

Planning Justification Report Update

Fifth Revision October 18, 2024

Loyalist Heights,
13437 Loyalist Parkway, Picton Ontario



Prepared by:

Ray Essiambre and Associates Ltd



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1.0 INTRODUCTION

This report contains information regarding the proposed development of Loyalist Heights located in Picton a Settlement area in Prince Edward County.

The report is has into two parts. The first part contains information arising from the Planning Committee Meeting of July 17, 2024. The second part contains additional information that supports the development.

1.1 Background

Ray Essiambre and Associates Ltd. was retained in March 2020 to provide Land Use Planning Service to 1983358 Ontario Inc., owned by Mr. Narisu Huhe, for a property located at 13437 Loyalist Parkway. The process requires submission of applications for Draft Plan of Subdivision, an amendment to the Zoning By-law and an amendment to the Official Plan.

The County confirmed the application requirements on September 9, 2020. Development Applications and supporting information were filed with the County on March 12, 2021. The applications were deemed complete on April 19, 2021.

Between 2021 and 2024 several submissions were made. Planning Committee heard the development proposal at a meeting on July 17th 2024. The matter was referred back to the Administration and the Applicant for more discussion.

Public Consultation that has occurred since the applications were filed include the following.

- Two developer sponsored information public meetings.
- A public meeting at Planning Committee on July 17, 2024.
- One meeting with the Warings Creek representatives. A second meeting is being scheduled and has not occurred at the time this was report was prepared.



2 PART 1

Part 1 of this fifth submission provides information arising from discussions with the County Planning Department after the Planning Committee meeting of July 17, 2024.

2.1 Revised Development Proposal

Information arising from discussions with the Planning Department after the Planning Committee meeting of July 17, 2024 is listed below.

- Revisions to the Draft Plan of Subdivision,
- Revised Demonstration Plan,
- Revised Planning Justification Report,
- SWM report,
- Revised Servicing Report,
- Revised Transportation study,
- Revised rezoning by-law and a draft Official Plan Amendment,

2.1.1 Draft Plan of Subdivision

The draft plan of subdivision is shown in Figure 1 on the next page. The blocks that will be subdivided by Part Lot Control allowing flexibility to respond to market demands.

2.1.1.1 Density Unit Allocation, and Land Use Summary

The unit allocation resulting from the revised draft plan will increase from 396 units to a new total of 495 units. Average Gross Density (495 units / 25.9 ha) is 19 units/ha. Average Net Density (495 /14 ha) is 36 units/ha. The Loyalist development will contain a range of housing types that include: single family, semi-detached, townhomes, apartments, senior bungalows. The ownership will vary from freehold, rental and condominium. Seventy five (75) affordable housing units are proposed. Table 1 shows the allocation units by housing types.

Table 1 – Housing Types

Blocks and Type	Number of Units
North of Trail - Singles	23
Block 1 - Seniors Bungalow	45
Block 2 Apartments and Towns	350
Block 3 - Singles	10
Block 4 - Singles	10
Block 5 - semi	8
Block 6 - semi	8
Block 7 - Singles	7
Block 8 - Singles	7
Block 9 - Singles	16
Block 10 - East - semi	6
Block 10 West - semi	5
Totals	495



Table 2 show the percentage allocation by land use type and the net developable land for residential uses is 54%.

Table 2 - Percent Allocation

Summary of Land Uses	Ha	
Residential Development	13.95	54%
Rights of Way	3.3	13%
Stormwater Pond, EP and dedicated Open Space	8.61	33%
Total Area of Property	25.86	100%

Table 3 contains a breakdown of land uses by area.

Table 3 – Land Use Schedule

Land Use Schedule		
Land Use Allocation	Part on Plan	Area - ha
Residential Singles, Semi,	Blocks 3-10 & Lots 1-23	6.41
Senior Bungalows	Block 1	2.23
Apartments and Townhomes	Block 2	5.31
Open Space Dedication	Block 12	1.7
Wood Lot - EP	Block 13	4.88
Storm Pond	Block 14	1.92
Pump Station	Block 15	0.08
Streets	A, B, C, D, E	3.3
Transfer to Municipality	Block 11 - walkway	0.03
Total Area of Property		25.86

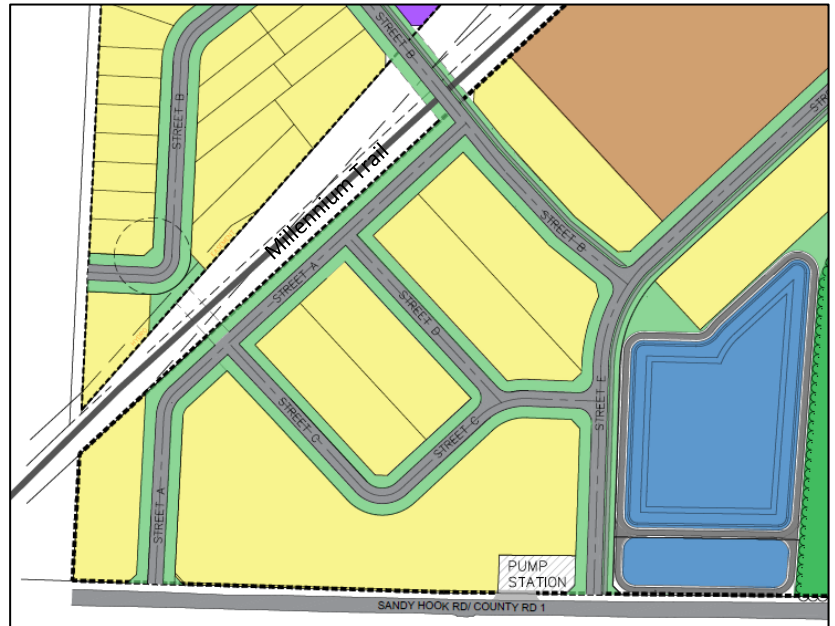
2.1.1.2 Open Space and Location of Park

The amount of parkland dedication as 1.7 ha which greater than the 1.3 ha previously provided. The new allocation of 1.7 ha is 6.5% and it exceeds the minimum 5% requirement. The location of the park has not changed. The park is in the best location to provide protection for Waring’s Creek. The location is tangent to the park in the Cold Creek development that will provide the County with a larger and functional park. The park is situated next to Block 2 that will be have greatest concentration of people in Loyalist Heights.



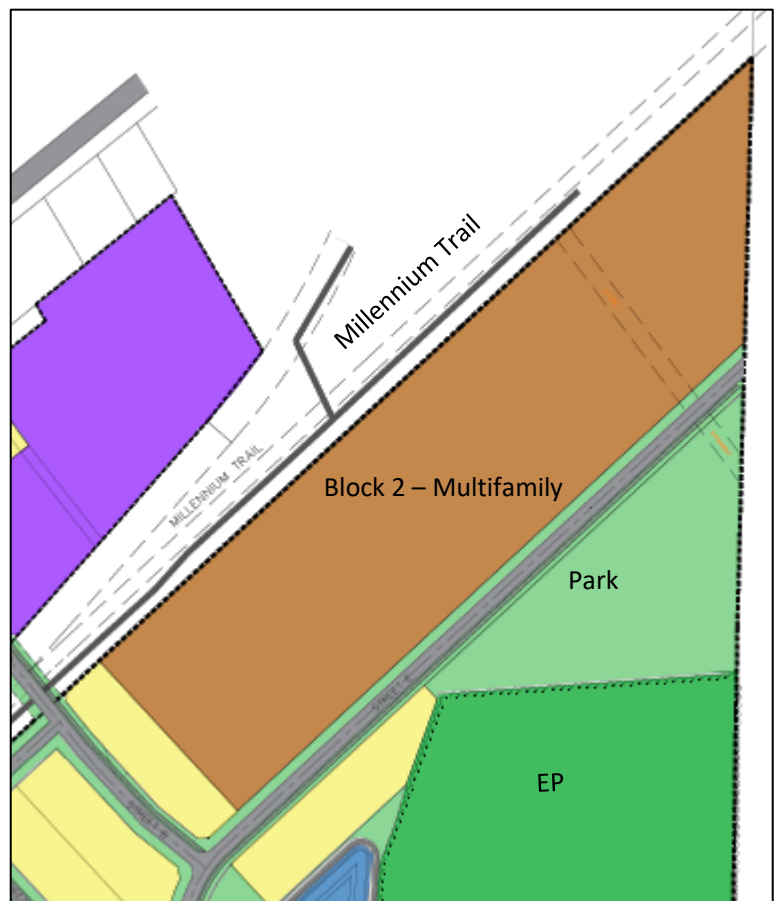
2.1.1.3 Area South of the Millennium Trail

The area south and west of the Millennium Trail has been redesigned resulting in the re-orientation of streets in a north to south grid including Street A that will parallel the Trail. This design feature will integrate the Active Transportation system consisting of the Millennium trail with the adjacent local streets.



The area southeast of the trail has also been redesigned by expanding and enlarging the multifamily block that will include 4 story apartments and townhomes. Development within the block will be subject to site plan control. There will be an opportunity through that process to the orientation of buildings and integrate the pedestrian circulation with the Active Transportation system that is the Millennium Trail.

The Multifamily Block 2 will contain approximately 350 residential units yielding the greatest concentration of people in Loyalist Heights. The proximity of the Park to Block 2 will provide open space for the majority of future residents.

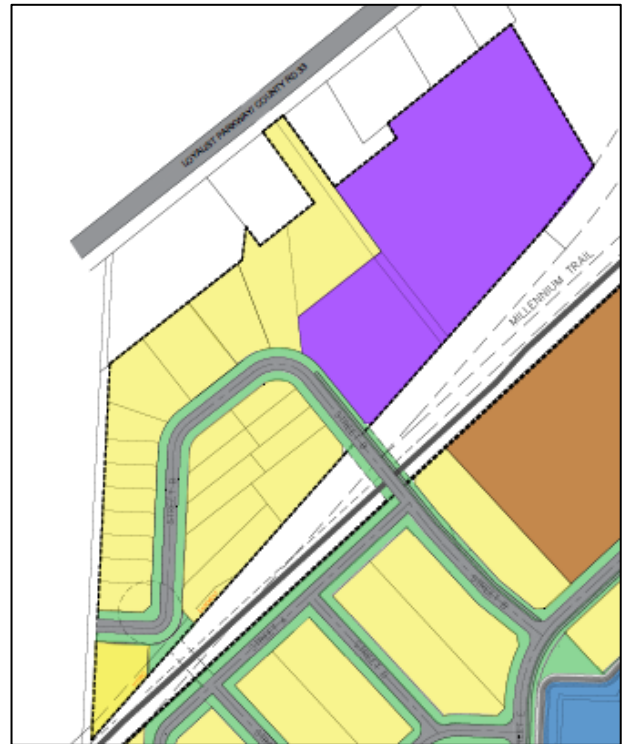


2.1.1.4 Large Lots and Area North of the Trail

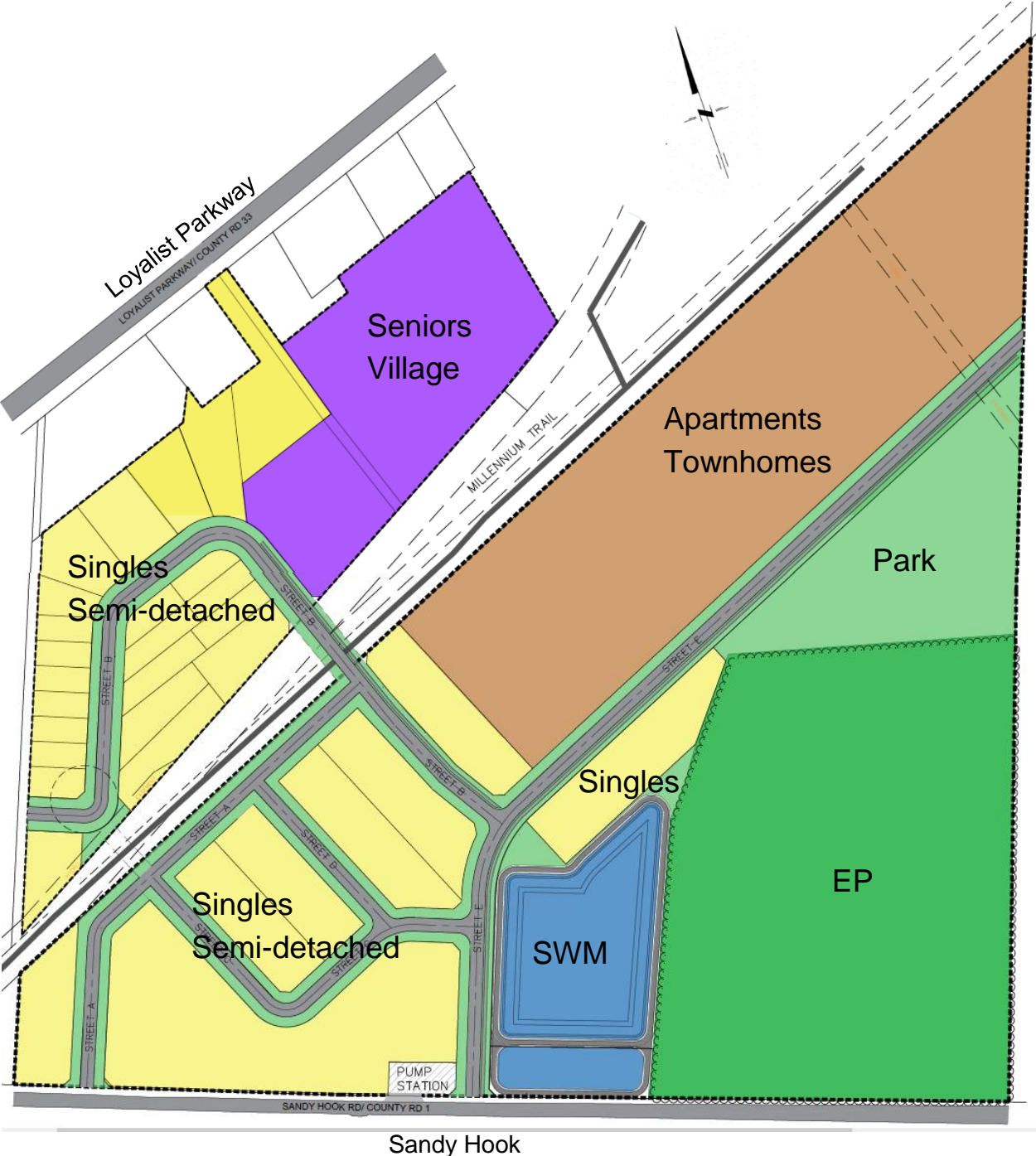
The area north of the Millennium Trail has been redesigned to include smaller lots that will increase the yield from 5 lots to 9 lots.

The area of the Senior's Village has been increased. This will result 10 additional units. The total increase in units north of the Trail will be 14.

Five larger lots remain as a means to encourage incorporation of the existing trees on the lots. The lots have been made deeper to add protection for the trees.

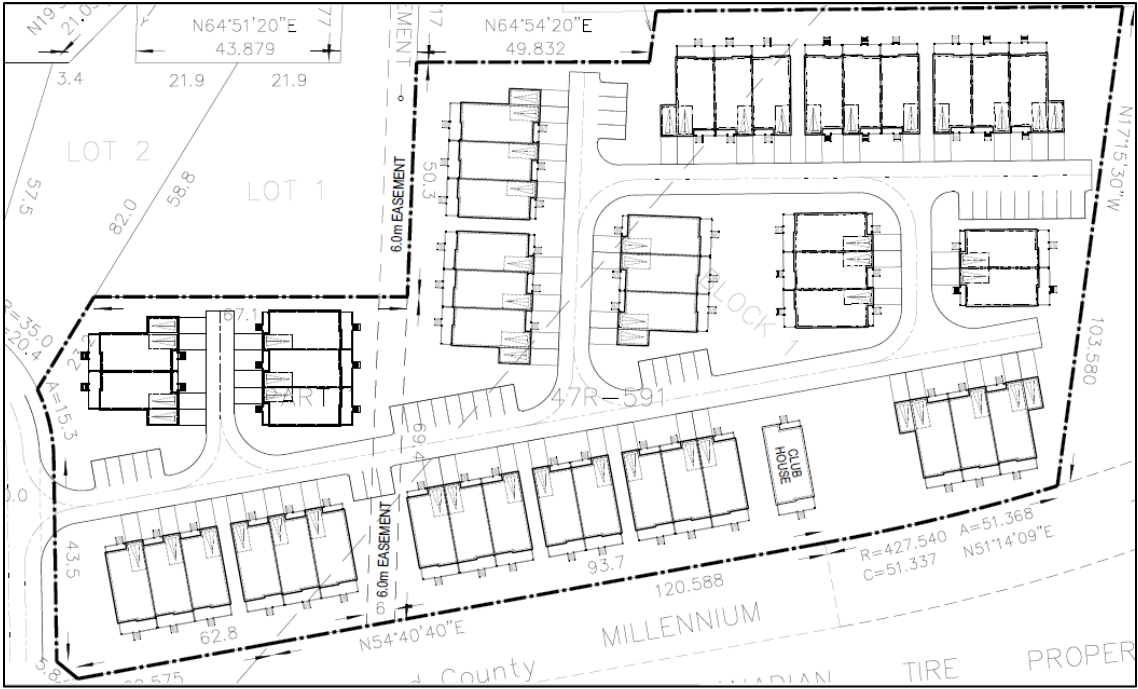


2.1.2 Demonstration Plan



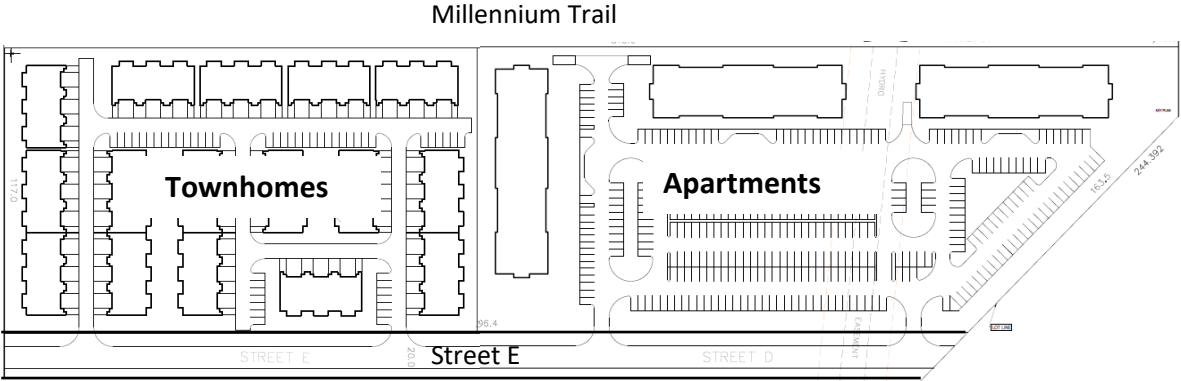
Seniors Village - North of Millennium Trail

Block 1 will contain 45 seniors bugalows



Apartment and Townhomes – South of Millennium Trail

Block 2 will contain 96 townhomes and 254 apartments for a total of 350 units.



3. Matters Arising from Planning Committee

3.1 Planning Committee Motion July 17, 2024

A discussion period ensued regarding:

- *the willingness of the proponent and staff to explore options in an effort to come to a settlement;*
- *the importance of undertaking a low impact design;*
- *the addition and placement of parklands;*
- *land preservation and protection efforts; and*
- *the importance of Waring's Creek.*

Motion 2024-315

Moved by Councillor Roberts

Seconded by Councillor Harrison

That planning application files nos. Subdivision, Official Plan & Zoning File No.: 13-T-21-503, OPA-05-21 & Z 21-21-1983358 Ontario Inc. (Loyalist Heights) – 13437 Loyalist Parkway; Ward 2 (Bloomfield/Hallowell) be referred to staff for further discussions with the applicant including the following for Committee's consideration at the next feasible Planning & Development Committee meeting:

- *low impact design;*
- *greater consideration for Waring's Creek;*
- *larger lots;*
- *great consideration of the millennium trail;*
- *clarity of the applicants definition of affordability;*
- *specifics to green buffering along the Millennium Trail and existing homes;*
- *parkland dedication;*
- *the exploration of greater affordability options;*
- *consideration of the public comments.*

3.2 Response to Planning Committee Motion

3.2.1 Low Impact Design

The Stormwater Management Report (SWM) dated May 2024 contains an explanation of how the special policies for Waring's Creek will be implemented in Section 5 of the SWM report that include solutions for implementing Low Impact Design (LID). A summary of the



LID solutions are provided below. Additional information regarding LIDs is provided in Part 2 of this report.

Policy 2. Require that development within the watershed be consistent with the water resources policies of Section 4.7.1 of this Plan. Such development and redevelopment shall reflect and incorporate the following measures, as appropriate:

a) Managing for pre-development water balance by reducing excess runoff volume and maintaining or restoring natural levels of infiltration and evaporation. MOE Level 1 (enhanced protection) storage criteria should be utilized, as appropriate;

Please see section 4.0 of this report outlining the proposed infiltration measures to achieve the required water balance. The stormwater pond (Section 3.0) has been designed to the MOE Level 1 criteria for quality control.

b) Low impact development (LID) measures that work with nature to manage stormwater as close to its source as possible, including: infiltration islands in parking areas; use of permeable pavements; green roofs; biofiltration swales; rain gardens; cisterns and rain barrels; and compact development;

The stormwater measures are recommending the use of a large infiltration basin at the outlet of the SWM facility. This ensures that the water being promoted into the groundwater table has been treated to level 1 standards.

It is recommended that residents utilize additional on-site measures such as rain barrels and gardens, but no credit has been accounted for in the water balance as these measures can be removed by residents over time.

The SWM report was Peer-reviewed and it was recommended that the draft plan conditions contain a condition requiring implementation of the LID solutions.

3.2.2 Greater Consideration for Waring's Creek

- Loyalist Heights has created separation 200 m from Waring's Creek which is considerably greater than the minimum 30 m setback from the Waring's Creek and the associated Wetland.
- LID measures are proposed that implement the Waring's Creek Policies.
- A storm pond and associated filtration beds will help to protect the Creek.



- The park is situated adjacent to the woodlot and closed to the Creek resulting in a greater separation of the development to the Creek.

3.2.3 Larger Lots

The matter of larger lots and development density north of the Millennium Trail has been reviewed with County staff. The outcome is contained in section 2.1.1.4.

Lot 1 has been reduced in size and the area of the Seniors Village has been increased. The lots on the northern boundary have been made deeper/longer to provide greater potential that trees will be retained. Overall, 14 additional units have been added.

3.2.4 Great Consideration of the Millennium Trail

The plan of subdivision south of the Millennium Trail has been redesigned to provide greater integration of the residential uses and the Trail.

- The development has minimal impact on the Trail with only one road crossing and one Trail crossing of the road.
- There are no rear lots adjacent to the Trail.
- Public streets will parallel to the Trail allowing for integration with the Active Transportation Corridor.
- Blocks for Multi-family development abutting the trail and are subject to Site Plan Control. Designs may include Trail oriented designs and landscaping that is consistent with the County's interface with the trail.
- Connects to the Trail may be provided as required.

3.2.5 Clarity of the Applicants Definition of Affordability;

The definition of affordability is based on CMHC's definition as stated below.

The CMHC definition of affordable housing limit which is currently defined as " the monthly housing costs – mortgage principal and interest, taxes and heating expenses (P.I.T.H.) - should not preferably not exceed 32% of your gross household monthly income, up to a maximum of 39%".

3.2.6 Specifics to Green Buffering Along the Millennium Trail and Existing Homes;

The conditions of approval will require preparation of a landscaping plan which will consider the interface of the development with the Trail. There will be opportunities



through the Site Plan Approval process to landscape the multifamily block where it meet the Trail.

- Large existing trees located on the larger lots in the northwest can be relocated to areas of the site where it would be beneficial.
- The lots that abut the existing homes south of Loyalist Parkway have been made deeper/longer with lot depth being 50 to 80 metres deep. This is 20 – 50 metres deeper than a conventional lot. The additional depth will result in the homes being located at the front of the property with a deeper rear yard where the existing trees will be located and adjacent to exiting neighbouring lots.
- Additional information is contained in section 3.2.3 above.

3.2.7 Parkland Dedication

- The parkland dedication as 1.7 ha which greater than the 1.3 ha previously provided.
- The new allocation is 6.5% and it exceeds the minimum requirement of 5%.
- The location of the park has not changed. The park is in the best location to provide protection for Waring’s Creek. The location is also tangent to the park in the Cold Creek development that will provide the County with a larger and functional park.

3.2.8 The Exploration of Greater Affordability Options

- The number of affordable housing units has been increased from 50 to 75 units.
- Loyalist’s proposes to implement two affordable housing programs.
 - a) The sale of 37 Housing Units will be sold based on the CMHC’s definition of affordable housing. The County’s Affordable Housing Corporation will administer the eligibility for ownership of these units.
 - b) The Rent to Purchase program will include 38 rental housing units that will be owned and operated by Loyalist Heights and Administered by the Prince Edward County Affordable Housing Corporation.

3.2.9 Consideration of the Public Comments.

3.2.9.1 Comments from the Public

Below are replies to comments from the Public. It is expected that more comments will be received from the public and replies will be provided.

Kimberley McDougall provided comments, expressing concerns with the destruction of natural rich farmland, loss of wildlife habitats, and noted the importance of essential crops.



Reply

The property is designated Town Residential that permits residential development. The land was used for agricultural purposes however, the designation was change and approved by the Minister of Municipal Affairs on July 7, 2015.

Cheryl O'Brien, Waring's Creek Improvement Association, provided comments, highlighting the importance of Waring's Creek as a cold-water stream in the County, and urged Committee to consider the protection and preservation of the headwaters.

Reply

Loyalist Heights has considered the Waring's Creek watershed and cold-water stream.

- An Environmental Impact Study was completed by Greer Galloway that made recommendations regarding protection of the Creek, identified a wetland associated with the Creek and a 30 m buffer from development
- The location of parkland was chosen to provide a greater separation between Waring's Creek and development.
- The SWM and Planning Justification reports explain how the Special Policies pertaining to Waring's Creek can be implemented that includes the Low Impact Designs.

Amy Bodman, PEC Field Naturalists, provided comments in support of the Waring's Creek Improvement Association written deputation, and urged Committee to protect the Creek and its headwaters.

Reply

Loyalist Heights has considered the Waring's Creek watershed and cold-water stream.

- An Environmental Impact Study was completed by Greer Galloway that made recommendations regarding protection of the Creek, identified a wetland associated with the Creek and a 30 m buffer from development
- The location of parkland was chosen to provide a greater separation between Waring's Creek and development.
- The SWM and Planning Justification reports explain how the Special Policies pertaining to Waring's Creek can be implemented that includes the Low Impact Designs.

Gerry Jenkison, PEC Field Naturalists, provided comments, noting the guiding principles and implementing policies of the secondary plan, and inquired why none of the green design initiatives apply.

Reply



The proposed development conforms to the green design policies of the Official Plan

3. Prohibit land uses from the watershed that could reduce its ecological functions and values and encourage the relocation of such uses already existing in the watershed. Such uses include, but are not limited to:

a) Waste management-related uses that require a Certificate of Approval from the Ministry of the Environment such as landfills, transfer stations, sewage lagoons, etc.;

b) Golf courses;

c) Commercial and industrial uses involving the manufacture, processing, and bulk storage of hazardous materials;

d) Intensive livestock operations; and e) Application of bio solids to agricultural lands.

None of the uses contained in a)-d) are proposed in Loyalist Heights.

An Environmental Impact Assessment was prepared by the Greer Galloway Group for this proposal by Loyalist Heights. The study determined that the plan for the lands ensures that the wetlands, together with a 30 metre buffer will include mostly deciduous trees are protected. The EIS concludes that the proposed development is not anticipated to impact the ecological function of the watershed.

Ove Ojaste provided comments, expressing concerns with regards to the users of the Millennium Trail, increased traffic, and the impacts of construction during development.

Reply

The proposed development has incorporated the Millennium Trail into the Active Transportation Corridor with connects to the internal pedestrian network which is the primary function of the Trail. A traffic study was completed and it concluded that the Loyalist Heights development can be supported by the County's road network. Draft Plan conditions will contain direction on how development activities will be controlled and monitored.

Ruth Bruce provided comments, expressing concerns with the removal of trees, environmental impacts, the displacement of wildlife, soil erosion, in ground well digging, insufficient infrastructure to sustain the sudden increase in population, and current market conditions.



Reply

An EIS has been completed that contains recommendations regarding protection of wildlife during the construction process. There are no Species at Risk that were identified on the property. Loyalist proposes to dedicate the entire wood lot to the County where it will be protected by development. Infrastructure will be upgraded to support the development as required. The purpose of planning the property for future development is to support future market demand.

Kenzie Best provided comments, expressing concerns with the loss of prime agricultural land. She stated that farming supersedes development and urged Committee to preserve and protect some of the best farmland in the County.

Reply

The property is designated Town Residential that permits residential development. The land was used for agricultural purposes however, the designation was changed and approved by the Minister of Municipal Affairs on July 7, 2015.

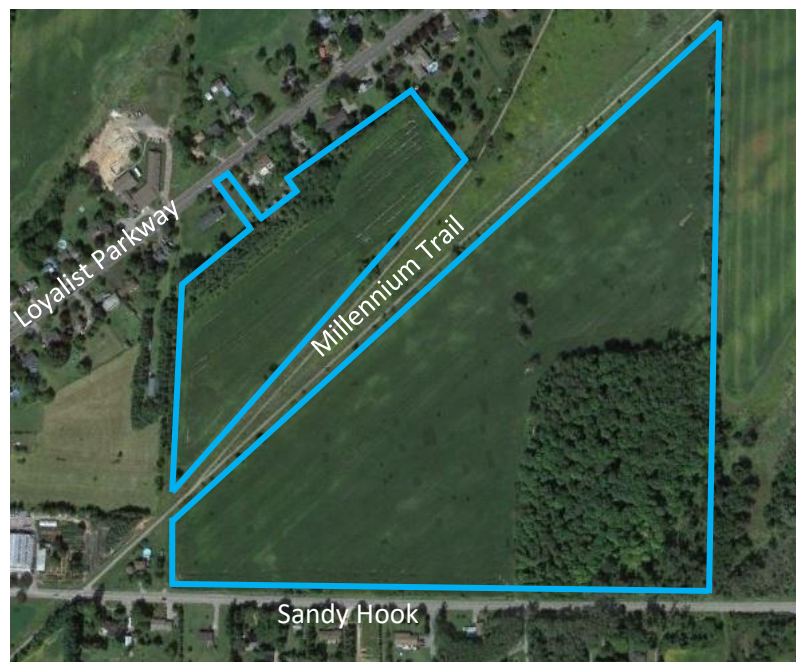


4 PART 2 – SUPPORTING INFORMATION

4.1 PROPERTY DESCRIPTION

The subject property is located in Picton. It consists of two parcels with the northerly parcel having frontage on Loyalist Parkway (County Road 33) while the southerly parcel has frontage on Sandy Hook Road. The properties are separated by the Millennium Trail. The boundary of the property is shown in Figure 1.

Figure 1 Property Boundary



The property is legally described as Part of Lot 19 and 20, Concession 3, Military Tract, Township of Hallowell; now in the Municipality of Prince Edward County.

- The land south of the Millennium Trail has an area of approximately 19.4 hectares with approximately 590.7 m frontage on Sandy Hook Road.
- The land on the north side of the Trail has an area of approximately 5.5 hectares with approximately 16.4 m frontage on Loyalist Parkway.
- The combined area is approximately 25 hectares (61.5 acres). Within this combined area, approximately 5.5 hectares or 22% of the total area is located within lands designated “Environmental Protection.”

The Assessment Roll number is 135051102501801 and the property is located in WARD 1.



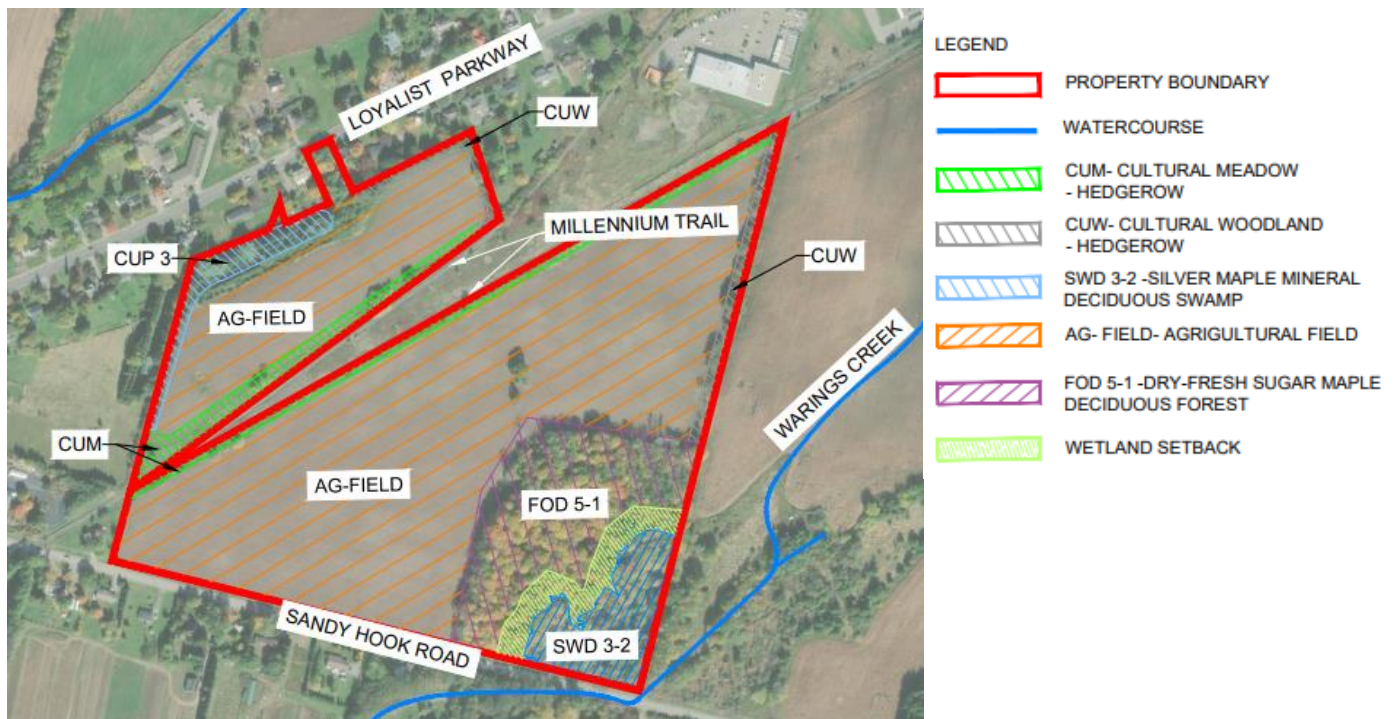
4.2 Topography

In the North Parcel drainage is to the south-east towards the ditches located along the Millennium Trail. Two culverts are located under the trails. In the South Parcel the drainage is towards the ditch along Sandy Hook Road then slopes toward the woodland that contains a small wetland. There is a noticeable ridge on the northern part of the site that is the highest point of land that provides panoramic views to the southeast, south and southwest.

4.3 Natural Heritage

The property is vacant with open meadows and treed areas that frame the fields in hedgerows. It was utilized for agricultural crop fields and this will continue as an interim use until the lands are developed. Figure 2 Natural Heritage, shows the natural features on the site that include a woodlot and wetland associated with Waring's Creek.

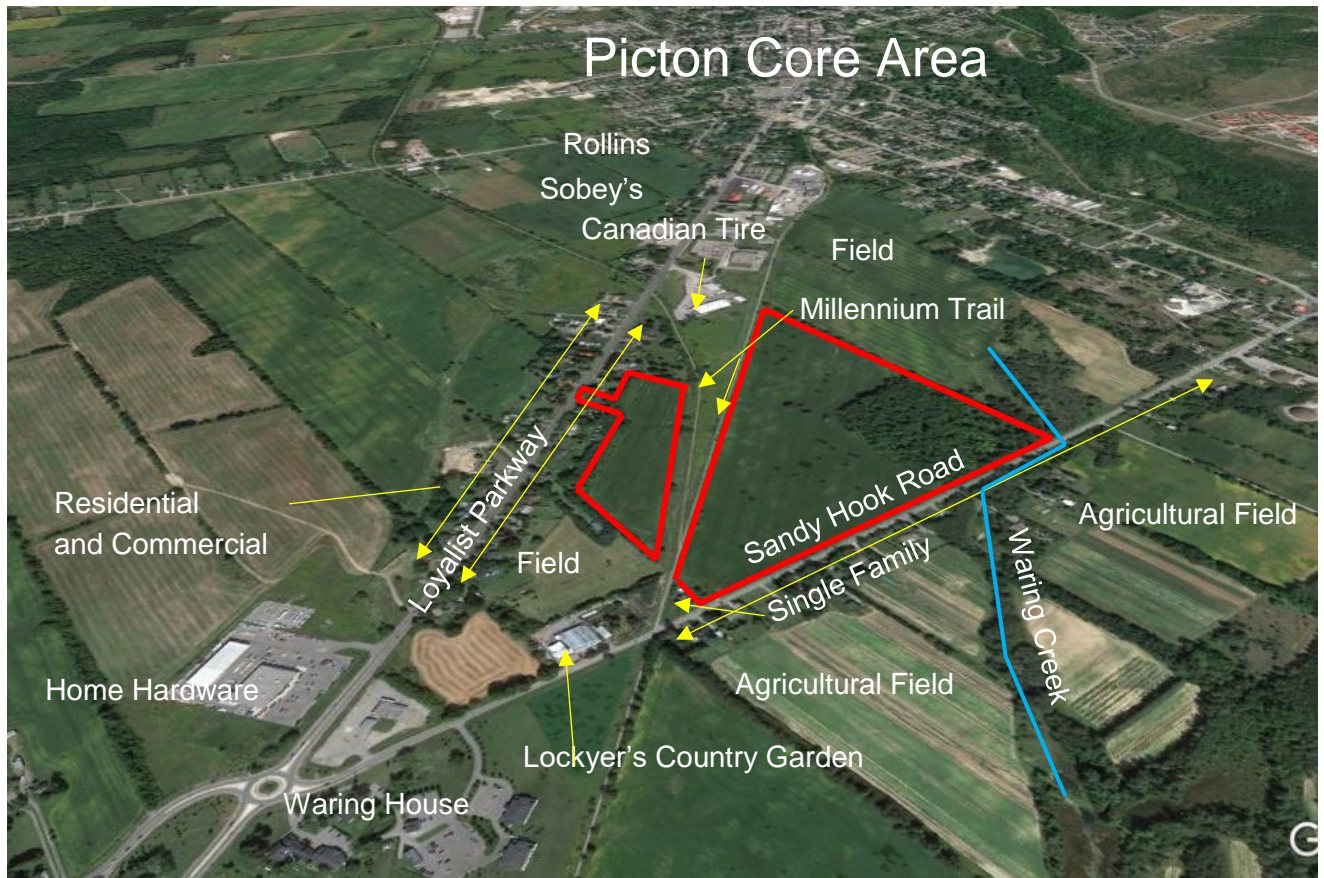
Figure 2 Natural Heritage(Source: Greer Galloway EIS)



4.4 Surrounding Land Uses

Figure 4, illustrates the uses in the vicinity of Loyalist Heights. The proposed residential uses are compatible with the proposed residential uses on the Cold Creek development and support existing commercial uses on Loyalist Parkway and the Core Area in Picton.

Figure 4 Surrounding Land Uses



4.4.1 Area in Transition

On July 7, 2015 Official Plan Amendment 63 (OPA 63) came into force. OPA 63 includes policies about how growth will occur, together with current thinking about how Picton will grow. No appeals were filed during the appeal period from June 11, 2015 to July 7, 2015. The Official Plan policies that were in effect before OPA 63, were approved in 1980. The policies do not reflect current trends in development and the current vision for Picton.

As the policies of OPA 63 will be implemented over time this will create a transition in land uses from the rural pattern to urban uses. Evidence of this transition are the many existing homes along Sandy Hook Road and Loyalist Parkway that are on large lots and rural services; in more recent years urban uses were planned and developed such as: the



Sobey's food store, Foodland, Home Hardware and the proposed urban residential development on adjacent lands.

4.5 Development Characteristics

The following are characteristics that influence the design of Loyalist Heights.

3.5.1 Loyalist Heights when approved will be a mixed residential neighbourhood on a property that is designated Town Residential Area in the Picton Secondary Plan.

3.5.2 Loyalist Heights Affordable Housing program consists of providing 75 units.

3.5.3 The grid pattern of roads is consistent with the historic settlement pattern in Picton

3.5.4 Loyalist Heights will continue the traditional development pattern with an active transportation system providing a grid pattern of roads, pathways, sidewalks and a multipurpose trail that provides connections within the neighbourhood and other areas of Picton.

3.5.5 The Town Residential Area supports an increase in densities as a means of achieving a greater variety of housing, and encourages more affordable forms of housing. The proposed development will have 495 units consisting of single family, semi-detached, townhouse, apartments, and seniors' retirement units.

3.5.6 The property has natural attributes with hedgerows, sloping terrain, south facing views of the countryside and a large woodlot. It is located within the Waring Creek Watershed and adjacent to Waring Creek. This site has been designed to incorporate natural heritage elements and to protect the environment that will be enjoyed by residents of Loyalist Heights and the County.

3.5.7 A crop of several hundred evergreen trees were planted for commercial use by the previous owner but they were never harvested. The trees have grown to more mature trees. They will be relocated and incorporated in to the landscaping plan for Loyalist Heights.

4.6. Affordable Housing

Over the past decade there has been an in migration of people who desire to live in the County. The demand has increased house prices and depleted the available housing



stock. Affordable Housing in the County is a critical issue with a high percentage of residents saying that housing is unaffordable and people who want to move to the County say that there are no housing units available for purchase. This poses a dilemma for existing residents of the County who want to change their housing preferences and stay within the County. Young adults have to leave the County to find accommodation. People from other areas such as: Toronto, Ottawa, and Montreal who want to move to the County cannot find homes to purchase.

The housing shortage is not only an inconvenience to residents; it is an economic development issue. The lack of housing inhibits economic growth and limits local companies from expanding because employees can't find housing in the County.

In response to the housing crisis, The Prince Edward County Housing Corporation (PECHC) was established in 2018. The mandate of the not-for-profit corporation is to increase the supply of affordable housing in Prince Edward County through a broad range of activities.

The County expects the Loyalist Heights development to include Affordable and Attainable housing units. While preparing the development proposal, representatives of Loyalist Heights met with the Executive Director of the PECHC and discussed how affordable housing units could be delivered.

There are two methods proposed by Loyalist Heights to achieving an Affordable and Attainable Housing component to the neighbourhood. The proposal is to deliver 50 residential units by making available Rent-to-Buy units and housing units that are at or below the affordability threshold as determined by CHMC.

4.6.1 Rent to Buy

Approximately 38 housing units would be identified as rent-to-buy. These units will be smaller more affordable units such as a bachelor or a 1- bedroom. The person renting the unit will have the rental fee applied against the mortgage cost of the unit. After a period of time, the owner will have an option to purchase the unit. The Prince Edward County Housing Corporation would manage the allocation of the units.



4.6.2 Purchase Housing Units

Under this scenario approximately 37 housing units will be sold at or below the CMHC affordability threshold. Loyalist Heights and the PECHC are working cooperatively on developing details of the affordable housing component.

4.7 Active Transportation - The Millennium Trail and Sidewalks

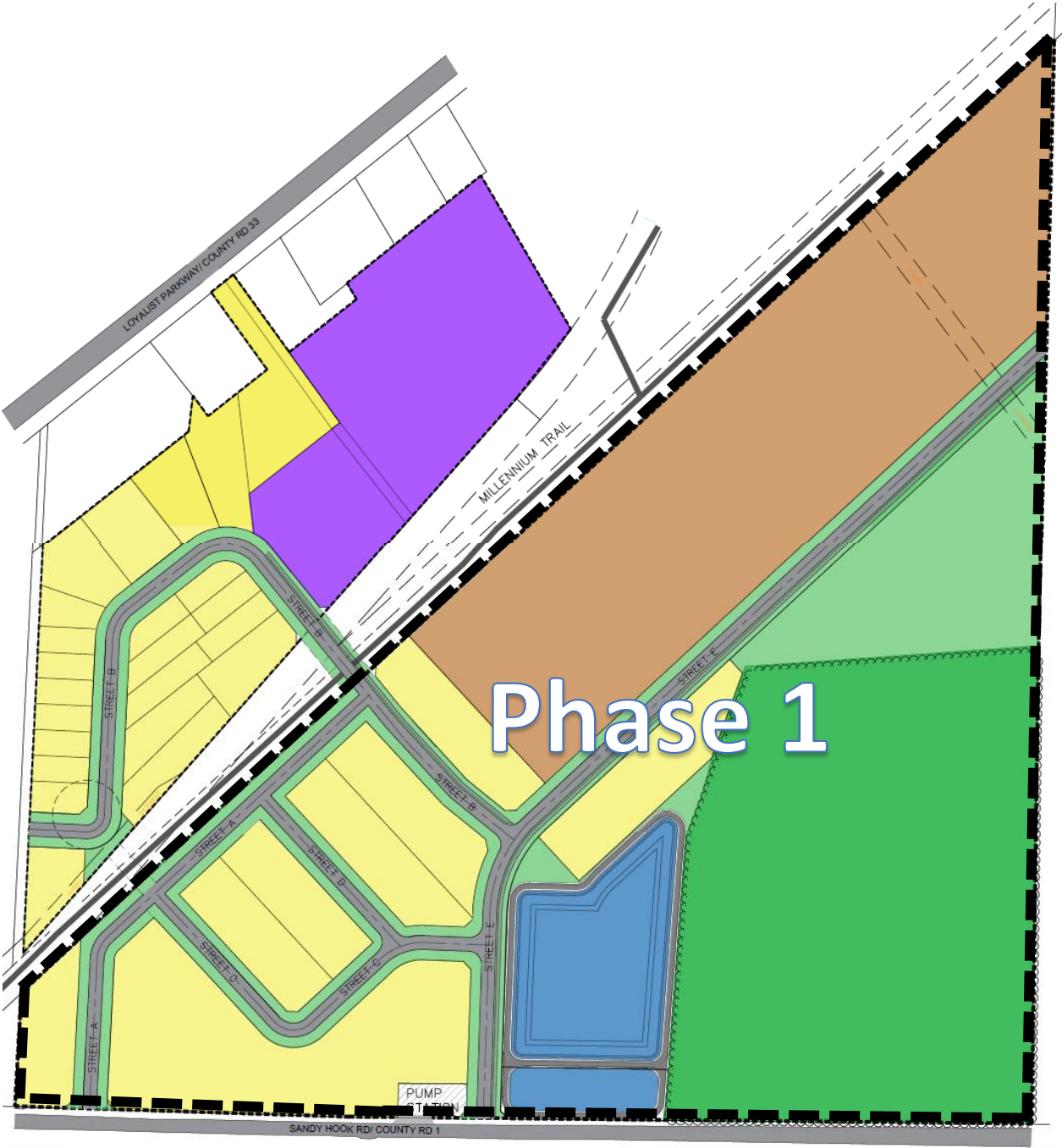
The Millennium Trail is a main multi-use link that is used by residents of the County and will be used by the future residents of the Loyalist Heights. The Trail separates the north and south parts of the development. Loyalist Heights has been designed to allow for integration of the Trail with the pedestrian and road networks in the development.

It is proposed that sidewalks be provided in areas where they are required and not on all residential streets.



4.8 Phasing

Phase 1 will have approximately 332 units consisting of apartments, townhouses, semi-detached homes, single family homes public open space.



4.9 Supporting and Technical Report

4.9.1 Municipal Services – Sanitary and Water

The Servicing Brief prepared by Greer Galloway Group was updated in October 2024. The analysis of sanitary servicing capacity is based on 495 residential units.

Sanitary

1. The Picton Master Servicing Plan suggests the wastewater treatment plant's actual capacity is significantly less than the rated capacity and will not provide sufficient capacity for many of the planned developments. Until this master plan is completed, the ability to service the subject lands and other developments will remain unclear.
2. A combination of gravity sewers, pump station and forcemain will be required to service the subject lands.
3. All sanitary works will be contained on site or along the Millennium Trail. No sanitary works on Loyalist Parkway (Highway 332) or Sandy Hook Road (County Road 1) are planned.

Water

1. The Picton Master Servicing Plan suggests the water treatment plant's actual capacity is significantly less than the rated capacity and will not provide sufficient capacity for many of the planned developments. Until this master plan is completed, the ability to service the subject lands and other developments will remain unclear.
2. There are existing watermains along the frontage of Loyalist Parkway and on the Millennium Trail at No Frills.
3. Pressures ranging from 50 psi to 70 psi with a minimum of 40 psi are required by the MOE. Based on existing records, it appears these pressure requirements can be met by the proposed development but this should be confirmed by the municipal water network model.
4. Based on existing records, it appears fire flow in the range of 2,000 USgpm to 2,500 USgpm are possible in the development but this should be confirmed by the municipal water network model. While example fire flow calculations are appended for reference, results must be confirmed based on actual building construction design. Should any concerns exist as it relates to the ability of the municipal network to supply the required fire flow, further consultation with the County will be required.



4.9.2 Stormwater Management

WSE Consulting Inc. was retained as part of a consultant team to assist with the Stormwater Management for the conceptual design and development of the proposed Loyalist Heights Subdivision. This report has been prepared in support of an Application for Draft Plan of Subdivision Approval. A previous preliminary report was prepared by Greer Galloway (March 2021); this report has built upon their preliminary work.

The reader should refer to the report prepared by WSE for technical details regarding the design and function of the pond.

The conclusions of the report are as follows:

- Quality control is provided in a wet pond facility that will achieve a level 1 (enhanced) treatment.
- The full quality facility should be constructed during phase 1 of the development.
- Quantity control is required in the facility to over-control discharge from the pond to ensure the total discharge from the development limits is maintained to pre-development levels.
- Silt fencing and straw bale barriers will be in place during construction.
- The forebay will require removal of accumulated sediment on a 16 year cycle and the main pond should have a cleanout on a minimum 20 year cycle.

Additional information is provided in [Section 7.3.3 Special Policy Area](#).

4.9.3 Archeological

In November of 2018 Ground Truth Archeology Limited conducted a stage 1-2 assessment of the property. The property was found to have no resources of archeological interest and is considered to have been cleared of all archeological concerns. No further archeology is required.

More information regarding the Archaeological Assessment is available in *Ground Truth Archeological Study dated, July 22, 2019. Stage 1/2 Archaeological Assessment of Part of Lots 19 and 20, Concession 3, Military Tract, Hallowell Township, Municipality of the County of Prince Edward, Ontario.*



4.9.4 Transportation

The Revised Study date October 2024 is based on the revised Draft Plan of Subdivision dated October 2024 that contains 495 units.

Based on the analysis contained in this report, it is concluded that:

- Under existing base year conditions, the Study Area intersections currently operate at good levels of service with all movements well within capacity during the AM and PM peak hours;
- For the 2027 (opening year), 2032, and 2037 horizon years, the analysis of background traffic conditions (without the proposed development) determined the Study Area intersections are forecast to operate at good levels of service with all movements well within capacity during the AM and PM peak hours.
 - The exception would be the intersection of Sandy Hook Road/County Road 10 under the 2032 and 2037 horizon years, where the eastbound shared left/right movement is forecast to be approaching capacity;
- For the 2027 (opening year), 2032, and 2037 horizon years, the analysis of total traffic conditions (with the proposed development) determined the Study Area intersections are forecast to operate at good levels of service with all movements well within capacity during the AM and PM peak hours.
 - Similar to background traffic conditions, the exception would be the intersection of Sandy Hook Road/County Road 10 under the 2032 and 2037 horizon years, where the eastbound shared left/right movement is forecast to operate over-capacity;
- The proposed residential subdivision is estimated to generate 226 vehicle trips during the AM peak hour, and 249 vehicle trips during the PM peak hour;
- The site access driveway connections with Sandy Hook Road (County Road 1) are both forecast to operate at good levels of service and with all movements within capacity.
 - The proposed west site access driveway intersection with Sandy Hook Road is determined to warrant the provision of an eastbound auxiliary left turn lane.
- To mitigate the approaching/over-capacity condition forecast at the intersection of Sandy Hook Road/County Road 10 it is recommended that dedicated eastbound left and right turn lanes be provided by the 2032 horizon regardless of if the subject Loyalist Heights development proceeds or not; and
- The difference in operating conditions between future background and future total traffic conditions concludes the proposed residential subdivision would have a small impact on traffic operations at the Study Area intersections.



- Based on the findings of this study, it is recommended that:
- From a traffic operations perspective, the proposed residential subdivision development should be approved.

4.9.4 Environment Impact Study

The Greer Galloway Group was retained by Mr. Narisu Huhe, owner of the property located on Parts of Lots 19 and 20, Concession 3, Military Tract Hallowell, Town of Picton, County of Prince Edward, to prepare an Environmental Impact Study (EIS). The first EIS dated July 2020. After the Peer Review and comments provided by the County, the Study was updated in September 2022 and December 2023. The Revised EIS considered the revised Draft Plan of Subdivision dated October 2024.

The report contains the information required for an EIS based on the County's Terms of Reference. The following are key findings of the EIS:

Impact Assessment and Recommendations

The property is located within the Picton Urban Area and current planning policies allow for residential development. The residential development will implement the applicable policies and it is expected the development will not cause significant impacts to the natural features as the development area is limited to areas of extensive anthropogenic disturbance while preserving the natural areas.

The Report contains Table 4 that identifies: Potential Impacts and Prevention, Mitigation and Restoration Measures.

The conclusions of the report are as follows:

- Evaluation of the existing conditions of the natural features that are contained within the EPA indicate that no significant impacts to vegetation or wildlife are expected.
- No development is proposed in the Environmental Protection Area and measures will be applied to protect and ensure the ecological functions of this natural area. Development in the Environmental Protection Area will not affect significant natural features.
- No development is proposed in the wetland or its buffer and measures will be applied to protect and ensure the ecological functions of this natural area. Recommendations to avoid impacts and/or mitigate potential impacts have been proposed and are considered adequate.
- Therefore, it is our opinion that the proposed development will cause minimum impact in the natural features or their ecological functions.



Additional information is provided in Section 7.3.3 Special Policy Area.

4.9.5 Geotechnical

Malroz Engineering Inc. (Malroz) was retained by Mr. Narisu Huhe, owner of 1983358 Ontario Inc., to conduct a geotechnical investigation in support of the proposed residential development to be located at 13437 Loyalist Parkway in Picton, Ontario.

The report contains the information regarding the results of the Geotechnical investigation.

4.9.6 Hydrogeological

Malroz Engineering Inc. (Malroz) was retained to provide a hydrogeological evaluation for 1983358 Ontario Inc.'s (the Client) proposed subdivision development at 13437 Loyalist Parkway, Picton. A letter report was prepared to summarize our opinion on the groundwater conditions at the site and accompanies a geotechnical investigation conducted at the site by Malroz, dated February 23, 2021. These reports should be read in conjunction with each other.

The County provided comments regarding a hydrogeological evaluation in February 2022. A response to questions regarding the hydrogeological evaluation are contained in the document entitled, Reply to comments provide by the County dated October 24, 2022.



4.10 Policy Review

The planning context for the Loyalist Heights development is permitted by the Planning Applications established by three key policy instruments:

- The Provincial Policy Statement 2020 (PPS);
- The County Official Plan, and
- OPA 63 - The Picton Urban Centre Secondary Plan.

A brief description of the relevant sections of these documents is provided below.

4.10.1 The PPS

The PPS applies to all decisions in respect of the exercise of any authority in the Province of Ontario that affects a planning matter made on or after May 1, 2020. It provides policy direction on matters of provincial interest related to land use planning and development. The PPS is to be considered in all planning decisions. Planning decisions “shall be consistent with” the PPS.

The PPS promotes vitality and regeneration with a view to building strong healthy communities by focusing growth and development in settlement areas (Section 1.1.3). The Town of Picton is identified as a settlement area in the County’s Official Plan.

Four sections of the PPS are especially relevant to the development that would be permitted by the Planning Applications: (i) settlement areas; (ii) housing, (iii) public spaces, recreation, parks, trails and open space; and (iv) sewer and water services. Each of these topics is discussed below.

Settlement Areas

The PPS establishes that “settlement areas”, such as the Town of Picton, “shall be the focus of growth, and their vitality and regeneration shall be promoted”. More particularly, the PPS sets out the Province’s objectives for land use patterns within settlement areas as follows:

PPS: 1.1.3.2 – Land use patterns within settlement areas shall be based on:

a) densities and a mix of land use which:

1. efficiently use land and resources;
2. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
3. minimize negative impacts to air quality and climate change, and promote energy efficiency;



4. support active transportation.

The above outlines the Province's interest for settlements as a whole. For growth areas within settlements, such as the area of the proposed Loyalist Heights, the PPS notes *that "new development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities"* (PPS 1.1.3.6).

Housing

On matters related to housing, the PPS requires local planning authorities to provide for a range of housing types and densities to meet projected requirements of current and future residents of the regional market area (PPS 1.4.3). Specifically, the PPS asks local municipalities to:

1. *establish and implement targets for the provision of housing which is affordable to low and moderate income households;*
2. *direct the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*
3. *promote densities for new housing which efficiently uses land, resources, infrastructure and public service facilities; and*
4. *establish development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitates compact form, while maintaining appropriate levels of public health and safety.*

These are policies that apply to the entire municipality. The PPS does not contain specific policies concerning how these provincial objectives are to be satisfied either through the development of designated growth areas such as the Subject Lands. How it is accomplished is left to the local municipality and its Official Plan.

Outdoor Amenities

With regard to public spaces, recreation, parks, trails and open space, the PPS provides that *"... healthy, active communities should be promoted by:*

1. *planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction, and facilitate active transportation and community connectivity;*



2. *planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;*
3. *providing opportunities for public access to shorelines.”*

Loyalist Heights contains approximately 25% of the land area that will be dedicated to the County that includes a woodlot, dedicated open space that a storm water management facility. These areas provide an opportunity for public use such as active park, passive seating for enjoyment of the natural heritage, pathways. In addition, pathways and sidewalks will connect the dedicated lands to the Millennium that is Trail Active Transportation System.

Sewage and Water Services

On matters related to planning for sewage and water services, the PPS directs, among other things, that municipalities shall:

1. direct and accommodate expected growth in a manner that promotes the efficient use of existing;
2. municipal sewage services and municipal water services; and
3. private communal sewage services and private communal water services, where municipal sewage services and municipal water services are not available. (PPS 1.6.6.1)

The Policy Statement then sets out a hierarchy for the planning for sewage and water services in settlement areas:

Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas. Intensification and redevelopment within settlement areas on existing municipal sewage services and municipal water services should be promoted, wherever feasible. (PPS 1.6.6.2).

4.10.2 The County of Prince Edward Official Plan

Schedule E – Land Use Designations of the COUNTY OF PRINCE EDWARD OFFICIAL PLAN identifies the Town of Picton as an Urban Centre. Therefore, policies in The Picton Urban Centre Secondary Plan apply to guide development on the subject property.



4.10.2.1 Picton Urban Centre Secondary Plan

There are four designations on Schedules in The Picton Urban Centre Secondary Plan that affect the planning of Loyalist Parkway:

- Schedule 'A' – Secondary Plan Land Use Map:
Town Residential Area, Open Space and Environmental Protection Area.
- Schedule 'B' – Secondary Plan Transportation Map: Loyalist Parkway is designated as an arterial road; Sandy Hook Road is designated as a collector road; Loyalist Parkway, Sandy Hook Road and Millennium Trail are all designated as activity routes.
- Schedule 'C' – Policy Area Map indicates to "Refer to Note 3". Note 3 is in reference to the Waring Creek Watershed Policy Area.
- Schedule 'F' – Service Area Map: Service Area 2 & Service Area 3.

Extracts of these schedules are included in Appendix 1 – Secondary Plan Schedules.

Also attached are the proposed Water Distribution and Sanitary Sewer figures that depict preferred servicing alternatives in the immediate area of the subject property.

Town Residential Area and Environmental Protection

The north parcel of land is designated "Town Residential Area" and the south parcel of land is designated "Town Residential Area" and "Environmental Protection". Development of the lands would result in an extension of an existing neighbourhood.

Residential development within greenfield lands of the Town Residential Area will occur as an extension of the surrounding town. New residential neighbourhoods are to be more like Picton-Hallowell's existing traditional neighbourhoods in terms of design and walkability, while also preserving the quality of place. The density range in the Secondary Plan is a minimum of 17 units/net hectare to a high 25 units/net hectare. The preferred target residential density is 25 units/net hectare. A mix of unit types including singles, semi-detached, duplex, triplex, townhomes and apartments is permitted.

A portion of the land in the south-east corner of the southern block of land is designated Environmental Protection Area. Within the Environmental Protection Area (EIS), uses are limited to open space, conservation, or flood protection. An EIS in support of any development or site alteration proposed on the lands within or adjacent to the Environmental Protection Area has been completed.

Transportation and Access

Loyalist Parkway is designated as an arterial road and is designed to carry relatively high volumes of traffic. Sandy Hook Road is designated as a collector road and is designed to



collect and distribute traffic at relatively low operating speeds to and from Local Roads and Arterial Roads. The MTO will not permit access to Loyalist Parkway; access to the property will be from Sandy Hook Road.

Millennium Trail, Loyalist Parkway and Sandy Hook Road are designated as activity routes and are designed to accommodate non-vehicular modes of transportation (walking, cycling, wheelchair, etc.) on facilities that include sidewalks, paths, and trails. Activity Routes may use a road right-of-way or a dedicated right-of-way. Therefore, the site has good access to current and future activity routes. The Millennium Trail that traverses the property should be integrated into the subdivision design.

An Active Transportation Corridor along Sandy Hook Road may be difficult to achieve since Sandy Hook Road is designed as a rural cross section with open ditches making it difficult to add sidewalks, pathways and trails adjacent to Sandy Hook Road. The design solution will be discussed with the County during the Plan Review Process. The Millennium Trail will continue to be used as a multi-modal Activity Corridor.

4.10.2.2 Special Policy Area – Warring’s Creek

Loyalist Heights is located within the Waring Creek Watershed and is subject to the policies contained in Section 2.12.3 of the Secondary Plan that are contained in Appendix 2. The Waring Creek Watershed is shown in Appendix 3. Waring Creek is located close to the south-east corner of the subject property. The following reports were completed that contribute information for the application of the Implementation Policies of the Special Policy Area.

- The Greer Galloway Group completed an EIS in July 2022 and updated in September 2022 and December 2023.
- The Greer Galloway Group provided a Table of Groundwater Impacts in a letter dated September 6, 2022.
- WSE Consulting completed a Stormwater Management Report in September 2022 that was updated in December 2023.
- Malroz Engineering completed a Hydrogeological Evaluation dated March 2021.

Below are the Special Area Policies and comments on how the policies will be implemented in the context of the Loyalist Heights development proposal.

Section 2.12.3 Waring Creek Policies (WCP)

The Waring Creek Watershed has been identified by the community as an important natural resource in Picton-Hallowell. Waring Creek is one of several watercourses that comprise a 17 km long watershed that stretches from Picton-Hallowell in the east to Bloomfield in the west. Over the years, the Prince Edward Stewardship Council, Quinte Conservation, and the Waring Creek Improvement Association have taken steps to ensure the future sustainability of the watershed. This effort has resulted in Waring Creek



being classified as a cold water stream by the Ministry of Natural Resources and deserving of additional protection.

The policies of this Section of the Plan are intended to manage the potential impact of future development on the watershed within the Picton Urban Centre. As this policy area affects lands within the Town Residential Area, Town Gateway Area, Town Corridor Area, Park and Open Space Area, and Environmental Protection Area, the policies of this Section of the Plan are to be considered in addition to relevant policies of Sections 2.4, 2.5, 2.9 and 2.10 of this Plan.

Guiding Policies

It is the intent of this Plan to:

- 1. Ensure the continued protection of the Waring Creek Watershed as an important part of Picton-Hallowell's natural heritage system.*
- 2. Preserve and enhance the ecological features, functions and values of the Waring Creek Watershed.*
- 3. Minimize the potential impact of future development in Picton-Hallowell on the Waring Creek Watershed.*

Implementing Policies

Council shall:

WCP 1. *Recognize the Waring Creek Watershed as an important environmental resource, an integral part of the area's natural heritage system and a contributor to the liveability and quality of place of Picton-Hallowell (refer to Section 4.6.2 Natural Heritage System of this Plan).*

Comments

These policies apply to development within the Waring Creek Watershed. The watershed is recognized in the Environmental Impact Report and in the Stormwater Management Report as a resource that needs to be protected and managed. Liveability is measured by quality-of-life factors that includes the natural environment that comprises the natural heritage system within Loyalist Heights. The quality of place includes features of physical environment and qualities of life that make a location a desirable, competitive, and economically vibrant place to live. The Waring Creek Watershed, the wetland associated with Waring Creek and the wooded area contribute to the quality of life at Loyalist Heights.

The design of the plan of subdivision incorporates the natural heritage features that considers the interconnectivity with Waring's Creek.



Waring Creek is located outside the south easterly boundary of Loyalist Height. The wetland associated with Waring Creek is located in a small area within the wooded area. There is a 30 m setback within the woodlot from the wetland. The woodlot provides additional protection for the wetland and the Creek. In addition to the woodlot, land that will dedicated for public open space and stormwater management facility separates Waring Creek from the developed within Loyalist Heights. Combined these design elements provide a separation of approximately 200 m from the Creek to the development.

The WCP apply to development within the Waring Creek Watershed. The policies apply to all forms of development such land uses on large parcels and smaller individual single family lots. Some stormwater solutions may apply to larger parcels of land but they may not be appropriate for developments with smaller parcels such as single family lots. Some of the Waring Creek Policies included methods that are unconventional and apply a different standard than best practices and the normal standard implemented by the County for small lot developments.

Urbanization of the lands adjacent to Waring Creek could have adverse impacts on the watershed on stormwater runoff and groundwater infiltration.

Stormwater runoff is expected to increase in volume and decrease in quality due to urbanization. Municipal and Provincial practice requires the following

- Level 1 (enhanced) quality treatment
- Post to pre quantity control up to the 100 year regulatory event

Infiltration is expected to reduce due to increased hard surfaces (rooftops, asphalt). Area specific policies require maintaining infiltration levels post development.

WCP 2. *Require that development within the watershed be consistent with the water resources policies of Section 4.7.1 of this Plan. Such development and redevelopment shall reflect and incorporate the following measures, as appropriate:*

WCP 2 a) *Managing for pre-development water balance by reducing excess runoff volume and maintaining or restoring natural levels of infiltration and evaporation. MOE Level 1 (enhanced protection) storage criteria should be utilized, as appropriate;*

Comment

Section 4.0 of the Stormwater Management Report outlines the proposed infiltration measures to achieve the required water balance. The stormwater pond (Section 3.0) has been designed to the MOE Level 1 criteria for quality control prior to discharge to the



infiltration area. This combined approach provides a very high level of treatment well above standard practice.

WCP 2b) *Low impact development (LID) measures that work with nature to manage stormwater as close to its source as possible, including: infiltration islands in parking areas; use of permeable pavements; green roofs; biofiltration swales; rain gardens; cisterns and rain barrels; and compact development;*

Comment

The problem with implementing Low Impact options such as; infiltration islands in parking areas, permeable pavements, green roofs, bio-filtration swales, rain gardens rain barrels, is that most of those methods require pre-treatment especially if road/parking runoff is included as outlined in the 2003 MOE Stormwater Design Manual. Dirty water would be collected and enter an OG unit (Oil and Grit separation unit) then discharge into one of the measures. Low Impact measures on single family lots would be the responsibility of the homeowner with limited control by the County to enforce the measures. If Low Impact options were implemented in a residential plan of subdivision, using the manner proposed, this could require many OG units located around the development as they are typically only effective for small areas (i.e. 2 ha) per unit. The OG units require frequent cleanouts, maintenance and they would be owned and maintained by the County. The approximate capital cost of an OG unit is between \$40,000 and \$70,000 each. Examples of OG units are contained in Appendix 4.

The Low Impact options are not intended to be used in single family developments with smaller lots. They are not practical for use in large residential subdivision applications and are a more appropriate solution for larger commercial properties or condominium developments with a size limit of approximately 2 ha. Additionally smaller treatment solutions are generally not expected to perform as well as larger solutions (i.e. large wet pond facility for quality control and large infiltration basin).

The proposed Stormwater Management solution includes the following.

- The majority of stormwater from the development will be collected and piped to a full size pond.
- Some minor areas are expected to drain direct to existing ditches and vegetated areas (i.e. rear yard runoff)
- Full Level One quality treatment will be provided in the pond
- 100 year post development flows will be reduced to the 100 year pre-development flows, including overcontrol for the minor areas that do not get conveyed into the pond



- Filtered Stormwater will discharges into the infiltration gallery where the pre-development infiltration volume will be maintained
- The location of the SWM pond is approximately 200 m from Waring Creek allowing water to cool before entering Waring Creek.
- Additional Low Impact measures (i.e. rain barrels) may be utilized by homeowners but are not being given any credit towards the stormwater targets as they are not guaranteed to be maintained.

Methodology for Stormwater Management - Wetpond

Typical treatment for large residential developments is accomplished with an end-of-pipe treatment system such as a wet pond facility achieving Ministry of Environment targets.

- Wet pond facilities are capable of achieving both level 1 quality treatment and post-to-pre quantity treatment in the same footprint
- Wet pond, subject to grading, are capable of treating the majority of the development area
- Wet ponds require typical routine maintenance such as grass cutting
- Wet ponds require long term sediment cleanout, generally 25-30 year cycles
 - Quality control could be evaluated through a treatment train approach using LID measures (i.e. reduced lot grading, infiltration swales, permeable asphalt), however these types of measures generally require certain levels of pre-treatment using oil grit separators and have more frequent maintenance requirements making them impractical in residential areas.
 - They also tend to generate ponding in backyards which are commonly considered nuisance by homeowners
 - It is not common practice to consider any other options for stormwater quantity management for large residential developments.
 - The proposed stormwater quality and quality control for the proposed development is consistent with municipal and provincial practice.

Methodology for Stormwater Management - Infiltration

- Typical treatment for large residential developments (without area specific policies) is to promote runoff from rooftops to grassed areas and develop lot grading plans with reduced slopes to encourage infiltration of runoff
- Lot specific infiltration measures (LID's) are generally applied to commercial and industrial developments
 - LID's generally require pre-treatment of water prior to infiltration
 - The pre-treatment is commonly accomplished with oil grit separator units which typically have restrictions on the size of area draining to them
 - The units also require cleaning 1-2 times annually
 - Lot specific LID's within residential areas tend to generate ponding in backyards which are commonly considered nuisance by homeowners



- For large residential developments where the LID measures will become municipal infrastructure it is recommend to reduce the number of measures as a means of creating a more efficient process
 - Less measures will impact less of the municipal lands and allow for more efficient monitoring and maintenance
- The proposed infiltration gallery to be located downstream of the stormwater pond will provide the required water balance for the development while also being provided a high level 1 pre-treatment to ensure the water is clean and suitable for infiltration.

WCP 2c) *Consideration of stormwater retrofits, as necessary, in conjunction with redevelopment in existing neighbourhoods;*

Comment

Retrofits are used to clean up stormwater runoff from existing developments like neighborhoods, businesses, streets, parking lots, and rooftops that do not have other measures in place. The goals of putting in a retrofit are to slow down and lower the amount of runoff, and clean it up before it enters streams like Waring Creek.

The low density residential lots south of Loyalist Parkway and the Millennium Trail are adjacent to the proposed development. Runoff will be directed to the SWM pond and infiltration basin where it will received treatment. Runoff from these areas do not currently receive treatment, and will as such receive some retroactive treatment that currently does not exist.

WCP 2d) *Preparation of a sediment and erosion control plan in conjunction with a stormwater management plan;*

Comment

A sediment and erosion control plan will be a requirement in the draft plan approval in accordance with standard practice. Section 7 of the preliminary SWM report describes the Temporary Erosion and Sedimentation Controls as outlined below;

An erosion and sediment control strategy will be implemented as per the plan included in the drawing package in order to minimize the transfer of silt off site during construction.

The following measures should be incorporated into the strategy as required:

- Environmental fencing and straw bales
- Regular inspection of the erosion and sediment control devices
- Removal & disposal of the erosion and sediment control devices after the site has been stabilized



- Removal of sediment from pond prior to request for municipal assumption
- All exposed earth to be re-vegetated

WCP 2e) Consistency with the green design policies of this Plan (refer to Section 4.1.3).
2. Support Green Design initiatives that reduce water use and improve water quality in Picton-Hallowell, including:

4.1.3)2a) Exploring greater efficiencies in municipal water treatment and distribution;

Comment

Loyalist Heights will implement County standards for distribution of municipal water to the development.

4.1.3)2b) Reducing demand for water use within buildings through the use of water-saving fixtures and appliances;

Comment

Reflective of the high quality development planned, buildings and their fixtures and appliances will be of high quality incorporating Energy Star appliances and other water saving fixtures.

4.1.3)2c) Reducing demand for water for landscaping by using drought -tolerant plans, high-efficiency irrigating technology, captured rainwater, or recycled site water

Comment

The Draft Plan conditions will include a requirement to produce a landscaping plan and planting materials list. Policy 4.1.3)2c) may be considered in the preparation of the landscaping plan.

4.1.3)2d) Installing rain barrels

Comment

The use of rain barrels on privately owned residential lots will be the responsibility of the homeowner. The use of rain barrels on private property may be encouraged but it is not normally a matter that is enforced by the County.

4.1.3)2e) Reducing the amount of stormwater runoff through design mechanisms such as site permeability; and,

Comment

The stormwater Management Report outlines the use of a large infiltration basin to maintain water recharge of the development area.



4.1.3)2f) *Improving the quality of stormwater runoff by increasing on-site infiltration and eliminating contaminants.*

Comment

The Stormwater Management Report contains measures that improving the quality of stormwater runoff by increasing on-site infiltration and eliminating contaminants.

WCP 3. *Prohibit land uses from the watershed that could reduce its ecological functions and values and encourage the relocation of such uses already existing in the watershed. Such uses include, but are not limited to:*

- a) Waste management-related uses that require a Certificate of Approval from the Ministry of the Environment such as landfills, transfer stations, sewage lagoons, etc.;*
- b) Golf courses;*
- c) Commercial and industrial uses involving the manufacture, processing, and bulk storage of hazardous materials;*
- d) Intensive livestock operations; and*
- e) Application of biosolids to agricultural lands.*

Comment

The proposed plan is for residential uses and does not included any of the uses listed above.

WCP 4. *Establish a 30 m buffer area along the Waring Creek watercourse within which no new development, including septic tile fields, is permitted. On existing lots of record where it is not possible to achieve a 30 m buffer area, the maximum achievable buffer area shall be considered the minimum. A minor variance to reduce alternate yards may be considered in order to establish the maximum achievable buffer area, subject to the policies of Section 5.1.2 of this Plan. Buffer areas shall maintain and/or re-establish the native riparian habitat.*

Comment

EIS December 2023 Section 7.2 - A 30 m setback beyond the wetland has been established to protect the wetland and Waring's Creek. The woodlot that encompasses the wetland provides an additional 75 m buffer. The creek, wetland and woodland are in an Environmental Protection Area (EP) where development is not permitted. To the north and west of the EP area is publicly owned dedicated parkland that will provide even greater separation between Waring Creek and the development area. The creek, will be protected from development by a 200 m buffered that consists of the wetland buffer, woodlot and public open space. The buffer area exceeds the 30 m buffer requirement of the Policy 4.



WCP 5. *Require preparation of an environmental impact study (EIS) in support of any development or site alteration proposed on lands adjacent to a buffer area within the watershed. The EIS shall address the requirements outlined in Policy 4.7.3.2 of this Plan. The applicant shall pre-consult with the County pursuant to Policy 5.1.8.1 of this Plan prior to commencing the EIS.*

Comment

The Greer Galloway Group completed an EIS in July 2022 and the EIS was updated in December 2023. The EIS was prepared to evaluate the proposed residential development that will be located within the Waring Creek watershed. The County's Terms of Reference for EIS were applied, which include the requirements specified in Policy 4.7.3.2 of the Plan.

WCP 6. *Consider establishing a lot-level retrofits program geared to Picton-Hallowell's existing neighbourhoods, including the use of rain gardens, permeable paving, rain barrels/cisterns, and native planting. Lot-level retrofits within the Waring Creek Watershed should be a priority.*

The stormwater measures are recommending the use of a large infiltration basin at the outlet of the SWM facility. This ensures that the water being promoted into the groundwater table has been treated to level 1 standards. It is recommended that residents utilize additional on-site measures such as rain barrels and gardens, but no credit has been accounted for in the water balance as these measures can be removed by residents over time.

Other LID measures such as bio swales and permeable pavement have not been considered as they are not practically used in large subdivision applications as they require pre-treatment of runoff (i.e. oil grit separators - which would become municipal infrastructure and require frequent cleanouts and maintenance) and treatment of small areas (i.e. a series of smaller treatment features throughout the future municipal road system). Additionally smaller treatment solutions are generally not expected to perform as well as larger solutions (i.e. large wet pond facility for quality control and large infiltration basin).

Additional information is the Comment to policy *Policy 2b and 2c above.*

WCP 7. *Support various ongoing efforts to protect the watercourses comprising the watershed, including improvements to stream crossings, native buffer planting, installation of livestock restriction fencing, and invasive species removal.*

Comment

Existing drainage along the north side of Sandy Hook Road will continue to be used. Stormwater entering the existing drainage facility will be captured in the storm pond and



filtered through a discharge area before entering the existing drainage facility. The 30 m buffer and protection of the wooded area has been incorporated into the plan of subdivision. Development is proposed at least 75 m from the wetland and at least 200 m from the Waring's Creek.

Development is not permitted in the Environmental Protection Area situated west of the Creek and within Loyalist Heights. There are no existing or proposed creek crossings within the development. Wood lot provides native buffering planting. It has been recommended the removal of invasive species present along the edge of the woodland and restore the areas with native plant species as well as planting native species in the area designed as open space. A landscaping plan will be prepared for the entire Loyalist Heights community that will include recommendation for appropriate plant material.

WCP 8. *Work with the Waring Creek Improvement Association, Prince Edward Stewardship Council, and Ministry of Natural Resources to implement the Waring Creek Fisheries Management Plan to sustain a healthy fishery, including re-stocking of the once resident brook trout population, and protecting the natural heritage features of the watercourse.*

Comment

It is understood there is no Waring Creek Fisheries Management Plan and this policy cannot be implemented.

WCP 9. *Enforce compliance with County regulations that may affect water resources in the watershed, including erosion and sediment control, tree cutting, land disturbance and site alteration, dumping and encroachment. Any gaps in regulatory capability and capacity should be addressed as a priority.*

Comment

The proposed plan of subdivision will be accompanied by Draft Plan Conditions agreement; Ministry ECA's; and other common subdivision development processes that will include any requirements for controls including erosion and sediment control, tree cutting, land disturbance and site alteration, dumping and encroachment as required by the County.

WCP 10. *Encourage and support the preparation of a watershed plan for Waring Creek to ensure that areas of the watershed beyond the boundaries of the Picton Urban Centre, and hence the jurisdiction of this Secondary Plan, are protected and managed to a similar degree. Such a plan should guide local policies and programs for environmental protection, conservation, and restoration within the contexts of land use, water use, and planning for future development. It should also provide direction with regard to best management practices and opportunities for environmental stewardship.*



Comment

The proposed plan of subdivision and associated reports have been prepared to satisfy the development policies as required by the County. There is no watershed plan for Waring Creek.

WCP 11. *Recognize the Natural Heritage Reference Manual for Natural Heritage Policies of the Provincial Policy Statement, as amended by the Province from time to time, as a key source of technical guidance for the protection and management of the Waring Creek Watershed, and specifically Waring Creek as a cold water stream.*

Comment

The Natural Heritage Reference Manual. (**NHRM**) provides guidance for implementing the natural heritage policies of the Provincial Policy Statement. Based on the policies of the PPS and the Natural Heritage Manual development is not permitted in the following Significant Heritage Features:

NHRM 5.0 *Significant Habitat of Endangered and Threatened Species*

Comment

A review of background information resulted in twenty-five (25) species at risk potentially to be found in the area where the property is located. During the site investigations Monarch Butterfly was the only SAR observed. Monarch butterflies are listed as Special Concern species. Therefore, it is not protected under the Endangered Species Act. Measures were recommended to prevent, mitigate and/or compensate impacts to SAR including Monarch butterflies.

Bats are listed as endangered species. Bats use dead trees for roosting. The forested area within the property will not be part of the development; therefore, roosting habitat for bats will not be impacted by the development.

Blanding's turtles and mainland painted turtles have been documented to be present in the creek/wetland. The wetland surrounding Waring's Creek provides wintering habitat for turtles. The development will be more than 75 m from the wetland boundary. Wetland is not present between the areas proposed for development; therefore, wintering habitat for turtles will not be affected by the development.

NHRM 6.0 *Significant Wetlands and Significant Coastal Wetlands*

Comment

Significant Wetlands -The wetland surrounding the Waring's Creek is an unevaluated wetland that was not included as part of the Beaver Meadow Complex Provincially Significant Wetland located south of Sandy Hook Road. The wetland is within the Environmental Protection Zone, development is not proposed in this area. In addition, the



wetland is protected by the forest surrounding it. Information was requested to MNR to identify why this wetland was not included as part of the PSW but no information is available regarding the reason the wetland was not included as part of the PSW.

Significant Coastal Wetlands - The property is not located adjacent to a waterbody; therefore, coastal wetland is not present. Significant wetlands in the Canadian Shield north of Ecoregions 5E, 6E and 7E. This policy does not apply. The property is located in Ecoregion 6E.

NHRM 7.0 Significant Woodlands

Comment

Significant Woodlands -The woodland is part of the Environmental Protection zone. Development is not proposed in this area. The woodland is 5.4 ha in size, and it is important as provide protection to the Waring's Creek and wetland. It is a forest stand that has been maintained for many years and provides habitat to wildlife as well as help to maintain the hydrological functions of the creek and wetland. Changes in hydrology in adjacent land to the forest where the development is proposed are anticipated due to an increase in impervious surfaces; however, the proposed SWM facility and the infiltration gallery to be located downstream of the stormwater pond will provide the required water balance for the development and a high level of treatment to ensure the water is clean and suitable for infiltration.

NHRM 8.0 Significant Valleylands

Comment

The property is relatively flat lacking landform depression; therefore, the property is not within a valleyland.

NHRM 9.0 Significant Wildlife Habitat

Comment

The forest/wetland provides habitat for wildlife, but it occupies an area of 5.4 ha within the property. Most of the property area is occupied with agricultural fields. The property does not contain seasonal concentration areas, rare vegetation communities, bat maternity roosting significant habitat, presence of snake hibernacula habitat, colonially nesting breeding bird habitat, migratory butterfly stopover areas, land bird migratory stopover areas, deer yarding and wintering congregation areas, waterfowl nesting areas, bald eagle and osprey nesting, foraging and perching habitat, woodland raptor nesting habitat, turtle nesting areas, seeps and springs, area-sensitive bird breeding habitat, marsh breeding bird habitat, open country breeding habitat, shrub/early successional bird breeding habitat, terrestrial crayfish, amphibian and deer movement corridors.

The forest/wetland provide wintering habitat for turtles, amphibian breeding habitat and habitat for special concern species. The forest/wetland will not be affected by the



proposed development and measures have been recommended to prevent impacts to wildlife.

NHRM 10.0 Significant Areas of Natural and Scientific Interest

Comment

The property is not within and/or adjacent to an ANSI.

NHRM 11.0 Fish Habitat

Comment

No fish were observed in the wetland and creek during the site investigations. This part of the creek does not provide habitat to fish; therefore, fish habitat will not be impacted by the proposed development. A SWM facility and an infiltration gallery will provide the required water balance as per pre-development conditions and high treatment to ensure good water quality is discharged to the creek and ground upstream of the fish habitat reported in the Waring's Creek south of the property.

WCP 12. Recognize that in the case of discrepancy between the policies of this Section of the Plan and the policies of Sections 2.4, 2.5, 2.9, and 2.10 of the Plan, the policies of this Section of the Plan shall take precedence.

Comment

Policy 12 above is acknowledged.

4.10.2.2 Service Areas Designation

The northern parcel of land is designated Service Area 2. Within Service Area 2 there is a municipal water supply but there is no sanitary sewage collection system.

The southern parcel of land is designated Service Area 3. Within Service Area 3 there is no existing municipal water or sanitary collection system. The ability to extend municipal water supply and a sanitary sewage collection system has been confirmed by the County and in servicing reports prepared by the Greer Galloway Group.

An Official Plan amendment is required to change the designation of the land from Service Areas 2 and 3 to Service Area 1.

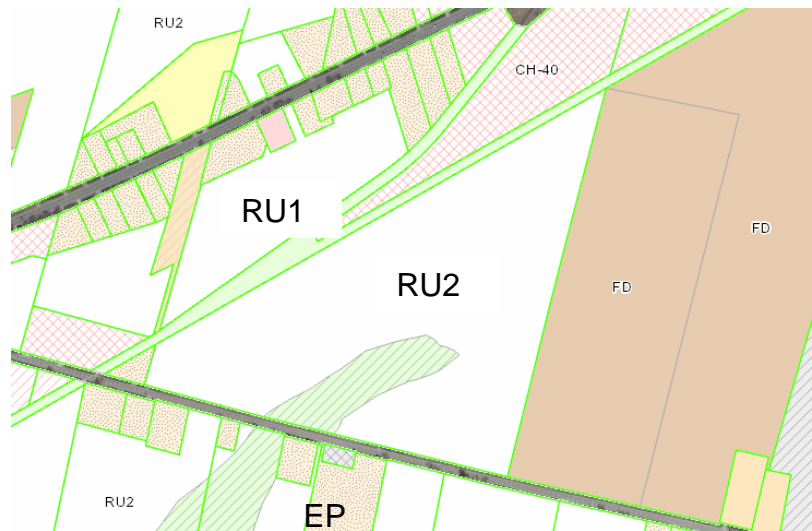


4.11 Zoning

4.11.1 Existing Zoning

Figure 5 – Existing Zoning shows the zones that currently apply to the property. The northern portion of the lands is zoned RU1 zone and the southern portion of the lands is zoned RU2 zone and EP zone. A Zoning By-Law Amendment is required to implement the development proposal. Appendix 6 contains a Draft Zoning By-Law that when approved will implement the draft plan of subdivision application.

Figure 5 - Existing Zoning



4.11.2 Proposed Zoning Amendment

All of the subject property is currently zoned RU1, RU2 and EP on Schedule A3, By-Law 1816-2006. Four zones are proposed for the property that will permit a variety of residential uses as zone for public open space and environmental protection. The zones and permitted uses are summarized below:

- Zone R3-x
 - Permitted uses will include: singles, semi-detached, townhomes, back to back townhomes, and apartments.
- EP Zone for protection of the woodlot
- OS Zone for park, public utilities.

The wording of the proposed site specific zoning By-law and the zoning map are included in Appendix 4.

A comparison of the parent zones contained in County's comprehensive Zoning By-Law 1816-2006 and the proposed zones are contained in Appendix 5.



4.12 Public Consultation

During the summer and fall of 2020 the following events were held:

An invitation to a Zoom Meeting and Briefing Notes that described the proposed development were hand delivered to approximately 30 properties located adjacent to Loyalist Heights, County Staff and members of Council. Approximately 13 people attended the meeting.

An invitation to all County residents to attend a second Zoom Meeting was published in local newspapers. Approximately 40 people attended the meeting.

A Zoom Meeting was held with the Waring Creek Improvement Association.

After the Zoom Meetings approximately 7 On-site meetings and telephone meetings were held with residents who wanted to discuss the proposal in more detail.

5 PLANNING SYNOPSIS

5.1 The lands are designated “Town Residential Area” in the Picton Secondary Plan. A portion is designated “Environmental Protection Area” near the Waring Creek.

5.2 Higher Density

- Average Gross Density is 19 units/ha.
- Average Net Density is 36 units/ha.

5.3 All Forms of Housing and Ownership

- Single family, semi-detached, townhomes, apartments, senior bungalows. The ownership will vary from freehold, rental and condominium.

5.4 An affordable housing solution is proposed for Loyalist Heights which includes;

- Seventy five (75) affordable housing units are proposed.
 - A Rent-to-Buy option.
 - The sale of housing units at or below the affordability threshold identified by CMHC.

5.5 There is not sufficient width for a municipal road to access the property from Loyalist Parkway. The frontage on Loyalist Parkway is 16.4 m and 20 m is required for a right-of-way width for a local road. The 16.4 m frontage on Loyalist Parkway is sufficient to accommodate the existing access to the property by a private driveway. Primary access to the southern block of land is available from Sandy Hook Road. Frontage



along Sandy Hook Road is linear and therefore safe access into the property can be provided. There will be no direct access from residential lots onto Sandy Hook.

- 5.6 The Millennium Trail will be incorporated into the subdivision.
- 5.7 The Draft Plan will also need to address the environmental policies of the Plan and recognize that land in the south-east corner is designated for Environmental Protection in the Secondary Plan. The proposal includes the addition of open space adjacent to the EP lands which has the effect of increasing the total area of the lands that will be dedicated as public open space.
- 5.8 The site is located in Service Area 2 and 3 and, as such, full municipal services will need to be extended to the site. An Official Plan Amendment will be required to designate the lands to Service Area 1. A draft Official Plan Amendment has been included with the submission.
- 5.9 A Zoning By-law Amendment will implement the range of housing proposed by the Draft Plan. A draft Amendment to the County's Comprehensive Zoning By-law has been included with the submission.
- 5.10 The proposed development is good land use planning.

Report Prepared by

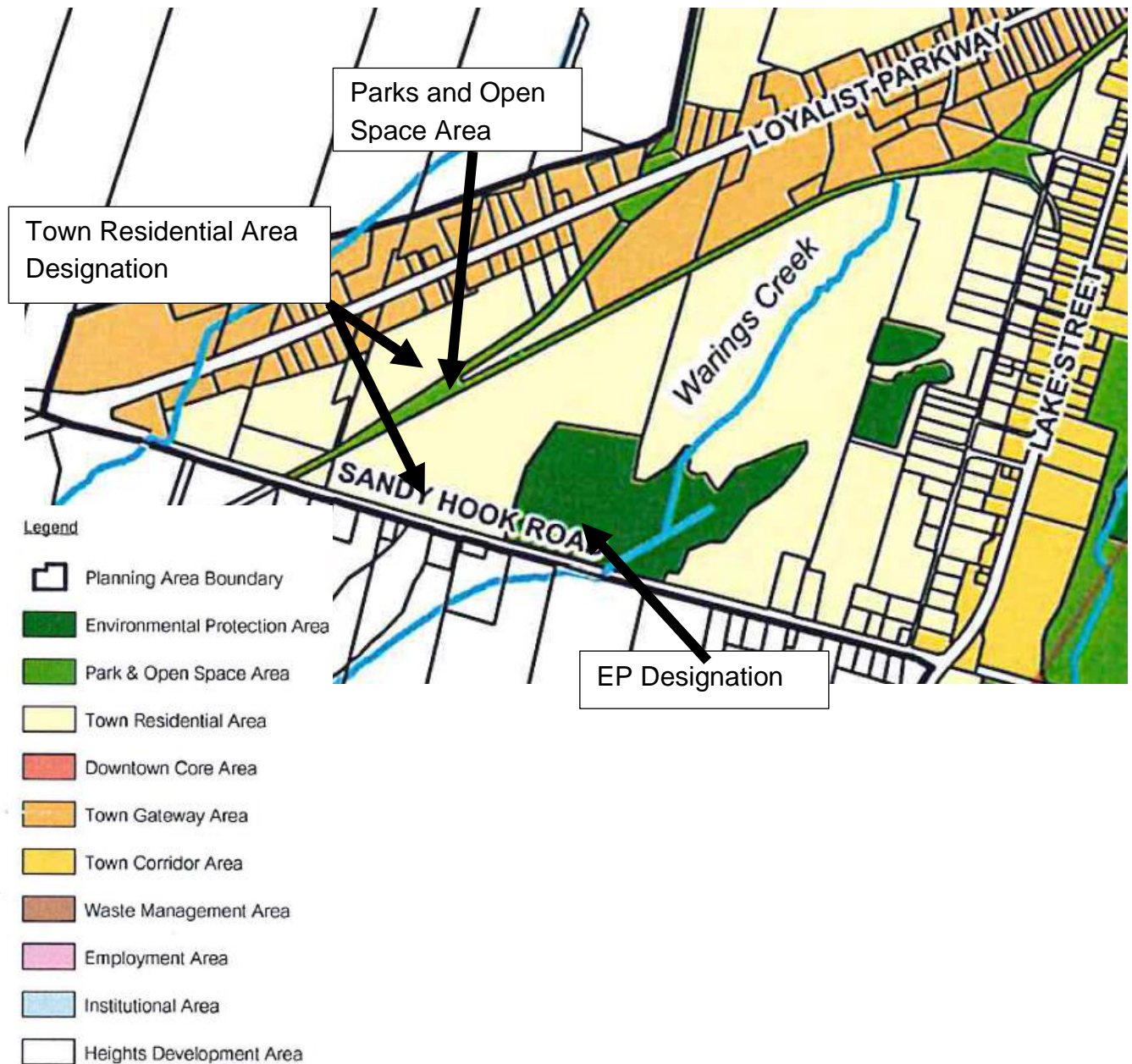


Ray Essiambre, Principal Planner
Ray Essiambre and Associates Limited

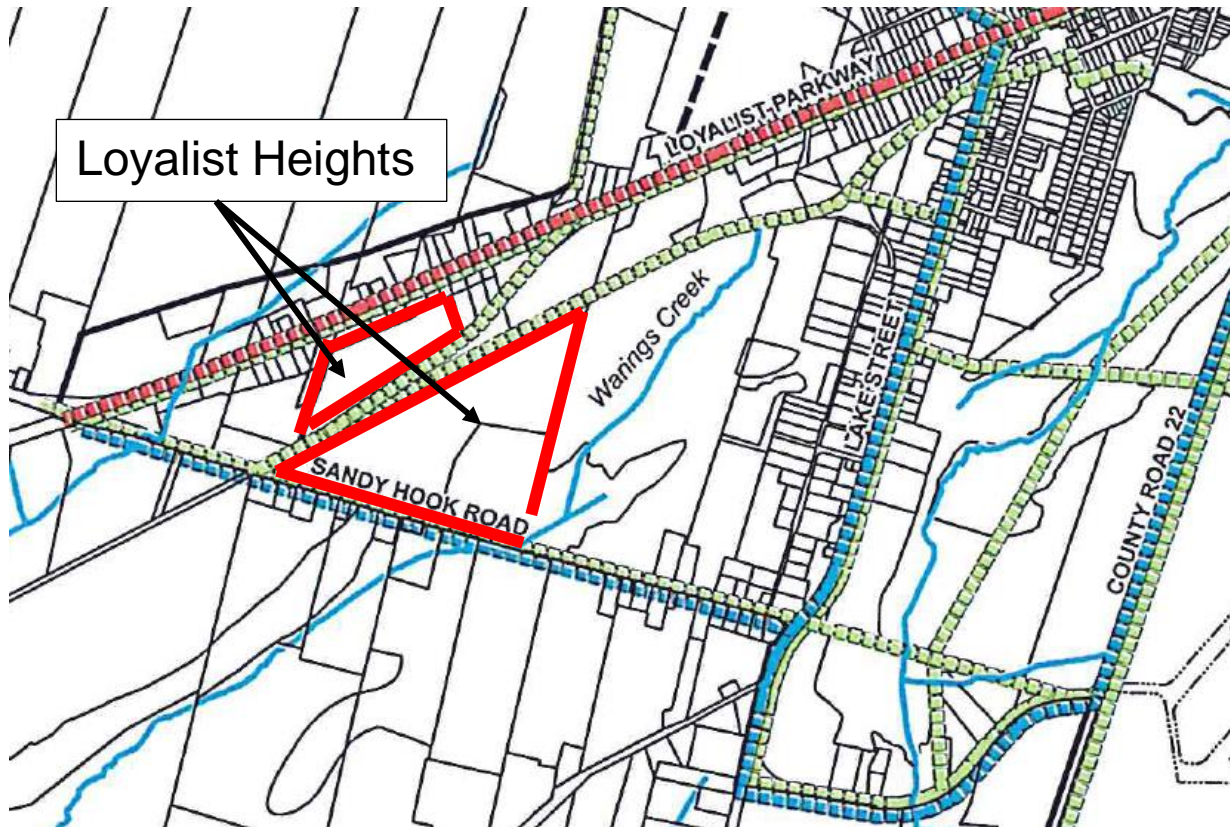


Appendix 1 – Picton Secondary Plan Schedules

Schedule 'A' – Land Use Map



Schedule 'B' – Transportation Map

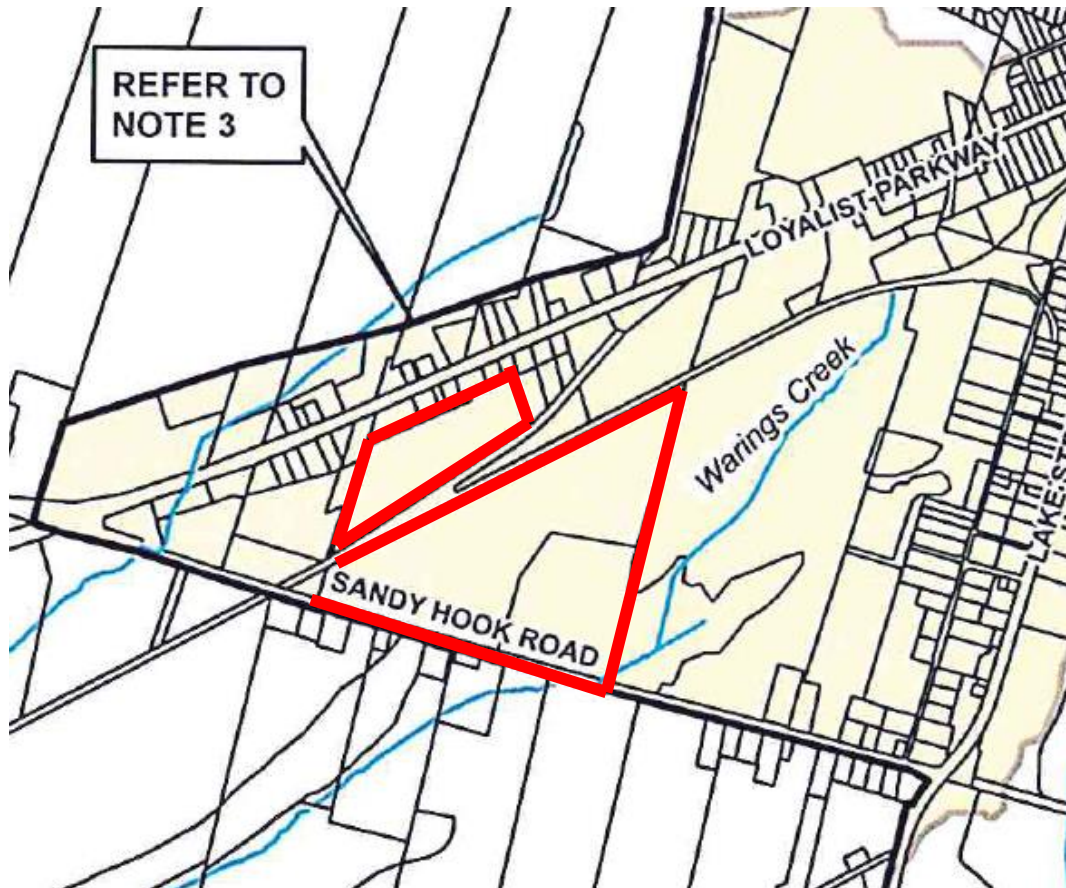


Legend

-  Planning Area Boundary
-  Arterial Roads
-  Collector Roads
-  Activity Routes
-  Local Roads
-  Potential Future Routes/Expansions



Schedule 'C' – Policy Area Map



Legend

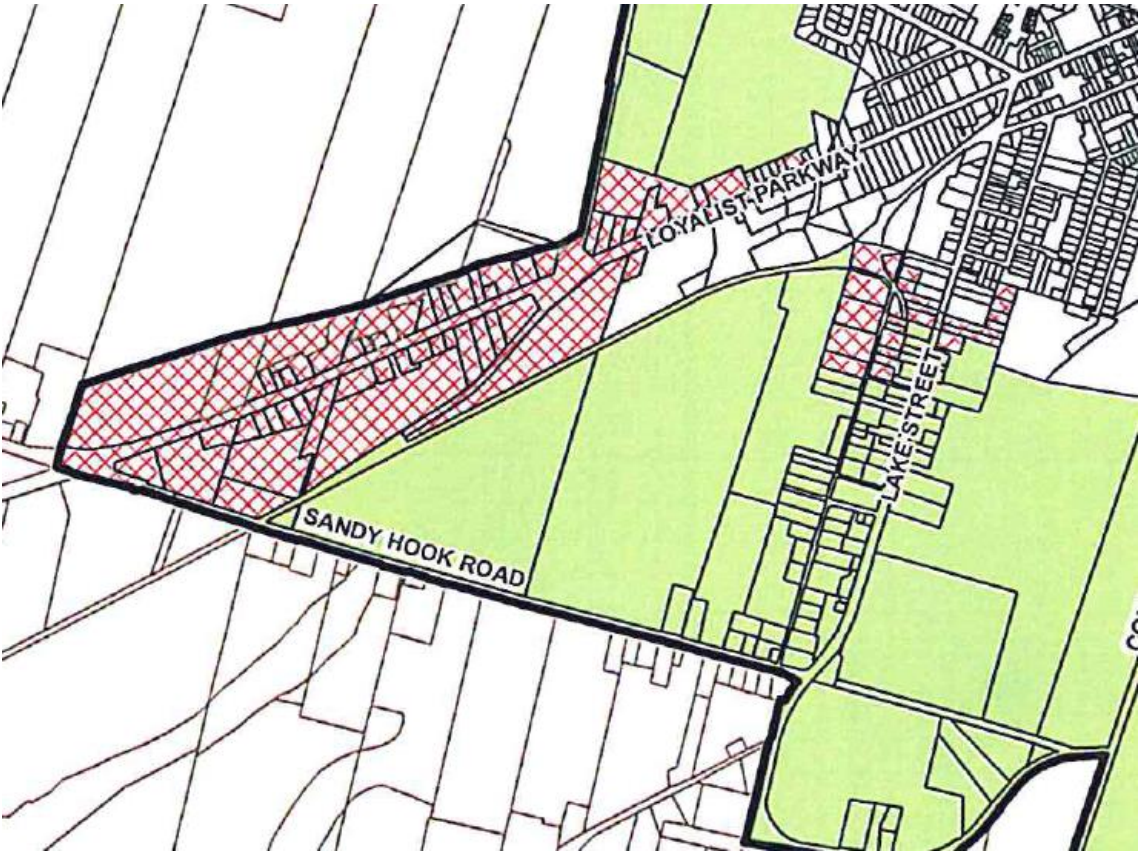
-  Planning Area Boundary
-  Policy Area

Notes





1. Town Square Policy Area (Refer to Section 2.12.1)
2. Picton Harbour Policy Area (Refer to Section 2.12.2)
3. Warnings Creek Watershed Policy Area (Refer to Section 2.12.3)
4. H.J. McFarland Lands Policy Area (Refer to Section 2.12.4)



Schedule 'F' – Service Area Map



Legend

-  Planning Area Boundary
-  Service Area 1
-  Service Area 2
-  Service Area 3



Appendix 2 – Waring Creek Policies

Implementing Policies

WCP 1. *Recognize the Waring Creek Watershed as an important environmental resource, an integral part of the area’s natural heritage system and a contributor to the liveability and quality of place of Picton-Hallowell (refer to Section 4.6.2 Natural Heritage System of this Plan).*

Comments

These policies apply to development within the Waring Creek Watershed. The watershed is recognized in the Environmental Impact Report and in the Stormwater Management Report as a resource that needs to be protected and managed. Liveability is measured by quality-of-life factors that includes the natural environment that comprises the natural heritage system within Loyalist Heights. The quality of place includes features of physical environment and qualities of life that make a location a desirable, competitive, and economically vibrant place to live. The Waring Creek Watershed, the wetland associated with Waring Creek and the wooded area contribute to the quality of life at Loyalist Heights.

The design of the plan of subdivision incorporates the natural heritage features that considers the interconnectivity with Waring’s Creek.

Waring Creek is located outside the south easterly boundary of Loyalist Height. The wetland associated with Waring Creek is located in a small area within the wooded area. There is a 30 m setback within the woodlot from the wetland. The woodlot provides additional protection for the wetland and the Creek. In addition to the woodlot, land that will dedicated for public open space and stormwater management facility separates Waring Creek from the developed within Loyalist Heights. Combined these design elements provide a separation of approximately, 200 m from the Creek to the development.

The WCP apply to development within the Waring Creek Watershed. The policies apply to all forms of development such land uses on large parcels and smaller individual single family lots. Some stormwater solutions may apply to larger parcels of land but they may not be appropriate for developments with smaller parcels such as single family lots. Some of the Waring Creek Policies included methods that are unconventional and apply a different standard than best practices and the normal standard implemented by the County for small lot developments.

Urbanization of the lands adjacent to Waring Creek could have adverse impacts on the watershed on stormwater runoff and groundwater infiltration.



Stormwater runoff is expected to increase in volume and decrease in quality due to urbanization. Municipal and Provincial practice requires the following

- Level 1 (enhanced) quality treatment
- Post to pre quantity control up to the 100 year regulatory event

Infiltration is expected to reduce due to increased hard surfaces (rooftops, asphalt). Area specific policies require maintaining infiltration levels post development.

WCP 2. *Require that development within the watershed be consistent with the water resources policies of Section 4.7.1 of this Plan. Such development and redevelopment shall reflect and incorporate the following measures, as appropriate:*

WCP 2 a) *Managing for pre-development water balance by reducing excess runoff volume and maintaining or restoring natural levels of infiltration and evaporation. MOE Level 1 (enhanced protection) storage criteria should be utilized, as appropriate;*

Comment

Section 4.0 of the Stormwater Management Report outlines the proposed infiltration measures to achieve the required water balance. The stormwater pond (Section 3.0) has been designed to the MOE Level 1 criteria for quality control prior to discharge to the infiltration area. This combined approach provides a very high level of treatment well above standard practice.

WCP 2b) *Low impact development (LID) measures that work with nature to manage stormwater as close to its source as possible, including: infiltration islands in parking areas; use of permeable pavements; green roofs; biofiltration swales; rain gardens; cisterns and rain barrels; and compact development;*

Comment

The problem with implementing Low Impact options such as; infiltration islands in parking areas, permeable pavements, green roofs, bio-filtration swales, rain gardens rain barrels, is that most of those methods require pre-treatment especially if road/parking runoff is included as outlined in the 2003 MOE Stormwater Design Manual. Dirty water would be collected and enter an OG unit (Oil and Grit separation unit) then discharge into one of the measures. Low Impact measures on single family lots would be the responsibility of the homeowner with limited control by the County to enforce the measures. If Low Impact options were implemented in a residential plan of subdivision, using the manner proposed, this could require many OG units located around the development as they are typically only effective for small areas (i.e. 2 ha) per unit. The OG units require frequent



cleanouts, maintenance and they would be owned and maintained by the County. The approximate capital cost of an OG unit is between \$40,000 and \$70,000 each. Examples of OG units are contained in Appendix 2.

The Low Impact options are not intended to be used in single family developments with smaller lots. They are not practical for use in large residential subdivision applications and are a more appropriate solution for larger commercial properties or condominium developments with a size limit of approximately 2 ha. Additionally smaller treatment solutions are generally not expected to perform as well as larger solutions (i.e. large wet pond facility for quality control and large infiltration basin).

The proposed Stormwater Management solution includes the following.

- The majority of stormwater from the development will be collected and piped to a full size pond.
- Some minor areas are expected to drain direct to existing ditches and vegetated areas (i.e. rear yard runoff)
- Full Level One quality treatment will be provided in the pond
- 100 year post development flows will be reduced to the 100 year pre-development flows, including overcontrol for the minor areas that do not get conveyed into the pond
- Filtered Stormwater will discharge into the infiltration gallery where the pre-development infiltration volume will be maintained
- The location of the SWM pond is approximately 200 m from Waring Creek allowing water to cool before entering Waring Creek.
- Additional Low Impact measures (i.e. rain barrels) may be utilized by homeowners but are not being given any credit towards the stormwater targets as they are not guaranteed to be maintained.

Methodology for Stormwater Management - Wetpond

Typical treatment for large residential developments is accomplished with an end-of-pipe treatment system such as a wet pond facility achieving Ministry of Environment targets.

- Wet pond facilities are capable of achieving both level 1 quality treatment and post-to-pre quantity treatment in the same footprint
- Wet pond, subject to grading, are capable of treating the majority of the development area
- Wet ponds require typical routine maintenance such as grass cutting
- Wet ponds require long term sediment cleanout, generally 25-30 year cycles
 - Quality control could be evaluated through a treatment train approach using LID measures (i.e. reduced lot grading, infiltration swales, permeable asphalt), however these types of measures generally require certain levels



of pre-treatment using oil grit separators and have more frequent maintenance requirements making them impractical in residential areas.

- They also tend to generate ponding in backyards which are commonly considered nuisance by homeowners
- It is not common practice to consider any other options for stormwater quantity management for large residential developments.
- The proposed stormwater quality and quality control for the proposed development is consistent with municipal and provincial practice.

Methodology for Stormwater Management - Infiltration

- Typical treatment for large residential developments (without area specific policies) is to promote runoff from rooftops to grassed areas and develop lot grading plans with reduced slopes to encourage infiltration of runoff
- Lot specific infiltration measures (LID's) are generally applied to commercial and industrial developments
 - LID's generally require pre-treatment of water prior to infiltration
 - The pre-treatment is commonly accomplished with oil grit separator units which typically have restrictions on the size of area draining to them
 - The units also require cleaning 1-2 times annually
 - Lot specific LID's within residential areas tend to generate ponding in backyards which are commonly considered nuisance by homeowners
- For large residential developments where the LID measures will become municipal infrastructure it is recommend to reduce the number of measures as a means of creating a more efficient process
 - Less measures will impact less of the municipal lands and allow for more efficient monitoring and maintenance
- The proposed infiltration gallery to be located downstream of the stormwater pond will provide the required water balance for the development while also being provided a high level 1 pre-treatment to ensure the water is clean and suitable for infiltration.

WCP 2c) *Consideration of stormwater retrofits, as necessary, in conjunction with redevelopment in existing neighbourhoods;*

Comment

Retrofits are used to clean up stormwater runoff from existing developments like neighborhoods, businesses, streets, parking lots, and rooftops that do not have other measures in place. The goals of putting in a retrofit are to slow down and lower the amount of runoff, and clean it up before it enters streams like Waring Creek.



The low density residential lots south of Loyalist Parkway and the Millennium Trail are adjacent to the proposed development. Runoff will be directed to the SWM pond and infiltration basin where it will received treatment. Runoff from these areas do not currently receive treatment, and will as such receive some retroactive treatment that currently does not exist.

WCP 2d) *Preparation of a sediment and erosion control plan in conjunction with a stormwater management plan;*

Comment

A sediment and erosion control plan will be a requirement in the draft plan approval in accordance with standard practice. Section 7 of the preliminary SWM report describes the Temporary Erosion and Sedimentation Controls as outlined below;

An erosion and sediment control strategy will be implemented as per the plan included in the drawing package in order to minimize the transfer of silt off site during construction.

The following measures should be incorporated into the strategy as required:

- Environmental fencing and straw bales
- Regular inspection of the erosion and sediment control devices
- Removal & disposal of the erosion and sediment control devices after the site has been stabilized
- Removal of sediment from pond prior to request for municipal assumption
- All exposed earth to be re-vegetated

WCP 2e) *Consistency with the green design policies of this Plan (refer to Section 4.1.3).
2. Support Green Design initiatives that reduce water use and improve water quality in Picton-Hallowell, including:*

4.1.3)2a) Exploring greater efficiencies in municipal water treatment and distribution;

Comment

Loyalist Heights will implement County standards for distribution of municipal water to the development.

4.1.3)2b) Reducing demand for water use within buildings through the use of water-saving fixtures and appliances;

Comment



Reflective of the high quality development planned, buildings and their fixtures and appliances will be of high quality incorporating Energy Star appliances and other water saving fixtures.

4.1.3)2c) Reducing demand for water for landscaping by using drought -tolerant plans, high-efficiency irrigating technology, captured rainwater, or recycled site water

Comment

The Draft Plan conditions will include a requirement to produce a landscaping plan and planting materials list. Policy 4.1.3)2c) may be considered in the preparation of the landscaping plan.

4.1.3)2d) Installing rain barrels

Comment

The use of rain barrels on privately owned residential lots will be the responsibility of the homeowner. The use of rain barrels on private property may be encouraged but it is not normally a matter that is enforced by the County.

4.1.3)2e) Reducing the amount of stormwater runoff through design mechanisms such as site permeability; and,

Comment

The stormwater Management Report outlines the use of a large infiltration basin to maintain water recharge of the development area.

4.1.3)2f) Improving the quality of stormwater runoff by increasing on-site infiltration and eliminating contaminants.

Comment

The Stormwater Management Report contains measures that improving the quality of stormwater runoff by increasing on-site infiltration and eliminating contaminants.

WCP 3. *Prohibit land uses from the watershed that could reduce its ecological functions and values and encourage the relocation of such uses already existing in the watershed. Such uses include, but are not limited to:*

- a) Waste management-related uses that require a Certificate of Approval from the Ministry of the Environment such as landfills, transfer stations, sewage lagoons, etc.;*
- b) Golf courses;*
- c) Commercial and industrial uses involving the manufacture, processing, and bulk storage of hazardous materials;*
- d) Intensive livestock operations; and*
- e) Application of biosolids to agricultural lands.*



Comment

The proposed plan is for residential uses and does not included any of the uses listed above.

WCP 4. *Establish a 30 m buffer area along the Waring Creek watercourse within which no new development, including septic tile fields, is permitted. On existing lots of record where it is not possible to achieve a 30 m buffer area, the maximum achievable buffer area shall be considered the minimum. A minor variance to reduce alternate yards may be considered in order to establish the maximum achievable buffer area, subject to the policies of Section 5.1.2 of this Plan. Buffer areas shall maintain and/or re-establish the native riparian habitat.*

Comment

EIS December 2023 Section 7.2 - A 30 m setback beyond the wetland has been established to protect the wetland and Waring's Creek. The woodlot that encompasses the wetland provides an additional 75 m buffer. The creek, wetland and woodland are in an Environmental Protection Area (EP) where development is not permitted. To the north and west of the EP area is publicly owned dedicated parkland that will provide even greater separation between Waring Creek and the development area. The creek, will be protected from development by a 200 m buffered that consists of the wetland buffer, woodlot and public open space. The buffer area exceeds the 30 m buffer requirement of the Policy 4.

WCP 5. *Require preparation of an environmental impact study (EIS) in support of any development or site alteration proposed on lands adjacent to a buffer area within the watershed. The EIS shall address the requirements outlined in Policy 4.7.3.2 of this Plan. The applicant shall pre-consult with the County pursuant to Policy 5.1.8.1 of this Plan prior to commencing the EIS.*

Comment

The Greer Galloway Group completed an EIS in July 2022 and the EIS was updated in December 2023. The EIS was prepared to evaluate the proposed residential development that will be located within the Waring Creek watershed. The County's Terms of Reference for EIS were applied, which include the requirements specified in Policy 4.7.3.2 of the Plan.

WCP 6. *Consider establishing a lot-level retrofits program geared to Picton-Hallowell's existing neighbourhoods, including the use of rain gardens, permeable paving, rain barrels/cisterns, and native planting. Lot-level retrofits within the Waring Creek Watershed should be a priority.*



The stormwater measures are recommending the use of a large infiltration basin at the outlet of the SWM facility. This ensures that the water being promoted into the groundwater table has been treated to level 1 standards. It is recommended that residents utilize additional on-site measures such as rain barrels and gardens, but no credit has been accounted for in the water balance as these measures can be removed by residents over time.

Other LID measures such as bio swales and permeable pavement have not been considered as they are not practically used in large subdivision applications as they require pre-treatment of runoff (i.e. oil grit separators - which would become municipal infrastructure and require frequent cleanouts and maintenance) and treatment of small areas (i.e. a series of smaller treatment features throughout the future municipal road system). Additionally smaller treatment solutions are generally not expected to perform as well as larger solutions (i.e. large wet pond facility for quality control and large infiltration basin).

Additional information is the Comment to policy *Policy 2b and 2c above*.

WCP 7. Support various ongoing efforts to protect the watercourses comprising the watershed, including improvements to stream crossings, native buffer planting, installation of livestock restriction fencing, and invasive species removal.

Comment

Existing drainage along the north side of Sandy Hook Road will continue to be used. Stormwater entering the existing drainage facility will be captured in the storm pond and filtered through a discharge area before entering the existing drainage facility. The 30 m buffer and protection of the wooded area has been incorporated into the plan of subdivision. Development is proposed at least 75 m from the wetland and at least 200 m from the Waring's Creek.

Development is not permitted in the Environmental Protection Area situated west of the Creek and within Loyalist Heights. There are no existing or proposed creek crossings within the development. Wood lot provides native buffering planting. It has been recommended the removal of invasive species present along the edge of the woodland and restore the areas with native plant species as well as planting native species in the area designed as open space. A landscaping plan will be prepared for the entire Loyalist Heights community that will include recommendation for appropriate plant material.

WCP 8. Work with the Waring Creek Improvement Association, Prince Edward Stewardship Council, and Ministry of Natural Resources to implement the Waring Creek Fisheries Management Plan to sustain a healthy fishery, including re-stocking of the once resident brook trout population, and protecting the natural heritage features of the watercourse.



Comment

It is understood there is no Waring Creek Fisheries Management Plan and this policy cannot be implemented.

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Comment

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WCP 10. *Encourage and support the preparation of a watershed plan for Waring Creek to ensure that areas of the watershed beyond the boundaries of the Picton Urban Centre, and hence the jurisdiction of this Secondary Plan, are protected and managed to a similar degree. Such a plan should guide local policies and programs for environmental protection, conservation, and restoration within the contexts of land use, water use, and planning for future development. It should also provide direction with regard to best management practices and opportunities for environmental stewardship.*

Comment

The proposed plan of subdivision and associated reports have been prepared to satisfy the development policies as required by the County. There is no watershed plan for Waring Creek.

WCP 11. *Recognize the Natural Heritage Reference Manual for Natural Heritage Policies of the Provincial Policy Statement, as amended by the Province from time to time, as a key source of technical guidance for the protection and management of the Waring Creek Watershed, and specifically Waring Creek as a cold water stream.*

Comment

The Natural Heritage Reference Manual. (**NHRM**) provides guidance for implementing the natural heritage policies of the Provincial Policy Statement. Based on the policies of the PPS and the Natural Heritage Manual development is not permitted in the following Significant Heritage Features:

NHRM 5.0 Significant Habitat of Endangered and Threatened Species



Comment

A review of background information resulted in twenty-five (25) species at risk potentially to be found in the area where the property is located. During the site investigations Monarch Butterfly was the only SAR observed. Monarch butterflies are listed as Special Concern species. Therefore, it is not protected under the Endangered Species Act. Measures were recommended to prevent, mitigate and/or compensate impacts to SAR including Monarch butterflies.

Bats are listed as endangered species. Bats use dead trees for roosting. The forested area within the property will not be part of the development; therefore, roosting habitat for bats will not be impacted by the development.

Blanding's turtles and mainland painted turtles have been documented to be present in the creek/wetland. The wetland surrounding Waring's Creek provides wintering habitat for turtles. The development will be more than 75 m from the wetland boundary. Wetland is not present between the areas proposed for development; therefore, wintering habitat for turtles will not be affected by the development.

NHRM 6.0 Significant Wetlands and Significant Coastal Wetlands

Comment

Significant Wetlands -The wetland surrounding the Waring's Creek is an unevaluated wetland that was not included as part of the Beaver Meadow Complex Provincially Significant Wetland located south of Sandy Hook Road. The wetland is within the Environmental Protection Zone, development is not proposed in this area. In addition, the wetland is protected by the forest surrounding it. Information was requested to MNRF to identify why this wetland was not included as part of the PSW but not information is available regarding the reason the wetland was not included as part of the PSW.

Significant Coastal Wetlands - The property is not located adjacent to a waterbody; therefore, coastal wetland is not present. Significant wetlands in the Canadian Shield north of Ecoregions 5E, 6E and 7E. This policy does not apply. The property is located in Ecoregion 6E.

NHRM 7.0 Significant Woodlands

Comment

Significant Woodlands -The woodland is part of the Environmental Protection zone. Development is not proposed in this area. The woodland is 5.4 ha in size, and it is important as provide protection to the Waring's Creek and wetland. It is a forest stand that has been maintained for many years and provides habitat to wildlife as well as help to maintain the hydrological functions of the creek and wetland. Changes in hydrology in adjacent land to the forest where the development is proposed are anticipated due to an increase in impervious surfaces; however, the proposed SWM facility and the infiltration



gallery to be located downstream of the stormwater pond will provide the required water balance for the development and a high level of treatment to ensure the water is clean and suitable for infiltration.

NHRM 8.0 Significant Valleylands

Comment

The property is relatively flat lacking landform depression; therefore, the property is not within a valleyland.

NHRM 9.0 Significant Wildlife Habitat

Comment

The forest/wetland provides habitat for wildlife, but it occupies an area of 5.4 ha within the property. Most of the property area is occupied with agricultural fields. The property does not contain seasonal concentration areas, rare vegetation communities, bat maternity roosting significant habitat, presence of snake hibernacula habitat, colonially nesting breeding bird habitat, migratory butterfly stopover areas, land bird migratory stopover areas, deer yarding and wintering congregation areas, waterfowl nesting areas, bald eagle and osprey nesting, foraging and perching habitat, woodland raptor nesting habitat, turtle nesting areas, seeps and springs, area-sensitive bird breeding habitat, marsh breeding bird habitat, open country breeding habitat, shrub/early successional bird breeding habitat, terrestrial crayfish, amphibian and deer movement corridors.

The forest/wetland provide wintering habitat for turtles, amphibian breeding habitat and habitat for special concern species. The forest/wetland will not be affected by the proposed development and measures have been recommended to prevent impacts to wildlife.

NHRM 10.0 Significant Areas of Natural and Scientific Interest

Comment

The property is not within and/or adjacent to an ANSI.

NHRM 11.0 Fish Habitat

Comment

No fish were observed in the wetland and creek during the site investigations. This part of the creek does not provide habitat to fish; therefore, fish habitat will not be impacted by the proposed development. A SWM facility and an infiltration gallery will provide the required water balance as per pre-development conditions and high treatment to ensure good water quality is discharged to the creek and ground upstream of the fish habitat reported in the Waring's Creek south of the property.



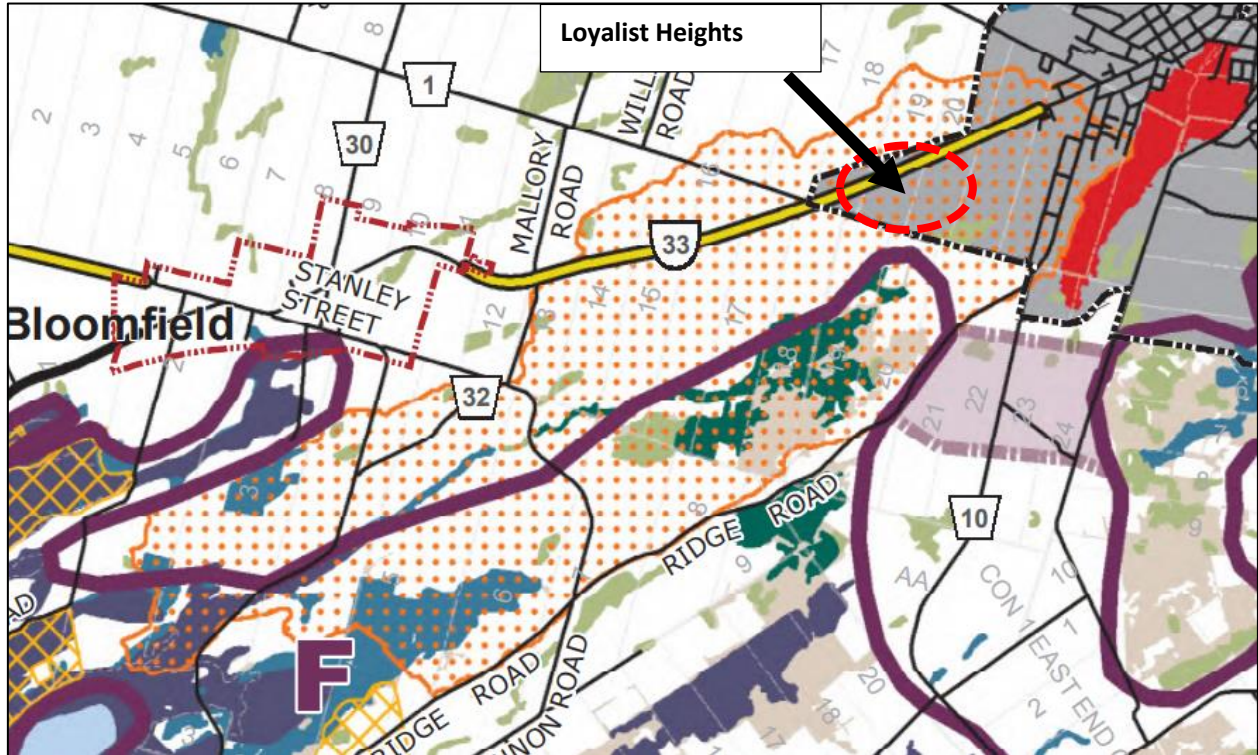
WCP 12. *Recognize that in the case of discrepancy between the policies of this Section of the Plan and the policies of Sections 2.4, 2.5, 2.9, and 2.10 of the Plan, the policies of this Section of the Plan shall take precedence.*

Comment

Policy 12 above is acknowledged.



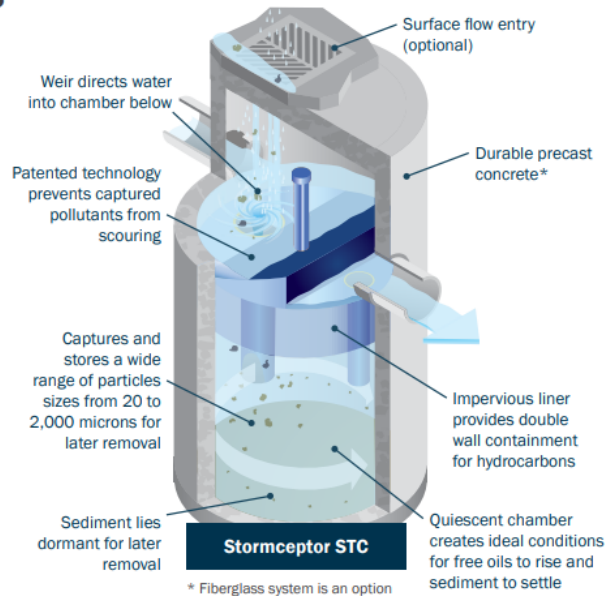
Appendix 3 – Waring Creek Watershed, Official Plan 2021, SCHEDULE 'B': Natural Features & Areas



Appendix 4 – Examples of OG Units

How the Stormceptor® STC Works

- Stormwater enters the Stormceptor through the inlet pipe(s) or inlet grate. A specially designed insert slows the water down, pulling hydrocarbons, debris and sediment into a lower chamber
- The non-turbulent chamber allows free oils and floatable debris to rise and sediment to settle
- Free oils and other floatables remain trapped underneath the insert
- Sediment settles to the sump and is retained for later removal
- Stormceptor's scour prevention technology ensures pollutants are captured and contained during all rainfall events, even extreme storms
- Treated stormwater exits the unit via the outlet pipe



Wash Bay Solutions International

Oil Water Separators – Wash Bay Solutions International – Advanced Oil Water Separators

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is a condition of licensing in
 been entered into the Ontario
 completeness, accuracy or
 to send your inquiry to



Appendix 5 - Comparison of Zone

Proposed R3x Zone Comparison			
Provisions	Permitted Uses	Compliance	Proposed Uses
	semi-detached dwelling unit	No	Single detached
	semi-detached dwelling		Semi-detached
	duplex dwelling		Townhouse
	Additional units		Back to Back Townhouse
	Converted dwelling max 4 units		Apartment
	One second unit		
	One Garden Suite		
	Townhouse dwelling		
	One unit of a townhouse dwelling		
	Apartment Building		
	Retirement Home		
	Senior Citizen Retirement Complex		
	Home Business		
	Uses, buildings and structures accessory to the foregoing permitted uses		
Minimum Lot Area	Semi-detached: 650m ² Townhouse: 250m ² per dwelling unit Apartment: 232m ² per unit for first four units, 46m ² for each additional unit	Yes	
Minimum Lot Frontage	Semi-detached: 18m Townhouse: 7m per dwelling unit Apartment: 23m	Yes	
Minimum Front Yard	3.0m	Yes	
Minimum Exterior Side Yard	3.0m	Yes	
Minimum Interior Side Yard	Semi-detached: 0m Townhouse: 2.5m Apartment: 4.5m	Yes	
Minimum Rear Yard	7.5m	Yes	
Maximum Lot Coverage	35%	Yes	
Minimum Landscaped Open Space	35%	Yes	
Maximum Height of Buildings	15m	Yes	
OS Zone			
Provisions	Permitted Uses	Compliance	Proposed Uses
	Public or private park Walking trails Boat launch facility Existing agricultural uses Conservation uses Sustainable resource management uses Historical site Public uses	Yes	Public Park
Minimum Front Yard	15m	Yes	
Minimum Exterior Side Yard	7.5m	Yes	
Minimum Interior Side Yard	7.5m	Yes	
Minimum Rear Yard	7.5m	Yes	
Maximum Lot Coverage	35%	Yes	
Minimum Landscaped Open Space	35%	Yes	
Maximum Height of Buildings	10m	Yes	
EP Zone			
Loyalist is not proposing any changes to the EP zone.			



Appendix 6 - Draft Zoning By-Law

The Corporation of the County of Prince Edward
By-Law No. _____ - 2024

A By-Law to Amend County Comprehensive Zoning By-Law No. 1816-2006, as amended

The following is the proposed amendment to COMPREHENSIVE ZONING BY-LAW NO. 1816-2006 as it affects Loyalist Heights by (1983358 Ontario Inc.) in the Town of Picton, Prince Edward County.

1. THAT By-Law No. 1816-2006, as amended, is hereby amended by the addition of the following.
2. THAT By-Law No. 1816-2006, as amended, is hereby amended by the addition of the following to subsection (5) Section 11 entitled “Special Residential Type R3-x Zone” immediately after item 11.5.x thereof:

Special Urban Residential Zone R3-x Zone (Loyalist Heights) Part of Lot 19 and 20, Concession 3, Military Tract, Township of Hallowell, now in the Municipality of Prince Edward County.

PERMITTED RESIDENTIAL USES

- 1 one single detached dwelling
- 2 one semi-detached dwelling
- 3 Townhouse
- 4 Back to Back Townhouse
- 5 Apartment
- 6 Additional units
 - i. converted dwelling with a maximum of two dwelling units;
 - ii. one second unit; or
 - iii. one garden suite.
- 7 home business
- 8 private home day care
- 8 bed & breakfast establishment
- 9 retirement home



10 uses, buildings and structures accessory to the foregoing permitted uses

Notwithstanding the provisions of this By-law to the contrary, within the R3-X Zone the following provisions shall apply: i. In addition, a single-detached dwelling shall also be permitted, subject to the performance standards of the R2 Zone.

3. THAT Schedule "A3" for the Ward of Picton to By-law No. 1816-2006, as amended, is hereby amended by changing the zone category thereon from the RU1 and RU2 Zone to the Urban Residential Type 3 (R3-X) Zone and the Open Space (OS) Zone and Environmental Protection (EP) in accordance with Schedule "1" attached hereto.

4. THAT this by-law shall come into force and take effect pursuant to the provisions and regulations made under the Planning Act, R.S.O., 1990, c.P.13, as amended.

5. THAT SCHEDULE 'A3' for the Picton Ward to By-Law No. 1816-2006, as amended, is hereby amended by changing the zone category thereon in accordance with Schedule '1' attached hereto.

6. THAT Schedule '1' attached hereto forms part of this By-Law.

7. THAT this By-Law shall come into force and take effect pursuant to the provisions of and the regulations made under the Planning Act, R.S.O., 1990, c.P.13, as amended.

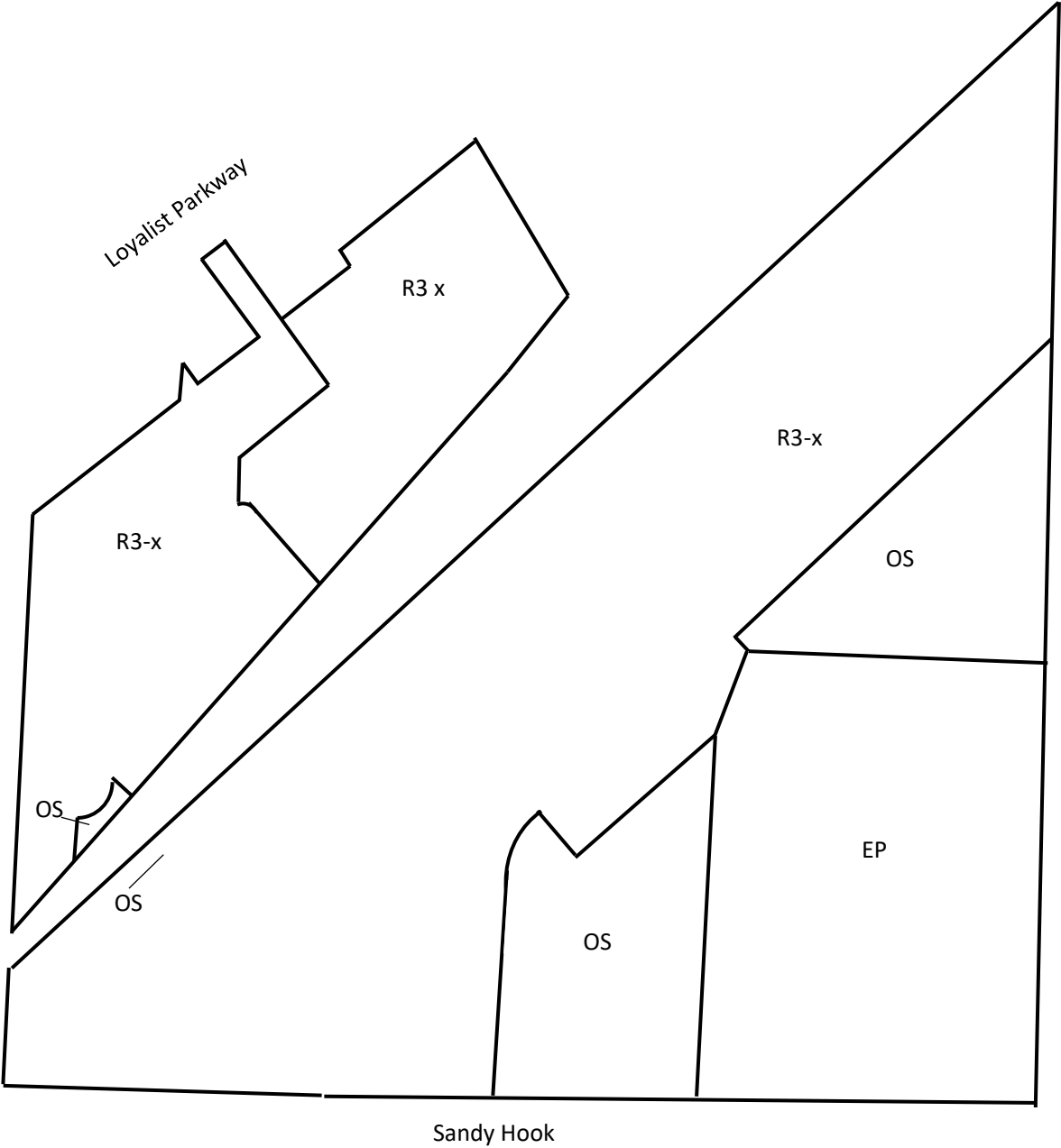
Read a first, second and third time and finally passed this XX day of XX, 2024.

Chad Curtis, **Clerk**

Steve Ferguson, **Mayor**



Zone Schedule 1



Appendix 7 - Draft Official Plan Amendment



AMENDMENT NO. **XX**

PICTON HALLOWELL SECONDARY PLAN

Loyalist Height

OPA No. **XX**

for the
Municipality of the
County of Prince Edward

DATE



AMENDMENT No. XX TO THE OFFICIAL PLAN
OF THE
COUNTY OF PRINCE EDWARD

The attached explanatory text, constituting Amendment No. XX to the Official Plan of the County of Prince Edward, was prepared by the Council of the Corporation of the County of Prince Edward under the provisions of Sections 17 and 21 of the Planning Act, R.S.O. 1990, Chapter P. 13, as amended.

The amendment was adopted by the Council of the Corporation of the County of Prince Edward by By-law No. _____ in accordance with Sections 17 and 21 of the Planning Act, R.S.O. 1990, Chapter P. 13, as amended, on the XX day of XX, 2021.

Amendment No. XX is exempt from further approval by the Minister of Municipal Affairs and Housing pursuant to Section 17(9) of the Planning Act, R.S.O. 1990 and Ontario Regulation 525/97, amended to O. Reg. 45/01. The decision of the Council of the Corporation of the County of Prince Edward is final pursuant to Section 17(27) of the Planning Act, R.S.O. 1990, Chapter P. 13 if no appeals are received against Amendment No. XX within the time allowed for appeal, in accordance with the requirements of Section 17 of the Planning Act, R.S.O. 1990, Chapter P. 13.

Chad Curtis, Clerk

Steve Ferguson, Mayor



THE CORPORATION OF THE COUNTY OF PRINCE EDWARD

BY-LAW NO. XX-2021

**Being a By-law to adopt an Amendment to the Official Plan of the
Corporation of the County of Prince Edward for Loyalist Heights**

WHEREAS AMENDMENT No. XX to the Official Plan of the County of Prince Edward has been considered and recommended for adoption by the County of Prince Edward Planning Public Council;

AND WHEREAS a Public Meeting on the proposed amendment has been held pursuant to the requirements of Section 17 of the Planning Act, R.S.O. 1990, Chapter P. 13, as amended;

NOW THEREFORE the Council of the Corporation of the County of Prince Edward in accordance with the provisions of **Section 17 and 21** of the Planning Act, R.S.O. 1990, Chapter P. 13, as amended, hereby enacts as follows:

1. **THAT AMENDMENT No. XX** to the Official Plan of the County of Prince Edward, consisting of the attached explanatory text and Schedule '1' is hereby adopted.
2. **THAT AMENDMENT No. XX** to the Official Plan of the County of Prince Edward Planning Area is exempt from the approval of the Minister of Municipal Affairs and Housing pursuant to Section 17(19) of the Planning Act, R.S.O. 1990, Chapter P. 13, as amended, and Ontario Regulation 525/97, amended to O. Reg. 45/01.
3. **THAT AMENDMENT No. XX** will become final and take effect on the day after the last day for filing of appeals has passed provided that no appeals are received in accordance with the provisions of Section 17 of the Planning Act, R.S.O. 1990, Chapter P. 13, as amended.



4. **THIS BY-LAW** shall come into force and take effect on the day of final passing thereof.

Read a first, second and a third time and finally passed **this XX day of XX, 2021.**

Chad Curtis, **Clerk**

Steve Ferguson, **Mayor**



AMENDMENT No. XX

TO THE OFFICIAL PLAN

OF THE COUNTY OF PRINCE EDWARD

1. TITLE:

The following text constitutes Amendment No. 88 to the Official Plan of the Corporation of the County of Prince Edward. The Minister of Municipal Affairs and Housing approved the Official Plan on 23 January 1998 and 23 December 1998.

2. PURPOSE AND EFFECT OF THE APPLICATION:

The **PURPOSE** of Amendment No. XX is to:

- Amend Schedule F of the Picton-Hollowell Urban Centre Secondary Plan from Service Area 3 and Service Area 2 to Service Area 1.
- The Amendment will be to: Facilitate the development of a residential subdivision on full services within the Picton-Hallowell Urban Area.

3. LOCATION OF THE AFFECTED LANDS:

The subject lands are located in the eastern end of the Town of Picton. They are bordered by Talbot Street to the north, Loyalist Parkway (Highway 33) to the south and the Millennium Trail to the west.

4. LEGAL DESCRIPTION

The legal description of the lands is as follows:

- Part of Lot 19 and 20, Concession 3, Military Tract, Township of Hallowell, now in the Municipality of Prince Edward County.

Municipal Address:

- 13437 Loyalist Parkway, Picton Ontario



5. BASIS OF THE AMENDMENT:

- a) **EXISTING USES:**
Vacant Lands currently being used for agricultural purposes.
- b) **PROPOSED USES:**
Residential subdivision consisting of a mix of single detached, townhouse, and apartment dwellings.
- c) **DESIGNATION AND ZONING:**
(i) Secondary Plan Designation
The subject lands are presently designated Urban Centre on Schedule 'E', Land Use Designations of the County Official Plan.

(ii) Zoning
The subject lands are currently zoned RU1 and RU2.
- d) **SURROUNDING LAND USES:**
The subject lands are surrounded by development to the north, west and south. East of the property is cultivated farm land.
- e) **AGENCY AND PUBLIC COMMENTS:**
- Planning Services Department's Comments are contained in Attachment xx to this Amendment.
 - Engineering, Development and Works Comments are contained in Attachment xx to this Amendment.
 - A Public Meeting on the proposed Official Plan Amendment (OPA No. XX) was conducted by the County's Planning Council on _____.
- A complete list of all correspondence received on the Official Plan Amendment is provided as **Attachment xx** to this amendment.
- In consideration of OPA No. XX, the County of Prince Edward gave due regard to all comments received prior to and during the Public Meeting, the purpose and intent of the Official Plan and matters of Provincial interest. At its meeting of _____, the County Council _____ a motion recommending adoption of proposed OPA No. XX by County Council.

f) CONFORMITY TO POLICIES OF THE PROVINCIAL POLICY STATEMENT:



- In accordance with Section 3 of the *Planning Act* ... a decision of the council of a municipality ... in respect of the exercise of any authority that affects a planning matter, “shall be consistent with” the Provincial Policy Statement. (PPS Policy 4.2)
 - The Provincial Policy Statement was issued under Section 3 of the Planning Act and came into effect on May 1, 2020. It replaces the Provincial Policy Statement issued April 30, 2014.
 - Settlement Areas in the PPS are defined as cities, towns, villages and hamlets. The subject lands are located in a settlement area.
- The 2020 PPS notes land use patterns within settlement areas shall be based on densities and a mix of land uses which:
 1. efficiently use land and resources;
 2. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
 3. minimize negative impacts to air quality and climate change, and promote energy efficiency;
 4. prepare for the impacts of Climate Change.
 5. support active transportation; and
 6. are transit-supportive, where transit is planned, exists or may be developed.
 7. are freight supportive.

Land Use Patterns in Settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria of policy 1.1.3.3.

- Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.



- Municipal sewage services and municipal waters services are the preferred form of servicing for settlement areas. Intensification and redevelopment within settlement areas on existing municipal sewage services and municipal water services should be promoted, wherever possible.
- Based on the above, the proposed Official Plan Amendment is consistent with the 2020 Provincial Policy Statement.

g) CONFORMITY TO POLICIES OF THE COUNTY OFFICIAL PLAN:

- The County Official Plan is the local policy instrument that implements the Provincial Policy Statement. As such, it sets the policy framework within which development is to take place within Prince Edward County. For the most part, the policies of the Official Plan reflect those of the Provincial Policy Statement.
- The subject lands are situated within the Urban Centre designation (Picton) of the Official Plan. The Picton Hallowell Secondary Plan implements specific policies for the town of Picton. Within the Plan the subject lands are split designated the Town Residential, EP and Open Space.
- The Picton Hallowell Secondary Plan outlines development policies for the Town Residential Area. It is anticipated that residential development within the Town Residential Area will result from the extension of existing neighbourhoods. The policies of this area permit all residential uses at all densities. Guiding principles look to support a diverse range of housing types at a range of residential densities, encourage the use of existing infrastructure, and support the intensification of existing neighbourhoods into surrounding undeveloped areas within the Urban Centre (Section 2.4)
- Based on the above, the proposed Official Plan Amendment in all respects conforms to the intent of the County of Prince Edward Official Plan.

6. DETAILS OF THE AMENDMENT:

1. Schedule 'F', Service Area Map of the Town of Picton is hereby amended by adding the notation "Section XXXXXX" with a directional arrow pointing to the subject lands



designated as “Service Area 3” as shown on Schedule ‘1’ attached to and forming part of this Amendment.

7. IMPLEMENTATION AND INTERPRETATION:

The provisions of the Picton Hallowell Secondary Plan, as amended from time to time, regarding the implementation and interpretation of the Plan shall apply in regard to this Amendment.



APPENDICES & ATTACHMENTS

The following appendices and attachments are not intended to form part of Amendment No. XX but are included only for the purposes of providing information in support of this Amendment.

APPENDIX I

STATEMENT CERTIFYING THE REQUIREMENTS OF SECTIONS 17(15), 17(17) AND 17(23) OF THE PLANNING ACT, R.S.O. 1990, CHAPTER P. 13 HAVE BEEN COMPLIED.

It is hereby certified that the requirements for the giving of Notice and the holding of at least one (1) Public Meeting, as required by Section 17 of the Planning Act, R.S.O. 1990, Chapter P. 13, as amended, have been complied with.

Director of Development Services



APPENDIX II

DECLARATION UNDER SECTION 17(28) OF THE PLANNING ACT, R.S.O. 1990, CHAPTER P. 13.

I, Peter Moyer, Director of Development Services for the Corporation of the County of Prince Edward hereby declare that Notice of adoption of **Official Plan Amendment No. XX** by County Council on **the XX day of XX, 2021** was given as required by Section 17(23) of the Planning Act, R.S.O. 1990, Chapter P. 13. I also declare that the twenty (20) day appeal period expired on the ____ day of _____, 2021 and to this date no notice of appeal under Section 17(24) of the Planning Act, R.S.O. 1990, Chapter P. 13 has been filed with any person in the Office of the Clerk of the County of Prince Edward.

Dated this ____ day of _____, 2021

Schedule "1"
To Amendment No. XX To the



Picton Hallowell Secondary Plan
For the County of Prince Edward
Part of Lot 19 and 20, Concession 3, Military Tract, Township of Hallowell, now in the
Municipality of Prince Edward County.

Revised Schedule F

