



PLANNING JUSTIFICATION REPORT

**Draft Plan of Subdivision and
Development Permit Application**

205 Elmwood Drive,
Town of Gananoque

File no. 9137BK

September 17, 2025



PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE

Your Vision

Designed | Planned | Realized

MHBC - MacNaughton Hermsen Britton Clarkson Planning Limited

301-12 James Street North Hamilton, ON L8R 2J9

T: 905 639 8686

F: 905 761 5589

www.mhbcplan.com

Contents

1.0	Introduction.....	3
1.1	Purpose of the Application.....	3
1.2	Overview of Subject Lands	4
2.0	Planning Applications.....	5
2.1	Draft Plan of Subdivision	5
2.2	Development Permit Application.....	7
3.0	Technical Studies	8
3.1	Archaeology Assessment	8
3.2	Stormwater Management Report	8
3.3	Servicing Options Report.....	9
3.4	Geotechnical Study	10
3.5	Environmental Impact Assessment.....	10
3.6	Traffic Impact Study	12
4.0	Public Consultation	13
5.0	Policy Overview.....	14
5.1	Provincial Planning Statement, 2024.....	14
5.2	Town of Gananoque Official Plan, 2009	18
5.3	Draft Gananoque Official Plan, 2024.....	25
5.4	Gananoque Development Permit By-law, 2010	30
6.0	Planning Act	34
7.0	Conclusions	37

Figures

Figure 1: Location Map

Figure 2: Context Map

Figure 3: Draft Plan

Figure 4: Draft Plan Rendering

Figure 5: Official Plan Schedule B

Figure 6: Official Plan Schedule F

Figure 7: Official Plan Schedule G

Figure 8: Official Plan Schedule H

Figure 9: Development Permit Schedule A

Figure 10: Development Permit Schedule B

Figure 11: Overlay of Floodplain Setback

Figure 12: Proposed Development Permit Amendment (Open Space)

Figure 13: Proposed Development Permit Amendment (Residential)

Appendices

Appendix A: Affordable Housing Assessment

Appendix B: Draft By-law Amendment

1.0 Introduction

1.1 Purpose of the Application

MacNaughton Hermsen Britton Clarkson Planning Ltd. (hereinafter “MHBC”) has been retained by 1000989284 Ontario Inc., to provide planning support for proposed Plan of Subdivision and Development Permit applications. The proposal relates to the lands municipally addressed as 205 Elmwood Drive, Gananoque (hereinafter referred to as the “subject lands”) and contemplates the establishment of 77 residential lots.

The subject lands are located in the Town of Gananoque on the bank of the St. Lawrence River. The subject lands have an area of approximately 11.59 hectares (28 acres) and are currently vacant with some natural heritage features, including a watercourse associated with the St. Lawrence River and wetland features.

The subject lands are designated in the Town of Gananoque Official Plan as ‘Residential’ with portions of the lands identified as containing Watercourse, Floodplain, Unstable Slope, and Fish Spawning. The Town of Gananoque has established a Development Permit System that is implemented by the Gananoque Development Permit By-law. The Development Permit By-law designates the lands as ‘Residential’ and ‘Waterfront Overlay’. The current land use permissions permit the proposed development.

A formal pre-consultation meeting was held with Town staff to review the proposed Plan of Subdivision. Staff issued the preliminary review document in December 2024 which identified complete submission requirements for the Development Permit Application. The following studies and plans have been requested in support of the application:

- Planning Justification Report
- Draft Plan
- Archaeological Study
- Stormwater Management Report
- Environmental Impact Assessment
- Geotechnical Study
- Hydrogeological Study
- Servicing Options Report
- Traffic Study

This report addresses the requirement for a Planning Justification Report. All other required studies and plans have been prepared and form part of the Development Permit Application for the proposed development. The technical studies have been summarized in section 3.0 of this report and have informed the conclusions of the planning rationale.

1.2 Overview of Subject Lands

The subject lands are located in the settlement area of the Town of Gananoque and are adjacent to the St. Lawrence River to the south. The subject lands have an area of 11.5 hectares (28 acres) and are vacant of any buildings or structures. The subject lands contain natural heritage features, including a watercourse associated with the St. Lawrence River, forest and wetland features. Three local roads: Arthur Street, Elmwood Drive and John Street, terminate at the subject lands. The subject lands are illustrated on **Figure 1**.

Surrounding the subject lands to the north and west is residential development. To the east are vacant lands, with some waterfront residential lots further east, along the St. Lawrence River. The surrounding context is shown on **Figure 2** and described in detail below:

North: Arthur Street and MacDonald Drive are located north of the subject lands. Low rise residential development is the predominant land use. Further north along King Street are more varied land uses, including commercial (retail and service) establishments along King Street. Beyond King Street is Macdonald-Cartier Freeway (Highway 401) with an interchange at King Street. This interchange also provides access to the Thousand Islands Parkway that runs parallel to the 401.

East: Vacant land abuts the subject lands to the east, with Loreys Lane being the primary road. There are some residential lots along the shoreline of the St. Lawrence, however, majority of the lands to the east are undeveloped with natural heritage features. The McLean Memorial Forest Trail extends through these features from Arthur Street. The St. Lawrence River shoreline and Thousand Islands Parkway are further east.

South: The subject lands are located on the bank of the St. Lawrence River, which is to the south.

West: William Street South is located to the west. Much like the area to the north, low rise residential development is to the west. Both the north and west areas comprise a residential neighbourhood. Further west is downtown Gananoque which comprises a commercial area as well as the marina. Along the St. Lawrence, west of the subject lands, are a range of residential uses, including multiple residential, and recreational uses including walking trails and parks.

There are numerous institutional and recreational uses proximate to the subject lands, including Hal McCarney Park, Stone Street South Parkette, McClean Memorial Forest Trail, Gananoque Curling Club, Gananoque Secondary School and the Lou Jeffries, Gananoque and TLTI Recreation Centre.

The surrounding road network includes the following:

- MacDonald Drive, Arthur Street and William Street: Local Roads and Recreational Pathway
- Elmwood Drive: Local Road (Town)
- King Street: Arterial Road (Town)
- 401: Provincial Highway (MTO)
- Thousand Island Parkway: Thousand Island Parkway (St. Lawrence Parks Commission and MTO)

Overall, the subject lands are located in a residential area that has good access to a range of uses including commercial, recreational uses as well as the existing transportation network.



Figure 1 - Location Map


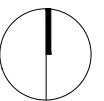
 Subject Lands





Figure 2 - Context Plan

- Subject Lands
- 5 Minute Walking Distance (400m)
- Gananoque Trail System



2.0 Planning Applications

2.1 Draft Plan of Subdivision

The subject lands are proposed to be developed as a residential Plan of Subdivision. The subdivision of land is governed by the *Planning Act* which permits lot creation through the approval of a plan of subdivision. Therefore, a Plan of Subdivision Application is required to facilitate the proposed residential development. The intent of the application is to ensure that the land is suitable for the intended development.

2.1.1 Plan of Subdivision Description

The Plan of Subdivision will include conservation of natural heritage features and hazard lands, including wetland features and watercourse, floodplain setbacks and incorporates two parks and trail connections. The Draft Plan of Subdivision (**Figure 3**) illustrates the following. A rendered version of the Plan of Subdivision is included as **Figure 4**.

Residential Lots (Lots 1-77)

The Draft Plan of Subdivision proposes 77 lots for single-detached dwellings. These lots are all arranged with frontage on proposed local roads. The proposed lots have areas ranging from 1,680 square metres to 466 square metres. Lots along the waterfront are proposed to have a 15 metre floodplain setback.

Open Space Blocks (Block 81-85)

Blocks 81 and 82 are proposed as Open Space Blocks that will conserve a watercourse that is internal to the subject lands. These blocks include a 6 metre setback to proposed residential lots that back onto the watercourse. An informal trail will also be created through these blocks for public use. It is intended that these two Blocks will be conveyed to the Town.

Block 83 is proposed as an Open Space Block that includes a central wetland feature. Stormwater management facilities are proposed within the buffer of this wetland. A trail connection will also be extended through Block 83 and connect through Blocks 81 and 82.

Blocks 84 and 85 are proposed as Open Space Blocks and apply to a natural heritage area occupying an eastern portion of the lands, as well as a 15 metre buffer. This natural heritage area includes coastal wetland and woodland which will be conserved and maintained in its natural state. No development is proposed for Blocks 84 and 85.

Parks (Blocks 79 and 80)

Blocks 79 and 80 are proposed as two public parks:

- Block 79 has an area of 180 square metres and will be adjacent to the watercourse Open Space Block. It will be situated at the corner of Street Two and Street One. This park will function as a gateway to the community and a trailhead.

- Block 80 will have an area of 0.578 hectares and will be located adjacent to the St. Lawrence River. An extension of the existing pedestrian pathway is proposed that will traverse through the central wetland and the watercourse blocks. This block ensures public access to the waterfront.

Roads and Emergency Access (Block 88)

Two public streets are proposed. Street One connects to Elmwood Drive and Street Two connects to John Street. Both streets terminate in cul-de-sacs. Block 88 is proposed as an Emergency Access which will be a 6 metre wide corridor that connects to Arthur Street. A pedestrian connection is proposed within the Emergency Access.

Future Development (Block 91 and 92)

Two Future Development blocks are proposed for blocks 91 and 92. These blocks are considered to contain archaeological significance. An amendment is proposed to the Development Permit By-law to establish regulations to restrict development within these blocks until they are cleared of archaeological significance. Future development is intended to be residential.

Lot Addition (Block 78)

A portion of the subject lands is proposed as a lot addition to an abutting property. This lot addition is approximately 0.95 hectares and has been excluded from the Plan of Subdivision for the purpose of calculating density.

Summary

The Plan of Subdivision has been designed to include residential lots of varying sizes organized along two local roads that extend within the Plan of Subdivision. Natural heritage features are proposed to be protected along with required buffers. An appropriate setback from the floodplain is included for lots along the St. Lawrence and the watercourse the bisects the subject lands. The draft Plan includes public parks, including a 0.578 hectare park adjacent to the St. Lawrence. A publicly accessible trail system is proposed to connect the subject lands to adjacent lands, the waterfront and natural heritage features.

2.1.2 Density Summary

This section provides a summary analysis of the density of the proposed Draft Plan of Subdivision.

Table 1.0 – Draft Plan Overview

Description	Blocks	Units	Area (ha)	Percentage of Subdivision
Low Density Residential	1-77	77	5.608	48.4%
Residential Lot Addition	78		0.955	8.2%
Parks	79-80		0.596	5.1%
Open Space	81-85		2.038	17.6%
Future Development	90-93		0.27	2.33%

Servicing	86-87	0.274	2.36%
Servicing/Emergency Access	88	0.041	0.35%
Servicing/Trail Connection	89	0.039	0.34%
Roads		1.764	15.2%
TOTAL		11.59	100.0%

Table 2.0 – Density Overview

Types of Units	No. of Units	PPU	Total Persons	Total Jobs
Detached Units	79	2.632	202.664	4.15 (2%)
TOTAL	79	2.632	206.72	

*includes future development lots

Density Summary	
Gross Area	11.59
Lands Excluded (open space / lot addition)	2.99
Net Area	8.59
Persons & Jobs / ha	24.68
Net Units / ha	9.19
Gross Units/ ha	6.82

Table 2.0 demonstrates that the proposed development achieves a total of 24.68 residents and jobs per hectare and 9.19 units per net hectare. The PPU (persons per unit) for low density development is taken from the Town of Gananoque 2020 Development Charges Background Study.

2.2 Development Permit Application

The Town of Gananoque has implemented a Development Permit System (DPS). The DPS is a streamlined process for development applications and applies to Official Plan Amendments, Zoning By-law Amendments and Site Plan Approval. Draft Plan of Subdivision applications are filed separately, however, an application under the DPS can be filed and processed concurrently with the Draft Plan of Subdivision application. A Development Permit Application is proposed in order to amend the Development Permit By-law designations. Specifically the amendment propose the following:

- The park blocks and open space blocks are proposed to be re-designated from 'Residential' to 'Open Space'
- Two blocks (Blocks 91 and 92) are identified for Future Development due to the presence of archaeological features. A special provision is proposed to be applied on the two blocks.
- A special provision is proposed for lots along the shoreline to have a 15 metre setback from the floodplain.

DRAFT PLAN OF SUBDIVISION

LEGAL DESCRIPTION

PART OF LOT 16, CONCESSION 1,
GEOGRAPHIC TOWNSHIP OF LEEDS
TOWN OF GANANOQUE
COUNTY OF LEEDS

OWNER'S CERTIFICATE

I HEREBY AUTHORIZE MACNAUGHTON HERMSEN BRITTON CLARKSON PLANNING LIMITED
TO SUBMIT THIS PLAN FOR APPROVAL.

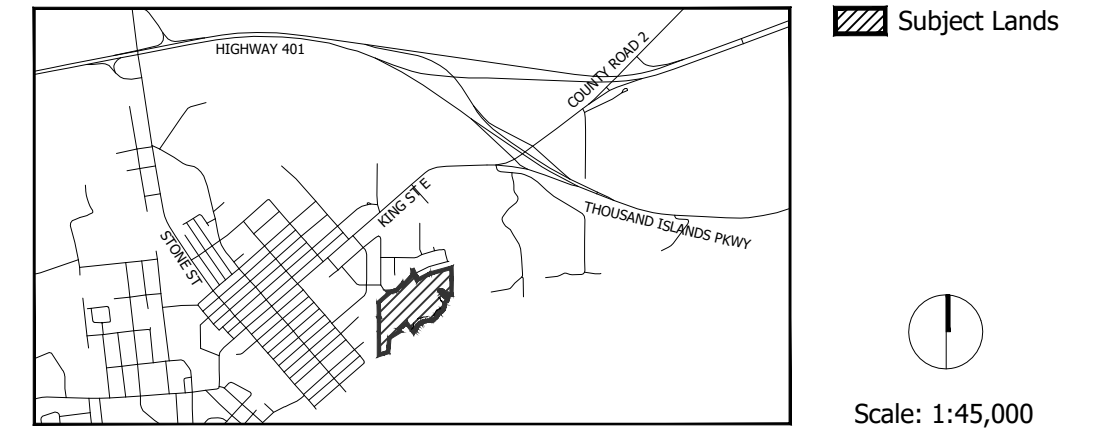
Date: _____
ROB PIERCE
1000989284 ONTARIO INC.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED ON THIS
PLAN AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND
CORRECTLY SHOWN.

Date: _____
SHAWN LEROUX, O.L.S., O.L.I.P., A.L.S.
J.D BARNES LIMITED

KEY PLAN



ADDITIONAL INFORMATION

Required Under Section 51 (17) of the Planning Act, R.S.O., 1990, c.P.13 as Amended

(a) As Shown	(i) Unknown
(b) As Shown	(j) As Shown
(c) As Shown	(k) Services As Required
(d) Residential, Park, Open Space, Servicing, Future	(l) As Shown
(e) As Shown	(m) Municipal Water Supply

AREA SCHEDULE

DESCRIPTION	LOTS/BLOCKS	UNITS	AREA
Low Density Residential	1-77	77	5.608 ha
Residential Lot Addition	78		0.955 ha
Parks	79-80		0.596 ha
Open Space	81-85		2.038 ha
Servicing	86-87		0.274 ha
Servicing/Emergency Access	88		0.041 ha
Servicing/Trail Connection	89		0.039 ha
Future Development	90-93		0.270 ha
Roads			1.764 ha

Total	93	77	11.586 ha
-------	----	----	-----------

NOTES

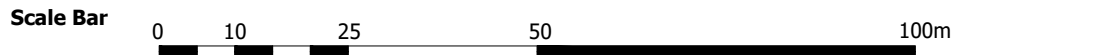
- All dimensions are in metres unless otherwise shown.
- Environmental features provided by WSP, 2025-05-23, & FFE, August 2025
- Survey prepared by Hopkins Chitty Land Surveyors Inc, 2022-03
- Contains information licensed under the Open Government Licence - Ontario.

Revision No.	Date	Issued / Revision	By

Stamp	Date	August 21, 2025
	File No.	9137BK
	Plan Scale	1:1000 (Arch D)
	Drawn By	JB/CT
Checked By	EE	

Project	205 Elmwood Drive, Gananoque R.W. Tomlinson Limited 100 CitiGate Drive, Ottawa ON
---------	---

File Name	DRAFT PLAN OF SUBDIVISION
Dwg No.	1 of 1



K:\9137BK - 205 Elmwood Drive, Gananoque\9137BK_21Aug2025.dwg



RENDERED MASTER PLAN

205 ELMWOOD DRIVE
TOWN OF GANANOQUE

SEPTEMBER 2025

3.0 Technical Studies

3.1 Archaeology Assessment

Abacus Archaeological Services has completed Stage 1-2 and Stage 3 Archaeological Assessment. The Archaeological Assessment was completed for a larger landholding which included the subject lands. Only information about the subject lands has been included in this report. The Stage 1-2 Archaeological Assessment found four locations of archaeological significance. Of the four sites investigated, three were recommended for a Stage 3 Assessment.

The Stage 3 Archaeological Assessment labelled the three areas.

- Area 1 'Conner Site' is located on the subject lands and was found to contain artifacts, in particular the ceramic materials that were recovered during the stage 3 work. These artifacts area dated from the 1840s, suggesting the site of former a homestead c. 1800-1840. As such, the 'Conner site' contains Cultural Heritage Value or Interest requiring further study. The 'Conner Site' area is identified as Blocks 91 and 92 on the Draft Plan and are identified as Future Development Blocks. A special provision is proposed to be applied to the two blocks. Development of the blocks would only be possible through completion of a stage 4 excavation of the site by a licenced archaeologist and the issuing of a letter by the Ministry of Tourism, Culture and Sport for the associated report.
- Area 2 'Jasper Site' is located on the subject lands adjacent to the watercourse. This area contains remains of an archaic period single use camp, which represents a significant archaeological site requiring further assessment. The Jasper site requires a stage 4 mitigation in the form of protection and avoidance measures. The 'Jasper Site' is located in Block 82 of the draft plan, which is an open space block. The 'Jasper Site' will therefore be conserved for long-term protection.
- Area 3 is 'Little Island'. This area is not located within the limits of the development or the subject lands. It is therefore not applicable and has not been included as part of the proposed development or the application submission package.

3.2 Stormwater Management Report

Forefront Engineering Inc., has completed a stormwater management report for the proposed Draft Plan of Subdivision. The stormwater management plan proposes to enhance the central wetland area and utilize the existing watercourse on-site, in addition to construction of asphalt roads with curbs and gutters and storm sewers throughout the subdivision.

The proposed storm sewer system is to be installed along the proposed streets and sized to convey minor event outletting to the watercourse before discharging to the St. Lawrence River. The major flow beyond the capacity of the storm sewer is proposed to be conveyed through overland flow routes.

The existing watercourse through the site is to be maintained and improved, utilized as part of the stormwater strategy. Specifically, stormwater will be discharged into the watercourse, flowing into the

wetland before flowing downstream into the St. Lawrence River. The improvements of the watercourse will confine high-water levels and provide a safety buffer under major storm events. The watercourse channel is to be grass-lined throughout. These improvements will mitigate ongoing erosion and ensure a stability overtime. The improved channel reduces the overall floodplain extent within the site, while improving flow conveyance and slope stability. A minimum 6 metre access setback is recommended from the high-water level to buildings.

The central wetland was evaluated by the EIS, which notes that it is a densely vegetated basin marsh that is fed by the watercourse. A second watercourse drains from the wetland to the St. Lawrence River. It generally lacks open water for most of the year. This wetland will also be utilized as part of the stormwater strategy. The watercourse will flow to the wetland, which will then discharge into the St. Lawrence River. The wetland will be enhanced to improve ecological function and increase wildlife habitat.

The proposed stormwater management strategy for the subdivision is to ensure the safe conveyance of runoff, mitigate the risk of flooding, provide water quality treatment, and control erosion and sedimentation. The storm sewer system will be designed to accommodate the 5-year design event, while overland flow routes will be sized to safely convey flows from the 100-year storm event.

Stormwater quality control and erosion and sediment control measures are proposed for the subdivision. Storm sewers will outlet to an oil grit separator unit, which will provide primary water quality treatment prior to discharge. An enhanced swale is proposed at the outlet to further mitigate sediment transport. Water quantity control is not a concern as water will be conveyed to the St. Lawrence River.

3.3 Servicing Options Report

Forefront Engineering Inc., completed a sanitary servicing report for the proposed Draft Plan of Subdivision. The report concludes that municipal servicing is feasible for the proposed development. It is recommended that sanitary sewers and sanitary sewer services be installed along the proposed streets with two sanitary sewer connections proposed: one connection to the existing sanitary trunk sewer on Elmwood Drive and one connection to the existing sanitary trunk sewer on Arthur Street.

Residential lots are proposed with 125 mm diameter sanitary services. It is proposed that all areas will be drained by gravity sewer. The sanitary sewers are proposed to extend along the centreline of the proposed road. The proposed 200 mm diameter sanitary sewers connect to the existing 600 mm diameter sanitary trunk sewer on Elmwood Drive and Arthur Street. The Arthur Street connection requires a servicing block to be conveyed to the municipality.

Forefront Engineering Inc., also completed a water supply report which identifies that existing water infrastructure can support the proposed development. It recommends that water services be installed along the proposed streets with connections to Elmwood Drive and John Street. New watermain connections to the existing watermains on Elmwood Drive and John Street are proposed. Fire hydrants are proposed at 150 m spacing throughout the subdivision.

3.4 Geotechnical Study

Malroz Engineering Inc., prepared a geotechnical investigation to assess the soil, rock, groundwater, and overall subsurface conditions to determine the suitability of the lands for the proposed development. The investigation concludes that the lands are suitable for the proposed development.

Additionally, the investigation also completed a slope evaluation for slopes of two rock prominences, referred to as the northern and the southern prominences in the areas identified as 'Unstable Slope' in the Official Plan. The evaluation was completed in accordance with the MNRF Slope Stability Rating System. The investigation concludes that the slopes are considered to have a low potential for instability. The report recommends that vegetation should be maintained on the face of the slopes where possible, and no modifications to the toe of the slopes should be made without geotechnical review. Final grading plans should be provided for geotechnical review.

3.5 Environmental Impact Assessment

WSP Canada Inc., prepared an environmental impact assessment to assess the environmental conditions of the subject lands and potential impacts as a result of the proposed development. The conclusions of the report are summarized below.

Wetlands

- There is a central wetland located on the subject lands. The EIS refers to this as the 'Elmwood Drive Wetland'.
- The wetland is a basin marsh located central to the site. It is primarily dominated by grass and invasive vegetation. The wetland is dry most of the year. Its primary hydrological function is conveyance of water and as a residential stormwater system. It has low wildlife diversity.
- This wetland has been evaluated in accordance with OWES and it has been determined that it is not a provincially significant wetland. The wetland does connect to the St. Lawrence via a stream and is on a small tributary of the St. Lawrence River and is therefore considered a coastal wetland., however it is considered a non-PSW coastal wetland. The PPS provides that development can be permitted within non-PSW wetlands.
- The proposed development proposes to remove a portion of the wetland with the remaining portion of the wetland to be maintained, protected and enhanced to improve the ecological function. WSP provides that while the overall size of the wetland will be reduced, there will not be a loss to its ecological function.
- The enhancement of the wetland will include removal of invasive species, increased habitat structure and areas of open water, installation of wildlife habitat features and increased biodiversity by planting desirable native plants. The enhancements will improve the ecological function of the wetland and no adverse effects are expected.
- There is an unevaluated coastal wetland that is east and south of the subject lands, with a small encroachment onto the site, but outside the development area. No anticipated impacts are expected and buffers are proposed.

Significant Woodlands

- There are no significant woodlands on the subject lands. There are significant woodlands to the east but there is a buffer from development by an inlet of the St. Lawrence River. No impacts are anticipated.

Significant Wildlife Habitat

- The subject lands contain seasonal concentration areas of turtle overwintering near the inlet at the eastern edge of the site, with most located outside of the subject lands. This area is outside of the development area and is not expected to be impacted.
- There is specialized habitat in the form of amphibian breeding habitat associated with the inlet and wetland at the eastern edge of the site. This area is outside of the proposed development and is not expected to be impacted.
- Habitat for species of conservation concern on site is special concern wildlife consisting of habitat for snapping turtle and map turtle, as well as grass pickerel. These areas are outside of the development area and no impacts are anticipated.
- No animal movement corridors have been identified

Significant Areas of Natural and Scientific Interest: Fish Habitat

- The stream onsite was not observed as fish habitat. Notwithstanding, this is a potential fish habitat and the proposed development may have an impact.
- Impacts can be mitigated through the stormwater management plan and implementation of mitigation measures, as recommended in the EIS.

Habitat of Endangered and Threatened Species

- A single butternut tree was identified on site and will be removed as part of the development. A health assessment concluded that it is a non-retainable tree.
- Chimney swifts were previously observed on-site foraging mostly off-site. It is likely that this species is nesting off-site. Impacts are not expected.
- Pugnose shiner is known to occur in the St. Lawrence River and vicinity of the site. The inlet on the subject lands however is less suitable and impacts are not expected.
- Bats were recorded on-site within the proposed Park Blocks. Impacts to the bats are not anticipated. Post-development can include tree plantings to provide suitable roosting habitat over time. The natural areas of the lands can also continue to act as foraging habitats. No permits or authorizations are required for the bats if mitigation measures are followed.

Setbacks

- To protect natural features the following setbacks are recommended:
 - 15 metres naturalized setback to the Elmwood Drive Wetland
 - 6 metre naturalized setback to the highwater mark of the stream
 - 15 metre setback to the coastal wetland that are not directly associated with the St. Lawrence River
 - 10 metre (minimum) setback between the development and the significant woodland on the abutting property
 - 10 metre waterfront setback from the St. Lawrence River

All recommended setbacks have been included in the Draft Plan of Subdivision.

3.6 Traffic Impact Study

GHD prepared a traffic impact study for the proposed development. The study concludes that the development will generate approximately 58 vehicles during the AM peak hour and 76 vehicles during the PM peak hour. Critical conditions are not expected at the study area intersections of King Street East and Elizabeth Drive and King Street East and William Street South. These two intersections are expected to operate below capacity in both AM and PM peak hours for both 2025 and 2030. The existing roadway network can accommodate the proposed development.

4.0 Public Consultation

The Planning Act (specifically O. Reg. 544/06, amended by O. Reg. 178/16) requires that applicants submit a proposed strategy for consulting with the public with respect to an application as part of the 'complete' application requirements. This section summarizes the proposed Public Consultation Strategy.

We propose that the public consultation process for the applications follow the *Planning Act* statutory requirements. We may also hold an informal public meeting in addition to the statutory public meeting, should that be deemed necessary.

The following points of public consultation are proposed:

- A statutory public meeting advertised by the Town and heard by the Town's Planning Advisory Committee
- Direct written responses to comments raised through the public consultation process will be provided to Staff for their review and consideration in the preparation of a Staff Report.
- Preparation of a Staff Report, with the Report to be available to the public in advance of Council's consideration of the application. It is understood that Staff will post information on the Town's website for public review. This will include the Staff Report and may also include technical studies and reports prepared in support of the applications.
- A Council Meeting, at which time the Staff Report, all available information, and public input will be considered in Council's final decision.

5.0 Policy Overview

5.1 Provincial Planning Statement, 2024

The Provincial Planning Statement (PPS) was issued under Section 3 of the *Planning Act* and came into effect October 20, 2024. The PPS outlines the land use policy framework for Ontario, establishing the policy foundation for regulating the development and use of land. The PPS recognizes the inter-relationships among environmental, economic, health and social factors in land use planning, supporting an integrated and long-term approach to planning. One of the key considerations of the PPS is that planning decisions "*shall be consistent with*" the Policy Statement.

5.1.1 Settlement Areas

Chapter 2 establishes the predominant land use types within the province, including settlement areas and rural areas. Settlement areas are urban areas where development is concentrated, and which have a mix of land uses either existing or designated for development in an Official Plan.

Policy 2.3 of the PPS states that Settlement Areas shall be the focus for growth and development and requires that land use patterns within settlement areas provide a mix of densities and uses which: efficiently use land and resources; optimize infrastructure and public services, support active transportation and are transit supportive.

The proposed development is located within the settlement area of Gananoque. The residential development will benefit from proximity to the existing built-up area, including amenities, services, as well as institutional, recreational, commercial and retail uses. The proposed development includes road connections to the surrounding road network that will provide optimal access for both active and vehicular transportation. Additionally, the proposal will retain natural heritage features, include public park space and will utilize public infrastructure for servicing. Active transportation is supported through new public streets that will include a sidewalk and trail connections through the development. The proposal will efficiently use otherwise vacant land within the settlement area of the Town.

5.1.2 Housing

Chapter 2, section 2.2 of the PPS speaks to housing policy. The PPS requires planning authorities to provide an appropriate range and mix of housing options and densities to meet projected needs of current and future residents including additional needs housing and needs arising from demographic changes and employment opportunities. The PPS also promotes densities for new housing which efficiently use land, resources, infrastructure and public service facilities.

The Plan of Subdivision is proposing up to 79 lots of varying size for detached residential homes that will assist in meeting housing needs of current and future residents. The proposed residential development is in keeping with the existing low-rise character of the area while expanding the housing stock of the community. The development is also proposing to add public park space, connect the lands to the broader transportation network, and extend public service infrastructure to the lands.

5.1.3 Transportation Systems and Infrastructure

Chapter 3 outlines the policies for infrastructure and facilities, including land use compatibility, and servicing. Policy 3.1 outlines the general policies for infrastructure, which requires infrastructure and public service facilities be provided in an efficient manner while accommodating projected needs. Planning for infrastructure and service facilities should be coordinated and integrated and strategically located to support delivery and efficiency.

Policy 3.2.1 of the provides that transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and goods, are appropriate to address projected needs and support the use of zero- and low- emission vehicles. Policy 3.2.3 provides that as part of a multimodal transportation system, connectivity within and among transportation systems and modes should be planned for, maintained and, where possible, improved, including connections which cross jurisdictional boundaries.

The plan of subdivision will be appropriately connected to the existing road network. New local roads are proposed which reflect extension of adjacent roads. The road network will include sidewalks and trail connections will be incorporated in order to incorporate pedestrian connectivity. A transportation impact study was completed which confirms there is existing road capacity to accommodate the development.

Policy 3.6 of the PPS provides policies for sewage, water and stormwater servicing. The PPS establishes a hierarchy for servicing, with the priority for municipal servicing. Where municipal and communal servicing are not available, private on-site servicing is the preferred approach. The PPS requires planning for stormwater management to be integrated with planning for sewage and water services and ensure that systems are optimized.

Servicing and stormwater management briefs have been prepared which confirm that the development can be adequately serviced by municipal sewage and water infrastructure. New connections to existing watermains and sewer lines are proposed and feasible. Stormwater management facilities include utilizing the existing watercourse on-site, enhancing an existing wetland area which will then discharge to the St. Lawrence. This, in addition to construction of asphalt roads with curbs and gutters and storm sewers throughout the subdivision will achieve adequate stormwater management. The stormwater management facilities will be designed in accordance with policy 3.6.8 of the PPS.

5.1.4 Natural Heritage

Chapter 4 of the PPS sets out the policies for the wise use and management of resources. Policy 4.1 speaks to natural heritage, providing that natural heritage features and areas shall be protected for the long term, and the long-term ecological function and biodiversity should be maintained, restored or improved.

5.1.4.1 Coastal Wetlands

Policy 4.1.1 specifically states that development and site alteration shall not be permitted in significant coastal wetlands, unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological function.

Coastal Wetland has been defined in the PPS and means:

- a) any wetland that is located on one of the Great Lakes or their connecting channels (Lake St. Clair, St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers); or*
- b) any other wetland that is on a tributary to any of the above-specified water bodies and lies, either wholly or in part, downstream of a line located 2 kilometres upstream of the 1:100 year floodline (plus wave run-up) of the large water body to which the tributary is connected.*

The subject lands are located on the north shore of the St. Lawrence River and contain coastal wetlands associated with the St. Lawrence River as well as unevaluated wetland.

The EIS conducted an evaluation of the central wetland based on the Ontario Wetland Evaluation System (OWES) for Southern Ontario manual. The EIS concludes that the central wetland does not meet the threshold to be considered provincially significant. Ultimately, the wetland will be reduced in size but its ecological function will be improved. To protect natural features a 15 metres setback is proposed from the wetland. Stormwater management features are proposed within the buffer to provide water quality control.

5.1.4.2 Fish Habitat

The natural heritage policies also state that development and site alteration shall not be permitted in fish habitat, except in accordance with provincial and federal requirements, nor in habitat of endangered species and threatened species. Further, development and site alteration shall not be permitted on adjacent lands to the natural heritage features unless it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions. The subject lands have also been identified by the Gananoque Official Plan as containing fish habitat.

The EIS concludes that no fish were observed within the watercourse or the wetland, and fish passage from the St. Lawrence River into these features is obstructed. While no fish were observed on-site, there remains potential for fish habitat and therefore the EIS identifies a need to mitigate potential impacts through the stormwater management plan and implementation of mitigation measures. This will include setbacks from the watercourse and wetland, habitat enhancements as well as construction best management practices.

5.1.4.3 Habitat of Endangered Species

The EIS recorded three species of endangered bats on the subject lands: little brown myotis, tri-colored and hoary. The EIS confirms that there is potential roosts for bats on-site in the area adjacent to the inlet of the St. Lawrence River, with the highest potential habitat located within the park block. Tree retention is proposed within the park block. Given that there is minimum reduction in tree cover at the recorded bat areas, adverse effects are not likely.

In addition to bats, the EIS confirms there is significant wildlife habitat for species of conservation concern, related to special concern wildlife. The site is known to provide habitat for snapping turtle and map turtle, both of which are listed as special concern wildlife. Both turtle species were observed within the inlet east of the subject lands, with a small portion of the inlet overlapping onto the subject lands. This area is not proposed for development and will be conserved. Therefore, no impacts are expected.

5.1.5 Natural Hazards

Chapter 5 of the PPS addresses public health and safety. Policy 5.1.1 speaks to natural hazards and provides that development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards. Of particular relevance are policies 5.2.2 and 5.2.3.

Policy 5.2.2 states that development shall generally be directed to areas outside of hazardous lands adjacent to the shorelines of the St. Lawrence River System. Further, policy 5.2.3 provides that development and site alteration shall not be permitted within: defined portions of the flooding hazard along connecting channels including the St. Lawrence River, and areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or dynamic beach hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard.

The Gananoque Official Plan identifies that a portion of the subject lands contains 'Unstable Slope'. The lands are also identified as containing floodplain associated with the St. Lawrence River.

The portion of the lands along the shoreline of the St. Lawrence River that are identified as floodplain are not proposed for development. The Cataraqui Conservation Flood Hazard Mapping has been reviewed by Forefront Engineering as part of their servicing and stormwater briefs. Based on the mapping, the subject site has a floodplain elevation of 76.10 metres. Per the Cataraqui Conservation requirements, a 10 metre setback from buildings to the floodplain elevation is required. Therefore, a 10 metre setback is the minimum required setback to the floodplain. The proposed development includes a 15 metre setback from the floodplain, which exceeds the minimum requirement established by the conservation authority.

For the portion of the subject lands that have been identified as 'Unstable Slope', the Official Plan permits development in the unstable slope when the appropriate authorities have been consulted, and the slope has been assessed and can support development. Accordingly, the CRCA is the permitting authority for unstable slope and will be consulted as part of the development. Additionally, the unstable slope has been evaluated by a geotechnical investigation, which has determined that the slope is considered to have a low potential for instability.

5.1.6 Cultural Heritage

Section 4.6 of the PPS states that development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.

A Stage 3 Archaeology Assessment of the subject lands has been completed. There are two areas of archaeological significance on the subject lands. These areas are not currently contemplated for development. The first area is identified as 'Conner Site' which comprises Blocks 91 and 92 on the Draft Plan. A special provision is proposed to be applied to the two blocks. Development of the blocks would only be possible through completion of a stage 4 excavation of the site by a licenced archaeologist and the issuing of a letter by the Ministry of Tourism, Culture and Sport for the associated report.

The second area is 'Jasper Site' located within the watercourse block and will form part of Block 82. No development is proposed for this block. This area will be conserved for long-term protection.

5.1.7 Summary

The proposed residential development aligns with several key policy directions from the PPS, particularly concerning housing, transportation and infrastructure, natural heritage, natural hazards, and cultural heritage. Situated within an identified settlement area, the development supports intensification by efficiently utilizing otherwise vacant land, connecting to existing infrastructure, and incorporating amenities such as parks, sidewalks, and trail systems to encourage active transportation.

The plan includes up to 79 residential lots, helping to address current and future housing needs while maintaining the area's low-rise character. The development will connect to existing municipal water and sewage systems, and will be accessible via extensions to the local road network.

Natural heritage and natural hazards have been considered as part of the development proposal. Development will be excluded from the floodplain, and setbacks exceed regulatory requirements. The watercourse will be improved, with the wetland being conserved and its ecological function will be enhanced. Cultural heritage areas will remain undeveloped, ensuring compliance with PPS heritage conservation policies.

Based on the foregoing, the proposed development is consistent with the PPS and will result in the efficient use of otherwise vacant and un-developed lands within the built-up area of the Town.

5.2 Town of Gananoque Official Plan, 2009

The Town of Gananoque Official Plan is a planning document designed to manage growth and development. It provides a framework to guide land use decisions within the Town's boundaries for the next 20 years. The Official Plan was approved by the Minister of Municipal Affairs and Housing in May 2010.

The Town of Gananoque Official Plan designates the subject lands 'Residential' on Schedule B (**Figure 5**). The lands are also identified as containing a Watercourse, Unstable Slope, and Fish Spawning on Schedule F (**Figure 6**) and Floodplain on Schedule G (**Figure 7**).

5.2.1 Residential Designation

Section 3.2 (Where we live – Planning Sustainable Residential Neighbourhoods) of the Town of Gananoque Official Plan sets out the Residential land use policies. Policy 3.2.2.1 outlines the permitted uses, which include the full range of dwelling types from low density single detached dwellings to high density apartment dwellings. In addition, uses which complement residential neighbourhoods may also be permitted. These could include home occupation uses, institutional uses such as schools, nursing homes, group homes and churches, open space uses such as parks and community centres, neighbourhood commercial uses such as convenience stores, licensed daycares and bed and breakfast establishments.

The Town of Gananoque Official Plan also sets out specific policies under policy 3.2.2.2 for Waterfront Residential uses. The policy provides that residential development along the waterfront is permitted

provided that development is setback sufficiently from the high water mark to ensure protection of the existing natural shoreline. The policy provides that the minimum setback shall generally be 30 metres. In addition to protection of the shoreline, new development along the waterfront shall, whenever possible be designed to minimize any loss of river views from adjacent properties.

The residential policies of the Official Plan permit the subject lands to be developed as proposed as a residential plan of subdivision. A portion of the subject lands is along the shoreline of the St. Lawrence River as well within the floodplain of the river corridor. In accordance with the floodplain policies of section 3.6.2 (River Corridors) new development is to be a minimum of 30 metres from the high watermark, or 15 metres from the floodplain. As the subject lands contain floodplain, a 15 metre setback from the floodplain is proposed.

Forefront Engineering Inc. (Forefront), the retained engineer for this project has assessed the floodplain in consultation with the conservation authority. In a memorandum (*Elmwood Subdivision Floodplain Elevation and Setbacks*) prepared for the proposed development, Forefront notes that based on the Cataraqui Conservation requirements of the 100-year floodplain elevation of 76.10 metres, a 10 metre setback to the floodplain is to be applied to lots along the St. Lawrence River. The proposed 15 metre setback exceeds the floodplain setback requirement of the Conservation Authority and addresses the requirements of the Official Plan.

Regarding protection of waterfront views, there is currently no public access or view of the waterfront from the subject lands. The proposed development will not minimize loss of river views from adjacent properties. In fact, the proposed development includes a community park along the shoreline for public use and will connect to and extend the existing pedestrian pathway for public access, ultimately enhancing public viewing and access to the waterfront.

Additional policies regarding density and affordable housing are set out under policy 3.2.2.8. The policy provides that to ensure an appropriate mix of housing and facilitate the provision of affordable housing, a full range of housing densities will be permitted. An overall housing density target of 12 units per gross hectare has been established. A broad mix of housing types and densities is encouraged, while also ensuring that the character and quality of residential neighbourhoods is maintained. Higher density residential development will generally be encouraged in locations having greater amenities or services such as areas in proximity to commercial designations, open space, arterial or collector roads.

An Affordable Housing Assessment has been prepared in support of the proposed Draft Plan of Subdivision, attached to this report in Appendix A. The Affordable Housing Assessment discusses ways the proposed development may support affordable and attainable housing objectives. This includes the ability for the 79 lots to accommodate additional dwelling units, further increasing the supply of housing, as well as offering alternative housing options including ownership and rental. Refer to the Affordable Housing Assessment for a more comprehensive review of the affordable housing policies of the Gananoque Official Plan.

Policies for housing supply are provided under policy 3.2.2.10, which prescribes that Council shall provide for the near and longer-term supply of housing in the Town including maintaining a minimum 10-year supply of residentially-designated land. In addition, Council will seek to maintain a 3-year supply of draft approved and/or registered lots and blocks in plans of subdivision for new residential developments. Maintaining an adequate water and sewage capacity to serve these supply targets is crucial to providing for an adequate supply of residential lands.

Regarding density, the subject lands have a total area of 11.59 hectares. The Draft Plan proposes 77 lots plus two future residential blocks, resulting in a density of 6.8 units per gross hectare. However, approximately 0.95 hectares are proposed to be a lot addition to an abutting property, reducing the lot area to 10.64 hectares. Additional development constraints of the lands, including the wetland, watercourse, and floodplain also reduce the developable area of the lands to approximately 8.5 hectares. Considering the developable area of the lands is 8.5 hectares, the net density proposed is 9.2 units per hectare. The density summary is described in Table 2.0 of section 2.2 of this report. The density calculations account for the two future development blocks, but do not account for Additional Dwelling Units. Up to three additional residential units are permitted within each lot in the plan of subdivision which will result opportunities for increased density within the development.

The Official Plan identifies a gross target density of 12 units per hectare. This is a target density that is applicable to all residential development in the Town with density measured over the entire residential designation. The proposed development will assist in meeting this target while maintaining the existing low density character of the neighbourhood. The proposed development will also support the Town's 3-year supply for draft approved residential land. The density of the proposed development is also impacted by the location of natural features, including the watercourse and wetlands central to the subject lands and the St. Lawrence River. Ensuring the wetland and watercourse are adequately protected with appropriate buffers and that an appropriate setback is provided to the St. Lawrence River directly impacts the design of the subdivision. The location of roads and lots within the community must be designed around these features which, in some cases, results in deeper lots than would be expected in a Plan of Subdivision without environmental constraints. However, the presence of these features and the integration into the design of the subdivision will positively impact the community through the protection of natural heritage features and consideration for integrating public access through the design of trails and parkland.

With respect to access, policy 3.2.2.9 provides that development shall only be permitted where safe, convenient access to a public road is available. Access to individual lots shall be from internal local roads constructed to municipal standards. The draft plan of subdivision includes the extension of local roads. All proposed lots have frontage on a proposed local road.

The 'Residential' designation permits residential as well as ancillary uses, which include open spaces. The proposed subdivision includes seven (7) open space blocks for conservation and public use. These blocks include the watercourse internal to the lands, two public parks, the stormwater management pond and wetlands. It is anticipated that these lands will be conveyed to the Town as a condition of approval of the application.

There are two future development blocks identified on the draft plan. These blocks contain archaeological significance and are not currently proposed for the development. While these blocks will remain in the 'Residential' designation, a special provision is proposed to be established in the Development Permit By-law to ensure archaeological significance is protected from future development.

5.2.2 Environmental Features

Section 3.6 (Our Environment – Planning for Sustainability) of the Official Plan sets out the policies for environmental features. Environmental features are identified on Schedule F to the Official Plan (**Figure 6**). The subject lands contain fish habitat and watercourse.

5.2.2.1 Endangered or Threatened Species

Policies related to endangered or threatened species habitat set out in the Official Plan provide that development and/or site alteration is prohibited in the significant habitat of the endangered or threatened species. Further, development and site alteration may only be permitted on lands within 50 metres of the habitat unless it has been demonstrated through an EIS that there will be no negative impact on the natural features or ecological functions.

An EIS has been prepared in support of the proposed development to assess environmental factors on-site. The EIS identifies that the subject lands contain bat habitat, including that of an endangered bat species. The location of the bat habitat is within the park block. The EIS concludes that the proposed development is not expected to have an impact to the bats. The EIS outlines mitigation measures, which include post-development tree plantings to provide suitable roosting habitat over time. Additionally, the development will include substantial natural areas that can continue to act as foraging habitats. No permits or authorizations are required.

The EIS also confirms that the site is known to provide habitat for both snapping turtle and map turtle, both of which are listed as special concern wildlife. Both turtle species were observed within the inlet east of the subject lands, with a small portion of the inlet overlapping onto the subject lands. This area is not proposed for development and will be conserved. Therefore, no impacts are expected.

5.2.2.2 Fish Habitat

The Official Plan provides that, according to the PPS, fish habitat is defined as: *"the spawning grounds and nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life processes."* All watercourses and waterbodies are considered to have the potential for Fish Habitat and more specifically the St. Lawrence and the Gananoque Rivers. Where development is proposed adjacent to any watercourse consultation with the Town and the Cataraqui Region Conservation Authority is required.

The policies direct that development and site alterations shall not be permitted in fish habitat except in accordance with provincial and federal requirements. Where development is proposed within 30 metres of an area of fish habitat or adjacent to an area of fish habitat, it must be demonstrated through an environmental impact assessment that there will be no negative impacts on the natural feature or on the ecological functions for which the feature is identified. The advice of the Department of Fisheries and Oceans through the Cataraqui Region Conservation Authority, which serves as the first point of contact for the Department of Fisheries and Oceans should be sought where any proposal may potentially impact fish habitat. In instances where a proposal may result in a harmful alteration, disruption or destruction of fish habitat the proponent must obtain authorization from the Department of Fisheries and Oceans through the CRCA.

The Official Plan identifies on Schedule F Fish Spawning along the shoreline of the St. Lawrence River and an associated inlet on the subject lands. The EIS completed in support of the proposed development has assessed the subject lands for fish habitat. The EIS concludes that no fish habitat was observed on-site, and fish passage from the St. Lawrence River into features on-site is not likely due to dense vegetation, debris and absent water levels. Despite the lack of fish observed, this is a potential fish habitat and the proposed development may have an impact. The EIS concludes that impacts can be mitigated through the stormwater management plan and implementation of mitigation measures, outlined in the EIS. This includes setbacks, habitat enhancements, fish protection mitigation, ESC

measures and best practices during construction. To ascertain no impacts will occur, a request for review from the Department of Fisheries and Oceans has been recommended.

5.2.2.3 River Corridors – St. Lawrence

Regarding river corridors, the Official Plan policies provide that where new development lots are created, dwellings and sewage systems are to have a 30 metre setback from the high watermark, or 15 metres from the floodplain. The policies enable Council to consider conveyance of shoreline lands for public use, providing access to the water body where possible when reviewing development proposals. Additionally, when reviewing subdivision, consent and site plan applications, consideration for the impacts of the development on the visual access to the waterbody should be had, ensuring development complements the natural setting.

The subject lands are located along the shoreline of the St. Lawrence River, and contain a watercourse associated with the St. Lawrence River. The shoreline is identified as having a floodplain on Schedule G of the Official Plan. The floodplain has been reviewed against the *Cataraqui Conservation Flood Hazard Mapping*. The subject lands have a 100-year floodplain elevation of 76.10 metres. In accordance with the Cataraqui Conservation requirements, a 10 metre setback is to be applied. Proposed lots that are along the shoreline will include a 15 metre setback from the floodplain to future development, which exceeds the 10 metre requirement.

Additionally, two public parks are proposed. One of the parks will be located on the shoreline, providing public access and viewing of the St. Lawrence River that will occupy approximately 0.5 hectares. A trail network is proposed through the development resulting in that this park being connected to the existing pathway that leads to the subject lands.

5.2.3 Development Constraints

Section 3.7 (Development Constraints) of the Official Plan outlines policies on natural hazards. As the subject lands are identified as containing Unstable Slope and Floodplain on Schedule G (**Figure 7**), these policies are applicable. Policy 3.7.4 specifically addresses flooding and erosion, stating that development and site alteration is prohibited in floodplains.

The Draft Plan does not propose any development within the floodplain. As previously noted, lots proposed along the shoreline of the St. Lawrence River will maintain a 15 metre setback from the floodplain.

Development and site alteration in areas designated as having unstable slopes is prohibited except by site-specific Zoning By-law amendment. Zoning By-law amendments to permit construction of a building or structure may be passed only if all of the following conditions are met:

1. *development may be permitted in accordance with the underlying designation in areas of unstable slopes as shown on Schedule E with appropriate development setbacks as provided in a joint report prepared by the Ministry of Natural Resources and the Ministry of Northern Development and Mines;*
2. *sufficient soils and engineering information is made available to indicate that, although the site is identified as having unstable slopes or organic soils, it is in fact suitable or can be made suitable for development using accepted scientific and engineering practices;*
3. *alterations to the site will not result in increased hazards or cause adverse environmental effects on or off-site;*

4. *the designation on Schedule A, B, C, D or E permits the proposed development.*

The unstable slopes designated on the subject lands have been evaluated by the geotechnical investigation prepared in support of the proposed development. The geotechnical investigation confirms that the unstable slope has low potential for instability and recommends that vegetation should be maintained on the face of the slopes where possible, and no modifications to the toe of the slopes should be made without geotechnical review. Final grading plans should be reviewed by a geotechnical engineer. Additionally, the stormwater management plan will utilize the watercourse as part of the stormwater management plan. Improvements to the watercourse are proposed, which will improve flow conveyance and slope stability. Development would therefore not result in creating hazards on the lands.

Regarding policy 1 above, this policy is obsolete as the *Conservation Authorities Act* now places the regulation of unstable lands to Conservation Authorities per section 28(1) of the Act. This section authorizes Conservation Authorities to issue permits for development activities in areas subject to flooding, erosion, dynamic beaches or unstable soil or bedrock. Therefore, the Ministry of Natural Resources and the Ministry of Northern Development and Mines are not required to be consulted on proposed alterations or development within unstable slopes. This is within the authority of the Cataraqui Region Conservation Authority (CRCA). Policy 28.1(1) states that:

An authority may issue a permit to a person to engage in an activity specified in the permit that would otherwise be prohibited by section 28, if, in the opinion of the authority,

- a) the activity is not likely to affect the control of flooding, erosion, dynamic beaches or unstable soil or bedrock;*
- b) the activity is not likely to create conditions or circumstances that, in the event of a natural hazard, might jeopardize the health or safety of persons or result in the damage or destruction of property; and*
- c) any other requirements that may be prescribed by the regulations are met.*

As noted, to determine the suitability of the subject lands for residential development, a geotechnical investigation has been completed. This investigation has evaluated the unstable slope and concludes that it has a low potential for instability. The stormwater management plan is also proposing improvements to the watercourse which will improve slope stability in these areas. Based on the engineering analysis undertaken in support of the Plan of Subdivision, the development is not anticipated impact erosion or unstable slope, nor will it create or worsen conditions that would cause safety concerns.

5.2.4 Servicing and Transportation

Section 4.0 provides policies for infrastructure. Transportation policies and objectives are outlined in policy 4.1.2. Objectives include the efficient and safe manner for the movement of people and goods.

The surrounding road network is identified on Schedule H of the Official Plan (**Figure 8**) as follows:

- MacDonald Drive, Arthur Street and William Street: Local Roads and Recreational Pathway
- Elmwood Drive: Local Road (Town)
- King Street: Arterial Road (Town)
- 401: Provincial Highway (MTO)

- Thousand Island Parkway: Thousand Island Parkway (St. Lawrence Parks Commission and MTO)

Local Streets provide access through neighbourhoods and are not intended for large volumes of traffic. The minimum width of any local street right of way shall be 20 metres. A reduced right of way standard may be accepted in new developments where it can be demonstrated that required infrastructures including snow storage space can be accommodated.

Arterial Roads are intended to carry large volumes of traffic and serve to provide the major transportation routes throughout the community and connections to the Provincial Highway. Access will be limited in order to maintain their primary function. The minimum width of any arterial roadway right of way shall be 26 metres.

Two new roads are proposed within the subdivision, each of which will terminate in cul-de-sacs. Street One will be connected to Elmwood Drive and will be considered a local street. Street Two will connect to John Street, also considered a local street. Both new roads will be local roads. Emergency access is proposed to Arthur Street and will be designed to municipal design standards. The overall design of the road network will facilitate the safe and efficient movement of people. Sidewalks as well as a pedestrian trail will be incorporated into the development facilitating active transportation as well.

Policy 4.1.4 addresses policies related to infrastructure including servicing and stormwater management. Policy 4.1.4.1.3 provides that development shall generally be directed to areas where water and waste water services can be reasonably extended. Additionally, stormwater management will be required for all new developments.

Site servicing, water and stormwater management briefs have been completed in support of the proposed development. The briefs confirm that municipal servicing is available for the proposed development. Stormwater management controls will be installed, including asphalt roads with curbs and gutters and storm sewers throughout the subdivision, in addition to utilizing existing natural features.

5.2.5 Summary

The proposed development conforms to the Town of Gananoque Official Plan. The subject lands are designated 'Residential', which permits the establishment of residential uses as well as open space uses on the lands. The proposal will increase housing supply and overall density within the Town. The draft plan has consideration for the environmental features and constraints present. There are seven blocks proposed within the development including parks, stormwater management, and conservation that will be open space. Additionally, no development will be permitted within 6 metres of the watercourse. Similarly, no development will be permitted within 15 metres of the St. Lawrence River.

Servicing and stormwater management briefs have been completed which confirm that the lands can be served by extensions to municipal servicing. The development will also include internal roads that will be constructed to municipal road standards, as well as connect to the existing road network with the proposed extension of Elmwood Drive. The proposal has also been planned to include two neighbourhood parks with the primary park adjacent to the St. Lawrence River. These parks will be accessible to the public and improve current river views of the shoreline and improve waterfront accessibility.

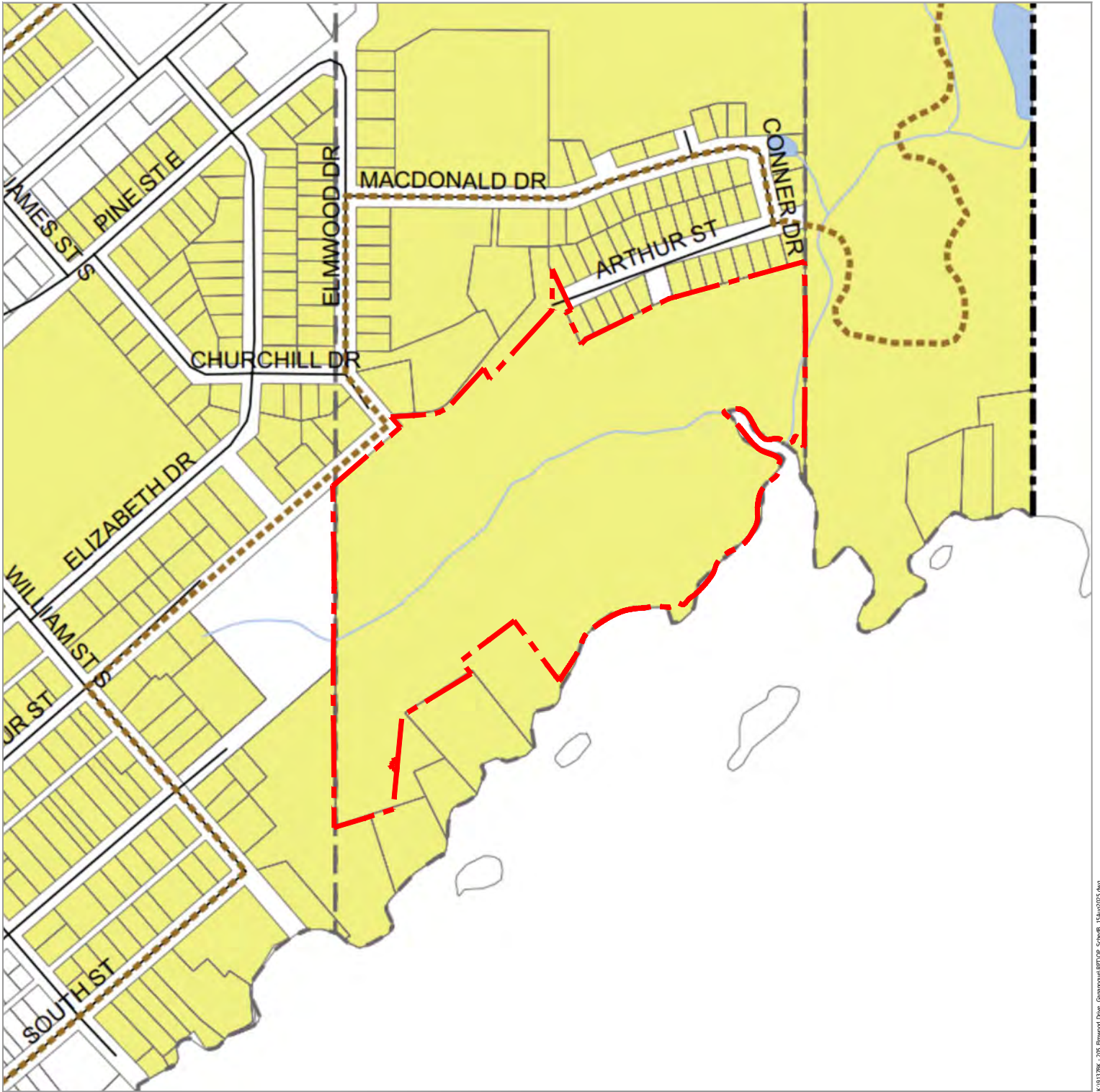


Figure 5 - Town of Gananoque Official Plan Schedule "B" Residential Policy Area, 2009



K:\913786 - 205 Elmwood Drive, Gananoque\913786_SchB_15Aug2025.dwg

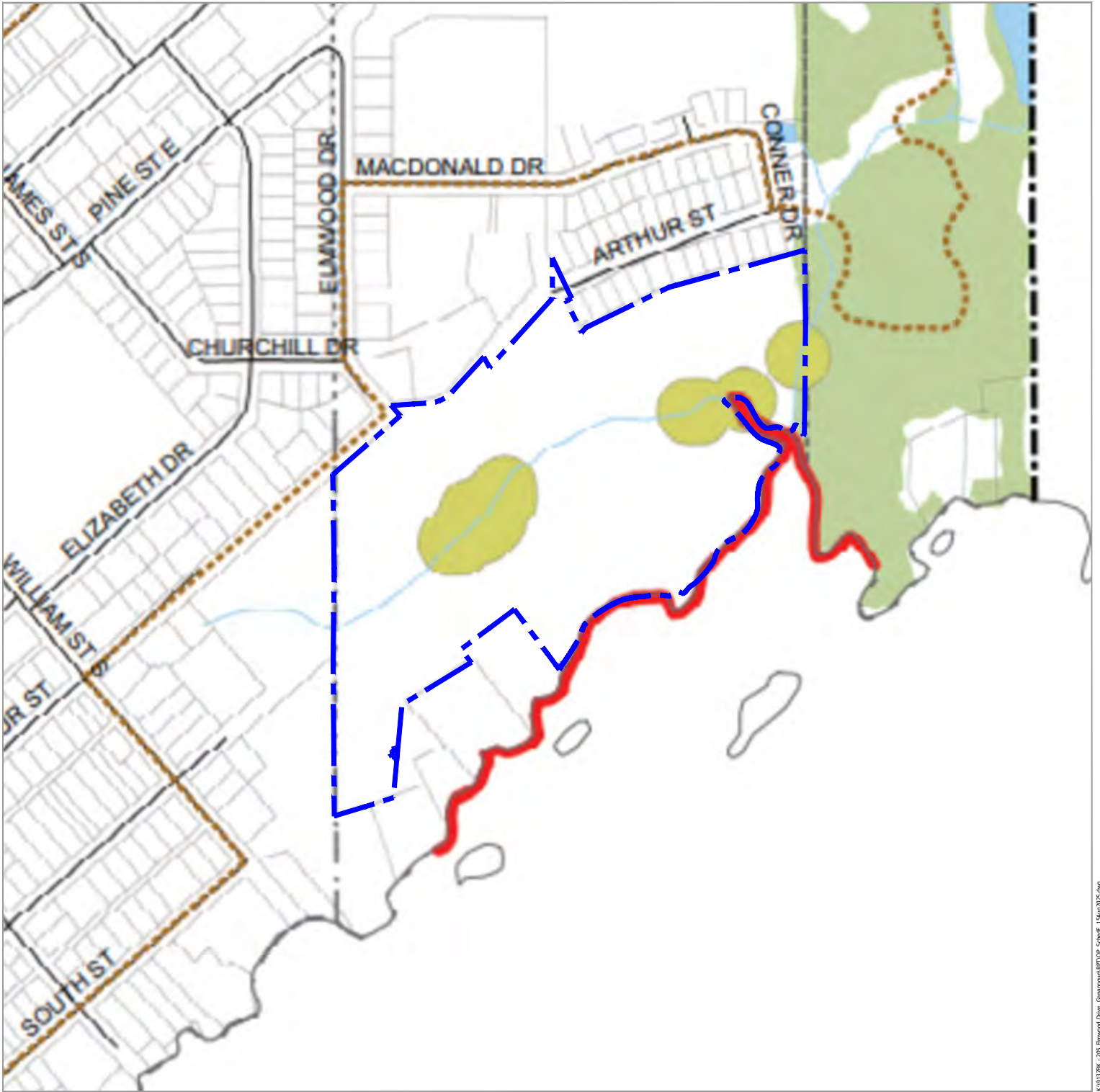


Figure 6 - Town of Gananoque Official Plan Schedule "F" Natural And Cultural Heritage Feature, 2009



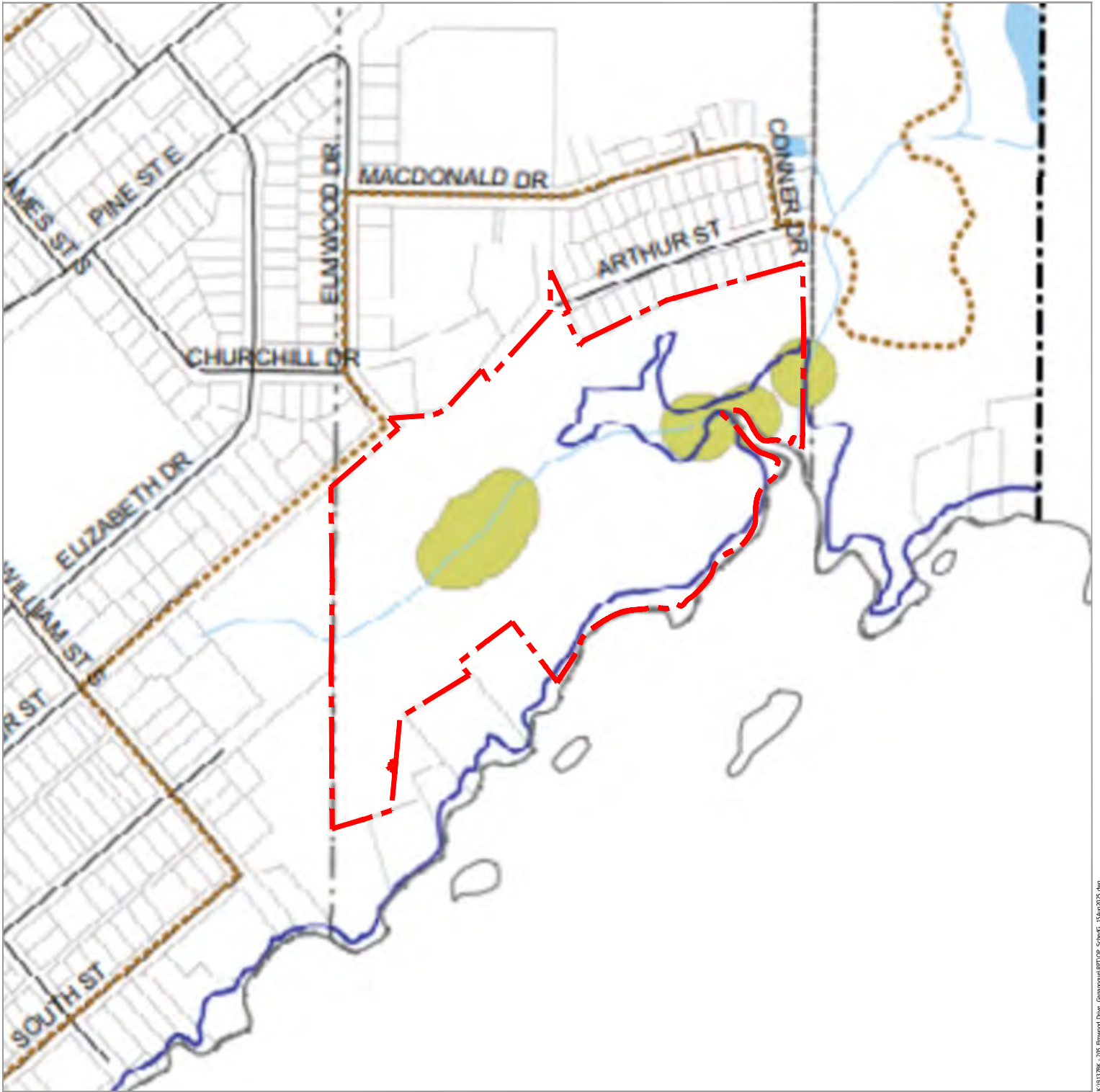
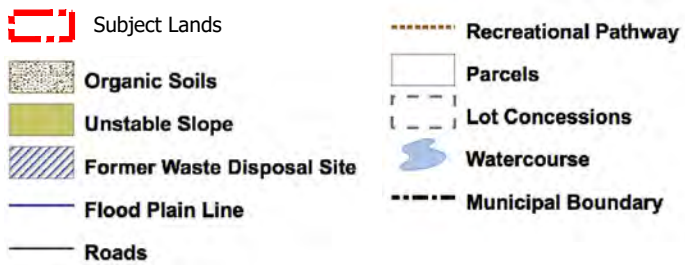


Figure 7 - Town of Gananoque Official Plan Schedule "G" Development Constraints, 2009



K:\913784 - 205 Elmwood Drive, Gananoque\9710P_SchMS_15Aug2025.dwg

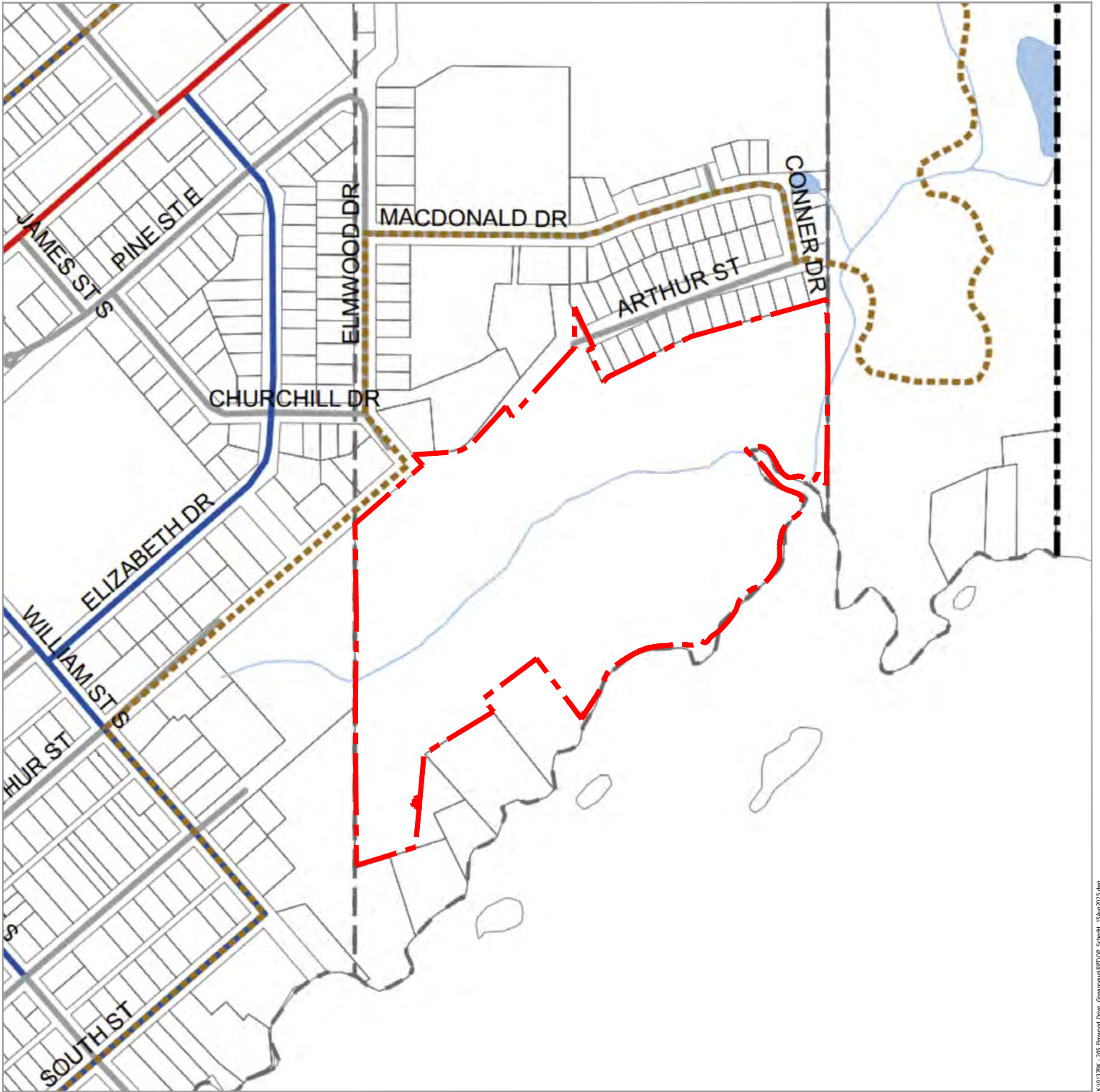


Figure 8 - Town of Gananoque Official Plan Schedule "H" Roads, 2009



K:\913786 - 205 Elmwood Drive, Gananoque\913786_Schedule_15Aug2015.dwg

5.3 Draft Gananoque Official Plan, 2024

The Town is currently in the process of updating their Official Plan. A Draft Official Plan has been released for public comment, however, no mapping has been released to-date. The following is a summary of the draft policies applicable to the subject lands.

5.3.1 Residential

Residential policies are provided under policy 3.2.2.1. Permitted residential uses include the full range of dwelling types from low density single detached dwellings to high density apartment dwellings. Uses which complement residential neighbourhoods are also permitted, subject to the Development Permit By-law. These include home-based businesses or home industry uses, institutional uses such as schools, nursing homes, group homes and churches, open space uses such as parks and community centres, neighbourhood commercial uses such as convenience stores, licensed daycares and bed and breakfast establishments.

The proposed development conforms to the draft policies of the Residential designation. The development will include detached residential dwellings as well as open space uses such as parks and conservation. Additional dwelling units are permitted on each of the proposed residential lots.

Policies related to Residential Density and Supply are set out under section 3.2.2.10. The policies are similar to the in-force Gananoque Official Plan, except for updates to the density requirements. The policy states that in order to ensure an appropriate mix of housing and to facilitate the provision of affordable housing, a full range of housing densities will be permitted. An overall town-wide housing density target of 16 units per gross hectare has been established in the draft Official Plan. This target will be achieved through an appropriate mix of low, medium and high density residential development. New plans of subdivision proposed in any residential designation shall calculate average density of the subdivision over the entire area of all lands affected by the subdivision. New residential plans of subdivision shall include a mix of residential dwelling types and densities on a street-by-street basis. Residential development which does not provide a diversity of dwelling types along streetscapes shall be discouraged.

The proposed net density of the subject lands is 9.2 units per hectare, which is based on the developable area; lands excluded include the open space blocks and the lot addition. In this case, achieving a higher residential density of the subject lands is challenging given the presence of environmental features, including the floodplain, wetlands and watercourse. The gross density, including natural features, is 6.8 units per hectare. The proposed development balances environmental conservation with housing, providing as many as 79 new residential units. The proposal will be consistent with the surrounding character of the neighbourhood and will conserve environmental features as well as provide public parks to conserve public viewing of the St. Lawrence River. The proposed development includes a range of lot sizes, which will result in a diversity of dwelling units in the community. The location of the natural heritage features and required setbacks results in constraints in terms of the layout of streets and the depth of lots within the subdivision. The number of lots provided maximizes the development potential of the subject lands while being designed in consideration of natural heritage features and compatibility with the surrounding community.

Additionally, while detached residential will be the primary residential unit type, there is opportunity for future residents to establish accessory dwelling units, further increasing housing choice and density. This is discussed in more detail in the Affordable Housing Assessment, attached as Appendix A to this report.

5.3.2 Waterfront Residential

The Draft Official Plan includes policies for Waterfront Residential Development in section 3.2.2.3. Given that a portion of the draft plan applies to lands along the St. Lawrence, it is understood that these policies will apply to the southern portion of the subject lands, specifically, lots 69-77 as well as the future development blocks 91 and 92. These policies provide that residential development is permitted and shall consider:

- *Setbacks from the shoreline may take the form of a buffer of undisturbed soil and vegetation, which will help to filter runoff and prevent soil erosion and provides Wildlife Habitat.*

The proposed development will include natural buffers along the shoreline that will form part of development setback.

- *New development along the waterfront shall, whenever possible, be designed to ensure protection of the existing natural shoreline and minimize any loss of river views from adjacent properties.*

The subject lands comprise a large tract of land with no existing residential development. Any properties adjacent to the subject lands where a view of the river exists is not anticipated to be impacted by the development. Additionally, the draft plan includes two public parks, with one that will be located adjacent to the St. Lawrence River where viewing opportunities will be provided. This park will also connect to the existing pedestrian pathway that leads to the subject lands. Considering that the subject lands do not currently allow for public viewing of the St. Lawrence River, this is an improvement to the current condition as the design of the subdivision accommodates public access to the waterfront.

- *Residential development along the waterfront may be subject to the Development Permit By-law.*

A Development Permit application is proposed to facilitate the proposed development. The application includes the re-designation of blocks adjacent to the St. Lawrence to include a 15 metre floodplain setback. This is discussed in more detail in the next section of this report.

- *Acquisition of land for public walkways, or to create new or to add to existing windows to-the-river shall be considered where new development or re-development provides an opportunity to do so.*

Currently, the subject lands do not provide public access or viewing opportunities of the St. Lawrence River. The Draft Plan will ensure there is viewing opportunities of the river and includes a park block adjacent to the river to facilitate public viewing of the St. Lawrence River. The proposed park block will be connected to adjacent lands through a public trail network.

- *The development of waterfront parks and related facilities shall be designed to provide safe, attractive and inviting places for public use and to visually separate private and public open spaces. Landscape plans that enhance the attractiveness of the waterfront and add significantly to the experience, enjoyment and appreciation of the waterfront shall be implemented. These plans will preserve environmentally sensitive vegetation and landforms and reflect the planned uses of the specific waterfront areas.*

As noted, the draft plan includes the establishment of two parks that will be for public use. The parks will preserve existing vegetation where feasible, as well as the existing landforms while also ensuring viewing opportunities of the river are provided.

With respect to access, policy 3.2.2.8 provides that development shall only be permitted where safe, convenient access to a public road is available. Access to individual lots shall be from internal local roads constructed to municipal standards. The draft plan of subdivision includes the extension of local roads as well as an emergency access. Roads will be designed to municipal standards and all proposed lots have frontage on a local street.

5.3.3 Natural Heritage

Policies for natural heritage are set out under section 3.6.4 and include endangered and threatened species, fish habitat and river corridors. The policies of this section are largely unchanged from the in-effect Official Plan.

5.3.3.1 Endangered and Threatened Species

The policies for endangered and threatened species are provided under policy 3.6.4.1 and provide that development and/or site alteration is prohibited in the Habitat of Endangered and Threatened Species, except in accordance with provincial and federal requirements.

As described in section 5.2.2 of this report, an endangered species habitat (bats) was observed on-site. The bat habitat is located within the Open Space Block and the Park Block (Blocks 80 and 84). Notwithstanding, there are mitigation measures proposed in order to avoid and minimize impacts. The EIS concludes that no impacts are expected and no permits are required.

5.3.3.2 Fish Habitat

Policies for fish habitat are set out under policy 3.6.4.3 and state that all watercourses and waterbodies are considered to have the potential for fish habitat. Any development adjacent to any watercourse consultation with the Town and the Cataraqui Region Conservation Authority is required. The policies direct that development and site alterations shall not be permitted in fish habitat except in accordance with provincial and federal requirements. Where development is proposed within 30 metres of an area of fish habitat or adjacent to an area of fish habitat, it must be demonstrated through an environmental impact assessment that there will be no negative impacts on the natural feature or on the ecological functions for which the feature is identified. The advice of the Department of Fisheries and Oceans through the Cataraqui Region Conservation Authority, should be sought where any proposal may potentially impact fish habitat. In instances where a proposal may result in a harmful alteration, disruption or destruction of fish habitat the proponent must obtain authorization from the Department of Fisheries and Oceans through the CRCA.

As discussed in section 5.2.2 of this report, an EIS completed in support of the proposed development assessed the subject lands for fish habitat. The EIS concludes that no fish habitat was observed on-site, however, the potential for habitat remains. The EIS recommends that impacts can be mitigated through the stormwater management plan and implementation of mitigation measures. To ascertain no impacts will occur, a request for review from the Department of Fisheries and Oceans has been recommended.

5.3.3.3 River Corridor – St. Lawrence

The river corridor policies are set out under policy 3.6.4.4 and require that dwellings and sewage systems are to have a 30 metre setback from the high watermark, or 15 metres from the floodplain. The policies also enable Council to consider conveyance of shoreline lands for public use, providing access to the water body where possible when reviewing development proposals.

Proposed lots that are along the shoreline will include a 15 metre setback from the floodplain. The setback has been confirmed by the *Cataraqui Conservation Flood Hazard Mapping* which identifies a 100-year floodplain elevation of 76.10 metres at the subject site. In accordance with the Cataraqui Conservation Authority requirements, a 10 metre horizontal setback is required. The proposed 15 metre setback is in accordance with the requirements. The Draft Plan includes a public park located on the shoreline, providing public access and viewing of the St. Lawrence River.

There is a watercourse internal to the subject lands. It is proposed that this watercourse be conveyed to the Town and form part of an open space block. The watercourse will form part of the stormwater management strategy and improvements are proposed. The improvements will formalize the channel, confine high-water levels. Hydraulic modeling was completed which confirms that the improvements will maintain and/or reduce flood elevations, with no increase in flood risk. It will also reduce the overall floodplain extent within the site. As such, the stormwater management report recommends that a 6 metre setback be implemented to abutting lots. Therefore, a 6 metre buffer on either side of the watercourse is proposed for lots abutting the watercourse. The watercourse corridor will also include a trail that will connect to the two park blocks proposed as well as the stormwater management pond.

5.3.4 Development Constraints

Section 3.7 (Development Constraints) of the Official Plan outlines policies on natural hazards. Policy 3.7.2 addresses erosion hazards and states that lands along the St. Lawrence River, Gananoque River and streams are subject to unstable slopes and erosion hazards. The approximate limit of unstable slopes and erosion hazards are shown on Schedule G (not yet released). The erosion hazard includes the 100 year erosion rate and includes allowances for toe erosion, slope stability and access during emergencies. Development and site alteration is not permitted on lands that are subject to erosion hazards and that are outside the flood hazard without CRCA approval. However, development may be permitted on lands that are partly subject to erosion hazards where there is sufficient area of land outside of the erosion hazard to accommodate the proposed development in accordance with the Official Plan, Development Permit By-Law and CRCA requirements

A geotechnical investigation has been completed which includes an evaluation of the slope in accordance with the MNRF Slope Stability Rating System. The investigation concludes that the slope has a low potential for instability. As such, consultation with the CRCA will be required in order to obtain a permit for development.

5.3.5 Transportation

Transportation policies are set out under policy 4.3. The Town shall review the transportation network in order to ensure safety and energy efficiency to facilitate current and future needs for the movement of people and goods. The Town recognizes the importance of transitioning to low carbon transportation and will enhance infrastructure to support active modes of transportation, as appropriate. The Town recognizes the importance of improving linkages and connectivity for the community to enjoy open spaces and natural heritage and transition to low carbon forms of transportation. Improved pathway access will be prioritized for the waterfront.

The proposed development will include two new roads. Street One will connect to Elmwood Drive and Street Two will connect to John Street. Both new streets will end in cul-de-sacs. The street connections will facilitate the efficient and safe movement of people. In addition to new roads, sidewalks as well as pedestrian trails are proposed. The trail will connect to the existing pathway east of the lands. This trail will extend through the site from the stormwater management pond to the waterfront park as well as through the watercourse. The trail network will enhance active transportation and recreational opportunities and within the community.

5.3.6 Servicing

Water, wastewater and stormwater service policies are set out under policy 4.4, which states that development shall generally be directed to areas where water and waste water services are available, planned, or feasible. The proposed development will be connected to municipal waste water and water services.

Stormwater management will be required for all new development in accordance with guidelines which may be developed by the Province, the Cataraqui Region Conservation Authority or the Town of Gananoque. A stormwater management brief has been prepared for the proposed development which outlines the stormwater management strategy. This includes asphalt roads, culverts and storm sewers as well as utilization of the existing watercourse and wetland that will flow into the St Lawrence River. The design of the stormwater management facilities will be in accordance with the required guidelines and standards.

5.3.7 Summary

The proposed development conforms to the draft policies of the Official Plan. While the overall density is lower than the town-wide target due to environmental constraints, the project balances housing supply with natural heritage conservation, providing up to 79 residential lots with open spaces and environmental conservation areas. The subdivision design includes diverse lot sizes, public park spaces, and trail connections, ensuring compatibility with the surrounding neighbourhood and enhancing access to the St. Lawrence River, which is currently limited. Waterfront policies are addressed through shoreline buffers, with a large waterfront public park. Full municipal water and wastewater services will be provided, with stormwater management facilities designed to provincial and local standards. Overall, the proposal maximizes development potential while conserving environmental features, expanding public access to the waterfront, and providing a diverse housing supply for the community.

5.4 Gananoque Development Permit By-law, 2010

The Town's Development Permit By-Law contains provisions that regulate the use, size, height, lot coverage and location of buildings. The Development Permit System is a stream-lined process that combines applications into one application, provides details of exterior design detail on new applications, discretionary uses and an up front planning process. There are 3 classes of development permits. The proposal is considered a Class III development permit and therefore requires a Council decision.

The lands are designated in the Permit By-law on Schedule A as 'Residential' (**Figure 9**) and on Schedule B 'Waterfront Overlay' (**Figure 10**).

5.4.1 Residential

Residential regulations are set out in section 5.3 and provide that the intent of the Residential designation is to allow for a varied density of residential uses. This includes single detached dwellings. An assessment of compliance with the site provisions for single detached dwellings is provided below:

Site Provisions	Requirements	Compliance of Draft Plan
Lot Area (min)	464m ²	Yes
Lot Coverage (max)	35%	Yes
Lot Frontage (min)	15m	Yes
Front Yard Setback (min)	6m	Yes
Exterior Side Yard Setback (min)	4.5m	Yes
Interior Side Yard Setback (min)	1.2m	Yes
Rear Yard Depth (min)	7.5m	Yes
Building Height (max)	11m	Yes

Additional regulations are provided for Urban Design. The proposed development has been designed in consideration of the following regulation direction:

- Corner lots: The design will incorporate architectural detailing on both street-facing elevations, ensuring visual interest and an active presence along each frontage.
- Orientation to the street: Entrances and primary façades are oriented toward the street, reinforcing the pedestrian environment and contributing to the neighbourhoods streetscape.
- Tree retention and planting: Where feasible, mature trees on site will be retained. Where retention is not possible due to grading, servicing, or building placement, replacement tree planting will be provided as required. Retention within the park block will be specifically considered.
- Setbacks, footprint, size, and massing: The development respects the established pattern of the neighbourhood by aligning setbacks and massing with nearby development. The setbacks are compliant with residential regulations.
- Architectural character and materials: Building forms, rooflines, and design elements will be detailed at a later stage in the development process.

The proposed development will result in the efficient use of otherwise vacant residential lands. It has been designed to be compatible with the existing character of the community.

5.4.2 Waterfront Overlay

Section 13 speaks to the Waterfront Overlay designation. Permitted uses include all uses permitted in the underlying development permit designation, which is Residential. Development is to have a setback to the waterfront of 30 metres, relative to bank height, angle and stability of slope conditions and in accordance with required and approved technical studies. Existing vegetation shall be maintained, wherever possible and desirable in all of the setback areas. Enhancements by natural landscaping and additional native planting are recommended to create a vegetative buffer area to protect sensitive environments.

The proposed development includes lots along the shoreline that will be for residential development. While development on these lots is permitted, a 15 metre setback from the floodplain is proposed. **Figure 11** demonstrates that a residential dwelling can be accommodated on a lot with this setback. The proposed setback has been recommended in the EIS and is considered appropriate.

Additionally, regulations are provided for bank height. For stability and land conservation purposes, the setback from slopes where bank height is greater than 3 metres shall generally be a minimum of 7.5 metres from the top of slope. The 7.5 metres -30 metre setback shall generally be maintained in a natural state and there shall be no disturbance of grades or vegetation below the top of bank. Where top of slope height is less than 3 metres, the setback shall be the greater of the following: the limit of the Floodplain, or a 15 metre vegetated buffer area measured from the channel bank.

The geotechnical investigation reviewed shoreline stability. It concludes that no significant slope along the shoreline is present and no appreciable grade raises are made near the shoreline. The risk of measurable shoreline retreat over the design life of the development is therefore minimal, and the shoreline is well sheltered. Given that there is minimal slope along the waterfront, a 15 metre setback has been provided for waterfront lots.

The stormwater management report reviewed the bank height of the internal watercourse. It observes that the watercourse has an approximate depth of 0.9 metres at the upstream inlet, gradually decreasing to 0.4 metres to the top of the defined north bank. The bank height of the watercourse is therefore less than 3 metres. The setback provided from the watercourse will be 6 metres. The watercourse will be improved and controlled as part of the stormwater management plan. Hydraulic modeling confirms that the proposed improvements will not increase flood risk upstream or downstream. The improved channel reduces the overall floodplain extent within the site, while improving flow conveyance and slope stability. A 6 metre buffer from the watercourse has been recommended by the stormwater management plan and environmental impact assessment, and has been applied to the draft plan. Notwithstanding the above, only a portion of the watercourse is designated waterfront overlay.

Permitted non-residential and accessory uses may be located within the 30 metre setback but will not extend across more than 25% of the property shoreline frontage to a maximum of 9 metres. Specific accessory structures that are permitted within the 30 metre setback include:

- Boathouse to a maximum length of 8 metres (28.2 feet)
- Boatport to a maximum length of 8 metres (28.2 feet) and;

- Dock to a maximum length of 8 metres (28.2 feet) and;
- Stairs and landings, provided that the landings do not exceed the width of the stairs they serve and are not greater in width than 2.5 metres (8.2 feet) and;
- Shed not exceeding 10 square metres (108 square feet).

The Waterfront Overlay also includes urban design criteria. The draft plan has been designed to enhance the relationship between the waterfront, public realm and residential development:

- The development configuration facilitates active waterfront use via a waterfront park and trail, enhancing view corridors. Building placement has been designed to ensure visibility and physical accessibility to the waterfront has been established through trail connections.
- Streetscape elements such as paving, tree plantings, and lighting will be determined at a later stage in the development process. It is the intent for the design to align with established municipal patterns.

5.4.3 Proposed Designation

To facilitate the proposed development, several amendments are proposed to the Development Permit By-law. These include:

- Re-designation of the parks, watercourse corridors, stormwater management pond and wetland to an 'Open Space' designation.
- A Special Provision be placed on the two Future Development blocks which contain archaeological significance
- A Special Provision be established for the waterfront lots permitting a waterfront setback of 15 metres

The proposed amendments are reflected on **Figures 12-13**.

5.4.3.1 Open Space Amendment

The draft plan includes seven (7) open space blocks that are intended to be conveyed to the Town for conservation and public use. These include the watercourse internal to the lands, two public parks, and the wetland features. As the entirety of the subject lands are designated 'Residential', an amendment is proposed to re-designate these blocks to the Open Space designation to ensure their long-term protection.

5.4.3.2 Future Development Amendment

There are two blocks/lots that have been identified as containing archaeological significance. These lots are proposed to be re-designated to include a site-specific provision. The site-specific provision recognizes that these lots contain archaeological resources and restricts residential development until mitigation measures such as preservation or excavation are implemented / obtain clearance from the Ministry that the site has been appropriately assessed and that no further archaeological concerns remain.

5.4.3.3 Waterfront Residential Amendment

For lots along the shoreline, a site-specific provision is proposed to reduce the waterfront setback from 30 metres to 15 metres; whereas the By-law provides that development from the shoreline shall have a 30 metre setback a 15 metre setback is proposed.

The 15-metre setback is consistent with the Official Plan policy and Conservation Authority that requires development be a minimum of 15 metres from the floodplain. The proposal conforms to this requirement. The proposed setback is also consistent with the *Cataraqui Conservation Flood Hazard Mapping* which recommends the subject lands shoreline development maintain a setback of 15 metres.

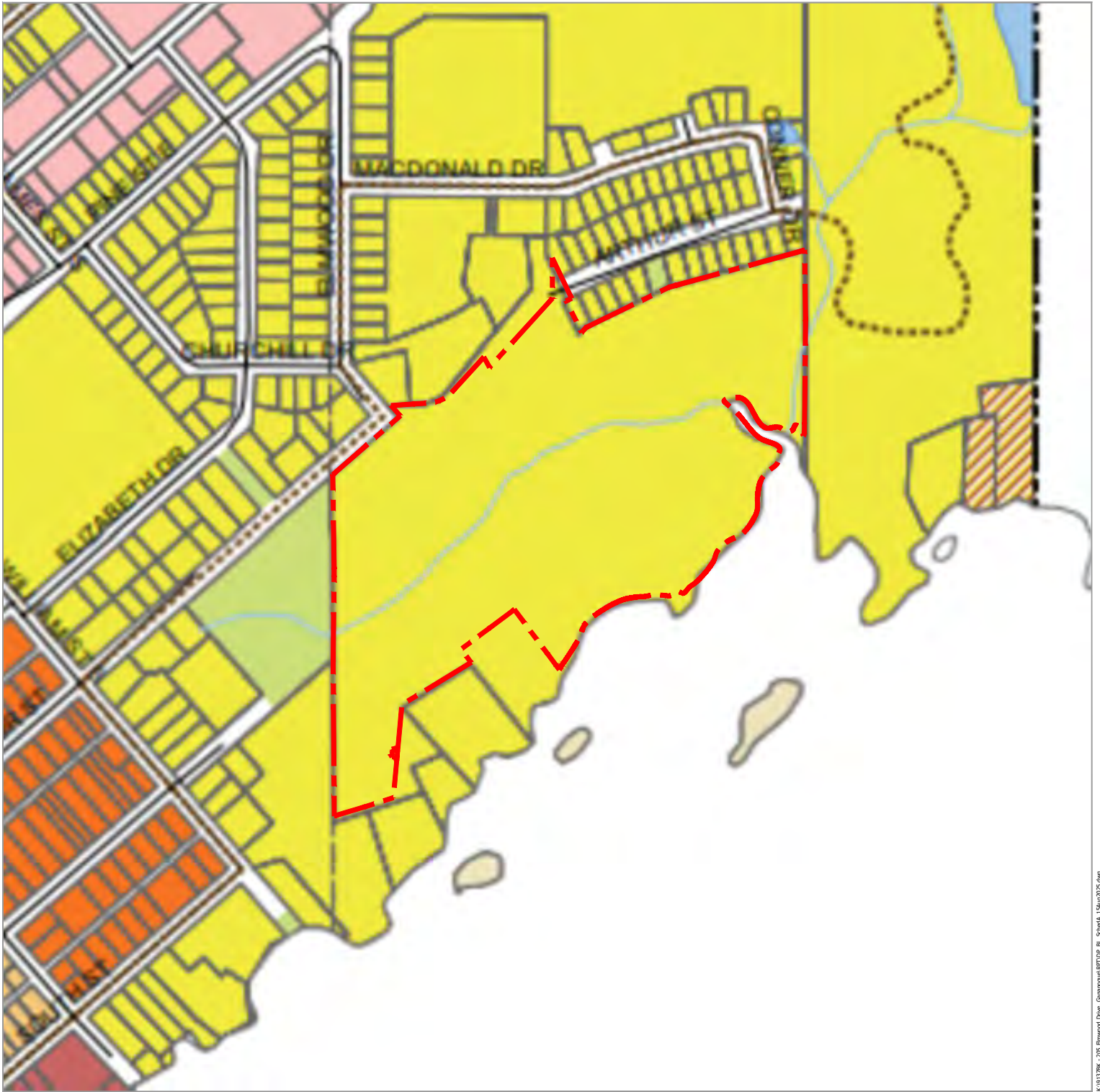




Figure 9 - Town of Gananoque Development Permit By Law Schedule "A" Development Permit Areas, 2011

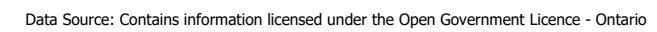


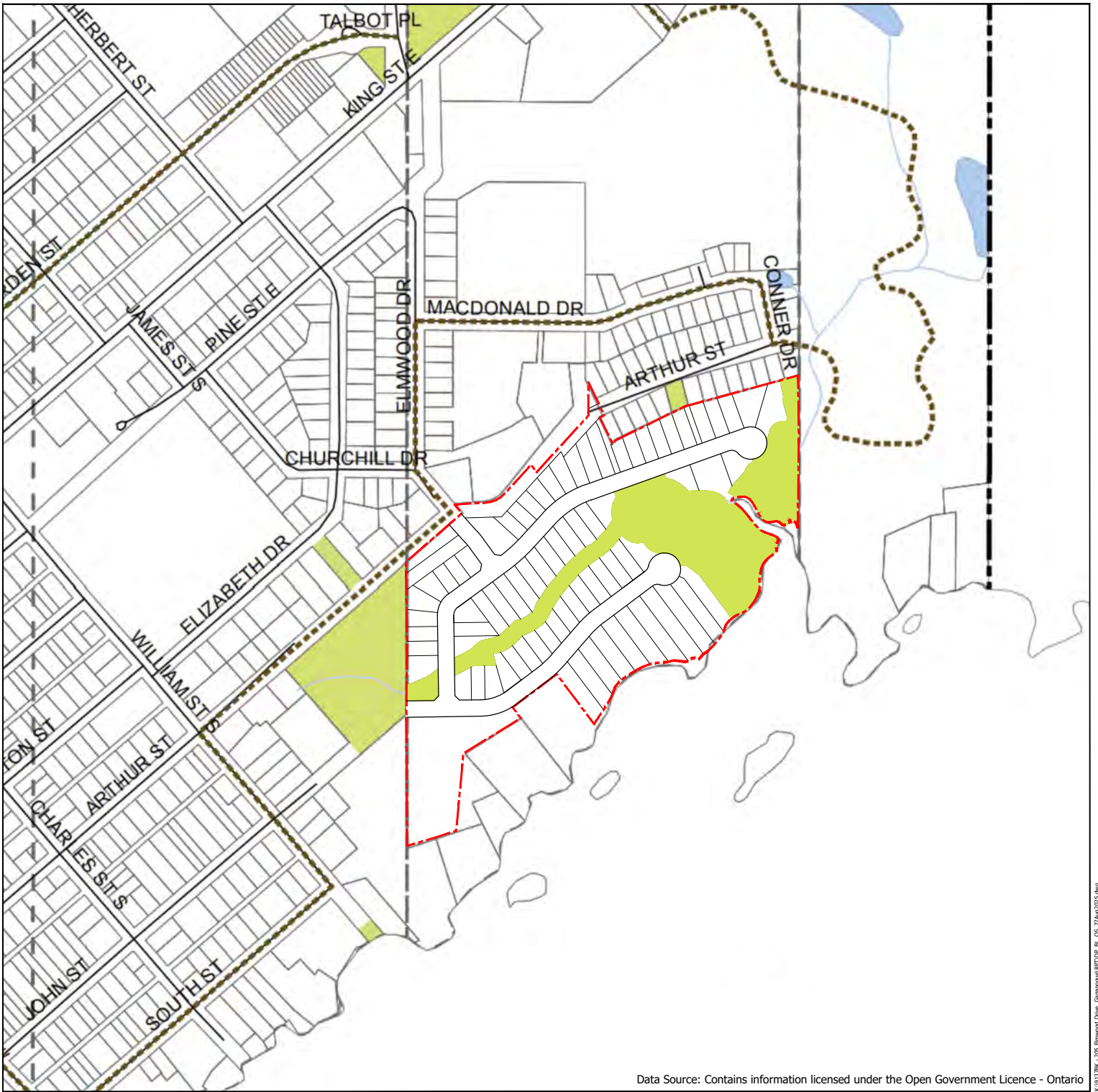


Figure 10 - Town of Gananoque Development Permit By-Law Schedule "B" Overlays, 2011



 Subject Lands
 Floodplain
 15m Floodplain Offset





Data Source: Contains information licensed under the Open Government Licence - Ontario

Figure 12 - Town of Gananoque Development Permit By-law - Open Space

- Subject Lands
- Open Space
- Roads
- Lot Concessions
- Recreational Pathway
- Watercourse
- Parcels



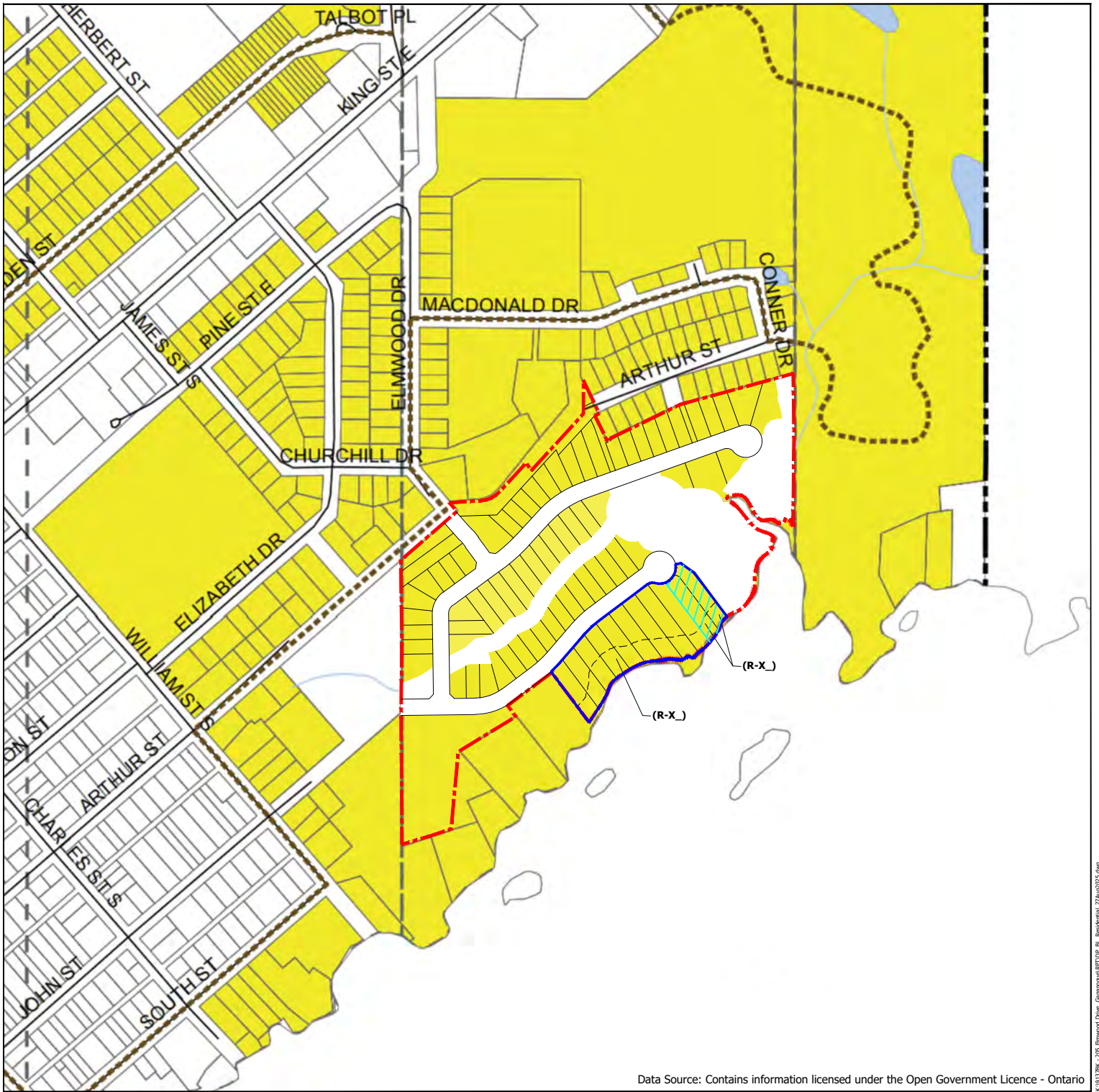


Figure 13 - Town of Gananoque Development Permit By-law - Residential



6.0 Planning Act

The Planning Act, R.S.O. 1990 is a provincial statute that informs land use planning in Ontario. Section 51 of the Planning Act sets out the requirements for subdivision of land. Section 51(24) establishes the criteria for assessing the merits of a draft Plan of Subdivision. This criterion is provided and assessed below.

In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,

- a) *The effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;*

Section 2 (Part I) of the Planning Act identifies matters of provincial interest. Such matters include (but are not limited to) the protection of the ecological system and natural features, agricultural resources, cultural heritage or scientific interest, adequate provision of transportation, sewage, and water services, orderly development of safe and healthy communities, adequate range of housing and employment as well as appropriate locations of growth and development.

The proposed subdivision addresses matters of provincial interest as identified in Section 2 of the Planning Act. The development proposal will conserve environmental features on-site by maintaining open space blocks for existing environmental features. The proposal will make efficient use of public services including roads, water and wastewater, and the development will provide up to 79 residential units contributing to the provision of housing. Cultural heritage resources will be protected through the use of a site-specific provision to restrict development.

- b) *Whether the proposed subdivision is premature or in the public interest;*

The subject lands are located within the settlement area of the Town that has been identified as an area of growth, as it is designated 'Residential' in the Official Plan. Municipal services are available, and therefore the subject lands are a primary location for accommodating future growth and development. Up to 79 new detached dwellings will be added to the housing market for ownership. The result of the proposed development is an increase in housing stock to help meet current and future housing needs of the Municipality. The proposal is in the public interest and is not premature. In addition, the Proposed Development will result in the protection and enhancement of adjacent natural features.

- c) *Whether the plan conforms to the official plan and adjacent plans of subdivision if any;*

The subject lands are designated 'Residential' and have the appropriate land use designation. The proposed development conforms to the Official Plan. The development has been planned to harmonize with the existing low-rise character of Gananoque and includes public spaces along the St. Lawrence River for the enjoyment of all residents. The proposed development will provide housing and has been planned to have low density residential built forms, consistent with adjacent residential development. The road network reflects the extension of adjacent streets that terminate

at the subject lands. The proposed development conforms to the Official Plan as well as nearby existing development.

d) The suitability of the land for the purposes for which it is to be subdivided;

The purpose of the development is to provide a residential subdivision with up to 79 detached houses. Background studies have confirmed that the subject lands are suitable for the proposed use. The lands can be adequately serviced, natural and cultural heritage features will be conserved, and the soil and grade can adequately accommodate the development. The lands are suitable for the proposed use.

e) The number, width, location and proposed grades and elevations of highways, and adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;

The proposed subdivision includes the creation and extension of roads. The roads have been designed to effectively provide access to the subdivision without causing adverse impacts on the road network. The new road connection will provide access to Elmwood Drive, which will be designed to comply with Municipal road standards. Technical supporting studies, including engineering and traffic studies have confirmed that the road network is appropriate and adequate.

f) The dimensions and shapes of the proposed lots;

The proposed lots will be sized for the intended land use and reflect contemporary design standards. The lots comply with the regulations of the Development Permit By-law. For lots that are adjacent to the watercourse and St. Lawrence River, adequate buffering has been considered. This includes a 6 metre setback on either side of the watercourse and a 15 metre setback to the St. Lawrence River.

g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;

There are no restrictions on the subject lands.

h) conservation of natural resources and flood control;

The property contains environmental features including a watercourse, wetland and floodplain. Adequate setbacks to the floodplain have been included on the draft plan including a 15 metre buffer from the St. Lawrence River. Additional measures have been taken to conserve other natural features on-site including a watercourse and wetland. These features will be improved and enhanced. Both the watercourse and wetland will be conveyed to the Town and re-designated to 'Open Space'.

i) the adequacy of utilities and municipal services;

The proposed development will be adequately serviced by municipal services.

j) the adequacy of school sites;

There are a number of existing schools within the area. The school boards will be circulated for comments as part of the draft plan of subdivision application/

- k) *the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;*

Two public parks are proposed within the subdivision and will be conveyed to the Municipality. Additionally, the watercourse and wetlands will be conserved and placed within an open space block to be conveyed to the Town.

- l) *the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and*

The proposed design of the subdivision will be an efficient use of land. The design of the subdivision and the recommended stormwater management strategy considers the impacts of a changing climate and the principles of sustainable development. This includes enhancing and integrating the existing wetland feature into the stormwater management plan and utilizing existing vegetation where feasible. Additional energy conservation considerations will be considered through the detailed design and registration process.

- m) *the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area.*

A Plan of Subdivision application is required to facilitate the proposed development. Additionally, the subject lands are within a Development Permit area and a Development Permit Application is required. Both applications will be processed simultaneously. Site Plan Approval is not required for single detached dwellings.

Based on the above assessment, the proposed subdivision has considered and has appropriate regard for Section 51 (24) of the Planning Act.

7.0 Conclusions

MHBC has prepared this Planning Justification Report in support of the proposed residential development of 205 Elmwood Drive. The proposed applications will permit the development of a residential subdivision with up to 79 lots. The proposed development represents good planning for the following reasons:

- The Proposal is consistent with the PPS, which promotes the efficient use of lands, adequate housing, natural and cultural heritage conservation, and wise use of land and services. The subject lands are located in a Settlement Area where growth and development is to be directed. The proposal will utilize otherwise vacant lands within the Town. The proposal will meet the current and future housing needs, specifically by increasing housing supply. The proposal will conserve environmental features and cultural heritage resources, provide public parks, and utilize public infrastructure.
- The proposal conforms to the in-effect Gananoque Official Plan. The proposal is located on lands designated Residential, where detached housing is permitted. The draft plan has consideration for environmental features and constraints on the lands, ensuring the long term conservation of environmental features, as well as providing public viewing opportunities and access to the shoreline. The proposal will contribute to the 3-year supply of residential lands, assist in meeting the density target of the Town, and improve housing choice and supply, addressing a variety of housing needs.
- The proposal is compliant with the Development Permit By-law, which designates the lands Residential. The proposal is permitted and will ensure that environmental features are protected and enhanced where feasible. A 15 metre setback to the central wetland is proposed, a 6 metre setback to the watercourse is proposed, and the shoreline lots will include a 15 metre buffer to the floodplain.
- The Draft Plan of Subdivision meets the requirements of Section 51 of the Planning Act, having consideration for the health, safety, convenience, and welfare of current and future residents of the Town.
- The development will be well served by new and existing roads and connected to the broader transportation network. It will be adequately serviced via onsite water, sanitary and stormwater management infrastructure. Two public parks are proposed with connections and extensions proposed to the existing pedestrian pathway.
- Natural features within the subject lands will be protected and enhanced.
- The proposed development is a beneficial addition to the community and will increase housing supply and home ownership opportunities. It will contribute to the supply of available residential lands and ultimately support housing needs.

For the above reasons, the proposed development is appropriate and constitutes good planning.

Respectfully submitted,

MHBC



Emily Elliott, BES, MCIP, RPP
Partner



Gillian Smith, MSc, MCIP, RPP
Senior Planner

We certify that this report was prepared jointly by the identified authors and under the supervision of a Registered Professional Planner (RPP) within the meaning of the Ontario Professional Planners Institute Act, 1994.

A

Appendix A: Affordable Housing Assessment

Affordable Housing Assessment

7.1 Introduction

This Affordable Housing Assessment Report provides an analysis of current affordable housing policies. The report assesses the proposed development against the affordable housing objectives and policies of the Province and Municipality, and outlines opportunities for the proposed development to support such objectives.

The Provincial Planning Statement (PPS) does not provide a definition for affordable housing. The PPS uses the more general term being "housing affordability". Neither the Gananoque Official Plan or Development Permit By-law provide a definition of affordable housing. The draft Gananoque Official Plan does provide a definition of affordable housing, however, it is not in effect and is based on the Development Charges Act, 1997.

Both the Development Charges Act, 1997 and CMHC provide a definition of affordable housing. The Development Charges Act provides the following definition of affordable housing:

- a) *"in the case of ownership housing, the least expensive of:*
 - 1. *housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low- and moderate-income households; or*
 - 2. *housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area;*
- b) *in the case of rental housing, the least expensive of:*
 - 1. *a unit for which the rent does not exceed 30 percent of gross annual household income for low- and moderate-income households; or*
 - 2. *a unit for which the rent is at or below the average market rent of a unit in the regional market area".*

Using the above definition, affordable housing is in two groups: that which is affordable ownership and that which is affordable rental. In both cases, housing costs are to be below 30% of gross annual household income, or below market rate.

CMHM defines affordable housing as:

"affordable" if it costs less than 30% of a household's before-tax income. Many people think the term "affordable housing" refers only to rental housing that is subsidized by the government. In reality, it's a very broad term that can include housing provided by the private, public and non-profit sectors. It

also includes all forms of housing tenure: rental, ownership and co-operative ownership, as well as temporary and permanent housing.”

CMHC presents affordability in a broad sense and is not exclusive to any one type of household. In this context, affordability can be addressed through supply of housing, the range of unit types and tenures.

7.2 Policy Framework

7.2.1 Town of Gananoque Official Plan, 2009

The Town’s in-effect Official Plan establishes the primary framework for providing affordable housing. The Official Plan, under section 3.2 identifies goals and objectives for the Town. Objective #1 is to promote and support development which provides for affordable, freehold and rental housing with a full range of density types. The Official Plan provides specific policies and requirements for affordable housing set out under policy 3.2.2.8, policy 3.2.2.10 and policy 5.10.1.

Policy 3.2.2.8 speaks to density and affordable housing. This policy provides that to ensure an appropriate mix of housing and to facilitate the provision of affordable housing, a full range of housing densities will be permitted. An overall housing density target of 12 units per gross hectare has been established and will be achieved through an appropriate mix of low, medium and high density residential development. The intent is to maintain or improve the availability of affordable housing in the Town by ensuring a broad mix of housing types and densities while also ensuring that the character and quality of residential neighbourhoods will be maintained.

Policy 3.2.2.10 speaks to housing supply and affordability. It states that the provision of affordable housing shall be supported by encouraging densification where appropriate and providing for an appropriate housing mix and density through appropriate zoning. The production of affordable housing will be encouraged.

Under the social and cultural policies of section 5.10 are additional policies for affordable housing. Specifically, policy 5.10.1 requires that:

Council will provide for affordable housing by enabling a full range of housing types and densities to meet projected demographic and market requirements of current and future residents of the Town by:

- 1. Monitoring the need for social assisted housing for households and seniors. Where specific needs are identified, Council will work with the Ministry of Municipal Affairs and Housing and the Social Services Department of the United Counties of Leeds and Grenville to meet identified needs.*
- 2. Encouraging infill and housing intensification. This may be achieved through the conversion of single detached dwellings to multiple units, through re-development at higher densities, through land severances on large under-utilized lots which create opportunities for development on the severed lot (subject to the relevant policies elsewhere in this plan) and through infill on vacant lands.*
- 3. Ensuring a minimum 10-year supply of residential land at all times.*
- 4. Working with the development industry to ensure that a 3-year minimum supply of registered or draft approved lots and blocks for new residential development is available at all times.*
- 5. Monitoring population projections and the residential development targets.*

6. *Making provision for alternative housing types such as accessory dwelling units.*
7. *Encouraging cost-effective development standards and densities for new residential development to reduce the cost of housing*

In accordance with policy 5.10.1.6, the Official Plan also enables accessory uses under policy 5.3.1, which include Accessory Dwelling Units (ADUs). It is a policy of the Official Plan to provide opportunities for ADUs on the same lot as the principal single detached dwelling. A proposed accessory dwelling shall: demonstrate compliance to the Ontario Building Code; and demonstrate compliance with applicable zoning standards for lot size, setbacks and parking.

7.2.2 Draft Gananoque Official Plan, 2024

The Draft Gananoque Official Plan is not legislation and is not in effect. However, it does indicate the policy direction of the Town and anticipated policies for affordable and attainable housing. The draft Official Plan notes that the intent of the residential neighbourhood policies is to create complete communities, which offer mixed land uses, provide a diverse range of rental and ownership housing types which are attainable and affordable to a range of household income levels. This includes providing new residential opportunities through intensification and re-development. Relevant housing objectives listed in the draft Official Plan include: promoting and supporting development which provides for attainable and affordable, freehold and/or rental housing with a full range of density types, and prevent the loss of housing options; Designate a sufficient supply of land to meet the Town's residential market based, attainable, and affordable housing needs; and Ensure that land use policies and Development Permit By-law facilitate the creation of affordable and attainable housing, a balanced supply of housing and choice within the marketplace.

Policy 3.2.2.10 speaks to residential density and housing supply, recognizing the importance of housing and the need to create opportunities for a range of housing types, densities and tenure. The intent is to maintain or improve the historical availability of affordable housing in the Town by ensuring a broad mix of housing. In order to ensure an appropriate mix of housing and to facilitate the provision of affordable housing, a full range of housing densities will be permitted. An overall town-wide housing density target of 16 units per gross hectare is proposed. This will be achieved through a mix of low, medium and high density residential development.

This is an increase to the current density target which is 12 units per gross hectare. The reason for this increase is to maintain and improve availability of affordable housing by encouraging a mix of housing. Higher density development is encouraged to be in areas in proximity to commercial areas, open spaces, arterial/collector roads, as well as areas that are away from the waterfront. The policies state that residential development which does not provide a diversity of dwelling types along streetscapes shall be discouraged.

Policy 3.2.2.11 outlines policy direction specific to housing attainability and affordability. It recognizes that land use planning can support access to affordable housing by ensuring that there is adequate supply of land that accommodates a variety of housing options, by permitting and facilitating all forms of housing and by ensuring the efficient use of land.

The Town defines affordable housing based on the policies of the 2020 PPS. Note however that the 2020 PPS is no longer in-effect and has been replaced by the 2024 PPS, which does not provide policy

direction on affordable housing. Notwithstanding, the definitions provided in the draft Official Plan area based on the Development Charges Act.

- 1. For ownership housing, that is the least expensive of:*
 - a. housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households; or*
 - b. housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area;*
- 2. In the case of rental housing, affordable refers to the least expensive of:*
 - a. a unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or*
 - b. a unit for which the rent is at or below the average market rent of a unit in the regional market area.*
- 3. Low and moderate income households are defined as:*
 - a. in the case of ownership housing, households with incomes in the lowest 60 percent of the income distribution for the regional market area; or*
 - b. in the case of rental housing, households with incomes in the lowest 60 percent of the income distribution for renter households for the regional market area.*

The draft Official Plan provides that the town will enhance the inventory of affordable housing by facilitating the creation of rental units, additional residential units and multiple residential development through adhering to the following policies:

- 1. Additional residential units are permitted subject to the policies of this Plan and the development of additional residential unit projects will be encouraged;*
- 2. The design of subdivisions in areas appropriate for residential intensification should consider the implementation of additional residential units, and larger subdivisions are encouraged to include at least one site for multiple dwelling unit development or more intense forms of development;*
- 3. Affordable multi-unit residential development that is responsive to local and regional demographic changes will be encouraged;*
- 4. The Town may develop Community Improvement Plans, Development Charge Exemptions and other financial incentives, to encourage the production of attainable and affordable housing. The Town may require that the recipient of any incentive enter into an agreement to ensure that residential units benefitting from any incentive remain attainable and/or affordable for a defined period of time;*
- 5. The Town will support the renewal, intensification, or creation of affordable housing projects by public agencies, and non-profit housing providers, including communal and cooperative housing, and collaborative housing projects, provided they meet the policies of this Plan;*
- 6. The Town may consider the use of inclusionary zoning as a tool to achieve affordable housing objectives;*

- 7. The Town will endeavor to have all multiple unit development assist with meeting the affordability goals for new housing stock contained in this Plan;*
- 8. The Town will encourage all additional residential units and multiple unit development to meet the affordability goal for new housing stock; and*
- 9. The Town will consider alternative development standards for new development that result in the creation of attainable and affordable housing.*

In accordance with policy 3.2.2.11, the draft Official Plan also enables additional residential units. Under policy 3.2.2.13 the town permits the establishment of ARUs. The following policies will apply to the establishment of an additional residential unit:

1. Up to two ARUs are permitted within designations permitting a detached, semi-detached, or rowhouse dwelling as a primary use, where no building or structure accessory to the primary dwelling contains a residential unit, subject to the provisions of the Development Permit By-law;
2. ARUs may be permitted within or accessory to a detached dwelling, semi-detached dwelling, or rowhouse dwelling;
3. ARUs are ancillary to the principal residence and smaller than the principal dwelling unit and should share one or more of the following elements with the principal dwelling: water supply, waste water system, or road entrance. Additional requirements will be addressed more specifically in the Development Permit By-law;
4. Permitted on lots that have appropriate frontage and an entrance directly onto a publicly maintained road. ARUs with sole access to an existing alley may be considered through the Development Permit By-law;
5. Shall connect to municipal servicing, and where this is not available, shall be permitted only where a property is demonstrated to have an adequate supply of potable water and sufficient land area for the required waste water service; and
6. Permitted through Development Permit on lots that comply with the minimum lot area and minimum lot frontage requirement of the By-law

7.2.3 Development Permit By-law

The Development Permit By-law does not provide any provisions for affordable or attainable housing. It does provide regulations pertaining to the establishment of ARUs.

Consistent with both the in-effect and draft Official Plan ARU policies, the Development Permit By-law allows for the establishment of basement dwelling units and secondary suites. Secondary suites are permitted in any single family residential building. A Secondary Suite shall only be permitted in a single dwelling unit. At no time shall there be more than one (1) additional bedroom created by the provision of the secondary suite. The secondary suite may not be larger than twenty-five (25) percent of the gross floor area of the primary dwelling.

7.3 Housing Assessment

The Town does not currently have a mandated affordable housing requirement. While affordable housing is encouraged, there is no minimum requirement for new developments. However, there are

tools that the Town has/can implement to facilitate housing supply, housing types and tenures to support affordability. This includes permitting ADUs. Ontario Regulation 299/19 issued under the Planning Act allows up to three dwelling units on a lot in any existing residential area. This regulation supersedes Official Plans and Zoning By-laws for residential lands on municipal services within settlement areas.

The proposed development will add as many as 77 new detached dwellings, which will provide more ownership options for residents. With policies encouraging ADUs, there is an opportunity for the new development to accommodate ADUs, thereby increasing the supply of rental housing. It is therefore proposed that the dwellings be able to accommodate the establishment of accessory units (i.e. rough-ins) to allow for flexibility and future establishment of ADUs. Additional units are part of affordable housing initiatives as they increase overall housing supply; provide more rental units to the market which can help ease housing shortages; can be more affordable than traditional housing; and can allow senior residents to age in place.

To support this recommendation, the sewage and water servicing briefs have assessed capacity for ADUs and confirm that there is capacity for ARUs. This demonstrates that ADUs can be accommodated within the development to help meet housing needs.

The proposed ADU accommodation for the proposed development conforms to Policy 3.2.2.8 of the Official Plan which speaks to density and affordable housing. This policy provides that to maintain or improve the availability of affordable housing, the Town will ensure a broad mix of housing types and densities is maintained. In this respect, enabling ADUs will: increase the types of housing available (including rental and ownership), increase the types of units available, and increase the density of the development to help meet the overall target of 12 units per gross hectare. Therefore, the proposed development represents an opportunity to support housing affordability and attainability in the Town.

B

Appendix B: Draft By-law

THE CORPORATION OF THE TOWN OF GANANOQUE BY-LAW NO. 2025-025

BEING A BY-LAW TO AMEND THE DEVELOPMENT PERMIT BY-LAW NO. 2010-065 TO REGULATE LAND USE AND DEVELOPMENT ON LANDS LEGALLY DESCRIBED AS PART OF LOT 16, CONCESSION 1, GEOGRAPHIC TOWNSHIP OF LEEDS TOWN OF GANANOQUE

WHEREAS Section 5 of the Municipal Act, 2001, S.O. 2001, c. 25, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS the Municipal Act, 2001, S.O. 2001, c. 25, provided that the powers of every Council are to be exercised by By-law;

AND WHEREAS the Council for the Corporation of the Town of Gananoque, on October 5, 2010, adopted the Town of Gananoque Development Permit By-law No. 2010-065;

AND WHEREAS on _____, Council held a Public Meeting, received Council Report _____ and concurs with the recommendation to read By-law No. 20_____, a first and second time on _____, being a By-law to amend the Development Permit By-law No. 2010-065 for lands legally described as Part of Lot 16, Concession 1, Geographic Township of Leeds Town of Gananoque;

AND WHEREAS the Council of the Corporation of the Town of Gananoque deems it appropriate to pass this By-law.

NOW THEREFORE the Council of the Corporation of the Town of Gananoque enacts as follows:

1. THAT Schedule A to Development Permit By-law No. 2010-065 be amended in accordance with Schedule A to this By-law by transferring the lands legally described as Part of Lot 16, Concession 1, Geographic Township of Leeds, Town of Gananoque, from the current “Residential” designation to the “Open Space” designation;
2. THAT Schedule C to Development Permit By-law No. 2010-065 be amended in accordance with Schedule B to this By-law by identifying the following Special Exception Areas on the lands legally described as Part of Lot 16, Concession 1, Geographic Township of Leeds, Town of Gananoque: Special Exception Area __ (R-X_) and Special Exception Area __ (R-X_);
3. THAT Section 5.4.6 of Development Permit By-law No. 2010-065 be amended to include the following Residential Special Exceptions:
 - a. **R-X__** Notwithstanding any other policy or section of this By-law to the contrary,
 - on the lands identified as R-X_ on Schedule _ to this By-law, the following provisions apply:

Waterfront Setback	15 metres (49.2 feet)
--------------------	-----------------------
 - b. **R-X__** Notwithstanding any other policy or section of this By-law to the contrary,
 - on the lands identified as R-X_ on Schedule _ to this By-law, the following provisions apply:

-
- No development or site alteration shall be permitted until such time as clearance has been obtained from the Ministry of Tourism, Culture and Sport with respect to the Stage 4 archaeological assessment.
-

4. This By-law shall come into full force and effect on the date it is read a third and final time and passed by Council.

Read a first and second time this ___ day of _____ 202__.

John S. Beddows, Mayor

Penny Kelly, Clerk (Seal)

Read a third time and finally passed this ___ day of _____ 202__.

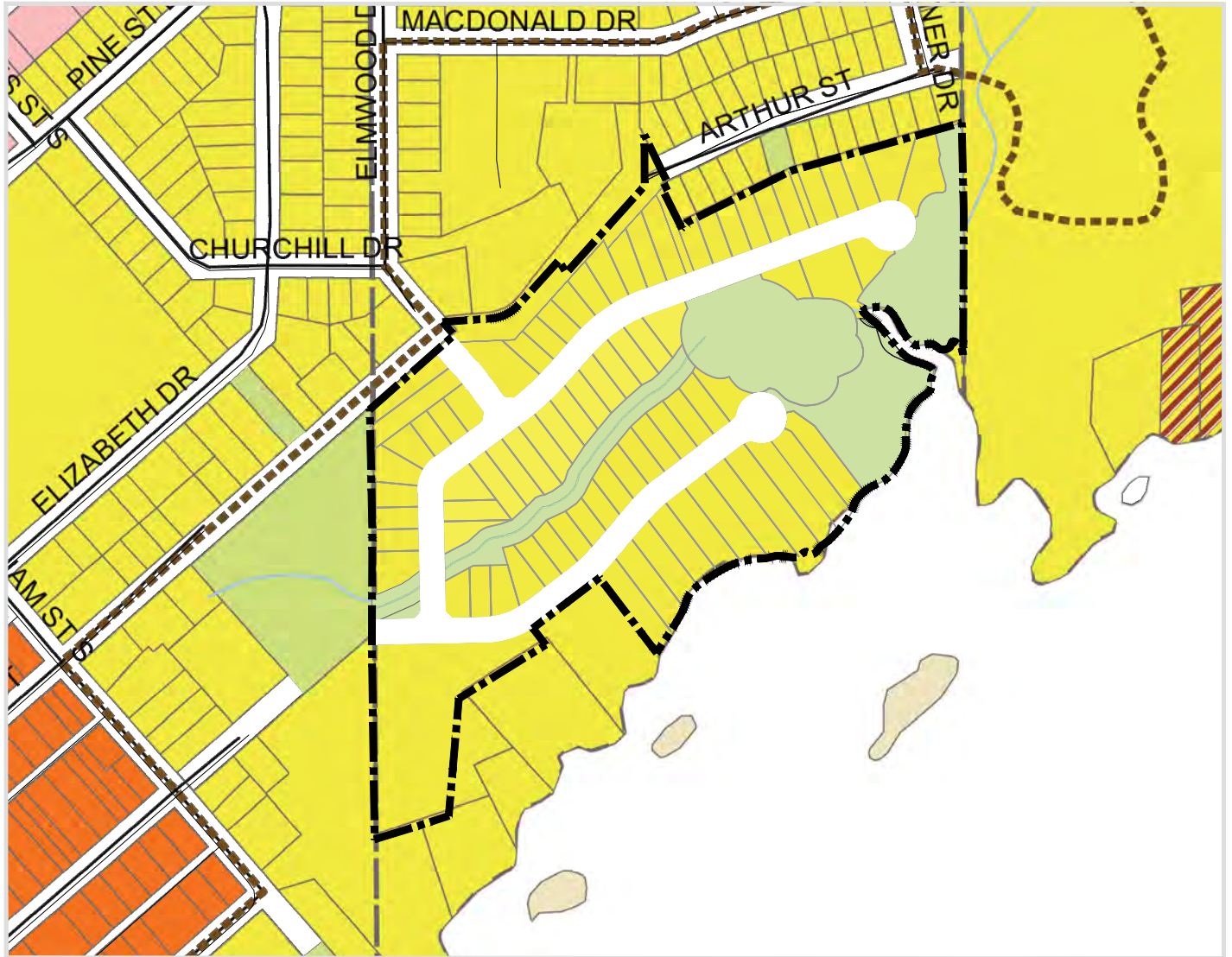
John S. Beddows, Mayor


Penny Kelly, Clerk (Seal)


Schedule A

Schedule 'A'

PART OF LOT 16, CONCESSION 1,
GEOGRAPHIC TOWNSHIP OF LEEDS
TOWN OF GANANOQUE
COUNTY OF LEEDS



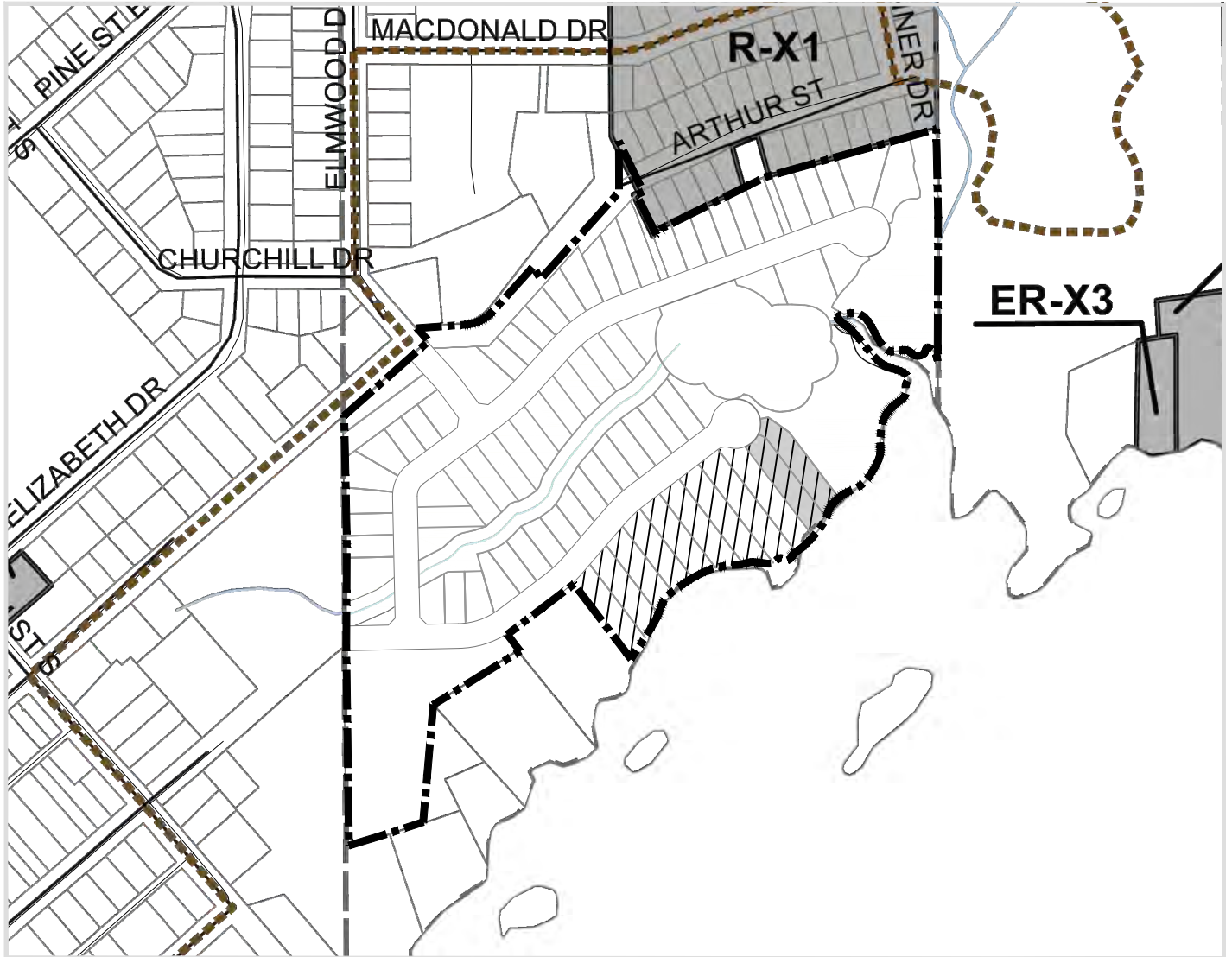
 Subject Property

 Proposed Open Space

Schedule C

Schedule 'C'

PART OF LOT 16, CONCESSION 1,
GEOGRAPHIC TOWNSHIP OF LEEDS
TOWN OF GANANOQUE
COUNTY OF LEEDS



Subject Property



Proposed to be zoned R-X_



Proposed to be zoned R-X_

