

Committee of Adjustment Agenda

1:00 PM - Monday, August 25, 2025

Council Chambers

[Zoom Meeting Registration](#)

1. Call to Order

- a) Format of Meeting 3
[Format of Meetings](#)

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) August 25, 2025

Be It Resolved That the Committee approves the Agenda dated August 25, 2025, as circulated.

4. Disclosure of Pecuniary Interest and General Nature Thereof

5. Delegations

None.

6. Adoption of Minutes

- a) Minutes of Meeting held July 28, 2025 4 - 10

Be It Resolved That the Committee adopts the Minutes of a Meeting held July 28, 2025, as circulated.

[Committee of Adjustment - 28 Jul 2025 - Minutes - Pdf](#)

7. Business Arising Out of Minutes

None.

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

None.

9. Consent Application with Minor Variance Application

- a) Minor Variance File #A09/25 and Consent Application #B12/25: Part of 11 - 34
 Lot 23, Concession 7 (2468 Highway 506 and 2458 Highway 506)
[Notice of Application - Hage](#)
[County Planner Report](#)

10. Minor Variance Applications

- | | | |
|----|--|-----------|
| a) | File #A07/25: Part of Lot 23, Concession 6, Block A, Registered Plan 1090 Geographic Township of Barrie (1062 Big Mountain Lane) -Minor Variance for Oversized Dock
Notice of Hearing - Scaletta
Planning Jusitfication Report - Scaletta A07-25 (Scaletta)
MVCA Report | 35 - 72 |
| b) | File #A08/25: Part of Lot 20, Concession 7, Geographic Township of Barrie (1053 High Rocks Lane) - Request for Permission to Expand Non-Complying Structure
Notice of Hearing - Smith
County Planner's Report
MVCA Report | 73 - 114 |
| c) | File #10/25: Part of Lot 30, Concession 13, Geographic Township of Clarendon (1033 Waterworth Lane) - Request for Reduced Setback from wetland area
Notice of Hearing - Tooley
County Planner's Report
MVCA Report | 115 - 138 |
| d) | File #A11/25: Lot 2, Plan 1322, Geographic Township of Miller (1154 Haffie Lane) - Request for Permission to Expand Non-Complying Structure
Notice of Hearing - Shail
County Planner's Report | 139 - 158 |
| e) | File #A12/25: Part of Lot 6, Range B, Geographic Township of Barrie (1051 Wintergreen Road) - Request for Permission to Expand Non-Complying Structure
Notice of Hearing - Colley
County Planner's Report
QCA Report | 159 - 175 |

11. Other Business

None.

12. Adjournment

- a) Adjournment of Meeting

Be It Resolved That the meeting adjourns at _____ p.m. until September 22, 2025, at 1:00 p.m. or at the call of the Chair.



**Township of North Frontenac
Committee of Adjustment/Planning Advisory Committee
Meeting Format and Appeal Information**

The presentation of each application will follow this format:

1. The Chair will introduce each file as they are listed on the agenda.
2. The County Planner will provide an overview of the application, including comments received from outside agencies, and provide recommendations to the Committee.
3. The Committee member who attended the site will present their site inspection report.
4. Committee members will ask Planning staff and the applicant or agent questions.
5. The Chair will ask if the applicant or agent have any comments or questions regarding the reports; and then ask members of the public if they have any comments or questions regarding the proposed development.
6. The Committee will deliberate and vote on the application. Voting will take place with members of the Committee raising their hands. The Chair will then state whether the vote was carried. Please note the Alternate Member does not comment or vote unless a member of the Committee is absent or declares a pecuniary interest.

A “specified person” or public body (as defined in the Planning Act) who has an interest in the matter may, within 20 days from the date of the Committee decision, file a notice appeal against the decision of the Committee by filing a notice of appeal to the Ontario Land Tribunal with the Secretary-Treasurer of the Committee. If an appeal to an application is received within the 20-day appeal period, the applicant will be notified and provided further information about the appeal process.

If a “specified person” or “public body” (as defined in the Planning Act) that files an appeal of a decision of the Committee of Adjustment in respect to the proposed development does not make written submissions to the Committee before it gives or refuses a provisional consent; the Ontario Land Tribunal (OLT) may dismiss the appeal.



Committee of Adjustment Minutes

1:00 PM - Monday, July 28, 2025

Council Chambers

Present: Garry Wood, Chair; Carl Tooley, Member; Jim Ogilvie, Member; and Brent Smith, Alternate Member

Also Present: Tara Mieske, Secretary/Treasurer, Dmitry Kurylovich, Project Manager/Senior Planner, County of Frontenac; Councillor Roy Huettl (Council Liaison); Brooke Drechsler, Deputy Clerk/Assistant to the Planning Manager; and Marnie Geerlinks, Administrative Assistant to the Clerk's Department

1. Call to Order

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

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) *July 28, 2025*

27-25 Moved by Jim Ogilvie, Seconded by Carl Tooley

Be It Resolved That the Committee approves the Agenda dated July 28, 2025, as circulated.

Carried

4. Disclosure of Pecuniary Interest and General Nature Thereof

None.

5. Delegations

None.

6. Adoption of Minutes

a) *Minutes of Meeting*

28-25 Moved by Carl Tooley, Seconded by Jim Ogilvie

Be It Resolved That the Committee adopts the Minutes of a Meeting held on June 23, 2025, as circulated.

Carried

7. Business Arising Out of Minutes

None.

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

None.

9. Consent Applications

a) ***File #B08/25 - Part Lot 25, Concession 8, Geographic Township of Barrie - Lot Addition***

The Applicant and/or Agent were not present for the hearing.

Dimitry Kurylovich, Senior Planner, provided an overview of the lot addition application to correct an encroachment of a structure onto the abutting property. He advised the area of the proposed lot addition parcel is approximately half an acre, shown as Part 5 on [RP 13R 23307](#). He noted the Official Plan designation of the subject property is Waterfront Area and the Zoning designation is Limited Service Waterfront. He advised the benefitting lot is approximately 2.6 acres and located at the end of Cannon Trail, being a private Right-of-Way. He noted the subject property is developed with a dwelling and an accessory structure, which is the cause of the request for a lot addition.

Kurylovich advised the subject property is a large, water access only lot, with no road frontage or legal deeded access to Cannon Trail or Salmonberry Lane. He noted the subject parcel is developed with two dwellings and an accessory structure. He advised the Official Plan designation is Waterfront Area with an Area of Natural and Scientific Interest (ANSI) layer located outside of the impacted area; and the Zoning designation is split between Limited Service Waterfront along the lake and Limited Service Rural on the interior portion.

Kurylovich noted the area being dealt with through this application is shown as Part 5 on Registered Plan 13R-23307, with the encroachment reflected on the survey. He advised the proposed lot addition will bring the benefitting lot into compliance with the required side yard setback.

Kurylovich advised the application was provided to Mississippi Valley Conservation Authority (MVCA) for review and comment. MVCA noted as there was no new development proposed; they had no objections. He advised the Chief Building Official did not require a septic inspection. No public comments were received regarding the

application.

Kurylovich recommended approval of the application subject to the conditions included in the planning report. He noted the proposal will have no impact on the adjacent property; will bring the existing structure into compliance with the Zoning By-law; and will enlarge a waterfront lot with no change to the shoreline frontage on the retained or benefitting lot.

Carl Tooley attended the site on June 30, 2025 and noted the required marking signs were posted. He advised the proposed lot addition will solve the existing encroachment issue. Tooley advised he agrees with the planning report and recommended approval with conditions

Geerlinks advised there were no public comments.

29-25 Moved by Carl Tooley, Seconded by Jim Ogilvie

Be It Resolved That Consent Application File #B08/25 for a Lot Addition shall be approved subject to the conditions noted in the Planning Report;

And That the Secretary shall issue the Notice of Decision by August 11, 2025;

And That the Secretary shall forward the Notice 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;

And That all conditions shall be completed within a period of two year after Notice of Decision was given under subsection 53(15) or 53(24) of the *Planning Act*.

Carried

b) File #09/25 - Part Lot 25, Concession 8, Geographic Township of Barrie - Creation of Right-of-Way Easement

The Applicant and Agent were not present for the hearing.

Dmitry Kurylovich, Senior Planner, provided an overview of the application to create a Right-of-Way (ROW) easement across 1429 Cannon Trail for the benefit of the large parcel to the south. He advised the proposed ROW will only provide the large parcel access across 1429 Cannon Trail; permission to access or travel Cannon Trail or Salmonberry Lane will not be granted through this application.

Kurylovich advised the application is proposed to settle an estate matter. He noted under the Planning Act, linkages or connections to established road networks must be considered for all land division applications. He noted County Planning staff advised the applicant's agent that the proposal creates a ROW that leads nowhere; however the applicant advised the purpose of this application is not to resolve the existing access but only provide legal deeded access across 1429 Cannon Trail. Kurylovich advised if the application is approved, the applicant will still be required to obtain easements from property owners along Cannon Trail and Salmonberry Lane.

Kurylovich advised a condition was included in the decision for the applicant to enter into a development agreement advising that the benefitting lot has no legal deeded access to Cannon Trail, Salmonberry Lane leading to Head Road. He noted the property is currently water access only and this will continue. Kurylovich advised that for the lot to gain access to Head Road, a ROW easement across all the lots bisected by Cannon Trail and Salmonberry Lane must be obtained by the property owner. He advised the ROW extension must comply with the policies of the Township's Private Land Standards. Kurylovich advised the development agreement includes a provision stating no improvements that will allow vehicular access from 1429 Cannon Trail to the benefitting lands are permitted until the applicant receives consent for a ROW easement across all the properties on Cannon Trail and Salmonberry Lane.

Kurylovich advised there were no issues from technical agencies. He noted Mississippi Valley Conservation Authority was circulated for information purposes, as there appeared to be no obvious natural hazards. He advised two public comments were received, as well as a letter of response from the Applicant's agent.

Kurylovich advised the proposed development agreement will prevent upgrades to the ROW, prior to the access across Cannon Trail and Salmonberry Lane being established by the applicant. He noted the agreement also makes it clear no permission is being granted across Cannon Trail and Salmonberry Lane through this planning application. He advised planning applications do not set precedent; decisions regarding applications are determined on individual merits and how the applications comply with relevant rules and policies. Kurylovich noted this is not a typical application. He noted the purpose of the development agreement is to potentially mitigate improper use of Cannon Trail and Salmonberry Lane.

Carl Tooley advised he attended the site on June 30, 2025 and the required marking signs were posted. He advised the ROW location is shown as Part 3 on [13R 23307](#). He noted the proposed ROW is well laid out with no wetland area or natural hazards in the area. He advised the proposed ROW has no access to the Township road; and that Committee does not have the authority to establish connections to the Township Road. Tooley recommended approval subject to the conditions included in the Planning Report.

Jim Ogilvie asked how the applicant currently accesses the benefitting property. Kurylovich advised the only legal way to access the parcel is by water. Ogilvie noted if the subject parcel was planning to develop the large parcel, they could open a marina to provide access to the retained parcel. Kurylovich advised the subject parcel would have to be zoned to permit a marina. He noted the retained parcel is already developed.

Garry Wood asked if the Committee denies the ROW application, would this impact the settlement of the estate or the encroachment of the garage. Kurylovich advised the Committee has already approved the lot addition which dealt with the encroachment.

Nauni Parkison, neighbouring property owner at 1428 Cannon Trail, advised she

provided a letter of objection for the ROW application. Ms. Parkinson noted the first application submitted to the Township stated the intent of the application was to "provide access to adjacent property to Cannon Trail". She noted the language in the application changed to "estate planning". Ms Parkinson advised the estate has existed for approximately 25 years. She noted the change in terminology appeared tactical. She noted the proposed ROW will create an access along their property line to connect with Cannon Trail.

Ms. Parkinson advised the Planning Act sets criteria when applications are being considered. She noted the proposed ROW does not provide access to anything; and that if the application is approved, this will put pressure on landowners along Cannon Trail and Salmonberry Lane to permit legal access through their property. She noted the property owner had several opportunities to contribute to the construction of Cannon Trail and enter into the original ROW agreement, but has consistently refused. She advised access to the lots has always been by boat. She advised their estate planning should not be detrimental to other property owners along Cannon Trail.

Kurylovich advised the survey provided with the application shows a clear a connection to Cannon Trail. Planning staff noted the connection and advised the applicant/agent that creation of the ROW will not permit access over Cannon Trail or Salmonberry Lane. Kurylovich advised it is important to consider what the development agreement will do by adding an additional layer of protection to other land owners.

Woods advised this appears to be an estate planning issue of 26 acres with the future development or use of the property unclear; therefore it's difficult to know what the best access to the property should be. If the Committee approves a ROW, this may not be the best access to the land. He advised it seems premature to grant the ROW without knowing what the future uses might be. Woods noted a development agreement may be difficult for the Township to enforce.

Ogilvie asked if a gate could be put up to prevent access to Cannon Trail from 1429 Cannon Trail. Ms. Parkinson advised 1429 Cannon Trail has a legal deeded access so it could not be gated. It is only the large parcel which does not have access. She advised the Township By-law requires newly created water access lots to have deeded parking which is accessed by a road to service the new lots.

Kurylovich advised, from a planning perspective, it is not uncommon to get ROW access over a length of time. He noted the intent may be to eventually gain access to Head Road. However; he advised future use shouldn't be the basis of the Committee's final decision. Wood noted future use could have an impact on the use of the ROW, which may make a bad situation worse.

Joan Hayes, resident, advised approval of the ROW application will result in an excessive increase of traffic. She noted the neighbours have a right to the enjoyment of their property and this application will have a negative impact.

Tooley advised the applicant wants to give a ROW to the adjacent property to provide access over their property to Cannon Trail. They will still need to get permission from the neighbours to get access. He advised access over Cannon Trail is not a matter for the Committee to consider. He also noted the Committee cannot speculate on what the owner is going to do with the property; the application for consideration is only for a ROW across 1429 Cannon Trail with a development agreement in place.

Kurlylovich advised the Township does not have a Site Alteration By-law to regulate the clearing of trees or grading on a property. He noted the subject property could build of driveway to provide the large parcel illegal access. He advised the development agreement would be in place to address and mitigate risks. He advised he does not support a ROW that doesn't connect to anything; however if there is an eventual connection to Head Road, the development agreement will ensure the Private Lanes Policy is enforced.

Ogilvie asked if the proposed shape of the ROW along the property line is the only shape that works. Ms. Parkinson advised the location of the existing garage makes it impossible for Cannon Trail to continue straight through the property. She asked if a different access could be created in the future if the ROW is approved as proposed. Kurylovich advised Part 3 could be relinquished and a new access be determined.

Ms. Hayes asked if a ROW is permitted to run along a property line, with no setback. Kurylovich advised it is a common occurrence for a ROW to run along a property line.

Woods noted the application seems premature when it is unknown what the future use of the large property will be. He noted a better solution may present itself when the use of the large property has been established.

Kurylovich advised if the Committee considers this application within the context of linkages, this application will not establish a connection to Head Road. He noted the development agreement will involve the Township in this situation. Wood noted the administration of the development agreement could be difficult to monitor.

30-25 Moved by Carl Tooley, Seconded by Jim Ogilvie

Be It Resolved That Consent Application File #B09/25 for the creation of a Right-of-Way Easement shall be approved subject to the conditions noted in the Planning Report;

And That the Secretary shall issue the Notice of Decision by August 11, 2025;

And That the Secretary shall forward the Notice 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;

And That all conditions shall be completed within a period of two year after Notice of Decision was given under subsection 53(15) or 53(24) of the *Planning Act*.

Defeated

31-25 Moved by Jim Ogilvie, Seconded by Carl Tooley

Be It Resolved That Consent Application File #B09/25 for the creation of a Right-of-Way Easement shall be denied;

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 August 11, 2025.

Carried

10. Minor Variance Applications

None.

11. Other Business

None.

12. Adjournment

a) *Adjournment of the Committee Meeting*

32-25 Moved by Jim Ogilvie, Seconded by Carl Tooley

Be It Resolved That the meeting adjourns at 3:07 p.m. until August 28, 2025, 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

Subject Land: Part of Lot 23, Concession 7, Geographic Township of Barrie (2468 Highway 506 and 2458 Highway 506)

Applicant(s): Nordic Resorts Inc.

<p style="text-align: center;">Notice of Application for Consent - File #B12/25: Creation of New Lot Clause 53(5) of the <u>Planning Act</u> Section 3, O.Reg. 197/96</p>	<p style="text-align: center;">Notice of Application: File #A09/25 Minor Variance Clause 45(1) of the <u>Planning Act</u> Section 3, O.Reg. 200/96</p>
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Take Notice: The Township of North Frontenac Committee of Adjustment will hold a public meeting on **August 25, 2025, at 1:00 p.m.** to discuss and hear comments regarding the above-noted applications under the authority of Section 45 and Section 53 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; and through Electronic Participation.

Purpose and Effect under Section 53 of the Planning Act

The Applicants have applied to sever a portion from the subject property to correct an inadvertent merger of the proposed severed parcel and the retained parcel. The area of the subject property is 2.1 acres with approximately 670 feet of frontage onto Road 506 and approximately 246 feet of frontage onto Myers Cave Road.

The proposed severed lot will have an area of 1.1 acres with approximately 195 feet of road access onto Road 506 and approximately 246 feet of frontage onto Myers Cave Road. The proposed retained lot will have an area of 1.0 acres with approximately 475 feet of road access on Road 506.

Purpose and Effect under Section 45 (1) of the Planning Act

The Applicants are seeking relief from Section 4.7.3 of Zoning By-law #55-19, which provides the following:

- Minimum Lot Area for Newly Created Lot: 0.8 hectares (1.97 acres)
- Minimum Front Yard Setback: 7 metres

The proposed severed and retained lots do not meet the required lot area for a newly created lot; however the parcels have historically been treated as separate lots, with the consent application required as a remedy to the inadvertent merging of the proposed severed parcel with the proposed retained parcel.

The existing dwelling is setback approximately 2.93 metres from the front lot line, creating a deficient setback by 4.07 metres.

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 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 by electronic participation to provide comments regarding the proposed development to the Committee. 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.

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.

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

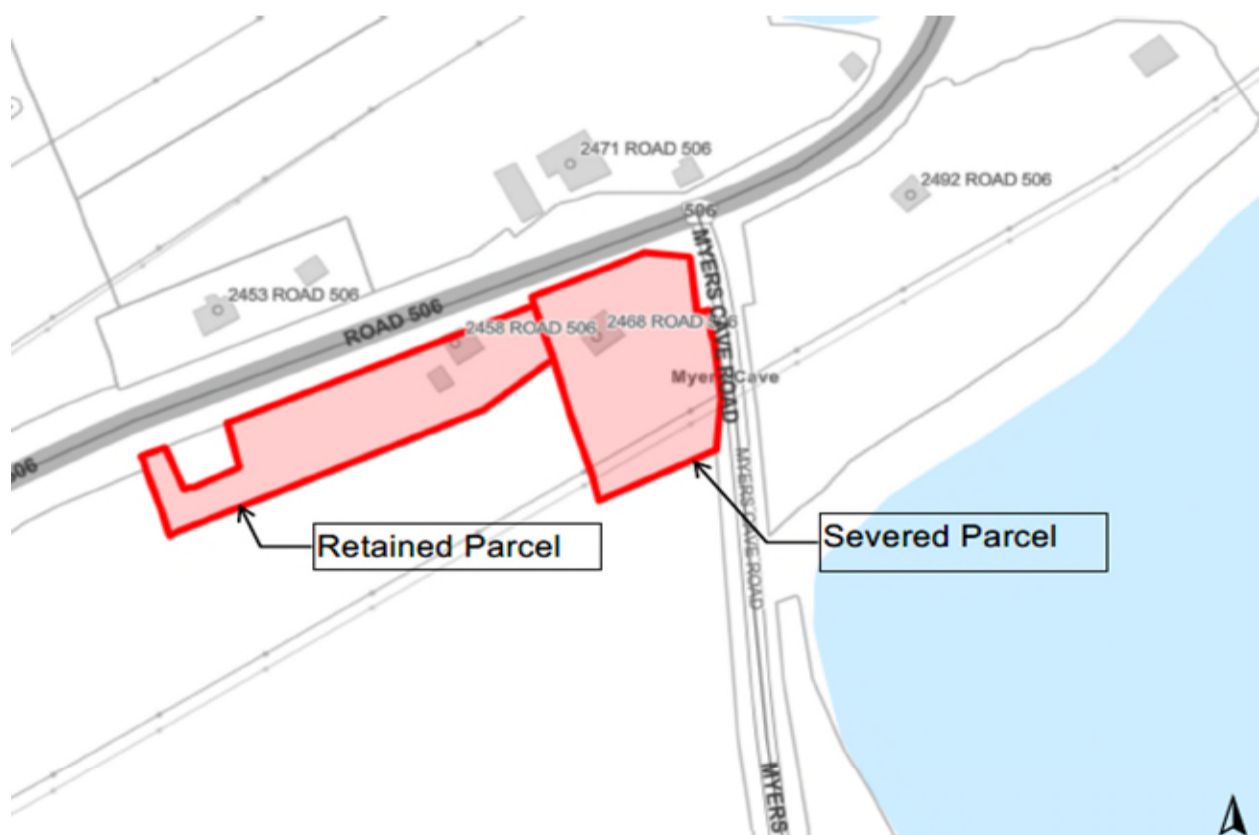
Appeal: If a “specified person” or “public body” as defined in the Planning Act files an appeal of a decision of the Committee of Adjustment in respect of the proposed planning application has not made a written submission or provide comments to the Committee before a decision is made, the Ontario Land Tribunal may dismiss the appeal.

Notice of Collection: Personal information collected as a result of this public hearing is collected under the authority of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Planning Act, and all other relevant legislation, and will be used to assist in making a decision on this matter. All personal information (as defined by MFIPPA), including (but not limited to) names, addresses, opinions, and comments collected will be made available for public disclosure to members of the public, at the meeting, through requests, and through the website of the Corporation of the Township of North Frontenac. Questions regarding the collection, use and disclosure of this personal information may be directed to the undersigned.

Dated at Plevna, Ontario this 21st day of July 2025.

Tara Mieske, Clerk/Planning Manager

Email: clerkplanning@northfrontenac.ca





Planning Report

To: Members of Committee of Adjustment

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

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

Re: **Application for Consent to Sever for the Creation of One New Rural Lot and Minor Variance to Permit an Undersized Lot.**

Address: 2468 Highway 506 and 2458 Road 506

Legal Description: Part of Lot 23 and Part Lot 24, Concession 7, Geographic Township of Barrie

File Numbers: B12/25 & A09/25

Owner(s): Nordic Resorts Inc (c/o Mike Hage)

Applicant Same as owners.

Date Prepared: July 13, 2025

Date of Meeting: July 25, 2025.

Recommendation:

Planning staff are recommending that the Committee of Adjustment for the Township of North Frontenac receive comments from the public, and subject to any issues being raised at the public meeting, approve these applications for consent and minor variance, subject to the conditions outlined in Appendix A of this report.

Proposal:

Application for consent to sever for the creation of one new lot with frontage on Road 506 and Myers Cave Road. A concurrent application for minor variance has been submitted to permit the creation of an undersized lot of record.

The purpose of this application is to rectify an unintended merger of lots that were though to be separate lots of record by both the applicant and Township staff.

Severed Parcel – 2468 Road 506

Information Category	Response
Area	0.43 hectares (1.1 acres)
Road Frontage	50 metres (164 feet) on Road 506; 75 metres (246 feet) on Myers Cave Road
Waterfront	None.
Existing Development and Use	<p>A three storey, 148 square metre (1,600 square foot) barn that is in the process of being converted to a dwelling (building permits issued)</p> <p>Recently installed Class-4 sewage system</p> <p>The property owner proposes to drill a new well to supply water to the dwelling. There is no water service to the dwelling at this time as it is under construction and has not received occupancy.</p> <p>Large hydro corridor at south limit of lot</p>
Proposed Development or Use	No change - Residential

Retained Parcel - 2458 Road 506

Information Category	Response
Area	0.4 hectares (1.0 acres)
Road Frontage	Approximately 127 metres (416 feet) of combined frontage on Road 506
Waterfront	None

Information Category	Response
Existing Development and Use	102 square metre (1,100 square foot) dwelling; 37.16 square metre (400 square foot) shed Sewage system Drilled well
Proposed Development or Use	No change - Residential

Minor Variance (Application Number A09/25)

An application for minor variance has been submitted to recognize the deficiency in lot area for both the proposed severed and retained lots.

Variance: Section 4.7.3 (a) of the Zoning By-law requires a minimum lot area of 0.8 hectares (2 acres). The applicant is proposing a minimum lot area of 0.40 hectares (1.0 acres), a variance request of 0.40 hectares (1.0 acres).

Background Information:

Based on all information available to the applicant, it was understood that both the retained and severed parcel were separate conveyable parcels and could be sold individually. This understanding was shared by Township staff who issued a building permit for the conversion of the barn to a dwelling located on the proposed (east) lot.

When the applicant went to sell one of the two lots, they were informed by their lawyer that the two lots subject to this application have merged on title and could not be sold individually. It is unclear when the merger occurred. Merging on title typically happens to lots that share a property line that are held under the same ownership and that were created prior to the Consent and Subdivision process of the Planning Act.

Planning and building staff typically determine whether lots are independent lots of record by reviewing the Assessment Roll Number (ARN) and Property Identification Number (PIN) assigned to each lot. In most cases, lots with separate ARNs and separate PINs are considered separate lots of record. Similarly, when lots are merged, they are generally assigned a single PIN. In this instance, however, both lots retained separate ARNs and PINs, leading both the Township and the property owner to believe they are independent, conveyable parcels. This situation is uncommon.

The Planning Act only permits the lots to be unmerged if the lots meet all the applicable policies and provisions of a present-day lot division process. This means that applications that propose to unmerge properties that have been unintentionally

consolidated must meet all the policies of the Township Official Plan and be treated the same as an application that proposes a new lot.



Figure 1. GIS data of the two subject properties illustrating separate ARNs



Figure 2. GIS data of the two subject properties illustrating separate PINs

Subject Property (both combined)

Information Category	Response
Official Plan designation	Rural
Zoning	Rural (RU)
Current size (area) of subject property	0.83 hectares (2.1 acres)

Information Category	Response
Existing road frontage and access	177 metres (580 feet) of combined frontage on Road 506; 75 metres (246 feet) on Myers Cave Road
Waterfrontage	None
Natural heritage features	No regulated features identified. The western portion of the retained lot is vegetated.
Existing development	<p>A three storey, 148 square metre (1,600 square foot) barn that is in the process of being converted to a dwelling (building permits issued).</p> <p>102 square metre (1,100 square foot) dwelling.</p> <p>37.16 square metre (400 square foot) shed.</p> <p>Two class 4- sewage systems, one providing services to each dwelling.</p> <p>Drilled well on western lot only.</p>
Surrounding land uses	Located on southwest corner of Myers Cave Road and Road 506, Myers Cave resort to the north, large rural lot and hydro corridor to the south and west,

Pre-application Consultation:

The applicant consulted with Township and planning staff prior to submitting this application.

County planning staff advised that a minor variance is the most appropriate planning process for this issue.

Public Notice

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, 14 days in advance of the meeting.

Comments

Building Department

The Township Chief Building Official issued a building permit for the conversion of the barn to a dwelling.

Septic Approval

A septic permit was issued by the Township of South Frontenac on May 5, 2023 to service the barn-dwelling conversion (prior to January 1, 2024, the Township of South Frontenac was the septic approval authority for all townships in the County). County planning staff observed the sewage system during their site visit.

Public Comments

At the time of the writing of this report, no public comments had been received regarding these applications.

Conformity and Consistency with Policy Planning Documents

Applications for consent and minor variance are required to be consistent with the Provincial Planning Statement, 2024 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 and minor variance are consistent with and conforms to the planning policies of all these documents.

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

Township of North Frontenac Comprehensive Zoning By-Law Number 55-19 (2019)

The subject property is zoned Rural (RU) in the Township of North Frontenac Zoning By-Law Number 55-19. The Rural zone requires a minimum lot area of 0.8 hectares (1.98 acres) and a minimum roadside frontage of 46 metres (150.9 feet) for residential uses, and 4 hectares (9.9 acres) of area and 75 metres (246 feet) of frontage for all other uses.

The proposed lots meet the minimum frontage for residential uses but are deficient in lot area. The applicant has applied for a minor variance to 0.4 hectares (1.0 acre) to accommodate the proposed consent.

Planning Analysis and Considerations

This application was reviewed against the policies of the Provincial Planning 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 these applications are found in Appendix B of this report.

Rural Character

The proposed severed and retained parcels will have frontage on fully maintained Township roads.

Due to the parcel fabric and location of the two dwellings and the vegetation separating them, County planning staff are of the opinion that the two lots appear to be separate lots and functionally unrelated.

No impact on the rural character of the area is anticipated to be impacted as a result of this application. Both Township staff and the property owner were under the impression that these lots were separate lots of record. As such, they have always been treated as separate. The merger that occurred was not intended.

The dwellings on both lots are serviced with their own sewage system. The retained parcel is served with a drilled well and the proposed lot (converted barn) appears to have sufficient room to allow for a drilled well that meets all regulated setbacks.

County planning staff are of the opinion that allowing the merger to be undone through this combined consent and minor variance application is appropriate.

Planning staff are of the opinion that this consent application (and concurrent minor variance application) allows for development that is locally appropriate, builds upon rural character, and leverages existing rural services and amenities.

Road Widening

The road allowance for Myers Cave Road along on the east side of the lot is approximately 13 metres (42 feet) in width. The minimum surveyed width for Township roads is 20 metres (66 feet).

County planning staff recommend a condition that will require the applicant to dedicate a road widening along the Myers Cave Road frontage of the proposed lot. The road widening will be measured by the applicants Ontario Land Surveyor commencing at the centreline of the traveled portion of Myers Cave Road travelling 10 metres 33 feet toward the eastern lot line of the proposed lot (2468 Road 506).

Sewage Disposal System Services

Both the proposed and retained lots are serviced with their own sewage systems. The sewage systems will not be impacted by this application.

Natural Heritage and Natural Hazards

No hazards were identified that would prevent the severance of these lots.

Minimum Distance Separation (MDS)

No livestock facilities, aggregate extraction operations, or landfills were identified within the applicable screening areas surrounding the subject property. Therefore, no further studies are required prior to the approval of this application.

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 (A09/25) to recognize the deficiency in lot area for the lot to be created through consent application B12/25 meets the four tests of minor variance for the following reasons:

Is the application minor?

The application is minor because the reduction in lot area will not impact the ability of the proposed lot to be developed.

The applicant is in the process of converting the barn on the proposed lot to a dwelling, and the retained lot is developed with its own dwelling. County planning staff are of the opinion that the lots are also capable of supporting a replacement septic system in a new location if the existing sewage system fails. County planning staff are of the opinion that the proposed lot has enough land area to support the installation of a drilled well that meets all setback requirements.

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

The reduction in lot area is appropriate for the development of the lands in question because it will facilitate the creation of a new lot that is in keeping with the existing rural character of the area. As discussed in this report, the two lots have functioned and were always thought of as being separate from one another. No land use compatibility issues are expected as a result of this application.

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

Planning staff are of the opinion that the reduction in lot area conforms to the intent and purpose of the Zoning By-law. The intent of the minimum lot area in the Zoning By-law is to ensure that rural residential development can be supported on the subject parcel. This includes the construction of a dwelling, accessory buildings, stand-alone sewage treatment and water services. County planning staff conclude that the lots can support appropriate rural development.

Aside from the reduced lot area, the proposed lot meets all other provisions of the Zoning By-law including a buildable area that meets the required setbacks from all lot lines.

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

The intent of policies in the Rural Area designation are to maintain rural character and ensure that sites may be adequately serviced. Planning staff are of the opinion that the reduced lot area for the proposed lot will not impact the rural character of the region, nor will it impact the ability of the lot to be serviced.

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. 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 Central Frontenac and the proposed minor variance meets the four required tests.

Planning staff recommended that the Committee of Adjustment approve consent application number B12/25 and minor variance application A09/25, subject to the conditions outlined in Appendix A of this report.

Attachments

Appendix A: Draft Conditions of Approval

Appendix B: Relevant Planning Policy and Legislation

Attachment 1: Key Map.

Attachment 2: Applicant Submitted 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 Consent Application B12/25

Expiry Period

1. The 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

Severed Lands

2. The proposed lot will be approximately 0.43 hectares (1.1 acres) in area with 50 metres (164 feet) on Road 506 and 75 metres (246 feet) on Myers Cave Road

Survey/Reference Plan or Registerable Description

3. The surveyor or owner shall submit the draft Reference Plan electronically for review and approval by planning staff prior to depositing the Reference Plan with the Land Registry Office.
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. 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.

Road Widening

7. Prior to the signing of the Certificate of Official for the lot to be created through application B12/25, the surveyed width of the right-of-way abutting the lot proposed to be created (known as Myers Cave Road) shall be widened to a maximum surveyed width of 20 metres (66 feet).
8. The road widening will be measured from the centreline of Myers Cave Road westward to the property proposed to be created to a maximum distance of 10 metres (33 feet).
9. The right-of-way widening shall be shown on the plan of survey accompanying the new lot proposed to be created by Application B12/25

Municipal Requirements

10. 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.
11. 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.
12. 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.
13. 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.
14. That confirmation is filed with each application file that conditions have been fulfilled to the municipality's satisfaction.

Recommended Conditions for Application A09/25

Applicability

1. That the Minor Variance granted through application A09/25 is only to permit the creation of a lot that is a minimum of 0.4 hectares (1.0 acre) in lot area.
2. This applies to both the proposed and retained lots subject to Consent Application B12/25.
3. This Minor Variance does not include any other variances.
4. Application number A09/25 is applicable only to the Township of North Frontenac's Zoning By-Law Number 55-19, as amended, and not to any subsequent zoning by-laws.

Appendix B: Relevant Planning Policy and Legislation

Planning Act

Section 53(1) of the Planning Act allows for the division of land by consent, provided that the approval authority is satisfied that a plan of subdivision of the land is not necessary for the proper and orderly development of the municipality. When determining whether to grant a provisional consent, a municipality is required by Section 53(12) of the Planning Act to have regard for the matters listed in Section 51(24) of the Planning Act.

Section 51(24) of the Planning Act includes a list of criteria that need to be addressed when subdividing land, which includes: conformity with the Official Plan; suitability of the land for the proposed development; adequacy of, and connections to, public roads; dimensions and shapes of lots; conservation of natural resources and flood control; and adequacy of utilities and municipal services.

Provincial Planning Statement (2024)

The Provincial Planning 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 2.5 and Section 2.6 of the PPS, which requires the approval authority to apply the relevant policies of the following sections:

- Chapter 2: 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.
- Chapter 4: 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.
- Chapter 5: 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 5.1).
- Permitted uses on rural lands include residential development that is locally appropriate (Section 2.5.3).
- Supporting healthy, integrated and viable rural areas by building upon rural character and leveraging rural amenities and assets (Section 2.5.1(a)).
- Promoting development that is compatible with the rural landscape and can be sustained by rural service levels (Section 2.6.2).
- New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae. (Section 2.6.5).
- Individual on-site water and sewage services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts (Section 3.6.4).
- Natural features and areas shall be protected for the long term (Section 4.1.1).
- 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 5.1).

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 subject property is designated as Rural Area in the Township of North Frontenac Official Plan. The intent of the policies in the Rural Area designation are to maintain rural character and ensure that properties may be adequately serviced. Within the Rural Area the plan provides for a supply of land for a diversity of traditional and evolving rural uses including: rural residential, rural co-operative, recreational oriented uses and rural commercial and industrial uses. 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.

The following policies are applicable to this application:

- The lot(s) to be severed and to be retained must meet the requirements of the Zoning By-law. (Section 3.15.2.D)
- Residential development may occur on individually created lots or by Plan of Subdivision. (Section 4.3.2.A)
- Lot sizes for rural residential development or waterfront residential development shall be no less than 0.8 ha (2 acres). (Section 4.3.2.A)
- Residential development shall be adequately serviced with on-site water and sewage disposal services (Section 4.3.2.B)
- Residential development will be permitted where it has frontage on and direct access to year-round maintained roads, preferably the existing network of roads, or on private lanes, either of which must meet municipal standards for road construction (Section 3.15.2.H & 4.3.2.C)
- All residential development is subject to the natural and human made hazards requirements of this plan (Section 4.3.2.I)
- It is a policy of Council to protect and manage the identified wetlands as ecosystems which are important as habitat for a variety of plant and animal species, for water quality, flood control and water storage and recharge areas and for their value for passive recreation (Section 4.12.2.B)
- It is a policy that mineral aggregate resources will be protected for their resource value and their long-term use through the designation of active pits and quarries and mineral aggregate reserves as a Mineral Aggregate Resources Area (see Land Use Plan Schedules). As much of the mineral aggregate resources as is realistically possible will be made available to supply mineral resource needs as close to markets as is possible (Section 4.15.2)



TOWNSHIP OF NORTH FRONTENAC

NORDIC RESORTS INC. APPLICATION FOR CONSENT (B12/25)
 2468 HIGHWAY 506 AND 2458 HIGHWAY 506,
 GEOGRAPHIC TOWNSHIP OF BARRIE





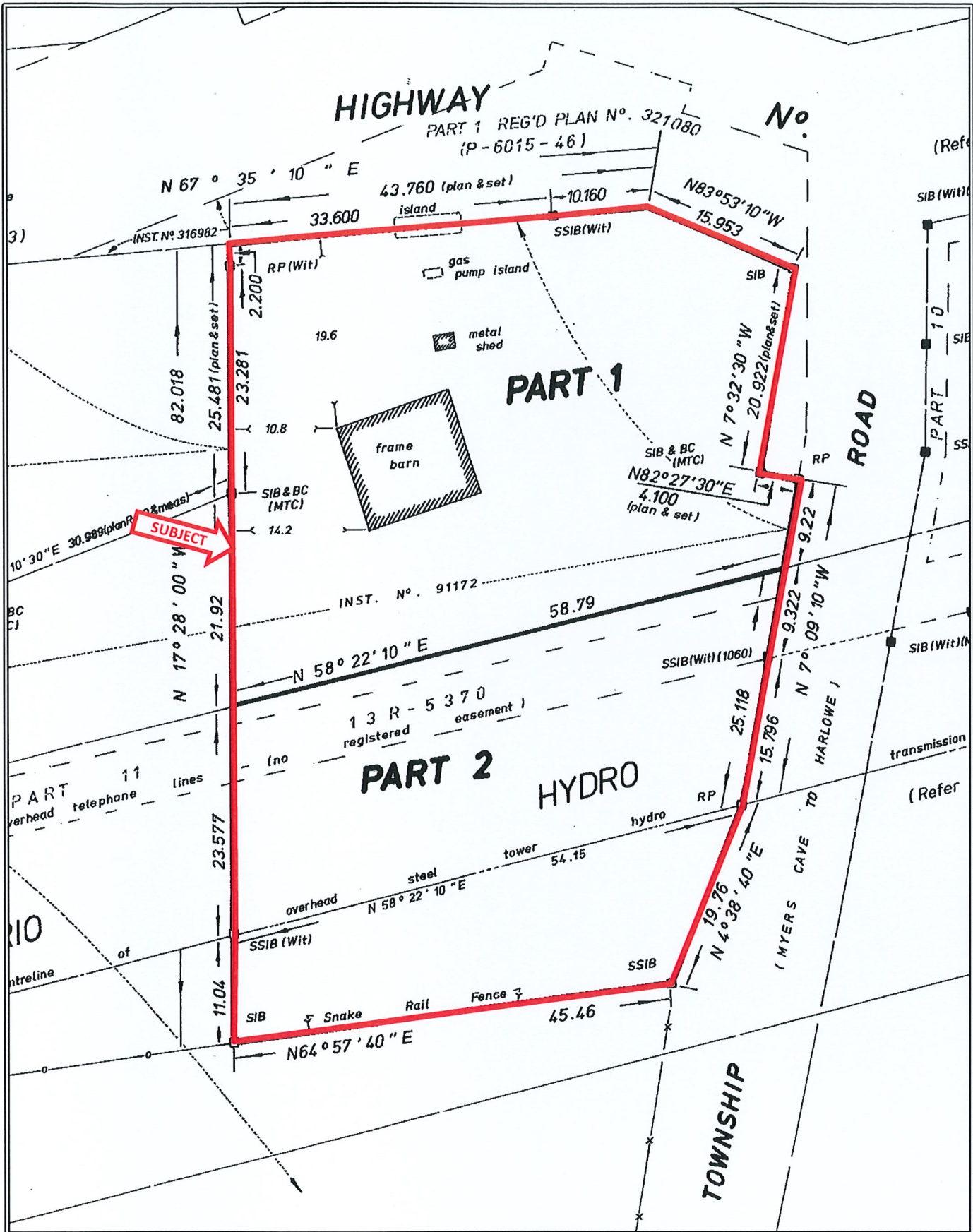
TOWNSHIP OF NORTH FRONTENAC

NORDIC RESORTS INC. APPLICATION FOR MINOR VARIANCE (A09/25)

2468 HIGHWAY 506 AND 2458 HIGHWAY 506,
GEOGRAPHIC TOWNSHIP OF BARRIE

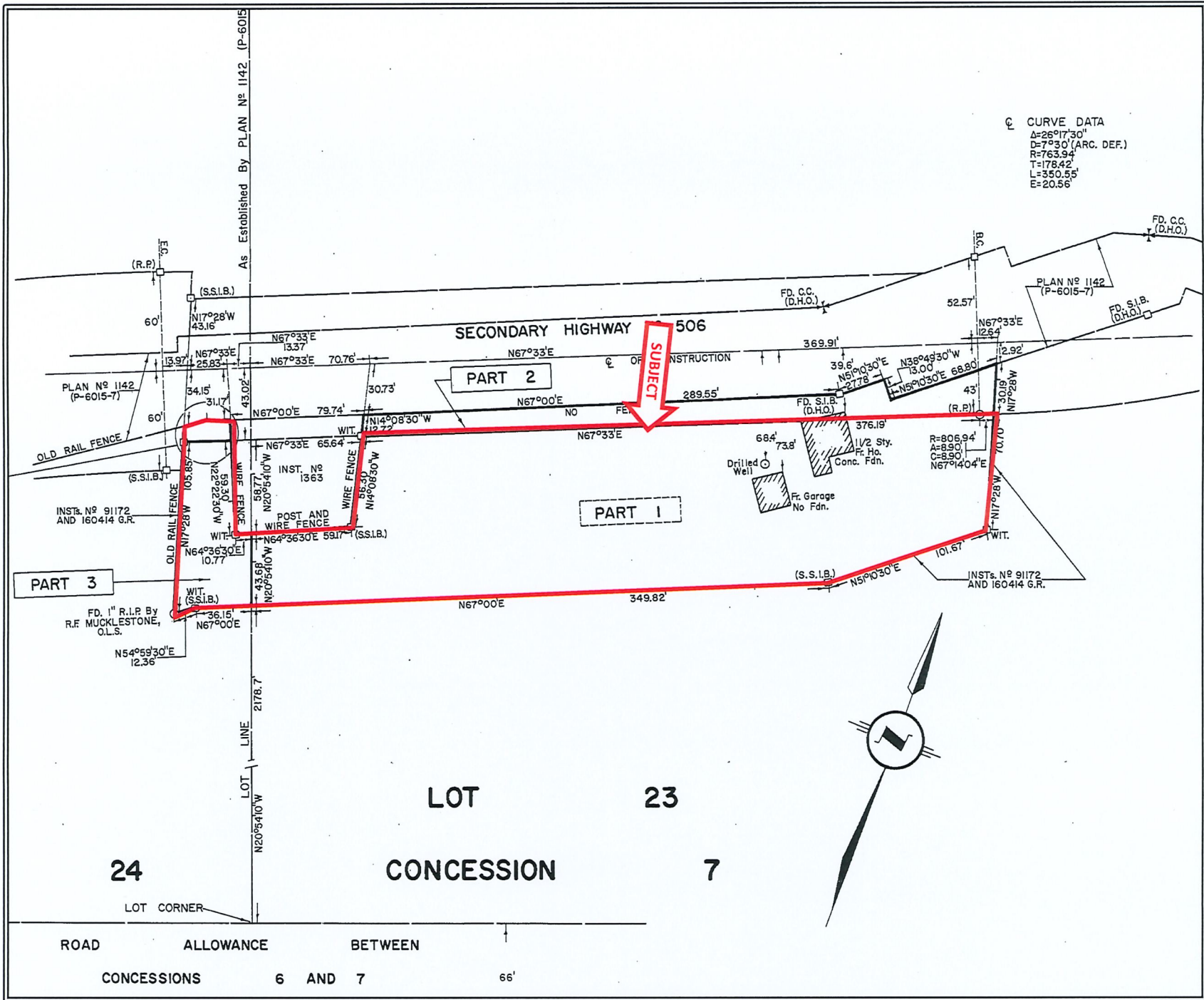


EXCERPT FROM SURVEY PLAN 13R 5968
 Deposited 29 October 1984



EXCERPT FROM SURVEY PLAN R 92
 Deposited 15 July 1969

2471 Highway 506
 Myers Cave, Ontario
 File No. C-22650



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

File No.: #A07/25
Subject Land: Part of Lot 23, Concession 6, Block A, Registered Plan 1090
Geographic Township of Barrie (1062 Big Mountain Lane)
Applicant(s): Scott and Jessica Scaletta

Take Notice: The Township of North Frontenac Committee of Adjustment will hold a public meeting on **August 25, 2025, 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; and through Electronic Participation.

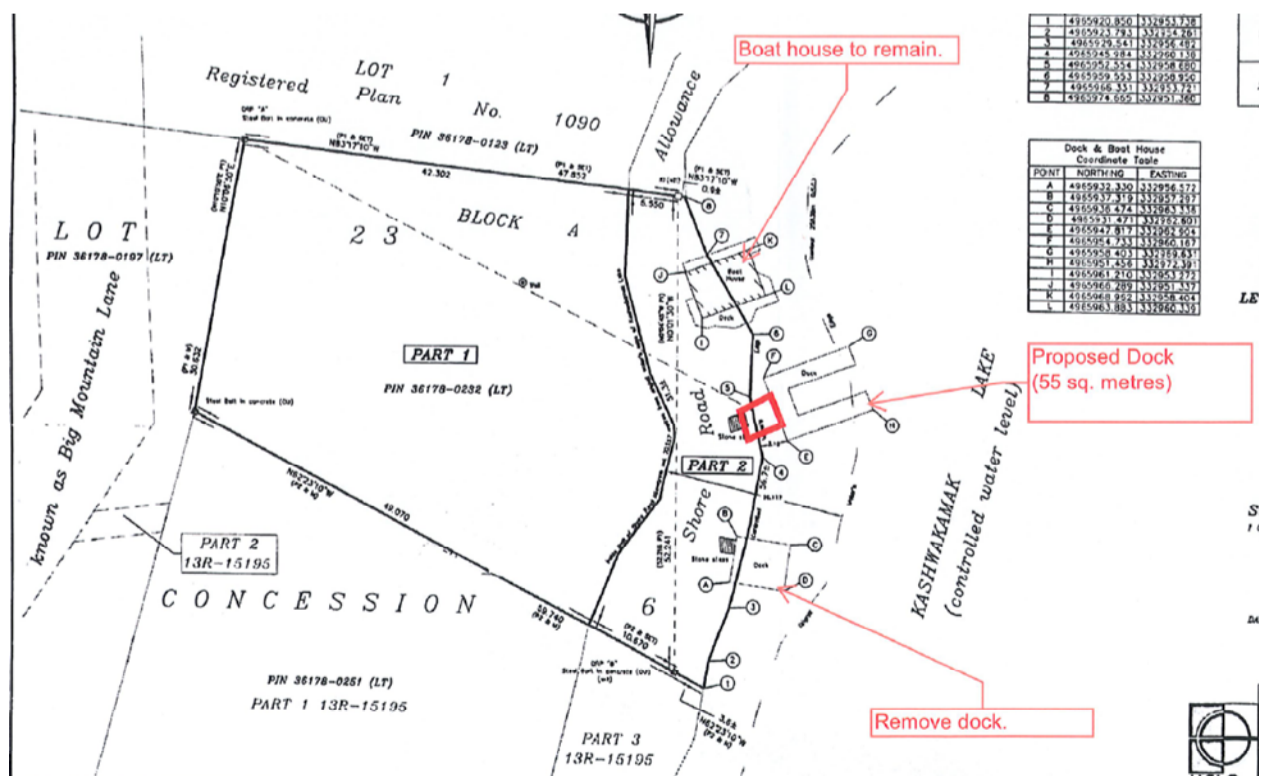
Purpose and Effect under Section 45(1)

The Applicants are applying for relief from Sections 3.1.2 of Zoning By-law #55-19, which provides the following:

- iii) The surface area of a dock shall not exceed 25 square metres in area regardless of the shape of the dock. Any component of a dock located above the high-water mark and designed to anchor the dock to the waterfront shall be excluded from the calculation except where the dock is constructed parallel to the shoreline, in which case the entire surface area shall be included in the calculation;
- iv) A dock may extend to a maximum of 10 metres from the shoreline, and may not be any wider than 4 metres along the shoreline itself;

The Applicants are proposing to remove the roof from the existing boat port and convert the structure to a dock with a surface area of 50.54 square metres and an access ramp designed to access the dock from the shoreline with an area of 4.46 square metres. The proposed dock length is 13.84 metres. The existing sundock is proposed to be removed.

Site Plan



Key Map



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 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 by electronic participation to provide comments regarding the proposed development to the Committee. 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.

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.

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

Appeal: If a "specified person" or "public body" as defined in the Planning Act files an appeal of a decision of the Committee of Adjustment in respect of the proposed planning application has not made a written submission or provide comments to the Committee before a decision is made, the Ontario Land Tribunal may dismiss the appeal.

Notice of Collection: Personal information collected as a result of this public hearing is collected under the authority of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Planning Act, and all other relevant legislation, and will be used to assist in making a decision on this matter. All personal information (as defined by MFIPPA), including (but not limited to) names, addresses, opinions, and comments collected will be made available for public disclosure to members of the public, at the meeting, through requests, and through the website of the Corporation of the Township of North Frontenac. Questions regarding the collection, use and disclosure of this personal information may be directed to the undersigned.

Dated at Plevna, Ontario this 11th day of July 2025.

Tara Mieske, Clerk/Planning Manager
Township of North Frontenac
Email: clerkplanning@northfrontenac.ca



Planning Rationale

To: Tara Mieske, Clerk/Planning Manager

From: RFA Planning Consultant Inc.

Cc: Scott & Jessica Scaletta

Date: June 13, 2025

Re: Application for Minor Variance – 1062 Big Mountain Lane, Barrie Ward, Township of North Frontenac, County of Frontenac – (Roll Number: 104204002066400) – All of Block A Registered Plan No. 1090, Part of Lot 23, Concession 6 and Part of the Shore Road Allowance in Front of Lot 23, Concession 6, Part 1 & 2 on Plan 13R-23191, former Geographic Township of Barrie, Township of North Frontenac, County of Frontenac (PIN 36178-0232 & 36178-1077)

This memo is to summarize our planning opinion in support of an Application for Minor Variance on the subject lands, known municipally as 1062 Big Mountain Lane in the Township of North Frontenac and legally described as All of Block A Registered Plan No. 1090, Part of Lot 23, Concession 6 and Part of the Shore Road Allowance in Front of Lot 23, Concession 6, Part 1 & 2 on Plan 13R-23291, in the Former Geographic Township of Barrie, Now in the Township of North Frontenac, County of Frontenac.

In doing so, conformity to the Township of North Frontenac Official Plan general policies within the “*Waterfront Area*” land use designation are reviewed, as well as the applicable Zoning By-law provisions for the “*Limited Service Waterfront (LSW) Zone*” of the Township of North Frontenac Zoning By-law #55-19 as amended, and Section 45(1) of the *Planning Act*.

BACKGROUND

RFA Planning Consultant Inc. was retained by Scott Scaletta to undertake a Minor Variance Application for lands municipally known as 1062 Big Mountain Lane.

The subject lands are legally described All of Block A Registered Plan No. 1090, Part of Lot 23, Concession 6 and Part of the Shore Road Allowance in Front of Lot

211 Dundas Street East, Suite 202, Belleville, Ontario K8N 1E2

613.966.9070 www.rfaplanningconsultant.ca

23, Concession 6, Part 1 & 2 on Plan 13R-23291, in the Former Geographic Township of Barrie, Now in the Township of North Frontenac, County of Frontenac. The subject lands have been assigned PIN 36178-0232 and PIN 36178-1077 through the Ontario Land Registry Office. The Shore Road Allowance was recently purchased through File No. T1/569/24 and is illustrated as Part 2 on Plan 13R-23291, along with the waterfront structures existing on October 30th, 2024.

The site has an area of 0.24599 hectares (2,459.9 sq. metres), with 30.632 metres of frontage on a private right-of-way, known Municipally as Big Mountain Lane and 56.7 metres of water frontage on Kashwakamak Lake. Table 1 provides a background summary of the subject lands.

Table 1: Background Summary

Subject Lands	
PIN	36178-0232 & 36178-1077
Legal Description	Block A, Registered Plan No. 1090; Part Lot 23, Concession 6 Barrie, As In FR508437; T/W FR508437 Except T/W As In Over Part 2 13R11347; Part of Shore Road Allowance in Front of Lot 23, Concession 6 and Block A Registered Plan 1090, Part 2 13R23291 (Closed By By-law 2025-08 Registered As FC402890), Geographic Township of Barrie, Now in the Township of North Frontenac, County of Frontenac
Lot Area	0.24599 hectares
Lot Frontage	30.632 metres (Big Mountain Lane) 56.7 metres (Kashwakamak Lake)
Access	Big Mountain Lane
Official Plan Designation	"Waterfront Area"
Zoning	"Limited Service Waterfront (LSW) Zone"

The subject lands are located within a rural area of the Municipality which has been subject to recreational development along the shore of Kashwakamak Lake. There are existing waterfront residential lots to the north and south of the subject property. Lake Kashwakamak is to the east of the property and Lake Kashawakamak has a width of approximately 120m at this point. To the west of the subject lands is the right-of-way known as Big Mountain Lane is located to the and further west of Big Mountain Lane is a large parcel of land zoned for Rural uses. The surrounding land uses are summarized in Table 2 below:

Table 2: Surrounding Land Uses

Surrounding Land Uses	
North	Waterfront Residential Uses
South	Waterfront Residential Uses
East	Lake Kashwakamak
West	Big Mountain Lane and Rural Lands

Scott & Jessica Scaletta purchased the subject lands in 2022. At the time of their purchase, the subject lands were developed with an existing cottage, two storey boat house, dock and sun dock. Figure 1 below provides an aerial image from 2020 and illustrates those existing structures, along with the original cottage close to the shoreline.



Figure 1: Aerial Image of the Site (2020, Frontenac GIS)

The Scaletta's demolished the existing cottage shortly after their purchase and constructed a new single detached dwelling. The new single detached dwelling complied with the Township's Zoning By-law provisions and was setback 30 metres from the highwater mark. The new septic system was also relocated to be more than 30 metres from the high water mark as well. Figure 2 below provides an aerial image

of the site from 2023, illustrating the new single detached dwelling and waterfront accessory structures.



Figure 2: Aerial Image of the Site (2023, Google Earth)

In 2024, the Scaletta's purchased a new floating boat port to replace the existing floating dock and at the time of their purchase, were advised that the boat port would comply with the Township's By-laws. The Scaletta's proceeded to purchase the boat port in good faith that it would comply with the Township's requirements. The boat port was purchased to provide docking facilities for the Scaletta's boat which can not reasonably fit within the existing boat house (as the opening is too small), to protect it from the elements and waves produced by the wake of passing boats. Mr. Scaletta was notified by the Township that the new boat port is not in compliance to the Township's Zoning By-law after receiving a by-law compliant.

A meeting was held with Township of North Frontenac and County Staff in December of 2024 to discuss the non-compliance and potential options to proceed with achieving compliance to the Township's Zoning By-law.

Under the current circumstance, there is an existing boat house, a boat port and a sun dock. There are currently three waterfront structures. It is recognize that the Township's Zoning By-law classifies a "Boat House" and "Boat Port" as the same structure. Based on conversations with Township Staff, there is a clear intent to limit

the number of waterfront structures and their sizes in the Zoning By-law. The Zoning By-law only allows for a single “Boat House” or “Boat Port”. It is important to mention that the existing “Boat House” is a two storey structure and does not comply with the current Zoning By-law, however, it is recognized that this structure benefits from legal non-complying rights. There are no proposed changes to the existing “Boat House” through the proposed Minor Variance Applications. Through conversation with Frontenac County Planning Staff, it was determined that having two structures for housing a boat is not practical.

In order to achieve compliance to the Township’s Zoning By-law, the proposal is to remove the roof of the “Boat Port” to consider the structure as a “dock” and then remove the existing “sun dock”. This will reduce the overall number and area of structures along the waterfront for this property. Table 3 below provides a summary

Table 3: Summary of Structure Areas

Structure	Existing	Proposed
Boat House	41.1 sq. metres	41.1 sq. metres
Old Dock	26.012 sq. metres	
Sun Dock	30.08 sq. metres	
New Dock (Boat Port with roof removed)		55 sq. metres
Total	97.192 sq. metres	96.1 sq. metres

Figure 3 below, provides an illustration of the previous shoreline structures before the boat port was brought to the property. Figure 4 below, provides an illustration of the proposed shoreline structures, should this Minor Variance Application be approved.

Figure 3: Existing/Previous Structures

PLAN of SURVEY of
 ALL of Block A Registered Plan No. 1090
 PART of LOT 23, CONCESSION 6 AND PART of
 THE SHORE ROAD ALLOWANCE
 IN FRONT OF LOT 23, CONCESSION 6
 and Block A Registered Plan No. 1090
 Geographic Township of Barrie
 TOWNSHIP OF NORTH FRONTENAC
 COUNTY of FRONTENAC
 SCALE = 1:300

HOPKINS CHITTY LAND SURVEYORS INC.
 -2024-

POINT ID	NORTHING	EASTING
ORP "A"	4965980.86	332902.99
ORP "B"	4965922.53	332950.62

COORDINATES CANNOT, IN THEMSELVES BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

BEARINGS ARE UTM GRID, DERIVED FROM MULTIPLE REAL TIME KINEMATIC (RTK) OBSERVATIONS FROM MONUMENT "A" TO "B", UTM ZONE 18 (76° WEST LONGITUDE) NAD83 (CSRS) (8010)

FOR BEARING COMPARISONS, A ROTATION OF 1°24'50" CLOCKWISE WAS APPLIED TO BEARINGS ON PLAN 13R-15195

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999908

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT. **PLAN 13R-23291**

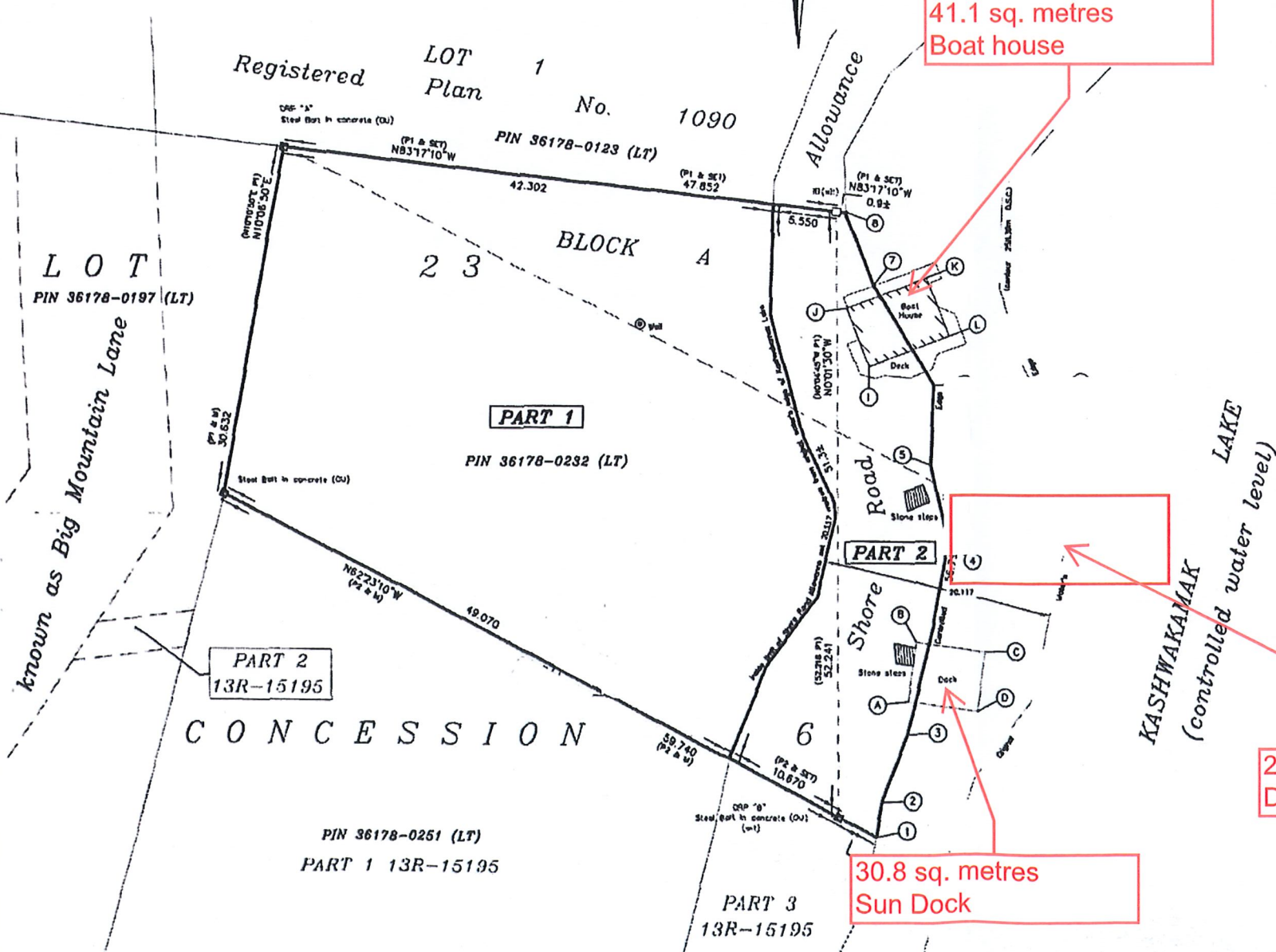
RECEIVED AND DEPOSITED

DATE: December 16th, 2024

DATE: December 20, 2024

Thomas MacDonald
 ONTARIO LAND SURVEYOR

REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF FRONTENAC (No. 13)



Water's Edge Coordinate Table

POINT	NORTHING	EASTING
1	4965920.850	332953.738
2	4965923.793	332954.261
3	4965929.541	332956.482
4	4965945.984	332960.138
5	4965952.554	332958.680
6	4965959.553	332958.950
7	4965968.331	332953.721
8	4965974.665	332951.360

Dock & Boat House Coordinate Table

POINT	NORTHING	EASTING
A	4965932.330	332956.572
B	4965937.319	332957.297
C	4965936.474	332963.338
D	4965931.471	332962.601
E	4965947.817	332962.904
F	4965954.733	332960.167
G	4965958.403	332969.631
H	4965951.456	332972.391
I	4965961.210	332953.272
J	4965966.289	332951.337
K	4965968.952	332958.404
L	4965963.883	332960.339

SCHEDULE

PART	LOT	CON./R.P.	PIN No.
1	PART of 23	6	ALL of 36178-0232 (LT)
	ALL of Block A	1090	
2	Shore Road Allowance in front of Lot 23 Concession 6 and Block A R.P. No. 1090		Unassigned

NOTE:

1) Water levels on KASHWAKAMAK Lake are artificially regulated to a maximum of 260.60 metres G.S.C.

2) The contour elevation of 258.39 metres G.S.C. datum shown on this plan is the best available evidence of the original limit of KASHWAKAMAK Lake at the time of the original survey of the Geographic Township of Barrie.

3) Elevations are referred to a Crown Lands Rock Post, set in rock, 2.16 metres west of the east face and 0.30 metres south of the north face of the main dam at the outlet of KASHWAKAMAK Lake, having an elevation of 261.284 metres G.S.C. datum.

LEGEND:

SSIB'S PLANTED DUE TO INSUFFICIENT OVERBURDEN

- denotes Planted Survey Monument
- Found Survey Monument
- SIB Standard Iron Bar
- SSIB Short Standard Iron Bar
- IB Iron Bar
- IBa Iron Bar (round)
- RB Rock Bar
- RPL Rock Plug
- (WIT) Witness
- (M) Measured
- CC Cut Cross
- (OU) Origin Unknown
- (HP) Hydro Pole
- (1885) Hopkins Chitty Land Surveyors Inc.-O.L.S. Plan of Survey by J.L. Minnea O.L.S. dated January 15, 1975
- (P1) PLAN 13R-15195
- (P2)

SURVEYOR'S CERTIFICATE:

I CERTIFY THAT:

- This Survey and Plan are correct and in accordance with the SURVEYS ACT, the SURVEYORS ACT, THE LAND TITLES ACT and the REGULATIONS made under them.
- The SURVEY was completed on the 30th day of October, 2024

DATE: December 5, 2024

Thomas MacDonald - O.L.S.

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER V-88551

Party CHITTY AT	Instrument: NP	Checked By: TCM	Plan By: EM
HOPKINS CHITTY LAND SURVEYORS INC. Ontario Land Surveyors www.hopkinschitty.com			
1224 GARDINERS ROAD, SUITE 102 KINGSTON, ONTARIO K7P-0G2 Tel (613) 384-9288 Fax (613) 384-3513		PROJECT No. 2024-0645 Part of Lot 23, Con. 6 and Block A, R.P. No. 1090 Township of Barrie	

Figure 4: Sketch - Proposed

PLAN of SURVEY of
ALL of Block A Registered Plan No. 1090
PART of LOT 23, CONCESSION 6 AND PART of
THE SHORE ROAD ALLOWANCE
IN FRONT OF LOT 23, CONCESSION 6
and Block A Registered Plan No. 1090
Geographic Township of Barrie
TOWNSHIP OF NORTH FRONTENAC
COUNTY of FRONTENAC
SCALE = 1:300

10metres 0 10 20 30metres
HOPKINS CHITTY LAND SURVEYORS INC.
-2024-

OBSERVED REFERENCE POINTS (ORP'S) DERIVED FROM GPS OBSERVATIONS USING PRECISE POINT POSITIONING (PPP) SERVICE. UTM ZONE 18, NAD83 (CSRS) (8010). COORDINATES TO RURAL ACCURACY PER SEC. 14(2) OF O.REG. 216/10

POINT ID	NORTHING	EASTING
ORP "A"	496590.86	332902.99
ORP "B"	4965922.53	332950.62

COORDINATES CANNOT, IN THEMSELVES BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

BEARINGS ARE UTM GRID, DERIVED FROM MULTIPLE REAL TIME KINEMATIC (GPS) OBSERVATIONS FROM MONUMENT "A" TO "B", UTM ZONE 18 (76° WEST LONGITUDE) NAD83 (CSRS) (8010)

FOR BEARING COMPARISONS, A ROTATION OF 1°24'50" CLOCKWISE WAS APPLIED TO BEARINGS ON PLAN 13R-16195

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999906

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT. **PLAN 13R-23291**

RECEIVED AND DEPOSITED

DATE: December 16th, 2024

DATE: December 20, 2024

Thomas MacDonald
 SIGNATURE

REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF FRONTENAC (No. 13)

Thomas MacDonald
 ONTARIO LAND SURVEYOR



Water's Edge Coordinate Table

POINT	NORTHING	EASTING
1	4965920.850	332953.738
2	4965923.793	332954.261
3	4965929.541	332956.482
4	4965945.984	332960.138
5	4965952.554	332958.680
6	4965959.553	332958.950
7	4965966.331	332953.721
8	4965974.665	332951.360

SCHEDULE

PART	LOT	CON./R.P.	PIN No.
1	PART of 23	6	ALL of 36178-0232 (LT)
	ALL of Block A	1090	
2	Shore Road Allowance in front of Lot 23 Concession 6 and Block A R.P. No. 1090		Unassigned

NOTE:

1) Water levels on KASHWAKAMAK Lake are artificially regulated to a maximum of 260.60 metres G.S.C..

2) The contour elevation of 258.39 metres G.S.C. datum shown on this plan is the best available evidence of the original limit of KASHWAKAMAK Lake at the time of the original survey of the Geographic Township of Barrie.

3) Elevations are referred to a Crown Lands Rock Post, set in rock, 2.16 metres west of the east face and 0.30 metres south of the north face of the main dam at the outlet of KASHWAKAMAK Lake, having an elevation of 261.284 metres G.S.C. datum.

Dock & Boat House Coordinate Table

POINT	NORTHING	EASTING
A	4965932.330	332956.572
B	4965937.319	332957.297
C	4965936.474	332963.336
D	4965931.471	332962.601
E	4965947.817	332962.904
F	4965954.733	332960.167
G	4965958.403	332969.631
H	4965951.456	332972.391
I	4965961.210	332953.272
J	4965966.289	332951.337
K	4965968.952	332958.404
L	4965963.883	332960.339

LEGEND:

SSIB'S PLANTED DUE TO INSUFFICIENT OVERBURDEN

- denotes Planted Survey Monument
- Found Survey Monument
- SIB Standard Iron Bar
- SSIB Short Standard Iron Bar
- IB Iron Bar
- IBR Iron Bar (round)
- RB Rock Bar
- RPL Rock Plug
- (WIT) Witness
- (M) Measured
- CC Cut Cross
- (OU) Origin Unknown
- (HP) Hydro Pole
- (1885) Hopkins Chitty Land Surveyors Inc. - O.L.S. Plan of Survey by J.A. Kinnes O.L.S. dated January 15, 1975
- (P1)
- (P2) PLAN 13R-15195

SURVEYOR'S CERTIFICATE:

I CERTIFY THAT:

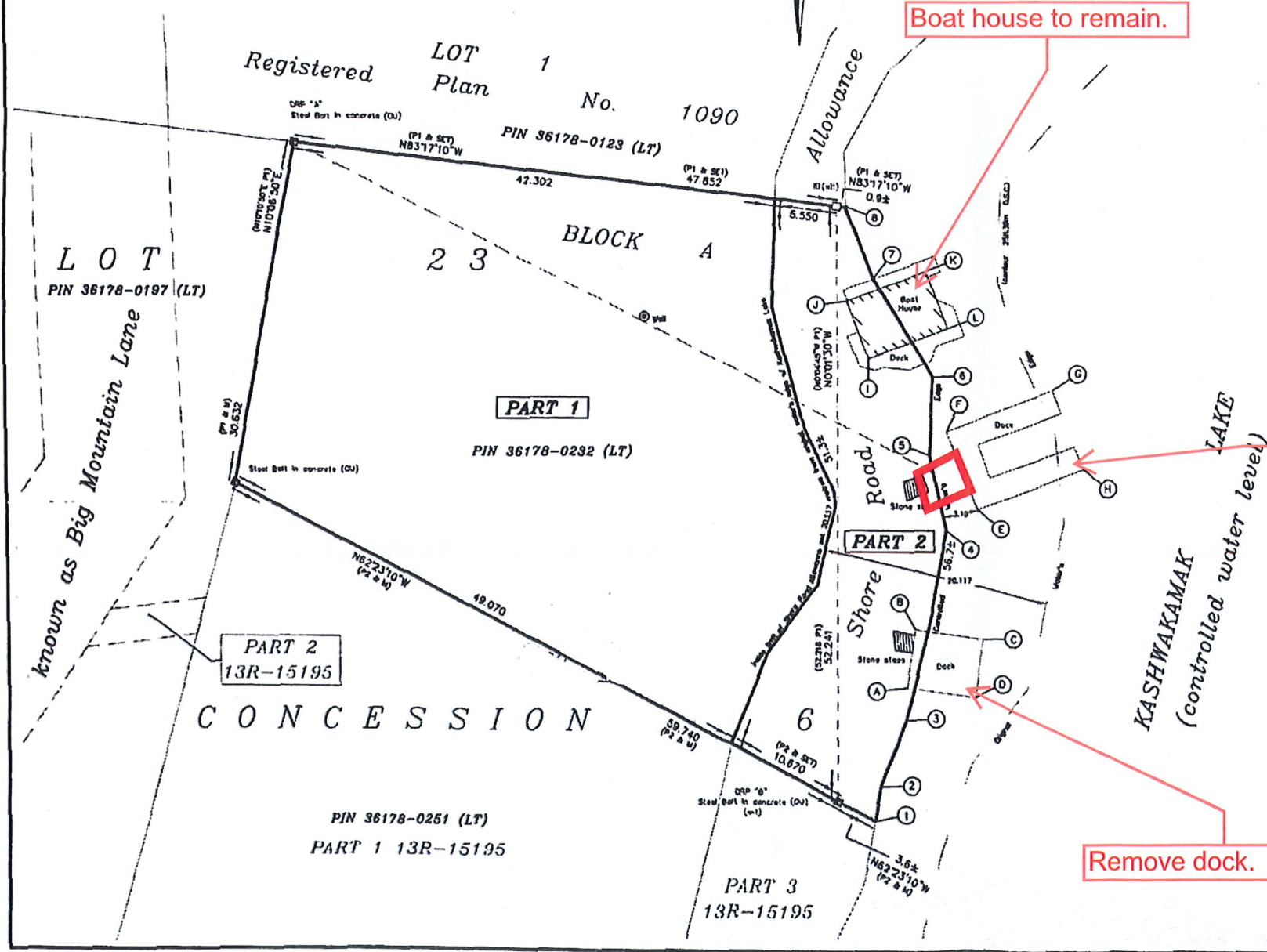
- This Survey and Plan are correct and in accordance with the SURVEYS ACT, the SURVEYORS ACT, THE LAND TITLES ACT and the REGULATIONS made under them.
- The SURVEY was completed on the 30th day of October, 2024

DATE: December 5, 2024

Thomas MacDonald
 Thomas MacDonald - O.L.S.

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER V-86551

Party	CHP	AT	Instrument	MP	Checked By	TGM	Plan By	EM
HOPKINS CHITTY LAND SURVEYORS INC. Ontario Land Surveyors www.hopkinschitty.com 1224 GARDINERS ROAD, SUITE 102 KINGSTON, ONTARIO K7P-0C2 Tel (613) 384-9288 Fax (613) 384-3513								
PROJECT No. 2024-0645 Part of Lot 23, Con. 6 and Block A, R.P. No. 1090 Township of Barrie								



APPLICATION FOR MINOR VARIANCES

Minor variances are being sought to the following provisions of the Township of North Frontenac Zoning By-law #55-19 to provide relief to:

- Section 3.1.2.(b) Docks
 - iii) *The surface area of a dock shall not exceed 25 square metres in area regardless of the shape of the dock. Any component of a dock located above the high-water mark and designed to anchor the dock to the waterfront shall be excluded from the calculation except where the dock is constructed parallel to the shoreline, in which case the entire surface area shall be included in the calculation;*
 - iv) *A dock may extend to a maximum of 10 metres from the shoreline, and may not be any wider than 4 metres along the shoreline itself; A dock shall not be constructed closer than 3 metres from the nearest adjacent side lot line where the lot abuts another property and 7 metres where the lot abuts an opened or unopened road allowance and shall not encroach on adjacent lot lines when the lot boundaries are extended into the water. There is no front yard setback for a dock;*

The variances being requested only pertain to the waterfront docking structure. The existing boat house is considered legal non-conforming to the Zoning By-law and there are no proposed changes to the boat house.

The proposed dock would have an area of 50.54 sq. metres in area. The ramp used to access this dock has an area of 4.46 sq. metres but is used and designed to strictly access the dock from the shore. The area of the ramp has been excluded from the total area as it is designed to strictly access the dock from the shore. The surface area of the dock exceeds the maximum permitted surface area. The dock also exceeds the maximum length permitted. Table 4 below provides a summary of the requirements of Section 3.1.2(b) and proposed.

Table 4: Proposed Variances

Zoning By-law Provision	Required	Proposed
3.1.2(b)iii) – Maximum Surface Area	25 sq. metres	50.54 sq. metres
3.1.2(b)iv) – Maximum Length	10 metres	13.84 metres

It is important to note that as part of the application the Owner is proposing to remove the existing sun dock and it is recognized that this could be completed as a condition of approval. This proposal would effectively reduce the overall number of waterfront structures and reduce the overall area of waterfront structures that has historically existed. This proposal brings the subject lands into closer conformity to the Township's Zoning By-law.

PLANNING ACT

Section 45(1) of the Planning Act describes the criteria for the approval authority (Committee of Adjustment) to assess if a minor variance should be approved. The criteria are:

- a) Is the application minor in nature?
- b) Is the application desirable for the appropriate use of the land, building, or structure?
- c) Does it maintain the general intent and purpose of the Official Plan?
- d) Does it maintain the general intent and purpose of the Zoning By-law?

The four-part test was assessed for the requested variances through the analysis below. The application is consistent with Section 45(1) of the Planning Act. The four-part test is assessed in the relevant sections below.

MINOR IN NATURE

The requested variances are minor in nature. The surface area of the proposed dock is to be 50.54 sq. metres, an increase of 25.54 sq. metres from the maximum permitted surface area. While this appears to be an increase of almost 100%, the subject lands have been historically developed with two (2) docks, which had consisted of an area of 56.092 sq. metres. The combined surface area of the former docks would have been 124% greater than the permitted surface area of the Zoning By-law. The proposed dock will actually reduce the overall surface area of the docks for the subject property. Through consolidating the docking facilities on the site, it is anticipated that this will reduce the visual impact on the property along the waterfront.

The variance also seeks to increase the maximum permitted length of a dock from 10 metres to 13.84 metres. The proposed increased length will allow for the existing boat port structure to be used. Based on the aerial imagery, the width of Lake Kashwakamak is +/- 121 metres (from the subject property to eastern shore). The proposed length of 13.84 metres will not impact the function of the navigable waterway or interfere with boat traffic. It is anticipated that the length of the dock is a minor increase and is compatible with the surrounding area.

The application for minor variance is minor in nature as the subject lands have historically had a greater cumulative area of docks on site and will effectively reduce the cumulative area of docking structures along the waterfront of this property.

APPROPRIATE & DESIRABLE

The subject property has been developed for resource based recreational uses with a single detached dwelling, boat house and private services. The property has been historically developed with three (3) distinct waterfront structures (boat house, dock and “sun dock”), as shown in Figure 3 above.

The proposed variance will reduce the overall number of waterfront structures on this lot and effectively further reduce the area of these structures. The proposed dock length will not create a traffic hazard for water traffic as the navigable waterway has a width of approximately 121 metres. The proposed U-shaped dock will allow for protection for the Owner’s boat due to the wake’s that have been created in the past by boat traffic on the lake. While the dock configuration will provide protection for the Owners boat, the proposed configuration will also reduce the overall number of waterfront structures.

As the shoreline of this property has previously been cleared and developed for waterfront recreational purposes, there will be no significant changes to the shoreline as a result of this application. There will be the removal of an existing dock which will directly contribute to the overall reduction in docking facilities on the property. The proposed variances are appropriate and desirable development along the waterfront of Lake Kashwakamak. The proposed variances are appropriate for the waterfront location and historic development footprint of waterfront structures on the subject lands.

OFFICIAL PLAN

The subject lands are designated as the “*Waterfront Area*” under the Township of North Frontenac Official Plan.

The Waterfront Area land use designation allows for residential uses (limited to low-density residential development and limited service residential development), commercial uses (resorts, marinas, tent and trailer parks), open space uses, public uses and accessory buildings and structure (4.10.6 E.). The existing low-density residential use of the subject lands and accessory structures are permitted uses within the Waterfront Area designation.

The Official Plan provides a number of principles for guiding growth and development within the Waterfront Area. The Plan identifies the waterfront area as an important resource which will be protected (4.10.3.A.). The Plan encourages protecting the character of Lakes within the Township, including factors such as the number of structures, setbacks, shoreline buffers, size and location of shoreline structures and the historic development of a particular lake (4.10.3.D.). The Plan also encourages the protection of the

integrity of the natural environment, landscape, shorelines and water quality (4.10.3.E.). The Plan encourages the preservation of natural and cultural heritage (4.10.3.F.). The principles of the Waterfront Area designation provide the basis for development within this area. The principles recognize the value of the waterfront and intend to protect it from incompatible development. The proposed variances will meet the general intent of these provisions by reducing the overall number of waterfront structures and recognizing the historic development of the subject lands.

The Official Plan states that development within the waterfront should complement the natural and built form and should enhance and protect those qualities that contribute to character (4.10.6.D). The subject lands have been developed with three shoreline structures and the proposal will reduce the overall number of structures to two, along with a reduction in the overall area of development. The Plan also encourages the preservation and protection of the appearance of the shoreline in a natural vegetated state (4.10.6.W). The proposed variance does not seek to make any alterations to the shoreline, with the exception of the removal of the existing "sun dock". The removal of this dock will minimize the number of waterfront structures and improve the quality of the shoreline.

It is recognized that the Township's Official Plan provide policies related to the protection of the Township's natural features, shorelines and lakes. The Plan provides an intent to maintain shorelines in a natural vegetated states and where lots are already developed, targets should be achieved to the extent feasible and where these targets cannot be met, a net improvement over the existing situation is required (4.10.7.D). The shoreline of the subject property is not vegetated to the extent envisioned by the Official Plan. However, this is existing and the proposed variance is seeking to replace an existing dock, while also removing another docking structure on the shoreline. It is our opinion that the proposed variances will maintain the intent of the Official Plan by resulting in a net improvement to the shoreline of this property, through decreasing the number of waterfront structures and overall area of waterfront structures.

In terms of waterfront structures, the Township's Official Plan does not provide detailed policies related to the maximum number or area of waterfront structures which can be used on a property and it does not provide for a maximum length for docks. The Official Plan rather provides policy direction related to protection of the shoreline and reducing the visual obstructions created by excessive shoreline structures. The proposed variance will ultimately reduce the overall number of shoreline structures and areas associated with the shoreline. It is our opinion that the proposed Variances will maintain the general intent and purpose of the Township's Official Plan.

The proposed variances will maintain the general intent and purpose of the Township's Official Plan.

ZONING BY-LAW

The property is currently zoned as "*Limited Service Waterfront (LSW) Zone*" as per the Township of North Frontenac Zoning By-law #55-19, as amended. The LSW Zone permits the principal use of a Single Detached Dwelling (4.9.1) and accessory uses (accessory buildings and structures, loft-above-a-garage, swimming pool and waterfronts structures) (4.9.2). The existing single detached dwelling is a permitted use and the waterfront structures are also permitted uses within the LSW Zone.

Section 4.9.3(a) of the LSW Zone provides zone requirements for principal uses and Section 4.9.3(b) provides zone requirements for accessory uses. Section 4.9.4(a) of the LSW Zone requires all shoreline structures to be constructed within the confines of the property boundaries of a lot with exception for a boathouse or dock. The existing single detached dwelling complies with the requirements of the LSW Zone and the existing boathouse pre-dates the Zoning By-law, making it legal non-conforming to the by-law. The Zoning By-law provides for further requirements under Section 3.1 of the Zoning By-law.

Section 3.1.2 of the By-law provides specific requirements for Boathouses, Docks, Waterfront Structures and Pumphouses. The Minor Variance Application only seeks a variance to the requirements of Section 3.1.2(b) of the By-law for the requirements of docks. The Variance specifically seeks to vary the requirements of Section 3.1.2(b) iii) and iv). The subject lands have been developed and have included a number of docking structures. The proposed variance will allow for an increased docking area but will ultimately reduce the historical docking areas on site, thus improving compliance to the Township's Zoning By-law. Additionally, the increased length will not interfere with the navigable waterway of Lake Kashwakmak.

All other zoning provisions with the LSW Zone will be met or exceeded and all other provisions of Section 3.1.2(b) can be complied with. Based on the above analysis, the general intent and purpose of the Zoning By-law is maintained.

PLANNING OPINION AND CONCLUSION

The subject lands are located within the "*Waterfront Area*" land use designation of the Township of North Frontenac Official Plan and zoned "*Limited Service Waterfront (LSW) Zone*" as per the Township of North Frontenac Zoning By-law #55-19., as amended. The proposed minor variances requests to:

- Increase the maximum surface area of a dock from 25 sq. metres to 50.54 sq. metres;
- Increase the maximum length of a dock from 10 metres (from the shoreline) to 13.84 metres.

The requested minor variances are considered minor in nature as the variances will result in a reduction in both docking facilities and their area on the shoreline. This is appropriate and desirable development as it will improve the overall quality of the shoreline and structures. The proposed length of the dock is not anticipated to result in a water traffic hazard or impact adjacent properties. The width of Lake Kashwakamak is sufficient to absorb the additional length of 3.84 metres without generating nuisances for lake users.

The Township's Official Plan provides for policies related to the protection of the Township's lakes and shorelines. The Waterfront Area policies provide a balance between resource based recreational development and the natural environment. The policies generally intend to limit the visual intrusion of waterfront development along the shoreline. The proposed variances will allow for the reduction of the overall number of docking facilities on the subject property, which will maintain the Official Plan's intent of reducing the visual impact of multiple docking facilities. The Township's Zoning By-law does not provide for detailed regulations for development such as the maximum area of docking facilities or length. The Zoning By-law provides for these specific requirements for docking structures and based on the reduction, it is our opinion that the proposed variances will maintain the intent of both the Zoning By-law and Official Plan.

The application for Minor Variances under Section 45(1) of the *Planning Act* meets the general intent and purpose of the Township of North Frontenac Official Plan and Zoning By-law Number 55-19. The subject lands will comply with the provisions of the *Limited Service Waterfront (LSW) Zone*. The proposed variance will ultimately reduce the overall number of docking facilities on site and the area of these structures, resulting in a net decrease in area of docking facilities for the property.

Yours truly,



Dale Egan, RPP, MCIP
Senior Planner/Project Manager
RFA Planning Consultant Inc.





Planning Report

To: Members of Committee of Adjustment

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

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

Re: Application for Minor Variance to Permit an Oversized Dock

Address: 1062 Big Mountain Lane

Legal Description: Part Lot 23, Concession 6; Block A, Registered Plan 1090, Geographic Township of South Canonto.

File Number: A07/25 (Scaletta)

Owner(s): Scott & Jessica Scaletta

Applicant(s): RFA Planning Consultant Inc – Dale Egan

Date Prepared: August 19, 2025

Date of Public Meeting: August 25, 2025

Recommendation:

That the Committee of Adjustment for the Township of North Frontenac receive comments from the public, and subject to any issues being raised at the public meeting, approve the application subject to the conditions outlined in Appendix A of this report.

Proposal:

This application proposes to recognize the construction of an oversized dock.

The purpose of this application is to resolve an existing compliance issue related to the installation of a boat port that does not meet the provisions of the Township Zoning By-law.

The boat port will be converted into an oversized dock that will be a total of 55 square metres (592 square feet) in area and approximately 13.84 metres (45.4 feet) in length .

The applicant proposes to remove:

- the roof including the posts holding up the roof on the subject boat port to convert it into a dock.
- the existing 30.08 square metre (323.8 square foot) sun dock.
- the existing 26.012 square metre (280 square foot) dock.

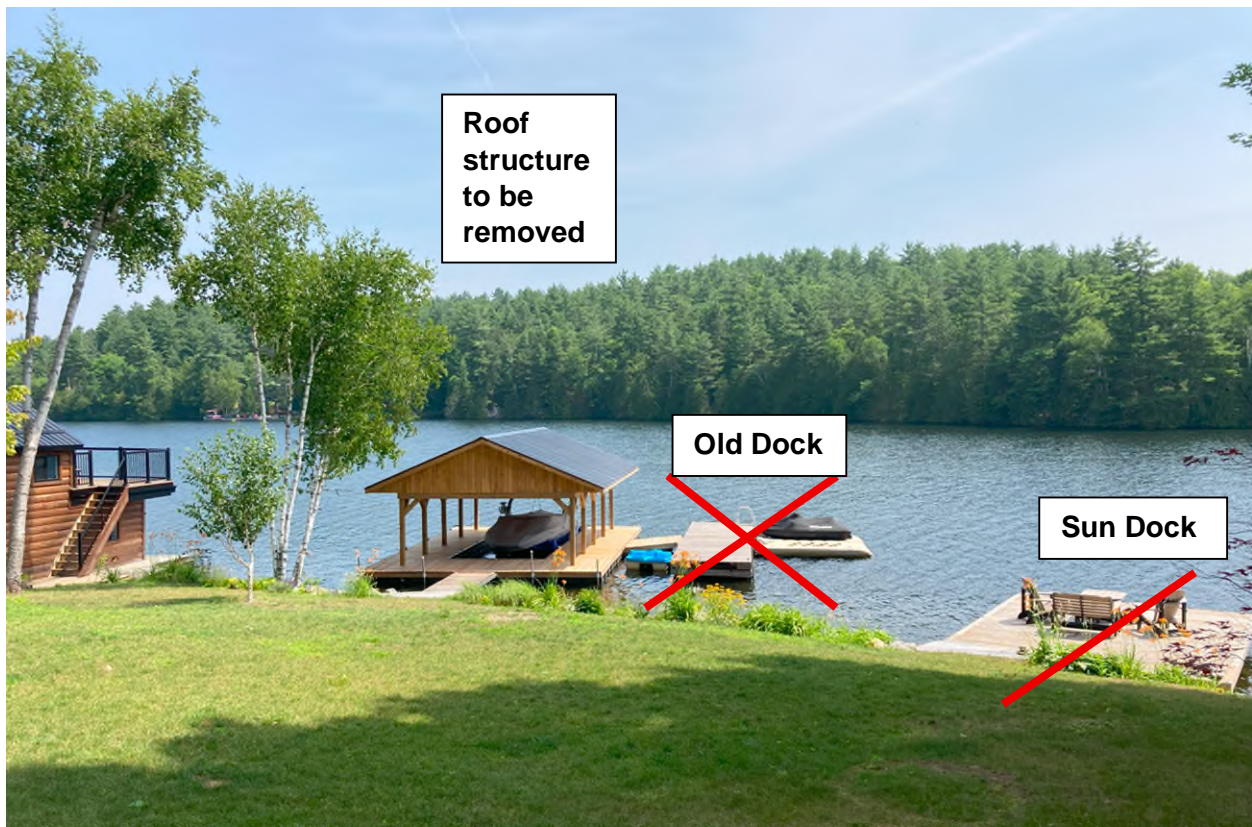


Figure 1. Site visit photo showing current conditions and the structures that will be removed and retained.

As outline by the Planning Rationale (submitted by RFA Consultant Inc, dated June 13, 2025) the removal of the existing docks will reduce the existing dock area on the property by approximately 1 square metre (10 square feet)

The proposed development requires the following variances:

Variance: Section 3.1.2 of the Zoning By-law states

- (iii) that the surface area of a dock shall not exceed 25 square metres in area regardless of the shape of the dock
- (iv) the maximum length of the dock is 10 metres and may not be wider than 4 metres along the shoreline.

Proposed Variance:

- To permit a dock that is 55 square metres (592 square feet) in area.
- To permit a dock that is 13.84 metres (45.4 feet) in length.

Existing Development

- A one storey dwelling with an approximate footprint of 210 square metres (2,260 square feet), serviced by a Class-4 sewage system, located more than 30 metres (98.4 feet) from the estimated highwater mark of Kashwakamak Lake.
- A 2 storey, 41.4 square metres (445 square foot) boathouse located on the northern portion of the shoreline.
- A 30.8 square metres (331.52 square foot) dock located on the south side of the shoreline. This dock is recognized as existing prior to the construction of the boat port and it is proposed to be removed.
- 26 square metre (280 square foot) dock providing water access. This dock is recognized as existing prior to the construction of the boat port and it is proposed to be removed.

Background Information

The applicant purchased the property in 2022 and reconstructed the existing cottage shortly after. In 2024, the applicants purchased a new floating boat port to replace an existing dock. The old dock was then attached to the new boat port.

The purpose of the U-shaped floating boat port is to house the applicant's boat, which is too large to fit into the existing 2 story, 41.4 square metre (445.6 square foot) boathouse. The applicant also states that the U-shaped boat port protects their boat from the wake of passing boats.

Under the definitions section of the Zoning By-law a boat house and a boat port are treated as one.

The Township Zoning By-law therefore permits a single boat house/boat port that is a maximum of one storey with a maximum gross floor area of 47 square metres (505 square feet).

Information Category	Response
Official Plan designation	Waterfront Area
Zoning	Limited Service Waterfront (LSW)
Current size (area) of subject property	0.19 hectares (0.47 acres)
Existing road frontage and access	30 metres (98.4 feet) on Big Mountain Lane (private road).
Waterfront	47 metres (155 feet) on Kashwakamak Lake
Natural heritage features	Shoreline
Surrounding land uses	Waterfront residential lots of similar size to the north and south, Kashwakamak Lake to the east, large naturally vegetated rural parcel to the west.

Pre-application Consultation:

The agent consulted with Township and County planning staff prior to the submission of this application.

County staff advised the applicants that they will not support any proposal that seeks to permit a boat port and a boat house on the subject property.

Public Notice

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.

Comments

Mississippi Valley Conservation Authority (MVCA)

Comments received on August 19th, 2025 indicate that MVCA has no objection to the application.

A permit for the dock is required under Ontario Regulation 42/24, as amended. If approved for this Minor Variance, the applicant is required to contact MVCA to commence their permit process.

MVCA recommends for the unvegetated portion of the shoreline that are not in compliance with the clearing for water access sections of the Zoning By-law to be revegetated.

Public Comments

County planning staff received a phone call from a nearby neighbour on August 15th, 2025. The neighbour expressed concerns with the length of the proposed dock as it presents navigational issues for swimmers and boaters along the shoreline. The caller asked if the proposed dock can be moved closer to the shoreline by removing the 4.46 square metre (48 square foot) dock/gang plank that connects the U-shaped dock to the shoreline.

Conformity and Consistency with Policy Planning Documents

Applications for minor variance are required to be consistent with the Provincial Planning Statement, 2024 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 docks as an accessory use to a dwelling.

The definitions section of the Zoning By-law defines Boat Houses and Boat Ports as the same type of structure. The definition is:

- **Boathouse / Boat Port** Means a one-storey accessory building with a maximum height of 4.5 metres that does not contain habitable living space or plumbing, has an opening to the water body of an appropriate size to accommodate a boat and is connected to the water body by a boat slip, boat lift, or marine railway.

Section 3.1.2 of the Zoning By-law sets our provisions for boat houses/boat ports and docks.

Section 3.1.2(b) sets out nine provisions for docks. The provisions most applicable to this application are:

- iii) The surface area of a dock shall not exceed 25 square metres in area regardless of the shape of the dock. Any component of a dock located above the high-water mark and designed to anchor the dock to the waterfront shall be excluded from the calculation except where the dock is constructed parallel to the shoreline, in which case the entire surface area shall be included in the calculation;
- iv) A dock may extend to a maximum of 10 metres from the shoreline, and may not be any wider than 4 metres along the shoreline itself;
- vi) Despite these dimensions, no dock shall be constructed which constitutes a navigation or safety hazard;
- ix) A maximum of one (1) Dock is permitted on each lot that permits a residential use as the principal use.

Since the proposed dock exceeds the permitted surface area and length, the purpose of this Minor Variance is to vary the sizing requirements of subsection (iii) and (iv).

The proposed dock is 55 square metres (592 square feet) and approximately 13.84 metres (45.4 feet) in length.

Although the proposed dock exceeds the maximum permitted surface area, it is important to consider that prior to the placement of the boat port/U-shaped dock subject to this application, the subject property was already developed with two docks that have a total surface area of 55 square metres (592 square feet). Both of these docks will be removed in replacement of the U-shaped dock proposed by this application.



Figure 2. Image of the subject lot in 2008. The sun dock is seen on the south side of the shoreline and the second dock is seen on the middle of the shoreline



Figure 3. Image of the subject lot in 2024. This image shows the same two docks seen in 2008.

An analysis of conformity to the Township Zoning By-law is provided in the Minor Variance assessment below.

Planning Analysis and Considerations

This application was reviewed against the policies of the Provincial Planning 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

County planning staff are of the opinion that the proposed U-shaped dock will not have a significant and undue impact on the waterfront character of the area. This application effectively consolidates the existing grandfathered/non-complying dock surface area into one dock.

The width of the channel in front of the dwelling is approximately 135 metres (442 feet) in width. County planning staff are of the opinion that the extra 3.84 metres (12.5 feet) of dock length does not result in navigation hazards or undue adverse impacts on the shoreline aesthetic relative to the existing dock surface area.

Natural Heritage

The removal of hard surfaces from the shoreline of a waterbody is typically considered to be a net-gain. As such the removal of the sun dock is seen as a benefit to the shoreline. County planning staff recommend for additional plantings along the shoreline of the subject property to help buffer the existing development from the water.

Sewage Disposal System Services

Not applicable.

Minimum Distance Separation

Not applicable

Natural Hazards

No evident natural hazards were observed around the dock areas. MVCA did not identify any issues associated with natural hazards in their formal comments.

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?

County planning staff are of the opinion that the Planning Rationale Report (prepared by RFA Planning Consultant Inc, Dated June 13, 2025) provides adequate analysis and justification for the proposal.

Planning staff are of the opinion that the proposed minor variance to permit the construction of an oversized dock meets the four tests of minor variance for the following reasons:

Is the application minor?

County planning staff are of the opinion that the proposed variance is minor.

Although the proposed surface area of the dock is more than double than permitted in the Zoning By-law, planning staff are of the opinion that it is important to consider the existing surface area of the existing docks on the subject property.

The applicant proposes to remove two docks that a total a surface area of 56.1 square metres (604.86 square feet) to be replaced with the proposed U-shaped dock. This application will effectively result in a decrease of the total dock area on the subject property by approximately 1 square metre (10 square feet).

County planning staff are of the opinion that the 3.84 metres (12.5 feet) of extra dock length does not result in navigation hazards or undue adverse impacts on the shoreline aesthetic relative to the existing dock surface area and the width of the channel.

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.

Since the proposal will result in the removal of a relatively wide sun dock, County planning staff are of the opinion that the total developed area along the shoreline will be reduced. Typically, this is seen as a net-benefit in the context of shoreline development. County planning staff recommend plantings of native vegetation along the shoreline to mitigate impact of runoff from the maintained lawn portion of the lot.

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 intent of the Zoning By-law is to provide permissions for property owners to construct a single dock that is just large enough to provide appropriate water access and to ensure that docks do not pose a hazard to boaters.

This application will consolidate the existing surface area of two docks into a single dock. This will bring the property in closer compliance with the Zoning By-law.

Given that the width of the channel in front of the property is approximately 135 metres (442 feet), County planning staff are of the opinion that the extra 3.84 metres (12.5 feet) of dock length does not result in navigation hazards or undue adverse impacts on the shoreline aesthetic relative to the existing dock surface area.

County planning staff are also of the opinion that the application proposes to reduce the number of docks on the property while maintaining the existing non-complying dock footprint.

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 Township Official Plan does not have any specific policies regarding docks. However, the general intent of the Waterfront Area of the Official Plan policies is to ensure that new development will not result in undue adverse impact on the quality and aesthetic character of the shoreline.

County planning staff are of the opinion that the proposed dock does not create an undue adverse impact on the quality or aesthetic of the shoreline. County planning staff note that the cleared shoreline presents more of an aesthetic and ecological concern and suggest additional plantings. Additional plants along the shoreline will help to filter run off from the dwelling and maintain the integrity of the shoreline.

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 A07/25, 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

Attachment 3 – Planning Rational (prepared by RFA Consultant Inc, dated June 13, 2025).

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 A07/25 (Scaletta)

Applicability

1. That the Minor Variance granted through application A07/25 is only to construct an oversized dock that will be a total of 55 square metres (592 square feet) in area and approximately 13.84 metres (45.4 feet) in length under the following conditions.
 - a. That the roof including the posts holding it up are removed from the subject boat port to convert it into a dock.
 - b. That the existing 30.08 square metre (323.8 square foot) sun dock is removed.
 - c. That the existing 26.012 square metre (280 square foot) dock is removed
2. This Minor Variance does not include an increase in surface area for any other structure on the property or for any future structures.
3. Application number A07/25 is applicable only to the Township of North Frontenac's Zoning By-Law Number 55-19, as amended, and not to any subsequent zoning by-laws.

No Adverse Impacts

4. 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.

Mississippi Valley Conservation Authority (MVCA)

5. The applicant is required to obtain a permit from the Mississippi Valley Conservation Authority for the proposed U-shaped dock.

Building Permits

6. Prior to the issuance of any permit by the Township and to be compliant with the enforcement process, the applicant shall remove the roof and posts from the U-shaped dock, the sun dock, and the old dock (attached to the U-shaped dock).

7. 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.
8. 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

9. The property owner shall take extra precautions when removing the roof and posts along the dock to ensure that waste does not enter the waterbody. All removed materials shall be disposed appropriately and stockpiled more than 30 metres (98.4 feet) from the water.

Appendix B: Relevant Planning Policy

Provincial Planning Statement (2024)

The Provincial Planning 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 and minor variance applications on rural lands, planning authorities must comply with Sections 2.5 and 2.6 of the PPS, and apply the relevant policies of the following sections:

- Chapter 3: Infrastructure and Public Service Facilities of the PPS contains policies that direct the development of public and private infrastructure including transportation networks, sewage, water and stormwater services, waste management, and public spaces, recreation, parks, trails, and open spaces.
- Chapter 4: 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.
- Chapter 5: 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 5.2 of the PPS.

The following policies are applicable to this application:

- Permitted uses on rural lands include residential development, including lot creation, where site conditions are suitable for the provision of appropriate sewage and water services; (Section 2.6.1.c).
- Development that can be sustained by rural service levels should be promoted (Section 2.6.2).
- Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the uneconomical expansion of this infrastructure (Section 2.6.3).
- Conserving biodiversity and considering the ecological benefits provided by nature (Section 2.5.1.g).
- Supporting healthy, integrated and viable rural areas by building upon rural character and leveraging rural amenities and assets (Section 2.5.1.a).

- Individual on-site water and sewage services may be used provided that site conditions are suitable for the long term provision of such services with no negative impacts (Section 3.6.4).
- Natural features and areas shall be protected for the long term (Section 4.1.1).
- 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 5.1.1).

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:

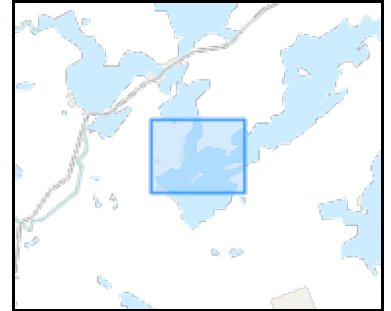
- Section 3.3, Rural Lands, provides policies for all lands outside of the settlement areas. The Plan recognizes that rural lands are used as an alternative location for those preferring a rural lifestyle. Low density residential development, as well as rural-related commercial, industrial, recreational 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). The Waterfront Area designation permits one sleep cabin as an accessory to a principal dwelling. Sleep cabins are not permitted to contain cooking facilities.

- 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.



Legend

Boundaries

Township Boundary

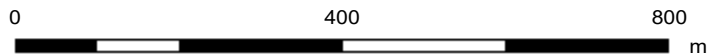


Property Information

Civic Address Points



Assessment Parcels

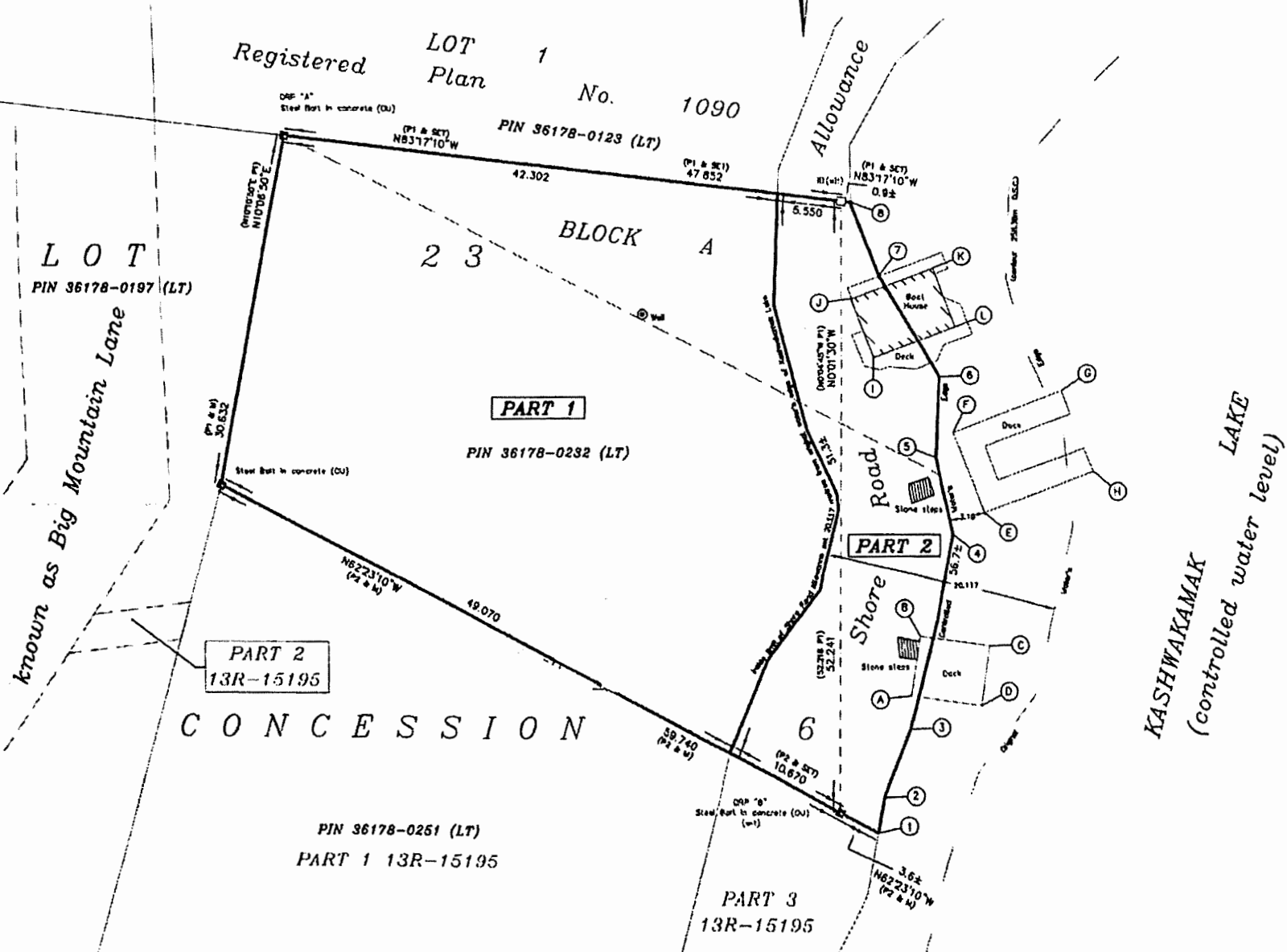


This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

Notes

**PLAN of SURVEY of
ALL of Block A Registered Plan No. 1090
PART of LOT 23, CONCESSION 6 AND PART of
THE SHORE ROAD ALLOWANCE
IN FRONT OF LOT 23, CONCESSION 6
and Block A Registered Plan No. 1090
Geographic Township of Barrie
TOWNSHIP OF NORTH FRONTENAC
COUNTY of FRONTENAC
SCALE = 1:300**

10metres 0 10 20 30metres
**HOPKINS CHITTY LAND SURVEYORS INC.
-2024-**



OBSERVED REFERENCE POINTS (ORP'S) DERIVED FROM GPS OBSERVATIONS USING PRECISE POINT POSITIONING (PPP) SERVICE. UTM ZONE 18, NAD83 (CSRS) (2010) COORDINATES TO RURAL ACCURACY PRR SEC. 14(2) OF O.REG. 216/10

POINT ID	NORTHING	EASTING
ORP "A"	4965960.86	332902.98
ORP "B"	4965922.59	332950.62

COORDINATES CANNOT, IN THEMSELVES BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

BEARINGS ARE UTM GRID, DERIVED FROM MULTIPLE REAL TIME KINEMATIC (RTK) OBSERVATIONS FROM MONUMENT "A" TO "B". UTM ZONE 18 (76° WEST LONGITUDE) NAD83 (CSRS) (2010)
FOR BEARING COMPARISONS, A ROTATION OF 1'24"50" CLOCKWISE WAS APPLIED TO BEARINGS ON PLAN 13R-16195
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999908
DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

Water's Edge Coordinate Table

POINT	NORTHING	EASTING
1	4965920.850	332953.738
2	4965923.793	332954.261
3	4965929.541	332956.482
4	4965945.984	332960.138
5	4965952.554	332958.680
6	4965959.553	332958.950
7	4965966.331	332953.721
8	4965974.665	332951.360

Dock & Boat House Coordinate Table

POINT	NORTHING	EASTING
A	4965932.330	332956.572
B	4965937.319	332957.297
C	4965936.474	332963.338
D	4965931.471	332962.601
E	4965947.817	332962.904
F	4965954.733	332960.167
G	4965958.403	332969.631
H	4965951.456	332972.391
I	4965961.210	332953.272
J	4965966.289	332951.337
K	4965968.962	332958.404
L	4965963.883	332960.339

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT. **PLAN 13R-23291**
RECEIVED AND DEPOSITED
DATE: December 16th, 2024
DATE: December 20, 2024
SIGNATURE
REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF FRONTENAC (No. 13)
Thomas MacDonald
ONTARIO LAND SURVEYOR

SCHEDULE

PART	LOT	CON./R.P.	PIN No.
1	PART of 23	6	ALL of 36178-0232 (LT)
2	ALL of Block A	1090	
2	Shore Road Allowance in front of Lot 23 Concession 6 and Block A R.P. No. 1090		Unassigned

NOTE:
1) Water levels on KASHWAKAMAK Lake are artificially regulated to a maximum of 260.60 metres G.S.C.
2) The contour elevation of 258.39 metres G.S.C. datum shown on this plan is the best available evidence of the original limit of KASHWAKAMAK Lake at the time of the original survey of the Geographic Township of Barrie.
3) Elevations are referred to a Crown Lands Rock Post, set in rock, 2.15 metres west of the east face and 0.30 metres south of the north face of the main dam at the outlet of KASHWAKAMAK Lake, having an elevation of 261.284 metres G.S.C. datum.

LEGEND:
SSIB'S PLANTED DUE TO INSUFFICIENT OVERBURDEN
□ - denotes Planted Survey Monument
■ - Found Survey Monument
SIB - Standard Iron Bar
SSIB - Short Standard Iron Bar
IB - Iron Bar
IB# - Iron Bar (round)
RB - Rock Bar
RPL - Rock Plug
(WIT) - Witness
(M) - Measured
CC - Cut Cross
(OU) - Origin Unknown
(HP) - Hydro Pole
(1886) - Hopkins Chitty Land Surveyors Inc.-O.L.S.
(P1) - Plan of Survey by J.A. Munroe O.L.S. dated January 15, 1975
(P2) - PLAN 13R-15195

SURVEYOR'S CERTIFICATE:
I CERTIFY THAT:
1. This Survey and Plan are correct and in accordance with the SURVEYS ACT, the SURVEYORS ACT, THE LAND TITLES ACT and the REGULATIONS made under them.
2. The SURVEY was completed on the 30th day of October, 2024.

DATE: December 6, 2024
SIGNATURE
Thomas MacDonald - O.L.S.

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER V-88551

Party Chg: AT Instrument: MP Checked By: TCM Plan By: EM
HOPKINS CHITTY LAND SURVEYORS INC.
Ontario Land Surveyors
www.hopkinschitty.com
1224 GARDINERS ROAD, SUITE 102 PROJECT No. 2024-0645
KINGSTON, ONTARIO K7P-0C2 Part of Lot 23, Con. 6 and
Tel (613) 384-9266 Block A, R.P. No. 1090
Fax (613) 384-3513 Township of Barrie

Existing/Former Conditions

PLAN of SURVEY of
ALL of Block A Registered Plan No. 1090
PART of LOT 23, CONCESSION 6 AND PART of
THE SHORE ROAD ALLOWANCE
IN FRONT OF LOT 23, CONCESSION 6
and Block A Registered Plan No. 1090
Geographic Township of Barrie
TOWNSHIP OF NORTH FRONTENAC
COUNTY of FRONTENAC
SCALE = 1:300

10metres 0 10 20 30metres

HOPKINS CHITTY LAND SURVEYORS INC.
 -2024-

OBSERVED REFERENCE POINTS (ORP'S) DERIVED FROM GPS OBSERVATIONS USING PRECISE POINT POSITIONING (PPP) SERVICE, UTM ZONE 18, NAD83 (CSRS) (2010) COORDINATES TO RURAL ACCURACY PER SEC. 14(2) OF O.REG. 216/10

POINT ID	NORTHING	EASTING
ORP "A"	4965980.86	332902.98
ORP "B"	4965922.83	332950.62

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FOR BEARING COMPARISONS, A ROTATION OF 1°24'50" CLOCKWISE WAS APPLIED TO BEARINGS ON PLAN 13R-15195

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999808

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

PLAN 13R-23291

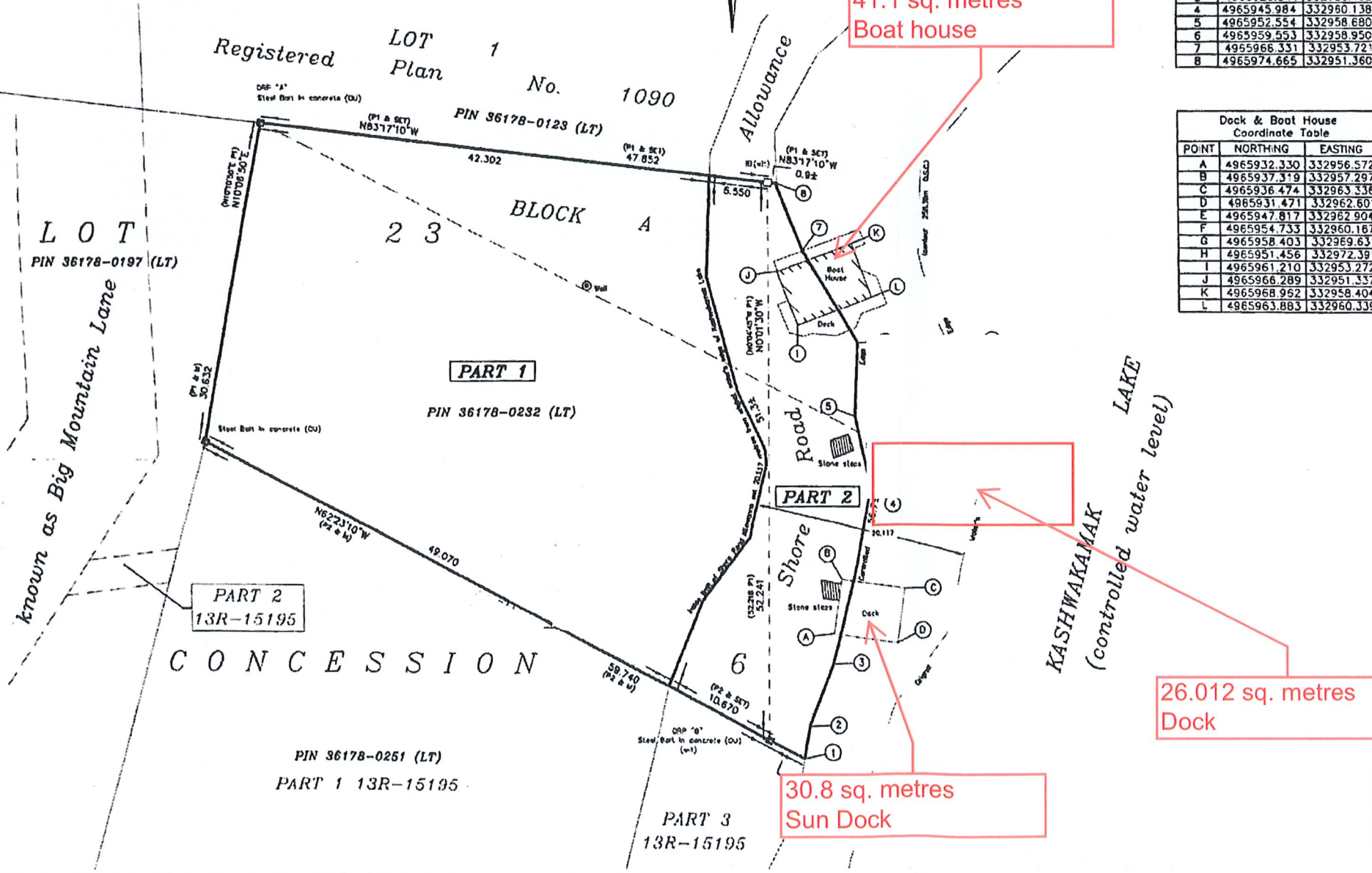
RECEIVED AND DEPOSITED

DATE: December 16th, 2024

DATE: December 20, 2024

Thomas MacDonald
 ONTARIO LAND SURVEYOR

REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF FRONTENAC (No. 13)



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K	4965968.952	332958.404
L	4965963.883	332960.339

SCHEDULE

PART	LOT	CON./R.P.	PIN No.
1	PART of 23	6	ALL of 36178-0232 (LT)
	ALL of Block A	1090	
2	Shore Road Allowance in front of Lot 23 Concession 6 and Block A R.P. No. 1090		Unassigned

NOTE:

- 1) Water levels on Kashwakamak Lake are artificially regulated to a maximum of 260.60 metres C.S.C.
- 2) The contour elevation of 258.39 metres G.S.C. datum shown on this plan is the best available evidence of the original limit of Kashwakamak Lake at the time of the original survey of the Geographic Township of Barrie.
- 3) Elevations are referred to a Crown Lands Rock Post, set in rock, 2.16 metres west of the east face and 0.30 metres south of the north face of the main dam at the outlet of Kashwakamak Lake, having an elevation of 261.284 metres G.S.C. datum.

LEGEND:

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 - (P2) PLAN 13R-15195

SURVEYOR'S CERTIFICATE:

- I CERTIFY THAT:
1. This Survey and Plan are correct and in accordance with the SURVEY'S ACT, the SURVEYORS ACT, THE LAND TITLES ACT and the REGULATIONS made under them.
 2. The SURVEY was completed on the 30th day of October, 2024

DATE: December 5, 2024

Thomas MacDonald - O.L.S.

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER V-88551



Party CHM: AT	Instrument: HP	Checked By: TCM	Plan By: EM
HOPKINS CHITTY LAND SURVEYORS INC. Ontario Land Surveyors www.hopkinschitty.com			
1224 GARDINERS ROAD, SUITE 102 KINGSTON, ONTARIO K7P-0C2 Tel (613) 384-9266 Fax (613) 384-3513		PROJECT No. 2024-0645 Part of Lot 23, Con 6 and Block A, R.P. No. 1090 Township of Barrie	

**PLAN of SURVEY of
ALL of Block A Registered Plan No. 1090
PART of LOT 23, CONCESSION 6 AND PART of
THE SHORE ROAD ALLOWANCE
IN FRONT OF LOT 23, CONCESSION 6
and Block A Registered Plan No. 1090
Geographic Township of Barrie
TOWNSHIP OF NORTH FRONTENAC
COUNTY of FRONTENAC
SCALE = 1:300**

HOPKINS CHITTY LAND SURVEYORS INC.
-2024-

OBSERVED REFERENCE POINTS (ORP'S) DERIVED FROM GPS OBSERVATIONS USING PRECISE POINT POSITIONING (PPP) SERVICE. UTM ZONE 18, NAD83 (CSRS) (8010) COORDINATES TO RURAL ACCURACY PER SEC. 14(2) OF O.REG. 216/10

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ORP "A"	496590.86	332902.98
ORP "B"	496592.53	332950.62

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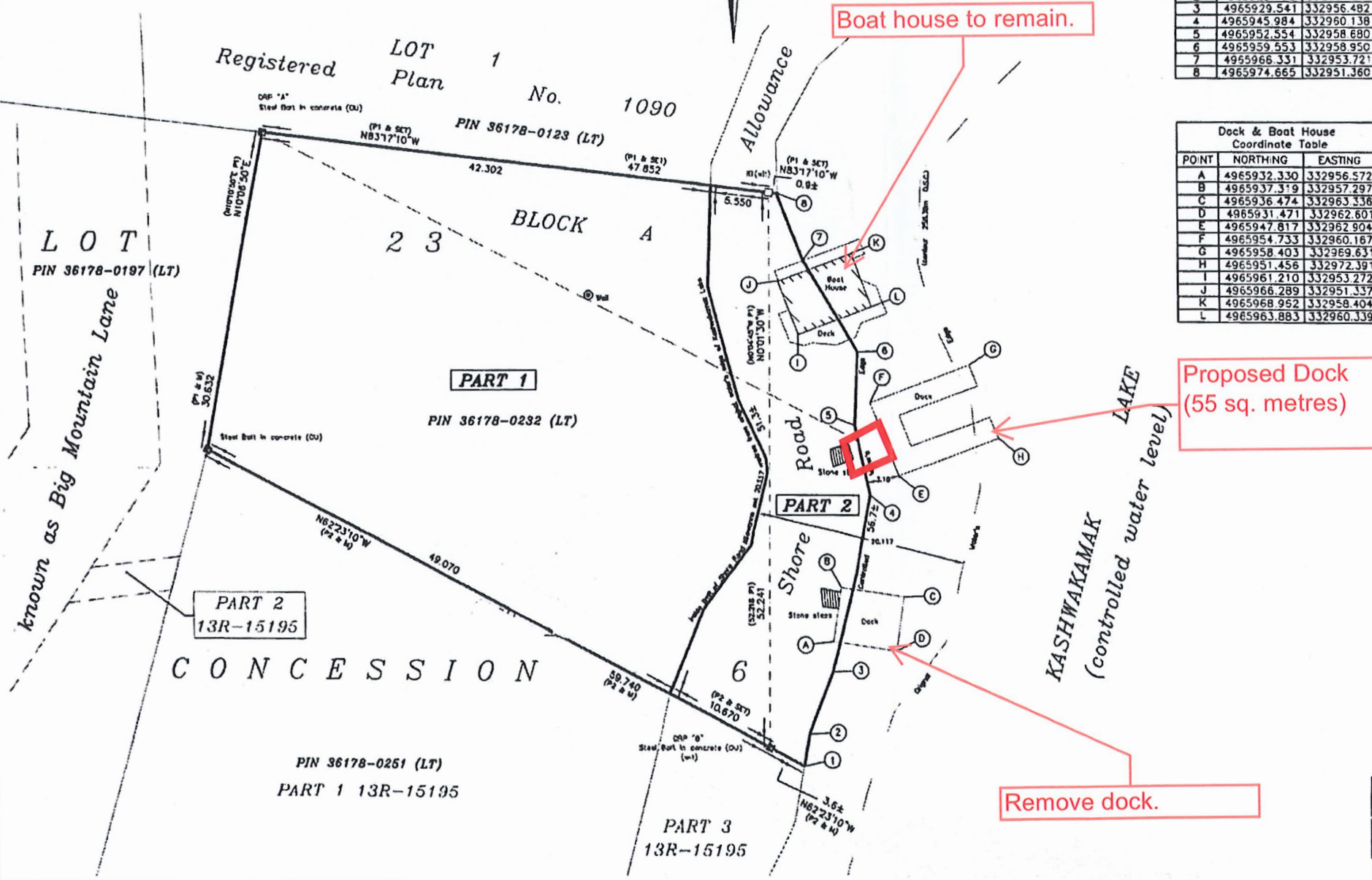
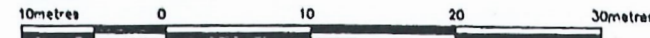
RECEIVED AND DEPOSITED

DATE: December 20, 2024

DATE: December 16th, 2024

Thomas MacDonald
Thomas MacDonald
ONTARIO LAND SURVEYOR

Thomas MacDonald
REPRESENTATIVE FOR THE
LAND REGISTRAR FOR THE
LAND TITLES DIVISION OF
FRONTENAC (No. 13)



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SCHEDULE

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	ALL of Block A	1090	
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- Water levels on KASHWAKAMAK Lake are artificially regulated to a maximum of 260.60 metres G.S.C.
- The contour elevation of 258.39 metres G.S.C. datum shown on this plan is the best available evidence of the original level of KASHWAKAMAK Lake at the time of the original survey of the Geographic Township of Barrie.
- Elevations are referred to a Crown Lands Rock Post, set in rock, 2.16 metres west of the east face and 0.30 metres south of the north face of the main dam of the outlet of KASHWAKAMAK Lake, having an elevation of 261.284 metres G.S.C. datum.

LEGEND:

- SSIB'S PLANTED DUE TO INSUFFICIENT OVERBURDEN
- denotes Planted Survey Monument
 - Found Survey Monument
 - SIB Standard Iron Bar
 - SSIB Short Standard Iron Bar
 - IB Iron Bar
 - IBR Iron Bar (round)
 - RB Rock Bar
 - RPL Rock Plug
 - (WIT) Witness
 - (M) Measured
 - CC Cut Cross
 - (OU) Origin Unknown
 - (HP) Hydro Pole
 - (1886) Hopkins Chitty Land Surveyors Inc. - O.L.S.
 - (P1) Plan of Survey by J.A. Meness O.L.S. dated January 15, 1975
 - (P2) PLAN 13R-15195

SURVEYOR'S CERTIFICATE:

I CERTIFY THAT:

- This Survey and Plan are correct and in accordance with the SURVEYS ACT, the SURVEYORS ACT, THE LAND TITLES ACT and the REGULATIONS made under them.
- The SURVEY was completed on the 30th day of October, 2024

DATE: December 5, 2024

Thomas MacDonald
Thomas MacDonald - O.L.S.

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER V-88551

Party CHIT AT Instrument: MP Checked By: TCM Plan By: EM



**HOPKINS CHITTY
LAND SURVEYORS INC.**
Ontario Land Surveyors
www.hopkinschitty.com

1224 GARDINERS ROAD, SUITE 102
KINGSTON, ONTARIO K7P-0G2
(613) 384-9266
Fax (613) 384-3513

PROJECT No 2024-0645
Part of Lot 23, Con. 6 and
Block A, R.P. No. 1090
Township of Barrie

25-NF-MV

August 19, 2025

Tara Mieske
Secretary-Treasurer
Township of North Frontenac
P.O. Box 97
Plevna, Ontario K0H 2M0

Dear Ms. Mieske:

**Re: Minor Variance Application – #A07/25
Part Lot 23, Con 6, Township of North Frontenac (Barrie)
1062 Big Mountain Lane
Scaletta**

Mississippi Valley Conservation Authority (MVCA) has been circulated the above noted application to conduct a review in terms of MVCA Regulations and Provincial Planning Policy for Natural Hazard issues. The scope of the natural hazards review includes flooding, erosion, wetlands, unstable slopes and unstable soils.

PROPOSAL

According to the notice, *The Applicants are applying for relief from Sections 3.1.2 of Zoning By-law #55-19, which provides the following:*

iii) The surface area of a dock shall not exceed 25 square metres in area regardless of the shape of the dock. Any component of a dock located above the high-water mark and designed to anchor the dock to the waterfront shall be excluded from the calculation except where the dock is constructed parallel to the shoreline, in which case the entire surface area shall be included in the calculation;

iv) A dock may extend to a maximum of 10 metres from the shoreline, and may not be any wider than 4 metres along the shoreline itself;

The Applicants are proposing to remove the roof from the existing boat port and convert the structure to a dock with a surface area of 50.54 square metres and an access ramp designed to access the dock from the shoreline with an area of 4.46 square metres. The proposed dock length is 13.84 metres. The existing sundock is proposed to be removed.

PROPERTY CHARACTERISTICS

The subject property has frontage on Kashwakamak Lake. Limited shoreline vegetation was observed.

NATURAL HAZARDS REVIEW

The objective of MVCA's natural hazards review is to ensure that the control of *flooding* and *erosion* are not impacted by development. This includes impacts to wetlands, watercourses, slope stability, and unstable soils. For the subject property, the **lake** is relevant to MVCA's advisory review.

Waterbody

MVCA considers both direct and indirect impacts to waterbodies/watercourses, within the context of flooding and erosion. With respect to shoreline structures such as docks and boathouses, impacts are generally minimized when the contact with the shoreline is minimized, and mitigation measures designed to prevent erosion, are adhered to. Overland flow and surface runoff, wave and ice movement are commonly associated with shoreline erosion. To mitigate these effects, MVCA recommends the retention of vegetated buffers. Naturalized shorelines, with an abundance of vegetation, provide erosion protection by mitigating the effects of surface runoff. In addition, the root system of vegetation binds the soil, to further mitigate erosion.

We note that Section 3.29.1 of the municipalities zoning by-law restricts shoreline clearing to a maximum of 7 m in width along the shoreline. Based on our estimates and observations:

- The existing shoreline structures have a combined contact with the shoreline of approximately 15.2m, while the two proposed (dock with ramp + boathouse) have approximately 8.8 m; and
- limited vegetation was observed along the shoreline

MVCA Ontario Regulation 41/24 (Regulatory)

Pursuant to ONTARIO REGULATION 41/24, *Prohibited Activities, Exemptions and Permits*, written permission is required from MVCA prior to any alterations to the shoreline of the lake. This includes shoreline structures such as docks that exceed a surface area of 20 sqm and/or exceed a 2 m contact with the shoreline.

An MVCA permit is required for the proposed dock.

RECOMMENDATIONS & CONCLUSIONS

Based on the following, MVCA does not have any objections to the subject application:

- Structural disturbance to the shoreline has been reduced from 15.2 m to 8.8 m; and
- The proposed shoreline disturbance of 8.8 m minimally exceeds the maximum allowance of 7m in the municipalities zoning by-law.

Recommended Mitigation Measure:

1. In accordance with the provisions of the relevant Municipal Zoning By-law, unvegetated sections of the shoreline that are not in compliance with the allowable clearing for water access, shall be planted to a minimum depth of 3m (measured from the shoreline towards the rear of the lot) with native plant species. This effort will help to mitigate the effects of erosion on the shoreline.

Pursuant to ONTARIO REGULATION 41/24, *Prohibited Activities, Exemptions and Permits*, **a permit is required from MVCA** for the proposed dock. Once MVCA is notified of approval of the subject application by the proponent, the MVCA permit application process will commence.

NOTES

A review for Species at Risk was not conducted. We suggest contacting the Ministry of the Environment, Conservation and Parks should you require a review in this regard.

The applicant should be advised that, pursuant to ONTARIO REGULATION 41/24, *Prohibited Activities, Exemptions and Permits*, written permission is required from MVCA prior to any alterations to the shoreline of the lake.

We advise consultation with Fisheries and Oceans Canada (DFO) [Projects near water \(dfo-mpo.gc.ca\)](http://dfo-mpo.gc.ca) prior to conducting any work within the lake, to assess potential impacts to fish habitat. Authorization from DFO may be required for such work.

Should any questions arise please do not hesitate to call. Please advise us of the Committee's decision in this matter.

Yours truly,

A handwritten signature in cursive script that reads "Diane Reid".

Diane Reid
Environmental Planner



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

Notice of Public Hearing
Request for Permission
To Expand Non-Complying Structure
Clause 45 (2) of the Planning Act
Section 3, O.Reg. 200/96

File Number: #A08/25
Subject Land: Part of Lot 20, Concession 7, Geographic Township of Barrie
(1053 High Rocks Lane)
Applicant(s): Brent and Carolyn Smith

Take Notice: The Township of North Frontenac Committee of Adjustment will hold a public meeting on **August 25, 2025, 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; and through Electronic Participation.

Purpose and Effect under Section 45(2)

The Applicants are proposing to demolish the existing one storey dwelling and construct a new dwelling, including an attached garage.

The existing dwelling has an area of 1400 square feet and is setback approximately 5 metres from the high water mark of Mississagagon Lake.

The proposed dwelling has an area of 2200 square feet, including the attached garage, with an additional partial second floor with an area of 800 square 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 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 by electronic participation to provide comments regarding the proposed development to the Committee. 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.

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.

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

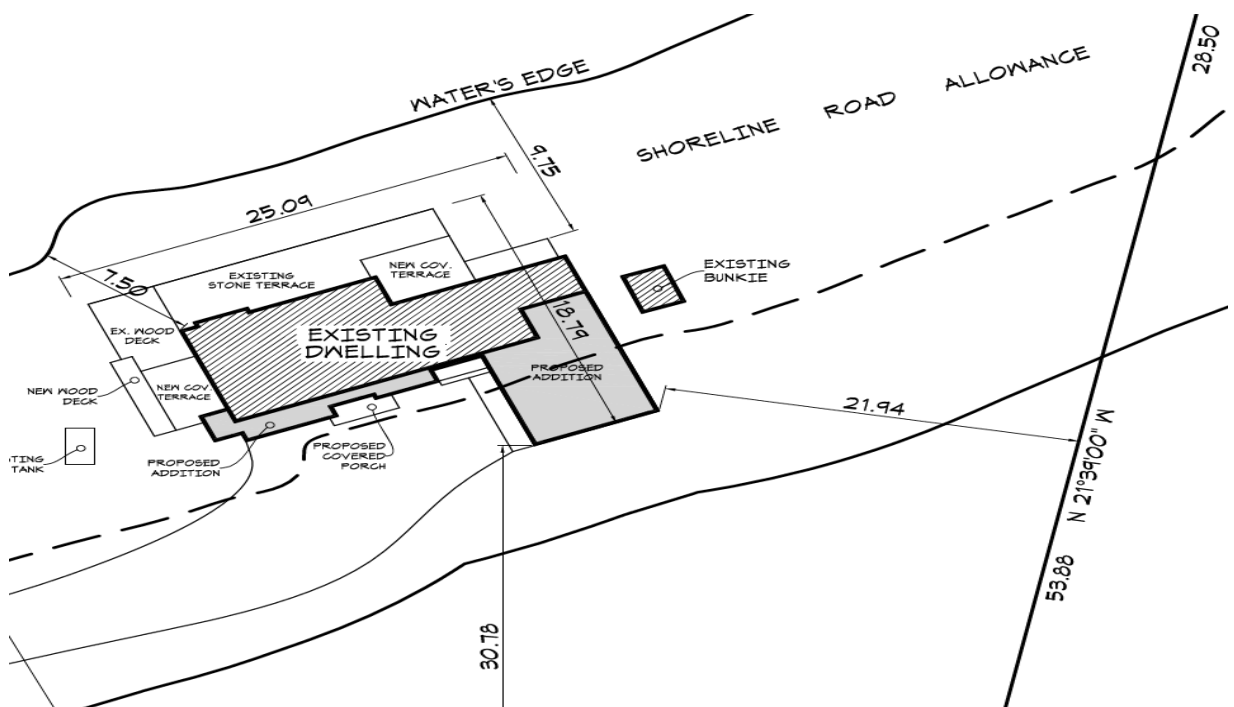
Appeal: If a “specified person” or “public body” as defined in the Planning Act files an appeal of a decision of the Committee of Adjustment in respect of the proposed planning application has not made a written submission or provide comments to the Committee before a decision is made, the Ontario Land Tribunal may dismiss the appeal.

Notice of Collection: Personal information is collected under the authority of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Planning Act, and all other relevant legislation, and will be used to assist in making a decision on this matter. All personal information (as defined by MFIPPA), including (but not limited to) names, addresses, opinions, and comments collected will be made available for public disclosure to members of the public, at the meeting, through requests, and through the website of the Corporation of the Township of North Frontenac. Questions regarding the collection, use and disclosure of this personal information may be directed to the undersigned.

Dated at Plevna, Ontario this 22nd day of July 2025.

Tara Mieske, Clerk/Planning Manager
 Township of North Frontenac
 Email: clerkplanning@northfrontenac.ca

Site Plan



Key Map





Planning Report

To: Members of Committee of Adjustment

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

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

Re: **Application for Permission to Expand a Legal Non-Complying Structure (Dwelling)**

Address: 1053 High Rocks Lane

Legal Description: Part Lot 20, Concession 7, Geographic Township of Clarendon

File Number: A08/25 (Smith)

Owner(s): Brent and Carolyn Smith

Applicant(s): Same as owners

Date Prepared: August 13, 2025

Date of Public Meeting: August 25, 2025

Recommendation:

That the Committee of Adjustment for the Township of North Frontenac receive comments from the public, and subject to any issues being raised at the public meeting, approve the application subject to the conditions outlined in Appendix A of this report.

Proposal:

This application proposes to:

- a) Expand an existing one storey (1,400 square foot) dwelling by constructing a
 - o 40 square metre (420 square foot) garage addition on the southeastern extent of the existing dwelling

- 8.92 square metre (96 square foot) dwelling addition between the garage addition and the existing dwelling.
- 7.4 square metre (80 square foot) addition to the south side of the dwelling
- 5.6 square metre (60 square foot) covered porch on the south side of the dwelling
- 4.65 square metre (50 square foot) covered porch in the corner of the dwelling and attached garage side of the existing footprint
- 20.07 square metre (216 square foot) covered porch/deck on the north side of the dwelling
- 7.4 square metre (80 square foot) second story overhang above the covered porch/deck. The purpose of this overhang is to bring the bedroom out.
- 20.1 square metre (216 square foot) covered terrace/porch on the southwest side of the dwelling as an addition to the existing wood deck.

b) Construct a second story addition to the eastern half of the dwelling including overtop of the proposed garage addition.

The proposed development is an expansion of an existing legally non-complying dwelling footprint that was constructed prior to Township Zoning By-Law Number 55-19 coming into effect.

The existing dwelling is non-compliant because of the deficient waterbody setback. The dwelling is located on a tall rock outcrop located approximately 5 metres (16.4 feet) from the highwater mark of Mississagagon Lake whereas 30 metres (98.4 feet) is required by the current Zoning By-law.

Permission under Section 45(2) of the Planning Act is required to enlarge the existing non-complying dwelling. Refer to the site plan (Attachment 2) and the list of existing structures below for the site context.

Existing Development

- A one storey 130 square metre (1,400 square foot) dwelling located approximately 5 metres (16.4 feet) from the estimated high watermark of Mississagagon Lake.
- A one story 27.9 square metre (300 square foot) accessory structure (workshop) located on the west side of the property, approximately 25 metres (82 feet) from Mississagagon Lake.

- A 29.73 square metre (320 square foot) boat house.
- A 9.29 square metre (100 square foot) sleep cabin located approximately 2.7 metres (9 feet) from the estimated high watermark of Mississagagon Lake
- An existing sewage disposal system with the bed located more than 30 metres (98.4 feet) from the highwater mark of Mississagagon Lake.

Background Information

Information Category	Response
Official Plan designation	Waterfront Area; Rural
Zoning	Limited Service Waterfront (LSW); Limited Service Rural (LSR)
Current size (area) of subject property	7.8 hectares (19.4 acres)
Existing road frontage and access	180 metres (590 feet) of frontage on Road 506. Bisected and accessed primarily from High Rocks Lane (Private Road).
Waterfront	130 metres (426 feet) Mississagagon Lake.
Natural heritage features	Property is well vegetated except for existing development envelope.
Surrounding land uses	Smaller waterfront lots to the west and east. Major electrical transmission line in the middle of the property, Recreational Commercial Property (By the Bay Cottages) located to the southwest.

Pre-application Consultation:

The property owner consulted with Township, County, and Conservation Authority staff prior to the submission of this application.

Public Notice

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 meeting.

Comments

Mississippi Valley Conservation Authority (MVCA)

County planning staff were advised by email on July 18, 2025 stating that the Slope Stability Inspection report submitted by Cambium (dated June 13, 2025) aligns with Provincial Guidance and that there are no concerns associated with slope stability.

MVCA comments dated August 8, 2025 indicate no concerns and recommended the following mitigation measures:

1. In accordance with the provisions of the relevant Municipal Zoning By-law, unvegetated sections of the shoreline that are not in compliance with the allowable clearing for water access, shall be planted to a minimum depth of 3m (measured from the shoreline towards the rear of the lot) with native plant species. In addition, all vegetation on the face and crest of the slope shall be retained in its entirety. These efforts will help to mitigate the effects of erosion on the shoreline and assist with maintaining slope stability.
2. Erosion 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 crest of the slope). The sediment barrier should remain in place until all disturbed areas have been stabilized and re-vegetated.
3. All recommendations and mitigative measures, outlined in the Slope Stability (Cambium Inc., June 13, 2025), shall be adhered to.

Septic Approval Authority (Township of North Frontenac)

The sewage system will need to be inspected for capacity at the building permit stage. County planning staff are of the opinion that the area where the septic bed is located is large enough to support an expansion of the bed if required.

Public Comments

Comments received by email from the adjacent neighbour to the north on August 8, 2025 indicate no objection to the proposal.

County planning staff spoke with a neighbour during an August 12th, 2025, site visit. The neighbor did not express any concerns with the proposal.

Conformity and Consistency with Policy Planning Documents

Applications for permission are required to be consistent with the Provincial Planning Statement, 2024 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 residential and accessory uses.

The Zoning By-law requires all non-waterfront structures to be located a minimum of 30 metres (98.4 feet) from the estimated highwater mark of any waterbody. The intent of the 30 metres (98.4 foot) waterbody setback is to provide a vegetative buffer between a development envelope and shoreline for the purpose of maintaining aquatic habitat, filtration of run-off, and reducing visual impacts of development on the waterfront character of the area. This setback applies to all non-waterfront structures including sewage disposal systems.

The existing dwelling was constructed within the required 30 metre (98.4 foot) waterbody setback, before the current Zoning By-law came into effect and is therefore considered to be a non-complying structure.

Section 3.24 of the Zoning By-law allows the renovation, repair, or reconstruction of existing non-complying structures as long as the footprint and volume of the structures are not increased. Since the application proposes to increase the livable space of the dwelling within the waterbody setback, approval is required under Section 45(2) of the Planning Act.

The proposed dwelling reconstruction and expansion will mostly take place on the road-side of the dwelling away from the lake. A covered patio is proposed to be constructed on the north side of the dwelling which will reduce the waterbody setback by 1.3 metres (4.5 feet).

The development as proposed will not exceed the maximum lot coverage permitted by the Zoning By-law.

Planning Analysis and Considerations

This application was reviewed against the policies of the Provincial Planning 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 application will result in a taller dwelling, which will be more visible from the Lake due to its proximity to the shoreline and the limited vegetation cover along the shoreline.

The development will require the removal of at least two mature birch trees. However, given the proximity of the trees to the dwelling, plus the amount of development around them, County planning staff are of the opinion that these trees will eventually be deemed hazard trees and will need to be removed to ensure they do not fall on the house.



Figure 1. Image of the water-side of the dwelling showing the birch trees that may need to be removed.

Based on the existing site layout and the terrain of the property, it is not possible to relocate the dwelling to a location that will be outside of the required 30 metres (98.4

foot) waterbody setback. Although the property is quite large, most of the area is taken up by a wide electricity transmission (hydro) corridor and is not suitable for development. The only suitable development envelope on the property appears to be the one that has already been established by the existing dwelling.

Although the massing will increase along the shoreline with the partial second storey addition, County planning staff are of the opinion that the proposed development will not result in significant impacts to the existing waterfront character of the area and will not diminish the shoreline Mississagagon Lake.

Nearby waterfront residential lots are developed with similar sized structure with similar proximity to the water. It's important to note that a most of the footprint and massing expansion is taking place on the road-side of the dwelling and will not be visible from the lake.

County planning staff are the of the opinion that the proposed development is in-line with the general massing of the neighboring parcels along the shoreline based on the distance between structures, their size, and proximity to the water.

Sewage Disposal System Services

The proposed development will be serviced by the existing sewage system. The septic tanks are located near the southwestern corner of the dwelling, within the 30 metres (98.4 foot) waterbody setback. The septic bed is located on the southern side of the driveway and pumped up to a cleared hill that is adjacent to the existing hydro corridor.

The applicant will need to demonstrate that the existing sewage system can accommodate the proposed development. County planning staff are of the opinion that the septic bed can be expanded in the same location as it exists if needed. The review of the septic system capacity will take place at the building permit stage.

Natural Heritage

The proposed development will require the removal of a few trees on the backside of the dwelling, in the location where the proposed expansion will take place.

Mississagagon Lake is designated as a 'Non-Lake Trout Lake' that is At-Capacity. The Township Official Plan permits redevelopment of existing lots on At-Capacity lakes as long as the proposed development will have no impact on the quality of the lake. When it comes to dwelling additions, the most important aspect of ensuring that the quality of the lake is maintained is to ensure that the sewage system is functioning properly. Special care must also be taken during construction to ensure no sediment and building material enter the waterbody.

The proposed development is serviced with a sewage system that will need to be inspected at the building permit stage for capacity and functionality. The distribution bed of the sewage system is located more than 30 metres (98.4 feet) from the waterbody.

The Township Official Plan encourages sewage systems on at-capacity lakes to be relocated as far as possible from the water during re-development. For new sewage systems on new lots, the minimum setback is 300 metres from the water. For existing lots of record the minimum setback is 30 meters. This sewage system meets the minimum separation distance and will be inspected to ensure it is functioning properly.

County planning staff are of the opinion that the density on the lot will not increase significantly. As such, the dwelling addition is not anticipated to have an impact on the quality of the waterbody if proper site management practices are implemented during construction. The applicant is required to place sediment and erosion control barriers to ensure no sediment or waste enters the waterbody during construction.

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 proposed development is located on top of sheered-faces rock outcrop. The applicant was required to investigate the integrity of slope stability to support the proposal. The applicant submitted a Slope Stability Inspection report, prepared by Cambium, dated June 13, 2025.

The report proposed the following mitigation measures that need to be implemented during construction to ensure slope stability:

- No trees should be removed from the slope face.
- Construction activities should be conducted in a manner the which does not result in surface erosion of the slope. In particular, site grading and drainage should be designed to prevent direct concentrated or channelized surface runoff from flowing directly over the slope face.
- The slope should not be steepened in any way with fill material.
- 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.
- The proposed structures must be founded in bedrock. A qualified representative should be consulted to confirm.

MVCA agreed with the recommendations as confirmed by an email dated July 17, 2025

Legal Non-Conforming Structures

In accordance with Section 45(2) of the *Planning Act*, the Committee of Adjustment may permit the enlargement or extension of an existing legal non-conforming building or

structure, where the use of such building or structure does not conform with the provisions of the Zoning By-law but legally has been in continuous existence before and following the date the By-law was passed. No permission may be given by the Committee to enlarge or extend the building or structure beyond the original limits of the land where the legal non-conforming building or structure is situated.

In considering whether to grant a permission pursuant to Section 45(2), the relevant tests are:

1. Is the application desirable for appropriate development of the subject property?

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

A majority of the additional footprint will be added to the roadside of the dwelling. The partial second storey addition will provide more livable floor area while utilizing the existing development footprint. The covered terrace/deck addition that will result in a 1.3 metre (4 foot) encroachment closer to the water is an overhang that will have no impact on native vegetation.

Although 2 birch trees may have to be removed to accommodate the development, it is likely that these trees will be removed in the future anyway due to the proximity of the trees to the dwelling and the amount of development around their root system. It is likely that these trees will be hazard trees in the future.

The total proposed footprint of all structures on the subject property is below the maximum lot coverage permitted by the Zoning By-law.

2. Will the application result in undue adverse impacts on the surrounding properties and neighbourhood?

County planning staff are of the opinion that the proposal will not result in any undue adverse impacts on the surrounding properties and neighbourhood or quality of the adjacent waterbody. The area proposed for development is previously disturbed with no native vegetation proposed to be removed.

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 A08/25, as per the plans submitted with the application, and with the recommended conditions attached in Appendix A.

Attachments

Appendix A: Draft Conditions of Approval

Appendix B: Relevant Planning Policy and Legislation

Attachment 1 – Key Map

Attachment 2 – Applicant Submitted Site Plan

Attachment 3 – Building Drawings

Attachment 4 – Slope Stability Assessment (prepare by Cambium, dated June 13, 2025)

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 A08/25 (Smith)

Applicability

1. That the permission granted through application A08/25 is only to:
 - a. Expand an existing one storey (1,400 square foot) dwelling by constructing a
 - i. 40 square metre (420 square foot) garage addition on the southeastern extent of the existing dwelling
 - ii. 8.92 square metre (96 square foot) dwelling addition between the garage addition and the existing dwelling.
 - iii. 7.4 square metre (80 square foot) addition to the south side of the dwelling
 - iv. 5.6 square metre (60 square foot) covered porch on the south side of the dwelling
 - v. 4.65 square metre (50 square foot) covered porch in the corner of the dwelling and attached garage side of the existing footprint
 - vi. 20.07 square metre (216 square foot) covered porch/deck on the north side of the dwelling
 - vii. 7.4 square metre (80 square foot) second story overhang above the covered porch/deck. The purpose of this overhang is to bring the bedroom out.

- viii. 20.1 square metre (216 square foot) covered terrace/porch on the southwest side of the dwelling as an addition to the existing wood deck.
 - b. Construct a second story addition to the eastern half of the dwelling including overtop of the proposed garage addition.
2. This permission does not include a reduction in the required setbacks along the entire width/length and depth of the property or for any future structures.
3. Application number A08/25 is applicable only to the Township of North Frontenac's Zoning By-Law Number 55-19, as amended, and not to any subsequent zoning by-laws.

No Adverse Impacts

4. 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

5. 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.
6. 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

7. 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.
8. 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.

9. 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.
10. No trees shall be removed from the slope face.
11. Construction activities should be conducted in a manner the which does not result in surface erosion of the slope. In particular, site grading and drainage should be designed to prevent direct concentrated or channelized surface runoff from flowing directly over the slope face.
12. The slope should not be steepened in any way with fill material.
13. 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.
14. The proposed structures must be founded in bedrock. A qualified representative should be consulted to confirm.

Appendix B: Relevant Planning Policy

Provincial Planning Statement (2024)

The Provincial Planning 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 and minor variance applications on rural lands, planning authorities must comply with Sections 2.5 and 2.6 of the PPS, and apply the relevant policies of the following sections:

- Chapter 3: Infrastructure and Public Service Facilities of the PPS contains policies that direct the development of public and private infrastructure including transportation networks, sewage, water and stormwater services, waste management, and public spaces, recreation, parks, trails, and open spaces.
- Chapter 4: 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.
- Chapter 5: 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 5.2 of the PPS.

The following policies are applicable to this application:

- Permitted uses on rural lands include residential development, including lot creation, where site conditions are suitable for the provision of appropriate sewage and water services; (Section 2.6.1.c).
- Development that can be sustained by rural service levels should be promoted (Section 2.6.2).
- Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the uneconomical expansion of this infrastructure (Section 2.6.3).
- Conserving biodiversity and considering the ecological benefits provided by nature (Section 2.5.1.g).
- Supporting healthy, integrated and viable rural areas by building upon rural character and leveraging rural amenities and assets (Section 2.5.1.a).

- Individual on-site water and sewage services may be used provided that site conditions are suitable for the long term provision of such services with no negative impacts (Section 3.6.4).
- Natural features and areas shall be protected for the long term (Section 4.1.1).
- 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 5.1.1).

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.

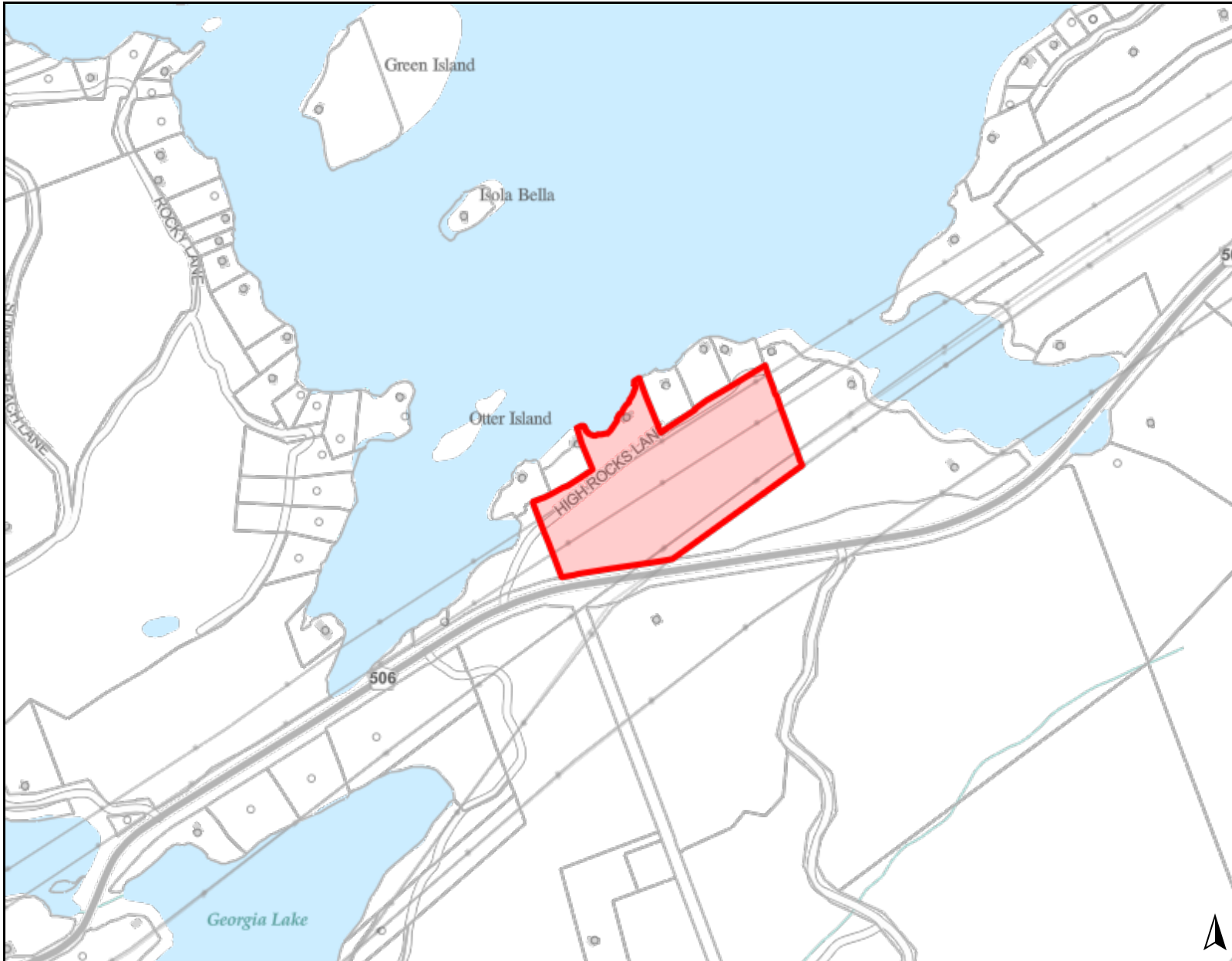
The following policies are applicable to this application:

- 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 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) (xv) Special Policy – Mississagagon Lake Mississagagon Lake is not classified as a lake trout lake by the Province of Ontario. In 2016, the Ministry of Environment and Climate Change designated Mississagagon Lake to be 'at capacity' for new development based on water quality. The policies of Section 4.10.3 shall apply to Mississagagon Lake.
- Section 4.10.8 Existing lots of record and lots in existing and approved Plans of Subdivision may be developed under strict conditions where a proponent can demonstrate there will be no impacts on lake water.



Legend

Boundaries

Township Boundary

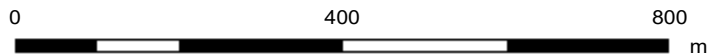


Property Information

Civic Address Points



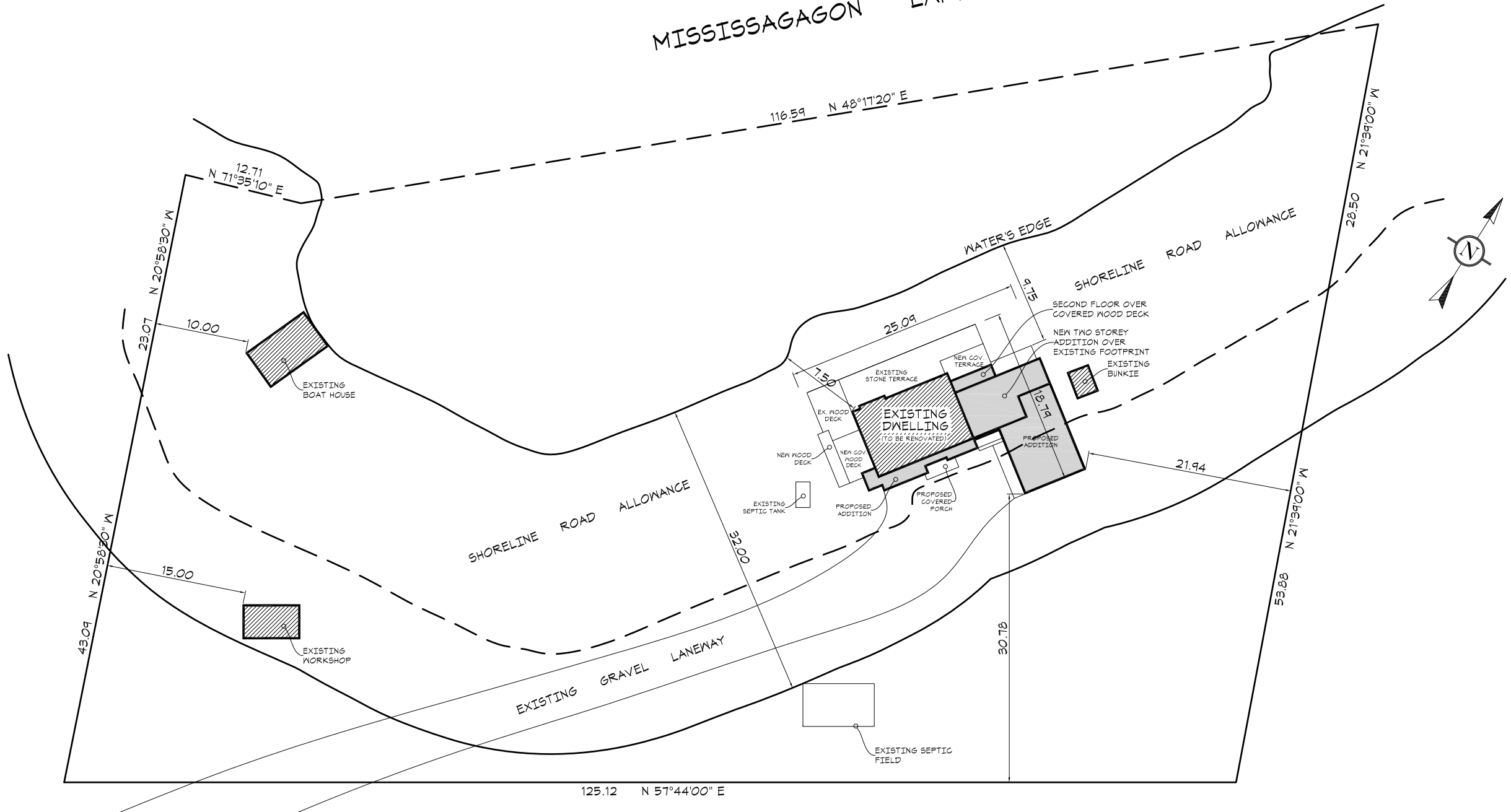
Assessment Parcels



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

Notes

MISSISSAGAGON LAKE



GENERAL NOTES:

ALL CONSTRUCTION IS TO CONFORM TO SECTION "9" OF THE ONTARIO BUILDING CODE (LATEST EDITION).

CONTRACTOR SHALL CHECK AND VERIFY ALL NOTES AND DIMENSIONS.

DO NOT SCALE DRAWINGS.

OWNER / CONTRACTOR / DESIGNER IS RESPONSIBLE TO RE-CLAIM AND DESTROY ALL PREVIOUS AND UN-REVISED COPIES OF THIS DRAWING.

THESE DRAWINGS ARE THE PROPERTY OF THE GREGORY DESIGN GROUP AND / OR ITS CLIENTS ONLY.

BUILDING PERMITS SHOULD BE OBTAINED PRIOR TO COMMENCING CONSTRUCTION.

REVISIONS AND DATA	DATE

The undersigned has reviewed and takes responsibility for his design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

QUALIFICATION INFORMATION
 Required unless design is exempt under 2.17.5.1 of the Ontario Building Code

Russ Gregory 25025
 NAME BCIN

REGISTRATION INFORMATION
 Required unless design is exempt under 2.17.4.1 of the Ontario Building Code

Gregory Designs 30506
 FIRM NAME BCIN

PROJECT TITLE

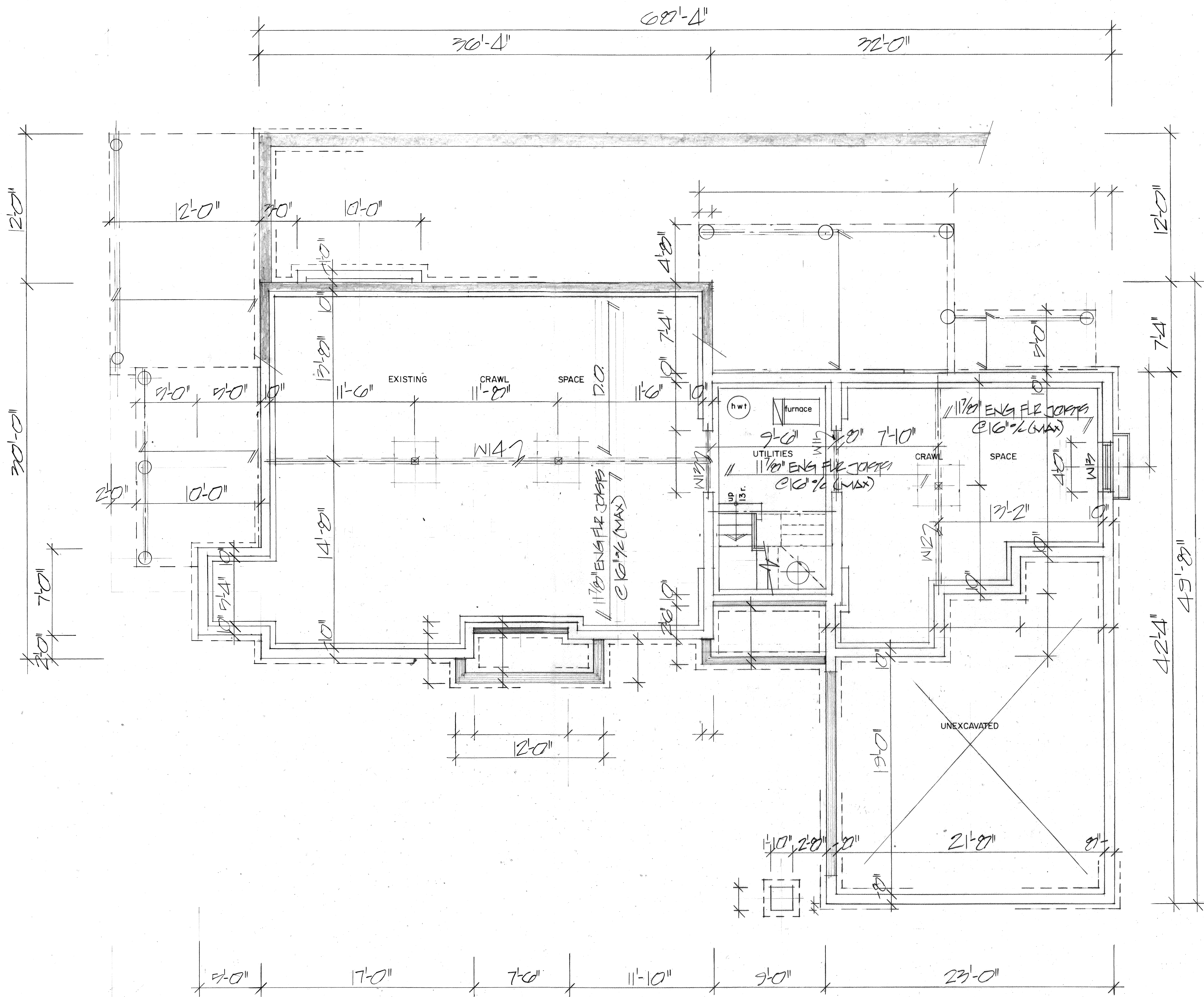
**THE LAKE HOUSE
 1053 HIGHROCKS LANE
 NORTH FRONTENAC**



**THE GREGORY
 DESIGN GROUP**

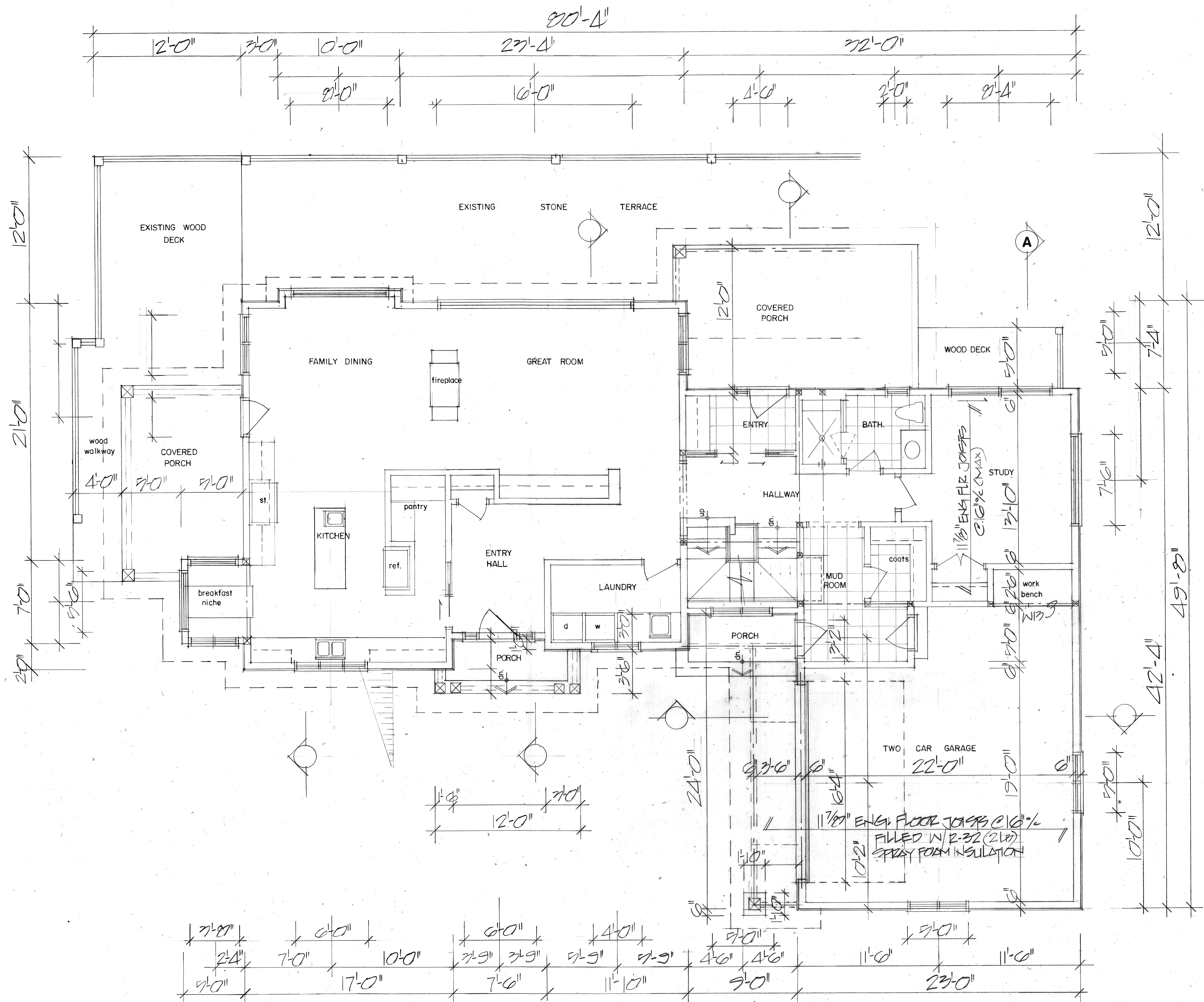
18 PARADISE AVENUE
 MARKHAM, ONTARIO L3P 2R7
 (416) 720-4667
 russ@gregorydesigngroup.net

SCALE	DATE
1:500	08/07/25
PROJECT NUMBER	SHEET NUMBER
2478-24	SP-1
DRAWN BY	
S.Gregory	
CHECKED BY	
R.G.	



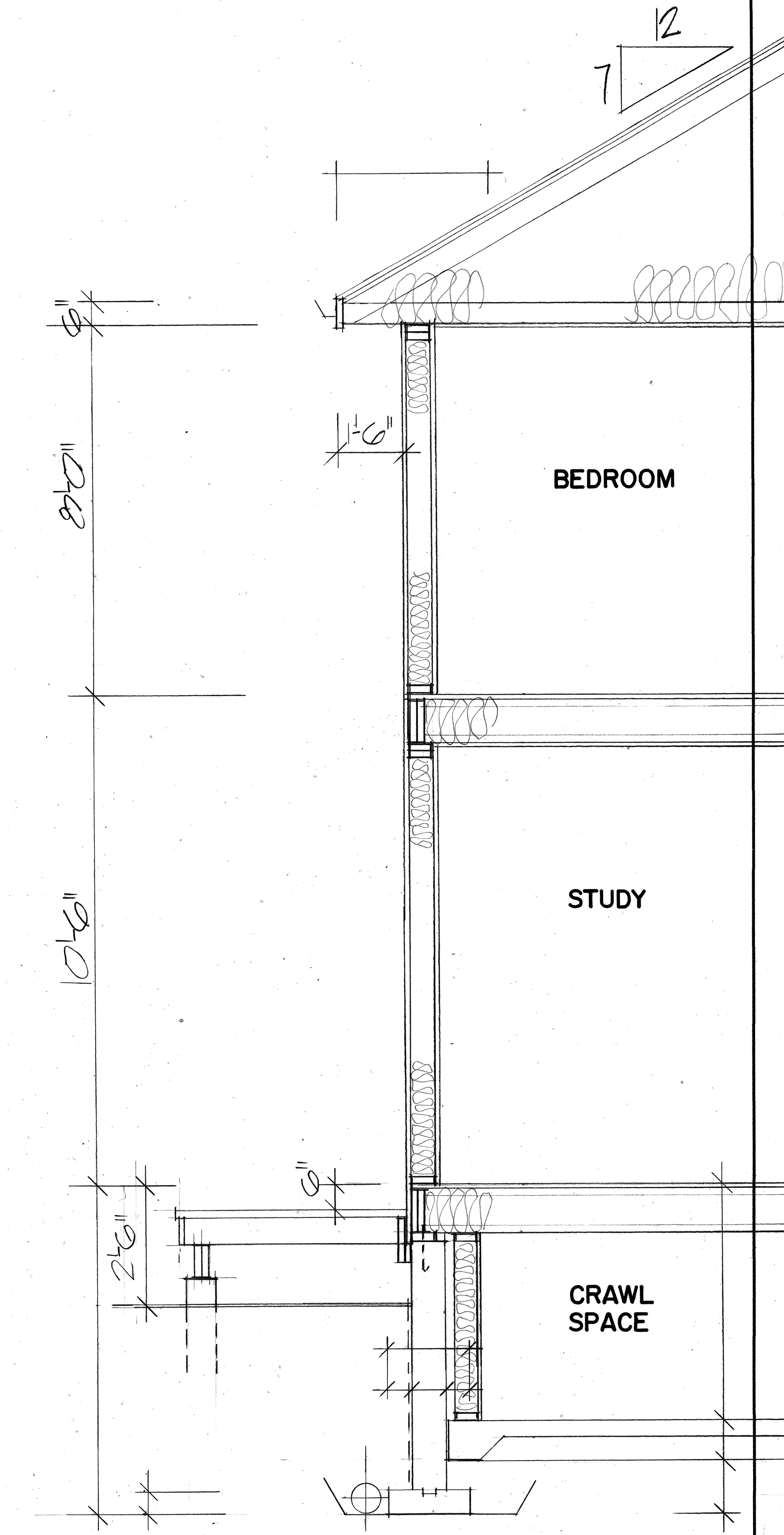
BASEMENT & FOUNDATION PLAN

PROJECT: THE LAKE HOUSE 1053 HIGHROCKS LANE MISSISSAGAGON LAKE TOWNSHIP OF NORTH FRONTENAC	<small>I review and take responsibility for the design work on behalf of a firm registered under subsection 3.2.4 of Division C of the Building Code, I am qualified, and the firm registered, in the appropriate classes/categories.</small> INDIVIDUAL B.C.I.N. - 25825 FIRM B.C.I.N. - 30066	DRAWN: R. GREGORY DATE: 7/26/2017
	<small>Owner/contractor designer is responsible to re-claim and destroy all previous and un-revised copies of this drawing. These drawings are the property of the Gregory Design Group and/or its clients only. Building permits should be obtained prior to commencing construction.</small>	SCALE: 1/4" = 1'-0"
THE GREGORY DESIGN GROUP 18 Paradise Ave MARKHAM, ONTARIO, L3P 3B9 (416) 720-4667 russ@gregorydesigngroup.net	GENERAL NOTES: <small>All construction is to conform to section "P" of the Ontario Building Code (latest edition). Contractor shall check and verify all notes and dimensions. Do not scale drawings. Owner/contractor designer is responsible to re-claim and destroy all previous and un-revised copies of this drawing. These drawings are the property of the Gregory Design Group and/or its clients only. Building permits should be obtained prior to commencing construction.</small>	DRAWING NO.: A-1



GROUND FLOOR PLAN

GROUND FLOOR AREA = 1710 sq. ft.



WALL SECTION 'A'

SCALE - 1/2" = 1'-0"

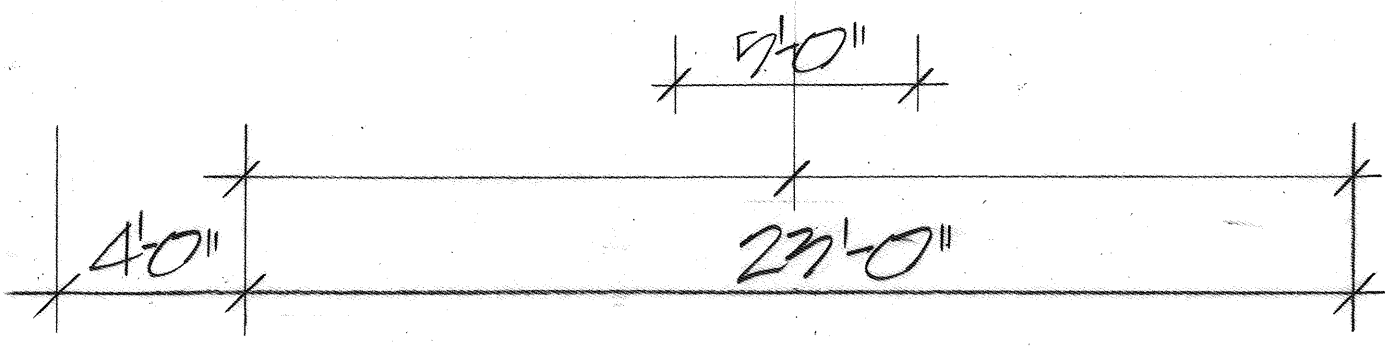
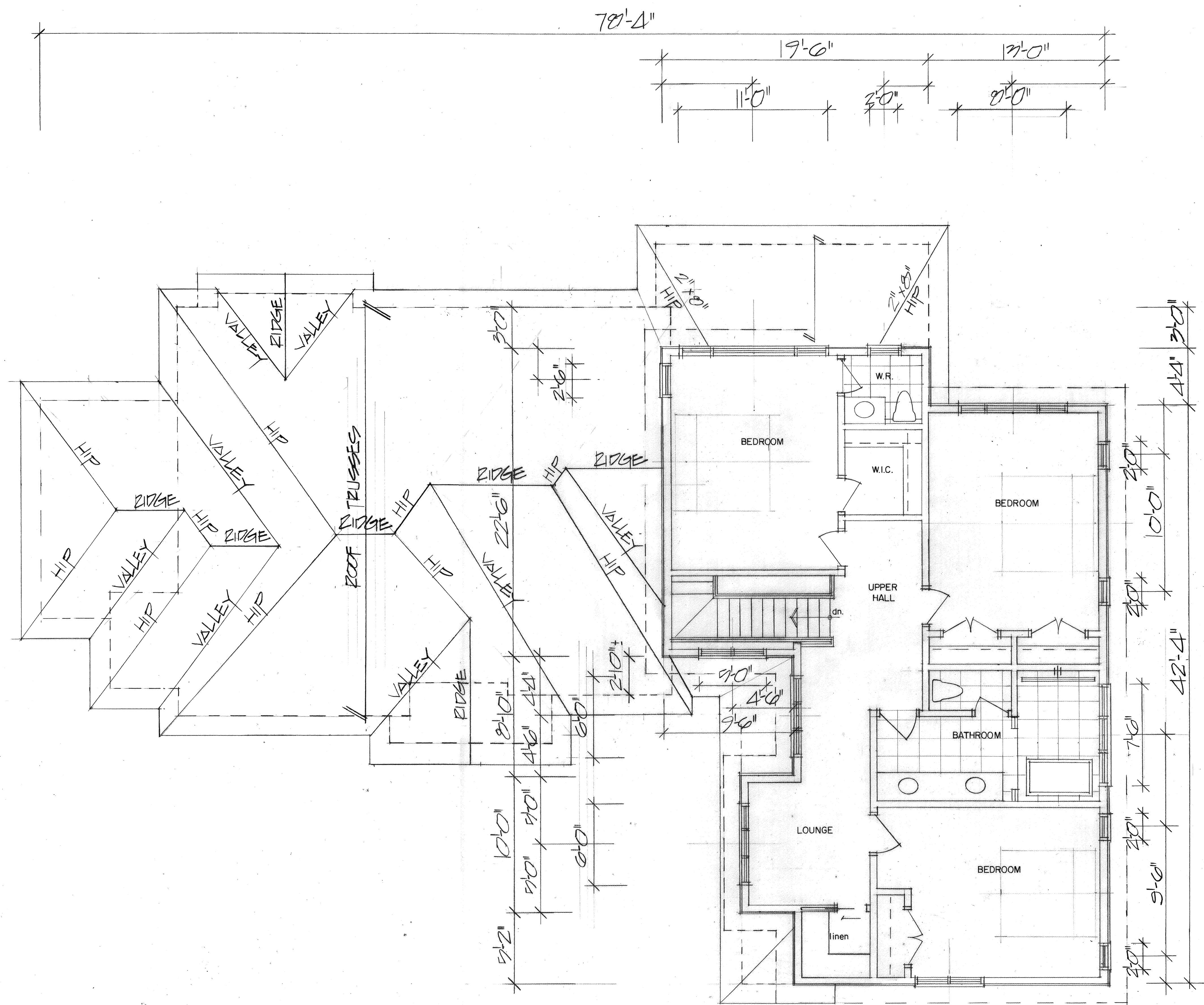
PROJECT: THE LAKE HOUSE	I review and take responsibility for the design work on behalf of a firm registered under subsection 3.2.4 of Division C of the Building Code, I am qualified, and the firm registered, in the appropriate classes/categories.	DRAWN: R. GREGORY
	INDIVIDUAL B.C.N. - 25825 FIRM B.C.N. - 30906	DATE:
Russ Gregory NAME	SIGNATURE	SCALE: 1/4" = 1'-0"
THE GREGORY DESIGN GROUP 18 Paradise Ave MARKHAM, ONTARIO, L3P 3B9 (416) 720-4667 russ@gregorydesigngroup.net	GENERAL NOTES: All construction is to conform to section "B" of the Ontario Building Code (latest edition). Contractor shall check and verify all notes and dimensions. Do not scale drawings. Owner/contractor designer is responsible to maintain and destroy all previous and/or revised copies of this drawing. These drawings are the property of the Gregory Design Group and/or its clients only. Building permits should be obtained prior to commencing construction.	PROJECT NO.: 2485-25 DRAWING NO.: A-2

Conventional Framing:

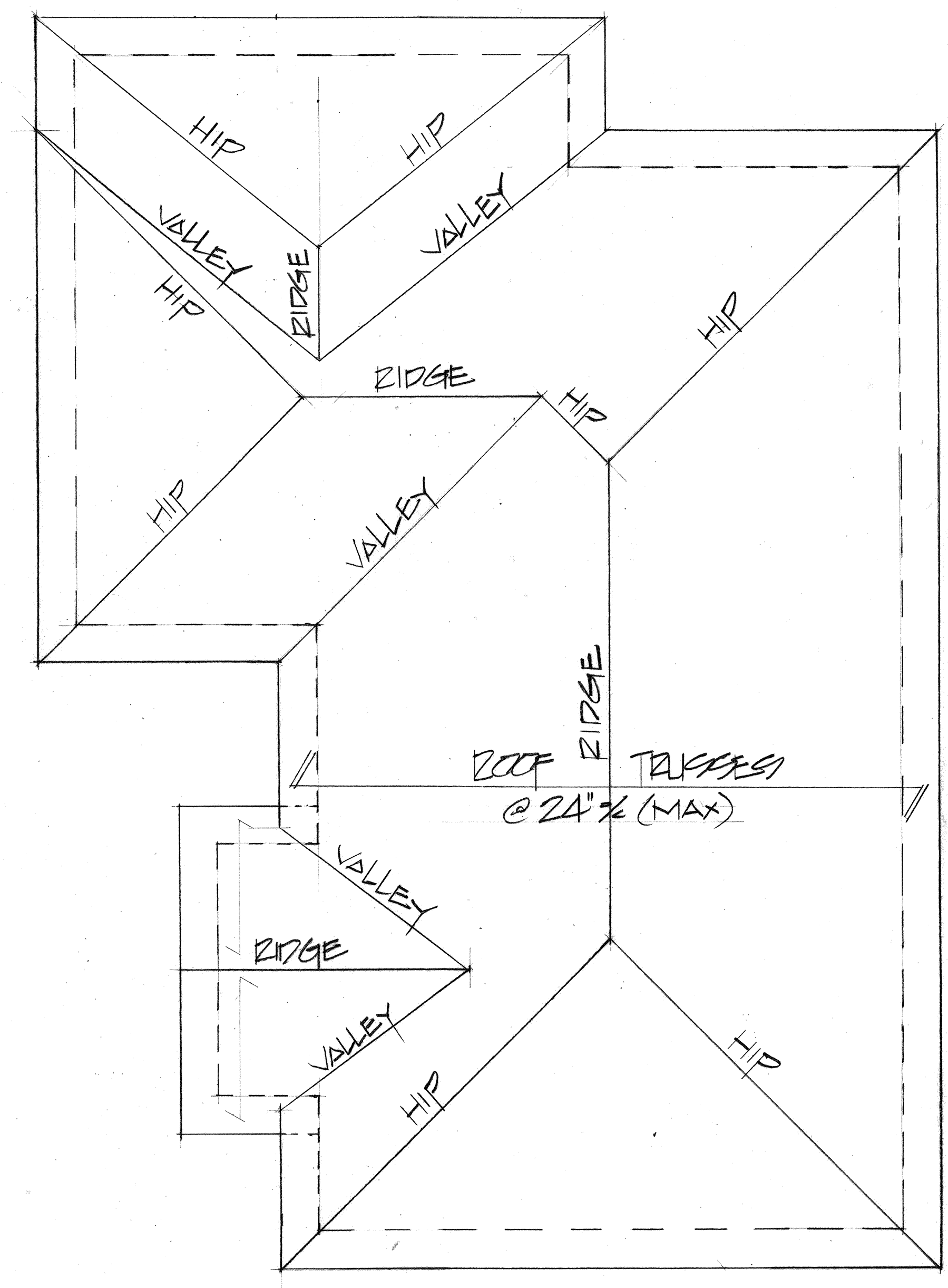
- All rafters 2"x6" spruce @16" o/c (unless noted otherwise)
- Refer to roof plan for direction of rafters
- Collar ties 2"x4" spruce @16" o/c (where possible)
- Ridge boards 2"x8" spruce
- Valley boards 2"x8" spruce
- Hip boards 2"x8" spruce
- Support all hip and valley boards with posts and/or dwarf walls where necessary and/or possible

Roof Trusses:

- Owner/Contractor must supply engineered truss drawings to Gregory Design and local building department for review
- Refer to roof plan for direction of trusses
- Any conventional framing must meet Ontario Building Code regulations
- Roof trusses must not be manufactured prior to completion of foundation and verification of all dimensions
- The Gregory Design Group assumes no responsibility for errors if dimensions for trusses are not verified

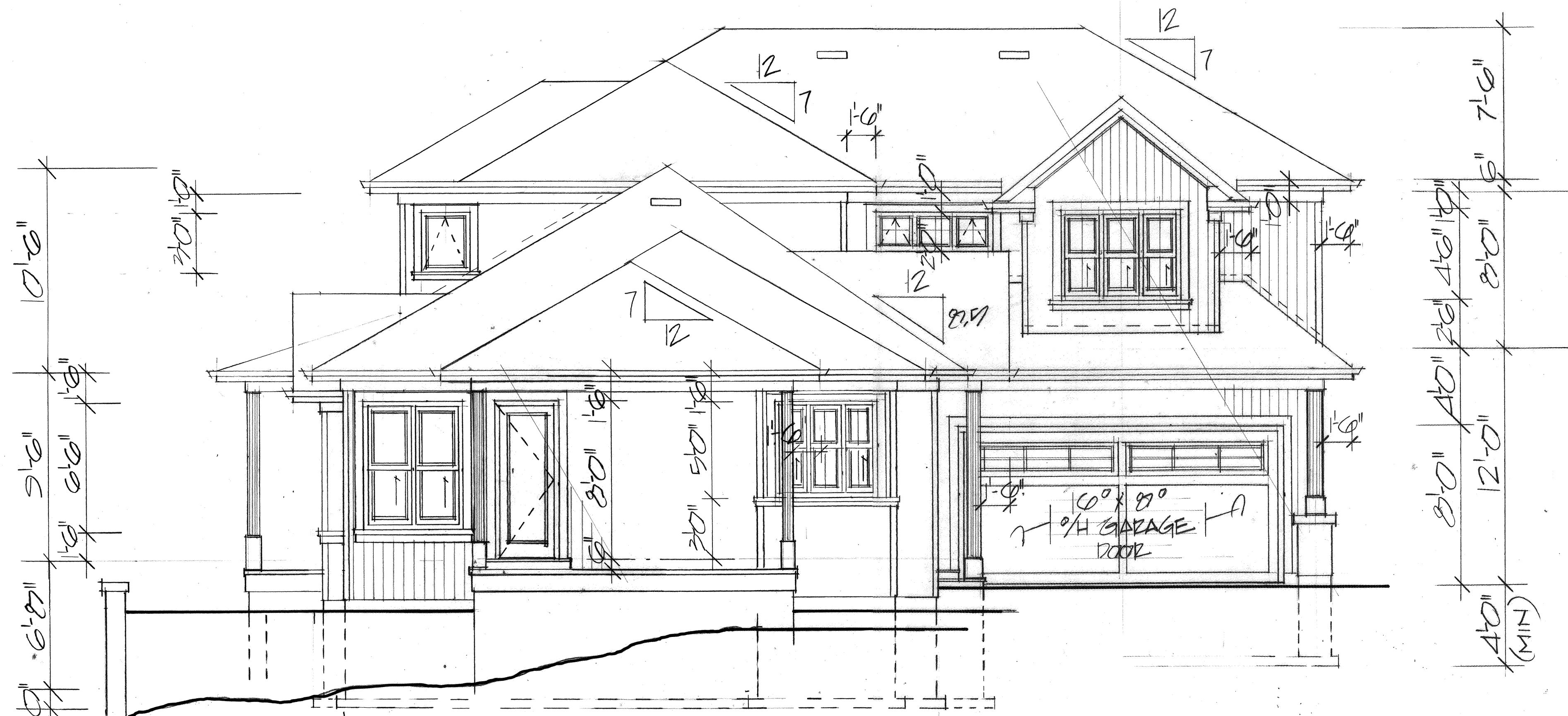


SECOND FLOOR PLAN
SECOND FLOOR AREA = 1245 sq. ft.

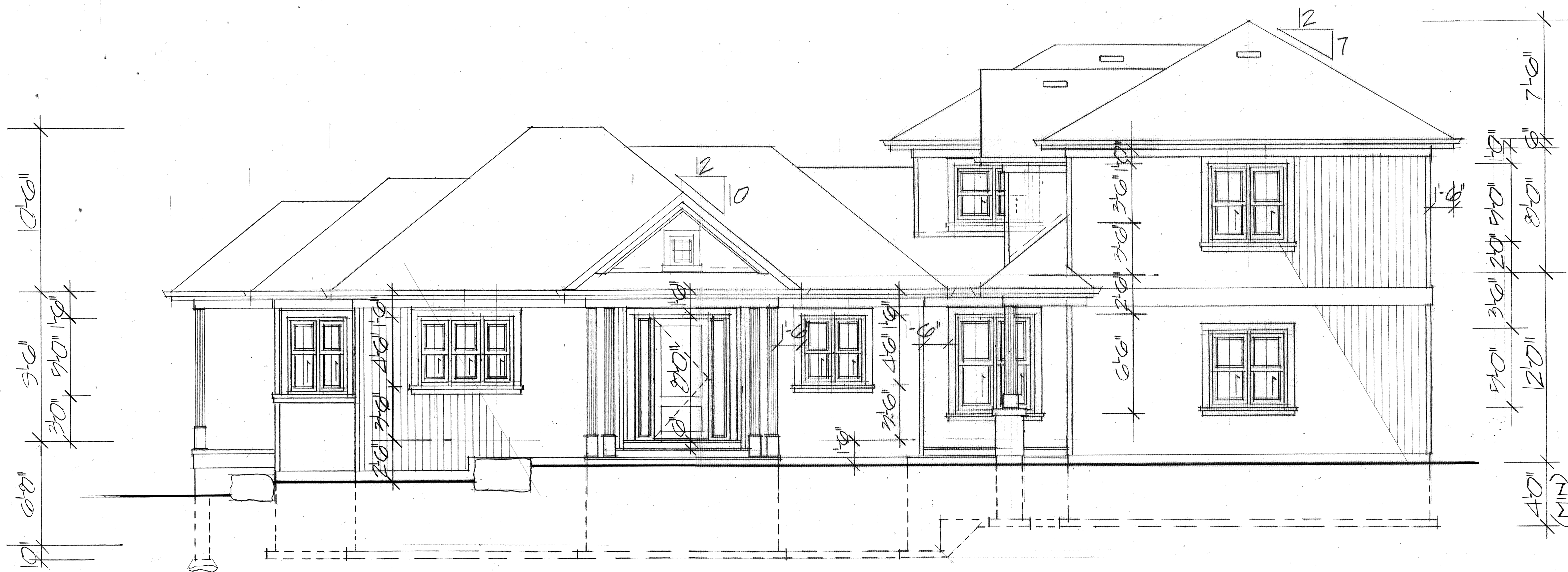


SECOND FLOOR ROOF PLAN

PROJECT: THE LAKE HOUSE	I review and take responsibility for the design work on behalf of a firm registered under subsection 12.2 of Division C. of the Building Code (last edition) in the appropriate classes/categories. INDIVIDUAL B.C.N. - 25825 FIRM B.C.N. - 30006 Russ Gregory NAME SIGNATURE	DRAWN: R. GREGORY DATE:
	THE GREGORY DESIGN GROUP 18 Paradise Ave MARKHAM, ONTARIO, L3P 3B9 (416) 720-4667 russ@gregorydesigngroup.net	GENERAL NOTES: All construction is to conform to section "B" of the Ontario Building Code (last edition). Contractor shall check and verify all notes and dimensions. Do not scale drawings. Owner/contractor/designer is responsible to re-obtain and destroy all previous and un-revised copies of this drawing. These drawings are the property of the Gregory Design Group and/or its clients only. Building permits should be obtained prior to commencing construction.

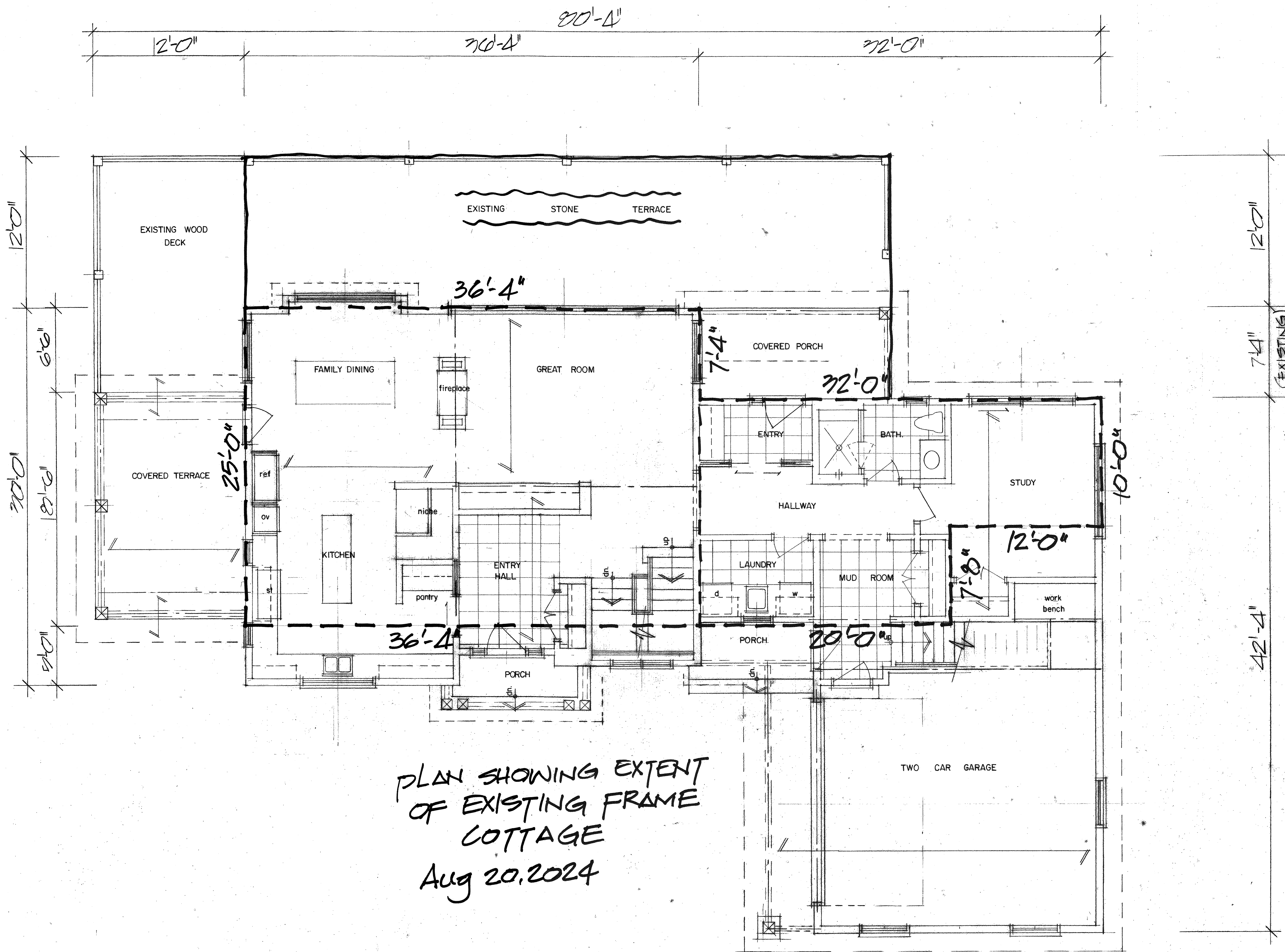


WEST SIDE



SOUTH ELEVATION

PROJECT: THE LAKE HOUSE	<small>I review and take responsibility for the design work on behalf of a firm registered under subsection 3.2.4 of Division C. of the Building Code, I am qualified, and the firm registered, in the appropriate classes/categories.</small> INDIVIDUAL B.C.I.N. - 25825 FIRM B.C.I.N. - 30006	DRAWN: R. GREGORY DATE:
	Russ Gregory <small>NAME</small>	SCALE: 1/4" = 1'-0"
THE GREGORY DESIGN GROUP 18 Paradise Ave MARKHAM, ONTARIO, L3P 3B9 (416) 720-4667 russ@gregorydesigngroup.net	GENERAL NOTES: <small>All construction is to conform to section "B" of the Ontario Building Code (latest edition). Contractor shall check and verify all notes and dimensions. Do not scale drawings. Owner/contractor/designer is responsible to re-claim and destroy all previous and un-revised copies of this drawing. These drawings are the property of the Gregory Design Group and/or its clients only. Building permits should be obtained prior to commencing construction.</small>	PROJECT NO.: 2485-25 DRAWING NO.: A-5



PLAN SHOWING EXTENT
OF EXISTING FRAME
COTTAGE
Aug 20, 2024

GROUND FLOOR PLAN
GROUND FLOOR AREA = 1780 SQ. FT. ±

PROJECT: THE LAKE HOUSE	<small>I review and take responsibility for the design work on behalf of a firm registered under subsection 3.2.4 of Division C. of the Building Code. I am qualified, and the firm registered, in the appropriate classes/categories.</small> INDIVIDUAL B.C.I.N. - 25625 FIRM B.C.I.N. - 30906	DRAWN: R. GREGORY DATE:
	Russ Gregory NAME SIGNATURE	SCALE: 1/4" = 1'-0"
THE GREGORY DESIGN GROUP 18 Paradise Ave MARKHAM, ONTARIO, L3P 3B9 (416) 720-4667 russ@gregorydesigngroup.net	GENERAL NOTES: <small>All construction is to conform to section "B" of the Ontario Building Code (latest edition). Contractor shall check and verify all notes and dimensions. Do not scale drawings. Owner/contractor designer is responsible to re-claim and destroy all previous and un-released copies of this drawing. These drawings are the property of the Gregory Design Group and/or its clients only. Building permits should be obtained prior to commencing construction.</small>	PROJECT NO.: 2478-24 DRAWING NO.:

GENERAL NOTES

1. 4" face brick or concrete block or stone facing with 1/2" weep holes @24"o/c in starter course, metal ties @16"o/c horizontal and 24"o/c vertical, 1" air space, 1" rigid insulation (R5c1) on 1/2" plywood sheathing on 2"x6" wood studs @16"o/c, filled with R-24 batt insulation, 6 mil poly vapour barrier, 1/2" drywall taped, sanded and painted. (Insulation and vapour barrier in garage walls is optional).
2. Exterior wood finish (see elevations) on wood strapping over 1" rigid insulation (R5c1) on 1/2" plywood sheathing on 2"x6" wood studs @16"o/c filled with R-24 batt insulation, 6 mil poly vapour barrier, 1/2" drywall taped, sanded and painted. (Insulation and vapour barrier in garage walls is optional).
3. Exterior stucco finish (see elevations) on 2" rigid insulation (R5c1) on "blueskin" air barrier on 1/2" plywood sheathing on 2"x6" wood studs @16"o/c filled with R-24 batt insulation, 6 mil poly vapour barrier, 1/2" drywall taped, sanded and painted. (Insulation and vapour barrier in garage walls is optional).
4. 1/2" drywall, taped only on 2"x6" wood studs @16"o/c filled with R-24 batt insulation, 6 mil vapour barrier, 1/2" drywall taped, sanded and painted. (Use 4" concrete block where masonry above) Provide caulking at bottom of drywall for gas proofing.
5. 4" stone faced Indiana Limestone sill or banding in masonry areas.
6. 10" brick, stone or precast concrete arch (with optional keystone).
7. 8" brick, stone or precast concrete arch (with optional keystone).
8. 2-15mm rebar @ 1" from bottom of 22" wide x 6" deep poured concrete footing (minimum 20MPa) keyed for poured walls, with 15mm dowels 18" long @ 36"o/c (max). O.B.C. 4.13.5. Footings must rest on stable soils with an allowable bearing pressure of 75KPa or greater (provide min 48" coverage from frost). O.B.C. 4.13.1.1
9. Approved drainage layer over damp proofing, sprayed on exterior of 10" thick poured concrete foundation (minimum 20MPa) or damp proofing sprayed on 1/2" cement paring on exterior face of concrete block foundation walls. All rod holes to be plugged and garged (refer to building section for structural requirements). ICF foundation to be designed by structural engineer.
10. 1/2" drywall (optional) on 2"x4" wood studs @16"o/c filled with R-12 batt insulation to basement slab; R-10 rigid (or foam) insulation applied directly to concrete foundation wall with adhesive.
11. Perimeter poured or concrete block foundation to extend 48" below exterior grade.
12. 2" rigid insulation (R-12) to extend 36" below exterior grade and 48" in from exterior wall (under concrete slab).
13. Stepped concrete footing (minimum 20MPa) on stable soils with an allowable bearing pressure of 75KPa or greater, maximum rise 24", minimum run 48". O.B.C. 4.13.3.4
14. 2"x6" wood sill plate anchored to foundation wall with 1/2" diameter anchor bolts @94"o/c (max). O.B.C. 4.25.6.1
15. 4" diameter plastic weepers in filter sock in 6" stone cover with sleeves through footings (run to storm sewer or drain pit).
16. 4" concrete basement slab (minimum 25MPa) on 6" clear stone on stable soil. Min. R-12 styrofoam insulation around perimeter to min. 48" from exterior walls. (basement slab only). O.B.C. 4.16.4.3
17. 4" concrete garage slab (minimum 32MPa) with 6"x6" wire mesh on 6" clear stone on undisturbed soil or compacted fill (use 5-10mm rebar in 10"x10" grade beams if span is greater than 19'-0"). O.B.C. 4.16.4.5
18. 6" poured concrete porch slab (minimum 32MPa) with 15mm rebar @10"o/c both ways connected to 15mm dowels at foundation wall. Forms to be removed after 28 days of curing.
19. Concrete garage slab, porch, beams or columns to be designed by Professional Engineer.
20. Specified steel beam on 3/4" diameter steel column with 6"x6"x1/2" plates on top and bottom, on 40"x40"x12" deep concrete pad footing with two rows of 15mm rebar each way at bottom of footing. Footings to rest on stable soils.
21. Specified wood beam on 6"x6" wood post on 24"x24"x6" deep concrete pad footing. Footings to rest on stable soils.
22. 6"x6" wood post on metal saddle on 10" diameter tube footing with 18" dia. base footing, or 16"x16" block pier (to extend 48" below grade) on 24"x24"x6" concrete pad footing.
23. 1/2" drywall (optional) on 2"x6" wood studs @12"o/c on 4" ashlar block course or curb on 18" wide x 6" deep poured concrete strip footing. O.B.C. 4.13.3.6 (Load bearing partition)
24. 1/2" drywall taped, sanded and painted on both sides of 2"x4" or 2"x6" wood studs @16"o/c (double top plates and double studs at openings).
25. Beam pocket in foundation wall (use steel plates and solid masonry for leveling).
26. Tongue & groove pre-finished wood siding on underside of ceiling joists.
27. 1/2" drywall taped, sanded and painted, on u/s of approved floor joists filled with R-32, 2lb spray foam insulation.
28. 1/2" "ceiling board" taped, sanded and painted on 6 mil poly vapour barrier on u/s of approved trusses or ceiling joists filled with R-60 blown in insulation. Recessed lighting or other penetrations to be protected as required.
29. 1/2" drywall taped, sanded and painted, on u/s of approved roof rafters filled with R-32, 2lb spray foam insulation.
30. Asphalt shingles (or equal) on 1/2" exterior type plywood on approved roof trusses or roof rafters. (Use 'H' clips if spacing is greater than 16"o/c)
31. Finished floor on 3/4" SFF plywood sub floor glued and nailed to approved engineered floor joists (joints to be sanded if necessary).
32. Type 'B' rolled roofing eaves protection to extend 36" (min) from the edge of the roof to a line not less than 12" inside the inner face of the exterior wall. Not required if roof slope is greater than 8:12. O.B.C. 4.26.3.1
33. Provide 1 sq.ft. of roof ventilation per 300 sq.ft. of insulated ceiling area ceiling area. Ventilation to be split equally between soffit venting and roof venting. O.B.C. 4.14.1
34. Aluminum eaves trough, perforated soffit, fascia and rain water leaders (premium gauge or copper optional). Refer to elevation drawings for material to be used for fascia and soffit.
35. 2"x4" ledger at bottom of 2"x12" pressure treated header attached to the existing house frame with 1/2" lag bolts and washers @24"o/c (max).
36. Existing footings and foundations to be underpinned or have a bench footing constructed. Professional Engineers design will be prepared after excavation to determine conditions.
37. 26 gauge galvanized metal flashing cut into brick or under exterior finish, caulked and counter-flashed.
38. Basement and exterior stairs: O.B.C. 4.8.1 - 4.8.4
Maximum rise - 7 1/2" Minimum treads - 10" Minimum head room - 7'7"
39. Main and ext'l stairs: O.B.C. 4.8.1 - 4.8.4
Maximum rise - 7 1/2" Minimum treads - 10" Minimum head room - 7'7"
40. Wood handrail on wood or metal pickets with 4" (max) spacing. Handrail to be 34" (min) above nosing and 38" (min) above landings.
41. Precast concrete steps (lag bolted to foundation wall if necessary).
42. 1/2" drywall on both sides of 2"x4" studs to a height of 36" (min) above highest adjacent floor.
43. 2"x4" wood top rail on 1"x2" wood pickets (or metal railing) @4"o/c (max) to a height of 36" if greater than 24" above grade to meet specifications of SB-7 of O.B.C. Pickets and rails to be primed and painted prior to installation.
44. 2"x4" or 2"x6" wood decking (or equal) across approved pressure treated joists and framing.
45. Bathroom vent to exterior (min. 50 cfm). Duct to be insulated.
46. Kitchen vent to exterior (see kitchen design for cabinet and appliance details).
47. Cold storage vent to exterior (min. 8" diameter sleeve).
48. Vent furnace, hot water tank and HRV to exterior as required.
49. 4" diameter dryer vent to exterior.
50. Vanity or pedestal sink with mirror (medicine cabinet in main bathroom) or 30" deep laundry room counter. (see cabinet designs for details)
51. Tiled shower stall/bathtub enclosure (with light fixtures) on water resistant drywall.
52. Oval tub (jets optional) in 28" high wood framed tub deck (fully tiled).
53. Gas or propane fireplace installed and vented to manufacturer's specifications. Owner to provide information to contractor prior to installation.
54. 200 amp electrical service (breaker type). Separate permit required from E.S.A.
55. Inter-connected smoke detector and carbon monoxide detector on each floor to be wired to house current. Inter-connected smoke detector in each bedroom and any hallways accessing bedrooms. Smoke alarms to have a visual signalling component as per O.B.C. 4.10.11.3

56. Basement area floor drain connected to sanitary sewer.
57. Sewage ejection pit connected to sanitary drain or septic system.
58. Water holding tank and pump from well.
59. Fireplace facing and detail to be provided by owner.
60. Clothes closet with hanging rod and 10" shelf.
61. Broom closet with 4 shelves.
62. Linen closet with 3 shelves.
63. 22"x30" insulated access hatch with weather stripping.
64. Overhead panel garage door and track (see plans for dimensions).
65. 8"x12" clay flue for fireplace (optional flue for basement fireplace).
66. Poured concrete door sill.
67. Top of chimney to be 36"(min) above roof ridge or 24"(min) above roof surface within 10' from chimney.
68. Galvanized metal window well to weepers. Window well to extend 4" above grade.
69. Decorative brick design or louvered vent or window (see elevations).
70. New concrete footing and foundation connected to existing footings and foundations with 2-15m rebar drilled 4" into existing footing and 8" into new footing. Foundations connected with 2 metal brick ties at each block course or 15m rebar @12"o/c drilled into existing foundation the same as footings. Make connection water tight. New weeping tile to be connected to existing perimeter weeping tile of building.
71. 17"x17"x2" concrete pad on 16"x16"x36" high brick pier on full concrete foundation.
72. Double glazed dome skylight in drywalled shaft with vapour barrier and R-32 batt insulation (see drawings for dimensions) or solar tube for additional lighting. Installed to manufacturer's specifications.
73. Gas tight door and frame with self closer and weather stripping.
74. Sump pit and pump for weepers to storm sewer or drain pit.
75. Approximate location of Hydro meter.
76. Approximate location of Gas meter.
77. Approximate location of A/C unit.
78. 1"x3" prefinished v-groove wood soffit with recessed lighting as required.
79. See landscape plan for details of "armour stone" retaining wall. Provide guards and handrails for retaining walls and steps as required by O.B.C. 8"x8" area drain to storm sewer or sump pit if required.
80. Waterproof membrane over 3/4" exterior plywood on approved joists. Roof to drain to eaves trough and downspout.
81. Wood decking across 2"x2" wood sleepers on waterproof membrane over 3/4" exterior plywood on approved joists. Roof to drain to eaves trough and downspouts.
82. Refer to kitchen manufacturer specifications for all cabinet measurements and details. (to be provided by owner)
83. Sewage ejection system to be installed if required.
84. Provide stud wall reinforcement in Main Bathroom adjacent to water closet and shower or tub. O.B.C. 4.31.2.3
85. Drain water heat recovery unit to be installed on every shower drain if more than two showers in dwelling.
86. Rough in for opening for elevator shaft. Elevator manufacturer specifications to be provided to building inspector at time of installation.
87. Tall wall construction - 2-2"x7" wood studs @16"o/c with blocking at 1/2 points vertically.
88. Rough in for car charger to manufacturer's specifications.

Note:

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- Do not scale drawings.
- Owner/contractor/designer is responsible to re-claim and destroy all previous and un-revised copies of this drawing.
- These drawings are the property of the Gregory Design Group and/or its clients only.
- Building permits should be obtained prior to commencing construction.

Structural Information

- All floor joists and structural beams must be designed and installed to manufacturer's specifications and have proper bearing.
- All joist spacing to be 16"o/c (max) unless noted otherwise in drawings.
- Joist spans based on 3/4" sub-floor being glued and nailed and 1/2" drywall on underside of joists.
- Owner/Contractor must supply engineered design drawings to the Gregory Design Group and local building department for review.

Lintel / Header Schedule

- M1 - 2-2"x6" Spruce
- M2 - 2-2"x8" Spruce
- M3 - 3-2"x8" Spruce
- M4 - 2-2"x10" Spruce
- M5 - 3-2"x10" Spruce
- M6 - 4-2"x10" Spruce
- M7 - 2-2"x12" Spruce
- M8 - 3-2"x12" Spruce
- All LVL beams to be designed by suppliers
- M9 - 2-1 1/2"x7 1/2" LVL Beam
- M10 - 3-1 1/2"x7 1/2" LVL Beam
- M11 - 2-1 1/2"x9 1/2" LVL Beam
- M12 - 3-1 1/2"x9 1/2" LVL Beam
- M13 - 2-1 1/2"x11 1/2" LVL Beam
- M14 - 3-1 1/2"x11 1/2" LVL Beam
- M15 - 2-1 1/2"x14" LVL Beam
- M16 - 3-1 1/2"x14" LVL Beam
- M17 - 2-1 1/2"x16" LVL Beam
- M18 - 3-1 1/2"x16" LVL Beam

Steel Lintel Schedule

- L1 - 3 1/2"x3 1/2"x 1/8"
- L2 - 4"x3 1/2"x 1/8"
- L3 - 4 1/2"x3 1/2"x 1/8"
- L4 - 5"x3 1/2"x 1/8"
- L5 - 5 1/2"x3 1/2"x 1/8"
- L6 - 6 1/2"x3 1/2"x 1/8"
- L7 - 7 1/2"x3 1/2"x 1/8"
- L8 - 8 1/2"x3 1/2"x 1/8"
- L9 - 9 1/2"x3 1/2"x 1/8"
- L10 - 10 1/2"x3 1/2"x 1/8"
- L11 - 11 1/2"x3 1/2"x 1/8"
- L12 - 12 1/2"x3 1/2"x 1/8"
- L13 - 13 1/2"x3 1/2"x 1/8"
- L14 - 14 1/2"x3 1/2"x 1/8"
- L15 - 15 1/2"x3 1/2"x 1/8"
- L16 - 16 1/2"x3 1/2"x 1/8"
- L17 - 17 1/2"x3 1/2"x 1/8"
- L18 - 18 1/2"x3 1/2"x 1/8"
- L19 - 19 1/2"x3 1/2"x 1/8"
- L20 - 20 1/2"x3 1/2"x 1/8"
- L21 - 21 1/2"x3 1/2"x 1/8"

Post Schedule

- P1 - 2-2"x4" wood post
- P2 - 3-2"x4" wood post
- P3 - 2-2"x6" wood post
- P4 - 3-2"x6" wood post
- P5 - 6"x6" solid wood post
- P6 - 8"x8" solid wood post
- P7 - 5.5" dia. steel post
- P8 - 4" HSS column

Door Schedule

- 1 36"x80"x1 1/2" Steel or Fiberglass Insulated door
- 2 36"x80"x1 1/2" Solid wood door
- 3 34"x80"x1 1/2" Steel or Fiberglass Insulated door
- 4 32"x80"x1 1/2" Steel or Fiberglass Insulated door
- 5 36"x80"x1 1/2" Garden door
- 6 30"x80"x1 1/2" Garden door
- 7 60"x80" Glazed sliding door
- 8 72"x80" Glazed sliding door
- 9 96"x80" Glazed sliding door
- 10 32"x80"x1 1/2" Insulated door with weather-strip (self closer required for house/garage entry doors)
- 11 32"x80"x1 1/2" Solid core door
- 12 84" high sliding closet doors (mirrored)
- 13 36"x80"x1 1/2" Hollow core passage door
- 14 32"x80"x1 1/2" Hollow core passage door
- 15 30"x80"x1 1/2" Hollow core passage door
- 16 26"x80"x1 1/2" Hollow core passage door
- 17 24"x80"x1 1/2" Hollow core passage door
- 18 20"x80"x1 1/2" Hollow core passage door
- 19 30"x80"x1 1/2" Hollow core pocket door
- 20 24"x80"x1 1/2" Hollow core pocket door
- 21 BI-fold doors

Note: In areas with ceiling heights 9'-6" or higher, doors are to be 96" high.

		APPROVAL / REQUIRED DRAWING	DATE
X	✓	TOPOGRAPHIC SURVEY	REQUESTED
			RECEIVED
✓		LOT GRADING PLAN	REQUESTED
			RECEIVED
		ENGINEERING APPROVAL	APPLIED
			APPROVED
✓		ZONING REVIEW	APPLIED
			DEC 16 / 24
			APPROVED
		TREE INVENTORY/REPORT	REQUESTED
			RECEIVED
		PRE-CONSULTATION APP.	APPLIED
			APPROVED
✓		SLOPE STABILITY REPORT	APPLIED
		Cambium Engineering	APPROVED
			JUNE 13 / 24
✓		CONSERVATION APPROVAL	APPLIED
		Mississippi Valley C. A.	APPROVED
			JUNE 13 / 24
✓		COMMITTEE OF ADJUSTMENT	APPLIED
		Town of North Frontenac	APPROVED
			AUG 12 / 24
✓		H.V.A.C. DESIGN	REQUESTED
			24
		Franczese Mech. Ltd.	RECEIVED
			24
✓		TRUSSES, JOISTS & BEAMS	REQUESTED
		Phoenix Building Components	RECEIVED
			24
			REQUESTED
✓		BUILDING PERMIT	APPLIED
			24
		REQ'D. REVISIONS	
			24
			ISSUED
			24
PROJECT:		CONSTRUCTION NOTES	
INDIVIDUAL B.O.A. - 2000 FORM B.O.A. - 2000		DRAWN: R. GREGORY DATE:	
Name: Gregory		SCALE:	
SIGNATURE			
GENERAL NOTES: All construction is to conform to section '9' of the Ontario Building Code (latest edition). Contractor shall check and verify all notes and dimensions. Do not scale drawings. Owner/contractor/designer is responsible to re-claim and destroy all previous and un-revised copies of this drawing. These drawings are the property of the Gregory Design Group and/or its clients only. Building permits should be obtained prior to commencing construction.		PROJECT NO.: 2470-24 DRAWING NO.: A.	
THE GREGORY DESIGN GROUP 16 CHURCH STREET MARKHAM, ONTARIO, L3P 2L6 416-720-4667 russ@gregorydesigngroup.net			



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 Professional Engineers
Ontario



June 13, 2025

Brent Smith
24 Stanford Road
Unionville, ON
L3R 6L7

Attn: Brent Smith, Homeowner

Re: Slope Stability Inspection – 1053 High Rocks Lane, North Frontenac, Ontario
Cambium Reference: 23697-001 Rev.1

Cambium Inc. (Cambium) was retained by Brent Smith (Client) to conduct a slope stability assessment for the property located at 1053 High Rocks Lane in North Frontenac Township, Ontario. This letter report provides a summary of the observations made by Cambium and the Slope Stability Rating per Ontario Ministry of Natural Resources (MNR) Erosion Hazards Limit Guidelines. Opinions on the existing slope stability and suitability for proposed development, based on the results of the assessment, are detailed in the following sections.

SITE DESCRIPTION AND BACKGROUND

The property is located in North-Frontenac Township, Ontario. High Rocks Lane intersects Road 506 just east of the town of Myers Cave. The Property fronts the southwest shore of Mississagagon Lake.

For the purposes of this report, the shoreline of Mississagagon Lake will be considered running east-west with the property south of the lake. The property is accessible from High Rocks Lane which travels east-west and forms the southern boundary of the property. The property is bounded by residential properties to the east and west, and by Mississagagon Lake to the north.

The property is currently developed with a single-story residential dwelling. A timber deck is situated along the west side of the dwelling with stairs to the waters' edge. There is a stone terrace along the north side of the existing house. Additional structures on the property include two small storage buildings southeast of the dwelling. A larger storage building, a small cantilevered landing, and boat launch are located further west of the existing dwelling.



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It is understood that the Client intends to renovate by demolishing most of the existing dwelling and replacing the structure with a new residential dwelling of both single storey and 2 storey design, including a garage. The new build will have a slightly larger footprint which includes a new covered terrace along the west side of the house, and a roof for the existing stone terrace along the north side of the building. The new build will be constructed at the same location, no closer to the shoreline and slope than what is existing.

It is understood that the slope stability assessment was requested by the Mississippi Valley Conservation Authority (MVCA).

VISUAL SLOPE INSPECTION

A site visit was completed on May 27, 2025. General information pertaining to the existing slope features such as slope profile, slope drainage, vegetation cover, structures on or in the vicinity of the slope, erosion features, and potential slope slide features were noted during the inspection. A topographic survey was not available for the property and therefore all measurements provided within this letter are inferred from visual observation or hand tools. Photographs of the existing conditions are provided in the photo appendix following the text of this letter.

The tableland is south of the slope crest and relatively flat. The existing dwelling and two small storage buildings are located on the tableland. The stone terrace along the north side of the house abuts the crest of the slope. The timber deck situated on the northwest side of the house extends over the table land and onto the slope face. The table land on the property is mainly grass covered with some mature trees around the existing dwelling. Precambrian bedrock outcrops are visible on the surface in intermittent areas throughout the table land.

The existing slope is approximately 4 meters in height with an average gradient of the slope measuring approximately 1.5H:1V (34°). The lake edge is located about 4.6 m from the slope crest and the slope extends into the lake about 2 to 2.5 m. The slope crest was taken at approximately the northern edge of the stone terrace. Bedrock is visible along the slope crest. Soil probing along the slope crest measures overburden materials ranging from 50 to 200 mm. Tall mature



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June 13, 2025

trees are observed along the slope crest and in some areas of the slope face. Most trees are relatively vertical in growth, but some leaning is noted, likely due to the increasing weight of the tree with growth and minimal soil cover at the site. The slope face consists predominantly of exposed Precambrian bedrock. It is noted that the slope face is steeper just west of the existing dwelling with the steepest portion of the slope measuring about 0.7H:1V (56°), however the average gradient from the slope crest to the waters edge north of dwelling measures about 1.5H:1V (34°).

The slope toe is situated at the waters' edge of Lake Mississagagon. The slope toe consists of exposed bedrock.

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 the 'MNR Technical Guide – River and Stream System: Erosion Hazard Limit", the existing slope on the property has a rating of 24 which is indicative of a low potential for instability based on the guidelines. A record of the slope inspection is provided in the attachments.

SETBACK REQUIREMENTS

The Erosion Hazard Limit, or Limit of Hazardous Lands, can 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 be taken as **0 m** from the bank or water's edge based on the Precambrian rock composition and no visible erosion signs.

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). The slope is composed of exposed bedrock with less then 0.2 m of overburden. The LTSSC can be taken as an invisible line extending from the existing toe of the slope at a



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June 13, 2025

1H:1V angle to the top of the slope or the existing top of slope (slope crest), whichever is greater.

The grades of the slope adjacent to the house are flatter than 1H:1V, therefore the existing slope crest can be considered the LTSSC.

As per Section 3.3 in the MNR Technical Guide the Erosion Access Allowance is a 6 m landward distance from the existing slope crest. For this site, the existing dwelling and terrace has previously been constructed within the access allowance setback requirement, presumedly before this policy was in place.

POTENTIAL FOR INSTABILITY

Based on the observed site conditions, the factor of safety for potential instability of the existing slope exceeds the 1.5 minimum required to allow for active land use near the slope crest.

The proposed building addition and deck addition will be constructed on the south side and west side of the existing dwelling, beyond the LTSSC. The building addition will also be beyond the 6 m access allowance. Additionally, the stone terrace that will be covered as part of construction does not extend further northward.

Based on the proposed construction, there will not be any construction closer to the slope crest than what is already in place. Additionally, the existing stone terrace, and likely the rest of the building, is supported on the underlying bedrock. The bedrock is sufficiently capable of supporting the additional loads from proposed renovation work without affecting slope stability. As a result, the proposed renovation work is not anticipated to negatively impact the stability of the slope. Additional loads should not be placed on the existing timber deck supports.

CONSTRUCTION RECOMMENDATIONS

In order to mitigate the possible adverse effect to the slope stability following completion of construction, the following general recommendations are provided:

- No trees should be removed from the slope face.



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- Construction activities should be conducted in a manner the which does not result in surface erosion of the slope. In particular, site grading and drainage should be designed to prevent direct concentrated or channelized surface runoff from flowing directly over the slope face.
- The slope should not be steepened in any way with fill material.
- 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.
- The proposed structures must be founded in bedrock. A qualified representative should be consulted to confirm.

CLOSING

We trust that the information contained in this report meets your current needs. If you have questions or comment regarding this document, please do not hesitate to contact the undersigned at (613)-389-2323.

Best regards,

Cambium Inc.

DocuSigned by:
Blasco Vijayabaskaran
6439A79ECBB1496...

Blasco Vijayabaskaran, P.Eng.
Geotechnical Engineer

DS



RR/BV

Encl. Cambium Qualifications & Limitations
Photo Appendix
Slope Stability Rating Chart
Site Sketches



\\cambiumincstorage.file.core.windows.net\projects\23600 to 23699\23697-001 Brent Smith -GEO-1053 Highrocks Ln\09-Deliverables\REPORT - GEO\Final\2025-06-13 RPT - GEO - 1053 High Rocks Lane R1.docx



June 13, 2025

CAMBIUM QUALIFICATIONS AND LIMITATIONS

Limited Warranty

In performing work on behalf of a client, Cambium relies on its client to provide instructions on the scope of its retainer and, on that basis, Cambium determines the precise nature of the work to be performed. Cambium undertakes all work in accordance with applicable accepted industry practices and standards. Unless required under local laws, other than as expressly stated herein, no other warranties or conditions, either expressed or implied, are made regarding the services, work or reports provided.

Reliance on Materials and Information

The findings and results presented in reports prepared by Cambium are based on the materials and information provided by the client to Cambium and on the facts, conditions and circumstances encountered by Cambium during the performance of the work requested by the client. In formulating its findings and results into a report, Cambium assumes that the information and materials provided by the client or obtained by Cambium from the client or otherwise are factual, accurate and represent a true depiction of the circumstances that exist. Cambium relies on its client to inform Cambium if there are changes to any such information and materials. Cambium does not review, analyze or attempt to verify the accuracy or completeness of the information or materials provided, or circumstances encountered, other than in accordance with applicable accepted industry practice. Cambium will not be responsible for matters arising from incomplete, incorrect or misleading information or from facts or circumstances that are not fully disclosed to or that are concealed from Cambium during the provision of services, work or reports.

Facts, conditions, information and circumstances may vary with time and locations and Cambium's work is based on a review of such matters as they existed at the particular time and location indicated in its reports. No assurance is made by Cambium that the facts, conditions, information, circumstances or any underlying assumptions made by Cambium in connection with the work performed will not change after the work is completed and a report is submitted. If any such changes occur or additional information is obtained, Cambium should be advised and requested to consider if the changes or additional information affect its findings or results.

When preparing reports, Cambium considers applicable legislation, regulations, governmental guidelines and policies to the extent they are within its knowledge, but Cambium is not qualified to advise with respect to legal matters. The presentation of information regarding applicable legislation, regulations, governmental guidelines and policies is for information only and is not intended to and should not be interpreted as constituting a legal opinion concerning the work completed or conditions outlined in a report. All legal matters should be reviewed and considered by an appropriately qualified legal practitioner.

Site Assessments

A site assessment is created using data and information collected during the investigation of a site and based on conditions encountered at the time and particular locations at which fieldwork is conducted. The information, sample results and data collected represent the conditions only at the specific times at which and at those specific locations from which the information, samples and data were obtained and the information, sample results and data may vary at other locations and times. To the extent that Cambium's work or report considers any locations or times other than those from which information, sample results and data was specifically received, the work or report is based on a reasonable extrapolation from such information, sample results and data but the actual conditions encountered may vary from those extrapolations.

Only conditions at the site and locations chosen for study by the client are evaluated; no adjacent or other properties are evaluated unless specifically requested by the client. Any physical or other aspects of the site chosen for study by the client, or any other matter not specifically addressed in a report prepared by Cambium, are beyond the scope of the work performed by Cambium and such matters have not been investigated or addressed.

Reliance

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Potential liability to the client arising out of the report is limited to the amount of Cambium's professional liability insurance coverage. Cambium shall only be liable for direct damages to the extent caused by Cambium's negligence and/or breach of contract. Cambium shall not be liable for consequential damages.

Personal Liability

The client expressly agrees that Cambium employees shall have no personal liability to the client with respect to a claim, whether in contract, tort and/or other cause of action in law. Furthermore, the client agrees that it will bring no proceedings nor take any action in any court of law against Cambium employees in their personal capacity.

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Photo 1 Table Land, Facing Northeast. May 2025.



Photo 2 Slope Crest, North Side of Existing Dwelling, Facing West . May 2025.



Photo 3 Slope Crest, West Side of Existing Dwelling, Facing East. May 2025.



Photo 4 Exposed Bedrock Along Slope Face, North Side of Existing Dwelling, Facing West. May 2025.



Photo 5 Slope Face and Toe, West Side of Existing Dwelling, Facing East. May 2025.



Photo 6 Slope Overview, West Side of Existing Dwelling, Facing East. May 2025.



Photo 7 Slope Toe, North Side of Existing Dwelling, Facing West. May 2025.



Photo 8 Table Land, Exposed Bedrock Beneath Structure South of Dwelling, Facing East. May 2025.

SLOPE STABILITY RATING CHART

Site Location: 1053 Highocks Lane		File No. 23697-001
Property Owner:		Inspection Date: May 27, 2025
Inspected By: L. Ryan		Weather: 21, Sunny
Inspection Task		Rating Value
1. SLOPE INCLINATION		
Degrees	Horizontal:Vertical	
a) 18 or less	3:1 or flatter	0
b) 18 to 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 m or more from slope toe		0
b) Less than 15 m from slope toe		6
8. PREVIOUS LANDSLIDE ACTIVITY		
a) No		0
b) Yes		6
RATING VALUES TOTAL		24
SLOPE INSTABILITY RATING		INVESTIGATION REQUIREMENTS
1. Low Potential	<24	Site inspection only, confirmation, report letter
2. Slight Potential	25 - 35	Site inspection and surveying, preliminary study, detailed report
3. Moderate Potential	>35	Boreholes, piezometers, lab tests, surveying detailed report
Notes:		
a) Choose only one rating value from each category; compare total rating value with above requirements		
b) If there is a waterbody (stream, creek, river, pond, bay, lake) at the slope toe, the potential for toe erosion and undercutting should be evaluated in detail and protection provided if required.		
c) For leda clay and rock slopes, additional evaluation must be carried out		

Source: Table 8.1 Geotechnical Principles for Stable Slopes (June 1998), Ontario Ministry of Natural Resources



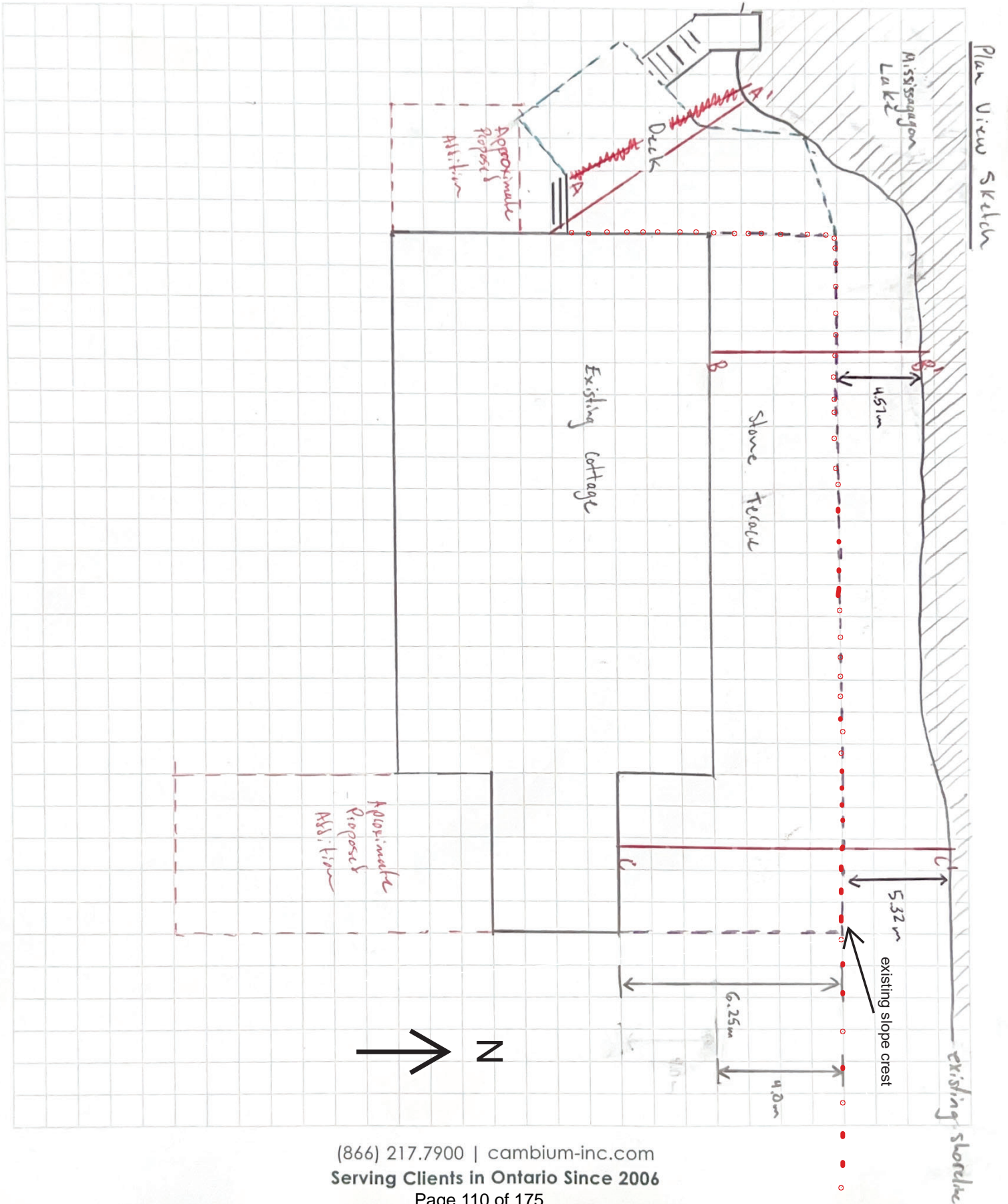
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Guiding Good Decisions

Project: 23697-001

Date: May 27, 2025

Subject: Slope Stability Assignment

Contact:





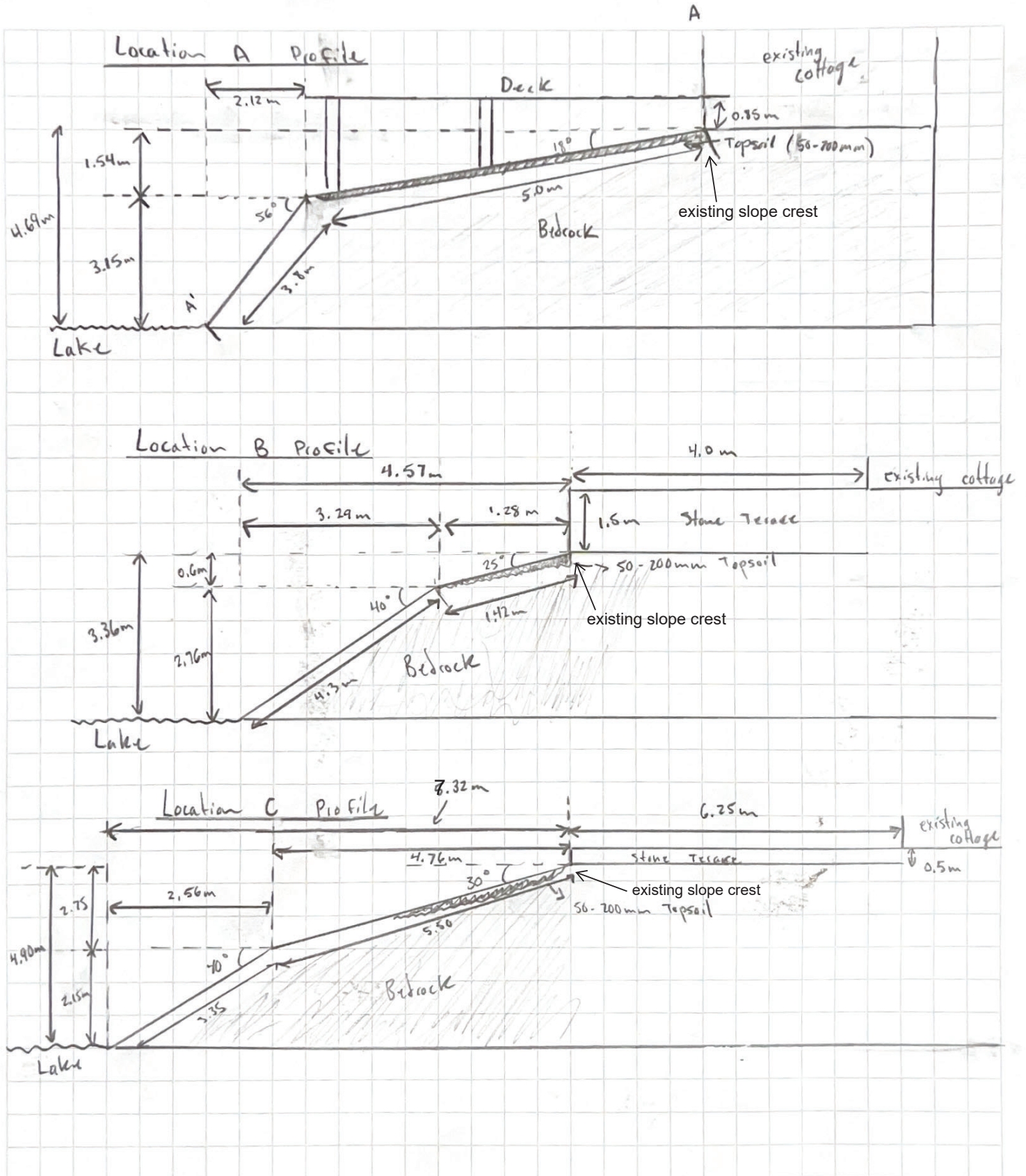
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Guiding Good Decisions

Project: 23697-001

Date: May 27, 2025

Subject: Slope Stability Assessment

Contact:



25-NF-MV

August 8, 2025

Tara Mieske
Secretary-Treasurer
Township of North Frontenac
P.O. Box 97
Plevna, Ontario K0H 2M0

Dear Ms. Mieske:

**Re: Request for Permission– #A08/25
Township of North Frontenac (Barrie)
1053 High Rocks Lane
SMITH**

Mississippi Valley Conservation Authority (MVCA) has been circulated the above noted application to conduct a review in terms of MVCA Regulations and Provincial Planning Policy for Natural Hazard issues. The scope of the natural hazards review includes flooding, erosion, wetlands, unstable slopes and unstable soils.

The following technical report has been received and reviewed by MVCA's Engineering Team: *Slope Stability Inspection*, prepared by Cambium Inc., dated June 13, 2025

PROPOSAL

According to the notice, *The Applicants are proposing to demolish the existing one storey dwelling and construct a new dwelling, including an attached garage.*

The existing dwelling has an area of 1400 square feet and is setback approximately 5 metres from the high water mark of Mississagagon Lake.

The proposed dwelling has an area of 2200 square feet, including the attached garage, with an additional partial second floor with an area of 800 square feet. It is our understanding that the proposed dwelling will have the same waterbody setback as the existing.

PROPERTY CHARACTERISTICS

The subject property has frontage on Mississagagon Lake. As per the *Slope Stability Inspection*, *The existing dwelling [and proposed dwelling] and two small storage buildings are located on the tableland. The stone terrace along the north side of the house abuts the crest of the slope. The timber deck situated on the northwest side of the house extends over the table land and onto the slope face.*

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Your partner in natural hazard management, resource conservation and stewardship.

NATURAL HAZARDS REVIEW

Erosion Hazard

It is provincial policy that: *Development shall generally be directed to areas outside of hazardous lands adjacent to a stream and small inland lake systems which are impacted by flooding and/or erosion hazards* (Provincial Policy Statement 2020, Section 3.1.1.b). The document entitled *Understanding Natural Hazards* (Ministry of Natural Resources, 2001) was prepared as a guide to identify and provide direction and methods to address these hazards. As per the guide, *Erosion Hazards* include slopes which have the potential for erosion and/or instability due to their steepness and height i.e. steeper than 3:1 and higher than 3m. To assess a safe development setback from potential *Erosion Hazards*, a Slope Stability Assessment is required, at the expense of the proponent.

It was previously determined that the slope leading to the lake on the subject property meets the criteria of a potential *Erosion Hazard*. Therefore, an SSA was provided and subsequently reviewed by MVCA's Engineering Department.

In summary, Cambium concluded that *the proposed renovation work is not anticipated to negatively impact the stability of the slope*. And, based on our review of the assessment, provincial guidance was followed to arrive at this conclusion. We are, therefore, satisfied with the report. All recommendations and mitigative measures, as outlined in the SSA, should be adhered to.

Waterbody

The subject property has frontage on Mississagagon Lake. MVCA considers both direct and indirect impacts to waterbodies/watercourses, within the context of flooding and erosion. Impacts are not anticipated if minimum waterbody setback requirements (as stipulated by the municipality) are adhered to. However, if the minimum development setback is not achieved, as with the subject proposal, we recommend the following:

- No further encroachment towards the waterbody, compared to the existing structure;
- Mitigation measures:
 - *Vegetated Buffers*: Overland flow and surface runoff, wave and ice movement are commonly associated with shoreline erosion. To mitigate these effects, we recommend the retention/planting of vegetated buffers. Naturalized shorelines with an abundance of vegetation provide erosion protection by assisting with the mitigation of surface runoff. In addition, the root system of vegetation binds the soil, to further mitigate erosion.
 - *Erosion Control*: During construction This is generally achieved by installing erosion control fencing between the work area and the waterbody. Post construction, the maintenance of a vegetated buffer is generally suitable. Post construction, the vegetated buffer is considered the first line of defense against erosion.
 - *Drainage Patterns*: Natural drainage patterns on the site should not be substantially altered such that additional drainage is directed towards the waterbody.

MVCA Ontario Regulation 41/24 (Regulatory)

Pursuant to ONTARIO REGULATION 41/24, *Prohibited Activities, Exemptions and Permits*, written permission is required from MVCA prior to any alterations to the shoreline of the lake. We are not aware of any proposed shoreline alterations as part of the subject application.

RECOMMENDATIONS & CONCLUSIONS

Based on the above, MVCA does not have any objections to the subject application provided the following mitigation measures are implemented:

1. In accordance with the provisions of the relevant Municipal Zoning By-law, unvegetated sections of the shoreline that are not in compliance with the allowable clearing for water access, shall be planted to a minimum depth of 3m (measured from the shoreline towards the rear of the lot) with native plant species. In addition, all vegetation on the face and crest of the slope shall be retained in its entirety. These efforts will help to mitigate the effects of erosion on the shoreline and assist with maintaining slope stability.
2. Erosion 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 crest of the slope). The sediment barrier should remain in place until all disturbed areas have been stabilized and re-vegetated.
3. All recommendations and mitigative measures, outlined in the *Slope Stability* (Cambium Inc., June 13, 2025), shall be adhered to.

NOTES

A review for Species at Risk was not conducted. We suggest contacting the Ministry of the Environment, Conservation and Parks should you require a review in this regard.

The applicant should be advised that, pursuant to ONTARIO REGULATION 41/24, *Prohibited Activities, Exemptions and Permits*, written permission is required from MVCA prior to any alterations to the shoreline of the lake.

We advise consultation with Fisheries and Oceans Canada (DFO) [Projects near water \(dfo-mpo.gc.ca\)](https://www.dfo-mpo.gc.ca/projects-near-water) prior to conducting any work within the lake, to assess potential impacts to fish habitat. Authorization from DFO may be required for such work.

Should any questions arise please do not hesitate to call. Please advise us of the Committee's decision in this matter.

Yours truly,



Diane Reid
Environmental Planner

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

File No.: #A10/25
Subject Land: Part of Lot 30, Concession 13, Geographic Township of Clarendon
 (1033 Waterworth Lane)
Applicant(s): Carl and Marilyn Tooley

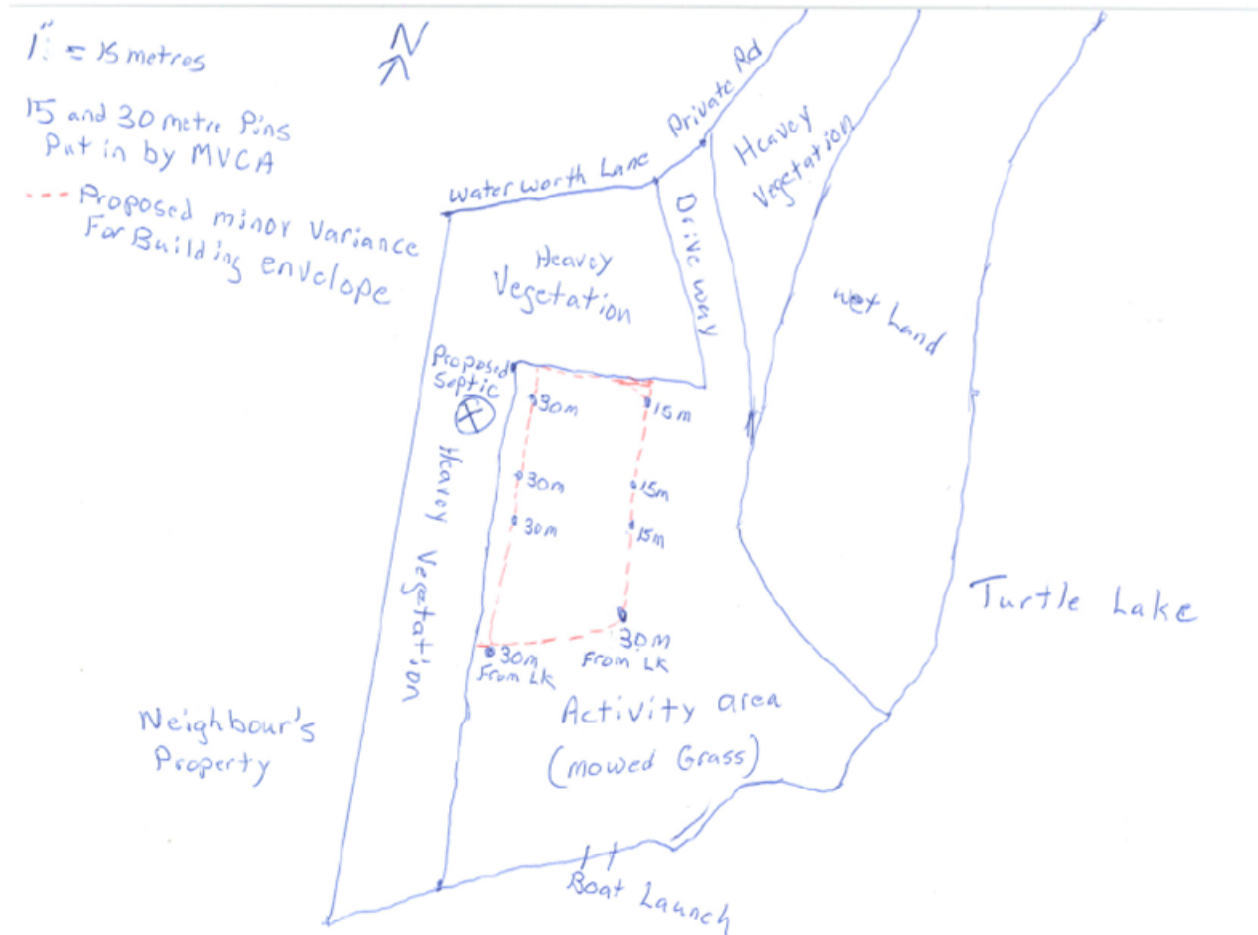
Take Notice: The Township of North Frontenac Committee of Adjustment will hold a public meeting on **August 25, 2025, at 1:00 p.m.** to discuss and hear comments regarding the above-noted application under the authority of Section 45 of the Planning Act, R.S.O. 1990 as amended. The meeting will be held in person at the Municipal Office in Council Chambers, 6648 Road 506, Plevna, Ontario; and through Electronic Participation.

Purpose and Effect under Section 45(1)

The Applicants are applying for relief from Section 3.27 (f.i.) of Zoning By-law #55-19, which provides that all buildings/structures shall be setback a minimum of 30 metres of all wetlands.

The Applicants are proposing to construct a dwelling with an area of approximately 2000 square feet and an unattached garage with an area of approximately 1000 square feet. The proposed setback for the structures is 15 metres from the regulated wetland area.

Site Plan



Key Map



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 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 by electronic participation to provide comments regarding the proposed development to the Committee. 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.

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.

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

Appeal: If a "specified person" or "public body" as defined in the Planning Act files an appeal of a decision of the Committee of Adjustment in respect of the proposed planning application has not made a written submission or provide comments to the Committee before a decision is made, the Ontario Land Tribunal may dismiss the appeal.

Notice of Collection: Personal information collected as a result of this public hearing is collected under the authority of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Planning Act, and all other relevant legislation, and will be used to assist in making a decision on this matter. All personal information (as defined by MFIPPA), including (but not limited to) names, addresses, opinions, and comments collected will be made available for public disclosure to members of the public, at the meeting, through requests, and through the website of the Corporation of the Township of North Frontenac. Questions regarding the collection, use and disclosure of this personal information may be directed to the undersigned.

Dated at Plevna, Ontario this 21st day of July 2025.

Tara Mieske, Clerk/Planning Manager
Township of North Frontenac
Email: clerkplanning@northfrontenac.ca



Planning Report

To: Members of Committee of Adjustment

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

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

Re: Application for Minor Variance to Reduce the Minimum Setback from a Wetland to 15 Metres (50 feet) for a Dwelling and Accessory Structure

Address: 1033 Waterworth Lane

Legal Description: Part of Lot 30, Concession 13, Geographic Township of Clarendon

File Number: A10/25 (Tooley)

Owner(s): Carl Tooley

Applicant(s): Same as Applicant

Date Prepared: August 19, 2025

Date of Public Meeting: August 25, 2025

Recommendation:

That the Committee of Adjustment for the Township of North Frontenac receive comments from the public, and subject to any issues being raised at the public meeting, approve the application subject to the conditions outlined in Appendix A of this report.

Proposal:

This proposal seeks to reduce the minimum separation distance from a wetland to a dwelling and accessory structure from 30 metres (98.4 feet) to 15 metres (49.2 feet).

The applicant is not proposing any development at this time. The intent of this application is to identify a suitable development envelope on the subject property.

The applicant has indicated that the proposed building envelope is intended to be serviced with a new Class-4 sewage disposal system that will be located at least 30 metres (98.4 feet) from the wetland and shoreline.

The proposed development requires the following variance:

Variance: Section 3.27(f)(i) of the Zoning By-law requires all buildings and structures to be located a minimum setback of 30 metres (98.4 feet) from the edge of all wetlands.

The proposed development will be located a minimum of 15 metres (49.2 feet) from the edge of the wetland.

The property is currently vacant. The area proposed for development appears to have been cleared since at least 2008.

Background Information

The subject property is 1.82 hectares (4.52 acres) in area with approximately 245 metres (803 feet) of shoreline on Turtle Lake/Swamp Lake. A majority of the shoreline is characterised by a coastal wetland. Based on a combination of site visits, elevation data, and aerial photography, County planning staff estimate that a majority of the subject property is within 30 metres (98.4 feet) of the edge of the coastal wetland.



Figure 1. Image of the subject property showing the approximate edge of wetland with a 30 metre (98.4 foot) setback applied to both the wetland edge and the shoreline.

The development envelope in this case measures approximately 0.14 hectares (0.34 acres). When considering the required setback from the interior property line, the development envelope is further reduced. When the front/rear yard setback of 7 metres (21 feet) and the 3 metres (9.8 foot) interior yard setback is applied the approximate development envelope is reduced to 0.07 hectares (0.17 acres.)

The applicant proposes to reduce the wetland setback to 15 metres (49.2 feet) and maintain the required 30 metres (98.4 foot) waterbody setback. The reduction will result in a development envelop that is approximately 0.38 hectares (0.93 acres) in area.



Figure 2. An aerial image of the subject lot showing the development envelope when the setback is 15 metres (49.2 feet) from the wetland and 30 metres (98.4 feet) from the shoreline.

The applicant worked with the biologist from the Mississippi Valley Conservation Authority (MVCA) to identify the 15 metres (49.2 foot) wetland setback. County planning staff visited the property and observed the 15 metres (49.2 foot) wetland setback flagging, and confirmed distance form the edge of the coastal wetland.

Information Category	Response
Official Plan designation	Waterfront Area
Zoning	Limited Service Waterfront (LSW)
Current size (area) of subject property	1.82 hectares (4.52 acres) in area with approximately
Existing road frontage and access	145 metres (475 feet) on Waterworth Lane
Waterfront	245 metres (803 feet) of shoreline on Turtle Lake/Swamp Lake
Natural heritage features	Coastal Wetland along the entire frontage of the property with the exception of a small, cleared area near the southern limit of the property. This cleared area appears to have been established prior to the Township Zoning By-law.
Surrounding land uses	Smaller waterfront residential lots to the south, an in-land rural parcel to the west a large naturally vegetated lot and wetland to the north, waterbody to the east.

Pre-application Consultation:

The agent consulted with Township, County, and Conservation Authority planning staff prior to the submission of this application.

Public Notice

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.

Comments

Mississippi Valley Conservation Authority (MVCA)

MVCA did not provide support or recommend refusal of the application.

MVCA suggested that a suitable development envelope that would support a dwelling exists outside of the 30 metres (98.4 foot) wetland setback. MVCA required additional details to confirm if the septic system is able to meet this setback.

An MVCA permit is required for all future development activity as per Ontario Regulation 41/24

Development within the 30 m setback of a wetland is generally only considered if:

- A complete MVCA permit application is submitted demonstrating that the development setback has been maximized to the greatest extent feasible; and
- The size of the proposed development recognizes the constraint, i.e. excessively sized building footprints would not be considered sufficient rationale for a reduced setback.

To demonstrate the above and assess compliance with MVCA's Regulation Policies, a full picture of the overall development is required. This would include a Site Plan with a detailed septic design; the footprint of the dwelling including decking; and any other auxiliary structures, all to scale.

Permission to develop through the Minor Variance process does not preclude the requirement to comply with MVCA's Regulation Policies and obtain an MVCA permit.

County Planning Response: When the front/rear yard setback of 7 metres (21 feet) and the 3 metres (9.8 foot) interior yard setback is applied to the required 30 metre (98.4 foot) waterbody and wetland setback, the approximate development envelope is reduced to 0.07 hectares (0.17 acres/7,400 square feet). While it is theoretically possible that a development envelope of this size can be developed in a location on the subject lot that meets all setbacks, the site conditions would need to be flawless to ensure proper siting of the dwelling, septic system, and accessory structures. The development envelope would leave little room for buffering between the adjacent property and with this development scenario, much of the vegetation would need to be removed to accommodate a future development parcel.

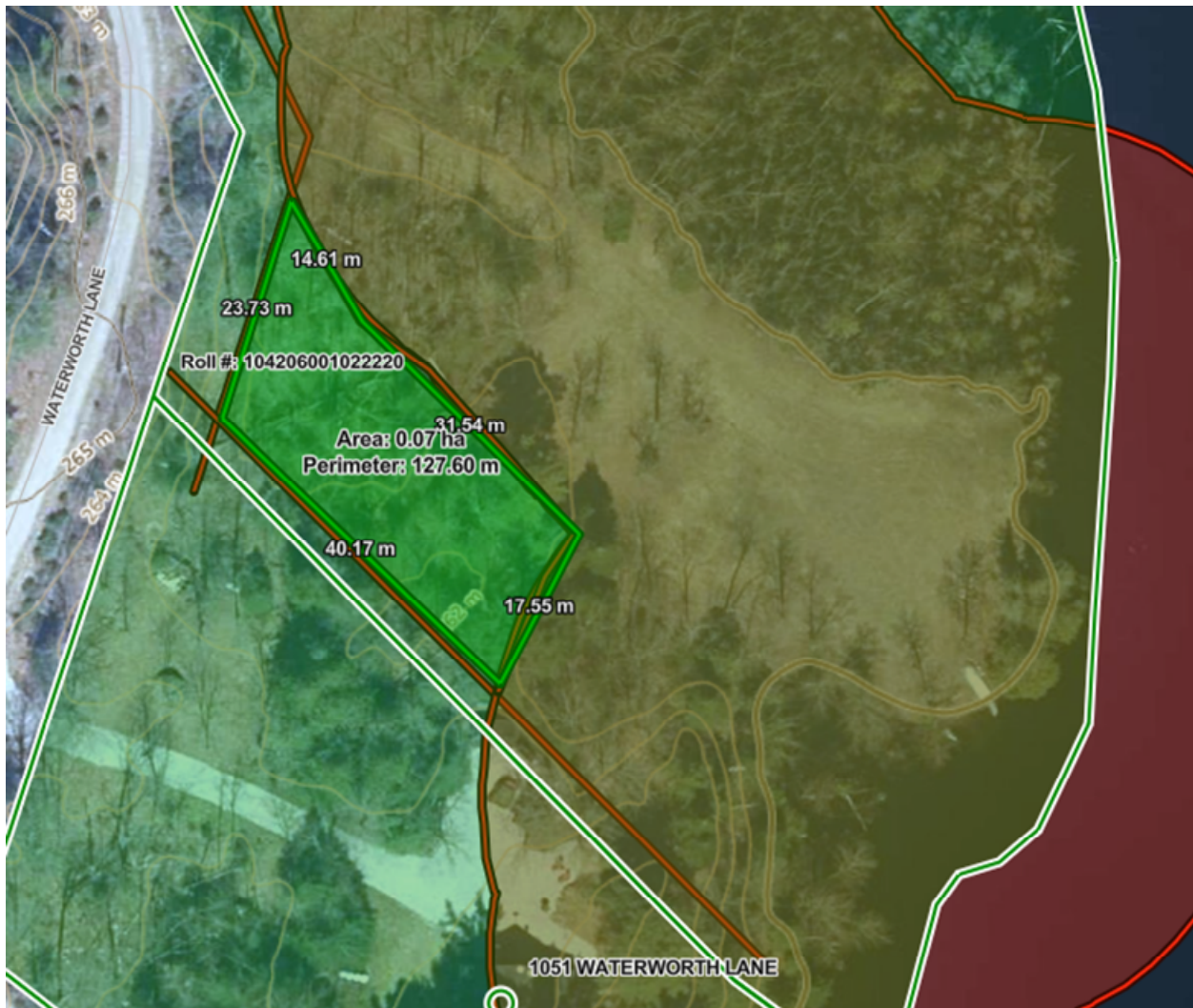


Figure 3. An aerial image showing a development envelope of a development that meets all required setbacks for development. This is equivalent to 0.07 hectares (0.17 acres) or 7,400 square feet.

Township Chief Building Official

The property must be serviced with a Class-4 sewage system. Sewage system requirements will be addressed at the building permit stage.

Public Comments

Planning staff are not aware of any public comments.

Conformity and Consistency with Policy Planning Documents

Applications for minor variance are required to be consistent with the Provincial Planning Statement, 2024 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 Zoning By-law. The LSW Zone permits residential dwellings if all other provisions of the Zoning By-law are complied with.

Section 3.27(f)(i) of the Zoning By-law requires all buildings and structures to be located a minimum setback of 30 metres (98.4 feet) from the edge of all wetlands.

Section 3.27(e)(i) of the Zoning By-law requires all non-waterfront buildings and structures to be located a minimum setback of 30 metres (98.4 feet) from the highwater mark of any waterbody.

The intent of the 30 metres (98.4 foot) waterbody and wetland setback is to provide an adequate buffer between wetlands and waterbodies to mitigate impact of development.

This application proposes to maintain the 30 metres (98.4 foot) waterbody setback while reducing the wetland setback to 15 metres (49.2 feet).

Planning Analysis and Considerations

This application was reviewed against the policies of the Provincial Planning 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 development will meet the minimum 30 metres (98.4 foot) waterbody setback requirement of the Zoning By-law. The wetland along much of the shoreline of the waterbody will provide adequate visual vegetative buffering for new developments. County planning staff have no concerns regarding the impact to waterfront character as a result of this application.

Sewage Disposal System Services

The proposed dwelling must be serviced with a Class-4 sewage system that meets the provisions of the Building Code.

County planning staff of the opinion that there is enough area for a new septic system to be installed in a location that meets the minimum 30 metres (98.4 foot) waterbody and wetland setback.

Natural Heritage

The Township Official Plan requires development to be setback a minimum of 30 metres (98.4 feet) from wetland and waterbodies. The purpose of this setback is to provide an adequate buffer between development and these natural heritage features.

A majority of the shoreline of this property is characterised by a coastal wetland. Coastal wetlands act as flood mitigation features that help to absorb floodwaters, they stabilize shorelines, filter run off and contamination, and provide habitat for fish, amphibians, birds, and mammals.

The application proposes to reduce the wetland setback to 15 metres (49.2 feet) for the development of a future dwelling and accessory structure, while maintaining a 30 metres (98.4 foot) setback for the sewage system.

County planning staff are of the opinion that meeting the minimum 30 metres (98.4 foot) wetland and waterbody setback for all development is difficult on this lot as it will result in a development envelope that is equivalent to 0.07 hectares (0.17 acres) or 7,400 square feet in area. Such a small development envelope will result in development that is very close to the adjacent property, providing virtually no buffering between residential uses, and would require site conditions to be optimal. Furthermore, a development envelope of this size would leave no room for a septic replacement area, in case the future septic system on the property fails.

County planning staff are of the understanding that one of the most critical elements of natural heritage protection is ensuring maximum separation distance between wetlands/waterbodies and sewage systems. County planning staff are satisfied that the proposed application will result in a sewage system to be placed on a property in a location that meets the minimum separation distance from the water and wetland and as far from the water and wetland as possible. The development that will be located within the 15 metres (49.2 foot) wetland setback is the dwelling and/or an accessory structure.

The area proposed for development within the 30 metres (98.4 foot) wetland setback is already cleared, so no additional vegetation removal will be required to accommodate a future development envelope. This development should also be considered within the context of the overall area. Swamp Lake and the waterbody that this lot fronts on have a total of 13 residential lots, most of which are developed and much smaller than the subject parcel. Since the remaining lots on this lake are large and undeveloped and not connected to the Township Road network, future development potential of the lake is therefore limited.

Given that the entire coastal wetland on the subject property will remain intact, any impact on the quality of the wetland will most likely be limited and localized to this area. Since the coastal wetland also provides a buffering function to the waterbody, the remaining 15 metre (49.2 foot) wetland setback, and width of the wetland (approximately 30 metres (98.4 feet) will provide a minimum buffer of 45 metres (148 foot) setback to the waterbody.

It should be noted that if this Minor Variance is approved, it does not override Conservation Authority permitting requirements. Therefore, if approval is received for this proposal, the applicant is still required to apply for a Conservation Authority Permit to ensure that future development can meet all applicable Conservation Authority policies. The Conservation Authority permit process will determine what the most appropriate development setback to the wetland is once a more comprehensive site plan is submitted. The Minor Variance considered here, would permit a reduction of up to 15 metres (49.2 feet), however the Conservation Authority permit can be more restrictive if necessary.

Overall County planning staff are of the opinion that reducing the minimum setback from the wetland to 15 metres (49.2 feet) while maintaining the full 30 metre (98.4 foot) setback from the waterbody represents an appropriate balance between environmental protection and reasonable land use. This approach respects the intent of local and provincial policy and avoids encroachment into sensitive areas.

Minimum Distance Separation

There are no nearby livestock facilities that would prevent the construction of a new dwelling.

Natural Hazards

MVCA staff did not specifically raise concerns regarding natural hazards as a result of this application. MVCA staff will assess future development proposals based on their natural hazard criteria through a Conservation Authority Permit.

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 the construction of an oversized sleep cabin meets the four tests of minor variance for the following reasons:

Is the application minor?

County planning staff are of the opinion that the proposed variance is minor given the context of the property.

As discussed above, a majority of the shoreline is characterised by a coastal wetland. Based on a combination of site visits, elevation data, and aerial photography, County planning staff estimate that a majority of the subject property is within 30 metres (98.4 feet) of the edge of the coastal wetland and waterbody, rendering the property very difficult to develop. The proposed variance will allow for a development in the wetland setback that has already been disturbed and cleared in the past.

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 appropriate for the development of the subject lands as it strikes a balance between environmental protection and reasonable land use.

The proposed development will reduce the wetland setback to 15 metres (49.2 feet) to the dwelling and accessory structure, while maintaining the 30 metres (98.4 foot) setback for a future sewage system. The reduction in setback will allow for a development that will also leave some room for additional space for sewage system replacement if the proposed system fails.

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

The purpose of the Zoning By-law is to ensure that development can take place in a way that does not have an impact on the quality of wetlands and waterbodies and that preserves the visual character of the shoreline.

County planning staff are of the opinion that the proposed development meets the general purpose and intent of the Zoning By-law as the proposed variance will ensure that future sewage systems are located more than 30 metres (98.4 feet) from the edge of the wetland and waterbody. The proposed development will maintain the 30 metres (98.4 foot) waterbody setback, ensuring no impact on the character of the waterbody.

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

The general intent and purpose of the Official Plan is the same as the Zoning By-law. The intent and purpose of the Official Plan is to allow development that will not have an

impact on the quality of wetlands and waterbodies, and to preserve the visual character of the shoreline.

County planning staff are of the opinion that the proposed application meets the general purpose and intent of the Official Plan.

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 A10/25, 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 A10/25 (Tooley)

Applicability

1. That the Minor Variance granted through application A10/25 is only to construct a new dwelling and accessory structure within 15 metres (49.2 feet) of the edge of the coastal wetland.
2. This Minor Variance does not include any setback reductions for a sewage disposal system.
3. This Minor Variance does not include any setback reductions to any other regulated feature, nor does it apply to any other existing or future structures on the property.
4. Application number A10/25 is applicable only to the Township of North Frontenac's Zoning By-Law Number 55-19, as amended, and not to any subsequent zoning by-laws.

Mississippi Valley Conservation Authority

5. In accordance with Ontario Regulation 41/24, as amended, the property owner is required to obtain a permit from the Mississippi Valley Conservation Authority for any development or site alteration within 30 metres (98.4 feet) of the wetland on the subject property.
6. This Minor Variance does not override Conservation Authority permitting requirements. Nothing in this Minor Variance takes away the Conservation Authority's right to apply a more restrictive setback to the wetland through the review of their permit. The final approved setback to the wetland is contingent on the Conservation Authority permitting process.

No Adverse Impacts

7. 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

8. 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.
9. 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

10. Natural drainage patterns on the site shall not be substantially altered such that additional run-off is directed towards the wetland or the lake.

Appendix B: Relevant Planning Policy

Provincial Planning Statement (2024)

The Provincial Planning 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 and minor variance applications on rural lands, planning authorities must comply with Sections 2.5 and 2.6 of the PPS, and apply the relevant policies of the following sections:

- Chapter 3: Infrastructure and Public Service Facilities of the PPS contains policies that direct the development of public and private infrastructure including transportation networks, sewage, water and stormwater services, waste management, and public spaces, recreation, parks, trails, and open spaces.
- Chapter 4: 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.
- Chapter 5: 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 5.2 of the PPS.

The following policies are applicable to this application:

- Permitted uses on rural lands include residential development, including lot creation, where site conditions are suitable for the provision of appropriate sewage and water services; (Section 2.6.1.c).
- Development that can be sustained by rural service levels should be promoted (Section 2.6.2).
- Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the uneconomical expansion of this infrastructure (Section 2.6.3).
- Conserving biodiversity and considering the ecological benefits provided by nature (Section 2.5.1.g).
- Supporting healthy, integrated and viable rural areas by building upon rural character and leveraging rural amenities and assets (Section 2.5.1.a).

- Individual on-site water and sewage services may be used provided that site conditions are suitable for the long term provision of such services with no negative impacts (Section 3.6.4).
- Natural features and areas shall be protected for the long term (Section 4.1.1).
- 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 5.1.1).

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.

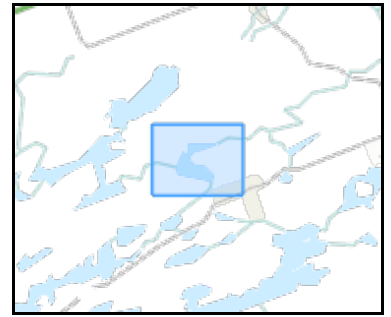
Township of North Frontenac Official Plan (2017)

The property is designated as Rural Area and Aggregate Constraint Overlay in the Township of North Frontenac's Official Plan (2017). Rural designation permits dwelling as a principal land use. The Aggregate Constraint Overlay identified potential for aggregate deposits.

- Residential development shall be adequately serviced with on-site water and sewage disposal services (Section 4.3.2.B)
- Residential development will be permitted where it has frontage on and direct access to year round maintained roads, preferably the existing network of roads,

or on private lanes, either of which must meet municipal standards for road construction (Section 4.3.2.C)

- All residential development is subject to the requirements for influence areas and separation distances (Section 4.3.2.G)
- 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.
- New development shall be set back a minimum of 30 m (98.4 ft) from the boundary of any wetland. (Section 4.12.B)



Legend

Transportation

- Frontenac Road Network
 - Highway
 - Major Road
 - Secondary Road
 - Secondary Road
 - Secondary Road
 - Secondary Road
 - Secondary Road
- Shoreline
- Ferry

Boundaries

- Township Boundary



Property Information

- Civic Address Points



- Assessment Parcels



Notes

0 0.5 1 km

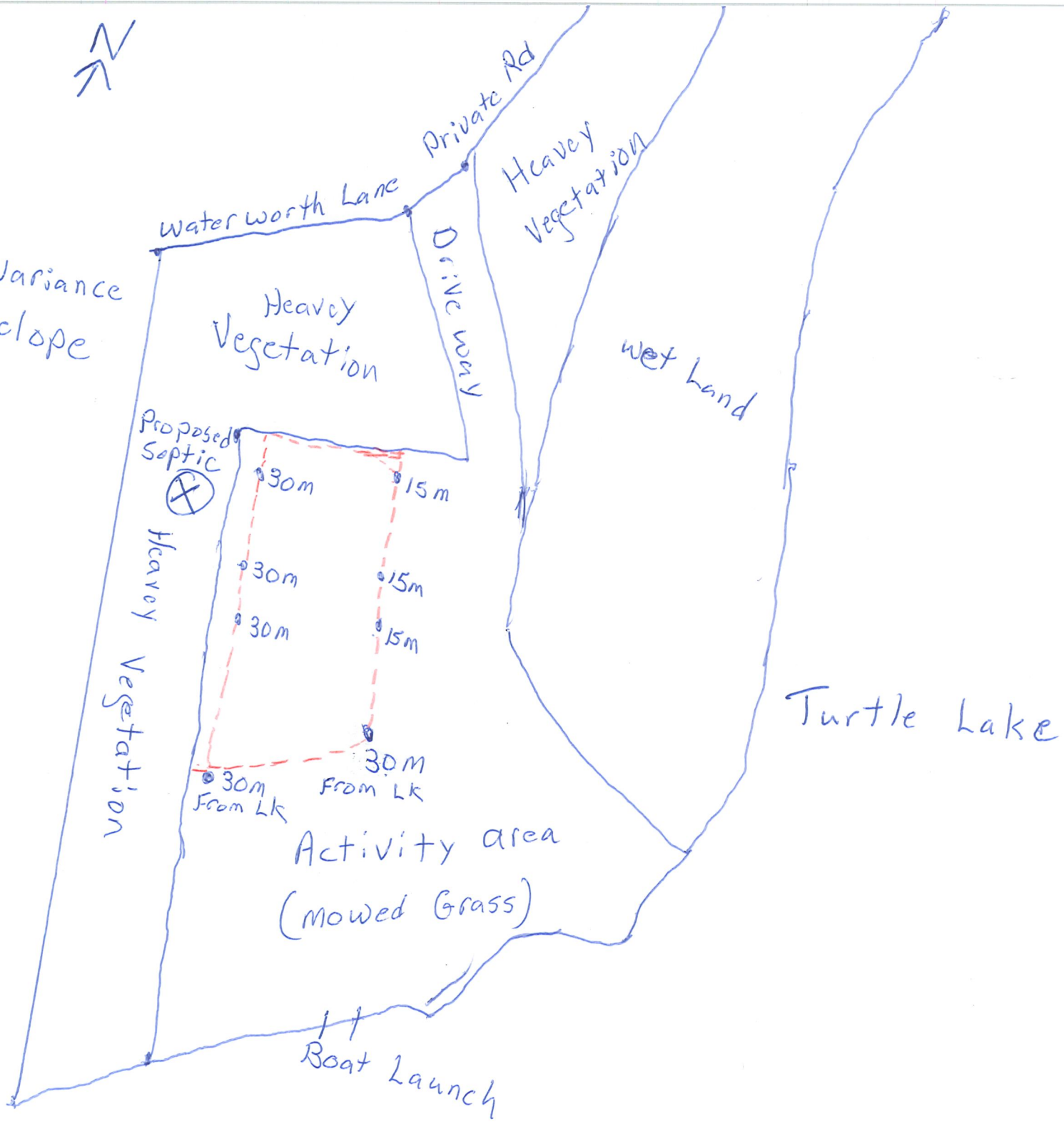
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

1" = 15 metres



15 and 30 metre Pins
Put in by MVCA

--- Proposed minor Variance
For Building envelope



25-NF-MV

August 11, 2025

Tara Mieske
Secretary-Treasurer
Township of North Frontenac
P.O. Box 97
Plevna, Ontario K0H 2M0

Dear Ms. Mieske:

**Re: Minor Variance Application – #A10/25
Part Lot 30, Con 13, Township of North Frontenac (Clarendon)
1033 Waterworth Lane
TOOLEY**

Mississippi Valley Conservation Authority (MVCA) has been circulated the above noted application to conduct a review in terms of MVCA Regulations and Provincial Planning Policy for Natural Hazard issues. The scope of the natural hazards review includes flooding, erosion, wetlands, unstable slopes and unstable soils.

PROPOSAL

According to the Notice, *The Applicants are applying for relief from Section 3.27 (f.i.) of Zoning By-law #55-19, which provides that all buildings/structures shall be setback a minimum of 30 metres of all wetlands.*

The Applicants are proposing to construct a dwelling with an area of approximately 2000 square feet and an unattached garage with an area of approximately 1000 square feet. The proposed setback for the structures is 15 metres from the regulated wetland area.

PROPERTY CHARACTERISTICS

According to a review of MVCA mapping and a site visit, the subject property has frontage on Turtle Lake. In addition, a significant portion of the shoreline is occupied by a non-evaluated lacustrine wetland that is regulated by MVCA.

REVIEW

Natural Hazards (Advisory)

The objective of MVCA's natural hazards review is to ensure that the control of *flooding* and *erosion* are not impacted by development. This includes the flood plain and impacts to wetlands, watercourses, slope stability, and unstable soils. For the subject property, the waterbody and wetland are relevant to MVCA's advisory review.

Waterbody

MVCA considers both direct and indirect impacts to waterbodies/watercourses, within the context of flooding and erosion. Impacts are not generally anticipated if minimum waterbody setback requirements (as stipulated by the municipality) are adhered to and the shoreline is undisturbed.

Based on our review of the Site Plan provided with the application, and a site visit, sufficient area appears to exist on the subject property for a dwelling setback of 30 m. However, additional details are needed to confirm that the septic system can meet this setback.

Wetland

All wetlands play an important role in providing hydrologic, ecosystem and human benefits. In terms of hydrologic benefits (i.e. flooding and erosion control), wetlands retain water during the spring freshet and storm events, allowing water to slowly release into watercourses, infiltrate into the ground to recharge groundwater, and to evaporate. When located along the shoreline of a waterbody, wetlands also reduce the energy of moving water including boat wakes and mitigate associated shoreline erosion. A minimum development setback of 30 m is generally considered sufficient to ensure there are no impacts to wetlands in terms of flooding and erosion.

The Site Plan provided with the subject application shows a proposed setback of 15 m for the dwelling. However, insufficient detail has been provided to confirm the size and location of the septic system.

MVCA Ontario Regulation 41/24 (Regulatory)

Pursuant to ONTARIO REGULATION 41/24, *Prohibited Activities, Exemptions and Permits*, written permission is required from MVCA prior to any alterations to the shoreline of the waterbody; and for any interference in, or within 30 m of (Regulation Limit), a regulated wetland. Given that the proposed development is located 15 m from a wetland, an MVCA permit is required. Please note the following:

- Development within the 30 m setback of a wetland is generally only considered if:
 - A complete MVCA permit application is submitted demonstrating that the development setback has been maximized to the greatest extent feasible; and
 - The size of the proposed development recognizes the constraint i.e. excessively sized footprints would not be considered sufficient rationale for a reduced setback.
- To demonstrate the above and assess compliance with MVCA's Regulation Policies, a full picture of the overall development is required. This would include a Site Plan with a detailed septic design; the footprint of the dwelling including decking; and any other auxiliary structures, all to scale.
- Permission to develop through the Minor Variance process does not preclude the requirement to comply with MVCA's Regulation Policies and obtain an MVCA permit.

RECOMMENDATIONS AND CONCLUSIONS

To assess the merits of a reduced 15 m wetland setback, an evaluation of the overall development is required. This requires a more detailed Site Plan as outlined above. In addition, please note that permission to develop through the Minor Variance process does not preclude the requirement to comply with MVCA's Regulation Policies and obtain an MVCA permit. Please see the above for details

NOTES

A review for Species at Risk was not conducted. We suggest contacting the Ministry of the Environment, Conservation and Parks should you require a review in this regard.

The applicant should be advised that, pursuant to ONTARIO REGULATION 41/24, *Prohibited Activities, Exemptions and Permits*, written permission is required from MVCA prior to any alterations to the shoreline of the waterbody, or for any interference in, or within 30 m of, the wetland.

We advise consultation with Fisheries and Oceans Canada (DFO) [Projects near water \(dfo-mpo.gc.ca\)](http://dfo-mpo.gc.ca) prior to conducting any work within the waterbody, to assess potential impacts to fish habitat. Authorization from DFO may be required for such work.

Should any questions arise please do not hesitate to call. Please advise us of the Committee's decision in this matter.

Yours truly,



Diane Reid
Environmental Planner



6648 Road 506 Plevna, Ontario K0H 2M0

www.northfrontenac.ca

Notice of Public Hearing

Request for Permission to Enlarge Legal Non-Complying Structure

Clause 45 (2) of the Planning Act

Section 3, O.Reg. 200/96

File Number: #A11/25
Subject Land: Lot 2, Plan 1322, Geographic Township of Miller
(1154 Haffie Lane)
Applicant(s): William Shail, Christopher Shail and Amy Shail

Take Notice: The Township of North Frontenac Committee of Adjustment will hold a public meeting on **August 25, 2025, 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; and through Electronic Participation.

Purpose and Effect under Section 45(2)

The Applicant is proposing to replace the existing unenclosed, uncovered deck; and to enclose the middle portion with a roof and walls, The proposed one storey enclosed sunroom will have an area of 280 square feet and a proposed setback of approximately 36 feet to the high water mark of Brule Lake.

The existing one storey dwelling has an area of 1000 square feet, with existing uncovered and unenclosed decks. The current setback is 38 feet from the high water mark of Brule Lake.

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 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 by electronic participation to provide comments regarding the proposed development to the Committee. 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.

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.

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

Appeal: If a "specified person" or "public body" as defined in the Planning Act files an appeal of a decision of the Committee of Adjustment in respect of the proposed planning

application has not made a written submission or provide comments to the Committee before a decision is made, the Ontario Land Tribunal may dismiss the appeal.

Notice of Collection: Personal information is collected under the authority of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Planning Act, and all other relevant legislation, and will be used to assist in making a decision on this matter. All personal information (as defined by MFIPPA), including (but not limited to) names, addresses, opinions, and comments collected will be made available for public disclosure to members of the public, at the meeting, through requests, and through the website of the Corporation of the Township of North Frontenac. Questions regarding the collection, use and disclosure of this personal information may be directed to the undersigned.

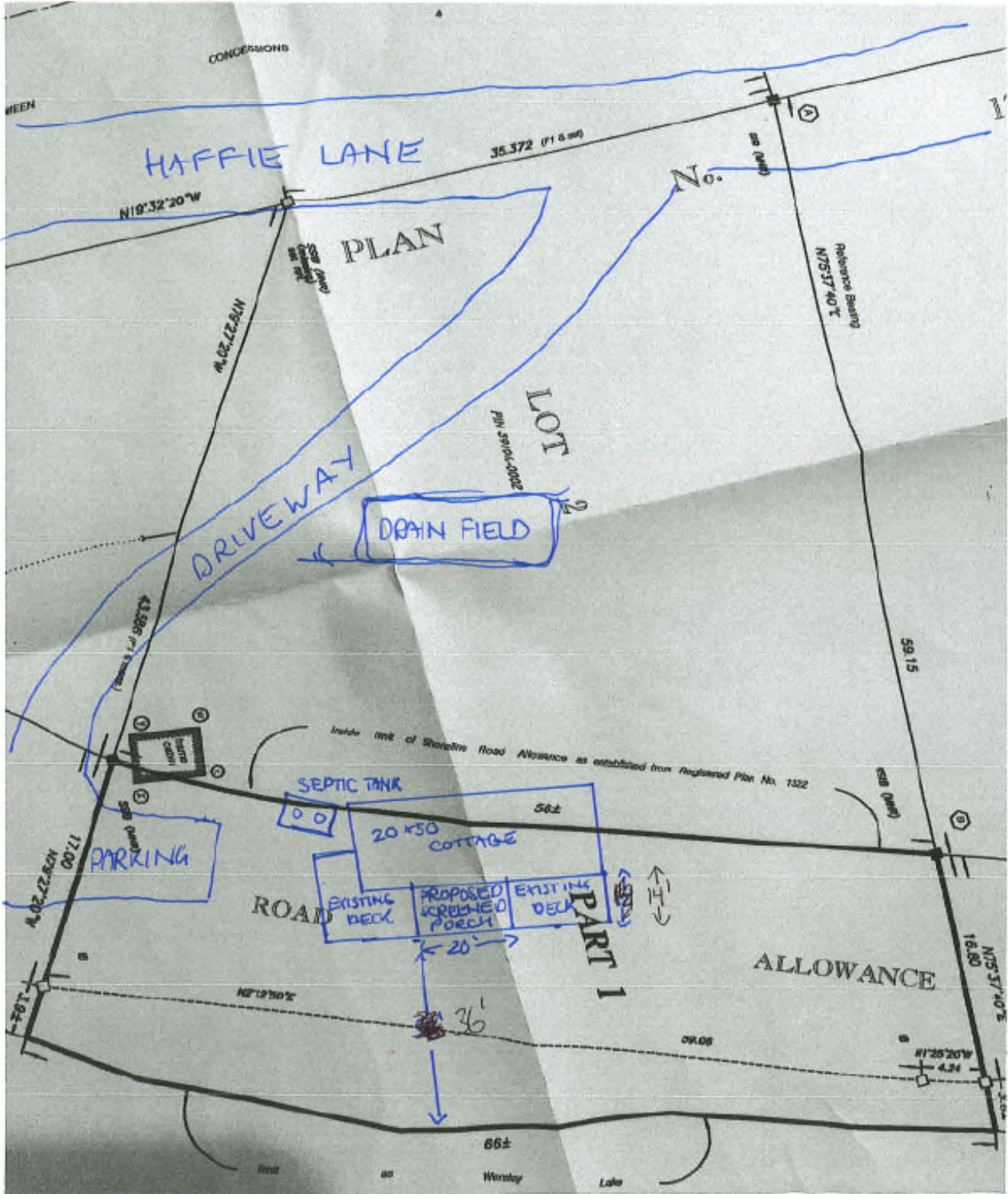
Dated at Plevna, Ontario this 28th day of July 2025.

Tara Mieske, Clerk/Planning Manager
Township of North Frontenac
Email: clerkplanning@northfrontenac.ca

Key Map



Site Plan





Planning Report

To: Members of Committee of Adjustment

Prepared By: Alex Petracca, Planning Intern, County of Frontenac & Dmitry Kurylovich, Senior Planner, County of Frontenac

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

Re: Application for Permission to Enlarge a Legal Non-Complying Structure

Address: 1154 Haffie Lane

Legal Description: Part Lot 2, Plan 1322, Geographic Township of Miller

File Number: A11/25 (Shail)

Owner(s): William, Christopher and Amy Shail

Applicant(s): Same as owners

Date Prepared: August 18th, 2025

Date of Public Meeting: August 25th, 2025

Recommendation:

That the Committee of Adjustment for the Township of North Frontenac receive comments from the public, and subject to any issues being raised at the public meeting, approve the application subject to the conditions outlined in Appendix A of this report.

Proposal:

This application proposes to construct a:

- 22 square metre (240 square foot) sunroom over top of an existing deck. The sunroom addition will move by 1.2 metre (4 feet) closer to the water than the existing deck thereby decreasing the waterbody setback
- 10 square metre (111 square foot) deck addition to square off the west side deck.

The proposed one-storey enclosed sunroom and deck addition will be located approximately 10 metres (36 feet) from the high-water mark of Brule Lake.

The proposed development is an expansion of an existing legally non-complying dwelling footprint that was constructed prior to Township Zoning By-Law Number 55-19 coming into effect.

The existing dwelling is non-compliant because of the deficient waterbody setback. The dwelling (including the deck) is located 11.5 metres (38 feet) from the highwater mark of Brule Lake, whereas 30 metres (98.4 feet) is required by the current Zoning By-law.

It should be noted that the owners recently removed half of the deck on the east side of the dwelling. This deck provided access to the rooms located on the east side of the house. This report recognizes that this deck is existing and will be replaced in the future.



Figure 1. Image of the east side of the dwelling showing the location of the former deck in red.

Permission under Section 45(2) of the Planning Act is required to enlarge and enclose the existing non-complying deck.

Existing Development

- A one storey 92.90 square metre (1,000 square foot) dwelling located approximately 11.5 metres (38 feet) from the estimated high watermark of Brule Lake serviced with a Class-4 septic system. The distribution bed of the septic system is located 30 metres (98.4 feet) from the water.

Background Information

Information Category	Response
Official Plan designation	Waterfront Area
Zoning	Limited Services Waterfront (LSW)
Current size (area) of subject property	0.35 hectares (0.87 acres)
Existing road frontage and access	Approximately 25 metres (82 feet) on Haffie Lane
Waterfront	Approximately 66 metres (216 feet) on Brule Lake.
Natural heritage features	The property has waterfront frontage on Brule Lake which is a Not-at-Capacity Lake Trout Lake. Majority of the property is wooded aside from the development envelope.
Surrounding land uses	The property is bordered by similarly sized waterfront residential lots to the north, Brule Lake to the east, and Crown land to the south and west.

Pre-application Consultation:

The property owner consulted with Township, and County staff prior to the submission of this application.

Public Notice

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 meeting.

Comments

Septic Approval Authority (Township of North Frontenac)

The proposed development will have no impact on the existing sewage system.

Public Comments

County planning staff are not aware of any public comments received at the time of drafting this report.

Conformity and Consistency with Policy Planning Documents

Applications for permission are required to be consistent with the Provincial Planning Statement, 2024 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 residential and accessory uses.

The Zoning By-law requires all non-waterfront structures to be located a minimum of 30 metres (98.4 feet) from the estimated highwater mark of any waterbody. The intent of the 30 metres (98.4 foot) waterbody setback is to provide a vegetative buffer between a development envelope and shoreline for the purpose of maintaining aquatic habitat, filtration of run-off, and reducing visual impacts of development on the waterfront character of the area. This setback applies to all non-waterfront structures including sewage disposal systems.

The existing dwelling was constructed prior to the required 30 metre (98.4 foot) waterbody setback, before the current Zoning By-law came into effect and is therefore considered to be a non-complying structure.

Section 3.24 of the Zoning By-law allows the renovation, repair, or reconstruction of existing non-complying structures as long as the footprint and volume of the structures

are not increased. Since the application proposes to increase the deck size and further decrease the waterbody setback, approval is required under Section 45(2) of the Planning Act.

The proposed 3-season sunroom addition will decrease the waterbody setback from 11.5 metres (38 feet) to 10.9 metres (36 feet). The applicants intend to retain the large trees along the shoreline.

The terrain of the property is characterised by steep slopes. The deck expansion square off the existing deck and will not require any vegetation removal.

The development as proposed will not exceed the maximum lot coverage permitted by the Zoning By-law.

County Planning staff are of the opinion that the proposed development results in compliance with the Zoning By-law.

Planning Analysis and Considerations

This application was reviewed against the policies of the Provincial Planning 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 application will result in the dwelling to be more visible from the lake due to its proximity to the shoreline. The shoreline is well vegetated with mature trees which limit the visual impact of the proposed development.



Figure 1: Picture of the current dwelling and deck from the west side.

Based on the existing site layout, the location of the septic bed, and the property's terrain, it is not feasible to relocate the deck beyond the required 30 metre (98.4 feet) waterbody setback. Given the lot's small size of 0.35 hectares (0.87 acres), the most practical and least disruptive location for the proposed sunroom is within the existing development envelope.



Figure 2: A focused picture of the where the proposed sunroom will be located in terms of the current deck layout.

Although the massing will increase along the shoreline, County planning staff are of the opinion that the proposed development will not result in significant impacts to the existing waterfront character of the area and will not diminish the shoreline aesthetic of Brule Lake.

County planning staff are of the opinion that the proposed development is in-line with the general massing of the neighboring parcels along the shoreline based on the distance between structures, their size, and proximity to the water.

Sewage Disposal System Services

The proposed development will not affect the existing sewage system.

Natural Heritage

As the proposed development will replace the existing deck, it is not anticipated that any large, mature trees will need to be removed from the dwelling where the expansion is

planned. The applicants have reduced the depth of the proposed sunroom addition to ensure that the large, mature trees along the shoreline are not impacted.

Although County planning staff are of the opinion that the proposed development will not have a significant negative impact on the quality of the Not at Capacity Lake trout lake (Brule Lake), County planning staff recommend additional vegetation plantings along the shoreline of the waterbody to help mitigate any impact of development and ensure that the shoreline does not erode in the future

Minimum Distance Separation

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

Natural Hazards

No evident natural hazards were identified by the Township Chief Building Official. This property is outside of Conservation Authority jurisdiction. Natural hazards and the terrain of the property were assessed by the Chief Building Official who deemed that the deck addition and sunroom are not subject to slope hazard.

Legal Non-Conforming Structures

In accordance with Section 45(2) of the *Planning Act*, the Committee of Adjustment may permit the enlargement or extension of an existing legal non-conforming building or structure, where the use of such building or structure does not conform with the provisions of the Zoning By-law but legally has been in continuous existence before and following the date the By-law was passed. No permission may be given by the Committee to enlarge or extend the building or structure beyond the original limits of the land where the legal non-conforming building or structure is situated.

In considering whether to grant a permission pursuant to Section 45(2), the relevant tests are:

1. Is the application desirable for appropriate development of the subject property?

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

The proposed dwelling will be moved 0.60 metres (2 feet) closer to the water than the nearest portion of the deck to the water. The proposed development falls below the maximum permitted lot coverage. There are no practical development envelopes located on the property that are beyond 30 metres (98.4 feet) from the water. No vegetation will be impacted as a result of this development.

The sunroom will provide an enclosed outdoor amenity space for the property owner without impacting the character of the lake or impacting adjacent properties.

The total proposed footprint of all structures on the subject property is below the maximum lot coverage permitted by the Zoning By-law.

2. Will the application result in undue adverse impacts on the surrounding properties and neighbourhood?

County planning staff are of the opinion that the proposal will not result in any undue adverse impacts on the surrounding properties and neighbourhood or quality of the adjacent waterbody. The vegetation along the shoreline will be retained and will serve as a visual buffer between the development envelope and the lake.

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 A11/25, as per the plans submitted with the application, and with the recommended conditions attached in Appendix A.

Attachments

Appendix A: Draft Conditions of Approval

Appendix B: Relevant Planning Policy and Legislation

Attachment 1 – Key Map

Attachment 2 – Applicant Submitted Site Plan and Building Drawings

Attachment 3 – Site Visit Sketch Prepared by D. Kurylovich (Senior Planner)

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 (A11/25 Shail)

Applicability

1. That the permission granted through application A11/25 to construct the following within 10.9 metres (36 feet) of Brule Lake:
 - a. 22 square metre (240 square foot) sunroom
 - b. 10 square metre (111 square foot) deck addition to square off the west side deck.
2. This permission does not include a reduction in the required setbacks along the entire width/length and depth of the property or for any future structures.
3. Application number A11/25 is applicable only to the Township of North Frontenac's Zoning By-Law Number 55-19, as amended, and not to any subsequent zoning by-laws.

No Adverse Impacts

4. 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

5. 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.
6. 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

7. 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.
8. 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.
9. 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.

Appendix B: Relevant Planning Policy

Provincial Planning Statement (2024)

The Provincial Planning 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 and minor variance applications on rural lands, planning authorities must comply with Sections 2.5 and 2.6 of the PPS, and apply the relevant policies of the following sections:

- Chapter 3: Infrastructure and Public Service Facilities of the PPS contains policies that direct the development of public and private infrastructure including transportation networks, sewage, water and stormwater services, waste management, and public spaces, recreation, parks, trails, and open spaces.
- Chapter 4: 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.
- Chapter 5: 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 5.2 of the PPS.

The following policies are applicable to this application:

- Permitted uses on rural lands include residential development, including lot creation, where site conditions are suitable for the provision of appropriate sewage and water services; (Section 2.6.1.c).
- Development that can be sustained by rural service levels should be promoted (Section 2.6.2).
- Development shall be appropriate to the infrastructure which is planned or available and avoid the need for the uneconomical expansion of this infrastructure (Section 2.6.3).
- Conserving biodiversity and considering the ecological benefits provided by nature (Section 2.5.1.g).
- Supporting healthy, integrated and viable rural areas by building upon rural character and leveraging rural amenities and assets (Section 2.5.1.a).

- Natural features and areas shall be protected for the long term (Section 4.1.1).
- 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 5.1.1).

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.

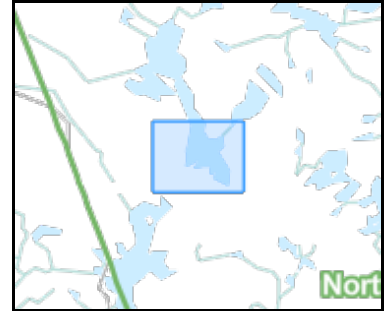
The following policies are applicable to this application:

- 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 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 (B) discusses that not at capacity lake trout lakes can support shoreline development as long as phosphorus is effectively contained.



Legend

Boundaries

Township Boundary

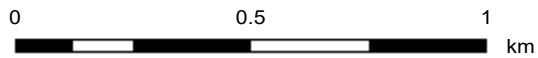


Property Information

Civic Address Points

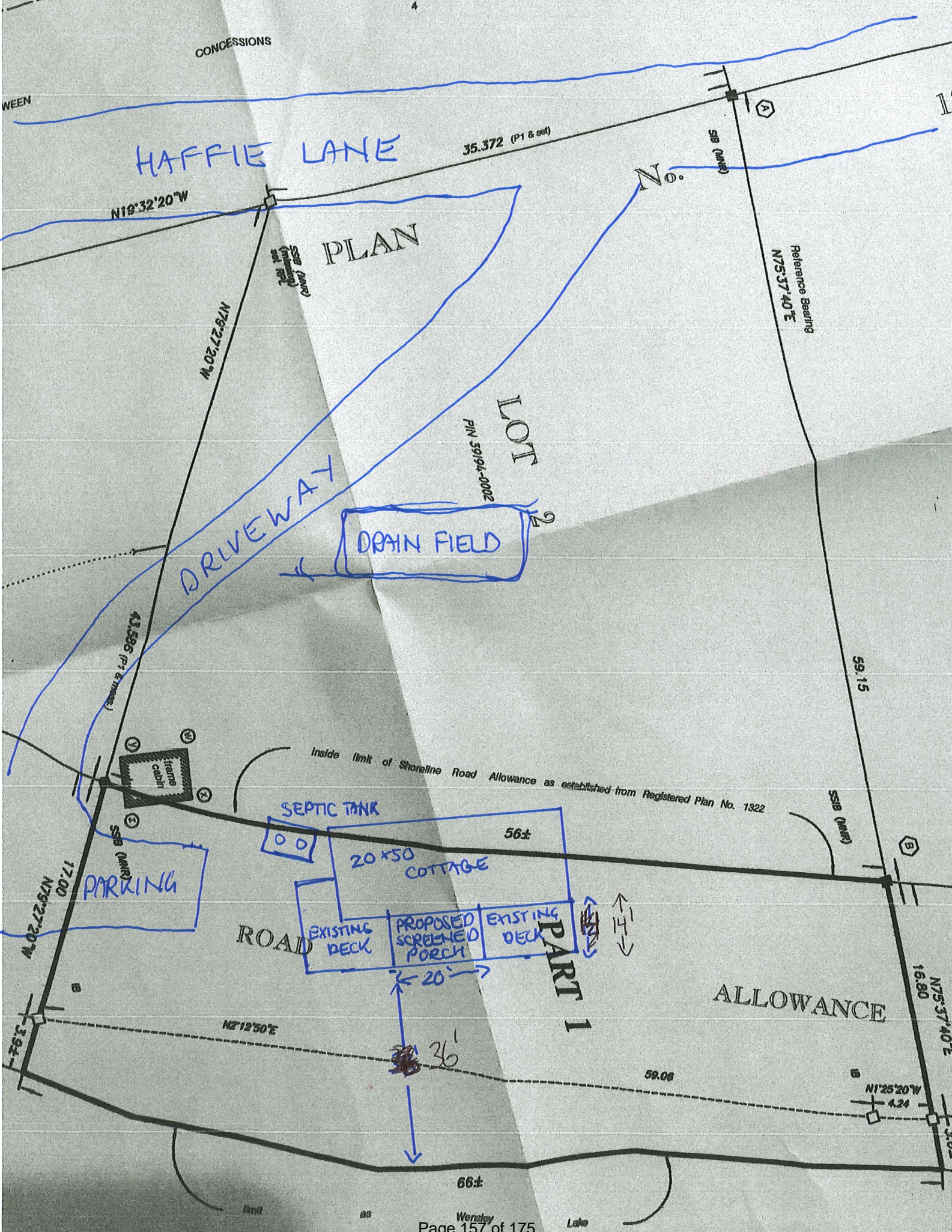


Assessment Parcels



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

Notes



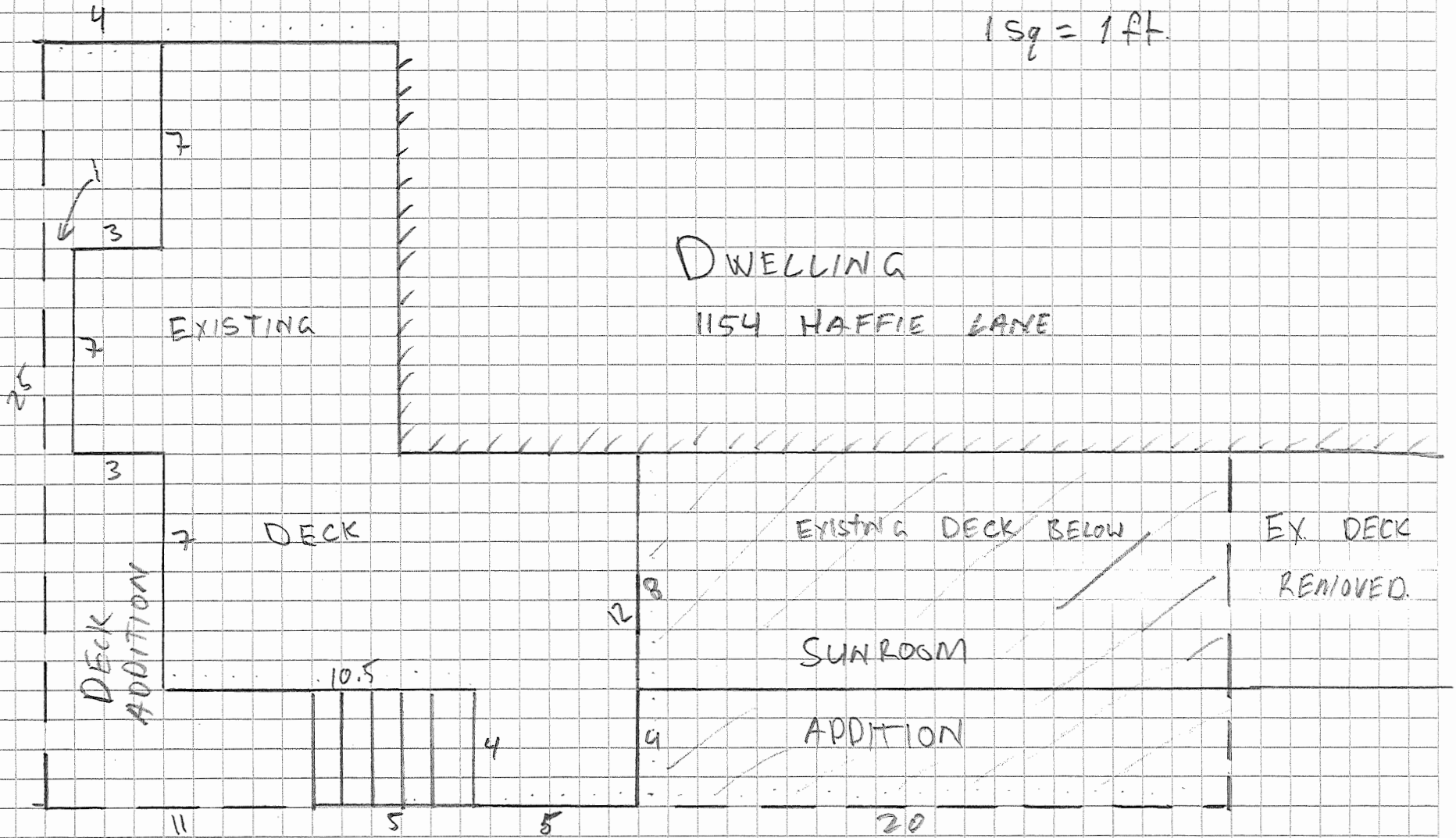
A12/25

SITE VISIT SKETCH

D. KURYKOVICH

JULY 12, 2025

1 Sq = 1 ft.





6648 Road 506 Plevna, Ontario K0H 2M0

www.northfrontenac.ca

Notice of Public Hearing

Request for Permission to Enlarge Legal Non-Complying Structure

Clause 45 (2) of the Planning Act

Section 3, O.Reg. 200/96

File Number: #A12/25
Subject Land: Part of Lot 6, Range B, Geographic Township of Barrie
(1051 Wintergreen Road)
Applicant(s): Phillip Colley

Take Notice: The Township of North Frontenac Committee of Adjustment will hold a public meeting on **August 25, 2025, 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; and through Electronic Participation.

Purpose and Effect under Section 45(2)

The Applicant is proposing to remove the existing deck with an area of 20.8 square metres, setback 4.1 metres from the front lot line; and construct an unenclosed, uncovered deck with an area of 30.5 square metres, setback 3.6 metres from the front lot line.

The Township's Consolidated By-law #55-19 provides that the minimum setback from the front lot line of a property to a principle use shall be 7 metres.

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 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 by electronic participation to provide comments regarding the proposed development to the Committee. Representation by counsel or an authorized agent is permitted to give evidence about this application.

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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.

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Appeal: If a "specified person" or "public body" as defined in the Planning Act files an appeal of a decision of the Committee of Adjustment in respect of the proposed planning application has not made a written submission or provide comments to the Committee before a decision is made, the Ontario Land Tribunal may dismiss the appeal.

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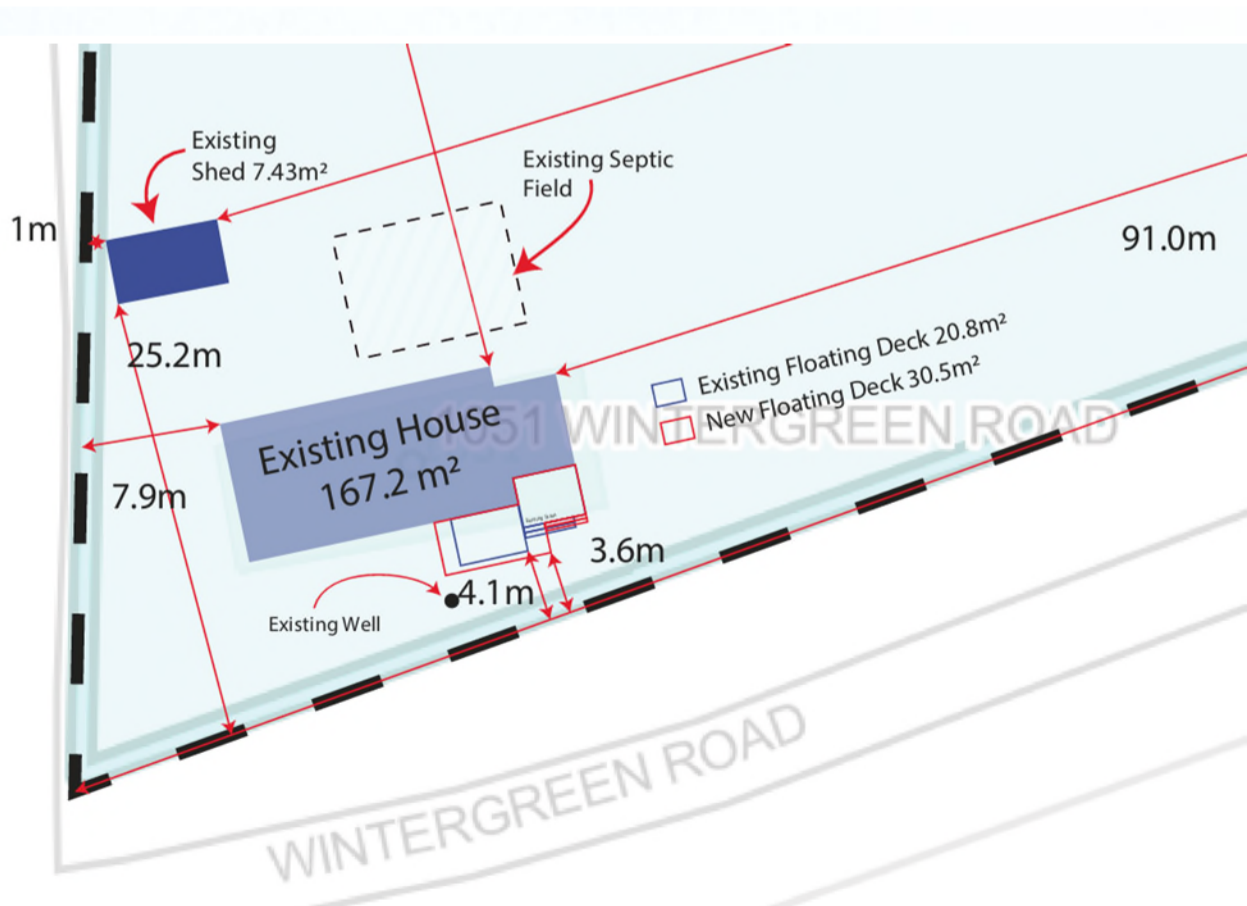
Dated at Plevna, Ontario this 28th day of July 2025.

Tara Mieske, Clerk/Planning Manager
 Township of North Frontenac
 Email: clerkplanning@northfrontenac.ca

Key Map



Site Plan





Planning Report

To: Members of Committee of Adjustment

Prepared By: Alex Petracca, Planning Intern, County of Frontenac
Dmitry Kurylovich, Senior Planner, County of Frontenac

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

Re: Application for Permission to Expand a Legal Non-Complying Structure (Deck)

Address: 1051 Wintergreen Rd

Legal Description: Part Lot 6, Range B, Geographic Township of Barrie

File Number: A12/25 (Colley)

Owner(s): Phillip Colley

Applicant(s): Same as owner

Date Prepared: August 18th, 2025

Date of Public Meeting: August 25th, 2025

Recommendation:

That the Committee of Adjustment for the Township of North Frontenac receive comments from the public, and subject to any issues being raised at the public meeting, approve the application subject to the conditions outlined in Appendix A of this report.

Proposal:

This application proposes to:

- Demolish an existing deck with an area of 20.8 square metres (223.8 square feet), with a setback 4.1 metres (13.4 feet) from the front lot line.
- Construct an unenclosed, uncovered deck with an area of 30.5 square metres (328.2 square feet) with a setback of 3.6 metres (11.8 feet) from the front lot line.

The proposed development is an expansion of an existing legally non-complying deck that was constructed prior to Township Zoning By-Law Number 55-19 coming into effect.

The existing deck is non-compliant because the deck is located 4.1 metres (13 feet) from the front lot line, whereas 7 metres (22 feet) is required by the current Zoning By-law.

Permission under Section 45(2) of the Planning Act is required to enlarge the existing non-complying deck.

Existing Development

- A one storey 167.2 square metre (1,800 square foot) dwelling
- An attached 20.8 square metre deck that is located approximately 4.1 metres (13 feet) from the front lot line (Road Allowance of Wintergreen Road)
- A 7.43 square metre (79 square foot) shed located approximately 25 metres (82 feet) from the front lot line.
- A Class 4 Septic system

Background Information

Information Category	Response
Official Plan designation	Rural & Mineral Aggregate Resource on northern extent of the lot
Zoning	Rural (R)
Current size (area) of subject property	0.78 hectares (1.94 acres)
Existing road frontage and access	122 metres (400 feet) on Wintergreen Road and 63 metres (206 feet) on Nowell Road.
Waterfront	None.
Natural heritage features	Some vegetation on southeast corner; no regulated natural heritage features

Information Category	Response
Surrounding land uses	Rural residential lots of similar size to the north and east. Township boundary to the west (Nowell Road). Large naturally vegetated rural lot to the south.

Pre-application Consultation:

The property owner consulted with Township and County staff prior to the submission of this application.

Public Notice

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 meeting.

Comments

Township Public Works

Public Works staff advised on August 18th and at the pre-consultation stage they had no issues with the proposed addition at the pre-application consultation stage. The deck will not result in any conflicts with road maintenance operations or sight lines.

Septic Approval Authority (Township of North Frontenac)

The existing sewage system is on the opposite side of the dwelling and will not be impacted by the proposed development. An assessment of the sewage disposal system is not required for the proposed deck expansion.

Public Comments

County planning staff are not aware of any public comments received at the time of drafting this report.

Conformity and Consistency with Policy Planning Documents

Applications for permission are required to be consistent with the Provincial Planning Statement, 2024 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 Rural (R) in the Township of North Frontenac Zoning By-Law Number 55-19. The Rural Zone permits residential and accessory uses.

The Zoning By-law requires that the minimum setback from the front lot line of a property to a principal use shall be 7 metres (22 feet). The intent of the 7 metre (22 feet) setback is to provide an adequate separation between structures and the road for safety and maintenance purposes as well as preserve the rural character of the area.

The existing deck was constructed prior to the 7 metre (22 feet) setback, before the current Zoning By-law came into effect and is therefore considered to be a non-complying structure.

Section 3.24 of the Zoning By-law allows the renovation, repair, or reconstruction of existing non-complying structures if the footprint and volume of the structures are not increased. Since the application proposes to increase the size of deck, further decreasing the setback to the front lot line, approval is required under Section 45(2) of the Planning Act.

Although the existing deck is located approximately 4.1 metres (13 feet) from the road allowance, the actual separation distance between the travelled portion of the road (gravel) and the deck is approximately 10 metres (33 feet) as confirmed by County planning staff during an August 12th, 2025 site visit. Between the existing and proposed deck and the travelled portion of the road are large mature trees which separate the proposed development from the road. The lot is located near an intersection that requires cars to slow down.



Figure 1. Image of the deck relative to the travelled portion of the road. Deck is outlined in red.

The development as proposed will not exceed the maximum lot coverage permitted by the Zoning By-law. County Planning staff are of the opinion that the reduced setback from the front lot line will not result in any adverse impacts on the character, function or safety of the surrounding area.

Planning Analysis and Considerations

This application was reviewed against the policies of the Provincial Planning 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.

Natural Heritage

The lot does not appear to contain any regulated natural heritage features. The proposed development is not expected to require any vegetation removal, as the few trees surrounding the dwelling's deck where the expansion will occur are expected to remain in place.

Minimum Distance Separation

No livestock facilities, aggregate extraction operations, or landfills were identified within the applicable screening areas surrounding the subject property. MDS calculations are not required for the expansion of a deck.

Natural Hazards

No evident natural hazards were identified by County planning staff.

Legal Non-Conforming Structures

In accordance with Section 45(2) of the *Planning Act*, the Committee of Adjustment may permit the enlargement or extension of an existing legal non-conforming building or structure, where the use of such building or structure does not conform with the provisions of the Zoning By-law but legally has been in continuous existence before and following the date the By-law was passed. No permission may be given by the Committee to enlarge or extend the building or structure beyond the original limits of the land where the legal non-conforming building or structure is situated.

In considering whether to grant a permission pursuant to Section 45(2), the relevant tests are:

1. Is the application desirable for appropriate development of the subject property?

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

The proposed deck will enhance the functionality of the outdoor space for residents without causing adverse impacts on the surrounding character as it is a modest reduction in the current front yard setback. It is expected to be non-interfering with regards to access, visibility, general use of the property and surrounding area.

The total proposed footprint of all structures on the subject property is below the maximum lot coverage permitted by the Zoning By-law.

2. Will the application result in undue adverse impacts on the surrounding properties and neighbourhood?

County planning staff are of the opinion that the proposal will not result in any undue adverse impacts on the surrounding properties and neighbourhood. The development also conforms to the general aesthetic and massing of the immediate

surroundings. The deck addition is not anticipated to result in safety issues or interference with road users.

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 A12/25, as per the plans submitted with the application, and with the recommended conditions attached in Appendix A.

Attachments

Appendix A: Draft Conditions of Approval

Appendix B: Relevant Planning Policy and Legislation

Attachment 1 – Key Map

Attachment 2 – Applicant Submitted 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 A12/25 (Colley)

Applicability

1. That the permission granted through application A12/25 is only to:
 - a. Rebuild a larger deck within the same relative footprint of the existing deck in the front yard, which will have a total footprint of 30.5 square metres (328 square feet). The new deck will decrease the front lot line setback from 4.1 metres (13 feet) to 3.6 metres (11 feet) and be expanded.
2. This permission does not include a reduction in the required setbacks along the entire width/length and depth of the property or for any other existing or future structures.
3. Application number A12/25 is applicable only to the Township of North Frontenac's Zoning By-Law Number 55-19, as amended, and not to any subsequent zoning by-laws.

No Adverse Impacts

4. 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

5. 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.
6. 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.

Appendix B: Relevant Planning Policy

Provincial Planning Statement (2024)

The Provincial Planning 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 and minor variance applications on rural lands, planning authorities must comply with Sections 2.5 and 2.6 of the PPS, and apply the relevant policies of the following sections:

- Chapter 3: Infrastructure and Public Service Facilities of the PPS contains policies that direct the development of public and private infrastructure including transportation networks, sewage, water and stormwater services, waste management, and public spaces, recreation, parks, trails, and open spaces.
- Chapter 4: 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.
- Chapter 5: 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 5.2 of the PPS.

The following policies are applicable to this application:

- Supporting healthy, integrated and viable rural areas by building upon rural character and leveraging rural amenities and assets (Section 2.5.1.a).
- Conserving biodiversity and considering the ecological benefits provided by nature (Section 2.5.1.g).
- Permitted uses on rural lands include residential development, including lot creation, where site conditions are suitable for the provision of appropriate sewage and water services; (Section 2.6.1.c).
- Development that can be sustained by rural service levels should be promoted (Section 2.6.2).
- Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the uneconomical expansion of this infrastructure (Section 2.6.3).

- Planning public streets, spaces and facilities to be safe, meet the needs of persons of all ages and abilities, including pedestrians, foster social interact and facilitate active transportation and community connectivity (Section 3.9.1.a).
- Natural features and areas shall be protected for the long term (Section 4.1.1).
- 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 5.1.1).

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:

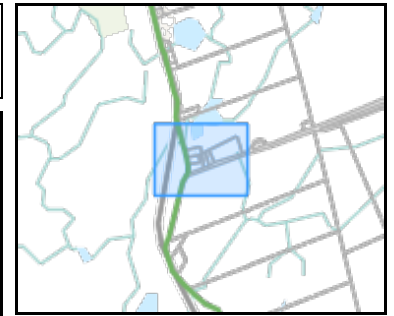
- Section 3.3, Rural Lands, provides policies for all lands outside of the settlement areas. The Plan recognizes that rural lands are used as an alternative location for those preferring a rural lifestyle. Low density residential development, as well as rural-related commercial, industrial, recreational and institutional development, is permitted.
- Section 4.1, Transportation, supplies policies for an extensive road network including municipal roads to support long-term viability of a regional road system to ensure access through the Frontenacs as well as the surrounding area.
- 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 Rural Area in the Township of North Frontenac's Official Plan (2017). The rural area polices are intended to provide variety of land uses which are sustainable within a rural environment and to plan for new development which is sensitive to and preserves the unique feature of the environment.

- Section 4.3.2.C states that residential development will be permitted where it has frontage on and direct access to year-round maintained road, preferably the existing network of roads or on private lanes, either of which must meet municipal standards for road construction.

- Section 4.3.2.H states that a provision shall be made for safe access to a lot by avoiding entrances on curves, grades or where sightlines may be limited.



Legend

Boundaries

Township Boundary



Property Information

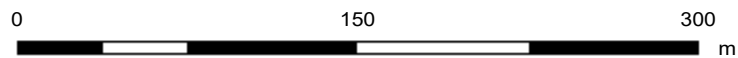
Civic Address Points



Assessment Parcels

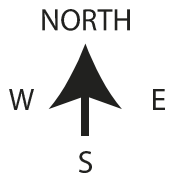


Notes



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

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Roll #104205001090805

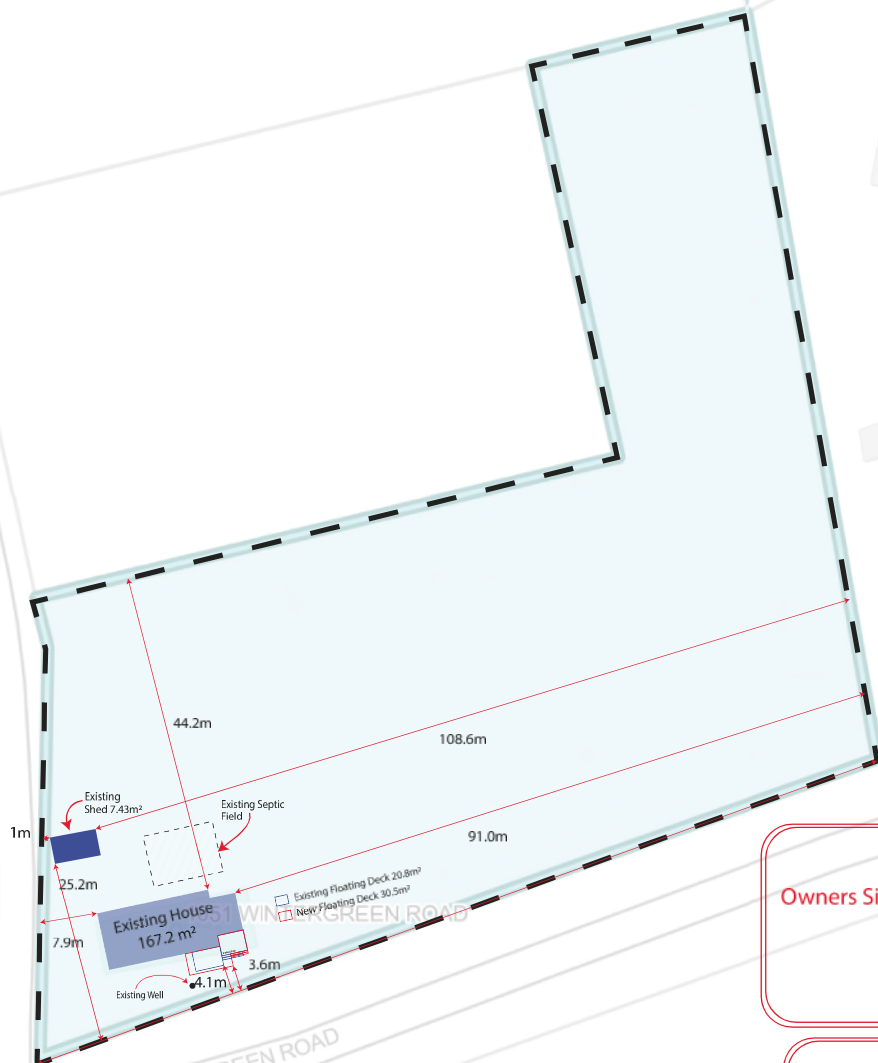
1051 Wintergreen Rd
Northbrook, ON
K0H 2G0

Legal Description
RANGE B PT LOT 6 RP
13R3891; PART 3

1.94 Acres

NOWELL ROAD

1085 WINTERGREEN



This drawing is prepared to the best of my knowledge

Owners Signature Philip Colley

Name: Philip Colley

Date: 10-Jul-2025

This drawing is prepared to the best of my knowledge

KXO Signature Danielle Thornton-Kesco

Name: Danielle Thornton-Kesco

Date: 10-Jul-2025

Scale 1611



KXO - Timber Frame

Date: July 10, 2025
Sheet: 1 of 1

QUINTE CONSERVATION - PLANNING ACT REVIEW

QC File No. PL0180-2025

Municipality:	Township of North Frontenac		
Landowner:	Phillip Colley		
Location:	1051 Wintergreen Road	Part Lot 6, Range B	Barrie
Roll #:	10420500109080500000		
Application Description:	Section 42 (2) Request for Permission to Expand Legal Non-Conforming Structure, File No. A12/25	Remove the existing deck with an area of 20.8 square metres, setback 4.1 metres from the front lot line; and construct an unenclosed, uncovered deck with an area of 30.5 square metres, setback 3.6 metres from the front lot line.	
Regulated Feature:	None		
Comments:	<p><u>Natural Hazard policies of the Provincial Planning Statement and Quinte Conservation Planning Act Review policy</u></p> <p>Conservation Authorities have Provincially delegated responsibilities to represent Provincial interests regarding natural hazards under Section 5.2 of the Provincial Planning Statement (PPS) (2024). Natural hazards include areas subject to flooding, prone to erosion, dynamic beaches, and unstable bedrock. Generally, the policies of the PPS direct development to areas outside of hazard lands. <u>Staff are satisfied that the application as presented is consistent with Section 5.2 of the PPS.</u></p> <p><u>Ontario Regulation #41/24 (Regulation of Prohibited Activities, Exemptions and Permits)</u></p> <p>The subject lands do not lie within an area that is regulated by Quinte Conservation. The owners will not require a permit prior to the proposed development activity (construction/ filling/ excavation/ site grading) from this office.</p> <p><u>Quinte Region Source Protection Plan</u></p> <p>Quinte Conservation provides Risk Management services as prescribed by the <i>Clean Water Act</i>, 2006 on behalf of member municipalities. Part of this is reviewing building and planning applications to ensure no new significant drinking water threats as outlined in the Quinte Region Source Protection Plan are created. Policies for significant threats in the Quinte Region Source Protection Plan are <u>not applicable</u> as the subject property lies outside of an intake protection zone or wellhead protection area for a municipal drinking water system. <u>As such no Section 59 Clearance Notice is required.</u></p> <p><u>Groundwater Considerations</u></p> <p>A portion of the property has been mapped as being located in an area of significant groundwater recharge. Quinte Conservation has no concerns regarding the proposed application but would recommend that consideration to servicing of the property include a properly constructed well that meets the requirements of Ontario Regulation 903. In consideration of protecting the groundwater, the septic systems should be located down gradient of any water wells and be designed and approved as per the Ontario Building Code. If there are any unused wells on the property it is recommended that such wells be properly decommissioned as per Ontario Regulation 903.</p>		

	<p><u>Other Potential Township Studies</u></p> <p>As per Sections 21.1.1 and 21.1.2 of Ontario Regulation 596/22 (amendments made under the Conservation Authorities Act) as a result of the More Homes Built Faster Act, 2022, conservation authorities are no longer able to review or provide comment on Natural Heritage and Hydrogeology, nor is this office able to peer-review technical reports related to these matters. If the Township requests a hydrogeological assessment or Environmental Impact Study (EIS) it should be peer-reviewed by a qualified consultant.</p>
<p>Final Comments:</p>	<p>Quinte Conservation has <u>no objection</u> to the planning application as presented. Staff request that a copy of the decision on the application be forwarded to this office, when available.</p>



Sam Carney
 Planning Technician

July 31, 2025
 Date