



Appendices

Appendix A

A.1. Site Visits

On September 27th, 2019 the project team, accompanied by Frontenac County's Manager of Community Planning and one County planner, conducted site visits to three properties that helped the team to conceptualize the importance of waterfront development planning policies.

A.1.1. Site 1: Sharbot Lake

The project team visited a property located on Sharbot Lake in Central Frontenac that demonstrates a naturalized shoreline. The property is designated as a Rural Area and is in a Waterfront District in the Central Frontenac Official Plan and is zoned as Waterfront Residential in the Township Zoning By-law. Some of the topics that were discussed with the property owner include septic system inspection, phosphorus loading into Sharbot Lake, water quality of the well on site, shoreline naturalization, the role of public education, and minor variances. The owner of this property is well educated about shoreline protection and naturalization and has participated in the Watershed Canada Shoreline Naturalization Program, a program that provides plants and planting services to shoreline property owners wherein the property owner pays only 25% of the cost of this service. The Shoreline Naturalization program was used on this property to revegetate the area along the waterfront, as it was covered in grass from the house to the edge of the waterfront when the current property owners acquired the property. A grassy access pathway was maintained through the vegetative buffer that still provides easy access to the

dock. The property owner felt that educating the public on both the importance of a natural shoreline, as well as the required planning processes for shoreline development or redevelopment are essential components of improving the state of the shorelines in the County.



A.1.2. Site 2: White Lake

The second property the team visited is a property on the shore of White Lake in Central Frontenac. The Official Plan designation of this property is Rural Area, Waterfront District, and White Lake Special Policy Area. The property is also zoned as Waterfront Residential Exception Zone 1. This property owner emphasized the importance of keeping White Lake as undeveloped as possible, as the water in the lake is uniquely pure and free of invasive species. Some of the topics discussed with the property owner with respect to this lake and its shorelines were: concerns over the spread of zebra mussels, a duty to protect the lake, citizen science, enforcement, shoreline erosion and back-lotting. Because of the unique level of sensitivity and vulnerability of this lake, no gasoline motorboats are permitted on the lake and no recreational development is permitted.




A.1.3. Site 3: Marble Lake

The final site visited by the project team is in North Frontenac on Marble Lake. This site is owned by the Township of North Frontenac and is designated as Waterfront Area and Rural and Mineral Aggregate in the Official Plan. The property is zoned as Waterfront Residential, Recreational Commercial and Rural in the Township Zoning By-law. This property includes densely constructed cottages and trailers in close proximity to the shoreline, as well as several private and communal docks. One question that emerged from visiting this site was whether communal docks or private docks are best for mitigating negative impacts that docks have on shorelines.



Appendix B

B.1. LOI/CF Form for Interviews



Combined Letter of Information (LOI) and Consent Form (CF)

Study Title: Waterfront Development in Frontenac County
Name of Researcher: SURP 826 Project Course

Our team is investigating planning strategies and policy tools with respect to lakeshore planning in Frontenac County. Frontenac County consists of four townships with a total population of approximately 27,000 and a total land area of about 4,000 km² thus having one of the smallest populations and population densities of all Ontario Counties. The County boasts some of the most beautiful natural features to be found in Ontario and has attracted development, particularly residential development along the shores of its many freshwater lakes and the St. Lawrence River. Our team is examining site plan control, minor variance, site alteration by-laws, and development/community planning permit systems as potential tools to manage waterfront development.

1. We are inviting you to participate in an interview for the SURP 826 Project Course under the supervision of the course supervisor, Dr. John Meligrana at the School of Urban and Regional Planning, Queen's University. This study has been granted clearance by the General Research Ethics Board according to Canadian research ethics' principles (<http://www.ethics.gc.ca/default.aspx>) and Queen's University policies (<http://www.queensu.ca/urs/research-ethics>).

2. If you agree to participate, the interview will take approximately 30 minutes of your time. While there are no known risks and/or benefits to participating in this study, this research will help us to learn about waterfront planning processes in Ontario municipalities.


3. Participation is voluntary. Please do not feel obligated to answer any material that makes you feel uncomfortable. You can decline to participate in the research or in any aspect of the research at any time without penalty.

4. If you feel that you must withdraw from the study during the interview please simply tell the interviewer immediately and the interview will be terminated. If you must withdraw after being interviewed, please notify the project manager, Tori Ruck (tori.ruck@queensu.ca) in writing within one week of the interview having taken place. Please note that data cannot be withdrawn after the project is completed, December 23, 2019.

5. Your confidentiality will be protected to the extent possible; however, due to the small sample and the nature of the project it is not possible to fully protect your anonymity as an interview respondent.

6. We will seek your consent to audio record the interview and if you decline, we will take notes. We will also seek your consent to include quotations from the interview in the final report; however, we will never include your real name and will use the pseudonym "Respondent" or "Interview Participant." We will do our best to make sure quotations do not include information that could indirectly identify you or other participants. As the researchers, we will also ensure that our interview transcripts and the final write-up will be removed of any of your personal identifying information.

Combined LOI/CF page 1 of 2



7. All information collected for this research (i.e., research data) will be stored on a secure (password protected) hard drive to which only the researchers and course supervisor will have access. The research data will be retained for a minimum of five (5) years as per Queen's University's retention policy.

8. You will not be compensated for your participation.

Any questions about study participation may be directed to Tori Ruck, Project Manager at tori.ruck@queensu.ca. If you have ethics concerns, you may contact the General Research Ethics Board at 1-844-535-2988 (Toll Free in North America) or chair@GREB@queensu.ca (1-613-2988 if outside North America).

Permission to Use an Audio Recorder:

☐ By placing my initials in this box, I give my permission to the researcher to collect data using an audio recorder.

OR

☐ By placing my initials in this box, I do NOT give permission to the researcher to collect data using an audio recorder.

Use of quotations from the Interview:

☐ By placing my initials in this box, I give my permission to the researcher to attribute quotations to me. Every effort will be made to maintain my confidentiality. Furthermore, my confidentiality will not be breached in the interview transcripts and written material or report that is produced.

OR

☐ By placing my initials in this box, I do NOT give permission to the researchers to attribute quotations to me. Every effort will be made to maintain my confidentiality. Furthermore, my confidentiality will not be breached in the interview transcripts and written material or report that is produced.

This Combined Letter of Information and Consent Form (LOI/CF) provides you, as interview respondent, with the details to help you make an informed choice. All your questions should be answered to your satisfaction before you decide whether or not to participate in this research study.

Keep one copy of this form for yourself and return one copy to the researcher.

Statement of agreement for your signature: *By signing below, I am verifying that I have read the Combined LOI/CF and that all of my questions have been answered.*

Name of Interview Participant _____ Signature of Interview Participant _____ Date _____

Combined LOI/CF page 2 of 2

Appendix C

C.1 Legal Basis for Planning Tools

C.1.1. Minor Variance

When either a zoning by-law or an interim control by-law are passed by the Council of a local municipality under the authority of Section 34 or 38 of the *Planning Act*, respectively, their regulatory function is to set a range of permitted uses on subject land(s), as well as restrict what building(s) or structure(s) can be constructed on these lands. However, any property owner(s) or duly authorized agent affected by such a zoning or interim control by-law can present their case to a Committee of Adjustment (CoA). The CoA is an appointed body of at least three members, established by the local municipality through Section 44 of the *Planning Act*, to act as an arbitrator in such cases. The CoA is given authority through Section 45 of the *Planning Act* to authorize a variance from provision(s) of the by-law(s), but only if it can be justified in accordance with the four tests of minor variance outlined in Section 45 of the *Planning Act* and established as precedents in Canadian case law. These tests consider whether a variance is:

1. Minor in nature?
2. Desirable for the appropriate use or development of the land, building, or structure?
3. Maintains the general intent and purpose of the Zoning By-law?
4. Maintains the general intent and purpose of the Official Plan?

A local municipality can prescribe criteria, in addition to the aforementioned, to use when evaluating minor variances through subsection 45(1.0.1)(b.) of the *Planning Act*.

In accordance with subsection 45(2) of the *Planning Act*, the CoA can also entertain minor variance petitions that deal with legal non-conforming uses.

C.1.2. Site Plan Control

Under section 41(2) of the *Planning Act*, the Council of the local municipality can create a by-law in order to control the type(s) of development permitted on any portion(s) of the defined site plan control area. This area, as delineated, must be in the local municipality's Official Plan. The *Planning Act* (s. 41(3)) allows this to be done by either displaying it visually or describing it in writing. Within this defined site plan control area, no development can take place unless the Council or the Tribunal (i.e. in case of an appeal) has approved one or both of the plans (Subsection 41(4)(1) of the *Planning Act*) and drawings (Subsection 41(4)(2) of the *Planning Act*). An applicant must have their plans or drawings approved before any development may occur on the property which is in the designated site plan control area. There are highly detailed requirements that applicant(s) need to provide in their site plan drawing(s), including for residential buildings with less than 25 dwelling units (Subsection 41(4)(2)(a) to (f) of the *Planning Act*). These stringent requirements ensure that Council can tightly regulate new development within this site plan control area. However, interior design, the layout of interior areas, and the manner and standards for construction cannot be regulated under site plan control, pursuant to subsections 41(4.1)(1), (2), and (3) respectively. Neither height nor density limits may be municipally regulated through site plan control, according to subsection 41(6) of the *Planning Act*.

If the site plan control area is within an upper-tier municipality, that upper-tier municipality may require the owner of the land to provide adequate space and pay for, to the satisfaction of the upper-tier municipality; highway access and off ramps, surface parking and driveways, grading and site alteration, if the subject property abuts a highway under the upper-tier's jurisdiction (Subsection 41(8)(a) of the *Planning Act*). Access agreements may be entered into between the upper-tier government and the owner for snow clearing and any conveyance of land for a public transit right of way, pursuant to subsections 41(8)(b) and (c), respectively.

C.1.3. Site Alteration By-law

The local municipality, through Subsection 142(2) of the *Municipal Act*, can regulate unlawful placing or dumping of fill, removal of topsoil, or alteration of the grade of the land. The powers to create such a by-law is vested with the lower-tier municipality but can be delegated up to the upper-tier municipality to varying degrees based on subsection 142(3) of the *Municipal Act*.

Both an upper-tier and lower-tier municipality may pass their own site alteration by-law(s) and either has the option, through their respective sections 145 and 146 of the *Municipal Act*, to delegate by-law enforcement to one another. However, site alteration by-laws cannot regulate site alteration that takes place as a condition of a site plan agreement, subdivision agreement, development permit, activities undertaken by electrical transmitter or distributor (Section 2 of the *Electricity Act*, 1998), lawful activities undertaken on a licensed wayside pit or quarry (under the *Aggregate Resources Act*, 1990) or one zoned for under Section 34 of the *Planning Act*, or drain construction activities undertaken in accordance with the *Drainage Act* (1990) or the *Tile Drainage Act* (1990). Incidental removal of topsoil as part of normal farm practices are

excluded from site alteration by-law considerations, unless this topsoil is sold, in accordance with subsections 142(6) and 142(7) of the *Municipal Act*.

C.1.4. DPS/CPPS

Authority is delegated to a local municipality so that it can establish a development permit system (DPS) in accordance with subsection 70.2(1)(b) of the *Planning Act*. As previously described, the DPS has been replaced by O. Reg. 173/16 for the CPPS. For a DPS to come into regulatory force, a local municipality must have it conform to the Official Plan and upper-tier plans, according to Sections 70.2(6) and 70.2(7) of the *Planning Act*, respectively. First and foremost, the municipality needs to have a prescribed policy basis written into the Official Plan, in accordance with Subsection 70.2(f) of the *Planning Act*. Only then will DPS by-laws be justifiable and able to come into force, whereby certain areas are delineated within and others outside the DPS area, in accordance with subsection 70.2 (2)(p) of the *Planning Act*. Secondly, the DPS permit by-law will have regulations that supersede and nullify any zoning by-laws in effect over that same DPS regulated area, in accordance with subsections 70.2(2) (a) to (d) in the *Planning Act*.

There is the added flexibility in the DPS system to allow for regulatory delegation of approval authority to municipal employees in accordance with subsection 70.2(2)(l) of the *Planning Act*. In accordance with Subsection 70.2(2)(e) of the *Planning Act*, there is more authority given to the local municipality to regulate which persons or public bodies can appeal a DPS permit and the procedures for such an appeal to the Local Planning Appeal Tribunal.

Although early pilot testing of the DPS in Ontario municipalities (see Ont. Reg. 246/01) used the term

“Development Permit System”, this terminology is interchangeable and has the same meaning in legislation as “Community Planning Permit System (CPPS)” or “development permit by-law”, as stated in Subsections 70.2.1(1) to (3) in the *Planning Act*. There are some cases where both an upper-tier municipality and its corresponding lower-tier municipalities may be required to adopt a DPS, in accordance with the procedure outlined under Subsection 70.2.2 of the *Planning Act*.

Appendix D

D.1 Case Studies

Each case study municipality was rated based on the 10 criteria chosen for this research. Each municipality has a colour-coded chart which shows how it was rated in each category. These charts are followed by more detailed descriptions explaining why the municipality received the rating it did for each criterion. The information in this section was gathered from each municipalities' relevant by-law, and interviews that were completed with municipal representatives, when possible. The standards that were used to evaluate each criterion are the same that were used to evaluate the four planning tools (Table D1).

Table D1. Methods for case study evaluation criteria.

| Criterion | Method of Evaluation |
|--------------------------------------|--|
| Cost Effectiveness (Applicant) | This criterion was evaluated based on a scale of fees created by examining the application fees associated with each case municipality. Applications that cost less than \$1000 were ranked as good, between \$1000 and \$2000 as satisfactory, and above \$2000 as poor. |
| Staff to Application Ratio | Staff to application ratio was evaluated based on whether it was felt that the amount of applications received by the municipality was appropriate to the number of staff responsible for processing them. |
| Transition Process | This criterion was evaluated based on the transition from one planning tool to another. The case was evaluated based on whether there was no transition, or the transition involved no difficulty, the transition was met with some difficulty or the transition included a lot of difficulty. |
| Ease of Enforcement | The ease of enforcement criterion was evaluated based on the method through which the planning tool is enforced. For example, does the applicant pay a security deposit or is enforcement grounded on a complaint-based system or through random checks. |
| Applicant Effort | Applicant effort was assessed based on the amount of effort required of the applicant when completing the application process. This was evaluated based on the amount of collaboration with experts, such as municipal staff, applicants would require when completing their applications. |
| Application Timeline | Application timeline was evaluated in order to determine the amount of time between when an applicant submits an application and when they receive a decision from the municipality. |
| Collaboration with External Agencies | This criterion was assessed based on achieving a balance between requiring collaboration with external agencies and ensuring this process is not overly complicated or time consuming. |
| Geographic Scope | Geographic scope is used to evaluate the extent of the area covered by the planning tools. |
| Shoreline Protection | This criterion was evaluated based on whether the by-law prioritizes shoreline protection and whether it achieves the level of protection intended by the planning tool. |
| Public Support | Public support was evaluated based on whether the public was involved in the creation of the planning tool and subsequent decision making for the tool, and if it was felt that the public is overall supportive of the use of this planning tool. |

D.1.1.1. Prince Edward County

Table D2. Characteristics of Prince Edward County.

| | |
|--------------------|--|
| Population | 24,700 |
| Tier | Single |
| Location | South of Hastings County, east of Northumberland County, west of Lennox and Addington County |
| Waterbodies | Lake Ontario, numerous inland lakes and wetlands |
| Character | Largely rural with abundant heritage resources contributing to an economic base focused on agriculture, viticulture, and tourism |

Minor Variance Criteria

The County of Prince Edward Official Plan (2011) was adopted in 1993 and outlines six criteria for consideration of a minor variance application. These criteria are considered by the Committee of Adjustment when making decisions about minor variances. The following criteria were established:

- ▶ the objectives and policies of the Official Plan can be met if the minor variance is granted;
- ▶ the request for variance constitutes a "minor" departure from the performance standards of the zoning by-law;
- ▶ a clear and demonstrated hardship in meeting the requirements of the zoning by-law due to the physical or inherent conditions of the site involved can be identified;
- ▶ alternative designs of the building, which would be in conformity with the by-law, are feasible or appropriate for the site;
- ▶ there are concerns of adjacent owners and residents; and
- ▶ an undesirable precedent would result through the approval of the minor variance.

In 2018, the County released an updated version of their Draft Official Plan as part of their Official Plan review process. The County has undergone several changes since the adoption of their 1993 Official Plan including amalgamation in 1998. As part of the Official Plan Review, minor variance evaluation criteria have been updated to consider whether an application:

- ▶ Is minor in nature;
- ▶ Is desirable for the appropriate development or use of the land/building/structure;
- ▶ Maintains the general intent and purpose of this Plan and any applicable Secondary Plan;
- ▶ Maintains the general intent and purpose of the Zoning By-law; and
- ▶ Complies with criteria identified by municipal by-law or Provincial criteria prescribed by regulation, if in effect.

Table D3. Evaluation Criteria Table for Prince Edward County.



| | Good | Satisfactory | Poor |
|--------------------------------------|--|--|---|
| Cost Effective (Applicant) | | The cost of this application is between \$1000-2000. | |
| Staff to Application Ratio | Between 1 and 50 applications are processed between 2 planning staff. | | |
| Transition Process | No transition was required. | | |
| Ease of Enforcement | The monetary deposit encourages compliance, which is easier to enforce. | | |
| Applicant Effort | | This application requires some collaboration with experts. | |
| Application Timeline | | The timeline for the application from the point of submission to decision is between 51 and 99 days. | |
| Collaboration with External Agencies | Collaboration occurs with 1 to 2 external agencies. | | |
| Geographic Scope | | | This planning tool provides limited geographic scope. |
| Shoreline Protection | | This planning tool provides some shoreline protection. | |
| Public Support | The public has the opportunity to be involved in the decision-making process and the majority are supportive of the use of this planning tool. | | |

Cost Effective (Applicant)

A rating of 'satisfactory' was assigned for this criterion. A minor variance application in Prince Edward County (PEC) has the lowest fee of all development applications in the municipality with a cost of \$867. However, applicants must also pay a \$500 refundable deposit as well as additional fees for review by Quinte Conservation (\$320). Furthermore, additional costs may be accrued if studies or a property survey are needed. Despite having the lowest fee in the County, costs for the applicant can increase depending on the complexity of the development and it is not guaranteed the application will be approved.

Staff to Application Ratio

A rating of 'good' was assigned for this criterion. Prince Edward County has two staff members available to process minor variance applications and receive approximately 18 applications per year. This means each staff member will process approximately nine minor variance applications per year. In an interview with a PEC planner, it was learned that a third staff member was recently hired to focus solely on development applications related to short-term accommodations.

Transition Process

A rating of 'good' was assigned for this criterion. Minor variance procedures are standard planning practice and did not require a transition for Prince Edward County to apply these procedures in shoreline areas.

Ease of Enforcement

A rating of 'good' was assigned for this criterion. Despite operating mainly on a complaint-based system, Prince Edward County requires a refundable deposit which may be forfeited if an applicant is found to have developed outside the zoning requirements. A by-law enforcement officer may inspect properties that have been reported as potentially deviating from zoning requirements. Furthermore, minor variance infractions, or the need to submit a minor variance application, are often caught in the building phase when property owners apply for a building permit which adds an additional layer of enforcement. According to a planner from PEC, if one is found to have built without permits, fines would be issued and, depending on the severity of the offense, may have to tear down and rebuild with permits at the owner's full expense.

Applicant Effort

A rating of 'satisfactory' was assigned for this criterion. Prior to submitting an application, property owners are strongly encouraged to attend at least one pre-consultation meeting. The application form is straightforward and should not be difficult for an applicant to complete. However, in order to complete the application, the applicant would likely need to conduct research and hire a land surveyor to gather the required details. Depending on the complexity of the development, further studies and reports may need to be conducted by professionals.

Application Timeline

A rating of 'satisfactory' was assigned for this criterion. As per the Ontario *Planning Act*, a minor variance application must be heard before the Committee of Adjustment within 30 days of it being submitted. In Prince Edward County, this timeline typically ranges between one and three months. While there is not a great deal of staff time required to process an application, a planner from PEC indicated a reason for this timeline is a large number of applications from seasonal residents resulting in a greater number of applications than most municipalities with a permanent population similar to PEC.

Collaboration with External Agencies

A rating of 'good' was assigned for this criterion. Quinte Conservation is an important contact for Prince Edward County as landowners are encouraged to speak with them before an application is submitted. Furthermore, Quinte Conservation is the main contact for PEC for any environment-related issues with development and are circulated on all development applications. However, in their zoning by-law, PEC allows some development to take place without submitting a minor variance application if a landowner has written approval from Quinte Conservation. This reduces the number of applications received by the County but removes some power from the municipality and reduces the amount of development charges that can be collected.

Geographic Scope

A rating of 'poor' was assigned for this criterion. Minor variance processes are conducted on a site-by-site basis and have limited consideration for other developments across a wider area.

Shoreline Protection

A rating of 'satisfactory' was assigned for this criterion. The minor variance process is subjective with regards to what is considered to be desirable and appropriate from an environmental perspective. Official Plan policies generally dictate whether a minor variance application is desirable and appropriate. In Prince Edward County, the protection of watercourses and other environmental features is an important objective. Involvement of Quinte Conservation in the review of applications is also important for environmental protection. Despite this, minor variances permit development outside of zoning restrictions and can result in developments that are closer to the shoreline than what is generally deemed to be safe. Beyond policies and objectives, there is limited capacity to assess minor variance processes on shoreline protection.

Public Support

A rating of 'good' was assigned for this criterion. After the submission of a minor variance application, surrounding landowners are notified and may attend the final hearing to voice their concerns to the Committee of Adjustment. After a decision is made, the applicant and neighbours have a period of time where they may appeal the decision. According to a planner at Prince Edward County, applicants tend to like the minor variance process as it is less expensive, quicker, and easier than alternative processes requiring the involvement of Council or Planning Public Council, such as a zoning by-law amendment.

D.1.2. City of Kawartha Lakes

Table D4. Characteristics of Kawartha Lakes.

| | |
|--------------------|---|
| Population | 75,400 |
| Tier | Single |
| Location | Surrounded by Muskoka District Municipality, Haliburton County, Northumberland County, Peterborough County, Regional Municipality of Durham and Simcoe County |
| Waterbodies | Approximately 250 lakes and rivers within its bounds |
| Character | It is more comparable to the size of a County than to a typical city, and covers a predominantly rural land area |

Minor Variance Pre-Screening

Before 2014, the City of Kawartha Lakes was experiencing issues with minor variance applications lacking clear information and missing the necessary level of detail. The lack of detail in minor variance applications then led to substantial delays in the process and resulted in wasted staff time and resources. In order to address issues with minor variance applications, the City developed a “screening process”: a new shorter pre-consultation-like process and a shorter form for the applicant to fill out. This pre-screening process was modelled on the pre-consultation process legislated through the *Planning Act* that permits municipalities to require pre-consultation for official plan amendments, zoning by-law amendments, plans of subdivision, plans of condominium and site plan approval.

Table D5. Evaluation Criteria Table for Kawartha Lakes.



| | Good | Satisfactory | Poor |
|--------------------------------------|---|--|---|
| Cost Effective (Applicant) | | | This cost of this application is more than \$2000. |
| Staff to Application Ratio | Between 1 and 50 applications are processed between 2 planning staff. | | |
| Transition Process | No transition was required. | | |
| Ease of Enforcement | | | The complaint-based system is more difficult to enforce. |
| Applicant Effort | | This application requires some collaboration with experts. | |
| Application Timeline | | | The timeline for the application from the point of submission to decision is over 100 days. |
| Collaboration with External Agencies | | Collaboration occurs with 3 to 4 external agencies. | |
| Geographic Scope | | | This planning tool provides limited geographic scope. |
| Shoreline Protection | | This planning tool provides some shoreline protection. | |
| Public Support | | Some of the public is supportive of the use of this planning tool. | |

Cost Effective (Applicant)

A rating of 'poor' was assigned for this criterion. For the City of Kawartha Lakes, costs that the applicant pays as part of one minor variance application are listed below:

- ▶ \$1349 (mandatory base fee)
- ▶ \$225 (optional pre-screening meeting)
- ▶ \$500 (Conservation Authority review fee, only when in regulated area)
- ▶ \$255 (City sewage system review fee, waived if no replacement needed & copy of installation report on file)
- ▶ Advertisement fee (re-collected if applicant fails to post advisory sign in accordance with O. Reg. 200/96, s. 3(2) 2.).
- ▶ Applicant must pay all mileage costs for staff site visits.

Planning staff felt this high cost would be a strong motivator for an applicant to adjust their proposed development plans in order to conform to the current zoning by-law provisions instead of applying for a minor variance. Based on the fee scale used to evaluate this criterion, Kawartha Lakes falls into the 'poor' category.

Staff to Application Ratio

A rating of 'good' was assigned for this criterion. Of a department of 14 full time staff, 8 planners actively review and process applications. In the Planning Department, there are also two administrative staff and two planning staff devoted to policy work. The number of minor variance applications processed by these staff ranges between 60 and 75 per year, approximately 75% of which deal with properties within areas zoned by the City with a waterfront designation. Therefore, over 55 minor variance applications are received each year that pertain to waterfront designated zones. Based on the ratio used to evaluate this criterion, Kawartha Lakes falls into the 'good' category.

Transition Process

A rating of 'good' was assigned for this criterion. No transition was needed as they already utilized minor variance procedures.

Ease of Enforcement

A rating of 'poor' was assigned for this criterion. Zoning by-law enforcement for small structures is largely complaint-based. However, if it is a proposal of sufficient size that it requires a building permit, the City's Building Division will enforce it through visual inspections as they drive by. The Building Division has been very active and, this year in particular, the City has seen an influx of building enforcement files. The planning staff is confident that with the current enforcement model they can catch approximately 60% of property owner's whom violate the by-law.

The detailed nature of the City's minor variance application along with pre-screening should make it easy to enforce. The City sets out clear and strict rules in their minor variance application that state the Committee of Adjustment has ability to require applicants to repeat the entire process if new information is introduced unexpectedly or discovered by a member during the hearing. This should serve to discourage non-complying applicants.

City staff have encountered issues with enforcement due to their very expansive, low density municipality. The fact that some of the applicants are either uninformed of specific zoning by-law provisions they need to seek relief from or disagree altogether with the government trying to regulate such development makes this especially difficult for staff to enforce.

The municipal planners have tried, in some cases, to enforce planting of vegetation through their minor variance process (i.e. a planting plan). They have found that although

they can require detailed sketches to be submitted with applications, pairing it with the minor variance process has proved ineffective, as staff cannot enforce the implementation of the planting plan. Hence, the City planners expressed a preference for either the local conservation authorities or the Building Division to enforce property standards instead of them, where able.

Applicant Effort

A rating of 'satisfactory' was assigned for this criterion. In the City of Kawartha Lakes, most residents are seasonal, occupying a second home, with their primary residence located outside of the municipality (i.e. Toronto-Hamilton area). While the seasonal migration of residents to cottage country is unavoidable, it has often led to logistical issues with mandatory meetings with planning staff for minor variance applications. These exurbanites are often found to be bringing in minor variance applications lacking sufficient detail and it can be challenging for the applicant to return multiple times to correct it.

There was a sense at the City office that time was being used inefficiently by both the applicant and the planning staff. The paid pre-screening process was seen as helpful for alleviating the frustration applicants experienced in the minor variance process. Having this time set aside to talk with planners early in the planning process often makes applicants more amenable to changing their proposed designs. This saves the applicant from paying upfront costs that they otherwise would have spent on detailed architectural drawings and engineering fees.

Application Timeline

A rating of 'poor' was assigned for this criterion. The City has a very detailed 16-page application for minor variances that follows what is prescribed in the Schedule of

O. Reg. 200/96, s. 2. Planning staff work to process these applications and grant permits within four months. However, sometimes due to extenuating circumstances, it may take five months. It is important to note that this time span includes pre-screening meeting(s), which are not mandated by the *Planning Act* for the minor variance process. Conducting these pre-screening meetings takes time away from the City staff's other duties, although the municipality does garner a fee for providing this additional service. .

Minor variances in the City of Kawartha Lakes depend on the decision-making authority of the Committee of Adjustment. If the applicant submits an application that is not accurate, does not provide sufficient detail, or includes additional information that was not included in the original application, the Committee of Adjustment may defer or refuse and return their application. Based on the range used to evaluate this criterion, Kawartha Lakes falls into the 'poor' category.

Collaboration with External Agencies

A rating of 'satisfactory' was assigned for this criterion. Planners informally consult with the conservation authority if they have an interest in the application during the early, pre-screening stage. Additionally, the Building Division and the Sewage System Branch of the City are also consulted. Based on the range used to evaluate this criterion, Kawartha Lakes falls into the 'satisfactory' category.

Geographic Scope

A rating of 'poor' was assigned for this criterion. Each minor variance application is specifically applied to one individual property and does not alter any of the overall zoning by-law provisions outside of the boundary of that particular property parcel.

Shoreline Protection

A rating of 'satisfactory' was assigned for this criterion. The City of Kawartha Lakes is evaluating the feasibility of adding the planting of vegetation as an additional requirement under minor variances. The purpose of this requirement is to compensate for the loss of vegetation that can result from the construction process. Currently, two minor variance applicants have been required to include plantings as a condition on their permits. The planning staff hope that, in the future, this could serve as viable addition to this planning tool to require applicants to replace vegetation that is lost due to development activities on their shoreline properties.

There is a provision in the City's Official Plan to allow for site plan control in shoreline areas, but it has yet to be used. The City, in accordance with its Official Plan, strictly enforces the 30 metre waterfront setback for new development on vacant lots. However, exceptions are sometimes made for re-development proposals on lots with pre-existing structures. If the planners are satisfied with the applicant's rationale for the encroachment, and the applicant has demonstrated that a sufficient portion of the building envelope will remain outside the 30 metre setback, the planners will allow for encroachment up to 15 meters from the water. If an applicant cannot meet this 15 metre setback, such as for shallow, legal non-conforming lots, the planners will work with the applicant to find possible floor plan re-designs that maximize both distance from the shoreline and what the owner desires for their home.

The City values the conservation authorities' input on minor variance applications and consults with them on more than just natural hazards. The City will ask conservation authorities about a development's potential to impact wetlands, as the City contains many Provincially Significant

Wetlands. City planners also pay careful attention when reviewing an applicant's sewage system documents and sketches and in order to ensure sufficient space is left for a back-up septic tile bed in case of a failure or leak in the primary septic bed.

Public Support

A rating of 'satisfactory' was assigned for this criterion. The public perception of planning in the City of Kawartha Lakes has not been overly positive in the past. However, staff have recently invested more time into improving their working relationship with the public through local media, radio, and in-person engagement. The City has improved their customer service model and has implemented a planning help desk where the public can go to ask questions and receive advice about various planning matters. This has improved public support for planning in the City. Additionally, the planners do not feel that the current minor variance process is onerous on the public, which suggests that there is support for the use of this planning tool.

Additional Evaluative Information

The City planners feel that the existing four tests used when evaluating a minor variance application are sufficient. The staff believe these four criteria are inclusive of a variety of site-specific circumstances. Depending on the nature of these circumstances, the planners feel that their current minor variance process can address concerns regarding aesthetics, urban design, neighbourhood character, building design, cladding options, parking requirements, and the installation of windows. Therefore, they do not feel the addition of minor variance criteria is necessary.

The City planners also provided additional important information about public engagement. It was found that radio

and print notices are the most effective and reliable methods for circulating planning information to local residents. Conversely, methods involving social media and other online platforms were found to be very inaccessible to a large portion of their population. Additionally, the real-estate community was seen as a key group for the planners to engage with and educate as they often provide planning information and advice to the public. Therefore, it is important to acknowledge this relationship and ensure that real estate agents are able to provide accurate information to members of the community.

D.1.3. Havelock-Belmont-Methuen

Table D6. Characteristics of Havelock-Belmont-Methuen.

| | |
|--------------------|---|
| Population | 4,523 |
| Tier | Lower |
| Location | Located in the southeastern portion of Peterborough County. |
| Waterbodies | The area is spotted with many rivers and lakes. |
| Character | Small rural collective of communities that focuses on water-related tourism, mining and the Canadian Pacific rail yard as the key drivers of their economy. Also, home to the annual country music festival, the Havelock Country Jamboree. |

Minor Variance: S. 3.3.4.9.c) Township of Havelock-Belmont-Methuen Official Plan

While the Township generally follows the standard four test method for minor variance applications, there are specific requirements within the Official Plan for applications that request an extension or enlargement of a use that is non-conforming. These requirements consider criteria beyond the standard four tests. The following guideline is intended for Committee of Adjustment members to use while assessing these types of applications:

- ▶ The extension or enlargement should not aggravate the non-conforming situation for neighbouring uses;
- ▶ The extension or enlargement should be in reasonable proportion to the existing use and to the land on which it is to be located;
- ▶ Any extension or enlargement involving land should be minor in relation to the total property;
- ▶ Any major change shall require an amendment to the Plan;
- ▶ The compatibility of the extension or enlargement to

surrounding uses with regard to noise, vibration, fumes, smoke, dust, odours, lights, and traffic generation will be examined carefully;

- ▶ Adequate buffering, setbacks and any other measures necessary to reduce the nuisance will be required and where possible shall be extended to the existing use;
- ▶ Proper access to the site will be provided to ensure that no traffic hazards are created;
- ▶ Adequate on-site parking and loading space will be provided;
- ▶ Applicable services such as storm drainage, water supply, sewage disposal and roads, etc. are adequate or will be made adequate;
- ▶ Neighbouring properties will be notified of the proposed extension or enlargement of the non-conforming use before the final decision on the application is made.

In the specific cases of applications for properties in the Shoreline zone, the following will also need to be met:

- ▶ A proposal for a minor variance to reduce the shoreline setback will be strongly discouraged; and

- ▶ A proposal consisting of a complete tear-down and reconstruction to a larger footprint will be required to consider how it can meet the 30 metre shoreline setback prior to consideration for a minor variance.

Additionally, developing on existing undersized lots can be approved if the lot is large enough for a sewage disposal system. This would be determined with the health unit and other relevant authorities. The minimum lot size for these types of lots will be 2000 square metres.

These additional criteria that need to be considered in a minor variance application are permitted under Section 45 of the *Planning Act* which allows municipalities to add criteria to the standard four tests for minor variance applications.

Table D7. Evaluation Criteria Table for Havelock-Belmont-Methuen.



| | Good | Satisfactory | Poor |
|--------------------------------------|---|--|--|
| Cost Effective (Applicant) | The cost of this application is less than \$1000. | | |
| Staff to Application Ratio | | Between 51 and 99 applications are processed between 2 planning staff. | |
| Transition Process | No transition was required. | | |
| Ease of Enforcement | | | The complaint-based system is more difficult to enforce. |
| Applicant Effort | | This application requires some collaboration with experts. | |
| Application Timeline | | The timeline for the application from the point of submission to decision is between 51 and 99 days. | |
| Collaboration with External Agencies | | | Collaboration occurs with 5+ external agencies |
| Geographic Scope | | | This planning tool provides limited geographic scope. |
| Shoreline Protection | | | This planning tool provides inadequate shoreline |
| Public Support | | The public has the opportunity to be involved in the decision-making process and some are supportive of the use of this planning tool. | |

Cost Effective (Applicant)

A rating of 'good' was assigned for this criterion. All minor variance applications in the Township are \$725, regardless of complexity. This lack of flexibility is problematic for applicants with straightforward variances and may deter them from submitting an application. However, it is a much less expensive application than other case studies. Based on the fee scale used to evaluate this criterion, Havelock-Belmont-Methuen falls into the 'good' category.

Staff to Application Ratio

A rating of 'satisfactory' was assigned for this criterion. The staff to application ratio in Havelock-Belmont-Methuen is 2:50, which was established as a satisfactory rating on the scale used to evaluate this criterion.

Transition Process

A rating of 'good' was assigned for this criterion. Minor variance procedures are standard planning practice and did not require a transition for Havelock-Belmont-Methuen to apply these procedures in shoreline areas.

Ease of Enforcement

A rating of 'poor' was assigned for this criterion. Contradictions to minor variances and the zoning by-law are monitored by municipal staff on a complaint-basis. There are very few resources available in most Ontario municipalities to be able to enforce conditions associated with minor variance applications.

Applicant Effort

A rating of 'satisfactory' was assigned for this criterion. The application process for minor variances includes a nine-page form that most members of the public would need assistance from municipal planning staff or a hired planner to complete. This criterion was rated as satisfactory because it is unlikely that an applicant would be able to complete the form independently. To compensate for this, the Township facilitates and recommends pre-consultation meetings with potential applicants to assist in this process.

Application Timeline

A rating of 'satisfactory' was assigned for this criterion. As per Section 45 of the *Planning Act*, a minor variance application must be heard before the Committee of Adjustment within 30 days of being submitted. In Havelock-Belmont-Methuen, the estimated timeline for a minor variance application is 2-3 months from the date of submission to the date when construction can begin. While this exceeds the legislated timeline, it is less than other minor variance case studies reviewed who were also unable to meet the legislated timelines. Based on the range used to evaluate this criterion, Havelock-Belmont-Methuen falls in to the 'satisfactory' category.

Collaboration with External Agencies

A rating of 'poor' was assigned for this criterion. Havelock-Belmont-Methuen collaborates with Crowe Valley Conservation Authority and the Peterborough Public Health Department on all minor variance applications. Additionally, in

some instances Hydro One, Ministry of Transportation, Peterborough County Works Department, and Bell Canada are also circulated on applications. This number of external agencies falls into the category of poor on the scale used for evaluating this criterion.

within 10 days of the decision being made. As there is no implementation process to compare to the existing minor variance process, there is no public support to measure in this respect.

Geographic Scope

A rating of 'poor' was assigned for this criterion. Minor variance processes are conducted on a site-by-site basis and have limited consideration for other developments across a wider area.

Shoreline Protection

A rating of 'poor' was assigned for this criterion. The minor variance process for Havelock-Belmont-Methuen focuses on the 30 metre vegetative buffer established by the zoning by-law. A minor variance is required to obtain relief from this buffer. However, this appears to be the only provision to protect shorelines. Beyond the four tests, it is possible for the Committee of Adjustment to require further conditions, which could include environmental protection, however these conditions are on a site-by-site basis.

Public Support

A rating of 'satisfactory' was assigned for this criterion. Neighbouring residents within 60 metres of the property are notified of minor variance applications, resulting in some level of public involvement. Anyone may submit concerns to the Committee of Adjustment. Residents who have asked to be kept informed on the decision are sent a Notice of Decision

D.1.4. Town of Innisfil

Table D8. Characteristics of Innisfil.

| | |
|--------------------|---|
| Population | 36,600 |
| Tier | Lower |
| Location | Located on the western shore of Lake Simcoe in Simcoe County. South of Barrie and 80km north of Toronto. |
| Waterbodies | Lake Simcoe |
| Character | It is a rural area with growing pressure for development as the Greater Toronto Area and Barrie area grows. |

Community Planning Permit By-law 062-17

The Town of Innisfil has passed a Community Planning Permit By-law in order to address the issues of unpermitted development, more intensive redevelopment, in-shore and off-shore structures and activities, damage to the natural shoreline and loss of vegetation. The Town's residents have expressed a strong connection to Lake Simcoe, and place strong importance on public access to the Lake and protecting the character of the shoreline. The Community Permit System in Innisfil is designed to combine, into one process, zoning amendment, site plan, minor variance, site alteration and vegetation removal applications. The By-law applies only to the lands falling within the Shoreline Permit Area designation of the Official Plan, as set forth in the Official Plan Amendment No. 23 and includes all parcels of land abutting Lake Simcoe. The By-law sets out guiding criteria that shall be given regard when considering an application. The criteria are derived from the guiding principles of "Built Form in Context", "Public Realm Connects Us", "Sustainable Values" and "Natural Shoreline".

The steps for issuance of a Planning Permit are as follows:

1. Pre-consultation
2. Submission of Community Planning Permit Application
3. Application Review
4. Notification Requirements
5. Delegated Approval
6. Decision
7. Notice of Decision
8. Clearance of Conditions
9. Building Permit Application

Decisions must be made within 45 days from the date of a completed application as legislated by the *Planning Act*.

Table D9. Evaluation Criteria Table for Innisfil.



| | Good | Satisfactory | Poor |
|--------------------------------------|--|--|--|
| Cost Effective (Applicant) | The cost of this application is less than \$1000. | | |
| Staff to Application Ratio | Between 1 and 50 applications are processed between 2 planning staff. | | |
| Transition Process | | The transition process was somewhat difficult. | |
| Ease of Enforcement | | | The complaint-based system is more difficult to enforce. |
| Applicant Effort | This application does not require a consultant. | | |
| Application Timeline | The timeline for the application from the point of submission to decision is less than 50 days. | | |
| Collaboration with External Agencies | Collaboration occurs with 1 to 2 external agencies. | | |
| Geographic Scope | | This planning tool provides moderate geographic scope. | |
| Shoreline Protection | This planning tool provides adequate shoreline protection. | | |
| Public Support | The public has the opportunity to be involved in the decision-making process and the majority are supportive of the use of this planning tool. | | |

Cost Effective (Applicant)

A rating of 'good' was assigned for this criterion. Under the CPPS system during the pre-consultation phase, Innisfil staff determine which class the application fits into. If the application requires variation from the standards set out in the by-law and requires consideration from council, the application is categorized as a Class 1 application which costs \$2,300 plus billable staff time. If the application requires minor variations to standards which may be considered by staff, it is designated a Class 2 application, costing the applicant \$850 plus billable staff time. If the application meets all development standards it is classified as a Class 3 application and costs \$300. As there is great flexibility in the cost across the classes, and two out of the three class fees are less than \$1000, the cost effectiveness of this tool for use in Innisfil was ranked as 'good'.

Staff to Application Ratio

A rating of 'good' was assigned for this criterion. In Innisfil, there are three staff responsible for approximately 75 CPPS applications annually. Based on the evaluation scale, it equates to 50 applications per two staff members which results in a score of good for the staff to application ratio criterion.

Transition Process

A rating of 'satisfactory' was assigned for this criterion. Prior to the CPPS, properties abutting the waterfront in Innisfil were subject to site plan control. The Town passed an interim control by-law in 2015 which helped the Town to transition from site plan control to the new CPPS by-law which was introduced in January 2019. Difficulties throughout this

transition included the need for extensive public consultation and an appeal to the Local Planning Appeal Tribunal (LPAT). Implementing the CPPS by-law is a public process that is required by legislation to hold at least one open house and public meeting and can also be appealed to the LPAT. Anyone can appeal the CPPS until it is adopted. However, once the CPPS is adopted decisions and non-decisions can only be appealed to LPAT by applicants (property owners), which means no third-party appeals.

In Innisfil, program implementation was initially stalled due to an LPAT appeal regarding boathouse regulations on one specific shoreline. The appellant eventually agreed to narrow the scope of their appeal so that the CPPS could come into effect for the rest of the "Shoreline Protection Area". The appeal is still waiting to be heard by the LPAT in 2020. For these reasons, the transition process was deemed satisfactory.

Ease of Enforcement

A rating of 'poor' was assigned for this criterion. In Innisfil, the CPPS is enforced through a complaint-based system which is ranked poorly because it is difficult to control compliance through this method. This method of enforcement is reliant on the honour-based system that applicants are completing their work based on the approved drawings.

Applicant Effort

A rating of 'good' was assigned for this criterion. In Innisfil, an applicant can complete a CPPS application independently or they may meet with staff to consult on their application prior to submission but it is not stated as a requirement in the by-law. Additionally, the CPPS combines

zoning, site plan, minor variances, site alterations, grading, and tree removal approvals into one streamlined application process which aims to provide faster decisions. This requires applicants to seek approval from fewer sources which may encourage property owners to obtain the proper approvals and provides more predictability for the public in terms of how to gain planning approvals. As a result, the CPPS system has resulted in a more efficient, streamlined process for Innisfil. For these reasons the applicant effort was ranked as good.

Application Timeline

A rating of 'good' was assigned for this criterion. Innisfil staff must confirm whether the application is complete and determine what class the application falls into within 5 days of submission. Once an application is deemed complete, a decision must be made within 45 days, as legislated by *The Planning Act* under Section 12 of O. Reg. 173/16: Community Planning Permits. According to Innisfil staff, on average Class 3 permits take approximately 2 weeks to complete, Class 2 permits take approximately 4 to 6 weeks to complete and Class 1 permits take 6 to 8 weeks to complete depending on the Council agenda. As on average, CPPS applications in Innisfil are completed within the legislated timeline, the tool was ranked as good. Furthermore, as the CPPS system allows council to delegate approvals for Class 1 and 2 permits to staff, applications are able to be processed more quickly, requiring less staff time and resources. Based on the range used to evaluate this criterion, Innisfil falls into the 'good' category.

Collaboration with External Agencies

A rating of 'good' was assigned for this criterion. This was evaluated based on the number of external agencies that Innisfil collaborates with when processing CPPS applications.

Once an application has been deemed complete and staff have assigned which class in the CPPS it fits into, the application is then submitted to Lake Simcoe Regional Conservation Authority (LSRCA) for review to determine the fees owed for the LSRCA permit. All applications are circulated to the LSRCA for preliminary review. In some cases, it will be circulated to the Ministry of Natural Resources and Forestry for review to determine if a work permit is required. Based on the range used to evaluate this criterion, Innisfil falls into the 'good' category.

Geographic Scope

A rating of 'satisfactory' was assigned for this criterion. In Innisfil, the "Our Shore" CPPS by-law is applicable solely for properties within the "Shoreline Protection Area". As a result, the by-law does not protect anything beyond those properties allocated to this area.

Shoreline Protection

A rating of 'good' was assigned for this criterion. Innisfil's CPPS by-law which is titled "Our Shore" protects the health of the shoreline by ensuring that vegetation is protected, preventing the walling effect along the shore, better implementing the Lake Simcoe Protection Plan, and ensuring that septic systems are placed away from the water. The CPPS permit includes an expanded definition of development which requires that individuals seek a permit for more activities than before such as site alteration, fill placement and removal, and vegetation removal which may not have previously required planning approvals but have the capacity to negatively impact the shoreline. Additionally, CPPS applications can include conditions of approval and set deadlines for when these conditions must be completed. This is permitted as long as it is outlined in the Official Plan and CPPS by-law. An example of a potential condition is the

requirement of ongoing monitoring measure in order to mitigate any concerns regarding the health of the natural environment along the shorelines. Accordingly, the CPPS was deemed to provide adequate shoreline protection.

Public Support

A rating of 'good' was assigned for this criterion. Throughout the creation of their CPPS, Innisfil undertook high levels of public consultation through open houses, online forums, workshops, notices, and presentations to Council. The feedback received during this process demonstrated that the majority of the public felt positive about the implementation of the by-law, while still having some questions and concerns regarding the grandfathering of existing structures and water structure restrictions. Overall, the development of the CPPS was receptive to the needs of residents and was supported by staff.

D.1.5. The Township of Lake of Bays

Table D10. Characteristics of Lake of Bays.

| | |
|--------------------|--|
| Population | Permanent population: 3,100 |
| Tier | Lower |
| Location | Northeastern portion of Muskoka. 193km north of Toronto, Algonquin Provincial Park to the northeast and Huntsville to the west |
| Waterbodies | Over 100 lakes within the Township |
| Character | Primarily rural and waterfront properties, it is known for its pristine environment and year-round recreational opportunities for residents, seasonal visitors and tourists. |

Development Permit By-law 2004-180

The Township of Lake of Bays was the first in the province to implement the DPS. In 2000 the Province of Ontario conducted a study to see if Lake of Bays could have a Development Permit System and how it might work in the context of a waterfront community. The main goal of implementing the Development Permit System in the Township of Lake of Bays is to protect the waterfront, and specifically address site alteration and vegetation removal on waterfront properties. Passed by Council in 2004, the Development Permit By-law allows the development process to be streamlined as it combines zoning by-law amendments, minor variances and site plan approvals into one approval system. Instead of zoning by-laws requiring these, the development permit by-law replaces those applications in favour of a simpler development permit. There are varying levels of development permits depending on the complexity and extent of development.

The DPS in Lake of Bays is required for any development on a property adjacent to the water and/or any development that does not conform with the existing by-law

provisions. Applications that are complex and will have off-site impacts to be mitigated, will be reviewed by council. If the application is straightforward and will not have off-site impacts to be mitigated, it will be reviewed and approved by staff.

Of these applications, there are two types of approvals: provisional approvals and development permits. Provisional approvals are approvals in principle, subject to receiving additional information. Conditions can be imposed as part of a provisional approval. The applicant has a maximum of two years from the date of the provisional approval within which to obtain a development permit before the provisional approval lapses.

The following types of development require a Development Permit:

- ▶ Development within the shoreline yard (water setback 66 or 100ft)
 - ▶ Construction, site alteration or vegetation removal
- ▶ Development in or on a sensitive area (i.e. wetland or steep slope)
 - ▶ Construction, site alteration or vegetation removal
 - ▶ An application that does not meet the by-law requirements
 - ▶ Includes discretionary uses

Through the enactment of Bill 73, Smart Growth for Our Communities Act (2015), municipalities were given the power to create CPPS in their communities. Section 26(9) of the Planning Act requires municipalities with existing Development Permit by-laws to consolidate these by-laws into a new Community Planning Permit System (CPPS) as a new means of implementing the Official Plan. Like the existing DPS, the CPPS will clearly identify development rules and requirements that are applicable across the Township. As a result, the Township of Lake of Bays is currently in the process of switching over their DPS to a CPPS with the help of Skelton Brumwel & Associates Inc. The information provided is from the August 2019 public draft document. The key difference between the previous DPS and

the new CPPS is that the DPS only applied to waterfront areas, whereas the new CPPS applies to the entire Township area.

A CPPS is different than the traditional zoning system because under a CPPS, certain discretionary uses are permitted provided that certain other conditions are met. Additionally, variances to provisions like setbacks and lot frontages are permitted, provided that other conditions are met. If an application is delegated to staff, no notice to neighbours is required. If council is the designated approval authority for an application, neighbours will be notified. Appeals to LPAT of a council decision can only be appealed by the applicant, not third parties. For applications that are not minor in nature and do not meet the requirements of this by-law, an amendment may be made to this by-law the same way that amendments can be made to a zoning by-law.

Table D11. Evaluation Criteria Table for Lake of Bays.



| | Good | Satisfactory | Poor |
|--------------------------------------|---|--|--|
| Cost Effective (Applicant) | The cost of this application is less than \$1000. | | |
| Staff to Application Ratio | | Between 51 and 99 applications are processed between 2 planning staff. | |
| Transition Process | | The transition process was somewhat difficult. | |
| Ease of Enforcement | | | The complaint-based system is more difficult to enforce. |
| Applicant Effort | | This application requires some collaboration with experts. | |
| Application Timeline | The timeline for the application from the point of submission to decision is less than 50 days. | | |
| Collaboration with External Agencies | | | Collaboration occurs with no external agencies. |
| Geographic Scope | This planning tool provides adequate scope. | | |
| Shoreline Protection | This planning tool provides adequate shoreline protection. | | |
| Public Support | The majority of the public are supportive of the use of this planning tool. | | |

Cost Effective (Applicant)

The cost of the application is flexible and is relative to the complexity of the individual application, making it a fair assessment of cost. Applications are generally less than \$1000. Applications that are delegated to staff require less work and are therefore less expensive, costing \$400. If an application is to be sent to Council, the cost is higher, \$750, as more time and effort is required from municipal staff. It was noted in the interviews that the most common application Lake of Bays receives is applications to legalize existing non-conforming structures. This is a simple application which only costs \$100 for applicants, making it the least expensive option. Based on the fee scale that was used to evaluate this criterion, Lake of Bays falls into the 'good' category. In addition, the flexibility of the costs contributes to why this criterion has been given a favourable rating.

Staff to Application Ratio

A rating of 'satisfactory' was assigned for this criterion. There are 4 full time employees and 1 part time employee who are responsible for planning applications within the municipality. With approximately 150 applications per year, each employee is responsible for about 33 development applications, and this ratio was simplified to 2:75. Based on the ratios used to evaluate this criterion, Lake of Bays falls into the 'satisfactory' category.

Transition Process

A rating of 'satisfactory' was assigned for this criterion. In order to effectively transition from the Lake of Bays DPS that was only applicable to shoreline and rural areas, to a

CPPS that will be applicable across the municipality, a consulting firm has been hired. This demonstrates that the transition process may involve some difficulty as Lake of Bays has opted to utilize outside expertise. Additionally, this transition will require the municipality to restructure their by-laws and Official Plan. The rating of 'satisfactory' reflects the level of difficulty involved in this transition process.

Ease of Enforcement

A rating of 'poor' was assigned for this criterion. As many municipalities across Ontario have experienced, there are very few resources available for enforcement. Therefore, enforcement of development permits under the DPS in Lake of Bays is complaint-based. This is an undesirable method for enforcement as it is inconsistent and permits many illegal developments to exist.

Applicant Effort

A rating of 'good' was assigned for this criterion. The DPS and the CPPS create a streamlined approach to development applications that can be completed by applicants independently. There is one application for all types of developments, making it straightforward for applicants. Additionally, with the forthcoming CPPS in Lake of Bays, it is predicted that applicant effort will increase as the same rules will apply across the municipality, as opposed to the existing DPS which is only applicable to shoreline and rural areas. The form is available online, for easy access for residents across the municipality, including seasonal residents who may want to apply for a permit during the off-season months.

Application Timeline

A rating of 'good' was assigned for this criterion. The Lake of Bays current DPS system has two streams for applications, as some applications are delegated to staff and others go to municipal council. The timelines for the application will match the complexity of the application. For example, a straightforward application to legalize a shed that was illegally built 0.5 metres too close to the shoreline will take much less time than an application for a boathouse. Based on the range used to evaluate this criterion, Lake of Bays falls into the 'good' category.

Collaboration with External Agencies

A rating of 'poor' was assigned for this criterion. There is no mention of collaboration with external agencies in the Lake of Bays DPS, and this rating reflects the lack of exterior consultation in the permitting process. It is important to recognize the input lake associations had on the implementation of the new CPPS. However, they are not consulted on development permits. Lake of Bays does not have a Conservation Authority to review applications and therefore it is the municipal responsibility to ensure environmental protection when providing permits. Typically, in the absence of a Conservation Authority, a municipality should consult with the Ministry of Natural Resources and Forestry. However, there was no indication that this is a step in the current DPS in the Lake of Bays permitting process. Based on the range used to evaluate this criterion, Lake of Bays falls into the 'poor' category.

Geographic Scope

A rating of 'good' was assigned for this criterion. The Lake of Bays DPS is only in effect in the shoreline and the rural areas, therefore limiting the potential ecological reach of

this planning tool. Despite this limited geographic scope, a rating of 'good' was given, as the removal of vegetation does require a permit, which protects more than just shorelines. Additionally, Lake of Bays is currently undergoing the transition into a municipality wide CPPS system which will provide protection across the municipality. This change in geographic scope demonstrates the flexibility of the CPPS to adapt as needs change in a community. When the need to increase the geographic scope of the DPS was identified, Lake of Bays was able to accommodate this change.

Shoreline Protection

A rating of 'good' was assigned for this criterion. The purpose of transitioning from a traditional zoning by-law system to the DPS was to increase environmental protection. The inclusion of the lake associations in the creation of the DPS and the new CPPS indicates a strong level of shoreline protection.

Public Support

A rating of 'good' was assigned for this criterion. Lake of Bays has received significant public and industry support for the DPS and now the CPPS in their municipality. Residents prefer a system that is predictable, which is what the CPPS is aiming to be. While it can be a challenge to educate the public on what the changes mean for their development applications, the public has been eager to learn and to participate in consultations to improve the existing DPS. Once there is a common understanding of what the DPS and the CPPS are, there is public support. Additionally, the industry has expressed that they enjoy working within the DP/CPPS systems rather than under zoning by-laws.

D.1.6. The Corporation of the Town of Gananoque

Table D12. Characteristics of Gananoque.

| | |
|--------------------|---|
| Population | 5,000 |
| Tier | Single |
| Location | East of the City of Kingston in the United Counties of Leeds and Grenville |
| Waterbodies | Located along the Gananoque and St. Lawrence Rivers |
| Character | The Town boasts a “small town” heritage, a rich environmental character and hosts tourists throughout the year with numbers in the 500,000s |

Development Permit By-law No. 2010-65

The Town of Gananoque's Development Permit By-law replaced the Town's existing zoning, site plan and minor variance approvals and in some cases it may be used in lieu of a Site Alteration By-law or Tree Cutting By-law. Town Council decided to enact the by-law to streamline the approach to development approvals, and to provide flexibility under a clearly articulated context. Within the By-law, development is defined as:

- ▶ The construction, erection or placing of one or more buildings or structures on land,
- ▶ The making of an addition or alteration to a building or structure that has the effect of substantially increasing its size or usability,
- ▶ The layering out and establishment of a parking lot
- ▶ The removal of vegetation within thirty (30) metres of the Gananoque or St. Lawrence Rivers in accordance with the General Provisions as outlined in Section 3.43

The Development Permit By-law separates development activities into three different classes of development permits. Table D2 summarizes each type of development permit.

A Development Permit is not required for single dwelling units, semi-detached dwelling units and duplex dwelling units provided that the development is deemed to conform with the zoning in the area, is setback a minimum 30 metres from the watercourse, and does not alter or remove vegetation within 30 metres of the Gananoque or St. Lawrence Rivers. Development Permits are also not required for projects previously approved through Site Plan Control, on developments requiring repairs or maintenance, and to certain school projects.

Table D13. Summaries for each type of development permit.

| Class of Development | Approval | Notification Requirements | Circumstances |
|----------------------|--------------------------------|---|--|
| Class I | Planning Approvals Coordinator | None | <p>A Class I Development permit shall be required where the result is a minor variation from approved standards and criteria:</p> <ol style="list-style-type: none"> 1) Where the development generally meets the requirements, standards and provisions of the Development Permit Area but requires relief from one or more of those requirements. 2) Where the applicant is required to formally recognize an existing legal non-conforming use or non-complying use 3) Where the type, location and scale of the proposed development is such that there is no municipal requirement for a security/performance deposit to guarantee on-site or off-site works 4) Where development is proposed within any Residential designation |
| Class II | Planning Advisory Committee | <ul style="list-style-type: none"> - Posting of property - Circulation of properties within 120m of the subject lands | <p>A Class II Development Permit shall be required under any one or more of the following circumstances:</p> <ol style="list-style-type: none"> 1) Where the municipality has received a request to have a Class I Permit reviewed by Planning Advisory Committee in accordance with Section 2.19.3 of this By-law 2) Where the development generally does not meet the requirements, standards and provisions of the Development Permit Area and requires relief from one or more of those requirements 3) The proposed development is a discretionary use in the Development Permit Area. 4) The proposed development is a temporary use as defined in Section 3.48 of this By-law |
| Class III | Council | <ul style="list-style-type: none"> - Posting of property - Circulation of properties within 120m of the subject lands | <p>A Class III Development Permit shall be required under any one or more of the following circumstances:</p> <ol style="list-style-type: none"> 1) Where the municipality has received a request to have a Class II Permit reviewed by Council in accordance with Section 2.19.4 of this By-law 2) Where the development generally does not meet the requirements, standards and provisions of the Development Permit Area and requires relief from one or more of those requirements 3) Where the municipality requires technical studies or reports such as a Traffic Impact Study, Servicing Options Report, Environmental Impact Study or any other study or report which may be required to ensure a full and complete review of the proposed development. 4) Where off site works such as the extension of municipal services, road improvements, storm water management facilities etc. are required |

Table D14. Evaluation Criteria Table for Gananoque.



| | Good | Satisfactory | Poor |
|--------------------------------------|---|--|--|
| Cost Effective (Applicant) | The cost of this application is less than \$1000. | | |
| Staff to Application Ratio | Between 1 and 50 applications are processed between 2 planning staff. | | |
| Transition Process | The transition process was not difficult. | | |
| Ease of Enforcement | The monetary deposit encourages compliance, which is easier to enforce. | | |
| Applicant Effort | | This application requires some collaboration with experts. | |
| Application Timeline | The timeline for the application from the point of submission to decision is less than 50 days. | | |
| Collaboration with External Agencies | | | Collaboration occurs with 5 or more external agencies. |
| Geographic Scope | This planning tool provides adequate scope. | | |
| Shoreline Protection | | This planning tool provides some shoreline protection. | |
| Public Support | The majority of the public are supportive of the use of this planning tool. | | |

Cost Effective (Applicant)

A rating of 'good' was assigned for this criterion. This was based on the Class I Development Permit application which includes smaller projects and would likely be the permit issued to most property owners, as opposed to Class II and III which would likely be required for more complex projects and projects completed by developers.

The Town of Gananoque has three application cost spectrums depending on the size and scale of the proposed project. The cost of a Class I Development Permit application is \$500, with an additional refundable security deposit of \$500. Higher fees are required for Class II and III applications, at \$1,500 and \$1,700 respectively. Applicants must also pay 30% in administration fees and as well as any fees required by the Conservation Authority. Additional fees may be required for amendments related to applications, extra meetings during the application process, and peer review for Class II and III applications. These additional fees may increase an applicant's fees anywhere from \$250 to \$2500 dollars. Based on the fee scale used to evaluate this criterion, Gananoque falls into the 'good' category.

Staff to Application Ratio

A rating of 'good' was assigned for this criterion. The Town of Gananoque has two full-time planning staff members and on average receive 10 Development Permit applications a year. Based on the ratio used to evaluate this criterion, Gananoque falls into the 'good' category.

Transition Process

A rating of 'good' was assigned for this criterion. The Gananoque planner who was interviewed was not employed at the Town during the transition to the Development Permit System, however, was still able to provide information regarding this process. The Town hosted an open house and public meeting with members of Town Council in attendance at both. Information pamphlets were also circulated to the public in advance of these events. The public was generally positive in their response to the transition, and there was one appeal from a company. The Town planning staff found the transition to be fairly easy as at the time they only had two staff members who had to learn the new system. Staff received training on the new system and found that this improve their ability to explain the new system to the public.

Ease of Enforcement

A rating of 'good' was assigned for this criterion. The Town requires a deposit of \$500 dollars prior to applicants entering into an agreement with Council. This is to guarantee completion of this step and ensures that applicants will comply with Town timelines. While the enforcement process itself is mainly complaint-based, Town planners also look for infractions when they are out in the public realm. To deal with these infractions, a Town planner will first send a letter of non-compliance to the property owner with instructions on how to come into compliance. To date, this tactic has proved successful in enforcing non-complying developments as generally, property owners are unaware that they are not complying.

Additionally, due to limited staff resources, the Town has contracted By-law enforcement out to the County of Frontenac. Operating under By-law No. 20 14-036, Frontenac Municipal Law Enforcement enforce bylaw infractions, such

as non-compliance with a development permit, when initial attempts by Town staff are unsuccessful.

Applicant Effort

A rating of 'satisfactory' was assigned for this criterion. This was due to the varying degrees of required documents across the three classes of development permits. A Class I development may be completed only with the support of a Town planner, whereas a Class III development often requires documentation that can only be supplied by an external agent.

Application Timeline

A rating of 'good' was assigned for this criterion. This was because the Town's policy requires that development permit applications receive approval from Town Council within 45 business days which is in line with Section 12(1) of O. Reg. 173/16: Community Planning Permits. Submitted applications are reviewed by one of the Town planners within ten business days to determine whether the application is complete. Following a successful application, the applicant has 45 business days to receive approval from the Town Council and one year to enter into an agreement to start development. Town planners pre-consult with every applicant prior to submission, at no additional cost, and will have as many pre-consultations as required. They have found that this often results in more completed applications being submitted to the department because it allows them to work with the applicant to ensure that they understand all of the application requirements. Based on the range that was used to evaluate this criterion, Gananoque falls into the 'good' category.

Collaboration with External Agencies

A rating of 'poor' was assigned for this criterion. In Gananoque as many as five external agencies are consulted for development permit applications. The ranking system used to evaluate this criterion places onerous consultation with external agencies on the poor end of the spectrum. This is based on the amount of time and effort it often takes to consult with external agencies. While Gananoque often only sends out information sheets to their agencies, this takes time away from the planner who is working on the development permit application. Based on the range used to evaluate this criterion, Gananoque falls into the 'poor' category.

Geographic Scope

A rating of 'good' was assigned for this criterion. This is because the Gananoque Development Permit Bylaw includes the entire Town.

Shoreline Protection

A rating of 'satisfactory' was assigned for this criterion. The Gananoque Development Permit By-law does not specifically prioritize shoreline protection. However, the Town does use the Development Permit System in order to obtain small parcels of land by the shoreline with the intent of making a public use pathway that runs along the water. The Town would like to connect the existing pathway at the east end of the Town limits with the west end. In order to do so, Town planners and Council have placed conditions on permit approvals that enable the Town to purchase or obtain right of ways over the direct waterways.

Public Support

A rating of 'good' was assigned for this criterion. This score is due to the public's fairly positive response to the implementation of the Development Permit System. During

the public consultation process, no comments or concerns were received by planners, and only one appeal was filed by a local company. Additionally, the public appears supportive of the enforcement of the by-law. Town planners found that initial attempts to bring properties back into compliance worked well and that further enforcement was not always required.

D.1.7. The Town of Carleton Place

Table D15. Characteristics of Carleton Place.

| | |
|--------------------|--|
| Population | 11,900 |
| Tier | Lower |
| Location | Located in Lanark County, about 46km west of downtown Ottawa |
| Waterbodies | Mississippi River |
| Character | Small rural community |

Development Permit By-law 15-2015

The Town of Carleton Place uses a Development Permit By-law, which replaced the previously existing zoning, site plan By-law and minor variance approvals. All development that takes place in the Town is required to conform to the Town's Development Permit By-law. This document controls the use of land in the community by defining how land may be used, where buildings and structures can be located, what types of buildings and structures are permitted and how they can be used. The Development Permit By-law regulates such things as lot sizes and dimensions, parking requirements, building heights and setbacks from the street. The Town is divided into different land use designations, representing residential, commercial, Industrial and other land uses. The Development Permit By-law includes design criteria that are geared towards protecting and enhancing the beauty of the Town.

Table D16. Evaluation Criteria Table for Carleton Place.



| | Good | Satisfactory | Poor |
|--------------------------------------|--|--|---|
| Cost Effective (Applicant) | The cost of this application is less than \$1000. | | |
| Staff to Application Ratio | | | Over 100 applications are processed between 2 planning staff. |
| Transition Process | | The transition process was somewhat difficult. | |
| Ease of Enforcement | | | The complaint-based system is more difficult to enforce. |
| Applicant Effort | | This application requires some collaboration with experts. | |
| Application Timeline | The timeline for the application from the point of submission to decision is less than 50 days. | | |
| Collaboration with External Agencies | Collaboration occurs with 1 to 2 external agencies. | | |
| Geographic Scope | This planning tool provides adequate geographic scope. | | |
| Shoreline Protection | This planning tool provides adequate shoreline | | |
| Public Support | The public has the opportunity to be involved in the decision-making process and the majority are supportive of the use of this planning tool. | | |

Cost Effective (Applicant)

A rating of 'good' was assigned for this criterion. This is because the fee schedule of Carleton Place includes a range of fees depending on the class of development permit applied for. The DPS has 5 classes of development permits; Class 1, Class 1A, Class 2, Class 3, and Class 4. The Class 1 and 1A development permit range from \$250 to \$1,000 depending on if the application is located in a residential, non-residential development, or a new residential build within a plan of subdivision. Class 2 and Class 3 development permits cost more, ranging from \$2,500 to \$3,500; with the additional expense of an engineering fee (approx. \$2,000). All fees are charged when the application is submitted, and securities for engineering are collected at the signature of agreement. Any legal fees which may occur as a result of registration of agreements are billed to the applicant at a later date. Based on the fee scale used to evaluate this criterion, Carleton Place falls into the 'good' category.

Staff to Application Ratio

A rating of 'poor' was assigned for this criterion. Since 2014, Carleton Place has experienced an increase in planning applications, most notably in the Class 3 development permits. The municipality has two full time employees (one planner and one administrator) who work on planning applications. In 2018, Carleton Place's planning department received 86 completed applications. Due to staffing restraints, planning staff have struggled to find the time necessary to meet, receive and process the current influx of applications. Based on the ratio used to evaluate this criterion, Carleton Place falls into the 'poor' category.

Transition Process

A rating of 'satisfactory' was assigned for this criterion. Extensive consultation with the public, external agencies, planning staff, and consultants surrounded the DPS process during its initial transition in 2008 and its update in 2014/2015. However, as a result of the public appearing to largely be happy with the current process this category, this process was rated as 'satisfactory'.

Ease of Enforcement

A rating of 'poor' was assigned for this criterion. This is due to the enforcement of development permits under the DPS in Carleton Place being a complaint-driven process. This method is undesirable for enforcement as it is inconsistent and may result in illegal development going unchecked within the municipality.

Applicant Effort

A rating of 'satisfactory' was assigned for this criterion. One application is used for all types of developments, creating a more streamlined approach to the planning process. The application is available online for all residents, whether they are permanent or seasonal. In order for an application to be deemed complete, the applicant must meet with a member of the planning staff prior to submission. The consultation session is used to inform applicants as to what permit class they should be applying for, as well as any further documentation which might be required (i.e. Environmental Impact Studies). Greater effort is needed to complete an application of higher permit class.

Application Timeline

A rating of 'good' was assigned for this criterion. The Carleton Place DPS has two streams for applications. In the first stream, planning staff have the authority to approve applications, whereas in the second, applications must go to the municipal council to receive approval. Class 1, 1A permits can all be approved by planning staff, while Classes 2, 3 permits must go to council. Timelines for applications depend on their complexity. Class 1 & 1A (minor variance and agreements) take much less time to approve (3-7 days) than Class 2 (major site plan) or Class 3 (site specific zoning and major site plan) which can take up to 45 days from the point of submission to the final decision. Based on the range used to evaluate this criterion, Carleton Place falls into the 'good' category.

Collaboration with External Agencies

A rating of 'good' was assigned for this criterion. Within the DPS timeline, there are two periods for staff, external agencies and the public to review and comment on any applications of Class 2 and 3 permits. The first commenting period occurs before the application is deemed complete by planning staff and the department. This helps to address major concerns by amending any drawings, studies, or other elements of the application. The second period occurs after the application is complete so changes can be reviewed. Based on the range used to evaluate this criterion, Carleton Place falls into the 'good' category.

Geographic Scope

A rating of 'good' was assigned for this criterion. The Carleton Place DPS is not limited in its geographical scope, as the by-law covers the entire municipality.

Shoreline Protection

A rating of 'good' was assigned for this criterion. Unless an Environmental Impact Study is able to demonstrate that no adverse impact occurs to the watercourse, applications involving land which is deemed as environmentally sensitive requires a more in-depth review process in order to ensure adequate environmental protection is achieved. Regulations within the DPS ensure that development setbacks are a minimum of 30 metres from a natural watercourse and that no site alteration or vegetation removal occurs within the 30 metre buffer zone from the Mississippi River. Additionally, if there are any environmental constraints on a property, the application is automatically considered a Class 2 development permit. This requires a full set of drawings for new structures from an engineering construction technician, a permit from the relevant conservation authority, and a floodplain study.

Public Support

A rating of 'good' was assigned for this criterion. During the early stages of Carleton Place's transition to the DPS, extensive consultation was conducted with members of the community, external agencies, stakeholders, planning staff and consultants. The public has since been largely happy with the DPS process and the faster decision timelines for submitted applications. Even with the DPS system removing the appeal on Class 1 and Class 1A developments, the community can still be involved in the decision-making process for Class 2 and Class 3 permit applications.

D.1.8. Haliburton County

Table D17. Characteristics of Haliburton.

| | |
|--------------------|---|
| Population | 18,000 |
| Tier | Upper |
| Location | To the south of Algonquin Park in Eastern Ontario |
| Waterbodies | The area is spotted with many rivers and lakes. |
| Character | It is a tourist and cottage area where employment primarily caters to the needs of the seasonal cottage country population. It is also home to a thriving arts community. |

Shoreline Tree Preservation By-law No. 3505

This by-law applies to all land in the County of Haliburton that falls within 30 metres of a watercourse and all trees with a diameter of 5 centimetres or more. The overall goal of the by-law is to protect the water quality and environment in the County by reducing the destruction of trees. Specifically it is stated in the by-law that protecting the trees along the shorelines of lakes, rivers, and navigable waterways will result in:

- ▶ Achieving the objectives of the Official Plan for the County of Haliburton;
- ▶ Minimizing the destruction or injuring of trees;
- ▶ Regulating and controlling the removal, maintenance and protection of trees;
- ▶ Sustaining a healthy natural environment by maintaining and improving the
- ▶ ecosystem services provided by trees;
- ▶ Protecting significant and sensitive natural areas;
- ▶ Contributing to human health and quality of life through the maintenance of tree cover;

- ▶ Maintaining water quality;
- ▶ Reducing airborne pollution;
- ▶ Maintaining and enhancing natural habitat;
- ▶ Preventing soil erosion and water run-off;
- ▶ Protecting, promoting and enhancing the aesthetic values of land;
- ▶ Protecting fish habitat as defined in the Fisheries Act, Revised Statute of Canada
- ▶ 1985; and
- ▶ Minimizing the stress on watercourses

Shoreline Preservation

While this by-law is still in the draft phases there has been information released by the County surrounding the overall goals. On the public webpage for the by-law, it is expressed that the purpose of the bylaw will be to protect the shoreline while regulating site alteration, cleaning, and clearing land. This will be achieved by requiring a site alteration permit for landowners looking to complete any of

the following projects within 30 metres of the high watermark:

- ▶ Construction of an accessory structure or addition to an existing structure;
- ▶ Foundation repairs or replacement;
- ▶ Installation or replacement of septic systems;
- ▶ The placement of fill material in excess of 20 m³;
- ▶ Removing topsoil;
- ▶ Alteration to the grade of land;
- ▶ Diverting or altering the drainage of the land; and
- ▶ Removal of trees (see current by-law) or natural vegetation.

This by-law will operate in conjunction with the existing Shoreline Tree Preservation By-law to address environmental protection. This protection will be achieved through maintenance of drainage patterns, water quality improvements, natural heritage protection, and water contamination prevention. The overall goal of the by-law is to have 75% natural and native vegetative shoreline cover with the intent to keep a consistent landscape for 100 years.

Table D18. Evaluation Criteria Table for Haliburton.



| | Good | Satisfactory | Poor |
|--------------------------------------|---|--|--|
| Cost Effective (Applicant) | There is no cost associated with this planning tool. | | |
| Staff to Application Ratio | Between 1 and 50 applications are processed between planning staff. | | |
| Transition Process | The transition process was not difficult. | | |
| Ease of Enforcement | | | The complaint-based system is more difficult to enforce. |
| Applicant Effort | This application does not require a consultant. | | |
| Application Timeline | The timeline for the application from the point of submission to decision is less than 50 days. | | |
| Collaboration with External Agencies | Collaboration occurs with 1 to 2 external agencies. | | |
| Geographic Scope | | This planning tool provides moderate geographic scope. | |
| Shoreline Protection | This planning tool provides adequate shoreline protection. | | |
| Public Support | | The public has the opportunity to be involved in the decision-making process and some are supportive of the use of this planning tool. | |

Cost Effective (Applicant)

A rating of 'good' was assigned for this criterion. This is due to fact that the relief process and permits for the Shoreline Tree Preservation By-law are free. The County has found that no fee has attributed to high levels of compliance; however, the status of this could change with the implementation of the Shoreline Preservation By-law. Primarily, an increase in work will require an additional staff member, which may result in cost to the applicant. Based on the fee scale used to evaluate this criterion, Haliburton falls into the 'good' category.

Staff to Application Ratio

A rating of 'good' was assigned for this criterion. The County has never received an application for relief from the Shoreline Tree Preservation By-law, as property owners tend to call the County and ensure compliance. Additionally, property owners can work with an arborist or forester that will make recommendations that comply with the by-law. Based on the ratio used to evaluate this criterion, Haliburton falls into the 'good' category, given that the staff to application ratio is one to zero, with the one contracted staff being the County Forester.

Transition Process

A rating of 'good' was assigned for this criterion. There was no by-law before the Shoreline Tree Preservation By-law, and the Official Plan required an update to reflect shoreline protection in a consistent and comprehensive manner. The Shoreline Tree Preservation By-law and Official Plan update set the standard for shoreline protection, and therefore this criterion received a 'good' rating as it did not result in a difficult transition.

Ease of Enforcement

A rating of 'poor' was assigned for this criterion. Enforcement in the County is enacted using a complaint-based system. In addition, it is anticipated that the Shoreline Preservation By-law will require more enforcement, and the County has proposed to have two by-law enforcement officers on staff. Violation of the Shoreline Tree Preservation By-law has a fine ranging from \$500-100,000.

Applicant Effort

A rating of 'good' was assigned for this criterion. Applicants only have to confirm compliance with the Shoreline Tree Preservation By-law. This process requires very little effort and can be completed independently by the applicant.

Application Timeline

A rating of 'good' was assigned for this criterion. There is very little time required from staff to confirm compliance with the Shoreline Tree Preservation By-law. However, with the increased protections planned for the Shoreline Preservation By-law, an additional staff member will be hired, indicating that more time will be required. There are no applications associated with the Shoreline Tree Preservation By-law, but Forestry permits within the County occasionally need council approval. In 2019, four of these applications required approval, and the average timeline was 45 days. Based on the range used to evaluate this application, Haliburton falls into the 'good' category.

Collaboration with External Agencies

A rating of 'good' was assigned for this criterion. In the County of Haliburton there is only one conservation authority present. The jurisdiction of Crowe Valley Conservation Authority encompasses a small section of the County. Therefore, collaboration with Crowe Valley is only needed to ensure that requirements outlined in policy are not duplicated. Based on the range used to evaluate this criterion, Haliburton falls into the 'good' category.

Geographic Scope

A rating of 'satisfactory' was assigned for this criterion. Currently, the Shoreline Tree Preservation By-law protects all lands within 30 metres of a watercourse in the County of Haliburton. Given that this represents a moderate geographic scope, this criterion received a rating of "satisfactory". In the future, this rating could increase if the Shoreline Preservation By-law is successful in addressing the greater implications to the ecosystem that the Shoreline Tree Preservation By-law cannot address.

Shoreline Protection

A rating of 'good' was assigned for this criterion. The Shoreline Tree Preservation By-law has been successful in protecting trees in the County of Haliburton, which has a positive impact on the shoreline. In addition, they are interested in extending this protection to lakes by implementing the Shoreline Preservation By-law.

Public Support

A rating of 'satisfactory' was assigned for this criterion. The County engaged with the public, local businesses, and lake associations when the Shoreline Tree Preservation By-law was created and has continued this engagement with the Shoreline Preservation By-law. However, public support is not always consistent, as it was indicated that the Shoreline Tree Preservation By-law does not receive full compliance. This was attributed to high shoreline property turnover, although attempts have been made to mitigate this through public education.

D.1.9. The Township of Scugog

Table D19. Characteristics of Scugog.

| | |
|--------------------|--|
| Population | 21,600 |
| Tier | Lower |
| Location | Located within the Regional Municipality of Durham and the Greater Toronto Area |
| Waterbodies | Situated on Scugog Lake |
| Character | Key industries are agriculture, tourism and light manufacturing. It is known for its scenic agricultural landscape, a thriving arts community and the historic Downtown Port Perry |

Site Alteration By-law No. 62-15

In 2015, the Township of Scugog passed a Site Alteration By-law. The purpose of this by-law is to prohibit or regulate the placement or dumping of fill and alterations to land grades. This by-law applies to all defined lands within the township except lands which are subject to regulations identified in Clause 28(1) of the Conservation Authorities Act. The township implemented this by-law because they felt it was in the best interest of the public to regulate and prohibit activities involving alterations to land.

Activities that are considered site alterations under this by-law include:

- ▶ The placing or dumping of fill
- ▶ The removal of topsoil or fill from land
- ▶ The alteration of the grade of land
- ▶ Any combination of these activities

The by-law addresses several concerns regarding the impacts that could potentially occur due to the dumping or placement of fill and alterations to land grade. The objectives of this by-law are to:

- ▶ Maintain existing drainage patterns
- ▶ Prevent erosion and sedimentation

- ▶ Protect natural heritage features and areas through appropriate changes to drainage or grade
- ▶ Prevent interference and damage to watercourses or water bodies
- ▶ Maintain ground water and surface water quality
- ▶ Prevent discharge of a contaminant into the natural environment that causes or may cause an adverse effect
- ▶ Prevent degradation of pre-existing soil and ground water quality conditions at the site and on adjacent properties
- ▶ Authorize haul routes for the transportation of fill and topsoil for placement, dumping or removal to and/or from a site to minimize damage to the Township's roads and interference and/or disturbance to the Township's residents and businesses
- ▶ Keep disturbance to landform characteristics to a minimum
- ▶ Ensure the proponent of the site alteration project pays for its costs

Table D20. Evaluation Criteria Table for Scugog.



| | Good | Satisfactory | Poor |
|--------------------------------------|---|--|---|
| Cost Effective (Applicant) | | The cost of this application is between \$1000-2000. | |
| Staff to Application Ratio | Between 1 and 50 applications are processed between 2 planning staff. | | |
| Transition Process | | The transition process was somewhat difficult. | |
| Ease of Enforcement | | | The complaint-based system is more difficult to enforce. |
| Applicant Effort | | | This application requires extensive collaboration with experts. |
| Application Timeline | The timeline for the application from the point of submission to decision is less than 50 days. | | |
| Collaboration with External Agencies | Collaboration occurs with 1 to 2 external agencies. | | |
| Geographic Scope | This planning tool provides adequate geographic scope. | | |
| Shoreline Protection | | This planning tool provides some shoreline protection. | |
| Public Support | | The public has the opportunity to be involved in the decision-making process and some are supportive of the use of this planning tool. | |

Cost Effective (Applicant)

A rating of 'satisfactory' was assigned for this criterion. The Township of Scugog has two different application costs based on the size of the proposed project. The evaluation of the cost effectiveness for permit applicants was based on the smaller of the two options which applies to projects that involve the addition of less than 500 cubic metres of fill to a property. This choice was made as the smaller project seems more applicable to what is undertaken by most property owners. The cost breakdown of applications under the site alteration by-law in Scugog, paid by the applicant, is:

- ▶ A \$500 non-refundable application fee,
- ▶ A \$200 non-refundable permit extension fee,
- ▶ The entire cost of testing the quality of the fill plus a 15 percent admin fee,
- ▶ \$1 for every cubic metre of fill or site alteration, and
- ▶ The full cost of hiring consultants if additional peer review is required.

The Township of Scugog does not have a standard application fee, as costs depend on the size and complexity of the project. However, it was estimated that the average cost would be approximately \$1000.

Additional information about application costs was gathered from the interview completed with a Township of Scugog staff member. It was stated that the per cubic metre charge is beneficial as it prevents applicants from overfilling on their properties. However, this charge in addition to the cost of fill testing and the dependent admin fee, as well as the potential need for peer review makes the overall cost of the application somewhat unpredictable. This factor combined with the scale system resulted in the cost effectiveness for the applicant to be ranked as 'satisfactory'.

Staff to Application Ratio

A rating of 'good' was assigned for this criterion. In the Township of Scugog, one engineering technician is responsible for site alteration applications. As of November of 2019, The Township had issued 17 permits under the site alteration by-law. If two planning staff were responsible for this task and the amount of applications doubled, the ratio would be 38 applications between two planning staff, falling below the threshold of 50 applications. Based on the ratio used to evaluate this criterion, Scugog falls into the 'good' category.

Transition Process

A rating of 'satisfactory' was assigned for this criterion. The Scugog staff member who was interviewed for this research was not employed at the Township during the transition from the previous by-law to the current site alteration by-law. However, this individual was still able to provide important information about this process. The previous by-law did not control overfilling or the addition of contaminated fill on properties. The use of contaminated fill during a specific project led to the need for an improved by-law. The Township had a by-law already in place, but it had to be altered to include considerations for fill placement. The interviewee also stated that an engineering consultant and lawyer were most likely involved in this process. Therefore, the transition process did not involve changing from one planning tool to a completely different tool, but it was complex enough that outside expertise was involved.

Ease of Enforcement

A rating of 'poor' was assigned for this criterion. In Scugog, enforcement of the site alteration by-law for those who have received a permit is based on an inspection that is

completed once the project is finished. Project proponents must inform the Township when their work is completed so staff can ensure the project meets the requirements of the by-law. Enforcement is different for controlling projects that did not go through the permitting process. The majority of enforcement is complaint-based. Scugog relies on reports from municipal staff and residents when they see suspicious activity. The Township does not have the staff resources required to patrol areas looking for non-compliance. Therefore, the enforcement process for projects that do not have permits is relatively random.

Applicant Effort

A rating of 'poor' was assigned for this criterion. The application for permits under the site alteration by-law in Scugog is quite complex. Elements such as groundwater management plans, stormwater management plans, landform conservation plans, and tree inventories all require the applicant to hire consultants. Expertise and deliverables are required from engineers, geoscientists, and certified arborists. Finding these experts and organizing all of the required elements of the application could be a very challenging and confusing process for applicants.

Application Timeline

A rating of 'good' was assigned for this criterion. This evaluation was based on the amount of time it takes municipal staff to process and issue permits under the site alteration by-law. Applications which are completed correctly and conform to the by-law can be initially processed by municipal staff in a few hours. Complex projects and those that do not adhere to the by-law can take longer. In terms of the timeline from application submission to decision, the Township of Scugog staff take one to two weeks to issue

simpler permits, and an additional one to two weeks for more complicated projects requiring additional peer review. Based on the range used to evaluate this criterion, Scugog falls into the 'good' category.

Collaboration with External Agencies

A rating of 'good' was assigned for this criterion. Under the site alteration by-law in the Township of Scugog, collaboration with conservation authorities is required. If all or part of an applicant's property is located within the area regulated by a conservation authority, the applicant is encouraged by the municipality to speak with conservation authority staff first. If the proposed project is not permitted by the conservation authority, the Township supports the decision.

The Township of Scugog falls under the jurisdiction of three conservation authorities: Lake Simcoe Region Conservation Authority, Kawartha Conservation Authority, and Central Lakes Conservation Authority. Though there are three agencies involved, the majority of properties fall within the development control area of only one conservation authority. Therefore, only one agency is consulted for most applications. Based on the range used to evaluate this criterion, Scugog falls into the 'good' category.

Geographic Scope

A rating of 'good' was assigned for this criterion. In the Township of Scugog, the site alteration by-law applies to all land within the Township except for lands that fall under conservation authority regulations pertaining to the placing or dumping of fill. Due to the adequate geographic scope, Scugog was ranked as 'good' under this criterion.

Shoreline Protection

A rating of 'satisfactory' was assigned for this criterion. The Township of Scugog has strict regulations which are meant to prevent environmental harm. Unless a building permit is issued, no site alteration can occur in environmentally sensitive areas. These areas include wellhead protection zones, minimum vegetative buffers, natural linkage areas, natural core areas, and significant groundwater recharge areas. The by-law also works to protect soil quality, ground and surface water, and to prevent the discharge of contaminants into the environment. The by-law has strong environmental protection features but does not specifically prioritize the protection of shorelines.

Public Support

A rating of 'satisfactory' was assigned for this criterion. Public support was evaluated based on whether residents of the Township of Scugog are supportive of the site alteration by-law. Township staff feel that the public is concerned about the impacts of overfilling and the use of contaminated fill. Based on this, it is assumed that the public is supportive of the site alteration by-law as it is meant to prevent these impacts. However, there are members of the public who feel that projects undertaken on their land should be controlled solely by themselves, while others do not want to pay the fees associated with the permit application process.

Additionally, the Township requires some public consultation regarding decisions made under the by-law. For large scale projects, the municipality must have at least one public meeting and give members of the public the opportunity to make representations. However, public meetings are not required for smaller scale projects, only when the Township decides that it is necessary. Also, municipal staff are not required to consider public comments

and concerns when making decisions. Based on the amount of support from the public and public involvement in the decision-making process, the Township of Scugog's site alteration by-law has been ranked as 'satisfactory'.

D.1.10. The Town of Georgina

Table D21. Characteristics of Georgina.

| | |
|--------------------|---|
| Population | 45,500 |
| Tier | Lower |
| Location | Located in south-central Ontario, northernmost municipality in the Regional Municipality of York. Located one hour north of Toronto. |
| Waterbodies | Located on the south east shore of Lake Simcoe |
| Character | One of the largest municipalities in York Region, it is predominantly rural and boasts great fishing, scenic parks and trails, agri-tourism and sandy beaches. Highway 404 which is located on the southern border of Georgina provides direct access to downtown Toronto via the Don Valley Parkway. |

Site Alteration By-law 2011-0044 (REG-1)

In 2011, the Town of Georgina Council passed a Site Alteration By-law that prohibits or regulates the removal of topsoil, the placing or dumping of fill material and the alteration of the grade of land in all areas within the Town of Georgina. The primary reason cited for the implementation of this by-law is the concern that fill material hauled into the municipality from outside of Georgina could be contaminated with chemicals, hydrocarbons, etc. There was a previous by-law that dealt with filling and grading issues, but did not address quality of the fill material as it was passed for the sole purpose of dealing with drainage issues that resulted from residential properties being filled for on-site sewage systems or for poorly drained properties. The issue stems from surplus excavated material being available from construction projects throughout the greater Toronto area that must be disposed of. Most of the filling that has taken place within Georgina to date has been done for lot grading purposes, but there was the threat of fill being placed in Georgina simply for the purpose of getting rid of it from elsewhere. Further, the *Municipal Act* states that if a

regulation is made by a Conservation Authority respecting dumping for placing of fill, then it takes precedence over any by-law passed by a municipality in respect of that area. The Ministry of Environment, Conservation and Parks deals with contamination of the environment rather than dumping of fill, and they have a well-established system to deal with identification, proper handling, transporting and disposal of contaminated soils. However, these activities do still occur without following the prescribed process.

The Site Alteration By-law requires landowners who wish to undertake certain alteration to their property to obtain a site alteration permit. The following projects require a site alteration permit:

- ▶ Construction of a new dwelling or accessory structure;
- ▶ Construction of an addition to an existing dwelling or accessory structure;
- ▶ Foundation repairs or replacement, or construction of new foundations;
- ▶ Installation of in-ground pools;
- ▶ Installation or replacement of septic systems;

- ▶ The placement of fill material in excess of 20m³ for the purposes of landscaping or site alteration;
- ▶ The placement of fill material for the purpose of storage. Storage of fill materials shall not exceed 1000m³.

There are two types of projects that require Site Alteration Permits: small scale residential projects and large scale site alteration projects. Each of these types of projects require a site alteration permit, however the requirements to apply are different. Further, large scale site alteration projects require the landowner to enter into a Site Alteration Agreement with the Town as a condition of approval which prescribes environment controls to be implemented for the duration of the project.

Table D22. Evaluation Criteria Table for Georgina.



| | Good | Satisfactory | Poor |
|--------------------------------------|---|--|---|
| Cost Effective (Applicant) | | | This cost of this application is more than \$2500. |
| Staff to Application Ratio | Between 1 and 50 applications are processed between 2 planning staff. | | |
| Transition Process | The transition process was not difficult. | | |
| Ease of Enforcement | The monetary deposit encourages compliance, which is easier to enforce. | | |
| Applicant Effort | | | This application requires extensive collaboration with experts. |
| Application Timeline | Data not available. | | |
| Collaboration with External Agencies | | Collaboration occurs with 3 to 4 external agencies. | |
| Geographic Scope | This planning tool provides adequate geographic scope. | | |
| Shoreline Protection | | This planning tool provides some shoreline protection. | |
| Public Support | Data not available. | | |

Cost Effective (Applicant)

A rating of 'poor' was assigned for this criterion. The application for a site alteration permit in the Town of Georgina costs \$500 with a \$2500 security deposit to be refunded upon final inspection of the site. Based on a comparison of the other case studies' fees for the same application, as well as the amount of security deposit required (if required) it was determined that this fee is higher than what is charged by other municipalities. In particular, the security deposit required is a significant amount that may be a barrier for potential applicants.

Staff to Application Ratio

A rating of 'good' was assigned for this criterion. When compared to the other case studies using a common denominator of two staff, a staff to application ratio of 2:30 was determined for the Town of Georgina. Based on the established thresholds for the criteria, between 1 and 50 applications per 2 planning staff places the Town of Georgina in the 'good' category for this criterion.

Transition Process

A rating of 'good' was assigned for this criterion. Prior to the current site alteration by-law, By-law 91-139 (REG-1) existed which successfully dealt with filling and grading issues, as the Town rarely has drainage problems that cannot be resolved. However, the previous by-law did not address the quality of fill being used for site alterations, which is addressed in the current site alteration by-law. Because there was an existing precedent for a similar by-law, the transition process was rated highly.

Ease of Enforcement

A rating of 'good' was assigned for this criterion. In the Town of Georgina, enforcement of the stipulations of site alteration permits occurs through the holding of a security deposit and subsequent inspection of the subject property within one year of approval of the permit. Further, the financial investment in the security deposit is so significant that there is a strong incentive to follow the stipulations of the permit. Therefore, this criterion was rated highly because of the method through which enforcement is performed and the amount of security deposit held as an incentive for compliance.

Applicant Effort

A rating of 'poor' was assigned for this criterion. The effort required by applicants during the process of applying for a site alteration permit was rated poorly because of the amount of assistance that is or may be required from external experts and professionals. In order to obtain a permit for several different types of residential development applications, the applicant must provide at the time of application: a completed application form, a site alteration/lot grading plan, a description of the source of the fill material if fill is being imported paired with a letter confirming it meets the clean fill requirements, and copies of all approvals/clearances from the Lake Simcoe Region Conservation Authority, Ministry of Transportation, Ministry of Natural Resources and Forestry, Regional Municipality of York or any other required Federal, Provincial, Municipal or Regional agency. The large amount of detailed and specialized information required to be submitted alongside the site alteration application has resulted in a 'poor' rating.

Application Timeline

It was not possible to assign a rating for this criterion. There is no specific data available to determine the exact application timeline of site alteration permit applications in the Town. Research conducted determined that the application process takes several weeks, but without specific timelines it is not possible to provide a rating based on comparison with other case studies.

Collaboration with External Agencies

A rating of 'satisfactory' was assigned for this criterion. The Town requires several approvals and/or clearances from external agencies in order to process site alteration permit applications. The Town requires at least four approvals and/or clearances from external agencies. Collaboration with several agencies slows down the application process but compared to the other case studies four external agencies is in the middle of the scale while still meeting legislated requirements. Based on the range used to evaluate this criterion, Georgina falls in to the 'satisfactory' category.

Geographic Scope

A rating of 'good' was assigned for this criterion. In the Town of Georgina, the entire Town is subject to the site alteration by-law. This criterion was rated highly because of the broad geographic area to which this policy is applied. By having a wide geographic scope, there is more potential to positively impact the entire ecosystem in the Town.

Shoreline Protection

A rating of 'satisfactory' was assigned for this criterion. The site alteration by-law in the Town of Georgina focuses significant attention on regulating the quality and location of fill being dumped in the municipality. This by-law does not have any specific provisions related to waterfront or shoreline protection, however the provisions it contains address drainage flow issues, tree protection, and site alteration on environmentally protected lands, watercourses, floodplains, and wetlands. Due to the indirect benefit to shoreline protection, this criterion received a satisfactory rating.

Public Support

There is no data available in order to give a rating for public support.

D.1.11. The City of Temiskaming Shores

Table D23. Characteristics of Temiskaming Shores.

| | |
|--------------------|--|
| Population | 9,900 |
| Tier | Single |
| Location | Locate along the southern edge of the Clay Belt area, near the Quebec border |
| Waterbodies | Located on the shores of Lake Timiskaming's Wabi Bay |
| Character | It has an extensive natural resources dependent economy and is situated on a large lake that flows into the headwaters of the Ottawa River. It is Ontario's second smallest city |

Site Plan Control: Official Plan S. 15.15

Site Plan control is a planning policy tool with its authority vested in section 41 of the *Planning Act*. Municipalities may choose to impose site plan control on any area or areas of the municipality, or may even choose to impose it on the entire municipality. In the City of Temiskaming Shores, Site Plan Control is used primarily for development on specific industrial, commercial and institutional properties. It regulates exterior design (not interior design nor method of construction) of the buildings, their massing, location of the building related to the streets, as well as regulating lighting, parking, landscaping, lot grading and walkways.

Site Plan Control in the City of Temiskaming Shores covers the entire city and applies to construction and/or maintenance for all matters set out in s. 41 (7) of the *Planning Act* which includes:

- ▶ Any industrial, institutional or commercial uses, including golf courses and campgrounds;
- ▶ Residential intensification projects;

- ▶ Facilities designed and intended to have regard for persons with disabilities;
- ▶ Resources uses including mineral aggregate operations and mineral mining operations;
- ▶ Heritage conservation projects;
- ▶ Any lands abutting a lake, water body or natural environment area;
- ▶ Any residential use.

Site Plan Control in the City does not apply to Agricultural Areas and Communication facilities.

The City of Temiskaming Shores Official Plan also includes a "Planning Resource Kit" at the end of each section that provides links to several resources that may assist the reader in understanding the planning terms and policies used in the Plan.

Table D24. Evaluation Criteria Table for Temiskaming Shores.



| | Good | Satisfactory | Poor |
|--------------------------------------|---|--|---|
| Cost Effective (Applicant) | The cost of this application is less than \$1000. | | |
| Staff to Application Ratio | Between 1 and 50 applications are processed between 2 planning staff. | | |
| Transition Process | No transition was required. | | |
| Ease of Enforcement | The monetary deposit encourages compliance, which is easier to enforce. | | |
| Applicant Effort | | This application requires some collaboration with experts. | |
| Application Timeline | | The timeline for the application from the point of submission to decision is between 51 and 99 days. | |
| Collaboration with External Agencies | | Collaboration occurs with 3 to 4 external agencies. | |
| Geographic Scope | | | This planning tool provides limited geographic scope. |
| Shoreline Protection | | | This planning tool provides inadequate shoreline protection. |
| Public Support | | | The public does not have the opportunity to be involved in the decision-making process. |

Cost Effective (Applicant)

A rating of 'good' was assigned for this criterion. The fees for the site plan control application have been the same since 2012 and are outlined below:

- ▶ \$565 + HST (base fee for site plan application)
- ▶ 10% of total deposit for any on-site costs (must have estimate from qualified engineer)
- ▶ 100% of total deposit for any off-site work

Fees for site plan control application are very cost effective since the municipal staff ensure their fee schedule is comparable in pricing to other small, rural, and northern Ontario municipalities. The City is currently undertaking an update to their fee schedule that is to be completed in January of 2020. Based on the fee scale used to evaluate this criterion, Temiskaming Shores falls into the 'good' category.

Staff to Application Ratio

A rating of 'good' was assigned for this criterion. Only 1 application for site plan control was received over past 8 years that was within the waterfront designated zone of the City. Only 1 planner employed by City, so ratio is 1 to 0.125 for staff to applications, per year. Based on the ratio used to evaluate this criterion, Temiskaming Shores falls into the 'good' category.

Transition Process

A rating of 'good' was assigned for this criterion. No transition was required because the site plan control area was already defined, and the site plan process was already in place. The interview with the planner representing Temiskaming Shores provided additional valuable information about the transition process to new planning tools. Innovating and creating a new planning policy framework would require

the City to hire extra staff and increase their budget, both of which they do not currently have the ability to do. Another factor that contributes to the barrier to change in planning policy is the extra training and education that would be required. The City staff like the fact that the development community is already well informed as to how the site plan process works, and do not want to risk changing this system that is already working well.

Ease of Enforcement

A rating of 'good' was assigned for this criterion. A security deposit is required of the proponent upfront and they are not reimbursed until they provide a detailed site plan sketch to the municipality showing any proposed changes they intend to make to their property. Once received, the planner and the Chief Building Official conduct a site inspection to verify that work is being undertaken in accordance with plan. Having the applicant give their consent to allow the site inspection on initial application, as well as retaining a law firm in advance of the initial application being completed adds an extra layer of oversight encouraging compliance. In cases where non-compliance with the site plan control agreement are encountered, there is good inter-departmental enforcement by any of the following at the City:

- ▶ Chief Building Officer;
- ▶ By-law enforcement officer;
- ▶ Fire Prevention Officer; or
- ▶ Director of Public Works.

However, it is important to note the City has no local conservation authorities or the like to help with the review and enforcement of applications.

The very detailed nature of the application makes it easier to identify and rectify small deviations from the original site plan earlier in the process. The low cost of applying was seen by staff as encouragement for property owners to follow due process when under site plan control. However, some applications where numerous other technical studies (e.g. architectural, record of site condition, land use compatibility or traffic impact study) are required was seen as a possible deterrent to compliance. Based on the fee scale used to evaluate this criterion, Temiskaming Shores falls into the 'good' category.

Applicant Effort

A rating of 'satisfactory' was assigned for this criterion. The City requires the applicant to retain legal counsel early on in the process. The applicant must name the law firm it has retained directly in the application and this helps with correspondence regarding legal matters, such as the ability to send the site plan agreement directly to their lawyer to have it registered on title immediately after approval. This puts more onus on the applicant to have their affairs in order early in the process but makes communication and collaboration easier amongst the parties later on. As well, developers submitting a site plan application often hire experienced external consultants to prepare the site plan application on their behalf.

Application Timeline

A rating of 'satisfactory' was assigned for this criterion. It takes approximately 60 days to complete the site plan control process from submission of the application to construction. All site plan control applications must be first reviewed by planning staff to ensure all information is

provided. Secondly, it must be presented to the Accessibility Advisory Committee, before it is sent to City Council for a final decision. The planning staff have delegated approval authority for any small, 1-unit residential site plans, thereby expediting the timeline, as applicants do not have to wait until City Council's next sitting before a decision is rendered.

Planning staff conduct free, voluntary pre-consultation meetings with applicants and will provide their detailed notes to applicants afterwards. Even after hosting these meetings, staff often find that applications lack sufficient detail and as a result applicants' plans must be revised 3 to 6 times. This leads to frustration amongst municipal staff and substantial delays for applicants as well. Based on the range used to evaluate this criterion, Temiskaming Shores falls into the 'satisfactory' category.

Collaboration with External Agencies

A rating of 'satisfactory' was assigned for this criterion. Although there are no local external agencies, such as conservation authorities with jurisdiction in the City, the municipal planners collaborate with staff in nearby Provincial offices, at no charge to the applicant. Municipal staff will routinely reach out to the following Provincial Ministries:

- Ministry of Transportation (MTO) (i.e. for sites in proximity to a Provincial highway or projects that have the potential to impact highway traffic),
- Ministry of Northern Development and Mines (MNDM) (i.e. in areas where there are potential concerns related to mines), or
- Ontario Ministry of Agriculture, Food, and Rural Affairs (OMAFRA) (i.e. on prime agricultural lands).

Based on the range used to evaluate this criterion, Temiskaming Shores falls into the 'satisfactory' category.

Geographic Scope

A rating of 'poor' was assigned for this criterion. The site plan control area covers various residential, commercial, and industrial areas. It also includes lands abutting the shoreline, natural environment areas, boathouse facilities, mining sites, and heritage areas. The site plan control area excludes agricultural areas, and a streamlines staff approval for small residential sites. However, the site plan control application is at the scale of an individual property. Based on this, this criterion was rated as 'poor'.

Shoreline Protection

A rating of 'poor' was assigned for this criterion. A large portion of the City's undeveloped shoreline is under public ownership and hence very infrequently will municipal staff have to deal with private individuals submitting a site plan for shoreline development. Therefore, the municipality, in concert with other public agencies, has a great deal of control over how the shoreline is protected and developed. As per Section 10.7(1) of the Temiskaming Shores Official Plan, City staff may require a tree retention plan or an Environmental Impact Assessment (EIA) as part of the site plan control process if development is located in a forestry area or woodlot. Staff have the authority to require a minor stormwater management plan be completed for small, 1-unit residential proposals.

Public Support

A rating of 'poor' was assigned for this criterion. While proponents of each project are consulted, there is no legislated community-wide public consultation nor circulation on these projects, according to Section 41 of the *Planning Act*. Planning staff were of the opinion that involving the general public in such site-specific development applications is unnecessary due to the highly unique, context-dependent nature of each site plan control agreement. The general public was not consulted in creation of site plan control by-law either. Based on this, Temiskaming Shores was rated as 'poor' for this criterion.

D.1.12. City of North Bay

Table D25. Characteristics of North Bay.

| | |
|--------------------|--|
| Population | 51,550 |
| Tier | Single |
| Location | Located in Northeastern Ontario, on the traditional territory of the Nipissing First Nation peoples. 330km north of Toronto. |
| Waterbodies | Situated between Lake Nipissing and Trout Lake |
| Character | Located on the Canadian Shield, it has a rugged landscape |

Site Plan Control: S. 5.1.5 City of North Bay Official Plan

The City of North Bay utilizes Site Plan Control as a planning implementation tool with respect to some areas within the City. Most notably, Site Plan Control is in effect for all lands abutting Trout Lake and designated as “Residential”, “Arterial Commercial” and “Institutional. Site Plan Control is used to control site planning and lot design along the shoreline of Trout Lake and along major inflowing streams flowing into Trout Lake to ensure that lake protection measures are implemented.

For properties located along the un-serviced shoreline of Trout Lake or with frontage on a watercourse flowing into Trout Lake as identified by the North Bay-Mattawa Conservation Authority (NBMCA), the applicant shall provide confirmation of the lot coverage of all buildings or structures (main and accessory) through a survey prepared by an Ontario Land Surveyor and provide details on the location of the required vegetative buffer. Additional information may be required for certain lots on Trout Lake.

When applying for a Site Plan Agreement, a member of the Planning Services Department reviews the application to ensure completeness and required fees are submitted. If it is acceptable, the application is forwarded to the City’s Legal Services Department for preparation of a Draft Agreement, which is then circulated to various City department and external agencies for their review and comments and contains conditions such as storm water management, grading, erosion, sedimentation control, landscape, water hydrant flow analysis and posting of a letter of credit. After circulation, necessary revisions are made, and registration of the agreement is required before final approval of the application and issuance of a building permit. If the applicant disagrees with the conditions set out in the Site Plan Agreement or has concerns about the Site Plan, they may discuss them with the Review Committee and attempt to resolve their concerns.

Table D26. Evaluation Criteria Table for North Bay.



| | Good | Satisfactory | Poor |
|--------------------------------------|---|--|---|
| Cost Effective (Applicant) | | The cost of this application is between \$1000 and 2000. | |
| Staff to Application Ratio | | Between 51 and 99 applications are processed between 2 planning staff. | |
| Transition Process | No transition was required. | | |
| Ease of Enforcement | The monetary deposit encourages compliance, which is easier to enforce. | | |
| Applicant Effort | | This application requires some collaboration with experts. | |
| Application Timeline | The timeline for the application from the point of submission to decision is less than 50 days. | | |
| Collaboration with External Agencies | | | Collaboration occurs with no external agencies. |
| Geographic Scope | | This planning tool provides moderate geographic scope. | |
| Shoreline Protection | | This planning tool provides some shoreline protection. | |
| Public Support | Data not available . | | |

Cost Effective (Applicant)

A rating of 'satisfactory' was assigned for this criterion. The cost to apply for a site plan control agreement for over 10,000 square feet is \$1,800, and the cost for 9,999 feet or less is \$1,300. The application to amend a site plan control agreement is either \$900 or \$650, respectively. There is also a deposit required with the application, but the amount of this deposit is unknown. In relation to the fee for a site plan control in other site plan control case studies, this fee lies in the middle range of cost. Based on the fee scale used to evaluate this criterion, North Bay falls into the 'satisfactory' category.

Staff to Application Ratio

A rating of 'satisfactory' was assigned for this criterion. In the City of North Bay, one planner is responsible for site plan control applications. The ten-year average number of site plan control application is 35 applications per year. If two planning staff were responsible for this task and the amount of applications doubled, the ratio would be 70 applications between two planning staff, which is above the threshold of 50 applications. Therefore, based on the ratio used to evaluate this criterion, North Bay was ranked as 'satisfactory'.

Transition Process

A rating of 'good' was assigned for this criterion. Because site plan control is common practice for regulating site design and it has not replaced a different type of policy tool in the case of North Bay, a transition was not required.

Ease of Enforcement

A rating of 'good' was assigned for this criterion. A joint effort between the Planning Department and Engineering Department ensures enforcement of the agreement. A high rating was determined in this criterion because the City holds a security deposit from the applicant until an inspection is completed within one year of issuing the permit. Only when the inspection is complete, and all potential issues are addressed is the security deposit refunded to the applicant.

Applicant Effort

A rating of 'satisfactory' was assigned for this criterion. The application process for site plan control in the City of North Bay may require some outside expertise from professionals. A site plan is required to be submitted with the application, which requires professional assistance, and if there are additional required studies based on the location of the property there may be more professional expertise required.

Application Timeline

A rating of 'good' was assigned for this criterion. In the City of North Bay, the turnaround time to have a site plan control application ready for signature of the client is 3-5 weeks (21-35 days) from the point of submission of a complete application. This application timeline was rated highly because it falls below the 50 day threshold, which was determined to be a favourable turnaround time for a development application based on a comparison all of case studies. Further, the *Planning Act* legislates a 30 day timeline for site plan control applications, and 21-35 days is very similar to this requirement. Based on the range used to evaluate this criterion, North Bay falls into the 'good' category.

Collaboration with External Agencies

A rating of 'poor' was assigned for this criterion. The site plan process in North Bay does not require any collaboration with external agencies. While having no requirements for collaboration makes the application process faster, it does not address any environmental or other concerns that may arise from an external agency's comments. Based on the range used to evaluate this criterion, North Bay falls into the 'poor' category.

Geographic Scope

A rating of 'satisfactory' was assigned for this criterion. The entire City has been designated as a site plan control area with certain zones identified in the City's zoning by-law as subject to site plan control. Given that the entire City may be subject to site plan control, but only certain identified zones actually are, this criterion received a 'satisfactory' rating.

Shoreline Protection

A rating of 'satisfactory' was assigned for this criterion. Though the site plan control policy in the City of North Bay is not entirely focused on shoreline protection, there are shoreline protection measures included in the provisions for Trout Lake. The Trout Lake area requires confirmation of the lot coverage of all buildings or structures through a survey prepared by an Ontario Land Surveyor and the provision of details on the location of the required vegetative buffer. Additional information and/or permits may be required for development on Trout Lake. Since there is some focus on shoreline, this criterion was rated as 'satisfactory'.

Public Support

There is no data available to determine a rating for public support for site plan control in the City of North Bay.

Appendix E

E.1. Methods for Public Education

Increasing awareness amongst the general public regarding municipal planning processes is an important role for planners to assume. It is the responsibility of municipal planners to ensure that the public has the opportunity to learn about the planning processes and decisions which impact their communities. These processes include the ways in which decisions are made regarding the control of land use, urban design, and the protection and enhancement of the natural environment. It is also important that members of the community are aware of the planning tools which are used to regulate private property. The ways in which planning regulations impact the development activities residents can engage in on their properties can be unclear and potentially result in contention. If the general public is more aware of these regulations, their impact, and their purpose, this has the potential to generate more public support and willingness to comply.

There are a variety of approaches that can be taken for public education. It is important to ensure that the correct approach is used so the information is effectively communicated. During the interviews conducted for this report, planning staff from several municipalities, conservation authorities, and private consulting firms highlighted a number of public education methods which have proven to be effective.

E.1.1. On-site Education

When planners conduct site visits on private property, they have the opportunity to combine this task with public education. During site visits, planners can speak to property

owners and educate them about planning processes and regulations. This presents an opportunity for planners to take a more 1-on-1 approach when educating individuals. This is also beneficial as it allows planners to provide educational information that is more specific to an individual's property. For example, a planner could suggest ways in which a property owner could create a more natural shoreline. This method is time consuming and only accomplishes public education on a small-scale, but it is an effective method of communicating with property owners.

E.1.2. Outreach Sessions

Members of the public often turn to lake associations, community groups, contractors, and real estate agents for information and guidance regarding local planning policies instead of relying on municipal planners. Therefore, it is important that these individuals are able to provide information and advice that is accurate. Organizing educational events with members of these organizations can help to ensure that they understand planning policies and processes, so they are able to assist those that come to them for guidance. However, it is also important for these individuals to know when community members need to be encouraged to seek the advice of planning professionals, which can be another element of these educational events.

E.1.3. Social Media

Social media is an excellent tool for reaching a large number of people in a short amount of time. Municipalities can release brief pieces of educational information on various social media platforms. This allows the public to learn more

about planning policies and processes without having to attend public meetings or participate in other educational events. Social media can also be used to support such meetings and events, as planners can release information about the timing and location of public events. Social media is an effective communication tool, but it cannot be the sole method of public education employed by a municipality. Those who do not have access to internet and those who choose to not participate in social media will not have access to this important information. Therefore, the social media approach should be paired with other methods to reach the widest audience.

E.1.4. Other Media

Other forms of media can be utilized to reach members of the population who do not use social media. Municipal websites can display general planning policy information for those who have access to the internet. Additionally, radio and newspaper advertisements can make members of the public aware of upcoming education and consultation events. When paired with social media, this method can be used to reach a wider audience.

E.1.5. Community Events

In addition to traditional public meetings and open houses, municipal planners can host or participate in other events that will contribute to educating the general public. For example, planners can have booths at local farmer's markets and connect with the public in a manner that is less formal than hosting a public meeting. This also requires planners to go to where the public already is, instead of asking the public to attend specific meetings or open houses. This is an effective method of education as more people can be reached, especially those who would not normally attend events hosted by municipalities.

E.1.6. Pamphlets and Fact Sheets

Educational handouts such as pamphlets and fact sheets are an excellent way to educate the public about planning policies and processes. These documents are simple to create and can be distributed to a large number of people. These documents provide short summaries and facts about specific planning elements that are educational without being overly complicated. This method is especially beneficial for educating property owners. For example, fact sheets focusing on the protection of shorelines and water quality can be distributed to waterfront homes, targeting members of the population to whom the information is most relevant. A municipality can create a number of handouts dedicated to a variety of planning topics, and can distribute them to homes, at events, and at municipal offices.

E.2. Public Education Tools

Protecting the Health of Your Lake



Why is lake health important?

More and more people are taking advantage of the beautiful waterfront areas this province has to offer. Whether it is going out for a boat ride, taking a hike along a waterfront trail, going for a swim on a hot day, or fishing off the dock as the sun sets, families across Ontario love to enjoy everything lakes provide for us. However, increasing development is threatening the health of our lakes. It is critical that we work together to protect the natural environment so future generations can continue to enjoy Ontario's lakes.



Source: Coalition of Haliburton Property Owners Associations

What makes a lake healthy?

- ✓ Good water quality, with low levels of pollutants
- ✓ Natural shorelines
- ✓ Diverse wildlife and vegetation
- ✓ Free of invasive species
- ✓ Well vegetated shorelines that provide shade

What can you do to protect your lake?

- 🏠 Reduce the amount of nutrients that enter your lake by avoiding the use of fertilizers, ensuring your septic system is functioning properly, and using phosphate-free soap
- 🌳 Create a natural shoreline buffer that will filter pollutants, reduce erosion, and provide habitat for wildlife by planting native species of vegetation along your shoreline
- 🚤 Help prevent the spread of invasive species by ensuring your boat is free of plant and animal material before entering a lake, avoiding the use of invasive species of baitfish, and selecting native plant species for your garden
- 🌳 Enhance biodiversity on your property by leaving rock and brush piles, logs, and dead trees for wildlife habitat when it is safe to do so

Community Planning Permit System



What is the Community Planning Permit System (CPPS)?

The Community Planning Permit System (CPPS) is a land use planning tool which combines minor variance, zoning, and site plan processes into one application. This tool allows municipalities to address issues in local planning, create strong communities, and streamline development processes. This 'one-stop' planning service accelerates the planning process by merging the applications and approval timelines of three planning tools into one process.

Key Features of the CPPS

Streamlined

- Combines three planning tools into one
- Requires only one approval for one application
- Faster review timelines for applications

Flexible

- Allows for the approval of discretionary uses when certain criteria are met
- Ability to have variation in development standards
- Better able to address site specific situations

Environmental Protection

- Provides a range of options for protecting environmentally sensitive areas
- Can be used to encourage sustainable development
- Allows for greater protection of vegetation

Community

- Helps to facilitate appropriate development
- Community involvement occurs during the creation of the CPPS
- Supports the development of strong and healthy communities

When is a planning permit under the CPPS required?

All development in areas where the CPPS applies requires a permit. The CPPS defines development as:

- The construction of new buildings or structures, and additions or alterations to existing buildings or structures to increase size or usability
- The creation of a commercial parking lot, the creation of lots to be used for three or more mobile homes, and the construction of three or more land lease community homes
- Site alteration, including alterations to grade and the placing or dumping of fill
- Removal of vegetation

Appendix F

F.1. Sample Application



FRONTENAC

COMMUNITY PLANNING PERMIT APPLICATION

The undersigned hereby applies to the County of Frontenac to consider this Community Planning Permit Application pursuant to Section 34 of the Planning Act, R.S.O. 1990, as amended and O. Reg. 173/16.

FOR OFFICE USE ONLY

| | | |
|---|--|--|
| Permit #: | Date Received: | |
| CA fees collected: <input type="checkbox"/> Yes <input type="checkbox"/> No | Receipt #: | |
| <input type="checkbox"/> Class 1 (Standard) (Conforms to CPPS By-law) | <input type="checkbox"/> Class 2 Permit (Staff Variation) | <input type="checkbox"/> Class 3 Permit (Council Variation) |

1. LOCATION OF SUBJECT LANDS

| |
|---------------------------------------|
| Municipal Address: |
| Township: |
| Town Lot and Concession Number: |
| Registered Plan and Lot/Block Number: |
| Registered Plan and Part Numbers: |

2. APPLICANT INFORMATION:

| | |
|----------------|--------------|
| Name: | |
| Address: | |
| City/Town: | Postal Code: |
| Telephone: () | E-mail: |

3. OWNER INFORMATION: ☐ Same as applicant

| | |
|----------------|--------------|
| Name: | |
| Address: | |
| City/Town: | Postal Code: |
| Telephone: () | E-mail: |

4. PURPOSE OF APPLICATION:

Description of proposed work (please include a detailed description including any proposed new structures or removal of structures, landscape changes, waterfront impacts, etc.):

5. PROPERTY DIMENSIONS:

| | | |
|--------------------|------------|-----------|
| Lot Frontage: | Lot Depth: | Lot Area: |
| Area of Work (m2): | | |

6. IS A VARIANCE BEING REQUESTED WITHIN THE PROVISIONS SET OUT IN THE COMMUNITY PLANNING PERMIT BY-LAW?

☐ Yes ☐ No

If Yes, please provide a brief description and rationale for the variance:

7. ARE YOU PROPOSING TO CONSTRUCT ANY IN-WATER STRUCTURES? (i.e. Boathouse, Permanent Dock, Breakwaters)

☐ Yes ☐ No

If Yes, please provide a brief description of the proposed in-water structures:

8. ACCESS AND SERVICING

| |
|---|
| Property Access: <input type="checkbox"/> By a Public Road <input type="checkbox"/> By a Private Road <input type="checkbox"/> Other: |
| Property Storm Drainage: <input type="checkbox"/> Sewers <input type="checkbox"/> Ditches <input type="checkbox"/> Swales <input type="checkbox"/> Other: |
| Water Service Type: <input type="checkbox"/> Publicly Owned <input type="checkbox"/> Privately Owned <input type="checkbox"/> Other: |
| Sanitary Sewer Service Type: <input type="checkbox"/> Septic System <input type="checkbox"/> Privy <input type="checkbox"/> Other: |
| Easements: <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If Yes, please provide a description: |

9. HAS THE LAND EVER BEEN THE SUBJECT OF AN APPLICATION UNDER THE ACT FOR:

☐ Yes ☐ No If yes, please complete the below:

Check all applicable boxes and provide file number if applicable:

| | | |
|--|---------------------|--------------|
| <input type="checkbox"/> Plan of Subdivision | (File Number _____) | Status _____ |
| <input type="checkbox"/> Zoning Amendment | (File Number _____) | Status _____ |
| <input type="checkbox"/> Site Plan Control | (File Number _____) | Status _____ |
| <input type="checkbox"/> Minor Variance | (File Number _____) | Status _____ |
| <input type="checkbox"/> Consent/Severance | (File Number _____) | Status _____ |
| <input type="checkbox"/> Other: | | |

10. HAVE YOU HAD ANY EXTERNAL CONSULTATIONS WITH ANY DEPARTMENTS OR EXTERNAL AGENCIES? ☐ Yes ☐ No If yes, please complete the below:

Check all applicable boxes and provide file number if applicable:

| |
|---|
| <input type="checkbox"/> County of Frontenac Staff |
| <input type="checkbox"/> Township Staff |
| <input type="checkbox"/> Conservation Authority Please name: _____ |
| <input type="checkbox"/> Ministry of Natural Resources and Forestry |
| <input type="checkbox"/> Fisheries and Oceans Canada |

☐ Check here to agree, if the Agent is not the owner:

I have been authorized by the registered owner(s) of the subject lands to submit this application on their behalf. Furthermore, for the purpose of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), I authorize and consent to the use by disclosure to any person or public body of any information collected under the Planning Act for the purpose of processing this application.

☐ Check here to agree:

I declare that all of the statements made and the information provided in this application, as well as any supporting documents are true. I make this declaration conscientiously believing it to be true and knowing it is of the same force and effect as if made under oath or solemn affirmation. I understand that it is an offence to declare a false statutory declaration under section 134 of the Criminal Code of Canada.

☐ Check here to agree:

I declare that all documents, drawings, site plans, reports, information and material provided in this application will become the property of the County of Frontenac and can be used for any reason deemed necessary by the County of Frontenac.

☐ Check here to agree:

If upon review of your application, County Staff or Conservation Authority (Cataragui, Mississippi, Rideau, or Quinte) requires additional review fees, the Applicant and/or Owner agrees to pay any additional review fees to the Town or CA.

☐ Check here to agree:

If, after six months after the issuance of this permit, the proposed work in respect to which it was issued, has not in the opinion of County of Frontenac staff, been seriously commenced, the County of Frontenac has the ability to revoke the permit. Also, in the opinion of County of Frontenac staff, this permit can be revoked if the proposed work has been substantially suspended or discontinued for a period of more than one year.

☐ I declare that I have read and understand the above.

Print Name

Signature

Date

Community Planning Permit Application Page 3

**Owner's Authorization for
Applicant or Agent to Apply for a
Permit on behalf of the Owner**



FRONTENAC

**County of Frontenac
Planning Department**
2069 Battersea Road
Glenburnie, Ontario
K0H 1S0
Tel: 613-548-9400
Fax: 613-548-8460

Date: _____ Permit No.: _____

Proposed Work: _____

Location: _____

The undersigned, being the owner(s) of the above referenced property, authorizes

Applicant Name

Address

to apply for a permit for the above referenced project on my behalf. I understand that I shall be responsible for the terms of the conditions contained in the permit.

(If owner is an INDIVIDUAL)

Owner's Name

Address

Owner's Signature

Phone No. / E-Mail

(If owner is a CORPORATION)

Owner's Name

Address

Owner's Signature

Phone No. / E-Mail

Signature of Authorizing Officer (I have authority to bind the Corporation)

Community Planning Permit Application Page 4

Appendix G

G.1. Policy Review Tables

Table G1. Review of Frontenac County policy documents.

| Policy Document | Key Takeaways |
|---------------------------------|--|
| Frontenac County Official Plan | <p>s.3.3.3.4.2: Vision: To preserve, enhance and restore developed and undeveloped shorelines to a natural state</p> <p>Collaboration: Important to collaborate with other agencies</p> <p>s.3.3.3.4.1: Waterfront Area: Areas within 150 metres are in the waterfront area</p> <p>s.3.3.3.4.4: Site Alteration: Requires approval from the municipality and/or the appropriate Conservation Authority</p> |
| Frontenac County Strategic Plan | <p>Guiding Vision: Sustaining diverse, strong, and resilient rural communities known for unique natural environment and lifestyle</p> <p>The natural environment defines the sense of place in the County</p> <p>Promote plans that build community vitality and resilience in times of growth and change</p> <p>Work with partners to resolve issues beyond the reach of the County</p> <p>Maintain a sustainable financial framework</p> |
| North Frontenac Official Plan | <p>s.2.2: Vision Statement: To preserve the natural environment to promote a strong and resilient rural community</p> <p>s.4.10.6: Buffering: High-water mark extends 15 metre inland. Only 1 access corridor of <7 metre wide is permitted, with a <2 metre path within the corridor</p> <p>s.4.10.2: Waterfront: Designated area that only permits waterfront structures up to 25% of the lot width in residential zones</p> <p>s.3.4.3: Cultural Heritage: The Township is within the historic Algonquin Territory</p> <p>s.3.5: Minor Variances: The Committee of Adjustment is the authority</p> <p>s.4.10.1: Waterfront Areas: Lands extending inland 150 metre from the high-water mark</p> |

Table G1. (cont). Review of Frontenac County policy documents.

| Policy Document | Key Takeaways |
|---------------------------------|--|
| Central Frontenac Official Plan | <p>s.2.1: Vision Statement: To support a vibrant and progressive community with a natural environment promoting healthy active lifestyles balanced with economic development opportunities</p> <p>s.3.3: Buffering: May be required where land uses are incompatible</p> <p>s.3.5.3: Cultural Heritage: The Township may engage with the Algonquins of Ontario with regard to land use planning, water protection, archaeological studies, and environmental impact studies</p> <p>s.4.8.2: Waterfront: Lands extending inland 150 metre from the high-water mark. Buildings must be setback 30 metre from the high-water mark</p> <p>s.3.2.3: Forest Management: The retention of trees and native vegetation shall be encouraged through Site Plan Control</p> |
| South Frontenac Official Plan | <p>s.2.1: Vision Statement: To preserve environmental integrity while ensuring long term economic viability</p> <p>s.6.9: Buffering: Implemented through site plan control and zoning by-law, it is required to reduce adverse impacts of neighbouring land use conflicts</p> <p>s.6.22: Cultural Heritage: To conserve human made heritage resources and landscapes in the Township</p> <p>s.5.2.7: Shoreline: Environmentally sensitive areas are identified within the Township, including many features along the shore. All lands within 90 metre of the high-water mark which are not already designated as an Environmentally Sensitive Area are included. A 30 metre setback is required for development</p> |
| Frontenac Islands Official Plan | <p>s.1.4: Vision Statement: A strong community with orderly growth and development which maintains and enhances the quality of the natural environment</p> <p>s.5.2.4: Buffering: Used to blend the character of adjacent land uses through planting buffers. A natural buffer of 30 metres shall be maintained adjacent to the high-water mark</p> <p>s.2.2.7: Cultural Heritage: Goal is to protect these features from incompatible development</p> <p>s.5.1.3.10.i & 5.2.3.12.i: Forest Management: Agriculture and rural designations with forests are to be viewed as integral components to the agricultural operation</p> |

Table G2. Review of provincial policy documents for Ontario.

| Policy Document | Key Takeaways |
|-----------------------------------|--|
| Provincial Policy Statement | <p>s.1.1.5.4 & 1.1.5.5: Rural Area Development: The County must give consideration to rural characteristics, the scale of development and the provision of services</p> <p>s.1.1.5.3: The County should promote recreation, tourism and economic opportunities in the rural area</p> <p>s.2.1.4 & 2.1.5: Development and site alteration are not permitted in Natural Heritage Features and Areas</p> <p>s.2.2.1: Water: Protect, improve or restore quality and quantity of water</p> <p>s.2.2.2: Development and site alteration near sensitive water may require mitigation or alternative development approaches</p> |
| The <i>Planning Act</i> | <p>s.14.7: Municipalities are responsible for creating Official Plans</p> <p>s.15: Upper-tier municipalities, including Frontenac County, are responsible for approving the Official Plans of the lower-tier municipalities under their jurisdiction</p> <p>s.34: Councils are enabled to pass zoning by-laws permitting and prohibiting the use of land, buildings and structures, and regulating the construction of development as it occurs</p> <p>s.41: Provides authorization for Site Plan Control Areas</p> <p>s.70.2: O.Reg 173/16 Community Planning Permits: Introduces the new development approval framework which combines the existing permitting systems into one system</p> |
| Natural Heritage Reference Manual | <p>Ontario government publication to provide guidance to municipalities for the protection of Natural Heritage</p> <p>30 metre buffer from high-water mark</p> |

Table G3. Review of Conservation Authority policy documents.

| Policy Document | Key Takeaways |
|--|---|
| Cataraqui Region Conservation Authority Ontario Regulation | s.3.1: Can give permission to develop within regulated area if flooding, erosion, dynamic beaches, pollution or the conservation of land is not affected by the development |
| Quinte Conservation Authority Ontario Regulation | s.3.1: Can give permission to develop within regulated area if flooding, erosion, dynamic beaches, pollution or the conservation of land is not affected by the development |
| Mississippi Valley Conservation Ontario Regulation | s.3.1: Can give permission to develop within regulated area. Development regulation does not include a section on lake shorelines and/or dynamic beaches |
| Rideau Valley Conservation Ontario Regulation | s.3.1: Can give permission to develop within regulated area. Development regulation does not include allowance for wave uprush on lake shorelines |

G.2. Literature Review Table

Table G4. Review of academic literature.

| Key Words | Relevant Literature |
|--------------------|---|
| Watershed Planning | <p>British Columbia Ministry of Forests, Lands and Natural Resource Operations (2016) "Riparian Areas Regulation Guidebook for Local Governments" Retrieved from https://www2.gov.bc.ca/assets/gov/environment/plants-animals-and-ecosystems/fish-fish-habitat/riparian-areas-regulations/rar-guidebook-local-government_web_final_aug_2016.pdf</p> <p>Cataraqui Region Conservation Area (2019) "Waterfront Development Guidance for Eastern Ontario & Upper St. Lawrence River" Retrieved from https://www.crca.ca/wp-content/uploads/PDFs/board-agendas/2019/06/Item7.1-IR-044-19-WaterfrontDevelopmentStudy.pdf</p> <p>Chilima, J., Blakely, J., Noble, B., & Patrick, R. (2017). Institutional arrangements for assessing and managing cumulative effects on watersheds: Lessons from the Grand River Watershed, Ontario, Canada. <i>Canadian Water Resources Journal</i>, 42(3), 223-236.</p> <p>Neumann, A., Kim, D., Perhar, G., & Arhonditsis, G. B. (2017). Integrative analysis of the Lake Simcoe Watershed (Ontario, Canada) as a socio-ecological system. <i>Journal of Environmental Management</i>, 188, 308-321. doi:10.1016/j.jenvman.2016.11.073</p> |

Table G4. (cont). Review of academic literature.

| Key Words | Relevant Literature |
|--------------------------------------|---|
| Watershed Planning (cont). | <p>Gallant, P. The Walrus (2019) "Thinking of Buying a Waterfront Property? Read this First" Retrieved from https://thewalrus.ca/why-insurance-companies-are-leading-the-fight-against-climate-change/</p> <p>Rideau Valley Conservation Authority. (N.d). "A Citizen's Guide to Lake Protection." Retrieved from http://www.shorelandmanagement.org/depth/citizen.pdf</p> <p>Shrubsole, D., Walters, D., Veale, B., & Mitchell, B. (2017; 2016;). Integrated Water Resources Management in Canada: The experience of watershed agencies. <i>International Journal of Water Resources Development</i>, 33(3), 349-359. doi:10.1080/07900627.2016.1244048</p> |
| Lakeshore Capacity | <p>Government of Ontario. (n.d). "Lakeshore Capacity Assessment Handbook: Protecting Water Quality in Inland Lakes" Retrieved from: https://www.ontario.ca/document/lakeshore-capacity-assessment-handbook-protecting-water-quality-inland-lakes</p> <p>Paterson, A. M., Dillon, P. J., Hutchinson, N. J., Futter, M. N., Clark, B. J., Mills, R. B., . . . Scheider, W. A. (2006). A review of the components, coefficients and technical assumptions of ontario's lakeshore capacity model. <i>Lake and Reservoir Management</i>, 22(1), 7-18. doi:10.1080/07438140609353880</p> |
| Shoreline Protection and Stewardship | <p>Croft-White, M. V., Cvetkovic, M., Rokitnicki-Wojcik, D., Midwood, J. D., & Grabas, G. P. (2017). A shoreline divided: Twelve-year water quality and land cover trends in lake ontario coastal wetlands. <i>Journal of Great Lakes Research</i>, 43(6), 1005-1015. doi:10.1016/j.jglr.2017.08.003</p> <p>Federation of Ontario Cottager's Associations. (2011). "A Shoreline Owner's Guide to Healthy Waterfronts." Retrieved from http://foca.on.ca/wp-content/uploads/2014/05/Watershed_booklet_FULL_2011_with_covers-1.pdf</p> <p>Federation of Ontario Cottager's Associations. (2016). "Managing Your Waterfront Property in a Changing Climate." Retrieved from https://foca.on.ca/wp-content/uploads/2016/06/FOCA_ClimateChange_ManagingYourShoreline_FINAL_2016.pdf</p> <p>Hartig, J., & Bennion, D. (2017). Historical loss and current rehabilitation of shoreline habitat along an urban-industrial river-detroit river, michigan, USA. <i>Sustainability</i>, 9(5), 828. doi:10.3390/su9050828</p> <p>Kreutzwisser, R. D., & Slaats, M. J. (1994). The utility of evaluation research to land use regulations: The case of Ontario shoreline development. <i>Applied Geography</i>, 14(2), 169-181. doi:10.1016/0143-6228(94)90059-0</p> <p>Watersheds Canada (n.d.a) "Maintaining You Naturalized Shoreline. Shoreline Vegetation Stewardship Manual". Retrieved from https://watersheds.ca/wp-content/uploads/2015/01/CSW0024-Natural-Edge-Manual-SPREADS-WEB2.pdf</p> <p>West Coast Environmental Law (n.d.) "Green Waterfront Design Charrette Report" Retrieved from https://www.wcel.org/sites/default/files/publications/WCEL-SFU-GreenWaterfrontDesign-CharetteReport.pdf</p> |

Table G4. (cont). Review of academic literature.

| Key Words | Relevant Literature |
|--|--|
| Site Plan Control for Shoreline Protection | <p>Rueckwald, M. (2016). "Troubled Waters Ahead: An Evaluation of Shoreline Land Use Policies for Water Quality Protection in Renfrew County, Ontario" Retrieved from https://qspace.library.queensu.ca/bitstream/handle/1974/14657/Rueckwald_Megan_A_201607_MPL.pdf?sequence=1</p> <p>Rau, M. (2015). "Muskoka's Changing Shorelines: The Need for Long-term Monitoring of Shoreline Development" Retrieved from https://atrium2.lib.uoguelph.ca/xmlui/bitstream/handle/10214/16204/RauM_201504_MRP.pdf?sequence=1&isAllowed=y</p> |
| Community Permit System | <p>City of Toronto (2018). "Response to the Proposed Inclusionary Zoning Regulation. Overview of the Community Planning Permit System" Retrieved from https://www.toronto.ca/legdocs/mmis/2018/pg/bgrd/backgroundfile-111737.pdf</p> <p>Szczerbak, S. (2019). "Community Planning Permit System: The Lake of Bays and Innisfil Experience." Retrieved from http://www.roma.on.ca/ROMA-Docs/Conference/2019/Presentations/Monday/2019-ROMA-Community-Planning-Permit-System-Stefan.aspx</p> |
| Development Permit System | <p>Ontario Ministry of Municipal Affairs and Housing. (2008). "Development Permit System: A Handbook for Municipal Implementation." Retrieved from http://www.mah.gov.on.ca/AssetFactory.aspx?did=6131</p> <p>Reid, D. (2014). "Understanding the Proposed Development Permit System." Spacing Toronto. Retrieved from http://spacing.ca/toronto/2014/03/25/understanding-proposed-development-permit-system/</p> <p>Stopar, N. (2014). "Development Permit System Policy Development in Ontario: Factors that Contribute to Implementation." MPA Research Report, Western University. Retrieved from https://localgovernment.uwo.ca/resources/docs/research_papers/2014/Stopar,%20Natalie%20-%202014.pdf</p> |
| Minor Variance | <p>Township of Minden Hills v Minden Hills (Township), 2018 CanLII 1012 (ON LPAT), <http://canlii.ca/t/hprm1>, Retrieved on 2019-11-06</p> <p>Huntsville Long Term Care Centre Inc. v Huntsville (Town), 2018 CanLII 12531 (ON LPAT), <http://canlii.ca/t/hqzzj>, Retrieved on 2019-11-06</p> |
| Vegetation Buffers and Corridors | <p>Correll, D. L. (2005). Principles of planning and establishment of buffer zones. <i>Ecological Engineering</i>, 24(5), 433-439. doi:10.1016/j.ecoleng.2005.01.007</p> <p>The District of Muskoka Planning and Economic Development Department (2003). "Shoreline Vegetative Buffers." Retrieved from https://muskoka.civicweb.net/document/4844</p> <p>Kenwick, R. A., Shammin, M. R., & Sullivan, W. C. (2009). Preferences for riparian buffers. <i>Landscape and Urban Planning</i>, 91(2), 88-96. doi:10.1016/j.landurbplan.2008.12.005</p> |

Table G4. (cont). Review of academic literature.

| Key Words | Relevant Literature |
|--|--|
| Vegetation Buffers and Corridors (cont). | Kramer, D. B., Polasky, S., Starfield, A., Palik, B., Westphal, L., Snyder, S., . . . Gustafson, E. (2006). A comparison of alternative strategies for cost-effective water quality management in lakes. <i>Environmental Management</i> , 38(3), 411-425. doi:10.1007/s00267-005-0011-y |
| Waterfront Development | <p>Croft-White, M. V., Cvetkovic, M., Rokitnicki-Wojcik, D., Midwood, J. D., & Grabas, G. P. (2017). A shoreline divided: Twelve-year water quality and land cover trends in lake ontario coastal wetlands. <i>Journal of Great Lakes Research</i>, 43(6), 1005-1015. doi:10.1016/j.jglr.2017.08.003</p> <p>Laidley, J. (2007). The ecosystem approach and the global imperative on Toronto's central waterfront. <i>Cities</i>, 24(4), 259-272. doi:10.1016/j.cities.2006.11.005</p> <p>Wakefield, S. (2007). Great expectations: Waterfront redevelopment and the Hamilton Harbour Waterfront Trail. <i>Cities</i>, 24(4), 298-310. doi:10.1016/j.cities.2006.11.001</p> |

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3. Government of Ontario. (2019). "Lakeshore Capacity Assessment Handbook: Protecting Water Quality in Inland Lakes". Retrieved from: <https://www.ontario.ca/document/lakeshore-capacity-assessment-handbook-protecting-water-quality-inland-lakes>
4. Federation of Ontario Cottager's Associations. (2016). "Managing Your Waterfront Property in a Changing Climate." Retrieved from https://foca.on.ca/wp-content/uploads/2016/06/FOCA_ClimateChange_ManagingYourShoreline_FINAL_2016.pdf
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9. Rueckwald, M. (2016). "Troubled Waters Ahead: An Evaluation of Shoreline Land Use Policies for Water Quality Protection in Renfrew County, Ontario" Retrieved from https://qspace.library.queensu.ca/bitstream/handle/1974/14657/Rueckwald_Megan_A_201607_MPL.pdf?sequence=1

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Bakay, C. (2019, March 27). "Planning workshop takes on definite rural flavour". *Frontenac News*. Retrieved from <https://www.frontenacnews.ca/north-frontenac-news/item/13038-planning-workshop-takes-on-definite-rural-flavour>

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