

APPENDIX 'B'
DRAFT DECISION
(revised 16 January 2013)

With respect to the Township of Frontenac Island's Official Plan
Subsection 17(34) of the Planning Act

Part 1

1. **Section 2 Goals and Objectives** is hereby modified by:

- a) Deleting from section 2.1 the words "*comprehensive review*" and replacing them with the words "***community profile***".

Note: This modification has been requested to reflect the basis document, "Township of Frontenac Islands 2008 Community Profile", submitted in support of the amendment. A comprehensive review, as per PPS 2005, has not been submitted.

- b) Inserting at the end of subsection 2.1 (9) the following sentence: "***The ecological function and importance of natural corridors and linkages between natural heritage features and areas shall be recognized.***"

Note: This modification has been requested in order to prevent isolation of natural features and areas and fragmentation.

2. **Section 3.3 Watershed/Subwatershed Studies** is hereby modified by:

- a) Inserting at the end of subsection 3.3.2 the following:

"Watershed plans should take a broad ecosystem approach to water, water related natural features, terrestrial resources, fisheries and water dependencies. Subwatershed plans should provide detailed guidance for site-specific water resource planning issues."

Note: this modification is to provide further direction to these kinds of plans.

- b) Inserting at the end of subsection 3.3.2.2 the following:

"In order to control flooding, ponding, erosion and sedimentation and to protect water quality and aquatic habitat or other natural habitat which depend on water courses and other water bodies for their existence, stormwater management plans shall be required for any new development consisting of more than four lots or for commercial or industrial developments with large amounts of impervious area. Stormwater management will be undertaken in accordance with MOE Guideline "Stormwater Management Planning and Design Manual, 2003."

The municipality shall require the use of stormwater management facilities downstream of new developments, where appropriate, to mitigate development impacts on stormwater quantity and quality. The municipality shall promote naturalized stormwater management facilities, constructed with gentle slopes. Applications for development shall be required to be supported by a stormwater quality/quantity management study. The planning and design of stormwater facilities should be undertaken in accordance with the Ministry of the Environment’s Stormwater Management Planning and Design Manual.”

Note: This modification is to clarify requirements for stormwater management.

c) Inserting at the end of subsection 3.3.3 (1) the words ***“and in accordance with the Aggregate Resources Act.”***

Note: This modification has been requested for clarification to address ARA related matters.

3. **Section 3.4 Transportation and Utilities** is hereby modified by deleting subsection 3.4.2.1 (3) in its entirety and replacing it with the following text:

3. Private Roads

The primary function of private roads is to provide direct access to cottages, cottage and camp establishments, resorts and private clubs and condominium developments.

As of 2012, there are seventy-three (73) known private roads on the Islands, the majority (56 %) of which are less than 500 metres (1640 feet) in length and only nine roads are more than 1 kilometre in length. In total, there are approximately 38 kilometres (23 miles) of private roads that lead to the shorelines of the Islands. The majority of the private roads (33 kilometres) are located on Wolfe Island.

It is recognized that private roads not built and maintained to an acceptable standard can become a safety hazard and can hinder the travel of an emergency vehicle (e.g. fire truck, ambulance) that may not be able to respond in a timely fashion at the location of the fire or emergency on the private road.

Private roads can be categorized as either condominium roads if part of a plan of condominium or as private lanes if provided through a right-of-way or other form of private ownership exclusive of a condominium.

New private lanes or extensions to private lanes are not permitted in the Township. However, condominium roads and lot creation on existing private lanes may be permitted.

Private roads shall be subject to the following policies:

(a) Private Road Standards

The Township shall establish standards for new condominium roads and for lot creation on existing private lanes where infill lot creation is being considered.

The Township may require an agreement under the Municipal Act to provide for the ongoing maintenance of an existing private road.

The Township has no immediate intention of assuming existing private roads; however the Township may provide recommendations to assist private landowners in bringing their roads up to an acceptable standard.

(b) Condominium Roads

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

New condominium roads shall be constructed and maintained to a standard acceptable to the Township and emergency service providers.

Existing private lanes converted to condominium roads may require upgrading to an acceptable standard as a condition of approval.

(c) Development on Existing Private Lanes

New development on existing private lanes shall be limited to infill through consents, development and redevelopment of single detached homes and accessory buildings on existing lots of record, and the construction of second residential units.

Lot creation on existing private lanes shall only be considered if the existing private lane is constructed and is maintained at a standard acceptable to the Township and emergency service providers, commensurate with the type of use and occupancy proposed (e.g. summer or seasonal occupancy will require a summer maintenance standard).

Lot adjustments on private lanes may be permitted in accordance with the policies in this plan and the Zoning By-law.

Note: This modification has been requested for health and safety, per PPS Section 1.1.1 (c), and for sustainability considerations. It also reflects wording provided by the municipality.

4. **Section 3.8 Natural Heritage Features and Environmental Impact Study** is hereby modified by:

a) In the second and third sentences of the first paragraph, inserting the words ***“or within adjacent lands of”*** before the words “significant woodlands” and again before the words “fish habitat”.

Note: This modification is to ensure consistency with Section 2.1 of the PPS.

b) Deleting the second sentence of the third paragraph, beginning with the words, *“The EIS will address...”* and replacing it with the following new sentence: ***“The EIS will identify and evaluate any impacts and address how anticipated impacts will be mitigated through the planning and/or development approvals process.”***

Note: This modification has been requested to clarify how an EIS is used to assess ‘no negative impact’ as per the PPS.

c) Deleting the last bullet from the bulleted list, *“review and decision”*, and replacing it with the words ***“concluding recommendations”***.

Note: This modification has been requested for accuracy as any decision regarding a proposed development and/or regarding the approval of an EIS is the responsibility of the approval authority. The decision is not made within the EIS itself.

5. **Section 4.1 Land Use Plan – Schedule “A” and Schedule “B”** is hereby modified by:

a) Inserting at the end of the first sentence of the last paragraph the words ***“and mineral aggregate resources.”***

Note: This modification has been requested to reflect matters of provincial interest shown on Schedule A.

b) Replacing the last sentence in the last paragraph with the following: ***“Any application should be reviewed to determine if the proposal is in or on lands adjacent to a feature and is consistent with the Provincial Policy Statement.”***

Note: This modification has been requested for consistency with PPS terminology.

6. **Section 4.2 Land Use Boundaries** is hereby modified by inserting the words ***“, legal lot lines”*** between the words “bodies” and “or” in the first sentence.

Note: This modification has been requested for clarification purposes.

7. **Section 4.6 Group Homes** is hereby modified by:

a) Deleting the following from the first paragraph in subsection 4.6.1: *“except for facilities primarily for persons convicted under the Criminal Code or the Young Offenders Act, which shall only be permitted in areas zoned as “Institutional” in the implementing Zoning By-law.”*

b) Deleting the second paragraph in subsection 4.6.1 in its entirety and replacing it with the following text:

“A group home shall be defined as a residence licensed or funded under a federal or provincial statute for the accommodation of three to ten persons, exclusive of staff, living under supervision in a single housekeeping unit and who, by reason of their emotional, mental, social, or physical condition or legal status, require a group living arrangement for their well being. A group home shall be licensed and/or approved for funding under provincial statutes and in compliance with municipal by-laws. (Note: as defined under Section 163 of the Municipal Act)”

c) Deleting the third paragraph in subsection 4.6.1 in its entirety.

d) Deleting the fourth paragraph in subsection 4.6.1 in its entirety.

e) Deleting subsection 4.6.2 in its entirety and replacing it with the following text:
“2. Licensing of Group Homes:

Once an implementing zoning by-law is in effect, the Municipality may pass a by-law pursuant to Section 163 of the Municipal Act 2001, S.O. 2001, as amended, requiring the licensing of group homes within the Municipality.”

Note: This modification has been requested for consistency with the Ontario Human Rights Code and to update references to the *Municipal Act*.

8. **Section 4.8 Housing** is hereby modified by inserting the following at the end of the section, as new subsection 4.8.3. (viii):

“Allow the use of a second residential unit by authorizing the use of two residential units in a detached house, semi-detached house or rowhouse if no building or structure ancillary to the house contains a residential unit, and; allow the use of a residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse if the house contains a single residential unit.”

Note: This modification has been requested for consistency with Schedule 2 of the *Strong Communities through Affordable Housing Act, 2011*.

9. **Section 4.13 Re-use of Known or Potentially Contaminated Sites** is hereby modified by inserting the following to the end of the section:

“The development or redevelopment of potentially contaminated sites shall be assessed and remediated in a manner consistent with the Environmental Protection Act and relevant regulations, and the relevant MOE guidelines and procedures.

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

When considering applications for development which include sites suspected or known to be contaminated, the municipality will require at its discretion a Phase I ESA be undertaken by the applicant in accordance with Ontario Regulation 153/04 as amended. If recommended by a Phase I ESA or mandated under Regulation 153/04, a Phase II ESA must be undertaken by the applicant in accordance with Ontario Regulation 153/04. This would require sampling and analysis of the site to confirm and delineate the presence or absence of contamination suspected by the Phase I ESA report.

As a condition of approval, the municipality will require that remediation, where required, is undertaken to appropriate standards of the MOE, as specified in Ontario Regulation 153/04 and in the guideline Soil, Ground Water and Sediment Standards for Use Under Part XV.1 of the Environmental Protection Act, or other regulatory requirements of the MOE, as amended from time to time.

Mandatory filing of a Record of Site Condition in the Registry, by a qualified person, as defined in O. Reg. 153/04, as amended, is required for a change in use of a property from industrial or commercial to residential or parkland, as defined in the regulation, and will be acknowledged by the Ministry of the Environment. A site clean-up plan may be required and the site may need to be cleaned-up in accordance with the O. Reg. 153/04, as amended and with MOE guideline Records of Site Condition – A Guide on Site Assessment, the Clean-up of Brownfield Sites and the Filing of Records of Site Condition, dated October 2004, or associated guidelines.

A Record of Site Condition may, at the municipality’s discretion, be a required condition of approval under this Plan. In addition to changes of use prescribed by the Environmental Protection Act as uses for which a Record of Site Condition is mandatory (a change of use to a more sensitive land use), the municipality may require a RSC to be filed where the application does not involve a change of use to a more sensitive land use as defined in the Environmental Protection Act. This requirement is to ensure, to the municipality's satisfaction, that any remediation, or risk

assessment and risk management, necessary to permit the intended use is to the satisfaction of the MOE.”

Note: This modification has been requested by MOE for clarity regarding brownfield redevelopment.

10. **Section 4.14 Wind Energy Conversion Systems and Alternative & Renewable Energy Systems** is hereby modified by

- a) Deleting the fifth sentence of the first paragraph in its entirety.
- b) Deleting the second paragraph, beginning with the words “*All new or expanded...*” in its entirety.

Note: These modifications have been requested to ensure consistency with the *Green Energy and Green Economy Act*.

11. **Section 5. Land Use Designations** is hereby modified by deleting the word “*conceptual*” and replacing it with the word “***approximate***” in the last sentence of the third paragraph of this section.

Note: This modification has been requested for clarification purposes.

12. **Section 5.1 Agriculture** is hereby modified by:

- a) Deleting the first paragraph of subsection 5.1.2 and replacing it with the following:

“The predominant use of land within those areas designated as Agriculture may be agriculture and farm related uses inclusive of associated residential dwellings. It is the intent of this Plan that agricultural uses being the growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including accommodation for full-time labour when the size and nature of the operation requires additional employment; agriculture-related uses being those farm related commercial and farm related industrial uses that are small in scale and directly related to the farm operation and required to be located in close proximity to the farm operation; and secondary uses such as bed and breakfast establishments, home occupations and professional offices in residences be permitted upon Agriculture designated lands”

Note: This modification has been requested for consistency with Section 2.3.3.1 of the PPS.

- b) Deleting from the second paragraph of subsection 5.1.2 the words “*Wind Farms*” and the words “*bed and breakfast establishments, home occupations and professional offices in residences*”.

Note: This modification has been requested because these “Other” permitted uses are already included in the paragraph above as secondary uses, as well as to satisfy the requirements of the *Green Energy and Green Economy Act*.

c) Deleting subsection 5.1.3.2 in its entirety and replacing it with the following:

“All farm and non-farm development will comply with the Minimum Distance Separation formulae established by the Province in order to minimize odour conflicts between livestock facilities and development, as amended from time to time”

Note: This modification has been requested as per Section 2.3.3.3 of the PPS, and to ensure that all forms of farm and non-farm development (building permits, redesignations and rezonings) will meet the requirements of the MDS formulae.

d) Deleting subsection 5.1.3.9 in its entirety and renumbering remaining subsections accordingly.

Note: This modification has been requested for consistency with Section 2.3.4.3 of the PPS. (eg. Non-farm residential development for example by way of a severance application is not permitted within a prime agricultural designation)

13. **Section 5.2 Rural** is hereby modified by:

a) In subsection 5.2.2, deleting the words “*Wind Farms*” from the first sentence and inserting in the last sentence the words “***a limited number of***” between the words “*lots of record or*” and “*lots created by a consent...*”.

Note: This modification has been requested for consistency with rural policies of the PPS as well as to satisfy the requirements of the *Green Energy and Green Economy Act*.

b) Deleting subsection 5.2.3.2 in its entirety and replacing it with the following:

“All farm and non-farm development will comply with the Minimum Distance Separation formulae established by the Province in order to minimize odour conflicts between livestock facilities and development, as amended from time to time.”

Note: This modification has been requested as per Section 2.3.3.3 of the PPS, and to ensure that all forms of farm and non-farm development (building permits, redesignations and rezonings) will meet the requirements of the MDS formulae.

c) Inserting the following to the end of subsection 5.2.3.12 (v): “***or encourage the development of grassland habitat and the use of such habitat by grassland nesting birds.***”

Note: This modification has been requested by MNR to reflect the importance of grassland habitat to the Municipality’s wildlife.

d) Inserting the following at the end of subsection 5.2.4: ***“For new lot creation in shoreland areas, development, including the septic system tile bed, must be set back a minimum of 30 metres from the high water mark of the lake with non-disturbance of the native soils and very limited removal of shoreline vegetation; also:***

- a) ***location of the septic system tile field as far back as possible from the waterbody;***
- b) ***storm water management will be via infiltration galleries, grassed swales and ditches and other best management practices;***
- c) ***large development proposals (i.e. greater than 5 lots, resort/condominium development) must be supported with a site evaluation report in consultation with the Ministry of the Environment. This is to ensure water quality protection. The study should take into consideration the existing water quality of the water body, surface water run-off, impact and loadings of phosphorous from septic systems, type of soils, stormwater management and nature of vegetation.***

For existing lots of record, new development shall be set back 30 metres if possible, otherwise as far back as the lot permits.

The requirements of Section 5.3 Hazard Land and Section 5.4 Natural Heritage Features and Areas also apply and increased setbacks may be required.”

Note: This modification has been requested to clarify requirements for shoreline development.

- e) Deleting the word “Condominiums” from the second sentence of subsection 5.2.4.2 and replacing it with the words ***“Multi-unit residential developments”***.

Note: This modification has been requested for clarity regarding applications for plan of condominium versus high density development.

- f) Deleting the words “minor extensions” from the second sentence of subsection 5.2.4.2.5 and replacing them with the word ***“infill”***.

Note: This modification has been requested for health and safety, per PPS Section 1.1.1 (c), and sustainability considerations.

- g) Inserting the following to the end of subsection 5.2.4.3.5: ***“, and may require the approval of the Ministry of Natural Resources and/or the Department of Fisheries and Oceans or their designates.”***

14. **Section 5.3 Hazard Lands** is hereby modified by:

- a) Deleting the only sentence of section 5.3 and replacing it with the following: ***“The policies for areas subject to natural or human-made hazards are as follows. Known areas are identified on Schedule “A”; however, other hazardous lands may exist and will require site-specific investigation at the***

time of a proposed development in order to ensure consistency with the following policies.”

b) In the first sentence of subsection 5.3.1, inserting the following after the words “flood or erosion”: ***“and/or dynamic beach hazard”***.

c) Inserting the following at the end of subsection 5.3.2: ***“Approval for these and/or other activities may also require prior approval from the Ministry of Natural Resources in accordance with the Lakes and Rivers Improvement Act and the Public Lands Act.”***

d) Deleting subsection 5.3.3.2 in its entirety and replacing it with the following: ***“The erection of buildings and structures or the placing or removal of fill of any kind whether originating on the site or elsewhere, shall be prohibited within an Hazard Land designation, except where non-habitable buildings or structures are intended for flood or erosion control, landscape stabilization or essential utilities (not including utilities required by essential emergency services, such as electrical substations), and as permitted under Section 5.2.4.2.11 of this Plan, provided further that such works are in accordance with all related regulations, and receive the approval of the appropriate approval authority, and are supported by a technical study and designs prepared by a qualified individual, which demonstrates that existing hazards are not aggravated and new hazards are not created; that vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies; that demonstrates how works will be carried out in accordance to floodproofing standards, protection works standards, and access standards; and that no adverse environmental impacts will result, to the satisfaction of the Township.”***

e) Inserting the following at the end of the first sentence of subsection 5.3.3.3: ***“, and does not include the boundaries of all Hazard Lands.”***

f) Deleting the fourth sentence of subsection 5.3.3.3, beginning with the words “In the absence...” and replacing it with the following: ***“Shoreline flooding hazard limit shall defined as any lands at or below the flood elevation of 76.0 m GSC plus a 15 m allowance for wave uprush and other applicable setbacks for other water related hazards. Dynamic beach hazard limit shall be defined as the shoreline flooding hazard limit plus dynamic beach allowance of 30 m. In the absence of such detailed mapping, Council may request the proponent to undertake studies completed by a qualified professional to confirm and map the location of the Hazard Land, to the satisfaction of the Township, and will seek the technical assistance of the Ministry of Natural Resources.”***

g) Inserting in the second last sentence of subsection 5.3.3.5 the words ***“and only as permitted in Section 5.3.3.2”*** in parentheses after the words “where appropriate” and inserting in the last sentence of subsection 5.3.3.5 the words ***“and designs”*** after the words “technical studies”.

h) Inserting the following at the end of the first sentence of subsection 5.3.3.6: “, **as well as demonstrates that existing hazards are not aggravated and new hazards are not created, and demonstrates how works will be carried out in accordance to floodproofing standards, protection works standards, and access standards, and that no adverse environmental impacts will result.**”

i) Deleting from the second sentence of the last paragraph of subsection 5.3.3.8 the words “an applicant” and replacing them with the words “**a qualified professional**” and deleting the words “without affecting environmental significance” and replacing them with the following: “**which demonstrates that existing hazards are not aggravated and new hazards are not created, that vehicles and pedestrians have a way of safely entering and exiting the area, and demonstrates how works will be carried out in accordance with floodproofing standards, protection works standards, and access standards, and that no adverse environmental impacts will result**”

j) Inserting the following at the end of the first paragraph of subsection 5.3.4: “**Sensitive shoreline is defined as those areas identified as areas with evidence of active erosion.**”

k) Inserting the words “**and dynamic beaches**” to subsection 5.3.4.1 between the words “wave uprush” and “are natural hazards”.

l) Inserting in the first sentence of subsection 5.3.4.2 after the words “76.0 m Geodetic Survey of Canada [249.3 ft.]” the following: “**plus 30 m [98.4 ft] from the dynamic beach hazard (where applicable) and 6m [19.7 ft] from the top of stable slope (where applicable),**” and inserting after the words “with the exception of marine facilities and those uses requiring direct access to the shoreline” the following: “**which demonstrates that existing hazards are not aggravated and new hazards are not created, that vehicles and pedestrians have a way of safely entering and exiting the area, and demonstrates how works will be carried out in accordance to floodproofing standards, protection works standards, and access standards, and that no adverse environmental impacts will result.**”

m) Inserting in subsection 5.3.4.3 after both occurrences of the words “15 m [49.2 ft]” the following: “**from the St. Lawrence flood elevation of 76.0 m Geodetic Survey of Canada (GSC)**” and deleting both occurrences of the term “flood plain” with the term “**shoreline flooding hazard**”.

Note: These modifications are to ensure consistency with Section 3 of the PPS and/or to reflect other legislative requirements.

15. **Section 5.4 Natural Heritage Features and Areas** is hereby modified by:

a) Deleting from subsection 5.4.3.1 the second occurrence of the term “ANSI” and replacing it with the words “**Earth Science ANSI or within 120 m [394 ft.] of a Life Science ANSI**”.

b) Inserting at the end of subsection 5.4.4: ***“Council may request the proponent of a development to undertake studies completed by a qualified professional to confirm the presence/absence of significant woodlands, to determine if the proposed development and/or site alteration within or adjacent to (within 120 m of) the significant woodlands will result in negative impact(s) on the natural feature or its ecological functions, and to recommend appropriate mitigative measures, to the satisfaction of the Township.*”**

Development and site alteration shall not be permitted in significant woodlands and/or within adjacent lands unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.”

c) Inserting at the end of subsection 5.4.5: ***“Council may request the proponent of a development to undertake studies completed by a qualified professional to confirm the presence/absence of significant valleylands, to determine if the proposed development and/or site alteration within or adjacent to (within 120 m of) the significant valleylands will result in negative impact(s) on the natural feature or its ecological functions, and to recommend appropriate mitigative measures, to the satisfaction of the Township.*”**

Development and site alteration shall not be permitted in significant valleylands and/or within adjacent lands unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.”

d) Inserting at the end of subsection 5.4.6: ***“Council may request the proponent of a development to undertake studies completed by a qualified professional to confirm the presence/absence of significant wildlife habitat, to determine if the proposed development and/or site alteration within or adjacent to (within 120 m of) the significant wildlife habitat will result in negative impact(s) on the natural feature or its ecological functions, and to recommend appropriate mitigative measures, to the satisfaction of the Township.*”**

Development and site alteration shall not be permitted in significant wildlife habitat and/or within adjacent lands unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.”

Note: These modifications are to ensure PPS consistency.

16. **Section 5.7 Waste Management** is hereby modified by:

a) Inserting to the end of subsection 5.7.1 the following paragraph:
“No use shall be made of land or land covered by water which has been used for the disposal of waste within a period of twenty-five years from the

year in which such land ceased to be so used unless the approval of the Minister of Environment for the proposed use has been given.”

b) Inserting to the end of subsection 5.7.3 the following new item:

“8. Approval of new lots shall include confirmation of sufficient off-site reserve sewage system capacity for hauled sewage and that the lot shall be accessible by the sewage hauler. The determination of sufficient reserve sewage system capacity shall include treatment capacity for hauled sewage from private communal sewage services and individual on-site sewage services.”

Note: These modifications are to clarify policies for waste management.

17. **Section 6 Development Review** is hereby modified by:

a) Inserting at the end of subsection 6.2.4.1 the following new paragraph:

“Council recognizes that, within the boundaries of the Township, there may be marine archaeological remains from the pre-historic period through the modern era up to the last 50 years. The remains may currently be under water or were, at one time, under water but are no longer submerged. Council may require a marine archaeological assessment to be conducted by a licensed marine archaeologist pursuant to the Ontario Heritage Act if partially or fully submerged marine features such as ships, boats, vessels, artifacts from the contents of boats, old piers, docks, wharfs, fords, fishing traps, dwellings, aircraft and other items of cultural heritage value are identified and impacted by shoreline and waterfront development.”

Note: This modification is to support protection of marine archaeological resources.

b) Inserting at the end of subsection 6.3.8 the following phrase: ***“, including that development, including the septic system tile bed, shall be set back a minimum of 30 m from the high water mark of a waterbody or watercourse.”***

Note: This modification is to ensure protection of water quality.

18. **Section 7.9 Temporary Use By-law** is hereby modified by inserting the following at the end of this section:

“In the case of a by-law authorizing the temporary use of a garden suite, the by-law shall define the area to which it applies and specify the period of time for which the authorization shall be in effect, which shall not exceed 20 years from the day of the passing of the by-law.”

Note: This modification has been requested for consistency with Schedule 2 of the *Strong Communities through Affordable Housing Act, 2011*.

Part 2: Schedules

19. **Schedule 'A' Land Use Plan Township of Frontenac Islands**, dated October 7, 2011, is hereby modified to delete the notation "Amend Village Boundary" referring to the Village of Marysville settlement area, and to delete the four (4) associated red arrows and the two (2) associated purple blocks.

Note: This modification has been requested for consistency with PPS Section 1.1.3.9, which requires a comprehensive review for settlement area boundary expansions. It has also been requested for consistency with Township of Frontenac Islands Official Plan policies as follows: updated section 2.1.4, which states that "the land supply in Marysville... is adequate to meet future needs without any boundary changes due to the abundance of vacant land in the village", and section 5.5.3.6 which states that "prior to the expansion of existing Village boundaries, a Village Settlement Capacity Study shall be completed", and new section 5.5.3.11 which states that "the expansion of a Village settlement area boundary is not anticipated within the life of this Plan". Neither a comprehensive review nor a Village Capacity Study, which lists 13 study/process requirements, has been completed.

20. **Schedule 'A' Land Use Plan Township of Frontenac Islands**, dated October 7, 2011, is hereby modified to revise the notation "Change from Agriculture to Rural" referring to the southwest shore of Howe Island, part of lots 6 to 13 (South Range) such that the red line depicting the change is 106.68 metres [350 ft] north of the roadway.

Note: This modification has been requested by OMAFRA to reflect discussions resulting from a site visit of Howe Island that took place on April 19, 2011 with the township, MMAH and OMAFRA.

The lands are primarily comprised of Class 5 agricultural soils, and topographic and bedrock limitations exist upon these lands. As such, OMAFRA has no concerns with a Rural designation upon these lands if the proposed Rural designation does not exceed a depth of 106.68 metres [350 feet]. This depth reflects the average rural residential lot depth within this area and approximately reflects the depth of the lands which lie within a Class 5 soils rating. The lands to the north are predominately comprised of soil Classes 2 & 3 as must remain designated "Agriculture". This assessment was provided to the Township by letter dated June 7, 2011.