



Application to Amend the Official Plan
Application to Amend the Zoning By-law X

PLEASE READ BEFORE COMPLETING THIS APPLICATION

This application reflects the mandatory information that is prescribed in the Schedules to Ontario Regulations 543/06 and 545/06 made under the Planning Act, RSO, 1990, as amended. In addition to completing this form, the Applicant will be required to submit the appropriate fee, a detailed site plan and any additional information or studies that may be necessary to assess the proposal.

Failure to submit the required information will delay the consideration of this Application. An application which is not considered complete under the Planning Act is not subject to the timelines of the Act. Applicants are encouraged to consult with the Municipality prior to completing the application.

Please Print and Complete or (✓) Appropriate Box(es)

Date of Application _____

1. Applicant Information

1.1 Name of Owner(s). An owner's authorization is required in Section 13, <i>if the applicant is not the owner.</i>		
Name of Owner(s) Family Entertainment Resorts Retreat Inc. c/o Stefano Ferrante	Home Telephone No.	Business Telephone No. 613-889-3017
Address 15 Lilloco Drive, Ottawa, ON	Postal Code K1V 9L5	Fax No.
Email: stefandsteph@gmail.com		Cell No.
1.2 Agent/Applicant. Name of the person who is to be contacted about the application. <i>If different than the owner. (This may be a person or firm acting on behalf of the owner. See Section 13)</i>		
Name of Contact Person/Agent Tracy Zander, ZanderPlan Inc.	Home Telephone No.	Business Telephone No. 613-264-9600
Address P.O. Box 20148 Perth, ON	Postal Code K7H 3M6	Fax No.
Email: tracy@zanderplan.com		Cell No.
1.3 Indicate the contact for this application (check one please)		
Owner <input type="checkbox"/> Applicant/Agent <input checked="" type="checkbox"/> All <input type="checkbox"/>		

For Office Use Only	
Date Application Received	
Date Application deemed to be complete	

2. Location of the subject Land (Complete applicable boxes in 2.1)

2.1 Municipal Address (<i>mailing address</i>) 1898 Merwin Lane			Postal Code
Concession Number(s) 1	Lot Number(s) Pt Lots 6-8	Registered Plan No.	Lot(s)/Block(s)
Reference Plan No.	Part Number(s)	Parcel Number(s)	Former Township Augusta
Assessment Roll No. 0706-000-010-03000			
2.2 Are there any easements or restrictive covenants affecting the subject land? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes If yes, describe the easement or covenant and its effect. Trans Northern Pipeline easement as shown on sketch			

3. Names and addresses of any mortgages, holders of charges or other encumbrancers of the subject lands (attach separate page if required). N/A

4. Description of the property and servicing information (Complete each section using metric units only).

4.1 Dimensions

Lot Frontage – Street Side (m)	Lot Frontage – Water Side (m)	Lot Depth (m)	Lot Area (ha)
775 m (Merwin Lane)	N/A	716 m irreg.	103 ha

4.2 Access (*Check appropriate box and state road name*):

- Provincial Highway (#) _____
- Municipal road, maintained year round Merwin Lane
- Municipal road, seasonally maintained _____
- County Road (#) _____
- Private Road _____
- Right of way _____
- Water Access _____

4.3 If water access only, describe the location of parking and docking facilities to be used and the distance from the subject lands. Indicate whether parking is public or private.

4.4 Water Supply (*Check appropriate box for type of service proposed*):

- Publicly owned and operated piped water system
- Privately owned and operated piped water system (communal)
- Drilled well
- Sand point
- Lake or other water body
- Other means (*please state*) _____
- Water service not proposed

4.5 Sewage Disposal (Check appropriate box for type of service proposed):

- Publicly owned and operated sanitary sewage system
 - Privately owned and operated individual septic system*
 - Privately owned and operated communal septic system*
 - Privy
 - Holding tank
 - Other (please state) _____
 - Sewage disposal service not proposed
- * If either of these items checked, please see Section 4.8.

4.6 Other Services (Check if the service is available):

- Electricity
- School bussing
- Garbage collection

4.7 Storm Drainage (Indicate the proposed storm drainage system):

- Storm sewers
- Ditches
- Swales
- Other (please state) _____ to be confirmed at the Site Plan stage

4.8 Where development will produce more than 4500 litres of effluent a day, applicants are required to submit a servicing options report and a hydrogeological report:

- Title and date of servicing options report: _____
- Title and date of hydrogeological report: Hydrogeological and Terrain Study, July 24, 2018

5. Planning Information

5.1 Official Plan (current) Land Use designation(s) of subject land _____
Rural, Settlement Area and Provincially Significant Wetlands

5.2 Provide an explanation of how application conforms to the Official Plan: _____
Please see enclosed Planning Report prepared by ZanderPlan Inc.

5.3 If an Official Plan Amendment is being requested, will the change? (Check all appropriate boxes):

- Replace or delete an existing policy (ies). If yes, list all policy sections affected _____
- Change a land use designation on a property (ies). If yes, what is the proposed land use designation or designations? _____
- Alter the boundary of settlement area (i.e. town, village, hamlet). If yes, name the settlement area and provide sketch of area affected. Name of settlement area _____

(Note: if applicants are requesting a change to a policy, they are required to provide the proposed text of the policy(ies). If applicants are requesting a change to a Land Use Schedule, they are required to provide a map or schedule showing the proposed new land use designation for the affected property(ies).)

5.4 Reason why official plan amendment is being requested: _____

5.5 Existing Zoning on subject lands Rural (RU) and Wetlands (PSW)

5.6 Zoning requested New Zone: Rural Destination (RD)

5.7 Reason why rezoning is being requested: _____

To permit a variety of rural recreational and associated uses. Please see description in enclosed Planning Report and proposed Zone provisions prepared by ZanderPlan Inc.

6. Description of subject land

6.1 Frontage on street side (m) 775 m Frontage on water side (m) N/A
 6.2 Lot Depth (m) 716 m irreg.
 6.3 Lot Area 103 ha m²

7. Settlement Area Boundary

7.1 Does this application propose to change the boundary of a settlement area (e.g. town, village or hamlet)
 Yes No If Yes, provide description: _____

8. Employment Area

8.1 Will this application remove land from a designated employment area? (Check appropriate box)
 Converts all or part of a commercial, industrial or institutional building to a residential use.
 Converts a brownfield site to a residential use
 Application is for residential use on land designation for a commercial, industrial or institutional use
 Does not remove any employment land

9. Existing Use(s) of Property

9.1 State all existing use(s) of the property (Check appropriate box(es)):
 Residential
 Commercial
 Industrial
 Institutional
 Agricultural
 Vacant
 Mixed Use: (Please state) _____
 Other: (Please state) _____

List all existing buildings and structures (including accessory buildings and structures) on the property by completing the following Table: (If more than 5 buildings or structures, please use separate page to provide description):

Item	Building or Structure # 1	Building or Structure # 2	Building or Structure # 3	Building or Structure # 4	Building or Structure # 5
Existing type or use for each building and structure	No existing buildings				
Height (m)					
Setback from front lot line (m)					
Setback from rear lot line (m)					
Setback from side lot line one side (m)					
Setback from side lot line - other side (m)					
Setback from shoreline (m)					
Dimensions (m) or floor area (m ²)					
Year Building or structure constructed					

9.2 How many existing parking spaces are provided on the subject land? n/a spaces.

9.3 State the existing use of land on abutting properties:

North: Highway 401
 East: residential dwellings and rural land

South: CN Railway Line
 West: vacant rural land

10. Proposed use of property

10.1 State proposed use(s) of the property (*Check appropriate box(es)*):

- Residential
- Commercial
- Industrial
- Institutional
- Agricultural
- Vacant
- Mixed Use: (*Please state*)
- Other: (*Please state*) Rural Destination

10.2 List all proposed buildings and structures to be constructed on the property by completing the following Table: (*If more than 5 buildings or structures, please use separate page to provide description*)

Item	Building or Structure #1	Building or Structure #2	Building or Structure #3	Building or Structure #4	Building or Structure #5
Existing type or use of each building and structure	Please see enclosed Site Sketch.				
Height (m)					
Setback from front lot line (m)					
Setback from rear lot line (m)					
Setback from side lot line one side (m)					
Setback from side lot line - other side (m)					
Setback from shoreline (m)					
Dimensions (m) or floor area (m ²)					
Year Building or structure constructed					
Proposed date of construction					

10.3 Indicate the number of additional parking spaces to be provided? 1,448 spaces.

10.4 Are there any uses or features on the subject land or within 500 m of the subject property, unless otherwise specified. Complete Table:

Use or feature	On the subject Land	Within 500 m of subject land, unless otherwise specified. (indicate approximate distance)
An agricultural operation including a livestock facility (i.e. barn) or manure storage facility	n/a	
A landfill site (active or closed)	n/a	
A sewage treatment plant or sewage lagoon	n/a	
An industrial use	n/a	
A licensed pit or quarry or an aggregate reserve	n/a	
An operating mine	n/a	
A non-operating mine or mine hazard within 1 km of the subject lands	n/a	
An active rail line	n/a	yes, abutting to the south
A municipal or federal airport	n/a	
A flood plain	n/a	
A natural gas or oil pipeline	n/a	
A hydro easement	n/a	
A provincially significant wetland (within 120 m)	yes	yes
A designated heritage building, historic site or cemetery (within 100 m)	n/a	

11. History of the Subject land.

11.1 Has the subject land ever been the subject of an application for approval of a previous official plan or zoning amendment? Yes No Unknown *If yes, provide the details and decision of the previous application.*

By-law 3449-2019 passed in 2019 to create a site specific Aquaworld (AQW) zone. Decision was appealed to LPAT and is currently awaiting a hearing. This application, should it be approved, would repeal By-Law 3449-2019

11.2 If this application is a re-submission of a previous application, describe how it has been changed from the original application.

11.3 Provide the date when the subject land was acquired by the current owner. _____

11.4 Provide the length of time that the existing uses of the subject land have continued (*Proof may be required*)
Year since current uses have continued: _____

12. Simultaneous Applications

12.1 Is the subject land or any land within 120 m of the subject land subject of any other planning applications at this time?
 Yes No *If yes, indicate the type and file number (i.e. consent, subdivision, minor variance, site plan control).*
Please complete following Table:

Item	Application # 1 (type):	Application # 2 (type):	Any land within 120 m of the subject land:
File Number			
Name of approval authority considering application			
Land affected by application			

Purpose			
Status			
Effect on requested amendment			

13. Authorization

13.1 If the applicant is not the owner of the land that is the subject of this application, the written authorization of the owner that the applicant is authorized to make the application must be included with this form or the authorization set out below must be completed.

AUTHORIZATION OR OWNER FOR AGENT TO MAKE THE APPLICATION

I, Stefano Ferrante, am the owner of the land that is the subject of this application and I authorize ZanderPlan Inc. to make this application on my behalf.

July 3/20
Date

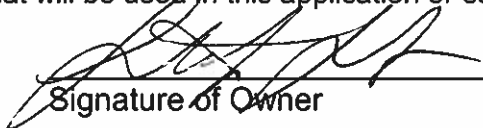

Signature of Owner

13.2 If the applicant is not the owner of the land that is the subject of this application, complete the authorization of the owner concerning personal information set out below.

AUTHORIZATION OF OWNER FOR AGENT TO MAKE THE APPLICATION

I, Stefano Ferrante, am the owner of the land that is the subject of this application and for the purposes of the Freedom of Information and Protection of Privacy Act, I authorize ZanderPlan Inc. as my agent for this application, to provide any of my personal information that will be used in this application or collected during the processing of the application.

July 3/20
Date


Signature of Owner

13.3 Consent of the Owner

Complete the consent of the owner concerning personal information below.

CONSENT OF THE OWNER TO THE USE AND DISCLOSURE OF PERSONAL INFORMATION

I, Stefano Ferrante, am the owner of the land that is the subject of this application and for the purposes of the Freedom of Information and Protection of Privacy Act, I authorize and consent to the use by or disclosure to any person or public body of any personal information that is collected under the authority of the Planning Act for the purposes of processing this application.

July 3/20
Date

[Signature]
Signature of Owner

14. Additional Studies or Information

Additional studies or information may be required by the Municipality to support the application. The application may not be considered a complete application unless these studies have been completed. Applicants are advised to pre-consult with the Municipality to determine what additional studies or information is required.

List of Additional Studies or information required by the Municipality:

- Environmental Impact Statement prepared by Stantec (September 18, 2018)
- Hydrogeological and Terrain Study by Kollaard Associates Inc (July 24, 2018)
- Traffic Statement for Zoning Amendment prepared by BT Engineering (Jun3 25, 2020)
- Planning Report prepared by ZanderPlan Inc
- Headwater Drainage Features Assessment by Stantec (August 20, 2018)
- Fish Habitat Assessment by Stantec (August 24, 2018)

(NOTE: LIST TO BE PROVIDED BY MUNICIPALITY)

15. Declaration

NOTE: ALL APPLICANTS SHALL ENSURE THAT A 'COMPLETE APPLICATION' UNDER THE PLANNING ACT HAS BEEN MADE BEFORE COMPLETING THIS DECLARATION

1. I hereby declare that this application is consistent with the policy statements issued under subsection 3(1) of the Planning Act.
2. I hereby declare that this application conforms or does not conflict with any provincial plan or plans.
3. I hereby declare that the information contained in this application and on the attached plan and any associated information submitted with this application are, to the best of my knowledge, a true and complete representation of the purpose and intent of this application.

Sworn (or declared) before me
at the Town of Perth.
in the County of Lanark
this 4 day of July, 2020

[Signature]
Commissioner of Oaths

[Signature]
Applicant or Agent
Tracy Zander
Zander Plan Inc.

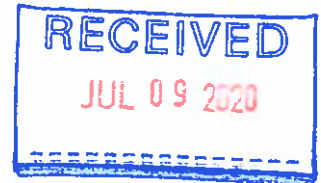
16. Site Plan

A site plan shall be submitted with this application that provides the following information.

- The boundaries and dimensions of the subject land;
- The location size and type of all existing and proposed buildings and structures on the subject land, indicating their distance from the front lot line, the rear lot line, each side yard lot line and the shoreline of any water body, where applicable;
- The approximate location of all natural and artificial features such as railways, roads, water body, drainage ditches, wetlands, wooded areas, wells and septic tanks, all easements, flood plain, organic (muck) soils or leda clay;

(Note: these features must be shown for both the subject land and on any adjacent lands where these features may affect the application.)

- The current uses of land that is adjacent to the subject land.
- The location, width and name of any roads within or abutting the subject land indicating whether it is an unopened road allowance, a public road, a private road or a right-of-way
- If access to the subject land will be by water only, the location of the parking and docking facilities to be used.
- North arrow and scale
- Other (as indicated by Municipality) _____



July 6, 2020

Augusta Township
3560 County Road 26
Prescott, ON
K0E 1T0

To Whom It May Concern:

**RE: Zoning By-Law Amendment – Rural Destination (RD) zone
1898 Merwin Lane
Part Lots 6 – 8, Concession 1
Augusta Township, United Counties of Leeds and Grenville**

ZanderPlan Inc. previously assisted with a Zoning By-law Amendment on the subject property, which resulted in the creation of a site-specific zone known as Aquaworld (AQW) zone. This Amendment was approved by Township Council on December 2, 2019 by By-law 3449-2019, *“to permit a water park resort where the primary land uses will consist of a water park, a 140 room hotel with a convention centre, a sports bar, a buffet restaurant and an indoor/outdoor water park.”* A number of accessory uses were also permitted as part of the Zoning Amendment. Following the decision, an appeal was filed to the Local Planning Appeal Tribunal (LPAT) and the application is working its way through the appeal process.

Since that time, the developer has been exploring opportunities to diversify the permitted uses on the property, and ways to provide housing and services to the community to meet their needs. This includes such things as rental housing, local food production, medical services and a broader range of recreational activities. ZanderPlan Inc, and the developer of the property, have been working with Township staff to develop a proposed Rural Destination (RD) zone, to expand the uses beyond those that were approved as part of the Aquaworld (AQW) zone. An application is now being filed to re-zone the subject property from Rural (RU) to Rural Destination – Holding (RD-h) zone, to permit the uses described in this Report and the in the Draft By-law attached hereto. The intent is to repeal By-law 3449-2019 which implemented the Aquaworld Zone, and replace it with the Rural Destination (RD) zone described herein. Parts of the property around Bradley’s Creek are also proposed to be placed in the Environmental Protection (EP) zone.

The subject property is located at 1898 Merwin Lane, falling in Part of Lots 6, 7 and 8, Concession 1, Augusta Township, immediately south of Provincial Highway 401. The property measures

approximately 103.36 hectares in size with 775 metres of frontage on Merwin Lane and an additional 716 metres of frontage on Highway 401. The proposed uses will include a range of principle and accessory uses including agricultural uses for local food production, cottages and villages, as well as an integrated tourist commercial resort including a water park, convention centre, hotel, miniature golf, an outdoor spa and a children's activity area. The resort will include a number of hotel rooms within the main building to function as overnight accommodation. Cottage and villas will provide additional accommodations for the site. A Zoning By-law Amendment is being submitted to re-zone the Rural (RU) portion of the property to a site-specific Rural Destination – Holding (RD-h) zone, the details of which are described in greater detail below and in the attached documents; lands around Bradley's Creek would be placed in the Environmental Protection (EP) zone. Conditions to lift the Hold may include the submission of a detailed Site Plan along with additional supporting studies and demonstration of adequate servicing for the proposed use, as required by the Township.

SUBJECT PROPERTY

The subject property is located at 1898 Merwin Lane, described as Part of Lots 6 - 8 Concession 1, Augusta Township, and Part of the Road Allowance between Lots 6 & 7, Concession 1 as closed by AG16335 (See Figure 1). The property is bordered by Merwin Lane to the east, Highway 401 to the north, and the Canadian National (CN) Railway to the south. The property measures approximately 103.36 hectares in size with 775 metres of frontage on Merwin Lane and an additional 716 metres of frontage along Highway 401.



Figure 1 – Aerial View of the Subject Property

There is currently no built development on the property which is comprised mainly of vacant, open fields with some rocky areas at the north end abutting Highway 401. Tree cover is sparse, limited to some of the rocky areas at the north end of the property and some areas around the Provincially Significant Wetland identified at the southern end of the site. Bradley's Creek traverses the property entering on the east side along Merwin Road, meandering in a southerly direction through the Provincially Significant Wetlands and exiting at the very south end of the property abutting the CN Railway. The proposed development of residential uses, local agriculture, and the tourist commercial resort will avoid the wetlands and rocky areas and will be located within the open fields where tree clearing and site alteration will be minimized. The lands around Bradley's Creek are proposed to be placed in an Environmental Protection (EP) zone to restrict future development in proximity to the Creek.

Land uses in this area of Augusta Township can be described as a mixture of rural, commercial and residential uses on lots of varying sizes. A portion of the property is located within the Village and Hamlet Zone surrounding the nearby Village of Prescott. Land uses to the east of the property consist of two larger, vacant lots with the Village of Prescott located beyond that. The Prescott Village boundary falls approximately 650 metres from the east side of the property abutting Merwin Lane. Some residential uses can be found abutting the property fronting onto the west side of Merwin Lane. Land uses to the south of the property on the south side of the railway corridor are mainly residential uses located within the Riverview Heights community with some Village Commercial uses throughout. The majority of residential development south of the property occurred by Plan of Subdivision. The St. Lawrence River is located beyond these uses, approximately 500 metres from 1898 Merwin Lane. Uses to the west of the property are mainly vacant, rural lands with very little residential development. Lands to the north of the property across Highway 401 are mainly rural residential uses with some Highway Commercial development in proximity to the Highway 401 corridor. Merwin Lane, a local road, crosses Highway 401 but does not have direct access to the Provincial Highway.

DEVELOPMENT PROPOSAL

The development proposal for the property will include a range of rural land uses including agricultural activity for local food production, cottages and villas for accommodation, and an integrated tourist commercial resort complete with a variety of recreational amenities and overnight accommodations. The main resort building is proposed to have a Gross Floor Area of approximately 225,850 square feet (20,981 m²) with about 100,300 square feet (9,317 m²) devoted to an indoor water park. The main building would also include conference areas, retail

space, a restaurant and units for overnight accommodation. An outdoor spa and miniature golf area will also be included in the development proposal. Cottages and villas will also be located around the resort.

In order to accommodate the parking requirement for the tourist commercial uses that are proposed, a large parking area consisting of 1,448 parking spaces would be provided, with additional spaces set aside for barrier-free parking, bus parking, RV Parking, motorcycle parking, bicycle parking and charging stations for electric cars (See Figure 2 for a conceptual site plan). All spaces are shown at a depth of 5.8 metres with all regular parking spaces and all barrier-free parking spaces having widths of 2.75 and 3.4 metres respectively. This design is conceptual at this time, and is subject to change at the time of detailed design and Site Plan Control approval. Each proposed cottage and villa would have its own individual parking spaces in compliance with the implementing by-law.



Figure 2 – Conceptual Site Layout of the Aquaworld site

A total of two (2) entrances are proposed off of Merwin Lane to provide access to the parking areas, cottages and villas. A large entrance with landscaped boulevard is proposed as the main entrance to the site, while a second entrance is proposed farther south. A turnaround area in front of the main building will provide manoeuvring space for larger vehicles such as busses to safely access and egress to and from the site. A loading area will be located on the south side of the building to accommodate deliveries, as shown on the site sketch. The specific design elements for the entrances will be determined at the Site Plan Control stage.

PROVINCIAL POLICY STATEMENT (PPS) 2020

The Provincial Policy Statement (PPS, 2020), issued under the authority of Section 3 of the *Planning Act*, provides policy direction on matters of provincial interest related to land use planning and development and provides for appropriate development while protecting resources of Provincial interest. A number of PPS policies are applicable for the proposed development of the site and are as follows:

1.1 *Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns*

1.1.1 Healthy, liveable and safe communities are sustained by:

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

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

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

d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;

e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;

f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;

- g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;*
- h) promoting development and land use patterns that conserve biodiversity; and*
- i) preparing for the regional and local impacts of a changing climate.*

The proposed development will offer a unique and vibrant mixed commercial-residential use which will help sustain the financial wellbeing of Augusta Township by attracting significant tourist traffic and employment to the Township and creating affordable and varied housing opportunities. The scale of development will require a large workforce during construction and for daily operations, providing a significant amount of new employment opportunities to area residents. There will be a significant amount of tourism and recreational opportunities on the site, as well as local services such as agriculture for local food production. The large area of the property will allow for adequate separation from Bradley's Creek and the Provincially Significant Wetlands on-site to ensure natural areas, natural features, and biodiversity are protected. Accessibility features have been included throughout the development to ensure any land use barriers are removed and all persons are able to experience and enjoy the resort. The development will be accessible to persons with disabilities or older persons providing barrier-free access to the amenities available. Several supporting studies have been completed to address the remaining policies of Section 1.1 (see report summaries below). Given these studies show the conservation of onsite biodiversity and the efficient use of land to minimize servicing costs, the development proposal would comply with Section 1.1 of the Provincial Policy Statement, 20200.

Section 1.1.4 Rural Areas in Municipalities speaks to the economic importance of rural areas for the local economy. Section 1.1.4.1 notes that it is important to build on the rural character, leverage rural assets and amenities, encourage a diversified economy, and promote tourism. The proposed development would use the rural lands for local food production, provide a range of housing opportunities, and establish a tourist destination that would support the local economy, while protecting natural assets through the EP zone and appropriate setbacks.

Section 1.1.5 Rural Lands in Municipalities speaks to permitted uses in the rural areas, including:

- a) the management or use of resources;*
- b) resource-based recreational uses (including recreational dwellings);*
- c) residential development, including lot creation, that is locally appropriate;*
- d) agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices, in accordance with provincial standards;*

e) home occupations and home industries;

f) cemeteries; and

g) other rural land uses.

The proposed Rural Destination zone will encompass many of these uses, including rural recreational and tourism uses, residential housing that is appropriate and consistent with the resort, and agricultural uses for local food production. Section 1.1.5.3 notes that “recreational, tourism and other economic opportunities should be promoted” and this directive would be achieved in this proposal.

Given the number of uses associated with the proposed resort such as hotel accommodations, dining, spa areas, and play areas, land use compatibility between uses is an important factor in the proposed development. Section 1.2.6 of the Provincial Policy Statement addresses Land Use Compatibility policies with the following policy:

1.2.6 Land Use Compatibility

1.2.6.1 Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.

The Provincial Policy Statement defines a major facility as “facilities which may require separation from sensitive land uses, including but not limited to airports, manufacturing uses, transportation infrastructure and corridors, rail facilities, marine facilities, sewage treatment facilities, waste management systems, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities.” Although the proposed use isn't specifically listed in this Section, given the scale of the resort use adequate separation from residential uses and other abutting land uses was a key consideration in the layout of the property. A buffer greater than 300 metres has been maintained from the Highway 401 corridor to ensure no adverse impacts on traffic. The vegetation within this buffer will be maintained to screen the resort from uses to the north. In addition, a separation distance of more than 700 metres to the CN rail line to the south will far exceed the standard separation to rail corridors of 300 metres.

The resort is located more than 300 metres back from Merwin Lane and away from the existing sensitive residential uses to provide a larger buffer for noise and any other potential impacts. Lands abutting the property to the west and east consist of open, vacant fields with no sensitive receptors of concern. Overall, the closest sensitive residential use, located at 1868 Merwin Lane, falls approximately 347 metres from the main resort building and 196 metres from the closest parking area (See Figure 3). All other residential uses fronting onto Merwin Lane abutting the property have a setback greater than 347 metres. The closest residential use on the north side of Highway 401 falls approximately 833 metres from the closest point of the resort (building). Some parking areas and rental cottages would fall closer to this dwelling, but will be well buffered by on-site vegetation and the Provincial Highway.



Figure 3 – Setbacks from nearby Sensitive Residential Uses to the Proposed Resort

In the context of major facility setbacks, an aggregate Pit operation below water for example would be required to have a setback of 300m from sensitive uses. Therefore, a buffer of 347 metres from the closest residential use to the resort is greater than what would be required for a Pit operation. Given that the closest sensitive residential use is located more than 300 metres from the proposed resort, the development proposal would not result in any risk to public health and safety and would be compatible with surrounding land uses. The proposal would comply with the Land Use Compatibility policies of the Provincial Policy Statement, as found under Section 1.2.6.

As previously mentioned, part of the property falls within a Settlement Area and is subject to the Settlement Area policies of Section 1.1.3 of the Provincial Policy Statement. Settlement Areas are intended to be “the focus of growth and development”, and a variety of land uses including a mix of residential densities are permitted. Only a small portion of the subject property falls within the Settlement Area, and those lands are located on the south side of Bradley’s Creek. The development of the subject property will be the majority of the development toward the Rural Lands. There are no proposed uses for the property that would fall within the Settlement Area boundary at this time. Given this area is on the opposite side of Bradley’s Creek and well away from the proposed resort area, the portion falling in the Settlement Area could realistically be used for future development if so desired. Currently, no uses are proposed in this area and the proposed Zoning Amendment does not affect the lands located in the Settlement Area.

Section 1.3 of the PPS speaks to Employment and notes that planning authorities should promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;*
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;*
- c) facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;*
- d) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4; and*
- e) ensuring the necessary infrastructure is provided to support current and projected needs.*

The development proposal will add to the range of employment opportunities available within the Township to meet the long term needs of its residents. The site chosen for the development is suitable given its large size and proximity to the Village of Prescott, and the range of uses and activities occurring on the site will draw tourists into the area, thereby supporting not only the proposed waterpark but several existing businesses currently operating in the area. The range of residential uses, including rental units, condominiums cottages and villas will contribute to the supply of housing to meet the needs of the surrounding communities. While the scale of development is large, the subject property is also large and the use is compatible with the surrounding rural uses and will incorporate new employment to support the local community.

Section 1.6 of the PPS speaks to Infrastructure and Public Service Facilities with Sewage, Water and Stormwater policies found under **Section 1.6.6**. Municipal services are the preferred form of servicing; however, there are no existing municipal services at this site, and it is cost-prohibitive to extend municipal services from the nearby Town of Prescott. Therefore, the rural destination property will be serviced with on-site wells and septic systems. These have been discussed in the Hydrogeological and Terrain Analysis Report, which is described in greater detail below. Stormwater management will be considered in a detailed stormwater management plan to be prepared as part of the site plan application.

Section 1.6.8 of the PPS refers to Transportation and Infrastructure Corridors. The subject property has frontage on but no direct access to Provincial Highway 401, hence no direct traffic impacts are expected there. Merwin Lane is a local road, and the potential for traffic impacts has been considered through a Traffic Statement to support this application, which is described later in this report. Traffic exiting the site will have several options, including travelling north to connect to other township roads, or south to connect to County Road 2. Access to Highway 401 is located approximately 4 minutes from the property by taking Merwin Lane north to McIntosh Road, following that east to Edward Street North (County Road 18) and following that south to the 401 access on-ramps. Travellers may also choose to go west the next Highway 401 access at Maitland Road. Tourists traveling to the site from other areas of the province would likely take the Highway 401 route to the resort, with local traffic likely utilizing Township and County roads.

Section 1.7 of the PPS refers to Long-Term Economic Prosperity with a number of policies related to the support of economic activity. The policies of Section 1.7.1 that pertain to the development are as follows:

- a) promoting opportunities for economic development and community investment-readiness;*

- c) optimizing the long-term availability and use of land, resources, infrastructure, public service facilities;*
- e) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes;*
- h) providing opportunities for sustainable tourism development;*
- i) sustaining and enhancing the viability of the agricultural system through protecting agricultural resources, minimizing land use conflicts, providing opportunities to support local food, and maintaining and improving the agri-food network.*

The proposed resort will be a significant contributor to the local economy through tourism and local jobs, and may also result in the attraction of other complementary activities to the area. The resort will optimize the use of the lands on which it is proposed through a sustainable tourist use that will function for several decades. The design and layout of the resort will screen parking from the main attractions to create a sense of place while protecting the existing natural heritage features of the site. The scale of the resort will likely require large quantities of daily food preparation which can be sourced locally to support local food and agriculture. Land use conflicts will be minimized by locating the resort centrally on the subject property so as not to conflict with any current or future abutting agricultural uses.

In addition to the resort, agricultural uses for local food production will be possible on the site, providing a service to the local community and supporting the agriculture industry. Further, a range of housing opportunities will be possible, to contribute to the supply of reasonably-priced housing units for the local community.

Section 2.0 of the PPS addresses the Wise Use and Management of Resources and speaks specifically to Natural Heritage, Water, Agriculture, Minerals and Petroleum, and Cultural Heritage and Archaeology. The PPS aims at protecting these resources and features to maintain their economic, environmental and social benefits. Section 2.1 speaks to Natural Heritage, noting that “natural features and areas shall be protected” and directing development away for various features including wetlands, woodlands, wildlife habitat, etc.

The subject property contains several natural heritage features with the resort designed specifically to buffer and setback development from these features. An Environmental Impact Statement has been prepared by Stantec to consider the proposed development, and is discussed in greater detail later in this report. Bradley’s Creek enters the site from the east across Merwin

Lane, traversing the property in a southerly direction and exiting the property at the southern tip crossing the CN rail line and draining into the St. Lawrence River. At the southern end where the creek egresses is a small waterbody with a pocket of wetland that has been designated as Provincially Significant Wetland. The diversity and connectivity of the natural features on-site, and their long-term ecological function and biodiversity, will be maintained and protected. There is no development proposed within these features or within 30 metres of them. Bradley's Creek has been classified as fish habitat and the proposed 30 metres setback represents the required Provincial standard for protection. There are no significant valleylands or ANSIs identified on the property. A Hydrogeological and Terrain Study has been completed to assess groundwater and surface water impacts pursuant to Section 2.2 – Water; this Study is discussed later in this report, while stormwater management will be addressed at the site plan stage. Given recommendations and mitigation measures of the EIS and other supporting studies are adhered to, the development will comply with Sections 2.1 and 2.2 of the Provincial Policy Statement.

Section 2.3 of the PPS deals with Agriculture and its policies strive to protect Prime Agricultural Areas for long term agricultural use. The policies of Section 2.3 are as follows:

2.3.1 *Prime agricultural areas shall be protected for long-term use for agriculture.*

Prime agricultural areas are areas where prime agricultural lands predominate. Specialty crop areas shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through 7 lands within the prime agricultural area, in this order of priority.

2.3.2 *Planning authorities shall designate prime agricultural areas and specialty crop areas in accordance with guidelines developed by the Province, as amended from time to time.*

The subject property has a mix of Class 2, 4 and 6 soils on it according to the Canada Land Inventory Soils Mapping for the area (See Figure 4) as derived from the AgMaps Online GIS Mapping supplied by the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA).

While the property does contain some Class 2 soils, the Official Plan for the Township, which is addressed in the next section of this report, does not show the Agricultural Resource Lands designation on or abutting the property. Therefore, the property is not designated as prime agricultural land in the Official Plan. The Class 2 soils present in the main area of development for the resort are a 2W – 2WT soil complex in a 70 to 30 ratio. The subclass descriptions are as follows:

T – Topography

- This subclass is made up of soils where topography is a limitation. Both the percent of slope and the pattern or frequency of slopes in different directions affect the cost of farming and the uniformity of growth and maturity of crops as well as the hazard of erosion.

W - Excess Water

- This subclass includes soils where excess water other than brought about by inundation is a limitation to agricultural use. Excess water may result from inadequate soil drainage, a high water table, seepage or from runoff from surrounding areas.

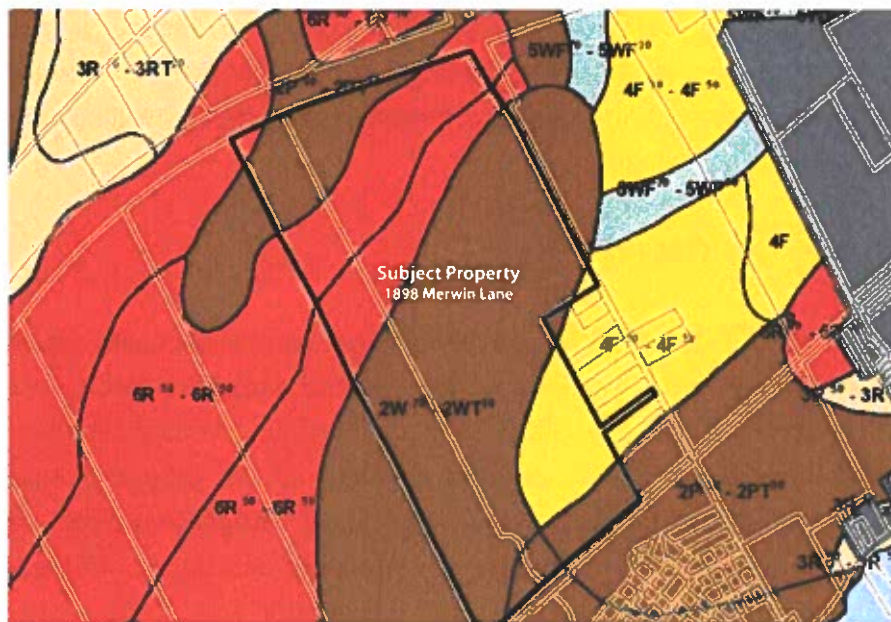


Figure 4 – AgMaps Soil Capability for Agriculture Mapping

Not only are the Class 2 soils not designated as prime agricultural lands, they contain subclasses for topography and excess water constraints that make farming more difficult. The remaining soils on the property are a mix of Class 2, 4 and 6 soils with subclasses for low fertility (F), stoniness (P) and consolidated bedrock (R). Overall, the lands are not prime agriculture and would be suitable for the proposed development.

Section 2.5 of the PPS outlines Mineral Aggregate Resources policies. A small portion of the west side of the subject property is designated as Bedrock Resource in the Official Plan Schedule B – Development Constraints. The policies for mineral aggregate resources and their protection in the PPS are intended to protect aggregate resources wherever possible and to make them

“available as close to markets as possible.” Operations for aggregate extraction are intended to be protected from incompatible land uses which may affect their future use or expansion.

Figure 7 (found later in this report) shows a bedrock deposit falling partially on the subject property, with the majority on the abutting lands to the west. While the portion of the resource on the subject property may be feasible to extract with the rest of the deposit, the proposed waterpark, resort use and residential uses would arguably constitute a greater long-term public interest for the property pursuant to Section 2.5.2.5(b) of the PPS. The amount of new jobs created and influx of tourists from other areas would provide greater overall economic stability than the establishment of an aggregate operation.

Overall, the proposed Rural Destination zone will introduce a range of land uses which are appropriate in the rural area. Appropriate analysis has been completed through the supporting studies described later in this report to demonstrate that the proposal will be consistent with the policies in the 2020 Provincial Policy Statement.

AUGUSTA TOWNSHIP OFFICIAL PLAN

The subject property is designated Rural, Settlement Area and Provincially Significant Wetlands on the Township’s Official Plan Schedule A – Land Use, Infrastructure and Natural Heritage (See Figure 5) with constraints for Bedrock Resource identified on Official Plan Schedule B – Development Constraints (See Figure 6). The majority of the property, including the area proposed for the development, falls within the Rural designation. The Settlement Area Designation falls on the southeast corner of the property and is not affected by the Zoning Amendment. The Provincially Significant Wetland designation falls at the south end of the site well separated from the location of the proposed development. The wetland and area around Bradley’s Creek are proposed to be re-zoned to Environmental Protection (EP) to ensure adequate protection. The majority of the Bedrock Resource identified on Schedule B falls on the abutting properties to the west with only a small portion measuring roughly 8.9ha falling on the subject property.

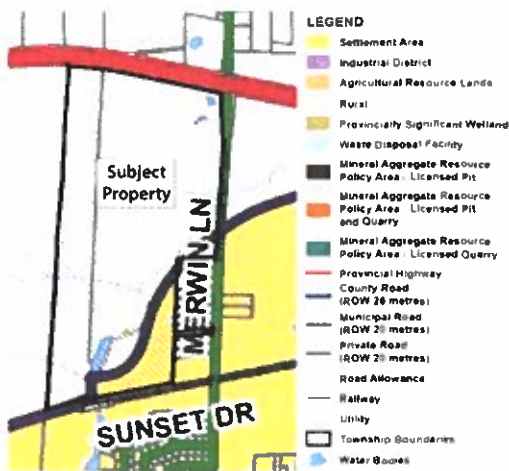


Figure 5 - Official Plan Schedule A – Land Use, Infrastructure and Natural Heritage

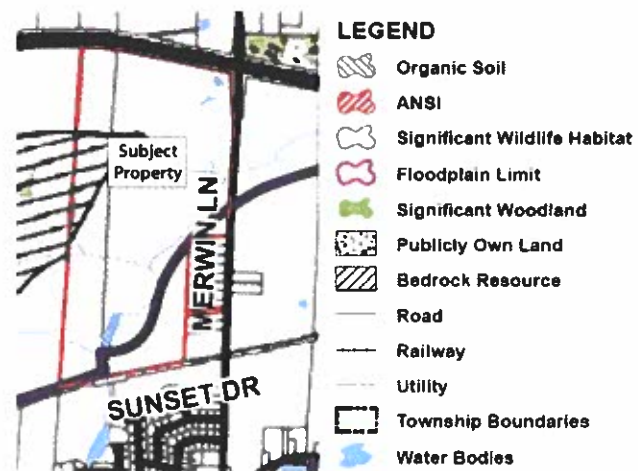


Figure 6 - Official Plan Schedule B – Development Constraints

Section 3.0 of the Townships Official Plan, titled Our Rural and Agricultural Spaces, provides policies for the Rural Policy Area to govern its long-term orderly development while ensuring the protection of natural and environmental resources. Section 3.1.1 outlines the General Policies of the Rural Policy Area:

3.1.1 General

3.1.1.1 *The Rural Policy Area is composed of lands which are comprised of open spaces, forested lands, agricultural resources and low density residential uses.*

3.1.1.2 *The rural area is not the principal sector for development. Population and economic growth is intended to be directed to the villages, hamlets and employment areas of the Township. The intent of this Official Plan however is not to prohibit residential or economic development in the rural areas, but rather to provide guidance on appropriate land use which will support the objective of preserving the identity and character of the rural and settlement areas.*

3.1.1.3 *In order to maintain and protect the landscape and identity of the Rural Policy Area, it will be important to avoid inefficient land use patterns such as strip or scattered development, to minimize incompatibility between land uses and to minimize adverse environmental impacts.*

The proposal is seeking the development of a variety of land uses including agricultural use for local food production, cottages and villas for rental accommodation and an integrated waterpark resort within the Rural Policy Area. Due to the size and scale of the development proposed it is

difficult to direct to one of the villages, hamlets or employment areas because such a large area of land is needed. By situating the proposed resort and the agricultural uses at 1898 Merwin Lane the development can be situated in close proximity to a settlement area. The proposal would not result in strip or scattered development and compatibility issues should be minimal given the amount of vacant land abutting the property. The property also abuts Highway 401, and while Merwin Lane does not have direct access to the Highway, tourists and visitors to the resort would be able to do the majority of their driving on the Provincial and County Roads and not throughout the rural road network of the Township. The development would therefore comply with the General provisions of the Rural Policy Area.

Section 3.1.8 of the Official Plan sets forth non-residential development policies within the Rural Policy Area. The overall intent is not to prohibit non-residential development in the rural areas but to provide a framework for the orderly development that maintains the overall rural character. The following non-residential uses are permitted per Section 3.1.8.2:

- *Resource Uses*
- *Agricultural uses in accordance with the Nutrient Management Act and Minimum Separation Distance standards established by the Ministry of Agriculture Food and Rural Affairs and further implemented through the Building Code Act.*
- *Uses which are secondary to a principal agricultural use and which add value to agricultural products or support the agricultural resource use*
- *Hobby farms in accordance with the zoning by-law*
- *Parks and open spaces*
- *Recreational trails*
- *Wayside pits and quarries, portable asphalt plants and concrete plants used on public authority contracts shall be permitted except in areas of existing development or particular environmental sensitivity as identified in the zoning by-law Commercial and Industrial Uses*
- *Commercial Storage*
- *Agriculture-related commercial and industrial uses*
- *Non-agricultural industrial and commercial uses which meet the needs of the travelling public, or which relate to local resources*
- *Custom workshops*

- *Kennels and veterinary clinics*
- *Motor vehicle sales and service establishments*
- *Tourism commercial uses (motel, hotel, eating establishments, etc.)*
- *Recreational commercial uses such as marinas, golf courses and campgrounds*
- *Communication towers*
- *Institutional uses such as churches, cemeteries and community halls*
- *Infrastructure Uses*
- *Waste disposal facilities subject to the relevant policies of this plan.*

One of the proposed uses of the subject property is an integrated waterpark which would include several of the permitted uses listed under Section 3.1.8.2. The main resort would comprise a tourist commercial use complete with a hotel area and restaurant. Recreational commercial uses in the form of a mini-golf course and an outdoor spa area would be included within the integrated resort. These tourism and recreational commercial uses are all permitted under the policies of Section 3.1.8.2.

Section 3.1.9 of the Official Plan sets forth non-residential development criteria within the Rural Policy Area stating the review of site development will address the following:

- *Permit a range of non-residential uses;*
- *Ensure the protection of resources from incompatible uses including appropriate separation distances from ongoing and potential agricultural resource activities*
- *Ensure the protection of natural heritage features.*
- *When reviewing development applications consider the development criteria stated in Sections 9.5.4 of this Plan.*
- *Site Plan Control, in accordance with the relevant policies in this Plan, shall apply to non-residential uses in order to regulate the physical character of development and to ensure compatibility with established land uses.*

With the exception of a small amount of Bedrock Resource on the west side of the property there are no known resources identified that would be affected by the proposed development. The Bedrock Resource extends several kilometres to the west with the main deposits identified on the two abutting lots to the west. There are several open fields west of the property that appear

to support agricultural uses and would not be hindered from their ongoing activities by the proposed development. Bradley's Creek, which traverses the property and leads to a small Provincially Significant Wetland, will remain more than 30 metres from any parking area or structure included in the resort layout, and is proposed to be re-zoned to Environmental Protection (EP) as part of this application. There are two accesses proposed off of Merwin Lane with neither crossing over Bradley's Creek. Given the scope of the development, several supportive studies have been completed and are described later in this report; additional information including a storm water management report and detailed site plans and servicing information will be submitted at the Site Plan Control stage to further regulate development and protect any natural resources that may be situated on the property.

As seen on Official Plan Schedule B – Development Constraints there is a small portion of Bedrock Resource identified on the property. The portion falling on the property represents the easternmost corner of the identified deposit which extends west for several hundred metres. The main deposit falls on the two abutting lots to the west. Section 5.2.4 of the Official Plan sets forth Bedrock Resources policies aimed at the protection of these resources for long-term use. The following policies apply to the Bedrock Resource lands:

5.2.4.1 *Areas of potential bedrock resources are identified as "Bedrock Resource on Schedule B Development Constraints as a constraint overlay. It is the intent of this Official Plan that mineral aggregate bedrock resources be protected by directing permanent development away from these areas. In areas identified as "Bedrock Resource", and on lands within 500 metres (influence area) of the lands identified as "Bedrock Resource, development and activities which would preclude or hinder the establishment of new extractive operations or access to the resources shall only be permitted if it is demonstrated that:*

- *The resource use would not be feasible; or*
- *The proposed land use or development serves a greater long-term public interest; and*
- *Issues of public health, public safety and environmental impact are addressed.*

5.2.4.2 *The establishment of a mineral aggregate operation within the lands identified as "Bedrock Resource" shall require an amendment to the Official Plan.*

To quantify the amount of Bedrock Resource falling on the subject property the boundary as shown on Official Plan Schedule B – Development Constraints was overlaid onto aerial photography along with the boundary of the subject lands (See Figure 7).



Figure 7 – Overlay of the Bedrock Resource with Respect to the Property Boundary

The portion of the bedrock resource as mapped in the Township’s Official Plan that falls on the subject property is relatively small and begins to widen as it crosses over the west lot line, but the majority of the aggregate deposit would fall on lands to the east outside of the proposed development. An extraction operation could still be feasible on the lands abutting to the east. Furthermore, the proposed land uses including an integrated tourist commercial resort, cottages and villas and agriculture for local food production would serve a greater long-term public interest as it would provide a substantial increase in tourist revenue, housing opportunities and service to the Township. The main Bedrock Resource could still be accessed / extracted from properties to the east even if the proposed development is established. Although the proposed development would effectively sterilize a portion of Bedrock Resource, the quantity falling on the property is too small to make it feasible, however the remainder of the deposit falling to the east

could feasibly be used for extraction. The proposed uses would serve a greater immediate interest to the Township.

Some Official Plan policies speak directly to the Implementation Section 9.0 of the Official Plan, specifically the development criteria found under Section 9.4.4. The development criteria policies are as follows:

9.4.4.1 *Councils shall consider the following development criteria when reviewing the compatibility and appropriateness of any new development or redevelopment, when considering amendments to the Zoning By-law and in considering, where applicable, the requirements for site plan control under Section 41 of the Planning Act:*

- *The provision of safe access onto or from a local or Township road or provincial highway.*
- *Adequate access to, and provision of, off-street parking.*
- *Barrier-free access to public and commercial buildings and the designation of parking spaces for physically challenged persons.*
- *Access and maneuvering of emergency vehicles in providing protection to public and private properties.*
- *The availability of municipal services and the cost of upgrading such services including water, sewage treatment facilities, fire and police protection, street lighting, roads and winter maintenance, waste disposal, community facilities and recreation.*
- *Adequate grade drainage or storm water management and erosion control.*
- *The screening, buffering or fencing of aesthetically displeasing or dangerous land uses or open storage. A buffer may be open space, a berm, a wall, a fence, plantings, a land use different from the conflicting uses but compatible with both, or any combination of the aforementioned sufficient to accomplish the intended purpose.*
- *The provision of landscaping, the creation of privacy and/or open space areas around buildings and other uses, and the establishment of setbacks to maintain proper distance separation between new development and natural heritage sites, natural hazards and resource areas and development constraints such as noise and vibration.*

- *Adequate exterior lighting for access and parking areas for public or private use such as in commercial, industrial, institutional and multiple residential development.*
- *The control of signs and advertising such that they are in scale with the intended use and with surrounding uses.*
- *Protection of the environment by avoiding air, soil or water pollution.*
- *The preservation and protection, whenever possible, of street trees, street tree canopies and the urban forest.*
- *The adequacy of school board facilities to accommodate new development or redevelopment and the provision or availability of school bussing.*
- *Protection or enhancement of natural resource values.*
- *Conserving cultural heritage resources.*
- *The physical suitability of the land for the proposed use.*

Safety and Security Criteria

9.4.4.2 *When reviewing development applications, ensure that safety and security measures are considered through such means as:*

- *Sufficient lighting in spaces intended for public use after dark to support the kind of activities envisioned for that space;*
- *Signs and an overall pattern of development that supports users' sense of orientation and direction;*
- *Preservation of clear lines of sight for persons passing through the space;*
- *Attention to the proposed mix of uses and their proximity to each other to ensure they are complementary;*
- *The routing and design of bicycle and pedestrian routes so that they are accessible to populated areas.*

With regard to the Development Criteria of Section 9.4.4.1, the resort and other proposed uses will have driveway access off of Merwin Lane, a Township Road, and will include extensive off-street parking. Barrier-free access has been designed within the required parking areas for the physically disabled. All main access lanes will be a minimum of 8.5 metres in width with suitable turning radii to allow for emergency vehicles and buses to access both sites. Drainage and

stormwater management will be addressed for the entire site through a stormwater management report at the site plan stage. All required landscaping, buffering and lighting, including a minimum 30 metre buffer from Bradley's Creek will be implemented into the site design. With the exception of a small Provincially Significant Wetland which is located outside the development area, the property is relatively free from development constraints and is of adequate size to support the scale of development proposed.

Regarding the Safety and Security Criteria of Section 9.4.4.2, sufficient lighting will be provided within all parking areas to ensure the spaces can remain vibrant and active after sunlight has dissipated. Adequate signage will be situated in conjunction with Township sign policies to ensure tourists and members of the public can locate the site easily. In addition to the Hydrogeological and Terrain Study, a number of additional studies including, but not limited to, an Environmental Impact Statement and a Traffic Study have been completed in support of the development. Based on these studies and their associated conclusions and recommendations, the proposal will conform to the Development Criteria as found under Section 9.4.4.

Overall, the proposed tourist resort and associated uses will be compatible with the natural heritage of the property and surrounding land uses on abutting lots. The proposal would comply with all relevant sections of the Official Plan for Augusta Township.

AUGUSTA TOWNSHIP ZONING BY-LAW

The subject property is zoned Rural (RU) and Wetlands (PSW) with an overlay for Villages & Hamlets on the Augusta Township Zoning By-Law Schedule H (See Figure 8). The majority of the property including the area of the proposed development falls in the Rural (RU) Zone.

Section 7.17 of the Zoning By-Law sets forth policies and provisions for the Rural (RU) Zone with Permitted Uses found under Section 7.17.1. Though the Rural zone does allow a Recreational Commercial Establishment as a permitted use, the size and scale of the proposed integrated water park and associated uses is not suitable to be located within a Rural Zone. Therefore, an application for a Zoning By-Law Amendment is being submitted to re-zone the property from Rural (RU) to a new Rural Destination (RD) zone to place the property in a site-specific zone that includes all aspects of the proposed development.

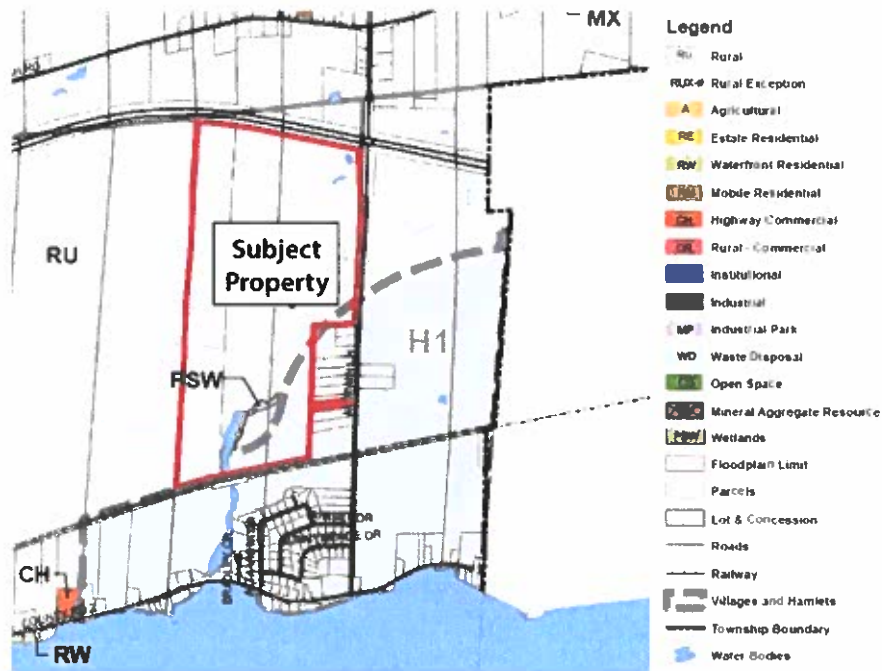


Figure 8 – Augusta Township Zoning By-Law Schedule H

Zone provisions for the proposed Rural Destination zone, including permitted uses, definitions, zone requirements, parking and loading requirements, and additional provisions, have been drafted and are included in this application package. Existing zoning provisions have been maintained wherever possible while new provisions have been recommended where appropriate.

UNITED COUNTIES OF LEEDS AND GRENVILLE OFFICIAL PLAN

The subject property is designated Rural Settlement Area and Rural Lands on the United Counties of Leeds and Grenville Official Plan Schedule A – Community Structure and Land Use (See Figure 9). The boundaries of these two designations match the boundaries of the Rural and Settlement Area designations of the Augusta Township Official Plan. Additionally, a tertiary Sand & Gravel Resource Area is identified on part of the subject property on Official Plan Schedule B – Mineral and Mineral Aggregate Resources (See Figure 10). There are no Natural Heritage Features and Areas or Natural and Human-made Hazards identified on the property.

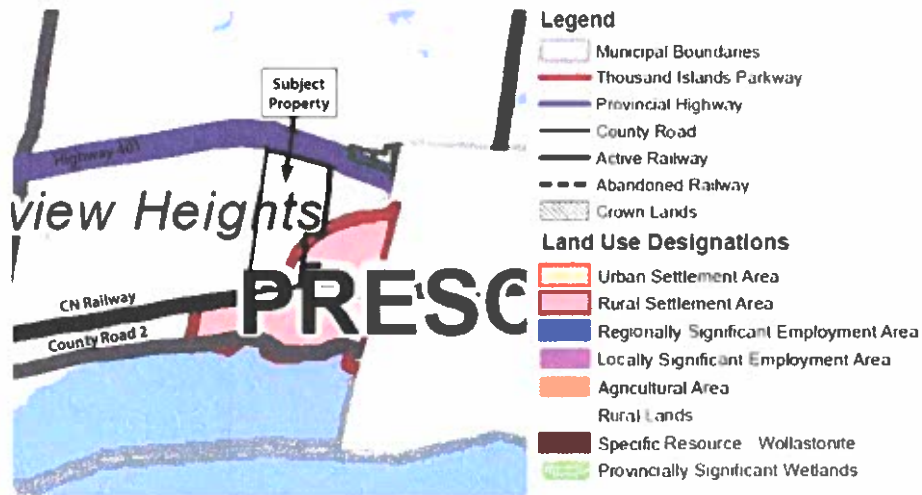


Figure 9 – United Counties Official Plan Schedule A – Community Structure and Land Use

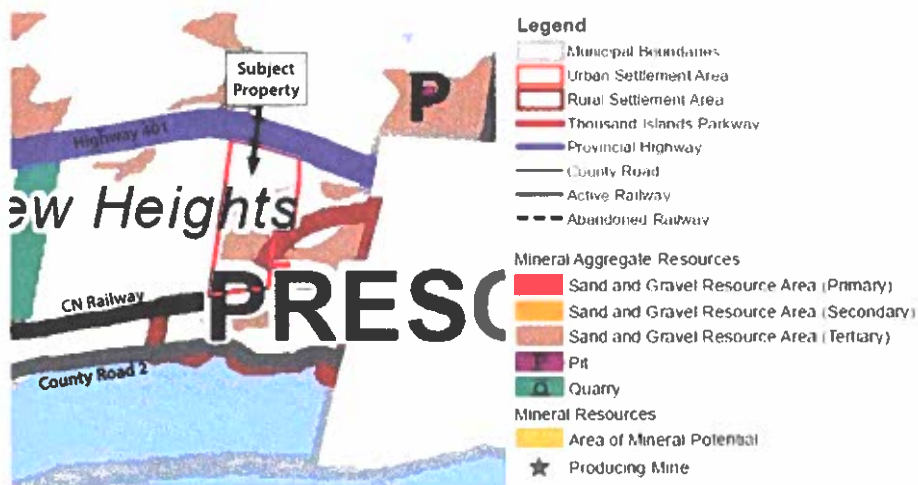


Figure 10 – United Counties Official Plan Schedule B – Mineral and Mineral Aggregate Resources

Official Plan Appendix 3 – Source Water Protection Areas also identifies an Intake Protection Zone along the portions of Bradley’s Creek traversing the property as well as Significant Groundwater Recharge Areas on part of the property (See Figure 11). These have been addressed in the Hydrogeological and Terrain Study that is included in the application package.

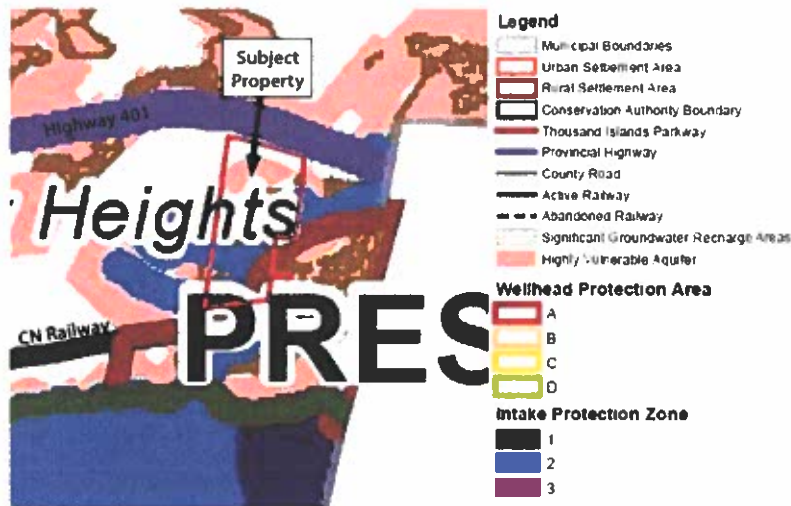


Figure 11 – United Counties Official Plan Appendix 3 – Source Water Protection Areas

Section 2.3 of the United Counties Official Plan deals with Settlement Structure within the Counties with Section 2.3.3 providing policies for Rural Settlement Areas. These policies, aimed at accommodating limited growth and intensification, are as follows:

- a) *Rural settlement areas are designated on Schedule A, and their boundaries will be established precisely in the local municipal Official Plans.*
- b) *Rural settlement areas may continue to experience growth through infilling and development of vacant lands by way of consents or plans of subdivision as appropriate, in addition to limited intensification. It is recognized that certain rural settlement areas may not accommodate additional growth and development, as established in the local municipal Official Plans.*
- c) *The range of permitted uses and associated land use policies will be established in the local municipal Official Plans and in accordance with the policies of this Plan.*
- d) *Rural settlement areas will generally maintain a rural settlement character and evolve as service and residential centres for their surrounding Rural Area, where appropriate.*
- e) *Expansions of the boundaries of a rural settlement area will only occur in accordance with the comprehensive review policies in Section 2.5 of this Plan.*
- f) *Growth will be accommodated in accordance with the servicing policies of Section 6.3.*

The boundary of the Rural Settlement Area as seen on Schedule A matches the boundary established by the Augusta Township Official Plan for the portion of the property within the Settlement Area. Prescott and its associated Settlement Area are not restricted on new growth and development per the Augusta Township Official Plan. There is no expansion of the Rural Settlement Area boundary proposed.

Since the proposed development will incorporate a very large tourist commercial resort the United Counties policies of Section 2.6.3 concerning tourism and recreation should be addressed. The Official Plan recognizes the importance of tourism and recreation based activities, providing a number of policies aimed at leveraging the long-term viability and growth of existing and future tourism in the United Counties:

- a) *Develop a regional tourism strategy to promote regional assets including, but not limited to: the Rideau Canal UNESCO World Heritage Site, National Historic Site of Canada, and Canadian Heritage River; the Frontenac Arch UNESCO World Biosphere Reserve; the 1000 Islands; and the St. Lawrence River.*
- b) *Promote the growth of tourism throughout the Counties in appropriate locations, particularly in areas where they cannot be accommodated within settlement areas. Tourism uses will be encouraged in close proximity to areas of natural and recreational amenity, areas of natural heritage appreciation, and natural resources and amenities.*
- c) *Work with local municipalities and organizations to promote agri-tourism, resource-based and lake-based recreational and tourism uses in the Counties.*
- d) *New and existing resource-based recreational uses are permitted within the Rural Area subject to the policies of this Plan and the local municipal Official Plan. This Plan supports the continuation and expansion, where appropriate, of existing uses to accommodate new resource-based recreational development and uses. The local municipal Official Plans will appropriately designate resource-based recreational uses and clearly establish the extent of permitted uses, including accessory uses, and associated land use policies. Expansions to existing resource-based recreational uses will be in accordance with the policies of this Plan and the local municipal Official Plan, and will not require an amendment to this Plan. Where expansions are considered in the Agricultural Area, the policies of Section 3.2.3.1 of this Plan apply.*

- e) *The Counties and local municipalities are encouraged to promote the provision of trails, to accommodate a variety of uses (e.g., walking, cycling, all-terrain vehicle, snowmobile, and equestrian), where appropriate.*
- f) *The Counties and local municipalities will promote and develop linkages between tourism and recreation and the Counties' cultural heritage resources in accordance with the policies of Section 4.5.*

The scale of the proposed resort would be far too large to locate within a settlement area making its proposed location on Merwin Lane close to Prescott a more ideal area. The resort is suitable for the property as the lands are not designated for primary agricultural uses and the proximity and visibility to Highway 401 provides the best route for potential tourists to access the resort. Section 2.6.3d states "new and existing resource-based recreational uses are permitted within the Rural Area" which is the designation on the remainder of the lands outside the Rural Settlement Area. Given the scale of the resort, trail linkages throughout the site will be provided for active transportation, with additional details at the site plan stage.

Section 3.0 of the Counties Official Plan deals with Rural Area policies with provisions for Rural Lands located in Section 3.3. The promotion of development opportunities relating to resource-based recreational uses and tourism, among other uses, is one of the primary objectives for Rural Lands pursuant to Section 3.3.1a. The subject property does not contain any prime agricultural soils which would prohibit development and would provide ample separation from any surrounding uses for the proposed water park. There is also ample room on the subject property to support agricultural activity for local food production.

Section 3.3.2 sets forth the permitted uses on Rural Lands stating in Section 3.3.2d that "Recreational and tourist commercial uses, open space, and limited residential development, may be permitted in rural lands without requiring an amendment to this Plan, but may be subject to a rezoning, and provided the use is permitted in the local municipal Official Plan, and meets the criteria established within the local municipal Official Plan." It has already been established that a Zoning Amendment will be required to place the development in a site specific zone. Furthermore, tourism commercial uses are permitted within the Rural designation of the Augusta Township Official Plan. The development would therefore be in accordance with Section 3.3.2 of the Counties Official Plan.

Section 3.3.3 sets forth land use policies that apply to rural lands which read as follows:

- a) *Rural lands are designated on Schedule A of this Plan and will be designated in the local municipal Official Plans, in accordance with the policies of this Plan.*
- b) *Any agriculture use, agriculture-related use or on-farm diversified use will meet the requirements of Section 3.2.3.*
- c) *Development in rural lands will be subject to the policies of Section 6.3, with respect to servicing.*
- d) *The development of new or expanding uses must be compatible with the rural landscape and must be sustained by rural service levels.*
- e) *All farm and non-farm development will comply with the Minimum Distance Separation Formulae as implemented through the applicable local municipal planning documents.*
- f) *Land application of manure, biosolids and septage is regulated by the Province in accordance with the Nutrient Management Act and the Environmental Protection Act. Land application of manure, bio-solids and septage will follow the requirements of the above noted legislation, and the regulations made under those Acts.*
- g) *Those uses that create or potentially create adverse impacts as a result of air, noise, and/or vibration emissions, and/or the generation and/or handling of solid or liquid wastes will only be considered based on the submission of an impact assessment to the satisfaction of the Counties and/or local municipality, as applicable.*
- h) *Rural industrial uses proposed adjacent to a sensitive land use will generally be limited to self-contained uses that produce and/or store a product where there is a low probability of significant emissions, and subject to the requirements of subsection (i).*
- i) *An appropriate separation distance, based upon the Province's relevant guidelines related to land use compatibility, will be established between a rural industrial land use and any sensitive land use. This separation distance will be enforced through a site specific amendment to the applicable zoning by-law and/or through site plan control.*
- j) *Rural industrial uses will be developed in such a manner to ensure protection and screening of outdoor storage areas from all adjacent roads and public spaces.*
- k) *The local municipalities will establish policies in the local municipal Official Plans to ensure that the following criteria are satisfied where rural industrial/commercial uses, excluding applications under the Aggregate Resources Act, are proposed:*
 - i. *The proposed use will not create or add to a negative impact on the environment, adjacent or nearby sensitive land uses, or traffic patterns;*

- ii. *The proponent will demonstrate how outside storage, if any, and the storage and removal of on-site generated waste is to be accommodated;*
 - iii. *The proponent may be required to demonstrate how the traffic generated from the proposed use will impact the existing roads and how much will be generated;*
 - iv. *For a use that may have the ability to compromise or contaminate the subject lands, the proponent may be required to submit a remediation plan to be used upon the discontinuation of use to the satisfaction of the municipality, Counties, and the applicable Ministry(ies); and*
 - v. *The proponent may be required to demonstrate how the foregoing and any other requirements set out in this Plan and the local municipal Official Plan will be met.*
- i) *Lot creation in the rural lands will only be permitted in accordance with the policies of this Plan and the local municipal Official Plan.*

The proposal will see the development of an integrated water park and resort on the subject property, and the zone will also permit local food production and a number of housing types for short term accommodation. Despite the scale of development proposed on rural lands, the site is suitable for the proposal given its proximity to the Highway 401 corridor and to the Village of Prescott. The development area will be situated several hundred metres from the residential uses fronting onto Merwin Lane, thereby providing adequate separation distance and screening. There are also few, if any, rural or agricultural uses or dwellings abutting the property that may be conflicting with the proposed land use. While some noise may be generated by visitors of the resort, the water park is not the type of land use associated with air, dust or vibrational impacts and will not involve the handling or transporting of solid and/or liquid wastes. The natural heritage features of the site will be maintained as part of the development. A traffic statement has been completed for the development and will be detailed later in this report. Lot creation is not expected or required in order to support the proposal.

Section 4.2 of the Official Plan sets forth Natural Heritage Features and Functions policies. The southernmost point of the property contains a small water body with a pocket of Provincially Significant Wetlands. This area is fed by Bradley's Creek which flows in a southerly direction on the property and is suitable fish habitat. An EIS has been completed for the property which provides recommendations and mitigation measures to ensure the natural heritage features of the property are preserved and maintained. The site sketch includes a minimum setback of 30 metres to all natural heritage features on-site. In order to protect the area around Bradley's Creek, an Environmental Protection (EP) zone is proposed on this part of the site.

Section 4.4 of the Counties Official Plan sets forth policies for Water Resources and Source Water Protection. As previously shown in Figure 13 Intake Protection Zones are located throughout the property centred mainly around Bradley's Creek. The Creek itself will remain undisturbed with no development or site alteration proposed with 30 metres, with the exception of an access road / driveway off of Merwin Lane. This access would fall within 30 metres but would not directly cross over the creek or affect the culvert under Merwin Lane. As noted, an Environmental Protection (EP) zone would also be applied to the Creek area.

Section 4.4.2 sets forth Source Water Protection policies aimed at the protection, conservation and careful management of groundwater resources to ensure clean water base flow for creeks, streams, ponds and wetlands. The source water protection policies read as follows:

- a) *The Counties and local municipalities will support and participate in initiatives that implement the Clean Water Act, as required, and ensure coordination amongst local municipalities. All three Source Protection Plans applicable to the Counties have been approved and are required to be implemented through appropriate Official Plan policies and mapping. Appendix 3 illustrates the Source Water Protection Areas applicable to the Counties, and identifies designated vulnerable areas, including municipal wellhead protection areas, surface water intake protection zones, highly vulnerable aquifers, and significant groundwater recharge areas, based on the associated Source Protection Assessment Reports and GIS data provided by the Conservation Authorities.*
- b) *Local municipal Official Plans will implement restrictions on development and site alteration to protect all municipal drinking water supplies and designated vulnerable areas, and protect, improve or restore vulnerable and sensitive surface and ground water features and their hydrologic functions, in accordance with the significant threat policies of the applicable Source Protection Plan.*
- c) *As approval authorities, the Counties and local municipalities will require development to adhere to the Source Protection Plans. Pre-consultation with the Counties and/or local municipality, as appropriate, will be required for development applications in designated vulnerable areas.*

Given the proposed development will include a water park within the resort, water quality and quantity will be carefully controlled. A Hydrogeological and Terrain Study has been completed to consider the needs of the development and the potential for impacts. The proposed setback

of 30 metres to all of Bradley's Creek, coupled with the proposed Environmental Protection (EP) zone, will ensure the Source Water Protection Areas around the creek are preserved and maintained. Any requirements for the waterpark under the Source Protection Plans will be adhered to for the development.

Overall, the proposed tourist commercial site, short term accommodation, agriculture for local food production, and associated uses will be compatible with the rural area policies while protecting the existing natural heritage of the property. The proposal would comply with all relevant sections of the Official Plan for the United Counties of Leeds and Grenville.

SUPPORTING STUDIES

Environmental Impact Statement (EIS)

An Environmental Impact Statement was completed for the site by Stantec Consulting Ltd. (September 2018) Visual surveys, breeding bird surveys, breeding amphibian surveys, crepuscular bird surveys and a search for butternut trees were conducted between the dates of June 7 and August 24, 2017. A headwater drainage assessment, a fisheries habitat assessment, and two more breeding bird surveys were also completed between April 27 and July 20, 2018. The Study considered all natural heritage features including wetlands, woodlands, wildlife habitat, valleylands and ANSIs, as well as fish habitat and species at risk habitat, as required by the County and Township Official Plans and the Provincial Policy Statement (2014).

Section 7.0 of the EIS Report speaks to Impact Assessment with Direct Impacts noted in Section 7.1 and Indirect Impacts in Section 7.2. The majority of the vegetation clearing will occur in areas consisting of row crops and hay fields. The project has the potential to impact three (3) Species at risk (SAR): Butternut, Monarch and Bobolink. Table 6 of the EIS outlines potential for project interactions with species at risk. Significant wildlife habitat for both bats and breeding amphibians were observed on the property but in areas where development will not occur. Fish habitat is present within Bradley's Creek but no development is proposed within 30 metres, therefore the EIS Report anticipates no direct impacts to fish habitat. Indirect impacts related to the development include possible disturbance and/or damage of vegetation, fill and sediment deposition, and impacts such as noise and dust from construction activities. Properly delineating work areas, utilizing sediment and erosion controls and following best management practices will help mitigate these indirect impacts during development. Mitigation measures for natural heritage and species at risk can be found under Section 7.4.

In summary, the natural features and functions within the study area that could be impacted by development include the following:

- Tree and vegetation removal - damage or loss of trees during construction
- On-site habitat for butternut, monarch, and bobolink that could be affected during construction activities
- On-site potential suitable habitat for bats and chorus frog could be affected during construction activities
- The loss of migratory bird nests, eggs and or nestlings due to tree cutting or other vegetation clearing
- Changes to hydrology and water quality in Bradley's Creek and associated tributaries

A number of detailed mitigation measures are included in Section 7.4 of the EIS report, including measures to protect natural areas at Section 7.4.1 and measures to protect species at risk habitat at Section 7.4.2. There are also recommendations to ensure the protection of wildlife habitat at Section 7.5, to protect migratory birds at Section 7.6, and to protection fish habitat at Section 7.7. The specific mitigation and protection measures detailed in the EIS report will be included in the detailed site plan for the site, and can be implemented through the site plan control agreement.

Headwater Drainage Features Assessment

A Headwater Drainage Features Assessment was completed for the proposed development by Stantec Consulting Ltd. (August 2018) The purpose of the assessment was to evaluate and classify headwater drainage features and identify appropriate recommendations for development. The assessment followed the Toronto Region Conservation Authority and the Credit Valley Conservation protocol for evaluation, classification and management of headwaters drainage features guidelines combining data collected from the property in 2017 and 2018.

In total, 7 headwater drainage features were observed on-site with 25 distinct reaches delineated. A figure is included in the Assessment Report depicting the locations of these 7 features. H1, H2, H4 and H6 are four headwater drainage features not expected to be altered by development and do not require any management or mitigation. H5 and H7 will be altered by

the development and are proposed conservation or mitigation. H3 is not expected to be impacted by development but is recommended for protection or conservation.

Where the report recommends conservation of an HDF the following measures should be incorporated into the design:

- *Maintain, relocate and/or enhance feature including the riparian vegetation surrounding the feature*
- *If upstream catchment area is proposed to be removed for development, restore lost functions through enhanced lot level controls (i.e. increase on-Site infiltration using permeable pavers), as feasible*
- *Maintain or replace on-Site flows using mitigation measures*
- *Maintain or replace external flows*
- *Use natural channel design techniques to maintain or enhance overall productivity of the reach*
- *Drainage feature must connect to Bradley's Creek*

Where the report recommends mitigation for an HDF the following measures should be incorporated into the design:

- *Replicate or enhance functions through enhanced lot level conveyance measures, such as wellvegetated swales (herbaceous, shrub and tree material) to mimic online wet vegetation pockets, or replicate through constructed wetland features connected to downstream;*
- *Replicate on-Site flow and outlet flows at the top end of system to maintain feature functions with vegetated swales, etc. If catchment drainage has been previously removed due to diversion of stormwater flows, restore lost functions through enhanced lot level controls (i.e. restore original catchment using clean roof drainage);*
- *Replicate functions by lot level conveyance measures (e.g. vegetated swales) connected to the natural heritage system, as feasible and/or Low Impact Development (LID) stormwater options (refer to Conservation Authority Water Management Guidelines for details)*

Fish Habitat Assessment

In response to the Environmental Impact Study completed by Stantec and reviewed by South Nation Conservation staff, a letter was received from the South Nation Conservation Authority

seeking a fish habitat assessment for the property. Two supplementary site visits were conducted on April 27 and May 7, 2018 by the Stantec team. The assessment included visual encounter survey for top predators, fish community sampling, benthic invertebrate sampling, and aquatic habitat assessments. The assessment included the area of Bradley's Creek and seven associated tributaries, identified as BRC-T1 to BRC-T7.

BRC-T1 and BRC-T3 are permanent tributaries in the southwest portion of the study area, they are approximately 500 metres and 290 metres long respectively and flow east. BRC-T2 and BRC-T4 are ephemeral tributaries on the eastern part of the study area, they are approximately 170 metres and 90 metres long respectively and flow west. BRC-T5 is an intermittent tributary 430 metres long flowing east, BRC-T6 is an intermittent tributary approximately 60 metres long flowing west, and BRC-T7 is an intermittent tributary approximately 190 metres long flowing east. Results from 3 testing stations were compiled.

No top predators or indication thereof was found anywhere in the study area. *Esox* spp. species of fish, notably northern pike and muskellunge, are known to inhabit seasonally-flooded, well vegetated areas to lay eggs. Several locations within Bradley's Creek and within tributaries BRC-T2 – BRC-T4 provide spawning habitat for *Esox* spp. species. Tributaries BRC-T5 to BRC-T7 potentially provide spawning habitat, but all have barriers at their confluence with Bradley's Creek. The connection to the St. Lawrence was also investigated. A box culvert along the rail line may provide a barrier to upstream movement from the St. Lawrence River into Bradley's Creek. Also, a waterfall area further up past the PSW is another barrier to movement of spawning fish.

No fish were observed in BRC-T1, BRC-T5, BRC-T6 or BRC-T7 as barriers at their confluence to Bradley's Creek are noted. No fish were observed in BRC-T2 or BRC-T4. Low flow and vegetation prevents barriers to fish migration. These tributaries do provide seasonal flows to downstream habitat in Bradley's Creek. Fish were observed in Bradley's Creek during both the 2017 and 2018 surveys.

Hydrogeological and Terrain Study

A Hydrogeological and Terrain Study was completed for the proposed development by Kollaard Associates Inc. (July 2018). The purpose of the analysis was "to provide information with regards to the aquifer characteristics and the adequacy of the water quality and quantity to service the proposed development." The project team drilled two test wells on the site, with short and long term pump tests conducted to evaluate the available quantity of water. Water samples from the subject wells as well as a number of neighbouring wells also took places in order to assess

the water quality. Further, a series of boreholes were drilled in order to assess the soil characteristics and groundwater conditions in the area.

Water quality was assessed and was determined to meet all of the Ontario Drinking Water Standards, Objectives and Guidelines, with the exception of hardness, iron, colour and turbidity. Sodium also exceeded the Provincial objective in one of the test wells. All of these parameters are treatable on-site. Water quality tested from a number of neighbouring private wells resulted in similar standards to the two test wells on site. The assessment of water quantity concluded that Test West 1 could supply all of the domestic water needs for the site (ie. hotel, restaurant, washrooms, etc). With careful management, the analysis concluded that Test Well 2 can meet the needs of the water features, pool, etc.

The subsurface soil and groundwater conditions were assessed through the terrain analysis and a series of boreholes. Conditions include topsoil, silty sand and clay, glacial till and bedrock; groundwater was observed in some of the boreholes, with a conclusion that groundwater flows generally in a south/southeast direction. Sewage disposal on the site is intended to be a surface discharge system to the existing creek; the system will be designed by Newterra and approved by MOECC.

The Study also considered the sourcewater protection and the Intake Protection Zone for the Town of Prescott water supply, as well as the highly vulnerable aquifer identified on the site. No anticipated impacts were noted in the report, and the proposed land uses of the tourist commercial resort are not considered to be a conflict. Permits from the Conservation Authority will likely be required at the construction stage.

The Study concludes that the groundwater quality is suitable to meet the needs of the development with some recommended measures and treatment, there is sufficient water quantity to meet the needs of the development if the recommendations are implemented, soils are suitable to support the proposed sewage system, and no sourcewater impacts are anticipated.

Traffic Impact Study

A Traffic Impact Study was completed for the proposed development by BT Engineering. (June 2020) The intersections under study include Merwin Lane at County Road 2, Merwin Lane and County Road 26, and Merwin Lane at McIntosh Road. Traffic counts were recorded on July 12th and 13th, 2017. Figures 2 and 3 of the Traffic Impact Study show the existing (2017) traffic volumes

at the AM and PM peak hours and anticipated (2024) traffic volumes at the AM and PM peak hours. Trip generation was assessed using the Institute of Transportation Engineering's (ITE) Trip Generation Manual and a traffic survey performed for a similar development in Niagara Falls known as the Great Wolf Lodge. It is anticipated the hotel complex will average 68 trips during morning peak hour and 129 trips during afternoon peak hour. The campground / RV Park will average 35 morning trips and 50 afternoon trips during peak hour. The apartments, located off of a separate access point, will average 86 morning trips and 104 afternoon trips during peak hour. The report estimates about 40% of trips will come from the Town of Prescott, 40% of trips will come from the 401 via McIntosh Road with the remaining 20% based on existing travel patterns.

Sightlines were also analyzed from the proposed entrance location to the resort to verify the required stopping distances were in place. The minimum stopping distance for drivers on Merwin Lane was determined to be 100 metres, assuming a speed of 70km/hr. Merwin Lane is currently posted at a maximum of 60km/hr. The distance between the northernmost entrance and the top of the bridge over the 401 was calculated at 296 metres. South of the resort entrances Merwin Lane is linear and sightlines are not expected to be an issue.

The report concludes that only a limited volume of traffic will be generated during peak hours. Based on observations of vehicular movements at the Great Wolf Lodge Resort it is expected that people travelling to the resort are likely staying longer than one day which limits traffic volumes on many days. Current traffic levels at the Merwin Lane intersections are considered relatively low and no roadway improvements are required to service the proposed resort.

SUMMARY

A variety of land uses including housing units, agriculture for local food production, and an integrated tourist commercial resort including a waterpark, hotel, conference centre, spa and associated uses are proposed to locate on the property known as 1898 Merwin Lane in the Township of Augusta through a site specific zone to be called Rural Destination (RD) zone. The proposal conforms with the policies in the Official Plans of the Township of Augusta and the United Counties of Leeds and Grenville and is consistent with the policies in the Provincial Policy Statement (2014). A site-specific Rural Destination (RD) zone has been drafted to include all the anticipated land uses and associated zone provisions. Sufficient analysis through supporting studies included in this application package has concluded that there is adequate water quality



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and quantity available to meet the needs of the project, and that impacts on natural heritage features can be managed or avoided. The development will bring significant economic benefits in the form of tourist dollars and employment opportunities to the Township and surrounding area, along with providing alternative housing opportunities and local food production, and can be adequately located and screened on the site so as to minimize conflicts with abutting land uses. Detailed stormwater management, landscaping and other site details will be included at the site plan control stage.

All respectfully submitted by:

A handwritten signature in blue ink that reads "Tracy Zander".

Tracy Zander, M.Pl, MCIP, RPP

THE CORPORATION OF THE TOWNSHIP OF AUGUSTA
By-law No. _____

**BEING A BY-LAW TO AMEND
BY-LAW No. 2965 (2012)**

PART A – SECTION 34 – *PLANNING ACT*

WHEREAS pursuant to the provisions of the *Planning Act*, RSO 1990, c. 13, Section 34, the Council of a Municipality may enact by-laws regulating the use of lands and the erection of buildings and structures thereon;

AND WHEREAS the Council of the Corporation of the Township of Augusta intends to amend the Zoning By-law to permit the establishment of a rural destination property through the creation of a new Rural Destination (RD) Zone in the comprehensive Zoning By-law;

NOW THEREFORE, the Council of the Corporation of the Township of Augusta enacts as follows:

1. That By-law 2965 (2012) is hereby amended by adding the following new zone to the By-law:

7.21 RURAL DESTINATION (RD) ZONE

No person shall use any land or erect, alter or use any building or structure in the “Rural Destination” (RD) Zone except in accordance with the following provisions of this Section and any other relevant Sections in this By-law.

7.21.1 Permitted Uses

7.21.1 – RD Permitted Uses	
Commercial Uses – Main Uses	Accessory Uses, Buildings and Structures
<ul style="list-style-type: none"> • Agricultural Use for Local Food Production • Condo Hotel • Condominium • Conference Centre • Hotel • Restaurant • Water Park • Cottages • Recreational Vehicle Park • Villas 	<ul style="list-style-type: none"> • Accessory Dwelling • Accessory use, building or structure (see 6.1) • Clinic • Community Garden • Cycling Rest Stop • Day Nursery Service • Fence (see 6.14) • Fitness Centre • Green Roof • Health Retreat • Landscaped Open Space (see 6.22) • Laundromat • Library • Loading/Delivery Space (see 6.24) • Miniature Golf Course • Open Space • Outdoor Recreation Uses • Park • Parking Area • Parking Garage • Personal Service use • Playground • Public Use (see 6.37) • Recreational Commercial Establishment • Renewable Energy System • Retail Store • Sign (see 6.41) • Storage Container (see 6.43) • Waste Management Facilities • Youth Activity Area

7.21.2 Definitions

For the purposes of the “Rural Destination (RD)” Zone, the following definitions shall apply:

1. **Agricultural Use for Local Food Production** means the growing, cultivating, processing and/or production of fruit and vegetable crops,

apiaries and small animals for on-site or local use and includes greenhouse and hydroponic facilities, vertical farming, and fish farming. Small scale farm uses that align with the tourist operations or the provision of foods for the hotel and/or tourist commercial uses shall also be permitted.

2. **Condo Hotel** means a hotel in the Rural Destination zone that is divided into individual units under the *Condominium Act* to facilitate ownership of individual suites or units.
3. **Conference Centre** means part of a building that is designed to host conventions, trade shows, exhibits, assemblies, meetings and similar events, and may include large and small halls and meeting rooms. Services associated with meetings and events, such as catering, meal service, bar service and related accessory uses and -services shall also be permitted.
4. **Cottage** means an alternative form of housing that supports seasonal or year-round accommodation, is self-sufficient in terms of servicing or connected to the larger servicing infrastructure, and includes a minimum gross floor area of 27.9 m² (300 ft.²). This definition does not include a Mobile Home as defined in the Zoning By-Law.
5. **Cycling Rest Stop** means a facility that provides temporary accommodation, storage, cycle repairs and similar services catering to a travelling cyclist.
6. **Day Nursery Service** means a facility that provides temporary care services for the children of visitors or staff.
7. **Fitness Centre** means a facility which provides recreational or health related activities including but not limited to weight training and exercise classes and may include associated facilities and services such as a lounge, washrooms, showers, and saunas, an administrative office and an accessory retail sales outlet for fitness-related attire, equipment and dietary supplements.
8. **Flag Lot** means a lot with two distinct parts: a) the flag, which is the only area to be used for the building envelope, and is located behind another lot; and b) the pole, which connects the flag to a public street and provides the only lot frontage for the lot. The pole and the flag are to be registered as one lot only.
9. **Green Roof** means a roof of a building where part of or the entire surface of the roof is intentionally covered with vegetative material.

10. **Health Retreat** means a building or part of a building where health, wellness, and medical services and facilities are provided including but not be limited to therapeutic massage, aesthetician, health and food counselling, **fitness centre**, spa, personal training centre, medical practitioner and accessory retail product sales and services. A Health Retreat may also be used to provide medical treatment services and facilities and provide accommodation in the event of an emergency.
11. **Outdoor Recreation Uses** means facilities such as recreational and fitness trails, comfort stations designed for passive leisure and fitness activities and nature appreciation.
12. **Personal Service Use** means part of a building where a service is performed for the personal grooming and personal effects or clothing of the consumer, including: hair styling salon; barber shop; beautician; manicurist; tailor; spa; tanning salon; shoe repair shop; dry cleaning outlet; massage therapy service; and similar uses. The sale of accessory merchandise products and services shall be permitted.
13. **Recreational Commercial Establishment** means an establishment, premises, or building where any recreational, social or cultural uses are operated commercially for profit on lands in private ownership, such as health clubs, sports field, concert, outdoor theatre or movie venue, off-road and recreation trails, golf courses and mini-putt, driving ranges, open or enclosed skating or curling rinks, open or enclosed pools, open or enclosed badminton or tennis courts, squash courts, bowling alleys, gymnasium, band shell or open theatre, place of amusement and other similar uses but does not include a casino or bingo hall.
14. **Restaurant** means part of a building where food is prepared and offered for sale to the public and includes a full service restaurant, take-out restaurant, sports bar, outdoor café, snack bar, dining hall or coffee shop within or accessory to the **water park**.
15. **Retail Store** means part of a building in which goods, wares, merchandise, substances or articles are offered or kept for sale.
16. **Villa** means a self-contained unit that includes up to five (5) bedrooms and common kitchen facilities, which can be rented or leased for short or long periods of time. A villa can be a free-standing unit, or can be linked, stacked or connected together with up to eight (8) villas.
17. **Water Park** means a use, building or part of a building or indoor or outdoor

area for use by the general public that includes water play areas, swimming pools, slides, splash pads, spray grounds, lazy rivers or similar recreational bathing, leisure, swimming or water-related activities. This definition shall include associated facilities and services such as change rooms, showers, hot tubs, saunas, indoor or outdoor spectator seating areas, picnic areas and associated retail sales and services.

18. **Youth Activity Area** means part of a building where recreation and leisure activities geared to children and youth are provided, and may include facilities and services including but not limited to gym facilities, trampoline park, wall climbing, arcade games, billiards, basketball and other sports courts, arts and crafts, music and theatre arts, library, computer and internet services, and similar activities and events.

7.21.3 Zone Requirements

The following zone requirements shall apply to any permitted commercial use, accessory use, building or structure:

7.21.3 – RD Zone Requirements		
	Commercial Use	Accessory Use, Building or Structure
Minimum Lot Area	8 ha [20 acres]	n/a
Minimum Lot Frontage:	46 m [150.9 ft.]	n/a
Minimum Lot Frontage for a Flag Lot:	15 m [49.2 ft.]	n/a
Minimum Front Yard	10 m [32.8 ft.]	same as main use
Minimum Rear Yard	10 m [32.8 ft.]	same as main use
Minimum Interior Side Yard	10 m [32.8 ft.]	same as main use
Minimum Exterior Side Yard	10 m [32.8 ft.]	same as main use
Maximum Height		
1. Main Building	1. 45 m [148 ft.] or 6 Storeys	
2. Accessory Building(s)	2. 25 m [82.0 ft.]	
3. Water Park Structure	3. 30 m [98.4 ft.]	
Maximum Lot Coverage	50%	10% included in total

7.21.3 – RD Zone Requirements	
Minimum Setback from any Intake Protection Zone for a Municipal Water Supply	30 m [98.4 ft.]
Minimum Setback of a sign, land use or building from a Provincial Highway	Subject to the Ministry of Transportation (MTO) approval under the <i>Public Transportation and Highway Improvement Act</i> .
Minimum Setback of any building, structure or parking area from the boundary of a provincially significant or other wetland	30 m [98.4 ft.]
Minimum Setback of any building, structure or parking area from the bank or high water mark of a creek or waterbody including but not limited to Bradley's Creek	30 m [98.4 ft.]

7.21.4 Parking and Loading Space Requirements

- The following parking and loading space provisions shall apply to any permitted use in the AQW Zone:

7.21.4 Parking Requirements				
	Item	Parking Space Dimensions		Minimum Number Parking Spaces
		Width	Length	
1	Standard Parking Spaces	2.7 m [8.8 ft.]	5.5 m [19.6 ft.]	1. Hotel – 100 spaces 2. Restaurant – 78 spaces 3. Conference Centre - 121 spaces 4. Miniature Golf - 26 spaces 5. Water Park - 368 spaces 6. Kennel - 2 spaces 7. Outdoor Spa - 145 spaces 8. Indoor Spa - 24 spaces 9. Cottage - 1 space per unit 10. Villa 1 space per unit
2	Barrier Free Parking Spaces	3.4 m [11.1 ft.]	5.5 m [19.6 ft.]	3% of the required number of standard parking spaces, minimum 10 spaces shall be added to the total number of standard parking spaces

7.21.4 Parking Requirements				
	Item	Parking Space Dimensions		Minimum Number Parking Spaces
3	Buses, Recreational Vehicles, Transport Trailer Service Vehicles	4 m [13.1 ft.]	14 m [45.9 ft.]	6 bus spaces shall be added to the total number of standard parking spaces
4	Bicycles	0.6 m	1.8 m	1 bicycle parking space/500 m ² [5,382 ft. ²] Gross Floor Area (GFA)
5	Loading Spaces (required for commercial and resort uses)	4 m	14 m	< 250 m ² [2,691 ft. ²] GFA – 0 loading spaces 250 m ² [2,691 ft. ²] – 1,000 m ² [10,764 ft. ²] GFA – 1 loading space 1,000 m ² [10,764 ft. ²] – 7,500 m ² [80,732 ft. ²] GFA – 2 loading spaces 1 loading space for each additional 7,500 m ² [80,732 ft. ²] GFA, to a maximum of 5 loading spaces on the site

2. Additional Parking and Loading Space Requirements

The following additional parking space requirements shall apply:

1. Every standard or barrier-free parking space shall be accessible from a parking aisle having a minimum aisle width of 6 m [19.6 ft.] and every bus parking space shall be accessible from a parking aisle having a minimum aisle width of 8 m [16.2 ft.].
2. All parking spaces shall be identified through pavement markings or conventional signage to indicate their intended use including but not limited to barrier free spaces, parking for buses, RV's, transports, service vehicles, employee parking, etc.
3. Barrier free parking shall be provided within 50 m of every major entry point to a building or facility intended for general public use including water park entrances.
4. Bicycle parking spaces shall be located within 30 m of the main entrance to any hotel or water park facility or alternative internal bicycle storage lockers are provided.
5. Up to 15% of any designated parking area excluding parking designated as barrier free may be occupied on a temporary basis not exceeding seven calendar days for an exterior trade show, exhibit or special event.
6. Up to 10% of any designated parking area excluding parking designated as barrier free may be occupied for snow storage.
7. Minimum loading/delivery space height clearance 4.25 m [13.9 ft.]
8. Minimum loading/delivery space width 3.75 m [12.3 ft.]
9. Minimum loading/delivery space length 10 m [32.8 ft.]

7.21.5 Additional Zone Provisions

1. **Water and Sewage Disposal Systems**

No person shall erect or use in whole or in part, any building or structure unless the use, building or structure is properly connected to approved water and sewage systems under the *Ontario Water Resources Act* or the *Building Code Act*, whichever applies unless the use is exempted under the *Building Code Act* or prohibited by this By-law. The cumulative water demand and sewage disposal quantity for any and all development in the Rural Destination zone shall not exceed the carrying capacity of the property, as determined through a hydrogeological study and terrain assessment or through the provision of a municipal water and sewage system with residual capacity.
2. **Access and Parking Aisles**

No access aisle leading to an entrance from Merwin Lane or providing access to a parking aisle shall have a width of less than 12 m [39.3.ft.]. All access aisles shall be designed for two-way traffic flows. Any turnaround designed for access by an emergency vehicle shall be required to meet a minimum turning radius of 12.2 m [40 ft.] or the minimum required by the *Ontario Building Code*.
3. **Entrances**

The minimum width of an entrance from a public road shall be 5 m [16.4 ft.] for one-way traffic and 9 m [29.5 ft.] for two-way traffic. The maximum width of an entrance from a public road shall be 9 m [29.5 ft.] for one-way traffic and 15 m [49.2 ft.] for two-way traffic.
4. **Accessory Uses, Buildings and Structures**

This by-law shall not be deemed to limit the number of accessory uses, buildings and structures associated with the water park facility provided that all the applicable setback requirements of this by-law are met and provided there is a demonstrated capacity for water and sewage services in compliance with Section 7.21.5.1 of this By-law.
5. **Flag Lot**

The following standards shall apply to flag lots:

 - (a) The flag part of the lot shall contain a lot area at least equal to the minimum required lot area of the Zone in which the flag lot is located. The area of the pole shall not be included in the calculations of the required minimum lot area.
 - (b) No part of the pole or access strip shall be granted or created by way of a right-of-way, or easement.
 - (c) The minimum lot frontage at the street line, and the minimum continuous width along the pole or access strip from the street line to the flag shall be 20 m [66 feet].

- (d)** The minimum width of the flag shall be equal to the minimum lot frontage of the zone in which the flag lot is located.
- (e)** The front yard for the flag shall be measured at the point where the pole meets the flag.
- (f)** The pole or access strip shall be suitable for the construction of an access driveway designed to provide continuous access from the public street to the flag and building envelope.
- (g)** A flag lot shall not be further subdivided.
- (h)** Any flag lot shall meet all other applicable zone standards.

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7.22 ENVIRONMENTAL PROTECTION (EP) ZONE

No person shall use any land or erect, alter or use any building or structure in the "Environmental Protection EP" Zone except in accordance with the following provisions of this Section and any other relevant Sections in this By-law.

7.22.1 Permitted Uses

7.22.1 - EP Permitted Uses	
Main Uses	Accessory Uses, Structures
<ul style="list-style-type: none">• Conservation Use excluding buildings• Outdoor Recreation Use excluding buildings• Stormwater Management Facility	<ul style="list-style-type: none">• Accessory structure such as a directional sign, comfort station, information kiosk

7.22.2 Zone Requirements

The following zone requirements shall apply to any permitted use, accessory use, or structure:

1. The placement of any structure, stormwater facility, drainage or erosion control structure shall be subject to approval by the South Nation Conservation Authority or Ministry of the Environment, Conservation and Parks, whoever has jurisdiction.
2. That Schedule 'H' to By-law 2965 (2012) is hereby amended for certain lands, legally described as Concession 1, West Part of Lot 6, Lot 7 E, Lot 8 of the Township of Augusta and that part of the said lands shall be Zoned Rural Destination Zone as shown in PART C to this by-law.
3. That Schedule 'H' to By-law 2965 (2012) is hereby amended for certain lands, legally described as Concession 1, West Part of Lot 6, Lot 7 E, Lot 8 of the Township of Augusta and that part of the said lands shall be Zoned Environmental Protection (EP) Zone as shown in PART C to this by-law.
4. That Schedule 'H' to By-law 2965 (2012) is further amended by changing the lands zoned PSW to Environmental Protection (EP) Zone.

5. **That the zone boundaries of the Rural Destination Zone are shown on Schedule "A" to this by-law which zone boundaries and map are hereby declared to form part of this by-law.**
6. **That the zone boundaries of the Environmental Protection (EP) Zone are shown on Schedule "C" to this by-law which zone boundaries and map are hereby declared to form part of this by-law.**
7. **That By-law 3449-2019 passed by the Council of the Township of Augusta on December 2, 2019 is hereby repealed in its entirety.**

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PART B – SECTION 36 – PLANNING ACT

WHEREAS pursuant to the provisions of the *Planning Act*, RSO 1990, c. 13, Section 36, the Council of a Municipality may enact the use of a Holding zone (h) for any by-law passed under Section 34 and may specify the use to which lands, buildings or structures may be at such time in the future as the holding symbol is removed by amendment to the By-law;

AND WHEREAS the Council of the Corporation of the Township of Augusta intends to amend the Zoning By-law to permit the expansion of the water park resort and make provision for additional uses;

NOW THEREFORE, the Council of the Corporation of the Township of Augusta enacts as follows:

1. That lands shown on the Schedule A, of this by-law as Rural Destination – Holding Zone may be used for the uses described in the Rural Destination zone provided that any or all conditions for the lifting of the Holding symbol as set out in Section 9.4.6 of the Official Plan are met and more specifically, that adequate provision is made for water, sanitary sewage and stormwater management services are met for the proposed use(s).
2. That all applicable zone regulations in the Rural Destination Zone shall apply to any development or redevelopment upon the lifting of the 'h' symbol.

Read a first time this _____ of _____, 2020.

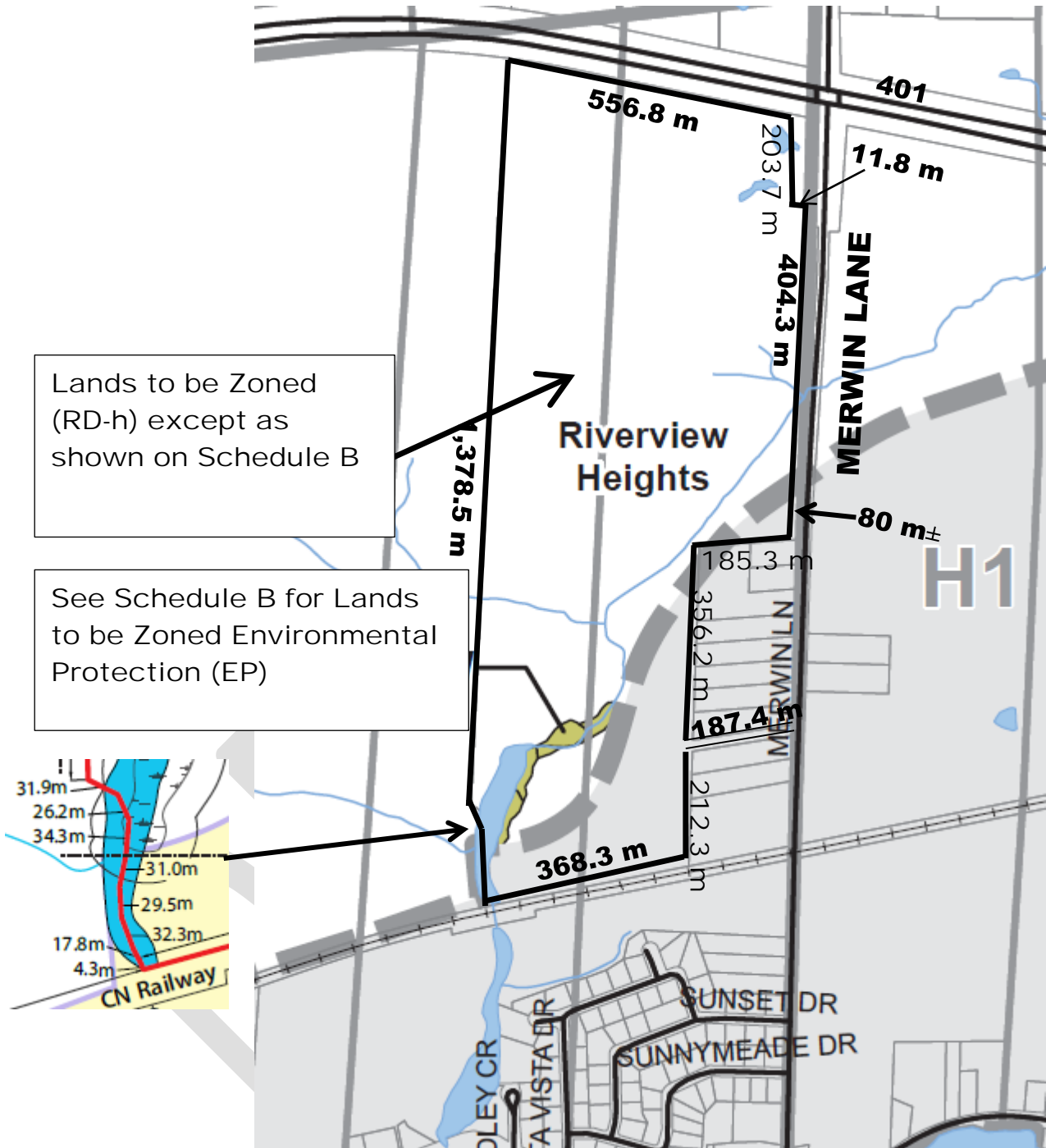
Read a second and third time and finally passed this _____, of _____, 2020.

Mayor

Clerk

PART C – SCHEDULES

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Schedule A to By-law # _____

Lands to be Zoned Environmental Protection (EP)



Schedule B to By-law # _____