

Committee of Adjustment Agenda

1:00 PM - Monday, February 26, 2024

Council Chambers

[Zoom Meeting Registration](#)

Page

1. Call to Order

2. Approval of Agenda

- a) February 26, 2024

Be It Resolved That the Committee approves the Agenda dated February 26, 2024, as circulated.

3. Disclosure of Pecuniary Interest and General Nature Thereof

4. Delegations

None.

5. Adoption of Minutes

- a) December 18, 2023

Be It Resolved That the Committee adopts the Minutes dated December 18, 2023 as circulated.

[Committee of Adjustment Agenda - December 18, 2023 - Minutes - Pdf](#)

6. Business Arising Out of Minutes

None.

7. Zoning By-law Amendment Application (Recommendation to Council)

None.

8. Consent Applications

None.

9. Minor Variance Applications

- a) File #A09/23 - Part of Lot 32, Concession 5, Geographic Township of Palmerston - Minor Variance for reduced setback from high water mark of Palmerston Lake and reduced setback from private lane for an accessory structure

[File #A09-23 - 1104 Yong Lane](#)

[Slope Stability & Erosion Assessment - 1104 Young Lane](#)

[MVCA Peer Review](#)

10. Other Business

- a) Site Visit Policy

Be It Resolved That the Committee receives for information By-law

3 - 6

7 - 37

38 - 40

#2024-11 Site Visit Policy with respect to Planning Applications.

[Site Visit Policy #2024-11](#)

- b) Delegated Authority for Undisputed Consents

41 - 61

Be It Resolved That the Committee receives for information the Secretary's Administrative Report entitled "Delegated Authority for Undisputed Consents".

[Delegated Authority for Undisputed Consents - Pdf](#)

- c) March 25, 2024 - Training for Decision Makers for Planning Applications
d) 2024 OACA Conference June 2-5, 2024

11. Adjournment

- a) Adjournment of the Committee Meeting

Be It Resolved That the meeting adjourns at _____ p.m. until March 25, 2024, at 1:00 p.m. or at the call of the Chair.



Committee of Adjustment Minutes

1:00 PM - Monday, December 18, 2023
Council Chambers

The Committee of Adjustment met on Monday, December 18, 2023 at 1:00 PM in the Council Chambers.

Present: Carl Tooley, Chair; Garry Wood, Member (Electronic Participation); and Jim Ogilvie, Member (Electronic Participation)

Also Present: Tara Mieske, Clerk/Planning Manager (Secretary-Treasurer); Brooke Drechsler, Deputy Clerk/Assistant to the Planning Manager; and Dmitry Kurylovich, Community Planner, County of Frontenac

1. Call to Order

The Chair called the meeting to order at 1:00 p.m.

2. Approval of Agenda

a) *December 18, 2023*

67-23 Moved by Committee of Adjustment Member Garry Wood, Seconded by Committee of Adjustment Member Jim Ogilvie

Be It Resolved That the Committee approves the agenda dated December 18, 2023, as circulated.

Carried

3. Disclosure of Pecuniary Interest and General Nature Thereof

None declared.

4. Delegations

None.

5. Adoption of Minutes

a) *Minutes of Meeting held November 27, 2023*

68-23 Moved by Committee of Adjustment Member Garry Wood, Seconded by Committee of Adjustment Member Jim Ogilvie

Be It Resolved That the Committee adopts the Minutes of a Meeting dated November 27, 2023, as circulated.

Carried

6. Business Arising Out of Minutes

None.

7. Zoning By-law Amendment Application (Recommendation to Council)

None.

8. Consent Applications

None.

9. Minor Variance Applications

- a) ***File #A14/23 - Application for Minor Variance - Part of Lot 15, Plan 1115, Geographic Township of Barrie (10960 Mazinaw Lake)***

Matt Smith, Agent, was present for the meeting.

Dmitry Kurylovich, Community Planner, provided an overview of the proposed development. He advised the applicant is proposing the installation of a new Class 4 septic system with an approximate setback of 16 metres from the high water mark of Lower Mazinaw Lake. He noted the property is developed with a dwelling, sleep cabin and shed, with servicing provided by a Class 2 grey water pit and a Class 1 privy.

Kurylovich noted the Township's Official Plan provides that new development should be located 300 metres from an at capacity lake; however the topography of the subject lot prevents the septic system from moving any further back. He advised the proposed location is the only one that could reasonable accommodate the proposed new system.

Kurylovich advised it appears no major vegetation will be removed during the installation of the new system. He noted the septic system design was submitted with the application; and that details regarding the installation will be addressed at the building stage by the Township's Chief Building Official (CBO), as the septic approval authority.

Kurylovich noted Mississippi Valley Conservation Authority (MVCA) advised a slope stability assessment was required as the location of the proposed system is at the bottom of a steep slope. He advised the assessment was completed; followed by a peer review by MVCA. Kurylovich noted issues were identified by the peer review, which will be addressed prior to a building permit being issued; however the issues have no impact on the Committee's ability to consider the application.

Kurylovich advised Lower Mazinaw Lake is designated at capacity; therefore any additional development is subject to special precautions to ensure contamination from phosphorus is minimized. He noted the proposed system is more desirable and a better service option than the current septic system.

Kurylovich advised one public comment was received in support of the application. He advised the application meets the four tests under the Planning Act; and recommends approval of the application subject to the conditions included in the Planning Report.

Tooley advised he attended the site on December 5, 2023, and the required marking cards were posted. He noted the proposed system could not be set further back from the water due to the steep slope at the rear of the dwelling. He advised the proposed location appears suitable and recommended approval.

Ogilvie asked if the type of soil was considered during the application and review process. Kurylovich advised the proponent provided a septic report and design with the complete planning application. He noted the CBO, as septic approval authority, will ensure the soil is appropriate.

Drechsler advised there were no comments from the public.

69-23 Moved by Committee of Adjustment Member Garry Wood, Seconded by Committee of Adjustment Member Jim Ogilvie

Be It Resolved That Planning Application File #A14/23 – Application for Minor Variance – Gerry Hendricks, 10960 Mazinaw Lake - shall be approved subject to the conditions included in the Planning Report;

And That the Secretary shall forward a copy of the Notice of Decision to the Applicant and each person or public body that made a written request to be notified and any other person or public body prescribed by December 28, 2023.

Carried

10. Other Business

None.

11. Adjournment

a) *Adjournment of the Committee Meeting*

70-23 Moved by Committee of Adjustment Member Garry Wood, Seconded by Committee of Adjustment Member Jim Ogilvie

Be It Resolved That the meeting adjourns at 1:31 p.m. until January 22, 2024 at 1:00 p.m. or at the call of the Chair.

Carried

Chair

Secretary-Treasurer



6648 Road 506 Plevna, Ontario K0H 2M0
www.northfrontenac.ca

**Notice of Public Hearing –
Application for Minor Variance**
Clause 45(1) of the Planning Act
Section 3, O.Reg. 200/96

File No.: #A09/23

Subject Land: Part of Lot 32, Concession 5, Geographic Township of Palmerston
(1104 Young Lane)

Applicant(s): Carl Moulds

Take Notice: The Township of North Frontenac Committee of Adjustment will hold a public meeting on **February 26, 2024 at 1:00 p.m.** to discuss and hear comments regarding the above-noted application under the authority of Section 45 of the Planning Act, R.S.O. 1990 as amended. The meeting will be held in person at the Municipal Office in Council Chambers, 6648 Road 506, Plevna, Ontario; or through Electronic Participation.

Purpose and Effect: The Applicants are applying for relief from Section 3.1.1 and 3.27 of By-law #55-19, the Zoning By-law.

Section 3.1.1 (d) and 3.27 (g) provides that no accessory structure shall be erected closer than 3 metres to any private lane.

Section 3.27 (e) provides that all structures shall be setback a minimum of 30 metres from the high water mark of a waterbody.

The Applicant is proposing to construct a one storey garage with an area of 35.7 square metres (384 square feet). The proposed setback of the garage to the high water mark of Palmerston Lake is approximately 19.46 metres (63.85 feet) and the setback to Young Lane is approximately 2.62 metres (8.59 feet).

Submissions: Written comments on this application, shall be provided to the undersigned before the hearing of the application at the address above or by email to the Clerk/Planning Manager at clerkplanning@northfrontenac.ca

Members of the public are encouraged to submit written comments. Comments shall be made available to any interested person for inspection at the hearing. If we have not heard from you, we will assume that you have no comments or concerns regarding this matter.

Public Hearing: You are entitled to attend this public hearing in person; or through the use of electronic participation. Representation by counsel or an authorized agent is permitted to give evidence about this application.

To register for Electronic Participation, please visit the Township's Website to find the Zoom Meeting link under "Planning Applications Being Considered"; email Brooke Drechsler at deputyclerk@northfrontenac.ca; or call (613) 479-2231 or 1-800-234-3953 ext. 231.

Notice of Decision: If you wish to be notified of the decision of the Committee in respect of the proposed Minor Variance, you must make a written request to the undersigned.

Appeal: If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect of the proposed Minor Variance does not make a written submission to the Committee before a decision is made, the Ontario Land Tribunal may dismiss the appeal.

Additional Information: Additional information regarding the application is available by contacting the undersigned during regular business hours, Monday to Friday 9:00 am to 4:00 pm.



Planning Report

To: Members of Committee of Adjustment

Prepared By: Dmitry Kurylovich, Community Planner, County of Frontenac

Reviewed By: Sonya Bolton, Manager, Community Planning, County of Frontenac

Re: **Application for Minor Variance to the Waterbody Setback and Setback to the Private Lane to Permit the Construction of an Accessory Structure**

Address: 1104 Young Lane

Legal Description: Part Lot 32, Concession 5, Geographic Township of Palmerston

File Number: A09/23 (Moulds)

Owner(s): Carl Moulds

Applicant(s): Same as Owners

Date Prepared: February 07, 2024

Date of First Public Meeting: June 26, 2023

Date of Second Public Meeting and Decision: February 26, 2024

Recommendation:

That the Committee of Adjustment for the Township of North Frontenac approve the application subject to the conditions outlined in Appendix A of this report.

Proposal:

This application proposes to construct a new 35.7 square metre (384 square foot) garage located approximately 19.46 metres (63.85 feet) from Palmerston Lake and 2.62 metres (8.59 feet) from the approximate travelled limit (graveled) portion of Young Lane (private right-of-way).

The proposed development requires the following variances:

Variance 1: Section 3.1.1(d) and 3.27(g) states that no accessory structure shall be erected closer than 3 metres (9.84 feet) to any private lane. This application seeks to reduce the required setback to 2.4 metres (8 feet). This represents a variance of 0.6 metres (1.84 feet).

Variance 2: Section 3.27(e) requires all structures to be located a minimum of 30 meters (98.4 feet) from the high water mark of a waterbody. This application seeks to reduce the required setback to 19.46 metres (63.85 feet). This represents a variance of 10.54 metres (34.58 feet).

Existing Development

- A one storey dwelling with an approximate footprint of 47.94 square metres (516 square feet), located approximately 14 metres (46 feet) from the highwater mark of Palmerston Lake.
- A one storey 20 square metre (216 square foot) shed, located approximately 14 metres (46 feet) from the highwater mark of Palmerston Lake.
- An existing sewage disposal system located approximately 14 metres (46 feet) from the highwater mark of Palmerston Lake.

Background Information

This application was deferred at the June 26, 2023 in accordance with comments received from the Mississippi Valley Conservation Authority (MVCA). MVCA staff noted that the proposed development was located approximately 5 metres (16.4 feet) from the top of the slope. Since the slope met the criteria of being potentially unstable, a slope stability assessment was required to support the proposal.

Due to the relatively narrow building envelope and proximity of the proposed building to both Young Lane and the existing sewage system components, County planning staff required the applicant to submit a professional survey of the proposed development to ensure that it could fit into the proposed area.

The applicant has submitted a professionally prepared site plan indicating that the chosen location meets all required setbacks and have submitted a slope stability study which confirms that the slope is stable.

Information Category	Response
Official Plan designation	Waterfront Area

Information Category	Response
Zoning	Limited Service Waterfront (LSW)
Current size (area) of subject property	0.20 hectares (0.51 acres)
Existing road frontage and access	Approximately 65 metres (213.3 feet) on Young Lane (Private Road)
Waterfront	<p>Approximately 65 metres (213.3 feet) on Palmerston Lake.</p> <p>Palmerston Lake is designated as Lake Trout Lake – Not at Capacity</p>
Natural heritage features	Shoreline vegetation is mostly intact.
Surrounding land uses	The lot is bordered by waterfront residential properties of smaller size to the southwest, northeast, and larger in-land parcels to the south.

Pre-application Consultation:

The property owner consulted with Township and County planning staff prior to the submission of this application in winter of 2023. The concept at the time included a building that was slightly larger than what is proposed by this application. County staff provided initial comments and indicated that the site is constrained and that the building proposed at the time was too large and would not meet the required Ontario Building Code separation distance between new structures and an existing sewage system and was too close to the travelled portion of Young Lane.

The Applicant consulted with the Township of South Frontenac, who was the septic review authority at the time, and reduced the size of the building so that the minimum septic clearance distances could be met.

Both Township of South Frontenac and County staff visited the property in May of 2023. Based on the site visit, County staff advised that due to proximity and steepness of the slope associated with the property that the proposed building will most likely require a slope stability assessment.

Public Notice

It should be noted that the application was circulated for an additional public meeting as required by the Planning Act due to the change in the composition of the Committee of Adjustment between the first public meeting on June 26, 2023, and the date of decision.

Notice of the public meeting before the Committee of Adjustment was given in accordance with the requirements of the Planning Act. A notice was placed on the subject property and mailed to all property owners within 60 metres of subject property, 10 days in advance of the public meeting, which took place on June 26, 2023 and February 26, 2024. No comments or questions from the public were received at the public meeting.

Comments

Mississippi Valley Conservation Authority (MVCA)

Comments dated February 6, 2024 indicate that the Revised Slope Stability/Erosion Assessment, prepared by Cambium, dated January 17, 2024 is satisfactory and sufficiently demonstrates that the slope is stable and will not be impacted by the proposed development.

The following best practices were included:

1. Do not direct uncontrolled water toward the slope (drainage, gutter, septic field, pool & hot tub drainage, etc.)
2. Do not overload the top of the slope (backfill, fill, miscellaneous waste, grass cuttings, branches, leaves, snow, etc.)
3. Do not excavate at the base of the slope.
4. Maintain healthy native vegetation cover.
5. Use proper erosion & sediment control during construction work.

Septic Approval Authority (Township of North Frontenac)

At the time of pre-consultation and application submission, South Frontenac staff worked with the applicant to find a location for the proposed structure that will ensure adequate separation from the existing septic system components. An e-mail dated May 26, 2023, indicates no objection to the application. No formal comments were required.

The Township of North Frontenac CBO reviewed the site plan and indicated that the proposed structure meets all required Ontario Building Code setbacks.

Ministry of Environment Conservation and Parks (MECP)

Comments dated February 13, 2023 state that the property is constrained and that the proposed development falls below the maximum lot coverage permitted by the Township Zoning By-law. No concerns were identified.

Public Comments

One letter of support for the application was received from an adjacent property owner on February 17, 2024.

Conformity and Consistency with Policy Planning Documents

Applications for minor variance are required to be consistent with the Provincial Policy Statement, 2020 and conform to both the County of Frontenac Official Plan and the Township of North Frontenac Official Plan. It is the opinion of planning staff that the proposed expansion is consistent with and conforms to the planning policies of all these documents.

The key policies of each document that are applicable to the subject application are outlined in Appendix B of this report, and the policy issues are addressed in the planning analysis below.

North Frontenac Zoning By-Law Number 55-19

The subject property is zoned Limited Service Waterfront (LSW) in the Township of North Frontenac Zoning By-Law Number 55-19. The LSW Zone permits single detached dwellings and a variety of low-impact accessory uses.

Section 3.27 of the Zoning By-law requires all new structures or buildings to be located more than 30 metres (98 feet) from the highwater mark of a waterbody. This application seeks to reduce the required setback to 19.46 metres (63.85 feet). This represents a variance of 10.54 metres (34.58 feet).

The intent of the 30 metre (98.4 foot) waterbody setback is to provide a vegetative buffer between a development envelope and shoreline for the purpose of maintaining aquatic habitat, run-off filtration, and reducing visual impacts of development on the waterfront character of the area.

Since the property was created prior to the current waterbody setback requirements and due to the slope of the property, there are no other suitable locations for development that will be outside of the waterbody setback. In the opinion of County planning staff, the proposed location is the only location for any form of development on the entire lot.

The proposed location maximized the waterbody setback as much as practically possible. A number of young conifers will be removed to accommodate the proposed development in the immediate area of the proposed building, but no native vegetation removal is anticipated near the shoreline.

Section 3.1.1(d) and 3.27(g) states that no accessory structure shall be constructed closer than 3 metres (9.84 feet) to any private lane/right-of-way (ROW). This application seeks to reduce the require setback to 2.4 metres (8 feet). This represents a variance of 0.6 metres (1.84 feet).

The intent of the minimum 3 metre (9.84 foot) separation distance between the travelled portion of a ROW and any structure is to ensure adequate space for construction and maintenance of both the structure and the ROW without risk of unnecessary encroachment. It is also important to note that setbacks are measured to the edge of the building and not to eaves or roof overhangs. The separation distance therefore also ensures that no portion of the roof overhands onto adjacent property.

County planning staff are of the opinion that the proposed 2.4 metre (8 foot) separation distance between the edge of the proposed accessory structure and the travelled portion of the ROW is appropriate and will provide adequate space for construction, maintenance, and snow storage.

The total lot coverage for all existing structures and the proposed building will fall below the maximum 15% permitted by the Zoning By-law.

County planning staff are therefore of the opinion that the proposed application complies with the purpose and intent of the zoning by-law.

Planning Analysis and Considerations

This application was reviewed against the policies of the Provincial Policy Statement, the County of Frontenac Official Plan, and the Township of North Frontenac Official Plan. The analysis below summarizes all relevant policies by theme. A list of all land-use planning policies relevant to this application is found in Appendix B of this report.

Waterfront Character

The proposed accessory structure will be located behind an existing storage building and will be mostly screened by the existing shoreline vegetation. County planning staff do not anticipate any major impacts on the visual character of the waterbody as a result of this application.

Sewage Disposal System Services

The Township of North Frontenac's CBO confirmed that the proposed development appears to be adequately separated from the nearby septic system. Planning staff do not anticipate any impact on the existing sewage disposal system.

Natural Heritage

Palmerston Lake is a not-at-capacity Lake Trout Lake. Section 4.10.8 (B) states that Lake Trout Waters that are not at capacity can support additional shoreline

development, provided that special precautions are taken to ensure that contamination from phosphorus is minimized.

The proposed building is not going to be serviced, so there will be no additional plumbing fixtures feeding into the existing sewage disposal system. Although some vegetation is proposed to be removed to accommodate the proposed building, its removal is not anticipated to result in a significant impact on the quality of Palmerston Lake. The existing intact shoreline vegetation will remain and continue to mitigate impacts of surface water runoff.

The proposed building will also be located in the existing development cluster and in proximity to all other structures on the property. Locating structures near one another is a best practice as it has the potential to limit extensive vegetation removal and site alteration. MECP did not identify any concerns with the proposed development.

County planning staff are of the opinion that the quality of Palmerston Lake will not be impacted by the proposed development.

Minimum Distance Separation

No livestock facilities, aggregate extraction operations, or landfills were identified within the applicable screening areas surrounding the subject property.

Natural Hazards

The entire property and surrounding area is characterized by a slope that descends down toward the water. As illustrated by the contour lines seen in Figure 1, the area proposed for development is the flattest portion of the property.

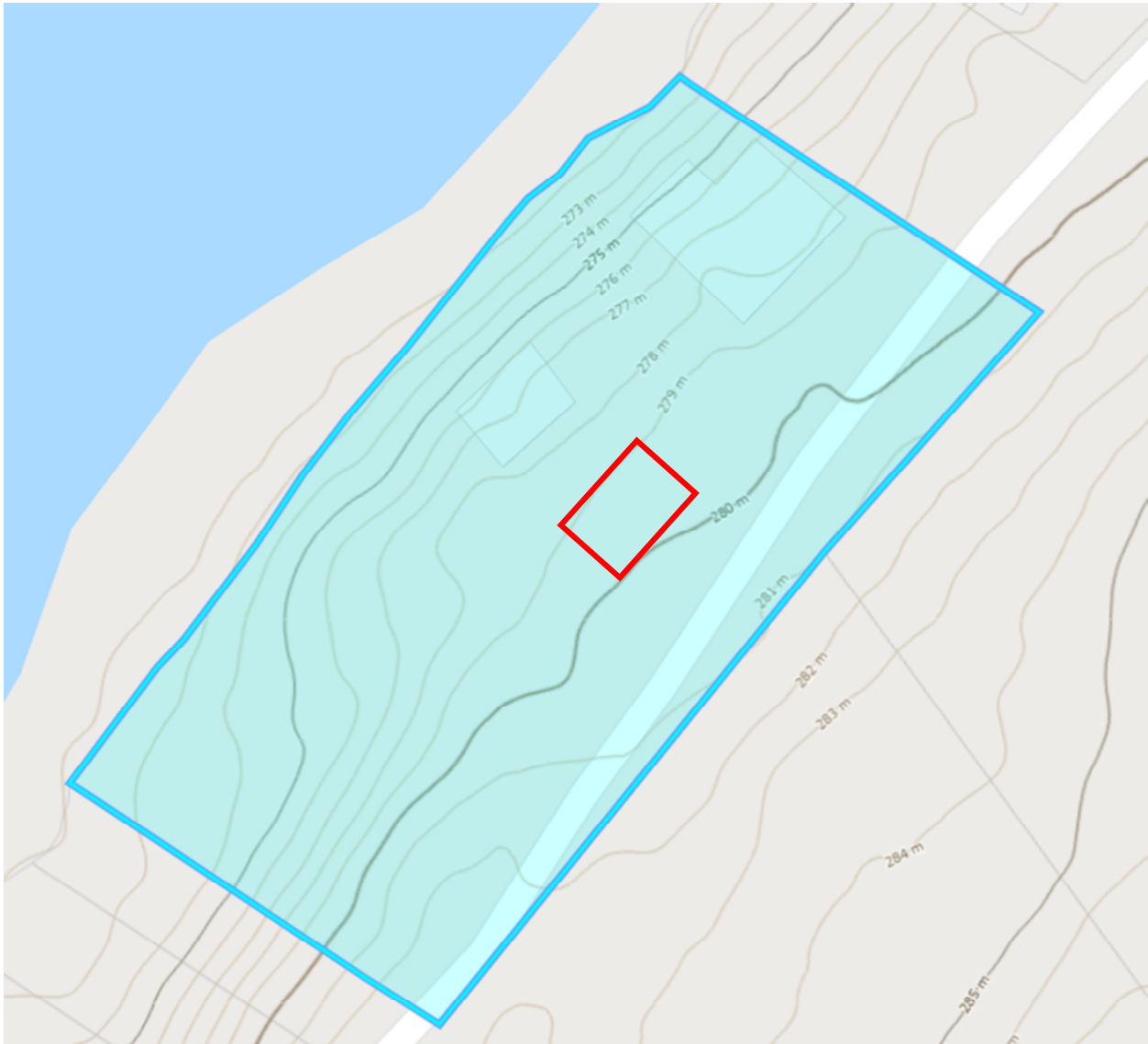


Figure 1. One-metre elevation contour map of the subject property with the proposed development location outlined in red. Larger spacing between contour lines indicate flatter terrain.

To support the application, the applicant submitted a Slope Stability/Erosion Assessment, prepared by Cambium on September 5, 2023. After reviewing this submission, the MVCA requested edits and required additional information. An updated report, dated January 17, 2024, was submitted, and reviewed by the MVCA. The MVCA agreed that the analysis included in the report sufficiently demonstrated that the slope is stable and will not be impacted by the proposed development.

Based on findings of the report and feedback received from MVCA on February 6, 2024, planning staff are of the opinion that the proposed development will not be impacted by the potential erosion hazard typically associated with steep slopes.

Minor Variance

Under Section 45(1) of the *Planning Act* a minor variance application must meet all of the four tests of minor variance. The four tests are:

1. Is the application minor?
2. Is the application desirable for the appropriate development of the lands in question?
3. Does the application conform to the general intent and purpose of the Zoning By-law?
4. Does the application conform to the general intent and purpose of the Official Plan?

Planning staff are of the opinion that the proposed minor variance to permit a reduction to the waterbody setback and setback to the private lane meet the four tests of minor variance for the following reasons:

Is the application minor?

County planning staff are of the opinion that the proposed waterbody setback reduction is minor in the context of the constrained nature of the property.

At the widest point from the shoreline to the edge of Young Lane, the property is approximately 35 metres (116 feet) wide. Considering required setbacks to the right-of-way, there are no areas on the property where development can take place without requiring a variance.

Based on County staff observations, elevation map, discussions with the property owner, and findings of the slope stability study, the location chosen for the garage is the most practical. The proposed location maximizes the setback from the water to the greatest extent possible while still maintaining an adequate distance from the traveled portion of Young Lane.

Is the application desirable for the appropriate development of the lands in question?

County planning staff are of the opinion that the proposed development is desirable and appropriate for the subject property.

The existing dwelling and shed on the property are modest in size and offer limited storage space. The proposed development will allow the property owner to maintain the property and store their personal belongings. The area proposed for development is mostly flat and will require little site alteration to support the structure. The proposed building will be clustered in proximity to the existing dwellings and will not be hooked up to the existing sewage disposal system.

Does the application conform to the general intent and purpose of the Zoning By-law?

County planning staff are of the opinion that the proposed development conforms to the general intent and purpose of the Zoning By-law.

The purpose of the 30 metre (98 foot) waterbody setback for any new structure is to ensure that the shoreline and waterbody is adequately protected and impacts from development are mitigated by a vegetation buffer that helps to filter run off, provide habitat for aquatic species, and minimize visual impact of development.

The intent of the minimum separation distance between the travelled portion of a ROW and any structure is to ensure adequate space for construction and maintenance of both the structure and the ROW without risk of encroachment.

It is important to consider that the existing lot was developed prior to the current zoning by-law coming into effect which has resulted in all existing development to be located within the required 30 metre (98 foot) waterbody setback. When measured from the edge of the shoreline to the edge of the ROW, the property is only 35 metres (116 feet) wide.

The proposed development meets the intent of the Zoning By-law because it maximizes the distance from the water while ensuring an adequate separation from the travelled portion of the ROW. The development will not result in any shoreline vegetation to be removed and will not be connected to the sewage system. The total footprint of the existing and proposed structures falls below the maximum permitted lot coverage of the Zoning By-law.

Does the application conform to the general intent and purpose of the Official Plan?

County planning staff are of the opinion that the proposed development conforms to the general intent and purpose of the Township Official Plan.

The intent of the Waterfront Area policies of the Township Official Plan are to ensure that development can occur without a significant impact on shoreline quality, shoreline character, and health of the waterbody. The Official Plan also requires the Township to carefully consider development on Lake Trout lakes to ensure new development will not result in additional phosphorus and nitrogen loading which have negative impact on lake quality. Palmerston Lake is identified to be a Not-at-Capacity Lake Trout Lake.

County planning staff are of the understanding that nitrogen and phosphorus typically originate from sewage disposal systems. This structure proposed in this application will not be connected to the sewage disposal system, will not impact any sewage system components, and will be located from the edge of the water as far as practically possible. The development will not result in shoreline vegetation removal which

provides a visual and ecological buffer between all development on this property and the waterbody.

The opinion of County planning staff is reinforced by the comments received from MECF which did not identify any concerns with the proposed development.

The Official Plan also directs development away from natural hazards such as steep slopes and areas prone to erosion. The applicant has demonstrated through the submission of a Slope Stability and Erosion Report that the proposed development will not be impacted by erosion hazards and will not have a negative impact on slope stability.

Recommendation

Subject to any additional comments received prior to, or during, the Committee of Adjustment meeting, it is recommended that the Committee of Adjustment approve application A09/23, as per the plans submitted with the application, and with the recommended conditions attached in Appendix A.

Attachments

Attachment 1 - Key Map

Attachment 2 – Applicant Site Plan

Appendix A: Draft Conditions of Approval

Note: Conditions are a decision of the Committee of Adjustment; the conditions below are recommended. The final approved conditions will be included in the signed decision.

Recommended Conditions for Application A09/23 (Moulds)

Applicability

1. That the Minor Variance granted through application A09/23 is only to construct a new 35.7 square metre (384 square foot) garage located approximately 19.46 metres (63.85 feet) from Palmerston Lake and 2.62 metres (8.59 feet) from the approximate travelled limit (graveled) portion of Young Lane (private right-of-way).
2. This Minor Variance does not include a reduction in the required setbacks along the entire width/length and depth of the property or for any future structures.

No Adverse Impacts

3. The owner/applicant shall ensure that there are no adverse impacts on neighbouring properties as a result of the approved proposal, nor shall there be any increased runoff or grade changes to the property as a result of any excavation or downspout orientation.

Building Permits

4. A building permit is required for all demolition and construction on the property. There shall be no additional development, or demolition of existing structures, on the property without approval from the Township of North Frontenac.
5. The owner/applicant shall provide to the Building Department a copy of the decision of the Committee of Adjustment, together with a copy of any approved drawings. The drawings submitted with the building permit application must, in the opinion of the Township, conform to the general intent and description of any approved drawings, including any amendments and conditions approved by the Committee of Adjustment, as stated in the decision. Additional variances may be required should further zoning deficiencies be identified through the Building Permit application process.

Construction Method

6. Sediment control measures shall be implemented throughout the construction process (mainly the placement of a sediment barrier such as staked straw bales between exposed soil and the lake). The sediment barrier shall remain in place and in good working order until all disturbed areas have been stabilized and re-vegetated.

7. All excavated material and accumulated sediment along sediment control measures shall be disposed of more than 30 metres (98 feet) of the waterbody. Excess soil or fill shall not be placed in any low area and shall not interfere with any seasonal or permanent wetlands or watercourse.
8. Natural drainage patterns on the site shall not be substantially altered such that additional run-off is directed towards the lake, or onto neighboring properties. In order to achieve this, eaves troughing shall be installed on the additions and outlet away from the lake, to a leach pit or well-vegetated area to maximize infiltration.

Conservation Authority

9. Prior to obtaining the building permit, the application shall ensure that all outstanding technical issues associated with the slope stability report prepared by Cambium engineering have been rectified, to the satisfaction of the Mississippi Valley Conservation Authority (MVCA).
10. The applicant should be advised that, pursuant to Ontario Regulation 153/06 – “Development, Interference with Wetlands and Alterations to Shorelines and Watercourses”, a permit is required from MVCA prior to any alterations to the shoreline of the lake.
11. Do not direct uncontrolled water toward the slope (drainage, gutter, septic field, pool & hot tub drainage, etc.)
12. Do not overload the top of the slope (backfill, fill, miscellaneous waste, grass cuttings, branches, leaves, snow, etc.)
13. Do not excavate at the base of the slope.
14. Maintain healthy native vegetation cover.

Appendix B: Relevant Planning Policy

Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) provides direction on matters of Provincial interest related to land use planning and development. The PPS promotes efficient land use and development patterns that support strong, liveable and healthy communities, protect the environment and public health and safety, and facilitate economic growth. Under Section 3 of the Planning Act, all municipal decisions regarding planning applications “shall be consistent with” applicable provincial policy.

When assessing consent applications on rural lands, planning authorities must comply with Section 1.1.5.1 of the PPS, which requires the approval authority to apply the relevant policies of the following sections:

- Section 1: Building Strong Healthy Communities of the PPS promotes the building of healthy communities and includes policies about avoiding development and land use patterns which may cause environmental or public health and safety concerns.
- Section 2: Wise Use and Management of Resources of the PPS contains policies that encourage the protection of natural heritage, water, agricultural land, mineral and aggregate resources, and cultural heritage and archaeological resources for their economic, environmental and social benefits.
- Section 3: Protecting Public Health and Safety of the PPS contains policies intended to reduce the potential for public cost or risk to Ontario’s residents from natural or human-made hazards. Conservation Authorities have provincially delegated responsibilities to represent Provincial interests regarding natural hazards under Section 3.1 of the PPS.

The following policies are applicable to this application:

- Avoiding development and land use patterns which may cause environmental or public health and safety concerns (Section 1.1.1.c).
- Permitted uses on rural lands include residential development that is locally appropriate (Section 1.1.5.2.c).
- Supporting healthy, integrated and viable rural areas by building upon rural character and leveraging rural amenities and assets (Section 1.1.4.1.a).
- Promoting development that is compatible with the rural landscape and can be sustained by rural service levels (Section 1.1.5.4).
- Natural features and areas shall be protected for the long term (Section 2.1.1).

- Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards (Section 3).

County of Frontenac Official Plan (2016)

The County of Frontenac Official Plan is a framework for guiding development in the County through the management and protection of the natural environment and by providing direction and influence on growth patterns. It is focused on the six themes of economic sustainability, growth management, community building, housing and social services, heritage and culture, and environmental sustainability.

The following policies are applicable to this application:

- Section 3.3, Rural Lands, provides policies for all lands outside of the settlement areas. The Plan recognizes that rural lands are used as an alternative location for those preferring a rural lifestyle. Low density residential development, as well as rural-related commercial, industrial, recreational and institutional development, is permitted.
- Section 4.2, Servicing, includes policies for the use of private on-site water and sewage services, provided that site conditions are suitable for the long-term provision of such services with no negative impacts.
- Section 7, Environmental Sustainability, sets out policies for environmental sustainability and the protection of the natural heritage system and the ecological functions it provides.

Township of North Frontenac Official Plan (2017)

The property is designated as Waterfront Area in the Township of North Frontenac's Official Plan (2017). Waterfront Area policies are intended to govern development within 150 metres (500 feet) of waterbodies and on islands with the intent of protecting water quality, shoreline amenities and natural habitat areas. It is Council's intent that the water quality of all waterbodies in the Municipality will be maintained at their present level or enhanced. New development must be considered in light of its impact on the environmental quality of any lake or river.

- Section 2.3.8 direct all new development away from areas of natural and human hazard. This includes steep slopes and erosion hazards.
- Section 4.10.5 Objectives sets out the objectives of the Waterfront Area including character, access and servicing, natural areas, and development. Limiting the density of buildings and structures in the Waterfront Area is an important part of protecting the character of waterbodies in North Frontenac. The Official Plan also speaks to the preservation and protection of the appearance of the shoreline in a natural vegetated state shall be encouraged.

- The objective listed in Section 4.10.5 (O) is to support redevelopment opportunities of waterfront properties while maintaining the character of the waterfront area.
- Section 4.10.6 (A) states that where development occurs in the Waterfront Area, it should enhance and protect, where possible, those qualities that contribute to character.
- Section 4.10.6 (B) states that natural form should dominate the character of the Waterfront. Natural shorelines may visually screen development viewed from the water and buffer uses.
- Section 4.10.6 (D) states that where development occurs in the Waterfront, it should complement the natural and built form and should enhance and protect those qualities that contribute to character.
- Section 4.10.8 (A)(vi) allows existing lots of record and lots in existing and approved Plans of Subdivision to be developed under strict conditions where a proponent can demonstrate there will be no impacts on lake water.



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January 17, 2024

Carl Moulds
1104 Young Lane
Ompah, ON K0H 2J0

Attn: **Brooke Drechsler**
Dmitry Kurylovich

**Re: Revised Slope Stability/Erosion Assessment – Proposed
Developments – 1104 Young Lane, Ompah, Ontario**
Cambium Reference: 18414-001

Cambium Inc. (Cambium) was retained by Carl Moulds (The Client) to conduct a slope stability and erosion risk assessment for the property located at 1104 Young Lane in Ompah, Ontario (Site). This letter report provides the results of the site investigations where Cambium observed the existing slope conditions and determined the slope stability rating as per the Ontario Ministry of Natural Resources (MNR) Technical Guide - River and Stream Systems: Erosion Hazard Limit (henceforth referred to as the MNR Technical Guide) guidelines. A copy of the completed slope stability rating chart is attached to the end of this document. Figures, including a site plan and cross section of the slope are also attached. Photos of the existing conditions are provided in the Photo Appendix following the text of this letter.

Cambium submitted a completed report to the client on September 5, 2023, which was subsequently reviewed by the Mississippi Valley Conservation Authority (MVCA) and a technical review memorandum, dated October 6, 2023, was received by Cambium with comments addressing the report. Based on those comments, Cambium completed a supplemental field investigation on November 28, 2023, to obtain the requested additional information to address the MVCA comments.

This report presents the findings of both the initial and supplemental field investigations at the Site and provides opinions and recommendations for the feasibility of the proposed developments.



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SITE DESCRIPTION

The property is located at 1104 Young Lane in Ompah, Ontario and fronts along Palmerston Lake along the northwestern boundary. Where the property is located, Young Lane runs in the northeast-southwest direction, and is located along the southeastern border of the property. The property is bound to the north and west by Palmerston Lake and to the east and south by forested lands and Young Lane.

PROJECT DESCRIPTION

It is understood that the Client intends to construct a new garage building within the property. Based on information provided by the Client, it is understood that the proposed building covers approximately 36 square meters in area and is to be constructed adjacent to the Young Lane right of way. Cambium notes that the proposed building design details are conceptual at this point and will be finalized based on the results of this report, specifically the proximity of the building to the top of the slope. It is Cambium's understanding that no other permanent structures or developments are planned at this time.

It is understood that the slope stability and erosion assessment was recommended by the Mississippi Valley Conservation Authority (MVCA) as the proposed location of the building is within the 15-meter top of slope setback as per the Township Zoning By-Law. It is understood that the purpose of the assessment is to determine the potential for instability, erosion, and whether the proposed development can be safely constructed within the identified setback limits.

SLOPE INSPECTIONS**Discussion**

The existing property is accessible via a gravel driveway extending from Young Lane. The property contains a slope at the northwest side extending to Palmerston Lake. For the purposes of this report, the slope evaluated extends



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from existing structures (current tableland) to the water's edge of Palmerston Lake (bottom of slope).

General information pertaining to the existing slope features such as slope profile, slope drainage, vegetation cover, structures on or in the vicinity of the slopes, erosion features, and potential slope slide features were noted during the inspections. A summary is provided in the sections below.

A slope stability rating chart, as per Section 4.3.2. in the MNR Technical Guide, is attached to the end of this document. A site plan, showing the existing and proposed developments as well as relevant setbacks, is attached to this document. A cross section of the existing slope is provided. It should be noted that the Figures included in this report were developed based on the topographic survey provided by the Client. The locations of the existing top and bottom of slope were determined in accordance with the completed topographic survey and the locations of the proposed developments are approximate. In addition, the site plan is intended to give only a snapshot of the existing and proposed developments and is not intended to be used for construction purposes.

Slope Assessment

The length of the slope face was measured at approximately 7.8 metres from slope crest to slope toe. The slope is approximately 5.0 meters in height, as per the topographic survey provided by the Client, with an average gradient of the slope measuring approximately 32°. The crest of the slope was taken as the approximate northwest edge of the existing tableland, immediately north of the existing structures. The toe was taken as the bottom of the slope and extends almost immediately into the Palmerston Lake shoreline.

The tableland within the vicinity of the existing and proposed structures was relatively flat with minor changes in elevation. The surface of the tableland contained grass, bush, and some trees. An existing dwelling, shed, storage container, and sewage disposal system were located throughout the tableland in addition to the previously mentioned gravel driveway extending from Young Lane. Wooden retaining walls were observed at the slope crest and a wooden



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staircase extended from the tableland to just short of the Palmerston Lake shoreline. A wooden dock was observed at the shoreline of Palmerston Lake. No other landscaping features or structures were observed along the slope crest, face, or toe during the field investigation.

Assessment of the soil stratigraphy at the property was based on visual observations and manual excavation using handheld equipment (shovel, pick axe, hand auger, probe rod, etc.). Based on the observations made during the investigation as well as the three hand excavations which were advanced at the top, middle, and bottom of the slope, the soil cover on the slope consists of approximately 0.3 meters of weathered bedrock material or residual soil (i.e., silty organic material containing weathered bedrock pieces) overlying granite bedrock.

The slope face was noted to be heavily vegetated with a mixture of mature trees and wild undergrowth that has resulted in a healthy root system across the entire face of the slope. Weathered bedrock pieces and outcrops were frequently observed throughout the tableland, face, and toe of slope.

No active erosion was noted along the slope toe, face, or crest. No evidence of drainage or seepage associated with instability was noted throughout the slope toe, face, or crest at the time of inspection. Water course features were not observed. There are no previous signs of landslide activity.

SLOPE STABILITY RATING

Based on Section 4.3.2. in the MNR Technical Guide, the existing slope has a rating of 24. Overall, the slope is considered to have a low risk of global instability.

POTENTIAL FOR INSTABILITY

Based on the results of our site inspections and measurements, it is anticipated that the factor of safety of the subject slope in its existing configuration significantly exceeds the 1.5 minimum required to allow for active land use near the slope crest, as per Section 4.3.3.1. in the MNR Technical Guide. Further analysis using accepted software technologies is not considered necessary for



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the slope in question given the composition of the slope face. Further construction recommendations are provided in the following sections.

SETBACK RECCOMENDATIONS

As per Section 3.0 in the MNR Technical Guide the system observed within the proposed development property can be classified as a confined system. As such, the Erosion Hazard Limit, or Limit of Hazardous Lands, can generally be determined as the sum of the Toe Erosion Allowance, Stable Slope Allowance, and Erosion Access Allowance.

As per Table 3 in Section 3.1 of the MNR Technical Guide, the Toe Erosion Allowance can conservatively be taken as 1 m from the toe of the bank or water's edge.

As per Section 3.2 of the MNR Technical Guide, the Stable Slope Allowance can be used to determine the long-term stable slope crest (LTSSC). Based on the overburden material consisting of approximately 0.3 m of weathered bedrock material or residual soil (i.e., silty organic material containing weathered bedrock pieces) overlying granite bedrock, Cambium considers the Stable Slope Allowance or LTSSC as an invisible line extending from the existing slope toe at a 1H:1V angle to the top of the slope or the existing top of slope, whichever is greater. As the grades of the slope in question are flatter than 1H:1V, the existing slope crest can be considered the LTSSC.

As per Section 3.3 in the MNR Technical Guide the Erosion Access Allowance can generally be taken as 6 m behind the Stable Slope Allowance or LTSSC. As such, given that the LTSSC is considered the existing slope crest for this Site, the Erosion Access Allowance can be taken as 6 m landward from the existing slope crest.

Based on the allowances described above and considering that the Stable Slope Allowance and LTSSC were determined using Cambium's engineering judgement and experience, the Erosion Hazard Limit or Limit of Hazardous Lands for this Site can be taken as approximately 17.3 m landward from the



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waters edge and equivalent to the location of the Erosion Access Allowance or 6 m landward from the existing slope crest.

As such, provided the proposed garage building is constructed a minimum of 6 m from the existing top of slope, the existing slope should remain stable in its current condition.

CONSTRUCTION RECOMMENDATIONS

Based on the results of the investigations, it is Cambium’s opinion that the proposed garage building will not impact the stability of the slope or result in the introduction of active erosion, provided it is constructed a minimum of 6.0 m from the top of the existing slope.

The following general construction recommendations are provided:

- No trees are to be removed from the existing slope face and the existing slope may not be steepened in any way with fill material. Where fill material is placed to level out the grades around the proposed building, it should be placed to maintain the existing slope gradient or provide a shallower gradient.
- Construction activities should be conducted in a manner which do not result in surface erosion of the slope. Site grading and drainage should be designed to prevent direct concentrate or channelized surface runoff from flowing directly over the slope.
- Upon completion of the construction of the garage building, vegetation cover is to be provided for all new or disturbed surface material at the top of the slope.
- Water drainage from down-spouts, rain gutters, sumps, and the like should not be permitted to directly flow over the slope crest as channelized runoff.

Geotechnical recommendations relating to the design of the proposed garage building were outside of the scope of work and are not included in this report.



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LIMITATIONS AND REVIEW


This investigation constitutes a slope stability and erosion assessment; however, it is merely intended to assist the MVCA. It is understood that the final approvals, minimum set back requirements, and/or construction methods will be established by the Township, MVCA, or appropriate planning departments.

CLOSING

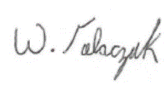
We trust that the information contained in this report meets your current needs. If you have any questions or comments regarding this document, please do not hesitate to contact the undersigned at your convenience.

Best regards,

Cambium Inc.

DocuSigned by:

82DA9E6BA74B41F...

Farhan Imtiaz, E.I.T.
Geotechnical Engineer-in-Training /
Project Coordinator

DocuSigned by:

4802CD4C401C4E7...

Wesley Tabaczuk, P.Eng.
Senior Project Manager

FI/WT

- Encl. Figure 1 – Site Plan*
- Figure 2 – Cross Section*
- Slope Stability Rating Chart*
- Photo Appendix*

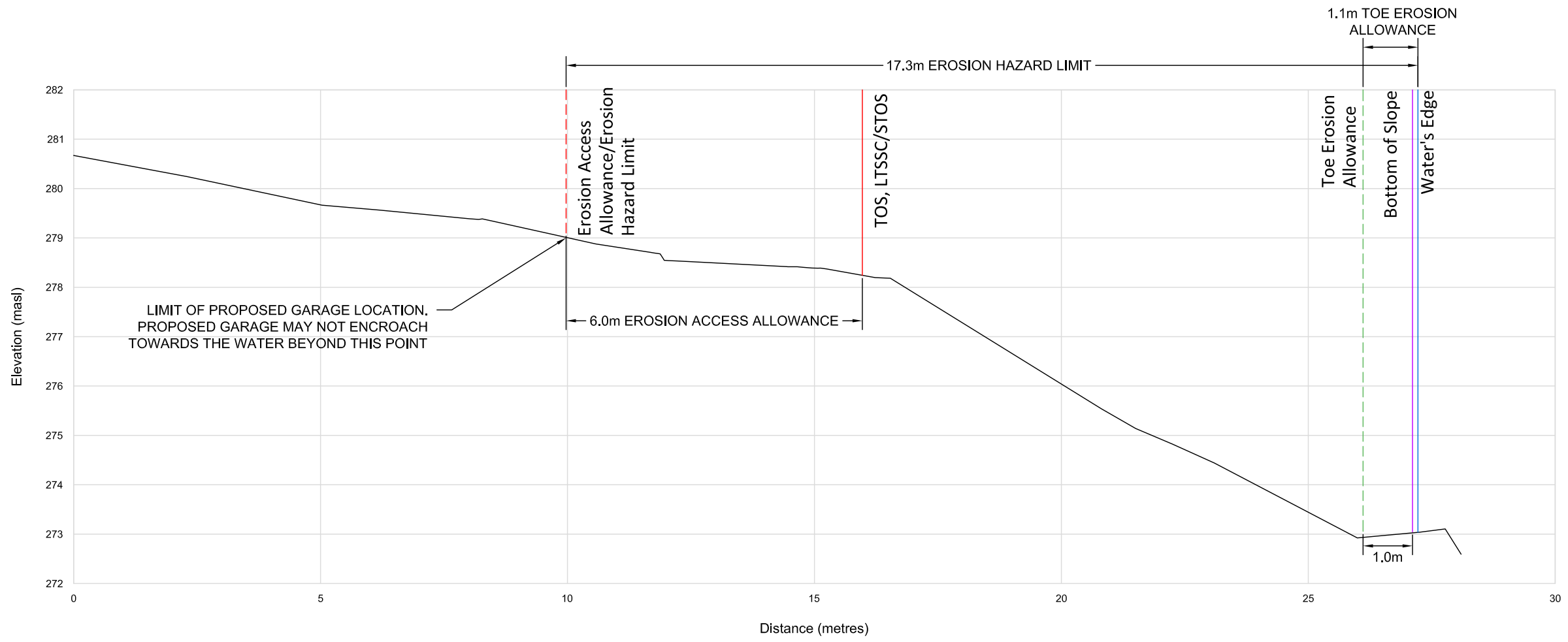
P:\18400 to 18499\18414-001 Moulds - GEO - 1104 Young Ln, Ompah\Deliverables\REPORT - GEO\Draft



SLOPE STABILITY AND EROSION ASSESSMENT

CARL MOULDS
1104 Young Lane
Ompah, Ontario

LEGEND



Cross Section A-A'

Notes:
1. Distances on this plan are in metres and can be converted to feet by dividing by 0.3048.



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CROSS SECTION A-A'

Project No.:	18414-001	Date:	December 2023
Horizontal Scale:	1:250	Vertical Scale:	1:250
Drawn By:	TLC	Checked By:	MG
Figure:	2		

TABLE 4.2 - SLOPE STABILITY RATING CHART

Site Location: 1104 Young Lane

File No. 18414-001

Property Owner: Carl Moulds

Inspection Date: July 19, 2023

Inspected By: Juliana Reinert

Weather: Sunny, Clear

1. SLOPE INCLINATION

degrees	horiz. : vert.	
a) 18 or less	3 : 1 or flatter	0
b) 18 - 26	2 : 1 to more than 3 : 1	6
c) more than 26	steeper than 2 : 1	16

2. SOIL STRATIGRAPHY

a) Shale, Limestone, Granite (Bedrock)	0
b) Sand, Gravel	6
c) Glacial Till	9
d) Clay, Silt	12
e) Fill	16
f) Leda Clay	24

3. SEEPAGE FROM SLOPE FACE

a) None or Near bottom only	0
b) Near mid-slope only	6
c) Near crest only or, From several levels	12

4. SLOPE HEIGHT

a) 2 m or less	0
b) 2.1 to 5 m	2
c) 5.1 to 10 m	4
d) more than 10 m	8

5. VEGETATION COVER ON SLOPE FACE

a) Well vegetated; heavy shrubs or forested with mature trees	0
b) Light vegetation; Mostly grass, weeds, occasional trees, shrubs	4
c) No vegetation, bare	8

6. TABLE LAND DRAINAGE

a) Table land flat, no apparent drainage over slope	0
b) Minor drainage over slope, no active erosion	2
c) Drainage over slope, active erosion, gullies	4

7. PROXIMITY OF WATERCOURSE TO SLOPE TOE

a) 15 metres or more from slope toe	0
b) Less than 15 metres from slope toe	6

8. PREVIOUS LANDSLIDE ACTIVITY

a) No	0
b) Yes	6

SLOPE INSTABILITY RATING VALUES INVESTIGATION RATING SUMMARY**TOTAL 24**



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 Ontario



January 17, 2024



Photograph 1

Location:	Slope Crest
Viewing:	West
Description:	Slope crest visible. Existing shed visible. Retaining wall visible. Vegetation cover visible.



Photograph 2

Location:	Slope Face
Viewing:	Southeast
Description:	Slope face visible. Vegetation cover visible.



Photograph 3

Location:	Slope Toe
Viewing:	East
Description:	Slope toe visible. Vegetation cover visible. Palmerston Lake shoreline visible. Wooden staircase.



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Photograph 4

Location:	Slope Face
Viewing:	East
Description:	Slope face visible. Vegetation cover visible. Bedrock boulders and outcrop visible. Wooden staircase and dwelling visible.



Photograph 5

Location:	Tableland
Viewing:	Southeast
Description:	Tableland visible. Shed visible.



Photograph 6

Location:	Bedrock
Viewing:	Southeast.
Description:	Bedrock outcrop visible.

February 6, 2024

File Number: NF A09-23

To: Diane Reid, Environmental Planner

Prepared by: Isabelle Maltais, P. Eng., Natural Hazard Engineer

Re: Review of Erosion and Slope Stability Hazards – 1104 Young Lane St., Ompah, ON

The Mississippi Valley Conservation Authority (MVCA) is reviewing the subject technical report, for the above application for the construction of a new garage. The following document was reviewed in preparation of this memorandum:

- Revised Slope Stability/Erosion Assessment – Proposed Developments, prepared by Cambium, dated January 17, 2024.

Engineering Recommendations

The geotechnical engineering staff has reviewed the available information and recommended acceptance of the geotechnical recommendations provided by Cambium in their revised report dated January 17, 2024 in support of the development application.

Best Practices

We would like to remind the applicant of the following best practices when in living in proximity to slopes:

1. Do not direct uncontrolled water toward the slope (drainage, gutter, septic field, pool & hot tub drainage, etc.)
2. Do not overload the top of the slope (backfill, fill, miscellaneous waste, grass cuttings, branches, leaves, snow, etc.)
3. Do not excavate at the base of the slope
4. Maintain healthy native vegetation cover
5. Use proper erosion & sediment control during construction work

Limitations

RVCA (acting on behalf of MVCA) geotechnical engineering staff has not conducted an independent site investigation to confirm the validity of the data, analyses, interpretations and recommendations presented in Cambium report mentioned above. RVCA (acting on behalf of MVCA) reiterates that the qualified professional who has conducted and signed the report endorsed the final responsibility for its content and corresponding recommendations.

We trust this is suitable for your purposes at present. Please call if you have any questions.

Best Regards,



Isabelle Maltais, P. Eng.
Natural Hazard Engineer

The Corporation of the Township of North Frontenac

By-law # 2024-11

To Establish a Site Visit Policy with respect to Planning Applications for Members of Council and Committee of Adjustment/Planning Advisory Committee

Whereas a decision maker has a duty of procedural fairness when making a decision that is not legislative in nature that affects the rights, privileges or interests of an individual;

And Whereas the duty of procedural fairness concerns the processes that must be followed before, during and after a decision is made;

And Whereas Council deems it expedient to establish a Site Visit Policy with respect to Planning Applications for Members of Council and the Committee of Adjustment/Planning Advisory Committee;

Now Therefore the Council of the Corporation of the Township of North Frontenac Hereby enacts as follows:

1. That this By-law shall be entitled "Site Visit Policy with respect to Planning Applications for Members of Council and Committee of Adjustment/Planning Advisory Committee";
2. That the Site Visit Policy as set out in Schedule 'A' attached hereto forms part of this By-law and is hereby adopted;
3. That this By-law shall take effect upon the final date of passing.

Read a first and second time **February 2, 2024**.

Read a third time and finally passed this **February 2, 2024**.

Original Signed By

Gerry Lichty, Mayor

Original Signed By

Tara Mieske, Clerk

Schedule "A"

Site Visit Policy for Members of Council and Committee of Adjustment/Planning Advisory Committee

The purpose of the Site Visit Policy is to establish a consistent process for site visits by Council and the Committee of Adjustment/Planning Advisory Committee members prior to consideration of a planning application. Site visits will be completed according to these procedures.

Purpose of Site Visits:

The main purposes of a site visit are to provide an opportunity for Council and Committee members to:

- View a site and its surroundings to better appreciate facts that are important in the consideration of an application;
- Assist in the appraisal of any constraints and opportunities afforded by the proposed development and its impact upon surrounding land;
- Have a better understanding of any issues raised by interested parties.
- Provide an overview of the subject property (i.e. topography, existing development) to Council and Committee members.

Site visits are not formally constituted meetings of Council or the Committee. It is important, therefore, that no decisions appear to be made on the application during the site visit.

Council/Committee Members to attend Site Visit:

One (1) Council or Committee member will be assigned to attend the site; and will be considered the "Inspector" for the application. For applications considered by Council, only the Inspector appointed by Council to complete site visits may attend the site. For applications considered by the Committee of Adjustment, the role of Inspector will be assigned to the members on a rotating basis. Where there is a benefit for other Council or Committee members to visit the site based on a recommendation from the Inspector, individual members may attend the site.

While site visits are an important component of the planning process, they are not mandatory under the Planning Act. An application may be submitted that does not warrant a site visit, such as a simple right-of-way providing a property owner with legal deeded access to an abutting property they also own. In this situation, Township staff will discuss the matter with the Inspector to determine if a site visit is necessary.

Staff Involvement:

Township staff will arrange site visits for planning applications. Requests for additional site visits should be discussed with Township Planning staff prior to any additional site visit being conducted.

Duties of the Inspector:

Prior to the site visit, the Inspector assigned to the site visit should study thoroughly the application, supporting documents, and other information received from the Township and/or County Planning staff. If the Inspector requires clarification regarding an application and/or site visit, they should contact Township Planning staff.

The Site Visit:

The purpose of the site visit is to collect information needed to evaluate the application. However, an applicant's impression of the site visit is also important.

While Inspectors are responsible on site visits for obtaining information necessary to the application process, they must avoid wording questions or statements that might be construed as demonstrating preconceived opinions or bias.

Procedure at Site Visit:

Site visits should be conducted with an open common sense approach and without prejudice. If the applicant/agent are present, the Inspector should politely advise them the merits of the application cannot be discussed. All the facts of the application should

be included in the application, site plan, and other supporting documents, which is provided to the Inspector prior to the site visit.

Any questions resulting from the site visit should be directed to Township Planning staff who will contact the appropriate person(s) or agency. Inspectors must not give the applicant their views concerning the application. Inspectors should also refrain from discussing the application with neighbouring property owners, concerned third parties, etc.

When conducting site visits Inspectors must have due regard to health and safety of themselves and others; and follow any given safety instructions on site. Appropriate clothing and footwear must be worn. Inspectors must comply with the appropriate Code of Conduct policy during site visits. The fact that a site visit was completed prior to the discussion of an application at a Council or Committee Meeting will be recorded in the Meeting's Minutes.

Reporting:

The Inspector will provide a report to the Clerk/Planning Manager to be considered during the technical review of the application. Photos taken by the Inspector may be included in the report, if necessary.

To: Committee of Adjustment
From: Tara Mieske, Clerk/Planning Manager, Dipl.M.A. Dipl.M.M.
Brooke Drechsler, Deputy Clerk/Assistant to the Planning Manager
Approved by:
Date of Meeting: 26 Feb 2024
Re: Delegated Authority for Undisputed Consents

Recommendation:

Be It Resolved That the Committee receives for information the Secretary's Administrative Report entitled "Delegated Authority for Undisputed Consents".

Background:

At the meeting on February 2, 2023, Council passed By-law #2024-10 to Delegate Various Planning Approvals to the Clerk and Adopt Procedures for Processing these Applications. This By-law includes delegated authority for undisputed consents.

Researched By:

Tara Mieske, Clerk/Planning Manager
Brooke Drechsler, Deputy Clerk/Assistant to the Planning Manager

Comments:

Undisputed consent applications are severance applications that propose limited lot creation, lot enlargements, lot line adjustments, and creation of easements that meet all applicable planning policies and regulations and have not received any objections from technical agencies (i.e. Conservation Authorities) and/or members of the public.

The process under Delegated Approval will remain similar to the current process for severance applications considered by the Committee of Adjustment (Committee). Township staff will schedule a pre-consultation meeting with applicants to review the proposed development. If an application is submitted, a Notice of the completed application will be provided to the appropriate commenting agencies (i.e. Conservation Authorities) and neighbouring property owners within 60 metres of the subject property, as per the Planning Act. A site inspection will be done by County Planning Staff and/or a member of Committee of Adjustment.

Township Planning staff will assign a Committee Member to attend the site. The Committee Member will provide a report to the Clerk/Planning Manager to assist with the decision on the application. (i.e. escalate application to Committee, add a condition to the approval, etc.). This will be done on a rotating basis similar to applications being considered by the Committee. If the application is escalated, the Committee member can provide details of the site visit to other members during the hearing.

Once the circulation is completed and comments provided, the Planners will prepare a planning analysis/memo (Attachment #1). When the planning analysis is received, Township planning staff will complete the Delegated Approval Checklist (Attachment #2). If there are no outstanding concerns noted in the checklist, including any public or agency comments or technical concerns, the Clerk can approve the application.

If there are any outstanding public or agency comments or technical concerns, identified on the Checklist, the application will be escalated and provided to the Committee for consideration. It should be noted Members of Council, Members of the Committee, neighbouring property owners, County or Township staff, or other interested parties can request the application be elevated to the Committee per the Policy for Elevating Disputed Consents to the Committee of Adjustment (Attachment #3).

Whether the decision to grant the conditional consent is made by Township staff or the Committee, the Notice of Decision including the applicable conditions will be circulated as per the Planning Act and subject to the 20 day appeal period. The applicant(s) will have two years to complete the conditions set out in the Notice of Decision. If other conditions are required these will be included in the decision. If the applicant does not agree with the proposed conditions, then the application will be escalated to the Committee for a decision. An updated list of standard conditions has been created (Attachment #4).

Township staff anticipate the Delegated Approval process will create a more efficient process. Applications can be processed in less time which will benefit the applicants. The time spent by the County Planners preparing reports and making presentations to the Committee on simple undisputed applications will be reduced which will reduce the contract costs for planning services. It will also reduce the workload on the Committee and length of Committee meetings allowing them to focus on more complex consent applications that are contentious or that have outstanding technical or policy issues, as well as Minor Variance/Request for Permission applications.

Attachments:

[Attachment #1 Memo](#)

[Attachment #2 Checklist for Delegated Approval](#)

[Attachment #3 Procedure to Elevate Disputed Consents](#)

[Attachment #4 Standard Conditions](#)



Planning Memo

To: Clerk/Planning Manager, Township of North Frontenac

Prepared By: [Redacted] Community Planner, County of Frontenac

Reviewed By: [Redacted] Manager, Community Planning, County of Frontenac

Re: Application for [Type of Application]

Address:

Legal Description:

File Number:

Owner(s):

Applicant

Date Prepared:

Public Comment Deadline:

Recommendation:

That the proposed application meets all relevant policies and provisions and that the Clerk/Planning Manager of the Township of North Frontenac, subject to the delegated authority provide by By-Law Number 2023-XX, approve this application for consent, subject to the conditions outlined in Appendix A of this report.

Proposal:

[Description of proposal]

Proposed Severed Lot:

Information Category	Response
Area	
Road Frontage	
Waterfront	
Existing Development and Use	
Proposed Development or Use	

Proposed Retained Lot:

Information Category	Response
Area	
Road Frontage	
Waterfront	
Existing Development and Use	
Proposed Development or Use	

Background Information

Existing Lot:

	Response
Official Plan designation	
Zoning	
Current size (area) of subject property	
Existing road frontage and access	
Waterfrontage	

Information Category	Response
Natural heritage features	
Existing development	
Surrounding land uses	

Pre-application Consultation:

The applicant consulted with Township and County staff prior to submitting these applications [and revised their initial proposals in accordance with feedback received].

Public Notice

Notice of the application and decision date was given in accordance with the requirements of the Planning Act. A notice was mailed to all property owners within 60 metres of subject property on DATE. The applicant posted the notice on the property on DATE

Township staff confirmed that the application can be approved at the staff level on DATE.

Comments

[Name] Conservation Authority

[Insert comments]

Septic Review

[Insert comments]

[Other Agencies/Municipal Departments providing comments]

[Insert comments]

Public Comments

[Insert comments]

Conformity and Consistency with Policy Planning Documents

Applications for consent are required to be consistent with the Provincial Policy Statement, 2020 and conform to both the County of Frontenac Official Plan and the Township of North Frontenac Official Plan. It is the opinion of planning staff that the proposed consent is consistent with and conforms to the planning policies of all these documents.

Planning Analysis and Considerations

This application was reviewed against the policies of the Provincial Policy Statement, the County of Frontenac Official Plan, and the Township of North Frontenac Official Plan. The checklist below summarizes all relevant policies by theme.

Planning Criteria	Yes	No	Not Applicable
Does the proposal have regard to the matters under Section 51(24) of the <i>Planning Act</i> ?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is a plan of subdivision necessary for the proper and orderly development of the property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Do both the proposed and retained lots meet the minimum road frontage of the Zoning By-law?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Do both the proposed and retained lots meet the minimum waterfrontage required by the Zoning By-law?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Do both the proposed and retained lots meet the minimum lot size required by the Zoning By-law?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Planning Criteria	Yes	No	Not Applicable
Is the proposed right-of-way able to accommodate access by emergency vehicles?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Does the application meet any minimum distance separation setbacks (livestock facilities, aggregate resources, landfills, industrial facilities)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is there a sufficient development envelope to support new development on both the retained and proposed lot that meet all required separation distances from natural heritage features (wetlands, waterbodies, streams)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Does the application conform to the natural heritage policies of the Township's Official Plan, County Official Plan, and the Provincial Policy Statement?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is there a sufficient development envelope on both the proposed new and retained lots outside of any regulated natural hazards (floodplain, steep slopes, organic and unstable soils)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Do any municipal services need to be expanded to accommodate the proposed new lot?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Do both the retained and proposed new lots have an area where a new entrance can be constructed without any conflicts with the Township Road?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Does the application conform to the general character of the Township and nearby area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are there any outstanding issues raised by the public that have not been resolved?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are there any outstanding issues raised by any technical agencies that have not been resolved?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are there any other policy issues that remain unresolved that have not been mentioned in the report?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are there any other outstanding issues that have not been resolved at the time of preparing this report?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Conclusion

Planning staff are of the opinion that a plan of subdivision is not required for the orderly development of the municipality in this instance, and that the proposed consent is consistent with and conforms to the required policies and provisions of the province, the County of Frontenac, and the Township of North Frontenac.

Attachments

Appendix A: Draft Conditions of Approval

Attachment 1: Key Map

Attachment 2: Applicant Submitted Site Plans.

Appendix A: Draft Conditions of Approval

Note: Conditions are a decision of the Committee of Adjustment; the conditions below are recommended. The final approved conditions will be included in the signed decision.

Recommended Conditions for Consent Application BXX/XX

Expiry Period

1. Conditions imposed must be met within two years of the date of the Notice of Decision, as required by Section 53(41) of the Planning Act, RSO 1990, as amended. If conditions are not fulfilled as prescribed within two years, the application shall be deemed to be refused. Provided that all conditions are satisfied, the Certificate of Official is to be presented to the Secretary-Treasurer, Committee of Adjustment for certification under Section 53(42) of the Planning Act, R.S.O. 1990 as amended, within two years of mailing of the Notice of Decision.
2. The Certificate of Official must be registered within two years from the issuance of the Certificate as required under Section 53(43) of the Planning Act, R.S.O. 1990, as amended. A copy of the registered transfer certificate shall be provided to the Secretary-Treasurer, Committee of Adjustment to complete the file.

Severed Lands

3. The proposed lot will be approximately XX hectares (XX acres) in area with XX metres (XX feet) of frontage along [road].

Survey/Reference Plan or Registerable Description

4. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], the deed or instrument conveying the severed lands, and the Certificate of Official shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of two years [Planning Act, s. 53(41)] after the date of Decision [Planning Act, ss. 53(17) and 53(24)].
5. The applicant or his/her solicitor shall prepare and submit to The Corporation of the Township of North Frontenac, a transfer or such other required form of document necessary to implement the consent, including Form 1, Form 2, Form 3, or Form 4, as applicable, prescribed by Ontario Regulation 197-96, for endorsement by the Secretary-Treasurer of the Committee of Adjustments for the municipality. This transfer or other legal document shall be provided to the municipality within a period of two years after Notice of Decision was given under subsection 53(15) or 53(24) of the *Planning Act*.
6. The surveyor or owner shall submit the draft Reference Plan electronically, or in paper form, for review and approval by planning staff prior to depositing the Reference Plan with the Land Registry Office.

7. That the description of the parcel being severed, and the names of the Transferor and Transferee are included on the schedule attached to the deed of the land.

Municipal Requirements

8. That the Township of North Frontenac receives a payment of the value of five percent of the land for parkland dedication, pursuant to Section 53(13) of the Planning Act, and in accordance with By-Law Number 34-19.
9. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. This includes all taxes levied as of the date of the stamping of the deeds.
10. In the event that there are abandoned wells located on the property being severed, they be sealed in accordance with the requirements of the Ministry of the Environment, Conservation and Parks.
11. Where a violation of the Township of North Frontenac Zoning By-Law is evident, the appropriate minor variance or rezoning be obtained to the satisfaction of the Municipality.
12. That confirmation is filed with each application file that conditions have been fulfilled to the municipality's satisfaction.



Delegated Approval Checklist

Name(s) of All Registered Property Owner(s)

File #: _____

Assessment Roll Number: 1042 _____

Civic Address: _____

Legal Description: _____

Submission	Yes	No	Not Required
Complete site plan reviewed by planning staff			
Septic review comments received			
Conservation Authority comments received			
Other agency comments received			
Are all supporting technical studies submitted and peer reviewed?			
Are there any outstanding issues identified by the peer reviewers?			
Has a site visit been completed by a member of the Committee of Adjustment/Planning Advisory Committee?			
Has a site visit been completed by County Planning Staff?			

Submission	Yes	No	Not Required
Has a site visit been completed by Township Staff?			
Are there any issues associated with access to the lot?			
Does the application meet all Zoning provisions?			
Are there any agency objections, concerns, or outstanding issues?			
Are there any outstanding concerns from neighbours?			
Does the planning analysis/memo identify any outstanding issues?			
Are any non-standard conditions required to support the application that the applicant has not agreed to? (e.g., major re-zoning, development agreements, etc.)			
Can this application proceed under the Delegated Approval By-law? If no, please explain reasons in the notes section below			

Notes:

Reviewed by: _____

Date: _____

Policy for Elevating Undisputed Consents to the Committee of Adjustment

The purpose of this document is to serve as instructions and procedure for elevating disputed consents to the Committee of Adjustment for decision.

Consent applications may be elevated to the Committee of Adjustment prior to the date of decision listed on the public notice for the following reasons:

1. If there are outstanding land-use issues identified by members of the public that cannot be rectified by planning staff.
2. If the application appears to conflict with the provisions of the Township Zoning By-law, Township Official Plan, or other applicable policies and statues.
3. If the application requires a minor variance.
4. If there is a disagreement between staff, the applicant, and/or a third party about applicable provisions or policies that need to be interpreted by the Committee of Adjustment.
5. If the application requires a non-standard condition to be supported that the applicant does not agree to.
6. If there is a disagreement regarding the standard conditions imposed on the application that cannot be resolved by staff.

Consent applications can be elevated by the following individuals:

- The property owner, applicant, and their agent(s).
- Members of Township Council.
- Members of the Township Committee of Adjustment.
- Township CAO, Clerk, and Planning staff and their designates.
- Members of the public.
- Technical review agencies whose policies or provisions conflict with the proposal.

The property owner, applicant, and their agent(s).

The property owner, applicant, or their agents can request to elevate the application to the Committee of adjustment for any reason by contacting the Township Clerk/Planning Manager.

Members of Township Council and Committee of Adjustment

Members of Council or Committee of Adjustment shall contact the Township Clerk/Planning Manager and inform them of their intention. A reason shall be provided for elevating the application in writing to the Clerk/Planning Manager prior to the deadline listed on the public notice.

Neighbours or other interested parties.

The application shall be elevated to the Committee of Adjustment for decision if there are any objections or unresolved issues that have been identified by neighbours or other interested parties prior to the deadline listed on the public notice. Objections or

concerns with the application shall be provided to the Township Clerk/Planning manager.

Standard Conditions for Undisputed Consent Applications:

All consent applications (lot creation, lot addition, creation of easement) are required to complete all associated conditions before final approval and a Certificate of Official can be issued. The Planning Act requires that all conditions be fulfilled within two years of the date of the Notice of Decision. If conditions are not fulfilled, the consent application will lapse, and a new application and fees will be required, as the Planning Act does not provide for extensions.

Below is a list of standard conditions that are commonly included with consent applications. The conditions attached to a particular decision will be listed in the Notice of Decision; please review the notice for specific conditions. If you are unsure how to complete a condition listed on your Notice of Decision and it is not listed here, please contact planning staff.

Please Note: You will require a surveyor and lawyer to fulfill the conditions and may require additional professional services such as an engineer. All costs associated with the fulfillment of conditions are the responsibility of the applicant and are in addition to the application fee submitted to the Township.

Conditions for all applications:

Type	Condition Wording	Explanation
Condition Fulfillment Timeline	Conditions imposed must be met within two years of the date of the Notice of Decision, as required by Section 53(41) of the Planning Act, RSO 1990, as amended. If conditions are not fulfilled as prescribed within two years, the application shall be deemed to be refused.	All conditions must be completed within two years of the date of the Notice of Decision. The Planning Act does not provide for an extension of the timeline.
Draft Reference Plan (Survey) for Township Review	The surveyor or owner shall submit the draft Reference Plan electronically, or in paper form, for review and approval by planning staff prior to depositing the Reference Plan with the Land Registry Office.	The applicant shall submit the draft reference plan before it is registered. This ensures that the survey matches the approved consent.
Final Reference Plan or Legal Description	A plan of the land prepared by an Ontario land surveyor, to be known as a reference shall be deposited for the record in the	The applicant must submit the following: - two paper copies; or

Type	Condition Wording	Explanation
	land registry office or the land registrar orders it does not apply per Section 150 of the Land Titles Act, RSO 1990, as amended.	- a digital copy of the registered reference plan; or - an exemption obtained from the Land Registry Office waiving the need for a survey.
Description of Severed Lands	The proposed lot will be approximately XX hectares (XX acres) in area with XX metres (XX feet) of frontage along Road xxx.	Describes the land for the new lot.
Description of Benefiting Lands (Only for lot additions)	The lands to be severed are for the purpose of a lot addition to adjacent lands described as Property Identification Number XXXXX-XXXX (Insert Property Address	Describes the lands that will be removed from the property and the land it will be added to (benefitting lands).
Description of Benefiting Lands (Only for easements/right-of-way parcels)	This property benefiting from this application is XX hectares (XX acres) in area with approximately XXX metres (XXX feet) of waterfront. It is described as [Legal Description and Property Identification Number]	Describes the property (benefitting lands) that will receive the easement and/or right-of-way.
Entrance Requirement (Properties on Provincial Highways and Township Roads)	That the Applicant(s) shall ensure an entrance is installed from XX Road to the lot proposed through Consent Application BXX/XX, including obtaining the required entrance permit.	The applicant needs to apply for and receive an entrance permit and construct the entrance for the new lot.
Order of Lot Creation (Applicable to the creation of more than one lot or a lot addition prior to a new lot)	The consent proposed through consent application BXX/XX shall be finalized and registered with the Land Registry Office prior to the signing of the certificate of official for the creation of this lot.	The applicant needs to ensure the other approved lot/lot addition are completed to ensure a new lot is not inadvertently created

Type	Condition Wording	Explanation
		without completing the conditions.
Entrance Requirement (Properties on Private Lanes)	That the Applicant(s) shall ensure an entrance is installed from XX Lane to the lot proposed through Consent Application BXX/XX.	The applicant needs to construct an entrance for the new lot.
Civic Sign Installation	That the Applicant(s) shall apply for and purchase a civic address sign to be installed as per Municipal Requirements	The applicant is required to apply for a civic sign (address) for the new lot. This ensures that the lot is properly identified and emergency services can locate the property.
Parkland Dedication (New Lot Only)	That the Township of North Frontenac receives a payment for parkland dedication, pursuant to Section 53(13) of the Planning Act, and in accordance with By-Law Number 34-19.	The applicant is required to pay cash-in-lieu of land for all new lots. The fee is equivalent to 5% of the appraised value of the lot; or \$1,000, whichever is less.
Road Widening (New Lot and Lot Additions)(Properties on Township Roads)	<p>The surveyor who prepares the reference plan referred to in Condition Number X shall also determine by survey a widening of XX Road along the entire frontage of the proposed severed parcel. This right-of-way widening shall be measured 10 metres (33 feet) from the centreline of the existing travelled road (XXX Road). The owner shall dedicate to the Township land along the frontage of the severed lands, to the satisfaction of the Township, in the following manner:</p> <p>a. The land to be dedicated shall be described as a separate part on a Reference Plan of</p>	<p>The Ontario Planning Act and the Township Official Plan permit the Township to require a road widening along the frontage of the lot proposed to be created if the existing surveyed right-of-way is less than the required 20 metres (66 feet) in surveyed width.</p> <p>The road widening area must be surveyed and Transferred to the Township. The widening is generally determined by measuring 10 metres</p>

Type	Condition Wording	Explanation
	<p>Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer e;</p> <p>b. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of North Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:</p> <p style="padding-left: 40px;">"The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended."</p> <p>c. In the event the road is a trespass road, the surveyor shall include a part to describe the existing extent of the forced road, in addition to the widening, and the applicant shall include that parcel in with the Transfer/Deed referred to in b. above.</p> <p>d. The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances</p>	<p>(33 feet) from the centerline of the travelled road toward the new lot proposed to be created.</p> <p>If the surveyor determines that the road is a forced road, the property where the forced road is located will need to surveyed and included in the Transfer.</p> <p>The applicant's lawyer must declare that the Township is receiving the lands with a clear title. The applicant understands that they are responsible for all costs associated with this transfer and that they will not be compensated for the value of the lands added to the municipal road allowance.</p>

Type	Condition Wording	Explanation
	shall be delivered to the Secretary-Treasurer	
Technical Zoning By-law Amendment Condition	Prior to the signing of the Certificate of Official for the lot to be created through application BXX/XX, the new lot shall be rezoned from [Existing Zone] to [New Zone].	<p>This condition will require the applicant to apply for a zoning by-law amendment to re-zone either the subject or retained lands to adjust zoning.</p> <p>This condition is only to be used for technical amendments such as lot additions where the zone either needs to be extended or reduced to avoid unnecessary complications arising from split-zoned lands.</p>
Violations of Zoning By-law	Where a violation of the Township Zoning By-Law is evident, the appropriate minor variance or rezoning be obtained to the satisfaction of the Municipality.	If a violation of the zoning by-law is discovered after provisional consent is granted, the applicant will need to fix the violation either through a minor variance or zoning by-law amendment to the satisfaction of the Municipality.
Decommissioning of Abandoned Wells	In the event that there are abandoned wells located on the property being severed, they be sealed in accordance with the requirements of the Ministry of the Environment, Conservation and Parks.	If any abandoned wells are located on the severed parcel, they must be sealed in accordance with the requirements of the Ministry of the Environment, Conservation and Parks

Type	Condition Wording	Explanation
		before the Certificate of Official is signed.
Payment of Outstanding Balances	Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. This includes all taxes levied as of the date of the stamping of the deeds.	Outstanding taxes must be paid on the property being severed.
Confirmation of Meeting Conditions	That confirmation is filed with each application file that conditions have been fulfilled to the municipality's satisfaction.	The Secretary will confirm that all conditions of the severance have been met
Draft Transfer and Certification of Official Form Requirement	The applicant or his/her solicitor shall prepare and submit, a transfer or such other required form of document necessary to implement the consent, including Form 1, Form 2, Form 3, or Form 4, as applicable, prescribed by Ontario Regulation 197-96, for endorsement by the Secretary-Treasurer of the Committee of Adjustments for the municipality.	The applicant's lawyer must prepare a Transfer and certificate of official using Form 1, Form 2, Form 3, or Form 4, as applicable, as required by Ontario Regulation 197/96.
Certificate of Official Form Additional Requirement (Only for Lot Additions)	The lands to be severed are for the purpose of a lot addition to adjacent lands described as Property Identification Number XXXXX-XXXX (Insert Property Address) and any subsequent transfer, charge or other conveyance of the lands to be severed is subject to Section 50(3) (or subsection 50(5) if in a plan of subdivision) of the Planning Act. Neither the lands to be severed nor the adjacent lands	

Type	Condition Wording	Explanation
	<p>are to be reconveyed without the other parcel unless a further consent is obtained. The owner shall cause the lands to be severed to be consolidated on title with the adjacent lands and for this condition to be entered into the parcel register as a restriction.</p>	