";

AND WHEREAS the Owner acknowledges and agrees that the Owner's Lands are governed by a Master Site Plan Agreement, which agreement requires the execution of this individual Site Plan Agreement for the Owner's Lands in order to permit development;

NOW THEREFORE, THIS AGREEMENT WITNESSETH that in consideration of the mutual covenants and agreements contained herein, the parties agree each with the other as follows:

1. The Owner covenants that the Owner is the Owner in fee simple of the Owner's Lands described in Schedule "A", attached hereto.

2. The obligations imposed by this Agreement affect the land described in Schedule "A" hereto and any restrictive covenants expressed herein run with the land and bind successors in title to the said lands as well as the successors and assigns of the Owner.

3. The Owner shall, at its sole risk and expense and to the satisfaction of the Municipality, develop the Owner's Lands in accordance with this Site Plan Agreement and the Master Site Plan Agreement and shall construct, use, and maintain those facilities and works in accordance with the terms of this Agreement. The drawings listed in Schedule "B" are hereby incorporated by reference into this Agreement. The originals of the Schedules are on file in the offices of the Municipality and shall govern in the event of any dispute.

4. The following schedules are attached to, and form part of this Agreement and no new building, structure or other facility shall be erected, altered or placed on the said land except in accordance with the attached schedules which consist of:
    a. Legal Description of Lands;
    b. Site Plan Drawings and Reports; and
    c. Municipal Conditions of Approval.

5. The Owner shall comply with any amendments, additions or deletions to the Site Plan Drawings that the Municipality may reasonably require after the date of this Agreement in order to better ensure the proper and orderly development of the Owner's Lands and the construction of the works and facilities required by this Agreement.

6. Prior to the commencement of any construction, and subject to clause 8 below, the Owner agrees to obtain all other permits and approvals required by any other agency or authority having jurisdiction.

7. The Owner covenants and agrees to develop the Owner's Lands in accordance with those municipal conditions set out in Schedule "C" to this Agreement. No development shall occur on the Owner's Lands that is inconsistent with this Agreement.

8. The Owner agrees that they shall not apply for any building permits for the development of the Owner's Lands that is inconsistent with the Environmental Benefit Permit PT-C-001-16 issued on October 28, 2018 ("Environmental Benefit Permit"), and all work undertaken pursuant to this Site Plan Agreement shall be in conformity therewith.

    a. The Owner acknowledges that the Municipality recommends consulting a biologist in connection with the Site Plan and development of the Owner's Lands to ensure compliance with the requirements of the registered Condominium Agreement, the Condominium Declaration and the Environmental Benefit Permit.
    b. The Owner acknowledges and agrees that the actual disturbed area calculation, which is limited by the terms of the Environmental Benefit Permit, has been calculated by the Owner and incorporated into this site plan approval and no development shall be undertaken that exceeds the calculation.

9. All site servicing is indicated on the Site Plan Drawings and the Owner covenants and agrees to comply with all setbacks shown thereon. Without limiting the generality of the foregoing, the Owner agrees that any well shall be located outside of the 40m setback from the highwater mark. All well construction shall comply with the general restrictions on construction imposed by the Environmental Benefit Permit.

10. Development of the Owner's Lands shall be in accordance with the Condominium Agreement registered on title as Instrument Number FC329989 and the Master Site Plan for Johnston Point. In the event that there is any inconsistency between this Agreement, the Environmental Benefit Permit or the requirements of the Condominium Agreement, the Environmental Benefit Permit shall govern, followed in order of priority by this Site Plan Agreement, the Master Site Plan Agreement, and the Condominium Agreement to the extent of any inconsistency.

11. The Owner acknowledges that the Municipality shall not maintain or repair and will have no obligation to maintain or repair the private gravel lane (right-of-way) that provides access to the Owner's Lands or to perform or provide

any other municipal services normally associated with public highways within the Municipality. The Owner acknowledges and agrees that the entire length of the private lane shall remain unpaved in perpetuity.

12. The Owner acknowledges and agrees that the Municipality shall not be responsible for providing fire, ambulance, and other emergency services to the Owner's Lands if the operator of the emergency vehicle, having made reasonable efforts in the circumstances, determines that the condition of the roads or driveways as constructed or maintained at the time, prevents the vehicle from being operated properly or safely in order to access or exit the Owner's Lands.

13. The Owner acknowledges and agrees that the Municipality shall not provide curbside waste disposal services to the Owner's Lands. Waste pickup will be available at the Township Road in a designated garbage and recycling collection facilities.

14. In the event that the Owner fails to install or maintain the facilities covered by this Agreement, the Director of Development Services or designate shall provide seven days written notice by pre-paid registered mail to the Owner to correct the deficiencies. Where the Owner has not corrected the deficiencies or taken meaningful steps to remedy the deficiencies within seven (7) days, the Municipality, through its employees, agents or contractors, may, without further notice, enter upon the Owner's Lands and proceed to supply all materials and to do all the necessary inspections and works in connection with the facilities, including without limitation the replacement of vegetation or other materials which have been removed from buffer areas and to charge the cost thereof, together with the cost of engineering and any other expenses incurred by the Municipality, against the Owner. Such entry and work shall not be deemed as an assumption by the Municipality of any liability. It is expressly agreed that the Owner or any person in possession shall not question the cost incurred by the Municipality for labour, materials or any other costs incidental to do the said work and this provision shall be deemed to operate as an effective estoppel in judicial proceedings if such costs are challenged or placed in question. Provided the Municipality is satisfied that the Owner is making meaningful progress towards correcting the deficiencies noted, the Municipality may extend any deadline for compliance.

15. The Owner hereby agrees to indemnify and save harmless the Municipality against all actions, causes of action, suits, claims, demands and costs whatsoever arising by reason of any matter under this Agreement, including without limitation any actions, causes of action, suits, claims, demands or costs directly or indirectly related to the construction, use, operation or maintenance of the private road(s) serving the Owner's Lands, including the inability to operate an emergency vehicle properly or safely in order to access or exit any given unit due in whole or in part to the condition of the roads or driveways at the time.

16. Time shall be of the essence of this Agreement and of any extension of time that may be agreed upon by the parties.

17. The Municipality will make reasonable efforts with the number of personnel available to it to inspect the works and facilities to be constructed in accordance with the Site Plan Drawings and this Agreement, but the Owner shall indemnify and save harmless the Municipality, its servants, agents and contractors from any responsibility or liability arising directly or indirectly from any failure or delay in completing such inspections.

18. The Owner hereby grants to the Municipality, its servants and contractors, a

licence to enter the Owner's Lands during normal operating hours for the purpose of inspecting the works and facilities and to perform any work arising from or the result of any default by the Owner under this Agreement.

19. It is the intent of this Agreement that the Municipality shall not incur any expense for the development of the Owner's Lands and every obligation of the Owner under this Agreement shall be deemed to include the words "at the expense of the Owner", unless specifically stated otherwise.

20. The Owner agrees to pay the legal, engineering, landscape architectural, planning and administrative costs incurred by the Municipality to process the Site Plan Drawings, including but not limited to, the preparation of this Agreement and all plans and specifications, and the supervision and inspection of the Works.

21. All invoices, costs and expenses received or incurred by the Municipality and payable by the Owner shall be paid within thirty (30) days of the Municipality's invoice or demand for payment to the Owner, failing which the Owner shall be in default under this agreement and shall continue in default until payment plus all accrued interest is made in full.

22. Interest shall be paid by the Owner on all overdue amounts at the same rate per annum and calculated in the same manner as the Municipality charges on overdue municipal taxes and any payments received shall be applied first on account of accumulated interest and then on the outstanding amount.

23. The Owner consents to the registration by the Municipality at the Owner's expense of this Agreement against the title to the Owner's Lands and, in accordance with s. 41(10) of the Planning Act, all of the terms and conditions of this Agreement may be enforced against the Owner and any and all subsequent owners of the Owner's Lands.

24. The Owner shall ensure that the requirements of this Agreement and the Site Plan Drawings are brought to the attention of its contractors, employees and workers prior to the start of any construction.

25. All covenants in this Agreement shall be construed as being joint and several and that, when the context so requires or permits, the singular number shall be read as if the plural were expressed, and the masculine gender as if the feminine or neuter gender, as the case may be, were expressed.

26. The Owner covenants and agrees that nothing in this Agreement releases the Owner from the obligation to comply with the provisions of all other by-laws of the Municipality that may now or in future be in effect.

27. Any dispute between the parties with respect to this Agreement shall, at the request of a party, be submitted to arbitration pursuant to the Arbitrations Act and the decision of the arbitrator or, if more than one, the decision of a majority shall be final and binding on the parties.

28. Each party shall pay its own costs of the arbitration and shall share equally the costs of the arbitrator(s).

29. The Owner agrees that if any section, clause or provision of this Agreement, is for any reason declared by a Court of competent jurisdiction to be invalid the same shall not affect the validity of the Agreement as a whole or any part thereof, other than the section, clause, or provision so declared to be invalid and it is hereby declared to be the intention that all the remaining sections, clauses or provisions of this Agreement shall remain in full force and effect, notwithstanding that one or more provisions thereof shall be declared to be invalid.

30. This Agreement shall endure to and be binding upon the parties hereto, and their respective successors and assigns.

IN WITNESS WHEREOF the parties hereto have by the hands and seals executed this agreement as of the first date set out above.

SIGNED, SEALED AND DELIVERED:

THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC

_____
Ron Vandewal - Mayor

_____

Angela Maddocks – Clerk

We have authority to bind the Corporation

_____
BRENDA MACDONALD

_____
DAVE DOBING

SCHEDULE "A"

LEGAL DESCRIPTION OF LANDS

Unit 7, Level 1, Frontenac Vacant Land Condominium Plan No. 85 and its Appurtenant Interest; subject to and together with Easements as set out in Schedule A as in FC331360; Township of South Frontenac

SCHEDULE "B"

SITE PLAN DRAWINGS

THE ORIGINAL OF ALL PLANS AND REPORTS LISTED IN THIS SCHEDULE AND INCORPORATED BY REFERENCE INTO THIS AGREEMENT ARE ON FILE IN THE OFFICE OF THE SOUTH FRONTENAC DEVELOPMENT SERVICES DEPARTMENT AND SHALL GOVERN IN THE EVENT OF ANY DISPUTE.

1. Unit 7, Johnston Point – Individual Site Plan. Prepared by Concord Engineering. Dated: August 3, 2022

2. Lot Grading and Drainage Plan. Prepared by Concord Engineering. Dated: August 3, 2022

3. Letter from Hopkins Chitty Land Surveyors Inc., O.L.S. re Surveyors Certificate Unit 7 – Johnston Point Dated: May 4, 2022

4. Species at Risk (SAR) Site Inspection on Johnston Point, Lot 7. Ecological Services. Dated: March 22, 2022

SCHEDULE "C"
MUNICIPAL CONDITIONS

The Owner further covenants and agrees to develop the Owner's Lands in accordance with the following Municipal Conditions:

1. The Owner agrees to construct all works and facilities in a good and workmanlike manner and, where applicable, according to the Municipality's normal standards and specifications.

2. The Owner agrees to take all reasonable precautions to reduce dust, noise and other nuisances and to ensure public safety during the development of the Owner's Lands and construction of the works and facilities required by this Agreement.

3. The Owner shall be responsible for installing and maintaining all sediment and erosion controls in accordance with best management practices prior to and during construction activities.

4. The Owner agrees to undertake site alteration consistent with the lot grading and drainage plan approved by the Municipality. The lot grading and drainage shall be maintained consistent with the plan. Any deviation from the approved lot grading and drainage plan must be reviewed by the Municipal Engineer or their designate prior to any work being started. Minor deviations may be approved by the Municipal Engineer in consultation with the Director of Development Services. Should the deviation be considered major by the Municipal Engineer and the Director of Development Services, an amendment to the site plan agreement will be required to be approved by Council.

5. The driveway shall be located a minimum of 30 metres from any waterbody and shall be designed by a qualified Engineer to ensure mitigative measures are applied to direct stormwater runoff and reduce erosion. The driveway shall be constructed and maintained in accordance with the design approved by the Municipality.

6. The Owner acknowledges that consistent with the Environmental Benefit Permit, driveways must remain unpaved, however footprints for cars may be paved.

7. The Owner agrees to obtain the approval of Hydro One Networks Inc prior to connecting to or relocating existing hydro services.

8. The Owner shall ensure that all development conforms, at a minimum, to the following:
    a. The Environmental Benefit Permit;
    b. All development on the Lands within 120 metres of the Provincially Significant Wetlands and within 50 metres of the shoreline of Loughborough Lake is subject to the "Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation" (Ontario Regulation 148/06). The Owner shall obtain written permission by obtaining a Permit from Cataraqui Conservation Authority prior to any development (e.g. filling, lot grading, construction) taking place within the regulated area, alteration to the shoreline and/or interference with a wetland. A copy of any Permit issued by Cataraqui Conservation for works occurring on the Owner's Lands shall also be provided to the Municipality;
    c. All Municipal Conditions as set out in Schedule "E" of the Condominium Agreement;

d. Exterior lighting shall be installed and maintained consistent with the International Dark Sky Associations' best practices which includes directing any light emitted downwards and away from adjacent uses or the shoreline. An exterior lighting review will be completed by Township staff within 4 months of the occupancy certificate being issued for the dwelling and prior to the final inspection under the Ontario Building Code;
e. The owners of Unit 7 shall have the benefit of using the shared docking, the legal right-of-way over that part of Unit 10 where the walkway is constructed and will have exclusive use together with Units 9, 12, 13 and 15 of the 0.31 ha common element small island located south of and between units 8 and 9. The owners of Unit 7 will be permitted additional shared docking on this common element island.
f. No in-water works are permitted on Unit 7.
g. No dock is permitted on Unit 7.
h. The location, dimensions and materials for the driveway shall conform to the Condominium Agreement and this Agreement and shall not be varied without further approval from the Municipality;
i. The 30 metre shoreline vegetation protection area shall be maintained in a natural state and all vegetation shall be retained, save only for invasive species; and
j. The owners of Unit 7 are not permitted to construct a walkway to the water nor the shoreline; and
k. The 40 metre tree protection setback from the shoreline shall be maintained in a natural state except for the removal of vegetation shown on the Site Plan Drawings listed in Schedule "B".

9. The Owner agrees that an Ontario Land Surveyor shall mark and stake the 50 metre setback from the highwater mark and shall stake the footprint of the buildings and primary sewage system area within the boundary of the building envelope. These marks and staking shall remain in place during construction and until a final inspection is completed by the Chief Building Official or their designate. It is acknowledged that the Chief Building Official or their designate may request other setbacks be confirmed by an Ontario Land Surveyor as required in order to confirm construction is consistent with the Site Plan drawing included in Schedule "B".

10. The Owner acknowledges that the Site Plan identifies a primary and alternative location for sewage systems. The Owner agrees that there shall be no construction of a well, dwelling, driveway, pool, garage or any other structure or site grading within the area reserved for the primary or alternate sewage system.

11. The dwelling on this Unit is serviced by a Level IV sewage treatment system (as defined by the Ontario Building Code).

The Owner is required to obtain a sewage permit from the authority responsible for Part 8 of the Ontario Building Code. The Level IV sewage treatment system shall be designed and installed by a professional who is qualified and certified under the Ontario Building Code Act.

The sewage system is to be maintained in accordance with the Ontario Building Code Act and the manufacturer's instructions. The Owner shall enter a maintenance contract with an authorized maintenance provider for the life of the system. A copy of the signed maintenance contract must be provided to the authority responsible for Part 8 of the Ontario Building Code prior to occupancy of the building being granted.

The Owner is expected to follow all instructions provided by the installer and

maintenance provider. The Level IV sewage treatment system effluent is to be sampled in accordance with the requirements of the Ontario Building Code Act. The Owner shall provide the Municipality proof of maintenance occurring on an annual basis by January 31 each year, including the results of the annual sampling results.

Any deviation from the location and dimensions of the sewage system on the approved site plan in Schedule "B" shall be reviewed by the Chief Building Official or their designate prior to any work being started. Minor deviations may be approved by the Chief Building Official or their designate in consultation with the Director of Development Services. Should the deviation be considered major by the Chief Building Official and the Director of Development Services, an amendment to the site plan agreement will be required. A major deviation to the location of the sewage disposal system shall be supported by a Professional Engineer with expertise in the field and approved by the Chief Building Official or their designate. Any deviation in the location and size of the sewage system must continue to meet the maximum disturbed area allocation for the Unit, consistent with the Master Site Plan agreement for Johnston Point.

12. Human Remains and Archaeological Resources

a. That in the event that deeply buried archaeological remains are discovered during construction or site development of a lot, the Owner shall immediately contact the Township of South Frontenac Development Services Department and the Ministry of Tourism, Culture and Sport, and
b. That in the event that human remains are discovered during construction or site development of a lot, Owner shall immediately contact the Township of South Frontenac Development Services Department, the Ontario Provincial Police (OPP), the Ministry of Tourism, Culture and Sport and the Registrar or Deputy Registrar of the Cemeteries Unit of the Ministry of Consumer Services.
c. That if during the process of development any archaeological resources or human remains of Aboriginal interest are encountered, the Owner shall immediately contact the Algonquins of Ontario Consultation Office at:

Algonquins of Ontario Consultation Office
31 Riverside Drive, Suite 101
Pembroke, Ontario K8A 8R6
Telephone: (613) 735-3759
Fax: (613) 735-6307
email: algonquins@tanakiwin.com

Hopkins Chitty Land Surveyors Inc.
Ontario Land Surveyors
1224 Gardiners Road, Suite 102,
Kingston, Ontario K7P 0G2
Tel: (613)389-7986 Fax: (613)384-3513

Surveyor's Certificate

Unit 7 – Johnstone Point
Frontenac Vacant Land Condominium Plan No. 85 (FCP No.85)
Township of South Frontenac (Geographic Township of Loughborough)

Zoning By-Law 2003-75

This is to confirm the following for the proposed Building Location and Building Envelope shown on the attached Sketch dated May 4, 2022. File:2021-0621

1) The Front Yard (Minimum) and Interior Side Yard (Minimum) as defined in Section 9.3.1 of By-Law 2003-75 which is LIMITED SERVICE RESIDENTIAL ZONE (RLS) for Unit 7 is 10 m and 3 m respectively.

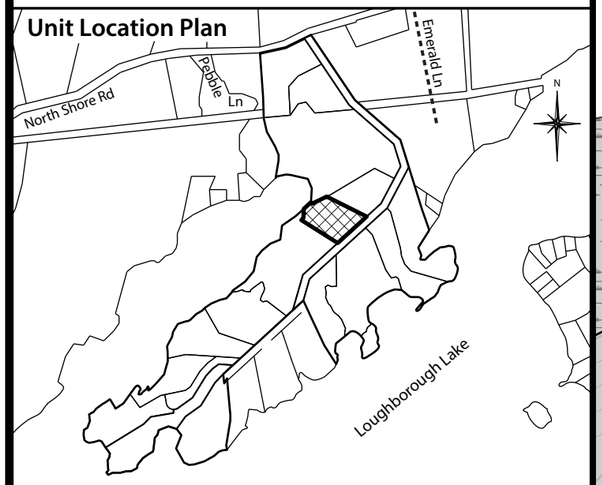
2) The Setback for the proposed building from the Provincially Significant Wetland, as established on FCP No. 85 and defined in Section 9.5 of By-Law 2003-75 which is LIMITED SERVICE RESIDENTIAL ZONE (RLS-7) for Unit 7 is 50 m.

The proposed Building is located within the Building Envelope established with the above noted limits.

Leslie M. Higginson
Ontario Land Surveyor
May 4, 2022

Johnston Point Conceptual Site Plan - Unit 7

Part Lot 24, Concession 6
Geographic Township of Loughborough
Township of South Frontenac
COUNTY OF FRONTENAC

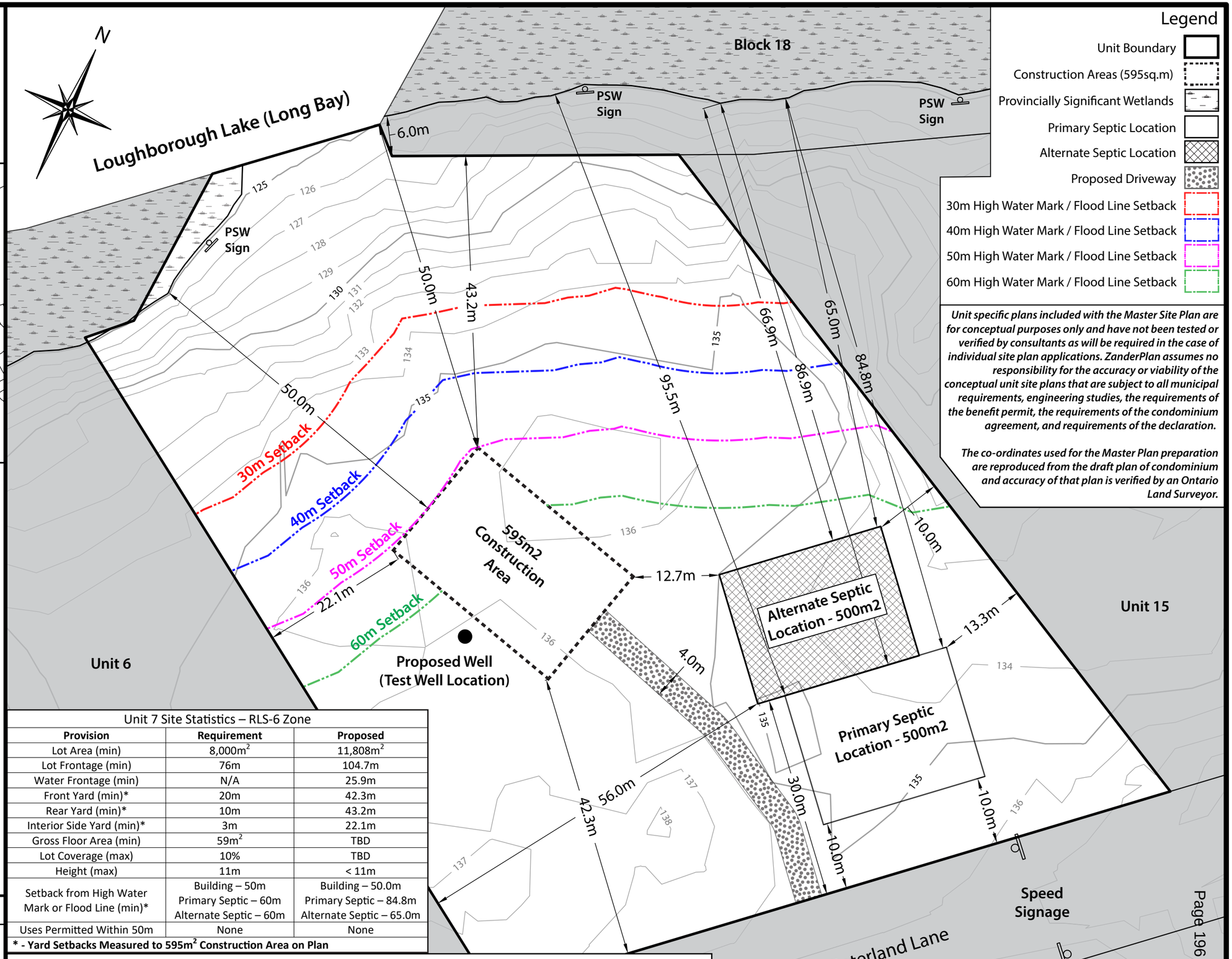


Notes:

1. Final dwelling size & location, and septic size & location will be determined through a future site plan control application for the unit. All site improvements shown in the conceptual master plans, including but not limited to driveway locations, have been placed without regard to topography or feasibility of design or construction of such features in locations shown and may change or be relocated subject to all restrictions in the zoning, condominium agreement, declaration and master site plan agreement.
2. The owner of Unit 7 will have use of the common pathway and Joint Docking Facility on Unit 10 to access the Joint Dock on Block 19.
3. Per the Overall Benefit Permit warning signage and speed signage have been shown within the travelled road to maintain 30km/h speeds and warn drivers of potential species within the roadway. The signs have been installed in the locations shown on this plan and on the Master Site Plan.
4. Signs to delineate the edge of the Provincially Significant Wetlands have been shown on this plan. The sign locations and spacing between are conceptual and must be confirmed by a qualified professional.
5. Lands within the 30 metre setback from the High Water Mark / Flood Line for the lot will comprise a shoreline protection area / no cut zone. All vegetation with the exception of invasive species shall be retained and maintained in a natural state.
6. Lands within the 40 metre setback from the High Water Mark / Flood Line of the lot will comprise a Tree Protection Area to ensure all living trees greater than four inches in diameter at breast height shall be maintained unless approved for removal. Vegetation clearing for development including driveways, building and septic fields shall not occur between April 1st and October 30th. Clearing may only occur during this period if a qualified professional is present on-site.

Version Date: November 9, 2021 | File No. 19-005

zanderPLAN
Your rural land planning experts
40 Sunset Boulevard, Perth, ON 613-264-9600



Legend

- Unit Boundary
- Construction Areas (595sq.m)
- Provincially Significant Wetlands
- Primary Septic Location
- Alternate Septic Location
- Proposed Driveway
- 30m High Water Mark / Flood Line Setback
- 40m High Water Mark / Flood Line Setback
- 50m High Water Mark / Flood Line Setback
- 60m High Water Mark / Flood Line Setback

Unit specific plans included with the Master Site Plan are for conceptual purposes only and have not been tested or verified by consultants as will be required in the case of individual site plan applications. ZanderPlan assumes no responsibility for the accuracy or viability of the conceptual unit site plans that are subject to all municipal requirements, engineering studies, the requirements of the benefit permit, the requirements of the condominium agreement, and requirements of the declaration.

The co-ordinates used for the Master Plan preparation are reproduced from the draft plan of condominium and accuracy of that plan is verified by an Ontario Land Surveyor.

Unit 7 Site Statistics – RLS-6 Zone

Provision	Requirement	Proposed
Lot Area (min)	8,000m^2	11,808m^2
Lot Frontage (min)	76m	104.7m
Water Frontage (min)	N/A	25.9m
Front Yard (min)*	20m	42.3m
Rear Yard (min)*	10m	43.2m
Interior Side Yard (min)*	3m	22.1m
Gross Floor Area (min)	59m^2	TBD
Lot Coverage (max)	10%	TBD
Height (max)	11m	< 11m
Setback from High Water Mark or Flood Line (min)*	Building – 50m Primary Septic – 60m Alternate Septic – 60m	Building – 50.0m Primary Septic – 84.8m Alternate Septic – 65.0m
Uses Permitted Within 50m	None	None

*** - Yard Setbacks Measured to 595m^2 Construction Area on Plan**

0 5 25 50 75 100
Metres

July 7, 2022 File: SPC/FRS/208/2022

Sent by E-mail

Claire Dodds, Director of Development Services
Township of South Frontenac
P.O. Box 100
Sydenham, ON K0H 2T0

Dear Ms. Dodds:

Re: Application for Site Plan Control PL-SPR-2022-0069 (MacDonald & Dobing)
Part Lot 24, Concession 6; Unit 7 Johnston Point Condominium
Township of South Frontenac (Loughborough District)
Waterbody: Loughborough Lake Provincially Significant Wetland

Cataraqui Conservation staff have reviewed the technical circulation for the above-noted application, including the following:

- Application for Site Plan Approval (Dave Dobing & Brenda MacDonald, May 13, 2022)
- Site Plan Drawing for Unit 7 (Concord Engineering, June 20, 2022)
- Proposed Gravel Driveway (Concord Engineering, June 20, 2022)
- Lot Grading Plan (Concord Engineering, June 20, 2022)
- House Plans (Rod Stokes Consulting, May 9, 2022)
- Soil Analysis (Malroz Engineering Inc, April 19, 2022)
- Surveyor's Certificate (Leslie Higginson, May 4, 2022)
- Species at Risk Inspection for Lot 7 – Ecologist Letter (Ecological Services, March 22, 2022)

Summary of Proposal / Site Description

The proposal involves construction, filling and site alteration / lot grading for a 1.18 hectare parcel of land described as Unit 7, Johnston Point Condominium. The subject property is located along the northeastern shore of the Loughborough Lake Provincially Significant Wetland (PSW), at the northwestern end of the Johnston Point plan of condominium development. The property is currently vacant.

The property is located on a peninsula of land and the topography can be characterized as rising steadily from the shoreline toward the interior of the lot where development is

proposed. The upland area is dominated by coniferous woodland, and the steeply sloping lands down to the wetland and open water consist of diverse, older deciduous woodland.

Discussion

The main interests of Cataraqui Conservation in this proposal are the avoidance of natural hazards (e.g. flooding and erosion) associated with the shoreline of the Loughborough Lake PSW, the protection of natural heritage features (e.g. woodlands and wetlands) and water quality. Staff provide the following comments for the Township's consideration and action/response by the applicant. Specific items to be addressed are numbered.

Natural Hazards

The setbacks for development proposed in the original Environmental Impact Assessment (EIA) (Ecological Services, June 12, 2014) and the addendums to the EIA (Ecological Services, March 30, 2016 and November 2, 2020) place all development outside of any area that may be subject to risk due to flooding and erosion associated with the shoreline of the Loughborough Lake PSW.

Staff have no concerns from a natural hazard perspective.

Natural Heritage / Water Quality

Staff have no concerns with the information provided within the ecologist letter submitted with the site plan application that indicates the areas to be developed have low habitat suitability for SAR (specifically the grey rat snake and Blanding's turtle) (Ecological Services, March 22, 2022).

Staff note that all development is proposed to be outside of the required 50 metre setback from the Loughborough Lake wetland complex.

Staff note that the proposed primary and alternate septic locations are located beyond the required 60 metre setback from the Loughborough Lake wetland complex.

1. The EIA recommended a 30 metre "no cut" zone from the highwater mark/flood line so that a proper buffer is maintained along the shoreline. This area is identified on the conceptual site plan however has not been identified on the site plan drawing included in the application and should be included in the site plan prior to final approval.

2. The EIA recommended a 40 metre “Tree Protection Area” setback from the highwater mark/flood line to protect trees greater than four inches in diameter at breast height. This area has not identified on the site plan drawing and should be included in the site plan prior to final approval.

3. In terms of best management practices, we recommend that vegetation clearing for development including driveways, building and septic fields shall not occur between April 1st and October 30th and that this be included in the site plan notation.

Recommendation

Staff recommend that the above items numbered 1, 2, and 3 be addressed and that the CRCA be circulated on the revised site plan prior to final approval of application PL-SPR-2022-0069 based upon our consideration for natural hazards, natural heritage, and water quality protection policies. Please inform this office in writing of any decisions made by South Frontenac Township regarding this application.

Ontario Regulation 148/06

Please note that the property is subject to *Ontario Regulation 148/06: Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses*, which is administered by Cataraqui Conservation. The purpose of the regulation is to ensure that proposed changes (e.g. development and site alteration) to a property are not affected by natural hazards, such as flooding and erosion, and that the Loughborough Lake wetland complex is protected. The applicant or future owner(s) of the lands will be required to contact the undersigned at the building permit stage for more information regarding permitting requirements under Ontario Regulation 148/06.

If you have any questions, please contact the undersigned at 1-877-956-2722 extension 239 or by e-mail at jtreash@crca.ca.

Yours truly,

Janelle Treash
Resource Planner

c.c. Michelle Hannah, Planning Assistant, South Frontenac Township (via e-mail)

Township of South Frontenac

Staff Report

To:	Council
Prepared by:	Development Services Department
Date of Meeting:	August 9, 2022
Subject:	**Site Plan Control Application PL-SPR-2022-0077** **David and Ashley Logan (applicant); ZanderPlan Inc. (agent)** **Unit 10, Johnston Point Plan of Condominium**

Summary

This report recommends that Council approve the individual site plan control application for Unit 10 in Johnston Point. This Unit is located on the east side of Hinterland Lane and is proposed to be developed with a single detached dwelling with an attached garage.

The Johnston Point Condominium and Master Site Plan Agreements require individual Units within the condominium to obtain site plan control approval prior to the issuance of a building permit.

Recommendation

THAT By-law 2022-75 to authorize the Mayor and Clerk to enter into a Site Plan Agreement with the Owner, Ashley and David Logan, for Unit 10, Vacant Land Condominium Plan No. 85, Johnston Point, District of Loughborough, Township of South Frontenac be passed.

Background

South Frontenac Council entered into the Master Site Plan Control Agreement with Magenta Waterfront Development Corporation and the owners of Units within the Johnston Point Plan of Condominium on December 21, 2021.

The Master Site Plan Agreement has been registered on the title of all the lands within the Johnston Point Plan of Condominium. The Master Site Plan establishes the requirements for individual site plan applications in Johnston Point.

Individual unit site plans must be prepared by an Ontario Land Surveyor or be prepared by a professional consultant based on a plan prepared by an Ontario Land Surveyor and conform to the following:

- Environmental Benefit Permit (PT-C-001-16) issued October 28, 2018.
- All municipal conditions of the condominium agreement.
- Exterior lighting.
- Identified locations, dimensions and materials for driveway. The driveway shall be designed by a professional engineer to direct stormwater runoff and minimize erosion.
- Identification and maintenance of all vegetation in its natural state within 30m of the shoreline, save only for invasive species and the 1.5m pathway to the shoreline.
- Identified location, materials and width of the 1.5m pathway to the shoreline.
- Identification of the 40m tree protection setback from the shoreline where vegetation removal is limited to only those trees that require removal.
- Confirmation all structures meet zoning and setbacks from wetlands.
- Confirmation that the total area of disturbance for all structures, driveways and pathways conforms to the Environmental Benefit Permit & Master Site Plan.

Council will issue approval on each individual site plan agreement and enter into a further, more detailed, agreement with each Unit owner prior to the issuance of a building permit for construction on their Unit.

Discussion/Analysis

The individual site plan was prepared by On Point Drafting and Survey and was based on a survey prepared by IN Engineering and Surveying who are a member of the Association of Ontario Land Surveyors.

- The site plan shows the location of the dwelling with attached garage, the driveway, well, primary and alternate sewage system. The site plan also shows the communal parking area, path and docking. The property is proposed to be serviced with a Class IV – tertiary treatment sewage system. The agreement speaks to the requirements for maintenance and reporting requirements for the sewage system.

- Exterior lighting is referenced through the agreement. Exterior lighting is required to follow best practices for Dark Sky compliance lighting. Based on language in the agreement - a review of exterior lighting will be done within 4 months of occupancy and prior to the issuance of a final inspection for the building permit.

- The driveway location and design is shown on both the site plan and the lot grading and drainage plan. The driveway was designed by a professional engineer to direct stormwater runoff and has satisfied the requirements of the Township's Manager of Technical Services and Infrastructure. The driveway is

gravel and will be maintained in that condition. The driveway utilizes an existing driveway that was placed on Unit 10 prior to the issuance of the Environmental Benefit Permit in 2018. The conceptual site plan proposed to relocate the driveway from its original existing location. There is no concern that locating the driveway consistent with this concept plan will create more and unnecessary site disturbance and vegetation removal. The owner wishes to make use of the existing disturbed and developed driveway.

-
    - The existing driveway location is supported by a report from Ecological Services (Natural Heritage Site Assessment, Lot 10, Johnston Point, Ecological Services, Dated June 27, 2022). The report states that the existing driveway for Unit 10 is apparent in a historical August 25, 2016 image on Google Earth and the consultant, as well as two Biologists with the Ministry of Natural Resources and Forestry walked the unit with respect to the communal dock and pathway in August of 2016.
    - The consultant notes that the driveway for Lot 10 required a significant amount of fill and utilizing this driveway minimizes the area of disturbance required on Unit 10.

- The site plan indicates a primary and alternate sewage system location. The proposed locations are different than what was approved by the Master Site Plan, due to the existing location of the driveway. The Master Site Plan (Schedule E, #6) states that no deviation will be permitted in sewage disposal system locations unless it becomes necessary to deviate from the approved location, an engineering report and system design as well as a terrain analysis is provided to the satisfaction of the approval authority. Similarly, the Condominium Agreement Schedule D #10, the location of the septic system may deviate from the Master Site Plan only where a terrain analysis prepared by a qualified engineer and an Environmental Assessment are prepared to support the new location, to the satisfaction of the Municipality.
    - The ecologist has looked at the septic site and noted there were no concerns. The original primary sewage location is supported by the original Environmental Assessment. The alternate sewage bed is now proposed to overlap with the primary location, minimizing any area of future site disturbance. The ecologist has completed a site visit and is satisfied that the area is clear of any species of concern and endangered specifies consists with the Environmental Benefit Permit.
    - The applicant has submitted a terrain analysis brief prepared by a qualified Engineering to support and validate the proposed septic location.
    - Building Services staff reviewed the application from a Part 8 – Sewage Review and have no objections to the proposed location. They note that a ecoflo septic system is proposed which is a Class IV – tertiary treatment sewage system that produces a higher quality of effluent which is encouraged and supported by the Master Site Plan and the Township.

- The site plan identifies the 30m buffer of the shoreline and notes that all vegetation must remain in its natural state within 30m of the shoreline, save only for invasive species and the 1.5m pathway to the shoreline. The agreement includes clauses that state the same.

- The site plan identifies the location of the 1.5m pathway to the shoreline in a location consistent with what was shown on the conceptual plan in the Master Site Plan. This pathway follows a natural route to the waters edge that minimizes the removal of trees in this area.

- The site plan shows the 40m tree protection setback from the shoreline. This setback is also staked on the property. There is no vegetation proposed to be removed within the 40m setback other than the 1.5m wide pathway that leads to the water's edge. The well is located outside the 40m setback.

- Trees are proposed to be removed from the building envelope, outside the 40m setback. A Natural Heritage Site Assessment was completed by a qualified professional in accordance with the Environmental Benefit Permit prior to vegetation clearing on the Unit.

- The dock shown on the site plan for Unit 10 complies with the size restrictions (maximum size of 20m^2) and placement required in the condominium agreement.

- The site plan identified the location of the communal pathway and joint use docks that may be constructed on Unit 10 to provide shared docking for the owners of Units 7, 9, 12, 13 and 15 in a location consistent with what was shown on the conceptual plan in the Master Site Plan. This pathway follows a natural route to the waters edge that minimizes the removal of trees in this area. The agreement includes clauses that state the requirements for the development of the communal path and docks.

- The Unit 10 site plan complies with the RLSW-108 and OSP-11 zone provisions that apply to this property. The site plan includes a table that shows the requirements of the RLSW-108 zone versus the actual setbacks/lot coverage proposed for the development of Unit 10.

- The site plan has been based off information prepared by an OLS that has confirmed that all structures and the driveway are outside of the 40m setback from the highwater mark.

- The Master Site Plan allocated a maximum area of disturbance of 2,172 m^2 for Unit 10. As per the Master Site Plan, the driveway area for Unit 10 includes the

total area of the common driveway and parking access as well as the driveway for the proposed development. The pathway area for Unit 10 includes the common pathway to the Joint Use Docking and the individual pathway to provide access to Unit 10's private dock. The maximum area of disturbance as shown on the site plan for Unit 10 is less that what is permitted by the Master Site Plan for Johnston Point.

Township staff are satisfied that the individual site plan for Unit 10 meets the relevant conditions of the Johnston Point Plan of Condominium and Master Site Plan Agreement. Staff are also satisfied that the site plan for Unit 10 meets the relevant conditions of the Environmental Benefit Permit (PT-C-001-16) issued October 28, 2018 for Johnston Point.

Species at Risk Pre-Clearing Report

The Individual Site Plan, Master Site Plan and the condominium agreement require the owners within Johnston Point to comply with the terms and conditions of the Environmental Benefit Permit with regards to Species at Risk.

Township staff request Unit owners within the Johnston Point Condominium to provide a copy of the Species at Risk Pre-Clearing Report with the Individual Site Plan Control application for the purpose of demonstrating compliance with the Environmental Benefit Permit for any clearing of vegetation that has occurred on the Unit.

The Species at Risk Pre-Clearing Report is not included as an attachment to this report because this report contains species specific information about Species at Risk within an identifiable location. Sharing this information has the potential to put threatened and endangers species at greater risk if this information is shared publicly.

The owners of Unit 10 provided staff with a copy of the Natural Heritage Site Assessment that was prepared by a qualified professional prior to the removal of vegetation within the building envelope identified on the site plan, thereby demonstrating they are in compliance with the vegetation removal condition of the Environmental Benefit Permit.

While Planning Services staff request this information as a check on the owners' compliance with the Environmental Benefit Permit at the Individual Site Plan application stage, the legal authority for enforcement of the Environmental Benefit Permit is through the Species at Risk branch of the Ministry of Environment, Conservation and Parks (MECP).

Site Plan Agreement

The individual site plan agreement (attached) carries forward several key requirements from the Condominium Agreement and Master Site Plan. The site plan also establishes conditions that address the enforcement of the agreement.

The site plan agreement binds current and future owners of the subject property and will be registered on the title of the lands by the Township's solicitor.

The Owner has reviewed the site plan agreement and indicated their concurrence by signing it (attached). Original signed copies of the agreement have been provided to the Township.

Financial Implications

Not applicable.

Relationship to Strategic Plans

☒ Not applicable to this report.

☐ This initiative is supported by the following priorities of the 2019-2022 Strategic Plan.

- Priority: Choose an item.
- Action Item (if applicable): N/A

Notice/Consultation

The site plan drawing was reviewed by Planning Services staff for conformity with the condominium agreement, Master Site Plan agreement and the Environmental Benefit Permit for Johnston Point.

Building Services staff reviewed the application from a Part 8 – Sewage Review perspective and are satisfied that the location and area shown on the site plan application is sufficient for the sewage system. Further detailed review will occur through the issuance of the building permit for the sewage system and the dwelling.

Building Services staff also reviewed the application from a Building perspective and are satisfied that the proposed dwelling for Unit 10 will fit within the allowable disturbed area and that the house and drilled well will be outside of the 40 metre setback from the lake, in a compliant location.

Public Services staff reviewed the lot grading and drainage plan and the design of the driveway. Public Services staff are satisfied with the site plan, the design of the driveway and lot grading and drainage plan for Unit 10.

The site plan was circulated to Cataraqui Conservation for review. Cataraqui Conservation staff have no objection to the approval of application PL-SPR-2022-0077 based upon our consideration for natural hazards, natural heritage, and water quality protection policies.

The applicants provided an e-mail confirmation from Cataraqui Conservation dated August 2, 2022 that the proposed location for the development is not within an area that is subject to their regulation and therefore a permit is not required.

Attachments

1. Individual Unit Site Plan – Unit 10, Johnston Point – August 4, 2022
2. By-law 2022-75 – A by-law to enter into a Site Plan Agreement
3. Individual Unit Site Plan Agreement – Unit 10 Johnston Point
4. Supporting information drawings and studies
   - Letter from IN Engineering + Surveying, OLS
   - Lot Grading & Drainage Plan - Unit 10, Johnston Point – August 4, 2022
5. Conceptual Site Plan – Unit 10 – March 9, 2022 - Master Site Plan Agreement
6. Cataraqui Conservation – Comments on PL-SPR-2022-0077

Approvals

Report prepared by:

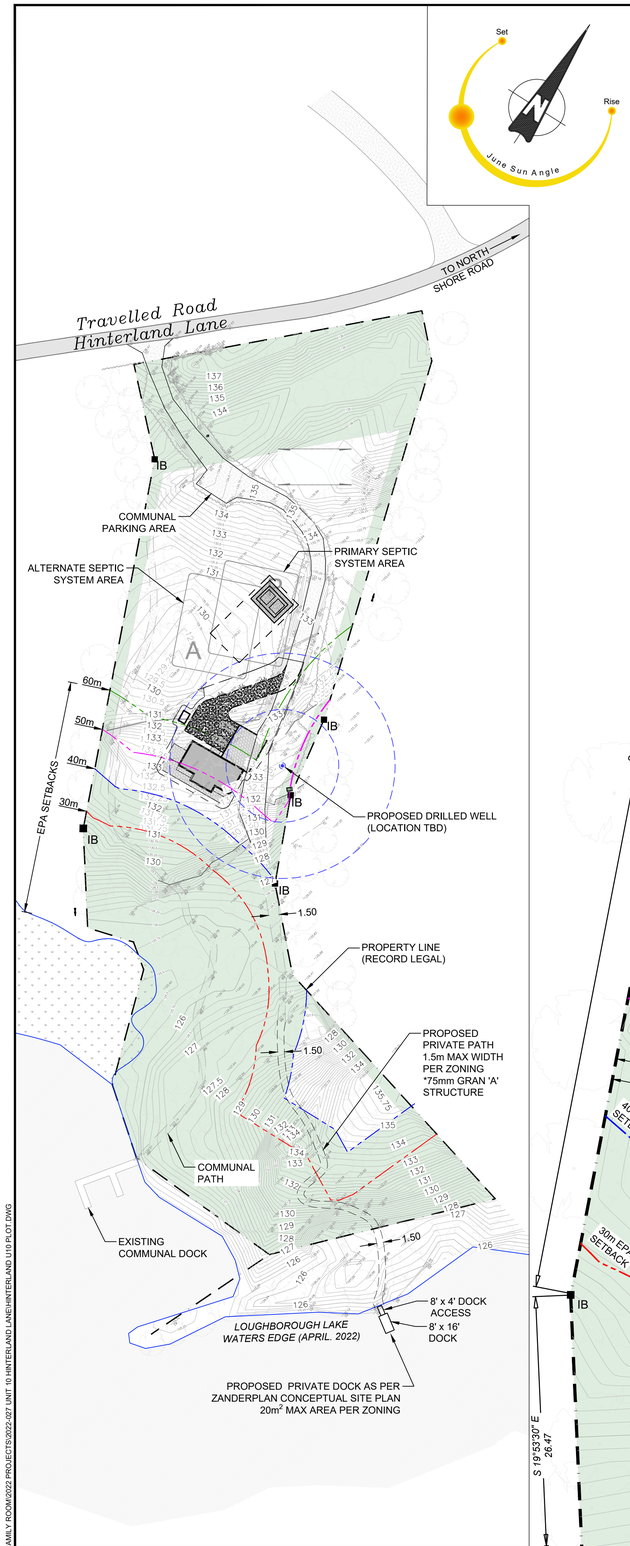
Anna Geladi, Planner

Submitted by:

Claire Dodds, MCIP, RPP
Director of Development Services

Approved By:

Louise Fragnito, CPA, CGA
Chief Administrative Officer



SITE PLAN

1:750

1:750

PLOT PLAN

1:250

1:250

MINIMUM CLEARANCE DISTANCES OBC TABLE 8.2.1.6 A & B

	SEPTIC TANK	DIST. PIPING
FROM STRUCTURE	1.5m	5.0m
FROM CASED WELL	15.0m	15.0m
FROM ALL OTHER WELLS	15.0m	30.0m
FROM SURFACE WATER	15.0m	15.0m
FROM PROPERTY LINE	3.0m	3.0m

TOWNSHIP OF SOUTH FRONTENAC ZONING BY-LAW 2003-75 LIMITED SERVICE RESIDENTIAL - WATERFRONT ZONE RLSW

SINGLE DETACHED DWELLING	ZONING	PROPOSED	
LOT AREA (MIN)	10,000 m²	14,941 m²	✓
LOT FRONTAGE (MIN) private services	76 m	77.92 m	✓
WATER FRONTAGE (MIN)	91 m	220.40 m	✓
FRONT YARD (MIN)	30.0 m	99.55 m	✓
REAR YARD (MIN)	10 m	119.08 m	✓
EXTERIOR SIDE (MIN)	10 m	N/A	✓
INTERIOR SIDE (MIN)	3 m	11.65 m	✓
DWELLING UNIT AREA (MIN)	59 m²	131 m²	✓
LOT COVERAGE (MAX)	5 %	1.9%	✓
BUILDING HEIGHT (MAX)	11 m	8.1 m	✓
COMMUNAL DOCKING SETBACK TO BUILDING (MIN)	60 m	96.81 m	✓

ZONE RLSW-108 (SPECIFIC)

*RLSW-108 ZONING FOR UNIT 10 PERMITS USES WITHIN THE 40m HIGH WATER MARK OF LOUGHBOROUGH LAKE FOR A WALKWAY AND DOCK ONLY.

SINGLE DETACHED DWELLING	ZONING	PROPOSED	
HIGH WATERMARK SETBACK TO BUILDING	40 m	45 m	✓
HIGH WATERMARK SETBACK TO SEPTIC	60 m	60 m	✓
NUMBER OF PRIVATE DOCKS PERMITTED PER UNIT	1	1	✓
DOCK AREA (MAX)	20 m²	20 m²	✓
DOCK LENGTH (MAX)	8 m	TBD	✓
WALKWAY WIDTH (MAX)	1.5 m	1.5 m	✓

DRIVEWAY STRUCTURE FOR RESIDENTIAL WORKS

STRUCTURE TYPE	DEPTH(mm)	COMPACTION
GRANULAR 'A'	150	>98%
GRANULAR 'B'	200	100%

SITE PLAN UNIT 10 NOTES:

FINAL DWELLING SIZE & LOCATION, SEPTIC SIZE & LOCATION, DOCK LOCATION, AND THE PATHWAY TO THE WATER WILL BE DETERMINED THROUGH A FUTURE SITE PLAN CONTROL APPLICATION FOR THE UNIT. ALL SITE IMPROVEMENTS SHOWN IN THE CONCEPTUAL MASTER PLANS, INCLUDING BUT NOT LIMITED TO DRIVEWAY LOCATIONS, HAVE BEEN PLACED WITHOUT REGARD TO TOPOGRAPHY OR FEASIBILITY OF DESIGN OR CONSTRUCTION OF SUCH FEATURES IN LOCATIONS SHOWN AND MAY CHANGE OR BE RELOCATED SUBJECT TO ALL RESTRICTIONS IN THE ZONING, CONDOMINIUM AGREEMENT, DECLARATION AND MASTER SITE PLAN AGREEMENT.

THE JOINT USE DOCKING FACILITY AND COMMUNAL PATHWAY ACCESS OVER UNIT 10 FOR THE BENEFIT OF UNITS 7, 9, 12, 13 AND 15 HAS BEEN SHOWN ON THIS PLAN. UNIT 10 WILL HAVE ITS OWN PRIVATE DOCK AND PATH TO THE WATER.

PER THE OVERALL BENEFIT PERMIT WARNING SIGNAGE AND SPEED SIGNAGE HAVE BEEN SHOWN WITHIN THE TRAVELED ROAD TO MAINTAIN 30KM/H SPEEDS AND WARN DRIVERS OF POTENTIAL SPECIES WITHIN THE ROADWAY. THE SIGNS ARE INSTALLED IN THE LOCATIONS SHOWN ON THIS PLAN AND ON THE MASTER SITE PLAN.

SIGNS TO DELINEATE THE EDGE OF THE PROVINCIALLY SIGNIFICANT WETLANDS HAVE BEEN SHOWN ON THIS PLAN. THE SIGN LOCATIONS AND SPACING BETWEEN ARE CONCEPTUAL AND MUST BE CONFIRMED BY A QUALIFIED PROFESSIONAL.

LANDS WITHIN THE 30 METRE SETBACK FROM THE HIGH WATER MARK / FLOOD LINE FOR THE LOT WILL COMPRISE A SHORELINE PROTECTION AREA / NO CUT ZONE. ALL VEGETATION WITH THE EXCEPTION OF INVASIVE SPECIES SHALL BE RETAINED AND MAINTAINED IN A NATURAL STATE.

LANDS WITHIN THE 40 METRE SETBACK FROM THE HIGH WATER MARK / FLOOD LINE OF THE LOT WILL COMPRISE A TREE PROTECTION AREA TO ENSURE ALL LIVING TREES GREATER THAN FOUR INCHES IN DIAMETER AT BREAST HEIGHT SHALL BE MAINTAINED UNLESS APPROVED FOR REMOVAL. VEGETATION CLEARING FOR DEVELOPMENT INCLUDING DRIVEWAYS, BUILDING AND SEPTIC FIELDS SHALL NOT OCCUR BETWEEN APRIL 1ST AND OCTOBER 30TH. CLEARING MAY ONLY OCCUR DURING THIS PERIOD IF A QUALIFIED PROFESSIONAL IS PRESENT ON-SITE.

THE PROPOSED DOCK MUST ONLY BE A POLE DOCK OR FLOATING DOCK.
REMOVAL OF AQUATIC VEGETATION IS NOT PERMITTED.

PLAN LEGEND

- PROPERTY LIMIT (LEGAL)
- PROPOSED DWELLING
- PROPOSED DWELLING ACCESSORIES
- PROPOSED DRIVEWAY
- RESTRICTED ZONING AREA
- RESTRICTED ZONING AREA
- PROPOSED WATER SERVICE
- PROPOSED HYDRO SERVICE
- PROPOSED OVERLAND DRAINAGE PATH /DIRECTION
- WELL WITH 15m AND 30m SETBACKS
- HP — OVERHEAD HYDRO POLE UTILIY
- 312.73 — EXISTING ELEVATION
- 100.0 — EXISTING CONTOURING
- 100.00 — PROPOSED ELEVATION
- 2.0% — PROPOSED GRADE
- SITE BENCHMARK

ZONING LOT COVERAGE SCHEDULE

	AREA
DWELLING UNIT AREA	131 m²
COVERED FRONT ENTRY	3.5 m²
COVERED PORCH(S) x3	27.5 m²
PATIO	41 m²
ATTACHED GARAGE	83 m²
COMBINED FOOTPRINT	286 m²
LOT COVERAGE RATIO	1.9%

AREA OF DISTURBED SOILS FOR PROPOSED DEVELOPMENTS

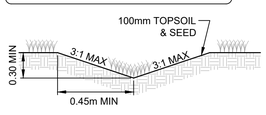
	AREA
COMBINED DWELLING FOOTPRINT	286 m²
SEPTIC AREA	242 m²
*EXISTING DRIVEWAY AREA	672 m²
*RE-CONFIGURED DRIVEWAY AREA	187 m²
FINAL DRIVEWAY AREA	639 m²
COMMUNAL PARKING	66 m²
*COMMUNAL DOCK AREA	54 m²
*PRIVATE DOCK AREA	20 m²
COMMUNAL PATH AREA	371 m²
PRIVATE PATH AREA	291 m²
TOTAL DISTURBED AREA	2,017 m²

*EXCLUDED FROM TOTAL DEVELOPMENT AREA CALCULATION

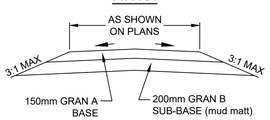
SITE BENCHMARKS

THE SITE BENCHMARKS PROVIDED BELOW ARE FOR CONSTRUCTION AND PERMIT. THEY ARE BASED ON THE TOPOGRAPHIC SURVEY COMPLETED BY AVIDITY DESIGNS, APRIL 2022. THE PROPERTY BOUNDARIES REFLECTED ON THIS PLAN WERE ESTABLISHED FROM THE LEGAL SURVEY COMPLETED BY CLANCY AND HOPKINS SURVEYING LTD., MAY 6, 2021.

- BM1 - ELEVATION = 132.931m
  CUT CROSS IN CORNER OF HYDRO TRANSFORMER PAD
- BM2 - ELEVATION = 133.595m
  SSIB PROPERTY BAR



TYPICAL 'V' BOTTOM SWALE N.T.S.



RESIDENTAL RURAL ENTRANCE N.T.S.

GENERAL NOTES:

1. THE ORIGINAL TOPOGRAPHY AND GROUND ELEVATIONS, SERVICING AND SURVEY DATA SHOWN ON THIS PLAN DRAWING IS PROVIDED FOR INFORMATION PURPOSES ONLY. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE ACCURACY OF ALL INFORMATION OBTAINED FROM THESE PLANS. ALL DIMENSIONS AND INVERTS MUST BE VERIFIED PRIOR TO CONSTRUCTION. IF THERE IS ANY DISCREPANCY THE CONTRACTOR IS TO NOTIFY THE ENGINEER.
2. POSITIVE DRAINAGE TO BE ENSURED FOR FINAL GRADE AND DURING CONSTRUCTION. IN NO CASE SHOULD GRADE BE DIRECTED TOWARDS THE FOUNDATION OF THE DWELLING.
3. THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE EXACT LOCATION, SIZE, MATERIAL AND ELEVATIONS OF ALL EXISTING UTILITIES PRIOR TO COMMENCING CONSTRUCTION. PROTECT AND ASSUME ALL RESPONSIBILITY FOR EXISTING UTILITIES WHETHER OR NOT SHOWN ON THE DRAWIN . IF THERE ARE ANY DISCREPANCIES THE CONTRACTOR IS TO NOTIFY THE ENGINEER. ANY UTILITIES THAT MAY EXIST ON SITE MUST BE LOCATED AND VERIFIED BY ITS OWNER.
4. ALL UNDERGROUND SERVICES, MATERIALS, AND INSTALLATIONS TO BE IN ACCORDANCE WITH ONTARIO PROVINCIAL STANDARDS AND SPECIFICATIONS (OPSS) UNLESS OTHERWISE NOTED.
5. THE CONTRACTOR IS RESPONSIBLE FOR ALL LAYOUT FOR CONSTRUCTION PURPOSES.
6. **THE CONTRACTOR IS TO OBTAIN ALL NECESSARY PERMITS FROM THE COUNTY, MUNICIPALITY, CONSERVATION AUTHORITY, HEALTH UNIT AND ALL OTHER APPLICABLE REGULATORY AUTHORITIES HAVING JURISDICTION PRIOR TO COMMENCING CONSTRUCTION.**
7. EXCAVATE AND DISPOSE OF ALL EXCESS EXCAVATED MATERIAL, SUCH AS ASPHALT, CURBING AND DEBRIS, OFF SITE TO THE SATISFACTION OF THE ENGINEER AND THE COUNTY, MUNICIPALITY OR CONSERVATION AUTHORITY.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL TRAFFIC CONTROL AND SAFETY MEASURES DURING THE CONSTRUCTION PERIOD, INCLUDING THE SUPPLY, INSTALLATION, AND REMOVAL OF ALL NECESSARY SIGNAGE.
9. ALL DIMENSIONS AND INVERTS MUST BE VERIFIED BEFORE CONSTRUCTION, IF THERE IS ANY DISCREPANCY THE CONTRACTOR MUST NOTIFY THE ENGINEER.
10. GRANULAR 'A' AND GRANULAR 'B' TO BE COMPACTED TO 98% SPD UNLESS NOTED OTHERWISE.

ENVIRONMENTAL:

1. EROSION AND SEDIMENT CONTROLS SHALL BE INSTALLED PRIOR TO CONSTRUCTION AND MONITORED AND MAINTAINED BY THE CONTRACTOR UNTIL COMPLETION. THE TEMPORARY SEDIMENT AND EROSION CONTROL MEASURES MUST BE REMOVED ONCE THE SITE HAS BEEN STABILIZED AND SITE WORKS COMPLETED.
2. IN THE EVENT THAT HUMAN REMAINS ARE ENCOUNTERED DURING CONSTRUCTION, THE MINISTRY OF CITIZENSHIP, CULTURE AND RECREATION SHALL BE NOTIFIED IMMEDIATELY AND THE REGISTRAR OR DEPUTY REGISTRAR OF THE CEMETERIES REGULATION UNIT OF THE MINISTRY OF CONSUMER AND COMMERCIAL RELATIONS (416) 362-8392, SHALL BE NOTIFIED IMMEDIATELY.
3. IN THE EVENT THAT BURIED ARCHEOLOGICAL REMAINS ARE FOUND DURING CONSTRUCTION ACTIVITIES, THE MINISTRY OF CITIZENSHIP, CULTURE AND RECREATION SHALL BE NOTIFIED IMMEDIATELY.

NO.	DATE	BY	REVISION
6	2022.08.04	M.C.	REVISED SITE SPECIFIC NOTES
5	2022.07.28	M.C.	REVISED SEPTIC SIZE & LOCATION
4	2022.07.05	M.C.	REVISED SEPTIC SYSTEM LOCATION
3	2022.06.13	S.R.	REVISED FOR TOWNSHIP COMMENTS
2	2022.05.04	S.R.	REVISED SEPTIC AREA
1	2022.04.22	S.R.	ISSUED FOR PERMIT APPLICATION

LICENSED PROFESSIONAL ENGINEER — S.F. ROACH 100138120 — PROVINCE OF ONTARIO

DESIGN	S.R.
DRAWN	M.C.
SCALE	AS SHOWN

THESE DESIGN DOCUMENTS ARE PREPARED SOLELY FOR THE USE BY THE PARTY WITH WHOM AVIDITY DESIGNS HAS ENTERED INTO A CONTRACT. THERE ARE NO REPRESENTATIONS OF ANY KIND MADE BY THE DESIGNER TO ANY PARTY WITH WHOM AVIDITY DESIGNS HAS NOT ENTERED INTO A CONTRACT. REPRODUCTION OR USE FOR ANY PURPOSE OTHER THAN AUTHORIZED BY AVIDITY DESIGNS IS NOT PERMITTED.

AVIDITY DESIGNS — TECHNICAL-CREATIVE-IMPASSIONED

ON POINT — DRAFTING & SURVEY

TOWNSHIP OF SOUTH FRONTENAC,
UNIT 10, HINTERLAND LANE
JOHNSTON POINT,
LOUGHBOROUGH LAKE

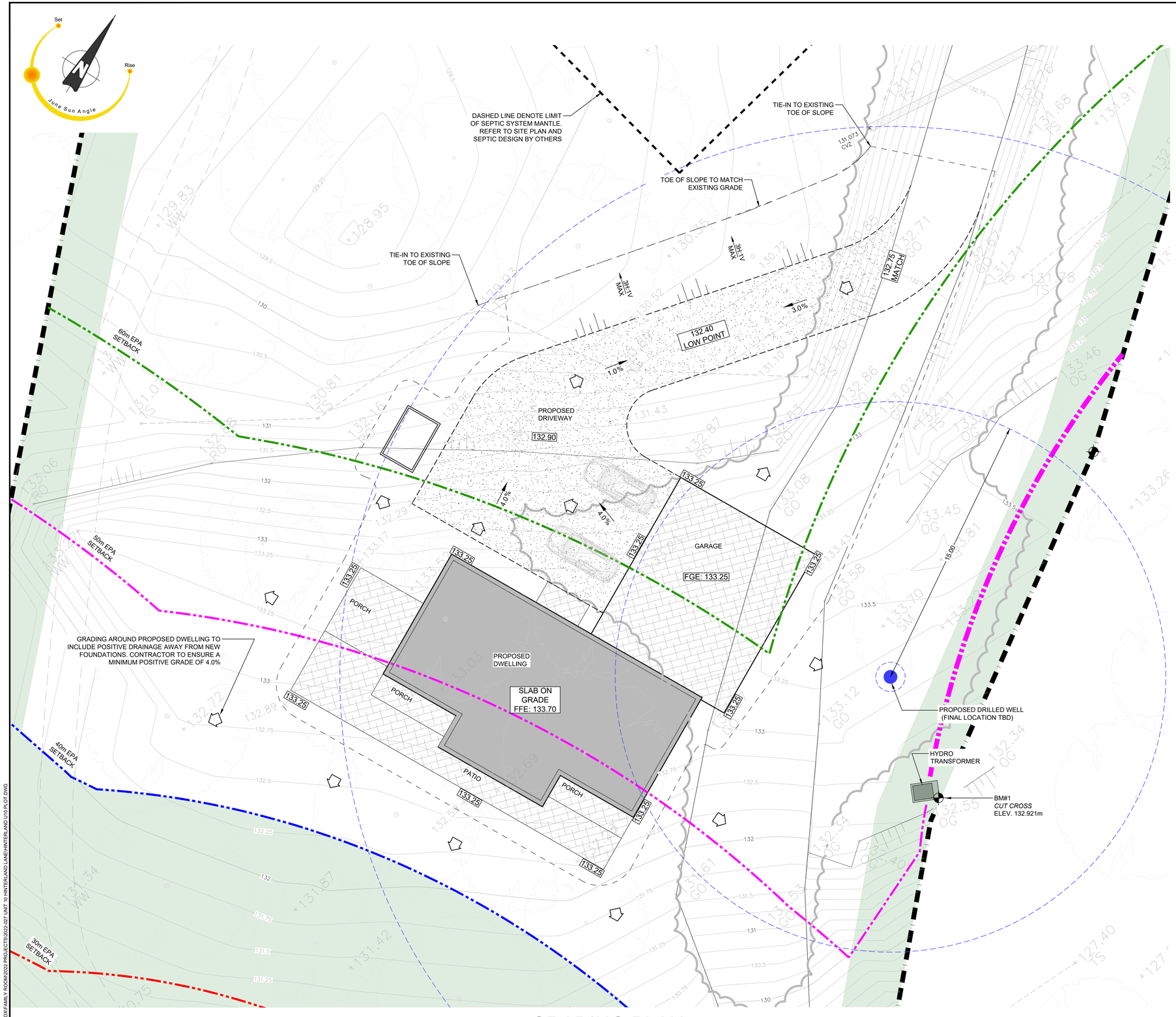
SITE PLAN AND LOT LINE SETBACKS

FILE NO.

DRAWING NO.

SHEET 01 OF 02

C:\USERS\STEVE\DROPBOX\FAMILY ROOM\2022 PROJECTS\2022-027 UNIT 10 HINTERLAND LANE\HINTERLAND U10 PLOT.DWG



GRADING PLAN

1:100

1:100

PLAN LEGEND

- PROPERTY LIMIT (LEGAL)
- PROPOSED DWELLING
- PROPOSED DWELLING ACCESSORIES
- PROPOSED DRIVEWAY
- RESTRICTED ZONING AREA
- RESTRICTED ZONING AREA
- PROPOSED WATER SERVICE
- PROPOSED HYDRO SERVICE
- PROPOSED OVERLAND DRAINAGE PATH /DIRECTION
- WELL WITH 15m AND 30m SETBACKS
- HP OVERHEAD HYDRO POLE UTILIY
- 312.73 EXISTING ELEVATION
- 100.0 EXISTING CONTOURING
- 100.00 PROPOSED ELEVATION
- 2.0% PROPOSED GRADE
- SITE BENCHMARK

SITE BENCHMARKS

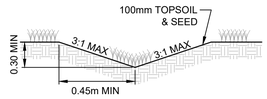
THE SITE BENCHMARKS PROVIDED BELOW ARE FOR CONSTRUCTION AND PERMIT. THEY ARE BASED ON THE TOPOGRAPHIC SURVEY COMPLETED BY AVIDITY DESIGNS, APRIL 2022. THE PROPERTY BOUNDARIES REFLECTED ON THIS PLAN WERE ESTABLISHED FROM THE LEGAL SURVEY COMPLETED BY CLANCY AND HOPKINS SURVEYING LTD., MAY 6, 2021.

BM1 - ELEVATION = 132.931m
CUT CROSS IN CORNER OF HYDRO TRANSFORMER PAD

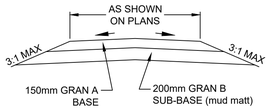
BM2 - ELEVATION = 133.595m
SSIB PROPERTY BAR

DRIVEWAY STRUCTURE FOR RESIDENTIAL WORKS

STRUCTURE TYPE	DEPTH(mm)	COMPACTION
GRANULAR 'A'	150	>98%
GRANULAR 'B'	200	100%



TYPICAL 'V' BOTTOM SWALE N.T.S.



RESIDENTAL RURAL ENTRANCE N.T.S.

GENERAL NOTES:

1. THE ORIGINAL TOPOGRAPHY AND GROUND ELEVATIONS, SERVICING AND SURVEY DATA SHOWN ON THIS PLAN DRAWING IS PROVIDED FOR INFORMATION PURPOSES ONLY. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE ACCURACY OF ALL INFORMATION OBTAINED FROM THESE PLANS. ALL DIMENSIONS AND INVERTS MUST BE VERIFIED PRIOR TO CONSTRUCTION. IF THERE IS ANY DISCREPANCY THE CONTRACTOR IS TO NOTIFY THE ENGINEER.
2. POSITIVE DRAINAGE TO BE ENSURED FOR FINAL GRADE AND DURING CONSTRUCTION. IN NO CASE SHOULD GRADE BE DIRECTED TOWARDS THE FOUNDATION OF THE DWELLING.
3. THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE EXACT LOCATION, SIZE, MATERIAL AND ELEVATIONS OF ALL EXISTING UTILITIES PRIOR TO COMMENCING CONSTRUCTION. PROTECT AND ASSUME ALL RESPONSIBILITY FOR EXISTING UTILITIES WHETHER OR NOT SHOWN ON THE DRAWIN . IF THERE ARE ANY DISCREPANCIES THE CONTRACTOR IS TO NOTIFY THE ENGINEER. ANY UTILITIES THAT MAY EXIST ON SITE MUST BE LOCATED AND VERIFIED BY ITS OWNER.
4. ALL UNDERGROUND SERVICES, MATERIALS, AND INSTALLATIONS TO BE IN ACCORDANCE WITH ONTARIO PROVINCIAL STANDARDS AND SPECIFICATIONS (OPSS) UNLESS OTHERWISE NOTED.
5. THE CONTRACTOR IS RESPONSIBLE FOR ALL LAYOUT FOR CONSTRUCTION PURPOSES.
6. **THE CONTRACTOR IS TO OBTAIN ALL NECESSARY PERMITS FROM THE COUNTY, MUNICIPALITY, CONSERVATION AUTHORITY, HEALTH UNIT AND ALL OTHER APPLICABLE REGULATORY AUTHORITIES HAVING JURISDICTION PRIOR TO COMMENCING CONSTRUCTION.**
7. EXCAVATE AND DISPOSE OF ALL EXCESS EXCAVATED MATERIAL, SUCH AS ASPHALT, CURBING AND DEBRIS, OFF SITE TO THE SATISFACTION OF THE ENGINEER AND THE COUNTY, MUNICIPALITY OR CONSERVATION AUTHORITY.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL TRAFFIC CONTROL AND SAFETY MEASURES DURING THE CONSTRUCTION PERIOD, INCLUDING THE SUPPLY, INSTALLATION, AND REMOVAL OF ALL NECESSARY SIGNAGE.
9. ALL DIMENSIONS AND INVERTS MUST BE VERIFIED BEFORE CONSTRUCTION, IF THERE IS ANY DISCREPANCY THE CONTRACTOR MUST NOTIFY THE ENGINEER.
10. GRANULAR 'A' AND GRANULAR 'B' TO BE COMPACTED TO 98% SPD UNLESS NOTED OTHERWISE.

ENVIRONMENTAL:

1. EROSION AND SEDIMENT CONTROLS SHALL BE INSTALLED PRIOR TO CONSTRUCTION AND MONITORED AND MAINTAINED BY THE CONTRACTOR UNTIL COMPLETION. THE TEMPORARY SEDIMENT AND EROSION CONTROL MEASURES MUST BE REMOVED ONCE THE SITE HAS BEEN STABILIZED AND SITE WORKS COMPLETED.
2. IN THE EVENT THAT HUMAN REMAINS ARE ENCOUNTERED DURING CONSTRUCTION, THE MINISTRY OF CITIZENSHIP, CULTURE AND RECREATION SHALL BE NOTIFIED IMMEDIATELY AND THE REGISTRAR OR DEPUTY REGISTRAR OF THE CEMETERIES REGULATION UNIT OF THE MINISTRY OF CONSUMER AND COMMERCIAL RELATIONS (416) 362-8392, SHALL BE NOTIFIED IMMEDIATELY.
3. IN THE EVENT THAT BURIED ARCHEOLOGICAL REMAINS ARE FOUND DURING CONSTRUCTION ACTIVITIES, THE MINISTRY OF CITIZENSHIP, CULTURE AND RECREATION SHALL BE NOTIFIED IMMEDIATELY.

NO.	DATE	BY	REVISION
6	2022.08.04	M.C.	REVISED SITE SPECIFIC NOTES
5	2022.07.28	M.C.	REVISED SEPTIC SIZE & LOCATION
4	2022.07.05	M.C.	REVISED SEPTIC SYSTEM LOCATION
3	2022.06.13	S.R.	REVISED FOR TOWNSHIP COMMENTS
2	2022.05.04	S.R.	REVISED SEPTIC AREA
1	2022.04.22	S.R.	ISSUED FOR PERMIT APPLICATION

LICENSED PROFESSIONAL ENGINEER — S.F. ROACH 100138120 — PROVINCE OF ONTARIO

DESIGN	S.R.
DRAWN	M.C.
SCALE	AS SHOWN

THESE DESIGN DOCUMENTS ARE PREPARED SOLELY FOR THE USE BY THE PARTY WITH WHOM AVIDITY DESIGNS HAS ENTERED INTO A CONTRACT. THERE ARE NO REPRESENTATIONS OF ANY KIND MADE BY THE DESIGNER TO ANY PARTY WITH WHOM AVIDITY DESIGNS HAS NOT ENTERED INTO A CONTRACT. REPRODUCTION OR USE FOR ANY PURPOSE OTHER THAN AUTHORIZED BY AVIDITY DESIGNS IS NOT PERMITTED.

AVIDITY DESIGNS — TECHNICAL-CREATIVE-IMPASSIONED

ON POINT — DRAFTING & SURVEY

TOWNSHIP OF SOUTH FRONTENAC,
UNIT 10, HINTERLAND LANE
JOHNSTON POINT,
LOUGHBOROUGH LAKE

DETAILED LOT GRADING PLAN

FILE NO.

DRAWING NO.

SHEET 02 OF 02

C:\USERS\STEVE\DROPBOX\FAMILY ROOM\2022 PROJECTS\2022-027 UNIT 10 HINTERLAND LANE\HINTERLAND U10 PLOT DWG

TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2022-75

BEING A BY-LAW TO AUTHORIZE THE MAYOR AND THE CLERK TO EXECUTE A SITE PLAN AGREEMENT BETWEEN THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC AND DAVID AND ASHELY LOGAN

WHEREAS a Site Plan and Site Plan Agreement have been prepared to the satisfaction of the Township of South Frontenac;

NOW THEREFORE THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC BY ITS COUNCIL, HEREBY ENACTS AS FOLLOWS:

1. THAT the Mayor and the Clerk are hereby authorized to execute a Site Plan Agreement between the Corporation of the Township of South Frontenac and David and Ashely Logan, a copy of which is attached hereto forming part of this By-law.

2. THAT the Agreement shall be registered on title of the property described as Unit 10, Level 1, Frontenac Vacant Land Condominium Plan No. 85 (Johnston Point) and its Appurtenant Interest; subject to and together with Easements as set out in Schedule A as in FC331360; Township of South Frontenac.

3. THIS By-law shall come into force and effect in accordance with Section 41 of the Planning Act 1990, either upon the date of passage or as otherwise provided by the said Section 41.

Dated at the Township of South Frontenac this 9th day of August, 2022.

Read a first and second time this 9th day of August, 2022.

Read a third time and finally passed this 9th day of August, 2022.

THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC

_____

Ron Vandewal, Mayor

_____

Angela Maddocks, Clerk

SITE PLAN CONTROL AGREEMENT

THIS AGREEMENT made in triplicate this _____ day of_____, 2022.

BETWEEN:

DAVID AND ASHLEY LOGAN

hereinafter called the "Owner"

- and -

THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC

hereinafter called the "Municipality"

WHEREAS the Owner is the registered owner in fee simple of certain lands described in Schedule "A", attached hereto, located in the Township of South Frontenac (the "Owner's Lands");

AND WHEREAS the Municipality is authorized to enter into this agreement and register it against the title to the Owner's Lands pursuant to section 41 of the Planning Act and section 6.17 of the Township of South Frontenac Official Plan;

AND WHEREAS the Municipality has passed by-law No. 2003-75 to designate all of the Township of South Frontenac as a "Site Plan Control Area";

AND WHEREAS the Owner acknowledges and agrees that the Owner's Lands are governed by a Master Site Plan Agreement, which agreement requires the execution of this individual Site Plan Agreement for the Owner's Lands in order to permit development;

NOW THEREFORE, THIS AGREEMENT WITNESSETH that in consideration of the mutual covenants and agreements contained herein, the parties agree each with the other as follows:

1. The Owner covenants that the Owner is the Owner in fee simple of the Owner's Lands described in Schedule "A", attached hereto.

2. The obligations imposed by this Agreement affect the land described in Schedule "A" hereto and any restrictive covenants expressed herein run with the land and bind successors in title to the said lands as well as the successors and assigns of the Owner.

3. The Owner shall, at its sole risk and expense and to the satisfaction of the Municipality, develop the Owner's Lands in accordance with this Site Plan Agreement and the Master Site Plan Agreement and shall construct, use, and maintain those facilities and works in accordance with the terms of this Agreement. The drawings listed in Schedule "B" are hereby incorporated by reference into this Agreement. The originals of the Schedules are on file in the offices of the Municipality and shall govern in the event of any dispute.

4. The following schedules are attached to, and form part of this Agreement and no new building, structure or other facility shall be erected, altered or placed on the said land except in accordance with the attached schedules which consist of:
    a. Legal Description of Lands;
    b. Site Plan Drawings and Reports; and
    c. Municipal Conditions of Approval.

5. The Owner shall comply with any amendments, additions or deletions to the Site Plan Drawings that the Municipality may reasonably require after the date of this Agreement in order to better ensure the proper and orderly development of the Owner's Lands and the construction of the works and facilities required by this Agreement.

6. Prior to the commencement of any construction, and subject to clause 8 below, the Owner agrees to obtain all other permits and approvals required by any other agency or authority having jurisdiction.

7. The Owner covenants and agrees to develop the Owner's Lands in accordance with those municipal conditions set out in Schedule "C" to this Agreement. No development shall occur on the Owner's Lands that is inconsistent with this Agreement.

8. The Owner agrees that they shall not apply for any building permits for the development of the Owner's Lands that is inconsistent with the Environmental Benefit Permit PT-C-001-16 issued on October 28, 2018 ("Environmental Benefit Permit"), and all work undertaken pursuant to this Site Plan Agreement shall be in conformity therewith.

    a. The Owner acknowledges that the Municipality recommends consulting a biologist in connection with the Site Plan and development of the Owner's Lands to ensure compliance with the requirements of the registered Condominium Agreement, the Condominium Declaration and the Environmental Benefit Permit.
    b. The Owner acknowledges and agrees that the actual disturbed area calculation, which is limited by the terms of the Environmental Benefit Permit, has been calculated by the Owner and incorporated into this site plan approval and no development shall be undertaken that exceeds the calculation.

9. All site servicing is indicated on the Site Plan Drawings and the Owner covenants and agrees to comply with all setbacks shown thereon. Without limiting the generality of the foregoing, the Owner agrees that any well shall be located outside of the 40m setback from the highwater mark. All well construction shall comply with the general restrictions on construction imposed by the Environmental Benefit Permit.

10. Development of the Owner's Lands shall be in accordance with the Condominium Agreement registered on title as Instrument Number FC329989 and the Master Site Plan for Johnston Point. In the event that there is any inconsistency between this Agreement, the Environmental Benefit Permit or the requirements of the Condominium Agreement, the Environmental Benefit Permit shall govern, followed in order of priority by this Site Plan Agreement, the Master Site Plan Agreement, and the Condominium Agreement to the extent of any inconsistency.

11. The Owner acknowledges that the Municipality shall not maintain or repair and will have no obligation to maintain or repair the private gravel lane (right-of-way) that provides access to the Owner's Lands or to perform or provide

any other municipal services normally associated with public highways within the Municipality. The Owner acknowledges and agrees that the entire length of the private lane shall remain unpaved in perpetuity.

12. The Owner acknowledges and agrees that the Municipality shall not be responsible for providing fire, ambulance, and other emergency services to the Owner's Lands if the operator of the emergency vehicle, having made reasonable efforts in the circumstances, determines that the condition of the roads or driveways as constructed or maintained at the time, prevents the vehicle from being operated properly or safely in order to access or exit the Owner's Lands.

13. The Owner acknowledges and agrees that the Municipality shall not provide curbside waste disposal services to the Owner's Lands. Waste pickup will be available at the Township Road in a designated garbage and recycling collection facilities.

14. In the event that the Owner fails to install or maintain the facilities covered by this Agreement, the Director of Development Services or designate shall provide seven days written notice by pre-paid registered mail to the Owner to correct the deficiencies. Where the Owner has not corrected the deficiencies or taken meaningful steps to remedy the deficiencies within seven (7) days, the Municipality, through its employees, agents or contractors, may, without further notice, enter upon the Owner's Lands and proceed to supply all materials and to do all the necessary inspections and works in connection with the facilities, including without limitation the replacement of vegetation or other materials which have been removed from buffer areas and to charge the cost thereof, together with the cost of engineering and any other expenses incurred by the Municipality, against the Owner. Such entry and work shall not be deemed as an assumption by the Municipality of any liability. It is expressly agreed that the Owner or any person in possession shall not question the cost incurred by the Municipality for labour, materials or any other costs incidental to do the said work and this provision shall be deemed to operate as an effective estoppel in judicial proceedings if such costs are challenged or placed in question. Provided the Municipality is satisfied that the Owner is making meaningful progress towards correcting the deficiencies noted, the Municipality may extend any deadline for compliance.

15. The Owner hereby agrees to indemnify and save harmless the Municipality against all actions, causes of action, suits, claims, demands and costs whatsoever arising by reason of any matter under this Agreement, including without limitation any actions, causes of action, suits, claims, demands or costs directly or indirectly related to the construction, use, operation or maintenance of the private road(s) serving the Owner's Lands, including the inability to operate an emergency vehicle properly or safely in order to access or exit any given unit due in whole or in part to the condition of the roads or driveways at the time.

16. Time shall be of the essence of this Agreement and of any extension of time that may be agreed upon by the parties.

17. The Municipality will make reasonable efforts with the number of personnel available to it to inspect the works and facilities to be constructed in accordance with the Site Plan Drawings and this Agreement, but the Owner shall indemnify and save harmless the Municipality, its servants, agents and contractors from any responsibility or liability arising directly or indirectly from any failure or delay in completing such inspections.

18. The Owner hereby grants to the Municipality, its servants and contractors, a

licence to enter the Owner's Lands during normal operating hours for the purpose of inspecting the works and facilities and to perform any work arising from or the result of any default by the Owner under this Agreement.

19. It is the intent of this Agreement that the Municipality shall not incur any expense for the development of the Owner's Lands and every obligation of the Owner under this Agreement shall be deemed to include the words "at the expense of the Owner", unless specifically stated otherwise.

20. The Owner agrees to pay the legal, engineering, landscape architectural, planning and administrative costs incurred by the Municipality to process the Site Plan Drawings, including but not limited to, the preparation of this Agreement and all plans and specifications, and the supervision and inspection of the Works.

21. All invoices, costs and expenses received or incurred by the Municipality and payable by the Owner shall be paid within thirty (30) days of the Municipality's invoice or demand for payment to the Owner, failing which the Owner shall be in default under this agreement and shall continue in default until payment plus all accrued interest is made in full.

22. Interest shall be paid by the Owner on all overdue amounts at the same rate per annum and calculated in the same manner as the Municipality charges on overdue municipal taxes and any payments received shall be applied first on account of accumulated interest and then on the outstanding amount.

23. The Owner consents to the registration by the Municipality at the Owner's expense of this Agreement against the title to the Owner's Lands and, in accordance with s. 41(10) of the Planning Act, all of the terms and conditions of this Agreement may be enforced against the Owner and any and all subsequent owners of the Owner's Lands.

24. The Owner shall ensure that the requirements of this Agreement and the Site Plan Drawings are brought to the attention of its contractors, employees and workers prior to the start of any construction.

25. All covenants in this Agreement shall be construed as being joint and several and that, when the context so requires or permits, the singular number shall be read as if the plural were expressed, and the masculine gender as if the feminine or neuter gender, as the case may be, were expressed.

26. The Owner covenants and agrees that nothing in this Agreement releases the Owner from the obligation to comply with the provisions of all other by-laws of the Municipality that may now or in future be in effect.

27. Any dispute between the parties with respect to this Agreement shall, at the request of a party, be submitted to arbitration pursuant to the Arbitrations Act and the decision of the arbitrator or, if more than one, the decision of a majority shall be final and binding on the parties.

28. Each party shall pay its own costs of the arbitration and shall share equally the costs of the arbitrator(s).

29. The Owner agrees that if any section, clause or provision of this Agreement, is for any reason declared by a Court of competent jurisdiction to be invalid the same shall not affect the validity of the Agreement as a whole or any part thereof, other than the section, clause, or provision so declared to be invalid and it is hereby declared to be the intention that all the remaining sections, clauses or provisions of this Agreement shall remain in full force and effect, notwithstanding that one or more provisions thereof shall be declared to be invalid.

30. This Agreement shall endure to and be binding upon the parties hereto, and their respective successors and assigns.

IN WITNESS WHEREOF the parties hereto have by the hands and seals executed this agreement as of the first date set out above.

SIGNED, SEALED AND DELIVERED:

THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC

_____
Ron Vandewal - Mayor

_____

Angela Maddocks – Clerk

We have authority to bind the Corporation

_____
ASHLEY LOGAN

_____
DAVID LOGAN

SCHEDULE "A"

LEGAL DESCRIPTION OF LANDS

Unit 10, Level 1, Frontenac Vacant Land Condominium Plan No. 85 and its Appurtenant Interest; subject to and together with Easements as set out in Schedule A as in FC331360; Township of South Frontenac

SCHEDULE "B"

SITE PLAN DRAWINGS

THE ORIGINAL OF ALL PLANS AND REPORTS LISTED IN THIS SCHEDULE AND INCORPORATED BY REFERENCE INTO THIS AGREEMENT ARE ON FILE IN THE OFFICE OF THE SOUTH FRONTENAC DEVELOPMENT SERVICES DEPARTMENT AND SHALL GOVERN IN THE EVENT OF ANY DISPUTE.

1. Unit 10, Johnston Point – Site Plan and Lot Line Setbacks. Prepared by On Point Drafting and Survey. Dated: August 4, 2022

2. Unit 10, Johnston Point – Detailed Lot Grading Plan. Prepared by On Point Drafting and Survey. Dated: August 4, 2022

3. Letter from IN Engineering + Surveying., O.L.S. re Surveyors Certificate Job #11235.

4. Confirmation of No Clearing / Site Disturbance Unit 10. Prepared by ZanderPlan Inc. Dated May 26, 2022.

5. Memorandum Septic Location for Unit 10. Prepared by Stephen Roach. P.Eng. Dated June 23, 2022.

6. Natural Heritage Site Inspection on Johnston Point, Lot 10. Ecological Services. Dated: June 27 2022.

7. Natural Heritage Site Inspection on Johnston Point, Lot 10. Ecological Services. Dated: July 26 2022.

SCHEDULE "C"
MUNICIPAL CONDITIONS

The Owner further covenants and agrees to develop the Owner's Lands in accordance with the following Municipal Conditions:

1. The Owner agrees to construct all works and facilities in a good and workmanlike manner and, where applicable, according to the Municipality's normal standards and specifications.

2. The Owner agrees to take all reasonable precautions to reduce dust, noise and other nuisances and to ensure public safety during the development of the Owner's Lands and construction of the works and facilities required by this Agreement.

3. The Owner shall be responsible for installing and maintaining all sediment and erosion controls in accordance with best management practices prior to and during construction activities.

4. The Owner agrees to undertake site alteration consistent with the lot grading and drainage plan approved by the Municipality. The lot grading and drainage shall be maintained consistent with the plan. Any deviation from the approved lot grading and drainage plan must be reviewed by the Municipal Engineer or their designate prior to any work being started. Minor deviations may be approved by the Municipal Engineer in consultation with the Director of Development Services. Should the deviation be considered major by the Municipal Engineer and the Director of Development Services, an amendment to the site plan agreement will be required to be approved by Council.

5. The driveway shall be located a minimum of 30 metres from any waterbody and shall be designed by a qualified Engineer to ensure mitigative measures are applied to direct stormwater runoff and reduce erosion. The driveway shall be constructed and maintained in accordance with the design approved by the Municipality.

6. The Owner acknowledges that consistent with the Environmental Benefit Permit, driveways must remain unpaved, however footprints for cars may be paved.

7. The Owner agrees to obtain the approval of Hydro One Networks Inc prior to connecting to or relocating existing hydro services.

8. The Owner shall ensure that all development conforms, at a minimum, to the following:
    a. The Environmental Benefit Permit;
    b. All development on the Lands within 120 metres of the Provincially Significant Wetlands and within 50 metres of the shoreline of Loughborough Lake is subject to the "Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation" (Ontario Regulation 148/06). The Owner shall obtain written permission by obtaining a Permit from Cataraqui Conservation Authority prior to any development (e.g. filling, lot grading, construction) taking place within the regulated area, alteration to the shoreline and/or interference with a wetland. A copy of any Permit issued by Cataraqui Conservation for works occurring on the Owner's Lands shall also be provided to the Municipality;

c. All Municipal Conditions as set out in Schedule "E" of the Condominium Agreement;
d. Exterior lighting shall be installed and maintained consistent with the International Dark Sky Associations' best practices which includes directing any light emitted downwards and away from adjacent uses or the shoreline. An exterior lighting review will be completed by Township staff within 4 months of the occupancy certificate being issued for the dwelling;
e. The location, materials and dimensions for docks and pathways shall conform to the Condominium Agreement and this Agreement and shall not be varied without further approval from the Municipality;
f. Joint use docks may be constructed on Unit 10 to provide shared docking for the owners of Units 7, 9, 12, 13 and 15. The joint use docks must be floating, cantilever or pole docks and be constructed so they do not interfere with navigation and shall conform with the applicable zoning for docks.
g. Only one (1) dock shall be permitted to service Unit 10, and all other existing docks shall be removed. The surface area of the dock located on Unit 10 may not exceed 20 m^2 and its length shall not exceed 8 m;
h. In-water works, such as construction and maintenance of a dock, shall comply with the applicable Federal or Provincial in-water work timing restriction windows for fish spawning and turtle nesting. Any required permits shall be obtained by the Owner;
i. The location, dimensions and materials for the driveway shall conform to the Condominium Agreement and this Agreement and shall not be varied without further approval from the Municipality;
j. The 30 metre shoreline vegetation protection area shall be maintained in a natural state and all vegetation shall be retained, save only for invasive species, and the 1.5m wide pathway to the shoreline; and
k. The 40 metre tree protection setback from the shoreline shall be maintained in a natural state except for the removal of vegetation shown on the Site Plan Drawings listed in Schedule "B".

9. The Owner agrees that an Ontario Land Surveyor shall mark and stake the 40 and 50 metre setback from the highwater mark and shall stake the footprint of the buildings and primary sewage system area within the boundary of the building envelope. These marks and staking shall remain in place during construction and until a final inspection is completed by the Chief Building Official or their designate. It is acknowledged that the Chief Building Official or their designate may request other setbacks be confirmed by an Ontario Land Surveyor as required in order to confirm construction is consistent with the Site Plan drawing included in Schedule "B".

10. The Owner acknowledges that the Site Plan identifies a primary and alternative location for sewage systems. The Owner agrees that there shall be no construction of a well, dwelling, driveway, pool, garage or any other structure or site grading within the area reserved for the primary or alternate sewage system.

11. The dwelling on this Unit is serviced by a Level IV sewage treatment system (as defined by the Ontario Building Code).

The Owner is required to obtain a sewage permit from the authority responsible for Part 8 of the Ontario Building Code. The Level IV sewage treatment system shall be designed and installed by a professional who is qualified and certified under the Ontario Building Code Act.

The sewage system is to be maintained in accordance with the Ontario Building Code Act and the manufacturer's instructions. The Owner shall enter

a maintenance contract with an authorized maintenance provider for the life of the system. A copy of the signed maintenance contract must be provided to the authority responsible for Part 8 of the Ontario Building Code prior to occupancy of the building being granted.

The Owner is expected to follow all instructions provided by the installer and maintenance provider. The Level IV sewage treatment system effluent is to be sampled in accordance with the requirements of the Ontario Building Code Act. The Owner shall provide the Municipality proof of maintenance occurring on an annual basis by January 31 each year, including the results of the annual sampling results.

Any deviation from the location and dimensions of the sewage system on the approved site plan in Schedule "B" shall be reviewed by the Chief Building Official or their designate prior to any work being started. Minor deviations may be approved by the Chief Building Official or their designate in consultation with the Director of Development Services. Should the deviation be considered major by the Chief Building Official and the Director of Development Services, an amendment to the site plan agreement will be required. A major deviation to the location of the sewage disposal system shall be supported by a Professional Engineer with expertise in the field and approved by the Chief Building Official or their designate. Any deviation in the location and size of the sewage system must continue to meet the maximum disturbed area allocation for the Unit, consistent with the Master Site Plan agreement for Johnston Point.

12. Human Remains and Archaeological Resources

a. That in the event that deeply buried archaeological remains are discovered during construction or site development of a lot, the Owner shall immediately contact the Township of South Frontenac Development Services Department and the Ministry of Tourism, Culture and Sport, and
b. That in the event that human remains are discovered during construction or site development of a lot, Owner shall immediately contact the Township of South Frontenac Development Services Department, the Ontario Provincial Police (OPP), the Ministry of Tourism, Culture and Sport and the Registrar or Deputy Registrar of the Cemeteries Unit of the Ministry of Consumer Services.
c. That if during the process of development any archaeological resources or human remains of Aboriginal interest are encountered, the Owner shall immediately contact the Algonquins of Ontario Consultation Office at:

Algonquins of Ontario Consultation Office
31 Riverside Drive, Suite 101
Pembroke, Ontario K8A 8R6
Telephone: (613) 735-3759
Fax: (613) 735-6307
email: algonquins@tanakiwin.com

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Job #11235

Report

Dear Mr. Logan,

Field representatives working under my supervision attended your property, being Unit 10, Frontenac Vacant Land Condominium Plan No. 85, on May 11, 2022. While on site, the field crew staked the location of your proposed dwelling per the architectural plans and site plan provided. The field crew also marked out the 40m and 60m setbacks from the high-water mark of Loughborough Lake, to ensure minimum setbacks are visible for the construction of the dwelling and septic system, respectively. Field measurements have been verified in the office for accuracy and correctness.

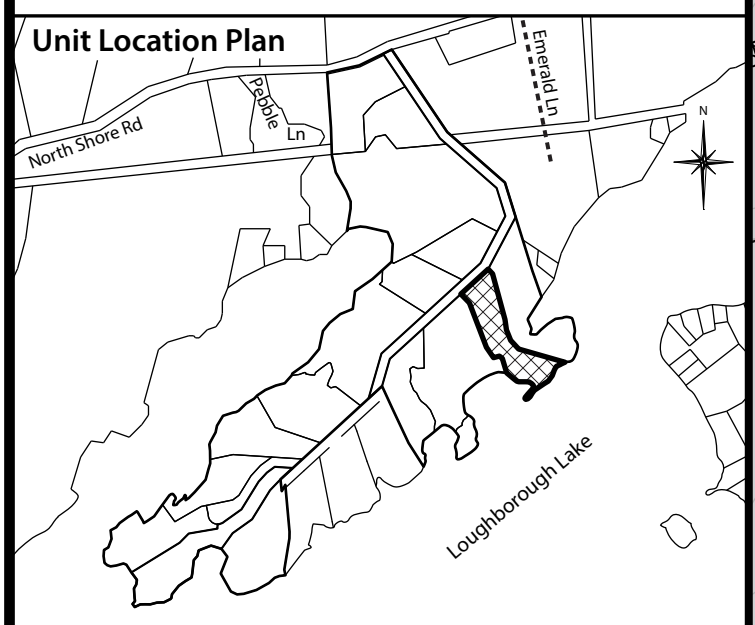
Thank you,

IN Engineering + Surveying

John A. Monahan, O.L.S., O.L.I.P., B.Sc.E.
Ontario Land Surveyor

Johnston Point Conceptual Site Plan - Unit 10

Part Lot 24, Concession 6
Geographic Township of Loughborough
Township of South Frontenac
COUNTY OF FRONTENAC



Unit 10 Site Statistics – RLSW-108 and OSP-11 Zones		
Provision (RLSW-108)	**Requirement**	**Proposed**
Lot Area (min)	10,000m^2	16,575m^2
Lot Frontage (min)	76m	77.9m
Water Frontage (min)	91m	220.4m
Front Yard (min)*	30m	40.0m
Rear Yard (min)*	10m	90.1m
Interior Side Yard (min)*	3m	7.8m
Gross Floor Area (min)	59m^2	TBD
Lot Coverage (max)	5%	TBD
Height (max)	11m	< 11m
Setback from High Water Mark or Flood Line (min)*	Building – 40m Primary Septic – 60m Alternate Septic – 60m	Building – 40m Primary Septic – 74.3m Alternate Septic – 60.0m
Uses Permitted Within 40m	Walkway and Dock	Walkway and Dock
Number of Private Use Docks (max)	1	1
Dock Area (max)	20m^2	20m^2
Dock Length (max)	8m	8m
Walkway Width (max)	1.5m	1.5m
Number of Common Docks (max)**	2 – one on island (Block 19), one on mainland (Unit 10)	2 – one on island (Block 19), one on mainland (Unit 10)
Mainland Dock Area (max)**	130m^2	53.6m^2
Mainland Dock Perimeter (max)**	80m	63.2m

*** - Yard Setbacks Measured to 595.0m^2 Construction Area on Plan**
**** - Provisions for the OSP-11 zone**

Legend

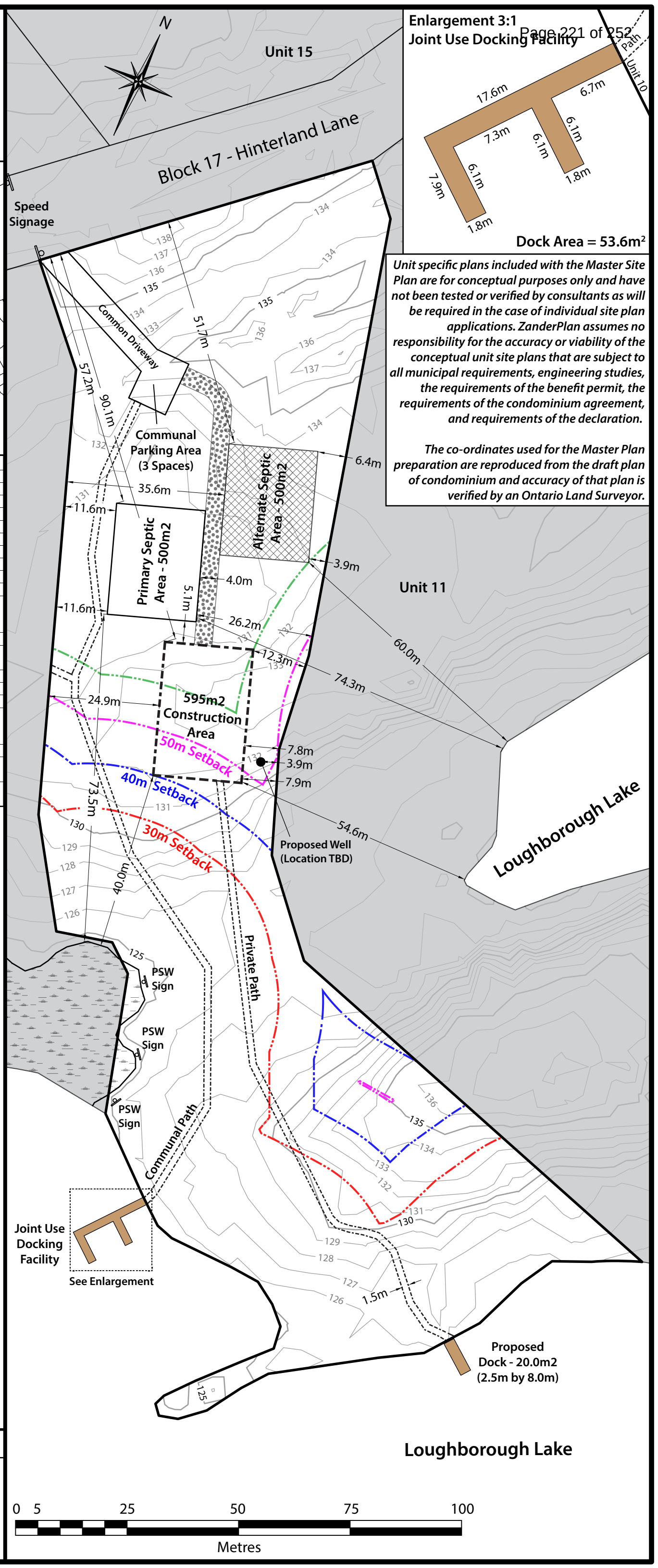
- Unit Boundary
- Construction Area
- Provincially Signif. Wetlands
- Primary Septic Location
- Alternate Septic Location
- Proposed Driveway
- 30m High Water Mark / Flood Line Setback
- 40m High Water Mark / Flood Line Setback
- 50m High Water Mark / Flood Line Setback
- 60m High Water Mark / Flood Line Setback

Notes:

1. Final dwelling size & location, septic size & location, dock location, and the pathway to the water will be determined through a future site plan control application for the unit. All site improvements shown in the conceptual master plans, including but not limited to driveway locations, have been placed without regard to topography or feasibility of design or construction of such features in locations shown and may change or be relocated subject to all restrictions in the zoning, condominium agreement, declaration and master site plan agreement.
2. The Joint Use Docking Facility and communal pathway access over Unit 10 for the benefit of Units 7, 9, 12, 13 and 15 has been shown on this plan. Unit 10 will have its own private dock and path to the water.
3. Per the Overall Benefit Permit warning signage and speed signage have been shown within the travelled road to maintain 30km/h speeds and warn drivers of potential species within the roadway. The signs are installed in the locations shown on this plan and on the Master Site Plan.
4. Signs to delineate the edge of the Provincially Significant Wetlands have been shown on this plan. The sign locations and spacing between are conceptual and must be confirmed by a qualified professional.
5. Lands within the 30 metre setback from the High Water Mark / Flood Line for the lot will comprise a shoreline protection area / no cut zone. All vegetation with the exception of invasive species shall be retained and maintained in a natural state.
6. Lands within the 40 metre setback from the High Water Mark / Flood Line of the lot will comprise a Tree Protection Area to ensure all living trees greater than four inches in diameter at breast height shall be maintained unless approved for removal. Vegetation clearing for development including driveways, building and septic fields shall not occur between April 1st and October 30th. Clearing may only occur during this period if a qualified professional is present on-site.
7. The proposed dock must only be a pole dock or floating dock. Removal of aquatic vegetation is not permitted.

Version Date: November 9, 2021 | File No. 19-005

zanderPLAN
Your rural land planning experts
40 Sunset Boulevard, Perth, ON 613-264-9600



August 2, 2022 File: SPC/FRS/255/2022

Sent by E-mail

Ms. Anna Geladi, Planner
Township of South Frontenac
P.O. Box 100
Sydenham, ON K0H 2T0

Dear Ms. Geladi:

Re: Application for Site Plan Control PL-SPR-2022-0077 (Logan)
Part Lot 23/24, Concession 6; Unit 10 Johnston Point Condominium
Township of South Frontenac (Loughborough District)
Waterbody: Loughborough Lake & Loughborough Lake Provincially Significant Wetland

Cataraqui Conservation staff have reviewed the technical circulation for the above-noted application, including the following:

- Application for Site Plan Approval (David and Ashley Logan, May 23, 2022)
- Updated Site Plan and Grading Plan for Unit 10 (Avidity Designs & On Point Drafting & Survey, July 28, 2022)
- Unit 10 – Septic Plan Revised 2.0 (Shea Construction, July 6, 2022)
- Unit 10 – Septic Letter (Steven Roach, June 13, 2022)
- Ecologist Letter for Unit 10 Re: Driveway (Ecological Services, June 27, 2022)
- Ecologist Letter for Lot 10 Re: Tree Clearing (Ecological Services, July 26, 2022)
- Survey Report – Logan (IN Engineering & Surveying, May 11, 2022)
- Site Plan Application Cover Letter – Unit 10 (ZanderPlan, May 26, 2022)

Summary of Proposal / Site Description

The proposal involves construction, filling and site alteration / lot grading for a 1.66 hectare parcel of land described as Unit 10, Johnston Point Condominium. The subject property is located along the north shore of the east basin of Loughborough Lake, east of Perth Road and south of North Shore Road in South Frontenac Township. The property is currently vacant.

The property is located near the southeastern end of the Johnston Point plan of condominium development on the south side of the peninsula. A portion of the Loughborough Lake Provincially Significant Wetland (PSW) is located adjacent to the west of the property. The wetland is also designated as a candidate area of natural and scientific

interest (ANSI). The topography of the property can be characterized as rising relatively quickly from the shoreline then levelling out toward the area where development is proposed. Deciduous and coniferous woodlands are interspersed throughout the lot, and there are some areas of cleared land in the interior of the lot where an existing driveway is located.

Discussion

The main interests of Cataraqui Conservation in this proposal are the avoidance of natural hazards (e.g. flooding and erosion) associated with the shoreline of Loughborough Lake and the Loughborough Lake PSW, the protection of natural heritage features (e.g. woodlands and wetlands) and water quality. Staff provide the following comments for the Township's consideration and action/response by the applicant. Specific items to be addressed are numbered.

Natural Hazards

The setbacks for development proposed in the original Environmental Impact Assessment (EIA) (Ecological Services, June 12, 2014) and the addendums to the EIA (Ecological Services, March 30, 2016 and November 2, 2020) place all development outside of any area that may be subject to risk due to flooding and erosion associated with the shoreline of Loughborough Lake and the Loughborough Lake PSW. Staff have no concerns from a natural hazard perspective.

Natural Heritage / Water Quality

Staff note that all development is proposed to be outside the required 40 metre setback from the highwater mark of Loughborough Lake and the Loughborough Lake PSW.

Staff note that the proposed primary and alternate septic locations are located beyond the required 60 metre setback from Loughborough Lake and the Loughborough Lake PSW.

Staff have no concerns with the information provided within the ecologist letter submitted with the site plan application regarding the location of the driveway (Ecological Services, June 27, 2022).

1. The EIA recommended a 30 metre "no cut" zone from the highwater mark/flood line where all vegetation shall be retained and maintained in their natural state, with the exception of invasive species and construction of the permitted pathways to the water. This area has been appropriately identified on the site plan sketch as the green "Restricted Zoning Area," however we recommend that the above-noted

vegetation restrictions be included in the “Environmental” section of the site plan notation, as well as in the clauses in the site plan agreement.

2. The EIA recommended a 40 metre “Tree Protection Area” setback from the highwater mark/flood line to protect trees greater than four inches in diameter at breast height. While this setback has been identified as “40 m EPA SETBACK” in the site plan, we recommend that information on the tree clearing restrictions be included in the “Environmental” section of the site plan notation, as well as the clauses in the site plan agreement.

3. Staff have no concerns with the information provided within the ecologist letter submitted with the site plan application that indicates that tree-clearing associated with the house and septic system construction may proceed within the Migratory Birds Convention Act restriction window of April 15 to August 15, and the bat roosting restriction window of April 1 to Sept. 30, with the recommendation that tree clearing occur no later than July 26, 2022 (Ecological Services, July 26, 2022). We recommend that tree-clearing restrictions be include in the site plan notation, as well as the clauses in the site plan agreement.

4. Staff have no concerns with the size and location of the proposed dock, however the dock should be a floating or pole dock, and removal of aquatic vegetation should be prohibited during construction, use or maintenance of the dock. This should also be included in the site plan notation, as well as in the clauses in the site plan agreement.

Recommendation

Staff recommend that the above items numbered 1, 2, 3, and 4 be addressed prior to final approval of application PL-SPR-2022-0077 based upon our consideration for natural hazards, natural heritage, and water quality protection policies. Please inform this office in writing of any decisions made by South Frontenac Township regarding this application.

Ontario Regulation 148/06

Please note that the property is subject to *Ontario Regulation 148/06: Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses*, which is administered by Cataraqui Conservation. The applicant or future owner(s) of the lands will be required to contact the undersigned at the building permit stage for more information regarding permitting requirements under Ontario Regulation 148/06.

If you have any questions, please contact the undersigned at 1-877-956-2722 extension 239 or by e-mail at jtreash@crca.ca.

Yours truly,

Janelle Treash
Resource Planner

c.c. Michelle Hannah, Planning Assistant, South Frontenac Township (via e-mail)

Township of South Frontenac

Staff Report

To:	Council
Prepared by:	Public Services Department
Date of Meeting:	August 9, 2022
Subject:	**Quarterly Update – Capital Works Program**

Summary

The purpose of this report to provide Council with the first of a series of new quarterly reports that will be issued going forward on the status of capital works projects within the Public Services Department.

Recommendation

This report is for information only.

Background

In early February this year, Council approved the 2022 Budget which included over $6.5 million in new capital works investments in the areas of transportation, facilities, recreation, and municipal solid waste. In total, 33 projects were approved for advancement in 2022, many of which were rooted on the Corporation's vision and mission statements adopted in the 2019-2022 Strategic Plan.

Discussion/Analysis

The intent of the quarterly capital project update is to inform Council on the progress of the various projects and, where applicable, identify any issues and challenges facing the workplan. Attachment A to this report includes a list of the 2022 Capital Works projects for the Public Services Department and also provides details on the numerous carry forward projects also underway. All of the financial statements included in the report relate to expenditures posted as of July 21st, 2022. It should be noted that in many cases invoices received in the last 30 days against these projects are not reflected in this financial update.

Each of the lead managers within Public Services have provided a brief update on the status of their projects and have also included completion dates or contract deadlines where known. Additional information or details on any of the projects attached in Attachment A can be supplied on further request.

Financial Implications

None

Relationship to Strategic Plans

☒ Not applicable to this report.

☐ This initiative is supported by the following priorities of the 2019-2022 Strategic Plan.

- Priority: Choose an item.
- Action Item (if applicable):

Climate Considerations

☒ Not applicable to this report.

☐ This initiative supports climate change mitigation/adaption efforts in South Frontenac; and/or impacts the Township's resilience to climate change.

Notice/Consultation

- Director of Corporate Services and Treasurer
- Manager of Operations and Fleet
- Manager of Facilities and Waste Management
- Manager of Recreation and Arena

Attachments

- Attachment A – Capital Works Project Update – Public Services Department

Approvals

Submitted By:

W. Troy Dunlop, C.E.T.
Manager of Technical Services and Infrastructure

Reviewed By:

Kyle Bolton, C.E.T.
Director of Public Services

Approved By:

Louise Fragnito, CPA, CGA
Chief Administrative Officer

2022 Capital Works Update - Public Services Department

Project Number	Project Name	2022 Budget	Actuals to July 21, 2022	Staff Contact	Awarded to	Forecasted Completion	Comments
Transportation - Fleet							
22-01	Preorder Two Tandems	$ 600,000	$ -	B. Kirk	Rush Truck Centres	Q2 2023	Chassis will be manufactured in December 2022.
22-15	Half Ton Truck	$ 42,500	$ -	B. Kirk		Under Review	Alternative Procurement options under review.
22-16	3/4 Ton Truck	$ 69,000	$ -	B. Kirk		Under Review	Alternative Procurement options under review.
22-45	2 Ton Truck	$ 120,000	$ 30,801	B. Kirk	Kingston Dodge	Complete	Project Complete - Unit 28 Motor Rebuilt
Facilities Management							
22-32	New Monitoring Wells & Land/Water Rights Purchase	$ 150,000	$ 5,088	J Brash	n/a	Q4 2022	Fall project.
22-33	Storrington Yard - Fabric Replacement on Sand Dome	$ 35,000	$ 10,972	J Brash	Barretts	Q3 2022	Fall project - September Installation
22-34	Princess Anne Building - Oil Tank Replacement	$ 5,000	$ -	J Brash	Leonards Fuel	Completed	
22-35	Bellrock Mill Improvements	$ 65,003	$ 1,001	J Brash	Roney Engineering	Q3 2022	Awaiting Engineering Report
22-36	New Docks - Battersea Village	$ 20,000	$ 3,061	J Brash	Township Forces	Completed	
22-37	Inverary Cemetary Fencing	$ 10,000	$ -	L Fragnito		On Hold	Pending BAO approval
22-48	Portable Soccer Nets	$ 12,600	$ 11,341	T Laprade	Township Forces	Completed	Project complete. Nets currently in use at Centennial Park.
22-49	Cen SW Fence Repairs	$ 18,000	$ 15,716	J Brash	Link Line Fence	Completed	
22-51	Fabric Roof Panel - Keeley Road Sand/Salt Dome	$ 35,000	$ -	J Brash	Barretts	Q3 2022	August completion.
Recreation							
22-38	McMullen - Verona Court Project	$ 350,000	$ 1,648	T Laprade	Wallins Construction	Q2 2023	Project awarded and will be completed in spring 2023.
22-39	Centennial Multipurpose Facility Two Cover/Roof	$ 290,000	$ -	T Laprade		Refer to Report	Recommendation report to Council on August 9th.
22-43	Consulting Fee - User Fee & Facility Allocation Policy	$ 25,000	$ -	T Laprade	n/a	Q4 2022	Scope of consultation being drafted for Council's consideration.
22-44	Recreation Software	$ 25,000	$ 10,583	T Laprade	Perfect Mind	Completed	
Linear Assets							
22-17	12th Concession Bridge (B32) Repair	$ 50,000	$ -	T Dunlop	Township Forces	Q4 2022	Project design to be advanced fall 2022. Defer construction to 2023.
22-18	Eagle Creek Culvert (B31) Design	$ 50,000	$ -	T Dunlop	H P Engineering	Q4 2022	Preliminary design underway. Initial report September 2022
22-19	Opinicon Road Culvert (C12) Replacement	$ 50,000	$ -	T Dunlop	H P Engineering	Q4 2022	Preliminary design underway. Initial report September 2022
22-20	Burego Lane Culverts (B6) Replacement	$ 78,000	$ -	T Dunlop	Greer Galloway	Q3 2022	Design complete, submitted for permit review, fall 2022 construction (in house)
22-21	Culvert Replacement - Westport Rd (Burridge)	$ 22,500	$ -	T Dunlop	Greer Galloway	Q3 2022	Design complete, permits received, construction in late August 2022 (in house)
22-22	Culvert Replacement - Westport Rd (Burts Creek)	$ 150,000	$ 31,405	T Dunlop	Greer Galloway	Q3 2022	Design complete, permits received, construction in late August 2022 (in house)
22-23	Culvert Replacement - Bellrock Rd (East of Church)	$ 22,500	$ -	T Dunlop	Greer Galloway	Q4 2022	Design complete, permits received, September 2022 construction (in house)
22-24	Microsurfacing - Perth Road	$ 350,000	$ -	T Dunlop	Miller Paving	Q3 2022	Mobilization and paving works - late August 2022
22-25	Bellrock Road Reconstruction	$ 970,000	$ 7,123	T Dunlop	O Bettschen Const.	Q3 2022	Ditching / rock excavation underway. Completion date Sept 30, 2022
22-26	Westport Road Construction	$ 1,000,000	$ 89,861	T Dunlop	Township/Miller	Q3 2022	Ditching / excavation complete. Placing granulars. DST late August 2022
22-27	Hard Surfacing Preservation	$ 742,813	$ 15,840	T Dunlop	Miller Paving	Q3 2022	Single ST complete (deficiencies), Double ST applications will be late August 2022
22-28	Lower Round Lake Road Reconstruction	$ 822,000	$ 175,444	T Dunlop	Township/Miller	Q3 2022	Ditching / excavation complete. Placing granulars. DST late August 2022
22-29	Alton Road West (Design)	$ 27,000	$ 4,273	T Dunlop	Greer Galloway	Q4 2022	Topo survey complete. Awaiting geotechnical report from June drilling.
22-30	Intersection Traffic Counts	$ 18,500	$ -	T Dunlop	Accu-Traffic Inc.	Q3 2022	June traffic counts complete (off peak) . Peak summer counts scheduled August
22-31	Deferred Linear Capital Works	$ 167,825	$ -	T Dunlop	n/a	n/a	No action required.
22-50	Road Needs Study / Modernization Funding	$ 150,000	$ 29,724	T Dunlop	Golder Associates	Q3 2022	Project delayed with team personnel changes. To be completed August 2022

2017 to 2021 Carry Forward Capital - Public Services Department							
Project Number	**Project Name**	**Carry Forward**	**Actuals to July 21, 2022**	**Staff Contact**	**Awarded to**	**Forecasted Completion**	**Comments**
Transportation - Fleet							
21-18	Tandem Tractor	$ 300,000	$ -	B. Kirk	Rush Truck Centres	Q3 2022	Chassis moved into production in June. Parts delays anticipated.
21-19	Half Ton Truck	$ 40,000	$ -	B. Kirk	Finch Motors	Under Review	GM would not fit order into 2022 production. Reviewing alternatives.
21-35A	Tractors - Mowers x 2	$ 460,000	$ -	B. Kirk	Hartington Equipment	Q3 2022	Awaiting delivery - held up on mower attachments. Est. Sept delivery.
21-36A	Triaxle	$ 400,000	$ -	B. Kirk	Rush Truck Centres	Q4 2022	Chassis built. Fit up for plow equipment in August/September.
Sydenham Water							
18-18	Water Hauling Station & Mill Pond Drinking Station	$ 13,708	$ -	T Dunlop	Utilities Kingston	Under Review	Unit purchased - Awaiting details of card lock activation / payment system
20-23	Mechanical, Instrumentation and Electrical Upgrades	$ 50,000	$ -	T Dunlop	Utilities Kingston	Complete	Complete. UK has confirmed this project can be closed out.
Environmental Services							
20-25	Green Bay WDS - Additional Monitoring Wells	$ 20,000	$ -	J Brash	Cambium		
Facilities Management							
18-23	Energy Retrofits	$ 10,035	$ 9,695	J Brash	Multiple vendors	Project Complete	
19-34	Town Hall - Main Floor Washroom Upgrades	$ 5,000	$ 825	J Brash	Ubcon Construction	Project Complete	
19-40	Sydenham Stn 5 - Eavestrough/Asbestos removal	$ 8,500	$ -	J Brash		Q4 2022	Fall project
20-29	Verona Medical Clinic - Design 2nd Floor Accessible	$ 5,000	$ -	J Brash		Q4 2022	Fall project
19-29	Keeley Rd Garage - Com Tower Relocation & Repairs	$ 79,135	$ 65,311	J Brash	Tolles Ltd	Project Complete	
20-27	Town Hall Accessible Entrance Ramp & Front Step	$ 298,735	$ 4,274	J Brash	Tolles Ltd	Q4 2022	Fall project
21-01	New Firehall Station 8	$ 3,466,917	$ 1,448,887	J Brash	Bourgon	Q4 2022	Project completion date September 30/22.
21-27	Burridge Fire Hall - Siteworks	$ 20,000	$ -	J Brash		Q4 2022	Fall project
21-28	Portland Garage - Door Operators	$ 20,000	$ 11,347	J Brash	Commercial Door	Project Complete	
21-29	OPP Building - HVAC/Garage Doors	$ 27,000	$ 3,718	J Brash	Evertemp	Project Complete	
21-30	Bedford Sand Dome	$ 63,000	$ -	J Brash	Razecon Group	Project Complete	
21-31	Bradshaw Fire Hall Lighting Retrofit / Interior Wall	$ 9,738	$ -	J Brash	Impact P Solution	Project Complete	
21-32	Storrington Fire Hall - Lighting Retrofit	$ 2,046	$ 1,846	J Brash	Malette Electric	Project Complete	
21-33	Admin Office Location Expansion Feasibility Study	$ 68,528	$ -	L Fragnito	CKA Architects	Q3 2022	On going
21-37	Petworth Mill Improvements	$ 69,247	$ 638	J Brash	Roney Engineering	Q3 2022	Awaiting Engineering Report
Recreation							
20-41	Davidson Beach - Access Road to Swim Area	$ 50,000	$ -	T Laprade	n/a	Q4 2022	Grading under review. Options report to be brought forward for 2023.
20-46	Boat Launch Upgrades - Shipyards	$ 8,272	$ -			Project Complete	
20-47	Recreation Master Plan	$ 699	$ 6,288	T Laprade	Thinc Design	Project Complete	Project Complete. Study endorsed under resolution of Council.
19-49	Wilmer Park Pumphouse Repairs	$ 43,176	$ 45,159	J Brash	Ubcon Construction	Project Complete	
19-54	Storrington Centre Upgrades	$ 351,526	$ 175,819	J Brash	J W Construction	Q4 2022	October 31, 2022 Completion Date
20-43	Playground Rubberized Surfaces	$ 64,741	$ 45,773	J Brash	Fortco Ltd	Project Complete	
20-44	Bowes Park - Accessible Washrooms	$ 47,379	$ 47,879	J Brash	Ubcon Construction	Project Complete	
20-45	Bowes/Centennial/Inverary/Point Ball Diamonds	$ 23,802	$ 4,761	J Brash	True Electric/Malette	Project Complete	
21-25	Battersea Park Gates	$ 10,000	$ -	J Brash	Township Forces	Q4 2022	Fall project.
Linear Assets							
19-R13	Perth Road Construction (Northway Hardware)	$ 38,241	$ -	T Dunlop	BT Engineering	Under review.	Project on hold pending Transportation Master Plan
20-R01	Buck Bay Road Bridge	$ 818,900	$ 6,697	T Dunlop	Willis Kerr	Q3 2022	Bridge removed. Installing piles for footings. Sept 15 Completion
20-R02	Bunker Hill Road Bridge	$ 81,485	$ -	T Dunlop	In House	Q3 2022	Bridge removal following upgrade to Bunker Hill Rd Sept Completion
19-R05	Fish Creek Bridge	$ 1,502,296	$ -	T Dunlop	Ambashi Eng	2023 Construction	Design under review. Environmental Approvals outstanding. 2023 Construction

2017 to 2021 Carry Forward Capital - Public Services Department							
Project Number	**Project Name**	**Carry Forward**	**Actuals to July 21, 2022**	**Staff Contact**	**Awarded to**	**Forecasted Completion**	**Comments**
20-R05	Hinchinbrooke Road North Culvert	$ 1,017	$ 1,017	T Dunlop	O Bettschen	Project Complete	Project Completed.
20-R07	Perth Road at Buck Lake	$ 49,562	$ -	T Dunlop	In House	Q4 2022	Bank stabilization work to be completed Sept 2022
17-R02/20-R10	Stars Corners	$ 59,342	$ 18,862	T Dunlop	In House	Q3 2022	Design Complete. Awaiting delivery of solar flashers. Forecast late Aug Completion
18-R14	Carrying Place Road	$ 16,000	$ -	T Dunlop	In House	Project Complete	Construction complete. Finalizing property acquisition/transfers.
18-R15/20-R03	Bunker Hill / Deyos Road	$ 112,200	$ -	T Dunlop	In House	Q3 2022	Permits received. August/September Construction
20-R04	Hinchinbrooke Road	$ 110,150	$ 5,596	T Dunlop	In House	Q3 2022	Utilities/Property Transfers/DST placement at Spring Lake Crossing
21-R10	Hinchinbrooke Road Emergency Repairs	$ 176,370	$ 9,527	T Dunlop	In House	Q3 2022	Engineering complete / road base repairs and culvert completed week of Aug 1st.
21-R01	Battersea Road	$ 3,553,609	$ 11,987	T Dunlop	Len Corcoran Exc.	2023 Construction	Contract awarded. Fall mobilization TBD. July 30, 2023 completion.
21-R03	North Shore Road Culvert	$ 361,140	$ -	T Dunlop	Len Corcoran Exc.	Q3 2022	Contract awarded. Mobilize to site mid August. Completion Sept 30
21-R06	Battersea Road Sidewalks	$ 100,000	$ -	T Dunlop	Jewell Engineering	Q4 2022 (Design)	Project to be paired with other projects - Hartington/Harrowsmith. Council review.
21-R07	Guiderail Upgrades	$ 66,307	$ -	T Dunlop	Hughson Group	Project Complete	Guide rail replaced on Perth Road @ Devil Lake.
21-R08	Streetlights	$ 113,184	$ -	J Brash			August 2022 - Working on Hydro One applications - 3 new lights.
21-R09	Arterial Reserve (Road 38)	$ 550,000	$ -	T Dunlop	n/a	n/a	Funds moved to project reserve. RFP to initiate design Sept 2022

Township of South Frontenac
Staff Report

To:	Council
Prepared by:	Development Services Department
Date of Meeting:	August 9, 2022
Subject:	**2nd Quarter 2022 – Planning Services Report**

Summary

This report documents the delivery of Planning Services within the Development Services Department between April 1, 2022 and April 30, 2022 (2nd Quarter, 2022).

Recommendation

This report is for information only.

Background

The charts below break out planning activities by application type for each quarter of 2022 and compare the number of 2022 applications to the 2021, 2020 & 2019 totals.

The activities outlined below have been completed by the Planning Assistant, Planner, Senior Planner and Director of Development Services.

Pre-consultation Meetings

	Number of Meetings
2022 – 2nd Quarter Total	78
2022 – 1st Quarter Total	95
2022 – Annual Total	**173**
2021 – Annual Total	377
2020 – Annual Total	287
2019 – Annual Total	261

Consent Applications

	Complete Applications Submitted
2022 – 2nd Quarter Total	17
2022 – 1st Quarter Total	15
2022– Annual Total	**32**

2021 – Annual Total	94
2020 – Annual Total	52
2019 – Annual Total	35

Consent Applications – Approvals by Delegated Approval versus Applications Heard by Committee of Adjustment

	Undisputed Consents Approved by Director of Development Services	Disputed Consents Heard by Committee of Adjustment
2022 – 2nd Quarter Total	19	4
2022 – 1st Quarter Total	17	0
2022 – Total	**17**	**0**
2021 - Total	56	7
2020 –Total (May to Dec 2020)	24	4

Minor Variance Applications

	Complete Applications Submitted
2022 – 2nd Quarter Total	11
2022 – 1st Quarter Total	19
2022 – Annual Total	**30**
2021 – Annual Total	62
2020 – Annual Total	52
2019 – Annual Total	47

Zoning By-law Amendment Applications

	Complete Applications Submitted
2022 – 2nd Quarter Total	9
2022 – 1st Quarter Total	2
2022 – Annual Total	**11**
2021 – Annual Total	30
2020 – Annual Total	17
2019 – Annual Total	13

Site Plan Control Applications

	Applications Submitted
2022 – 2nd Quarter Total	7
2022 – 1st Quarter Total	3

2022 – Annual Total	**10**
2021 – Annual Total	9
2020 – Annual Total	10
2019 – Annual Total	6

Development Agreements

	Agreements Prepared
2022 – 2nd Quarter Total	31
2022 – 1st Quarter Total	22
2022 – Annual Total	**53**
2021 – Annual Total	93
2020 – Annual Total	53
2019 – Annual Total	59

Certificates of Official Issued (Finalizing Consent Applications)

	Certificates Issued
2022 – 2nd Quarter Total	9
2022 – 1st Quarter Total	11
2022 – Annual Total	**20**
2021 – Annual Total	47
2020 – Annual Total	20

Road Closings

	Applications Received
2022 – 2nd Quarter Total	1
2022 – 1st Quarter Total	0
2022 – Annual Total	**1**
2021 – Annual Total	10
2020 – Annual Total	3

License Agreements

	Applications Submitted
2022 – 2nd Quarter Total	1
2022 – 1st Quarter Total	0

2022 – Annual Total	**1**
2021 – Annual Total	3
2020 – Annual Total	3

Other

In Q2 of 2022:
- 6 Minimum Distance Separation Calculation were completed.
- 3 Deeming by-law applications were submitted and processed.

Plans of Subdivision & Condominiums

- A 31-lot residential plan of subdivision in Sunbury was submitted to the County in April 2020. The County held a public open house in July 2020. A second round of technical comments were provided to the developer in June 2021. These comments have been reviewed with the developer and consultants. A third submission was circulated by the County to the Township in Q1 – 2022. Comments were provided on the third submission to the County of Frontenac in Q1 – 2022. A response was provided at the end of Q2-2022. Township and County staff are reviewing the most recent response.

- The Master Site Plan for Johnston Point Plan of Condominium was approved on December 21, 2021. Two individual site plan applications were submitted and approved in Q1 of 2022. A further three individual site plans were submitted in Q2-2022.

- The Hartington Pre-Servicing Agreement, including the cash-in-lieu of parkland amount, was approved by Council in Q2. It is anticipated that the developer will begin work in Q3- 2022. The developer continues to work towards fulfilling conditions of draft plan approval.

- The re-grading of ValleyView Subdivision was substantially completed in Q4 of 2021. The Township is working with Ainley and Associates and the developer on this project. Final inspections of the re-grading work were completed in Q2 – 2022. There is some minor over-seeding required that will take place in Q3 – 2022 but the project is substantially completed.

Discussion/Analysis

Year to date – the application numbers and demand for planning services in the second quarter of 2022 are down slightly compared to the volumes experienced in the second quarter of 2021 but are very consistent with the volume of applications received in Q1-2022. The current volumes of applications are still nearly double the number of applications that Planning Services processed in 2020.

Financial Implications

During the 2nd Quarter of 2022, $54,103.43 was paid to the Township in the form of application fees.

Year to date (Q1 & Q2), $98,808 has been paid in the form of application fees.

Relationship to Strategic Plans

☒ This initiative is supported by the following priorities of the 2019-2022 Strategic Plan.

- Priority: **3. Ensure the organizational capacity to deliver cost-effective services in a changing world.**

Notice/Consultation

The following internal staff were consulted in developing the report:

- Michelle Hannah, Planning Assistant
- Anna Geladi, Planner
- Christine Woods, Senior Planner

Attachments

None

Approvals

Prepared by:

Claire Dodds, MCIP, RPP

Director of Development Services

Approved By:

Louise Fragnito, CPA, CGA

Chief Administrative Officer

Township of South Frontenac
Staff Report

To:	Council
Prepared by:	Development Services Department
Date of Meeting:	August 9, 2022
Subject:	**2nd Quarter 2022 – Building Services Report**

Summary

This report documents the delivery of Building Services within the Development Services Department between April 1, 2022, and June 30, 2022 (2nd Quarter, 2022).

Recommendation

This report is for information only.

Background

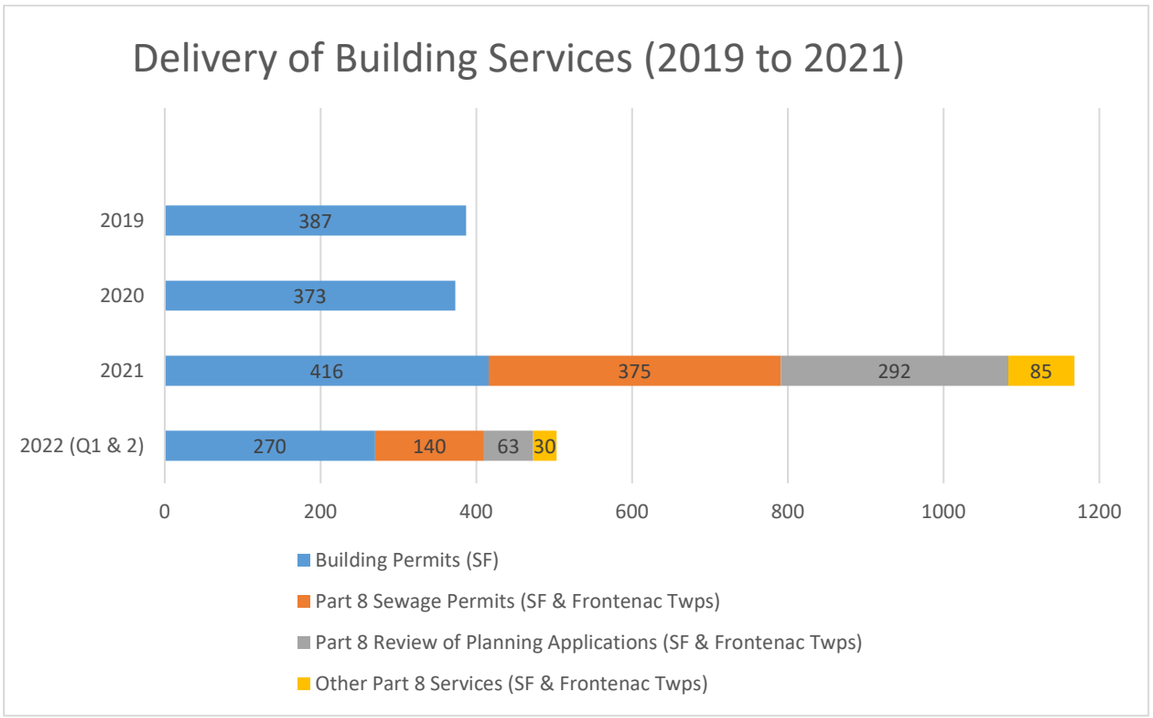
This report details Quarterly Construction Values from 2019 to present, as well as types of construction that have occurred, Building Permits that have been issued, closed, and Part 8 Sewage Services that were delivered in 2022.

Discussion/Analysis

Year to date, for 2022 (Q1 & Q2) Building Services received with 503 files. These files include South Frontenac building and Part 8 Sewage System applications under the Building Code, civic number assignments, as well as other types of applications related to the delivery of Part 8 services including the review of planning applications from a Part 8 perspective in all four Frontenac Townships.

During the Q2 of 2022, Building Services received 326 files. Of those files 53% were for building applications for construction and 47% were for the delivery of Part 8 Services across the 4 Frontenac Townships.

Overall, the volume of applications processed by Building Services staff in 2022 is consistent with the volume of applications received in the Q2 of 2021. The split between building applications for construction and Part 8 services remained consistent between 2022 and 2021.



South Frontenac Building Permits Issued:

Building Services issued 240 building permits Q2 of 2022 for construction in South Frontenac and sewage systems in all four Townships. 90 permits issued were for sewage systems (the most frequent type of permit), with 35 of those systems being located in South Frontenac.

In Q2 of 2022, the most frequently issued permits were for accessory buildings and single detached dwellings.

The below gives a breakdown by permit type by quarter in 2022 exclusively for South Frontenac.

Type of Construction	2022		Total
	Q1	Q2	
Accessory Building	16	35	51
Deck/Covered Porch	6	18	24
Demolition	11	11	22
New Multi-Unit Residential	1	0	1
New Non-Residential	1	1	2
New Single Dwelling	11	25	36
Pool Enclosure	5	21	26
Renovation/Repair/Addition	24	22	46
Seasonal Dwelling	5	10	15
Secondary Dwelling Unit	0	2	2
Sewage System	25	35	60
Sign, Solar, Tent…	1	1	2
Woodstove/Fireplace	5	3	8
Totals	**111**	**184**	**295**

Quarterly Construction Values for all South Frontenac projects (excluding Part 8 Systems):

Quarterly Construction Values	Q1	Q2	Q3	Q4	Total
2019	$2,211,814	$17,674,702	$11,678,813	$7,080,500	$38,645,829
#	44	141	134	66	385
2020	$2,127,530	$8,131,300	$10,510,958	$8,826,512	$29,596,300
#	37	100	145	88	370
2021	$5,440,036	$18,547,715	$11,064,767	$9,452,137	$44,504,655
#	91	201	214	148	654
2022	$16,145,172	$24,583,710	$0	$0	$40,728,882
#	155	184	0	0	411
Total	$25,924,552	$68,937,427	$33,254,538	$25,359,149	$153,475,666
#	327	782	493	302	1904

The number of permits issued in Q2 of 2022 (excluding Part 8 permits) (184) is slightly less than the number of permits issued in Q2 of 2021 (285).

The total value of construction in South Frontenac in Q2 is just over $24.5 million dollars. The construction value of Q2 2022 exceeds the construction value of the previous 3 years.

South Frontenac Building Permits Closed:

Building services has closed 52 permits in Q2 of 2022 in South Frontenac.

Building Permit Issuance Timeline (Q2-2022):

Earlier this year, Council requested information be added to the Building Services quarterly reports to reflect the timeline between the submission of a building permit application and the issuance of a building permit.

Using the data captured in the CityView system, staff have prepared the below chart that calculates the average number of business days it takes to process and issue a permit in Q2-2022.

Type of Project	Q2 – 2022
	Average # of business days to issue
Accessory Building	13.71
Deck/Covered Porch	16.47
Demolition	12.80
New Non-Residential	11.00
New Single Dwelling	32.88
Pool Enclosure	9.63
Renovation/Repair/Addition	21.64
Seasonal Dwelling	37.33
Secondary Dwelling Unit	27.00
Sewage System	14.80
Sign, Solar, Tent…	6.00
Woodstove/Fireplace	14.50
Overall Average	**16.04**

The average number of days to issue the permit is the timeframe is received by the Department until the permit is ready for the customer to pick up. It includes the permit intake coordinator's time to complete the preliminary review of the permit and determine if it is complete. It includes any time required for additional information to be provided by the customer or their agent in order to complete the application. It also includes the time for review by the building inspector. As well as any time where an application may have not passed a code review and staff are waiting for updated drawings or revisions to applications. These numbers do not include applications where permits have been submitted that may trigger a planning application, such as a minor variance, etc.

The chart classifies the timelines associated with different classifications of building permits. More complex permit applications are taking the longest review timeframe.

A new building inspector position was filled in June 2022. It is anticipated that this additional position will reduce the average timelines for review reported on in the Q3-2022 report.

Delivery of Part 8 Services for Frontenac County:

Part 8 Services	Permits	Consent Review	Minor Variance Review	Performance Review	Record Search	Totals
North Frontenac	18	2	3	0	0	23
Total fee	$17,604	$1,030	$893	$0	$0	$19,527
Central Frontenac	28	5	1	0	1	35
Total fee	$27,178	$2,575	$720	$0	$103	$30,576
Frontenac Islands	9	0	0	0	0	9
Total fee	$8,802	$0	$0	$0	$0	$8,802
South Frontenac	35	14	6	2	1	58
Total fee	$30,783	$7,210	$3,755	$1,030	$103	$42,881

From April 1st to June 30th, 2022, South Frontenac Building Services issued a total of 90 Part 8 sewage permits and commented on 31 planning applications from a Part 8 perspective across Frontenac County.

Financial Implications

Building Fees

The revenue collected for all South Frontenac Building Permits, excluding Part 8 applications, for the Q2 of 2022 was $398,672.

Part 8 Fees

The total revenue collected in fees for Part 8 services in Q2 of 2022 was $129,993 from a total of 125 chargeable Part 8-related services (all Townships). The estimated construction value for the permits issued for sewage systems in the 4 Frontenac Townships is $1,401,079.

Relationship to Strategic Plans

☐ Not applicable to this report.

☒ This initiative is supported by the following priorities of the 2019-2022 Strategic Plan.

- Priority: 3. Ensure the organizational capacity to deliver cost-effective services in a changing world.

Climate Considerations

☒ Not applicable to this report.

☐ This initiative supports climate change mitigation/adaption efforts in South Frontenac; and/or impacts the Township's resilience to climate change.

Notice/Consultation

- Tom Berriault, Chief Building Official

Attachments

None.

Approvals

Prepared by:

Peggy Spafford, Permit Intake Coordinator

Submitted by:

Claire Dodds, MCIP, RPP
Director of Development Services

Approved By:

Louise Fragnito, CPA, CGA
Chief Administrative Officer

K&P Trail (South Frontenac)

Richard Allen

2022-07-06

South Frontenac

County of Frontenac

January 1, 2022 → July 5, 2022

Peak Day (2021)
2021-01-01 → 2021-12-31

Peak Day

Sunday
Jun 27, 2021

898

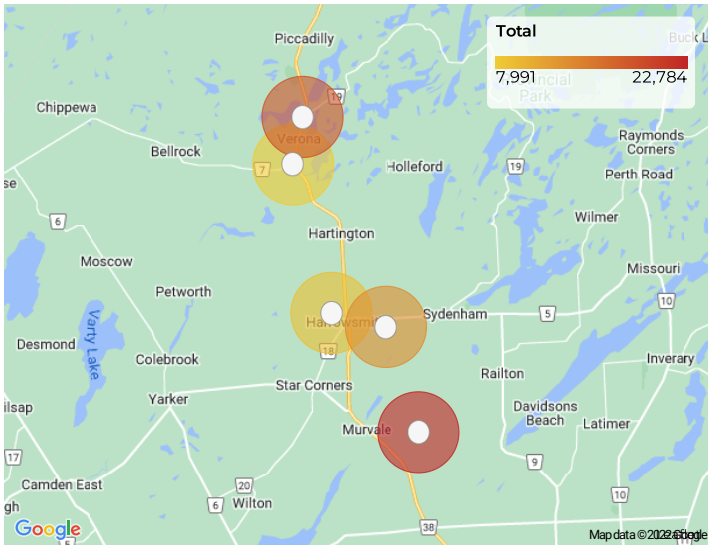
Peak Day (2022 to date)
2022-01-01 → 2022-07-05

Peak Day

Saturday
Jan 22, 2022

1,187

Heat Map
2021-01-01 → 2021-12-31



Daily Average Use (2021)
2021-01-01 → 2021-12-31

Daily Average

327

Daily Average Use (2022 to d...
2022-01-01 → 2022-07-05

Daily Average

297

Total Use (2021)
2021-01-01 → 2021-12-31

Total

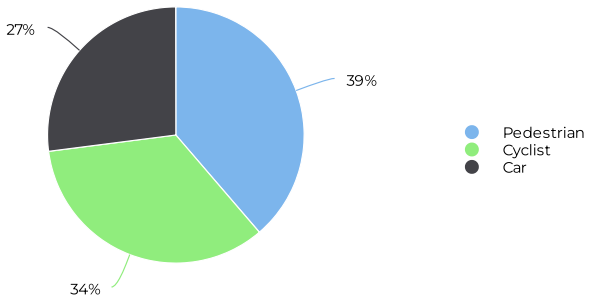
71,689

Total Use (2022)
2022-01-01 → 2022-07-05

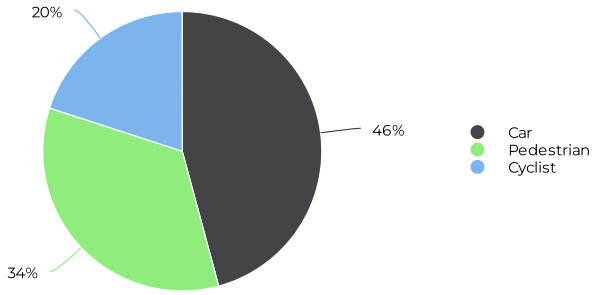
Total

73,815

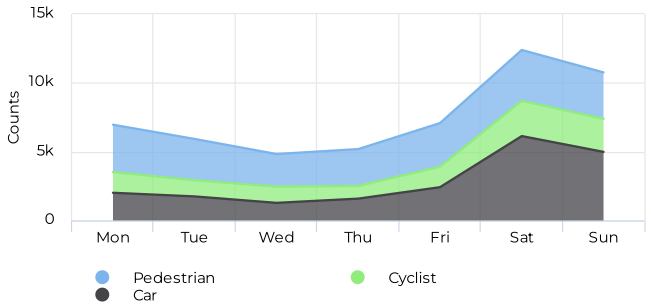
User Distribution - 2021
2021-01-01 → 2021-12-31



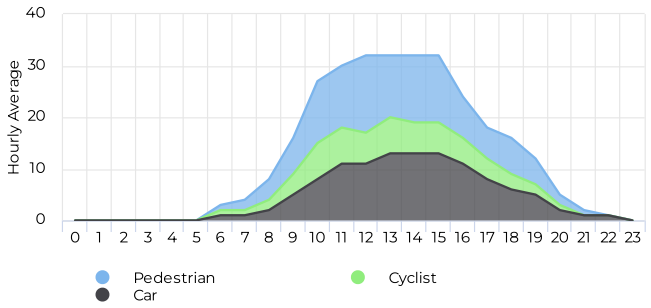
User Distribution - 2022 to Date
2022-01-01 → 2022-07-05



Daily Average Use
2022-01-01 → 2022-07-05



Hourly Profile



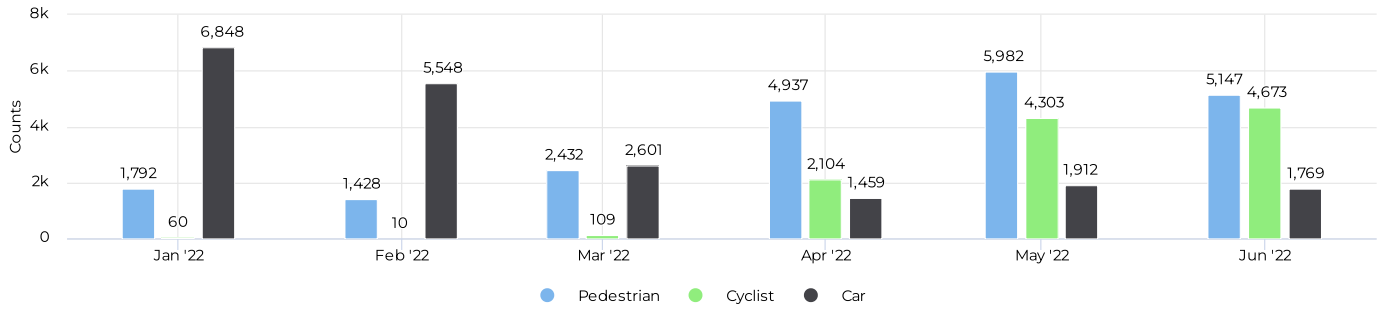
South Frontenac

County of Frontenac

January 1, 2022 → July 5, 2022

Monthly traffic

2022-01-01 → 2022-06-30



Key Figures Summary

2022-01-01 → 2022-07-05

Site	Total	Daily Average	Average week days	Average weekend traffic	Peak Day	Peak Count
Verona South	9,406	53	40	84	Sat Jan 22, 2022	351
Harrowsmith North	9,890	55	42	88	Sat Jan 22, 2022	363
Harrowsmith South	10,365	58	45	90	Sun May 29, 2022	315
Orser Road	11,320	63	56	81	Fri Apr 15, 2022	262
Verona - Prince Charles	12,133	68	53	103	Sat Jan 22, 2022	345

Full Trail

County of Frontenac

September 30, 2020 → June 28, 2022

Peak Day (2021)
2021-01-01 → 2021-12-31

Peak Day

Saturday
Sep 4, 2021

1,615

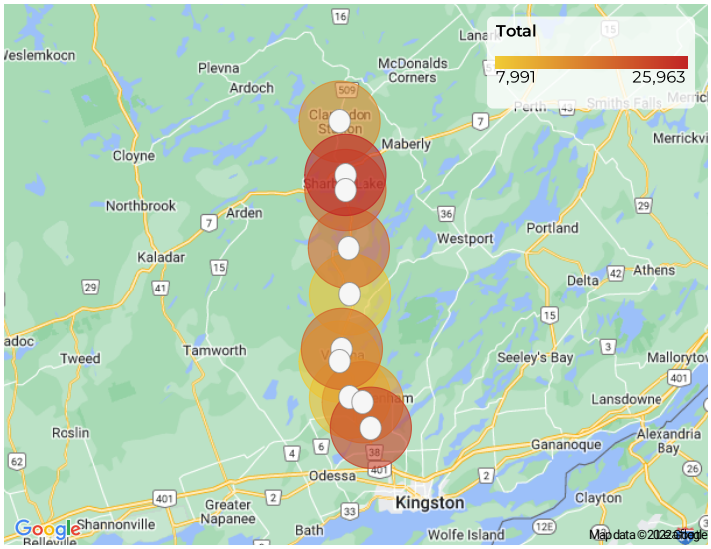
Peak Day (2022 to date)
2022-01-01 → 2022-07-05

Peak Day

Saturday
Jan 22, 2022

1,898

Heat Map
2021-01-01 → 2021-12-31



Daily Average Use (2021)
2021-01-01 → 2021-12-31

Daily Average

436

Daily Average Use (2022 to d...
2022-01-01 → 2022-07-05

Daily Average

412

Total Use (2021)
2021-01-01 → 2021-12-31

Total

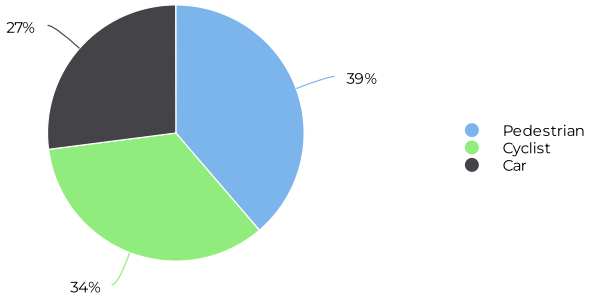
159,156

Total Use (2022)
2022-01-01 → 2022-07-05

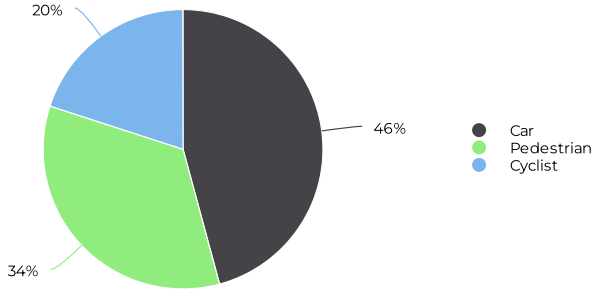
Total

73,815

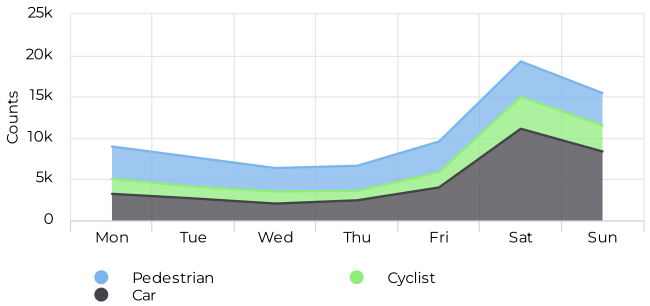
User Distribution - 2021
2021-01-01 → 2021-12-31



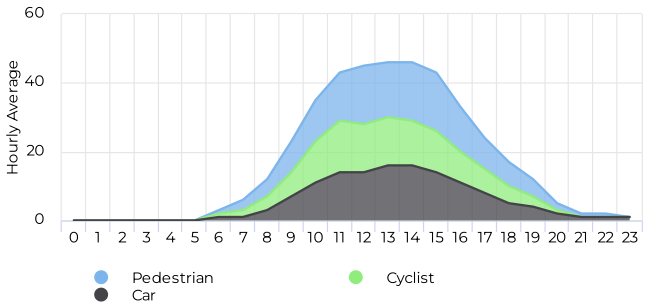
User Distribution - 2022 to Date
2022-01-01 → 2022-07-05



Daily Average Use
2022-01-01 → 2022-07-05



Hourly Profile



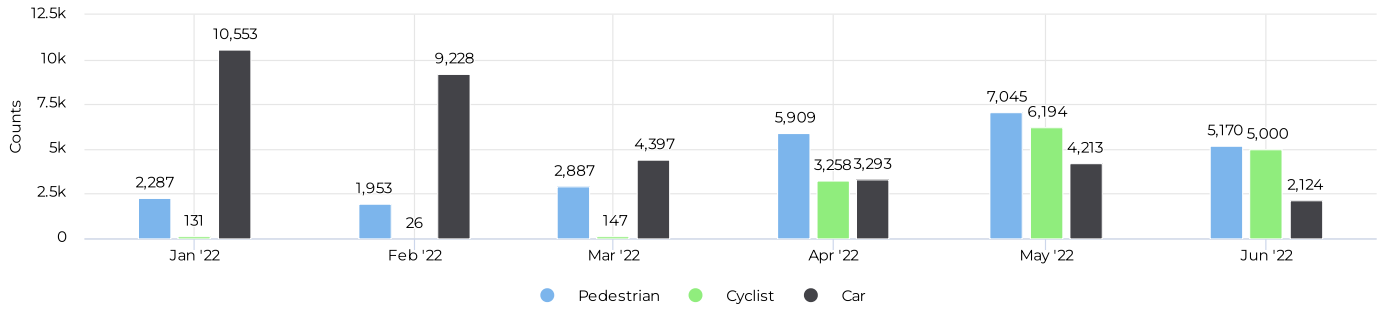
Full Trail

County of Frontenac

September 30, 2020 → June 28, 2022

Monthly traffic

2022-01-01 → 2022-06-30



Key Figures Summary

2022-01-01 → 2022-07-05

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Harrowsmith North	9,890	55	42	88	Sat Jan 22, 2022	363
Verona South	9,406	53	40	84	Sat Jan 22, 2022	351
White Lake Rd	6,458	42	25	84	Sat Apr 23, 2022	357
SLake-NORTH	6,086	42	29	74	Sat Mar 5, 2022	218
Tichborne	6,738	39	23	78	Sat Apr 23, 2022	320
Clarendon	1,419	10	5	21	Sat May 14, 2022	101
SLake-South						

County of Frontenac

2069 Battersea Rd.
Glenburnie, ON K0H 1S0
T: 613.548.9400
F: 613.548.8460
frontenaccounty.ca

July 15, 2022

Township of South Frontenac
Suite 403 - 829 Northwest Road
Kingston, Ontario, K7P 2N3

To Mayor Vandewal and members of Township Council

Re: 2022 Q2 Update from Frontenac County Economic Development

To keep our partners up to date on the Economic Development activities undertaken by Frontenac County, a summary update will be provided on a quarterly basis, providing project updates and relevant economic development, tourism and trails information.

Updates will be high level summaries, and the content will be structured in alignment with our teams three key areas of focus. The format for each of our partners will be consistent, however some content will vary in order to provide information most relevant to each township or organization.

1. Business Support and Investment Attraction
2. Tourism Development and Regional Marketing
3. Trails
4. Collaboration, Grants, and other items of note

This first update will focus on activities in undertaken to date in 2022.

If you have questions on these, or anything else at the County please feel free to reach out.

Richard Allen,
Manager of Economic Development
Frontenac County
(613) 483.9767

1. **Business Support and Investment Attraction**
   Below are some projects we have undertaken to support businesses and investment efforts in Frontenac County. In South Frontenac, there continues to be a desire for turn-key commercial/light industrial lands from prospective businesses who seek to locate within proximity of Kingston and the 401.

   a. **Economic Development Charter Update**
   On May 25 and 26 County staff will be conducted stakeholder focus groups to review the priorities set out in the Charter for Economic Development. The Charter was created collaboratively in 2015 and has guided economic development efforts over the past 7 years. The draft update to the Charter will be presented in a virtual town hall on Thursday, July 21, and once approved by County Council will inform economic development efforts by the County over the next 5 years. Please contact Richard Allen, Manager of Economic Development if you wish to be forwarded event details.

   b. **County-wide Community Improvement Plan**
   Municipalities are not permitted to provide bonusing or incentives directly to businesses, except to meet the strategic goals of the council for a municipality. With goals in place, incentives can be offered in the form of grants, loans, or other services, generally in the form of development or property improvements. Frontenac County has engaged the services of the consultant group Explorer Solutions to complete a review of existing CIP programs in the region and to develop a strategy to implement a County-wide program. . More details available at https://engagefrontenac.ca/community-improvement-plan

   c. **Sector-Tables**
   During the pandemic, the County hosted weekly (and then monthly) business check-in calls over Zoom. These calls provided the opportunity for businesses not only to learn about government support, but also to support each other with their own experiences. In an effort to continue this sense of community support, the County has worked to convene sector-based meetings for food & beverage, tourism and agriculture. The agriculture sector table is a joint project shared with the City of Kingston.

   The most recent meetings were held on June 1. The businesses requested the next set of meetings be held in October,

   d. **Business Communications**
   The County Economic Development team continues to share relevant information about business development and tourism through regular email communications. In July, we have launched a new shorter format that is sent on a weekly basis. If you would like to receive these emails, sign up at this link: http://eepurl.com/gJ7WsT

e. Business Intelligence: Business Survey

The Business Survey was conducted in January and February of this year, asking businesses to share on their successes and challenges in 2021. Lack of Broadband, Key challenges to doing business

f. **Business Intelligence: Community Profile**

We have recently worked with our GIS department to display relevant information about our communities using a dashboard and publicly available data, including recent survey data. www.frontenaccounty.ca/communityprofile

This profile shows various population and demographic information, including results from the most recent business survey. These results can all be viewed at the County level, or broken down and viewed from the perspective of each township.

g. **Film & Television Development**

In the summer 2021, County and Township staff worked with the Kingston Film Office to support the indie film shoot “Verona.” This feature length project was shot on location in and around the village of Verona.

Earlier this year, Alex Jansen of the Kingston Film Office provided a presentation to Council about the growing opportunities for employment within an emerging film industry along with the opportunities for small businesses to provide support to film productions through catering, transportation, lodging, equipment rentals, tradespersons and more.

County staff continue to work with the Kingston Film Office to add to the online location database and to coordinate various opportunities to work with film productions in the region.

2. **Tourism Development & Regional Marketing**

a. **Destination Development Plan Approved**
The Frontenac Destination Development Plan has been approved by County Council. An implementation plan has been reviewed by the Community Development Advisory Committee and approved by County Council. Resources to support the implementation will be included as part of the 2023-2027 County business plan and 2023 budget. Key elements to successfully implement the plan in 2023 include the hiring of a Tourism Development Coordinator and the development of a new, map-based tourism website to support visitor attraction efforts and trip planning.

b. **Tourism Relief Fund**
Frontenac County has applied to the Tourism Relief Fund to begin implementation of the Destination Development Plan in 2021. These resources will be used to continue to promote the rail trails in Frontenac County through the attraction of events and promotion of activities to engage in along the trail. In addition, research will be undertaken on how to position Frontenac County as a destination to prospective visitor markets.

c. Open Farms 2022
We've been meeting with local farmers about this year's event, which will be an in-person, ticketed event. Several farms from Kingston, Frontenac Islands and South Frontenac are interested in participating, but we'd like to encourage farms further north to participate. Meeting notes and other information is available at: https://engagefrontenac.ca/open-farms-2022

d. The "Frontenac Guide"

This year the "Visitor Guide" was positioned as a general "Guide to Frontenac County" aimed at existing residents, new residents, cottagers and visitors to the region, to help folks connect with local businesses and experiences. This was produced in partnership with the Frontenac News and has been distributed to many shops and offices across the County.

3. **Frontenac K&P Trail**

    a. **Verona Trailhead Completion**
    Rehabilitation of the Verona Trailhead, located at the corner of Bellrock Road and Road 38, is significantly complete. We hosted a ribbon cutting event at this location to kick off the trails season on June 28, 2022 which included comments from the Warden of Frontenac County, the Mayor of South Frontenac and the Verona District ATV Club. The completion of this project is a significant milestone in the larger K&P Trail effort.

    b. Benches, Rest Areas and Access Improvements
    Throughout the remainder of the year additional benches will be installed along the K&P Trail, especially in proximity to villages and settlements such as Verona and Harrowsmith.

    c. **Trail Signage**
    The County team has been promoting “pay-to-play” trail signage for businesses located on or along the K&P Trail. This includes identification of the businesses on wayfinding maps found throughout the K&P, but also includes the option of a specific directional sign at a nearby intersection

    d. **The Frontenac Mobile App**. Last month the County launched a presence-based application for smartphones that allows trail users and other visitors to ther region to collect “points” for visiting locations, attractions and businesses along the trail. In return, businesses can offer incentives for the redemption of those points to encourage patronage. Search “Frontenac” on the Apple App Store or the Google Play Store to add it to your phone.

    e. **Phase 6 Expansion: Clarendon Station to Lanark County**
    Plans to develop between Clarendon Station and Snow Road Station continue to evolve and construction is scheduled for later this year.

4. Collaboration, Grants, and other items of note

    a. **Monthly Working Group Meetings**
    The above noted working group meets on the first Thursday of each month. Often a guest speaker from another partner organization connects with the group and information is shared between the various partners at the Township, County and FBS. Once this group is more coordinated, some discussion has been made that a unified economic development strategy to guide our various services in might further increase efficiencies and improve coordination.

TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2022-76

A BY-LAW TO CONFIRM GENERALLY ALL ACTIONS AND PROCEEDINGS OF THE SPECIAL COUNCIL MEETING OF THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC ON AUGUST 9, 2022

Whereas Section 8 of the *Municipal Act*, S.O. 2001 c. 25 and amendments thereto provides that a municipality has the capacity, rights powers and privileges of a natural person for the purpose of exercising its authority under the *Municipal Act* of any other *Act;* and;

Whereas Subsection 2 of Section 11 of the *Municipal Act* S.O. 2001, c. 25 and amendments thereto provides that a lower-tier municipality and an upper-tier municipality may pass by-laws respecting matters within the spheres of the jurisdiction described in the Table to Subsection 2, subject to certain provisions, and;

Whereas Section 5 of the *Municipal Act*, S.O 2001 c. 25 and amendments thereto provides that a municipal power, including a municipality's capacity, rights, powers and privileges under Section 8 shall be exercised by its council and by by-law unless the municipality is specifically authorized to do otherwise, and

Whereas the Council of the Township of South Frontenac deems it expedient to confirm its actions and proceedings;

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC, HEREBY ENACTS AS FOLLOWS:

1. The all actions and proceedings of the Council of the Corporation of the Township of South Frontenac taken at its regular meeting held on August 9, 2022 be confirmed as actions for which the municipality has the capacity, rights, powers and privileges of a natural person.

2. That all actions and proceedings of the Council of the Corporation of the Township of South Frontenac held August 9, 2022 be confirmed as being matters within the spheres of jurisdiction described in Subsection 2 of Section 11 of the *Municipal Act*, S.O. 2001, c.25 and amendments thereto.

3. That all actions and proceedings of the Council of the Corporation of the Township of South Frontenac taken at its regular meeting held on August 9, 2022 except those taken by by-law and those required by bylaw to be done by resolution are hereby sanctioned, ratified and confirmed as though set out within and forming part of this by-law.

4. Execution by the Mayor and the Clerk of all Deeds, Instruments and other Documents necessary to give effect to any such Resolution, Motion or other action and the affixing of the Corporate Seal to any such Deed, Instruments or other Documents is hereby authorized and confirmed.

5. This By-law shall come into force and take effect on the date of its passage.

Read a first and second time this 9 day of August, 2022.

Read a third time and finally passed this 9 day of August, 2022.

THE CORPORATION OF THE
TOWNSHIP OF SOUTH FRONTENAC

_____
Ron Vandewal, Mayor

_____
Angela Maddocks, Clerk