

Planning Justification Report Application for Rezoning

(Revised August 24, 2023)

(Revised October 2, 2023)

Allswell Resort
(Formerly Cribs Resort)
41 Willow Lane
Prince Edward County



August 24, 2023

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Executive Summary

Background

This Planning Justification Report supports the revised application to rezone the property at 41 Willow Lane in Prince Edward County. The original application was filed with Prince Edward County on January 5, 2023.

The change to the original application consists of the addition of a Tourist Inn that will contain 10 bedrooms.

The Updated Proposal

The redevelopment of the existing resort is needed to meet current market demand for tourist accommodation and amenities. The existing resort consists of 11 building containing 28 bedrooms and accessory uses such as boat docks and beach. The upgraded resort will include 13 building with a total of 25 bedrooms, a mobile restaurant, pool, bar, boat docks, rental of un-motorized water craft.

The list of proposed permitted uses include the following.

1. A tourist establishment consisting of a maximum of 12 tourist cabins
2. A Tourist Inn with a maximum of 10 rooms
3. A resort establishment with a maximum of 100 addition guests
4. A boat launch, boat dock, and un-motorized water craft rentals
5. A mobile restaurant
6. A gift shop
7. Dry storage
8. Accessory uses including a pool, bar, and washrooms

A resort establishment permits an unspecified number of guests at a resort facility. Reference to 100 additional guests is not a request to add more guests but rather it is a limitation on the permitted use of the property.

Technical studies that were completed for the original application have been updated based on the proposed additional land use. They include; the Environmental Impact Study, Transportation Brief and the Water and Wastewater Servicing Study.

1. Introduction

Ray Essiambre and Associates Ltd. (REAL) has been retained by Tens of East Lake Realty Inc. to prepare this planning justification report in support of a revised application for Zoning By-law Amendment for the property at 41 Willow Lane in Prince Edward County. The property has a total area of approximately 1.5 hectares.

2. The Proposal

The proposed rezoning of the property will permit redevelopment of the existing resort. The redevelopment is needed to provide more up to date tourist accommodation and it will reduce the total number of bedrooms from 28 to 25. The number of accommodation buildings will increase from 11 to 13 and a mobile restaurant will be added as a permitted use. Accessory uses such as a pool, non-motorized water craft rental and bar will added.

On February 1, 2022 a pre-consultation meeting was held to discuss the proposal by the owners of Allswell Resort. The list of uses being considered were:

- 10 cabins,
- a clubhouse,
- an event space,
- boat launch,
- boat dock
- boat rental
- a small engine repair shop,
- a gift shop, and
- numerous fixed tents,
- a restaurant and/or food truck(s) on the subject property,
- marine building with bait shop and boat rental.
- Accessory Uses

The County provided a list of application requirements and discussed planning matters that are contained in Appendix 1.

In October 2022 the owners subsequently amended the list of uses by adding a mobile restaurant and day use the list of existing permitted uses which results in following the proposed permitted uses.

- 11 cabins
- boat launch
- boat dock
- boat rental
- a gift shop
- a mobile restaurant with seating for 30 people
- day use for 100 guests
- Accessory uses such as and not limited to; a pool, bar and washrooms.

The County commented on additional requirements that are also contained in Appendix 1. Regarding the approval process, it is the intention of Allswell Resort to file an application for rezoning a Site Plan Control Application.

The first application for rezoning was submitted to the County on January 5, 2023.

The application for rezoning was scheduled for the On July 19, 2023 Planning Committee Meeting. Comments were received from the public regarding the first application.

The revised and second rezoning application consists of the following uses.

- 11 cabins with a total of 11 bedrooms
- A house converted to a cabin with 4 bedrooms
- 1 Tourist Inn with 10 bedrooms
- boat launch
- boat docks
- non-motorized water craft rental
- a gift shop
- a mobile restaurant
- resort establishment with a maximum of 100 addition guests.
- Accessory uses such as and not limited to; a pool, bar and washrooms.

3. Public Consultation

In January and February 2023 a Zoom meeting and in-person meetings were held on-site with the neighbours whose properties abut the resort. The meetings were held in relation to the first application to rezone the property. The conceptual site plan and land use planning process was explained. Residence explained their initial concerns. The Summary of Developer Initiated Consultation is contained in Appendix 2.

On August 28, 2023 an application to amend the rezoning application was filed with Prince Edward County. A meeting with immediate neighbours is planned for October 25, 2023 that will explain the purpose of the revised application.

4. The Property

4.1 Property Information

The property is shown in the image below.

Figure 1 – Location



Owner:	Tens of East Lake Realty Inc.
Municipal Address:	41 Willow Lane, Cherry Valley, Ontario
Assessment Role Number:	135040801500101
Pin Number:	55076-0259 The Pin Page and Pin Map are contained in Appendix 3.
Legal Description:	Part of Lots 11 and 12 Concession 1, South Side of East Lake in the Geographic Township of Athol
Ward:	5 - Athol

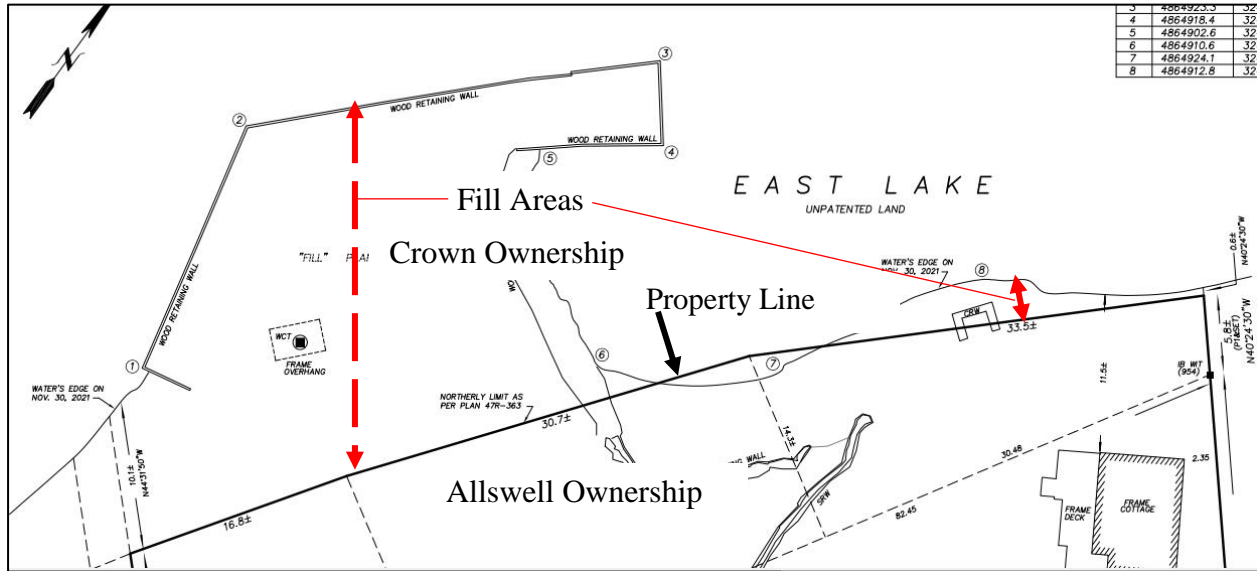
4.2 Property Ownership - Waterfront

A review of the ownership of the property was completed by IBW Ontario Land Surveyors in March 2022. It was determined that the northern boundary of the ownership did not coincide with the shoreline. There is land between the northern boundary and the shoreline that is fill material. The ownership does not extend to the current water's edge.

Further investigation has determined that the fill area between the northerly property line and the shoreline is owned by the Crown and administered by the Ministry of Natural Resources (MNR). There have been discussions between Allswell Resort and MNR regarding the fill area and the possible acquisition of the fill area by Allswell Resort.

Due to the size of the image, the survey of the property prepared by IBW will be provided as a separate document. The portion of the Plan of Survey for the waterfront area is shown in the map. The image below shows the location of the northerly limit of the ownership and the fill area.

Figure 2 – Fill Area



The photos below show the fill area that includes retaining walls, a shore well, boat dock, boat launch and beach.

Photo 1 North Property Line

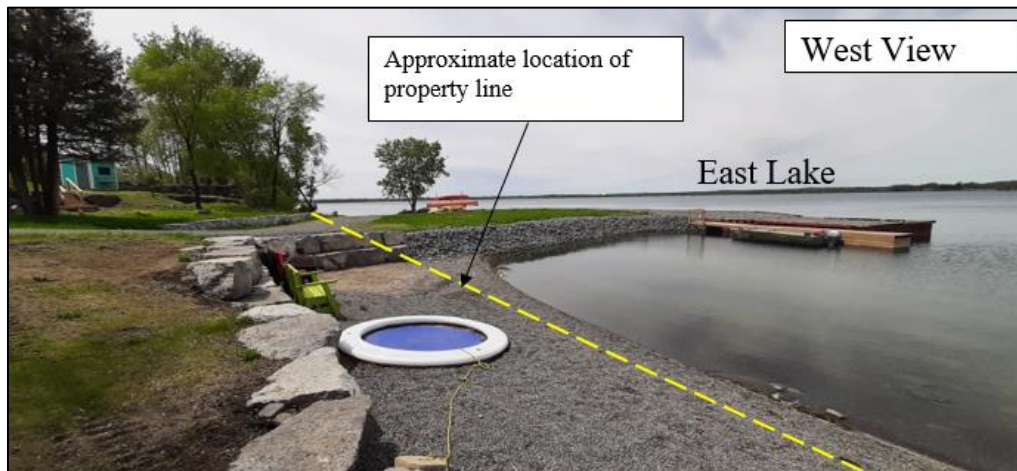


Photo 2 North View

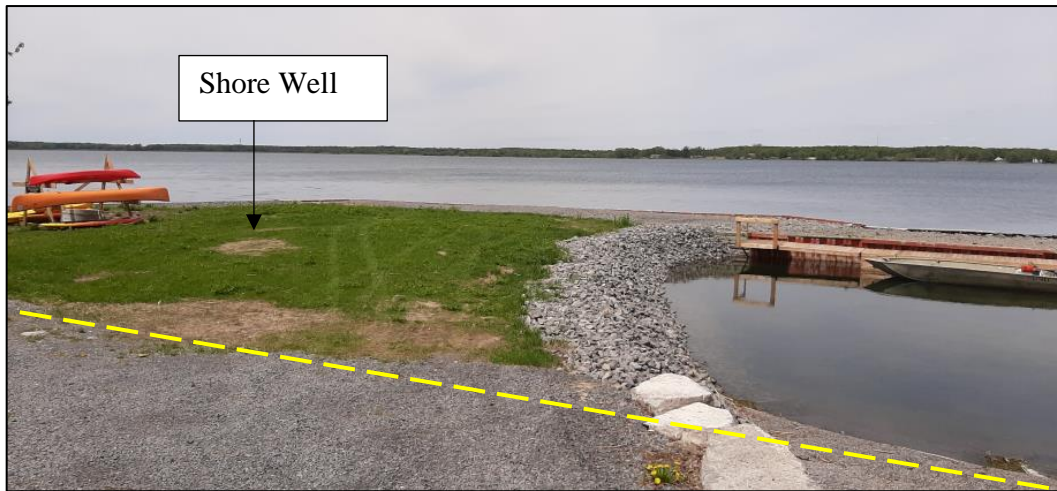


Photo 3 East View

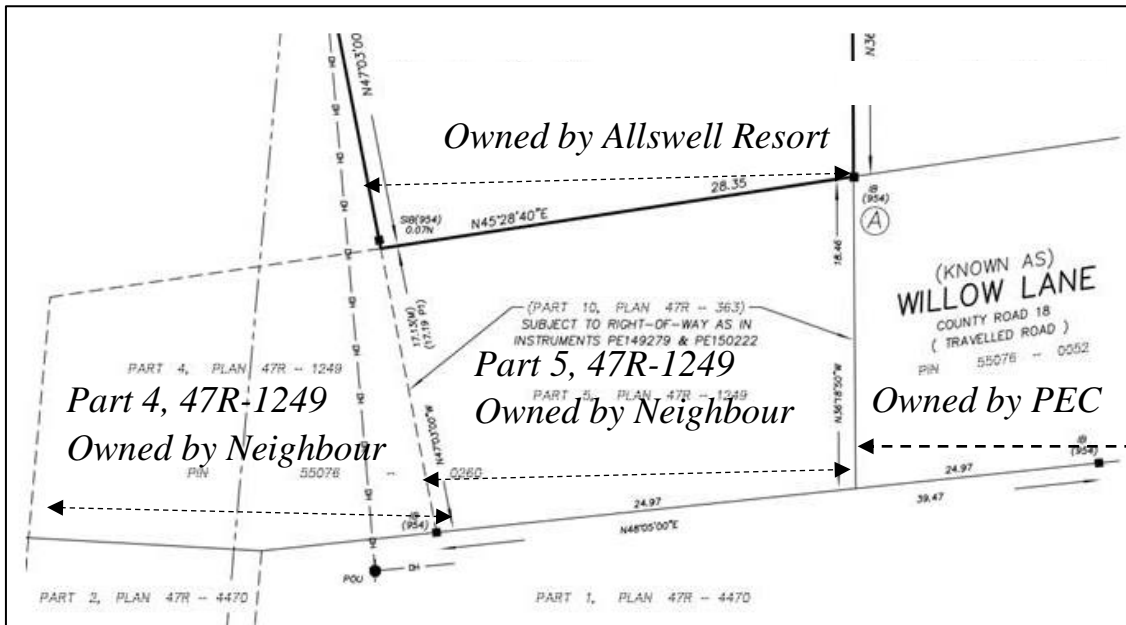


4.3 Property Ownership – Willow Lane

Allswell Resort does not have frontage on a public road allowance. Willow Lane is the closest public road that is owned and maintained by the County. Allswell is separated from Willow Lane by a parcel that is owned by a neighbour which is Part 5 Plan 47R-1249 on Figure 3. Allswell has access to Willow Lane by an easement over Part 5.

Since Allswell does not have access to a public road, an amendment to the site specific zoning bylaw will be required.

Figure 3 – Ownership Willow Lane



4.4 The property

Currently the Site is developed with 10 cabins, a single family home, and an old barn that is used for dry storage, a boat launch, boat dock and beach. The images below show uses and features on the property.

Photo 4 Barn Entrance at Willow Lane



Photo 5 Registration Office

The photo shows an existing building that will be converted to registration office, and washrooms. Parking will be located behind the building. Mobile Restaurant will be located opposite (right) of this building.



Photo 6 House

The house will be converted to accommodation units



Photo 7 Looking West

The area west of the existing house will be the location of the Tourist Inn and future septic bed.



Photo 8 Looking North

The cottages will be demolished and replaced with a swimming pool and an outdoor bar.



Photo 9 Looking South

All of the existing cabins will be replaced with new cabins. The image shows the beach and lane that leads to the boat launch.

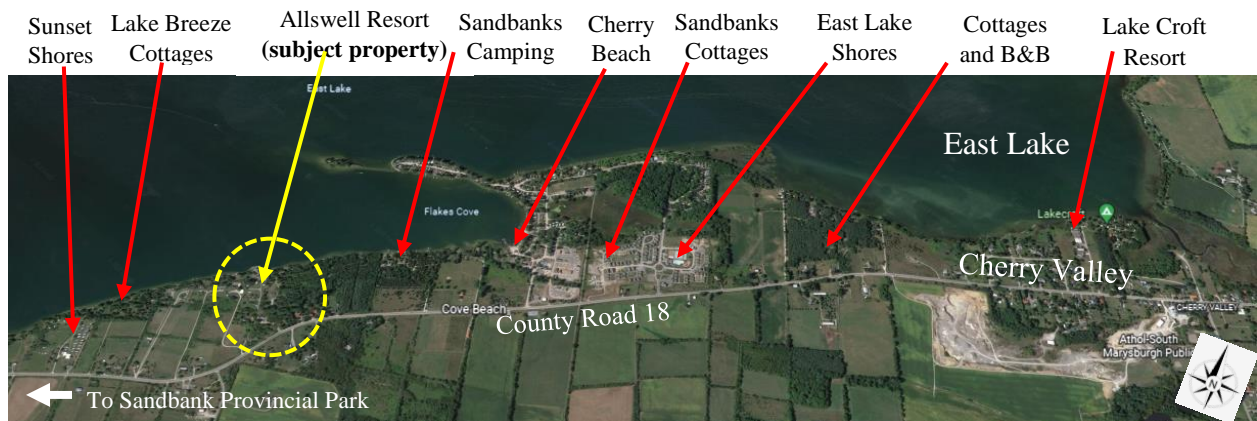


5. Surrounding Area and Context

The subject lands are located on the south shore of East Lake and west of the Hamlet of Cherry Valley. The resort has frontage on Willow Lane which connects to County Road 18. The Site is approximately 1.5 ha. and has 28.3 m frontage on Willow Lane.

There is a gradual slope from County Road 18 at the southern part of the Site in a northerly direction toward the lower elevation at the shoreline of East Lake. Closer to the shoreline there is exposed bedrock that form ledges. Between East Lake and County Road 18 there are single family homes on larger lots and several Tourist Commercial uses that are shown on the image below.

Figure 3 – Area Context



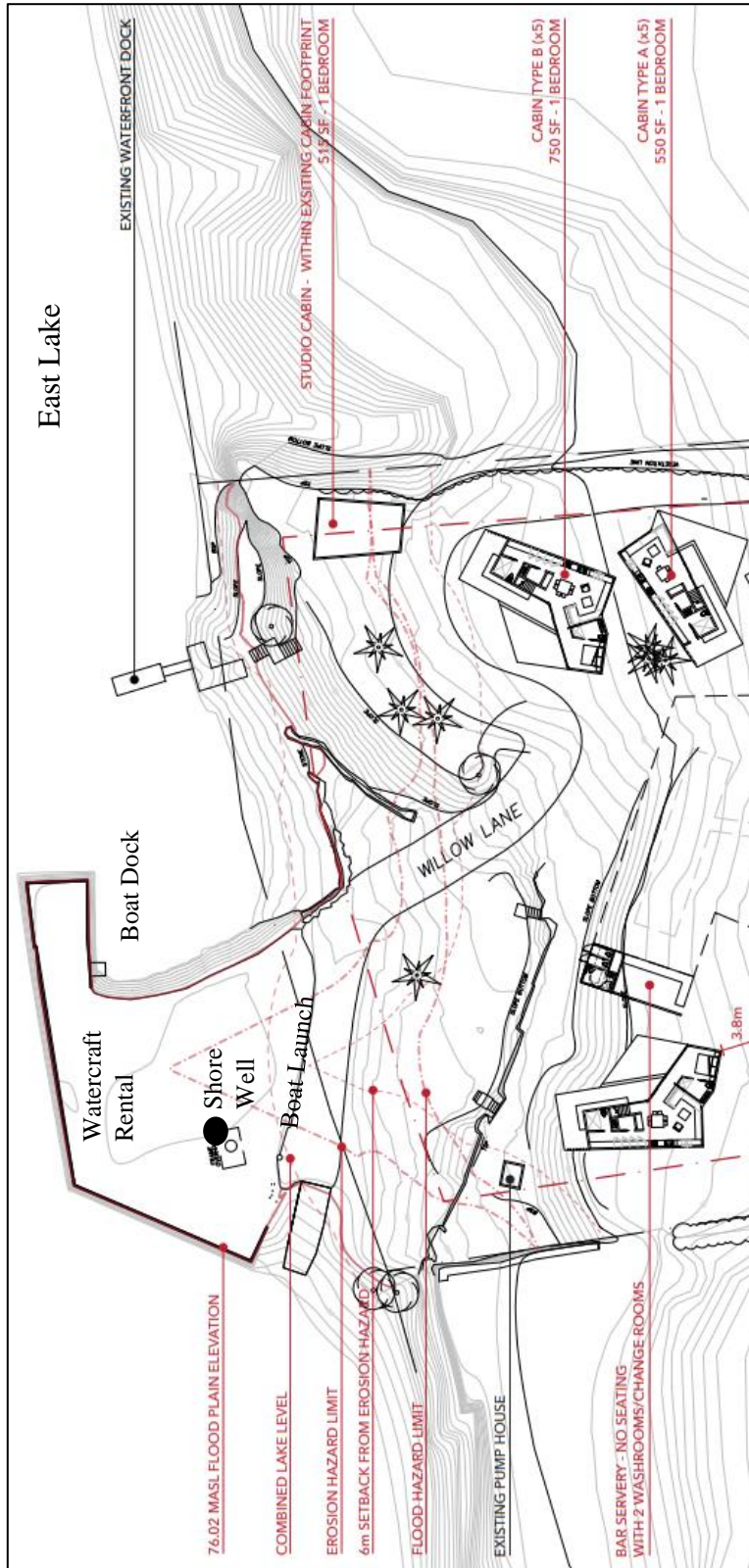
Sandbanks Provincial Park is 10 km to the west of Allswell Resort and the Hamlet of Cherry Valley is located 4 km to the east and 13 km from the Town of Picton.

Figure 4 – Adjacent Uses

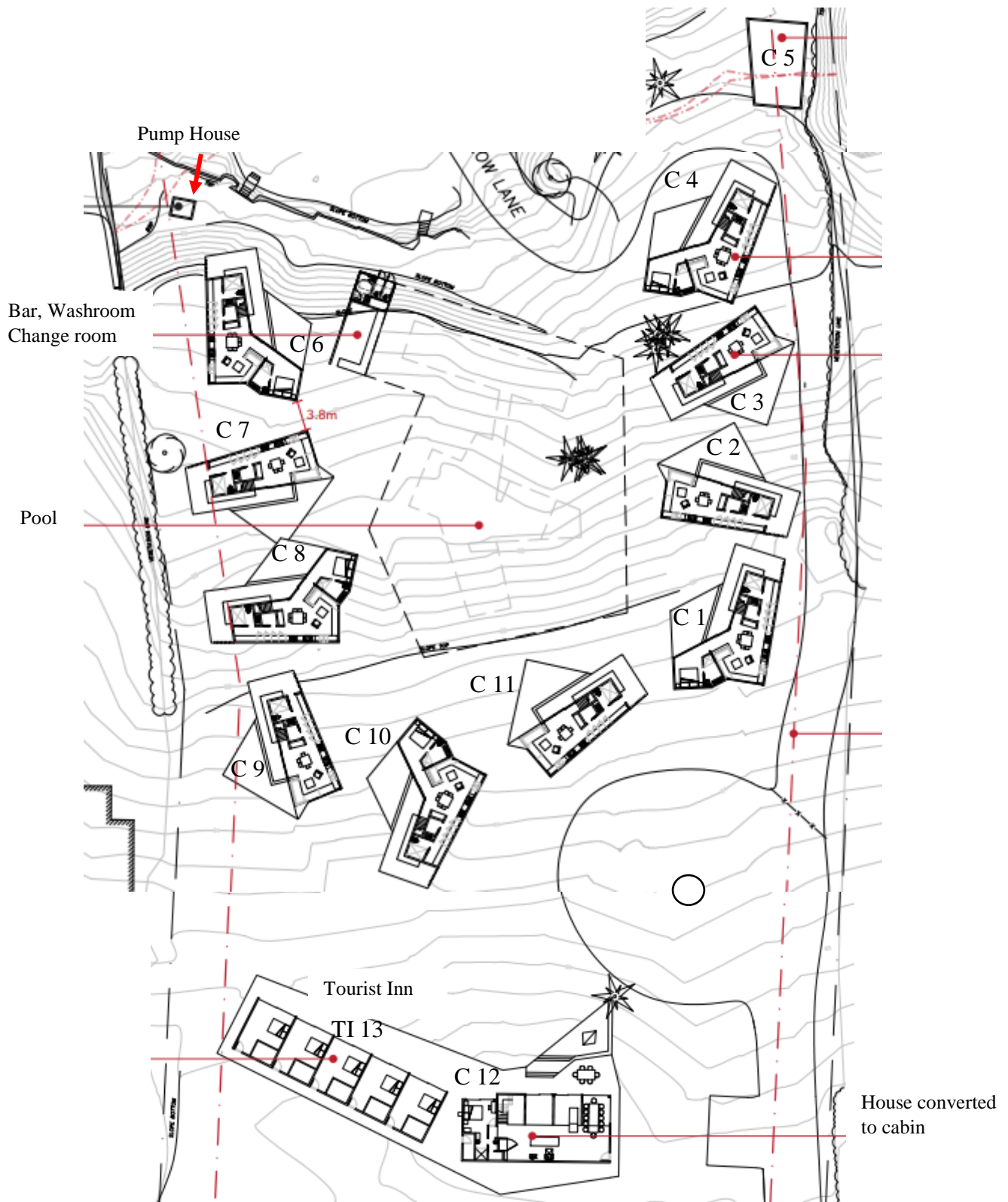


In the immediate vicinity of the Site are residential uses on large rural lots. The area between County Road 18 and East Lake is designated Shore Land that permits and encourages tourism uses. The immediate neighbours have been notified of the proposed uses. Landscaping and buffers will be addressed through Site Plan Control.

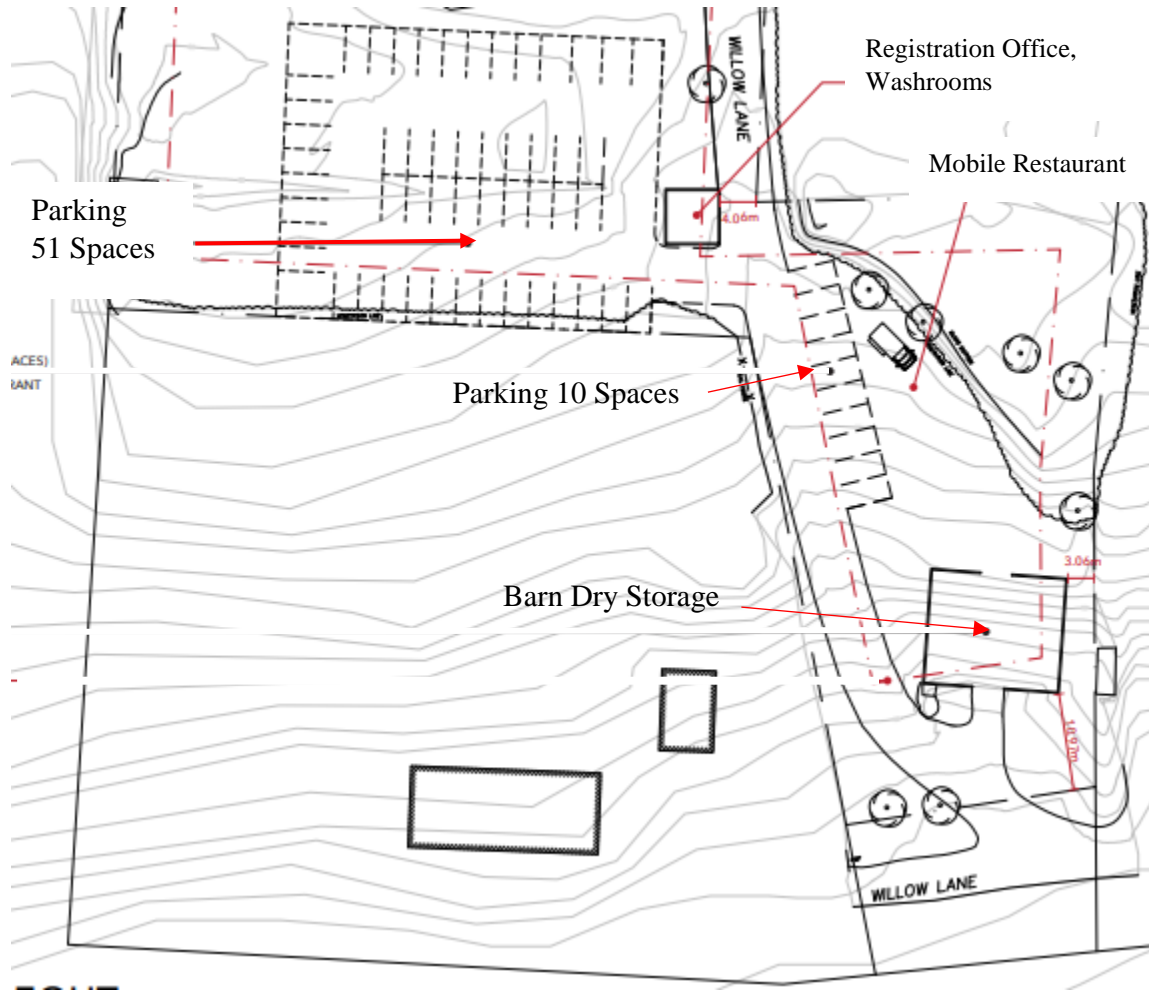
6.2 Waterfront Area



6.3 Main Accommodation Area



6.4 Service Area, Entrance and Parking Area



6.6 Land Uses

Allswell Resort consists of 10 existing cabins and a house the provide accommodation to guests. The existing cabins will be demolished and replaced with new cabins that will meet current market demand for modern unit types. The current tourist accommodation market prefers cabins with fewer bedrooms.

It is important to note that the total number of bedrooms will be reduced from the existing 28 bedrooms to 25 bedrooms after the site is redeveloped. Table 1 shows the allocation of bedrooms in the existing units and the proposed bedroom count in the new development. The number of existing buildings that contain accommodation units is 11. Two new buildings that include 1 cottage and the Tourist Inn will be added to the resort bringing the total number of buildings to 13.

Table 1 – Room Count

Existing Room Count			Proposed Room Count		
Cabins			Cabins		
Bedrooms per unit	# of Cabins	total bedrooms	Bedrooms per unit	# of Cabins	total bedrooms
2	5	10	1	11	11
3	4	12	Tourist Inn		
1	1	1	10	1	10
House			House converted to a Cabin		
5	1	5	4	1	4
Totals	11	28	Totals	13	25

The propose land uses are shown in Table 2.

Table 2 – Proposed Land Uses

Proposed Allswell Land Use			
	bedrooms	GFA m ²	volume liters
Cabins	11	652	
House/Cabin	4	192	
Tourist Inn	10	288	
Mobile Restaurant		7.5	
Pool		0	271,000
Bar		42.5	
Registration		35	
Barn / dry storage		198	
Totals	25	1415	271,000

When redeveloped the resort will offer amenities to 100 resort guests who are in addition to the guests occupying accommodation units. The number of additional resort guests will be limited to 100.

6.6 Parking

Table 1 contains the calculation for parking required and provided. The total of 61 spaces are required to support the permitted and proposed additional uses. Of the 61 spaces, 4 parking spaces are allocated for accessible parking.

Table 1 Parking

Parking			
	Bedrooms	Required	Provided
Cabins	11	11	11
House converted to a cabin	4	4	4
Tourist Inn	10	10	10
Mobile Restaurant		10	10
Registration		1	1
Resort Guests (100)		25	25
Total Parking		61	61
Accessible Parking of 61 spaces		4	4

6.7 Design and Landscaping

The redevelopment of Allswell Resort is based on the following principles.

- Corporate objectives of Allswell Resort and the need to update the resort to respond to changing tourism needs and to meet market demand
- The new design will be consistent with the Design Guidelines of Appendix C.3 Design Policies for Shore Lands and Appendix C.4 Design Policies for Tourism Corridors
- The design will be low profile structures that are consistent with the height and scale of development in surrounding uses including residential and other tourist developments on East Lake
- Consider comments and concerns of adjacent property owners that were gathered during the public consultation process
- Provide buffering and landscaping to protect adjacent land owners
- Provide a landscaping design that meets the requirements of Prince Edward County's Site Plan Control process

The application before the County is a rezoning of the property. The Conceptual Site Plan in Section 6 above was prepared to support the rezoning application and demonstrate conformity to the Official Plan and zoning by-law. More details regarding the design will be incorporated into the site plan which is part of the Site Plan Control process.

The Design Principles below are elements that will influence the design of the project. The list is not all inclusive because the design of the project and details are ongoing.

- Naturalized landscape with native plant material to provide a relaxing ambience for tourists who want to experience a quiet retreat.
- Protection along property lines to protect privacy and discourage trespassing by pedestrians and snow mobiles.
- Buffers will be provided with a combination of fencing and plant material that will improve privacy.
- A signage plan will be prepared as part of the Site Plan process. This will include an entrance sign that will direct visitors to the Resort and reduce disturbance to neighbours. An internal circulation plan will be prepared to facilitate the efficient movement of people and vehicles.
- Existing trees will be preserved where possible.
- No major changes are proposed on the shoreline.
- Rental of watercraft will be limited to un-motorized craft.
- The height of buildings will be limited to the maximum height permitted by the zoning by-law which is 10.5 m or 34.5 ft.
- Drainage of the property will be in accordance with Provincial and County Standards. The existing drainage ditch or swale will be relocated as required to accommodate the parking lot. Surface water that flows through the ditch will be redirected and connect to ditches on adjacent properties. It is expected that the drainage pattern on adjacent properties will not be affected by the proposed redevelopment of Allswell. The final drainage plan will be provided as part of the Site Plan process and drainage will be to the satisfaction of the County.
- No “No Wake” zones are proposed. They are not recognized or regulated by Transport Canada or the County.
- No marine service such as the engine repair will be undertaken on the property, gasoline, motor oil or other petrochemicals will not be sold on the property. The zoning by-law does not permit marine uses.
- Garbage will be collected and stored in approved containers and removed from the property by a commercial contractor.
- The septic system will be designed in accordance with MOE requirements and that includes the location on the property respecting appropriate setbacks from adjacent properties.

7. Technical Studies

7.1 Environmental Impact Study

The Greer Galloway Group was retained by Tens of East Lake Realty Inc. to prepare an Environmental Impact Study (EIS) report dated August 21, 2023 in support of the redevelopment of the existing Resort.

The report was prepared to satisfy requirements of the County of Prince Edward (The County). The County requires an EIS as outlined in Section 3.1.5.4 of the County’s Official Plan which

states that an EIS is required for development along Shoreline Buffers. This is to ensure water quality protection. The summary of the report findings is provided below.

There are no natural significant features on the property. The property is surrounded by residential, cottage development and agricultural land. Vegetation is confined to the adjacent properties and landscaping areas where native and non-native species are found. The property is currently occupied by a resort which is proposed to be redeveloped. One of the new cabins will be located within the 15 m setback established from the 1:100- year flood plain and the 6 m from the erosion hazard. This cabin will be within the footprint of the existing cabin. Three localized steep areas (terrace) were identified close to the lake. None of the slopes represent a hazard since the slopes are not greater than 3 m (except of the area on the northeast corner of the property) and the slopes are mostly covered with vegetation with no signs of erosion. The proposed bar and part of the pool will be located within the steep area which will require minimal filling and grading.

In compliance with policy 3.1.5(4) of the County of Prince Edward Official Plan, the MECP was contacted for consultation regarding the terms of reference of the study to ensure water quality protection. The MECP does have jurisdiction for septic systems that produce wastewater 10,000 litres a day or more. An environmental compliance approval for the new septic system will be submitted to the MECP. The large subsurface disposal system will occupy an estimated area of 1,895 m² to receive a daily design flow of 15,150 L/day. The footprint could be reduced if tertiary treatment is provided, and flow balancing is used. The disposal system will be located more than 30 m from the lake, and it will represent an improvement over existing conditions.

The proposed project complies with the natural heritage and water policies established in the PPS as there are no natural heritage features in the subject property and adjacent lands, and the proposed location of the redevelopment is within the area currently impacted. No species at risk were observed in the property; however, food for Monarch Butterflies and roosting habitat for bats are found in the property. Impacts to SAR are not expected as long as recommended measures to avoid harm to butterflies and bats are applied. Mitigation measures have been recommended to avoid impacts to vegetation and wildlife.

7.2 Archaeological Assessment

AS&G Archaeological Consulting was retained to conduct a Stage 1 and 2 Archaeological Assessment of Allswell at 41 Willow Lane.

The Stage 1 background study found that the property exhibits potential for the recovery of archaeological resources of cultural heritage value and concluded that the property requires a Stage 2 assessment. The Stage 2 property assessment, which consisted of a systematic test pit survey performed at five metre intervals, did not result in the identification of archaeological resources within the property. The report recommends that no further archaeological assessment of the property is required.

In a letter dated August 15, 2022 the Ministry of Tourism, Culture and Sport (MTCS) stated that the Report was entered into the Ontario Public Register of Archaeological Reports. The letter is included in Appendix 5.

7.3 Water and Wastewater Servicing Study

Greer Galloway Group was retained by Allswell Resort to produce a Water and Wastewater Servicing Study 41 Willow Lane, Prince Edward County. A Study was completed dated August 2022. The study was based on the proposal consisting of the following land uses:

- 11 cabins for overnight accommodations
- An approximately 60-person occupancy pool area.
- Mobile restaurant with seating for 30.
- Office and rental building with washrooms for mobile restaurant.
- Bar pavilion with washrooms and change rooms.
- 100 day guests

The Servicing Study was updated in August 2023 that added 2 additional buildings consisting of 1 cabin and 1 Tourist Inn. The following are highlights of the study and should be read in conjunction with the GGG report, *Water and Wastewater Servicing Study 41 Willow Lane, Prince Edward County dated August 2023*.

This project is in the preliminary design stage and this report has been prepared in support of development approval; it is limited to servicing for water and wastewater. The report considers existing and proposed services in the area in order to demonstrate that there is sufficient capacity for the proposed development.

7.3.1 Hydrology and Hydrogeology

The property is adjacent to East Lake. There are no creeks on or close to the property. Groundwater flow follows the land topography flowing toward the shorelines. Groundwater is found within the vertical and horizontal fractures of the limestone. Recharge in the area occurs due to the separation between the ground surface and the water table and to the presence of joints and fractures beneath shallow soils. Well records on a 0.5 km radius indicate water is found in the shallow and deep limestone bedrock resulting in poor to good yields with many of them reported dry.

7.3.2 Water Availability Domestic

Water supply for the development is obtained from the East Lake via an approximately 0.9 m diameter intake structure (shorewell). This intake structure was monitored during a short duration test pumping conducted on August 8, 2022 when the well was pumped for 100 min at up to 40 L/min with a maximum drawdown of 7 cm. An adequate quantity of water is therefore available to meet projected domestic water requirements for the resort redevelopment.

It should be noted that the water supply for the Resort will be sourced from the existing Shore Well that draws water from East Lake. The water source for the resort is separate from the water supply for wells that sources water from an aquifer.

The proposed daily sewage design flow of 15,900 L/day exceeds the 10,000 L/day level that triggers an Environmental Compliance Approval (ECA) under Section 53 of the Ontario Water Resources Act.

7.3.3 Water Supply Fire Suppression

Based on the OFM Guideline, the volume of on-site water available for fire suppression should not be less than 81,000 litres. Commercial water storage systems for this application are available in 42,585 L capacities. Two connected tanks will provide the required water storage. A dry hydrant connection to the tanks will be required for emergency services access.

7.3.4 Water Treatment Requirements

Water supply for the proposed development would be classified as a small drinking water system under O. Reg. 319/08 under the Health Protection and Promotion Act.

Based on the assessment by the Greer Galloway Group, the proposed re-development may be adequately serviced for potable water, fire-fighting water supply, and sewage treatment.

7.4 Traffic

Greer Galloway Group completed an Entrance Brief for County Road 18 and Willow Lane dated September 19, 2022 which was based on the original rezoning application dated January 5, 2023. The Entrance Brief was updated and dated July 24, 2023 that include the revised land uses contained in this report. The following is a synopsis of the updated Entrance Brief.

County Road 18, 50 metres north of Kings Road, is the closest count location, stationed only about 200 m southwest of Willow Lane. Here, annual traffic growth was 3%. This station can be used to form a background traffic estimate. Projecting the growth pattern to the current year (2023) results in 2,191 vehicles over a 24-hour period. Following the Ontario Good Roads Association procedure of relating shorter duration counts to AADT, approximately 30% (657 vehicles) of that daily volume can be assumed to occur between p.m. and p.m.; leaving 164 vehicles for the peak weekday afternoon hour. The other count locations, 200 m east of County Road 12, and 100 m east of Outlet Road, are both west of the development property. Annual traffic growth was 8% and 5% respectively. The closer of these two count locations, 100 m east of Outlet Road, is about 5.0 km west of the development property. Annual traffic growth was 5% here, and 8% at the location 200 m east of County Road 12.

Greer Galloway conducted a brief 15-minute traffic count on County Road 18 at the beginning of the Labour Day long weekend on Friday, September 2, 2022, from 10:40 am to 10:55 am. The count included 26 westbound vehicles and 30 eastbound vehicles. Multiplying by four, this would reflect hourly traffic of 104 vehicles per hour travelling westbound, and 120 vehicles per hour travelling eastbound, totaling 224 vehicles per hour.

This count resulted in a greater hourly traffic volume than when the County counts at the closest station are used. For this reason, the manual count will be used to estimate the background traffic on County Road 18 at Willow Lane, including the distribution.

Background Through Traffic	Total	Eastbound	Westbound
- County Road 18	224	120	104

Entrance Modelling: Willow Lane at County Road 18

No appreciable impacts to traffic resulting from the development are expected.

Where possible, consistent with Ontario Ministry of Transportation access management standards, it is recommend that the entrance to County Road 18 reflect MTOD 305.140 Commercial Entrance to Small Businesses (attached) including a width of 8 m and radii of 15 m where posted speed is 70 km/h or greater.

Based on the study findings; applicable standards; a lack of previous safety concerns; and the proposed development, Greer Galloway Group concluded that with geometric and emergency vehicle access improvements to be included in the site plan submission, the existing Willow Lane intersection will be acceptable for the proposed development.

8. Policy Framework

8.1 Provincial Policy Statement

The 2020 Provincial Policy Statement (PPS), which came into effect on May 1, 2020, provides land use policy on matters of Provincial Interest in Ontario municipalities. Decisions of municipal councils must be consistent with the PPS on matters such as:

- the efficient use of land and infrastructure,
- protection of natural and cultural heritage resources,
- maintaining sufficient housing stock,
- long-term economic prosperity, and
- preserving natural resources

PPS policies that are relevant to the proposed development are discussed below.

Section 1.0 – Building Strong and Healthy Communities

1.1.1 Healthy, liveable and safe communities are sustained by:

a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;

The proposed addition of a mobile restaurant and day use guests to the existing list of permitted uses will make good use of natural attributes of the Site with slopes and rock ledges that lead to the waterfront on the south shore of East Lake. The redevelopment of the cabin on the resort use will contribute to the tourism industry in the County. No municipal sewer or water servicing will

be required. There will be no additional costs to the municipality or the Province to implement the proposal.

b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

No residential uses are included in the proposed development of the Site. The existing house will be converted to accommodation units. The development will operate as a four season resort that will contribute to the long-term sustainable tourism industry in Prince Edward County.

c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;

No environmental or public health and safety concerns are anticipated as a result of the development.

g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;

The existing permitted uses and the additional uses will not require municipal infrastructure for water and sewer servicing. A private septic system and private shore well will provide services for the Site.

h) promoting development and land use patterns that conserve biodiversity; and the proposal seeks to establish a resort establishment on the site.

The existing permitted uses and the additional uses comply with the natural heritage and water policies established in the PPS because there are no natural heritage features in the subject property and adjacent lands, and the location of units that will be redevelop is within the area currently impacted.

Section 1.1.4 provides policy direction for rural areas in municipalities. Relevant policies from Section 1.1.4 include:

1.1.4.1 Healthy, integrated and viable rural areas should be supported by:

a) building upon rural character, and leveraging rural amenities and assets;

e) using rural infrastructure and public service facilities efficiently;

f) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;

g) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;

h) conserving biodiversity and considering the ecological benefits provided by nature; and

The existing permitted uses and the additional uses will enhance the tourism industry in the County by redeveloping and upgrading the uses on the property without detracting from the rural character of the area. The additional uses will add to the diverse tourism experience on East Lake.

The proposed Mobile Restaurant and accessory uses will be 1 story, low profile, maintaining the rural experience on the resort. The development will provide on-site septic and water servicing and no expansion to existing rural infrastructure is needed as a result of this development.

1.1.5.3 Recreational, tourism and other economic opportunities should be promoted.

The addition of the proposed uses will increase tourism activity on the site and surrounding area while providing additional employment opportunities for local residents.

1.1.5.4 Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.

1.1.5.5 Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure.

The only new structure resulting from the rezoning will be a mobile restaurant and it will be integrated into the existing development, it will not be visible from County Road 18 and it will have no impact on the rural landscape. The development proposal can be sustained by private on-site septic and water servicing. No municipal infrastructure is required to support the proposed additional uses on the Resort.

1.6.6.4 Where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not available, planned or feasible, individual on-site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts.

An on-site sewage system will service the development and approval of an ECA by MOE will be required. Groundwater will be supplied by an existing shore wells. These will be private systems that will not require support by the County or Province of Ontario.

1.6.6.7 Planning for stormwater management shall:

- a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term;*
- b) minimize, or, where possible, prevent increases in contaminant loads;*
- c) minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure;*
- d) mitigate risks to human health, safety, property and the environment;*
- e) maximize the extent and function of vegetative and pervious surfaces; and*

f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.

Stormwater will be managed by site grading. The property has a substantial area with pervious soils where stormwater will be directed by grading the property.

1.7.1 e) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes;

h) providing opportunities for sustainable tourism development;

j) promoting energy conservation and providing opportunities for increased energy supply;

k) minimizing negative impacts from a changing climate and considering the ecological benefits provided by nature;

Long-term economic prosperity should be supported by:

c) optimizing the long-term availability and use of land, resources, infrastructure and public service facilities;

The proposed additional uses will contribute to a sustainable tourism development by increasing the long-term viability of the tourism use that has operated on the Site for several decades. The redevelopment of the cottages is designed to allow for passive appreciation of the waterfront. New updated appliances and heating systems will reduce the impact on Climate Change and energy supply.

Section 2.0 – Wise-Use and Management of Resources

2.1.1 Natural features and areas shall be protected for the long term.

2.1.2 – The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.

2.1.8 Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas.

2.2.2 Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their related hydrologic functions will be protected, improved or restored.

There are no natural significant features on the property or adjacent lands. The property is surrounded by residential, cottage development and agricultural land. Vegetation is confined to the adjacent properties and landscaping areas where native and non-native species are found. There are no sensitive surface or ground water features on the site or adjacent to the site.

Section 3.0 – Protecting Public Health and Safety

Section 3 of the PPS deals with the protection of public health and safety. The policies in this section direct development away from naturally-occurring and human-made hazard lands.

There are no human-made hazards that have been identified on the Site. There are several small rock outcrops in the northern part of the property near the waterfront. These are setback from the waterfront and will be integrated into the overall site design.

8.2 Prince Edward County Official Plan

The County of Prince Edward Official Plan was adopted by Council on February 24th, 2021 and approved by the Ministry of Municipal Affairs and Housing on July 7th, 2021. The Official Plan through its policies guides development in the County for the next 25 years. The policies shown in italics are relevant to the proposed rezoning and are listed below and discussed in this section of the report.

Section 2.0 – County Context and Future Direction

Section 3.0 – Shaping the County

Section 4.0 – County Land Use Designations /

Appendix C – Design Policies

8.2.1 Section 2.0 County Context and Future Direction

Section 2.0 – County Context and Future Direction

This section speaks to the historic context and future growth projections that will help inform the vision for the County's future that will provide the context for long-range planning in the County over the next 25 years. The vision will establish how the County will make decisions that will protect and enhance quality of life and place.

Section 2.3. A Vision for the Future

Section 2.3.1 Principles speaks to the key directions for protecting and enhancing the quality of life and quality of place in the longer-term. The following principle of the Official Plan applies to the entire county and the Site. The Site is designated Shore Lands on Schedule A-2 – Land Use of the Official Plan.

vi. The Shore Lands and Open Space Lands support a broad range of land and water-based recreational, tourism-related commercial and residential uses, which will continue to be developed in a sustainable manner that protects water resources, shore line features, and enhances the public's access to the water's edge.

The proposed rezoning conforms to the Official Plan Policy because it includes a mobile restaurant, day use and accessory uses that supports tourism recreation.

Section 2.4. Growth Management

Section 2.4.1. b) Approach speaks to growth opportunities over the next 25 years that will include:

iv. Tourism development within Shore Lands is geared to seasonal residents, as well as tourist accommodations and tourist-related commercial activities that may increase public access to the waterfront.

The addition of the mobile restaurant will broaden the experience of the existing tourist, accommodate guests and support day use guests who will visit the property. The addition of day use as a permitted use will increase public access to the waterfront and enjoyment of the natural heritage of East Lake.

Section 2.5 Policies

Subsection Section 2.5 f) speaks to the criteria for reviewing development applications in the Shore Land Designation.

ii. Shore Lands are an important resource that shall be managed in a way that promotes appropriate and sustainable development, with a focus on tourism and enhancing public access to the waterfront.

The proposed rezoning will add more uses to the existing tourism development. The additional uses will support the existing uses and attract more users to the property making the business more sustainable.

8.2.2 Section 3.0 – Shaping the County

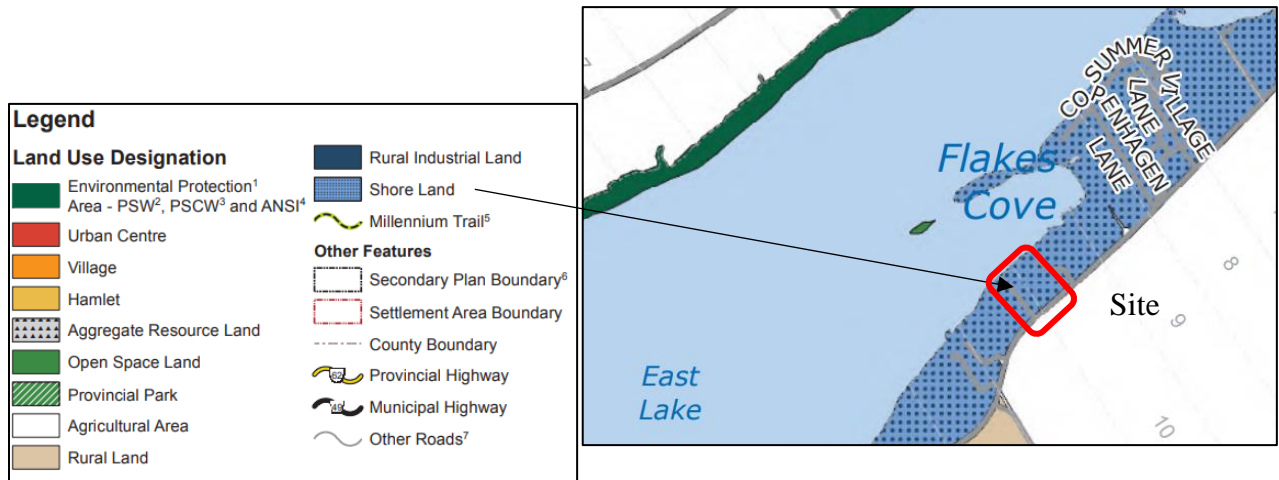
Section 3.0 of the Official Plan outlines policies that will influence the physical form of the development in the context of environmental protection, parks and trails network, diversified economy, housing, arts and culture, and cultural heritage. The following is a review of the designations on Schedules of the Official Plan that affect the property.

8.2.3 Section 4.3 Rural Waterfront Section

The Rural Waterfront includes all the lands associated with the shoreline in the County and some areas along the waterfront has been designated as Shore Land.

The Site is located within the area designated Shore Land on Schedule A-4 Land Use Designations.

Figure 5 – Schedule A-4



Policy 4.3.1 states,

The Shore Land Designation indicates that lands within this designation are intended to provide active and passive recreational opportunities while conserving the natural environment and maintaining a stewardship. Shore Lands are also considered tourist attractions and can serve the recreational and seasonal growth needs of the County.

Policy 4.3.1.2 states that,

2) *In addition, commercial uses may be permitted within this designation, including:*

- a) *Resort commercial uses which provide accommodation and amenities for the vacationing public;*
- c) *Tourist commercial businesses catering to the day-to-day and recreational needs of tourists (such as a convenience store, spa, golf course, mini-golf course, driving range, or eating establishment).*

The existing development consists of 11 three season accommodation units that will be rebuilt and converted to 4 season accommodation units for tourists wanting to enjoy the natural heritage associated with East Lake. This Tourist Attraction will draw people to the County. The addition of the mobile restaurant and day use will expand the commercial use on the property and provide amenities for the vacationing public and area residents.

9) *All new development shall be required to meet the Minimum Distance Separation (MDS) Formulae established by the Province, as amended from time to time.*

There is an old barn on the property that has been used and will continue to be used for dry storage. The proposed rezoning will include rezoning the barn to limit the use to dry storage. Therefore an evaluation of the MDS is not warranted.

10) All new development shall reflect, as appropriate, the Design Policies for Shore Lands outlined in Appendix C of this Plan.

The property is subject to Site Plan Control and design matters will be implemented when a Site Plan Application is processed.

13) Permitted resort, tourist and marine commercial uses may only be located on land parcels in the Shore Lands designation which are large enough to accommodate buildings, parking, water and sanitary sewage services, landscaping and recreational facilities. The development is planned for a site that is approximately 10 hectares in area.

The property is approximately 1.5 ha which is of sufficient size to accommodate all the existing and proposed tourist commercial buildings on the site, as well as parking, infrastructure. A conceptual site plan has been provided in support of the application for rezoning and the plan shows the location of all existing and proposed uses.

14) Adequate and safe access to a maintained public road that has the capacity to support the increased traffic shall be provided. Where appropriate, safe and adequate boat access and swimming areas shall be provided.

Circulation throughout the site will be achieved via private laneways which will be 6.0 metres wide. The private lane will be connected to Willow Lane and County Road 18 which are publicly maintained roads.

15) The following criteria will be considered as part of the comprehensive evaluation of a development application in order to confirm the suitability of a new resort, tourist and/or marine commercial use or a major expansion of existing uses:

a) The adequacy of the shoreline frontage for related active and passive recreational uses;

The site has an irregular frontage of approximately 79 metres measured at the shortest distance from east to west. The entire waterfront is developed as a beach and boat docking facility that provides for passive and active recreational activities along the waterfront. The accommodation units are situated at a slightly higher elevation that provides views of East Lake and the surrounding area.

b) The suitability of the proposed density and scale of the development in relation to the site and surrounding land uses, including access and impact on the existing road infrastructure;

The proposed development will have 11 individual accommodation units over a 1.5-hectare site. The lot coverage of the proposed development is approximately 10%, with approximately 80% of the property being provided as landscaped open space. As part of this application, a traffic impact

study was conducted which determined that there would be no impact on the existing road infrastructure as a result of this development.

c) The adequacy of parking and docking facilities;

Parking will be provided based on the parking provisions in accordance with Section 5.1 Parking Provisions in the County's Comprehensive Zoning By-law 1816-2006. There is sufficient area on the property to accommodate parking. There is an existing dock and boat launch ramp on the property that serves guests.

d) The suitability of the site for sanitary sewage disposal facilities and water supply, as determined through a servicing options investigation;

The study completed by Greer Galloway Group that investigates Water and Wastewater Servicing Study explains the provision of water and wastewater systems for Allswell. The study scope includes the servicing requirements for both the existing and proposed uses. The proposal will include an adequate water supply that will be provided by an existing shore well. The Study has identified the requirements for a sanitary solution that will require an ECA.

e) The impact of the development on surface and subsurface water, as determined through a hydrogeological study and a stormwater management investigation;

An investigation of stormwater management requirements was undertaken by Greer Galloway Group. It is expected that a stormwater management pond will not be required and stormwater will be managed by the site grading. The hydrogeological study concluded that the septic system will need to be upgraded and an ECA will be required.

f) The incorporation of large areas of passive and active open spaces into the development scheme;

The existing structures site coverage approximate 10% of the property providing large areas for open space. Most of this open space will be provided for passive recreation. The property has been operating as tourist accommodation for several decades resulting in considerable site disturbance. Natural rock outcrops are incorporated into the development that are natural heritage features for the enjoyment of resort guests. The water front has been modified with the incorporation of a beach, a grassed passive open space area. A boat dock and boat launch provide the public with the means to access East Lake to enjoy this natural asset.

g) The protection of shoreline and other natural heritage features;

The proposed development will be setback 30 m from the high water mark that will provide protection for the waterfront. There are no wetlands in the vicinity that would be impacted by the proposed development.

h) The impact on natural heritage features;

An Environmental Impact Study was conducted for the site by Greer Galloway Group. The study concluded that there are no natural significant features on the property. Vegetation is confined to the adjacent properties and landscaping areas where native and non-native species are found. The property is currently occupied by a resort which is proposed to be redeveloped. One of the new cabins will be located within the 15 m setback established from the 1:100- year flood plain. This cabin will be within the footprint of the existing cabin. Three localized steep areas (terrace) were identified close to the lake. None of the slopes represent a hazard since the slopes are not greater than 3 m and the slopes are mostly covered with vegetation with no signs of erosion. The proposed bar and part of the pool will be located within the steep area which will require minimal filling and grading.

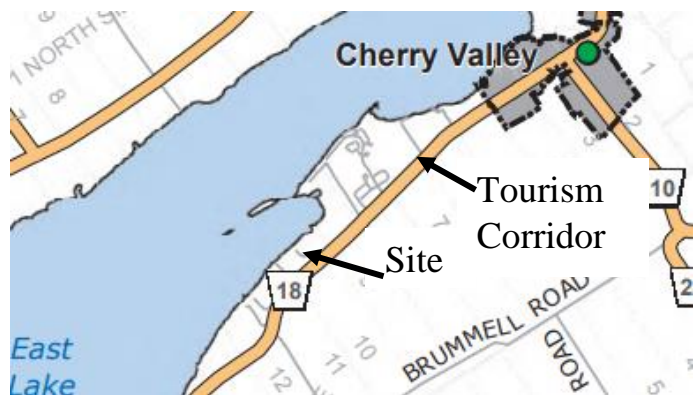
i) Contribution toward the development of an identified and or integrated trail system.

There are no existing trail systems on the property or in the immediate area and no contributions to a trail system are proposed.

8.2.4 Overlay Designations and Symbols

OP 7.4.1.1 Tourism Corridors

1) provide access to businesses as well as cultural and recreational attractions of particular interest to tourists. These Tourism Corridors, the most significant being the Loyalist Parkway, are identified on Schedule 'F': Tourism & Recreation.



Allswell is located adjacent to County Road 18 that is intended to provide access to, and support, tourist related uses.

2) Along the Tourism Corridors, it is the intent of the County to carefully manage development regarding the location, siting and landscaping of new development and to mitigate the visual impacts.

The existing Allswell resort is situated off Willow Lane with no direct access to County Road 18. The existing and proposed development is not visible from County Road 18 and will not negatively impact the views from the tourist corridor.

4) Where permitted along the Tourism Corridors, appropriate tourist-related developments are encouraged in suitable locations. They form the basis for building a critical mass in tourism activities and for making associated municipal decisions related to providing programs and services in support of the tourism industry.

The proposed mobile restaurant and day use will increase uses and concentrate services that will be available to the tourists to support the tourism industry and to increase the concentration of tourism uses along the Tourism Corridor.

7) New high-quality attractions, facilities, services, and events are encouraged along the Tourism Corridors where they are permitted by the underlying designation. They must be compatible with the countryside character and charm of the County and are encouraged to be year-round to promote economic development throughout the year.

Allswell will be redeveloped by replacing existing accommodation units with desirable, high quality accommodation that are of a more contemporary design. More accessory uses and amenities will be added such as a pool and bar. The addition of a mobile restaurant and day use will add to the quality of the tourism experience in the Tourism Corridor. The development will remain compatible with the rural character and charm of the County.

8.2.5 Appendix 4 – Design Principles

The visual impact of development is an important consideration in maintaining the character of Shore Lands. The guidelines contained in Appendix 4 of the Official Plan are intended to guide the appearance of future development in the Shore Land designation.

Below are the design principles for lands designed Shore Lands and Tourism Corridor that apply to the Allswell Resort.

C.3 Design Policies for Shore Lands

a) In accordance with the land use policies for Shore Lands, these areas are intended to accommodate a mix of residential, commercial, and recreational uses, including second homes, cottages, and resorts, while protecting water resources and maintaining or creating public access to the shoreline.

Comment

Allswell Resort is a commercial use that is permitted within the Shore Land designation of the Official Plan that creates public access to the shoreline while protecting water resources through implementation of supporting studies, a zoning amendment and site plan control.

b) The visual impact of development is an important consideration in maintaining the character of Shore Lands. Disturbance on lots will be limited and minimized and the maximum amount of vegetation is to be retained on a lot. Vegetation will be maintained within a viewscape and

along ridgelines. Additional natural buffering or screening may be provided as required to supplement existing vegetation along the shoreline.

Comment

The Site Plan Control included preparation of a landscaping plan that will include existing and proposed vegetation, protection of views, natural features buffering, screening and enhancement of vegetation along the shoreline.

Design for new development in Shore Lands shall have regard for the following objectives:

i) The built form is blended into the natural landscape, with buildings and structures that maintain a low profile;

ii) Prominent buildings may be considered for resort commercial development if they are designed as landmarks and are in keeping with the building style and environment of the surrounding area;

iii) Natural shorelines are retained or restored;

iv) In a new development that would require the creation of lots, such as a cluster development, lot sizes respond to the natural landscape, topographic features and the character of the adjacent water body;

v) Rock faces, steep slopes and vistas are preserved and vegetation is maintained within views, and along ridge lines;

vi) Native species are used for planted buffers and where vegetation is being restored;

vii) Building mass and coverage are limited in relation to the size and frontage of the property and are in keeping with the character of the surrounding area;

viii) Lot lines follow existing features and terrain, and are configured so as to minimize conflicts between abutting properties, particularly at the shoreline; and

ix) Setbacks from roads are sufficient to provide and maintain a natural buffer between the development and the road, in order to maintain a vegetative character along the roads; however, the appropriate waterfront setback takes precedence when a lot has insufficient depth to provide a buffer at both the shoreline and the road.

Comments

The design theme will include the following.

- naturalized vegetation
- one and two story low profile buildings consistent with the provisions of the TC zone and buildings in the surrounding area

- no significant changes are proposed to the existing shoreline
- no new lots will be created and structures will be clustered into functional areas
- rock outcrops will be maintained and incorporated into the design
- native species will be incorporated into the landscaping plan and where possible existing trees will be protected
- the building mass and coverage will be similar to the development that has been historically located on the property
- lot lines are existing and no new lot lines will be created
- Setbacks from the water will be maintained and setbacks of existing structures will be maintained and conform with provincial and municipal policies
- Buffers between adjacent properties will be provided.

d) Council shall encourage conservation, retention and enhancement of significant heritage buildings, ruins, districts, landscapes, and archaeological features through effective community design.

e) Council shall encourage the protection of public views and sightlines to significant cultural heritage resources.

Comments

There are no significant heritage buildings or ruins on the property. Natural heritage features will be protected and incorporated into the design of the property.

Access

f) Primary access for new residential and commercial development in the Shore Lands designation shall only be from a public road.

g) Limited development on existing lots of record and infilling lots may be permitted on an existing private road provided that no further extension of the private road is required, and that the existing private road has the capacity for additional traffic.

h) The use of shared driveways is encouraged in the Shore Lands designation in order to reduce the number of private, individual entrance requirements.

Comments

The property does not have access from a public road and an amendment to the zoning bylaw will be required. Willow Lane is a public road and access to Allswell Resort is provided by an easement over a property owned by a neighbour. Guidelines g) and h) do not apply.

C.4 Design Policies for Tourism Corridors

a) The visual impact of development is an important consideration in maintaining the character of Tourism Corridors. Disturbance on lots will be limited and minimized and the maximum

amount of vegetation is to be retained on a lot. Vegetation will be maintained within a viewscape and along ridgelines. Additional natural buffering or screening may be, as required, provided to supplement existing vegetation along the corridor.

Comments

The Site Plan Control included preparation of a landscaping plan that will include existing and proposed vegetation, protection of viewscales, natural features buffering, screening and enhancement of vegetation along the shoreline.

Design for new development in Tourism Corridors shall have regard for the following objectives:

- i) The built form is blended into the natural landscape, with buildings and structures that maintain a low profile;*
- ii) Prominent buildings may be considered for resort commercial development if they are designed as landmarks and are in keeping with the building style and environment of the surrounding area;*
- iii) In a new development that would require the creation of lots, such as a cluster development, lot sizes respond to the natural landscape, and topographic features;*
- iv) Rock faces, steep slopes and vistas are preserved and vegetation is maintained within viewscales and along ridge lines;*
- v) Native species are used for planted buffers and where vegetation is being restored;*
- vi) Building mass and coverage are limited in relation to the size and frontage of the property and are in keeping with the character of the surrounding area;*
- vii) Lot lines follow existing features and terrain, and are configured so as to minimize conflicts between abutting properties; and,*
- viii) Setbacks from roads are sufficient to provide and maintain a natural buffer between the development and the road, in order to maintain a vegetative character along the roads; however, the appropriate waterfront setback takes precedence when a lot has insufficient depth to provide a buffer at both the shoreline and the road.*

Comments

It should be noted that the property is not visible from County Road 18 which is the designated Corridor. The design theme will include the following elements along the Tourist Corridor.

- Plan naturalized vegetation
- one and two story low profile buildings consistent with the provisions of the TC zone and buildings in the surrounding area.

- no significant changes are proposed to the existing shoreline
- no new lots will be created and structures will be clustered into functional areas
- rock outcrops will be maintained and incorporated into the design
- native species will be incorporated into the landscaping plan and where possible existing trees will be protected
- the building mass and coverage will be similar to the development that has been historically located on the property
- lot lines are existing and no new lot lines will be created
- Setbacks from the water will be maintained and setbacks of existing structures will be maintained and conform with provincial and municipal policies
- Buffers between adjacent properties will be provided.

Access

c) Primary access for new residential and commercial development in the Tourism Corridors designation shall only be from a public road.

d) Limited development on existing lots of record and infilling lots may be permitted on an existing private road provided that no further extension of the private road is required, and that the existing private road has the capacity for additional traffic.

e) The use of paired driveways is encouraged in the Tourism Corridors designation in order to reduce the number of private, individual entrance requirements.

Comments

The property does not have access from a public road and an amendment to the zoning bylaw will be required. Willow Lane is a public road and access to Allswell Resort is provided by an easement over a property owned by a neighbour. Guidelines g) and h) do not apply.

Summary of Design Guidelines

New structures will be a one and two story low profile structure that will complement the design theme of Allswell and will be similar in height to structures on adjacent properties.

The design theme for Allswell is consistent with the Design Guidelines for properties within the *Shore Land* and *Tourism Corridors* designations of the *Official Plan*.

A Site Plan Control Agreement is required for uses in the TC zone as stated in the Prince Edward County By-law 1816-2006. There will be a site specific zoning by-law produced for the change in uses.

9. Zoning

The Site is zoned TC-19 in the County of Prince Edward Comprehensive Zoning By-law No. 1816-2006. The results of an analysis of zoning compliance are shown on Table 1. This section is an explanation of the existing permitted uses and zone amendments required to permit additional uses and amend zone provisions.

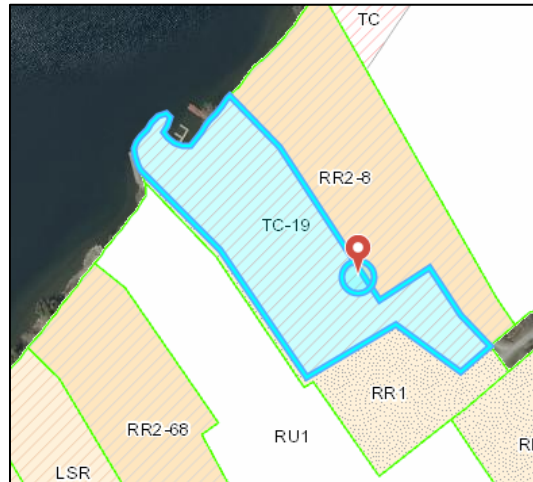
9.1 Existing Zoning TC-19

Permitted Uses in the Existing TC-19 Zone

22.5.19 TC-19 Zone (Pt. Lots 11 & 12, Concession 1 South Side East Lake, Ward of Athol)

Notwithstanding any provisions of this By-law to the contrary, within the TC-19 Zone, the following provisions shall apply:

- i. Permitted non-residential uses:
 1. Tourist Establishment
 2. Marine Sales and Service Establishment
 3. Small Engine Repair Shop



9.2 Proposed Permitted Uses

1. A tourist establishment consisting of a maximum of 12 tourist cabins and/or tourist cottages
2. A Tourist Inn with a maximum of 10 rooms
3. A resort establishment with a maximum of 100 additional guests
4. A boat launch, boat dock, and un-motorized water craft rentals
5. A mobile restaurant with seating for a maximum of 30 people
6. A gift shop
7. Dry storage
8. Accessory uses including a pool, bar, and washrooms

9.3 Proposed Amendment to Zone Provisions

- ii. Minimum lot frontage 28 m on a private right-of-way
- iii. Minimum front yard of the storage barn existing at the date of passing of this by-law shall be 10.9 metres
- iv. Minimum easterly interior side yard of the storage barn existing at the date of passing of this by-law shall be 3.0 metres.
- v. Minimum easterly interior side yard of the building to be used for an office and washroom, existing at the date of passing of this by-law shall be 4.0 metres.
- vi. Setback of an existing cabin at the waterfront to the high water mark shall be 9.9 metres.
- vii. Minimum easterly interior side yard setback for the cabin at the waterfront shall be 2 metres.

- viii. A By-law shall not be enacted to remove the "Holding" (-H) symbol until such time as:
1. The on-site sewage system has been approved through the issuance of an Environmental Compliance Approval (ECA) by the Ministry of Environment, Conservation and Parks (MECP).
- ix. Upon removal of the "Holding" (-H) symbol by Council, the uses and zone provisions of the TC-19 Zone shall apply."

A draft Zoning By-law and Schedule are contained in Appendix 6. A plan showing the setbacks is contained in Appendix 7.

9.4 Zone Compliance

Table 1 Zone Compliance

Tourist Commercial (TC) Zone (Section 22 in ZBL 1816-2006)			
Permitted Non-Residential			
Provisions		Proposed	Amendment Required
	tourist establishment	yes	
	motel	no	
	hotel	no	
	tourist inn	yes	yes
	resort establishment	yes	yes
	golf course	no	
	miniature golf course	no	
	golf driving range	no	
	mobile restaurant	yes	yes
	marina and accessory uses including storage, fueling facilities and marine sales and service	no	
	summer camp	no	
	any use, building or structure accessory to a permitted use including recreational facilities, convenience store and restaurant	no	
	public uses or utilities in accordance with the provisions of Section 4.23 of this By-law	no	
	uses, buildings and structures accessory to the foregoing permitted nonresidential uses, including the sale of pre-filled propane tanks	yes	
Permitted Residential Uses			

	- One single detached dwelling or one dwelling unit as an accessory use to any of the foregoing permitted non-residential uses; home business; -uses, buildings and structures accessory to the foregoing permitted residential uses; one second unit or one garden suite.	No residential uses proposed	
REGULATIONS FOR PERMITTED USES			
Min. Lot Area	Private water supply and sewage service 0.8 ha	1.5 ha	
Min. Lot Frontage	Private water supply and sewage service 60 m	28	yes
Min Front Yard	15 m	10.9 m	yes
Min Exterior Side Yard	15 m	3.0 m	yes
Min Interior Side Yard	6 m	6 m	
Min Rear Yard	7.5 m	30 m	
Max Lot Coverage	30%	less than 30%	
Min Landscaped Open Space	30%	greater than 30%	
Max Height of Buildings	10.5 m	10.5 m	
Min Distance Between Buildings	3 m	greater than 3 m	

General Provisions (Section 4 in ZBL 1816-2006)			
Section 4.1.6 BOAT HOUSE, PUMP HOUSE AND DOCKING FACILITIES	a dock, detached private boat house or pump house may be erected and used in a required yard of a lot abutting a water body, provided i. it is accessory to the principle use; ii. is not located closer than 2 m to a side lot line ; and iii. complies with Section 4.25, SPECIAL SETBACK PROVISIONS,	The existing pump house, boat ramp, 2 boat docks will remain and they will not be closer than 2 m to the lot line.	no
Landscape Planting / Buffer Strip 4.14	4.14.1 Where the interior side or rear lot line of an Institutional, Commercial or Industrial Zone abuts a Residential Zone, a planting strip with a minimum width of 1.5 m (5 ft.) adjoining such abutting lot line shall be provided	Buffer will be provided	no

Special Setback Provisions 4.25.1	i. Notwithstanding the yard and setback provisions of this By-law to the contrary, no buildings or structures shall be permitted within a regulatory flood plain. ii. Notwithstanding the provisions of Section i. above a dock, shore well, or other marine facility may be permitted within a flood plain, but only with the written approval of Quinte Conservation.	Existing structures including a dock, boat launch, are located within the regulatory flood plain and approvals will be obtained as required.	no
4.25.2 Bay of Quinte, Lake Ontario and Inland Lakes	i. No buildings or structures shall be permitted within a horizontal distance of 15 m of the regulatory flood plain,	Currently, one of the cottages is located within the 15 m setback from the 1:100 year flood plain elevation. The cabin will be rebuilt on the foundation, this will not require any change in the existing use or significant alteration of the area.	yes

10.0 Conclusions

Allswell is an existing established resort consisting of accommodation units and accessory uses that has served county residents and visitors to the County. The existing uses are consistent with PPS, conform to the County’s Official policies. All of the uses on the property area permitted by the site specific by-law. The setbacks of several existing structures are less than is required by the zoning by-law. These are minor, they do not negatively impact the surrounding properties and can be corrected through the rezoning process.

The addition of a mobile restaurant and day guests to the list of permitted uses conform to the intent of the PPS, the County Official Plan and Zoning By-law. The additional uses will support tourism accommodation uses at Allswell and draw more tourists to the Site and the County. The proposed uses will not negatively impact the natural environment nor the transportation system. When the ECA is approved, the servicing infrastructure will have sufficient capacity to support the additional permitted and accessory uses.

The addition of the proposed uses is good land use planning.

Prepared by

Ray Essiambre, Principal Planner

Appendix 1 – Application Requirements

First Consultation

February 1, 2022

Hi Ray,

I thought that I would take this opportunity to summarize what was discussed during on pre-consultation meeting regarding 41 Willow Lane.

Description of Proposed Development

Based on the presentation that was given, I understand that you and the team from Solid Design are seeking to develop a **Resort Establishment** on the subject property comprising:

- 10 cabins,
- a clubhouse,
- an event space,
- a boat launch,
- a small engine repair shop,
- a gift shop and
- numerous fixed tents.
- a restaurant and/or food truck(s) on the subject property.
- Marine building with bait shop and boat rental.

Applications

- **Zoning By-Law Amendment** In addition, an application for which may be required depending on the final uses that are chosen for the property.
- **Conceptual Site Plan** in support of the rezoning application. Please note that following the completion of a more formal site plan, we would request that an additional Pre-Consultation Meeting occur which would be more in-depth than the last.
- **Site Plan Control** As discussed, an application would be required to proceed.

Technical Matters

In regard to the proposal, the following matters should be addressed:

- **Access:**
 - **Confirm ownership** - The property is accessed by a private road, a portion of which is located on the neighboring property at 19 Willow Lane.
 - Need title search to confirm location of the laneway and adjacent properties.
 - In response, the property owners indicated that they may be willing to maintain the entirety of the laneway per the County's standards. I recommend that you review any legal documents relating to the laneway's tenure to determine whether there is an existing easement agreement that would permit the owners to enter into a maintenance agreement.

- Additionally, these documents should be reviewed to determine whether there are any limitations on the use of the property that may be imposed by the existing right-of-way agreement. Should a new easement agreement need to be established for the property, it may be good to include a provision within establishing the owners' right to improve the laneway. As the development could result in a moderate amount of traffic, it would be best if the laneway could be widened to 6 metres in accordance with the driveway requirements outlined in Section 5 of the County's Zoning By-Law.
- **Traffic Impact: Confirm Capacity of Laneway.**
 - During the meeting, concerns were raised regarding the capacity of the laneway as well as the impact of traffic generated by the redevelopment on neighboring properties.
- **Environmental Impact Statement (EIS)**
 - During our meeting, I failed to mention that an EIS would be required to proceed with the redevelopment. This requirement is outlined in Section 3.1.5.4 of the County's Official Plan which states that an EIS will be required for development along Shoreline Buffers. Further, as discussed during the meeting, the property contains several steep slopes along its frontage with East Lake. Section 3.1.6.3 of the County's Official Plan requires an analysis of a proposal's impact on Steep Slopes where a development is classified as *major*, requiring a planning application such as a ZBA and having an impervious area of 500 m² or greater. As an EIS would otherwise be required, it may be best to include the analysis of the Steep Slopes within.
- **Land Use Compatibility:**
 - The property abuts two residential properties to the east and west which are zoned for such use. To reiterate, it is advised that you contact the neighboring property owners to request their feedback regarding the development. It is also recommended that the redevelopment include planting strips along the property's east and west lot lines per Section 4.14.1 of the Zoning By-Law. It should also be noted that during the Meeting, the proponents were made aware of their obligation to comply with relevant By-Laws including the Noise Nuisance By-Law, Property Standards By-Law and Open Air Burning By-Law.
- **Hydrogeological Study:**
 - Hydrogeological Study should be completed to confirm availability of groundwater for the subject site and analyze the impacts of development on water availability for neighboring properties. I understand that this study is currently underway. It is advised that you reach out to Quinte Conservation to ensure that the Study is completed per their standards.

- **Archaeological Assessment:**
 - An Archaeological Assessment may be required for the redevelopment at the discretion of the County's First Nations groups. It is recommended that you consult with the Alderville First Nation, Hiawatha First Nation & the Mohawks of the Bay of Quinte to determine whether an Archaeological Assessment would be required.

- **Pool Safety:**
 - Please note that Section 4.1.11 of the County's Zoning By-Law requires pools to be enclosed by a safety fence. A similar requirement is outlined within the County's Property Standards By-Law.

- **A Drainage Plan**
 - Indeed we should have mentioned a drainage plan, but given that most things are existing we weren't sure how you were going to put everything together.

Please let me know if you have any concerns or questions. Also, I am wondering if you would mind asking Ian whether he could forward a copy of the PPT presentation as discussed?

Thanks,

Emily Overholt

Planner I

Department of Development Services

The Corporation of the County of Prince Edward

eoverholt@pecounty.on.ca

Second Consultation

Hi Ray.

If you are looking to submit the rezoning now, then you need to take traffic counts now. Submitting a traffic brief based on volumes in November will not represent a realistic traffic volume. Depending on what your site plan looks like we may request a full blown traffic study or some updating to the brief, but that will be dependent on your site plan aspirations.

Mike

Appendix 2 - Summary of Developer Initiated Consultation

A combination of on-site meetings and on-line meetings were held between January 30 and February 7, 2023.

Attendees:

Mayor, Steve Ferguson
Councillor, Sam Branderhorst
18 and 19 Willow Lane
76 Gray's Lane
Amin Todai - Allswell
Connor Paddon - Allswell
Ray Essiambre - REAL

Comments

Overall the proposed redevelopment was seen as an improvement and welcome.

- Septic system location and possible impact to Ian's well and possible further lower water levels in summer months.
- How will the septic system be designed to prevent impacts on neighbours.
- Parking lot location and possible impact to water flow and drainage as there is a small wetland between our property and the resort.
- Day use permits concerns
 - # of allowed per day. Car or person
 - What will permit users be permitted to do: boats, sea-do or, jet skis?
 - Sea-do rentals will be a problem for neighbours.
 - Day use hours of operation?
- Type of winter day use- snowmobiling? There is a problem with snowmobilers crossing private properties.
- Concern over increase in traffic using lane way shared with Ian (easement access?) and waterfront traffic at our shoreline.
- Who will maintain the access road with more traffic
- Privacy fencing or buffer vegetation to prevent trespassing concerns, minimize possible noise.
- What is the impact on the low wet areas on the east and west side of the property?
- Will there be a full-time staff person on-site 24/7?
- Better signage is needed to prevent guests disturbing neighbours
- Improve landscape treatment at entrance to direct traffic into the Resort.
- Neighbours are interested I accessing activities on the site such as; the pool, bar, mobile restaurants.
- A rezoning and site plan approval are required before any development can proceed. No development activity is expected in 2023.



PARCEL REGISTER (ABBREVIATED) FOR PROPERTY IDENTIFIER

LAND
REGISTRY
OFFICE #47

PAGE 2 OF 2
PREPARED FOR Bbrock01
ON 2021/10/29 AT 10:12:19

55076-0259 (LIT)

* CERTIFIED IN ACCORDANCE WITH THE LAND TITLES ACT * SUBJECT TO RESERVATIONS IN CROWN GRANT *

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CRRY/ CHRD
EC28538	2013/10/09	APL (GENERAL) REMARKS: DELETE S/T DEBTS IN PE149278		MUNRO, FAYE *** COMPLETELY DELETED *** MUNRO, BRIAN		
EC39683	2016/07/08	TRANSFER REMARKS: PLANNING ACT STATEMENTS.		*** COMPLETELY DELETED *** MUNRO, BRIAN MUNRO, FAYE	PATTERSON, BRIAN DOUGLAS PATTERSON, DIANE JUDITH	
EC39684	2016/07/08	CHARGE		*** COMPLETELY DELETED *** PATTERSON, BRIAN DOUGLAS PATTERSON, DIANE JUDITH	BANK OF MONTREAL	
EC40069	2016/08/05	DISCH OF CHARGE REMARKS: EC22164.		*** COMPLETELY DELETED *** CIBC MORTGAGES INC.		
EC53401	2019/06/04	TRANSFER	\$1,125,000	PATTERSON, BRIAN DOUGLAS PATTERSON, DIANE JUDITH	1924485 ONTARIO INC.	C
EC53611	2019/06/21	DISCH OF CHARGE REMARKS: EC39664.		*** COMPLETELY DELETED *** BANK OF MONTREAL		
EC54272	2019/08/01	CHARGE	\$643,750	1924485 ONTARIO INC.	BANK OF MONTREAL	C
EC54273	2019/08/01	NO ASSGN RENT GEN REMARKS: EC54272.		1924485 ONTARIO INC.	BANK OF MONTREAL	C
EC54586	2019/08/28	APL (GENERAL) REMARKS: DELETE PE98866		*** COMPLETELY DELETED *** THE CORPORATION OF THE COUNTY OF PRINCE EDWARD		



Appendix 4 – Design Principals

C.3 Design Policies for Shore Lands

a) In accordance with the land use policies for Shore Lands, these areas are intended to accommodate a mix of residential, commercial, and recreational uses, including second homes, cottages, and resorts, while protecting water resources and maintaining or creating public access to the shoreline.

b) The visual impact of development is an important consideration in maintaining the character of Shore Lands. Disturbance on lots will be limited and minimized and the maximum amount of vegetation is to be retained on a lot. Vegetation will be maintained within a viewscape and along ridgelines. Additional natural buffering or screening may be provided as required to supplement existing vegetation along the shoreline. Design for new development in Shore Lands shall have regard for the following objectives:

- i) The built form is blended into the natural landscape, with buildings and structures that maintain a low profile;
- ii) Prominent buildings may be considered for resort commercial development if they are designed as landmarks and are in keeping with the building style and environment of the surrounding area;
- iii) Natural shorelines are retained or restored;
- iv) In a new development that would require the creation of lots, such as a cluster development, lot sizes respond to the natural landscape, topographic features and the character of the adjacent water body;
- v) Rock faces, steep slopes and vistas are preserved and vegetation is maintained within viewscales and along ridge lines;
- vi) Native species are used for planted buffers and where vegetation is being restored;
- vii) Building mass and coverage are limited in relation to the size and frontage of the property and are in keeping with the character of the surrounding area;
- viii) Lot lines follow existing features and terrain, and are configured so as to minimize conflicts between abutting properties, particularly at the shoreline; and
- ix) Setbacks from roads are sufficient to provide and maintain a natural buffer between the development and the road, in order to maintain a vegetative character along the roads; however, the appropriate waterfront setback takes precedence when a lot has insufficient depth to provide a buffer at both the shoreline and the road.

c) Where development is of a scale that requires Draft Plan Approval, either for a subdivision or a condominium, the property shall be comprehensively planned in accordance with the policies of this Plan, and shall be required to incorporate public access to the water's edge and to include trails in suitable locations internally or at the periphery of the site. Further, these larger scale developments shall be designed to avoid the complete development and privatization of the shoreline with a single

or multiple row of buildings or lots. Gaps for visual access to the water from land or to the countryside from the water shall be provided. a buffer at both the shoreline and the road.

d) Council shall encourage conservation, retention and enhancement of significant heritage buildings, ruins, districts, landscapes, and archaeological features through effective community design.

e) Council shall encourage the protection of public views and sightlines to significant cultural heritage resources.

Access

f) Primary access for new residential and commercial development in the Shore Lands designation shall only be from a public road.

g) Limited development on existing lots of record and infilling lots may be permitted on an existing private road provided that no further extension of the private road is required, and that the existing private road has the capacity for additional traffic.

h) The use of shared driveways is encouraged in the Shore Lands designation in order to reduce the number of private, individual entrance requirements.

C.4 Design Policies for Tourism Corridors

a) The visual impact of development is an important consideration in maintaining the character of Tourism Corridors. Disturbance on lots will be limited and minimized and the maximum amount of vegetation is to be retained on a lot. Vegetation will be maintained within a viewscape and along ridgelines. Additional natural buffering or screening may be, as required, provided to supplement existing vegetation along the corridor. Design for new development in Tourism Corridors shall have regard for the following objectives:

i) The built form is blended into the natural landscape, with buildings and structures that maintain a low profile;

ii) Prominent buildings may be considered for resort commercial development if they are designed as landmarks and are in keeping with the building style and environment of the surrounding area;

iii) In a new development that would require the creation of lots, such as a cluster development, lot sizes respond to the natural landscape, and topographic features;

iv) Rock faces, steep slopes and vistas are preserved and vegetation is maintained within viewscales and along ridge lines; 9 v) Native species are used for planted buffers and where vegetation is being restored;

vi) Building mass and coverage are limited in relation to the size and frontage of the property and are in keeping with the character of the surrounding area; vii) Lot lines follow existing

features and terrain, and are configured so as to minimize conflicts between abutting properties; and,

viii) Setbacks from roads are sufficient to provide and maintain a natural buffer between the development and the road, in order to maintain a vegetative character along the roads; however, the appropriate waterfront setback takes precedence when a lot has insufficient depth to provide a buffer at both the shoreline and the road.

b) Where development is of a scale that requires Draft Plan Approval, either for a subdivision or a condominium, the property shall be comprehensively planned in accordance with the policies of this Plan, and shall be required to incorporate public access to the water's edge and to include trails in suitable locations internally or at the periphery of the site. Further, these larger scale developments shall be designed to avoid the complete development and privatization of the corridor and shoreline with a single or multiple row of buildings or lots. Gaps for visual access to the water from land or to the countryside from the water shall be provided.

Access

c) Primary access for new residential and commercial development in the Tourism Corridors designation shall only be from a public road.

d) Limited development on existing lots of record and infilling lots may be permitted on an existing private road provided that no further extension of the private road is required, and that the existing private road has the capacity for additional traffic.

e) The use of paired driveways is encouraged in the Tourism Corridors designation in order to reduce the number of private, individual entrance requirements.

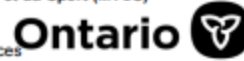
Appendix 5 – Ministry of Tourism, Cultural and Sports

Ministry of Tourism, Culture and Sport (MTCS)

Archaeology Program Unit
Programs and Services Branch
Heritage, Tourism and Culture Division
5th Floor, 400 University Ave.
Toronto ON M7A 2R9
Tel.: (416) 414-7787
Email: Jessica.Marr@ontario.ca

Ministère du Tourisme, de la Culture et du Sport (MTCS)

Unité des programmes d'archéologie
Direction des programmes et des services
Division du patrimoine, du tourisme et de la culture
5e étage, 400 ave. University
Toronto ON M7A 2R9
Tél. : (416) 414-7787
Email: Jessica.Marr@ontario.ca



Aug 15, 2022

Helen Haines (P124)
AS&G Archaeological Consulting
16 Clanwilliam Scarborough ON M1R 4R2

RE: Entry into the Ontario Public Register of Archaeological Reports: Archaeological Assessment Report Entitled, "Stage 1 and 2 Archaeological Assessment of Cribs Resort 41 Willow Lane (Formerly Part of Lots 11 and 12, Concession 1 South Side of East Lake, Geographic Township of Athol, Prince Edward County), Now in the Municipality of Prince Edward County", Dated Aug 12, 2022, Filed with MHSTCI Toronto Office on N/A, MHSTCI Project Information Form Number P124-0143-2022, MHSTCI File Number 0017006

Dear Dr. Haines:

The above-mentioned report, which has been submitted to this ministry as a condition of licensing in accordance with Part VI of the *Ontario Heritage Act*, R.S.O. 1990, c 0.18, has been entered into the Ontario Public Register of Archaeological Reports without technical review.¹

Please note that the ministry makes no representation or warranty as to the completeness, accuracy or quality of reports in the register.

Should you require further information, please do not hesitate to send your inquiry to Archaeology@Ontario.ca

cc. Archaeology Licensing Officer
Connor Paddon, 2855460 Ontario Ltd
Dale Egan, County of Prince Edward

Appendix 6 – Proposed Zoning Amendment

A BY-LAW TO AMEND COMPREHENSIVE ZONING BY-LAW NO. 1816-2006, AS AMENDED (41 WILLOW LANE, PART OF LOTS 11 AND 12, CONCESSION 1 SOUTH SIDE OF EAST LAKE, WARD OF ATHOL

WHEREAS By-law No. 1816-2006, as amended, is the Comprehensive Zoning By-law governing the lands located within the County of Prince Edward in the Ward of Athol.

AND WHEREAS the Council of the Corporation of the County of Prince Edward, having received and reviewed an application to amend By-law No. 1816-2006 for the lands described as Part of Lots 11 and 12, Concession 1 South Side of East Lake, former Township of Athol, in the County of Prince Edward, is in agreement with the proposed changes;

AND WHEREAS authority is granted under Section 34 of the Planning Act, R.S.O. 1990, c.P.13, as amended; NOW THEREFORE the Council of The Corporation of the County of Prince Edward enacts as follows:

DEFINITIONS AND INTERPRETATION

1. THAT Schedule "A" to By-law No. 1816-2006, as amended, is hereby amended by changing the zone category thereon from the Special Tourist Commercial (TC-19) Zone to the Special Tourist Commercial (TC-19-H) Holding Zone in accordance with the Schedule "1" attached hereto.
2. THAT Schedule "1" attached hereto forms part of this by-law.
3. THAT By-law 1816-2006, as amended, is hereby amended by deleting Section 22.5.19 and replacing it with the following:
"22.5.19 TC-19-H Zone (Part Lots 11 and 12, Concession 1 South Side of East Lake, Ward of Athol - 41 Willow Lane)

Notwithstanding any provisions of this By-law to the contrary, within the TC-19-H Zone, the following provisions shall apply:

i. Permitted Non-Residential Uses

1. A tourist establishment consisting of a maximum of 12 tourist cabins
2. A Tourist Inn with a maximum of 10 rooms
3. A resort establishment with a maximum of 100 addition guests
4. A boat launch, boat dock, and un-motorized water craft rentals
5. A mobile restaurant
6. A gift shop
7. A barn for dry storage
8. Accessory uses including a pool, bar, and washrooms

- ii. Minimum lot frontage 28 m on a private right-of-way
- iii. Minimum front yard of the storage barn existing at the date of passing of this by-law shall be 10.9 metres
- iv. Minimum easterly interior side yard of the storage barn existing at the date of passing of this by-law shall be 3.0 metres.
- v. Minimum easterly interior side yard of the building to be used for an office and washroom, existing at the date of passing of this by-law shall be 4.0 metres.
- vi. Setback of an existing cabin at the waterfront to the high water mark shall be 9.9 metres.
- vii. Minimum easterly interior side yard setback for the cabin at the waterfront shall be 2 metres.
- viii. A By-law shall not be enacted to remove the "Holding" (-H) symbol until such time as:
 - 1. The on-site sewage system has been approved through the issuance of an Environmental Compliance Approval (ECA) by the Ministry of Environment, Conservation and Parks (MECP).
- ix. Upon removal of the "Holding" (-H) symbol by Council, the uses and zone provisions of the TC-19 Zone shall apply."

4. THAT this by-law shall come into force and take effect immediately upon the final passing thereof by Council in accordance with the provisions and regulations made under the Planning Act, R.S.O., 1990, c.P.13, as amended.

Read a first, second and third time and finally passed this ___th day of, ____2023.

Catalina Blumenberg,

Clerk Steve Ferguson, Mayor

Schedule A

