



Township of South Frontenac Council Meeting Agenda



TIME: 7:00 PM,
DATE: Tuesday, April 4, 2023
PLACE: Council Chambers/Virtual via Zoom.

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
5. Recess
6. Public Meeting
 - a) Notice of Collection 4
 - b) Resolution - Public Meeting to Order
 - c) **Public Meeting - Planning Fees By-law (By-law 2019-74)** 5 - 18
 - d) Resolution - Close Public Meeting
 - e) Resolution - Public Meeting to Order
 - f) Public Meeting Introduction 19 - 20
 - g) **Public Meeting - Township-Initiated Official Plan and Zoning By-law Amendments on Additional Dwelling Units** 21 - 55
 - h) **Public Meeting - PL-ZBA-2023-0026, Carol Bisailon and Daryl Martin, 3185 McGarvey Road** 56 - 73
 - i) Resolution - Close Public Meeting
7. Delegations
 - a) Representatives from Cambium Consulting & Engineering will be present to speak to Council regarding Annual Update (2022) - Township of South Frontenac Waste Disposal Sites. 74 - 97
8. Approval of Minutes
 - a) Resolution 98 - 103
9. Business Arising

10. Reports Requiring Action

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| a) | Waste Disposal Sites 2022 Annual Update | 104 -
105 |
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Recommendation:

That Council receive the Waste Disposal Sites 2022 Annual Update presentation from Cambium Consulting & Engineering for information.

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| b) | Application for Draft Plan of Subdivision 10T-2020/001 (Sunbury Subdivision), 3863 Battersea Road | 106 -
121 |
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Recommendation:

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

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| c) | Award of Tender # PS-2023-11 – Pavement Marking Program | 122 -
126 |
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Recommendation:

That Council accept the bid from Provincial Road Markings Inc. in the amount of \$260,507.63 (net of HST credits) for the 2023 Pavement Marking Program; and

That Council direct staff to harmonize service levels for centerline painting on low volume urban and low volume rural roads consistent with the provincial guideline.

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| d) | Municipally Significant Event Designation for the Frontenac Farmers Market Kickoff Event | 127 -
129 |
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Recommendation:

That Council designate the Frontenac Farmers Market Kickoff Event as municipally significant in support of the Alcohol & Gaming Commission of Ontario Special Events Permit Application.

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| e) | Building Services Delivery Review Update | 130 -
138 |
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Recommendation:

That Council approves the release of one (1) Building Inspector position as identified within the 2023 Budget; and

That Council support the proposed improvement ideas included in the Staff Report.

11. Advisory Committee Reports or Minutes12. By-laws

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| a) | Cash-in-Lieu of Parkland, Subdivision Agreement for Willowbrook Estates Phase 2 Plan of Subdivision (10T-2020-002), 1059823 Ontario Limited | 139 -
218 |
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Recommendation:

That Council accept the amount of \$22,000 as the cash-in-lieu payment for the Willowbrook Phase 2 Plan of Subdivision 10T-2020-002; and

That By-law 2023-26 authorizing the Mayor and Clerk to enter into a subdivision agreement with 1059823 Ontario Limited for the Willowbrook Estates Phase 2 Plan of Subdivision 10T-2020-002 be given first and second reading; and

That By-law 2023-26 be given third reading, signed and sealed.

13. Reports for Information

14. Information Items

a) Letter to Heads of Council - Enbridge Gas, Mar 24 2023 219 -
220

b) South Frontenac Museum Newsletter - Spring 2023 221 -
226

15. Notice of Motions

16. Announcements/Statements by Councillors

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

18. Closed Session (if requested)

19. Confirmatory By-law

a) Resolution 227

20. Adjournment

a) Resolution

Natural, Vibrant and Growing - A Progressive Rural Leader

Notice of Collection

- Personal information, as defined by the *Municipal Freedom of Information and protection of Privacy Act (MFIPPA)*, including (but not limited to names, addresses, opinions and comments, is collected under the authority of the *Municipal Act, 2001, Planning Act* and in accordance with *MFIPPA*.
- All personal information may form part of the meeting agendas and minutes, and therefore will be made available to members of the public at the meetings, through requests, and through the website of the Corporation of the Township of South Frontenac.
- Questions regarding the collection, use and disclosure of this personal information may be directed to the Township Clerk.



Township of South Frontenac Staff Report



To: Council

Prepared by: Development Services Department

Date of Meeting: April 4, 2023

Subject: **Public Meeting Regarding Amending the Current Planning Fees By-law (By-law 2019-74)**

Summary

Planning staff completed a review of existing planning fees in effect in South Frontenac. As part of the fees review, research was undertaken to determine fees being charged by both comparable and regional municipalities. Staff will bring a recommendation report regarding amending the current Planning Fees By-law (By-law 2019-74) to a future meeting.

Recommendation

This report is for information only.

Background

At the February 21, 2023, meeting of Council, staff presented an initial report regarding the proposed amendment to the current Planning Fees By-law. Council provided comments and questions to staff. As per the Township's Notice Provision By-law No. 2016-73, Schedule "10" states that before passing a by-law imposing a fee or charge, the municipality shall hold at least one public meeting at which any person who attends has an opportunity to make representation with respect to the matter.

Following consideration of the February 21, 2023, report, Council approved the following resolution (Resolution No. 2023-13-07):

"Moved by Councillor Roberts
Seconded by Councillor Godfrey

That Council approve the updated Planning Fees for 2023, attached as "Attachment 1" in principle; and

That Council direct staff to provide notice in order for Council to hold a public meeting on Tuesday, April 4, 2023, in accordance with By-law 2016-73, regarding the proposed amendments to the Planning Fees Schedule.

Carried"

Discussion

A comparison was completed to assess the impacts of Planning Services on the tax levy compared to other municipalities. A review of Ontario municipalities was completed to determine appropriately sized municipalities with similar population densities. **Table 1** provides a comparison of population, area, population density, and staff levels of nine (9) Ontario municipalities including South Frontenac.

Table 1: Comparison table of nine (9) Ontario municipalities.

Municipality	County	Population	Area (km ²)	Population Density	Development Services Staff	Planning Staff
Bracebridge	District Municipality of Muskoka	17,000	615	27.6	19	8
Huntsville	District Municipality of Muskoka	21,000	705	29.8	15	6
Oro-Medonte	Simcoe County	23,000	585	39.3	19	8
Prince Edward	Prince Edward County	26,000	1,052	24.7	17	9
Loyalist Township	Lennox & Addington County	17,000	352	52	29*	9
Springwater	Simcoe County	22,000	535	40	15	6
Township of King	York Region	27,000	332	82	27**	12
Scucog	Durham Region	22,000	474	45	-	-
South Frontenac	Frontenac County	20,000	950	21.1	13	5.5

*Includes engineering staff.

**Includes By-law Enforcement staff.

A comparison of revenues and expenses is provided in **Table 2** below. Overall, when compared to similar municipalities, South Frontenac has the lowest revenue. South Frontenac also has a low cost recovery percentage compared to the average of the other municipalities.

Table 2: Comparison of Planning Services data across nine (9) municipalities.

Municipality	Assumptions	Revenue	Expenses (includes wages)	Wages	Tax Levy Required	Cost Recovery
Bracebridge	2022 Budget	\$340,000	\$921,000	\$641,000	\$581,000	37%
Huntsville	2022 Budget	\$456,000	\$627,000	\$502,000	\$171,000	73%
Oro-Medonte	2022 Budget	\$166,000	\$1,174,000	\$993,000	\$827,000	14%
Prince Edward	2022 Budget	\$372,000	\$950,000	\$806,000	\$578,000	39%
Loyalist Township	2021 Financial Statement	\$320,000	\$1,268,000	\$933,000	\$948,000	25%
Township of King	2022 Budget	\$694,000	\$1,407,000	\$1,194,000	\$713,000	49%
Springwater	2022 Budget	\$183,000	\$476,000	\$407,000	\$293,000	38%
Scugog	2022 Budget	\$791,000	\$1,500,000	\$1,080,000	\$718,000	53%
South Frontenac	2022 Actual	\$161,000	\$612,000	\$473,000	\$451,000	26%
Average (Excluding South Frontenac)	-	\$415,000	\$1,040,000	\$820,000	\$604,000	41%

Review of Planning Fees

Planning fee schedules from the above municipalities were reviewed and average fees were calculated for the application types identified in **Table 3** below. The average fees calculated between the comparable municipalities are the proposed 2023 planning fees for South Frontenac in **Table 3**. In general, it was determined that current South Frontenac planning fees are notably lower compared to the average fee calculated for similar sized municipalities.

Table 3: Current and Proposed Planning Fees.

Application Type	2023 Planning Fees	Proposed 2023 Planning Fees
Consent Application	\$1,043	\$1,347
Zoning By-law Amendment	\$1,964	\$1,964
Minor Variance Application	\$1,096	\$1,230
Official Plan Amendment	\$2,335	\$2,806
Plans of subdivision/Condo	\$2,123	\$2,978
Plans of subdivision/Condo – 20 or more units	\$3,185	\$3,583
Removal of 'H' Symbol	\$744	\$965
Removal of 'H' Symbol (Additional Dwelling Units)	-	\$110
Site Plan – Commercial, industrial, institutional developments less than 4000 square feet + Site Engineering / Legal Deposit	\$1,328 + \$1,000	\$2,506 + \$2,000
Site Plan – Commercial, industrial, institutional developments equal to or greater than 4000 square feet + Site Engineering / Legal Deposit	\$1,992 + \$1,000	\$3,300 + \$2,000
Road Closing Fee + Legal Deposit	\$532+ \$3,000	\$962 + \$3,500
Pre-consultation fee	\$108 *Waived currently due to pandemic	\$150 (minor variances and consents) \$400 (for other planning applications as per pre-consultation by-law)
Licence Agreement	\$373	\$373
Deeming By-law	\$426	\$431
Part Lot Control By-law	\$765	\$982
Zoning Compliance Letter	\$97	\$123 (\$252 within 48 hours)
Preparation of Condominium agreement	\$532	\$1,775
Preparation of Subdivision agreement	\$532	\$1,775
Preparation of Development agreement	\$267	\$373

Reinstatement of Pre-consultation Fees

Due to the COVID-19 pandemic, pre-consultation meetings were held virtually. The only payment collection method was cheque, so staff waived this \$108 fee requirement. The pre-consultation fee could be applied to a future planning application received within 6 months. Therefore, there was no direct revenue impact from this administrative change.

Since the pandemic, Development Services has diversified payment collection methods, including online payment. Staff recommend reinstatement of pre-consultation fees, however, recommend a non-refundable fee based on a review of comparable municipalities. A tiered approach is recommended with a pre-consultation fee of \$150 for consents and minor variances, and \$400. for official plan amendments, zoning by-law amendments, and plans of

condominium/subdivision. The non-refundable fee provides cost recovery of staff time. It is proposed that a higher pre-consultation fee be charged for official plan amendments, zoning by-law amendments, and plans of subdivisions/condominiums as this is in-line with similar municipalities due to the complexity and increased staff time required.

Staff will bring an amended pre-consultation by-law to Council for consideration in early 2023 to address Bill 109, OPA No. 24, and to better describe the process and requirements for applicants.

Proposed New Planning Application Fees

Zoning Compliance Review for Building Permit Applications

To streamline the building permit approval process, it is recommended that a zoning compliance review be completed by planning staff instead of the building inspectors. One planning staff would be responsible for zoning compliance review, which would reduce errors in zoning interpretation. Staff recommend that a zoning compliance review fee be added to building permit applications to cover the cost of this service.

Currently, each building inspector completes a zoning review as part of the approval process. If any issues are identified, the building inspector notifies the applicant that a planning application is required. However, at this stage, the building permit has been submitted and the applicant often assumes that a building permit will be issued shortly. Requiring a zoning compliance review reduces confusion and identifies planning application requirements early in the building permit application process.

The zoning compliance review would need to occur before the building permit application is submitted. Currently, the zoning compliance review does not occur until after the building permit application is deemed complete and is passed on to the building inspector. The zoning review would result in zoning approval and a zoning certificate that would be issued for the development proposal.

Other municipalities that have adopted a “Planning First” process charge a fee and provide a zoning certificate. If a site plan that was reviewed and approved for zoning purposes is brought back and submitted with a building permit application within the 12 months, it would then form part of a complete application as per the Ontario Building Code and applicable law compliance. Other municipalities that have adopted a “Planning First” process include Aurora, Guelph, East Gwillimbury, and Hamilton.

A separate fee would be charged for this review at \$110 based on comparators. As this review was already taking place through the building permit process and was incorporated within those fees, the \$110 would be offset from the calculated building permit fee however this revenue would now reside under planning fees rather than building fees.

With a proposed zoning compliance review fee of \$110, and an estimated 550 building permit applications per year, it is estimated that the zoning compliance review fees would result in revenues of \$60,500.

Natural Heritage Policy Review

Under Bill 23, conservation authorities will no longer be able to review applications regarding natural heritage and water resource impacts even though they have service agreements with the Township. The Township will need to assume the lead role for these reviews.

As part of the planning approval process, conservation authorities have set fee schedules that are billed directly to applicants. With approximately 110 planning applications per year requiring conservation authority review, and a flat fee of \$425 per application, this results in a total revenue stream of \$46,750 per year that is currently billed directly to the applicant.

It is estimated that the fees for service of natural heritage review only would be approximately \$15,000 - \$20,000 per year. This is only one component of the several services that conservation authorities provide under the \$425 flat fee. Currently, staff is recommending adding a natural heritage policy review fee of \$175 to cover staff time to undertake a review of natural heritage policies.

It should be noted that this does not cover the technical review of Environmental Impact Assessments, which was a service provided by conservation authorities before Bill 23. This is an additional technical review provided by conservation authorities. At this time, staff recommend outsourcing this requirement to an environmental consultant, at the expense of the applicant (e.g. peer review). The proposed natural heritage planning review fee has been determined based on discussions with conservation authority partners.

Currently, staff is recommending internal natural heritage review due to the subject matter expertise of current staff and potential to train junior staff. Otherwise, the natural heritage review would need to be outsourced either through the County or through a consultant.

A separate staff report is included within tonight's agenda which provides for the staffing capacity to take on the natural heritage and zoning compliance review.

Other New 2023 Planning Fees

A review of other comparable municipalities indicates several work items that municipalities list as set fees that are not currently listed on the South Frontenac fee schedule. Examples include:

- Lifting of 0.3 metre Reserve
- Draft plan approval extension
- Preparation of Pre-Servicing Agreement
- Preparation of Model Home Agreement

- Final Design Review – Condominium/Subdivision
- Telecommunications Tower Review
- Public Sign posting on behalf of applicant
- Property Information Search
- File Search Fee
- MDS Re-Calculation

Staff recommend adding the above items to the fees schedule (as shown in **Table 4** below). Most work items listed above are infrequent, but without listing in the fees schedule, staff are unable to recover costs. Some fees such as Property Information Search were waived during the pandemic, and it is recommended that these fees be reinstated.

Table 4. Proposed New 2023 Planning Fees.

Application Type	2023 Fees	Proposed 2023 Planning Fees
Preliminary Zoning Review	No set fee	\$110
Natural Heritage review	No set fee	\$175
Lifting of 0.3 m Reserve	No set fee	\$1,223
Draft plan approval extension	No set fee	\$1,311
Preparation of Pre-servicing agreement	No set fee	\$1,775
Preparation of Model Home agreement	No set fee	\$1,775
Final Design Review – Condo/Subdivision	No set fee	\$235
Telecommunications Tower review	No set fee	\$1,886
Sign Posting	No set fee	\$157
Property Information Search	No set fee	\$87
File Search Fee	No set fee	\$87
MDS Re-Calculation	No set fee	\$140

Discussion

Staff conducted a review of all development-related user fees. Based on current user fees, the Township recovers 24% of costs related to the processing of development-related applications (see **Table 5** below). The resulting shortfall is currently absorbed by the Township's property tax base.

Table 5. Existing and Potential Cost Recovery of Development-Related User Fees.

2023 Budget	Annual Costs	Annual Revenue	Estimated Cost Recovery	Impact on Property Tax Base
Current Planning Fees/Costs	\$737,958	\$175,000	24%	\$562,958
<u>Revised</u> Proposed Planning Fees Change in Costs – Staffing*	+\$79,300	+128,000		
Net	\$817,258*	\$303,000	37%	\$514,258

*Adjusted Planning Assistant to Planning Coordinator and one additional planning staff (1.0 FTE – Planning Clerk) budgeted due to addition of zoning compliance review and natural heritage planning review.

Fee changes are recommended for many planning fee application categories. Additional categories are proposed to cover other processes that staff may undertake. These changes improve the Township's cost recovery from user fees up to 37%. and would result in a net reduction in costs on the property tax base by \$48,700. This is broken down as \$128,000 from new fees less the recommended staffing changes included in the agenda.

As described above, potential new fees contribute to an estimated annual revenue of \$303,000. This is a result of the following fees:

- Pre-consultation fees are estimated to increase revenue by \$23,000.
- Zoning compliance review fees are estimated to increase revenue by \$60,500.
- Natural heritage review fees are estimated to increase revenue by \$20,000.
- Increasing most planning fees are estimated to increase revenue by \$24,500.

Fee Recommendations Analysis: Development Impact Scenarios

An important aspect of the fees review is understanding how the proposed fee changes impact the overall costs of a development project and to confirm that there would not be negative impacts to development in the Township.

A trusted approach to analyze impacts on development is using samples of development application types and analyzing all the municipal fees these applications would be subject to (i.e. planning, building permit, and development charges fees). This method is the preferred approach to understanding the relative market position of the proposed fees. Scenarios 1,

2, and 3 are provided below to illustrate the potential financial impacts of the proposed update to the fees schedule.

Scenario 1: A building permit of a new single-family residence. The development application fees applied in this scenario would include the following listed in **Table 6**.

Table 6. Analysis of impact of zoning compliance review fee on total project costs.

Municipal fees	Estimated 2022 fees	Estimated 2023 fees with proposed preliminary zoning review fee
Zoning Compliance review fee	No fee	\$110
Building permit fees	\$8,941	\$8,831
Development Charges Fees	\$13,529	\$13,529
Total development application fees	\$22,470	\$22,470
Total fee change (%)	-	0.0 %

Scenario 2: A consent application (severance) to permit new residential construction. The development application fees applied in this scenario would include the following listed in **Table 7**.

Table 7. Analysis of impact of proposed planning fees on total project costs.

Municipal fees	Estimated 2022 fees	Estimated 2023 fees with proposed new fees
Pre-consultation fee	*Waived due to pandemic	\$150
Consent application	\$1,043	\$1,347
Natural heritage review	\$175**	\$175
Development agreement	\$267	\$373
Zoning Compliance review fee	-	\$110
Building permit fees	\$8,941	\$8,831
Development Charges fees	\$13,529	\$13,529
Total development application fees	\$24,030	\$24,515
Total fee change (%)	-	2.0%

**No net change to applicant as fees are shifted from being received by the conservation authority to the Township.

Scenario 3: A plan of subdivision application to permit twenty (20) new residential single-family homes. The development application fees applied in this scenario would include the following listed in **Table 8**.

Table 8. Analysis of impact of proposed planning fees on total project costs (subdivision).

Municipal fees	Estimated 2022 fees	Estimated 2023 fees with proposed new fees
Pre-consultation fee	*Waived due to pandemic	\$400
Plan of subdivision fee	\$3,185	\$3,583
Natural heritage review	\$175**	\$175
Subdivision agreement	\$532	\$1,775
Zoning compliance review	-	\$2,200
Building permit fees	\$178,820	\$176,620
Development Charges fees	\$270,580	\$270,580
Total development application fees	\$453,292	\$455,333
Total fee change (%)	-	0.45%

**No net change to applicant as fees are shifted from being received by the conservation authority to the Township.

Based on Scenarios 1, 2, and 3 above, the proposed planning fees result in an overall increase of 0%, 2.0% and 0.45% for the entire development approval process. The 0%, 2.0%, and 0.45% increases are not anticipated to cause a negative financial impact to the development community.

Notice Requirements

As directed by Council on February 21, 2023, staff provided notice to allow for Council to hold a public meeting on April 4, 2023, in order to seek comment from the public regarding amendments to By-law 2019-74 Being a By-law To Prescribe A Tariff Of Fees For The Processing Of Applications Made In Respect Of Planning Matters.

By-law 2016-73, a By-law to Prescribe The Form And Manner And Times For The Provision Of Notice outlines the notice requirement to amend the current Planning Fees By-law (By-law 2019-74). Specifically, a full notice shall be published at least four weeks in advance of the meeting on the Township website. Additionally, a summary of the Notice shall be published in the weekly banner advertising directing readers to the website four weeks in advance of the meeting. A subsequent notice shall be published one week in advance of the meeting.

Public notice was published in the Frontenac News during the weeks of March 6th, 2023 to March 27th, 2023.

Public Comments

No comments have been received from the public at the time of writing this report.

Financial Implications

Adjusting planning fees to be more in-line with comparable municipalities and adding new fees to cover activities undertaken by planning staff in response to public/developer demands means a greater proportion of the cost of staff time can be recovered from the user of these services.

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.

Action Item: Reviewing planning fees ensures that where possible that staff time and resources are being recovered on a cost recovery basis.

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

- Michelle Hannah, Planning Assistant
- Tom Fehr, Planner
- Christine Woods, Senior Planner
- Rebecca Roy, Deputy Chief Building Official
- Tom Berriault, Chief Building Official

Attachments

Attachment 1: Draft By-law 2023-XX "A By-law to amend By-law 2019-74 and update Planning Fees"

Township of South Frontenac

Staff Report - Public Meeting Regarding Amending the Current Planning Fees By-law (By-law 2019-74)

Approvals

Prepared and Submitted By:



Brad Wright

Director of Development Services

Approved By:



Louise Fragnito, CPA, CGA

Chief Administrative Officer

**TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2023-XX**

**BEING A BY-LAW TO PRESCRIBE A TARIFF OF FEES FOR THE
PROCESSING OF APPLICATIONS MADE IN RESPECT OF PLANNING
MATTERS**

WHEREAS, section 69.1(1) of the *Planning Act, R.S.O. 1990*, provides that the council of a municipality, by by-law, may establish a tariff of fees for the processing of applications made in respect of planning matters, which tariff shall be designed to meet only the anticipated costs to the municipality or to a Committee of Adjustment constituted by the council of the municipality in respect of the processing of each type of application provided for in the application.

AND WHEREAS the Council of the Corporation of the Township of South Frontenac deems it expedient to ensure that staff time involved in reviewing and processing development applications is properly accounted for in the tariff of fees associated with the processing of planning applications;

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

1. THAT Schedule "A", attached hereto, and by this reference, shall form part of By-law 2023-XX.
2. THAT all other by-laws establishing fees for the processing of planning applications are hereby repealed.
3. THIS BY-LAW shall come into force in accordance with section 69.1 of the *Planning Act, R.S.O. 1990*, either upon the date of passage or as otherwise provided by said section 69.1.

Dated at the Township of South Frontenac this XXX day of XXX, 2023.

Read a first and second time this XXX day of XXX, 2023.

Read a third time and finally passed this XXX day of XXX, 2023.

The Corporation of the Township of South Frontenac

Ron Vandewal, Mayor

James Thompson, Clerk

**SCHEDULE “A”
TO BY-LAW 2023-XX
PLANNING FEE STRUCTURE**

Fee Schedule		
Application Type	Fee	Engineering and Legal Deposit
Pre-consultation fee:		
Minor variances and Consents (pre-consultation fee)	\$150	
Zoning By-law amendments, Official Plan Amendments, Plan of subdivision/condominium (pre-consultation fee)	\$400	
Consent Application:	\$1,347	
Change of conditions - minor	\$320	
Change of conditions – major (requiring recirculation)	\$560	
Zoning By-law Amendment:	\$1,964	
After building without a permit	\$3,700	
Minor Variance Application:	\$1,230	
Applications requiring extra work (4+ variances)	\$1,445	
After building without a permit	\$2,206	
Site Plan Agreement:		
Site Plan – Commercial, industrial, institutional developments less than 4000 square feet + Site Engineering / Legal Deposit	\$2,506	\$2,000
Site Plan – Commercial, industrial, institutional developments equal to or greater than 4000 square feet + Site Engineering / Legal Deposit	\$3,300	\$2,000
Official Plan Amendment	\$2,806	
Plan of subdivision/condominium:		
Plan of subdivision/condominium – less than 20 units	\$2,978	\$3,500
Plan of subdivision/condominium – more than 20 units	\$3,583	\$5,000
Change of condition following Draft Plan Approval	\$1,200	
Draft Plan Extension	\$1,311	
Final Design Review	\$235	
Removal of ‘H’ Symbol	\$965	
Removal of ‘H’ Symbol (Additional Dwelling Units)	\$110	
Road Allowance Closing	\$962	\$3,500
Licence Agreement	\$373	
Lifting of 0.3m reserve	\$1,223	
Deeming By-law	\$431	
Part Lot Control By-law	\$982	
Preparation of Condominium agreement	\$1,775	
Preparation of Subdivision agreement	\$1,775	
Preparation of Pre-servicing agreement	\$1,775	
Preparation of Model Home agreement	\$1,775	
Preparation of Development agreement	\$373	
Calculation of MDS	\$275	
Calculation of MDS (recalculation)	\$140	
Zoning:		
Zoning Compliance Review	\$110	
Zoning Compliance Review – Drawing revisions	\$55	
Zoning Compliance Letter	\$123	
Zoning Compliance Letter (within 48 hours)	\$252	
Natural Heritage Review	\$175	
Telecommunications Tower review	\$1,886	
Sign Posting	\$157	
Property Information Search	\$87	
File Search Fee	\$87	

Public Meeting Statement

- The purpose of this public meeting is to hear comments on a proposed Official Plan Amendment and Zoning By-law Amendment regarding additional dwelling units.
- Regarding the Official Plan Amendment:
- If a person or public body would otherwise have an ability to appeal the decision of the approval authority (Frontenac County) to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Township before the County gives or refuses to give approval to the Official Plan Amendment, the person or public body is not entitled to appeal the decision of the County.
- If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Township before the proposed Official Plan Amendment is adopted, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.
- If you wish to be notified of the County's decision on the Official Plan Amendment submit a request to: Sonya Bolton, Manager of Community Planning, County of Frontenac, Planning and Economic Development Department, 2069 Battersea Road, Glenburnie, ON K0H 1S0, 613-548-9400, extension 351, Email: planning@frontenacounty.ca
- Appeals must be filed with the County 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.

Public Meeting Statement

- Regarding the Zoning By-law Amendment:
- If a person or public body would otherwise have an ability to appeal the decision of Council of the Township of South Frontenac to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Township before the by-law is passed, the person or public body is not entitled to appeal the decision.
- If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Township before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal.
- If you wish to be notified of the Township's decision on the Zoning By-law Amendment submit a request to the Township Clerk by email care of planning@southfrontenac.net.
- Appeals 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**

Public Meeting

under the Planning Act

Township Initiated Official Plan and Zoning By-law
Amendments

PL-OPA-2023-0030 and PL-ZBA-2023-0031

Tuesday, April 4, 2023
7:00 p.m. Council Meeting

Meeting Format

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



Official Plan Amendment on Additional Dwelling Units and

Zoning By-law Amendment on Additional Dwelling Units and Other Matters

PL-OPA-2023-0030 and PL-ZBA-2023-0031

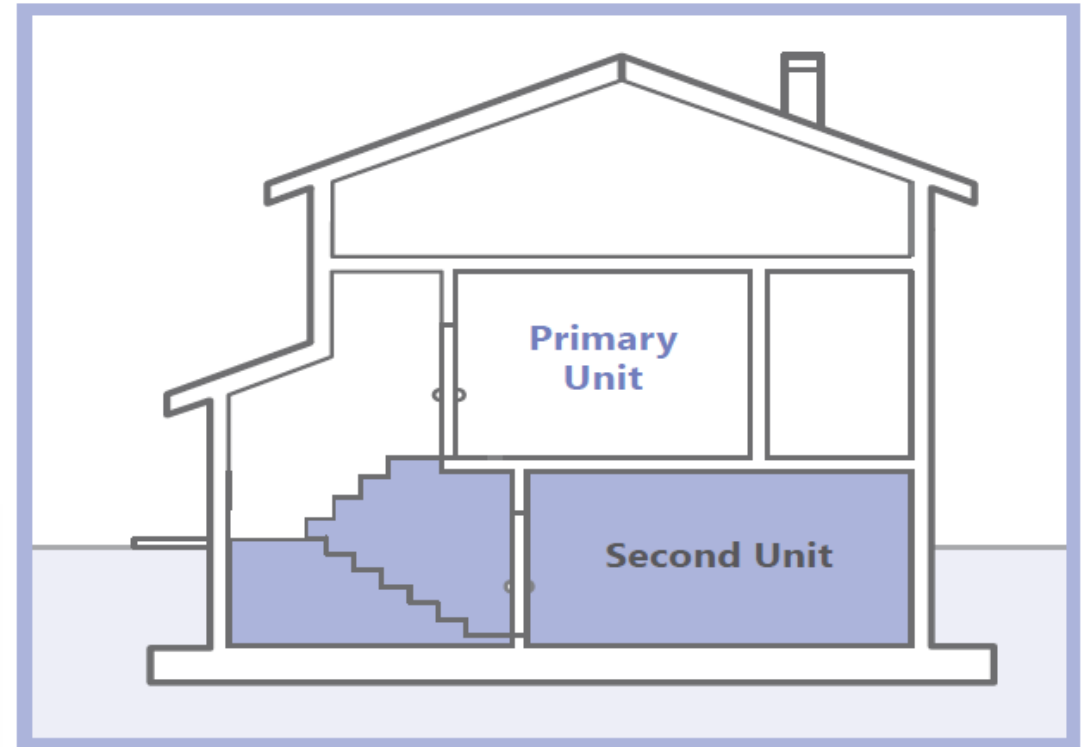


Purpose

- To make amendments to the Township Official Plan and Zoning By-law to define
 - What is an additional dwelling unit (ADU)
 - Where they are permitted and under what circumstances
- To make amendments to the Zoning By-law related to
 - Administration and enforcement of the Zoning By-law
 - Model homes
 - Seasonal dwellings
 - Accessory building locations

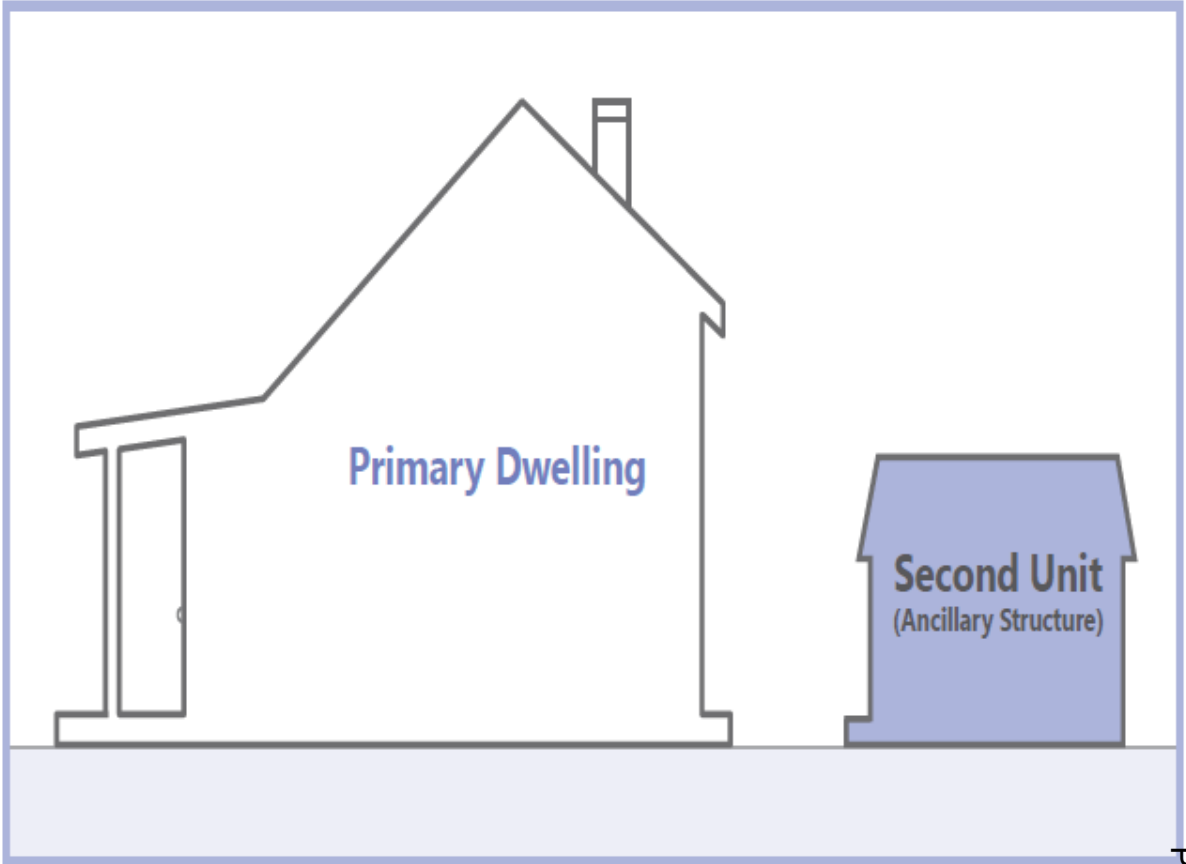
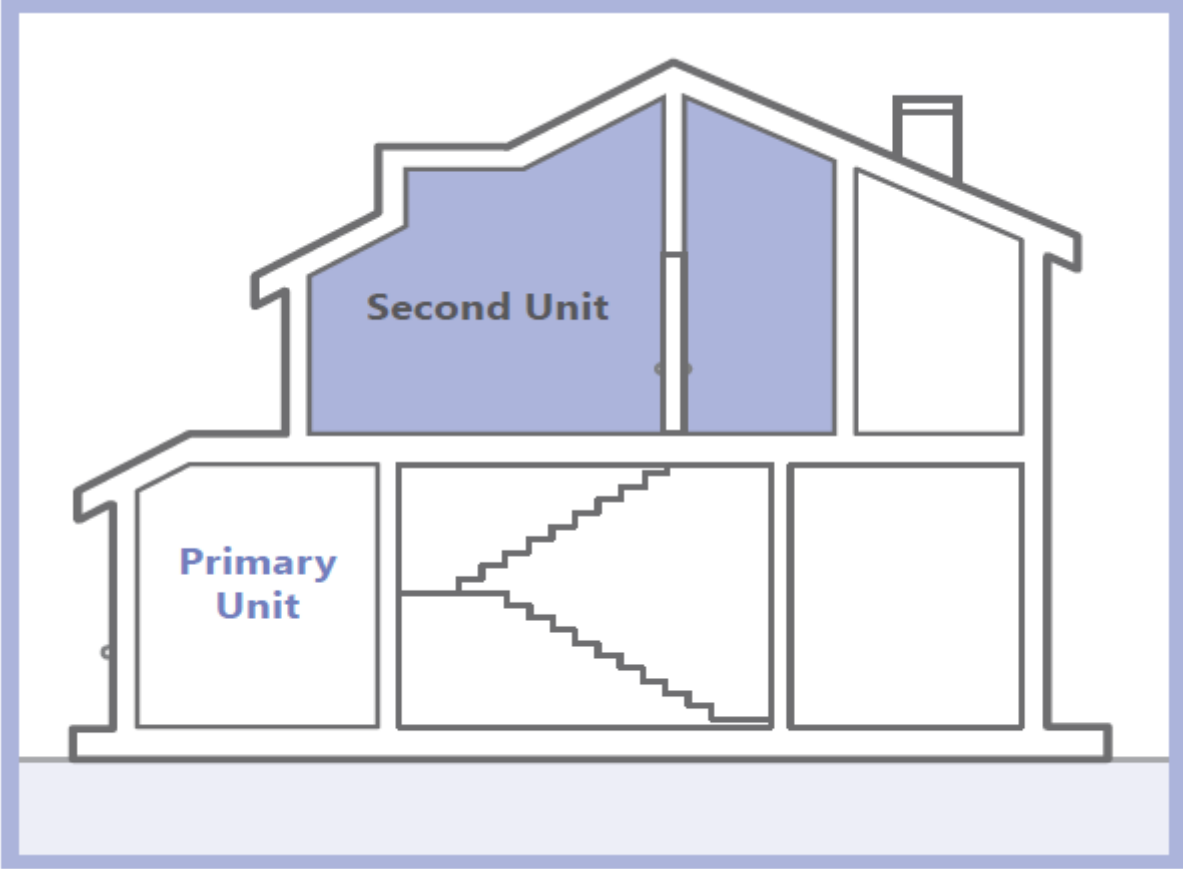
Additional Dwelling Units

- A self-contained residential unit with its own kitchen, bathroom facilities, and sleeping areas within a dwelling or within a structure accessory to a dwelling.
- Examples: secondary suite, granny flat, in-law suite, basement apartment



Source: MMAH 2017

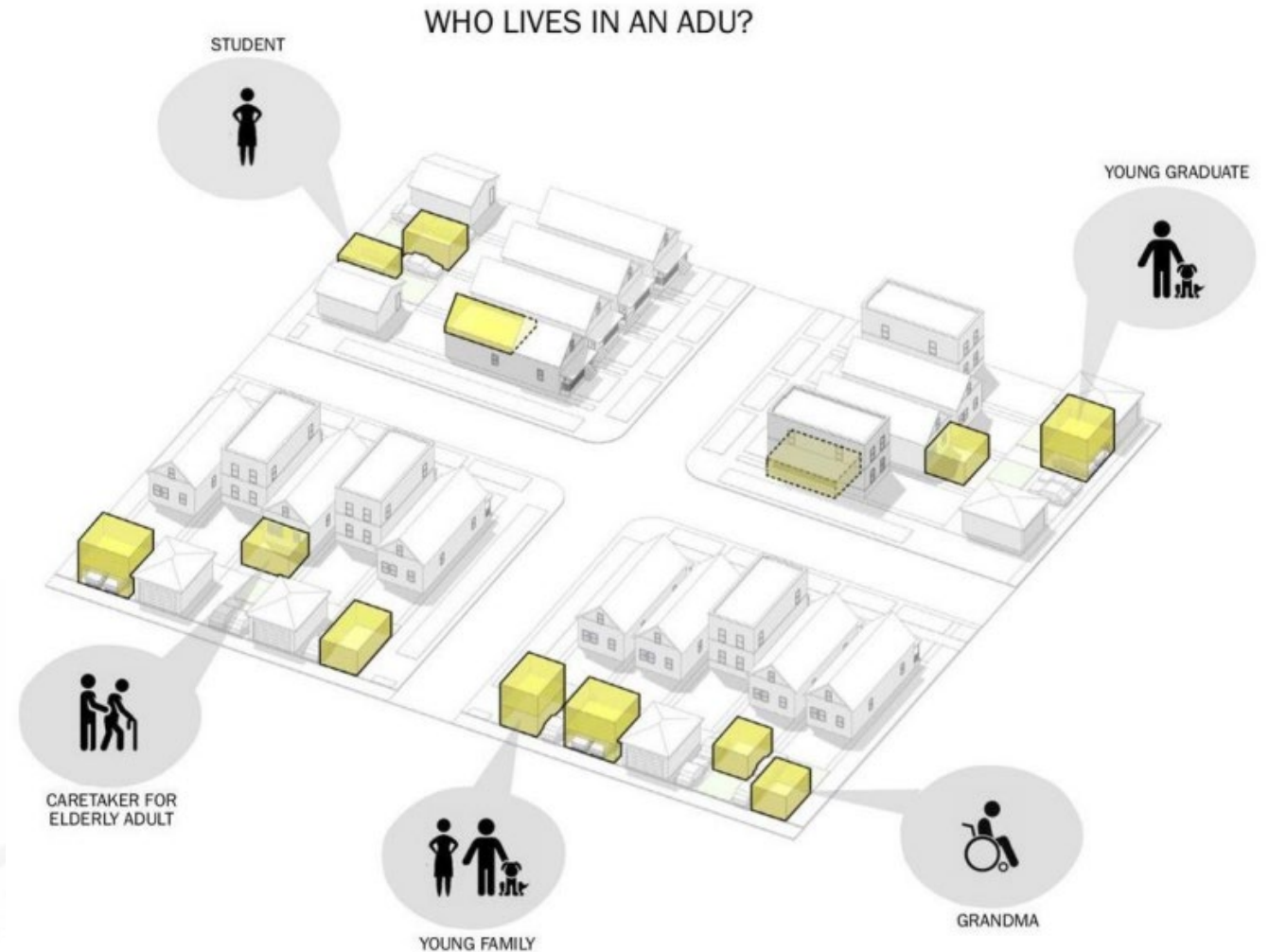
Additional Dwelling Units



Source: MMAH 2017

What can be achieved

- A mix of housing options
 - Not just single detached dwellings
- Affordable housing



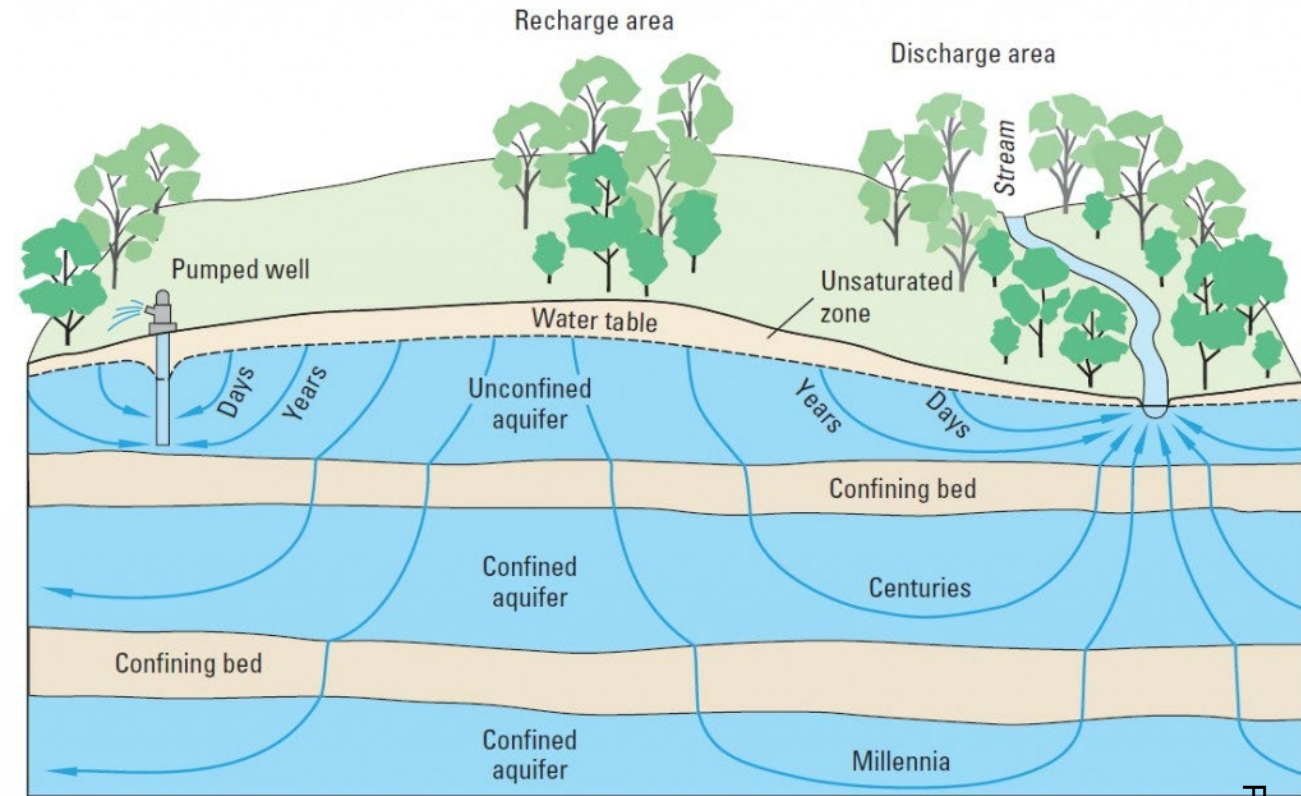
Source: Brampton with Credit to Booth Hansen

Background

- Planning Act required Official Plans to permit ADUs since 2011
- Planning Act now permits ADUs as-of-right on urban residential lands with both municipal water and sewer services
- Sydenham has municipal water but no sewers
- Frontenac County Official Plan requires Township Official Plan to have policies to permit ADUs
- Several ADUs approved in the last three years
- Local concerns raised about small lot areas and impacts to wells

Groundwater Resources

- Most residents and businesses get their water supplies from groundwater
- Aquifers are layers of bedrock, sand and gravel that store groundwater
- Quantity and quality of water varies depending on location and depth of well
- Important to consider when intensifying or changing uses



Source: forloveofwater.org

Proposed Official Plan Amendment

- ADUs allowed in houses, where houses are the principal permitted use
- Agricultural, Settlement Area, Rural designations
- Sample of Criteria
 - Comply with Zoning By-law
 - Demonstrate adequate supply of potable water and sufficient area for sewage system
 - Prohibited on lands within 90m of waterbody, within 300m of at-capacity lake trout lake, in floodplain
- ADUs to be considered in studies for subdivisions and condominiums

Proposed Zoning By-law Amendment: ADUs

- Implement Official Plan Amendment
- A maximum of two ADUs per lot
 - One in house and one detached OR
 - Two in house
- Establish a holding overlay
 - Applies to entire Township related only to ADUs
 - A hydrogeological study required to remove hold so a building permit can be issued
- Other requirements
 - The gross floor area of ADU must be less than or equal to gross floor area of house
 - One parking space required per ADU
 - Shared driveway
 - Detached ADU must be within 40m of house
 - 1.2m access pathway
 - Maximum 8m high detached accessory building

Proposed Zoning By-law Amendment: Other Matters

- Change Zoning By-law Administrator from Chief Building Official to Director of Development Services
- Add provisions for model homes
- Add seasonal dwelling as permitted use in Rural zone
- Remove requirement for accessory detached buildings to be located behind principal building (except in UR1, UR2, UMR and R zones)
- Add minimum front yard for accessory detached buildings



Next Steps

- A report with a recommendation on an Official Plan Amendment will be brought to a future Council meeting
- A report with a recommendation on a Zoning By-law Amendment will be brought to a future Council meeting after the OPA is approved by Frontenac County Council
- A report recommending a Delegated Authority By-law will be brought to a future Council meeting
- Prepare terms of reference for hydrogeological study

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

Adjourn Public Meeting



Township of South Frontenac

Staff Report



To: Council

Prepared by: Development Services Department

Date of Meeting: April 4, 2023

Subject: **Public Meeting for Township-Initiated Official Plan and Zoning By-law Amendments on Additional Dwelling Units**

Summary

This report provides Council with information about a Township-initiated Official Plan Amendment and Zoning By-law Amendment. The proposed amendments would define what is an additional dwelling unit, where they are permitted and under what circumstances. The Zoning By-law Amendment would also include general amendments to the Zoning By-law Administrator, model homes, seasonal dwellings, and accessory building location.

Consistent with Council's Procedural By-law, Council will receive comments from the public on the proposal. Staff will bring a more detailed report considering applicable policy and public comments, as well as providing a recommendation to Council for adoption of the Official Plan Amendment and for passing a by-law for the Zoning By-law Amendment at future meetings.

Recommendation

This report is for information only.

Background

In 2012, Bill 140, the Strong Communities through Affordable Housing Act, authorized the use of additional dwelling units in Ontario by making it mandatory for municipalities to permit this type of housing through their official plans and zoning by-laws. In 2019, Bill 108, More Homes, More Choice Act, authorized municipalities to permit up to two additional dwelling units in addition to the principal residence.

The Planning Act was amended in 2022 by Bill 23 so that on urban residential lands with both municipal water and sewer services, two residential units are allowed in a detached house, semi-detached house or rowhouse, and an additional residential unit may be permitted in a building or structure ancillary to the house on the same property. Three residential units may also be permitted in houses if there is not one in an ancillary building. Terms used to describe additional residential units include secondary dwelling unit, secondary suite, basement apartment, granny flat and granny suite. In the Township, the

term “additional dwelling unit” is used for consistency with current Zoning By-law terminology.

The Township does not currently provide both municipal water and sewer policies, so the 2022 amendment to the Planning Act does not directly impact the Township. However, the Township Official Plan must still conform to the Frontenac County Official Plan, which requires policies to permit additional dwelling units. Permitting additional dwelling units on private services supports the accommodation of a mix of housing options and of affordable housing in the Township.

Over the last few years, Council approved several applications from residents who requested permission to have additional dwelling units on their properties. Development Services staff heard Council and the public raise concerns about small lot areas and impacts to wells. They have also asked for standards that could be applied consistently to all requests. As a result, we have initiated the process to consider official plan and zoning by-law amendments to permit additional dwelling units Township-wide.

Groundwater Resources

Aside from a portion of Sydenham that has a municipal water system, and waterfront properties that draw water from lakes, the majority of residents and businesses draw their water from underground aquifers. Therefore, uncontaminated and plentiful groundwater resources are essential to the safe and adequate provision of drinking water in the Township.

The Ontario Well Records Database suggests that well yield and recovery rates (i.e. quantity of water) vary across the Township depending on the location and the depth of the wells. These records suggest that this variability also exists at the neighbourhood level.

Four regional groundwater studies have been prepared in the Township. They are the Western Cataraqui Region Groundwater Study (2007) and Assessment Reports for the Cataraqui Source Protection Area, the Quinte Source Protection Area, and the Mississippi-Rideau Source Protection Region. These studies all show that much of the Township sits on highly vulnerable aquifers. These aquifers can be easily changed or impacted by contamination and overuse.

The Provincial Policy Statement (2020) requires planning authorities (i.e. the Township) to implement necessary restrictions on development to protect vulnerable and sensitive groundwater resources. In the context of additional dwelling units, the Township must be satisfied that the additional water usage of the units will not impact the water supply of the principal dwelling and of adjacent lots. The Township must also be satisfied that discharge from the required sewage system will not contaminate the groundwater, especially from nitrate-nitrogen. This can be accomplished through a hydrogeological study.

The purpose of a hydrogeological study is to evaluate whether a development proposal is likely to result in adverse/negative impacts to the aquifer or existing groundwater users. For example, Is there enough water? Is the water safe? Will there be unacceptable interference with existing wells? The level of detail required in a study normally corresponds to the level of risk posed to the groundwater resource, and the level of uncertainty associated with the available information. Where there is a low risk of negative impacts, a qualified professional may be able to complete their report by qualitatively applying hydrogeological principles to existing information (e.g. well records), such as in the form of a desktop study. Where there is a high risk of negative impacts, a detailed site investigation may be required.

Given groundwater variability across the Township, staff are proposing to require a hydrogeological study for all proposals for additional dwelling units. The Township can only require a hydrogeological study if a development proposal triggers the need for an application under the Planning Act. More information is provided in the following sections on the draft official plan and zoning by-law amendments.

Draft Official Plan Amendment

The purpose of the Official Plan Amendment is to make changes to the current Township's Official Plan to allow additional dwelling units (for example, secondary suite, garden suite, basement apartment) in conformity with the Frontenac County Official Plan. The draft amendment will add policies to define what is an additional dwelling unit, where they are permitted and under what circumstances. The draft policies build on those in the draft Official Plan.

In summary, the draft policies will permit additional dwelling units (ADUs) in houses that are the principal permitted use on properties in the Agricultural, Settlement Area and Rural designations provided that several criteria are satisfied. These criteria include compliance with the Zoning By-law, demonstration that the lot has an adequate supply of potable water and sufficient area for the required sewage system, and prohibition on lands within 90 metres of a waterbody. See wording within attachment 1 for the list of all the criteria. The draft policies will also require a hydrogeological study and terrain analysis prepared in support of a plan of subdivision or condominium to account for ADUs.

Draft Zoning By-law Amendment - ADUs

The purpose of the proposed Zoning By-law Amendment is to make changes to Zoning By-law No. 2003-75 to implement the proposed Official Plan Amendment on ADUs. The effect will be to specify where ADUs are permitted and under what circumstances.

The amendment would establish a Township-wide holding overlay for ADUs. A holding overlay is similar to a holding symbol on a zone (-H) in that conditions need to be satisfied before a building permit can be issued, but a holding overlay applies to a geographic area instead of a property and it only applies to a specific use. The proposed By-law will require

a hydrogeological study before a lot is removed from the Holding Overlay and a building permit issued for an ADU.

A hydrogeological study would be required regardless of the size of the property, recognizing that there are areas of the Township that have experienced groundwater constraints. The scope (level of detail) of the study could be adjusted for a given circumstance if appropriate as explained in the Groundwater Resources section of this report. It is estimated that a hydrogeological study costs around \$4,500.

Such a study would need to be peer reviewed for the Township, as we do not have a hydrogeologist on staff. County staff have indicated that it may be possible to use their peer review hydrogeologist for this purpose. It is estimated that peer review services cost around \$500. All costs for the study and peer review would be the responsibility of the proponent.

Staff will engage a hydrogeologist to prepare a terms of reference for the hydrogeological study so that this reference document is ready for use once a zoning by-law amendment is passed.

Lifting a holding symbol currently requires an application for zoning by-law amendment and Council passing a by-law. With Council support, staff would recommend that Council delegate authority to lift holding symbols to the Director of Development Services through by-law. Delegated authority is a tool that Council enabled through the adoption of Official Plan Amendment No. 24 on January 10, 2023, and that was approved by County Council in February. This would help to not burden Council with a large volume of straightforward applications and streamline the process for the proponent.

In addition, Council could consider having a lesser fee for lifting a holding symbol for additional dwelling units. The current application fee is \$744.

The proposed amendment would also address matters such as parking requirements, proximity of detached ADUs to the principal dwelling, and standards for an access pathway to an ADU. See the attached wording for all the proposed provisions.

Minor variances for accessory building height are a common request to the Committee of Adjustment. Typically, it is associated with a larger building footprint which necessitates a higher roof line or it is associated with a loft or second storey for storage to minimize building footprint. The Committee granted 29 variances for accessory building height between 2020 and 2023. The building heights ranged from 6.4 metres to 9.4 metres.

It is proposed to increase the maximum building height for an accessory building from 6 metres (19.7 feet) to 8 metres (26.2 feet). Increasing the maximum building height would reduce the number of minor variances heard by the Committee of Adjustment, but more importantly would streamline the approval process for an ADU over an accessory building such as a detached garage.

Draft Zoning By-law Amendment - Other

The proposed Zoning By-law Amendment includes other changes to the By-law. These changes are proposed based on staff experience implementing the Zoning By-law, and on specific circumstances that have arisen.

1. Change the title of the Zoning By-law Administrator from the Chief Building Official to the Director of Development Services.

Council recently approved (in principle) the creation of a new staff position to perform zoning compliance reviews in support of the building permit application process. This service would be provided through Planning Services, which specializes in zoning interpretation. It is proposed that the administration of the Zoning By-law be shifted to the Director of Development Services, who can then designate the role to a Senior Planner or Planner. This will allow the Chief Building Official to focus on Ontario Building Code interpretation.

2. Add provisions about model homes.

Developers of subdivisions are requesting model home agreements in order to construct a house that would temporarily be used as an office, show room or sales centre to promote the sale of lots in draft approved plans of subdivision. The Township's solicitor confirmed that unless the zoning by-law permits a model home no building permit can be issued to construct a model home, with or without an agreement. This is because a model home is not a dwelling for the purpose of the Ontario Building Code.

The proposed amendment would define "model home" and add zoning standards for where and when they are permitted, and how many could be permitted in a plan of subdivision or condominium.

3. Add seasonal dwelling as a permitted use in the Rural zone.

The Township contains a significant number of large rural landholdings, including many which have waterfrontage. These properties are zoned Rural (RU). The RU zone permits a single detached dwelling but not a seasonal dwelling. Staff regularly receive inquiries from individuals who want to construct a seasonal dwelling for a variety of reasons. For example, it is a waterfront property, and/or there is no access to the electrical grid due to remote location. Some have noted that the Ontario Building Code requirement of an HRV and a high efficiency heating system for a year-round dwelling would translate into an electrical load that is difficult to meet with renewable energy sources.

Both a single detached dwelling and a seasonal dwelling are permitted on lands in the Rural designation. Staff note that a seasonal dwelling is a permitted use in the Waterfront Residential (RW) and Limited Service Residential (RLSW, RLSI) zones that apply to waterfront residential properties, as well as the RLS zone that apply to non-waterfront

properties on private lanes. Permitting a seasonal dwelling on RU zoned lands would allow the desired seasonal and recreational usage of properties while still maintaining the form of low-density residential development that is permitted in the RU zone.

The proposed amendment would permit a seasonal dwelling in the RU zone.

4. Remove the requirement for accessory detached buildings to be located behind the principal building on a property in certain zones and to instead add a minimum front yard for accessory detached buildings in those zones.

Minor variances to locate an accessory building in the front yard of a principal building are a common request to the Committee of Adjustment. Typically, the request is associated with a large property where the principal building is well setback from the front lot line. The Committee granted 34 variances for accessory buildings in the front yard between 2020 and 2023. The setbacks to the front lot line ranged from 20 to 1200 metres.

The proposed amendment would delete the requirement for accessory detached buildings to be located behind the principal building on a property except in the Urban Residential zones and the Residential zone. The proposed amendment would add a standard setback for accessory buildings that is consistent with the required minimum front yard of principal buildings. For example, the principal building and accessory buildings in the RU zone would all need to be setback a minimum of 20 metres from the front lot line. Specifying a front yard setback would recognize the significant variation in front yard depths in rural areas across the Township. The current provision would continue to apply in settlement areas and subdivisions where building densities tend to be greater and building setbacks lesser.

Relationship to Strategic Plans

- Not applicable to this report.
- This initiative is supported by the following priorities of the 2019-2022 Strategic Plan.
- Priority: 2. Promote and support growth that meets the community's needs while maintaining the integrity of our natural environment.
 - Priority: 4. Be a catalyst for the creation of vibrant, complete communities.
 - 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 to be held on April 4, 2023, was given pursuant to the requirements of the Planning Act, 20 days in advance of the Public Meeting. This included notice given:

- By publishing a notice in Frontenac News
- by posting on the Township's Current Planning Application webpage
- by e-mail to prescribed persons and public bodies

Prescribed persons and public bodies include neighbouring municipalities, conservation authorities and school boards.

Building Services, Public Services, Fire and Emergency Services, and the Treasury departments have been asked to review and comment on the proposed amendments.

Attachments

1. Draft Official Plan Amendment
2. Draft Zoning By-law Amendment
3. Draft Zoning By-law Schedule – Holding Overlay for Additional Dwelling Units

Approvals

Prepared By: Christine Woods, MCIP, RPP, Senior Planner

Submitted By:



Brad Wright
Director of Development Services

Approved By:



Louise Fragnito, CPA, CGA
Chief Administrative Officer

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Draft Official Plan Amendment - Additional Dwelling Units

The purpose of the proposed Official Plan Amendment is to make changes to the current Township's Official Plan to allow additional dwelling units (for example, secondary suite, garden suite, basement apartment) in conformity with the Frontenac County Official Plan. The amendment will add policies to define what is an additional dwelling unit, where they are permitted and under what circumstances.

A. Add new Section 6.28 Additional Dwelling Units:

6.28 Additional Dwelling Units

6.28.1 Additional dwelling units (ADUs) are self-contained residential units with their own kitchen, bathroom facilities, and sleeping areas within dwellings or within structures accessory to a dwelling. ADUs are also known as accessory apartments, basement apartments, or in-law suites. ADUs are encouraged as a means of providing a diversity of housing options in the Township.

6.28.2 ADUs are permitted on lands where a single detached dwelling, semi-detached dwelling, or townhouse is the permitted principal use in the Agricultural, Settlement Area and Rural designations, provided that:

- a) The ADU and the lot comply with all applicable provisions of the Zoning By-law;
- b) It is demonstrated that the lot has an adequate supply of potable water and sufficient land area for the required sewage system to the satisfaction of the Township;
- c) The ADU is located within the principal dwelling unit or a detached accessory structure;
- d) The ADU is designed and located in such a manner to avoid adverse impacts on the residential character of the property and the surrounding neighbourhood;
- e) The ADU is not a stand-alone unit capable of being severed;
- f) A detached ADU shall be located in proximity to the principal dwelling unit;
- g) The ADU is not larger than the principal dwelling unit and is limited in size;

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- h) Parking for the ADU is provided in accordance with the provisions of the Zoning By-law;
- i) The ADU is addressed in accordance with the Township's civic addressing by-law;
- j) The lot has direct access from a year-round maintained publicly owned road, or a private road within an approved plan of condominium, or a private lane that has been constructed to Township standards and that is maintained year-round. For a private lane, the Township will require documentation demonstrating how year-round maintenance is provided;
- k) The lands are not located within 90 metres of the highwater mark of a waterbody;
- l) The lands are not located within 300 metres of a highly sensitive (at-capacity) lake trout lake; and
- m) The lands are not located in a floodplain.

6.28.3 The zoning by-law will control additional dwelling units based on lot size requirements, servicing constraints related to water and sewage, and the other criteria outlined in Section 6.28 of the Official Plan.

B. Add policy to Section 7.2 General Policies for Plans of Subdivision:

7.2(d)(i) The supporting hydrogeological study and terrain analysis should account for the inclusion of up to two additional dwelling units on each lot.

C. Add policy to Section 7.3 General Policies for Plans of Condominium:

7.3(d)(i) The supporting hydrogeological study and terrain analysis should account for the inclusion of up to two additional dwelling units on each unit.

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Draft Zoning By-law Amendment

The purpose of the proposed Zoning By-law Amendment is to make changes to Zoning By-law No. 2003-75 to implement the proposed Official Plan Amendment on additional dwelling units (file PL-OPA-2023-0030). The effect will be to specify where additional dwelling units are permitted and under what circumstances. It will also establish a Township-wide holding overlay for additional dwelling units. The proposed By-law will require a hydrogeological study before a lot is removed from the Holding Overlay and a building permit issued for an additional dwelling unit. The proposed By-law would also increase the maximum building height for an accessory building with the intent to facilitate an additional dwelling unit over a detached garage.

The proposed Zoning By-law Amendment would also include general amendments to:

- (1) change the title of the Zoning By-law administrator, in order to shift this role to Planning Services through the Director of Development Services;
- (2) add provisions about model homes, in order to permit model homes prior to subdivision registration;
- (3) add seasonal dwelling as a permitted use in the Rural zone, acknowledging that there are large rural landholdings in the Township that can only practically be used on a seasonal basis due to remote location or lack of hydro services; and
- (4) remove the requirement for accessory detached buildings to be located behind the principal building on a property in certain zones and to instead add a minimum front yard for accessory detached buildings in those zones, in order to have a standard setback for accessory buildings in recognition of the significant variation in front yard depths across the Township.

A. Regarding Zoning Administration:

1. Delete and Replace Section 4.1:

~~This By-law shall be administered by a person appointed by the Council of the Township of South Frontenac as the Chief Building Official.~~

Add "This By-law shall be administered and enforced by the Director of Development Services or their designate."

B. Regarding Model Homes:

1. Add the following definition to Section 3 Definitions:

"Model Home shall mean a single detached house, semi-detached house or townhouse used temporarily for the purpose of an office and/or show room and/or sales centre to promote the sale of residential units within a draft approved plan of

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subdivision under the Planning Act or a description under the Condominium Act, 1998 proposed for registration.”

2. Delete and Replace Section 5.4 Holding Zones:

~~Where any zone symbol as shown on the attached schedules is followed by the symbol "H", this signifies that only existing uses are permitted and no person shall use the land for any new use or erect, alter or enlarge any building or structure on said lands until such time as the holding symbol has been removed by the Township in accordance with the provisions of the Planning Act.~~

Add new text:

“5.4.1 Holding Overlays are created by identifying specific lands on Schedules A to H and “#” of this By-law and have the effect of restricting the development or use of a lot or building in accordance with the corresponding provisions until this By-law has been amended to remove the lot from the Holding Overlay in accordance with Section 36 of the Planning Act.

5.4.2 A lot that is subject to a Holding Symbol (-H) may only be developed for the following purposes until such time as the Holding Symbol is removed:

5.4.2.1 Uses that legally existed on the date of the passing of this By-law;

5.4.2.2 A model home in accordance with Section 5.48.”

3. Amend Section 5.25 Frontage on a Street:

Add the following phrase to the end of Section 5.25.1 “or to Model Home(s) where a Model Home Agreement has been executed by the owner and the Township on a lot prior to registration of the plan of subdivision subject to the regulations of Section 5.48” so that it reads:

5.25.1 No person shall erect any building or structure in any zone unless the lot upon which such building or structure is to be erected fronts upon a street. For the purposes of this By-law a street does not include an unopened road allowance, a private lane, a right-of-way or an un-assumed road on a Registered Plan which has been deemed not to be a Registered Plan under the Planning Act. The above provisions shall not apply to prohibit the erection of any building on a lot on a registered plan of subdivision where a subdivision agreement has been entered into but the streets will not be assumed until the end of the maintenance period, **or to Model Home(s) where a Model Home Agreement has been executed by the owner and**

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the Township on a lot prior to registration of the plan of subdivision subject to the regulations of Section 5.48.

4. Add new Section 5.48 Model Homes:

“Where a Model Home Agreement or a Subdivision Agreement permitting the construction of model homes has been executed by the owner and the Township, more than one single detached dwelling, semi-detached dwelling or townhouse may be constructed on a lot prior to registration of the plan of subdivision under the Planning Act or a description under the Condominium Act, 1998, subject to the following provisions:

5.48.1 The use must be permitted in the underlying Zone in which the single detached dwelling, semi-detached dwelling or townhouse is to be located;

5.48.2 The model home must not be occupied as a dwelling unit prior to the date of the registration of the subdivision plan or condominium plan;

5.48.3 The maximum number of model homes within one plan of subdivision under the Planning Act or a description under the Condominium Act, 1998 proposed for registration is equal to 10% of the total number of lots intended for single detached house, semi-detached house or townhouse purposes within the plan or description for registration, to a maximum of 10 model homes;

5.48.4 The model home must comply with all other provisions of this By-law, as though constructed on the lot within the registered plan of subdivision under the Planning Act or the description under the Condominium Act, 1998; and

5.48.5 The model home must comply with all applicable terms and conditions of the Model Home Agreement or Subdivision Agreement or Condominium Agreement, as applicable.”

C. Regarding Seasonal Dwellings:

1. Add Seasonal Dwelling as a permitted use to Section 7.2 Permitted Uses in the Rural Zone.

D. Regarding Accessory Buildings:

1. Amend Section 5.24.2 as follows:

5.24.2 ~~Except as otherwise may be specified in this by-law,~~ **In an Urban Residential zone and a Residential zone**, any accessory building which is

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not part of the main building shall be erected to the rear of the projected front or exterior side wall of the main building. Where accessory buildings are located behind the main buildings, they shall be located in accordance with the provisions of the particular zone.

2. Amend Section 5.24.3 as follows:

5.24.3 No person shall use an accessory building for human habitation except where a dwelling is permitted as an accessory building, **or where an additional dwelling unit is permitted by this By-law.**

Accessory buildings and structures are permitted to be used as general living areas, including but not limited to an amenity area, study, den, living room, recreational space, studio, home office or home occupation. For clarity, an accessory building used as a general living area is not considered a bedroom.

3. Delete Section 5.24.6:

~~5.24.6 The minimum distance between any building on a lot including accessory buildings and principal buildings shall be 3.0 metres (9.8 ft.) and in no case shall any overhang, eaves or gutter project into this required minimum area which shall be clear of any obstruction from the ground to the sky.~~

4. Add to all zones except the Urban Residential zones and the Residential zone:

To all zones except the Urban Residential zones and the Residential zone, add a minimum front yard for accessory buildings and structures that is the same as the minimum front yard for the principal building.

Section 6 Agricultural Zone

6.3.3 For Accessory Buildings Not Attached to the Principal Building

Add: Front Yard (Minimum) 20 Metres (65.6 ft.)

Section 7 Rural Zone

7.3.2 For Single Detached Residential Uses

Add: Front Yard (Minimum) for Accessory Buildings 20 Metres (65.6 ft.)

Section 8 Waterfront Residential Zone

8.3.2 For Accessory Buildings Not Attached To The Principal Building

Add: Front Yard (Minimum) 20 Metres (65.6 ft.)

Section 9 Limited Service Residential zone

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9.3.2 For Accessory Buildings Not Attached To The Principal Building

Add: **Front Yard (Minimum) 20 Metres (65.6 ft.)**

Section 10 Limited Service Residential – Waterfront Zone

10.3.2 For Accessory Buildings Not Attached To The Principal Building

Add: **Front Yard (Minimum) 30 metres (98.4 ft.)**

Section 11 Limited Service Residential – Island Zone

11.3.2 For Accessory Buildings Not Attached To The Principal Building

Add: **Front Yard (Minimum) 30 metres (98.4 ft.)**

Section 17 Rural Commercial Zone

17.3.2 For Accessory Buildings Not Attached To The Principal Building

Add: **Front Yard (Minimum) 8 Metres (26.2 ft.)**

Section 18 Recreational Resort Commercial Zone

18.3.2 For Accessory Buildings Not Attached To The Principal Building

Add: **Front Yard (Minimum) 8 Metres (26.2 ft.)**

Section 19 Urban Commercial Zone

19.3.3 For Accessory Buildings Not Attached To The Principal Building

Add: **Front Yard (Minimum) 6 Metres (19.7 ft.)**

Section 21 Rural Industrial Zone

21.3.2 For Accessory Buildings Not Attached To The Principal Building

Add: **Front Yard (Minimum) 8 Metres (26.2 ft.)**

Section 29 Community Facility Zone

29.3.2 For Accessory Buildings Not Attached To The Principal Building

Add: **Front Yard (Minimum) 10 Metres (32.8 ft.)**

5. Additions to all zones that permit accessory buildings and structures to residential land uses:

To all zones that permit accessory buildings and structures to residential land uses, amend the maximum building height from 6 metres (19.7 feet) to 8 metres (26.2 feet):

Township of South Frontenac
PL-ZBA-2023-0031
March 2023

Section 7 Rural Zone

7.3.2 For Single Detached Residential Uses

Delete and replace: Building Height for Accessory Buildings (**Maximum**) ~~6 Metres (19.7 ft.)~~ **8 Metres (26.2 ft.)**

Section 8 Waterfront Residential Zone

8.3.2 For Accessory Buildings Not Attached to the Principal Building

Delete and replace: Building Height (Maximum) ~~6 Metres (19.7 ft.)~~ **8 Metres (26.2 ft.)**

Section 9 Limited Service Residential Zone

9.3.2 For Accessory Buildings Not Attached to the Principal Building

Delete and replace: Building Height (Maximum) ~~6 Metres (19.7 ft.)~~ **8 Metres (26.2 ft.)**

Section 10 Limited Service Residential – Waterfront Zone

10.3.2 For Accessory Buildings Not Attached to the Principal Building

Delete and replace: Building Height (Maximum) ~~6 Metres (19.7 ft.)~~ **8 Metres (26.2 ft.)**

Section 12 Residential Zone

12.3.2 For Accessory Buildings Not Attached to the Principal Building

Delete and replace: **Building** Height (Maximum) ~~6 Metres (19.7 ft.)~~ **8 Metres (26.2 ft.)**

Section 14 Urban Residential – First Density Zone

14.3.2 For Accessory Buildings Not Attached to the Principal Building

Delete and replace: Building Height (Maximum) ~~6 Metres (19.7 ft.)~~ **8 Metres (26.2 ft.)**

Section 15 Urban Residential – Second Density Zone

15.3.4 For Accessory Buildings Not Attached to the Principal Building

Delete and replace: Building Height (Maximum) ~~6 Metres (19.7 ft.)~~ **8 Metres (26.2 ft.)**

Township of South Frontenac
 PL-ZBA-2023-0031
 March 2023

E. Regarding Additional Dwelling Units:

1. Add the following definition to Section 3 Definitions:
 Additional Dwelling Unit shall mean a dwelling unit, which is accessory to a principal dwelling, and is located on the same lot as the principal dwelling.
2. Add the following sentence to the end of the definition of Dwelling, Semi-detached:
 “The addition of an additional dwelling unit to a semi-detached dwelling does not change a semi-detached dwelling into any other type of building.”
3. Add the following sentence to the end of the definition of Dwelling, Single detached:
 “The addition of an additional dwelling unit to a single detached dwelling does not change a single detached dwelling into any other type of building.”
4. Add the following provision to Section 5.30 Offstreet Parking Provision:
 5.30.1.1 (a) one (1) space for each additional dwelling unit
5. Add the following text to 5.30.2.1:
 5.30.2.1 Each parking space must have a width of not less than 2.7 metres (8.9 ft.) and a length of not less than 6 metres (19.7 ft.) and must be readily accessible at all times and arranged in such a manner to provide access and manoeuvring space for the parking and removal of a motor vehicle without the necessity of moving any other motor vehicle, except that this shall not apply in the case of a single detached dwelling, **a semi-detached dwelling or an additional dwelling unit.**
6. Add new Section 5.49 Additional Dwelling Units:
 5.49.1 Additional dwelling units must comply with this Subsection and all other applicable provisions of this By-law.
 5.49.2 Location of Additional Dwelling Units
 Additional dwelling units are only permitted as an accessory use to the following principal buildings, if such building is listed as a permitted use in the applicable Zone:
 - a. Single detached dwelling; or
 - b. Semi-detached dwelling.
 5.49.3 Additional dwelling units are prohibited:
 - a. On lands that are located in a floodplain;

Township of South Frontenac
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March 2023

- b. On lands within 90 metres of the highwater mark of a waterbody;
- c. On lands within 300 metres of the highwater mark of a highly sensitive (at-capacity) lake trout lake; or
- d. On a lot containing two or more principal dwelling units, a garden suite or a boarding house.

5.49.4 In accordance with section 5.4, a Holding Overlay has been established in the area identified as “Additional Dwelling Unit Holding Overlay – Water Supply/Water Quality” on Schedule “#”. The Holding Overlay on Schedule “#” applies to the development of one or more additional dwelling units. Prior to the removal of any lot from a Holding Overlay and the issuance of a building permit for an additional dwelling unit, the following conditions must be satisfied:

5.49.4.1 A Hydrogeological Study is to be completed to the satisfaction of the Township from an independent qualified professional (P.Eng.) or geoscientist (P.Geo). to determine that the groundwater quality and quantity is sufficient for the additional dwelling unit and will not adversely impact the water supply of adjacent lots and the principal dwelling. The Hydrogeological Study must be completed in accordance with the Township’s Standard for Hydrogeological Assessments. Adjustments to the requirements of a full hydrogeological study to demonstrate the suitability of private water supply may be considered by the Township. The Hydrogeological Study must also assess sewage system impact and demonstrate that:

- a. The area of development is not hydrogeologically sensitive; and
- b. The private sewage system is isolated from the receiving aquifer, or the impact of the principal dwelling plus the additional dwelling unit is less than 10 milligrams per litre nitrate-nitrogen at the property boundary.

5.49.4.2 Approval of the private sewage system must be obtained from the applicable approval authority.

5.49.5 General Provisions for Additional Dwelling Units

Where permitted in accordance with Sections 5.49.1. to 5.49.4., additional dwelling units must comply with the following provisions:

5.49.5.1 A maximum of two additional dwelling units are permitted per lot.

5.49.5.2 Where two additional dwelling units are located on one lot:

Township of South Frontenac
PL-ZBA-2023-0031
March 2023

- a. A maximum of one additional dwelling unit may be attached to or located within the principal building; and
 - b. A maximum of one detached additional dwelling unit is permitted; or
 - c. A maximum of two additional dwelling units may be attached to or located within the principal building if no accessory building contains any dwelling units.
- 5.49.5.3 For the purpose of establishing a detached additional dwelling unit, the existing dwelling unit is considered the principal dwelling.
- 5.49.5.4 Additional dwelling units must be connected to municipal or private water and sewage services to the satisfaction of the Township.
- 5.49.5.5 The maximum gross floor area of an additional dwelling unit shall be less than or equal to the gross floor area of the principal dwelling.
- 5.49.5.6 Where an additional dwelling unit is in a detached accessory building, the additional dwelling unit must be located within 40 metres of the principal dwelling.
- 5.49.5.7 The additional dwelling unit shall share the driveway entrance to the lot with the primary dwelling.
- 5.49.5.8 Parking shall be provided in accordance with Section 5.30 of this By-law.
- 5.49.5.9 Where an additional dwelling unit is attached to or located within the primary dwelling, the additional dwelling unit must have a separate exterior entrance located at the side, rear or front of the primary dwelling. A separate entrance may also be provided through a joint entrance vestibule within the principal dwelling.
- 5.49.5.10 The exterior entrance to an additional dwelling unit that is within a principal dwelling and is located at the side or rear of the principal dwelling, and the exterior entrance of an additional dwelling unit in a detached accessory building, shall be accessed by a minimum 1.2 metre wide unobstructed pathway provided from the front of the principal dwelling building or the front lot line. For the purposes of this Section, a pathway is defined as a hard surface treated pathway that is separately delineated from the driveway and provides pedestrian access. Unobstructed means no obstructions to a height of up to 2.3 metres. This provision shall not prevent the establishment of a gate to access the rear yard.

**Township of South Frontenac
PL-ZBA-2023-0031
March 2023**

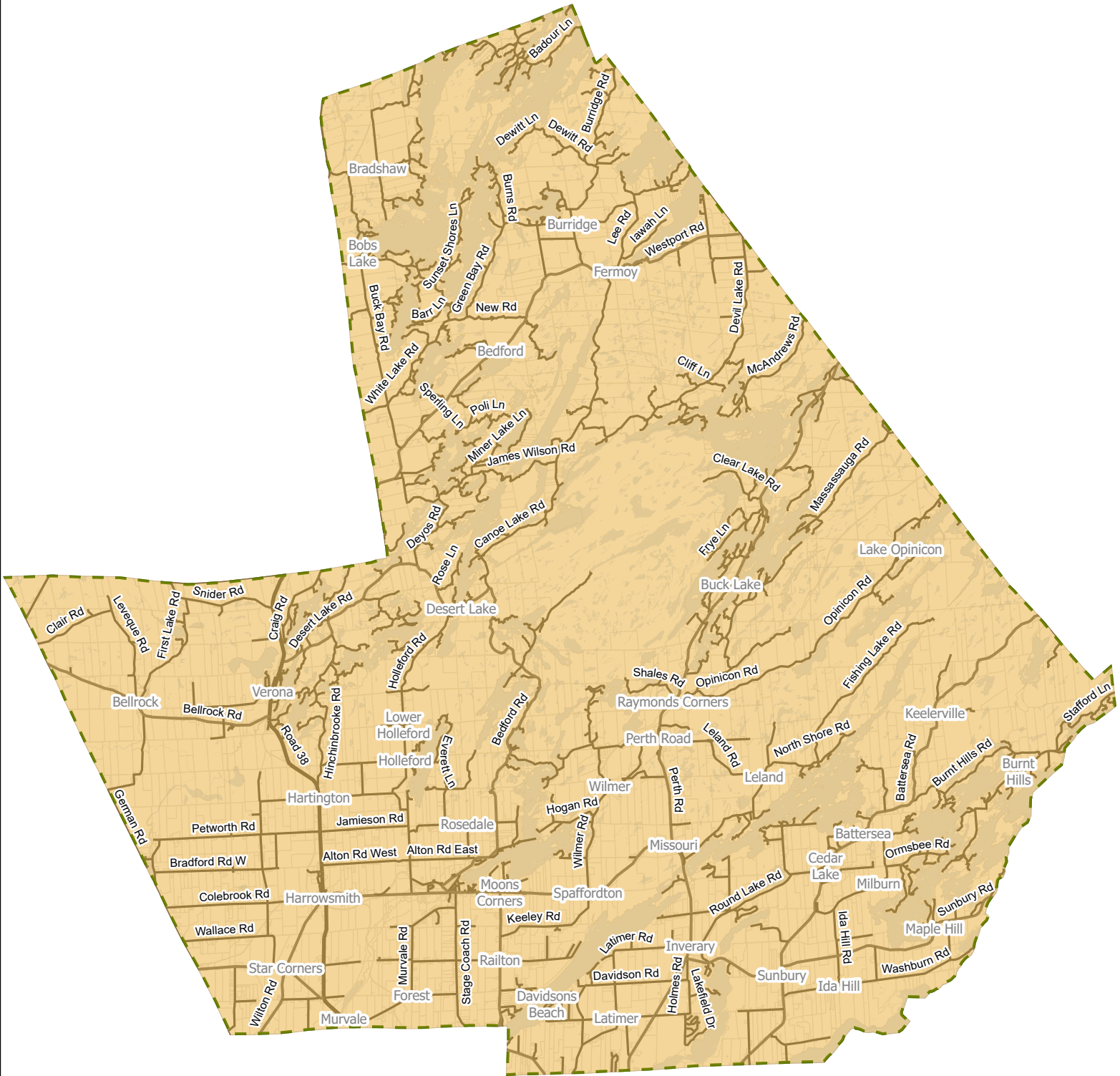
5.49.6 Additional dwelling units are exempt from provisions that:

- a. Establish the maximum number of dwelling units on a lot; and
- b. Establish the minimum lot area per dwelling unit on a lot.

TOWNSHIP OF SOUTH FRONTENAC

Zoning By-Law No. 2003-75

Schedule "#": Additional Dwelling Unit Holding Overlay - Water Supply/Water Quality



LEGEND

- Road Network
 - Highway
 - Major Road
 - Secondary Road
- Waterbody
- Township Boundary
- Parcel Fabric
- Additional Dwelling Unit Holding Overlay

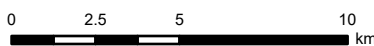
This is Schedule # to By-law 2003-75 passed the 16th day of September 2003 and amended thereto.
Signatures of Signing Officers

Mayor _____
Clerk _____

This map was prepared from assessment plan data supplied by the Regional Assessment Office, Kingston, Ontario, as authorized by the Township of South Frontenac, and is not to be employed as a legal survey drawing. This drawing is intended for reference purposes only.

DRAFT

REVISION DATE: MARCH 2023





**SOUTH
FRONTENAC**

Public Meeting

under the Planning Act

Applications for Zoning By-law Amendment
PL-ZBA-2023-0026

Tuesday, April 4, 2023
7:00 p.m. Virtual Council Meeting

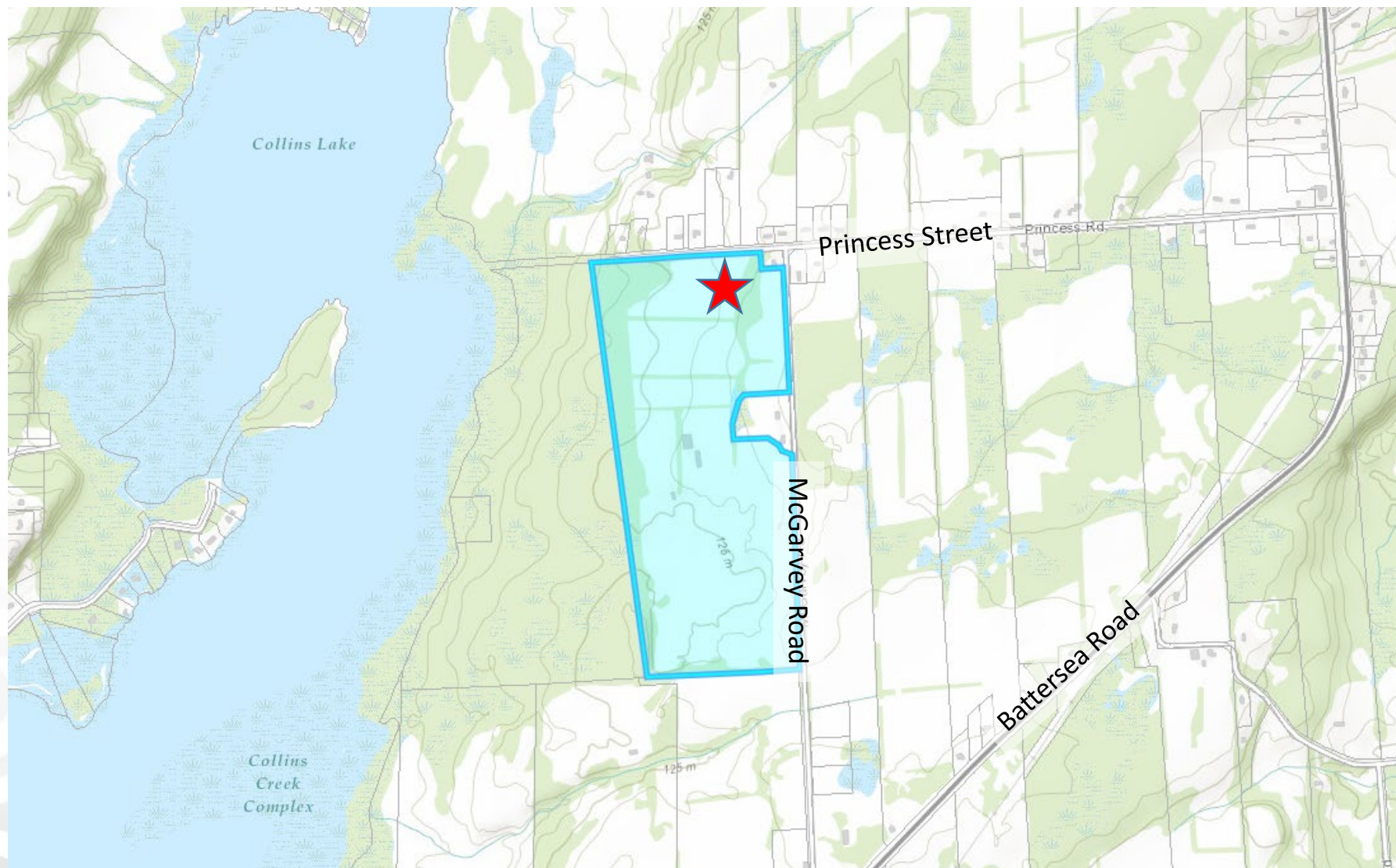
PL-ZBA-2023-0028

Applicant: Carol Bisailon and Daryl Martin

Property: 3185 McGarvey Road

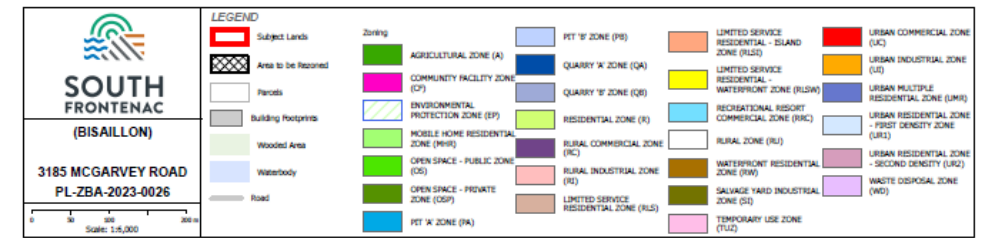
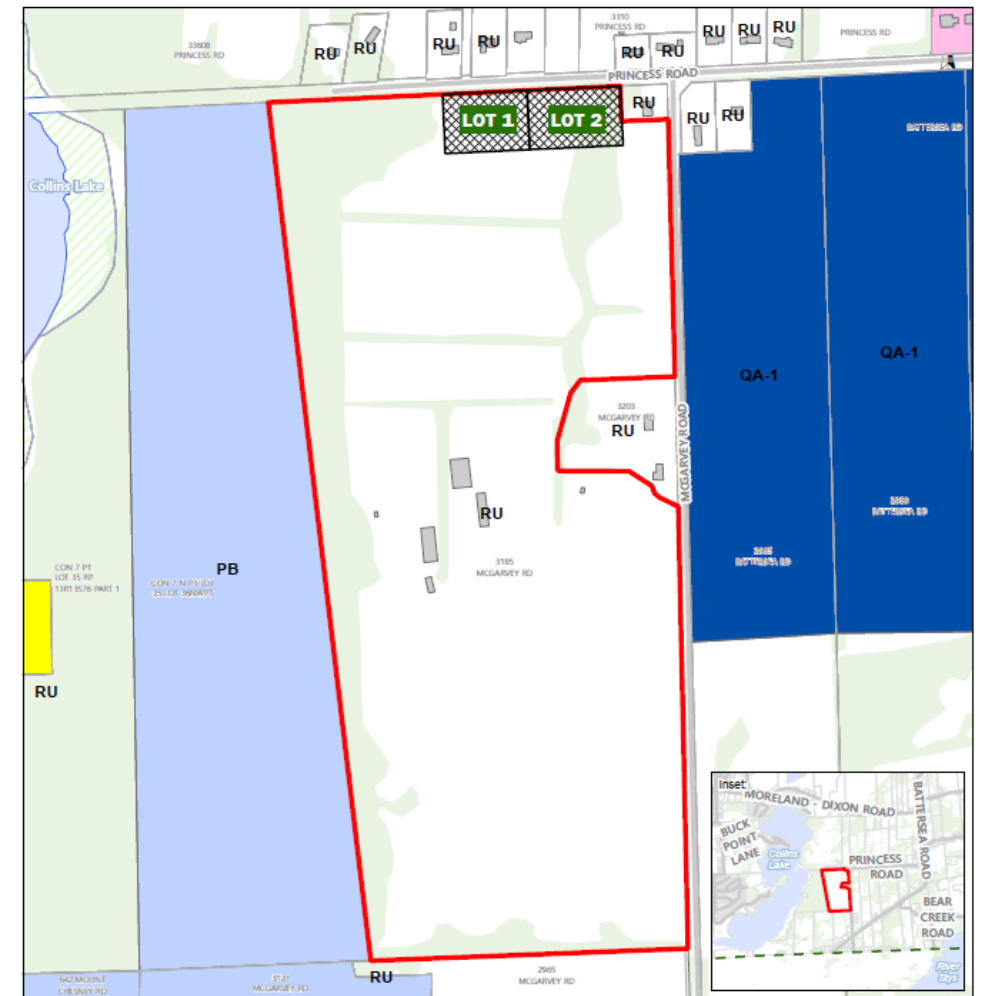


Location

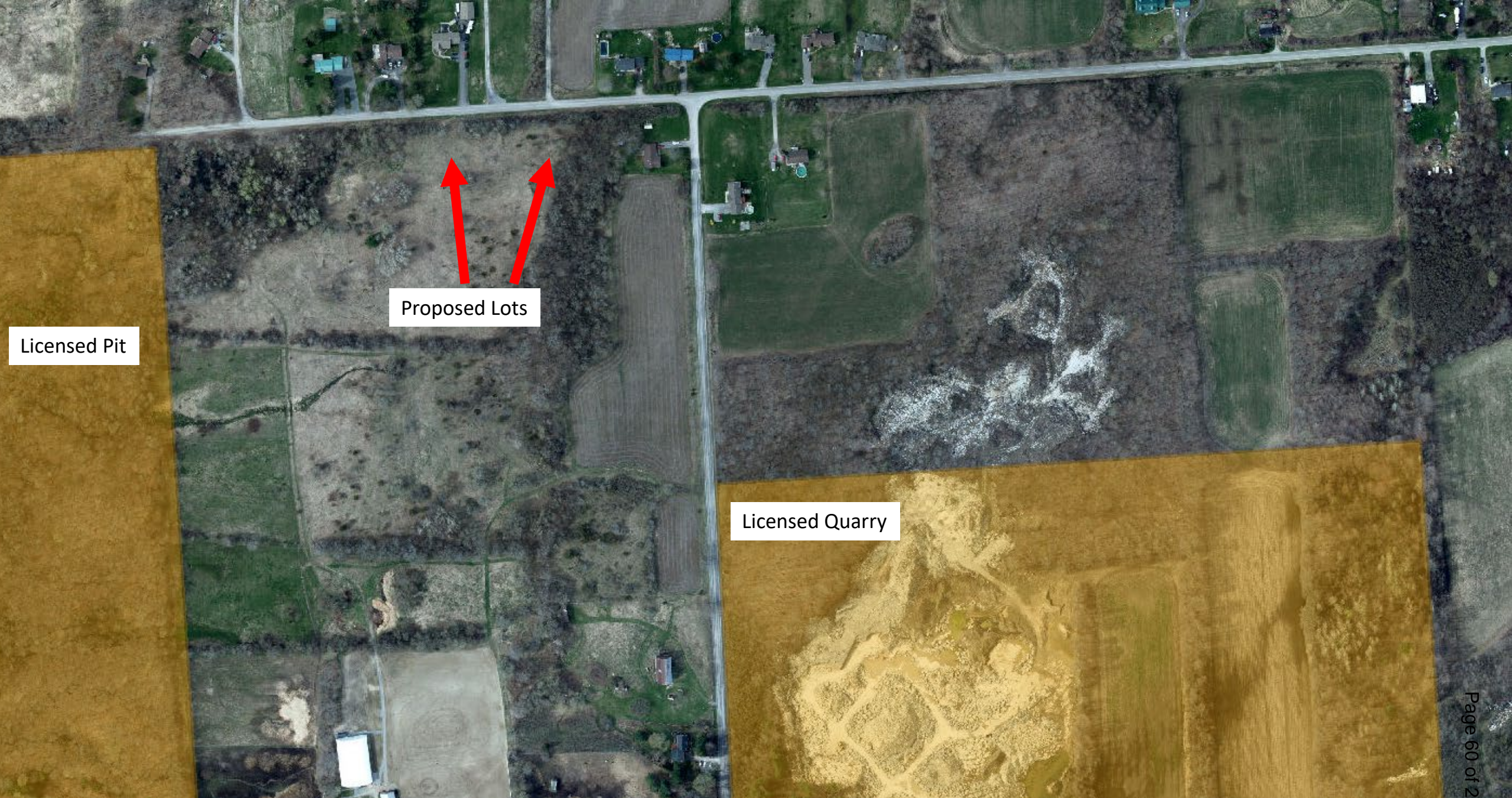


Proposal

- Rezone proposed lots to permit them to be located within the influence area of a quarry
- Existing Zone – RU
- Proposed Zone – RU-68 and RU-69
- RU-68 to permit Lot 1 to be 300m from quarry
- RU69 to permit Lot 2 to be 236m from quarry



Produced by the County Frontenac, under license with the Ontario Ministry of Natural Resources. © King's Printer for Ontario, 2022. While the County makes every effort to ensure 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: 2023-03-09



Licensed Pit

Proposed Lots

Licensed Quarry

Department and Public Comments

- Consent applications were circulated to Building Services, Public Services, and Cataraqui Conservation. All had no objections
- Public comments – none received to date



Policy Framework

Provincial Policy Statement



Frontenac County Official Plan



Township of South Frontenac
Official Plan



Mineral Aggregate Resources,
Rural residential development



Public Questions and Comments

If you are joining virtually and 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

Next Steps

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



Adjourn Public Meeting



Township of South Frontenac Staff Report



To: Council

Prepared by: Development Services Department

Date of Meeting: April 4, 2023

Public Meeting for Zoning By-law Amendment Application
Subject: PL-ZBA-2023-0026, Carol Bisailon and Daryl Martin, 3185
McGarvey Road

Summary

This report provides Council with information about Zoning By-law Amendment Application PL-ZBA-2023-0026 for the property municipally known as 3185 McGarvey Road. If approved, the zoning on a portion of the subject lands would be changed from Rural (RU) to Rural Special Exception 68 (RU-68) and Rural Special Exception 69 (RU-69).

Consistent with Council's Procedural By-law, Council will receive comments from the public on the application through the public meeting. 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 application is related to consent applications PL-BDJ-2022-0131 and PL-BDJ-2022-0132 which propose to create two new 0.8 ha residential lots with frontage on Princess Road. The subject property is near an active quarry. The quarry is located to the east of the subject property on the east side of McGarvey Road. The proposed zoning amendment is required as the Zoning By-law does not allow new residential land uses within 300 m of a quarry. The Zoning By-law also only permits new residential land uses to be established between 300 m and 500 m from a quarry if a zoning by-law amendment is approved by Council.

The purpose of the subject application is to permit Lot 1 (PL-BDJ-2022-0131) to be located a minimum of 300 m from the existing quarry, and also to permit Lot 2 (PL-BDJ-2022-0132) to be located a minimum of 236 m from the existing quarry. Each proposed lot will be placed in a Rural – Special Exception zone which will establish the minimum separation distance of each lot from the quarry.

The effect of the application is to provide relief for the two proposed lots from the required separation distance from the quarry. The zoning amendment is required in order to advance the consent applications as the consent applications currently do not comply with the zoning by-law. A decision will not be made on the consent applications until a decision is made on the subject zoning amendment.

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 both an in-person and virtual public meeting using Zoom and telephone.

Property Description

The subject property is a total of 44.7 hectares located on the southwest corner of the intersection of McGarvey Road and Princess Road and is municipally known as 3185 McGarvey Road. The total frontage on Princess Road is 380.5 metres and 908.2 metres on McGarvey Road.

The proposed severed lots are in the northeastern portion of the subject lands with frontage on Princess Road. The subject property contains an existing horse farm, including two barns, indoor riding ring, office, and open fields. The terrain of the property consists mostly of field, with some mature trees scattered through the lot. A wooded area runs along the west property line. The subject property was at one time used as a licensed pit – the area of extraction was located in the southern half of the property. Use of the pit on the property ceased in the 1990's and the pit license surrendered due to the resources on the site being exhausted.

There is a pit/quarry to the east of the subject property that is licensed under the Aggregate Resources Act (ARA) and is located within 500 metres of the proposed lots. There is also a licensed pit located to the west of the subject property. The proposed lots comply with the required setback from this pit.

Related Applications

The property is subject to two consent applications, PL-BDJ-2022-0131 and PL-BDJ-2022-0132, which propose to create two new residential lots. The applicants submitted a Mineral Aggregate Land Use Compatibility Report in support of the consent applications. The report reviewed the proposed lots in relation to the existing pits and quarries, and mineral aggregate resources in the area. The report concluded that the proposed lots would not result in any compatibility issues with the existing pits and quarries in the area.

Department and Agency Comments

The related consent applications were circulated to agencies. Building Services, Public Services, and Cataraqui Conservation all stated that they had no objection to approval of the related consent applications.

Public Comments

No comments have been received from the public at the time of writing this report.

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. Application sketch
2. Draft By-law

Approvals

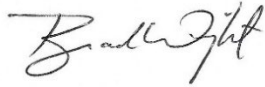
Report Prepared By:

Tom Fehr, Planner

Township of South Frontenac

Staff Report - PL-ZBA-2023-0026, Carol Bisailon and Daryl Martin, 3185 McGarvey Road

Submitted By:



Brad Wright

Director of Development Services

Approved By:



Louise Fragnito, CPA, CGA

Chief Administrative Officer

**TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2023-XX**

BEING A BY-LAW TO AMEND BY-LAW 2003-75, AS AMENDED, TO REZONE LANDS FROM RURAL (RU) TO RURAL SPECIAL EXCEPTION (RU-68) AND RURAL SPECIAL EXCEPTION (RU-69) ON LANDS DESCRIBED AS 3185 MCGARVEY ROAD PARTS 1 TO 3, PLAN 13R15569, PART LOT 36 AND 37 CONCESSION 7, DISTRICT OF STORRINGTON: BISAILLON AND MARTIN

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 Exception (RU-68) and Rural Special Exception (RU-69) 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 sections RU-68 (Part Lots 36 and 37, Concession 7, District of Storrington – Bisailon and Martin) and RU-69 (Part Lots 36 and 37, Concession 7, District of Storrington – Bisailon and Martin) immediately after the last Rural Special Exception section to read as follows:

RU-68 (Part Lots 36 and 37, Concession 7, District of Storrington – Bisailon and Martin)

Notwithstanding the provisions of Section 7 or any other position of this By-law to the contrary, on lands zoned Rural Special Exception (RU-68), the following provisions apply:

- Residential land uses shall be permitted to be located a minimum of 300 metres from the existing quarry located in Lot 38, Concession 7, District of Storrington.

All other provisions of this By-law shall apply.

RU-69 (Part Lots 36 and 37, Concession 7, District of Storrington – Bisailon and Martin)

Notwithstanding the provisions of Section 7 or any other position of this By-law to the contrary, on lands zoned Rural Special Exception (RU-69), the following provisions apply:

- Residential land uses shall be permitted to be located a minimum of 236 metres from the existing quarry located in Lot 38, Concession 7, District of Storrington.

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 ____ day of April, 2023.

Read a first and second time this ____ day of April, 2023.

Read a third time and finally passed this ____ day of April, 2023.

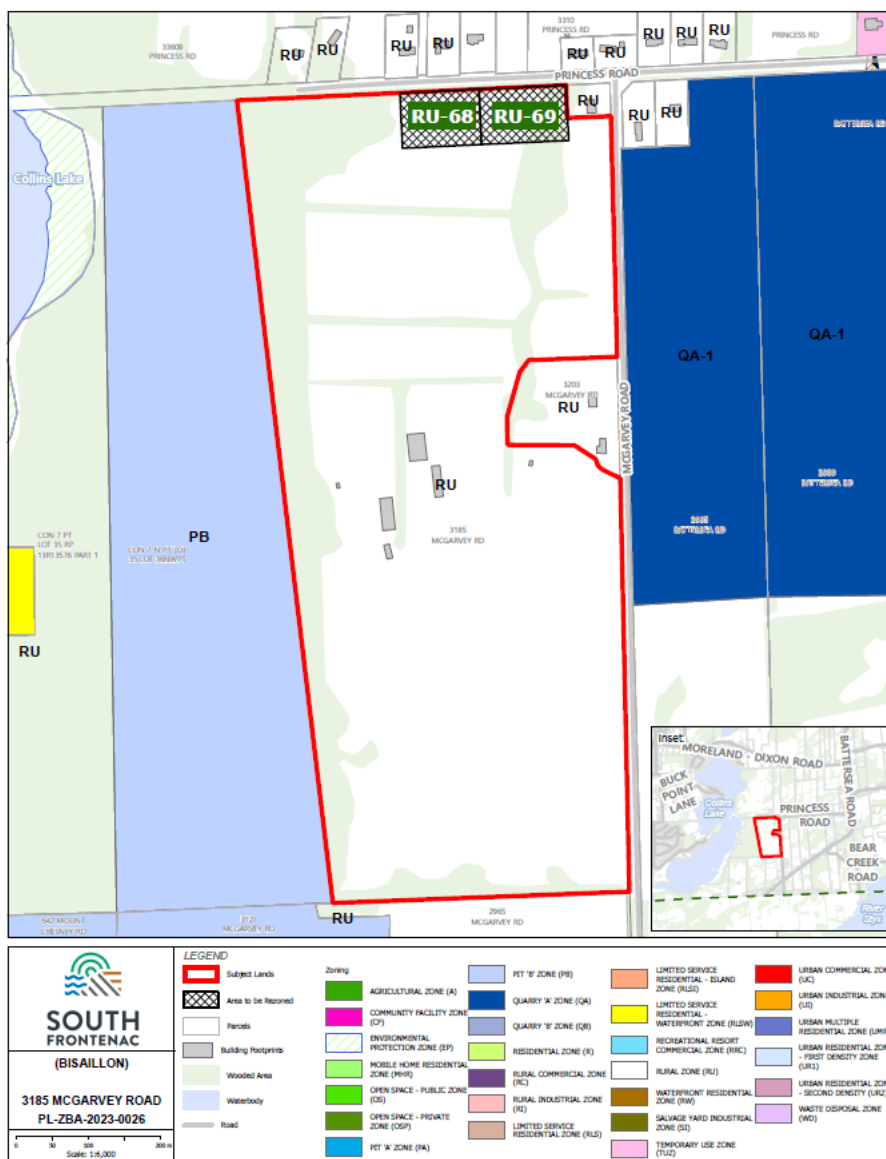
**THE CORPORATION OF THE
TOWNSHIP OF SOUTH FRONTENAC**

Ron Vandewal, Mayor

James Thompson, Clerk

Schedule 1

This is Schedule "1" to By-law No. 2023-XX.



Passed this ___ day of April, 2023

Ron Vandewal, Mayor

James Thompson, Clerk



3185 McGarvey Rd,
Lot 1 & Lot 2; Princess Rd

Dream Catcher Farm
3185 McGarvey Rd, South Frontenac

13R15569 Part 1,2,3, PL 36 and 37 Con
Twp South Frontenac, County of Frontenac

Annual Update (2022)

April 4, 2023

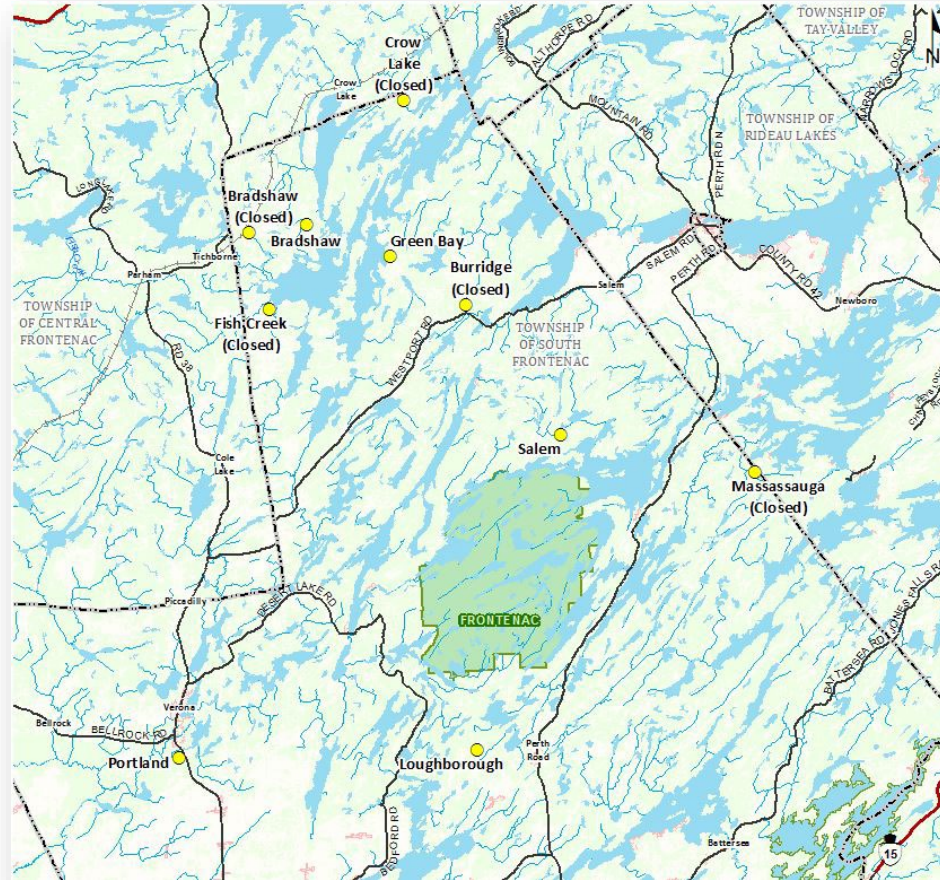
Township of South Frontenac
Waste Disposal Sites



Overview

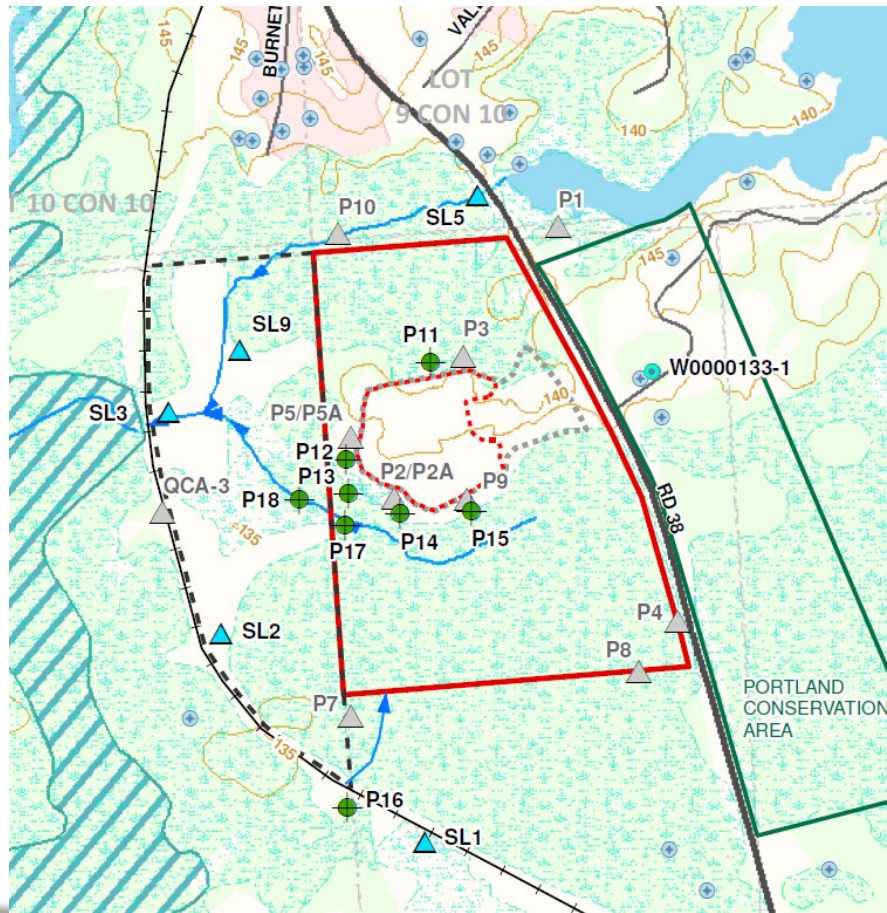
- Annual Monitoring
- Surveys of active landfills
- Site Inspections
- Reports
- Summary of operational information
- Recommendations for changes to monitoring/operations
- Required to meet Ministry guidelines

Regional Map



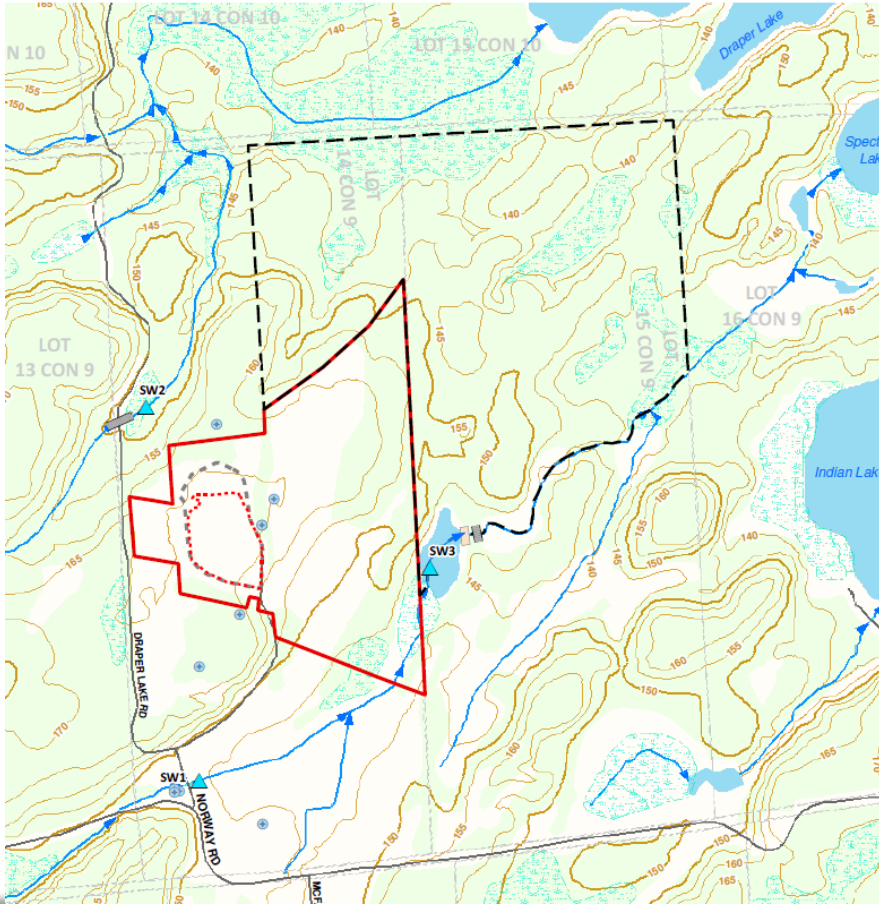
Portland Waste Disposal Site

- Transfer Station, Landfill
- Monitoring, Survey, Reporting
- Groundwater met compliance criteria in overburden; bedrock compliance (east PL) outstanding
 - Elevated concentrations in bedrock, unclear if due to road salts, natural variation, or leachate impact
- Surface water compliance issues persisted; localized to area surrounding waste mound
- Two new surface water piezometers were installed in October 2021
 - Results in 2022 confirmed impacts are localized; attenuated with distance. Additional monitoring required.
- Based on assessments to date, continued monitoring is recommended of new piezometers and surface water locations; the adequacy of monitoring program should be reassessed once additional data is available
- Operated in compliance with ECA



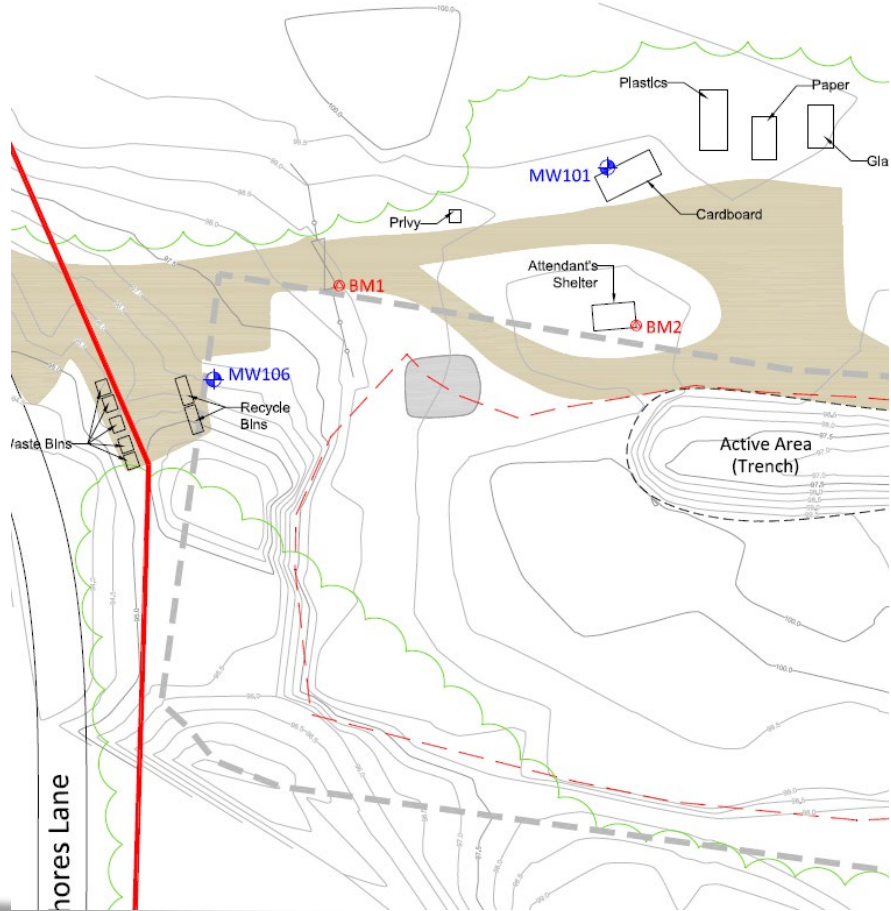
Loughborough Waste Disposal Site

- Transfer station, landfill
- Monitoring, Survey, Reporting
- Groundwater was not in compliance; Township is in process of acquiring required lands and GW rights to east
 - Three nested wells are to be installed in 2023. PFAS analysis may be required, depending on initial results.
- Minor site-related impact southeast of the Site in surface water; no adverse impacts expected
- Phase 1 final cover passed inspection. Quarterly inspections required to continue in 2023
- Operated in compliance with ECA; not in compliance with RUC and ECA Condition 7.6



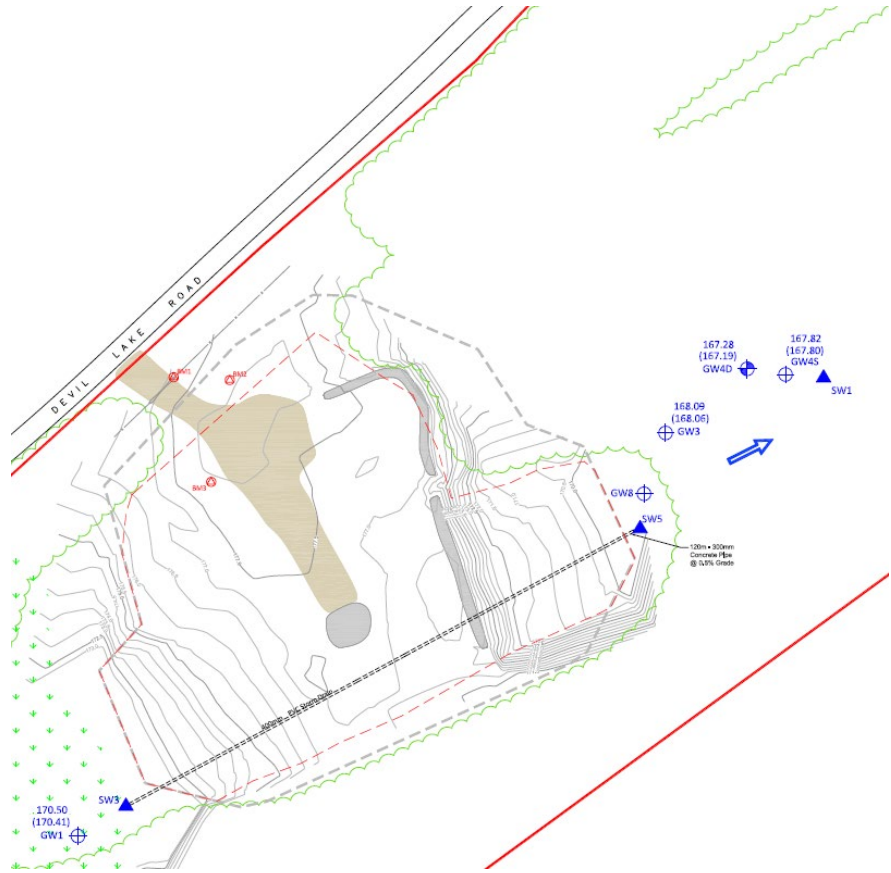
Bradshaw Waste Disposal Site

- Transfer Station, Landfill
- Monitoring, Survey, Reporting
- No adverse impacts off-site in groundwater or surface water; complied with RUC and SW guidelines
- Ministry approved reductions that will be implemented spring 2023
 - GW and LFG sampling frequency is reduced to twice annually, minor changes to analytical suites
- Winter closure; site was opened May to November 2022
- Operated in compliance with PC of A



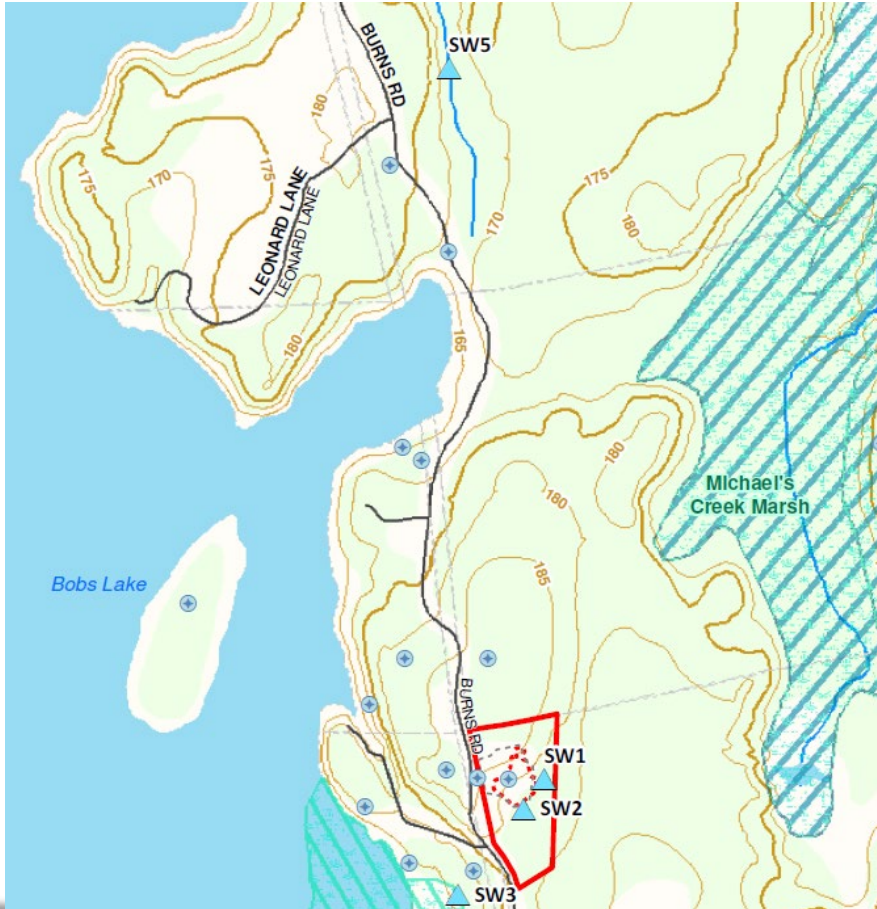
Salem Waste Disposal Site

- Transfer Station, Landfill
- Monitoring, Survey, Reporting
- Impacts east of waste mound in adjacent watercourse but were attenuated within site limits
- Tier two of the trigger mechanism was activated in 2022; however, no unacceptable limits were occurring to the receiving watercourse (Devil Lake). Tier three was not activated
- Winter closure; site was opened May to November 2022
- The east extent of the waste mound should be closed to landfilling and should be capped with a fine grained, low permeability final cover and vegetated
- To maximize site life, revising the approved design by relocating the remaining volume from the southeast extent to the central portion of the landfill. The proposed redesign could be addressed in conjunction with the submission of a Closure Plan.
- Operated in compliance with ECA



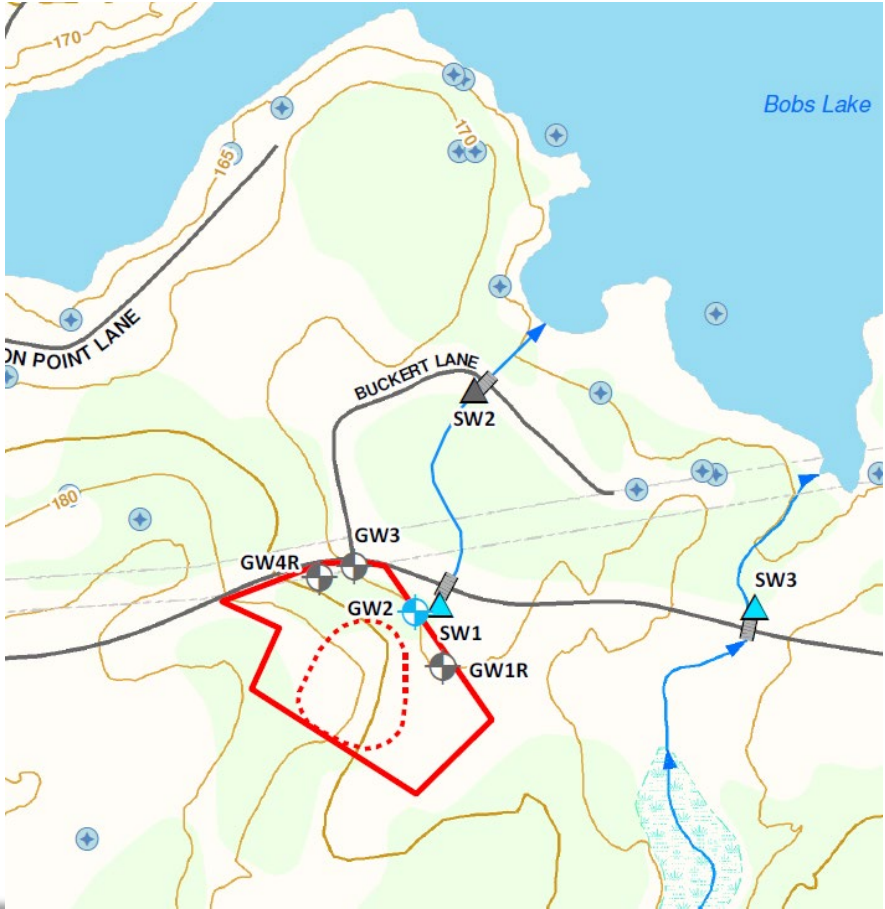
Green Bay Waste Disposal Site

- Transfer Station, Landfill
- Monitoring, Survey, Reporting
- Groundwater and surface water met compliance criteria
- Operated in compliance with PC of A
- The Proposed Limit of Waste should be revised to include the existing waste placed beyond the limit. This could be completed by revising the draft Development and Operations Plan or given the limited remaining capacity, this could be addressed in a Closure Plan



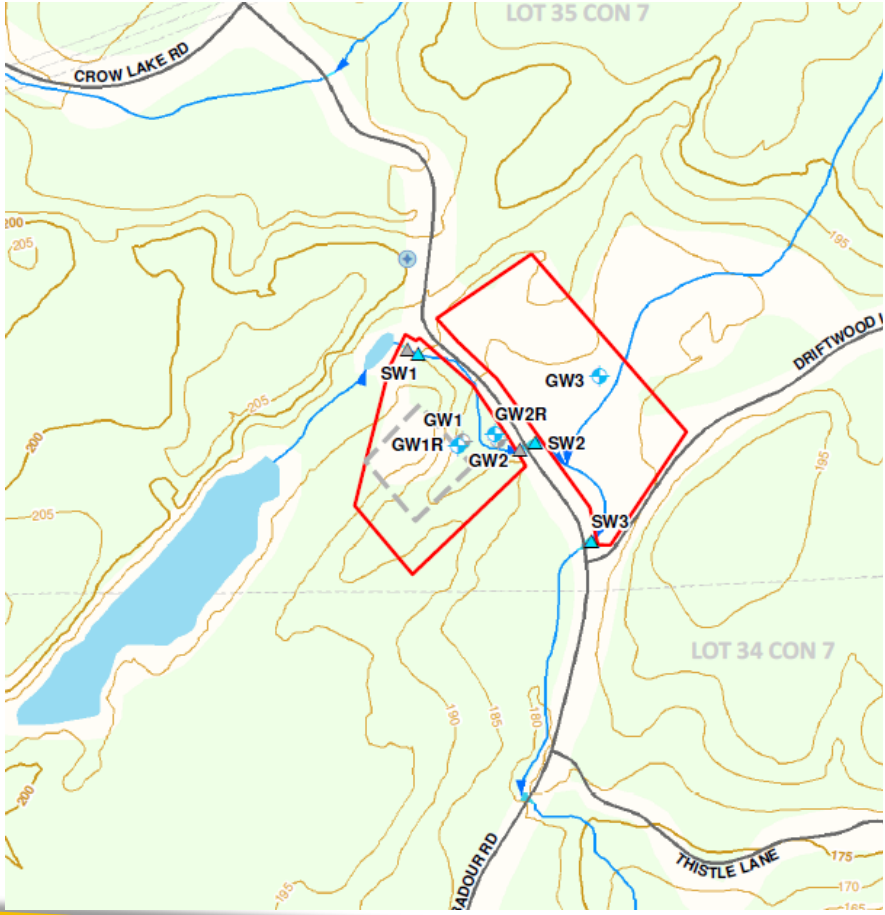
Fish Creek Waste Disposal Site (Closed)

- Closed landfill (2005)
- Groundwater and surface water tested annually; report submitted every 6 years
- Groundwater and surface water met compliance
- Site was in good condition in 2022 with no evidence of erosion, seeps, litter or vermin
- Operated in compliance with ECA
- Monitoring and reporting program should be discontinued; request will be submitted to the Ministry District Manager in conjunction with 2022 report.



Crow Lake Waste Disposal Site (Closed)

- Closed landfill (2002)
- Groundwater and surface water tested biannually; report submitted every 5 years
- Next report required for 2019 to 2023 (every 5 years)
- Groundwater and surface water met compliance criteria
- Site was in good condition in 2022 with no evidence of erosion, seeps, or litter
- Operated in compliance with ECA

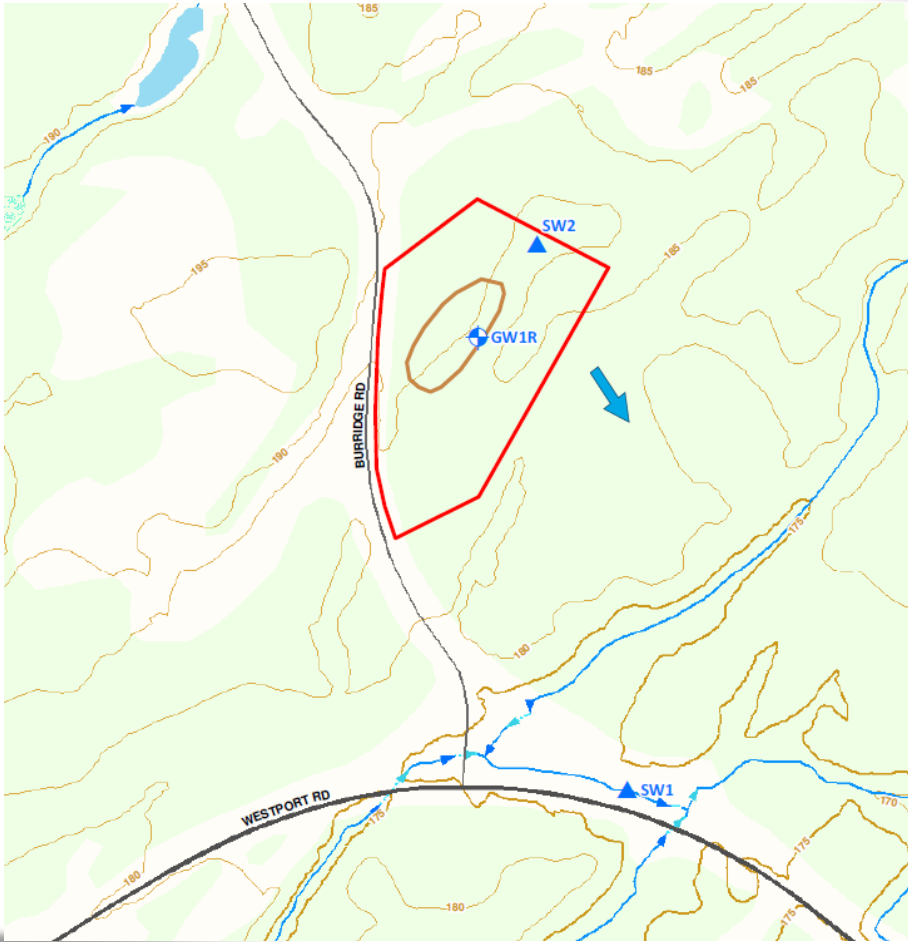


Massassauga Waste Disposal Site (Closed)

- Closed landfill (2012)
- Monitoring, Reporting
- Groundwater and surface water met compliance criteria
- Groundwater results indicated a weak leachate plume beneath the waste mound that decreased in strength with distance
- Several recommendations were approved by the Ministry, to be implemented in 2023 (reduction in locations, parameters, biennial reporting)
- Final cover was in good condition in 2022 with no evidence of leachate seeps
- Operated in compliance with ECA

Burridge Waste Disposal Site (Closed)

- Closed landfill (1991)
- Monitoring and reporting every 3 years; last completed in 2021
- Groundwater and surface water met compliance criteria
- Site was in good condition with no evidence of erosion, seeps, or litter
- Operated in compliance with PC of A
- Monitoring and reporting program should be discontinued; request was to the Ministry District Manager in conjunction with 2021 report. No comments to date.



Township Summary

- Aesthetics – transfer stations and closed sites were well maintained; extra litter clean-up time in 2023 should focus on active waste sites in the peripheral areas (tree lines, watercourses)
- No complaints or incidents
- Monitoring well security/compliance – a few well repairs are required in 2023 (Portland, Salem, Fish Creek)
- The monitoring and reporting program should be discontinued for:
 - Fish Creek Waste Disposal Site (Closed)
 - Burrige Waste Disposal Site (Closed) (recommended in 2021)

Landfill Capacity Update (2022)

	Loughborough ¹	Portland	Bradshaw	Salem	Green Bay	Municipality
Approved capacity (m ³)	173,400	380,100	16,200	59,000	10,000	638,700
Existing capacity used (m ³)	168,325	225,400	14,145	50,920	8,535	467,325
Capacity Used in 2022 (m ³)	2,750	2,720	295	520	270	6,555
Remaining capacity (m ³)	5,075	154,700	2,055	8,080	1,465	171,375
Average annual placement (m ³)	2,250	3,620	260	610	315	7,055
Remaining site life (years)	2.3	43	7.9	13	4.6	24
<i>2021 Remaining Site Life</i>	<i>3.8</i>	<i>44</i>	<i>10</i>	<i>20</i>	<i>6</i>	<i>27</i>

	Municipality		
	2022	2021	2020
Approved waste disposal capacity (m ³)	638,700	638,700	638,700
Existing volume of capacity used (m ³)	467,325	460,770	451,015
Annual Volume Used in 2022 (m ³)	6,555	10,015	8,240
Remaining volume of capacity (m ³)	171,375	177,930	187,685
Average annual waste placement (m ³)	7,055	6,590	7,550
Remaining site life (years)	24	27	25

Notes:

1. Loughborough total capacity is for Phase 1 and 2A only. Approval of Phase 2 will increase Loughborough site life to about 18 years. Overall Township site life will increase to about 30 years.

QUESTIONS?

Stephanie Reeder, P.Geo., C.E.T.

Senior Project Manager

c: 705.872.8797

e: stephanie.reeder@cambium-inc.com

w: cambium-inc.com



Minutes of Council
March, 21, 2023



Township of South Frontenac Council Meeting Minutes



Meeting # 16

Time:6:30pm

Location: Council Chambers / Virtual via Zoom

Present: Mayor Ron Vandewal, Ray Leonard, Steve Pegrum, Doug Morey, Charlene Godfrey, Norm Roberts, Randy Ruttan, Ron Sleeth, Scott Trueman (virtually)

Absent: Randy Ruttan

Staff: Louise Fragnito - Chief Administrative Officer, James Thompson - Clerk, Michelle Hannah - Deputy Clerk, Brad Wright - Director of Development Services, Kyle Bolton - Director of Public Services, Shelley Stedall - Director of Corporate Services and Treasurer (virtually), Troy Dunlop - Manager of Technical Services and Infrastructure, Tim Laprade - Manager of Recreation and Facilities, Christine Woods - Senior Planner

1 Call to Order and Roll Call

a) Resolution

Ms. Hannah, Deputy Clerk conducted the Roll Call.

Resolution No. 2023-16-01

Moved by Councillor Pegrum

Seconded by Councillor Roberts

That the Council meeting of March 21, 2023 be called to order at 6:30 p.m.

Carried

2 Declaration of pecuniary interest and the general nature thereof

a) There were none.

3 Approval of Agenda

a) Resolution

Resolution No. 2023-16-02

Moved by Deputy Mayor Sleeth

Seconded by Councillor Godfrey

That the agenda be approved, as presented.

Carried

4 Scheduled Closed Session

a) Resolution - That Council resolve itself into the Committee of the Whole "Closed Meeting" to consider the following item:

Resolution No. 2023-16-03

Moved by Councillor Godfrey

Seconded by Councillor Leonard

That Council resolve itself into the Committee of the Whole "Closed Meeting" to consider the following item:

Minutes of Council
March, 21, 2023

1. Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board: By-law Enforcement Matter.

Carried

- b) Resolution - That Council rise from the Committee of the Whole "Closed Meeting" without reporting.

Resolution No. 2023-16-04

Moved by Councillor Morey

Seconded by Councillor Trueman

That Council rise from the Committee of the Whole "Closed Meeting" without reporting.

Carried

- 5 Recess - Council recessed following the Closed Meeting and reconvened at 7:05 p.m. for Open Session

- a) Ms. Hannah reviewed the roll call of Council and Staff present.

- 6 Delegations

- a) Mr. Tofflemire was present to speak to Council regarding the Heritage Advisory Committee appointment process as well as Truth and Reconciliation.

Mr. Tofflemire recited the Thanksgiving Address, also known as "words spoken before all others".

Mr. Tofflemire provided the Clerk with a document entitled "Truth and Reconciliation Commission of Canada: Calls to Action." A copy of the document is attached to the minutes.

Mayor Vandewal thanked the delegation for his presentation.

- 7 Public Meeting

- 8 Approval of Minutes

- a) Resolution

Resolution No. 2023-16-05

Moved by Councillor Roberts

Seconded by Deputy Mayor Sleeth

That the minutes of the Council meeting held on March 7, 2023 and the minutes of the Committee of the Whole meeting held on March 14, 2023 be approved.

Carried

- 9 Business Arising from the Minutes

- a) There was none.

- 10 Reports Requiring Action

- a) **2022 Capital Budget Summary & Cancellation of Projects**

Resolution No. 2023-16-06

Moved by Councillor Roberts

Seconded by Councillor Godfrey

Minutes of Council
March, 21, 2023

That Council approve the cancellation/closure of projects as listed under Table 1 of the Report.

Carried

b) **Township support of Kingston Field Naturalists BioBlitz at Battersea Park**

Resolution No. 2023-16-07

Moved by Deputy Mayor Sleeth

Seconded by Councillor Roberts

That Council authorize the Recreation and Facilities Manager to work with the Kingston Field Naturalists to support the annual BioBlitz; and

That Council allow the Kingston Field Naturalists the use of Battersea Park to support the annual BioBlitz which will take place in Battersea Park from 3:00 p.m. Friday June 9th to 3:00 p.m. Saturday June 10th, 2023; and

That Council permit camping at the site for the sole purpose of use for the organizer's tents (6) during the event as required per By-law 2003-90.

Carried

c) **Municipally Significant Event Designation for the Summer Kickoff Music Festival**

Resolution No. 2023-16-08

Moved by Councillor Godfrey

Seconded by Councillor Morey

That Council designate the South Frontenac Summer Kickoff Music Festival as a municipally significant in support of the Alcohol & Gaming Commission of Ontario Special Events Permit Application.

Carried

d) **Household Hazardous Waste Depot Contract Extension**

Resolution No. 2023-16-09

Moved by Councillor Pegrum

Seconded by Councillor Morey

That Council approve a two-year contract extension with Brendar Environmental for the operation of the Household Hazardous Waste Depot as per the terms and conditions of the extension offer (Appendix A) until April 1st 2025.

Carried

11 Advisory Committee Reports or Minutes

a) **Recreation & Leisure Services Committee**

a) Canada Day Fireworks in South Frontenac

Councilor Roberts requested a recorded vote.

Yeas: Deputy Mayor Sleeth, Councillor Leonard, Councillor Pegrum, Councillor Trueman, Councillor Godfrey, Councillor Morey, Mayor Vandewal (7)

Nays: Councilor Roberts (1)

Absent: Councillor Ruttan (1)

Following the approval of Resolution 2023-16-10, the location of the Canada Day Fireworks shows were determined by random draw. The results were as

Minutes of Council
March, 21, 2023

follows: 2023: The Point Park, Sydenham, 2024: Gerald Ball Park, Sunbury and 2025: Centennial Park, Harrowsmith.

Resolution No. 2023-16-10
Moved by Councillor Leonard
Seconded by Councillor Pegrum

That the Township of South Frontenac host one firework show for the 2023, 2024 and 2025 Canada Day event as a pilot project; it being understood that staff will report back regarding the pilot project upon the conclusion of 2025 Canada Day;

That the host location shall be decided by a random draw of the of the of the three variable municipal parks (Centennial Park in Harrowsmith, Gerald Ball Park in Sunbury and The Point Park in Sydenham) upon approval of the recommendation by Council; it being understood that Council will determine the 2023, 2024 and 2025 location based on the outcome of the random draw;

That staff engage Northstar Fireworks as the vendor of the 2023 Canada Day Fireworks, display; and

That staff engage a local transportation company to shuttle residents to the host site of the fireworks show.

Carried (See Recorded Vote)

12 By-laws

a) **Appointment of Division Registrar**

Resolution No. 2023-16-11
Moved by Councillor Morey
Seconded by Councillor Trueman

That By-law 2023-19 being a By-law to appoint James Thompson as Division Registrar be given first and second reading; and

Carried

Resolution No. 2023-16-12
Moved by Councillor Morey
Seconded by Councillor Trueman

That By-law 2023-19 be given third reading, signed and sealed.

Carried

b) **PL-ZBA-2023-0013, Ireland, Part 1, 13R22753, 0 Moreland-Dixon Road**

Resolution No. 2023-16-13
Moved by Councillor Godfrey
Seconded by Councillor Trueman

That By-law 2023-24 being a By-law to amend By-law 2003-075, as amended, to rezone land from Urban Residential – First Density (UR1) to Urban Residential – First Density – Special Provision (UR1-24) zone on lands described as Part 1, Reference Plan 13R22753, Part Lot 20, Concession 2, District of Storrington be given first and second reading.

Carried

Resolution No. 2023-16-14
Moved by Councillor Morey
Seconded by Councillor Pegrum

That By-law 2023-24 be given third reading, signed and sealed.

Carried

13 Reports for Information

- a) **Township-Initiated Official Plan and Zoning By-law Amendments on Additional Dwelling Units**
- The report provided Council with information about a Township-initiated Official Plan Amendment and Zoning By-law Amendment. The proposed amendments would define what is an additional dwelling unit, where they are permitted and under what circumstances. The Zoning By-law Amendment would also include general amendments to the Zoning By-law Administrator, model homes, seasonal dwellings, and accessory building location.

14 Information Items

- a) There were none.

15 Notice of Motions

- a) There were none.

16 Announcements/Statements by Councillors

- a) Mayor Vandewal advised that he recently attended a regional Mayors meeting with the CAO.

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

- a) There were none.

18 Closed Session (if requested)

- a) Resolution - That Council resolve itself into the Committee of the Whole "Closed Meeting" to consider the following item:

Resolution No. 2023-16-15

Moved by Councillor Morey

Seconded by Councillor Roberts

That Council resolve itself into the Committee of the Whole "Closed Meeting" to consider the following items:

1. Approval of the March 14, 2023 Committee of the Whole "Closed Meeting" Minutes.
2. Personal matters about an identifiable individual, including municipal or local board employees.

Carried

- b) Resolution - That Council rise from the Committee of the Whole "Closed Meeting" without reporting.

Resolution No. 2023-16-16

Moved by Councillor Roberts

Seconded by Councillor Leonard

That Council rise from the Committee of the Whole "Closed Meeting" without reporting.

Carried

19 Confirmatory By-law

- a) Resolution

Resolution No. 2023-16-17

Minutes of Council
March, 21, 2023

Moved by Councillor Godfrey
Seconded by Councillor Pegrum
That By-law 2023-25, being a by-law to confirm generally all actions and proceedings of the Council of the Township of South Frontenac, be given first and second reading.

Carried

Resolution No. 2023-16-18
Moved by Councillor Roberts
Seconded by Councillor Morey
That By-law 2023-25, being the confirmatory by-law, be given third reading, signed and sealed.

Carried

20 Adjournment

a) Resolution

Resolution No. 2023-16-19
Moved by Councillor Pegrum
Seconded by Councillor Godfrey
That the Council meeting of March 21, 2023 be adjourned at 9:11 p.m.

Carried

Ron Vandewal, Mayor

James Thompson, Clerk

Township of South Frontenac Staff Report



To: Council

Prepared by: Public Services Department

Date of Meeting: April 4, 2023

Subject: Waste Disposal Sites 2022 Annual Update

Summary

The purpose of this report is to recommend that Council receive the 2022 annual update presentation on the Townships waste disposal sites by Cambium Consulting & Engineering.

Recommendation

That Council receive the Waste Disposal Sites 2022 Annual Update presentation from Cambium Consulting & Engineering for information.

Background

Cambium Consulting & Engineering provides the waste management consulting services for the Township landfill sites. A part of this service is completing the Ministry of the Environment, Conservation, and Parks (MECP) landfill monitoring and reporting requirements.

Discussion/Analysis

Cambium will be submitting the Townships 2022 annual landfill monitoring report to the MECP by April 30th, 2023. The report contains detailed and site-specific information on both opened and closed landfill sites. The presentation will provide Council an update on the information in the 2022 report.

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.

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

- Cambium Consulting & Engineering

Attachments

2023-03-23 TSF Waste Site Update Presentation Cambium

Approvals

Submitted By:



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

Approved By:



Acting Chief Administrative Officer

Township of South Frontenac Staff Report



To: Council

Prepared by: Development Services Department

Date of Meeting: April 4, 2023

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

Summary

This report provides Council with information about the proposed Sunbury Subdivision. It recommends that Council support the approval by the County of Frontenac of subdivision application 10T-2020/001 subject to the conditions outlined in this report.

Recommendation

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

Background

An application for draft plan of subdivision (10T-2020/001), known as Sunbury Subdivision, was submitted to the County of Frontenac in 2020. An open house for this application was held on July 22, 2020. The County of Frontenac held a statutory public meeting for this application on November 10, 2022.

Several concerns were raised by members of the public at these meetings. The concerns related to potential impact of the development on private wells, the proximity of new wells to farmland (e.g. manure spreading), and impact of stormwater drainage on adjacent private property. These concerns were addressed by the technical studies and/or will be addressed through the recommended conditions of draft plan approval.

The proposed plan of subdivision is located within the settlement area of Sunbury, west of Battersea Road at Sunbury Road. The subject lands consist of cultivated fields and a forested area. There is a wetland and a watercourse/drainage ditch in the southern half of the property. There is another wetland in the northeast corner of the property. About two thirds of the lands drain south towards Sunbury Road, the other one third drains north towards the second wetland. The property is developed with a single detached dwelling. Attachment 1 to this report shows the location of the subdivision relative to local landmarks. The proposed subdivision contains 31 lots which are proposed to be developed with single-detached dwellings to be serviced by individual on-site wells and sewage systems. The lots range in area from 0.6 hectares to 3.3 hectares, with road frontage on a new internal

road ranging from 44.7 metres to 167.2 metres. The proposed subdivision also includes four blocks for the purpose of drainage and/or park access.

Supporting Documentation

The final version of the draft plan of subdivision is dated June 7, 2022, and is Attachment 2 to this report. The following study reports and corresponding addendums were received by the Township.

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

Peer Review and Agency Comments

The County retained Malroz Engineering to review the hydrogeological assessment. The Township retained Groundwork Engineering Limited to review the terrain analysis. There was extensive discussion between all parties on the potential impact of the proposed development on the groundwater resource. In the end, County and Township staff as well

as the peer review consultants were satisfied with the final assessments and conclusions for the purpose of draft plan approval.

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

The Township retained Ainley Group to review the stormwater management report. Public Services staff and Cataraqui Conservation staff also reviewed the stormwater management report. The report is adequate to support draft plan approval. The draft plan conditions in Attachment 3 include conditions requiring detailed engineering plans that implement a stormwater management report (e.g. grading and drainage plan).

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

Cataraqui Conservation reviewed and were satisfied with the EIA and EIA Addendum. The draft plan conditions in Attachment 3 include conditions requiring implementation of recommendations of the EIA and EIA Addendum.

Planning Analysis

There are two main policy themes that apply to the proposed plan of subdivision. These are rural settlement areas, and development in an Environmentally Sensitive Area. The proposed development is consistent with the direction of the Planning Act, Provincial Policy Statement, the County of Frontenac Official Plan, and the Township of South Frontenac Official Plan on these matters.

Section 51(24) of the Planning Act

The Planning Act includes a list of technical items that need to be addressed with any plan of subdivision (Section 51(24)). This list includes conformity with the Official Plan and adjacent plans of subdivision, suitability of the land for residential development, adequacy of internal streets and connections to public roads, dimensions and shapes of lots, conservation of natural resources and flood control, as well as adequacy of utilities and municipal services.

The subdivision complies with Section 51(24) of the Planning Act.

Rural Settlement Areas

The Provincial Policy Statement, 2020 (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Section 3 of the Planning Act requires that Council decisions be “consistent with” PPS 2020.

The PPS promotes efficient land use and development patterns that support strong, liveable and healthy communities, protect the environment and public health and safety, and facilitate economic growth.

Section 1.1.4 of the PPS states that rural settlement areas shall be the focus of growth and development. It also specifies that planning authorities shall give consideration to rural characteristics, the scale of development, and the provision of appropriate service levels when directing development to rural settlement areas.

The County of Frontenac Official Plan sets out policies intended to help guide new development across the County as well as manage change at a regional level. They provide the Township with the ability to develop its communities based on local characteristics and needs, as well as fiscal capacity. The Settlement Area policies in section 3 note that efficient development patterns and road connections will be encouraged in Settlement Areas to optimize public services and to make the most efficient use of land and resources.

The subject property is located in Sunbury, which is a designated Settlement Area in the Township of South Frontenac Official Plan. Similar to the Provincial Policy Statement 2020 and the County of Frontenac Official Plan, the Township of South Frontenac Official Plan intends for a majority of new growth to be directed to existing settlement areas where it can be supported by appropriate servicing.

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

The subject property was subject to two consent applications in 2012. One of the conditions of approval of 3917 Battersea Road (across from the Storrington Community Centre) was that the southern portion of the lot be reserved for a potential second roadway into the subdivision. Township staff reviewed this matter. While it is acknowledged that a second emergency entrance would be beneficial, the location of the entrance creates concerns from a pedestrian and vehicular safety perspective and was not pursued for this development. It was also determined that a sidewalk should be located on the east side of the road, and pedestrians should be encouraged to cross Battersea Road at the Sunbury Road intersection.

The proposed development takes into consideration servicing requirements, including water and sewage, stormwater management and increased traffic.

Environmentally Sensitive Areas

Section 2.1 of the PPS indicates that the diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, or improved. This is echoed in the County Official Plan and the Township Official Plan.

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

Discussion – Draft Plan Conditions

The proposed draft plan conditions listed in Attachment 3 reflect comments from Township staff, peer review consultants, Cataraqui Conservation, as well as recommendations from the study reports. The subdivision agreement will be the main document to implement these conditions. Most of the conditions are standard draft plan of subdivision conditions.

These conditions were shared with the agent for review. The agent was generally agreeable to the conditions. The conditions listed in Attachment 3 incorporate the comments received from the agent.

Conclusion

The proposed plan of subdivision and related draft plan conditions are consistent and conforms to the Provincial Policy Statement 2020, the County of Frontenac Official Plan, and the South Frontenac Official Plan, and represents good planning for the subject property.

Financial Implications

All financial implications of this development will be borne by the developer through the draft plan conditions and the subdivision agreement.

The creation of additional housing generates additional assessment which results in financial benefits to the Township and its residents.

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 draft plan of subdivision, technical studies and reports were reviewed by County and Township staff, peer review consultants, and Cataraqui Conservation staff. The Township review included staff from Planning, Building, Public Services, Recreation, and Fire and Emergency Services.

The County held a public meeting on November 10, 2022, pursuant to the Planning Act.

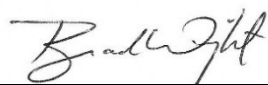
Attachments

1. Location Map of Subject Lands
2. Draft Plan of Subdivision (dated June 7, 2022)
3. Recommended Draft Plan Conditions for 10T-2020/001

Approvals

Prepared By: Christine Woods, MCIP, RPP, Senior Planner

Submitted By:

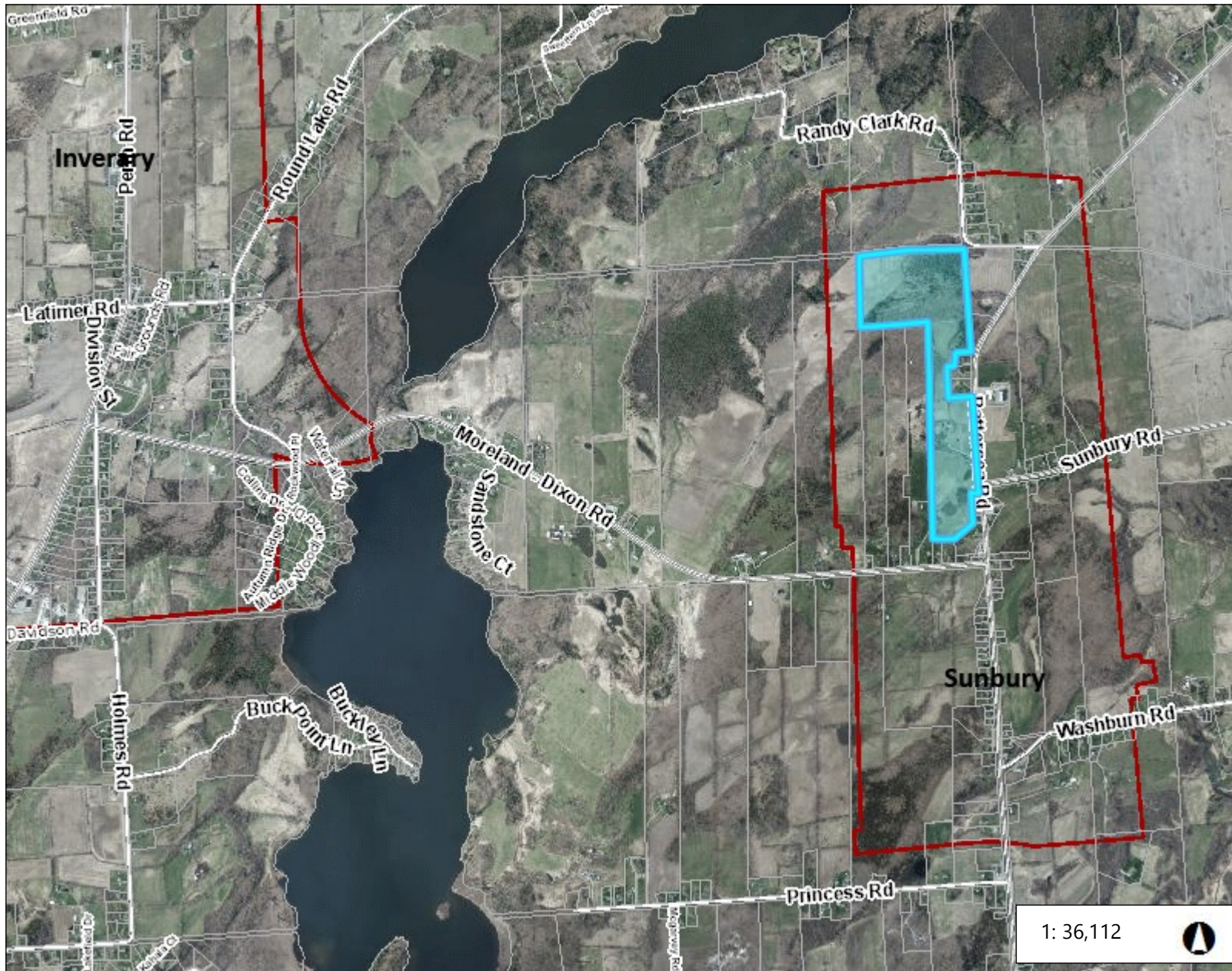


Brad Wright
Director of Development Services

Approved By:



Louise Fragnito, CPA, CGA
Chief Administrative Officer



Legend

- Road
 - Highway
 - Major Road
 - Secondary Road
 - Ferry Route
- Assessment Parcels
- Settlement Area

1: 36,112



1.8 0 0.92 1.8 Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere
Includes Material © 2019 of the Queen's Printer for Ontario. All Rights Reserved.

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

Notes

Subject property highlighted in blue.

DRAFT PLAN of PROPOSED SUBDIVISION

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



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

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

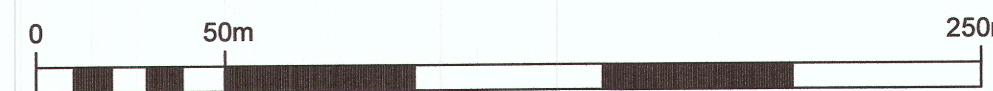
LEGEND

- LANDS TO BE SUBDIVIDED
- - - PROPOSED EASEMENT

SITE DATA

LAND USE	LOTS & BLOCKS	AREA ± UNITS	DENSITY	
RESIDENTIAL	1-31	27.8 ha	31	1.12 u/ha
STREETS/RESERVES	MUNICIPAL RIGHT OF WAY	2.70 ha		
PARKLAND	BLOCK 35	0.04 ha		
NEIGHBOUR LOT ADDITION	BLOCK 32	0.18 ha		
DRAINAGE BLOCK	BLOCKS 33, 34, 36	0.70 ha		
TOTAL		31.37± ha	31	0.99 u/ha

SCALE = 1:2000



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

OWNER'S CERTIFICATE

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

SIGNED:

STEVE McLURE - 2628100 ONTARIO INC.

DATE:

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

SURVEYOR'S CERTIFICATE:

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

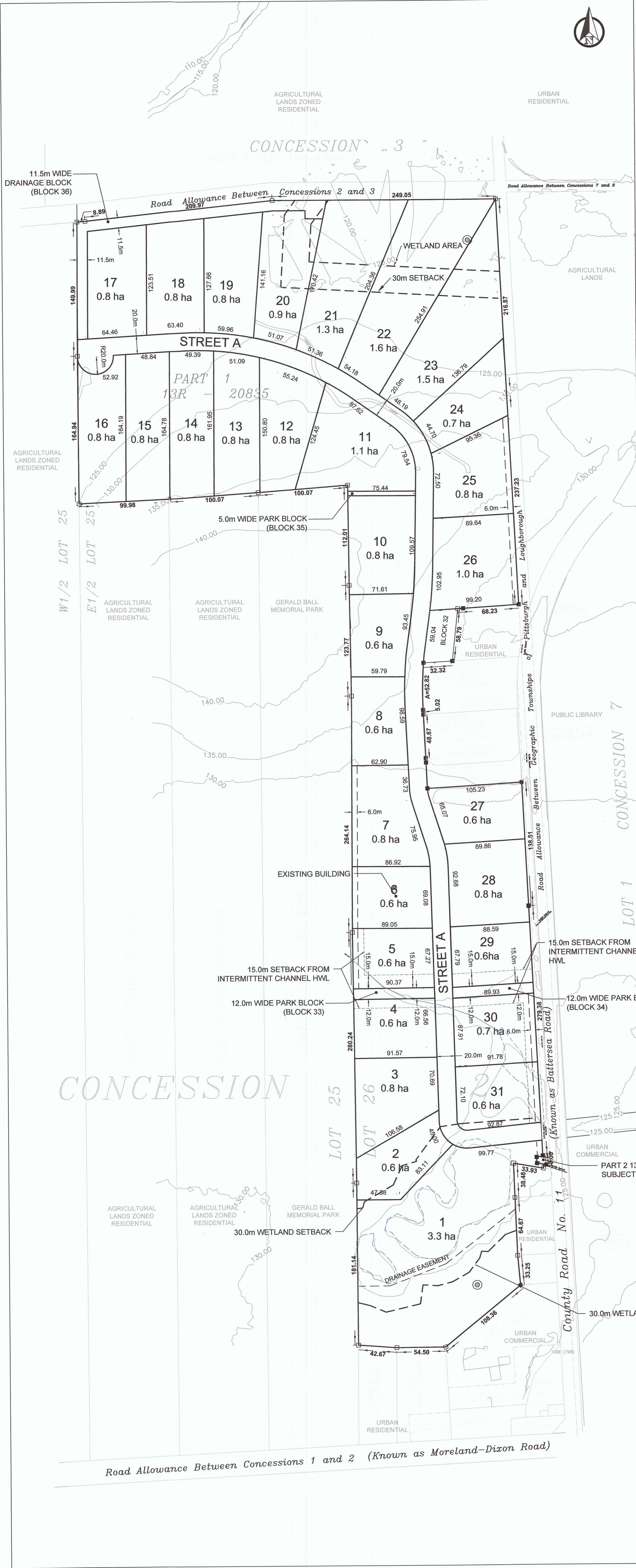
HOPKINS CHITTY LAND SURVEYORS INC.

June 7/2022
DATE

[Signature]
PHIL W. CHITTY - O.L.S.



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



Road Allowance Between Concessions 1 and 2 (Known as Moreland-Dixon Road)

Approved Draft Plan

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

Subdivision Agreement

2. That the Owner shall agree to enter into a subdivision agreement with the Township of South Frontenac, prepared to the satisfaction of the Township, to be registered on title of the subject land.

Financial Requirements

3. That the Owner shall reimburse the Township of South Frontenac and County of Frontenac for all legal, engineering, planning, administrative expenses and permit fees including the cost of any peer review that the Township of South Frontenac or County of Frontenac may require in relation to the development and the fulfillment of conditions.
4. That the Subdivision Agreement will require the Owner to satisfy all the requirements, financial and otherwise, of the municipality concerning the provision/upgrading of roads, installation of services, drainage works, utilities and all other required works in accordance with Township standards. Further, that the development, construction and use of the lands in this subdivision shall be in accordance with the following reports submitted with the application for draft approval, unless otherwise amended, modified, or directed in writing by the Township and as secured in the Subdivision Agreement.
 - a. Preliminary Stormwater Management Report, dated October 2021, prepared by Forefront Engineering Inc.;
 - b. Battersea Road Culvert Memorandum, dated December 18, 2020, prepared by Forefront Engineering Inc.;
 - c. Terrain Analysis, dated January 18, 2013, prepared by XCG Consultants Ltd.;
 - d. Hydrogeological Assessment, dated January 14, 2021, prepared by BluMetric Environmental Inc.;
 - e. Test Pit Logs, dated July 2020, prepared by BluMetric Environmental Inc.;
 - f. Hydrogeological Memorandum, dated January 14, 2021, prepared by BluMetric Environmental Inc.;
 - g. Response to Hydrogeology and Terrain Analysis Technical Review Comments, dated November 5, 2021, prepared by BluMetric Environmental Inc.;
 - h. Response to Hydrogeology and Terrain Analysis Technical Review Comments, dated April 6, 2022, prepared by BluMetric Environmental Inc.;
 - i. Natural Heritage Assessment, dated July 2, 2013, prepared by Ecological Services;
 - j. Natural Heritage Assessment Addendum, dated February 14, 2019, prepared by Ecological Services;

- k. Natural Heritage Assessment Addendum, dated January 25, 2021, prepared by Ecological Services;
 - l. Natural Heritage Assessment Addendum, dated November 4, 2021, prepared by Ecological Services;
 - m. Traffic Impact Study, dated December 1, 2021, prepared by GHD;
 - n. Stage 1 and 2 Archeological Assessment, dated January 2011, prepared by Cataraqui Archeological Research Foundation;
 - o. Archaeological Clearance Letter, dated December 20, 2013, prepared by the Ministry of Tourism, Culture and Sport;
 - p. Planning Demonstration Report, dated April 6, 2020, prepared by Fotenn Planning + Design; and
 - q. Additional Planning Rationale, dated January 26, 2021, prepared by Fotenn Planning + Design.
5. That the Subdivision Agreement will require the Owner to agree that the Township may implement whatever measures it deems necessary to ensure orderly development of the plan of subdivision, including imposition of zoning holding provisions or 0.3 metre reserves.
 6. That the Subdivision Agreement will require the Owner to deposit with the Township, securities in the form of a letter of credit, representing 100% of the estimated cost of the works to be provided with respect to the subdivision. The letter of credit shall be reduced, in accordance with the terms and conditions of the Subdivision Agreement.
 7. That the Subdivision Agreement shall contain a provision requiring the Owner to pay development charges, in place at the time of the issuance of the building permit, prior to the issuance of the building permit and to acknowledge and agree that the Township will not issue any building permit until the development charges have been paid in full.

Access

8. That the road allowances within the Plan shall be designed in accordance with the Township's engineering standards and shall be dedicated to the Township free of all charges and encumbrances.
9. That the new internal road identified shall be named to the satisfaction of the Township of South Frontenac.
10. That the Owner shall agree to make a financial contribution to the Township of South Frontenac for the construction of a future sidewalk connection along the east side of the road allowance of Battersea Road from Sunbury Road north to 3910 Battersea Road. The amount of the financial contribution would be determined based on a cost estimate provided by the Owner prior to final plan approval, to the satisfaction of the Township. The amount will be paid at registration, or incorporated into the subdivision agreement and provided following plan registration within a reasonable period of time, as agreed upon by the Owner and the Township.
11. That 0.3 metre reserves be established along Lots 27 to 31 where the lots abut the Battersea Road road allowance, and along the east side of the internal street (Street A) between Lot 26 and 27, to the satisfaction of the Township. The 0.3 metre reserves shall be deeded to the Township for the purpose of controlling additional access to the plan of subdivision.

Utilities and On-Site Works

12. That the Subdivision Agreement shall require the Owner to grant any easement as may be required for utility or drainage purposes to the appropriate authority.
13. That the Subdivision Agreement shall require the Owner to design, construct and commission a street lighting system in accordance with the Township's engineering standards and specifications.
14. That the Subdivision Agreement shall require the Owner to supply and install street name signage and traffic control signage to the satisfaction of the Township.
15. That the Subdivision Agreement shall require the Owner to install a Canada Post Centralized Community Mail Box at a location on the road allowance of the internal street (Street A) near the entrance to the development at Battersea Road, or at an alternative location, if deemed necessary by Canada Post, to the satisfaction of Canada Post and the Township.
16. The Owner shall satisfy the Township that public utilities, including without limitation Bell Canada, Hydro One, etc., are adequate to service the proposed development.
17. That all servicing including Bell, Hydro, etc. be installed underground.
18. The Owner shall submit a Landscape Plan to the satisfaction of the Township, which provides for:
 - a. One tree to be planted by the Owner in the front yard of each of Lots 1 to 31.
 - b. A planting area or screening buffer along the rear lot line for the residential lots abutting Battersea Road (Lots 27 to 31) by the Owner. This planting area/buffer may include additional trees for each lot, berms, vegetation, and other measures to the satisfaction of the Township.
 - c. All trees shall be of a type and size to the Township's satisfaction.
19. That the Subdivision Agreement shall require the Owner to install a page wire fence on the west side of Lot 17, and at the rear of Lots 17 to 20 to restrict access to Block 36 and the unopened road allowance.
20. That the Subdivision Agreement shall require the Owner to agree to obtain permits or approvals as may be required from any federal, provincial, municipal or local authority and to file copies thereof with the Township.

Parkland Dedication

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

On-site Sewage Disposal and Water Systems

22. That the following conditions related to sewage systems, be addressed to the satisfaction of the Township:

- a. A site servicing plan showing the location of the house, well, appropriately sized primary and alternate sewage system locations is to be prepared and provided to all future purchasers through Agreements of Purchase and Sale;
 - b. Primary and alternate sewage system locations are to be reserved and maintained solely for that purpose. No constructions of wells, homes, driveways, pools, garages or other structures is to take place in the primary or alternate area.
 - c. Existing soil conditions will necessitate the importation of suitable fill for the installation of sewage systems, resulting in fully raised sewage systems.
 - d. As the sewage systems are raised, pumps may be required.
 - e. Deviations from the locations on the site servicing plan with respect to sewage system location may require the submission of an engineering report/design and terrain analysis supporting the proposed changes (including potential impact on adjoining properties).
 - f. The Subdivision Agreement and all Agreements of Purchase and Sale shall include provisions recognizing that the Terrain Analysis, dated January 18, 2013, prepared by XCG Consultants Ltd assumed a total daily design flow of 2,900 L/day for each lot, and shall outline the required considerations for larger dwellings and/or more bedrooms, and/or additional dwelling units that exceed this total daily design flow (e.g. additional terrain analysis, the use of alternate sewage treatment technologies capable of reducing nutrients and requiring smaller loading areas).
23. That all requirements and recommendations specified in the Terrain Analysis, dated January 18, 2013, prepared by XCG Consultants Ltd.; Hydrogeological Assessment, dated January 14, 2021, prepared by BluMetric Environmental Inc.; Test Pit Logs, dated July 2020, prepared by BluMetric Environmental Inc.; Hydrogeological Memorandum, dated January 14, 2021, prepared by BluMetric Environmental Inc.; Response to Hydrogeology and Terrain Analysis Technical Review Comments, dated November 5, 2021, prepared by BluMetric Environmental Inc.; Response to Hydrogeology and Terrain Analysis Technical Review Comments, dated April 6, 2022, prepared by BluMetric Environmental Inc. and all associated drawings, shall be addressed to the satisfaction of the Township. Recommendations identified in these reports include the following:
- a. Construction of water supply wells, must as a minimum, comply with the specifications of Ontario Regulation 903. For example, finished grading shall be such that surface runoff in general and specifically in the vicinity of the septic beds is directed away from wellheads, and each well, including the existing test wells, shall be properly developed and upgraded to include a vermin proof cap.
 - b. Water supply wells should only be advanced to a depth where adequate flow is encountered as poorer quality water has been encountered at depth at this site and in the area in general.
 - c. Water supply wells should be cased and sealed at least one metre into the sandstone bedrock. From existing wells this has been to a minimum depth of 12mbsg (42').

- d. The white sandstone formation appears to produce the highest quantity and quality of groundwater in the area. Casing to this formation is recommended to isolate it as the water supply. Shallower and deeper formations have yielded poor water quality.
 - e. All water supply systems should have treatment systems which include disinfection and any pre-disinfection filtration required as determined by the treatment system designer.
 - f. Quality of water from supply wells should be monitored and treated as necessary and that appropriate disinfection treatment be included in any drinking water system.
 - g. Include notice to purchasers about sodium concentrations (for people with low sodium dietary requirements).
 - h. Future homeowners should have newly constructed wells be pumped for a minimum of 12 hours after construction to ensure adequate well development and to reduce groundwater turbidity and colour to acceptable levels prior to connection to the residence's plumbing system.
 - i. Homeowners should complete regular well inspections to ensure the well is consistently maintained to meet the requirements of O. Reg. 903. The inspection should verify the well cap is firmly in place, that no ground settlement or erosion has developed around the well casing and should verify there is no potential sources of contamination near the well, such as downspouts directing water towards the well, seasonal ponding in the vicinity of the well or the presence of animal wastes where the well location.
24. That any existing wells and or septic systems that may be present on the site and which are not planned to be used as part of the plan of subdivision shall be decommissioned as per applicable regulations.
25. That prior to the Township considering an application for zoning by-law amendment for the Plan of Subdivision, the Owner shall provide a final version of the hydrogeological assessment and terrain analysis, which addresses how additional dwelling units will be accommodated within the subdivision based on the most recent nitrate assessment (BluMetric Environmental, dated April 6, 2022). If additional dwelling units can be accommodated in the subdivision, then the Owner shall provide parameters and criteria about how additional dwelling units are to be addressed on a property-by-property basis at the building permit stage, so that this can be captured in the zoning, through the use of a holding symbol, if necessary.
26. That the Subdivision Agreement shall include any conditions necessary to implement recommendations of the final version of the hydrogeological assessment and terrain analysis as well as of any subsequent peer and technical reviews required to fulfill condition 25 relative to additional dwelling units.

Natural Environment

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

Stormwater

29. That a lot grading and drainage plan and a sediment and erosion control plan shall be completed and approved to the satisfaction of the Township and the Cataraqui Region Conservation Authority (CRCA), and be included in the Subdivision Agreement between the Owner and the Township.
30. That a final stormwater management report and plan shall be prepared by a qualified Professional Engineer and approved to the satisfaction of the Township and the CRCA, and that appropriate text to implement its findings, including any access and maintenance requirements, be included in the Subdivision Agreement.
31. That the Subdivision Agreement shall contain a provision notifying the Owner that prior written authorization from CRCA will be required under Ontario Regulation 148/06: Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses for watercourse alterations, as well as for rough grading, stockpiling, road construction, etc. within 30 metres of the wetland, and within 15 m of the floodplain of the watercourse on the subject property.
32. That the Subdivision Agreement shall include a provision providing that any purchaser of Lots 1, 2, 4, 5, 20 to 23, and 29 to 31 (based on June 7, 2022 Draft Plan) be advised, and also that a notice be placed in the purchase and sale agreement alerting any prospective purchasers, that prior written authorization from CRCA may be

required under Ontario Regulation 148/06: Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses for site alteration and construction (including but not limited to buildings, structures, filling and grading).

Walkway

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

Human Remains and Archaeological Resources

34. That the Subdivision Agreement shall contain a clause providing that any purchaser be advised, and also that a notice be placed in the purchase and sale agreement alerting any prospective purchasers:

- a. That in the event that deeply buried archaeological remains are discovered during construction or site development of a lot, that the property owner shall immediately contact the Township of South Frontenac's Development Services Department and the Ministry of Heritage, Sport, Tourism and Culture, and
- b. That in the event that human remains are discovered during construction or site development of a lot, that the property owner shall immediately contact the Township of South Frontenac's Development Services Department, the Ontario Provincial Policy (OPP), the Ministry of Heritage, Sport, Tourism and Culture, and the Registrar or Deputy Registrar of the Cemeteries Unit of the Ministry of Consumer Services (or the applicable agencies at the time of final approval).
- c. That if during the process of development any archaeological resources or human remains of Aboriginal interest are encountered, the Algonquins of Ontario Consultation Office will be contacted immediately at:

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

Revisions to Draft Plan

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

General Conditions

36. That when requesting final Approval from the County of Frontenac, the Owner shall accompany such request with the required number of originals and copies of the Final

Plan, together with a surveyor's certificate stating that the lots/blocks thereon conform to the frontage and area requirements of the Zoning By-Law.

37. That prior to final approval, the County of Frontenac is to be advised by the municipality that this proposed subdivision conforms to the Zoning By-law in effect in the Township of South Frontenac.

Model Homes

38. That where the Owner proposes to proceed with the construction of a model home(s) prior to registration of the Plan, the model home(s) shall comply with the Zoning By-law and the Owner shall enter into an Agreement with the Township, setting out the conditions for model homes, and shall fulfill all relevant conditions of that Agreement prior to issuance of a building permit.

Clearance Letters

39. That Prior to Final Subdivision Approval, the County of Frontenac shall be advised that all Conditions of Draft Plan Approval have been satisfied; the clearance memorandum shall include a brief statement detailing how each Condition has been met.
40. That Prior to Final Subdivision Approval, the County is to be advised in writing by the Township of South Frontenac the method by which conditions have been addressed.
41. That Prior to Final Subdivision Approval, the County is to be advised in writing by the Cataraqui Region Conservation Authority the method by which its conditions have been addressed.

Lapsing Provisions

42. That pursuant to Section 51(32) of the *Planning Act*, this Draft Plan Approval shall lapse at the expiration of three years from the decision date for the issuance of Draft Plan Approval, if Final Approval has not been given, unless an extension is requested by the Owner and, subject to review, granted by the County of Frontenac.
43. That pursuant to Section 51(33) of the *Planning Act*, the Owner may submit a request to the County of Frontenac for an extension to this Draft Plan Approval. The County of Frontenac shall notify the Township of South Frontenac of any request to extend Draft Plan Approval. The extension period shall be for a period of up to two years and the request for an extension must be submitted in writing a minimum of 60 days prior to the lapsing of Draft Plan Approval. Further extensions may be considered at the discretion of the County of Frontenac, where there are extenuating circumstances.

Township of South Frontenac

Staff Report



To: Council

Prepared by: Public Services Department

Date of Meeting: April 4, 2023

Subject: Award of Tender # PS-2023-11 – Pavement Marking Program

Summary

This report provides a recommendation for the award of contract for the 2023 Pavement Marking Program

Recommendation

That Council accept the bid from Provincial Road Markings Inc. in the amount of \$260,507.63 (net of HST credits) for the 2023 Pavement Marking Program; and

That Council direct staff to harmonize service levels for centerline painting on low volume urban and low volume rural roads consistent with the provincial guideline.

Background

During the spring of each year, the Township utilizes contracted services support for the placement of roadway painting services across the municipality. These pavement markings and delineations are required to provide an important information and guidance for drivers and other road users. Markings also provide drivers with a preview of upcoming changes in a roadway, including curves, lane drops, lane restrictions, intersections, crosswalks and the beginning and end of passing zones. Pavement markings are also used for the identification of railway crossings, pedestrian crossings, parking, accessible markings and for the efficient management of off-street parking areas.

Road markings often supplement other traffic control devices, such as signs and signals. In Ontario, the guidance for consistent pavement markings is provided through the Ontario Traffic Manual Book 11 – Pavement, Hazard and Delineation Markings (March 2000).

On February 9th, 2023, the Township released a joint tender with North Frontenac and Central Frontenac for the Multi-Year Pavement Marking Program and advertised on the Township's website. This tender was issued for the 2023 year and included an option for two single year extensions. On March 1st, 2023, the tender closed with a total of five (5) tender submissions were received.

The results of the tender bids were as follows:

Vendor	Total (Inc. Net HST Rebate)
956205 Ontario Inc. o/a Online Pavement Markings and Maintenance	\$276,397.66
Almon Equipment Ltd.	\$304,576.74
<i>Provincial Road Markings Inc.</i>	\$260,507.63
Trillium Pavement Marking	\$305,926.53
Upper Canada Road Services Inc.	\$434,054.22

All of the tenders were subsequently found to be complete and in compliance with the requirements of the procurement bylaw.

Discussion/Analysis

Staff completed a detailed review of the Provincial Road Markings Inc. bid and found their tender bid to be fully compliant. Roadway painting prices across the Eastern Ontario Region have seen significant price increases in 2023 and in many cases prices adjacent counties and lower tier municipalities are reporting an increase of 20 – 22% in service costs over the previous years pricing. Cost increases in traffic paints and reflective glass beads used in the application process are being cited as a major driver behind these increases.

Locally, the Township has benefitted from very competitive pricing under the previous four-year contract (2019-2022) and this year's bid submission will see program costs soar well above inflation once all forms of markings and symbols are factored in. Going forward, the Township has several options to consider:

Option 1 – Reject all bids (not recommended)

Under the terms of the tender call, the municipality has the right to reject all bids, however a review of the bid outcomes with adjacent counties and lower tier municipalities suggests that the tender process has yielded competitive pricing that is reflective of the current market rates. If all bids are rejected, the municipality is unlikely to access any new servicing alternatives. The municipality would also be unlikely to see any improved cost outcomes. This option is therefore not recommended.

Option 2 – Award the low bid price at full cost (not recommended)

The current low bid submission (net of HST credits) is currently \$260,507 which is \$82,507 over the Township's approved new operating budget of \$178,000 for this activity. It is staffs view that adjusting the operating budget to perform the status quo is not likely

considered a sustainable approach over the longer term. This approach is therefore not recommended.

Option 3 – Award the low bid with reduced quantities (recommended)

The Ontario Traffic Manual Book 11 – Pavement, Hazard and Delineation Markings (March 2000) sets the guidelines for consistent application and use of pavement markings across the province. One of the largest costs under the Township’s current contract are highway centerlines (yellow) which make up about 60% of our program costs. It is apparent from the Ontario guidelines that South Frontenac’s application of centerline painting has historically exceeded the provincial guidelines for low volume roadways in urban areas and low volume rural roads. A copy of the guidelines are summarized in Table 1 below.

Table 1 – Book 11 – Directional Dividing Lines (Criteria for Use)

Low Volume Local Roadways in Urban Areas	Two lane, urban roadways which do not fulfill an arterial function, and which have a two-way peak hour volume of less than 500 vehicles may not require a continuous directional dividing line.
Low Volume, Rural Roads	Along their entire length, if 6m wide or more, and carrying a two-way peak hour volume of 200 vehicles or more.
	Along their entire length, if 5.5m to 6m wide, and carrying a two-way peak hour volume of 100 vehicles or more.
	Along their entire length, if 5m to 5.5m wide, and carrying a two-way peak hour volume of 50 vehicles or more.
	Continuous in any area with heavy night traffic or tourist traffic
	Rural roadways, which based on width, do not exceed the volume thresholds outlined above, and which do not exhibit the collision, traffic or climactic conditions outlined need only be marked as specific roadway features.

Under the terms of the contract, the municipality reserves the right to make future changes in the quantity of longitudinal or transverse pavement marking in the schedule of items and prices. The terms governing the addition or deletion of work is governed under the general conditions of contract which are based on the Ontario Provincial Standards and Specifications Municipal Series (Nov 2019). Staff are recommending that the Township adjust the level of service for line painting activities locally. More specifically, it is recommended that centerline painting be suspended on select roads that do not meet the

provincial criteria outlined in Table 1. In order to make gradual adjustments, staff are recommending that service levels changes be initiated through a staged approach, focusing on low volume urban roads and low volume rural roads (AADT of 200 or less). Such changes would be initiated through change order under the new contract. This approach is expected to yield a minimum of \$25,000 in savings. Under this approach, an additional \$58,000 would be required to fund the remaining program.

Financial Implications

The 2023 Operating Budget has an approved budget of \$178,000 for line painting this year and falls well short of the low bid of \$260,507. If Option 3 is pursued, the Township will require an additional \$58,000 to fund this program that will be covered in the Public Services operating budget. Off-setting savings will otherwise be explored within the transportation budget to limit these increases. The department will report back to Council later in the year if a short fall is expected in the operating budget.

Relationship to Strategic Plan

- 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

Line painting activities locally will utilize water-borne paint solutions that are considered to have less environmental impact compared to alkyd-based paint alternatives that were heavily used in the industry in the past.

Paints are applied on highways by large service trucks that are diesel powered and are often accompanied by additional smaller passenger pilot vehicles to direct traffic and/or provide additional crew support for roadway marking. Smaller walk behind paint machines used to paint symbols, stop bars and lines in parking lots have small gas-powered engines used to power compressed air systems supporting the spray application process.

Overall line painting activities are essential to support safe and efficient traffic operations however the activity does generate greenhouse gas emissions as part of the process. Municipalities that are looking to reduce environmental impacts (paint) and/or GHG impacts should therefore consider reduction in painting activities where provincial guidelines allow.

- 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 & Treasurer
- Manager of Operations and Fleet
- Construction Technologist
- Counties of Lennox & Addington, Renfrew County and Lanark County

Attachments

None

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

Township of South Frontenac Staff Report



To: Council

Prepared by: Public Services Department

Date of Meeting: April 4, 2023

Subject: **Municipally Significant Event Designation for the Frontenac Farmers Market Kickoff Event**

Summary

This report recommends that Council designate the Frontenac Farmers Market Kickoff Event on May 19, 2023 as municipally significant as required by the Alcohol & Gaming Commission of Ontario (AGCO) for a Special Occasion Permit (SOP).

Recommendation

That Council designate the Frontenac Farmers Market Kickoff Event as municipally significant in support of the Alcohol & Gaming Commission of Ontario Special Events Permit Application.

Background

The Frontenac Farmers Market is hosting a summer kickoff event and intends to have some added value elements for market attendees, including a beer garden featuring local craft beer. This event has been scheduled for May 19th, 2023, from 3:00 pm – 7:00 pm in Centennial Park, Harrowsmith. As per the AGCO SOP application processes, public events must be designated as municipally significant to grant the permit.

Discussion/Analysis

The Frontenac Farmers Market Kickoff event will feature local farm and artisan vendors, live music, prepared food vendors, and local craft beer vendors. The event will celebrate the start of the market season and aims to promote the market as a destination for residents and visitors of South Frontenac.

A feature at the event will be the craft beer garden. Organizers are working towards contracting local and regional based craft beer businesses to join the event, giving first right of refusal to Frontenac based businesses. The event will be an important cultural and economic development endeavor as it supports the hyperlocal food supply system and other small businesses.

In order to secure the proper permits and approvals for a public event, it must be designated as municipally significant by the Township. As a part of the AGCO SOP permitting process, the event host must notify all local emergency services of the event. They must also have security (paid or volunteer) at the event to mitigate risks associated with alcohol consumption. All vendors serving alcohol must have their Ontario Smart Serve Licence and follow the provincial and federal regulations. All other conditions set by the AGCO will also be followed by the event host and vendors.

Separate to the kick off event, the Frontenac Farmers Market is currently working towards a designation as a provincially recognized farmer's market in the province. Once they acquire this designation, licensed Ontario brewery, winery, and distilleries manufactures will be able to sell their eligible 100% Ontario made products at the Frontenac Farmers Market as an extension of their retail store under an AGCO temporary extension endorsement. The temporary extension endorsement allows the local vendors to sell their eligible products at Ontario farmers' markets for take home only and does not allow on-site consumption. There is no action required by the Township for the temporary extension endorsement, but municipalities can prohibit the sale of liquor products at any farmers' markets in their jurisdiction at any time by objection to the AGCO.

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: 4. Be a catalyst for the creation of vibrant, complete communities.

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

- Clerks Department

Township of South Frontenac

Staff Report - Municipally Significant Event Designation for the Frontenac Farmers Market Kickoff Event

Approvals

Submitted By:

Amanda Pantrey

Program, Events and Education Coordinator

Reviewed By:



Kyle Bolton, C.E.T.

Director of Public 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: April 4, 2023

Subject: **Building Services Delivery Review Update**

Summary

Staff are reporting back to Council regarding Building Services efficiencies in the building permit approval process. This report documents the delivery of Building Services within the Development Services Department, provides an update on a Lean process review undertaken and planned improvements.

Recommendation

That Council approves the release of one (1) Building Inspector position as identified within the 2023 Budget.

And that Council support the proposed improvement ideas included in the Staff Report.

Background

Building Services Summary

Building Services is funded by building permits fees, and as a result, does not impact the municipal tax levy. Revenues are sufficient to support operations and have exceeded budget due to increased permit volumes observed over the past several years.

The Township maintains these revenues in a building reserve separate from the general tax levy. Capital expenses such as inspection vehicles and operating expenses such as staff salaries are funded by permit fees and the Building Permit Reserve Fund.

The Building Permit Reserve Fund is estimated at close to \$2 million dollars at the end of 2022. With an operating budget of approximately \$900,000 per year, there is sufficient reserve funds to continue building inspection services for over a two-year period even if there was a significant decrease in incoming building permit applications.

Building Services Current State

In 2022, Building Services completed close to 1,000 building and septic permits, which includes both building permits for South Frontenac and septic permits for South Frontenac and the other three (3) Frontenac townships. For a manageable workload across Ontario municipalities, the general rule of thumb is approximately 125 permits per building inspector per year. The team of six (6) (including the CBO and DCBO) is averaging 157 permits per

building inspector. **Table 1** below provides a regional summary of permit volumes and resourcing by municipality.

Table 1: 2022 permit volumes and resourcing by municipality.

Municipality	Perm. Pop. (2022)	Geographic Size	2022 Total Building Permits	Building Inspector Complement	Applications per inspector
South Frontenac	20,582	948 km ²	939 (Building Permit & Part 8 Applications)	6	157
Prince Edward County	26,816	1,050 km ²	968	8	121
Loyalist Township	18,950	342 km ²	446	4	111
Stone Mills	8,107	709 km ²	234	2	117

Lean Process Review of Building Services Delivery

A Lean process review of Building Services was undertaken in coordination with County staff (Kevin Farrell and Kristy Hutchinson). County and Building Services staff met on March 2nd and March 13th to complete a lean process review of the Building Services development approval process. The Building Services lean process review included:

- Identification of pain points and bottlenecks.
- Identification of a problem statement and project aim.
- Current state analysis.
- Development of a flow chart of building permit approval process.
- Development of measures for future tracking of improvements.
- Development of improvement ideas.
- Finalization of an action plan.

Problem Statement

Building Services staff has identified that the most frequent occurrence of delays in the process is related to lack of knowledge or understanding of the process from the majority of applicants as it is not something that they do regularly. The process also involves technical requirements to be met.

Some of the observed outcomes includes receiving complaints, processing delays, as well as added time and costs. Some contributing factors include higher permit application volumes, internal and external communications and process delays.

The increased permit volume has reduced staff capacity to organize and attend regular meetings, especially during construction season. Regular meetings would provide an opportunity to discuss issues and complex files while providing training and learning opportunities and ensuring consistency. Management staff are also completing inspections which leaves no time to join junior staff for on-site inspections to provide training

opportunities and ensure standard review processes. With the CBO and DCBO completing site inspections, this results in limited time available for human resource management, identifying training opportunities, and responding to complaints and enforcement matters.

Project Aim

The aim is to improve the applicant experience and interaction with the Building Services team. To improve the understanding of the permitting process and to reduce undue process delays that will create a more efficient system along with a clearer understanding of the process.

Improvement Ideas

The following improvement ideas were generated from a discussion of streamlining the building permit approval process.

1. Move zoning review to earlier in the approval process.
2. Education supports to promote the understanding and requirements of the building process.
 - Update website information and use various channels (website/social media) to highlight frequently asked questions and some “did you know” information spotlights.
 - Provide a television screen/monitor at the front counter to assist with explaining the approval process with applicants.
 - Post the building permit process flow chart at the front counter to assist with explaining the approval process with applicants.
 - Improve education materials for applicants (checklists and guidelines).
3. Consider updated CityView software training for current and future staff.
4. Clarify a standard process for complaints.
5. Consider return of incomplete applications.

Improvement Ideas Implementation

#1 The Building Permit Process Flow Chart (see **Attachments A & B**) provides a good visual of how the zoning review interrupts the flow of the building permit approval process. It is anticipated that this change will result in enhanced customer service delivery.

On February 21st, 2023, Council endorsed the hiring of a Planning Coordinator which would take on the duties of zoning review. This position would identify zoning compliance issues in advance of the building permit application being submitted. Once the application meets the Zoning By-law requirements, a zoning certificate will be issued. The next step would be for the applicant to submit a building permit application.

Allowing the zoning certificate issuance as a first step in the process prior to the building permit application provides better customer service to applicants by identifying where there may be deficiencies sooner and directing those applicants to planning staff earlier to address planning issues. It also removes this responsibility from the Building Inspectors, giving them more time to focus on building code review.

Undertaking the zoning review process early will ensure the required planning approvals are in place before an applicant submits a building permit application. Planning staff would provide applicants with guidance regarding the items they need to provide and meet with respect of the Township's Zoning By-law, planning related regulations and policies, before commencing the building permit process.

The anticipated transition date for this new process is June 1st, 2023. Recruitment is currently under way for the new Planning Coordinator position.

#2 These improvement ideas will be relatively straightforward to implement and will take place over the next few months.

#3 Staff will inquire with CityView regarding additional training opportunities.

#4 Discussion with Building staff indicated an unclear process for when complaints are received. It was determined that the best approach would be to direct all complaints to the Chief Building Official. If Council members are approached by applicants, the Council member should be asking the applicant whether they have contacted the Chief Building Official and/or should be forwarding the concern along with the contact information for the individual to the Chief Building Official.

#5 Building Services staff have seen a rise in the number of incomplete applications being submitted to the Department. Many property owners are managing their own application process and may not be familiar with the types of documents, drawings and forms required. For example, in many instances, applicants are often not aware that they may require a clearance letter from the Conservation Authority under their permitting authority (Section 28 of the Conservation Authorities Act) if they are waterfront property or hazard feature on their property. This requirement impacts many properties across the Township.

Many municipalities are moving to online portals to have applications submitted digitally (e.g. CityView Portal, DASH, Cloudpermit) which will not allow building permit applications into the system until all required supporting information is attached to their digital application. The portal is a feature that is available with our software and that is planned to be implemented at a future date.

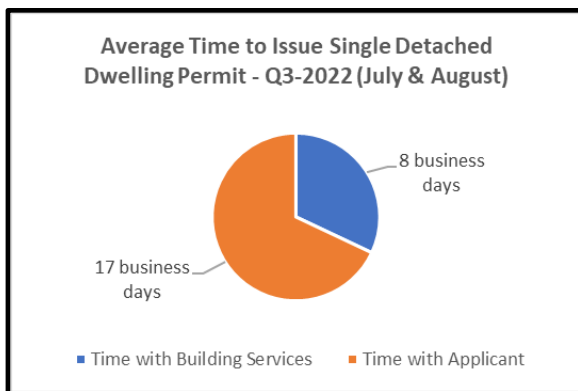
While South Frontenac staff feel a higher level of service is provided by accepting incomplete applications, returning incomplete applications while identifying missing information would remove the backlog of applications pending next steps due to submissions required from applicants. It is an administrative change that could be made quickly. Being firmer with receiving complete applications would assist with streamlining the building permit application process and provide better direction to applicants regarding where the application is in the process. Often, once an incomplete application is passed on to staff, applicants have the impression that the process is moving forward although additional requirements have been requested of them before the application can be deemed complete, to advance the process.

The challenge for Building Services staff is balancing the need to follow and enforce legislative requirements, while providing customer service to educate applicants on the building permit application process, and often being in a difficult or awkward situation where

applicants are told 'no' or that 'additional information is needed'. Plans submitted for building permits must meet statutory requirements for an application to be considered complete.

In **Figure 1** below, the current process of accepting incomplete applications results in an average addition of 17 days to the permit approval process. Returning incomplete applications would ensure clarity to the applicant that they are required to provide additional information. This will reduce the staff time currently invested in managing incomplete applications. Currently, there are approximately 100 incomplete applications being managed by the permit intake coordinator.

Figure 1. Average time to issue single detached dwelling permit.



Building Services staff would continue to support applicants by indicating deficiencies in submissions and explaining which supporting documents are still outstanding before the application will be accepted by the department. Currently and as part of this new process, a formal list of items that must be addressed before an application can be deemed complete would be provided to the applicant. The anticipated transition date for this new process is June 1st, 2023

Future Workload Planning

Table 1 above identifies that South Frontenac Building Inspectors are processing the highest volume of permits per inspector of the municipalities surveyed. Although an additional inspector was approved in the 2022 budget, the overall complement assigned to building permits did not increase as there was a need to assign an additional dedicated staff to Part 8 services.

Table 2. Building permits and building inspector staff levels from 2021-2024.

Year	Total Building and Septic Permits (South Frontenac)	Total Septic Permits (Other three Townships)	Total Building and Septic Permits	Building Inspector Complement including CBO/DCBO	Applications per inspector
2021	742	377	1119	6	187
2022	761	178	939	6	157
2023 (current state)	761	119	880	6	147
2023 (proposed future state with additional building inspector)	761	119	880	7	126
2024** (proposed future state with additional inspector and CBO & DCBO not performing inspections)	725*	-	725*	6	121

**Inspections completed by CBO and DCBO reduced by 0.5 FTE equivalent each to create time for human resource management, identifying training opportunities, and responding to complaints and enforcement matters.

In 2023, if Council was to approve an additional Building Inspector, the number of applications per inspector per year would be reduced to 126. This would be considered a transition year as Part 8 services would be discontinued in late 2023, with an opportunity for staff to reassign workload in early 2024.

While Building Services will no longer be accepting Part 8 Septic permit applications for the other three Townships in Fall 2023, there is still a need to address the current high number of septic permit applications for the 2023 construction season and keep the current complement of 2 inspectors for Septic applications.

In 2024, it is anticipated that the number of building permits will decline to approximately 725 building permits per year along with the removal of Part 8 Septic permit applications for the other three Townships. However, currently both the CBO and Deputy CBO's workload is primarily made up of managing applications and inspections leaving little time for critical management tasks. By reducing the number of inspections completed by the CBO and DCBO by 0.5 FTE equivalent each, this will allow more time for human resource management, identifying training opportunities, and responding to complaints and enforcement matters.

Key Performance Indicators

Staff will continue to monitor the number of building permit applications, permits issued, and applications per inspector on a quarterly basis. The lean process review currently in progress with County staff has identified other measures such as permits per district, which will assist with Building Services management staff to balance workload between Building Inspectors.

Financial Implications

The 2023 operating budget includes the creation of a new building inspector position.

Building permit application fees cover municipal operating and capital costs associated with the administration and delivery of Building Code Act related activities.

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.**

Notice/Consultation

- Rebecca Roy, Deputy Chief Building Official
- Tom Berriault, Chief Building Official

Attachments

Attachment A – Building Permit Process Flow Chart – Current State

Attachment B – Building Permit Process Flow Chart – Future State

Approvals

Submitted by:



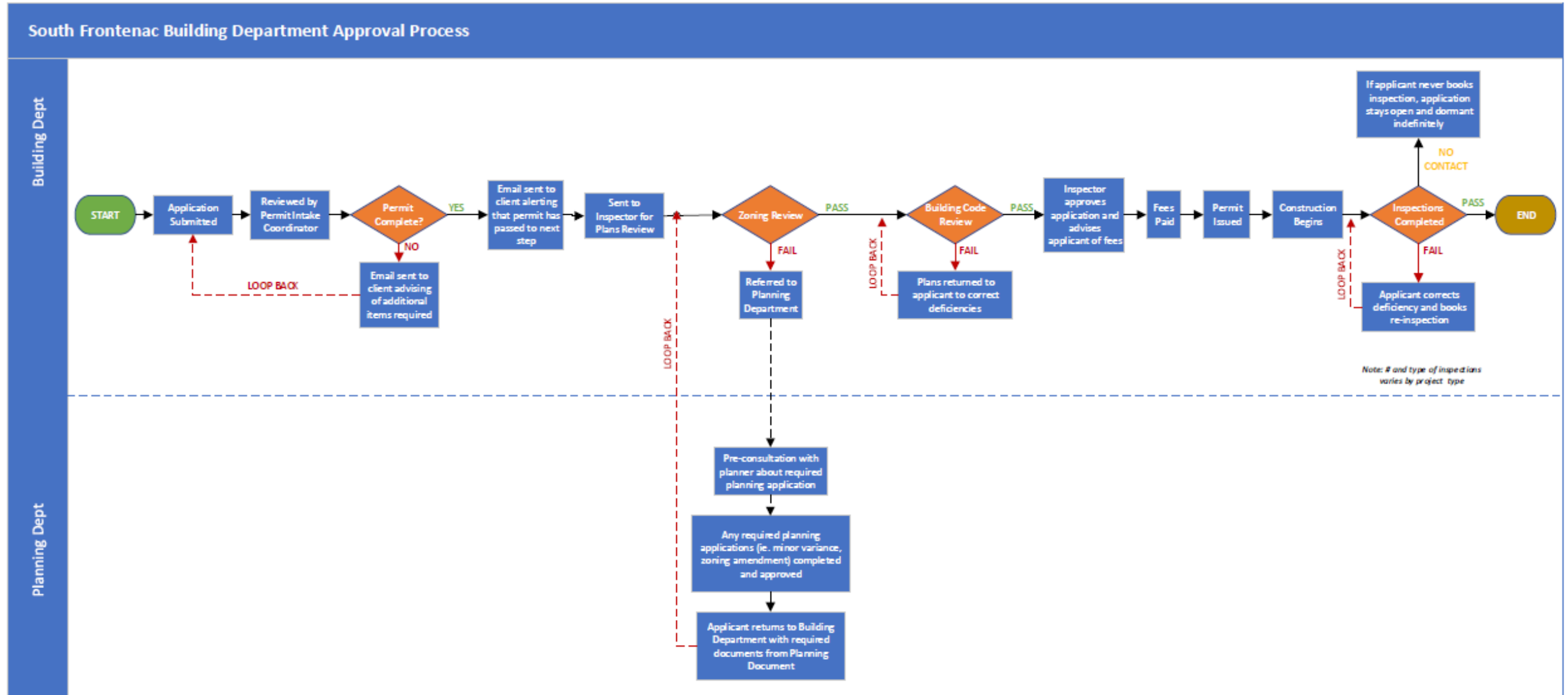
Brad Wright
Director of Development Services

Approved By:

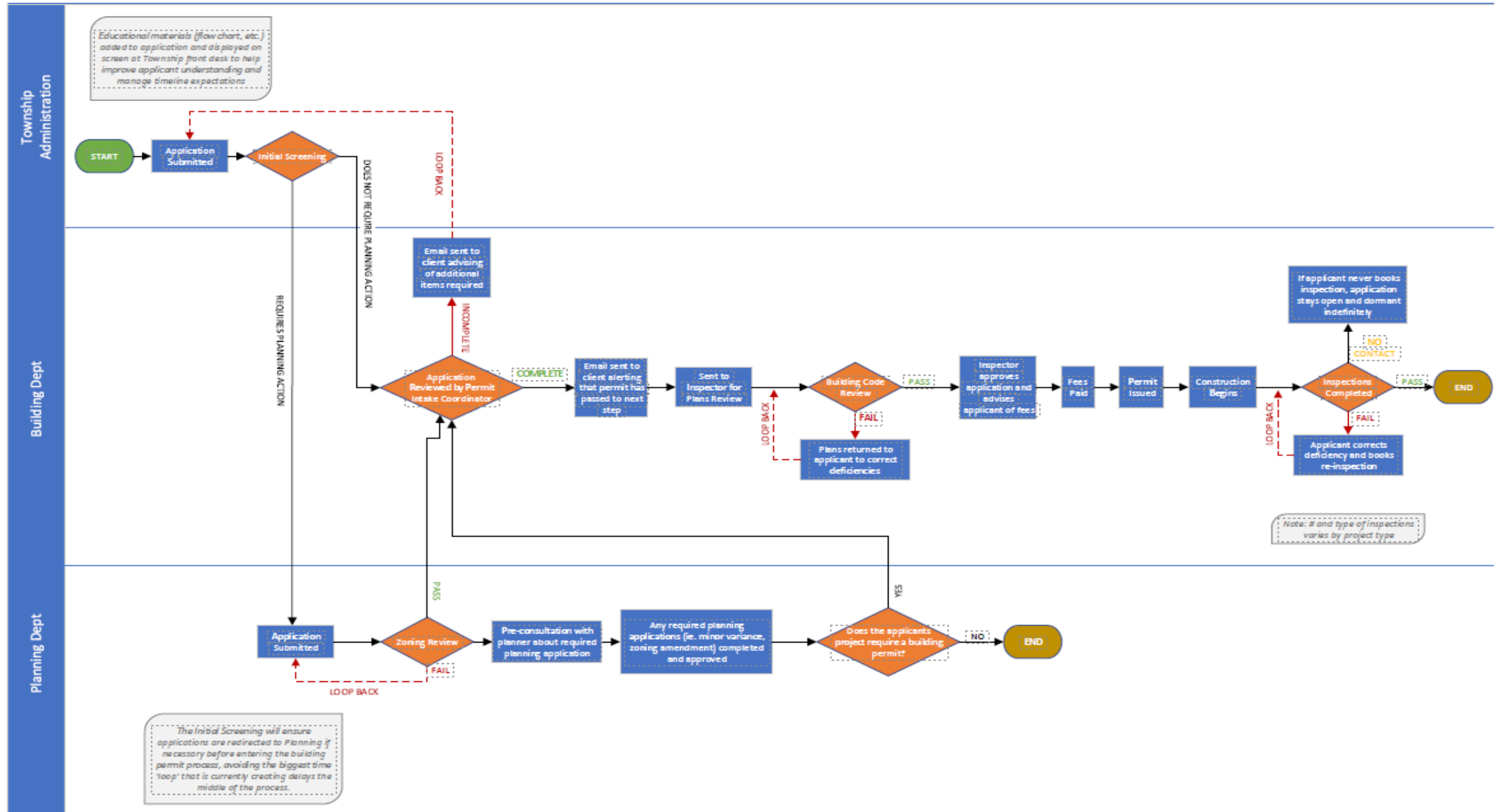


Louise Fragnito, CPA, CGA
Chief Administrative Officer

Attachment A: Building Permit Process Flow Chart – Current State.



Attachment B: Building Permit Flow Chart – Future State.



Township of South Frontenac Staff Report



To: Council

Prepared by: Development Services Department

Date of Meeting: April 4, 2023

Subject: Cash-in-Lieu of Parkland, Subdivision Agreement for Willowbrook Estates Phase 2 Plan of Subdivision (10T-2020-002), 1059823 Ontario Limited

Summary

This report recommends that Council accept the amount of \$22,000 for the cash-in-lieu payment for Willowbrook Estates Phase 2. This report also recommends that Council pass a by-law to authorize the Mayor and Clerk to enter into a subdivision agreement for the Willowbrook Estates Phase 2 Plan of Subdivision (10T-2020-002).

Recommendation

That Council accept the amount of \$22,000 as the cash-in-lieu payment for the Willowbrook Phase 2 Plan of Subdivision 10T-2020-002, and

That By-law 2023-26 authorizing the Mayor and Clerk to enter into a subdivision agreement with 1059823 Ontario Limited for the Willowbrook Estates Phase 2 Plan of Subdivision 10T-2020-002 be given first and second reading; and

That By-law 2023-26 be given third reading, signed and sealed.

Background

Willowbrook Estates Phase 2 plan of subdivision is located within the settlement area of Inverary, on Summerside Drive. It is the second phase of an existing, developed subdivision.

The proposed subdivision contains nine lots which are proposed to be developed with single-detached dwellings to be serviced by individual on-site wells and sewage systems. The lots range in area from 0.6 to 1.2 hectares, with road frontage on Summerside Drive ranging from 52 to 113 metres. The proposed subdivision also includes two blocks. One is an environmental protection area (part of a wetland) to the rear of Lots 1 to 4. The other is a walkway block between Summerside Drive and Perth Road.

Township of South Frontenac

Staff Report - Cash-in-Lieu of Parkland, Subdivision Agreement for Willowbrook Estates Phase 2 Plan of Subdivision (10T-2020-002), 1059823 Ontario Limited

Frontenac County issued draft plan approval of the plan of subdivision on September 15, 2021.

Cash-in-lieu of Parkland

A condition of draft plan approval is that the developer is to pay the Township 5% cash-in-lieu of parkland in accordance with the Township Cash-in-Lieu of Parkland Policy, By-law 2017-16.

A valuation for the cash-in-lieu of parkland was provided by MW Cotman & Associates a qualified and certified professional appraiser. The appraisal report is attachment 1 to this report. The valuation has been prepared in accordance with section 51.1 (4) of the Planning Act. This section of the Act establishes the value of land considered for cash-in-lieu of parkland calculation is based on the value on the day before the day approval was given to the draft plan of subdivision.

The value of the lands was assessed at \$440,000 for the property. The value of cash-in-lieu of parkland has been established to be \$22,000. The agreement stipulates that cash-in-lieu of parkland must be paid prior to registration of the Plan of Subdivision.

Consistent with the Township Cash-in-Lieu of Parkland Policy, the valuation of cash-in-lieu of parkland is being brought to Council for a final determination of the value of the land. The determined value of cash-in-lieu of parkland will be included in a schedule to the subdivision agreement for the development.

Subdivision Agreement

The attached draft subdivision agreement was prepared in accordance with the draft conditions recommended by Township Council and approved by County Council. The agreement was prepared by the Township's solicitor and has been reviewed with input from Township staff and the Developer, 1059823 Ontario Limited, and their solicitor. The developer is agreeable to the terms set out in the agreement. In approving the by-law, the mayor and the clerk will sign the agreement once the Developer has signed the document.

Next Steps/Process

Once Council determines the value for cash-in-lieu of parkland, the Mayor and Clerk enter into the subdivision agreement, Township staff will advise the County that all Township conditions for draft plan approval have been met. The subdivision agreement will be forwarded to the Township Solicitor to be registered on the title of the lands. Following this, the County will consider final approval of the plan of subdivision application. Once the subdivision agreement is registered and final approval is granted by the County, the lots in the plan of subdivision can be sold and construction can begin.

Township of South Frontenac

Staff Report - Cash-in-Lieu of Parkland, Subdivision Agreement for Willowbrook Estates Phase 2 Plan of Subdivision (10T-2020-002), 1059823 Ontario Limited

Financial Implications

The cash-in-lieu of parkland payment will be deposited into the Township Parkland Reserve Fund.

All financial implications of this development will be borne by the developer through the draft plan conditions and the subdivision agreement.

The creation of additional housing generates additional assessment which results in financial benefits to the Township and its residents.

Relationship to Strategic Plans

Not applicable to this report.

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

- Priority: 2. Promote and support growth that meets the community's needs while maintaining the integrity of our natural environment.

Climate Considerations

Not applicable to this report.

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

Notice/Consultation

Public Services and the Office of the Clerk were consulted on this report.

Attachments

1. Appraisal Report
2. By-law 2023-26
3. Subdivision Agreement
4. M-plan

Approvals


Report Prepared By:

Christine Woods, MCIP, RPP, Senior Planner

Township of South Frontenac

Staff Report - Cash-in-Lieu of Parkland, Subdivision Agreement for Willowbrook Estates Phase 2 Plan of Subdivision (10T-2020-002), 1059823 Ontario Limited

Submitted By:



Brad Wright

Director of Development Services

Approved By:



Louise Fragnito, CPA, CGA

Chief Administrative Officer

APPRAISAL REPORT
As to the Market Value of the
Property Known As
Phase 2 Willowbrook Plan of Subdivision
South Frontenac, Ontario

14 September 2021

Prepared By:



MW Cotman & Associates

REAL ESTATE APPRAISERS & CONSULTANTS

1035 Len Birchall Way, Norman Rogers Airport
Kingston, ON K7M 8Z9

Telephone: (613) 634-2223

Facsimile: (613) 634-2212

C-24216

Phase 2 Willowbrook Subdivision
South Frontenac, Ontario
Fil No. C-24216

AERIAL IMAGERY



01 June 2022

Township of South Frontenac
Box 100
Sydenham, Ontario
K0H 2T0

Attention: Christine Woods, Senior Planner, MCIP, RPP

Re: Appraisal Report as to the Market Value of the Property
Known as Phase 2 Willowbrook Plan of Subdivision

In accordance with your request, we have completed the necessary investigations in order to provide you with an estimate as to the market value of the above referenced property.

Draft Plan Approval for a residential subdivision on the subject property was granted on 15 September 2021. The purpose of this report is to estimate the Market Value of the subject property as at 14 September 2021, the day prior to Draft Plan Approval.

The subject property was inspected on 20 May 2022 for the purpose of this report.

I have personally inspected the subject property and analyzed all available information considered pertinent to the valuation thereof.

Based on this inspection and analysis, the Market Value of the subject property, as at the specified date, is estimated to be:

FOUR HUNDRED FORTY THOUSAND DOLLARS
(\$440,000)

**“As At” 14 September 2021 – “As If” Draft Plan Approval Was Not Achieved, and,
“As If” Vacant and Unimproved**

This appraisal contains a total of 115 pages, being 31 pages of the text of the report proper together with sketches, photographs and an Addenda of five Schedules comprising an additional 84 pages in support of my findings.

Respectfully Submitted,
M.W. COTMAN & ASSOCIATES INC.



MWC/cm

Michael W. Cotman, AACI, P.App

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SUMMARY OF SALIENT FACTS AND IMPORTANT CONCLUSIONS

TYPE OF PROPERTY	Rural Acreage Parcel			
ADDRESS OF PROPERTY	Perth Road Inverary, Ontario			
EFFECTIVE DATE OF APPRAISAL	14 September 2021			
LEGAL DESCRIPTION	Part Lots 18 and 19, Concession 2, and, Part of the Road Allowance Between Lots 18 and 19, Concession 2 Shown as Part 1 Plan 13R 21193 Save & Except Plan 13M105 Geographic Township of Storrington Municipality of South Frontenac Township Part of PIN 32692 0319			
SITE DIMENSIONS	Frontage	Perth Road	- East	1157.34 ft.
		Summerside Drive	- South	85.30 ft.
	Depth		- North	662.33 ft.
			- West	1158.99 ft.
			- South	1043.37 ft.
	Total Site Area			20.88 Acres
OFFICIAL PLAN	"Settlement Area"			
ZONING	"R27" (Residential), and, "EP" (Environmental Protection)			
HIGHEST AND BEST USE	As the Site for Development of a 9 Lot Subdivision as Proposed			
FINAL ESTIMATE OF MARKET VALUE	Prior to Draft Plan Approval and, "As If" Vacant and Unimproved			\$440,000

DEFINITION OF THE APPRAISAL ASSIGNMENT

Purpose of the Appraisal

The purpose of this appraisal is to estimate the market value of the subject property as at 14 September 2021 the day prior to Draft Plan Approval being achieved. The subject property was inspected on 20 May 2022 for the purpose of this report.

Intended Use of the Appraisal

The function of this report is to provide a narrative valuation in order to assist in deliberations with respect to the calculation of cash-in-lieu of parkland dedication for the development as proposed.

Extraordinary Assumption and Limiting Conditions and Terms of Reference

The subject of this report is a 20.88 acre vacant parcel.

Draft Plan Approval for a 9 lot residential subdivision was achieved on 15 September 2021.

Mapping illustrating various aspects of the proposed development are included in Schedules “A” and “B” in the Addenda of this report.

NOTE: All value estimates as set out herein are made as at 14 September 2021, “as if” Draft Plan Approval was not achieved, and, “as if” the subject property was vacant and unimproved.

Effective Date of Appraisal

The effective date of this appraisal, the date as of which the value estimates apply, is 14 September 2021. The subject property was inspected on 20 May 2022 for the purpose of this report.

Scope of the Appraisal

The appraisal assignment has been discussed and defined with the client. Furthermore, the work required to solve the problem has been planned and the necessary market data acquired, analyzed, and reconciled into estimates of market value.

The sales history of the subject property as presented is based on the Geowarehouse records and on details discussed below. A complete registry office search was not provided or completed for the purpose of this assignment. Accordingly, easements or encroachments which might affect the value estimates might be discovered if a complete title search was to be completed.

Information with respect to the subject property was obtained through inspection of the property, on general details as provided by Christine Woods of South Frontenac Township.

Site dimensions are based on the Draft Plan of Subdivision, an excerpt of which is included in Schedule "A" in the Addenda of this report.

We were requested by Christine Woods of South Frontenac Township to complete this assignment. Ms. Woods provided us with initial general information on the subject property. We were unaccompanied during our inspection of the subject property on 20 May 2022. Photography contained herein was taken during that inspection.

Sources of information for sales comparables include real estate listing and sales information, registry office data, Teranet data, data from our appraisal files and discussions with municipal officials. Data on all of the comparables has not necessarily been personally verified.

Legal Description

Part Lots 18 and 19, Concession 2, and,
Part of the Road Allowance Between Lots 18 and 19,
Concession 2

Shown as Part 1 Plan 13R 21193
Save & Except Plan 13M105
Geographic Township of Storrington
Municipality of South Frontenac Township

Part of PIN 32692 0319

Municipal Address

Perth Road
Inverary, Ontario

Ownership and Present Use

The subject property was transferred together with other lands to the current registered owner 1059823 ONTARIO LTD. on 20 December 2007.

Consideration is shown to have been \$150,000.

This transfer was reflective of an 85.38 acre parcel which now supports Phase 1 of the Willowbrook subdivision, and lands further to the north which will eventually support development of Phase 3.

Draft Plan Approval for a 9 lot residential subdivision on the 20.88 acre subject property was achieved on 15 September 2021.

To the best of our knowledge, the subject property has not been offered for sale on the open market since 2007

Property Rights Appraised

The property rights appraised in this report are those of the Fee Simple Estate, a freehold estate subject only to the limitations of expropriation, zoning and taxation.

Encumbrances

A complete title search of this property has not been completed nor provided and, except as otherwise noted, for the purpose of this appraisal, the property is considered to be free and clear of any easements, mortgages or other encumbrances which would have any significant effect on Market Value.

Definition of Market Value

Market Value is currently defined by the Appraisal Institute of Canada as being:

"The most probable price which a property should bring in a competitive market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus".

Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. Buyer and seller are typically motivated;
2. Both parties are well informed or well advised, and acting in what they consider their best interests;
3. A reasonable time is allowed for exposure in the open market;
4. Payment is made in terms of cash in Canadian dollars or in terms of financial arrangements comparable thereto; and
5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

Exposure Time

Exposure time is defined as being:

The estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal.

It should be noted that exposure time is different for various types of real estate and under various market conditions and that it is always presumed to precede the effective date of the appraisal. The reasonable exposure period is a function of price, time and use, not an isolated estimate of time alone.

As an example, a property could have been on the market for two years at a price of \$1,000,000 that informed market participants considered unreasonable. Then, the owner lowers the price to \$800,000 and starts to receive offers, culminating in a transaction at \$600,000 six months later. While the actual exposure time was 2.5 years, the reasonable exposure time at a value range of \$600,000 to \$800,000 would be six months.

Value estimates as set out in this report are considered to reflect an exposure period of approximately 2 to 4 months which is considered to have been typical and adequate in September 2021.

Marketing Time

Marketing time is defined as being:

The amount of time it might take to sell a property interest in real estate at the concluded market value level during the period immediately "after" the effective date of an appraisal.

If competitively marketed, it is concluded that a range of approximately 2 to 4 months exposure time, from the Effective Date of Valuation, would have been required to sell the Subject Property at the appraised Market Value. This is based upon activity of comparable properties and market conditions within the immediate area as at the Effective Date of Valuation in September 2021. It is predicated upon the assumption that Market Value for similar product did not decline within this timeframe and that a professional marketing program was adopted.

CONTINGENT OR LIMITING CONDITIONS

This appraisal is made expressly subject to the conditions and assumptions as follows:

1. This report is prepared at the request of Christine Woods of South Frontenac Township, to provide a Narrative Appraisal Report to assist in deliberations with respect to the calculation of cash payable in lieu of parkland dedication for the development proposed on the subject property.

It is not reasonable for any other party to rely upon this appraisal without first obtaining written authorization from South Frontenac Township, and from this appraiser. There may be qualifications, assumptions or limiting conditions in addition to those set out below relevant to that person's identity or his intended use. The report is prepared on the assumption that no other person will rely on it for any other purpose and that all liability to all such persons is denied.

2. This report is prepared for the sole use of the client for whom it has been prepared and in that use the report must not be extracted but used in its entirety. It is possible that a reader of only portions of this report might misinterpret the information provided, especially if these contingent or limiting conditions were not included in the excerpted portions. The appraiser is not responsible for unauthorized use of this report.
3. This Report is intended to comply with the reporting requirements set forth under the Canadian Uniform Standards of Professional Appraisal Practice. The information contained in this report this report is specific to the needs of the clients and for the intended use stated in this report. Some additional supporting documentation concerning the data, reasoning, and analyses is retained in the appraiser's file.
4. This report does not constitute an opinion as to title or any other legal matters, including the interpretation of official plans, zoning by-laws or other similar matters.
5. Except as otherwise noted, for the purpose of this appraisal the property is considered to be free and clear of any easements, mortgages, or other encumbrances which would have any significant effect on Market Value.
6. The author assumes no responsibility for any plans of survey which have been supplied. Any sketch forming part of this report is simply included as an aid to comprehension and does not purport to be accurate.
7. In order to arrive at a supportable opinion of value, it was necessary to utilize both documented and hearsay evidence of market transactions. Information was gathered in accordance with procedures recognized by the Appraisal Institute of Canada. Except as noted herein, a reasonable attempt has been made to verify the accuracy of such information and while it is believed to be reliable and correct, no guarantee is made as to its accuracy.
8. Any estimates of construction costs, operating costs and other similar expenses, which have been supplied by others or based on published information are assumed to be correct.

9. No responsibility is assumed for any condition of the property which could be discovered through technical or engineering techniques. This includes but is not limited to such items as soil contamination or soil bearing capabilities; the structural integrity of improvements; inadequate materials or construction techniques; or the presence of asbestos or Urea Formaldehyde Foam Insulation.

We are not aware of the content of any environmental reports, studies, or other investigations or soil surveys which may have been carried out on the property and which may have indicated the existence or possibility of contamination. In undertaking this assignment, we have been instructed to assume that no actual or potential contaminative uses have ever been carried out on the property. Further, we have not carried out any investigation into the past or present uses of either the subject property or of any adjacent properties to establish whether there is any potential for contamination from any uses on any sites adjacent to the subject and therefore assume that none exists. Should it be subsequently established that contamination exists either on the subject property or that it is affected from contamination on any adjacent property, this might alter or reduce this estimate or opinion of value.

NOTE:

All value estimates as set out herein are made as at 14 September 2021, "as if" Draft Plan Approval was not achieved, "as if" vacant and unimproved.

10. The agreed upon compensation for services rendered in preparing this report does not include a fee for court preparation or court appearance.

Should the author of this report be required to give testimony or appear in court or at any administrative proceeding relating to this appraisal, prior arrangements shall be made therefore, including provisions for additional compensation to permit adequate time for preparation and for any appearances which may be required. However, neither this nor any other of these assumptions and limiting conditions is an attempt to limit the use that might be made of this report should it properly become evidence in a judicial proceeding. In such a case, it is acknowledged that it is the judicial body which will decide the use of this report which best serves the administration of justice.

11. No part of the contents of this report shall be conveyed to the public through advertising, public relations, news, sales or other media without the written consent and approval of the author, particularly as to valuation conclusions, the identity of the appraiser or his employers, or any reference to the Appraisal Institute of Canada or the AACI designation.
12. Neither possession of this report nor a copy of it carries with it the right of publication. All copyright is reserved to the author and it is considered confidential by the author and his client. It shall not be disclosed, quoted from or referred to, in whole or in part, or published in any manner without the express written consent of the appraiser. This is subject only to confidential review by the Appraisal Institute of Canada as provided in the Code of Ethics, Standards of Professional Conduct and Standards of Professional Practice of the Institute.

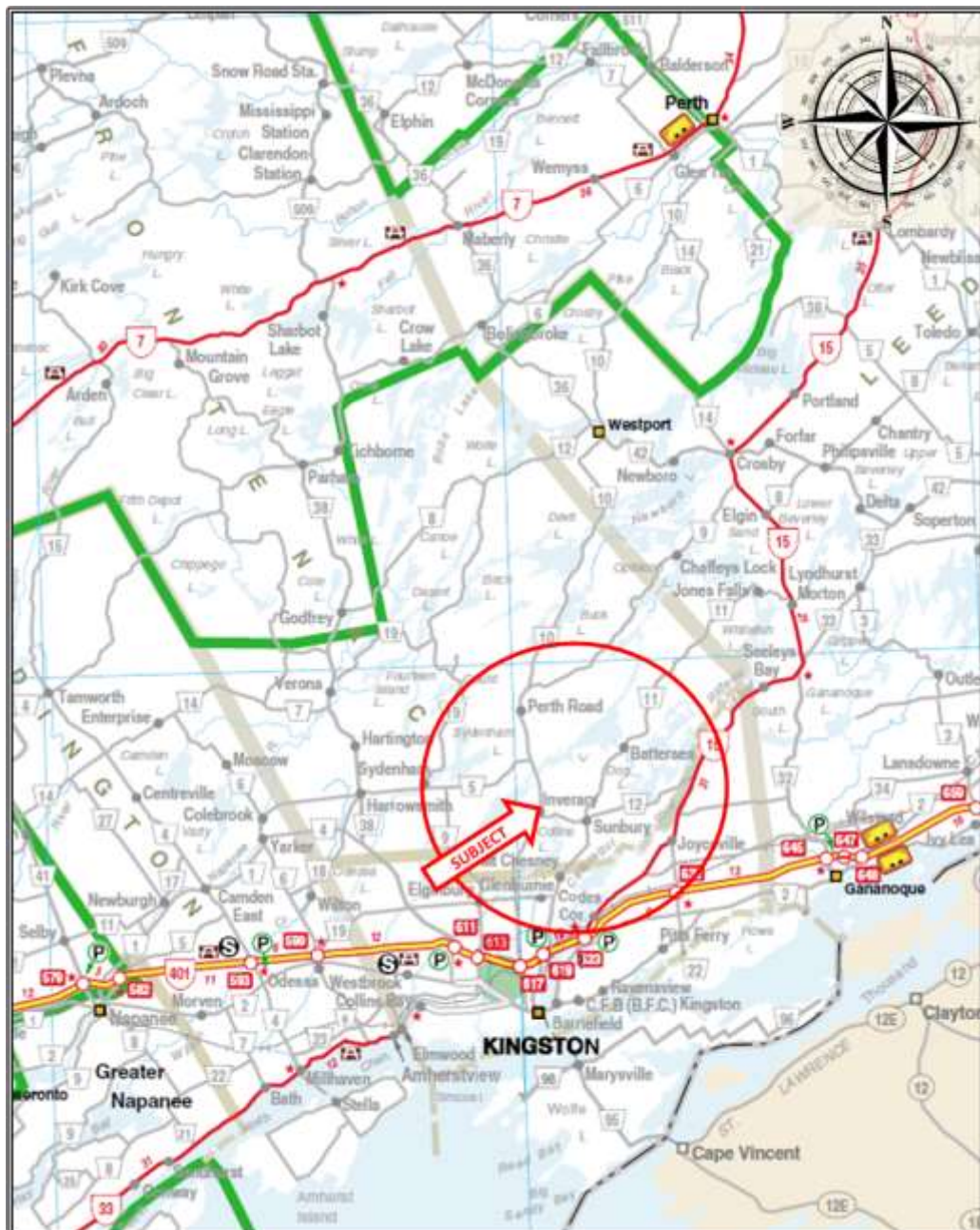
13. All of the assumptions made, and all estimates, projections and forecasts presented in this report are based on economic conditions current at the date of appraisal. Because market conditions, including economic, social and political factors, change rapidly and, on occasion, without warning, the findings of this report cannot be relied upon to estimate market values as of any other date except with further advice of the appraiser.
14. This report is only valid if it bears the original signature of the author.

MARKET OVERVIEW

The subject property is situated in the southerly section of the Township of South Frontenac which forms the north limit of the City of Greater Kingston. South Frontenac forms an integral part of the economy of the Greater Kingston area.

Kingston, because of its position as a major regional centre and its historical importance, has a greater number of amenities usually found only in much larger Canadian Cities.

REGIONAL MAP



The most recent census from 2021 reports the population for the City of Greater Kingston proper to be 132,485. This represents a change of 7.0% from 2016. This compares to the provincial average of 5.8% and the national average of 5.2%

The local real estate market however includes the developed areas to the west in Ernestown Township known as Odessa and Amherstview. The population for this larger region of the market has increased steadily over recent years.

Total estimated population	170,898
Census population 2006	152,358
Census population 2011	159,561
Census population 2016	161,175

Source: Manifold Data Mining Inc.

Employment is diversified with approximately 20% employed in industry and the remainder in commercial, education, institutional and government occupations. While several of the industries in the region are subject to periodic layoffs or slowdowns, the continuity of employment offered in the educational, institutional and government fields has given the Kingston region great economic stability.

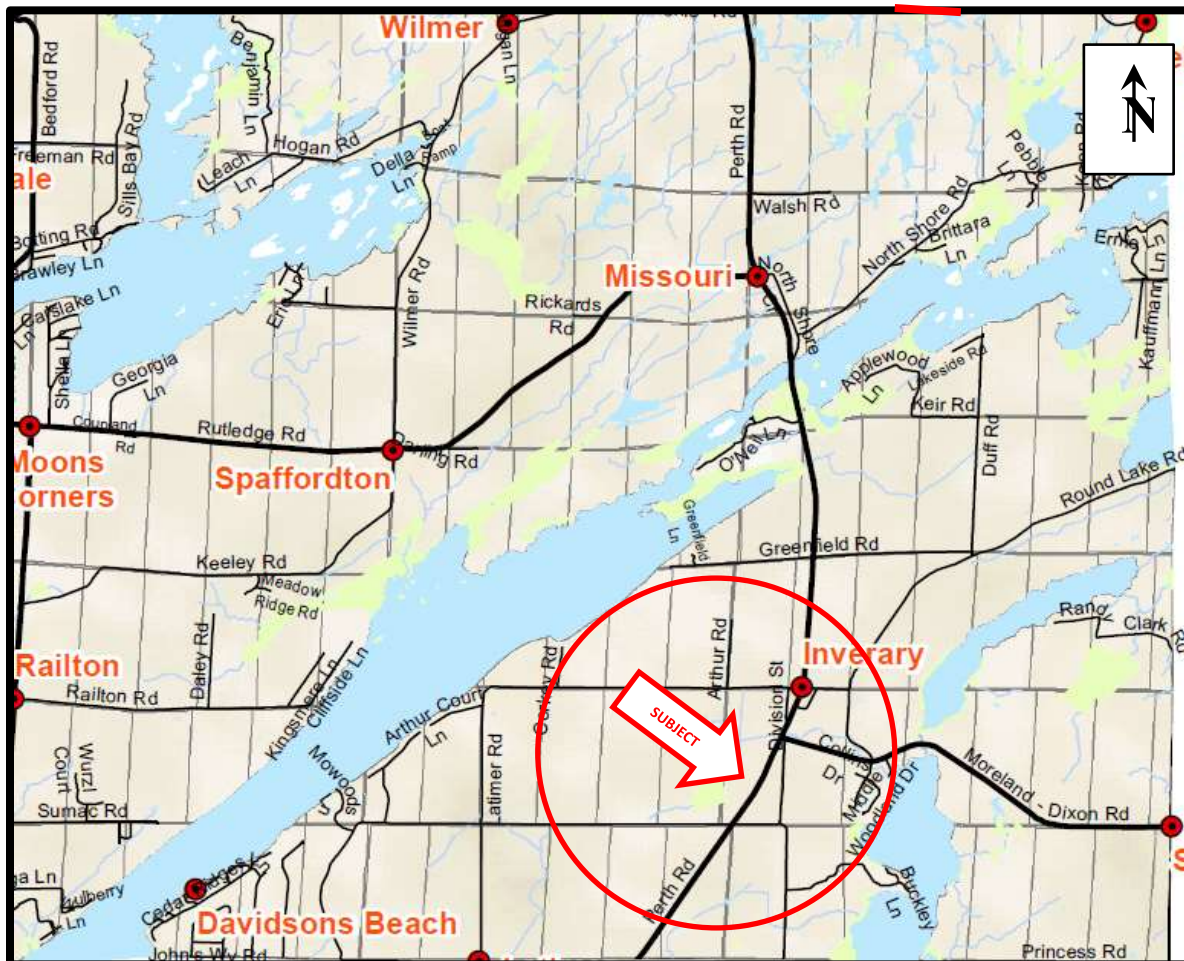
Single family housing starts have been steady over the past five years. Commercial and institutional construction activity has also been strong. Demand for resale properties until recently, has been good. Market activity, however, is now much lower.

Interest rates remain relatively low, however, broader economic concerns have caused both corporations and individuals to become cautious with respect to real estate investments. While mortgage lenders, including banks and trust companies, are still seeking to place loans in this area, there is now a more limited supply of money available and lenders remain cautious in their underwriting.

In summary, the Kingston region has had and, with current and projected economic conditions, will likely maintain steady economic growth. As a consequence, most real estate prices are expected to vary at a rate generally similar to the overall rate of inflation.

NEIGHBOURHOOD ANALYSIS

The subject property is located at the south limit of the rural Hamlet of Inverary which is situated on Perth Road, approximately 10 miles northwest of the downtown core of the City of Kingston.



Additional maps, showing the specific location of the subject property and photographs of the neighbourhood are included following this section of the report.

The Hamlet of Inverary is situated in the Township of South Frontenac with the former Township of Storrington. The area is characterized by the many area lakes, where most residential development has occurred.

Most all commercial enterprises in Inverary are situated on Perth Road, which is the main north-south artery in the area, linking Kingston and Highway 401 to the south, with developed areas to the north.

Commercial improvements in Inverary include a gas bar, several convenience stores, a hardware

store, L.C.B.O. outlet and various home occupation uses.

Most area residents shop and work in Kingston.

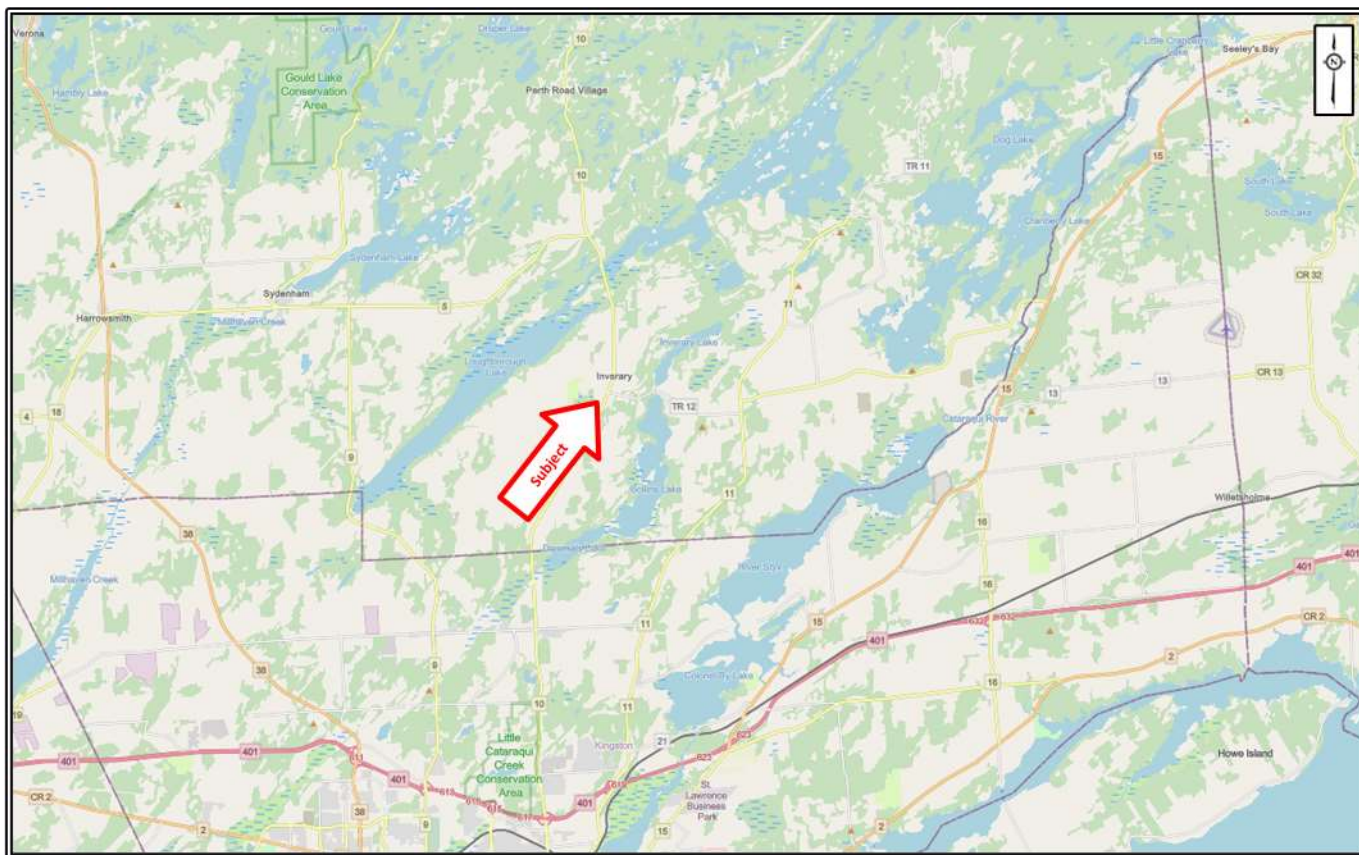
Many summer residents are from outside the area and their presence is considered to be a great stimulus to the retail trade of the area during the summer months.

Municipal water and sanitary sewer services are not available in Inverary.

Map of the Hamlet of Inverary



NEIGHBOURHOOD MAPPING



NEIGHBOURHOOD PHOTOGRAPHS



View looking southerly along Perth Road with the northerly section of the subject shown on the right



Looking easterly from the north section of the subject toward typical area houses on Perth Road



View looking northerly along Perth Road with the southerly section of the subject shown on the left



Looking south-easterly from the south section of the subject toward commercial use property on Perth Road



View looking south-westerly across Willowbrook Phase 1, from the south-east corner of the subject



Looking southerly from the south limit of the subject along Summerside Drive

PROPERTY DESCRIPTION

The subject property lies on the westerly side of Perth Road, at the south limit of the core of the Hamlet of Inverary.

A survey and sketches illustrating various aspects of the property as well as additional photographs of the site are included in Schedule “A” in the Addenda of this report.

Site dimensions are as follows:

Frontage	Perth Road	- East	1157.34 ft.
	Summerside Drive	- South	85.30 ft.
Depth		- North	662.33 ft.
		- West	1158.99 ft.
		- South	1043.37 ft.
Total Site Area			20.88 Acres

As previously set out, the subject of this report is a 20.88 acre parcel which is proposed to be developed with a residential subdivision comprising 9 lots.

The 9 lots will support single detached residential dwellings fronting onto a cul-de-sac road. The proposed lots will range in size from 1.5 to 3 acres and each will have road frontage of at least 172 feet. Each lot will be serviced by an individual private well and septic system. A single road will traverse the middle of the property on the north-south axis, providing access to the proposed lots. A pedestrian walkway will be included from the northern section of the cul-de-sac to Perth Road.

The site has topography which is typical of the immediate area being gently rolling agricultural land with bands of mature woods. A low lying strip of land forms a portion of the west limit of the site.

There appears to be at least one drilled well installed on the subject property, and a portion of roadway has been developed on the southernmost section of the site.

All value estimates as set out herein are made “as if” the subject property was vacant and unimproved.

ADJACENT PARCELS

The subject property is adjacent to six parcels.

A summarized list of these parcels follows. A map illustrating their respective locations, sizes and shapes is set out below. Further details are included in Schedule “C” in the Addenda of this report.

Parcels “D”, “E”, and, “F” are all situated in Phase 1 of the Willowbrook development.

Adjacent Property	P.I.N.	Location	Size	Use
A	36294 0784	East	59.584± acres	Part of Perth Road
B	36292 0302	North	4.316± acres	Vacant Residential Land
C	36292 0312	West	26.878± acres	Open Space
D	36292 0311	South	4.338± acres	Single Family Detached
E	36292 0318	South	1.786± acres	Summerside Drive
F	36292 0305	South	1.496± acres	Single Family Detached

ADJACENT PARCELS MAPPING



ASSESSMENT

All Ontario properties have been reassessed for the 2017 to 2021 tax years at their estimated market value as at 01 January 2016.

The current assessment roll shows the subject property as being identified under Roll No. 1029-060-020-00705 with a 2016 base year assessment of \$89,000.

OFFICIAL PLAN

The Official Plan for the Township of South Frontenac designates the subject property as “Settlement Area”, lying within the Hamlet of Inverary.

Excerpts from Official Plan pertaining to the subject property are included in Schedule “D” in the Addenda of this report.

ZONING

The Comprehensive Zoning By-law for the Township of South Frontenac currently shows the majority of the 20.88 acre subject property to currently lie within the “R-27” (Residential Zone).

The low-lying narrow strip along the westerly limit of the property is designated “EP” (Environmental Protection).

Relevant excerpts from the By-law pertaining to the subject property are included in Schedule “D” in the Addenda of this report.

COUNTY OF FRONTENAC COMMUNAL SERVICES STUDY (CSS)

The county of Frontenac published a CSS in June 2019. The primary purpose of the document is to promote communal water and sewer services to the various Hamlets in the municipalities of South, Central and North Frontenac (Frontenac County).

Servicing of this nature will provide a safer water supply, and adequate sewage capacity, at a much lower cost than conventional municipal services to these small rural communities. Additionally communal servicing has the potential to support more compact, land-efficient development in comparison to private servicing with individual well and septic services.

The CSS sets out an example of a possible development of 16 residential lots on a portion of the Willowbrook Larger Parcel.

This existing actual proposed Phase I and II developments comprise 16 lots with individual private well and septic systems. If the same subdivision was developed on communal services, it could accommodate a total of 62 units including 14 detached single family house lots, 9 townhouse lots, and, an apartment site supporting 12 units.

We understand that Frontenac County is now making initial financial commitment to the implementation of the recommendations of this study. If servicing of this nature eventually becomes available to the 20.88 acre subject property; which lies within the Hamlet of Inverary, it would significantly enhance the viability of development with a residential plan of subdivision.

HIGHEST AND BEST USE

In its publication, An Introduction to Real Estate Appraising, The Appraisal Institute of Canada, defines Highest and Best Use as;

"That use which is most likely to produce the greatest net return, in money or amenities over a given period of time."

Requirements of the Highest and Best Use of the property are that:

1. It must be legal.
2. It must be probable, not simply speculative.
3. A demand for that use must exist and that use must be profitable.
4. It should provide the highest net return and deliver that return over the longest period of time.

Net return may be the net income as from an investment property and amenities could be the satisfaction of owning a residential or recreational property.

The Highest and Best Use of a property is dependent on many factors. Included in these are the physical restrictions of the site, government regulations such as building codes or zoning by-laws, contractual or legal restrictions such as rights-of-way or deed restrictions and market factors such as supply and demand.

Highest and Best Use of the Subject Property

The subject property lies in a generally attractive rural neighbourhood with reasonably good access to amenities as associated with Greater Kingston and the surrounding areas.

Given the location, size and topography of the subject property it is considered that it provides an attractive rural residential setting.

While the subject has significant frontage, Perth Road is a busy roadway where entrance permits are difficult to obtain. Accordingly, the subject property is considered to have only very limited potential to create one or more lots through severance. However, with an area of 20.88 acres the subject property is considered to have good utility and appeal for development through a residential plan of subdivision, as proposed.

Recent years have seen development of this nature on several area parcels.

Furthermore, the site lies within the urban boundary of Inverary where communal services (see page 22) may be permitted. This aspect contributes to the appeal for development with a subdivision.

It should also be noted that the subject property also provides a very attractive setting for the construction of a single-family house until such time as development of a higher density, such as a plan of subdivision might commence.

In summary, the Highest and Best Use of the subject property is considered to be as a rural holding with good short term potential for development of a house and future potential for development through a formal plan of subdivision.

NOTE: As per the Terms of Reference of this report, all value estimates, and analyses, as set out herein, are made "as if" Site Plan Approval for the proposed 9 lot subdivision was not achieved, and "as if" the subject property was vacant and unimproved.

APPROACHES TO VALUE

There are three generally recognized approaches to value used in the appraisal of real property. These are the Cost Approach, the Income Approach and the Direct Comparison Approach.

(1) The Cost Approach to Value

This involves estimating the value of the land as if vacant and adding the cost of reproducing the improvements less any accrued depreciation.

(2) The Income Approach to Value

This approach is concerned with the present worth of future benefits which can be derived from a property. After comparison with investments of a similar nature, the net income of a property is capitalized at an appropriate rate to provide an estimate of value.

(3) The Direct Comparison Approach to Value

In this approach the market value of a property is estimated through a comparison of the subject property with other similar properties recently sold or offered for sale with adjustments being made for the various points of difference.

These three approaches to value are considerably inter-related since they are founded on the same basic principles and use common factors from the market.

Each method, however, has its advantages and limitations in different types of appraisals.

Given the unimproved rural nature of the subject property the market value will be estimated by the Direct Comparison Approach.

DIRECT COMPARISON APPROACH TO VALUE

This approach to value involves the examination of the details of recent transactions involving properties similar to the subject property. Through a series of adjustments to compensate for various points of difference, an indicated value can be obtained for the subject property.

This approach is based upon the assumption known as the Principle of Substitution defined by the Appraisal Institute of Canada as follows:

Principle of Substitution “a prudent purchaser is not likely to pay more for a property than one that is equally desirable with similar utility, providing no time delay is evident”.

This approach is considered to be very relevant to the appraisal of all properties except for those special purpose types such as modern schools or churches for which there is not usually sufficient market data available. Its main strengths are that it is solidly based on the actions of buyers and sellers in the marketplace, that it is widely used and understood and that it is the approach generally most relied upon by courts and other judicial bodies.

Typically, adjustments can be made for differences pertaining to property rights, motivation, financing, time/market conditions, lot or building size, age and quality of improvements, location, access, servicing, topography, etc., to produce an indication of value for a subject property.

This comparative analysis using the adjustment process can be done by using either a quantitative technique or qualitative technique, or sometimes even a combination.

Quantitative techniques involve making adjustments on a percentage or dollar amount basis derived from specific marketplace transactions (re-sales of properties or paired sales of similar properties), general or regional economic trends, cost related analyses, etc.

Qualitative techniques involve a relative comparison and ranking analysis. With this technique, if the comparable is considered superior to a subject, a negative or downward adjustment is applied, and where the comparable is considered inferior, a positive or upward adjustment is applied. Finally, the market information is reconciled into a final value estimate for the subject.

The reliability of the value indicated, however, is dependent on the quality of market data available, with the validity of an indication of value considered to vary in inverse proportion to the number and size of the adjustments made in the derivation of that indication.

The chart as set out on the following page summarizes eight sales of properties considered relevant in this regard. A map showing their respective locations and further details for each comparable are included in Schedule "E" in the Addenda of this report.

Index 1 at \$396,000 is the sale of a 37 acre parcel located north of Harrowsmith and east of Hartington. At \$10,703 per acre it has a slightly inferior location and open level topography, but, extensive roadfrontage. It is improved with a drilled well.

Index 2 at \$247,000, or, \$28,391 per acre in February 2021 is the sale of a small 8.7 acre site situated on Sands Road, within the Hamlet of Battersea. It has limited road frontage in relation to site area and was marketed as a building lot for a single family house.

Index 3 is the sale in February 2021 of a slightly larger 27.8 acre parcel with a slightly inferior rural location just outside the Hamlet of Hartington. It comprises open rolling fields and has the benefit of frontage on the roadways. It sold at \$275,000, or, \$9892 per acre.

Index 4 at \$280,000 in April 2021 is the sale of a 13.4 acre rural building lot with an inferior location to the west.

Index 5 is a 14.7 acre building lot which sold for \$315,000, or, \$21,429 per acre. It has a superior location to the south with, limited road frontage in relation to the site area.

Index 6 is the sale in May 2021 of a 20.7 acre parcel on Florida Road with a similar location west of the subject property. It was marketed as a building lot and has extensive road frontage.

Index 7 is a 37.2 acre parcel on Highway No. 38. It sold at \$382,000, or, \$31,311 per acre in September 2021. This site has limited road frontage. Most of the site is open field.

Index 8 at \$400,000 or \$10,753 per acre is the sale in December 2021 of a 37.2 acre parcel with an inferior location on the perimeter of the core of the rural hamlet of Camden East.

COMPARABLE SALES CHART

Index	1	2	3	4	5	6	7	8	Subject
Address	4146 Holleford Road	2345 Sands Road E	4844 Watson Road	German Road	Unity Road	4031 Florida Road	3624 Highway No. 38	County Road 4	Perth Road
Sale Price	\$396,000	\$247,000	\$275,000	\$280,000	\$315,000	\$326,000	\$382,000	\$400,000	--
Sale Date	Sep. 2021	Feb. 2021	Feb. 2021	April 2021	May 2021	May 2021	Sep. 2021	Dec, 2021	--
Site Area	37 acres	8.7 acres	27.80 acres	13.40 acres	14.70 acres	20.70 acres	12.2 acres	37.2 acres	20.88 acres
Road Frontage	2258 ft.	152 ft	1,183 ft	1768 ft	66 ft	1148 ft	713 ft.	954 ft.	1157.34 ft.
Shape	Irregular	Irregular	Rectangular	Triangular	Irregular	Irregular	Irregular	Irregular	Irregular
Front Feet/Acre	61 ft.	17 ft	43 ft	132 ft	4.5 ft	55 ft	58 ft.	26 ft.	55.4 ft.
Topography	Open Field	Bush	Field	Mixed	Field	Mixed	Open Field	Wooded	Open Field
Price/f.f.	\$175	\$1625	\$232	\$158	\$4773	\$284	\$536	\$419	--
Price/ac.	\$10,703	\$28,391	\$9892	\$20,896	\$21,429	\$15,749	\$31,311	\$10,753	--

The comparable sold at the following rates:

Index	Sale Price	Area / Acres	Price Per Acre	Roadfront Feet Per Acre	Price Per Front Foot
1	\$396,000	37 acres	\$10,703	61 ft.	\$175
2	\$247,000	8.7 acres	\$28,391	17 ft	\$1625
3	\$275,000	27.8 acres	\$9892	43 ft	\$232
4	\$280,000	13.4 acres	\$20,896	132 ft	\$158
5	\$315,000	14.7 acres	\$21,429	4.5 ft	\$4773
6	\$326,000	20.7 acres	\$15,749	55 ft	\$284
7	\$382,000	12.2 acres	\$31,311	58 ft.	\$536
8	\$400,000	37.2 acres	\$10,753	26 ft.	\$419
Subject	--	20.88 acres	--	55.4 ft.	--

All else being equal, the price per acre will diminish, as the size of a parcel increases.

With the exception of Index 4, the subject property is in superior to most comparables with respect to the amount of road frontage in relation to site area, but is considered superior to all with respect to land use controls in relation to development to a degree of density greater than a single house (i.e. plan of subdivision).

On the basis of the above, given the size, shape and location of this section of the subject property, its an acreage rate above Indices 1, 3, and 8, similar to Indices 4 and 5, but well below Index 7 is considered to be generally appropriate for the subject property.

In summary, a rate from \$20,000 to \$22,000 per acre is considered to be generally appropriate for the subject property.

This indicates a range in value as follows:

20.88 acres @ \$20,000 per acre = \$417,600

20.88 acres @ \$22,000 per acre = \$459,360

Since of necessity, sizeable and somewhat subjective adjustments were required for a number of factors, the above indicated range can be reviewed on the basis of price per front foot.

A value of \$440,000, near the middle of the range, indicates a unit rate as follows:

$$\$440,000 \div 1157.34 \text{ feet} = \$380 \text{ per Front Foot}$$

The comparables range from \$175 to over \$4500 in this regard. Given the size, shape and topography of the site, a rate toward the bottom of the range the range is considered to be reasonable.

Final Estimate of Value Based on the Direct Comparison Approach **\$440,000**
“As If” Draft Plan Approval Was Not Achieved, and,
“As If” Vacant and Unimproved

CERTIFICATIONPhase 2 Willowbrook Subdivision,
South Frontenac, Ontario**I certify that, to the best of my knowledge and belief that:**

- (a) The statements of fact contained in this report are true and correct.
- (b) All factors affecting the value of the subject property were considered and the information reported has been verified where possible.
- (c) The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, unbiased professional analyses, opinions, and conclusions.
- (d) I have no past, present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved.
- (e) Neither the employment to make this appraisal nor my compensation is contingent upon the reporting of a predetermined value or direction in value that favours the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.
- (f) The reported analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the Canadian Uniform Standards of Professional Appraisal Practice as required by the Appraisal Institute of Canada.
It should be noted that any duly constituted committee of the Appraisal Institute has the right to review a copy of this report and any related file material.
- (g) I personally inspected the subject property on 20 May 2022, for the purpose of this report.
- (h) My compensation is not contingent on any action or event resulting from the analyses, opinions, or conclusions in, or the use of, this report.
- (i) The appraisal assignment was not based on a requested minimum valuation, a specific valuation, or the approval of a loan.
- (j) I have the knowledge and experience to complete the assignment competently and, where applicable, this report is co-signed in compliance with CUSPAP.
- (k) Except as herein disclosed, no individual provided me with significant professional assistance in the preparation of this report.
- (l) I am accredited with an AACI designation by the Appraisal Institute of Canada. Certificate No. 700627.
- (m) The Appraisal Institute of Canada has a Mandatory Recertification Program for designated members. As of the date of this report I have fulfilled the requirements of the program.

Based upon the data, analyses and conclusions contained herein, the Market Value of the interest in the property described, as at 14 September 2021, the effective date of this appraisal, is:

FOUR HUNDRED FORTY THOUSAND DOLLARS

(\$440,000)

**“As At” 14 September 2021 – “As If” Draft Plan Approval Was Not Achieved; and,
“As If” Vacant and Unimproved**

Property Address: Perth Road, Inverary, Ontario

Legal Description: Part Lots 18 and 19, Concession 2, and, Part of the Road Allowance Between Lots 18 and 19, Concession 2
Shown as Part 1 Plan 13R 21193, Save & Except Plan 13M105, Geographic Township of Storrington
Municipality of South Frontenac Township, Part of PIN 32692 0319

Dated at Kingston, this 01st day of June 2022

M.W. COTMAN & ASSOCIATES INC



MC/cm

Michael W. Cotman, AACI, P.App

**TOWNSHIP OF SOUTH FRONTENAC
BY-LAW NUMBER 2023-26**

**BEING A BY-LAW TO AUTHORIZE THE MAYOR AND THE CLERK TO
EXECUTE A SUBDIVISION AGREEMENT BETWEEN THE CORPORATION
OF THE TOWNSHIP OF SOUTH FRONTENAC AND
1059823 ONTARIO LIMITED.**

WHEREAS a Subdivision Agreement has 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 Subdivision Agreement between the Corporation of the Township of South Frontenac and 1059823 Ontario Limited, a copy of which is attached hereto forming part of this by-law.
2. THIS BY-LAW shall come into force and effect in accordance with section 51 of the Planning Act 1990, either upon the date of passage or as otherwise provided by the said section 51.

Dated at the Township of South Frontenac this fourth day of April 2023.

Read a first and second time this fourth day of April 2023.

Read a third time and finally passed this fourth day of April 2023.

THE CORPORATION OF THE
TOWNSHIP OF SOUTH FRONTENAC

Ron Vandewal, Mayor

James Thompson, Clerk

**SOUTH FRONTENAC
SUBDIVISION AGREEMENT**

THIS AGREEMENT made in **QUADRUPPLICATE** on the ____ day of _____, 2023
BETWEEN:

1059823 ONTARIO LIMITED

(the **“OWNER”**)

OF THE FIRST PART

- and -

**THE CORPORATION OF THE TOWNSHIP OF SOUTH
FRONTENAC**

(the **“MUNICIPALITY”**)

OF THE SECOND PART

WHEREAS the Owner has received approval from the County of Frontenac (file No. 10T-2020-002) for a plan of subdivision for lands described in Schedule “A”;

AND WHEREAS approval of the plan of subdivision has been given on the condition that the Owner enter into this Agreement with the Municipality in accordance with section 51(26) of the *Planning Act*, RSO 1990, chapter P-13, as amended;

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

TERMS DEFINED

1. In this Agreement:

- (a) **“Chief Building Official”** shall mean the officer or employee of the Municipality for the time being appointed by By-Law with the duty of enforcing the provisions of the *Building Code Act*, Building By-Law, and other similar By-Laws of the Municipality.
- (b) **“Council”** shall mean the elected Council of the Municipality;
- (c) **“Final Certificate of Approval of the Works”** means the certificate to be issued by the Municipal Engineer not sooner than one (1) year after the date the Preliminary Certificate of Approval of the Works has been issued, and after the Municipal Engineer has verified by a final inspection of the Works that they have been

constructed and maintained by the Owner in accordance with this Agreement, that all deficiencies have been addressed and the works are ready to be assumed by the Municipality;

- (d) **“Lands”** shall mean those lands of the Owner described in Schedule “A”;
- (e) **“Maintain”** includes repair;
- (f) **“Municipality”** means the Corporation of the Township of South Frontenac;
- (g) **“Municipal Engineer”** means the Director of Public Services of the Municipality or such other person acting in the capacity, or the consulting engineer appointed for that purpose by Council, and any authority granted to the Municipal Engineer by this Agreement shall be exercised in accordance with generally accepted engineering principles and without undue delay;
- (h) **“Municipal Specifications”** shall mean the “Design and Standards” manual, as amended from time to time, for the Township of South Frontenac which provides a detailed description of construction, materials and workmanship of works to be carried out by the Owner as prescribed by the Municipality or such other additional requirements which may be specified by the Municipality;
- (i) **“Owner”** includes an individual, a partnership, a corporation, an association, a joint venture, a co-tenant, a trustee, or any agent or contractor carrying out any works for the Owner, and all subsequent owners part of the Lands and wherever the singular is used it shall be construed to include the plural;
- (j) **“Plan”** or **“Plan of Subdivision”** or **“Subdivision”** means the plan of subdivision approved by the County of Frontenac for the Lands described in Schedule “A”;
- (k) **“Preliminary Certificate of Approval of the Works”** means the certificate to be issued by the Municipal Engineer after all the Works have been constructed in accordance with this Agreement and have been inspected by the Municipal Engineer and approved for use and that the Warranty Period may commence;
- (l) **“Road”** shall mean those public roads or any part or parts thereof, any day lighting triangles, temporary circles, and any areas of road widening shown or laid out on the Plan of Subdivision, and the use of “Street” or “Public Highway” shall be synonymous with “Road”;
- (m) **“Warranty Period”** means the period of time between the date of the Preliminary Certificate of Approval of the Works and the date of the Final Certificate of Approval of the Works, but in no event shall it be less than one (1) year; and
- (n) **“Works”** means the whole works, services, materials, matters and things required to be done or supplied by the Owner in accordance with this Agreement except for the final grading of lots for which lot grading certificates will be supplied by applicants for building permits.

ORDER OF PROCEDURE

2. As a condition of this Agreement and without which this Agreement shall have no effect, the Owner shall:
- (a) execute and deliver this agreement to the Municipality;
 - (b) obtain a consent and postponement to registration of this Agreement in a form satisfactory to the Municipality from the holder of any mortgage or other encumbrance of the Lands that will be outstanding on the date of registration of the Plan;
 - (c) deposit with the Municipality the security and proof of insurance required by this Agreement;
 - (d) pay in full all outstanding taxes, fees and charges, drainage costs and unamortized local improvement charges on the Lands;
 - (e) pay in full all outstanding invoices issued by the Municipality with respect to the Plan;
 - (f) pay to the Municipality the amount of cash to be given in lieu of parkland, or deposit with the Municipality the executed deeds for the parklands, whichever is applicable and prescribed by this Agreement;
 - (g) deliver to the Municipality an original, signed copy and an 215.9 mm X 355.6 mm (8½" X 14") reduced copy of the final Plan forwarded to the Municipality for registration; and
 - (h) deliver to the Municipality draft reference plans of survey illustrating all easements and 0.3 metre wide reserves not shown on the Plan, and all deeds and grants of easement executed in favour of the Municipality or any other public authority required by this Agreement in a form satisfactory to the Municipality.
3. Prior to starting construction of the Works in the Plan, the Owner shall:
- (a) fulfill all of the conditions required by Clause 2 above unless otherwise approved in writing by the Municipality;
 - (b) notify the Municipal Engineer in writing at least seventy-two hours (72) hours prior to the start of construction;
 - (c) provide written confirmation to the Municipality that the tree preservation plan set out in Schedule "T", if applicable, has been complied with; and
 - (d) Have in place all erosion and sedimentation measures to the satisfaction of the Municipal Engineer.
4. The Owner agrees that it shall not apply for any permits for the construction of buildings within the Plan until it has:
- (a) received final approval of the Plan from the County or the Ontario Land Tribunal;
 - (b) received the required approvals from all applicable utility companies and regulatory agencies;
 - (c) registered the Plan and the reference plans of survey referred to in Clause 2(h) above and all lands required to be transferred to the Municipality have been completed;
 - (d) delivered copies of the final plan of subdivision and any reference plans and

engineering plans referred to in this Agreement in an electronic format acceptable to the Municipality, including two (2) full sized hard copies of all engineering drawings, duly stamped by the Owner's engineer produced at the original scale on reproducible material such as "Mylar" or "chronoflex" together with reproducible reductions measuring 8½" X 14" and an AutoCAD electronic copy suitable to the Municipality;

- (e) submitted a lot grading plan for review by the Municipal Engineer; and
- (f) complied with all requirements for issuing a building permit as set out in this Agreement and the Ontario Building Code.

ATTACHED SCHEDULES

5. The following Schedules are attached to and form part of this Agreement:

Schedule "A" -	Description of Lands
Schedule "B" -	Description and Cost of Works to be Constructed and Financial Security
Schedule "C" -	Description of Phases of Development
Schedule "D" -	Time Schedule for Construction of Works
Schedule "E" -	List of Approved Plans for Works to be Constructed
Schedule "F" -	Approved Stormwater Management Plan
Schedule "G" -	Lands to be conveyed for Parkland or Cash in Lieu
Schedule "H" -	Grants of Easement and Other Public Lands
Schedule "I" -	Parkland, Fencing, Landscaping and Tree Preservation Requirements
Schedule "J" -	Special Conditions
Schedule "K" -	Notice to Subsequent Purchasers

6. Any plans referred to in any of the Schedules are incorporated by reference into this Agreement. The originals of all plans incorporated by reference in this Agreement are on file in the offices of the Municipality and, in the event of any conflict, the originals on file shall govern. The dates of the approved plans shown on Schedule "E" represent the approved drawings at the date of the signing of this Agreement. Such drawings may be subject to future revisions with the approval of the Municipal Engineer without modification to this Agreement, and upon approval shall form the approved drawings for purposes of this Agreement. A final set of drawings approved by the Municipal Engineer stamped as "As Constructed" shall be retained at the Municipal Office to reflect all amendments approved by the Municipal Engineer.

CONSTRUCTION OF WORKS

Scope of Work

7. All works shall be designed and constructed in accordance with Municipal Specifications and to the

satisfaction of the Municipality.

8. The Owner shall construct and maintain all of the Works described in Schedule “B” according to the plans and specifications in Schedules “E”, “F” and “I” in a good and workmanlike manner, to the satisfaction of the Municipal Engineer according to Municipal Specifications.
9. If, at any time during construction or maintenance of the Works, the Municipal Engineer determines that modifications to the Works are necessary to provide adequately any of the public services required by the Plan, the Owner shall construct such additional works to the satisfaction of the Municipal Engineer.

Roads

10. The Owner shall construct the granular base course of all roads according to the plans and specifications in Schedules “E” and Municipal Specifications.
11. The Owner shall install asphalt on all roads, where required by the Approved Drawings, when directed by the Municipal Engineer and to the satisfaction of the Municipal Engineer.
12. The Owner shall not cut any roads assumed by the Municipality without the prior written consent of the Municipal Engineer, and all roads shall be restored to the satisfaction of the Municipal Engineer as soon as possible after completion of the work.
13. All dead-ends and open sides of road allowances in the Subdivision shall be terminated in 0.3 metre reserve conveyed to the Municipality and held in trust by the Municipality until required for future road allowances or the development of adjacent lands.
14. Where work is performed on existing roads outside the Plan of Subdivision, they shall be reinstated to their condition as determined by the Municipal Engineer.
15. If, in the opinion of the Municipal Engineer, it is necessary to change the grade of existing roads adjacent to or abutting the Subdivision because of the development of the Subdivision, the Owner shall grade to sub-grade and reconstruct the roads in the manner and within the time stipulated by the Municipal Engineer and according to Municipal Specifications.

Storm Water Management System

16. The Owner shall construct the storm water management system to service the land in the Subdivision and adjacent road allowances according to the plans and specifications set out in Schedules “E” and “F” and Municipal Specifications, and shall maintain the system until the Final Certificate of Approval of the Works has been issued.

Grading, Landscaping and Parkland Development

17. Upon substantial completion of any ditches, culverts, sidewalks and roads, the Owner shall plant seed in accordance with Municipal Specifications, if any, on all boulevards and other untraveled parts of the public highway as identified in Schedule "E" as soon as possible during the first available planting season or such later date as may be authorized by the Municipal Engineer, and shall maintain the seed and ensure appropriate growth, including re-seeding as necessary, until the Final Certificate of Approval of the Works has been issued.
18. The Owner shall rough grade to the satisfaction of the Municipal Engineer any lots or blocks for which a building permit has not been issued on the date the Preliminary Certificate of Approval of the Works is issued. These lots or blocks shall be seeded, maintained and signed to prohibit dumping.
19. Any landscaping and parkland development shall be carried out, if applicable, in accordance with the plans and specifications set-out in Schedule "I" and Municipal Specifications.

Warning Signs

20. Prior to construction of the Works, signs satisfactory to the Municipal Engineer having dimensions of 1 metre by 0.6 metres (2 feet by 3 feet) shall be provided and erected by the Owner at the entrance to the Subdivision which shall read as follows:

"Road Not Assumed by Municipality - Use at Your Own Risk"

or such other wording as may be approved by the Municipality. These signs shall not be removed without authorization of the Municipal Engineer.

Street Signs and House Numbers

21. The names of all streets shall be approved by the Municipality for civic addressing purposes and all approved street names within the Plan shall be as approved.
22. The Owner shall, within fourteen (14) days from completion of the granular base course of a road, install to the satisfaction of the Municipal Engineer all street and traffic signs for the road of a size and shape satisfactory to the Municipal Engineer and in accordance with Municipal Specifications.
23. The Chief Building Official shall allocate all house numbers for use within the Plan of Subdivision. To obtain house numbers, the Owner shall furnish the Chief Building Official with a copy of the registered Plan upon which the Chief Building Official shall designate the proper house number or numbers for each lot. The Owner agrees that it shall obtain civic addresses for each Lot prior to applying for any building permit for any structure within the Plan. The Owner shall advise each purchaser of a subdivision lot of its correct house number.

Public Utilities

24. All utility lines shall be installed underground unless otherwise specified.

Erosion and Sediment Control During Construction

25. Erosion control measures shall be incorporated into the construction plans and specifications in order to control the quality of storm runoff from the Plan during construction. These measures may include:

- (a) The installation of silt fences wherever there is a possibility of runoff from the construction site onto adjacent streets or properties;
- (b) The installation of straw bale barriers wherever there is a possibility of runoff from the construction site into the municipal storm water system;
- (c) Fencing the work area to maintain construction activities within the predefined areas;
- (d) Locating stockpiles of excavated material or granulars so as to minimize the possibility of runoff beyond the construction zone, and/or containing stockpiles within silt fences; and
- (e) All other works identified in Schedule "E".

26. The erosion and sediment control measures shall be installed prior to construction and maintained and monitored by the contractor during construction and until a good growth of vegetation is obtained on all grassed areas and until the new hard surfaced areas are constructed and the site works are completed.

27. All areas disturbed by construction are to be reinstated as soon as possible or as approved by the Municipal Engineer.

PHASING OF DEVELOPMENT

28. The Owner shall develop the Subdivision in phases as set out in Schedule "C", if applicable.

29. Where applicable, for the purpose of this agreement, each phase, including construction of the Works in that phase, shall be undertaken as a separate plan of subdivision and the Owner shall enter a separate subdivision Agreement with the Municipality for any subsequent phase.

30. Where applicable, and without limiting the generality of the foregoing, the Owner shall, before proceeding with construction of a subsequent phase:

- (a) Execute and register on title a subdivision agreement to the satisfaction of the Municipality;
- (b) obtain a release of the holding symbol "H" from the zoning of the lands in the phase, if applicable;

- (c) obtain the release of any 0.3 m reserves necessary to permit development;
- (d) deposit security prescribed by the subdivision agreement in an amount equal to the cost of the Work in the phase as estimated by the Municipal Engineer immediately prior to the start of construction;
- (e) obtain the prior written consent of the Municipality; and
- (f) comply with all other requirements of the subdivision agreement.

UTILITY APPROVALS AND COSTS

31. Prior to registration of the Plan, the Owner shall submit to Hydro One, Bell Canada and any other applicable utility company all plans required for their approval; shall obtain the approval of all applicable provincial and federal regulation authorities; and shall indemnify the Municipality against all related fees and other charges.
32. The Owner shall bear the expense of all offsite work attributable to the Subdivision resulting from the approved works identified in Schedule "E".

DRILLING AND BLASTING

33. Prior to any blasting for the installation of the Works, the Owner shall notify the Municipal Engineer in writing seventy-two (72) hours before the intended commencement of blasting, and shall provide a certificate of insurance with the Municipality as an additional insured and satisfactory to the Municipality for damage and liability resulting from the blasting.
34. If any blasting is to be carried out within 120 metres (393 feet) of an occupied building, the Owner shall give written notice of the period of blasting to the owner & occupant at least two (2) days prior to the start of blasting.
35. All drilling shall be wet drilling.

USE AND MAINTENANCE OF ROADS

36. The Owner shall, as and where required by the Municipal Engineer, construct and maintain access roads to the Subdivision for the purpose of construction of services and buildings. The Owner shall also maintain and repair these roads and all other roads within or adjoining the Subdivision to the satisfaction of the Municipal Engineer. For greater certainty, such maintenance and repair shall include the placing of dust palliatives, the control of erosion and sedimentation runoff, and the removal of mud and other materials carried out onto paved streets, and the repair of any damage caused. If the roads are not maintained to the Municipality's satisfaction, the Municipality may take the necessary action to rectify the problem at the Owner's expense. The Owner shall not permit use by construction vehicles of any streets assumed by the Municipality adjacent to the

Subdivision if alternate routes are available.

37. The Owner shall not restrict and shall ensure that no person working in the Subdivision restricts the normal traffic in or outside the Subdivision without the prior written consent of the Municipality.

REPAIR AND RELOCATION OF EXISTING SERVICES

38. The Owner shall repair any damage caused by the Owner to any existing road, structure, services or works owned or operated by the Municipality and shall pay for all costs related to the relocation of any existing utilities or services in or outside the Subdivision as may be necessary to accommodate the Subdivision.

DRAINAGE

39. The drainage of surface water on the lots and blocks in the Plan is the sole responsibility of the Owner and all subsequent purchasers, who shall provide and maintain adequate drainage of surface water and shall comply with the Lot Grading and Servicing Plans as set out in Schedule "F".
40. The Lot Grading and Servicing Plans may be amended from time to time on conditions approved by the Municipal Engineer, such amendments shall not require an amendment of this Agreement and all approved Lot Grading and Servicing Plans shall be incorporated by reference into this Agreement upon approval by the Municipal Engineer. All Lot Grading and Servicing Plans shall be kept in the offices of the Municipality and such drawings shall govern in the event of any dispute.
41. The Owner shall construct all Works in accordance with the Lot Grading and Servicing Plans and specifications set-out in Schedule "F", and Municipal Specifications, and the Owner shall maintain sufficient interim drainage and outlets for adequate drainage including the installation and removal of culverts when required by the Municipal Engineer, until the Final Certificate of Approval of the Works has been issued.
42. The Owner agrees that if the drainage works result in drainage or a change of drainage through private third party lands, all work shall be carried out with the approval of and to the satisfaction of the private owners affected and the Municipal Engineer. Any easements acquired by the Owner over third party lands for that purpose shall be conveyed to the Municipality. Must demonstrate and have legal and adequate outlet for all drainage to the satisfaction of the Municipality.
43. The Owner shall not interfere with or alter any existing drain or water course except in accordance with the Lot Grading and Servicing Plans or with the prior written permission of the Municipal Engineer, but any interference shall not relieve the Owner of responsibility for any

damage caused by the interference and the Owner shall indemnify the Municipality against any claims against the Municipality relating to the damage.

44. All contracts of sale by the Owner of any lot within the Subdivision shall contain the following provision, which shall be incorporated in all deeds from the Owner so that it shall be a covenant running with the land for the benefit of the remaining land in the Subdivision:

The Transferees, for themselves, their heirs, executors, administrators, successors and assigns, covenant and agree that they will not alter the slope of the lands described herein nor interfere with any drains established on the lands, except in accordance with the approved Lot Grading and Servicing Plans, without the written consent of the Municipality and further that the Transferee will maintain any such alterations approved Municipality. This covenant is for the benefit of all other lands in the Subdivision and shall run with the title to these lands.

CONSTRUCTION REFUSE AND FILL

45. The Owner shall promptly dispose of all construction refuse and debris within the Subdivision according to the waste disposal and recycling by-laws of the Municipality in effect from time to time. If refuse is not removed within seventy two (72) hours' notice from the Municipality, the Municipality may remove the refuse and debris at the expense of the Owner. Under no circumstances shall garbage or rubbish of any kind be disposed of by burning on-site or burying on-site.
46. The Owner shall neither deposit nor permit to be deposited surplus fill on public lands within the Subdivision. Furthermore the Owner shall neither remove nor permit to be removed, any fill, top soil, trees or shrubs from public lands, other than roads, without the written consent of the Municipal Engineer.

COMMENCEMENT, PROGRESS AND COMPLETION OF WORK

47. The Owner shall not start construction of the Works until the Municipal Engineer has received at least seventy-two (72) hours prior written notice of the intention to commence work, and should for any reason there be a cessation or interruption of work, as determined by the Municipal Engineer, acting reasonably, the Owner shall not resume work until at least forty-eight (48) hours written notice of the intention to resume is again given to the Municipal Engineer.
48. The construction of the Works shall be carried out with reasonable speed and, in any event, the Owner undertakes to complete the Works in time sufficient to:
- (a) obtain the Preliminary Certificate of Approval of the Works within one (1) year

- from the date of registration of the Plan; and
- (b) obtain the Final Certificate of Approval of the Works within two (2) years from the date of registration of the Plan;
- or by such later dates as the Owner and Municipality may mutually agree upon in writing.
49. Notwithstanding the foregoing, the Owner agrees to carry out construction of the Works according to the detailed time schedule of works set out in Schedule “D”, and if there is any conflict between the requirements set out above and Schedule “D”, the provisions of Schedule “D” shall prevail.
50. A request for an extension of time may be made and shall be submitted in writing to the Municipal Engineer no less than fourteen (14) days prior to the date of compliance stating the reasons why compliance is not possible and shall state when the requirements and obligations will be completed. The Municipal Engineer may approve, amend or reject the request for such extension on such terms as the Municipal Engineer considers reasonable.
51. If, in the opinion of the Municipality, the Owner is not undertaking or causing to be undertaken the work required by this Agreement within the specified time, or so that it may be completed within the specified time, or should the Owner neglect or abandon any of the work before its completion, or unreasonably delay the work so that the conditions of this Agreement are being violated or carelessly executed, or should the Owner make, in the opinion of the Municipality, default in any manner in the performance of any of the terms of this Agreement, then the Municipality shall, unless prevented by urgent circumstances, notify the Owner in writing of the default, failure, delay or neglect.
52. If, in the opinion of the Municipal Engineer, the conditions of this Agreement are being violated or carelessly executed, or should the Owner neglect or fail to renew or again perform work as may be rejected by the Municipal Engineer as being or having become defective or unsuitable, or should the Owner fail to carry out any maintenance required by this Agreement, or should the Owner make, in the opinion of the Municipal Engineer, default in any manner in the performance of any of the terms of this Agreement, then the Municipal Engineer shall, unless prevented by urgent circumstances, notify the Owner in writing of the default, failure, delay or neglect.
53. Where the Municipality or Municipal engineer send the notice as required in sections 51 and 52 above and where the Owner takes no steps to rectify, or takes inadequate action to rectify within seven (7) clear days after the notice, then the Municipal Engineer shall have full authority and power to immediately purchase any materials and to employ any tools, machinery and workmen as in his/her opinion shall be required for the proper completion of the work at the cost and expense of the Owner. The cost of such work shall be calculated by the Municipality, whose decision shall be final and shall include a management fee of twenty per cent (20%) of the labour and material value. It is hereby declared and agreed that the assumption by the Owner of the obligations set out in this

clause is a consideration without which the Municipality would not have executed this Agreement. The exercise of the rights contained in this section shall be at the sole and unfettered discretion of the Municipality and its exercise shall not be subject to any claims by the Owner for any reason.

54. Any entry upon the Lands by the Municipality or its agents prior to the date of the Preliminary Certificate of Approval of the Works shall be as agent for the Owner and shall not be construed for any purpose whatsoever as an acceptance or assumption of the Works by the Municipality.

INSPECTION AND TESTING OF WORKS

55. Prior to the approval of a final lot grading certificate for a lot or block in the Plan of Subdivision, the Municipal Engineer may enter onto the lot or block and inspect the Works and the lot grading of the lot or block at such times and with such duration and frequency as the Municipal Engineer considers advisable to ensure that the Works and the lot grading are being constructed and maintained in accordance with this Agreement. If during inspections or testing the Municipal Engineer perceives that construction or maintenance, whether by method or otherwise, constitutes a potential danger to life or property, is not in conformity with the Approved Drawings or construction maintenance does not conform to acceptable practice in order to meet Municipal Specifications, the Municipal Engineer shall have the authority to order stop work by verbal notice to the contractor and/or the Owner's consulting engineer, such notice to be confirmed in writing as soon as possible thereafter, and to order such remedial action as the Municipal Engineer considers advisable. Neither the Municipality nor the Municipal Engineer shall be liable for any damages resulting from a stop work order. The Owner shall deliver a copy of this clause to each and every contractor engaged in construction of the Works.
56. Any work not examined to the satisfaction of the Municipal Engineer prior to backfilling shall be excavated at the Owner's cost.

EMERGENCY REPAIRS

57. Employees or agents of the Municipality may enter the Subdivision at any time or from time to time prior to the date of the Preliminary Certificate of Approval of the Works for the purpose of making emergency repairs to any of the Works, and such entry and repair shall not be deemed an acceptance of the Works by the Municipality or an assumption by the Municipality of any liability in connection therewith or a release of the Owner from any obligations under this Agreement. The Owner shall pay all costs for emergency repairs.

USE OF WORKS BY MUNICIPALITY

58. The Works may be used by the Municipality or any other authorized persons prior to the date

of the Preliminary Certificate of Approval of the Works for the purposes for which the Works were designed. Such use shall not be deemed an acceptance of the Works by the Municipality and shall not in any way relieve the Owner of its obligations with respect to construction and maintenance of the Works, but the Owner shall not be liable for any negligent conduct of the Municipality, its servants, agents or employees.

59. The Owner further acknowledges that the Municipality may inadvertently damage or interfere with the Work in the course of using them, and the Owner hereby waives all claims against the Municipality that it might have arising from normal and reasonable use, interference or damage - save and except for negligence.

WINTER ROAD MAINTENANCE

60. Prior to the date of the Preliminary Certificate of Approval of the Works, the Owner shall be responsible for all winter road maintenance within the Plan. The Municipality shall remove snow from roads within the Subdivision in conjunction with normal snow removal operations elsewhere in the Municipality only where the first lift of asphalt has been installed by the Owner to the satisfaction of the Municipal Engineer.
61. The removal of snow from roads within the Subdivision prior to the date of the Preliminary Certificate of Approval of the Works shall not be construed for any purpose whatsoever as an acceptance or assumption of the Works or roads by the Municipality.

ASSUMPTION OF WORKS

62. When the subdivision Works have been completed to such a degree that a Preliminary Certificate of Approval of the Work could reasonably be given, then the Owner may request in writing that the Municipality give such Preliminary Certificate of Approval. The Municipal Engineer shall inspect the Works and may require third party inspections, testing and certification of the Works or any component thereof. Provided that the Works have been completed in accordance with the specifications and standards stipulated by this Agreement, and have been certified to the Municipality by the Consulting Engineer as compliant with all Approved Plans, then the Municipality shall give such Preliminary Certificate of Approval of the Work by written notice to the Owner.
63. Ownership of the Works shall vest in the Municipality upon the Preliminary Certificate of Approval of the Work being issued and, subject to the Owner's continuing obligations to maintain the Works in accordance with this Agreement, the Owner shall have no further claims or rights to the Works.

WARRANTY OF WORKS

64. The Owner shall, at its expense, correct any and all deficiencies and malfunctions and generally maintain and keep in a good state of repair each part of the Works for a minimum period of twelve (12) months from the date of issuance of the Preliminary Certificate of Approval.

FINAL ACCEPTANCE OF WORKS

65. Upon expiry of the twelve (12) month warranty period, the Owner may apply to the Municipality for a Final Certificate of Approval of the Works. The Municipality shall conduct a final inspection(s) and shall issue the Final Certificate of Approval for the Works only where the following conditions have been met:

- (a) The subdivision Works are completed to the satisfaction of the Municipal Engineer, including the finished course of asphalt where applicable;
- (b) The Owner's Engineer provides written certification to the Municipality that the subdivision Works have been constructed in accordance with the Approved Plans and Municipal Standards and that all grades and levels within the road allowances and swales have been established in accordance with the Approved Plans, to the satisfaction of the Municipal Engineer.
- (c) The Owner provides two (2) full sized hard copies of "as constructed" engineering drawings, duly stamped by the Owner's engineer produced at the original scale on reproducible material such as "Mylar" or "chronoflex" together with reproducible reductions measuring 8½" X 14" and an AutoCAD electronic copy suitable to the Municipal Engineer;
- (d) The Owner provides an up-to-date certificate from a qualified Ontario Land Surveyor stating that all survey monumentation for corners, bends, and beginnings and ends of curves for streets, easements to the municipality, parklands and other public lands shown on the Plan of Subdivision or any reference plan have been found and were in place on the date of the surveyor's certificate;
- (e) The Owner provides a certificate from a qualified Ontario Land Surveyor confirming that the lots within the Plan conform to the minimum lot frontage and lot area requirements of the applicable zoning by-law and comply with the Minimum Distance Separation requirements;
- (f) The Owner has paid all outstanding invoices, costs, taxes, fees and charges of the Municipality related to the Owner's Lands and this Agreement;
- (g) The Owner provides a Statutory Declaration that all accounts for work and materials, taxes, levies, fees and all other costs directly related to the provision of the subdivision works have been paid, except statutory holdbacks, and that there are no claims for liens or otherwise for work done or material supplied for or on behalf of the Owner; and
- (h) The Owner provides written confirmation there are no constructions liens on any municipal property associated with the Works.

ENGINEERING SERVICES

66. The Owner shall employ a Professional Engineer for the Term of this Agreement (hereinafter

“Owner’s Engineer”) licensed and in good standing with the Professional Engineers of Ontario to supervise all engineering functions, including but not limited to:

- (a) the preparation of calculations, contours, designs, plans and specifications;
- (b) the preparation and furnishing of all required drawings;
- (c) the preparation of the necessary contracts;
- (d) the obtaining of all required federal, provincial and municipal approvals;
- (e) the provision of the field layout, contract administration and construction supervision;
- (f) the maintenance of all records of construction and inspections and upon completion to advise the Municipal Engineer of all construction changes and to prepare all final and “as constructed” plans and drawings as may be required by the Municipal Engineer;
- (g) acting as the Owner’s representative in all matters pertaining to the construction;
- (h) reviewing all lot grading and drainage plans and preparing all lot grading certificates in accordance with section 75; and
- (i) the coordinating and scheduling to comply with the timing provisions of this Agreement and the requirements of the Municipal Engineer for the Works.

67. The Owner agrees to implement the recommendations of any Environmental Impact Assessment, Geotechnical Study or other study or peer review required by the Municipality and certified by a professional engineer or other qualified professional, to the satisfaction of the Municipality.

68. The Owner shall furnish all plans, specifications, designs, calculations, contours, or other information pertaining to the Works as the Municipal Engineer may require. No contract shall be awarded and no work shall commence or be continued without the prior written approval of the design and inspection of the work by the Municipal Engineer.

69. All inspections of the Works shall be performed by the Municipal Engineer whose determination of whether the Works have been constructed according to Municipal Specifications shall be final.

MATERIALS TESTING

70. The Municipal Engineer may require any qualitative or quantitative tests of any materials which have been or are proposed to be used in the construction of the Works, or may require soil tests to be carried out at the Owner’s expense but this shall not relieve the Owner of its responsibility to carry out any tests required by good engineering practice.

ZONING AND BUILDING RESTRICTIONS

71. Nothing in this Agreement shall relieve the Owner of any obligation to comply with all applicable zoning and building by-laws in effect from time to time.

72. All construction within the subdivision shall be carried out in accordance with any noise by-law of the Municipality that may be in effect from time to time.

73. The Owner agrees to display in a conspicuous place in all sales offices established for the sale of buildings or lands within the Subdivision all of the following:

- (a) A zoning map or schedule displaying current zoning, including all relevant text from the By-law for all land in and adjacent to the Subdivision.
- (b) A print of the registered Plan of Subdivision with the following information clearly labelled on it:
 - (i) the permitted uses for all blocks on the plan;
 - (ii) the location of all proposed non-residential uses; and
 - (iii) the location of all proposed medium and high density residential uses.
- (c) A print of the approved Lot Grading and Servicing Plans.

74. The Owner shall also ensure that the foregoing information concerning permitted and proposed uses is communicated to all prospective purchasers by:

- (a) posting signs of a size and type satisfactory to the Municipality on the lands in the Plan; and
- (b) providing this information in writing to all prospective purchasers.

If a builder other than the Owner intends to construct and sell buildings on lots within the Plan, the Owner shall take such action as is necessary to ensure the foregoing requirements are met.

REQUIREMENTS FOR BUILDING PERMITS

75. No building permit shall be issued for a lot or block within the Subdivision until:

- (a) the Preliminary Certificate of Approval of the Works has been issued;
- (b) all drainage works shown on the stormwater management plan in Schedule "F" which, in the opinion of the Municipal Engineer should be constructed prior to the issue of a building permit, have been constructed;
- (c) a lot grading plan for the Lot or Block that shall contain a certificate stamped by the Owner's Engineer, satisfactory to the Municipal Engineer, confirming that the lot grading plan has been reviewed by the Owner's Engineer and is in general conformance with the approved Lot Grading and Servicing Plan. The lot grading plan for the Lot or Block shall illustrate the following:
 - (i) all proposed buildings and structures and their elevations;

- (ii) existing and final grades;
 - (iii) driveways;
 - (iv) natural features and vegetation, existing and removed; and
 - (v) the method of disposing of stormwater.
- (d) a non-interest bearing refundable deposit of three thousand dollars (\$3,000) cash or other suitable security has been posted with the Municipality for the lot or block for which a permit has been applied to ensure the following:
- (i) the cost to repair any damage done to the Works by the applicant, its contractors, employees or workmen, including road cleaning;
 - (ii) delivery to the Municipality of a lot grading certificate in the form prescribed by the Municipality and signed by the Owner's Engineer on which is indicated:
 - (1) the lot or block and plan number to which the certificate applies;
 - (2) the designed grades and elevations prescribed by the Lot Grading and Servicing Plans for the lot or block corners and the building line;
 - (3) the actual grades and elevations for the lot or block corners, the building corners and any other locations as noted on the Subdivision Lot Grading and Servicing Plan;
 - (4) a statement that the lot grades and elevations shown are correct;
 - (5) arrows showing the direction of overland drainage flow; and
 - (6) a certificate stamped by the Owner's Engineer confirming the grading conforms approved Lot Grading and Servicing Plan.
- (e) all lot levies, development charges, water and sewer rates and other charges attributable to the lot or block have been paid in full; and
- (f) all other normal requirements of the Municipality prescribed by the *Ontario Building Code Act* have been complied with.

76. If the Municipal Engineer rejects a lot grading certificate, the cost for any further review of it shall be deducted from the deposit.

77. If any repairs for damage to the Works, other than emergency repairs that shall be carried out immediately, are not carried out within seven (7) days of written notice to the permit applicant and registered owner of the land, the Municipal Engineer may without further notice, take such action as he or she deems necessary to carry out the repairs, complete the work or remedy any defective work, and the permit applicant and registered owner of the land shall be jointly and severally liable for all costs incurred by the Municipality, which the Municipality may deduct from the deposit in addition to any other remedies available to it, including adding such costs to the tax roll of the land and collecting them in like manner as municipal taxes in accordance with section 446 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended.

78. If any yards remain unseeded or ungraded, or if a lot grading certificate has not been delivered two (2) years from the date on which the building permit was issued, the Municipality may, on at

least thirty (30) days prior written notice to the applicant and the registered owner of the lot or block take such action as it deems necessary to complete the work or remedy any defective work, and the applicant and registered owner of the land shall be jointly and severally liable for all costs incurred by the Municipality which the Municipality may, in addition to any other remedies available to it, deduct all or a portion of said costs from the deposit provided for in section 75(d) above. The Municipality shall, upon being satisfied that the lot grading certificate has been issued, release any security being held on account of the said lot for lot grading.

79. The Owner agrees not to apply for a building permit until all of its obligations related thereto contained in this Agreement are fulfilled. The Owner further agrees that it shall not undertake any grading that does not comply with the approved Lot Grading and Servicing Plan and any lot grading plan submitted in support of a building permit as required for in Section 75(c).

SPECIAL CONDITIONS

80. In addition to all other provisions of this Agreement, the Owner shall also comply with those special conditions related to development of the Subdivision set out in Schedule "J" attached hereto.

CONVEYANCE OF PARKLANDS OR CASH IN LIEU

81. The Owner shall make a cash payment to the Municipality in lieu granting lands thereof as provided by the Planning Act in accordance with Schedule "G". The payment shall be provided to the Municipality prior to registration of the Plan of Subdivision.

GRANTS OF EASEMENT AND OTHER PUBLIC LANDS

82. The Owner shall obtain and grant to the Municipality and any other required public authority or utility company, those lands, easements, and 0.3 metre wide reserves described in Schedule "H" as may be required for utility, drainage or access purposes, free of all charges and encumbrances. The executed deeds for the lands and grants of easement together with any reference plans of survey necessary to describe them with the registered number of the plans left blank for later completion, shall be delivered to and approved by the Municipality prior to registration of the Plan of Subdivision.

RESTRICTION ON TRANSFERS

83. The Owner shall not transfer title to any lots or blocks within the Plan until after this Agreement, all deeds, grants or easement and 0.3 metre reserves in favour of the Municipality and any other applicable public authority and utility company, and related reference plans of survey have been registered.

OWNERS' LIABILITIES AND INDEMNITY

84. The Owner shall indemnify the Municipality against all actions, causes of action, suits, claims and demands whatsoever which may arise from the actions of the Owner and not caused by the negligent acts of the Municipality, its employees, servants and agents until the Preliminary Certificate of Approval of the Works has been issued, and thereafter for any reason arising from the Owner's maintenance of or failure to maintain the Works until the Final Certificate of Approval of the Works has been issued.

OWNER'S EXPENSE

85. It is the intent of this Agreement that the Municipality shall not incur any expense for the development of the Subdivision 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.

MUNICIPALITY'S LEGAL, PLANNING, ENGINEERING AND ADMINISTRATIVE COSTS

86. The Owner agrees to pay the legal, engineering, landscape architectural, planning and administrative costs incurred by the Municipality to process the Plan including but not limited to the preparation of this Agreement and all plans and specifications, and the supervision and inspection of the Works and the Municipality shall provide copies of any invoices for such costs.

PAYMENT OF ACCOUNTS

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

88. 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.

FINANCIAL REQUIREMENTS

89. The Owner agrees to satisfy all the requirements, financial and otherwise, of the Municipality concerning the provision of municipal services including fencing, lighting, landscaping, sidewalks, roads, installation of services, signage, utilities and provisional drainage.

90. As a condition of this Agreement and without which this Agreement shall have no effect, the Owner shall deposit with the Treasurer of the Municipality as security for the performance of the Owner's obligations under this Agreement, an irrevocable security issued by a Canadian chartered bank or any other similar form of security issued by a financial institution acceptable to the Municipality in a form approved by the Municipality and in an amount equal to one hundred percent of the estimated cost of the Works, including without limitation all estimated costs of inspections and testing and ten (10) percent of the total Security for Municipal administration, as set out in Schedule "B". If such letter of credit contains an expiry or termination date, then until the Final Certificate of Approval of the works is issued by the Municipality, the Owner shall continue to redeposit new irrevocable letters of credit. If the Owner fails to deposit new letters of credit within thirty (30) days prior to the expiration date of the letter of credit, such failure shall be deemed to be a breach of this Agreement by the Owner and the Municipality shall without further notice call upon the whole or any part of the existing letters of credit, notwithstanding anything herein otherwise contained.
91. After having first notified the Owner, the Municipality may at any time authorize the use of the whole or part of the security deposit to pay the cost of any work that the Municipality deems necessary to rectify default by the Owner or its assigns, or to pay the cost of any matter for which the Owner is liable under this Agreement, whether such cost is in relation to construction or installation of any works or service or any defects or required maintenance.

RELEASE OF SECURITIES

92. The Owner may, when not in default, and in no event earlier than the issuance of the Preliminary Certificate of Approval of the Works, apply to the Municipality, for releases of its security at regular intervals, and each application shall include an up-to-date estimate of the cost to complete the Works verified by the Owner's engineer and the Municipal Engineer.
93. Upon receipt of an application, the Municipal Engineer may authorize the release of such portion of the security as the Municipal Engineer may, in all of the circumstances consider reasonable, but without limiting its generality, the following rules shall apply:
- (a) The amount of the security retained by the Municipality excluding any amounts held for warranty or *Construction Act* purposes, shall not, at any time, be less than the up-to-date estimated cost to complete the Works.
 - (b) The Municipality shall deduct the following amounts from the security otherwise available for release:
 - (i) ten percent (10%) of the value of the work performed since the date of the last release as determined by the Municipal Engineer, which the Municipality shall

- hold pursuant to Part IV of the *Construction Act*;
- (ii) an amount sufficient to satisfy any construction liens of which the Municipality has notice in respect to any portion of the Works located on a public street or highway, or on any lands conveyed Municipality or any other public authority; and
 - (iii) twenty percent (20%) of the value of the Work, which the Municipality shall hold as security for the Owner's obligations during the Warranty Period.

INSURANCE

94. As a condition of this Agreement, the Owner shall keep in force until the Final Certificate of Approval of the Works has been issued, a comprehensive policy of public liability and property damage insurance acceptable to the Municipal provides insurance coverage in respect of any one occurrence to the limit of at least five million dollars (\$5,000,000.00) exclusive of interest and costs, against loss or damage resulting from bodily injury to, or death of one or more persons and loss of or damage to property. The policy shall name the Municipality as an additional insured.
95. The policy shall provide coverage against all claims for all damage or injury including death to any person or persons or damage to any property of the Municipality or any other public or private property resulting from or arising out of any act or omission on the part of the Owner or any of its servants or agents during the construction or maintenance of the Works. The policy shall include completed operations coverage liability, blanket written contractual liability with respect to non-owned licensed vehicles and shall have no exclusion pertaining to shoring, blasting (unless a separate certificate of insurance for blasting is provided prior to the start of blasting), excavating, underpinning, demolition, pile driving, caisson work and work below ground surface including tunnelling and grading. The issuance of a policy of insurance shall not be construed as relieving the Owner from responsibility for other or larger claims, if any, for which the Municipality may be held responsible.
96. The Owner shall provide the Municipality with a Certificate of Insurance in a form satisfactory to the Municipality together with such proof as the Municipality may require that all premiums on the policies of insurance have been paid and that they are in full force and effect. If the Owner fails to pay premiums or otherwise keep the policies in force, the Municipality may pay premiums or take out additional policies as it considers necessary and the Owner shall pay all costs.

CONSTRUCTION LIENS

97. The Owner shall hold back from its payment to any persons who may supply services or materials in connection with the construction or maintenance of the Works, all amounts required by the *Construction Act*, and shall indemnify the Municipality against any claims, actions or demands in connection with the Works and all costs reasonably incurred by the Municipality as a result thereof.

98. If any lien is claimed pursuant to the *Construction Act* for the supply of services or material in connection with the construction or maintenance of any portion of the Works located on a public street or highway or any lands owned by the Municipality or any other public authority, the Owner shall be considered in default under this Agreement and shall continue to be in default until all liens are discharged, and the Municipality may, in its absolute discretion, use the security deposited by the Owner to pay into court any amounts required to discharge all liens plus costs.
99. The Owner shall have the certificate or declaration of its engineer that construction of the Works has been substantially performed published in a construction trade newspaper in accordance with the *Construction Act* and shall provide the Municipality with proof of publication, but neither the issue or publication of such certificate or declaration shall impose any obligation on either the Municipality or the Municipal Engineer to issue either a Preliminary Certificate of Approval of Underground Services, a Preliminary Certificate of Approval of the Works or a Final Certificate of Approval of the Works, as the case may be.

DEFAULT PROVISIONS

100. Whenever the Owner is deemed by the terms of this Agreement to be in default, the Municipality will make best efforts, unless prevented by urgent circumstances, to give the Owner notice of the default including a brief description of the remedial action required and the date by which such remedial action shall be completed.
101. If the Owner fails or refuses to remedy the default within the time prescribed in the notice, the Municipality shall have the right in addition to any other remedies available to it and without further notice to the Owner to use any security to remedy the default and recover all costs and damages incurred by and all amounts owing to the Municipality.

REGISTRATION

102. The Owner consents to the registration of this Agreement by the Municipality against the title to the Lands.
103. The Municipality shall register this Agreement and any deeds or grants of easement or rights-of-way in favour of the Municipality without undue delay after registration of the Plan.

NOTICE TO SUBSEQUENT OWNERS AND PURCHASERS

104. In accordance with section 51(26) 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 any lot, block or part thereof in the Plan.

105. In addition, each and every subsequent owner of the Lands or a part thereof acknowledges notice of all of the provisions of this Agreement and, in particular, those provisions set out in Schedule “K”.

ARBITRATION

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

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

CANCELLATION OF AGREEMENT

108. If the Plan of Subdivision is not registered within one (1) year from the date of this Agreement, the Municipality may, at its option, declare this Agreement to be null and void.

TIME OF THE ESSENCE

109. Time shall be of the essence of this Agreement.

LEGAL NOTICE TO OWNER

110. Any notice required to be given by the parties to this Agreement shall be given by registered mail at the address for service of the parties on the title page of this Agreement, or at such other addresses as the parties may specify from time to time, (provided that in the event of a postal disruption, notice shall only be given by hand) and shall be deemed to have been delivered on the third day after the date of deposit in the post office).

FURTHER ASSURANCES

111. The parties shall, upon reasonable request of the other, execute any further documents as may be required for the more perfect and absolute performance of the terms and conditions of this Agreement.

SUCCESSORS AND ASSIGNS

112. This Agreement shall be binding upon and enure to the benefit of the parties hereto and their

respective heirs, executors, administrators, successors and assigns.

IN WITNESS WHEREOF the parties hereto have executed this Agreement as at the date first set out above.

SIGNED, SEALED AND
DELIVERED

**THE CORPORATION OF
THE TOWNSHIP OF SOUTH
FRONTENAC**

Per:

Ron Vandewal, Mayor

James Thompson, Clerk

We have the authority to bind the corporation

1059823 ONTARIO LIMITED

Per:

Tony D. Matias, President

I have the authority to bind the corporation

SCHEDULE "A" OF SUBDIVISION AGREEMENT

DESCRIPTION OF LANDS

LOTS 1 TO 9 INCLUSIVE, BLOCKS 10 & 11, RESERVES NAMELY BLOCKS 12 AND 13 AND THE STREET BEING SUMMERSIDE DRIVE, AS SHOWN ON PLAN 13M-
 , PART OF LOT 19, CONCESSION 2, GEOGRAPHIC TOWNSHIP OF LOUGHBOROUGH, FORMER MUNICIPAL TOWNSHIP OF STORRINGTON, TOWNSHIP OF SOUTH FRONTENAC, COUNTY OF FRONTENAC.

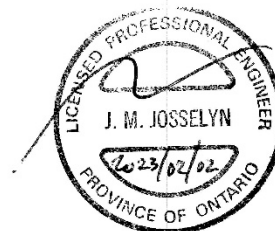
SCHEDULE "B" OF SUBDIVISION AGREEMENT**COST OF WORKS****ENGINEER'S ESTIMATE OF COST TO CONSTRUCT
WILLOWBROOK ESTATES SUBDIVISION - PHASE 2
LOTS 1 to 9****DESCRIPTION AND COST OF WORKS TO BE CONSTRUCTED**

CLEARING AND GRUBBING of Roadway & Walkway only	\$10,000
STRIP TOPSOIL of Roadway & Walkway only	\$30,000
GRANULAR BASE ROADS	\$121,500
GRADING including Cut/Fill	\$104,000
EROSION CONTROL & TOPSOIL & SEED DITCHES	\$64,000
BASE ASPHALT	\$70,000
WALKWAY (includes granulars, asphalt and chain link fence)	\$61,060
STORM SEWER SYSTEM INCL. CULVERTS & SWALES	\$89,943
STREETLIGHT SYSTEM	\$10,400
SIGNS	\$0
UTILITIES SYSTEM (Bell, Transformer Pads, Cable, Trenching & Ducts)	\$114,040
ELECTRICAL SYSTEM (Transformation & Wiring)	\$27,850
DITCH ON PERTH ROAD including topsoil & seed	\$41,200
TREE PLANTING (one tree per lot & including trees in Landscape buffer)	\$9,000
LANDSCAPING BUFFER	\$35,000
SUB-TOTAL	\$787,993
CONTINGENCIES (5% of construction cost)	\$39,400
ENGINEERING INSPECTION & TESTING (7% of construction cost)	\$55,159
SUB-TOTAL	\$882,552
H.S.T. (13%)	\$114,732
TOTAL ESTIMATED COST TO CONSTRUCT	\$997,284

February 2, 2023

Notes:

- Does not include sidewalk on Perth Road



SCHEDULE "C" OF SUBDIVISION AGREEMENT

DESCRIPTION OF PHASES OF DEVELOPMENT

The subdivision shall be developed in one phase.

SCHEDULE "D" OF SUBDIVISION AGREEMENT

TIME SCHEDULE FOR CONSTRUCTION OF WORKS

1. Construction of the Subdivision shall commence forthwith upon registration of the Plan.

SCHEDULE “E” OF SUBDIVISION AGREEMENT

APPROVED PLANS FOR WORKS TO BE CONSTRUCTED

Drawing No. G1 – General Plan Sheet 1

Scale: 1:750

Revision 5, dated June 20, 2022

Prepared by Josselyn Engineering Inc., Kingston, Ontario

Drawing No. G2 – General Plan Sheet 2

Scale: 1:750

Revision 9, dated February 1, 2023

Prepared by Josselyn Engineering Inc., Kingston, Ontario

Drawing No. LGP1 – Lot Grading and Servicing Plan Sheet 1

Scale: 1:750

Revision 8, dated November 22, 2022

Prepared by Josselyn Engineering Inc., Kingston, Ontario

Drawing No. LGP2 – Lot Grading and Servicing Plan Sheet 2

Scale: 1:750

Revision 12, dated February 1, 2023

Prepared by Josselyn Engineering Inc., Kingston, Ontario

Drawing No. U1 – Utility/Landscape Plan Sheet 1

Scale: 1:750

Revision 6, dated June 20, 2022

Prepared by Josselyn Engineering Inc., Kingston, Ontario

Drawing No. U2 – Utility/Landscape Plan Sheet 2

Scale: 1:750

Revision 12, dated February 1, 2023

Prepared by Josselyn Engineering Inc., Kingston, Ontario

Drawing No. U3 – Utility Plan Details

Scale: Not to Scale

Revision 5, dated June 2, 2022

Prepared by Josselyn Engineering Inc., Kingston, Ontario

Drawing No. 1 – Perth Road, Sta: 0+020 to Sta: 0+260

Scale: v1:50, h1:500

Revision 3, dated April 27, 2022

Prepared by Josselyn Engineering Inc., Kingston, Ontario

Drawing No. 2 – Perth Road, Sta: 0+260 to Sta: 0+520

Scale: v1:50, h1:500

Revision 4, dated June 20, 2022

Prepared by Josselyn Engineering Inc., Kingston, Ontario

Drawing No. 2A – Perth Road, Sta: 0+500 to Sta: 0+740

Scale: v1:50, h1:500

Revision 5, dated April 27, 2022

Prepared by Josselyn Engineering Inc., Kingston, Ontario

Drawing No. 3 – Perth Road, Sta: 0+180 to Sta: 0+420

Scale: v1:50, h1:500

Revision 3, dated April 27, 2022

Prepared by Josselyn Engineering Inc., Kingston, Ontario

Drawing No. 3A – Perth Road Inset

Scale: v1:250

Revision 3, dated April 27, 2022

Prepared by Josselyn Engineering Inc., Kingston, Ontario

Drawing No. 4 – Willowbrook Drive, Sta: 1+000 to Sta: 1+140

Scale: v1:50, h1:500

Revision 3, dated March 9, 2022

Prepared by Josselyn Engineering Inc., Kingston, Ontario

Drawing No. 5 – Summerside Drive, Sta: 2+020 to Sta: 2+280

Scale: v1:50, h1:500

Revision 5, dated March 9, 2022

Prepared by Josselyn Engineering Inc., Kingston, Ontario

Drawing No. 6 – Summerside Drive, Sta: 2+280 to Sta: 2+520

Scale: v1:50, h1:500

Revision 8, dated February 1, 2023

Prepared by Josselyn Engineering Inc., Kingston, Ontario

Drawing No. 7 – Details

Scale: Not to Scale

Revision 6, dated February 1, 2023

Prepared by Josselyn Engineering Inc., Kingston, Ontario

Drawing No. 8 – Storm Management Details

Scale: Not to Scale

Revision 4, dated April 27, 2022

Prepared by Josselyn Engineering Inc., Kingston, Ontario

Drawing No. 9 – Details

Scale: Not to Scale

Revision 3, dated April 27, 2022

Prepared by Josselyn Engineering Inc., Kingston, Ontario

Drawing No. 10 – Sediment and Erosion Control

Scale: 1:1250

Revision 8, dated June 22, 2022

Prepared by Josselyn Engineering Inc., Kingston, Ontario

**THE ORIGINAL PLANS LISTED IN THIS SCHEDULE ARE NOW ON FILE
IN THE MUNICIPAL OFFICES AND SHALL GOVERN IN THE EVENT OF
ANY DISPUTE.**

SCHEDULE “F” OF SUBDIVISION AGREEMENT

APPROVED STORMWATER MANAGEMENT PLAN

Analysis of Stormwater Management Requirements for the Willowbrook Estates Subdivision in the Township of South Frontenac

Dated April 17, 2015, Addendum of August 23, 2022

Prepared by Josselyn Engineering Inc., Kingston, Ontario

THE ORIGINAL PLANS LISTED IN THIS SCHEDULE ARE NOW ON FILE IN THE MUNICIPAL OFFICES AND SHALL GOVERN IN THE EVENT OF ANY DISPUTE.

SCHEDULE "G" OF SUBDIVISION AGREEMENT

LANDS TO BE CONVEYED FOR PARKLAND OR CASH IN LIEU

The Owner shall make a cash payment in the amount of twenty two thousand dollars (\$22,000) to the Municipality in lieu granting lands prior to registration of the Plan.

SCHEDULE "H" OF SUBDIVISION AGREEMENT**CONVEYANCES, GRANTS OF EASEMENT AND RELATED MATTERS****0.3 METRE RESERVES**

The Owner shall convey Blocks 12 and 13 on Plan 13M-[redacted] to the Municipality in fee simple, free and clear of all encumbrances, for the purpose of 0.3 metre reserves to control additional access to the plan of subdivision.

WALKWAY

The Owner shall convey Block 10 on Plan 13M-[redacted] to the Municipality in fee simple, free and clear of all encumbrances, for the purpose of a walkway.

STORM WATER MANAGEMENT

The Owner shall convey to the Municipality an easement over Lot 1 on Plan 13M-[redacted], described as Part 1 on Plan 13R-[redacted] for the purposes of storm water management.

RELEASE OF INSTRUMENTS

The Municipality agrees to register a release and abandonment of easement for that easement described as Part 2 on Plan 13R-21308 and registered as Instrument Number [insert registered number] just prior to registration of Plan 13M-[redacted].

[NTD: Required]

SCHEDULE "P" OF SUBDIVISION AGREEMENT
PARKLAND, FENCING, LANDSCAPING AND
TREE PRESERVATION REQUIREMENTS

SEE PLANS LISTED IN SCHEDULE "E"

In addition to the foregoing,

1. The Owner shall protect all trees within the Plan of Subdivision existing as of the date of the execution of this Agreement, including the installation of protective fencing, if necessary, in accordance with the Utility and Landscape Plan and OPSS.MUNI 801(Construction Specification for the Protection of Trees), but in the event of a conflict between them, the decision of the Municipal Engineer will be final.
2. The Owner shall replace all existing trees that are damaged or have died during construction of the Works with a tree of a type and size satisfactory to the Municipality. This provision shall not apply to any trees removed to facilitate road construction or storm water facility construction.
3. The Owner shall plant one tree in the front yard of each of Lots 1 to 9, in accordance with the Utility and Landscape Plan, to the satisfaction of the Municipality.
4. The Owner shall establish a planting area or screening buffer along the rear lot line for the residential lots abutting Perth Road (Lots 5 to 9), in accordance with the Utility and Landscape Plan, to the satisfaction of the Municipality.
5. Notwithstanding anything to the contrary in this Agreement, all plantings shall be subject to a warranty period of twenty-four (24) months from the date of satisfactory installation as determined by the Municipality.
6. The Owner shall install chain link fencing for the walkway block (Block 10) in accordance with the Details Plan, to the satisfaction of the Municipality.

SCHEDULE “J” OF SUBDIVISION AGREEMENT

SPECIAL CONDITIONS

CONSTRUCTION OF DRAINAGE SWALES

1. The Owner shall construct and seed such rear yard swales and swales along the boundaries of the Subdivision as part of the underground services as the Municipal Engineer considers advisable, and the Owner acknowledges that the Preliminary Certificate of Approval of Underground Services will not be issued until such work has been completed to the satisfaction of the Municipal Engineer.

CERTIFIED FOOTING ELEVATION

2. Prior to the pouring of footings for any building within the Plan of Subdivision, the Owner shall provide a certificate provided by a qualified Professional Engineer or Ontario Land Surveyor confirming that the elevation of the underside of the footing of the building will accommodate the minimum basement floor elevation specified on the Lot Grading and Servicing Plan.

SUBSURFACE SEWAGE DISPOSAL SYSTEMS / WELLS

3. All on-site sewage disposal systems shall be installed in accordance with all applicable law and in accordance with any permits issued by the approval authority.
4. The Owner agrees that any existing wells and/or septic systems present on the Plan that are not to be used as part of the Plan of Subdivision shall be decommissioned in accordance with all applicable laws.
5. The Owner shall provide the Lot Grading and Servicing Plan showing, without limitation, the location of the house or other primary structure, well, and primary and alternate sewage system locations for each Lot and Block to all purchasers of lots in the Plan.
6. The Owner agrees that the locations for the primary and alternate sewage system shall be reserved and maintained solely for that purpose. No construction of wells, homes, driveways, pools, garages, utilities or other structures shall take place within the areas reserved for the primary and alternate sewage system.
7. The Owner acknowledges and agrees that any deviation from the location on the approved site servicing plan may require the submission of an engineering report and/or design and terrain analysis to support the proposed changes, which report shall include potential impacts on adjoining properties.

TELECOMMUNICATION SERVICES

8. Prior to commencing any work within the Plan, the Owner must confirm that sufficient wire line communication/telecommunication infrastructure is currently available within the proposed development to provide those services to the proposed development.
9. The Owner is advised that if that infrastructure is not available, the Owner may be required

to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure. If the Owner elects not to do so, the Owner shall demonstrate to the Municipality that sufficient alternative communication/telecommunication facilities are available within the proposed development to enable the effective delivery of communication/telecommunication services for emergency management services such as 911 Emergency Services, at a minimum.

10. The Owner agrees to grant to Bell Canada any easements that may be required for telecommunication services. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements. The Owner acknowledges and agrees that said easements may be subject to final servicing decisions.
11. The Owner agrees to enter into any and all servicing agreements (Letter of Understanding) as required to service the lands within this Plan, with Bell Canada or another utility service provider, to comply with any underground servicing conditions imposed by the Municipality and if no such conditions are imposed, the Owner shall advise the Municipality of the arrangements made for such servicing. Executed copies of all servicing agreements shall be provided to the Municipality prior to Final Approval of the Plan.

FAÇADE MATERIALS

12. On Lots 5 to 9, there must be consistent materials used to façade all four sides of the dwellings to ensure the same façade materials are seen from Perth Road as is seen on the internal street.

ACCESS

13. The Owner agrees to make a financial contribution in the amount of \$19,445 to the Municipality for the construction of a southbound right taper on Perth Road and in the amount of \$113,904 a sidewalk along the west side of the road allowance of Perth Road from Willowbrook Drive to the northern boundary of the plan of subdivision. The amount of the financial contribution was determined based on a cost estimate provided by the Owner prior to final plan approval, to the satisfaction of the Municipality. The amount will be paid at registration. Once these financial contributions are received, the Municipality will release the corresponding value for these works from the securities being held as part of Willowbrook Estates Phase 1.

UTILITIES AND ON-SITE WORKS

14. The Owner shall construct and commission a street lighting system in accordance with the Municipality's engineering standards and specifications and to the satisfaction of the Municipality.
15. The Owner shall supply and install street name signage and traffic control signage to the satisfaction of the Municipality.
16. The Owner shall install a Canada Post Centralized Community Mailbox at a location on the road allowance of Willowbrook Drive near the entrance to the development at Perth Road, or at an alternative location, if deemed necessary by Canada Post, to the satisfaction of Canada Post and the Municipality.
17. All servicing, including Bell, Hydro, etc., shall be installed underground.
18. The Owner agrees to obtain permits or approvals as may be required from any federal,

provincial, municipal or local authority and to file copies thereof with the Municipality.

ON-SITE SEWAGE DISPOSAL AND WATER SYSTEMS

19. The Owner shall provide the Lot Grading and Servicing Plan showing the location of the house, well, primary and alternate sewage system locations to all future purchasers through Agreements of Purchase and Sale.
20. The Owner acknowledges the following:
 - (a) Primary and alternate sewage system locations are to be reserved and maintained solely for that purpose. No construction of wells, homes, driveways, pools, garages, other structures is to take place in the primary or alternate area.
 - (b) Existing soil conditions will necessitate the importation of suitable fill for the installation of sewage systems, resulting in fully raised sewage systems.
 - (c) As the sewage systems are raised, pumps may be required.
 - (d) Deviations from the locations on the Lot Grading and Servicing Plan with respect to sewage system location may require the submissions of an engineering report/design and terrain analysis supporting the proposed changes (including potential impact on adjoining properties).
 - (e) The Terrain Analysis for this Plan assumed a maximum 3,000 square foot dwelling size and maximum 3-bedroom occupancy. Building permit applications for larger dwellings and/or more bedrooms will require additional considerations (e.g. additional terrain analysis, the use of alternate sewage treatment technologies capable of reducing nutrients and requiring smaller loading areas).
21. The Owner acknowledges the following:
 - (a) Existing wells drilled in the plan of subdivision were assessed by a qualified hydrogeologist and determined to be capable of providing water at quantities and quality to support residential development.
 - (b) Existing wells were fully grouted to a minimum six metre depth to provide a seal in the soils and upper fractured limestone bedrock, and are outfitted with a vermin proof cap, per Regulation 903. Any new or replacement wells shall comply with Regulation 903.
 - (c) Finished grading shall be such that surface runoff in general and specifically in the vicinity of the septic beds is directed away from wellheads.
 - (d) Geothermal systems (i.e. heat pumps) are not permitted in the plan of subdivision.
 - (e) The use of ultraviolet (UV) disinfection, or similar treatment, is encouraged to ensure the drinking water supply is free from microbiological contamination. Microbial testing pre-treatment and post-treatment of the water should be performed on a quarterly basis.
 - (f) Water filtration and/or treatment may be required for aesthetic parameters such as colour, total dissolved solids, dissolved organic carbon, sulfide, iron, and turbidity.

NATURAL ENVIRONMENT

22. The Owner acknowledges that site clearing should take place outside of the bird breeding and nesting seasons (mid-April to mid-August) to avoid contravening the *Migratory Birds Convention Act*.

23. On Lot 1, the dwelling shall be located in the southeast corner of the lot, off the western downward sloping portion of the lot based on the existing grading, in accordance with the Lot Grading and Servicing Plan.
24. The Owner shall deed the lands described as Block 11 (Environmental Protection Area) to the abutting property described as Block 8 on Plan 13M-105. The Owner agrees to ensure that title to Block 11 and the abutting lands are in the same names, with the intent that both parcels will be merged in title. The Owner shall consent to the Municipality passing a part lot control by-law to effect the merger of title of Block 11 of this Plan and Block 8 on Plan 13M-105.
25. That the Owner shall provide for permanent markers and install signage shown on the Lot Grading and Servicing Plan along the rear lot lines at the rear lot corner of Lots 1 to 4, inclusive, to identify the boundary of the EPA block (Block 11).
26. There shall be no dumping, filling, grading or vegetation removal within the EPA block (Block 11).

APPLICABILITY OF O. REG. 148/06

27. Prior written authorization from Cataraqui Region Conservation Authority will be required under Ontario Regulation 148/06: Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses for rough grading, stockpiling, road construction, etc. within 30 metres of the wetland (Block 11) and within 15 metres of the 100.00 metre Geodetic Survey of Canada (GSC) flood elevation on the subject property.
28. Any purchasers of Lots 1 to 4 (inclusive) and Block 11 (based on the July 7, 2021 Draft Plan of Subdivision) shall be advised, and a notice shall be placed in the purchase and sale agreement alerting any prospective purchasers, that prior written authorization from Cataraqui Region Conservation Authority may be required under Ontario Regulation 148/06: Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses for site alteration and construction (including but not limited to buildings, structures, filling and grading).

WALKWAY

29. A walkway shall be provided on Block 10 as shown on the Lot Grading and Servicing Plan.
30. An entrance permit shall be obtained from Public Services for the walkway connection to Perth Road prior to the construction of the walkway.

ARCHAEOLOGICAL AND HUMAN REMAINS

31. Any purchaser shall be advised, and a notice shall be placed in the purchase and sale agreement alerting any prospective purchasers:
 - (a) That in the event that deeply buried archaeological remains are discovered during construction or site development of a lot, that the property owner shall immediately contact the Township of South Frontenac's Development Services Department and the Ministry of Heritage, Sport, Tourism and Culture, and
 - (b) That in the event that human remains are discovered during construction or site development of a lot, that the property owner shall immediately contact the Township of South Frontenac's Development Services Department, the Ontario Provincial Police

(OPP), the Minister of Heritage, Sport, Tourism and Culture, and the Registrar or Deputy Registrar of the Cemeteries Unit of the Ministry of Consumer Services (or the applicable agencies at the time of final approval).

- (c) That is during the process of development any archaeological resources or human remains of Aboriginal interest are encountered, the Algonquins of Ontario Consultation Office will be contacted immediately at:

Algonquins of Ontario Consultation Office

31 Riverside Drive, Suite 101

Pembroke, Ontario K8A 8R6

Telephone: (613) 735-3759

Fax: (613) 735-6307

Email: algonquins@tanakiwin.com

SCHEDULE “K” OF SUBDIVISION AGREEMENT

NOTICE TO SUBSEQUENT PURCHASERS

Each owner and subsequent owner of any lot, block or part thereof against the title of which this Agreement has been registered is hereby given notice that the following clauses in the Agreement to which this schedule forms a part may contain provisions and impose obligations that may affect the individual's ownership and use of such lot, block or part thereof.

<u>Item</u>	<u>Brief Description</u>
Drilling and Blasting	No person shall drill or blast without first notifying the Municipal Engineer and delivering a certificate of insurance. Notice to adjoining properties may be required.
Drainage	All grading and landscaping of lots must be carried out strictly in accordance with the Lot Grading and Servicing Plans.
Construction Refuse and Fill	The Owner shall remove all construction refuse from the job site at its own expense and dispose of it in accordance with the municipal by-laws. No fill shall be deposited on or removed from public lands without the consent of the Municipal Engineer.
Commencement, Progress and Completion of Work	Subject to the detailed time schedule in Schedule “D” the Owner shall install all underground services within one (1) year and complete construction of the subdivision within two (2) years from the date on which the plan of subdivision is registered or such later date as may be agreed on.

Inspection of Works	The Municipal Engineer has the authority to enter onto the property for the purpose of inspecting the Works and lot grading and may order stop work by verbal notice to any person where it is perceived that any construction constitutes a potential danger to life or property or is otherwise in contravention of the Subdivision Agreement.
Winter Road Maintenance	Prior to the Municipality assuming the roads and services within the Plan, the Municipality reserves the right to determine if it will carry out snow removal.
Warranty of Works	It is the responsibility of the Owner to maintain all services installed in the subdivision until the Final Certificate of Approval of the Works is issued.
Zoning and Building Restrictions	All construction shall comply with all applicable by-laws including the zoning, building and noise by-laws. The Owner and all builders must communicate information about proposed land uses in the subdivision to all prospective purchasers.
Requirements for Building Permits	No building permits shall be issued until all of the requirements specified have been complied with including payment of a refundable deposit.
Geothermal systems (i.e. heat pumps)	Geothermal systems (i.e. heat pumps) are prohibited in the plan of subdivision.
Water supply	The use of ultraviolet (UV) disinfection, or similar treatment, is encouraged to ensure the drinking water supply is free from microbiological contamination. Microbial testing pre-treatment and post-treatment of the water should be performed on a quarterly basis. Water filtration and/or treatment may be required for aesthetic parameters such as colour, total dissolved solids, dissolved organic

carbon, sulfide, iron, and turbidity.

Applicability of O. Reg. 148/06

Prior written authorization from Cataraqui Region Conservation Authority may be required under Ontario Regulation 148/06: Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses for site alteration and construction (including but not limited to buildings, structures, filling and grading.

Special Conditions

Land in the subdivision shall be subject to the Special Conditions set out in Schedule “J”.

Easements

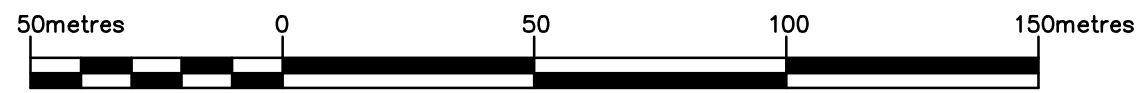
Schedule “H” sets out a list of those lots that will be subject to public and utility easements and reserves.

Human Remains

All owners are advised that in the event that human remains are discovered during construction, that all work shall immediately stop and the appropriate authorities shall be contacted in accordance with section 31 in Schedule “J”.

PLAN OF SUBDIVISION OF PART of LOT 19, CONCESSION 2 Geographic Township of Loughborough (Former Municipal Township of Storrington) TOWNSHIP of SOUTH FRONTENAC COUNTY of FRONTENAC

SCALE = 1:1500



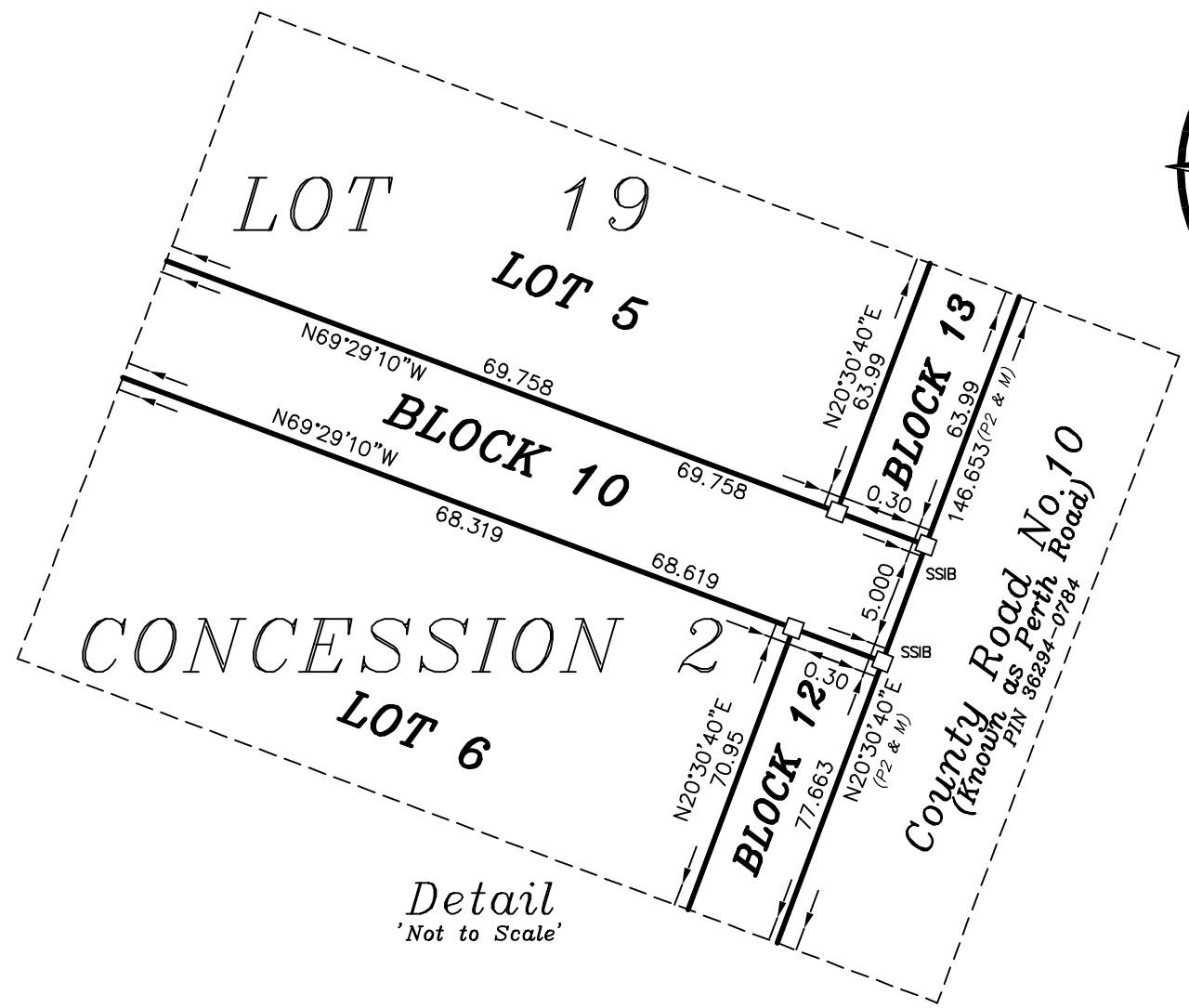
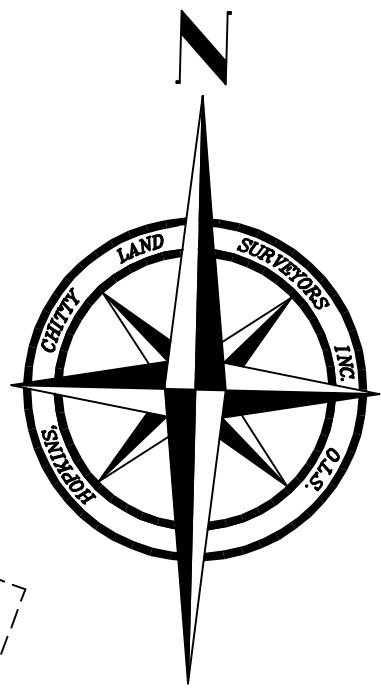
HOPKINS CHITTY LAND SURVEYORS INC. -2022-

PLAN 13M-

I CERTIFY that this PLAN is REGISTERED in the LAND REGISTRY OFFICE for the LAND TITLES DIVISION of FRONTENAC (No. 13) at O'CLOCK on the day of 2022 AND ENTERED IN THE PARCEL REGISTER FOR PROPERTY IDENTIFIER No. 36292-0319 AND THE REQUIRED CONSENTS ARE REGISTERED as PLAN DOCUMENT No. LT.

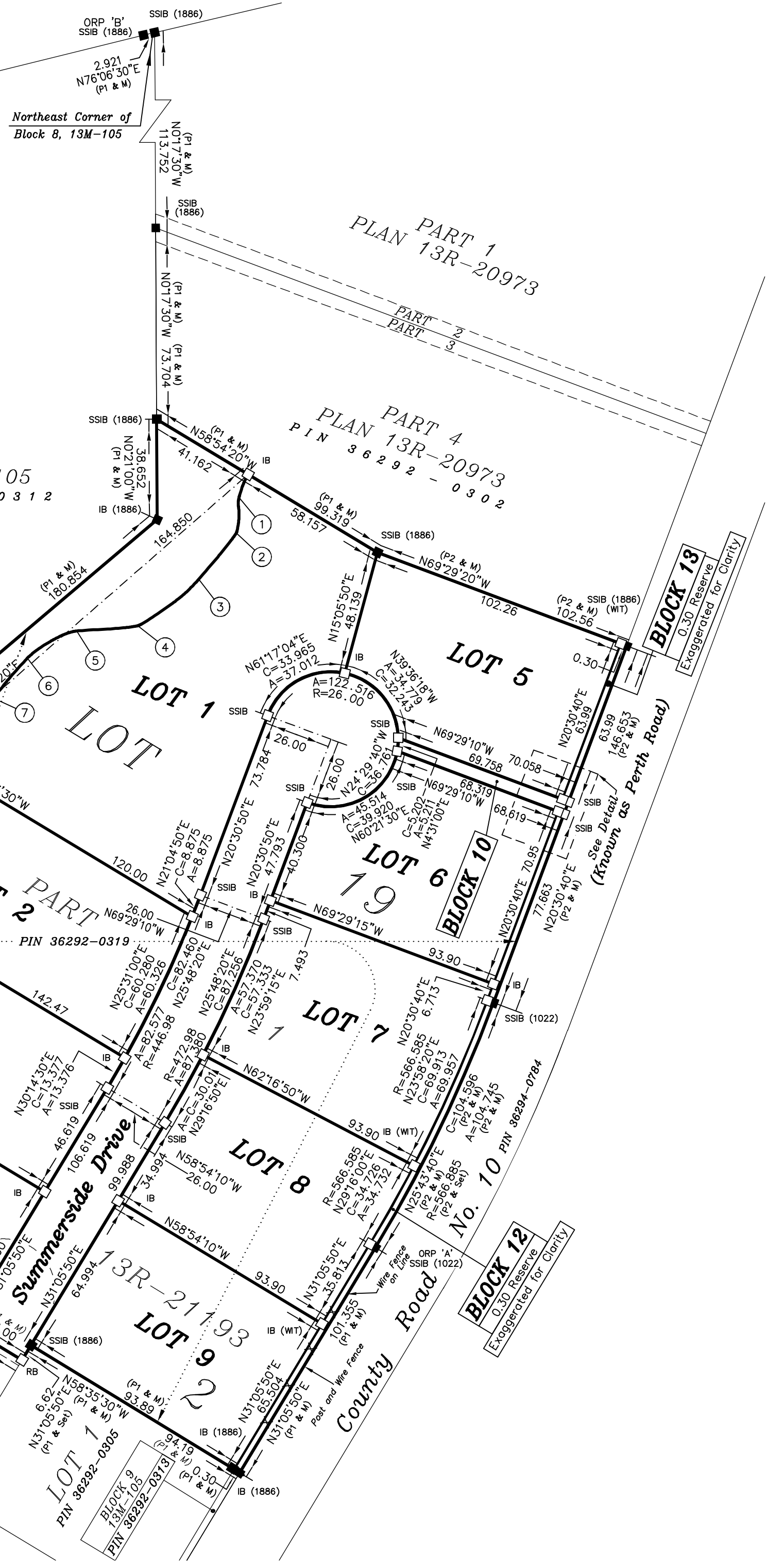
REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF FRONTENAC (No.13)

PART OF LOT 4 AND PART OF SUMMERSIDE DRIVE ARE SUBJECT TO EASEMENT AS PER INSTRUMENT No. FC218516.



Detail 'Not to Scale'

BLOCK 8 PLAN 13M-105 PIN 36292-0312



LEGEND:

- SSIB'S PLANTED DUE TO INSUFFICIENT OVERBURDEN
- denotes Planted Survey Monument
 - Found Survey Monument
 - SIB Standard Iron Bar
 - SSIB Short Standard Iron Bar
 - IB Iron Bar
 - IBØ Iron Bar (round)
 - RB Rock Bar
 - RPL Rock Plug
 - (WIT) Witness
 - (M) Measured
 - CC Cut Cross
 - (OU) Origin Unknown
 - (HP) Hydro Pole
 - (1022) N.B. Campbell-O.L.S.
 - (1886) Hopkins Chitty Land Surveyors Inc.-O.L.S.
 - (P1) Registered Plan 13M-105
 - (P2) Reference Plan 13R-21193

TIES TO EAST LIMIT BLOCK 11

STATION	NUM	BEARING	DISTANCE
	1	N53°32'30"E	210.8±
	2	N56°28'30"E	202.1±
	3	N58°39'00"E	180.5±
	4	N59°48'30"E	151.0±
	5	N55°22'00"E	130.1±
	6	N54°12'30"E	108.6±
	7	N57°15'30"E	89.0±
	8	N59°30'30"E	69.3±
	9	N73°13'30"E	36.5±
	10	N86°03'30"E	29.3±
	11	S52°24'30"E	17.1±
	12	S10°12'00"W	36.2±
	13	S17°44'30"W	43.4±
	14	S25°43'30"W	54.6±
	15	S25°51'30"W	64.9±
	16	S23°52'30"W	85.9±
	17	S26°44'00"W	93.4±
	18	S26°51'00"W	103.2±
	19	S29°49'00"W	114.8±
	20	S28°00'30"W	124.2±

COUNTY OF FRONTENAC

FINAL APPROVAL - NEW ACT
THIS FINAL PLAN OF SUBDIVISION IS APPROVED UNDER ss. 51 (58) OF THE PLANNING ACT ON THIS DAY OF

JANNETTE AMINI
CLERK

OWNER'S CERTIFICATE

THIS IS TO CERTIFY THAT:
1. LOTS 1 TO 9 INCLUSIVE, BLOCK 10 & 11, RESERVES NAMELY BLOCKS 12 AND 13 AND THE STREET BEING SUMMERSIDE DRIVE HAVE BEEN LAID OUT IN ACCORDANCE WITH MY INSTRUCTIONS.

2. THE STREETS ARE DEDICATED TO THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC AS PUBLIC HIGHWAY.

DATED THE DAY OF 2022.

TONY MATIAS
PRESIDENT, 1059823 ONTARIO LTD.
(I HAVE THE AUTHORITY TO BIND THE CORPORATION)

OBSERVED REFERENCE POINTS C.P.S. (ORPs) DERIVED FROM REGISTERED PLAN 13M-105 BY REAL-TIME KINEMATIC GPS OBSERVATIONS, UTM ZONE 18, NAD83 (CSRS) (1997.0) COORDINATES TO RURAL ACCURACY PER SEC. 14 (2) OF O.REG. 216/10

POINT ID	NORTHING	EASTING
ORP "A"	4915022.20	382237.34
ORP "B"	4915527.69	382149.25

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

BEARINGS ARE UTM GRID, DERIVED FROM THE NORTHEASTERLY LIMIT OF LOT 7, REGISTERED PLAN 13M-105 HAVING A BEARING OF N58°54'10"W, UTM ZONE 18 (75° WEST LONGITUDE) NAD83 (CSRS) (1997.0) AND DESIGNATED HEREON AS "REFERENCE BEARING".

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.9997519.
DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

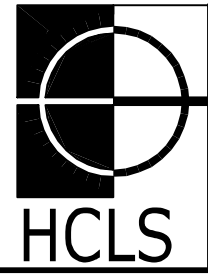
SURVEYOR'S CERTIFICATE:

- I CERTIFY THAT:
- This Survey and Plan are correct and in accordance with the SURVEYS ACT, the SURVEYORS ACT and the LAND TITLES ACT and the REGULATIONS made under them.
 - The SURVEY was completed on the 27th day of January, 2022.

HOPKINS CHITTY LAND SURVEYORS INC.

DATE: FEBRUARY 10, 2022

PHIL W. CHITTY - O.L.S.



Party Chief: BC Instrument: BP Checked By: Plan By: PWC

HOPKINS CHITTY LAND SURVEYORS INC.
Ontario Land Surveyors
www.hopkinschitty.com

1224 GARDINERS ROAD, SUITE 102
KINGSTON, ONTARIO K7P-2R9
Tel (613) 384-9266
Fax (613) 384-3513

PROJECT No. 2016-256
LOT 19, CONCESSION 2
TOWNSHIP OF STORRINGTON



AORS
 PROMOTING **KNOWLEDGE**. PURSUING **EXCELLENCE**

March 27, 2023

Dear Heads of Councils and Councillors,

We, the Association of Ontario Road Supervisors (AORS), are writing you on behalf of all our municipal members to raise awareness and solicit your support by objecting to a new fee proposed by Enbridge Gas. Enbridge has announced their intention to implement a new charge to third-party contractors and other utilities for utility locates. Third-party contractors will include Ontario municipalities and contractors working on their behalf. Enbridge Gas will apply a charge of \$200 CAD (plus applicable taxes) per locate request where a field locate is required. The need for municipalities and their contractors to request these locates when doing road construction and maintenance is due to utilities being present in municipal right of ways, which municipalities across the province have allowed at no cost to the utility.

Enbridge has stated that the *Getting Ontario Connected Act* passed into law in April 2022 has resulted in changes to the *Ontario Underground Infrastructure Notification System Act* and has caused Enbridge to make significant investments in associated operational investments. The concern being raised by our members, your public works staff, is that Enbridge will be just the beginning of these additional fees, with other utility companies implementing similar charges. These new charges will have significant impacts on municipal budgets.

As examples of what impacts this announcement might have on municipalities, based on 2022 municipal locate requests alone, it is estimated that this new fee would directly cost the Municipality of Central Huron approximately \$35,000 annually, the City of Belleville approximately \$90,000 annually and the Town of Espanola approximately \$7,300 annually. It is important to note that these are direct costs alone. Any subcontractors working on behalf the municipality requesting locates will be charged this same cost, and these costs will have to be borne by someone – meaning the subcontractors will put this cost back to the municipality. Then there will be the added administrative costs at both ends of the transaction. It is difficult to determine this quickly the true fulsome costs to your budget. This will also add an extra item into tendering projects, as it will create concerns on both sides on who is responsible for these costs.

By Enbridge Gas passing on these locate costs to municipalities, these costs are borne by all ratepayers across the municipality, and not only those who use this utility.

We would like to request your Council consider passing the following resolution:

WHEREAS, Enbridge recently made an announcement of their intention to begin charging third-party contractors and other utilities \$200 CAD (plus applicable taxes) for utility locates where a field locate is required;

AND WHEREAS, third-party contractors include Ontario municipalities;

AND WHEREAS, these locate requests are only required as Ontario municipalities have allowed utilities to use municipal right of ways at no charge to the utilities;

AND WHEREAS, this announcement of new downloaded costs will negatively impact the budgets of Ontario municipalities which are already burdened;

AND WHEREAS, if Enbridge is successful in implementing this new charge, a precedence is set for other utility companies to also begin charging for locates;

THEREFORE IT BE RESOLVED, that the <insert your municipality name> strongly opposes these utility locate costs being downloaded to Ontario municipalities by Enbridge Gas or other utilities;

AND THAT, the Province of Ontario's Ministry of Public and Business Service Delivery make it clear that these costs must be borne by the utilities themselves;

AND THAT, this decision be forwarded to Minister of Public and Business Service Delivery Kaleed Rasheed, Minister of Infrastructure Kinga Surma, Minister of Energy Todd Smith, Premier Doug Ford, <insert your municipality name>'s MPP, the Association of Ontario Road Supervisors and the Association of Municipalities of Ontario.

Furthermore, AORS will be sending your public works senior managers and directors a survey to further investigate the true costs of this proposed fee on your budgets. We ask you to encourage your staff to complete this survey so we can better advocate on your behalf.

If you require additional information, please do not hesitate to contact us.

Sincerely,



John Maheu
Executive Director
johnmaheu@aors.on.ca



Kelly Elliott
Marketing and Communications Specialist
kellyelliott@aors.on.ca

SOUTH FRONTENAC MUSEUM

Bringing Our History, Art & Culture To Life
www.southfrontenacmuseum.ca



2023 Museum Season

Our official opening is on May 20 and runs every Monday, Wednesday, and Saturday from 1:00 pm to 4:00 pm until September 2.

Make a visit to the Museum a part of your summer plans as a family event or a destination for our summer guests and visitors.

Entrance is by donation and the parking is free to our air-conditioned “Old School House”.

Have a fabulous summer!!



2023 Museum Poster

2023 Special Events

Look for us at the Verona Lions Garlic Farmers' Market on Saturday September 2 and the Battersea Pumpkin Festival on October 14.

We will also be holding a special “Treasures in your Attic” event on June 3rd at the Verona Lions Club from 10 am - 3 pm for you to bring family treasures to be identified by our team of experts.

AGM Summary

The Museum hosted the Annual General Meeting on January 31st. At the meeting, the Board of Directors was elected, and the financial and direction for 2023 was agreed upon.

John Angus and Margaret Brand have completed their terms with the Society, and we thank them for their service to the museum and the Township of South Frontenac.

2023 Board of Directors

- Andy Adamson
- Gerrit Buitenhuis, Vice-President
- Louise Day
- Michael Gemmell
- Laurie Gordon
- John McDougall, Past-President
- Wilma Kenny, Chair and President

- Ian Mackay
- Travis Rivard
- Claude Silver
- Janice Templeman
- Denise Tipton, Secretary
- Nicole Van Camp, Treasurer

Advisors (ex-officio/ not elected)

- Tim Laprade, South Frontenac Township Manager of Recreation and Area
- Ray Leonard, South Frontenac Township Councillor Representative
- Amanda Pantrey, South Frontenac Township Recreation & Events Coordinator
- Ken Brown, Honorary Life Member

Happy Spring!



From the collection of SJ Storms, Sydenham, circa 1900's. A (rather formal) visit to the sugar shack

The Executive wishes to send their sincere wishes for a happy springtime. We are looking forward to the year ahead!

We hope your family has a wonderful and relaxing Easter.

Welcome, Travis and Laurie!

The Museum is pleased to welcome Travis Rivard and Laurie Ness Gordon to the Museum Board.

Travis Rivard



Travis Rivard

Travis is a relatively new resident of South Frontenac. As a recently retired veteran of the Canadian Armed Forces, he has a strong background in operational planning and customer engagement, with extensive experience in leading strategic planning, relationship management, and revenue growth in private sector and public sector markets.

As a graduate of the Royal Military College of Canada, he holds a deep passion for community and heritage.

On his personal time, he enjoys exploring the back woods in Frontenac County.

Laurie Gordon



Laurie Gordon

Laurie moved to South Frontenac twenty years ago. She has worked as an educator, consultant, workshop presenter and writer. Her articles and short stories have appeared in newspapers and magazines in Canada and England.

In 2014, Borealis Press published her debut novel, *The Medal*. She has a keen interest in history and has just finished writing *Finding Home*, a novel set in the 1870s in a small community north of Napanee.

Laurie spent several years as a volunteer Project Manager for a touring art exhibition and is currently supporting refugee families from Syria and Somalia.

She enjoys making music, travelling, swimming, shoveling snow and being 'productive'. Her favourite holiday memory is a 5-week motorcycle trip across Canada.

A Profile of Gerrit Buitenhuis

Say hello to Gerrit!

Gerrit Buitenhuis works as the museum's marketing coordinator, but he has held several positions since first

becoming involved with the museum in 2017.

After moving to South Frontenac after retirement, Gerrit was incredibly interested in getting to know the history of the township. His neighbour suggested getting involved in the museum, and the rest is, well, history!

Gerrit believes there is so much potential in the museum and would love to start bringing in guest lectures and writers to speak.

The South Frontenac Museum offered Gerrit a sense of community and allowed him to meet so many new people when he first arrived in the area, for which he is very grateful.

Gerrit now loves attending all the special events the community holds that the museum is a part of. Make sure to stop and say hi when you see him!

Thanks for your dedication over the years to our Museum, Gerrit.



Gerrit Buitenhuis

What is This?



In the winter newsletter, we asked you to name this item. Here is the answer!

It's wooden, with a piece of metal on each side. Handmade rather crudely; not painted or sanded. It's 19cm x 28cm, about 4 cm thick. (Clue: Once there were three more like it.)

Answer: Bog or Muskeg Horseshoe.

It was meant to strap on over a horse's regular shoe, to help the horse cross swampy areas without sinking in too far.

The South Frontenac Mill Report

From the desk of Wilma Kenny, President, SFMS

South Frontenac Township now owns two derelict mills, both located in lovely settings; one in Petworth, the other in Bellrock. Neither ruin is currently safe for people to wander around.

The Mills Committee, a sub-committee of the SF Museum Society, through their volunteer work with the Verona Lions and a fundraising campaign chaired by Virginia Lavin, has raised over \$10,000.

In the fall of 2022, South Frontenac Township's Public Services had WSP

Engineering perform a visual assessment of the two sites to provide a preliminary review of their current condition and rough estimates of preservation options: following is the report brought to Council Feb7/23 by Kyle Bolton, Director of Public Services:

Bellrock Mill



Photo credit: Roger M., Ontario Abandoned Places, Bellrock Mill

Due to the rot and deterioration, the structural framing of the building has been compromised. Sagging beams are visible and portions of the walls are leaning or have shifted. The main roof support in one section has failed and the roof has collapsed into the building.

It is noted in the WSP report that any intent to restore the structure that could be visited by the public would require current fire and building codes to be met.

Estimates to restore the structure range from \$1,243,750 for new construction to \$2,238,750 for a typical heritage restoration.

There is still mill equipment inside the structure that could potentially be salvaged for use as artifacts. The recreation master plan recommends

developing the Bellrock Mill site as a parkette and living museum. However due to the current state of the Mill, it is recommended to move forward with developing the site as a parkette and coordinate with the South Frontenac Museum in relation to salvaging any mill equipment in the structure.

Petworth Mill



The Petworth Mills ruins.

The WSP report confirms that the stone structure is at the point where it could only be preserved as a free-standing ruin. A significant portion of the jointing mortar is gone and there is no capping on the top of the wall which is contributing to the deterioration. The walls are currently leaning and there is risk associated with the wall falling.

To preserve a section of the wall as a ruin would require structural steel supports to stabilize the wall, new joint mortar, and the installation of a cap to keep the water out of the wall.

The high level estimate for this type of preservation would be \$800,000. It is

also noted in the report that recurring maintenance would be required on the joint mortar and cap in 10-20 year intervals with an estimated cost of \$476,225.”

The recreation master plan recommends developing the Petworth Mill as a parkette with historical signage and seating area. If a portion of the wall was preserved as a ruin it could be possible to hang or install museum artifacts on it for display.

Next Steps for the Mills

After review of the report, staff is recommending the following next steps:

- Determine if a wall at the Petworth site can be preserved as a ruin.
- Proceed with the design and demolition of the two sites to eliminate the risk of them falling. The wood and stone from the sites could be reclaimed and repurposed on site or other township projects if required.
- Investigate and preserve any salvageable equipment in the Bellrock Mill.
- Engage a consultant and conservation authority for design of park spaces at both sites.

The cost for consulting engineers to design the structural demolition and park space design of the two sites can be funded from the Township’s existing carry over projects. Cost for the demolition and reclamation of any materials from the two sites and the creation of the parkettes would need to be funded from a future capital project.

The museum, in coordination with the Township's Public Services department, hopes to present an information meeting about the mills in Bellrock this spring.

We look forward to being able to move on with the next steps of what will be a very long, but definitely worthwhile pair of projects.

Building Our Presence

Over the past few months, Museum Society members have been creating and posting new content on the [Museum's website](#), [social media](#), and in the [Frontenac News](#). This is a great way to expand our presence in our community.

Fashion in Frontenac 1920's Style

Story credit: Denise Tipton



Roaring '20's dress at the Museum

The 1920s saw the world change. The confining Victorian and Edwardian periods were over. World War One had ended. The air was filled with a sense of revolutionary change.

The Roaring Twenties created a new world of women's fashion. Clothing became more casual and comfortable. The corset was left behind in favour of short, straight skirts displaying rouged knees, boyish profile, and bobbed hair.

But how did the rural women of South Frontenac know about the changing times? A sudden and rapid expansion in the technology of film and photography increased the production of movies, magazines, and newspaper ads. This new technology provided people with a look at products to aspire to. Catalogues and magazines aimed at white, middle-class women, showcased the changing times and amplified the influence of fashion.

However, it was rare for rural women to order fashions from the magazines directly. Instead, women would order fabric from the catalogues, which supplied a greater variety of choice than their local general store. Popular clothing of the time could be recreated from patterns sold through catalogues and magazines. Buying fabric and making their own clothes was a more economical option for the women of South Frontenac.

Come visit the museum and immerse yourself in this exciting time. Our popular exhibition continues this summer.

**TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2023-27**

**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 April 4, 2023**

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 April 4, 2023 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 April 4, 2023 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 April 4, 2023 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 4 day of April 2023.

Read a third time and finally passed this 4 day of April 2023.

**THE CORPORATION OF THE
TOWNSHIP OF SOUTH FRONTENAC**

Ron Vandewal, Mayor

James Thompson, Clerk