

Committee of Adjustment Agenda

1:00 PM - Monday, August 24, 2026

Council Chambers

[Zoom Meeting Registration](#)

1. Call to Order

- a) Format of Committee of Adjustment/Planning Advisory Committee 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 24, 2026

Be It Resolved That the Committee approves the Agenda for August 24, 2026, as circulated.

4. Disclosure of Pecuniary Interest and General Nature Thereof

5. Delegations

None.

6. Adoption of Minutes

- a) Minutes of Meeting held July 27, 2026 4 - 10

Be It Resolved That the Committee adopts the Minutes of a Meeting held on July 27, 2026, as circulated.

[Committee of Adjustment - 27 Jul 2026 - Minutes - Pdf](#)

7. Business Arising Out of Minutes

None.

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

None.

9. Consent Applications

None.

10. Minor Variance Applications

- a) File #A13/26: Part of Lot 27, Concession 8, Geographic Township of Barrie (1042 K&A Lane) - Minor Variance for an Oversized Sleep Cabin 11 - 32

with a Reduced Setback from High Water Mark of Marble Lake

[A13 - Notice of Hearing - Tomalty](#)

[Planning Report: Application for Permission to Expand a Legal Non-Complying Structure \(Garage/Sleep Cabin\) - Pdf](#)

[MVCA Comment Letter](#)

- b) File #A14/26: Lot 235, Plan 1044, Geographic Township of Barrie (1441B South Kash Lake Lane) - Request for Permission to Expand Legal Non-Conforming/Non-Complying Structure

33 - 52

[Notice of Hearing - Whitmore](#)

[Planning Report: Application for Permission to Expand a Legal Non-Complying Structure \(Dwelling\) - Pdf](#)

[MVCA Comment Letter](#)

11. Other Business

None.

12. Adjournment

- a) Adjournment of the Committee Meeting

Be It Resolved That the meeting adjourns at _____ p.m. until September 28, 2026, 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 27, 2026

Council Chambers

Present: Garry Wood (Chair); Carl Tooley (Member); Jim Ogilvie (Member); and Brent Smith (Alternate Member - Electronic Participation)

Also Present: Brooke Drechsler, Secretary/Treasurer; Marnie Geerlinks, Administrative Assistant to the Clerk's Department; Councillor Roy Huetl, Council Liaison; Sonya Bolton, Manager of Community Planning, County of Frontenac (Electronic Participation); Dmitry Kurylovich, Community Planner, County of Frontenac; and Lauren Breen, Planning Student, County of Frontenac

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) *July 27, 2026*

33-26 Moved by Jim Ogilvie, Seconded by Carl Tooley

Be It Resolved That the Committee approves the Agenda for the July 27, 2026 Meeting, as circulated.

Carried

4. Disclosure of Pecuniary Interest and General Nature Thereof

None declared.

5. Delegations

None.

6. Adoption of Minutes

a) *Minutes of Meeting held June 22, 2026*

34-26 Moved by Brent Smith, Seconded by Jim Ogilvie

Be It Resolved That the Committee adopts the Minutes of a Meeting held on June 22, 2026, as amended to include the following in Item 10 (a): "Ogilvie advised the percent grade is 30% or higher".

Carried

7. Business Arising Out of Minutes

a) **Resolution #29-26: File #A10/26 - Lot 9, Plan 1007, Geographic Township of Clarendon (1198A Helen Lane) - Request Permission to Enlarge a Legal Non-Conforming/Non-Complying Structure**

Mr. Raki, Applicant was present in Chambers for the hearing.

Dmitry Kurylovich, Senior Planner with the County of Frontenac, provided an overview of the application to enlarge a legal non-conforming/non-complying structure. Kurylovich advised that County planning staff identified discrepancies from their site visit in the original proposal from the applicant at the June Committee of Adjustment meeting. County planning staff worked with the applicant to address the identified discrepancies, and the application was revised accordingly.

The applicant is proposing the following development;

- Convert the existing seasonal dwelling to a year-round home;
- Construct a one storey dwelling addition to the southwest corner of the existing dwelling with a footprint of 30 square metres and a setback of approximately 9.4 metres from the high watermark of Big Gull Lake;
- Construct a 13 square metre covered deck on the northeast side of the dwelling setback approximately 11 metres from the high watermark of Big Gull Lake; and
- Construct a 31 square metre screened in porch on the east side of the dwelling and south side of the covered deck.

Kurylovich advised that the existing dwelling is non-compliant because of the deficient waterbody setback. The dwelling is 11 metres from the highwater mark of Big Gull Lake. Kurylovich advised that the property is zoned Limited Service Waterfront (LSW) and is naturally vegetated with the exception of the development area. Kurylovich advised that Mississippi Valley Conservation Authority (MVCA) have no objection to the subject

application and recommended measures to mitigate the effects of erosion on the shoreline.

Kurylovich advised one comment was received from a neighbour prior to the June 22nd, 2026, public meeting stating that the existing dwelling did not have an uncovered deck on the east side; that the submitted site plan incorrectly identified the area west of the subject property as "woods" when it is in fact Big Gull Lake; and that the proposal seeks to expand the height, size, and volume of the original dwelling, contrary to Section 3.24(d) of the Zoning By-law.

No subsequent public comments have been received.

Kurylovich advised that the proposed covered porch and screened porch are being considered as new additions for the purposes of this application because of the considerable period of time since the original deck was removed.

Kurylovich advised that the proposed development meets the criteria under Section 45 (2) of the Planning Act and recommends approval of the application subject to conditions included in the Planning Report.

Carl Tooley advised he attended the site on May 26, 2026 and June 13, 2026 and noted the signs were posted. Tooley noted that the property is well vegetated with a mix of mature pine and maple trees. He advised that the crowns of the trees are above the roof line and that very limited vegetation will need to be removed for the proposed expansion. Tooley advised that the application stated there is a holding tank, but noted there is no holding tank on the property. Tooley recommended approval of the application, subject to the conditions in the planning report.

Geerlinks advised that there were no comments from the public.

35-26 Moved by Carl Tooley, Seconded by Jim Ogilvie

Whereas at the meeting held June 22, 2026, the Committee passed Resolution #29-26 deferring a Request for Permission to Enlarge a Legal Non-conforming/Non-complying Structure located at 1198A Helen Lane;

Therefore Be It Resolved That Planning Application File #A10/26, to expand the existing dwelling with the construction of an addition on the southwest corner, a covered deck on the northeast side and a screened in porch on the east and south east side, 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 August 6, 2026.

Carried

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

None.

9. Consent Applications

None.

10. Minor Variance Applications

a) ***File #A11/26: Part of Lot 29, Concession 3, Geographic Township of Palmerston (1043 Lake Road) - Minor Variance for Reduced Setback from Interior Lot Line***

Tanner Watt, Applicant was present in Chambers for the hearing.

Lauren Breen, Student Intern Planner with the County of Frontenac, provided an overview of the application for a Minor Variance for the reduced setback from the interior lot line. She advised this application is for a Minor Variance to construct a 1.5 storey accessory storage building (workshop) that is 71 square metres in area with an interior side yard setback of 2 metres. Breen noted Section 3.1.1.d. of Zoning By-law 55-19 states that unless specified in the By-law, no accessory use, building or structure shall be erected closer than 3 metres to any interior side, or rear lot line, or to any private lane/right of way.

Breen advised that the existing property is developed with:

- A three storey 32 square metre dwelling;
- A one and a half storey 35 square metre secondary dwelling;
- A one storey 12 square metre storage shed; and
- A Class 4 septic system

Breen advised that the Mississippi Valley Conservation Authority (MVCA) deemed the application as being outside of their regulated area and therefore did not have any technical comments. She stated no public comments were received.

Breen advised that this application meets the four tests under Section 45(1) of the Planning Act and recommends approval of the application subject to the conditions stated in the report.

Jim Ogilvie advised he attended the site on July 22, 2026 and confirmed that the signs were posted on the property. He stated that the property is well maintained and has a mix of trees. Ogilvie noted there is a shed on the property at the entrance on the roadside and asked the applicant if the shed would remain. Mr. Watt advised the shed is a temporary structure and will be removed when the proposed workshop is constructed. Mr. Watt advised the primary use of the proposed shed will be for wood storage and confirmed that there is a well treed buffer between the proposed development and the

neighbour's property. He noted there would be minimal sun shading impact on the neighbour's property. Ogilvie recommended approval of the application, subject to the conditions in the planning report.

Geerlinks advised that there were no public comments.

36-26 Moved by Jim Ogilvie, Seconded by Carl Tooley

Be It Resolved That Planning Application File #A11/26, a Minor Variance for a Reduced Side Yard Setback for the Construction of an Accessory Storage Building, 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 August 6, 2026.

Carried

b) *File #A12/26: Lot 7, Plan 1419, Big Gull Lake, Geographic Township of Barrie (1105A North Pinnacle Point Lane) - Request for Permission to Expand Legal Non-Conforming/Non-Complying Structure*

Gordon and Jean Price, the Applicants were present in Chambers for the hearing.

Dmitry Kurylovich, Senior Planner with the County of Frontenac, provided an overview of the application to expand a legal non-conforming/non-complying structure. Kurylovich advised that this application proposes to construct a 7.4 square metre deck addition to an existing non-complying deck and stated the proposed development is an expansion of an existing legal non-complying dwelling footprint (deck included) that was constructed prior to Township Zoning By-Law Number 55-19 coming into effect.

Kurylovich advised that the existing dwelling is non-compliant because of the deficient waterbody setback. He advised that the closest point of the dwelling (deck) is approximately 17 metres from the highwater mark of Big Gull Lake whereas 30 metres is required by the current Zoning By-law. The proposed deck addition will not encroach closer to the water.

Kurylovich advised that the existing, subject property is developed with:

- A one storey, square metre 66.8 square metre (780 square foot) dwelling located approximately 17 metres (57 feet) from Big Gull Lake;
- A 36.7 square metre (395 square foot) deck attached to the dwelling;
- A 12 square metre (135 square foot) boathouse;
- A small woodshed near the shoreline;
- A privy behind the existing dwelling; and
- A Class-4 sewage system located more than 30 metres (98 feet) from Big Gull Lake.

Kurylovich advised that the application is for a small deck expansion and that Planning staff are of the opinion the existing dwelling and deck are already part of the existing shoreline character and that the proposed development will have no impact on the character of the shoreline. He advised that vegetation will not need to be removed to accommodate the proposed development. There is a large tree that will be located adjacent to the proposed deck; however, it is unlikely to be impacted.

Kurylovich advised that the application meets the two tests under Section 45(2) of the Planning Act and recommends approval of the application subject to the conditions stated in the report.

Garry Wood advised he attended the site on July 22, 2026 and stated that the signs were posted and visible. Wood stated the property is well treed with a terraced terrain. He noted that there is a newly built retaining wall to support the septic. Wood advised that the deck expansion was well marked. Wood recommends approval of the application, subject to the conditions stated in the report.

Geerlinks advised there were no public comments.

37-26 Moved by Carl Tooley, Seconded by Jim Ogilvie

Be It Resolved That Planning Application File #A12/26, a Request for Permission to enlarge 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 August 6, 2026.

Carried

11. Other Business

a) Ask the Planner

Dmitry Kurylovich, Project Manager/Senior Planner for the County of Frontenac, provided an overview of the differences and conditions required for Section 45(1) and 45(2) of the Planning Act; the process for site inspections of subject properties; and the process of the review and submission of planning applications.

12. Adjournment

a) Adjournment of the Committee Meeting

38-26 Moved by Jim Ogilvie, Seconded by Carl Tooley

Be It Resolved That the meeting adjourns at 2:25 p.m. until August 24, 2026, at 1:00 p.m. or at the call of the Chair.

Carried

Chair

Secretary



Notice Complete Application and Public Hearing – File Number A13/26

The Committee of Adjustment for the Township of North Frontenac has received an application under Section 45(1) of the Planning Act Requesting a Minor Variance to permit the expansion of a Legal Non-Conforming/Non-Complying Structure with a reduced setback from the high water mark. The application pertains to the parcel of land as follows:

Owner/Applicant:	Carol Tomalty and Richard Tomalty
Subject Lands:	1042 K&A Lane Part of Lot 27, Concession 8, Geographic Township of Barrie
Roll Number:	1042 010 010 20000

Notice of Hearing

The Township of North Frontenac Committee of Adjustment will hold a public meeting on **August 24, 2026, 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 of Application

The subject property is developed with the following:

- a two storey dwelling with a footprint of approximately 910 square feet, setback approximately 15 feet from the high water mark of Marble Lake;
- a one storey tool shed/sleep cabin with a footprint of 240 square feet (tool shed – 102 square feet, sleep cabin – 138 square feet), setback approximately 66 feet from the high water mark;
- a storage shed with a footprint of 22 square feet, setback approximately 17 feet from the high water mark; and
- a septic system, setback approximately 50 feet from the high water mark.

The applicants are proposing to construct an unenclosed, uncovered deck on the tool shed/sleep cabin. The proposed deck will have an area of approximately 266 square feet with a setback of 56 feet (+/-) from the high water mark. The total footprint of the tool shed/sleep cabin including the proposed deck will be 506 square feet.

The Applicants are applying for relief from Section 3.1, 3.24 and 3.27 of By-law #55-19, the Zoning By-law.

Section of Zoning By-law	Provision
3.1.4 (b)	A sleep cabin or a loft-above-a-garage shall have a minimum footprint of 10 square metres and shall not exceed 19 square metres in footprint
3.1.4 (f)	A sleep cabin or a loft-above-a-garage shall not be located within the 30 metre setback from the high-water mark of a water body
3.24 (d)(i.)	Nothing in this By-law shall prevent the renovation, repair or reconstruction of an existing non-complying/non-conforming building or structure including a sewage system provided such renovation, repair or reconstruction does not expand, enlarge or increase the height, size, volume, footprint or gross floor area of the original non-complying building or structure or sewage system
3.27 (e)	All structures shall be setback from the high-water mark of all water bodies a minimum of 30 metres with the exception of waterfront structures

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.

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

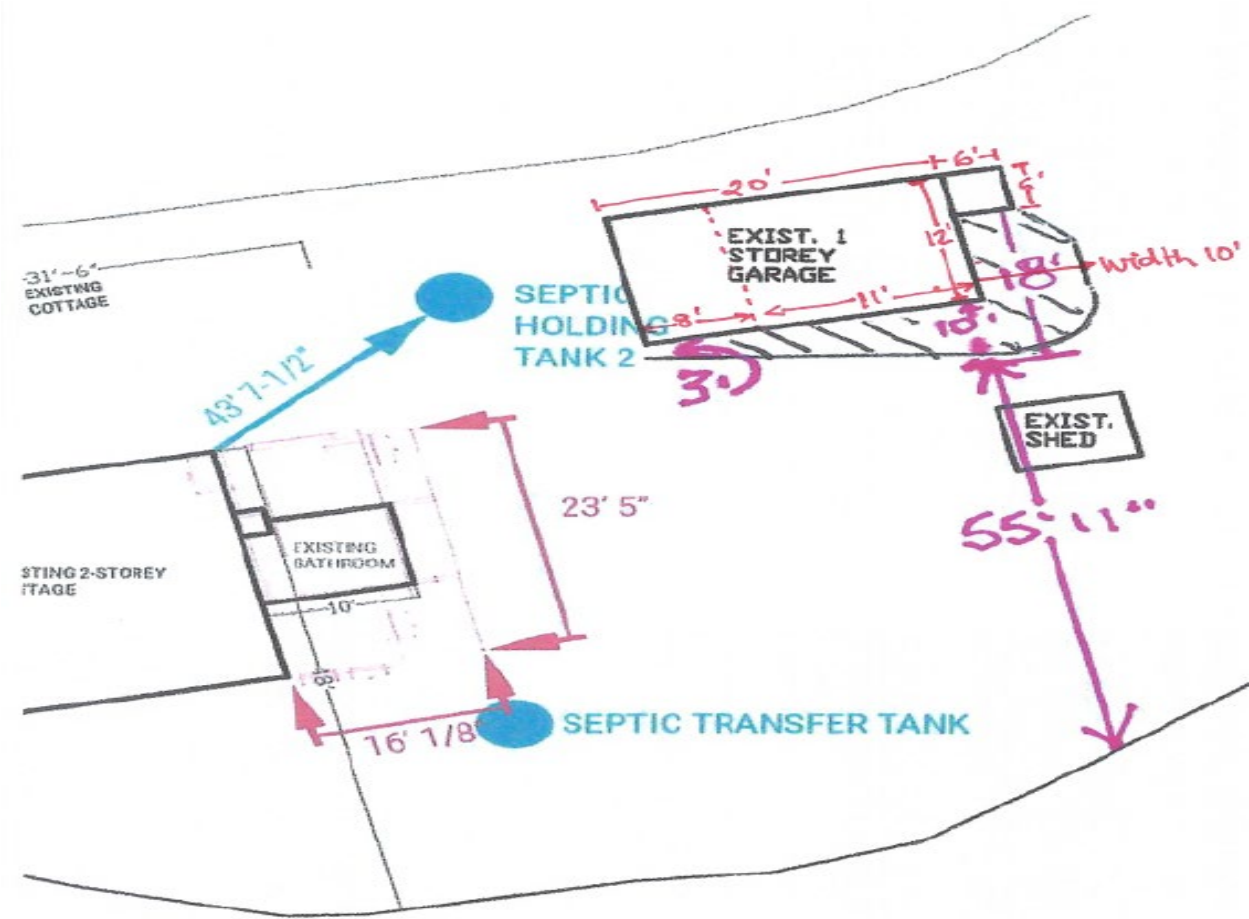
Personal information is collected under the authority of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Planning Act, and all other relevant legislation, and will be used to assist in making a decision on this matter. All personal information (as defined 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.

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.

Dated at Plevna, Ontario this 13th day of July 2026.

Brooke Drechsler, ACST
Township of North Frontenac
6648 Road 506, Plevna Ontario
K0H 2M0
Email: clerkplanning@northfrontenac.ca

Site Plan of Proposed Development



Key Map



To: Committee of Adjustment/Planning Advisory Committee
From: Dmitry Kurylovich, Project Manager/Senior Planner
 Sonya Bolton, Manager of Community Planning, County of Frontenac
Approved by:
Date of Meeting: 24 Aug 2026
Re: Planning Report: Application for Permission to Expand a Legal Non-Complying Structure (Garage/Sleep Cabin)

Background:

Background

Address	1042 K&A Lane
Legal Description	Part of Lot 27, Concession 8, Geographic Township of Barrie
File Number	A13/26 (Tomalty)
Owner/Applicant	Carol and Richard Tomalty
Date of Public Meeting	August 24, 2026

Proposal

This application proposes to:

- a) Construct a 25 square metre (270 square foot) irregular shaped deck attached to an existing 22.3 square metre (240 square foot) garage/sleep cabin. The proposed deck will result in a setback of approximately 16.7 metres (55 feet) from the highwater mark of Marble Lake.

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

The existing 22.3 square metre (240 square foot) accessory structure (garage/sleep cabin) is non-compliant because of the deficient waterbody setback. The structure is located approximately 20 metres (65 feet) from the highwater mark of Marble Lake whereas 30 metres (98.4 feet) is required by the current Zoning By-law.

The proposed deck will result in a setback of approximately 16.7 metres (55 feet) from the highwater mark of Marble Lake.

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

Existing Development

The subject property contains:

- A one storey 22.3 square metre (240 square foot) accessory structure (garage/sleep cabin) located approximately 20 metres (65 feet) from the highwater mark of Marble Lake. Approximately 12.2 square metres (132 square feet) of the structure is used as a sleep cabin, the rest being used for storage;
- A two-storey dwelling with a 55 square metre (590 square foot) ground floor area footprint and a square metre 23.7 square metre (256 square foot) attached deck;
- A septic transfer tank that is located between the existing dwelling and Marble Lake; a septic holding tank behind the dwelling; and a sewage disposal system that is located north of the development near K & A Lane, approximately 50 metres (165 feet) from Marble Lake; and
- A storage shed within 30 metres (98.4 feet) of Marble Lake.

Property Information

Official Plan designation	Waterfront Area; Tertiary Mineral Aggregate Resource
Zoning	Limited Service Waterfront (LSW)
Current size (area) of subject property	0.45 hectares (1.13 acres)
Existing road frontage and access	100 metres (328 feet) on K&A Lane (Private Road)
Waterfront	94 metres (308 feet) on Marble Lake.
Natural heritage features	Property is mostly vegetated with the exception of the existing building envelope and septic bed area on the north portion of the property.
Surrounding land uses	Similar sized waterfront residential lots to the east and west; large naturally vegetated lot the north, Marble Lake 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 the subject property, at least 10 days in advance of the public meeting.

Researched By:

Dmitry Kurylovich, Senior Planner, County of Frontenac

Comments:

Technical Comments

Natural Hazards - Mississippi Valley Conservation Authority (MVCA)

Comments dated August 14, 2026 indicate no objections.

MVCA staff noted that MVCA generally suggests against encroachments into existing deficient waterbody setbacks. However, in this particular case, the proposed deck is far enough from the

shoreline to minimize the potential for erosion impacts, provided mitigation measures are implemented.

MVCA 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. Vegetation on the slope face should be retained to the greatest extent feasible. These efforts will help to mitigate the effects of erosion on the shoreline and help maintain 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 lake). The sediment barrier should remain in place until all disturbed areas have been stabilized and re-vegetated.
3. Natural drainage patterns on the site shall not be substantially altered such that additional drainage is directed towards the slope or lake

Septic Approval Authority (Township of North Frontenac)

This development will have no impact on the existing septic system.

Public Comments

One comment from a neighbour was received on August 2, 2026. The commenter has no objection to the proposed deck, provided the existing shed is confirmed to be structurally capable of supporting the additional weight and snow loads. Their main concerns are increased construction traffic and potential damage to K&A Lane, which is the sole access to their property. They expect the lane to be fully restored if damaged or excessively worn during construction and request that no parking be permitted on the lane during or after construction.

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 application 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.

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 metre (98.4 foot) waterbody setback is to provide a vegetative buffer between a development envelope and shoreline for the purpose of maintaining aquatic habitat, 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 proposed deck will be attached to an existing non-complying structure that 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.

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 development will not result in a shoreline that is overly developed because the existing building and proposed deck are adequately screened by the existing shoreline vegetation and another accessory structure that is located between the subject building and the waterfront.

Natural Heritage

The proposed development will not result in any significant site alteration or vegetation removal. Staff note that there is a tree located within the area proposed for the deck, however the applicants have advised that it is their intention to preserve the tree and build the deck around it.

The applicant has also advised that they are planning to revegetate an unvegetated portion of the shoreline (see Site Plan).



Figure 1. Image of the area proposed for development. The red flags outline the shape and location of the proposed deck.



Figure 2. Image of the area between the subject accessory structure and the lake. The red flags outline the location of the proposed deck

No other vegetation is proposed to be removed.

Overall, County planning staff are of the opinion that the proposed development is not anticipated to have an impact on the quality of the waterbody, provided that appropriate site management practices are implemented during construction and that additional vegetation is placed on the shoreline in previously cleared areas. The applicant is required to install sediment and erosion control measures to ensure that no sediment or waste enters the waterbody during construction.

Natural Hazards

MVCA staff confirmed that the proposed development is not subject to erosion hazards.

Servicing

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

Minimum Distance Separation

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

Legal Non-Conforming Uses/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 deck will provide a level outdoor amenity space around the existing accessory structure and improved access to the building.
2. **Will the application result in undue adverse impacts on the surrounding properties and neighbourhood?**

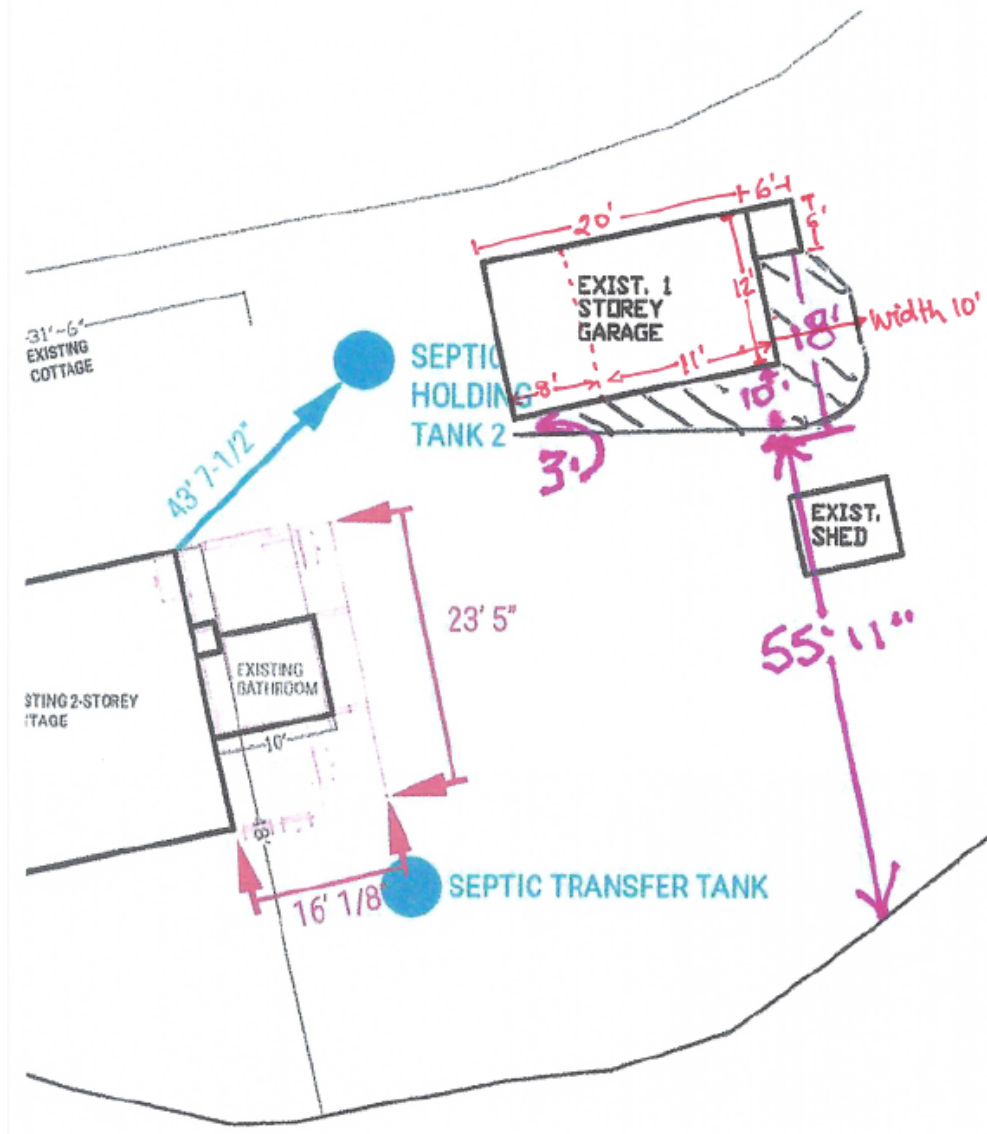
County planning staff are of the opinion that the proposal will not result in undue adverse impacts on surrounding properties, the neighbourhood, or the quality of the adjacent waterbody.

The proposed deck is modest in size and will not be visible from the lake. No other impacts on the quality of the lake or the character of the area are anticipated.

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 number A13/26 as per the plans submitted with the application, and with the recommended conditions attached in Appendix A.

Site Plan



Key Map



Attachments:

[Appendix A](#)

[Appendix B](#)

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 A13/26 (Tomalty)

Applicability

1. That the permission granted through application A13/26 is only to:
 - a. Construct a 25 square metre (270 square foot) irregular shaped deck attached to an existing 22.3 square metre (240 square foot) garage/sleep cabin. The deck will decrease the setback of the accessory structure to the Lake by 3.3 metres (10 feet). The deck will be located approximately 16.7 metres (55 feet) from the highwater mark of Marble Lake.
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 A13/26 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. The property owner shall not remove any shoreline vegetation and ensure that the root system of the trees are not impacted by the proposed development. All heavy equipment and construction materials must be stored away from the shoreline area.

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 2.3.8 Objectives direct development away from lands with natural or human made hazards and/or physical limitations such as poor drainage, organic or contaminated soils, flood susceptibility, erosion or steep slopes.
- 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 4.10.7 (E) Construction mitigation measures, storm water management, or other techniques shall be used to minimize negative impacts on water quality

26-NF-MV

August 14, 2026

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

Dear Ms. Mieske:

**Re: Minor Variance Application – #A13/26
Township of North Frontenac (Barrie)
1042 K&A Lane
TOMALTY**

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 subject property is developed with the following:*

- *a two storey dwelling with a footprint of approximately 910 square feet, setback approximately 15 feet from the high water mark of Marble Lake;*
- *a one storey tool shed/sleep cabin with a footprint of 240 square feet (tool shed – 102 square feet, sleep cabin – 138 square feet), setback approximately 66 feet from the high water mark;*
- *a storage shed with a footprint of 22 square feet, setback approximately 17 feet from the high water mark; and*
- *a septic system, setback approximately 50 feet from the high water mark.*

The applicants are proposing to construct an unenclosed, uncovered deck on the tool shed/sleep cabin. The proposed deck will have an area of approximately 266 square feet with a setback of 56 feet (+/-) from the high water mark. The total footprint of the tool shed/sleep cabin including the proposed deck will be 506 square feet.

PROPERTY CHARACTERISTICS

The subject property has frontage on Marble Lake. Most of the property is characterized as a large slope that descends to the lake.

NATURAL HAZARDS REVIEW

Erosion Hazard

It is provincial policy that: *Development shall generally be directed to areas outside of hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding and/or erosion hazards* (Provincial Policy Statement 2024, Section 5.2.2b)). 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.

Based on MVCA's assessment of LiDAR, parts of the property qualify as an Erosion Hazard, including the area of the proposed deck. Notwithstanding, in other areas of the watershed where MVCA Regulation Policies exist for Erosion Hazards, a one-time 40 sqm addition is permitted, without the requirement for a Slope Stability Assessment (SSA). Applying the intent of this policy to the subject application, an SSA can be waived. In addition, no visible signs of erosion were observed.

Waterbody

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. We understand that the Township requires a minimum setback of 30 m.

In addition to meeting setback requirements, implementing appropriate mitigation measures is important. Maintaining and enhancing shoreline vegetation, particularly deep-rooted native species, helps stabilize soils, reduce erosion, and absorb excess runoff. Natural drainage patterns should also be preserved to the greatest extent possible, ensuring that additional surface water is not directed toward the waterbody. For example, drainage pipes discharging at the shoreline can create concentrated flow paths that scour the bank, potentially forming gullies or channels and accelerating soil erosion.

The subject proposal involves the construction of a new deck, measuring a total of 266 sq.ft., on the waterside of the existing cabin, with a reduced waterbody setback of 56'. The existing structure is 66' from the lake. For the purpose of mitigating potential

shoreline erosion impacts, MVCA generally suggests against encroachments. However, in this particular case, the proposed deck is far enough from the shoreline to minimize the potential for erosion impacts, provided mitigation measures are implemented (see Recommendations below).

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. Vegetation on the slope face should be retained to the greatest extent feasible. These efforts will help to mitigate the effects of erosion on the shoreline and help maintain 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 lake). The sediment barrier should remain in place until all disturbed areas have been stabilized and re-vegetated.
3. Natural drainage patterns on the site shall not be substantially altered such that additional drainage is directed towards the slope or lake.

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



Notice Complete Application and Public Hearing – File Number A14/26

The Committee of Adjustment for the Township of North Frontenac has received an application under Section 45(2) of the Planning Act to permit the expansion of a Legal Non-Conforming/Non-Complying Structure. The application pertains to the parcel of land as follows:

Owner/Applicant:	Christine Whitmore and Milan Rukavina
Subject Lands:	1441B South Kash Lake Lane Plan 1044, Lot 235, Geographic Township of Barrie
Roll Number:	1042 030 020 50900

Notice of Hearing

The Township of North Frontenac Committee of Adjustment will hold a public meeting on **August 24, 2026, 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 of Application

The subject property is developed with the following:

- A one storey dwelling including a deck with a footprint of approximately 151 square metres, setback approximately 22 metres from the high water mark of Kashwakamak Lake;
- a storage shed with a footprint of 3 metres, setback approximately 10 metres from the high water mark; and
- a septic system, setback approximately 21 metres from the high water mark.

The applicants are proposing to demolish the existing dwelling and construct the following:

1. A single storey dwelling with a footprint of approximately 147 square metres and a setback of 29 metres from the high water mark;
2. A screened in porch on the western side of the dwelling with a footprint of approximately 21 square metres and a setback of 28 metres from the high water mark;
3. An unenclosed, uncovered deck on the waterside of the dwelling with a footprint of approximately 47 square metres and a setback of 24 square metres from the high water mark; and two covered porches located on the unenclosed, uncovered deck;
4. A proposed entry porch on the east side of the dwelling with a footprint of 5.5 square metres.

The total building footprint of the proposed dwelling is approximately 220 square metres. The existing septic system will be replaced and installed outside the 30 metre setback from the high water mark.

The Applicants are applying for relief from the following Section of the Township’s Comprehensive Zoning By-law #55-19:

Section of Zoning By-law	Provision
3.24 (d)(i.)	Nothing in this By-law shall prevent the renovation, repair or reconstruction of an existing non-complying/non-conforming building or structure including a sewage system provided such renovation, repair or reconstruction does not expand, enlarge or increase the height, size, volume, footprint or gross floor area of the original non-complying building or structure or sewage system

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.

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.

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.

Dated at Plevna, Ontario this 20th day of July 2026.

Brooke Drechsler, ACST
Township of North Frontenac
6648 Road 506, Plevna Ontario
K0H 2M0
Email: clerkplanning@northfrontenac.ca

[illegible]

This map shows the area around 1041A, South Kash Lake Lane. The property at 1041A is highlighted in red. Surrounding properties include 1096A and 1096B Shoepack Lane, 1058A and 1058B Shoepack Lane, 1046 Shoepack Lane, 1028A Shoepack Lane, 1028B Shoepack Lane, 1441B South Kash Lake Lane, 1021 Blue Jay Lane, and 1041A, Blue Jay Lane. The map also shows Shoepack Lane, South Kash Lake Lane, and Blue Jay Lane.

To: Committee of Adjustment/Planning Advisory Committee
From: Dmitry Kurylovich, Project Manager/Senior Planner
 Sonya Bolton, Manager of Community Planning, County of Frontenac
Approved by:
Date of Meeting: 24 Aug 2026
Re: Planning Report: Application for Permission to Expand a Legal Non-Complying Structure (Dwelling)

Background:

Address	1441B South Kash Lake Lane
Legal Description	Plan 1044, Lot 235, Geographic Township of Barrie
File Number	A14/26 (Whitmore & Rukavina)
Owner/Applicant	Christine Whitmore and Milan Rukavina
Date of Public Meeting	August 24, 2026

Proposal

This application proposes to demolish the existing dwelling and to construct a new larger dwelling within the same footprint and relocate the existing sewage disposal system farther away from the shoreline.

The proposal seeks to construct the following:

- A one storey dwelling with walk out that has a footprint of approximately 147 square metres (1,582 square feet) and a setback of 29 metres (95.1 feet) from the highwater mark;
- A screened in porch on the western side of the dwelling with a footprint of approximately 21 square metres (226 square feet) and a setback of 28 metres (91.9 feet) from the highwater mark;
- An unenclosed, uncovered deck on the waterside of the dwelling with a footprint of approximately 47 square metres (506 square feet) and a setback of 24 metres (78.7 feet) from the highwater mark; and two covered porches located on the unenclosed, uncovered deck;
- A proposed entry porch on the east side of the dwelling with a footprint of 5.5 square metres (59.2 square feet); and
- A new sewage disposal system located approximately 36 metres (118.1 feet) from the shoreline.

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 existing dwelling is located approximately 22 metres (72.2 feet) from the highwater mark of Kashwakamak Lake whereas 30 metres (98.4 feet) is required by the current Zoning By-law. The proposed

development will result in a structure that is larger but set farther back from the water than the existing dwelling.

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

Existing Development

The subject property is developed with:

- A one storey dwelling including a deck with a footprint of approximately 151 square metres (1,625 square feet), setback approximately 22 metres (72.2 feet) from the high watermark of Kashwakamak Lake;
- a storage shed with a footprint of 3 square metres (32.3 square feet), setback approximately 10 metres (32.8 feet) from the highwater mark; and
- a septic system, setback approximately 21 metres (68.9 feet) from the highwater mark.

Property Information

Official Plan designation	Waterfront Area
Zoning	Limited Service Waterfront (LSW)
Current size (area) of subject property	0.3 hectares (0.7 acres)
Existing road frontage and access	No frontage. Accessed from driveway that connects to South Kash Lake Lane.
Waterfront	43 metres (141.1 feet) on Kashwakamak Lake
Natural heritage features	Property is mostly vegetated with the exception of the existing building envelope
Surrounding land uses	Similar sized waterfront lot to the west. Crownland parcels to the east and south. Kashwakamak Lake to the north.

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 (196.9 feet) of the subject property, at least 10 days in advance of the public meeting.

Researched By:

Dmitry Kurylovich, Senior Planner, County of Frontenac

Comments:

Technical Comments

Natural Hazards - Mississippi Valley Conservation Authority (MVCA)

Comments dated August 14, 2026 indicate no objection to the proposal. MVCA staff noted that the existing and proposed dwelling sits on a flat area between two slopes. Based on LiDAR data and site visits, MVCA concluded that the slopes do not meet the criteria of an Erosion Hazard.

The following mitigation measures have been recommended:

1. **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 deep rooted native vegetation provide erosion protection by binding the soil and absorbing excess water.
2. **Drainage Patterns:**Natural drainage patterns on the site should not be substantially altered such that additional drainage is directed towards the waterbody. For example, drainage pipes outletting into the shoreline can lead to concentrated flow that results in a scouring effect of the shoreline, potentially creating gullies or channels that cause soil erosion.
3. **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 as the first line of defense against shoreline erosion.

Septic Approval Authority (Township of North Frontenac)

The sewage system capacity and performance will be addressed at the building permit stage.

Public Comments

None.

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 application 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

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 metre (98.4 foot) waterbody setback is to provide a vegetative buffer between a development envelope and shoreline for the purpose of maintaining aquatic habitat, 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 development will result in a dwelling that is larger than what is currently located on the property but set slightly farther back from the lake. Aside from the waterbody setback, which is currently deficient, the new dwelling will comply with all other provisions of the Zoning By-law. The

new sewage disposal system will be relocated farther from the lake than the existing and comply with the minimum 30 metres (98.4 feet) waterbody setback.

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

Planning staff are of the opinion that the proposed development will not have a substantial impact on the character of the waterfront. The existing dwelling already forms part of the shoreline character, and the new dwelling is not anticipated to significantly alter the existing visual character. The development site is also somewhat screened by three large conifers that provide a visual buffer.



Figure 1. A photo of the existing dwelling taken from the shoreline of Kashwakamak Lake

Overall, County planning staff are of the opinion that the proposed development will not have a significant impact on the waterfront character of Kashwakamak Lake and will not result in a shoreline that appears to be overly developed.

Natural Heritage

The proposed development is not anticipated to result in any significant vegetation removal. The area around the existing and propose dwelling has been historically cleared of vegetation. County planning staff are of the opinion that this development represents an improvement to the current non-complying setbacks as both the new dwelling and new septic system will be located farther from the water than the existing dwelling and septic system.

Natural Hazards

MVCA staff confirmed that the dwelling is situation between two slopes that both do not meet the criteria of an erosion hazard.

Servicing

Sewage system capacity will be considered at the building permit stage. The new sewage system is proposed to be located more than 30 metres (98.4 feet) from the shoreline and therefore complies with the Zoning By-law.

Minimum Distance Separation

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

Legal Non-Conforming Uses/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?

The proposed development is desirable as it will result in a new dwelling that is setback farther back from the water than the existing dwelling and a new sewage disposal system that is also setback farther from the water than the existing. The proposed development is also anticipated to be located within the same dwelling footprint and is not anticipated to result in significant site alteration or vegetation removal. All vegetation that is located between the dwelling and shoreline is anticipated to be maintained.

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 undue adverse impacts on surrounding properties, the neighbourhood, or the quality of the adjacent waterbody. The new dwelling will be set farther back than the existing and will not be substantially larger. The relocation of the sewage system farther from the water is generally considered a benefit and anticipated to have a net positive impact on lake quality.

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 number A14/26 as per the plans submitted with the application, and with the recommended conditions attached in Appendix A.

Site Plan



Attachments:

[Appendix A](#)

[Appendix B](#)

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 A14/26

Applicability

1. That the permission granted through application A14/26 is only to construct the following:
 - a. A one storey with walk out that has a footprint of approximately 147 square metres (1,582 square feet) and a setback of 29 metres (95.1 feet) from the highwater mark;
 - b. A screened in porch on the western side of the dwelling with a footprint of approximately 21 square metres (226 square feet) and a setback of 28 metres (91.9 feet) from the highwater mark;
 - c. An unenclosed, uncovered deck on the waterside of the dwelling with a footprint of approximately 47 square metres (506 square feet) and a setback of 24 metres (78.7 feet) from the highwater mark; and two covered porches located on the unenclosed, uncovered deck;
 - d. A proposed entry porch on the east side of the dwelling with a footprint of 5.5 square metres (59.2 square feet)
 - e. A new sewage disposal system located approximately 36 metres (118.1 feet) from the shoreline.
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 A09/26 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. All excavated material and accumulated sediment along sediment control measures shall be disposed of more than 30 metres (98.4 feet) of the waterbody. Excess soil or fill shall not be placed in any low area and shall not interfere with any seasonal or permanent wetlands or watercourse.
8. 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.
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. The property owner shall not remove any shoreline vegetation and ensure that the root system of the trees are not impacted by the proposed development. All heavy equipment and construction materials must be stored away from the shoreline area.

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 (492 feet) of waterbodies and on islands with the intent of protecting water quality, shoreline amenities and natural habitat areas. It is Council's intent that the water quality of all waterbodies in the Municipality will be maintained at their present level or enhanced. New development must be considered in light of its impact on the environmental quality of any lake or river.

- Section 2.3.8 Objectives direct development away from lands with natural or human made hazards and/or physical limitations such as poor drainage, organic or contaminated soils, flood susceptibility, erosion or steep slopes.
- 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 4.10.7 (E) Construction mitigation measures, storm water management, or other techniques shall be used to minimize negative impacts on water quality

File: PNFMV-268

August 14, 2026

Brooke Drechsler
Deputy Clerk/ Assistant to the Planning Manger
Township of North Frontenac
6648 Road 506
Plevna, Ontario
K0H 2M0

Dear Brooke Drechsler:

**Re: Request for Permission – A14/26
1441B South Kash Lake Lane, Township of North Frontenac (Barrie)**

Mississippi Valley Conservation Authority (MVCA) has reviewed the above noted application for concerns related to natural hazards for the subject property and surrounding lands. The MVCA has reviewed the subject application in the context of the following:

- Section 3.6 Sewage, Water and Stormwater, and Section 5.2 Natural Hazards of the Provincial Planning Statement (PPS, 2024) under Section 3 of the Planning Act;
- The “Prohibited Activities, Exemptions and Permits” regulation 41/24 under Section 28 of the Conservation Authorities Act;
- The Mississippi-Rideau Source Protection Plan (2014, revised 2022).

The following comments are offered for your consideration:

Summary of Proposal

According to the Notice, *the subject property is developed with the following:*

- *A one storey dwelling including a deck with a footprint of approximately 151 square metres, setback approximately 22 metres from the high-water mark of Kashwakamak Lake;*

10970 Highway 7, Carleton Place ON, K7C 3P1 | (613) 253-0006 | info@mvc.on.ca

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

- *A storage shed with a footprint of 3 metres, setback approximately 10 metres from the high-water mark; and*
- *A septic system, setback approximately 21 metres from the high-water mark.*

The applicants are proposing to demolish the existing dwelling and construct the following:

- 1. A single storey dwelling with a footprint of approximately 147 square metres and a setback of 29 metres from the high-water mark;*
- 2. A screened in porch on the western side of the dwelling with a footprint of approximately 21 square metres and a setback of 28 metres from the high-water mark;*
- 3. An unenclosed, uncovered deck on the waterside of the dwelling with a footprint of approximately 47 square metres and a setback of 24 square metres from the high-water mark; and two covered porches on the unenclosed, uncovered deck;*
- 4. A proposed entry porch on the east side of the dwelling with a footprint of 5.5 square metres.*

The total building footprint of the proposed dwelling is approximately 220 square metres. The existing septic system will be replaced and installed outside the 30-metre setback from the high-water mark.

Property Overview

The subject property has frontage on Kashwakamak Lake. The overall terrain is moderately sloping towards the lake, with two distinct slope segments. The lower portion of the property consists of a relatively gentle slope towards the lake, which transitions to a steeper slope further upslope, with the existing dwelling situated between the two slope segments.

Natural Hazards (Advisory Role)

Erosion Hazard

It is provincial policy that: *Development shall generally be directed to areas outside of hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding and/or erosion hazards* (Provincial Planning Statement 2024, Section 5.2.2b)). 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 3 m.

Based on MVCA's assessment of LiDAR and a site visit, two distinct slope segments were identified on the property. The lower slope near Kashwakamak Lake does not qualify as an Erosion Hazard based on its height and steepness, while the upper slope does not qualify based on its steepness. As such, neither slope meets the criteria for an Erosion Hazard.

Waterbody

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 generally recommend no further encroachment towards the waterbody, compared to the existing structure. For the subject proposal, we understand that no further encroachment is proposed. We also recommend the following 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 deep rooted native vegetation provide erosion protection by binding the soil and absorbing excess water.
- *Drainage Patterns*: Natural drainage patterns on the site should not be substantially altered such that additional drainage is directed towards the waterbody. For example, drainage pipes outletting into the shoreline can lead to concentrated flow that results in a scouring effect of the shoreline, potentially creating gullies or channels that cause soil 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 as the first line of defense against shoreline erosion.

Ontario Regulation 41/24 (Regulatory Role)

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. Written permission is not required for the proposed works.

Recommendations and Conclusion

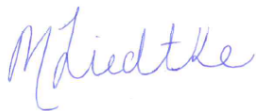
Based on the above, MVCA does not have any objections to the subject application provided the following mitigation measures are implemented:

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 3 m (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. This is not applicable where planting is impractical due to bedrock outcroppings.
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 lake). The sediment barrier should remain in place until all disturbed areas have been stabilized and re-vegetated.

Thank you for the opportunity to review and comment. Please advise us of the decision in this matter.

Please contact the undersigned with any questions that may arise.

Regards,



Mercedes Liedtke
Environmental Planner