

Committee of Adjustment Minutes

1:00 PM - Monday, November 24, 2025

Council Chambers

Present: Gary Wood (Chair); Carl Tooley (Member); and Brent Smith (Alternate Member)

Absent with Regret: Jim Ogilvie (Member)

Also Present: Brooke Drechsler, Secretary/Treasurer; Tara Mieske, Clerk/Planning Manager; Marnie Geerlinks, Administrative Assistant to the Clerk's Department; Councillor Roy Huetl, Council Liaison; and Jennie Kapusta, Community Planner, County of Frontenac (Electronic Participation)

1. Call to Order

The meeting was called 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) *November 24, 2025*

56-25 Moved by Brent Smith, Seconded by Carl Tooley

Be It Resolved That the Committee approves the Agenda dated November 24, 2025, as circulated.

Carried

4. Appointment of Chair

a) *Appointment of Chair for 2026*

57-25 Moved by Carl Tooley, Seconded by Brent Smith

Whereas, at the meeting held February 24, 2025, the Committee passed Resolution #1-25 appointing Garry Wood to sit as Chair until the last meeting in 2025;

Therefore Be It Resolved That, per Section 6.0 of the Committee Procedural By-law, the Chair shall be elected by members of the Committee;

And That the Committee appoints Garry Wood to sit as the Chair for the year.

Carried

5. Disclosure of Pecuniary Interest and General Nature Thereof

None declared.

6. Delegations

None.

7. Adoption of Minutes

a) Minutes of Meeting

58-25 Moved by Brent Smith, Seconded by Carl Tooley

Be It Resolved That the Committee adopts the Minutes of a Meeting held October 27, 2025, as circulated.

Carried

8. Business Arising Out of Minutes

None.

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

None.

10. Consent Applications

- a) **File #B12/24: Part of Lots 23 and 24, Concession 8 - Creation of New Lot**
File #B13/24: Part of Lots 23 and 24, Concession 8 - Creation of New Lot
File #B14/24: Part of Lots 23 and 24, Concession 8 - Creation of Right-of-Way
File #B15/24: Part of Lot 23, Concession 8 - Creation of Right-of-Way
File #B16/24: Part of Lots 23 and 24, Concession 8 - Application for Lot Addition

Colin Scott, Agent for the applications, was present for the meeting.

Jennie Kapusta, Community Planner, provided an overview of the consent applications for the following development:

- Files B12/24 and B13/24 - Creation of two new lots;
- File B14/24 - Creation of Right-of-Way (ROW) for access over the proposed lots in favour of the proposed lot #2 and the retained parcel;
- File B15/24 - Creation of ROW over 1069 Perry Lane to connect Perry Lane to the proposed ROW being created through B14/25; and
- File B16/24 - An application for consent for a lot addition to 1069 Perry Lane.

Kapusta noted Appendix A to the Planning Report was amended to put the conditions for File B14/24 Creation of ROW into a separate recommendation.

Files B12/24, B13/24 and B14/24 - Two New Lots and Proposed Right-of-Way

Kapusta advised the proposed new lots meet the required area and water frontage set out in the Zoning By-law. She advised the proposed ROW (File B14/24) will bisect the proposed new lot to service the new lot #2 and the retained parcel. She noted the ROW will serve as an access from the new ROW being created through application number B15/24 to the proposed severed and retained lots. Kapusta advised there are significant natural hazard concerns on the property, including identified wetland areas and steep slopes. She noted Mississippi Valley Conservation Authority has raised concerns the proposed ROW may be too close to the steep slope. She advised if it is determined the ROW is within the required setback from the toe or crest of a steep slope, further assessments will be required.

Kapusta advised Lot #1 (File B12/24) has areas that are fairly flat; however Lot #2 has less flat areas and appears to have more erosions hazards. She noted the lots have areas shown as suitable for the installation of sewage disposal systems. She advised MVCA provided a report identifying concerns with wetland areas and erosion hazards for the building envelopes and ROW; therefore recommended including a condition requiring a survey sketch be provided to identify the location of the ROW and building envelopes on each proposed lot to determine if a slope stability assessment is required which may include further engineering requirements prior to construction.

Kapusta advised the area north of the proposed lots show extensive wetland and watercourse areas, as well as erosion hazards. She noted the size of the subject property and topography made it difficult to identify the location of the ROW through the proposed new lots.

File B15/24 - Proposed Right-of-Way (1069 Perry Lane - Applicant: Caperchione)

Kapusta advised the proposed ROW will connect the newly created lots to the existing Perry Lane, with a length of 98 metres +/- . She noted the ROW will be located at the rear of the subject property and follow along the nearby Hydro corridor. She advised there is a steep slope at the end of Perry Lane, which has been identified as an area of concern by MVCA and County Planning staff.

Kapusta noted there is an existing ROW on the property, located in front of the existing dwelling. She advised the existing ROW may be discharged upon completion of the proposed ROW.

File B16/24 - Lot Addition

Kapusta advised a small parcel will be transferred to 1069 Peery Lane. She noted there is a small structure on the proposed parcel to be transferred; and that the structure will have to be removed or a change of use obtained as the Zoning By-law does not permit a Secondary Dwelling Unit on a waterfront parcel.

General Comments

Kapusta advised the proposed ROWs must be constructed using the standards set out in the Private Lanes Study to ensure emergency access. She noted the creation of the ROWs will require a review by a qualified engineer, with written confirmation the ROWs meet construction standards. She advised a survey sketch will be required prior to any construction to ensure access to the new lots is within the boundary lines of the ROW crossing over 1069 Perry Lane and does not encroach onto any neighbouring properties.

Kapusta advised comments were received from a member of the public expressing the following concerns:

- Increased run-off from the proposed ROW may impact the existing septic and garage.

Kapusta advised any proposed development cannot create a negative impact on neighbouring property.

- Vehicles using the proposed ROW may come in contact with the existing garage. With respect to the location of the existing garage, Kapusta advised the Zoning By-law sets out a setback of 3 metres from a Right-of-Way for any accessory structure to minimize any impacts.
- The proposed ROW does not meet private lane standards which will impact emergency vehicle access.

Kapusta advised this has been addressed as a condition of severance by requiring an engineering report to ensure the ROW is properly constructed and meets the private lane standards.

- How will the proposed ROW affect existing ROW over Perry Lane?

Kapusta noted there are no changes proposed to the existing ROW.

- Trespass concerns with creation of new ROW

Kapusta advised the access must be within the boundaries of the existing ROW and on the property described as 1069 Perry Lane.

Kapusta recommended approval of all the applications subject to the conditions included in the Planning Report.

Tooley advised he attended the site and noted the proposed ROW runs in a zig zag formation. He asked Mr. Scott (agent) if this is the path the ROW will take. Mr. Scott advised the intent with the roughed in ROW area was to establish an area; however the path of the ROW can be adjusted. He noted by going on an angle to the Hydro corridor then continuing to the proposed lots, it would potentially reduce the erosion hazard. Tooley asked for clarification of the width of the existing ROW. Mr. Scott advised the existing ROW is approximately 27 feet in width.

Tooley advised he attended the site three times over the past year with County and Township planning staff. He advised it will be challenging to create the ROW with the steep slopes and sharp corners and agrees with the condition requiring an engineer to

confirm the ROW meets the Private Lane policy. He recommended approval of the applications subject to the conditions included in the Planning Report.

Smith asked if permission to cross 1049 Perry Lane to access the proposed lots had not been granted. Kapusta advised there is an existing ROW over 1049 Perry Lane cannot be changed; and that vehicular travel is only permitted within the surveyed area.

Wood noted the severity of the curves in the proposed ROW may require the envelope of the ROW to be moved and asked for clarification of the process. Kapusta advised the 20 metre width is the minimum requirement, with more space permitted if required. She noted the condition is written with the 20 metre width defined as a minimum.

59-25 Moved by Carl Tooley, Seconded by Brent Smith

Be It Resolved That Consent Application Files #B12/24 and #B13/24 for the creation of two new lots shall be approved subject to the conditions noted in the Planning Report;

And That the Secretary shall issue the Notice of Decision by December 8, 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

60-25 Moved by Brent Smith, Seconded by Carl Tooley

Be It Resolved That Consent Application File #B14/24 for the creation of a Right-of-Way shall be approved subject to the conditions noted in the Planning Report:

And That the Secretary shall issue the Notice of Decision by December 8, 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

61-25 Moved by Carl Tooley, Seconded by Brent Smith

Be It Resolved That Consent Application File #B15/24 for the creation of a Right-of-Way shall be approved subject to the conditions noted in the Planning Report;

And That the Secretary shall issue the Notice of Decision by December 8, 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

62-25 Moved by Brent Smith, Seconded by Carl Tooley

Be It Resolved That Consent Application File #B16/24 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 December 8, 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

11. Minor Variance Applications

None.

12. Other Business

None.

13. Adjournment

a) Motion to Adjourn

63-25 Moved by Carl Tooley, Seconded by Brent Smith

Be It Resolved That the meeting adjourns at 2:04 p.m. until January 26, 2026, at 1:00 p.m. or at the call of the Chair.

Carried

Chair

Secretary/Treasurer