



Committee of Adjustment Minutes

1:00 PM - Monday, September 23, 2024
Council Chambers

Present: Carl Tooley (Chair), Garry Wood (Electronic Participation), Jim Ogilvie, and Brent Smith (Electronic Participation)

Also Present: Brooke Drechsler, Secretary/Treasurer; Dmitry Kurylovich, Project Manager/Senior Planner, County of Frontenac (Electronic Participation); Jennie Kapusta, Community Planner, County of Frontenac (Electronic Participation); Councillor Roy Huetl, Council Liaison; and Kelly Watkins, Treasurer/IT (Zoom).

1. Call to Order

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

2. Traditional Land Acknowledgement

We begin this gathering by acknowledging and celebrating these traditional lands as a gathering place of the first peoples and their ancestors who are entrusted to care for Mother Earth since time immemorial. We do so respecting both the land and the Indigenous People who continue to walk with us through this world. Today, the Township of North Frontenac is committed to working with Indigenous Peoples and all residents to pursue a united path of reconciliation.

3. Approval of Agenda

a) **September 23, 2024**

35-24 Moved by Jim Ogilvie, Seconded by Garry Wood

Be It Resolved That the Committee approves the Agenda dated September 23, 2024, as circulated.

Carried

4. Disclosure of Pecuniary Interest and General Nature Thereof

None declared.

5. Delegations

None.

6. Adoption of Minutes

a) **Minutes of Meeting**

36-24 Moved by Jim Ogilvie, Seconded by Garry Wood

Be It Resolved That the Committee adopts the Minutes of a Meeting held on August 26, 2024, as circulated.

Carried

7. Business Arising Out of Minutes

None.

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

None.

9. Consent Applications

None.

10. Minor Variance Applications

a) *File #A10/24 - Plan 1044, Lot 265, Geographic Township of Barrie (1122 Shoepack Lane) - Request for Permission to Expand Legal Non-Complying Structure*

Darnell Rubio, applicant, attended the meeting electronically.

Jennie Kapusta, Community Planner, provided an overview of the proposal to expand the legal non-complying structure with the addition of two additions:

1. a screened in porch with an approximate area of 22 square metres, setback 19.8 metres from the high water mark;
2. an addition (bedroom and bathroom) to the existing dwelling with an approximate area of 29 square metres, to increase the interior living space.

Kapusta noted the septic system has been replaced and upgraded to accommodate the proposed additions.

Kapusta advised there is a steep slope (greater than 3:1) in front of the location of the proposed porch and along the side of the proposed addition. She advised the applicant submitted a Slope Stability Assessment, which was peer reviewed by Mississippi Valley Conservation Authority. MVCA requested additional details prior to determining the potential erosion. Kapusta recommended a deferral of the application until all details have been provided to the satisfaction of MVCA.

37-24 Moved by Garry Wood, Seconded by Jim Ogilvie

Be It Resolved That Planning Application File #A10/24 – Request for Permission to Expand Legal Non-Complying Structure – 1122 Shoepack Lane - shall be deferred until the issues in the Slope Stability Assessment identified by Mississippi Valley Conservation Authority have been resolved.

Carried

b) File #A11/24 - Part of Lot 24, Concession 7, Geographic Township of Barrie (1077 Whalen Lane) - Request for Permission to Expand Legal Non-Complying Structure

Brent and Barbara Noye, applicants, were present for the meeting.

Dmitry Kurylovich, Project Manager/Senior Planner, provided an overview of the request to expand a legal non-complying structure, which includes the following:

1. Demolition of existing dwelling;
2. Construction of a new dwelling within the same footprint;
3. Increase the area of the dwelling from 1300 square feet to 3000 square feet while maintaining a 28 metre setback;
4. Shift the structure west to meet the required setback from the interior side lot line.

Kurylovich noted the dwelling will have an area of 1700 square feet, with an attached garage and decking equaling 1300 square feet for a total of 3000 square feet.

Kurylovich advised the property is developed with an existing dwelling, septic system and seven accessory structures located outside the 30 metre setback to the high water mark. He noted the proposed expansion is located mostly on the southern/western side with the proposed garage constructed towards the roadside. He advised the eastern wall of the proposed dwelling will be moved away from the lot line to be in compliance with the Zoning By-law.

Kurylovich advised the application was provided to Mississippi Valley Conservation Authority (MVCA), who had no identified concerns with slope stability. He noted the location for the new septic system is more suitable as the setback to the high water mark has been increased.

Kurylovich recommended approval of the application, subject to the conditions included in the planning report.

Jim Ogilvie advised he attend the property on September 5, 2024 and the required marking cards were posted. He noted the proposed development will not be getting closer to the waterbody; and that the slight increase in the setback from the interior lot line is a benefit. He advised this is a suitable proposal and recommended approval.

38-24 Moved by Jim Ogilvie, Seconded by Garry Wood

Be It Resolved That Planning Application File #A11/24 – Request for Permission to Expand Legal Non-Complying Structure – 1077 Whalen Lane - shall be approved subject to the conditions noted 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 October 3, 2024.

Carried

11. Other Business

None.

12. Adjournment

a) ***Adjournment of Meeting***

39-24 Moved by Jim Ogilvie, Seconded by Garry Wood

Be It Resolved That the meeting adjourns at 1:34 p.m. until October 28, 2024, at 1:00 p.m. or at the call of the Chair.

Carried

Chair

Secretary