



# Committee of Adjustment Minutes

1:00 PM - Monday, August 25, 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 Huetl (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 p.m.

## 2. Traditional Land Acknowledgement

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

## 3. Approval of Agenda

### a) *August 25, 2025*

**33-25 Moved by Carl Tooley, Seconded by Jim Ogilvie**

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

**Carried**

## 4. Disclosure of Pecuniary Interest and General Nature Thereof

### a) *Declarations*

Brent Smith, Alternate Member, declared a pecuniary interest in Item 10(b): File #A08/25 - 1053 High Rocks Lane.

Carl Tooley, Member, declared a pecuniary interest in Item 10(c): File #A10/25 - 1033 Waterworth Lane.

## 5. Delegations

None.

## 6. Adoption of Minutes

### a) *Minutes of Meeting held July 28, 2025*

**34-25 Moved by Jim Ogilvie, Seconded by Carl Tooley**

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

**Carried**

## 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 Lot 23, Concession 7 (2468 Highway 506 and 2458 Highway 506)*

Mike Hage, applicant, was present for the meeting.

Dmitry Kurylovich, Senior Planner with the County of Frontenac, provided an overview of the application for the creation of a new lot with a reduced area. He advised 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. He noted 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; and that the proposed retained lot will have an area of 1.0 acres with approximately 475 feet of road access on Road 506.

Kurylovich advised the subject lots were considered lots of record; however the lots inadvertently merged on title. He noted this type of merger typically happens when lots share a property line; are owned by the same person(s); and were created outside the land division process under the Planning Act.

The Planner advised the issue of the inadvertent merger was discovered during the sale of the retained lot. He advised the lots had separate Property Identification Numbers (PINs) and Assessment Roll Numbers (ARNs); and appeared to be two separate lots. The pending sale triggered a search in Ontario Land Registry which uncovered the merged lots.

Kurylovich advised both lots are serviced with Class 4 systems; with a permit for a septic system issued by South Frontenac in 2023 (septic approval authority at that time) for the barn conversion on the eastern lot. He noted there were no hazards observed on the property, therefore formal comments from the Conservation Authority were not required.

Kurylovich advised the proposed lots are required to meet all the provisions as a new lot, despite the lots being inadvertently merged. He noted the following:

- both lots have frontage on Township roads (Road 506 and Myers Cave Road);
- both lots are serviced or capable of being serviced;
- the western lot has a well, while the eastern parcel requires well and water service.

Kurylovich recommended approval of the applications subject to the conditions included in the planning report. He noted a condition for a road widening for the eastern parcel had been included; however recommended the Committee consider changing the condition to allow the applicant to enter into an agreement with Township to provide the road widening requirement within two years. He also recommended the Committee consider waiving the park levy fee because of the technical nature of the application.

Garry Wood advised he attended the site on July 23, 2025. He noted the property on the eastern side slopes towards the rear with a hydro line through the lot. He advised the property on the western side is well treed and there does not appear to be any obvious connection between the parcels. Wood advised he is satisfied with the applications as proposed and the conditions included in the planning report. He recommended approval of the applications.

Carl Tooley asked if the two lots had been surveyed. Kurylovich advised both lots were surveyed. Wood asked how many units have been included in the barn. Mr. Hage advised there are two units (a 6 bedroom house, a 2 bedroom apartment and a storage area).

Marnie Geerlinks advised there were no comments from the public.

**35-25 Moved by Carl Tooley, Seconded by Jim Ogilvie**

**Be It Resolved That** Minor Variance Application File #A09/25, requesting the following:

- a Reduced Area of a Proposed New Lot and the Retained Lot; and
- A reduced setback for the existing dwelling on the proposed new lot from the front lot line;

shall be approved subject to the conditions noted in the Planning Report:

**And That** the Secretary shall forward a copy of the Notice of Decision to the Applicant and each person or public body that made a written request to be notified, and any other person or public body prescribed by September 4, 2025.

**Carried**

## 36-25 Moved by Jim Ogilvie, Seconded by Carl Tooley

**Be It Resolved That** Consent Application File #B12/25 for the creation of a New Lot shall be approved subject to the conditions noted in the Planning Report and including the following conditions:

- Change Road Widening Condition to an Agreement to be completed within two years
- Remove the requirement for Park Levy

**And That** the Secretary shall issue the Notice of Decision by September 4, 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**

## 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***

Scott Scaletta, applicant, was present for the application.

Dmitry Kurylovich, Senior Planner with the County of Frontenac, provided an overview of the Minor Variance application to permit an oversized dock. The applicant is proposing to remove the roof of an existing boat port with an area of 55 square metres; remove the existing 30 square metre sun dock; and remove the existing dock with an area of 26 square metres attached to the boat port.

Kurylovich advised the Official Plan designation of the property is Waterfront Area and the Zoning designation is Limited Service Waterfront. He advised Section 3.1.2 of the Zoning By-law provides that a dock shall have a maximum area of 25 square metres and a maximum length of 10 metres. He advised the property is currently developed with a one storey dwelling, a Class 4 septic system, a boat house, the sun dock and the dock (subject to the application).

Kurylovich advised the application was reviewed by Mississippi Valley Conservation Authority (MVCA), who advised they had no objections to the proposed development; however they recommended the shoreline be revegetated to reduce the potential for shoreline erosion. Kurylovich noted a permit for the dock will be required from MVCA if the Committee approves the Minor Variance application.

Kurylovich advised neighbouring residents expressed concerns regarding the length of the proposed dock as it may create a navigation hazard for swimmers, kayaks, canoes,

etc. Kurylovich noted the proposed dock is longer than neighbouring docks; however it does not meet the threshold for being considered a hazard.

Kurylovich noted the application was considered using the four tests under the Planning Act. He noted the removal of the two existing docks will result in a decrease of the total dock area on the subject property. With the removal of the relatively wide sun dock, the total developed area along the shoreline will be reduced. Additional native vegetative plantings are recommended along the shoreline to mitigate impact of runoff from the maintained lawn portion of the lot.

Kurylovich advised the Planning Justification Report submitted with application provided adequate analysis and justification of the proposed development. Kurylovich recommended approval of the Minor Variance application subject to the conditions included in the Planning Report.

Wood advised he attend the site on July 25, 2025. He noted the property has a gentle slope. He advised the waterfront area has an existing boat house and numerous docks with little vegetation. He asked if the seadoo docking area is considered a dock under the Zoning By-law. Kurylovich confirmed it is considered a dock.

Ogilvie asked how far a dock is permitted to extend into a waterway. Kurylovich advised a dock can have a maximum length of 10 metres, with the applicant requesting a length of 13.8 metres. He noted there appears to be enough distance between shorelines to reduce any navigational impact. Wood noted he observed boat traffic during his site visit and the length of the dock does not appear to have any impact.

Wood asked if a condition for revegetation of the shoreline could be included. Wood asked Mr. Scaletta if he would be supportive of the revegetation of the shoreline. Mr. Scaletta noted he has planted a few trees on the property. Wood noted a vegetative buffer would be very beneficial in the mitigation of shoreline erosion. Kurylovich noted MVCA can provide information regarding revegetation with native species. The Committee requested the area where the sun dock is being removed be revegetated as a condition of the variance.

Wood asked if the seadoo dock area was included in the calculation. Kurylovich advised there was nothing in the Planning Justification Report to justify the seadoo dock area. Wood noted he understands the purpose of the seadoo dock is to reduce the potential for damage to occur on the boats and seadoos. He advised he would like to include the double seadoo dock in addition to the oversized dock. Scaletta asked if the seadoo dock would be attached to the oversized dock. Wood advised the seadoo dock could be attached to the dock or the boathouse.

Ogilvie asked how much square footage could be added to the dock. Kurylovich advised the Official Plan does not specifically address the area of shoreline being used for waterfront structures and does not speak to damage to boating equipment. He advised

the Zoning By-law addresses the permitted area and length and docks on the shoreline. He advised that when the additional seadoo area is considered in addition to the oversized dock, the resulting area is more than twice what is permitted. He advised it is his opinion the four tests under the Planning Act are being met with the proposed oversized dock. He advised if an additional docking area is being proposed, he would have to reconsider the application and his recommendations.

Wood advised that for the purpose of safety, he believes the four tests are being met with the inclusion of the seadoo dock area and noted a few square metres of docking on the side will not affect anyone. He noted the total area of the proposed dock and seadoo dock keeps with the characteristics of other docks in the area. The Committee agreed to include the seadoo dock in the variance being requested.

Geerlinks advised there were no comments from the public.

**37-25 Moved by Carl Tooley, Seconded by Jim Ogilvie**

**Be It Resolved That** Minor Variance Application File #A07/25, requesting an increase in the permitted area and length of a dock shall be approved subject to the conditions noted in the Planning Report;

**And That** one double Seadoo dock is permitted to remain attached to the approved dock and shall not exceed the length of the dock;

**And That** the area where the sun dock is located shall be revegetated with natural vegetation;

**And That** the dock reconstruction shall be completed by December 31, 2025;

**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 September 4, 2025.

**Carried**

**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***

Brent Smith, Applicant, and Russ Gregory, Agent, were present for the hearing.

Dmitry Kurylovich, Senior Planner with the County of Frontenac, provided an overview of the application to expand the footprint of a legal non-complying structure and add a partial second storey. He noted the existing dwelling is located on a rock outcrop approximately 5 metres from Mississagagon Lake.

Kurylovich advised the Official Plan designation of the property is Waterfront Area and Rural; and that the Zoning By-law designation is Limited Service Waterfront/Limited Service Rural. He noted the property is developed with a dwelling, a septic system and an accessory structure.

Kurylovich advised the applicant is proposing to rebuild the existing dwelling in the

current footprint with the following additions:

- 40 square metre garage addition on the southeastern side of the dwelling
- 8.92 square metre addition between the garage addition and the existing dwelling
- 7.4 square metre addition to the south side of the dwelling
- 5.6 square metre covered porch on the south side of the dwelling
- 4.65 square metre covered porch in the corner of the dwelling and attached garage side of the existing footprint
- 20.07 square metre covered porch/deck on the north side of the dwelling (will reduce the waterbody setback by 1.3 metres)
- 7.4 square metre second story overhang above the covered porch/deck
- 20.1 square metre covered terrace/porch on the southwest side of the dwelling as an addition to the existing wood deck.

Kurylovich advised a Slope Stability Assessment of the proposed development was provided and was peer reviewed by Mississippi Valley Conservation Authority. Their office advised they have no concerns with proposed development provided the mitigation measures indicated in the report are adhered to.

Kurylovich noted the existing birch trees on the waterside of the dwelling may have to be removed due to the proposed development.

Kurylovich advised a septic assessment will be required to ensure the current septic system is functioning property; and that this will be done as part of the building permit process. In his opinion, the proposal meets the Planning Act and recommended approval subject to the conditions included in the planning report.

Tooley advised he attended the site on August 15, 2025; and the applicant was present. He noted the Slope Stability Assessment advised the slope is stable and will support development. He recommended approval of the application subject to the conditions included in the planning report.

Ogilvie noted the number of bedrooms were not included in the application. Smith (property owner) advised the dwelling will remain a 3 bedroom home; and that the existing septic system was designed for a three bedroom home. Smith noted the terrace was previously covered with a roof, which was removed due to safety concerns. He advised the proposed overhang is less than what was originally there.

Tooley advised he is concerned with the identified square footage as he doesn't want an issue between the Committee's decision and the building permit. Kurylovich advised he can only speak to the proposed footprint, not the gross floor area. He advised his recommendations are based on each individual addition and the square footage. He noted there shouldn't be any issues as long as the building drawings provided with the building permit application match what is approved by the Committee. Gregory (agent) advised the living space on the first storey is 1700 square feet, with 1200 square feet as the second storey. He advised there shouldn't be any future changes provided the

Committee is agreeable to the proposed development. Tooley noted the original notice from the Township states the proposed development is 2200 square feet, which is footprint (not gross floor area). Kurylovich advised that when the area of the proposed additions are added to the existing footprint, this brings the total area to approximately 2200 square feet.

Geerlinks advised there were no comments from the public.

**38-25 Moved by Jim Ogilvie, Seconded by Carl Tooley**

**Be It Resolved That** Planning Application File #A08/25, a request for permission to expand a legal non-conforming/non-complying structure, shall be approved subject to the conditions noted in the Planning Report;

**And That** the Secretary shall forward a copy of the Notice of Decision to the Applicant and each person or public body that made a written request to be notified, and any other person or public body prescribed by September 4, 2025.

**Carried**

- c) ***File #10/25: Part of Lot 30, Concession 13, Geographic Township of Clarendon (1033 Waterworth Lane) - Request for Reduced Setback from wetland area***

Brent Smith, Alternate Member, sat as a Committee Member for this application.

Carl Tooley, applicant, was present for the hearing.

Dmitry Kurylovich, Senior Planner with the County of Frontenac, provided an overview of the Minor Variance application requesting a reduced setback from the boundary of a regulated wetland area. He advised the applicant is looking to open up an area to construct a dwelling and an accessory structure.

Kurylovich advised the property has an Official Plan designation of Waterfront Area; and the Zoning By-law designation is Limited Service Waterfront. He noted the property is approximately 4.54 acres with frontage on Turtle Lake. He advised the property has an area of coastal wetland which provides for seasonal flooding around the shoreline. Kurylovich advised that, due to the required setback from the regulated area, there is a limited development area on the subject property. Kurylovich advised the applicant is looking to reduce the required setback from the boundary of the regulated wetland to create a larger development area.

Kurylovich advised the application was provided to Mississippi Valley Conservation Authority (MVCA) for review and comment. He advised MVCA did not provide support or denial of the application; however their office acknowledged the proposed development area and requested further information regarding the septic system installation. Kurylovich advised if all regulatory setbacks are met (setback from high water mark and interior lot lines), the development envelope is approximately 0.07 hectares and the site conditions would have to be optimal for siting of a dwelling, septic system and accessory

structures.

Kurylovich advised approval of the Planning application will provide up to a 15 metre setback to the regulated wetland area; however MVCA can increase that setback during their permit process as the Minor Variance does not override the MVCA permitting process.

Kurylovich advised the development should be considered in the context of the overall area. The waterbody currently supports thirteen lots, most of which are already developed and smaller than the subject property. As the remaining lots are vacant and large and accessed by a private lane, the development in the area is limited. He advised the application meets the four tests under Section 45(1) of the Planning Act and recommended approval of the application subject to the conditions included in the Planning Report. He noted the approval of the Minor Variance only applies to the proposed dwelling and accessory structures.

Smith advised he attended the site on August 15, 2025, and that the required marking cards were posted. He noted the proposed building envelope was well marked. He advised the proposed development could be shifted further from the regulated wetland area; however this would have a greater impact on the existing vegetation. Smith recommended approval of the application subject to the conditions included in the Planning Report.

Ogilvie noted that MVCA's policies cannot be overridden by the Minor Variance decision. Kurylovich confirmed this. He advised it can be difficult for agencies to evaluate a paper development proposal.

Tooley advised he spoke with MVCA and advised that he wanted to create a building envelope for a future buyer; however MVCA would not evaluate the proposal without a site plan. He noted permits are non-transferable and only valid for two years.

Wood noted the Committee could approve the proposed building envelope; but MVCA could deny the permit. Kurylovich noted it is common for a property owner to facilitate the permit process from the MVCA during the sale of a property. He advised the role of the Committee is to meet the intent of the Official Plan and Zoning By-law when evaluating a proposed development. He noted paper exercises are difficult for the Township, planning staff and Committee to evaluate.

Susan Rush, a neighbouring property owner, noted she supports the application and has concerns if the development is further from the wetland there will be removal of vegetation which creates a buffer area between her property and the subject property; potential issues with the septic installation; and negative impacts on the waterbody.

Wood asked the applicant to clarify their intent with the property. Tooley advised the provided site plan shows an area outlined in red which is 15 metres from the wetland

area and 30 metres from the waterbody. He advised development within this area would require minimal vegetation to be removed. He noted if the setback is increased, this would result in a loss of vegetation and potentially devalue the property. Mr. Tooley advised MVCA asked for location and specifications of the septic system; however he advised their office the system will be outside the 30 metre setback to the wetland area.

Wood noted this appears to be a two step process to get approval from MVCA; if the applicant is successful in obtaining a Minor Variance, potential buyers can be provided the decision of the Committee. However, Wood noted a permit is still required from MVCA for development.

Ms. Rush asked if the buyer is required to building within the envelope set out in the decision. Kurylovich advised a potential buyer can build outside the 30 metre setback to the wetland area and the waterbody; however the location of a septic system will dictate further development of the property.

Geerlinks advised there were no further comments from the public.

**39-25 Moved by Brent Smith, Seconded by Jim Ogilvie**

**Be It Resolved That** Minor Variance Application File #A10/25, requesting a reduced setback for a dwelling and an unattached garage from a regulated wetland area, shall be approved subject to the conditions noted in the Planning Report;

**And That** the Secretary shall forward a copy of the Notice of Decision to the Applicant and each person or public body that made a written request to be notified, and any other person or public body prescribed by September 4, 2025.

**Carried**

**d) *File #A11/25: Lot 2, Plan 1322, Geographic Township of Miller (1154 Haffie Lane) - Request for Permission to Expand Non-Complying Structure***

Chris Shail, applicant, attended the meeting electronically.

Dmitry Kurylovich, Senior Planner with the County of Frontenac, provided an overview of the application to expand a legal non-complying structure with two additions:

- a 22 square metre sunroom over top of the existing deck; and
- a 10 square metre deck addition to square off the west side of the deck.

Kurylovich advised the property has an Official Plan designation of Waterfront Area; and is zoned Limited Service Waterfront. He advised the property is developed with a dwelling and a Class 4 septic system. He noted the applicants recently removed half of the deck on the east side of the dwelling. He advised the Planning Report recognizes the deck as existing and being replaced in the future.

Kurylovich advised the sunroom addition will be inline with deck. He noted the applicant

changed the proposed width of the sunroom from 14 feet to 12 feet due to the location of existing trees. He advised that due to slope of property, the trees are well established with a large root system and are important to stabilize the ground. He noted if the sunroom was 14 feet wide, the trees would have to be removed as they would be hazardous. However the removal of the trees would have a significant impact.

Kurylovich advised the property is not under jurisdiction of a Conservation Authority. He noted the Township's Chief Building Official inspected the location of the proposed development and determined there weren't any concerns with the slope. Kurylovich advised the proposed development meets the two tests under Section 45(2) of the Planning Act and recommended approval subject to the conditions included in the planning report.

Tooley advised he attended the site on August 13, 2025, and the required marking signs were posted. He advised the applicants would like to cover a portion of the deck and add a sunroom to the existing dwelling and that the stairs would be reconfigured. He noted the northern portion of the deck would be 12 feet wide and one small maple tree will have to be removed. He recommended approval of the application subject to the conditions included in the Planning Report.

Geerlinks advised there were no comments from the public.

**40-25 Moved by Carl Tooley, Seconded by Jim Ogilvie**

**Be It Resolved That** Planning Application File #A11/25, a request for permission to expand a legal non-conforming/non-complying structure, shall be approved subject to the conditions noted in the Planning Report:

**And That** the Secretary shall forward a copy of the Notice of Decision to the Applicant and each person or public body that made a written request to be notified, and any other person or public body prescribed by September 4, 2025.

**Carried**

- 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***

Danielle Kecso, agent, attended the meeting electronically.

Dmitry Kurylovich, Senior Planner with the County of Frontenac, provided an overview of the application for the expansion of a legal non-conforming structure with the applicant proposing to construct an unenclosed, uncovered deck with an area of 30.5 square metres.

Kurylovich advised the property has an Official Plan designation of Rural with a Mineral Aggregate Resource layer; and is zoned Rural. He noted the property has an area of 0.78 hectares with frontage on Wintergreen Road and Nowell Road. He advised the

property is developed with a one storey dwelling, a septic system and an accessory structure.

Kurylovich advised the setback of the existing deck is 4.1 metres from the front lot line, with the setback of the proposed deck being 3.6 metres. He noted the purpose of the required 7 metre setback from the front lot line is to provide separation distance between traffic and development for safety and road maintenance. He noted the setback also creates a buffer between the travelled area of a road and housing. Kurylovich advised the actual separation distance between the travelled portion of the road and the current deck is approximately 10 metres.

Kurylovich advised the Public Works Manager has no concerns with the proposed deck, and advised there area no conflicts with road maintenance. He advised the proposed development meets the two tests under Section 45(2) of the Planning Act and recommended approval subject to the conditions included in the planning report.

Wood advised he attended the site and had similar comments to the Planner. He noted the proposed development does not pose a safety hazard and recommended approval subject to the conditions listed in the Planning Report.

**41-25 Moved by Jim Ogilvie, Seconded by Carl Tooley**

**Be It Resolved That** Planning Application File #A12/25, a request for permission to expand a legal non-conforming/non-complying structure, shall be approved subject to the conditions noted in the Planning Report:

**And That** the Secretary shall forward a copy of the Notice of Decision to the Applicant and each person or public body that made a written request to be notified, and any other person or public body prescribed by September 4, 2025.

**Carried**

## 11. Other Business

None.

## 12. Adjournment

### a) *Adjournment of Meeting*

**42-25 Moved by Carl Tooley, Seconded by Jim Ogilvie**

**Be It Resolved That** the meeting adjourns at 3:48 p.m. until September 22, 2025, at 1:00 p.m. or at the call of the Chair.

**Carried**

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Mayor

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Clerk