

Executive Summary

Context

Frontenac County (“the County”) is located in the eastern part of Southern Ontario and consists of approximately 4,000 square kilometres of land adjacent to the City of Kingston. The County is comprised of four lower-tier municipalities including North Frontenac, Central Frontenac, South Frontenac, and the Frontenac Islands. The rural character of the County provides a scenic landscape and slow-paced lifestyle that offers diverse economic opportunities such as tourism and agriculture, many cultural activities, and a vast variety of outdoor activities. Frontenac County is recognized for their strong, resilient, and rural communities. The County has a year-round population of 27,000 people with limited population growth, however there is also a significant seasonal population.

Contained within Frontenac County are over 1000 lakes and significant wetlands, coastal wetlands, and fish habitat areas, all of which rely on water to retain their ecological functionality. The County Official Plan as well as the four Townships’ Official Plans emphasize the importance of protecting and conserving the Waterfront Area, which is defined in the County’s Official Plan as those lands extending 150 metres from the waterbody. The most common redevelopment proposal to go before the Committee of Adjustment is waterfront redevelopment. Currently, waterfront redevelopment applications come before the Committee of Adjustment in the form of minor variances, but deep concern and strong community support for the protection of the waterfront has identified the need for a policy update in order to provide an effective, efficient, and consistent approach to waterfront redevelopment that is appropriate for a rural context and sensitive to limited staff resources.

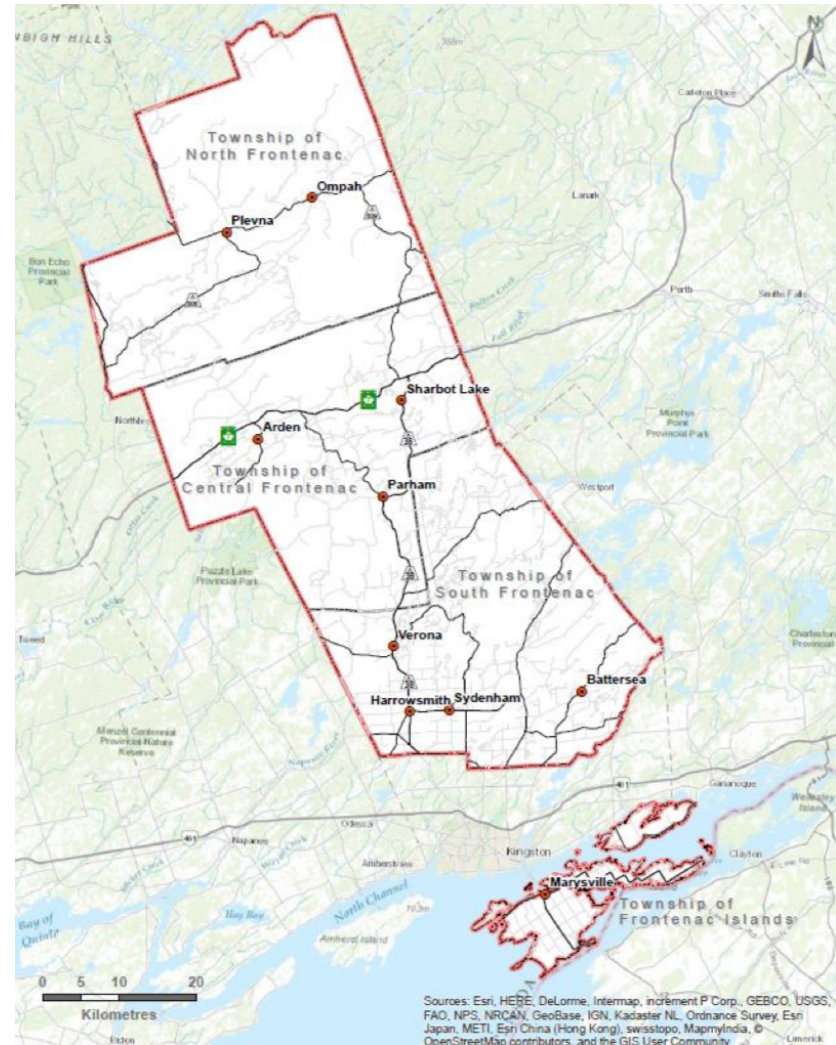


Figure E1. Townships, hamlets, and villages within the County of Frontenac. Retrieved from <https://www.frontenaccountry.ca/en/government/resources/Documents/2019-071-Frontenac-Stratplan-2019-2022.pdf>

Project Objective

In the fall academic semester of 2019, Frontenac County retained a student project team from the Queen's University School of Urban and Regional Planning to conduct research to help inform a policy update with respect to waterfront redevelopment. The objectives of this research are as follows:

- ▶ To identify current policies used by Ontario municipalities to regulate waterfront development;
- ▶ To evaluate the suitability of various waterfront development policies and *Planning Act* and *Municipal Act* tools for potential use in Frontenac County; and
- ▶ To provide policy recommendations that will effectively and efficiently regulate waterfront development in Frontenac County.

Research Method

This report was completed using a qualitative research approach that flowed from observation towards the development of recommendations. Four planning tools were identified for possible use by Frontenac County in order to regulate waterfront development: minor variances, site plan control, site alteration by-laws, and the Community Planning Permit System (also known as the Development Permit System). Twelve case studies that met established selection criteria were chosen for research in this report.

The research was completed in the following phases:

1. Policy Review
2. Literature Review
3. Case Study Secondary Research
4. Case Study Interviews
5. Data Analysis
6. Formulation of Recommendations

Policy Review

In preparation for this project, waterfront planning policies were reviewed at the Provincial, County, and Township levels. This review demonstrated that Frontenac County is supportive of protecting shorelines and water quality and revealed several regulatory options that exist to ensure this protection. To conduct this policy review, the following documents were reviewed:

- ▶ Ontario Provincial Policy Statement (2014)
- ▶ Ontario *Planning Act* (2019)
- ▶ County of Frontenac Official Plan (2016)
- ▶ Frontenac County Strategic Plan (2019)
- ▶ Township of North Frontenac Official Plan (2017)
- ▶ Township of Central Frontenac Official Plan (2008)
- ▶ Township of South Frontenac Official Plan (2003)
- ▶ Township of Frontenac Islands Official Plan (2013)
- ▶ Cataraqui Region Conservation Authority Ontario Regulation 148/06 (2017)
- ▶ Quinte Conservation Authority Ontario Regulation 319/09 (2013)
- ▶ Mississippi Valley Conservation Authority Ontario Regulation 153/06 (2013)
- ▶ Rideau Valley Conservation Authority Ontario Regulation 174/06 (2013)

In reviewing these documents, it was found that there is a strong policy basis for the implementation of an improved shoreline development approval process, as well as a collective vision for the protection of the natural environment in Frontenac County. Almost all the policy documents provided guidance for waterfront development approval processes, though all slightly differed from each other. A cohesive approach to shoreline protection across the entirety of Frontenac County would make for a more streamlined approach.

Literature Review

A literature review was conducted to gain a better understanding of the topics surrounding waterfront development. For this review, both academic and non-academic sources were considered to better understand the conversations taking place in both academic and non-academic contexts. The key words that were searched for this review included:

- ▶ Waterfront Planning
- ▶ Lakeshore Capacity
- ▶ Shoreline Protection and Stewardship
- ▶ Site Plan Control
- ▶ Development Permit System
- ▶ Community Planning Permit System
- ▶ Site Alteration By-Laws
- ▶ Vegetation Buffers and Corridors

Key takeaways from the literature review include:

- ▶ Climate change and human activities are known to alter the rate of productivity and physical characteristics of temperate lakes.
- ▶ There are economic benefits to developing waterfronts, whether it is large scale or small scale, however this also brings up issues of public access, conservation and monitoring.
- ▶ Assessing and managing watersheds takes cooperation and involves numerous agencies, regulatory frameworks, and jurisdictions in order to successfully implement strategies.
- ▶ Vegetated buffer zones are very important for water quality protection.

Evaluation Criteria

Ten criteria were formulated for evaluation of both the case studies individually, as well as the planning tools as a whole. The criteria were generated based on the limitations and needs expressed by Frontenac County. A standardized three-level scoring system through which to provide a rating of either 'good' (3 points), 'satisfactory' (2 points) or 'poor' (1 point) for each criterion was established in order to consistently evaluate each case study and planning tool. Descriptions of the criteria are listed in the table on the next page.



This is the highest rating on the scale. Planning tools that are rated as 'Good' will be favourable for implementation in Frontenac County.



This is the middle rating on the scale. Planning tools that are rated as 'Satisfactory' will be somewhat favourable for implementation in Frontenac County.



This is the lowest rating on the scale. Planning tools that are rated as 'Poor' will be unfavourable for implementation in Frontenac County.

Figure E2. Definitions for the rating scale used in the evaluation of the planning tools.

Table E1. Descriptions of the twelve case study evaluation criteria.

Criteria	Explanation
Cost Effectiveness (Applicant)	Cost effectiveness refers to the monetary amount applicants are required to pay through the application process in each municipality when seeking a permit. Applications can vary in cost depending on the size of a project, with higher costs potentially deterring applicants from following proper procedure.
Staff to Application Ratio	Staff to application ratio is a comparison between the number of staff processing applications, and the number of applications received by a municipality over the course of one year. A ratio representing the number of staff to the number of applications was determined and compared to the staff to application ratio of Frontenac County.
Transition Process	The transition process refers to the transition a municipality must make when changing from the use of one planning tool to another. The transition process was evaluated based on whether the municipality transitioned from one planning tool to the current planning tool in use, and if so, how this transition occurred.
Ease of Enforcement	Ease of enforcement was included as a criterion in order to determine how the requirements of each planning tool are enforced. The process involved with each planning tool could influence the ease of enforcing the goals outlined in the tool. In addition, a planning tool that is easier to enforce requires fewer by-law enforcement officers. The ease of enforcement was evaluated based on the method of enforcement employed by the municipality.
Applicant Effort	Applicant effort was evaluated based on the amount of effort required of the applicant when completing the application process. Longer applications result in a larger amount of applicant effort, which could deter applicants from abiding by the relevant planning tool. Applicant effort was evaluated based on the amount of collaboration with experts 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. Two methods were used to evaluate this criterion; the amount of time between the submission of an application and a decision, and the legislated timelines for municipal decisions.
Collaboration with External Agencies	Some planning tools require collaboration with external agencies such as conservation authorities or lake associations. Collaboration is beneficial but can increase the application timeline. Collaboration with external agencies was evaluated based on the number of agencies required for collaboration under the planning tool.
Geographic Scope	Geographic scope was included to evaluate the extent of the area covered by the planning tools in each municipality. Some of the tools control development across the entire municipality, while others are utilized on a site-by-site basis. This criterion is based on the potential impact that waterfront developments have on the greater surrounding area, beyond lakes and waterfronts.
Shoreline Protection	It is important that Frontenac County uses a planning tool which effectively protects shorelines. Shoreline protection was evaluated based on how each planning tool approached shoreline protection and whether it was prioritized.
Public Support	Public support was evaluated in order to determine whether the general public in each municipality has a positive or negative opinion of the use of the planning tools. Interest and willingness from the public can influence the effectiveness of a planning tool.

Recommendations

Based on the evaluation criteria, the Community Planning Permit System (CPPS) received the highest rating with a score of 83%. Therefore, it was determined that the CPPS would be the most appropriate planning tool for implementation in Frontenac County. Key features of the CPPS that make it suitable for use in Frontenac County include:

Efficiency:

By combining zoning and site plan control by-laws, as well as minor variance processes into one system, a more cohesive approach is taken toward development which can reduce the duplication of applications/approvals and reduce the amount of time required to process development applications.

Flexibility:

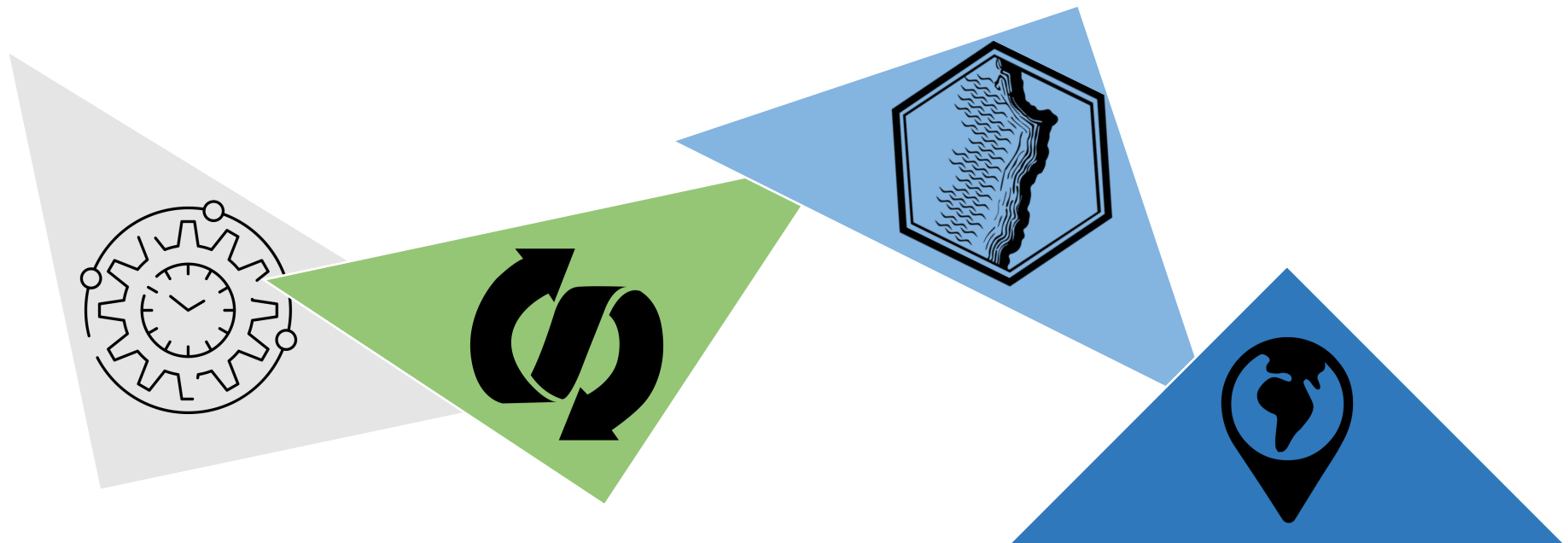
There is flexibility built into the CPPS, as development applications are categorized into classes through which applications requiring fewer changes to existing regulations can be processed quickly and only require approval of planning staff, rather than the Committee of Adjustment.

Shoreline Protection:

The CPPS contains measures, such as discretionary uses, through which to specifically protect natural heritage. Through these measures, the County would have greater control over development that may negatively impact the waterfront.

Geographic Scope:

The CPPS may be implemented only in specific areas of concern, which may help the County ease into the transition to a CPPS while protecting areas that are in urgent need of regulation.



In order to put the CPPS into effect in Frontenac County, the following recommendations were determined for implementation.

Recommendation: Education for Planning Staff and the Public

Prioritizing public education will contribute to the overall success of the implementation of the CPPS. In interviews, municipalities who emphasized public education and utilized various methods found that they received a higher number of completed applications and therefore, had fewer issues with non-compliance.

**Recommendation: Ensure Compliance with Ontario Regulation 173/16
(O Reg 173/16) – Community Planning Permits**

Ontario Regulation 173/16 – Community Planning Permits governs the development of the Community Planning Permit System. Any municipality creating a CPPS by-law within their jurisdiction shall comply with the provisions outlined in the regulation.

Recommendation: Utilize a Pilot Program for CPPS Shoreline Permits

The County has the ability to implement the CPPS in stages and may consider implementing the CPPS on a smaller scale in the beginning in order to allow planners and the public time to adjust to the new system.



Recommendation: Consult with Public and Relevant Stakeholders

Public consultation will be a critical component of the transition to the CPPS. Ensuring members of the community are able to participate in the initial stages of the creation of the CPPS and are educated about the new system will help encourage public support of the new planning tool.

Recommendation: Formulate Application Criteria and Create Application Form

The CPPS allows municipalities to create classes of applications which require varying degrees of collaboration and external expertise. A sample application has been created that may assist the County in creating a CPPS application form.

Recommendation: Consult with Municipalities Using the CPPS

Consulting with the case study municipalities examined in this report may greatly benefit Frontenac County planners in creating a CPPS. The case municipalities that use a CPPS or DPS are: the Township of Lake of Bays, the Town of Innisfil, the Town of Carleton Place, and the Town of Gananoque.