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May 28, 2013

Carol Dwyre
Deputy Clerk – Planning Coordinator
Township of Frontenac Islands: Howe Island Office
50 Baseline Road
RR4 Gananoque ON K7G 2V6

**Subject: Status of Decision on Township of Frontenac Islands Official Plan
Amendment #3
MMAH File No.: 10-OP-0157**

Dear Mrs. Dwyre,

Please find enclosed a Notice of Decision given on May 28, 2013 under Subsection 17(34) of the *Planning Act* with respect to Official Plan Amendment #3 for the Township of Frontenac Islands.

You will receive final confirmation on the status of the decision of the Official Plan Amendment following the 20 day appeal period.

Should you have any questions regarding the above information, please feel free to contact the undersigned at (613) 545-2112 or by email at andrea.gummo@ontario.ca.

Sincerely,



Andrea Gummo
Planner
Municipal Services Office-East

Encl

cc. Wolfe Island Town Hall
Joe Gallivan, Frontenac County

File No.: 10-OP-0157
Municipality: Township of Frontenac Islands
Subject Lands: All lands within the Township
of Frontenac Islands

Date of Decision: May 28 2013
Date of Notice: May 28 2013
Last Date of Appeal: June 17 2013

NOTICE OF DECISION

With respect to a new Official Plan Subsection 17(34) of the Planning Act

A decision was made on the date noted above to approve all of Amendment #3 to the Official Plan for the Township of Frontenac Islands, as adopted by By-law No. 28-2011, subject to modifications as outlined in the attached decision.

Purpose and Effect of the Official Plan

The purpose of this Official Plan Amendment is to update the Official Plan which covers all land within the administrative limits of the Township of Frontenac Islands. The Plan has been completed to be consistent with the 2005 Provincial Policy Statement (PPS), and provide an updated local policy framework to guide development. The Plan is a detailed document which provides policy direction in the areas of land use, general development policies, transportation, environmental and resource protection, and policy implementation.

When and How to File an Appeal

Any appeal to the Ontario Municipal Board must be filed with the Minister of Municipal Affairs and Housing no later than 20 days from the date of this notice as shown above as the last date of appeal.

The appeal should be sent to the attention of the Area Planner, at the address shown below and it must,

- (1) set out the specific part of the proposed official plan to which the appeal applies,
- (2) set out the reasons for the request for the appeal, and
- (3) be accompanied by the fee prescribed under the Ontario Municipal Board Act in the amount of \$125.00 payable by certified cheque to the Minister of Finance, Province of Ontario.

Who Can File an Appeal

Only individuals, corporations or public bodies may appeal the decision of the Ministry of Municipal Affairs and Housing to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, an appeal may be filed in the name of an individual who is a member of the association or group.

No person or public body shall be added as a party to the hearing of the appeal unless, before the plan was adopted, the person or public body made oral submissions at a public meeting or

written submissions to the council or, if in the opinion of the Ontario Municipal Board, there are reasonable grounds to add the person or public body as a party.

When the Decision is Final

The decision of the Minister of Municipal Affairs and Housing is final if a Notice of Appeal is not received on or before the last date of appeal noted above.

Other Related Applications:

N/A

Getting Additional Information

Additional information about the application is available for public inspection during regular office hours at the Ministry of Municipal Affairs and Housing at the address noted below or from the Township of Frontenac Islands.

Mailing Address for Filing a Notice of Appeal

Ministry of Municipal Affairs & Housing
Municipal Services Office - East
8 Estate Lane, Rockwood House
Kingston, ON K7M 9A8

Submit notice of appeal to the attention of Andrea Gummo, Planner.

Tele: (613) 545-2100
Toll Free: (800) 267-9438
Fax: (613) 548-6822

DECISION

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

I hereby approve all of Amendment # 3 to the Official Plan for the Township of Frontenac Islands, adopted by By-law No. 28-2011, subject to the following modifications:

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***".
 - 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.***"

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."
 - 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."

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

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.

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".

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.***"

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

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.”***
 - 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.”***
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.
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.”
8. Section 4.8 Housing is hereby modified by inserting the following at the end of the section, as a 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.”

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."

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.

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.

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."
 - 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".
 - 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.

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

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...*".

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."

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.***"

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."

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***".

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

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 be 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 the 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”.

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.”

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.”

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.”

b) Inserting in subsection 6.3 a new subsection 8 which reads: ***“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, and”***

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.”

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.
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.

Dated at Kingston this 28 day of May, 2013.



Vincent Fabilli, Regional Director
Municipal Services Office East
Ministry of Municipal Affairs & Housing