



Township of South Frontenac Council Meeting Agenda



TIME: 7:00 PM,
DATE: Tuesday, April 16, 2024
PLACE: Council Chambers/Virtual Via Zoom .

1. Call to Order

a) Resolution

That the Council meeting of April 16, 2024 be called to order at ___ p.m.

2. Declaration of pecuniary interest and the general nature thereof

3. Approval of Agenda

a) Resolution

That the agenda be approved, as presented.

4. Scheduled Closed Session

5. Recess

6. Public Meeting

a) Resolution - Public Meeting to Order

b) Notice of Collection 4 - 41

c) Zoning By-law Amendment Application PL-ZBA-2024-0014, 42 - 48
Deroche, 1048 Shallow Lane, Loughborough District

d) Zoning By-law Amendment Application PL-ZBA-2024-0033, 2628100 49 - 61
Ontario Inc. (Fotenn), 3862 Battersea Road, Storrington District

e) Zoning By-law Amendment Application PL-ZBA-2024-0034, Pinteá 62 - 69
(Fotenn), 102901002017103, Bradshaw Road, Bedford District

f) Resolution - Close Public Meeting

7. Delegations

8. Briefings

9. Approval of Minutes

10. Reports Requiring Action

11. Advisory Committee Reports or Minutes

12. Reports Requiring Approval of By-laws

a) Zoning By-law Amendment Application PL-ZBA-2024-0014, 70 - 72
Deroche, 1048 Shallow Lane, Loughborough District

That By-law 2024-34 being a By-law to amend By-law 2003-75, as amended, to rezone lands from Limited Service Residential - Waterfront (RLSW) zone to Limited Service Residential – Special Provision (RLS-16) zone and Limited Service Residential – Waterfront – Special Provision (RLSW-142) zone on lands civically addressed as 1048 Shallow Lane, be given first and second reading; and

That By-law 2024-34 be given third reading, signed and sealed.

- b) Zoning By-law Amendment Application PL-ZBA-2024-0033, 2628100 73 - 77
Ontario Inc. (Fotenn), 3862 Battersea Road, Storrington District

That By-law 2024-35 and By-law 2024-36 to amend the zoning on lands municipally known as 3863 Battersea Road, Part of Lots 25 and 26, Concession 2, District of Storrington, Township of South Frontenac be given first and second reading; and

That By-law 2024-35 and By-law 2024-36 be given third reading, signed and sealed.

- c) Zoning By-law Amendment Application PL-ZBA-2024-0034, Pintea 78 - 80
(Fotenn), 102901002017103, Bradshaw Road, Bedford District

That By-law 2024-37 to amend the zoning on lands with Assessment Roll Number 102901002017103, Part of Lot 27, Concession 2, District of Bedford, Township of South Frontenac be given first and second reading; and

That By-law 2024-37 be given third reading, signed and sealed.

13. Reports for Information

- a) 4th Quarter 2023 – Building Services Report 81 - 83
- b) Q4 Planning Services Report 84 - 88

14. Committee of the Whole

15. Information Items

16. Notice of Motions

17. Rise and Report regarding County Council and External Boards

18. Announcements/Statements by Councillors

19. Closed Session (if requested)

20. Confirmatory By-law

- a) Resolution 89

That By-Law 2024-38, 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; and

That By-Law 2024-38 be given third reading, signed and sealed.

21. Adjournment

- a) Resolution

That the Council meeting of April 16, 2024 adjourn at ____ p.m.

South Frontenac is a welcoming and thriving rural community



**SOUTH
FRONTENAC**

Public Meeting

under the Planning Act

Applications for Zoning By-law Amendment

PL-ZBA-2024-0014

PL-ZBA-2024-0033

PL-ZBA-2024-0034

Tuesday, April 16, 2024
7:00 p.m. Council Meeting

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.

Public Meeting Statement

- The purpose of this public meeting is to hear comments on Zoning By-Law Amendment Applications PL-ZBA-2024-0014, PL-ZBA-2024-0033 and PL-ZBA-2024-0034.
- If a person or public body does not make oral or written submissions at this public meeting, or make written submissions to South Frontenac Township before any by-law is passed, the person or public body may not be added to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.
- If you wish to be notified of the decision of Council in respect to the application, you must submit a written request to the Clerk by email care of planning@southfrontenac.net. This will also entitle you to be advised of an Ontario Land Tribunal appeal.
- Anyone may appeal the decision to the Ontario Land Tribunal. The appeal must be filed with the Clerk within 20 days of the notice of decision. The notice of appeal must set out the reasons for the appeal and be accompanied by the fee required by the Tribunal.

Meeting Format

- Planner or Agent reviews proposal
- Applicant or Agent address Council
- Open Discussion
- Close public meeting



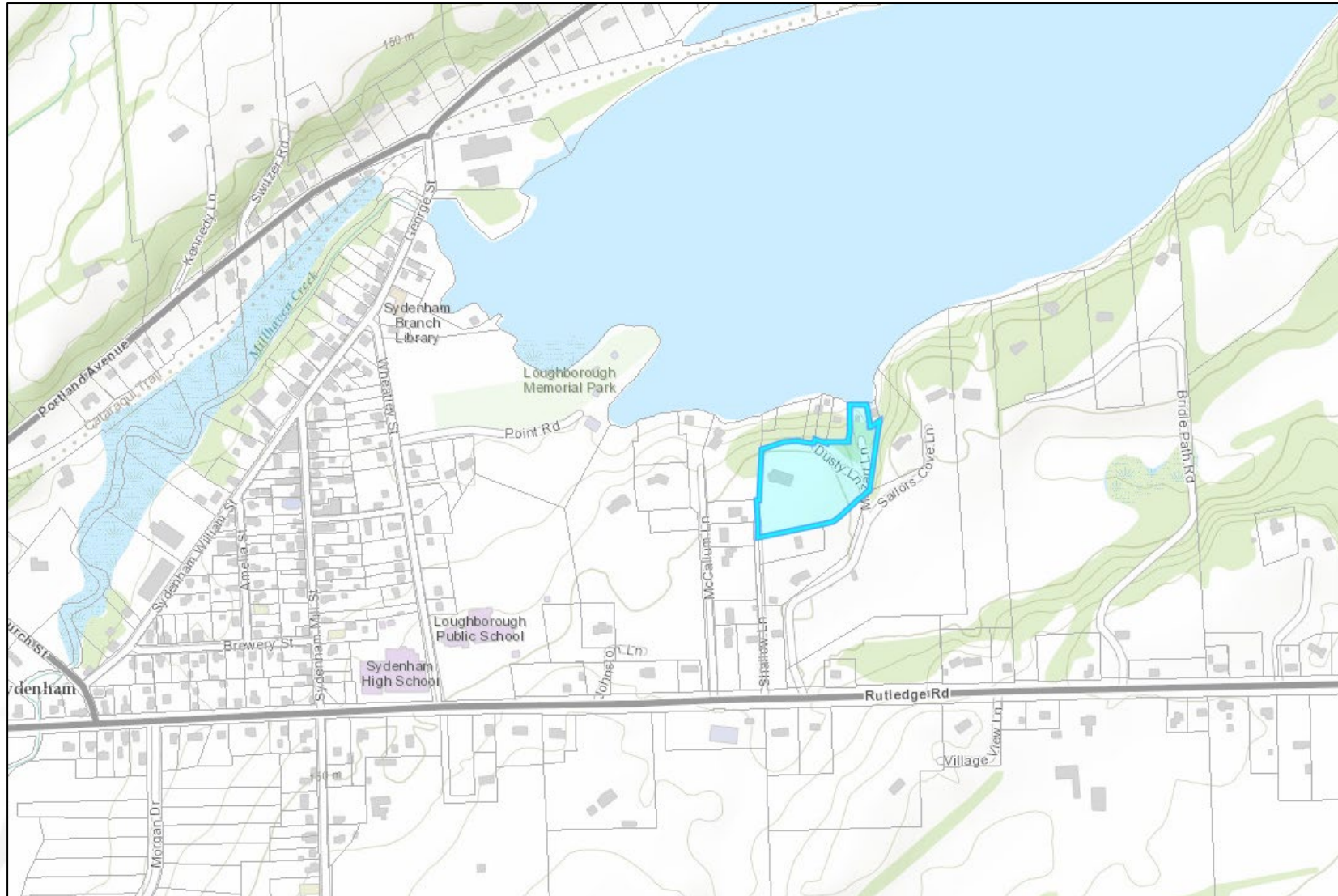
PL-ZBA-2024-0014

Property Owner: Ken Deroche

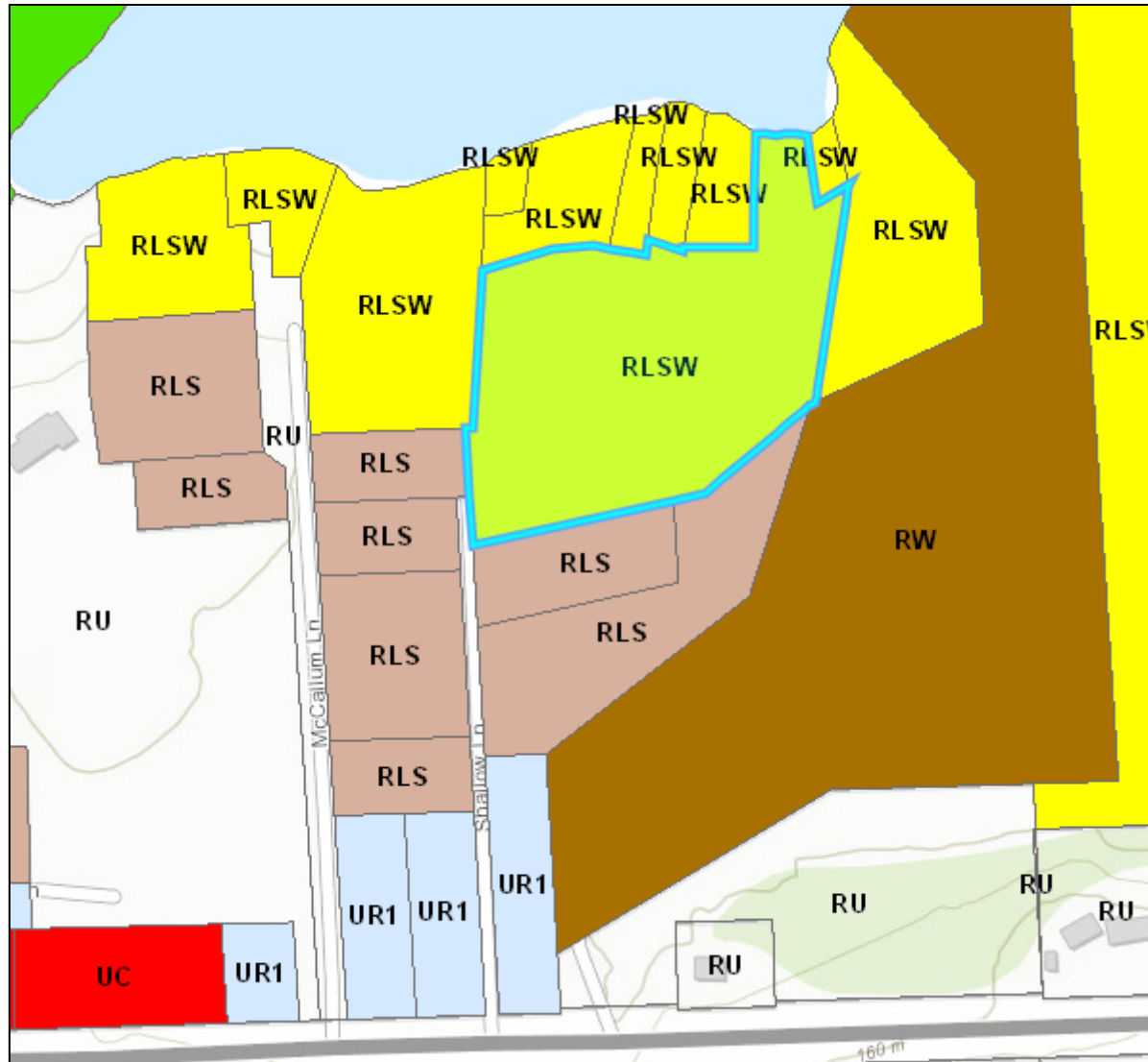
Property: 1048 Shallow Lane



Location

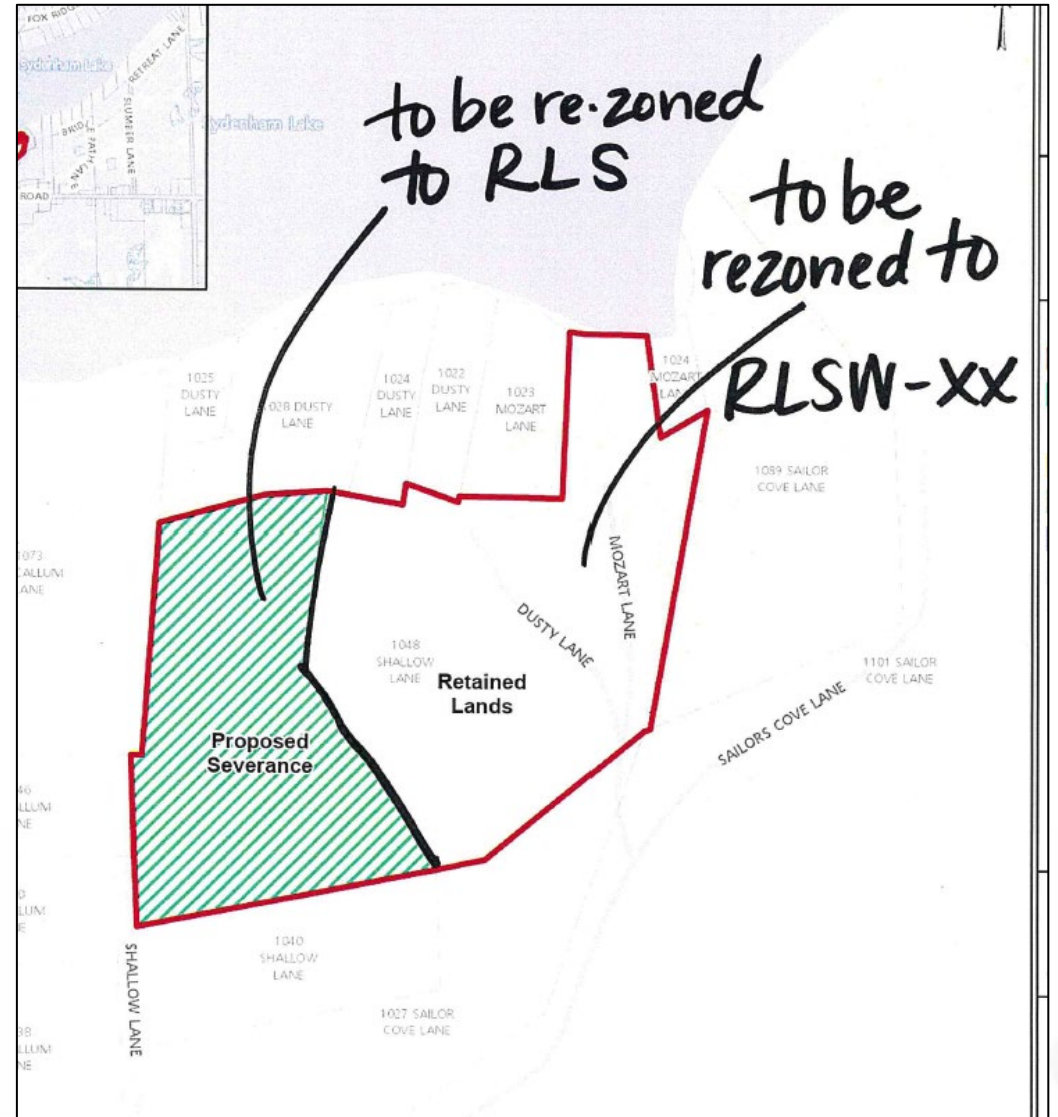


Neighborhood Zoning



Proposal

- Lot addition severance approved on November 9, 2023
- Designation - Rural
- Existing Zone – RLSW
- Proposed Zone – RLS-16 & RLSW-142



Department and Public Comments

- **Public Services & Building Services** - were not circulated on the consent or zoning by-law amendment application due to the nature of the proposal
- **Cataraqui Conservation** – No objection to the consent application or Zoning Amendment Application
- **Public** – Questions regarding proposal received from surrounding property owner

Planning Analysis

- Provincial Policy Statement, County Official Plan and Township Official Plan allow rural lot creation
- Committee of Adjustment granted provisional approval with consideration for the relevant policies
- Zone of severed parcel needs to be changed to acknowledge that the parcel would not have frontage on a waterbody
- Zone of retained parcel needs to be changed to acknowledge lack of frontage on a private lane
- No anticipated impacts or conflicts with surrounding area
- The proposal maintains the general intent of the official plan



Next Steps

- South Frontenac Council should receive comments from the public
- Staff recommendation to pass a by-law tonight

Open Discussion

1. Applicant/Agent Comments
2. Council Questions
3. Public Questions and Comments
4. Council 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.



PL-ZBA-2024-0033

Applicant/Property Owner: 2628100 Ontario Inc.

Agent: Holly Newitt, Fotenn Planning + Design

Property: 3862 Battersea Road





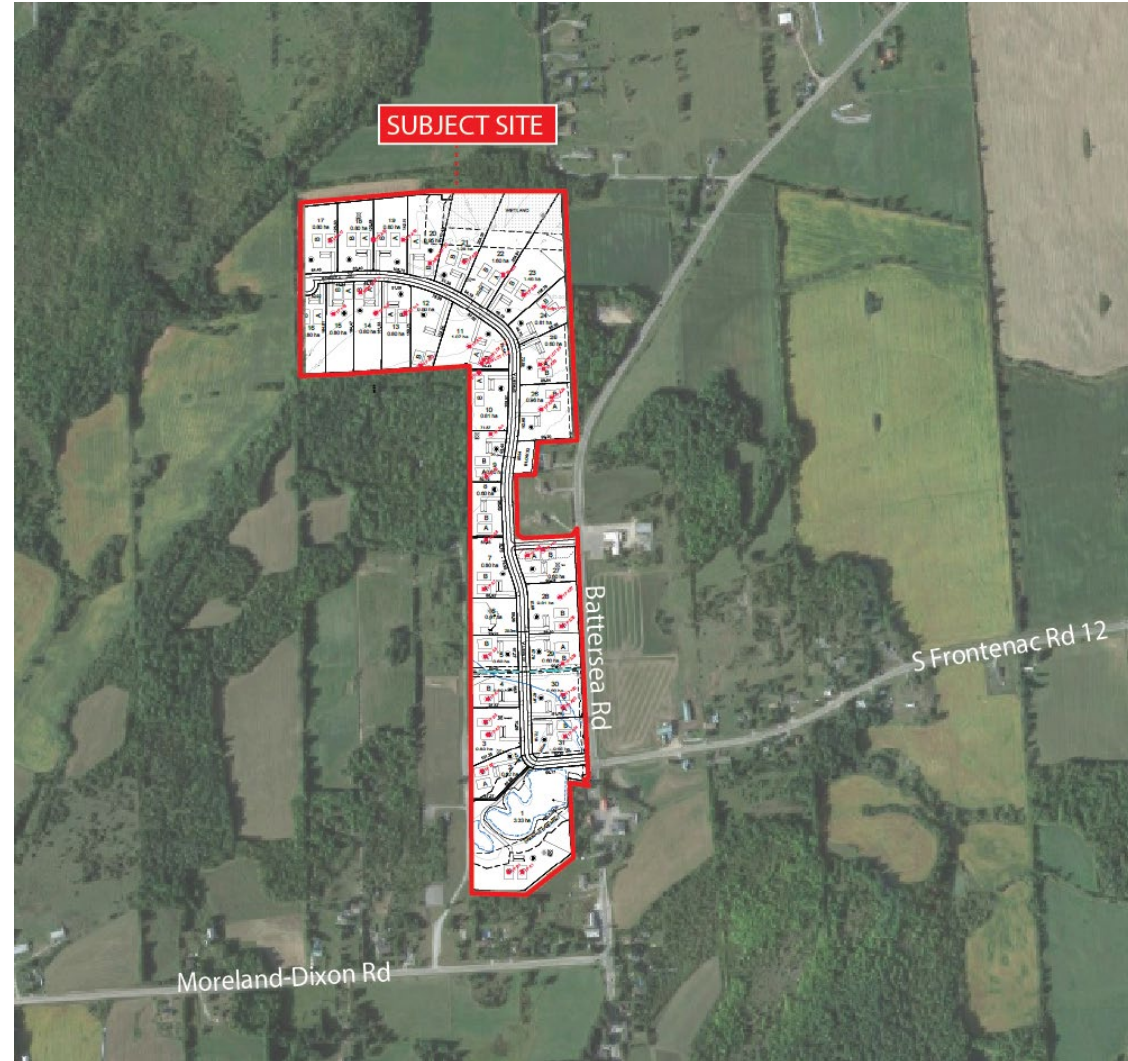
Sunbury Subdivision

Zoning By-law Amendment

April 16, 2024

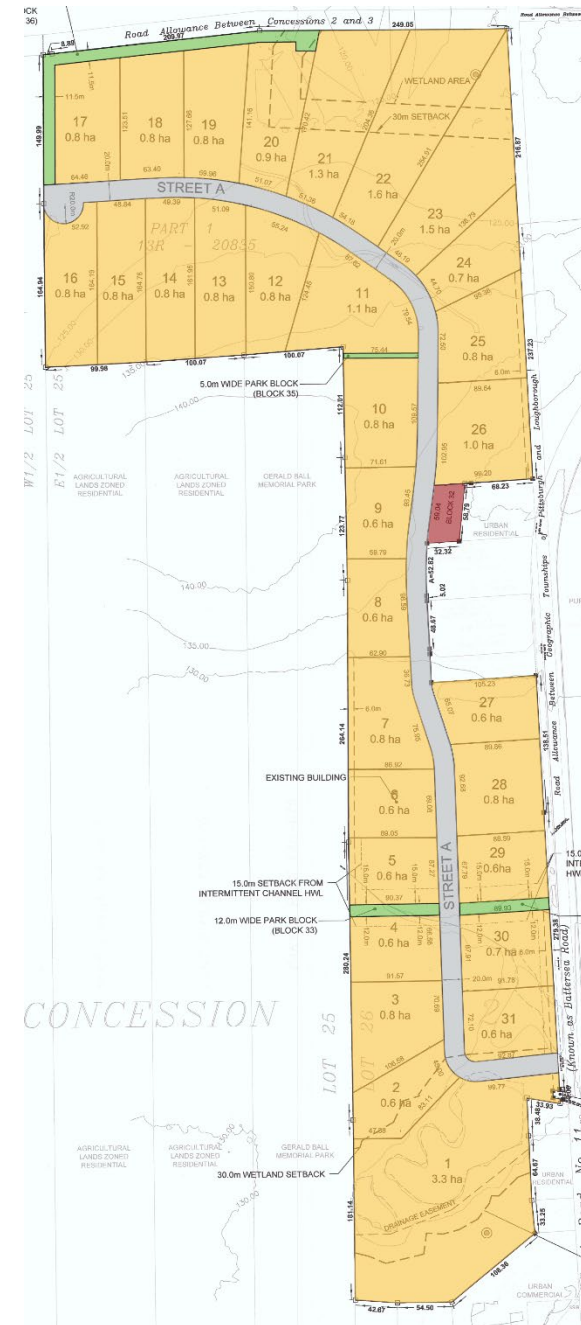
Subject Site

- / The Sunbury Subdivision is located west of Battersea Road and north of Moreland-Dixon Road
- / The subject lands are within the Sunbury Settlement Area



Previous Approvals

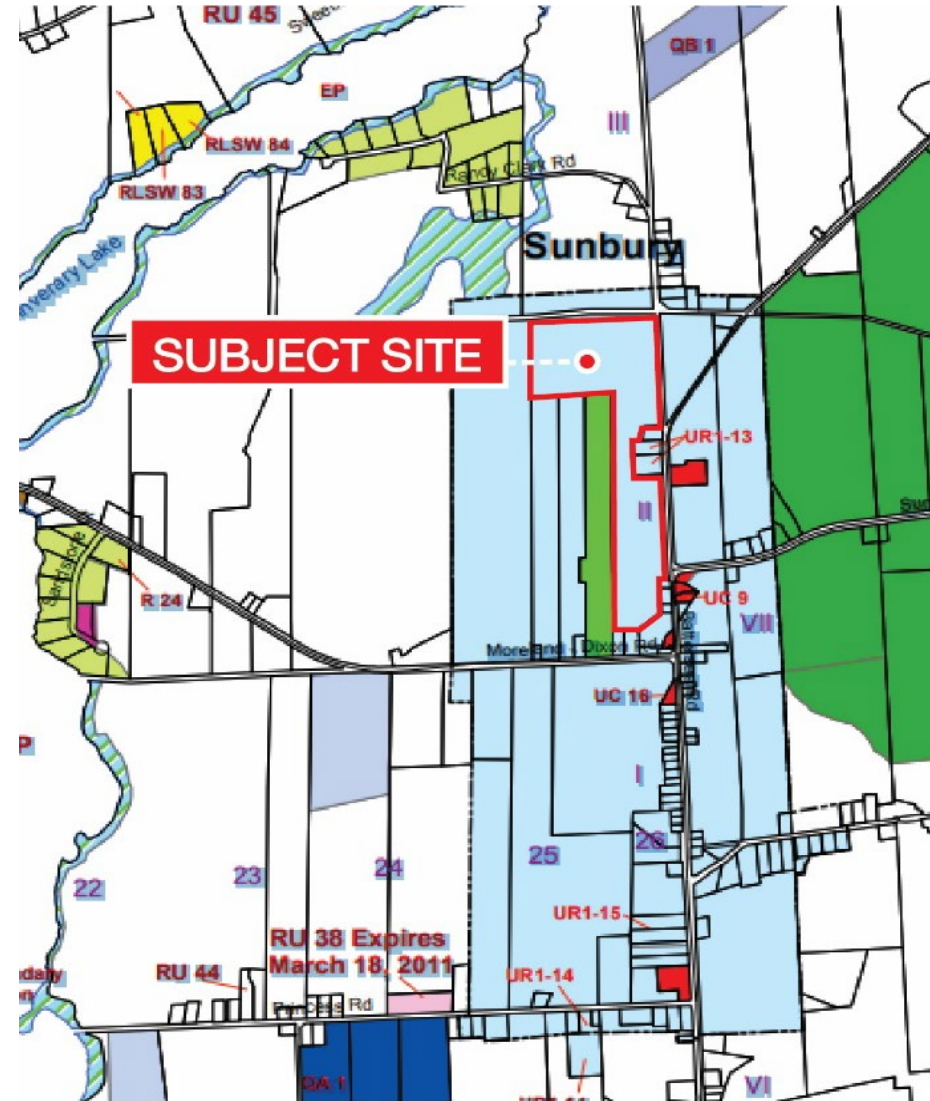
- ✓ Draft Plan of Subdivision was approved roughly 1 year ago on May 17, 2023
 - ✓ A Zoning By-law Amendment is a condition of this approval to tailor site specific zoning provisions for the development
- ✓ The draft plan of subdivision approved 31 residential lots and a number of blocks for parkland access, a new road and for stormwater management
- ✓ The subdivision is organized around a new street, which connects to the existing intersection of Battersea Road and Sunbury Road
- ✓ The parkland block connects the subdivision to Gerald Ball Memorial Park along with providing a pedestrian connection to Sunbury Road



Official Plan

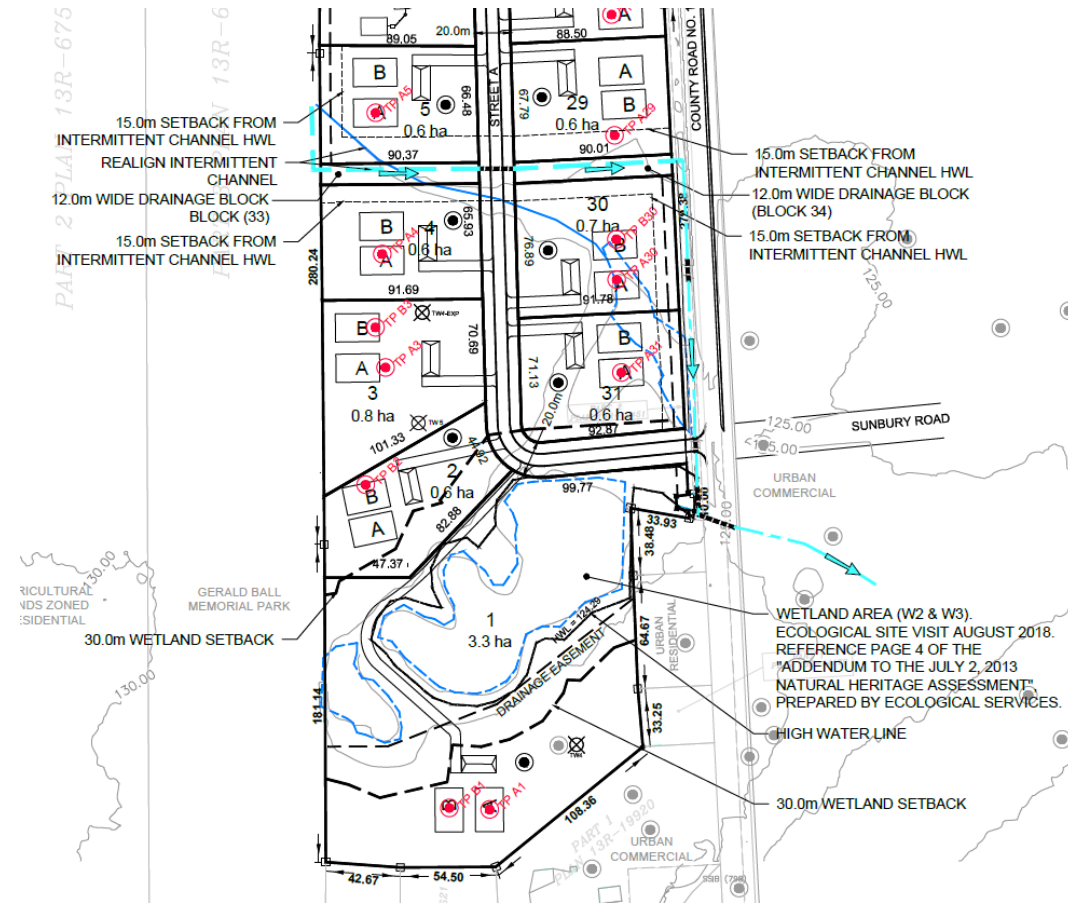
✓ The subject lands are designated Settlement Area in the Township of South Frontenac Official Plan

✓ Intended for a mix of uses, including a concentration of residential uses



Proposed Zoning

- Site-specific Residential First Density Zone (UR1-XX)
 - Reduce minimum lot area to 6,000 square metres
 - Reduce minimum lot frontage to 47 metres
 - Establish a 15 m setback from the intermittent watercourse
 - Maintain the other provisions of the by-law (setbacks etc.)



Summary – Good Land Use Planning

- Required as a condition of draft plan approval.
- Zoning By-law Amendment will establish site-specific provisions and permit additional dwelling units.
- Conforms with the Township of South Frontenac and Frontenac County Official Plan.
- Represents good land use planning.

Department, Agency and Public Comments

- **Public Services**

- no concern from traffic and drainage perspective

- **Cataraqui Conservation**

- no concern with 15 metre setback from watercourse
- Recommended Environmental Protection zone be used for watercourse, the land within 15 metres of the watercourse, wetlands, and the land within 30 metres of the wetlands

- **Public** – none received

Planning Analysis

- Provincial Policy Statement, County Official Plan and Township Official Plan require settlement areas to be the focus of growth and development
- Draft plan approved subdivision helps implement policy
- Reduced lot area and frontage supported by hydrogeological assessments
- Reduced watercourse setback supported by hydrologic and hydraulic analysis and environmental impact assessment
- Holding (-H) symbol requires enhanced study requirements for additional dwelling units (i.e. water supply and nitrates)
- Hydrogeological assessment supports partial removal of –H for ADUs on nine lots, increasing housing options

Next Steps

- South Frontenac Council should receive comments from the public
- Staff recommendation to pass two by-laws tonight

Open Discussion

1. Applicant/Agent Comments
2. Council Questions
3. Public Questions and Comments
4. Council Comments

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- Please wait to speak until you hear your name and your microphone has been unmuted.



PL-ZBA-2024-0034

Applicant: Laurentiu and Rita Pinte

Agent: Elysia Ackroyd, Fotenn Planning + Design

Property: Bradshaw Road (102901002017103)



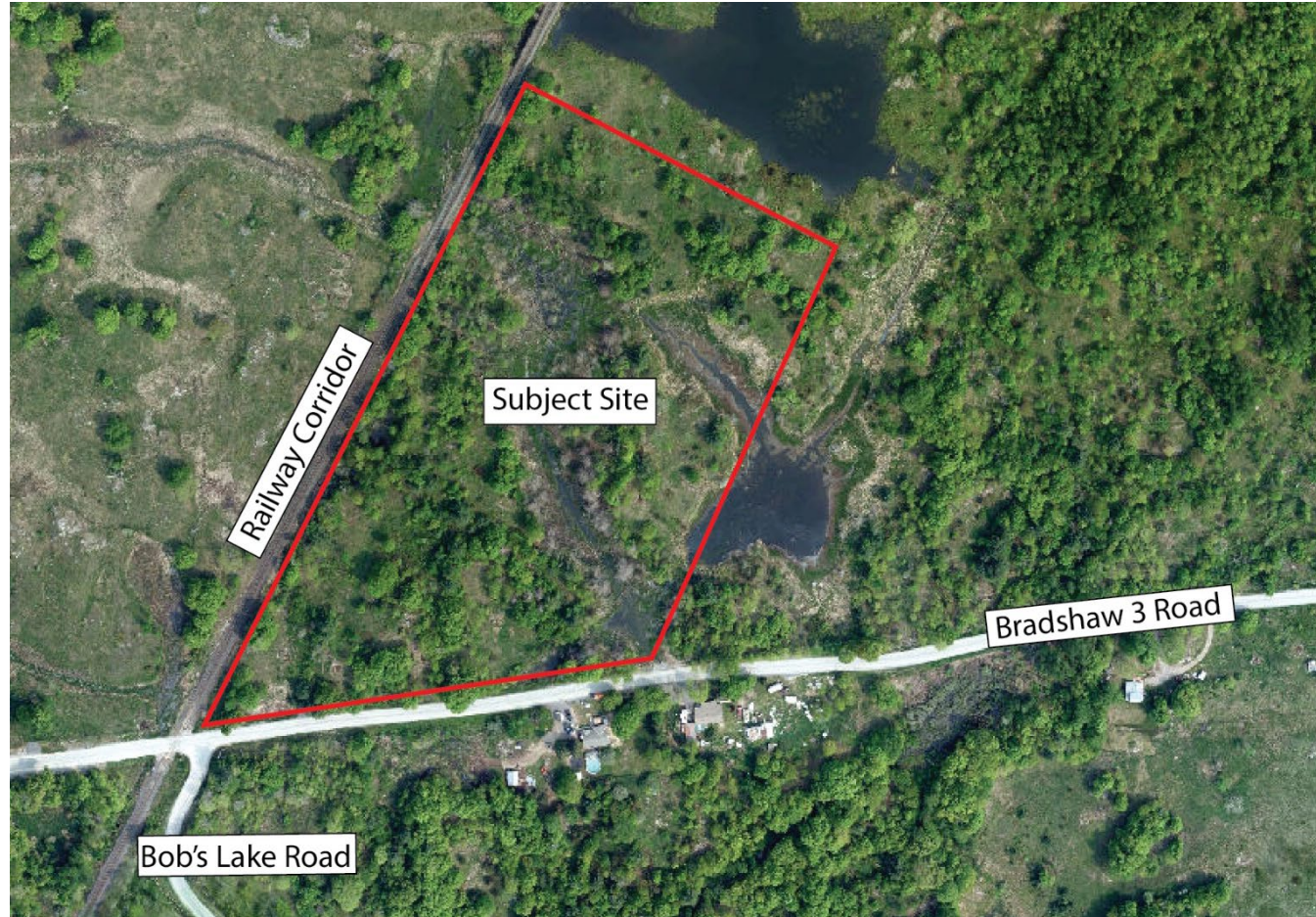
Bradshaw Road

Application for:
Zoning By-law Amendment

Applicant:
Laurentiu Pinteau

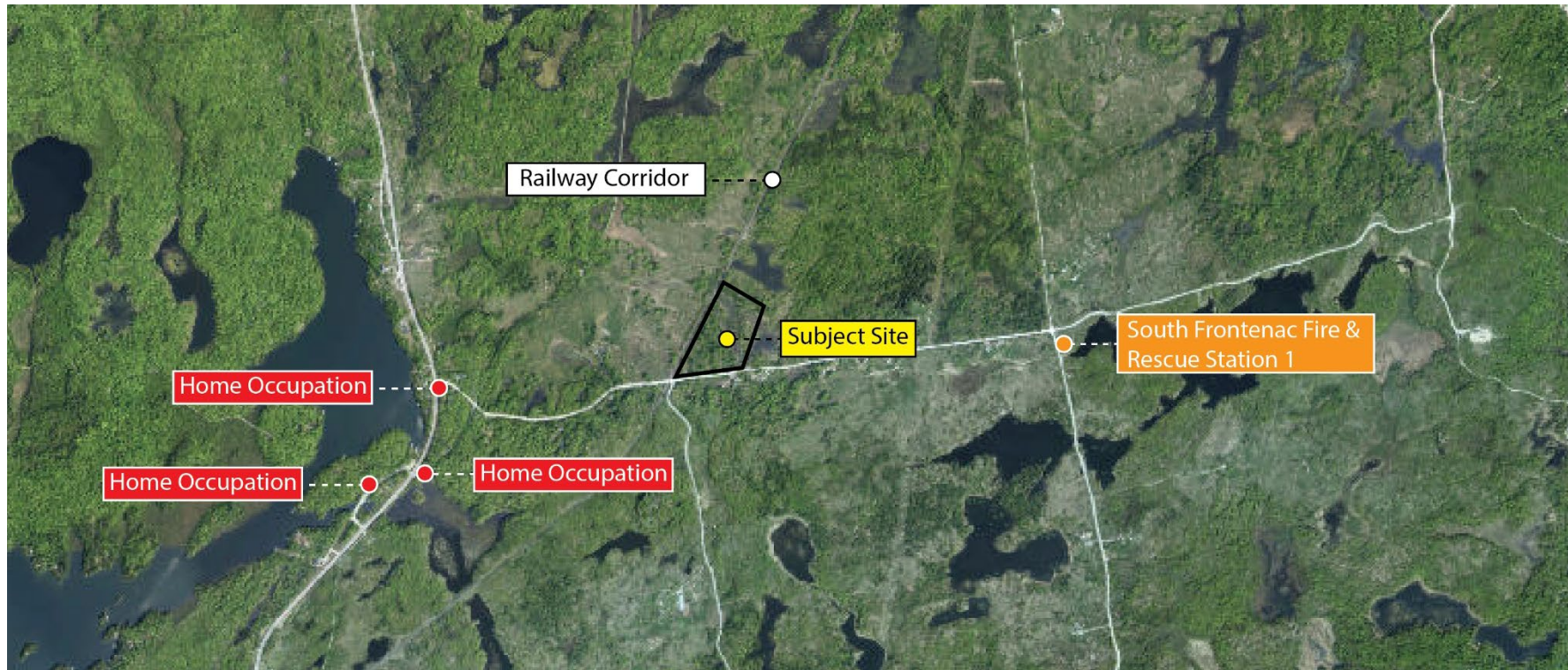
Subject Site

- / Lot area of approximately 4 hectares
- / Approximately 200 metres of frontage on Bradshaw Road



Context

- / Primarily rural uses surround the site
- / Railway Corridor to the west



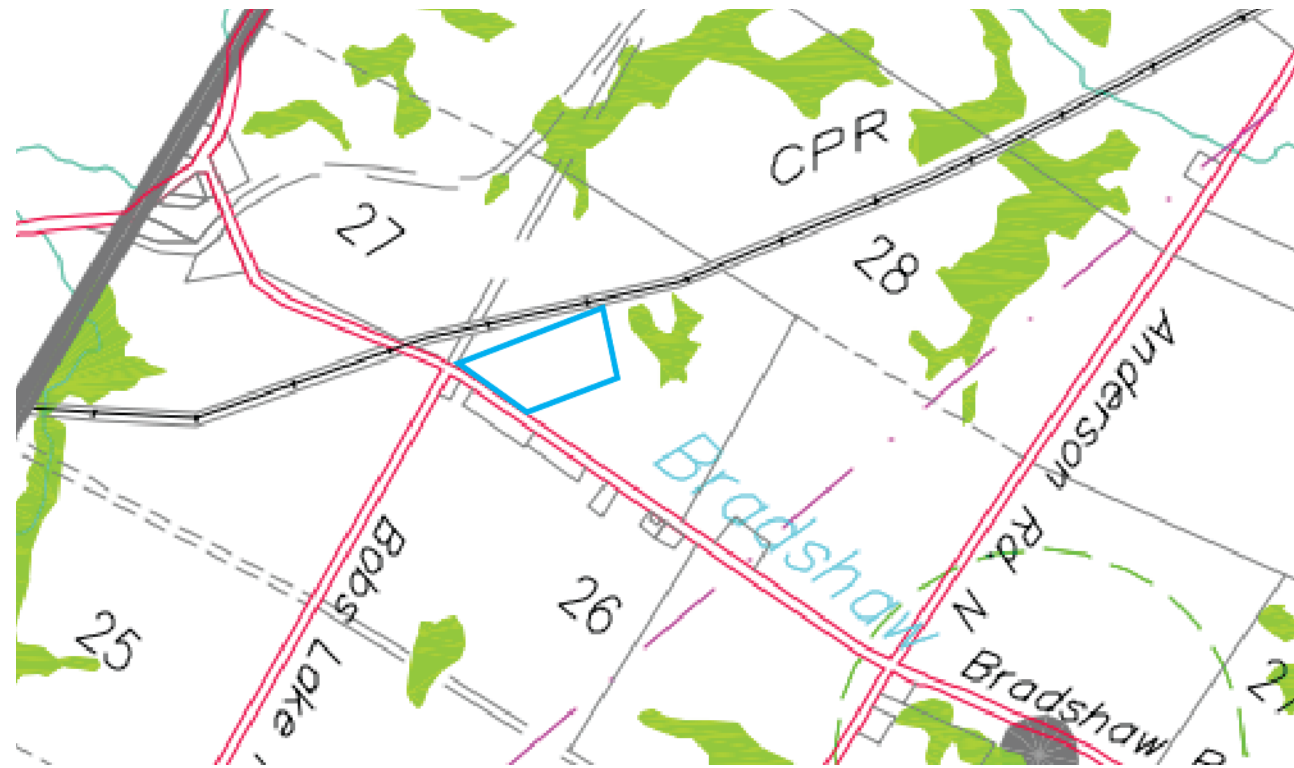
Previous Approvals

- / Provisional Consent for Severance (Application No. S-36-21-B)
- / Rezoning required as condition of consent
 - / Establish setbacks identified in the Rail Adjacent Development Review



Official Plan

- / Designated Rural Lands
- / Intended to accommodate agricultural, recreational, and residential uses

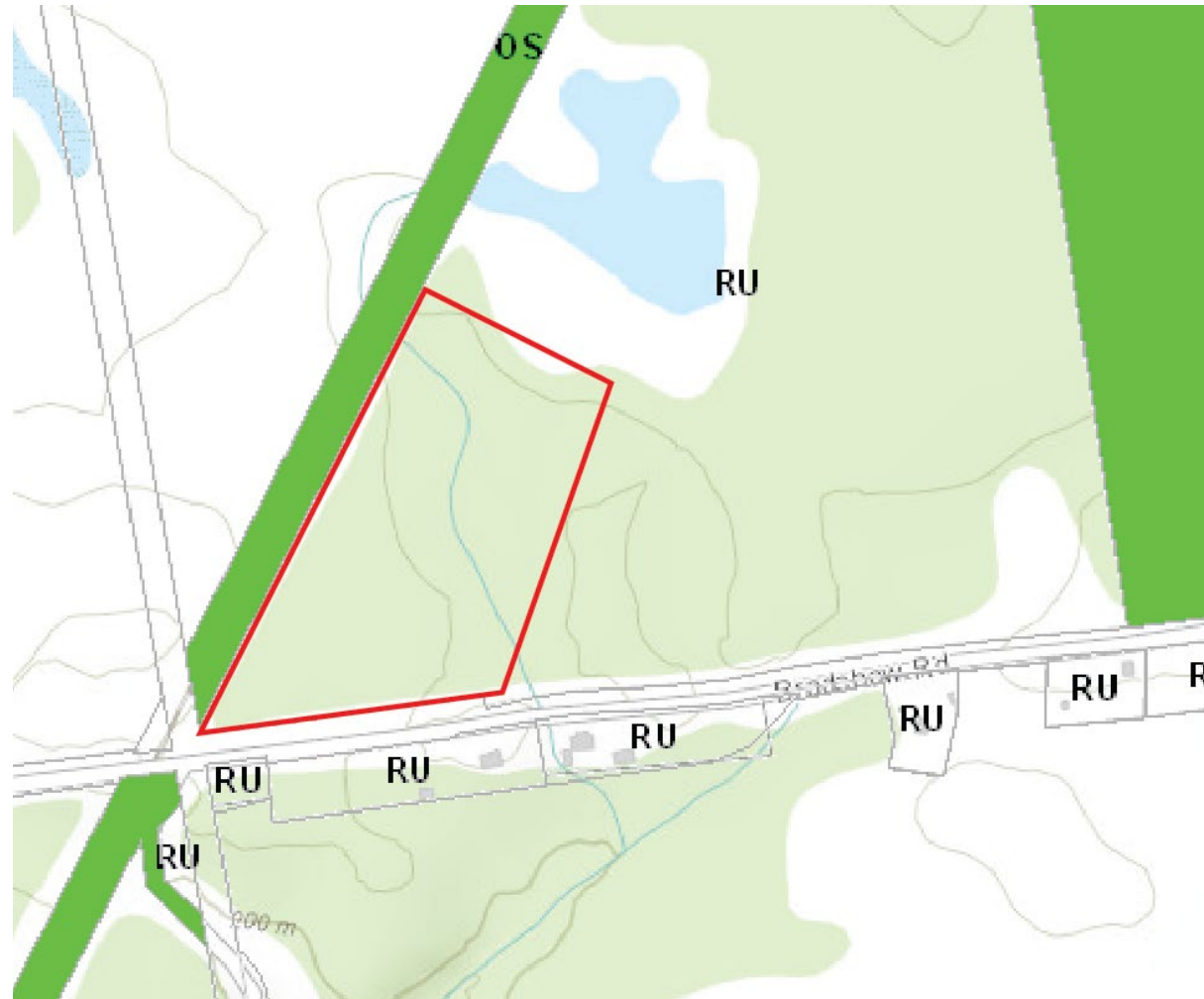


Current Zoning

Rural (RU) Zone

Permits:

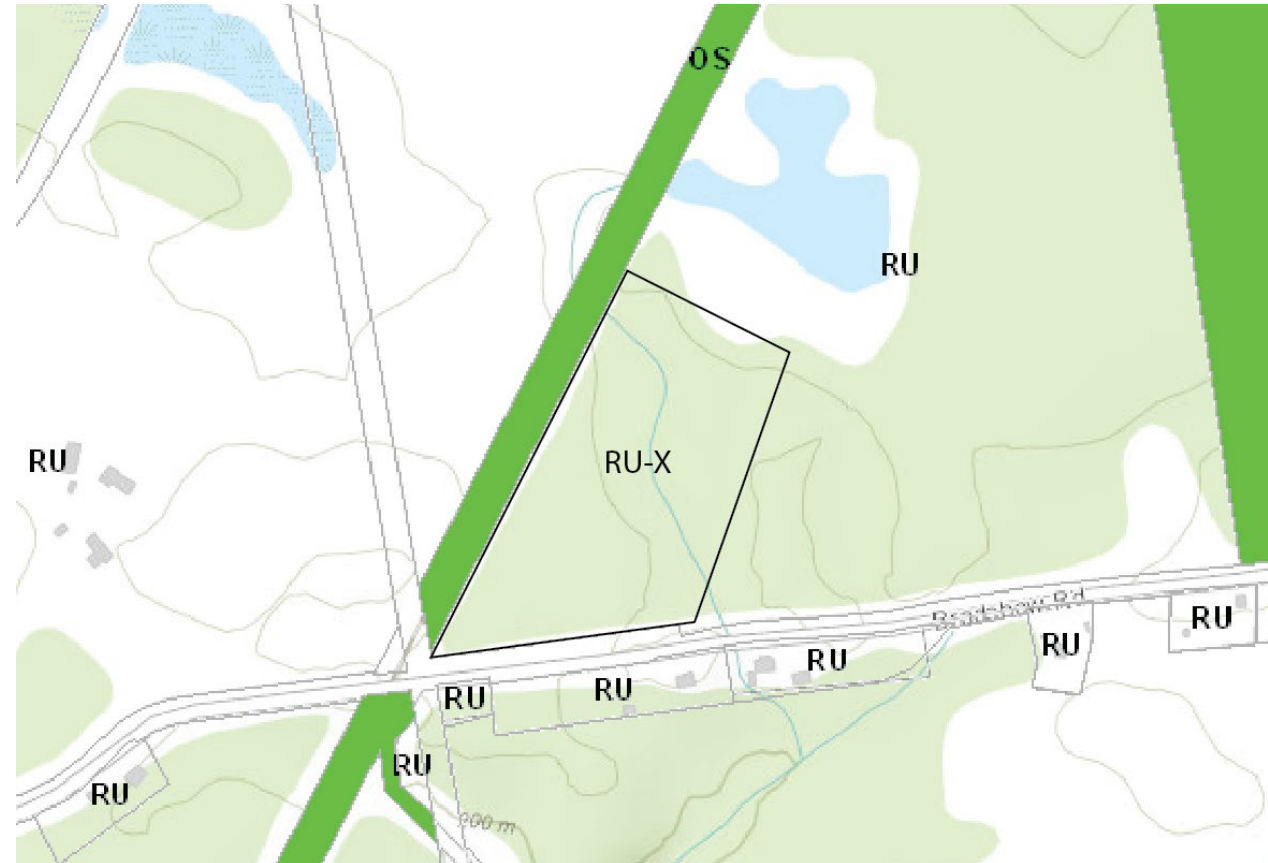
- / a single detached dwelling
- / home occupation/industry
- / various agricultural enterprises



Proposed Zoning By-law Amendment

Rezone from RU to Site-specific Rural (RU-X) Zone

- 30-metre setback from the rail corridor
- Minimum 2.5-metre-high landscaped berm
- Min. 1.83 high chain link security fence



Summary – Good Land Use Planning

- Required as a condition of consent for provisionally approved severance.
- Zoning By-law Amendment will establish site-specific setbacks from the rail corridor.
- Conforms with the Township of South Frontenac and Frontenac County Official Plan.
- Represents good land use planning.

Supporting Documents

- **Planning Justification Report** (Fotenn, March 13, 2024)
 - Assessed appropriateness of severance and by-law in context of surrounding area and policy framework
- **Rail Adjacent Development Review** (Jamie Kennedy, April 1, 2022)
 - Evaluated proposal against FCM/RAC Guidelines for development in proximity to rail operations
 - Focused on rail safety, noise, vibration
 - Concluded industry standard mitigation measures are appropriate (e.g. setback, berm, security fence)



Department and Public Comments

- Public Services, Building Services, Rideau Valley Conservation Authority – no objection to the consent application
- Public – none received to date



Next Steps

- South Frontenac Council should receive comments from the public
- Staff recommendation to pass a by-law tonight



Open Discussion

1. Applicant/Agent Remarks
2. Council Questions
3. Public Questions and Comments
4. Council Comments

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Adjourn Public Meeting



Township of South Frontenac

Staff Report



To: Council

From: Director, Development Services

Date of Meeting: April 16, 2024

Subject: Zoning By-law Amendment Application PL-ZBA-2024-0014, Deroche, 1048 Shallow Lane, Loughborough District

Report Number: 2024-070

Summary

This report provides Council with information about Zoning By-law Amendment Application PL-ZBA-2024-0014 for a property municipally known as 1048 Shallow Lane.

Recommendation

That By-law 2024-34 being a By-law to amend By-law 2003-75, as amended, to rezone lands from Limited Service Residential - Waterfront (RLSW) zone to Limited Service Residential – Special Provision (RLS-16) zone and Limited Service Residential – Waterfront – Special Provision (RLSW-142) zone on lands civically addressed as 1048 Shallow Lane, be given first and second reading; and

That By-law 2024-34 be given third reading, signed and sealed.

Background

The subject application is related to consent application PL-BDJ-2023-0103 for the creation of one new residential lot. The consent application was provisionally approved by the Committee of Adjustment on November 9, 2023. The purpose of the rezoning application is to implement a condition that requires the severed and retained parcels to be rezoned. This change would acknowledge that the severed parcel would not have frontage on Sydenham Lake and would permit the severed parcel to have 20m of frontage on Shallow Lane. Further, the change would permit the retained parcel to have 0m of frontage on a private laneway.

Property Description

The subject property is a total of 4.5Ac located north of Rutledge Road, on the southern bay of Sydenham Lake. The total frontage is 20m on Shallow Lane, and approximately 23m on Sydenham Lake. Mozart Lane and Dusty Lane run over the east half of the property. The west side of the subject property (the severed parcel) is developed with a four-season dwelling accessed from Rutledge Road over Shallow Lane. Further, the west side of the property is maintained as a lawn and is mostly cleared of trees. The east side of the subject property (the retained parcel) is developed with a seasonal dwelling accessed from Rutledge

Road over Sailors Cove Lane and Mozart Lane. The east side of the property is densely covered in mature vegetation and slopes steeply towards the shoreline. Finally, the surrounding area is densely developed and consists of similar limited service residential and limited service residential waterfront uses.

Department and Agency Comments

Building Services and Public Services were not circulated on the original consent application nor the zoning amendment application due to the nature of the proposal.

Cataraqui Conservation had no objection to the consent application or the zoning amendment application.

Public Comments

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

Discussion/Analysis

The proposed zoning by-law amendment was assessed against the applicable policies of the Provincial Policy Statement 2020, County of Frontenac Official Plan, and Township of South Frontenac Official Plan, as well as the provisions of Zoning By-law No. 2003-75.

The Committee of Adjustment had consideration for these planning documents in the decision to grant provisional approval to the consent application.

The Provincial Policy Statement (Section 1.1.5) and the County of Frontenac Official Plan (Section 3.3) permit residential development, which are locally appropriate, in rural lands. The County Official Plan and the Township Official Plan also permit residential development in the Rural Designation. The general consent policies of the Township Official Plan (Section 7.1) permit severances on land holdings with more than one detached dwelling in existence at the time of adoption of the Plan.

Section 5.7.7(ii)(a) of the Township Official Plan states that the frontage, size, and shape of any lot created for limited service residential purposes through the severance approval process shall be appropriate for the proposed use and shall conform with the provision of the Zoning By-law. New waterfront lots must have a minimum 2.5Ac lot size, 91m of water frontage, and 76m of frontage on a private road. New non-waterfront lots must have a minimum 2Ac lot size, and 76m of frontage on a private road. This policy allows the Township to consider reductions to minimum lot size and frontage requirements provided the overall intent of the Official Plan is maintained.

The severed parcel from consent application PL-BDJ-2023-0103 would have 2Ac of area, and 20m of frontage on Shallow Lane. The zone needs to be changed from RLSW to RLS-16 to acknowledge that the parcel would only have frontage and access from a private laneway. Also, to reflect that the severed parcel would have 20m of frontage on Shallow Lane, whereas a minimum of 76m is required. The reduced frontage is a reflection of the subject property's existing conditions and cannot be increased. Further, the reduced frontage would not impact the ability of the severed parcel to be used or redeveloped. Therefore,

Township Planning Staff interpret the reduced frontage on Shallow Lane as appropriate for the proposed use, and that the overall intent and purpose of the Official Plan is maintained.

The retained parcel from consent application PL-BDJ-2023-0103 would have 2.5Ac of area, approximately 23m of frontage on Sydenham Lake, and 0m of frontage on a private road. The zone needs to be changed from RLSW to RLSW-142 to acknowledge that the parcel would have 0m of frontage on a private road. The Zoning By-law requires a minimum of 76m of frontage on a private laneway for new RLSW lots. Planning Staff interpret the lack of frontage as appropriate because this portion of the subject property has and will continue to be accessed from Sailors Cove Lane and Mozart Lane. Mozart Lane and Dusty Lane do extend through the middle of the retained lands but would not constitute the definition of frontage in the Zoning By-law. The lack of frontage would not impact the ability of the retained parcel to be used or redeveloped. Therefore, Township Planning staff interpret the lack of frontage on a private road as appropriate for the proposed use, and the overall intent and purpose of the Official Plan is maintained. The 23m of frontage on Sydenham Lake is less than the 76m required by the Zoning By-law. However, this waterfrontage is reflective of the existing conditions of the property and cannot be increased. For this reason, the 23m of waterfrontage does not need to be acknowledged as part of this rezoning.

Conclusion

It is the opinion of Township Planning Staff that the proposed Zoning By-law Amendment is consistent with the Provincial Policy Statement 2020, in conformity with the Frontenac County Official Plan and Township of South Frontenac Official Plan and represents good planning for the subject lands.

Staff recommend that Council pass a by-law during the Council meeting in which the public meeting is held, per procedural By-law as Amended by By-law 2023-44, as the planning matter is technical in nature. Specifically, the Committee of Adjustment had consideration for all applicable policies in the decision to grant provisional approval to the consent application, and the by-law will fulfill one of their conditions.

Financial Implications

Not applicable.

Relationship to Strategic Plan

- Not applicable to this report.
- This initiative adheres to the following strategic pillars and directions of the 2023-2026 Strategic Plan.
 - Pillars: 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 e-mail to prescribed persons and public bodies

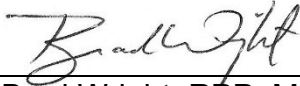
Attachments

Exhibit A – By-law 2024-34

Approvals

Prepared By: Noah Perron, Planner

Submitted By:



Brad Wright, RPP, MCIP, Director of Development Services

Approved By:



Louise Fragnito, Chief Administrative Officer

By-Law Number 2024-34

Being A By-law to amend By-law 2003-75, as amended, to rezone lands from Limited-Service Residential Waterfront (RLSW) to Limited-Service Residential – Special Provision (RLS-16) and Limited Service Residential - Waterfront – Special Provision (RLSW-142) on lands civically addressed as 1048 Shallow Lane, Part of Lot 5, Concession 5, District of Loughborough

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 used of buildings and structures thereon;

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;

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*;

Therefore Be It Resolved That the Council of the Corporation of the Township of South Frontenac hereby enacts as follows:

1. That Schedule “B” to Zoning By-law Number 2003-75 as amended, is hereby further amended by changing zoning from Limited Service Residential Waterfront (RLSW) to Limited Service Residential – Special Provision (RLS-16) and Limited Service Residential – Waterfront – Special Provision (RLSW-142) for lands shown on Schedule “1”.
2. That Zoning By-law Number 2003-75 as amended is hereby further amended by adding a new section RLS-16 immediately after the last Limited Service Residential – Special Provision section to read as follows:

RLS-16 (Severed Parcel in Consent Application PL-BDJ-2023-0103, Part Lot 5, Concession 5, District of Loughborough)

Notwithstanding the provision of Section 9 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential (RLS-16), the following provisions apply:

Lot Frontage, Private Lane (Minimum) 20 Metres (65.6 feet)

All other provisions of this by-law shall apply.

3. That Zoning By-law Number 2003-75 as amended is hereby further amended by adding a new section RLSW-142 immediately after the last Limited Service Residential – Waterfront – Special Provision section to read as follows:

RLSW-142 (Retained Parcel in Consent Application PL-BDJ-2023-0103, Part Lot 5, Concession 5, District of Loughborough)

Notwithstanding the provision of Section 10 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential – Waterfront (RLSW-142), the following provisions apply:

Lot Frontage, Private Lane (Minimum) 0 Metres (0 feet)

All other provisions of this by-law shall apply.

4. This By-law shall come into force in accordance with Section 34 of the *Planning Act*, 1990, as amended, and take effect either upon the date of passage or as otherwise provided by said Section 34.

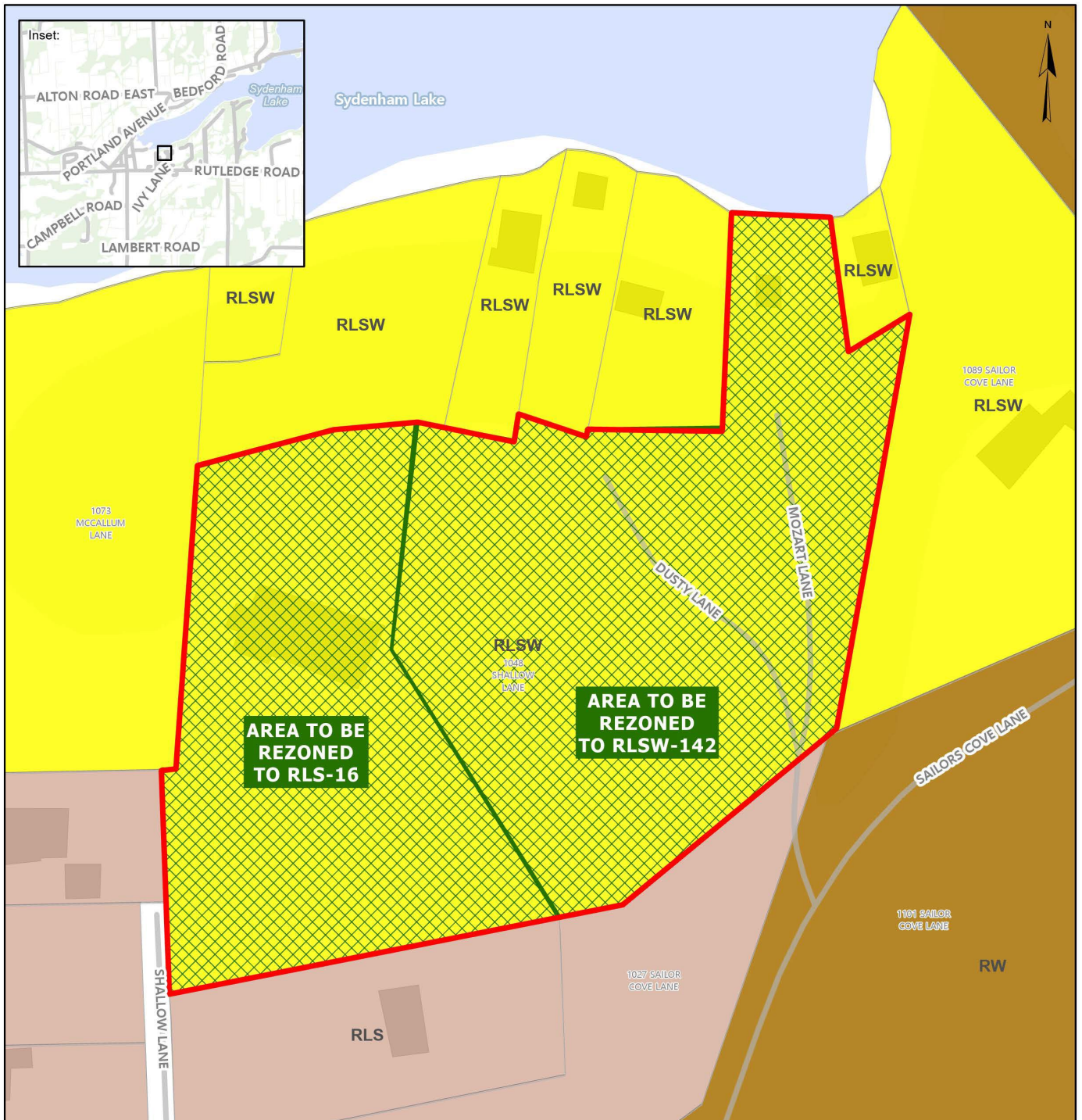
Given First and Second Readings: Tuesday, April 16, 2024

Given Third Reading and Passed: Tuesday, April 16, 2024

James Thompson, Clerk

Ron Vandewal, Mayor

Schedule 1 of By-law 2024-34



<p>SOUTH FRONTENAC (DEROCHE)</p> <p>1048 SHALLOW LANE PL-ZBA-2024-0014</p> <p>Scale: 1:1,200</p>	<p>LEGEND</p>					
	<p> Subject Property</p> <p> Area to be Rezoned</p> <p> Parcels</p> <p> Building Footprints</p> <p> Wooded Area</p> <p> Waterbody</p> <p> Road</p>	<p>Zoning</p> <p> AGRICULTURAL ZONE (A)</p> <p> COMMUNITY FACILITY ZONE (CF)</p> <p> ENVIRONMENTAL PROTECTION ZONE (EP)</p> <p> MOBILE HOME RESIDENTIAL ZONE (MHR)</p> <p> OPEN SPACE - PUBLIC ZONE (OS)</p> <p> OPEN SPACE - PRIVATE ZONE (OSP)</p> <p> PIT 'A' ZONE (PA)</p>	<p> PIT 'B' ZONE (PB)</p> <p> QUARRY 'A' ZONE (QA)</p> <p> QUARRY 'B' ZONE (QB)</p> <p> RESIDENTIAL ZONE (R)</p> <p> RURAL COMMERCIAL ZONE (RC)</p> <p> RURAL INDUSTRIAL ZONE (RI)</p> <p> LIMITED SERVICE RESIDENTIAL ZONE (RLS)</p>	<p> LIMITED SERVICE RESIDENTIAL - ISLAND ZONE (RLSI)</p> <p> LIMITED SERVICE RESIDENTIAL - WATERFRONT ZONE (RLSW)</p> <p> RECREATIONAL RESORT COMMERCIAL ZONE (RRC)</p> <p> RURAL ZONE (RU)</p> <p> WATERFRONT RESIDENTIAL ZONE (RW)</p> <p> SALVAGE YARD INDUSTRIAL ZONE (SI)</p> <p> TEMPORARY USE ZONE (TUZ)</p>	<p> URBAN COMMERCIAL ZONE (UC)</p> <p> URBAN INDUSTRIAL ZONE (UI)</p> <p> URBAN MULTIPLE RESIDENTIAL ZONE (UMR)</p> <p> URBAN RESIDENTIAL ZONE - FIRST DENSITY ZONE (UR1)</p> <p> URBAN RESIDENTIAL ZONE - SECOND DENSITY (UR2)</p> <p> WASTE DISPOSAL ZONE (WD)</p>	

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Township of South Frontenac

Staff Report



To: Council

From: Director, Development Services

Date of Meeting: April 16, 2024

Subject: Zoning By-law Amendment Application PL-ZBA-2024-0033, 2628100 Ontario Inc. (Fotenn), 3862 Battersea Road, Storrington District

Report Number: 2024-071

Summary

This report provides Council with information about Zoning By-law Amendment Application PL-ZBA-2024-0033 for 3863 Battersea Road.

Recommendation

THAT By-law 2024-35 and By-law 2024-36 to amend the zoning on lands municipally known as 3863 Battersea Road, Part of Lots 25 and 26, Concession 2, District of Storrington, Township of South Frontenac be given first and second reading; and

That By-law 2024-35 and By-law 2024-36 be given third reading, signed and sealed.

Background

Frontenac County Council granted draft plan approval of the Sunbury Subdivision (file 10T-2020/001) on May 17, 2023. The County had consideration for Township Council's recommendation of support and proposed conditions. The Township staff report and attachments related to Council's recommendation can be accessed through the Township's Civicweb portal:

<https://southfrontenac.civicweb.net/Portal/MeetingInformation.aspx?Org=Cal&Id=682>

The 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.

The subdivision consists of 31 lots which would 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 subdivision also includes four blocks for the purpose of drainage and/or park access.

The purpose of the rezoning application is to establish zoning for the subdivision. This would help to fulfill three conditions of draft plan approval. The first relates to imposing zoning holding provisions to ensure orderly development of the subdivision. The second relates to capturing zoning parameters for additional dwelling units based on hydrogeological assessment and terrain analysis. The third relates to confirming compliance with the Zoning By-law.

The proposed site-specific UR1-27-H zone would permit a minimum 6000 square metre lot area and a minimum 45 metre lot frontage. A minimum 15 metre building setback would be required from the watercourse on the property. The holding (-H) symbol on the zone would require a hydrogeological assessment to demonstrate that a lot has both an adequate supply of potable water and adequate nitrate quantities before one or more additional dwelling units would be allowed.

The holding (-H) symbol would be partially removed through a second by-law to allow one additional dwelling unit on each of Lots 1, 14, 16, 17, 18, 19, 20, 21 and 22 based on the findings of a satisfactory hydrogeological assessment.

Under the *Planning Act*, a public meeting is required to be held to receive comments from the public on the proposed rezoning.

Application and Supporting Documents

The application and supporting documents can be accessed through the Township's CivicWeb Document Center, <https://southfrontenac.civicweb.net/filepro/documents/90083/>

[Planning Demonstration Report](#)

A Planning Demonstration Report (Fotenn Planning + Design, April 6, 2020) was submitted in support of the application for draft plan of subdivision and the application for zoning by-law amendment to assess the appropriateness of the proposal in the context of the surrounding area, and its conformity with the applicable policy and regulatory framework.

A Cover Letter (Fotenn Planning + Design, March 1, 2024) was submitted to explain revisions to the application for zoning by-law amendment that were required to fulfill conditions of draft plan approval.

[Stormwater Management Report](#)

The Preliminary Stormwater Management Report for the subdivision (Forefront Engineering Inc., October 2021) includes a section about realigning the watercourse on the property. The report's hydrologic and hydraulic analysis demonstrated that 100 year flows should be contained within the new watercourse channel. This analysis supports, from a flooding hazard perspective, reducing the required setback for buildings and structures from the watercourse, from 30 metres to 15 metres.

[Environmental Impact Assessment Addendum](#)

An Addendum (Ecological Services, November 4, 2021) to previous Environmental Impact Assessments and Addendums was issued to support the requested 15 metre setback from the watercourse from an ecological perspective. The consultant suggested that the watercourse lacked ecological value because it is often dry, it does not contain fish and turtle habitat nor significant wildlife habitat, and it has minimal ecological potential as a linkage area.

Hydrogeological Assessment

The reduced lot sizes and frontages were supported through hydrogeological assessments for the subdivision. An additional Limited Hydrogeological Assessment (BluMetric Environmental, November 30, 2023) and a Water Supply Assessment (BluMetric Environmental, March 1, 2024) were submitted for the rezoning application. The purpose of these two studies was to address if and how additional dwelling units would be accommodated within the subdivision based on the outcome of a 2022 nitrate assessment. The two studies demonstrated that there would be an adequate supply of potable water and adequate nitrate quantities to allow one additional dwelling unit on each of nine lots (Lots 1, 14, 16, 17, 18, 19, 20, 21 and 22). The studies also confirmed that further investigation will be needed if a second additional dwelling unit were to be proposed on any of these nine lots, and for any additional dwelling units on the other lots. The subdivision agreement will include further direction on this topic.

Department and Agency Comments

Public Services indicated that they have no concerns with the zoning request as it relates to traffic and drainage. They indicated that nine additional dwelling units would not have a tangible impact on the traffic study findings for the subdivision.

Cataraqui Conservation indicated that they have no concerns with the proposed 15 metre setback from the realigned watercourse. However, in order to protect new development from the impacts of flooding and to ensure that the hydrologic function of the surface water features is protected, they recommended that the watercourse and lands within 15 metres of the watercourse be rezoned to Environmental Protection (EP). They also recommended that the northern and southern wetlands and the lands within 30 metres of the wetland boundaries be rezoned to EP.

Public Comments

No comments were received on the rezoning application at the time this report was written.

Planning Analysis

The proposed zoning by-law amendment was assessed against the applicable policies of the Provincial Policy Statement 2020, County of Frontenac Official Plan, and Township of South Frontenac Official Plan, as well as the provisions of Zoning By-law No. 2003-75.

Rural Settlement Areas

The Provincial Policy Statement 2020 (PPS) states that rural settlement areas, such as Sunbury, shall be the focus of growth and development and their vitality and regeneration shall be promoted. The PPS also states that planning authorities must consider rural characteristics, the scale of development and the provision of appropriate service levels when directing development in rural settlement areas.

The County of Frontenac Official Plan supports the PPS policies, encouraging the Township to promote mixed use development including residential, commercial, institutional, parks and employment areas (section 3.2). The Township of South Frontenac Official Plan also intends that a majority of new growth will be directed to existing settlement areas where it can be supported by appropriate servicing (section 5.6). The draft plan approved Sunbury Subdivision implements these policies.

Section 5.6.1 Township Official Plan states that the minimum lot area for lots in a Settlement Area shall not be less than 0.8 hectares (2 acres) when serviced by a private well and private sanitary sewage system. The Official Plan does not contain minimum lot frontage requirements for residential lots in a settlement area.

The General Policies for Plans of Subdivision (7.2(d)) specify that new subdivision lots must comply with the minimum lot area and frontage requirements unless it is demonstrated through the subdivision process that reductions to these minimums are justified based on good land use planning principles.

The lots range in area from 0.6 hectares to 3.3 hectares. The majority of the lots (21) will comply with the 0.8 hectare area requirement. Ten of the lots would be less than 0.8 hectares in area. Frontage of the lots range from 44.7 metres to 167.2 metres.

The hydrogeological assessments for the subdivision support the requested reductions in lot area and frontage. The studies determined that all the lots would have sufficient area so that a private well for water supply can be located without danger of contamination by the sewage system and so that a serious draw down of groundwater levels beyond the boundaries of the lot itself can be avoided. The County and Township were satisfied with these studies and their findings.

[Additional Dwelling Units](#)

The Limited Hydrogeological Assessment (BluMetric Environmental, November 30, 2023) and a Water Supply Assessment (BluMetric Environmental, March 1, 2024) demonstrated that there would be an adequate supply of potable water and adequate nitrate quantities to allow one additional dwelling unit on each of nine lots (Lots 1, 14, 16, 17, 18, 19, 20, 21 and 22). The studies also confirmed that further investigation will be needed if a second additional dwelling unit were to be proposed on any of these nine lots, and for any additional dwelling units on the other lots.

The proposed by-law would place a holding (-H) symbol on the zone for additional dwelling units. The study requirements for removing the holding symbol would be more rigorous

than those that the Zoning By-law require for additional dwelling units in the Township. The reason for this is that the additional nutrient inputs from more units/occupants could cause the nitrate concentrations in the groundwater under some areas of the subdivision to exceed provincial standards. High nitrate concentrations can cause health issues.

The subdivision agreement may include further restrictions on additional dwelling units that cannot be regulated through the Zoning By-law, such as limiting the number of occupants of the additional dwelling unit (this is based on the assessments that were completed). The subdivision agreement may also provide direction on studies required to change the number of occupants, etc.

A second by-law would partially remove the holding symbol to allow one additional dwelling unit on nine of the lots because the hydrogeological assessments demonstrated that these lots have both an adequate supply of potable water and adequate nitrate quantities. Township staff will track applications for additional dwelling units to understand how many are approved and where they are located.

Environmental Protection

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.

The proposed by-law would require buildings and structures to be setback a minimum of 15 metres from the watercourse, instead of 30 metres. The reduction was supported by a hydrological and hydraulic analysis (re: flooding hazards) and an environmental impact assessment, as described above.

Cataraqui Conservation recommended that the watercourse and lands within 15 metres of the watercourse be rezoned to Environmental Protection (EP), and that the northern and southern wetlands and the lands within 30 metres of the wetland boundaries be rezoned to EP. This would be to protect new development from the impacts of flooding and to ensure that the hydrologic function of the surface water features is protected. Planning staff considered this request, and did not include it in the proposed by-law because the required setbacks are intended to provide this protection. Also, the Zoning By-law contains a general provision that requires a 30 metre setback from an EP zone, which would have the effect of sterilizing several of the lots or requiring further *Planning Act* approvals (e.g. minor variance) for development. This would be contrary to the intent of the application.

Conclusion

It is the opinion of staff that the proposed zoning by-law amendment is consistent and conforms to the Provincial Policy Statement 2020, the County of Frontenac Official Plan, and the Township of South Frontenac Official Plan. It also represents good planning for the subject lands.

Staff are recommending that Council pass two by-laws during the Council meeting in which the public meeting is held, per Procedural By-law as Amended by By-law 2023-44, as the planning matter is technical in nature. Specifically, the first by-law, for the UR1-27-H zone, will help to fulfill three of the conditions of draft plan of subdivision approval. The second by-law, to partially remove the holding (-H) symbol, would clear the way for additional dwelling units on nine of the lots.

Financial Implications

Not applicable.

Relationship to Strategic Plan

- Not applicable to this report.
- This initiative adheres to the following strategic pillars and directions of the 2023-2026 Strategic Plan.
 - Pillars: Choose an item.
 - Action Item (If Applicable): Insert Text

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

Exhibit A. Sunbury Subdivision Concept Plan

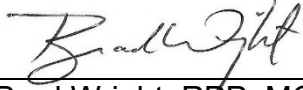
Exhibit B. By-law 2024-35

Exhibit C. By-law 2024-36

Approvals

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

Submitted By:



Brad Wright, RPP, MCIP, Director of Development Services

Approved By:



Lousie Fragnito, Chief Administrative Officer

By-Law Number 2024-35

A By-Law to amend By-law 2003-75, as amended, to rezone land from Urban Residential – First Density (UR1) to Urban Residential – First Density – Special Provision (UR1-27) and to place a Holding Symbol on the UR1-27 zone on lands described as Part of Lots 25 and 26, Concession 2, District of Storrington

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

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

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

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

Therefore be it resolved that the Council of the Corporation of the Township of South Frontenac hereby enacts as follows:

1. That Schedule “G” to Zoning By-law Number 2003-75 as amended, is hereby further amended by changing the zoning from Urban Residential – First Density (UR1) to Urban Residential – First Density – Special Provision (UR1-27-H) for lands shown on Schedule “1”.
2. That Zoning By-law Number 2003-75 as amended is hereby further amended by adding a new section UR1-27-H (Part of Lots 25 and 26, Concession 2, District of Storrington) immediately after the last Urban Residential – First Density – Special Provision section to read as follows:

UR1-27-H (Part of Lots 25 and 26, Concession 2, District of Storrington)

Notwithstanding the provisions of Section 14 or any other provision of this By-law to the contrary, the lands zoned Special Urban Residential – First Density (UR1-27-H) shall be used in accordance with the following:

- Zone Provisions
 - Lot Area (Minimum) 6000 sq. metres (64,583.4 sq. ft.)
 - Lot Frontage (Minimum) 45 Metres (147.6 ft)
 - Setback from Watercourse (Minimum) 15 Metres (49.2 ft)

Notwithstanding the provisions of Section 5.49.4 of this By-law to the contrary, the Holding Symbol applies to the development of one or more additional dwelling units. Prior to the removal of the Holding Symbol from any lot and the issuance of a building permit for an additional dwelling unit, the conditions listed in this section must be satisfied for each additional dwelling unit proposed. For greater certainty, where a second dwelling unit is approved, the Holding Symbol still applies to the lot, and prior to the removal of the Holding Symbol to permit a third dwelling unit the conditions listed in this section must be satisfied.

- It shall be demonstrated through an appropriate hydrogeological assessment to the satisfaction of the Municipality that the lot has both an adequate supply of potable water and adequate nitrate quantities.

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.

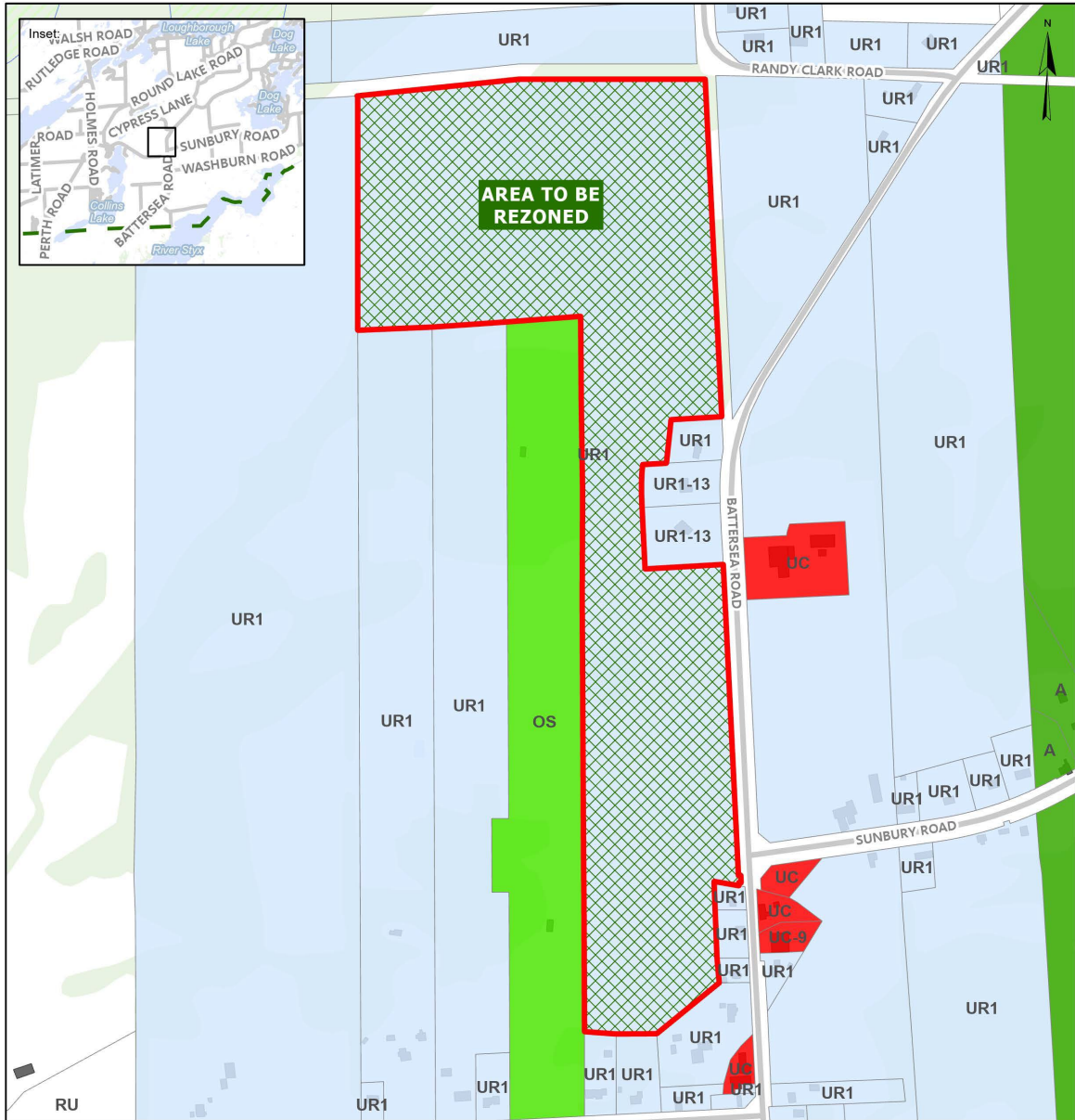
Given First and Second Readings: Tuesday, April 16, 2024

Given Third Reading and Passed: Tuesday, April 16, 2024

James Thompson, Clerk

Ron Vandewal, Mayor

Schedule 1 of By-law 2024-35



LEGEND		Zoning	
	Subject Property		AGRICULTURAL ZONE (A)
	Area to be Rezoned		COMMUNITY FACILITY ZONE (CF)
	Township Boundaries		ENVIRONMENTAL PROTECTION ZONE (EP)
	Building Footprints		MOBILE HOME RESIDENTIAL ZONE (MHR)
	Wooded Area		OPEN SPACE - PUBLIC ZONE (OS)
	Waterbody		OPEN SPACE - PRIVATE ZONE (OSP)
	Road		PIT 'A' ZONE (PA)
			PIT 'B' ZONE (PB)
			QUARRY 'A' ZONE (QA)
			QUARRY 'B' ZONE (QB)
			RESIDENTIAL ZONE (R)
			RURAL COMMERCIAL ZONE (RC)
			RURAL INDUSTRIAL ZONE (RI)
			LIMITED SERVICE RESIDENTIAL ZONE (RLS)
			LIMITED SERVICE RESIDENTIAL - ISLAND ZONE (RLSI)
			LIMITED SERVICE RESIDENTIAL - WATERFRONT ZONE (RLSW)
			RECREATIONAL RESORT COMMERCIAL ZONE (RRC)
			RURAL ZONE (RU)
			WATERFRONT RESIDENTIAL ZONE (RW)
			SALVAGE YARD INDUSTRIAL ZONE (SI)
			TEMPORARY USE ZONE (TUZ)
			URBAN COMMERCIAL ZONE (UC)
			URBAN INDUSTRIAL ZONE (UI)
			URBAN MULTIPLE RESIDENTIAL ZONE (UMR)
			URBAN RESIDENTIAL ZONE - FIRST DENSITY ZONE (UR1)
			URBAN RESIDENTIAL ZONE - SECOND DENSITY (UR2)
			WASTE DISPOSAL ZONE (WD)

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By-Law Number 2024-36**A By-Law to partially remove the Holding “H” Symbol from the Schedules of Zoning By-law 2003-75, as amended, on certain lands described as Part of Lots 25 and 26, Concession 2, District of Storrington**

Whereas a Holding “H” Symbol has been applied to the zoning on the subject lands described as Part of Lots 25 and 26, Concession 2, District of Storrington, to be removed to permit one or more additional dwelling units when it has been demonstrated through an appropriate hydrogeological assessment to the satisfaction of the Municipality that the lot has both an adequate supply of potable water and adequate nitrate quantities; and

Whereas the Owner of the subject lands has made this demonstration to the satisfaction of the Municipality for Lots 1, 14, 16, 17, 18, 19, 20, 21 and 22 on the subject lands; and

Whereas the Owner has requested that the “H” be removed to permit one additional dwelling unit on each of Lots 1, 14, 16, 17, 18, 19, 20, 21 and 22 on the subject lands;

Therefore be it resolved that the Council of the Corporation of the Township of South Frontenac hereby enacts as follows:

1. That the Holding “H” Symbol be removed to permit one additional dwelling unit from the lands zoned UR1-27-H on Schedule “G” to Zoning By-law Number 2003-75 as amended, as shown on Schedule “1”.
2. This By-law shall come into force on the day after By-law 2024-36 comes into force in accordance with Section 34 of the Planning Act, 1990, as amended.

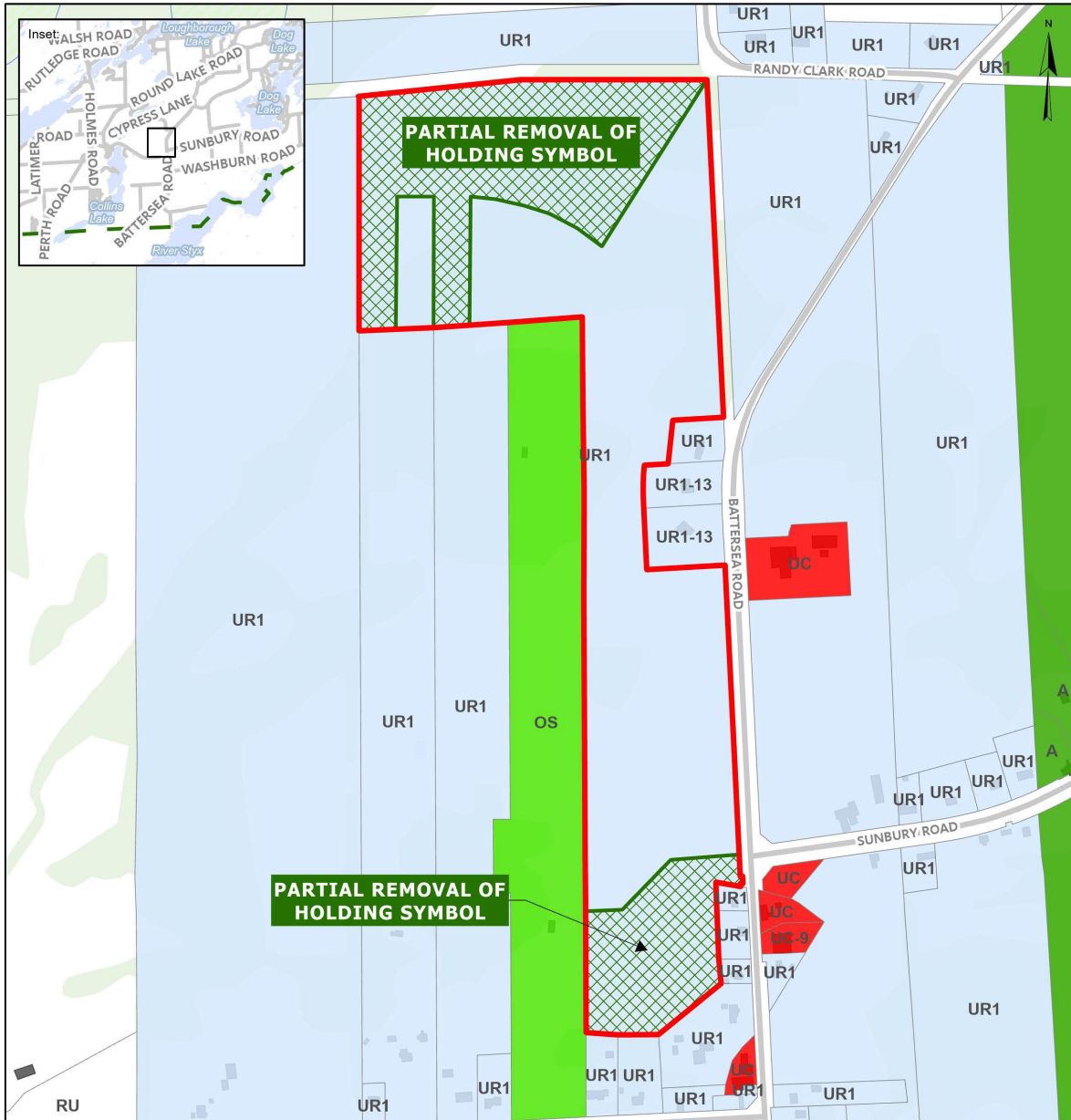
Given First and Second Readings: Tuesday, April 16, 2024


Given Third Reading and Passed: Tuesday, April 16, 2024

James Thompson, Clerk

Ron Vandewal, Mayor

Schedule 1 of By-law 2024-36





SOUTH FRONTENAC

(2628100 ONTARIO INC.)
3863 BATTERSEA ROAD

PL-ZBA-2024-0033 (Z-20-05)

Scale: 1:7,000

LEGEND

<ul style="list-style-type: none"> Subject Property Area to be Rezoned Township Boundaries Building Footprints Wooded Area Waterbody Road 	<p>Zoning</p> <ul style="list-style-type: none"> AGRICULTURAL ZONE (A) COMMUNITY FACILITY ZONE (CF) ENVIRONMENTAL PROTECTION ZONE (EP) MOBILE HOME RESIDENTIAL ZONE (MHR) OPEN SPACE - PUBLIC ZONE (OS) OPEN SPACE - PRIVATE ZONE (OSP) PIT 'A' ZONE (PA) 	<ul style="list-style-type: none"> PIT 'B' ZONE (PB) QUARRY 'A' ZONE (QA) QUARRY 'B' ZONE (QB) RESIDENTIAL ZONE (R) RURAL COMMERCIAL ZONE (RC) RURAL INDUSTRIAL ZONE (RI) LIMITED SERVICE RESIDENTIAL ZONE (RLS) 	<ul style="list-style-type: none"> LIMITED SERVICE RESIDENTIAL - ISLAND ZONE (RLSI) LIMITED SERVICE RESIDENTIAL - WATERFRONT ZONE (RLSW) RECREATIONAL RESORT COMMERCIAL ZONE (RRC) RURAL ZONE (RU) WATERFRONT RESIDENTIAL ZONE (RW) SALVAGE YARD INDUSTRIAL ZONE (SI) TEMPORARY USE ZONE (TUZ) 	<ul style="list-style-type: none"> URBAN COMMERCIAL ZONE (UC) URBAN INDUSTRIAL ZONE (UI) URBAN MULTIPLE RESIDENTIAL ZONE (UMR) URBAN RESIDENTIAL ZONE - FIRST DENSITY ZONE (UR1) URBAN RESIDENTIAL ZONE - SECOND DENSITY (UR2) WASTE DISPOSAL ZONE (WD)
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Township of South Frontenac

Staff Report



To: Council

From: Director, Development Services

Date of Meeting: April 16, 2024

Subject: Zoning By-law Amendment Application PL-ZBA-2024-0034, Pintea (Fotenn), 102901002017103, Bradshaw Road, Bedford District

Report Number: 2024-072

Summary

This report provides Council with information about Zoning By-law Amendment Application PL-ZBA-2024-0034 for the property with Assessment Roll Number 102901002017103 on Bradshaw Road.

Recommendation

That By-law 2024-37 to amend the zoning on lands with Assessment Roll Number 102901002017103, Part of Lot 27, Concession 2, District of Bedford, Township of South Frontenac be given first and second reading; and

That By-law 2024-37 be given third reading, signed and sealed.

Background

The subject application is related to consent application S-36-21-B for the creation of a 10-acre rural residential lot. The consent application was approved subject to conditions by a former Director of Development Services on August 19, 2022.

The purpose of the rezoning application is to fulfill a condition that requires the severed parcel to be rezoned to require buildings and structures to be set back a minimum 30 metres from a railway right-of-way where a minimum 2.5 metre high landscaped berm is provided along the lot line adjacent to the right-of-way, and to require a 1.83 metre high chain link security fence.

Under the *Planning Act*, a public meeting is required to be held to receive comments from the public on the proposed rezoning.

The subject property is located to the east of the intersection of Bobs Lake Road and Bradshaw Road, on the north side of Bradshaw Road. The lot borders a Canadian Pacific (CP) rail line to the west. The rail line consists of a single main line track used for transporting freight and intermodal rail traffic. The lands to the north and east of the property are Crown lands that are zoned Open Space.

The subject property consists predominately of forested areas, open grassy areas with rock outcrops throughout. There are several watercourses and two waterbodies on the subject property.

Application and Supporting Documents

The application and supporting documents can be accessed through the Township's CivicWeb Document Center, <https://southfrontenac.civicweb.net/filepro/documents/90083/>

Planning Justification Report

A Planning Justification Report (Fotenn Planning + Design, March 13, 2024) was submitted to assess the appropriateness of the conditionally approved severance and the proposed by-law amendment in the context of the surrounding area, and its conformity with the applicable policy and regulatory framework.

Rail Adjacent Development Review

A Rail Adjacent Development Review (Jamie Kennedy, April 1, 2022) was submitted with the consent application. The report reviewed the proposed severance against the most recent industry guidelines for new development in proximity to rail operations (Federation of Canadian Municipalities and Railway Association of Canada (FCM/RAC) Guidelines (May 2013)). It focused on rail safety and development viability (e.g. noise and vibration). The report concluded that the standard mitigation measures defined by the FCM/RAC Guidelines are appropriate for the site. The report included recommendations for future development on the severed parcel.

The proposed by-law will implement the recommended building setback, as well as berm and fence requirements. A development agreement will be used to implement other recommendations including berm and fence maintenance requirements, and potential need for additional studies. The agreement will also include a warning clause about the railway requested by CP.

Department and Agency Comments

Public Services, Building Services and Rideau Valley Conservation Authority were not circulated the rezoning application as they had no objection to the approval of the consent application.

Public Comments

No comments were received at the time this report was written.

Planning Analysis

The proposed zoning by-law amendment was assessed against the applicable policies of the Provincial Policy Statement 2020, County of Frontenac Official Plan, and Township of South Frontenac Official Plan, as well as the provisions of Zoning By-law No. 2003-75.

The former Director of Development Services had consideration for these planning documents in the decision to grant provisional approval to the consent applications.

Rural Residential Development

The Provincial Policy Statement 2020 (PPS) allows growth and development to be directed to rural lands, including resource-based recreational uses, as well as residential lot creation and development that is compatible with the rural landscape (section 1.1.5). The County of Frontenac Official Plan and the Township of South Frontenac Official Plan also permit residential development in the Rural designation.

The severed parcel satisfies the frontage and size requirements of the Rural Residential policies in Section 5.7.4 of the Township Official Plan. The retained parcel also satisfies the applicable Rural policies.

Land Use Compatibility

The PPS requires land use compatibility to be considered between major facilities (e.g. railway) and sensitive land uses (e.g. residential) (section 1.2.6.1). Residential land uses must be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of the railway in accordance with provincial guidelines, standards and procedures.

The County Official Plan reinforces the need for development adjacent to transportation corridors to be approved in a way that supports the ongoing use of the transportation corridor without compatibility issues or other potential conflicts.

The Township Official Plan includes consideration for compatibility and mitigation. Section 6.9 requires buffering to eliminate or reduce conflict between uses. Section 6.25 requires a noise feasibility study to determine whether the proposal is feasible due to noise levels for any uses within 100 metres of a principal railway mainline.

The FCM/RAC Guidelines are meant to assist municipal governments and railways on matters related to land use decisions. The Rail Adjacent Development Review (Jamie Kennedy, April 1, 2022) concluded that the standard mitigation measures defined by the FCM/RAC Guidelines are considered appropriate for the site. These mitigation measures include a minimum 30 metre setback from the lot line adjacent to the railway right-of-way in conjunction with a 2.5 metre high berm, an acoustic fence on the berm, and a chain line security fence along the lot line.

Conclusion

It is the opinion of staff that the proposed zoning by-law amendment is consistent and conforms to the Provincial Policy Statement 2020, the County of Frontenac Official Plan, and the Township of South Frontenac Official Plan. It also represents good planning for the subject lands.

Staff are recommending that Council pass a by-law during the Council meeting in which the public meeting is held, per Procedural By-law as Amended by By-law 2023-44, as the planning matter is technical in nature. Specifically, the former Director of Development Services had consideration for all applicable policy in the decision to grant provisional approval to the consent application, and the proposed by-law will fulfill one of the conditions.

Financial Implications

Not applicable.

Relationship to Strategic Plan

- Not applicable to this report.
- This initiative adheres to the following strategic pillars and directions of the 2023-2026 Strategic Plan.
 - Pillars: Choose an item.
 - Action Item (If Applicable): Insert Text

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

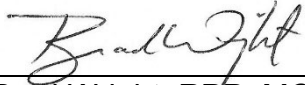
Attachments

Exhibit A. By-law 2024-37

Approvals

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

Submitted By:



Brad Wright, RPP, MCIP, Director of Development Services

Approved By:



Louise Fragnito, Chief Administrative Officer

By-Law Number 2024-37**A By-Law to amend By-law 2003-75, as amended, to rezone land from Rural (RU) to Rural – Special Provision (RU-79) on lands described as Part of Lot 27, Concession 2, District of Bedford**

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

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

Therefore be it resolved that the Council of the Corporation of the Township of South Frontenac hereby enacts as follows:

1. That Schedule “D” to Zoning By-law Number 2003-75 as amended, is hereby further amended by changing the zoning from Rural (RU) to Rural – Special Provision (RU-79) for lands shown on Schedule “1”.
2. That Zoning By-law Number 2003-75 as amended is hereby further amended by adding a new section RU-79 (Part of Lot 27, Concession 2, District of Bedford) immediately after the last Rural – Special Provision section to read as follows:

RU-79 (Part of Lot 27, Concession 2, District of Bedford)

Notwithstanding the provisions of Section 7 or any other provision of this By-law to the contrary, the lands zoned Special Rural (RU-79) shall be used in accordance with the following:

- The minimum required setback from the lot line adjacent to a railway right-of-way to a dwelling or dwelling unit is 30 metres, where a minimum 2.5 metre high landscaped berm is provided along the lot line adjacent to the right-of-way.
- A minimum 1.83 metre high security fence must be provided along the lot line adjacent to the right-of-way for the entire length of the lot line.
- Definition:
 - “Landscaped Berm” shall mean an outdoor area on a lot that has been designed for safety purposes as an earthen berm with side slopes not steeper than 2.5 to 1, adjoining and parallel to a railway right-of-way with returns at the ends.

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.

Given First and Second Readings: Tuesday, April 16, 2024

Given Third Reading and Passed: Tuesday, April 16, 2024

James Thompson, Clerk

Ron Vandewal, Mayor

Schedule 1 of By-law 2024-37



<p>SOUTH FRONTENAC</p> <p>PINTEA (FOTENN) 293 BRADSHAW RD</p> <p>PL-ZBA-2024-0034</p> <p>0 25 50 100 m Scale: 1:4,000</p>	<p>LEGEND</p> <table border="0"> <tr> <td> Subject Property</td> <td>Zoning</td> <td> PIT 'B' ZONE (PB)</td> <td> LIMITED SERVICE RESIDENTIAL - ISLAND ZONE (RLSI)</td> <td> URBAN COMMERCIAL ZONE (UC)</td> </tr> <tr> <td> Area to be Rezoned</td> <td> AGRICULTURAL ZONE (A)</td> <td> QUARRY 'A' ZONE (QA)</td> <td> LIMITED SERVICE RESIDENTIAL - WATERFRONT ZONE (RLSW)</td> <td> URBAN INDUSTRIAL ZONE (UI)</td> </tr> <tr> <td> Township Boundaries</td> <td> COMMUNITY FACILITY ZONE (CF)</td> <td> QUARRY 'B' ZONE (QB)</td> <td> RECREATIONAL RESORT COMMERCIAL ZONE (RRC)</td> <td> URBAN MULTIPLE RESIDENTIAL ZONE (UMR)</td> </tr> <tr> <td> Building Footprints</td> <td> ENVIRONMENTAL PROTECTION ZONE (EP)</td> <td> RESIDENTIAL ZONE (R)</td> <td> RURAL ZONE (RU)</td> <td> URBAN RESIDENTIAL ZONE - FIRST DENSITY ZONE (UR1)</td> </tr> <tr> <td> Wooded Area</td> <td> MOBILE HOME RESIDENTIAL ZONE (MHR)</td> <td> RURAL COMMERCIAL ZONE (RC)</td> <td> WATERFRONT RESIDENTIAL ZONE (RW)</td> <td> URBAN RESIDENTIAL ZONE - SECOND DENSITY (UR2)</td> </tr> <tr> <td> Waterbody</td> <td> OPEN SPACE - PUBLIC ZONE (OS)</td> <td> RURAL INDUSTRIAL ZONE (RI)</td> <td> SALVAGE YARD INDUSTRIAL ZONE (SI)</td> <td> WASTE DISPOSAL ZONE (WD)</td> </tr> <tr> <td> Road</td> <td> OPEN SPACE - PRIVATE ZONE (OSP)</td> <td> LIMITED SERVICE RESIDENTIAL ZONE (RLS)</td> <td> TEMPORARY USE ZONE (TUZ)</td> <td></td> </tr> <tr> <td></td> <td> PIT 'A' ZONE (PA)</td> <td></td> <td></td> <td></td> </tr> </table>				Subject Property	Zoning	PIT 'B' ZONE (PB)	LIMITED SERVICE RESIDENTIAL - ISLAND ZONE (RLSI)	URBAN COMMERCIAL ZONE (UC)	Area to be Rezoned	AGRICULTURAL ZONE (A)	QUARRY 'A' ZONE (QA)	LIMITED SERVICE RESIDENTIAL - WATERFRONT ZONE (RLSW)	URBAN INDUSTRIAL ZONE (UI)	Township Boundaries	COMMUNITY FACILITY ZONE (CF)	QUARRY 'B' ZONE (QB)	RECREATIONAL RESORT COMMERCIAL ZONE (RRC)	URBAN MULTIPLE RESIDENTIAL ZONE (UMR)	Building Footprints	ENVIRONMENTAL PROTECTION ZONE (EP)	RESIDENTIAL ZONE (R)	RURAL ZONE (RU)	URBAN RESIDENTIAL ZONE - FIRST DENSITY ZONE (UR1)	Wooded Area	MOBILE HOME RESIDENTIAL ZONE (MHR)	RURAL COMMERCIAL ZONE (RC)	WATERFRONT RESIDENTIAL ZONE (RW)	URBAN RESIDENTIAL ZONE - SECOND DENSITY (UR2)	Waterbody	OPEN SPACE - PUBLIC ZONE (OS)	RURAL INDUSTRIAL ZONE (RI)	SALVAGE YARD INDUSTRIAL ZONE (SI)	WASTE DISPOSAL ZONE (WD)	Road	OPEN SPACE - PRIVATE ZONE (OSP)	LIMITED SERVICE RESIDENTIAL ZONE (RLS)	TEMPORARY USE ZONE (TUZ)			PIT 'A' ZONE (PA)			
	Subject Property	Zoning	PIT 'B' ZONE (PB)	LIMITED SERVICE RESIDENTIAL - ISLAND ZONE (RLSI)	URBAN COMMERCIAL ZONE (UC)																																							
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By-Law Number 2024-34

Being A By-law to amend By-law 2003-75, as amended, to rezone lands from Limited-Service Residential Waterfront (RLSW) to Limited-Service Residential – Special Provision (RLS-16) and Limited Service Residential - Waterfront – Special Provision (RLSW-142) on lands civically addressed as 1048 Shallow Lane, Part of Lot 5, Concession 5, District of Loughborough

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 used of buildings and structures thereon;

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;

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*;

Therefore Be It Resolved That the Council of the Corporation of the Township of South Frontenac hereby enacts as follows:

1. That Schedule “B” to Zoning By-law Number 2003-75 as amended, is hereby further amended by changing zoning from Limited Service Residential Waterfront (RLSW) to Limited Service Residential – Special Provision (RLS-16) and Limited Service Residential – Waterfront – Special Provision (RLSW-142) for lands shown on Schedule “1”.
2. That Zoning By-law Number 2003-75 as amended is hereby further amended by adding a new section RLS-16 immediately after the last Limited Service Residential – Special Provision section to read as follows:

RLS-16 (Severed Parcel in Consent Application PL-BDJ-2023-0103, Part Lot 5, Concession 5, District of Loughborough)

Notwithstanding the provision of Section 9 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential (RLS-16), the following provisions apply:

Lot Frontage, Private Lane (Minimum) 20 Metres (65.6 feet)

All other provisions of this by-law shall apply.

3. That Zoning By-law Number 2003-75 as amended is hereby further amended by adding a new section RLSW-142 immediately after the last Limited Service Residential – Waterfront – Special Provision section to read as follows:

RLSW-142 (Retained Parcel in Consent Application PL-BDJ-2023-0103, Part Lot 5, Concession 5, District of Loughborough)

Notwithstanding the provision of Section 10 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential – Waterfront (RLSW-142), the following provisions apply:

Lot Frontage, Private Lane (Minimum) 0 Metres (0 feet)

All other provisions of this by-law shall apply.

4. This By-law shall come into force in accordance with Section 34 of the *Planning Act*, 1990, as amended, and take effect either upon the date of passage or as otherwise provided by said Section 34.

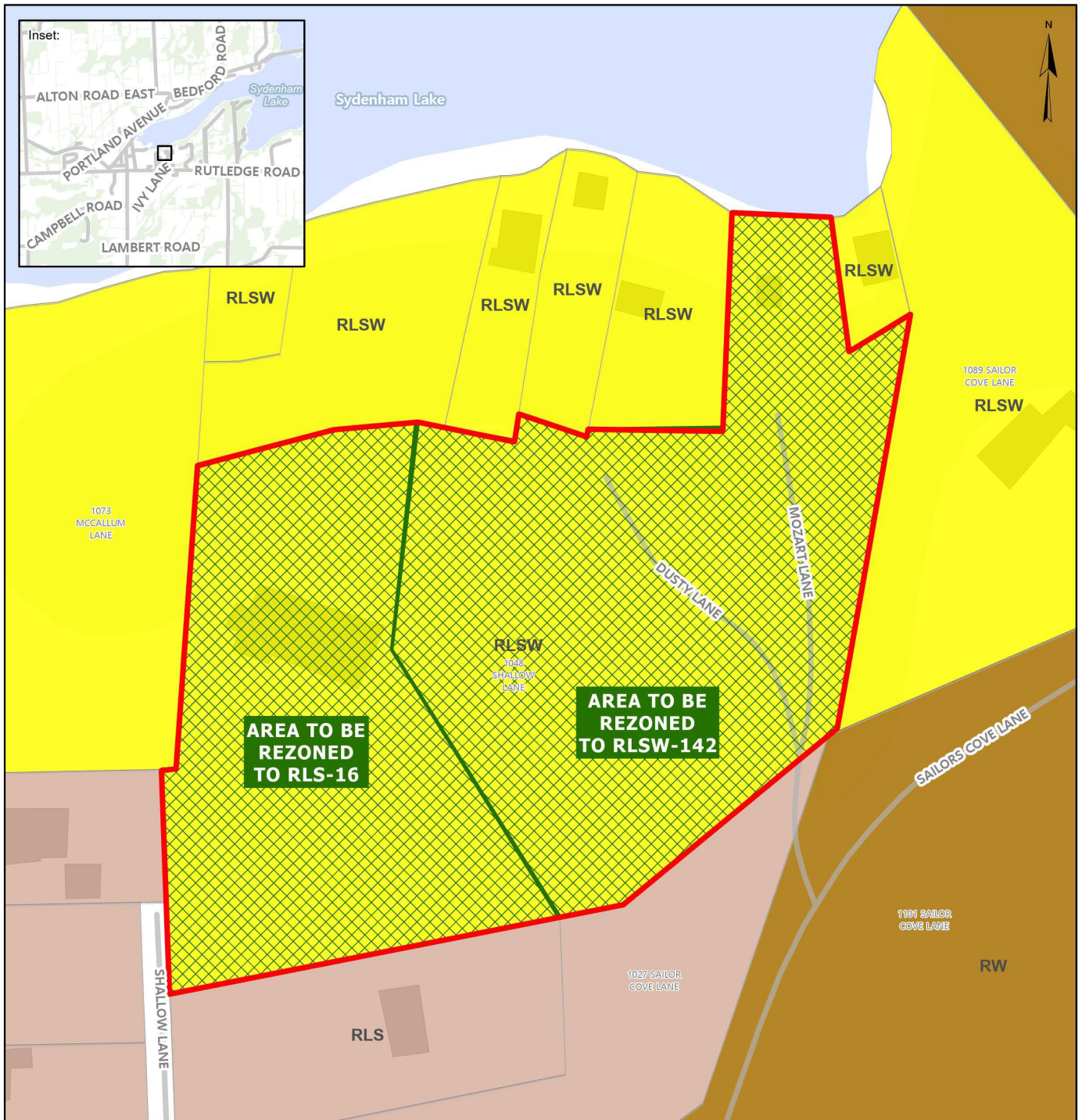
Given First and Second Readings: Tuesday, April 16, 2024

Given Third Reading and Passed: Tuesday, April 16, 2024

James Thompson, Clerk

Ron Vandewal, Mayor

Schedule 1 of By-law 2024-34



<p>SOUTH FRONTENAC (DEROCHE)</p> <p>1048 SHALLOW LANE PL-ZBA-2024-0014</p> <p>Scale: 1:1,200</p>	<p>LEGEND</p>					
	<p> Subject Property</p> <p> Area to be Rezoned</p> <p> Parcels</p> <p> Building Footprints</p> <p> Wooded Area</p> <p> Waterbody</p> <p> Road</p>	<p>Zoning</p> <p> AGRICULTURAL ZONE (A)</p> <p> COMMUNITY FACILITY ZONE (CF)</p> <p> ENVIRONMENTAL PROTECTION ZONE (EP)</p> <p> MOBILE HOME RESIDENTIAL ZONE (MHR)</p> <p> OPEN SPACE - PUBLIC ZONE (OS)</p> <p> OPEN SPACE - PRIVATE ZONE (OSP)</p> <p> PIT 'A' ZONE (PA)</p>	<p> PIT 'B' ZONE (PB)</p> <p> QUARRY 'A' ZONE (QA)</p> <p> QUARRY 'B' ZONE (QB)</p> <p> RESIDENTIAL ZONE (R)</p> <p> RURAL COMMERCIAL ZONE (RC)</p> <p> RURAL INDUSTRIAL ZONE (RI)</p> <p> LIMITED SERVICE RESIDENTIAL ZONE (RLS)</p>	<p> LIMITED SERVICE RESIDENTIAL - ISLAND ZONE (RLSI)</p> <p> LIMITED SERVICE RESIDENTIAL - WATERFRONT ZONE (RLSW)</p> <p> RECREATIONAL RESORT COMMERCIAL ZONE (RRC)</p> <p> RURAL ZONE (RU)</p> <p> WATERFRONT RESIDENTIAL ZONE (RW)</p> <p> SALVAGE YARD INDUSTRIAL ZONE (SI)</p> <p> TEMPORARY USE ZONE (TUZ)</p>	<p> URBAN COMMERCIAL ZONE (UC)</p> <p> URBAN INDUSTRIAL ZONE (UI)</p> <p> URBAN MULTIPLE RESIDENTIAL ZONE (UMR)</p> <p> URBAN RESIDENTIAL ZONE - FIRST DENSITY ZONE (UR1)</p> <p> URBAN RESIDENTIAL ZONE - SECOND DENSITY (UR2)</p> <p> WASTE DISPOSAL ZONE (WD)</p>	

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By-Law Number 2024-35

A By-Law to amend By-law 2003-75, as amended, to rezone land from Urban Residential – First Density (UR1) to Urban Residential – First Density – Special Provision (UR1-27) and to place a Holding Symbol on the UR1-27 zone on lands described as Part of Lots 25 and 26, Concession 2, District of Storrington

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

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

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

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

Therefore be it resolved that the Council of the Corporation of the Township of South Frontenac hereby enacts as follows:

1. That Schedule “G” to Zoning By-law Number 2003-75 as amended, is hereby further amended by changing the zoning from Urban Residential – First Density (UR1) to Urban Residential – First Density – Special Provision (UR1-27-H) for lands shown on Schedule “1”.
2. That Zoning By-law Number 2003-75 as amended is hereby further amended by adding a new section UR1-27-H (Part of Lots 25 and 26, Concession 2, District of Storrington) immediately after the last Urban Residential – First Density – Special Provision section to read as follows:

UR1-27-H (Part of Lots 25 and 26, Concession 2, District of Storrington)

Notwithstanding the provisions of Section 14 or any other provision of this By-law to the contrary, the lands zoned Special Urban Residential – First Density (UR1-27-H) shall be used in accordance with the following:

- Zone Provisions
 - Lot Area (Minimum) 6000 sq. metres (64,583.4 sq. ft.)
 - Lot Frontage (Minimum) 45 Metres (147.6 ft)
 - Setback from Watercourse (Minimum) 15 Metres (49.2 ft)

Notwithstanding the provisions of Section 5.49.4 of this By-law to the contrary, the Holding Symbol applies to the development of one or more additional dwelling units. Prior to the removal of the Holding Symbol from any lot and the issuance of a building permit for an additional dwelling unit, the conditions listed in this section must be satisfied for each additional dwelling unit proposed. For greater certainty, where a second dwelling unit is approved, the Holding Symbol still applies to the lot, and prior to the removal of the Holding Symbol to permit a third dwelling unit the conditions listed in this section must be satisfied.

- It shall be demonstrated through an appropriate hydrogeological assessment to the satisfaction of the Municipality that the lot has both an adequate supply of potable water and adequate nitrate quantities.

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.

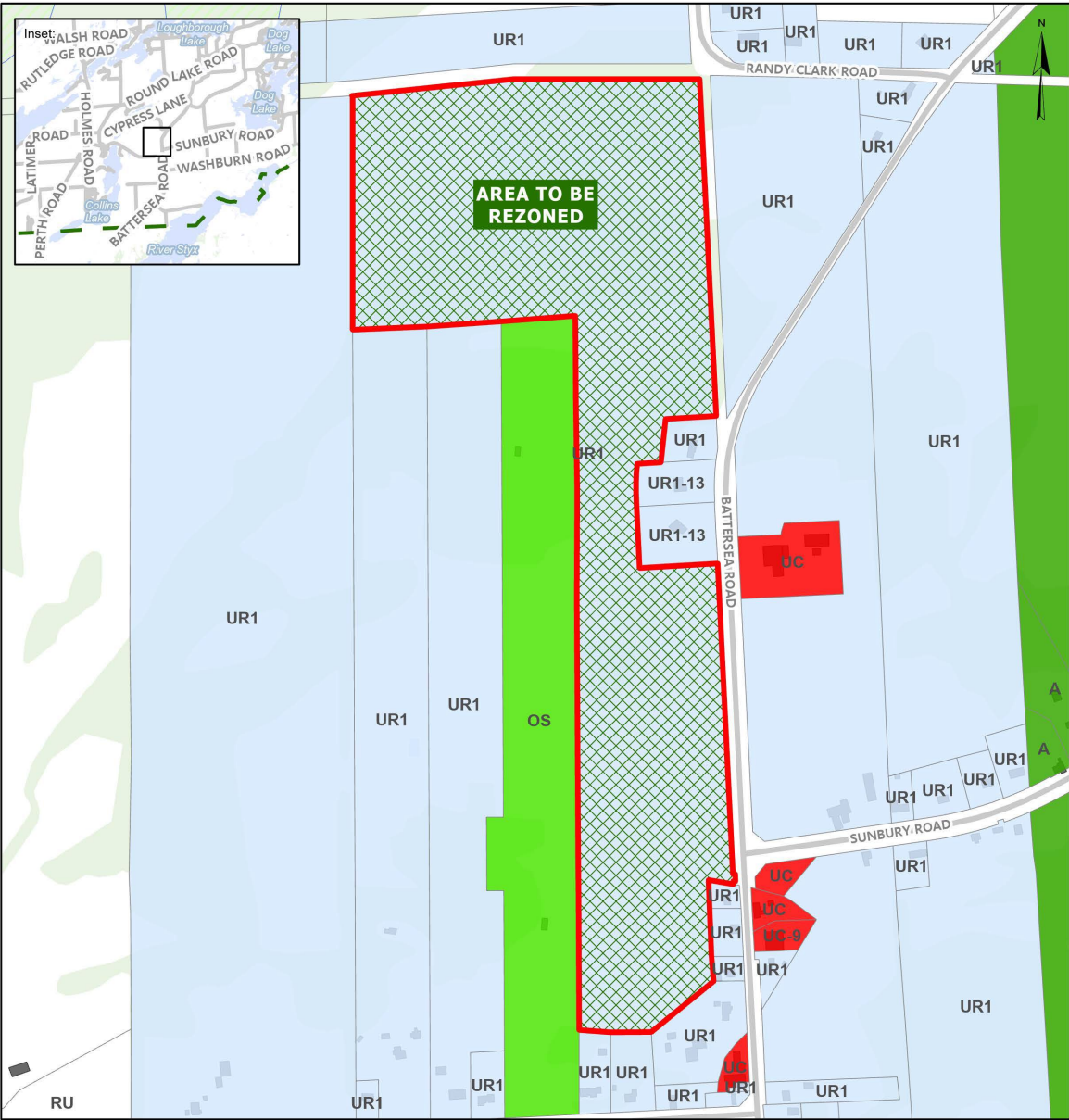
Given First and Second Readings: Tuesday, April 16, 2024

Given Third Reading and Passed: Tuesday, April 16, 2024

James Thompson, Clerk

Ron Vandewal, Mayor

Schedule 1 of By-law 2024-35



SOUTH FRONTENAC
(2628100 ONTARIO INC.)
3863 BATTERSEA ROAD

Z-20-05

Scale: 1:7,000

LEGEND

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

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By-Law Number 2024-36**A By-Law to partially remove the Holding “H” Symbol from the Schedules of Zoning By-law 2003-75, as amended, on certain lands described as Part of Lots 25 and 26, Concession 2, District of Storrington**

Whereas a Holding “H” Symbol has been applied to the zoning on the subject lands described as Part of Lots 25 and 26, Concession 2, District of Storrington, to be removed to permit one or more additional dwelling units when it has been demonstrated through an appropriate hydrogeological assessment to the satisfaction of the Municipality that the lot has both an adequate supply of potable water and adequate nitrate quantities; and

Whereas the Owner of the subject lands has made this demonstration to the satisfaction of the Municipality for Lots 1, 14, 16, 17, 18, 19, 20, 21 and 22 on the subject lands; and

Whereas the Owner has requested that the “H” be removed to permit one additional dwelling unit on each of Lots 1, 14, 16, 17, 18, 19, 20, 21 and 22 on the subject lands;

Therefore be it resolved that the Council of the Corporation of the Township of South Frontenac hereby enacts as follows:

1. That the Holding “H” Symbol be removed to permit one additional dwelling unit from the lands zoned UR1-27-H on Schedule “G” to Zoning By-law Number 2003-75 as amended, as shown on Schedule “1”.
2. This By-law shall come into force on the day after By-law 2024-36 comes into force in accordance with Section 34 of the Planning Act, 1990, as amended.

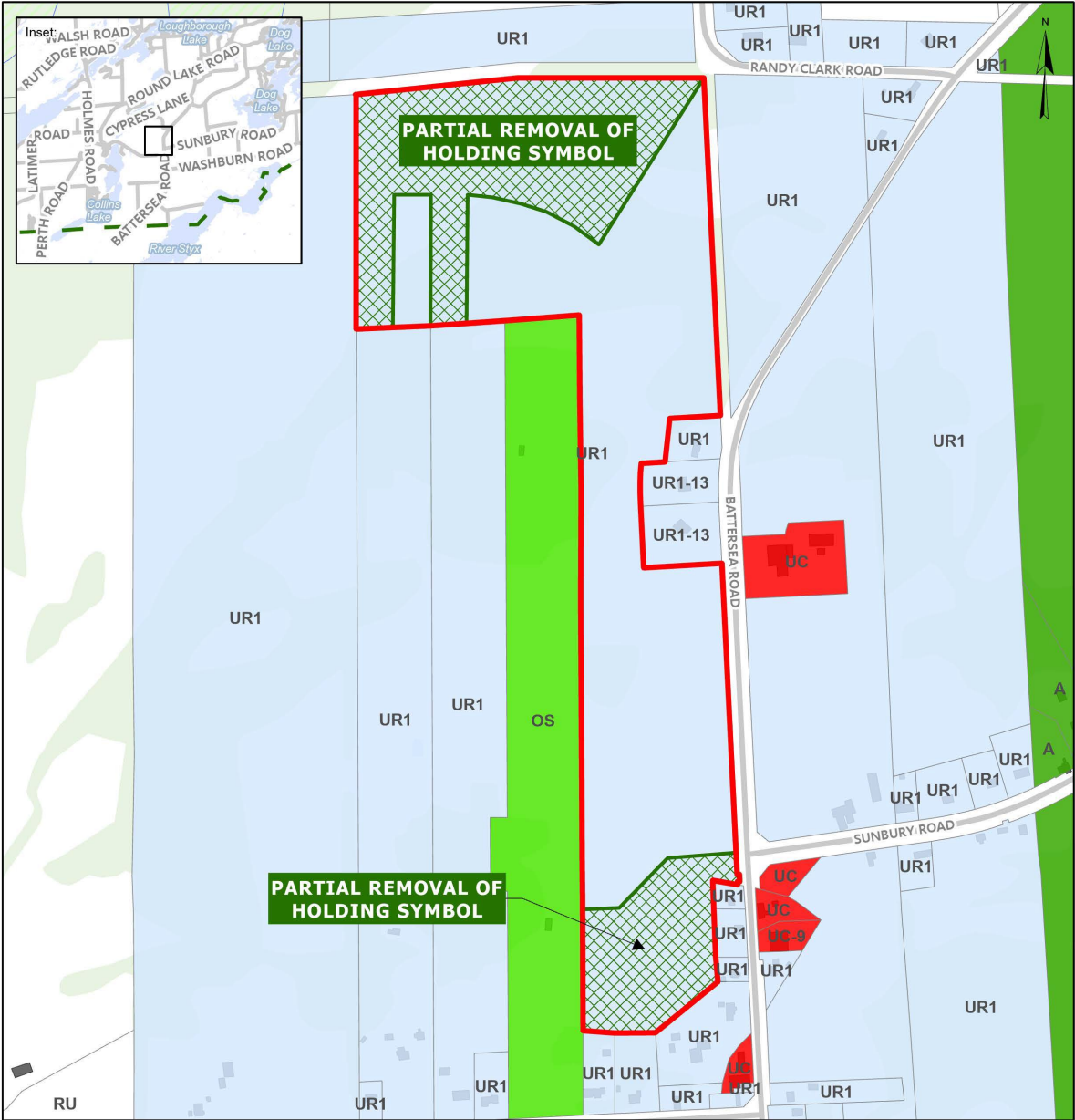
Given First and Second Readings: Tuesday, April 16, 2024


Given Third Reading and Passed: Tuesday, April 16, 2024

James Thompson, Clerk

Ron Vandewal, Mayor

Schedule 1 of By-law 2024-36





SOUTH FRONTENAC

(2628100 ONTARIO INC.)
3863 BATTERSEA ROAD

PL-ZBA-2024-0033 (Z-20-05)

Scale: 1:7,000

LEGEND

<ul style="list-style-type: none"> Subject Property Area to be Rezoned Township Boundaries Building Footprints Wooded Area Waterbody Road 	<p>Zoning</p> <ul style="list-style-type: none"> AGRICULTURAL ZONE (A) COMMUNITY FACILITY ZONE (CF) ENVIRONMENTAL PROTECTION ZONE (EP) MOBILE HOME RESIDENTIAL ZONE (MHR) OPEN SPACE - PUBLIC ZONE (OS) OPEN SPACE - PRIVATE ZONE (OSP) PIT 'A' ZONE (PA) 	<ul style="list-style-type: none"> PIT 'B' ZONE (PB) QUARRY 'A' ZONE (QA) QUARRY 'B' ZONE (QB) RESIDENTIAL ZONE (R) RURAL COMMERCIAL ZONE (RC) RURAL INDUSTRIAL ZONE (RI) LIMITED SERVICE RESIDENTIAL ZONE (RLS) 	<ul style="list-style-type: none"> LIMITED SERVICE RESIDENTIAL - ISLAND ZONE (RLSI) LIMITED SERVICE RESIDENTIAL - WATERFRONT ZONE (RLSW) RECREATIONAL RESORT COMMERCIAL ZONE (RRC) RURAL ZONE (RU) WATERFRONT RESIDENTIAL ZONE (RW) SALVAGE YARD INDUSTRIAL ZONE (SI) TEMPORARY USE ZONE (TUZ) 	<ul style="list-style-type: none"> URBAN COMMERCIAL ZONE (UC) URBAN INDUSTRIAL ZONE (UI) URBAN MULTIPLE RESIDENTIAL ZONE (UMR) URBAN RESIDENTIAL ZONE - FIRST DENSITY ZONE (UR1) URBAN RESIDENTIAL ZONE - SECOND DENSITY (UR2) WASTE DISPOSAL ZONE (WD)
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By-Law Number 2024-37**A By-Law to amend By-law 2003-75, as amended, to rezone land from Rural (RU) to Rural – Special Provision (RU-79) on lands described as Part of Lot 27, Concession 2, District of Bedford**

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

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

Therefore be it resolved that the Council of the Corporation of the Township of South Frontenac hereby enacts as follows:

1. That Schedule “D” to Zoning By-law Number 2003-75 as amended, is hereby further amended by changing the zoning from Rural (RU) to Rural – Special Provision (RU-79) for lands shown on Schedule “1”.
2. That Zoning By-law Number 2003-75 as amended is hereby further amended by adding a new section RU-79 (Part of Lot 27, Concession 2, District of Bedford) immediately after the last Rural – Special Provision section to read as follows:

RU-79 (Part of Lot 27, Concession 2, District of Bedford)

Notwithstanding the provisions of Section 7 or any other provision of this By-law to the contrary, the lands zoned Special Rural (RU-79) shall be used in accordance with the following:

- The minimum required setback from the lot line adjacent to a railway right-of-way to a dwelling or dwelling unit is 30 metres, where a minimum 2.5 metre high landscaped berm is provided along the lot line adjacent to the right-of-way.
- A minimum 1.83 metre high security fence must be provided along the lot line adjacent to the right-of-way for the entire length of the lot line.
- Definition:
 - “Landscaped Berm” shall mean an outdoor area on a lot that has been designed for safety purposes as an earthen berm with side slopes not steeper than 2.5 to 1, adjoining and parallel to a railway right-of-way with returns at the ends.

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.

Given First and Second Readings: Tuesday, April 16, 2024

Given Third Reading and Passed: Tuesday, April 16, 2024

James Thompson, Clerk

Ron Vandewal, Mayor

Schedule 1 of By-law 2024-37



<p>SOUTH FRONTENAC</p> <p>PINTEA (FOTENN) 293 BRADSHAW RD</p> <p>PL-ZBA-2024-0034</p> <p>0 25 50 100 m Scale: 1:4,000</p>	<p>LEGEND</p>				
	<p> Subject Property</p> <p> Area to be Rezoned</p> <p> Township Boundaries</p> <p> Building Footprints</p> <p> Wooded Area</p> <p> Waterbody</p> <p> Road</p>	<p>Zoning</p> <p> AGRICULTURAL ZONE (A)</p> <p> COMMUNITY FACILITY ZONE (CF)</p> <p> ENVIRONMENTAL PROTECTION ZONE (EP)</p> <p> MOBILE HOME RESIDENTIAL ZONE (MHR)</p> <p> OPEN SPACE - PUBLIC ZONE (OSP)</p> <p> OPEN SPACE - PRIVATE ZONE (OSP)</p> <p> PIT 'A' ZONE (PA)</p>	<p> PIT 'B' ZONE (PB)</p> <p> QUARRY 'A' ZONE (QA)</p> <p> QUARRY 'B' ZONE (QB)</p> <p> RESIDENTIAL ZONE (R)</p> <p> RURAL COMMERCIAL ZONE (RC)</p> <p> RURAL INDUSTRIAL ZONE (RI)</p> <p> LIMITED SERVICE RESIDENTIAL ZONE (RLS)</p>	<p> LIMITED SERVICE RESIDENTIAL - ISLAND ZONE (RLSI)</p> <p> LIMITED SERVICE RESIDENTIAL - WATERFRONT ZONE (RLSW)</p> <p> RECREATIONAL RESORT COMMERCIAL ZONE (RRC)</p> <p> RURAL ZONE (RU)</p> <p> WATERFRONT RESIDENTIAL ZONE (RW)</p> <p> SALVAGE YARD INDUSTRIAL ZONE (SI)</p> <p> TEMPORARY USE ZONE (TUZ)</p>	<p> URBAN COMMERCIAL ZONE (UC)</p> <p> URBAN INDUSTRIAL ZONE (UI)</p> <p> URBAN MULTIPLE RESIDENTIAL ZONE (UMR)</p> <p> URBAN RESIDENTIAL ZONE - FIRST DENSITY ZONE (UR1)</p> <p> URBAN RESIDENTIAL ZONE - SECOND DENSITY (UR2)</p> <p> WASTE DISPOSAL ZONE (WD)</p>

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Township of South Frontenac

Staff Report



To: Council

From: Director, Development Services

Date of Meeting: Tuesday, April 9, 2024

Subject: 4th Quarter 2023 – Building Services Report

Report Number: 2024-051

Summary

This report documents the delivery of Building Services within the Development Services Department between October 1, 2023, and December 31, 2023.

Recommendation

This report is for information purposes only.

Background

Each quarter, Building Services reports publicly on the number of building applications received and processed by the Township. Quarterly construction values from 2020 to 2023 are provided, as well as the number of building permits issued, and files closed.

Discussion/Analysis

During Q4 of 2023, Building Services received 133 files. Of those files, 52 were for Part 8 applications and 81 were for regular applications.

In 2023, Building Services received a total of 735 files. These files include building and sewage system applications, civic number applications, pool enclosures, food trucks, investigation files and other Part 8 services including the review of planning applications for all four Frontenac Townships.

South Frontenac Building Permits Issued:

The following table provides a breakdown of permits issued by permit type for the 4th quarter of 2023 exclusively for South Frontenac and provides a comparison of the 4th quarter of the previous years.

Permits Issued	Q4-2020	Q4-2021	Q4-2022	Q4-2023
Accessory Building	16	17	17	16
Deck/Covered Porch	7	5	10	11
Demolition	5	6	10	4
Pool Enclosure	6	3	2	1
Renovation/Repair/Addition	22	14	10	15
Seasonal Dwelling	0	0	3	2
Secondary Dwelling Unit	0	0	0	2
Sewage System	2	32	35	31
Single Dwelling	19	17	20	13
Solar, Sign, Tent etc.	2	0	4	3
Woodstove/Fireplace	9	9	6	12
Totals	88	103	117	110

The following table provides a breakdown of permits issued by permit type exclusively for South Frontenac in 2023 and provides a comparison to previous years.

Permits Issued	2020	2021	2022	2023
Accessory Building	77	83	102	70
Deck/Covered Porch	44	37	44	43
Demolition	35	50	41	28
Pool Enclosure	41	40	37	11
Renovation/Repair/Addition	65	77	69	63
Seasonal Dwelling	7	12	22	13
Secondary Dwelling Unit	0	0	3	4
Sewage System	2	145	137	119
Single Dwelling	66	68	80	65
Solar, Sign, Tent etc.	5	10	9	13
Woodstove/Fireplace	29	34	24	36
Totals	371	556	568	465

Quarterly Construction Values for all issued permits (includes Part 8):

The total construction value for all Q4 building permits in 2023 is over \$11.4 million dollars. Of this amount, the estimated Q4 construction value for issued sewage system permits is \$851,705 across all 4 townships.

Quarterly Construction Values	Q1	Q2	Q3	Q4	Totals
2020	\$2,127,530	\$8,131,300	\$10,645,958	\$9,500,012	\$30,404,800
# of permits	37	101	145	88	371
2021	\$5,893,036	\$19,651,915	\$12,118,642	\$9,327,137	\$46,990,730
# of permits	97	303	224	154	778
2022	\$16,150,397	\$25,241,485	\$21,974,324	\$17,801,458	\$81,167,664
# of permits	133	247	213	160	753
2023	\$7,116,555	\$20,911,418	\$18,350,670	\$11,411,605	\$57,790,248
# of permits	56	189	193	110	548

The estimated total construction value for 2023 is over \$58 million dollars. \$4,878,385 of this total construction value pertains to Part 8 applications across all four Townships. The South Frontenac portion equaled \$3,161,705.

Please note: After reviewing existing permit files, data within this table has been adjusted & updated to ensure accurate numbers are reflective from the existing permit files in the land management software program (CityView).

Delivery of Part 8 Services for Q4:

Note: Effective September 1st, 2023, South Frontenac Building Services no longer accepted applications, provided plans review or issued, permits pertaining to sewage systems for the three Townships – North Frontenac, Central Frontenac, and Frontenac Islands.

The following table illustrates Part 8 Services for South Frontenac only for the 4th quarter of 2023. Total revenue for the 4th quarter totaled \$31,039, which was lower than the \$82,665 collected in the 4th quarter of 2022 as revenue was also collected from the other three Townships at that time.

Part 8	Permits	Consent Review	Minor Variance Review	Performance Review	Record Search	Total
South Frontenac	31	2	1	3	1	38
Fees collected	\$27,898	\$1,030	\$463	\$1,545	\$103	\$31,039

In Q4, issued sewage permits totaled 31 for South Frontenac only, 3 planning applications were commented on, and 4 performance reviews/record searches were completed.

Delivery of Part 8 Services for 2023:

Part 8	Permits	Consent Review	Minor Variance Review	Performance Review	Record Search	Total
North Frontenac	32	11	2	3	0	48
Fees collected	\$30,986	\$5,665	\$926	\$1,545	\$0	\$39,122
Central Frontenac	38	19	2	2	2	62
Fees collected	\$35,568	\$9,785	\$926	\$1,030	\$206	\$47,515
Frontenac Islands	13	6	0	2	0	21
Fees collected	\$12,199	\$3,090	\$0	\$1,030	\$0	\$16,319
South Frontenac	119	6	8	14	7	155
Fees collected	\$114,056	\$3,090	\$3,704	\$7,210	\$721	\$128,781
2023 Pt 8 Revenue	\$192,809	\$21,630	\$5,556	\$10,815	\$927	\$231,737

For 2023, a total of 202 sewage permits were issued along with 52 planning applications commented on, and 30 performance reviews/record searches were completed.

Building Files Closed:

In Q4 Building Services closed 239 files. In 2023, a total of 556 files were closed.

Financial Implications

Building Fees

Q4 revenue collected for all South Frontenac building permits totaled \$219,844. Total 2023 revenue equaled \$1,166,179 for issued building permits including Part 8 for all Frontenacs.

Part 8 Fees

The Q4 revenue collected for Part 8 services was \$31,039 and the overall 2023 revenue totaled \$223,814 for all Townships (in which 60% was for South Frontenac).

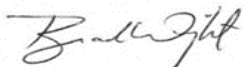
Relationship to Strategic Plan

- Not applicable to this report.
- This initiative adheres to the following strategic pillars and directions of the 2023-2026 Strategic Plan.
 - Pillars: Municipal Service Excellence

Approvals

Prepared By: Peggy Spafford, Permit Intake Coordinator
 Rebecca Roy, Chief Building Official

Submitted By:



Brad Wright, Director of Development Services

Approved By:



Louise Fragnito, Chief Administrative Officer

Township of South Frontenac Staff Report



To: Council

From: Director, Development Services

Date of Meeting: Tuesday, April 16, 2024

Subject: Q4 Planning Services Report

Report Number: 2023-052

Summary

This report documents the delivery of Planning Services within the Development Services Department between October 1, 2023, and December 31, 2023 (4th Quarter, 2023).

Recommendation

This Report is for information purposes only.

Background

The charts below break out planning activities by application type for Q4 2023 and compares the number to 2022 quarterly totals.

The activities outlined below were completed by the Senior Planner and Planner(s).

Pre-consultation Meetings

	Number of Meetings
2023 – 4 th Quarter Total	49
2022 – 4 th Quarter Total	55
2023 – Annual Total	169
2022 – Annual Total	283
2021 – Annual Total	377
2020 – Annual Total	287

Consent Applications

	Complete Applications Submitted
2023 – 4 th Quarter Total	4
2022 – 4 th Quarter Total	16
2023 – Annual Total	42
2022 – Annual Total	57
2021 – Annual Total	94
2020 – Annual Total	52

Consent Applications – Approvals by Delegated Approval versus Applications Heard by Committee of Adjustment

	Undisputed Consents Approved by Director of Development Services	Disputed Consents Heard by Committee of Adjustment
2023 – 4 th Quarter Total	7	2
2022 – 4 th Quarter Total	5	2
2023 – Annual Total	38	8
2022 – Annual Total	58	12
2021 – Annual Total	56	7
2020 – Annual Total	48	8

Minor Variance Applications

	Complete Applications Submitted
2023 – 4 th Quarter Total	3
2022 – 4 th Quarter Total	13
2023 – Annual Total	50
2022 – Annual Total	52
2021 – Annual Total	56
2020 – Annual Total	48

Zoning By-law Amendment Applications

	Complete Applications Submitted
2023 – 4 th Quarter Total	6
2022 – 4 th Quarter Total	1
2023 – Annual Total	21
2022 – Annual Total	17
2021 – Annual Total	30
2020 – Annual Total	17

Site Plan Control Applications

	Complete Applications Submitted
2023 – 4 th Quarter Total	0
2022 – 4 th Quarter Total	1
2023 – Annual Total	3
2022 – Annual Total	14
2021 – Annual Total	9
2020 – Annual Total	10

Development Agreements

	Agreements Prepared
2023 – 4 th Quarter Total	11
2022 – 4 th Quarter Total	21
2023 – Annual Total	63
2022 – Annual Total	82
2021 – Annual Total	93
2020 – Annual Total	53

Certificates of Official Issued (Finalizing Consent Applications)

	Certificates Issued
2023 – 4 th Quarter Total	13
2022 – 4 th Quarter Total	19
2023 – Annual Total	42
2022 – Annual Total	55
2021 – Annual Total	47
2020 – Annual Total	20

Other

In Q4 of 2023:

- 1 Minimum Distance Separation Calculation were completed.

Discussion/Analysis

The application numbers and demand for planning services in 2023 was approximately 25% lower compared to the average of the past three years. However, this was offset by an increase in planning fees in spring 2023, which has resulted in a 12% increase in fees collected compared to the average of the previous four years. On an annual basis, **Table 1** below illustrates annual and budgeted planning fees from 2019-2023.

Table 1: Planning fees collected annually from 2019 to 2023.

Year	Planning Fees
2019	\$127,953
2020	\$154,296
2021	\$212,304
2022	\$161,359
2023	\$183,255

Subdivision developments:

- Council approved a draft plan of subdivision in 2023 for a 31-lot residential plan of subdivision in Sunbury. The developer is currently working on satisfying conditions.
- The developer of the Hartington subdivision has submitted a building permit application for one (1) of the thirteen (13) approved lots.
- Concurrent to this report, Township staff are supportive of the County providing a further one-year extension to draft plan approval application for the Shield Shores Plan of Condominium. The draft plan is for the creation of eighteen (18) residential units to allow the developer and the Township the opportunity to fulfill the remaining conditions of draft plan approval.
- Oullette subdivision – The Ontario Land Tribunal approved a two-year extension to the draft plan of subdivision. The applicant is moving forward with fulfilling conditions. The house portion of the property is in the process of a consent application, resulting in a total subdivision of fourteen (14) lots.

Financial Implications

There are no financial implications associated with this report.

Relationship to Strategic Plan

- Not applicable to this report.
- This initiative adheres to the following strategic pillars and directions of the 2023-2026 Strategic Plan.
 - Pillars: Choose an item.
 - Action Item (If Applicable): Insert Text

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.

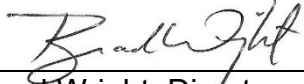
Notice/Consultation

Planning division staff.

Attachments

N/A

Approvals



Brad Wright, Director of Development Services

Approved By:



Louise Fragnito, Chief Administrative Officer

By-Law Number 2024-38**A By-Law to Confirm generally all actions and proceedings of the Council meeting of the corporation of the Township of South Frontenac on April 16, 2024**

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;

Therefore, be it resolved that the Council of the 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 16, 2024, 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 16, 2024, 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 16, 2024, 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.

Given First and Second Readings: Tuesday, April 16, 2024

Given Third Reading and Passed: Tuesday, April 16, 2024

James Thompson, Clerk

Ron Vandewal, Mayor