Committee of Adjustment Agenda

1:00 PM - Monday, July 27, 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) July 27, 2026

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

4. Disclosure of Pecuniary Interest and General Nature Thereof

5. Delegations

None.

6. Adoption of Minutes

a) Minutes of Meeting held June 22, 2026 — 4 - 13

Be It Resolved That the Committee adopts the Minutes of a Meeting held on June 22, 2026, as circulated.

Committee of Adjustment - 22 Jun 2026 - Minutes - Pdf

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 — 14 - 33

Notice of Amended Application - Racki
Planning Report: Application for A Permission to Expand a Legal Non-complying Structure. - Pdf
Report from MVCA - Racki

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 — 34 - 47

Notice of Hearing - Watt
Planning Report: Application for Minor Variance to Permit a Reduced Sideyard Setback for the Construction of an Accessory Storage Building. - Pdf

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 — 48 - 64

Notice of Hearing - Price
Planning Report: Application for Permission to Expand a Legal Non-Complying Structure (Deck) - Pdf
Comments from MVCA

11. Other Business

a) Ask the Planner

12. Adjournment

a) Adjournment of the Committee Meeting

Be It Resolved That the meeting adjourns at _____ p.m. until August 24, 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, June 22, 2026
Council Chambers

Present:	Garry Wood (Chair); Carl Tooley (Member); Jim Ogilvie (Member); and Brent Smith (Alternate 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; Sonya Bolton, Manager of Community Planning, County of Frontenac; Dmitry Kurylovich, Community Planner, County of Frontenac (Electronic Participation); Jennie Kapusta, 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) ***June 22, 2026***

25-26 Moved by Jim Ogilvie, Seconded by Carl Tooley

Be It Resolved That the Committee approves the Agenda dated June 22, 2026, as circulated.
Carried

4. Disclosure of Pecuniary Interest and General Nature Thereof

Carl Tooley declared a Pecuniary Interest in item 10a under Business Arising.

5. Delegations

None.

6. Adoption of Minutes

a) ***Minutes of Meeting held May 25, 2026***

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

Be It Resolved That the Committee adopts the Minutes of a Meeting of the Committee of Adjustment/Planning Advisory Committee held on May 25, 2026, as circulated.
Carried

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

None.

8. Consent Applications

None.

9. Minor Variance Applications

a) ***File #A08/26: Lot 8, Plan 13M53, Geographic Township of North Canonto (1303A Heron Way) - Minor Variance Application***

Lee and Nicole James, Applicants, were present for the hearing.

Dmitry Kurylovich, Senior Planner with the County of Frontenac, provided an overview of the application for a Minor Variance to permit an oversized gazebo and a boathouse with no opening to the water. He advised the application proposes to construct an open-sided Gazebo with an area of 22.3 square metres (240 square feet), setback 5 metres (16.4 feet) from the highwater mark of Norcan Lake. He noted the Zoning By-law provides that a gazebo shall not exceed 13 square metres (140 square feet) and is permitted with a minimum setback of 5 metres (16.4 feet) from the high water mark. He advised the Zoning By-law also provides that waterfront structures which are unattached to a main building shall not exceed a combined footprint of more than 20 square metres (215 square feet) for all structures within the 30 metre (98.4 foot) setback from the high watermark.

Kurylovich advised the applicant also proposes to construct a Boathouse with a maximum area of 15 square metres (161 square feet) setback 3 metres (9.8 feet) from the highwater mark of Norcan Lake. He advised the Zoning By-law defines a Boathouse/Boat Port as "a one storey accessory building with a maximum height of 4.5 metres (14.8 feet) that does not contain habitable living space or plumbing, has an opening to the water body of an appropriate size to accommodate a boat and is connected to the water body by a boat slip, boat lift, or marine railway". Kurylovich advised that the proposed variance seeks to construct a boathouse that is not located directly on the shoreline and is not connected to the waterbody for the purpose of storing canoes, kayaks and related equipment.

Kurylovich advised the property is currently developed with the following:

- a two storey 166 square metre (1,787 square foot) dwelling setback approximately 31.6 metres (104 feet) from the highwater mark of Norcan Lake;
- a one storey 112 square metre (1,206 square foot) garage setback approximately 54 metres (177 feet) from the highwater mark; and
- a Class 4 septic system setback approximately 60 metres (197 feet) from the high watermark.

The property is zoned Residential Waterfront Exception Zone 3d (RW-X3d), noting this zoning designation was created for the development of the subdivision.

Kurylovich advised that the application meets the four tests of a Minor Variance and recommended approval of the Minor Variance, subject to the conditions included in the planning report.

Jim Ogilvie advised he attended the site and met with the applicant on June 16, 2026. He stated the proposed development area was staked; however the overgrowth of vegetation made seeing signs from the waterfront difficult. He noted the property is a mixed forest of pine, birch and poplar; and that the proposed area had many trees knocked down during a windstorm and is now overgrown with raspberry bushes. Ogilvie advised that no neighbours would be impacted and recommended approval, subject to the conditions included in the planning report.

Geerlinks advised there were no comments from the public.

27-26 Moved by Jim Ogilvie, Seconded by Carl Tooley

Be It Resolved That Planning Application File #B08/26 - Minor Variance - 1303A Heron Way - 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 July 3, 2026.
Carried

b) ***File #A09/26: Lot 2, Plan 417, Geographic Township of Miller (1056A Kerr Lane) - Request Permission to Enlarge a Legal Non-Conforming/Non-Complying Structure***

Paul Burke, Applicant was present 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 with the following additions:

- Construct a two storey 3.7 square metre (40 square foot) dwelling addition on the southwest corner of the existing dwelling;

- Conversion of an existing 14.86 square metre (160 square foot) sunroom to dwelling space;
- Excavate a portion of the basement to increase ceiling height and reinforce current dwelling foundation; and
- Interior alterations to the existing dwelling.

Kurylovich advised that the property is zoned Limited Service Waterfront (LSW) and the existing dwelling is considered to be legal non-conforming due to the deficient waterbody setback. Based on measurements taken by County planning staff, the closest point of the dwelling (deck) is located approximately 8 metres (26 feet) from the highwater mark of Grindstone Lake whereas 30 metres (98 feet) is required by the current Zoning By-law. Kurylovich explained the proposed development is located on the non-waterside of the dwelling and will not result in any further encroachment into the waterbody setback. He noted the proposed addition will square off the existing dwelling, minimally increasing the footprint.

Kurylovich advised the application meets the criteria under section 45(2) of the Planning act and recommends approval subject to the conditions included in the planning report.

Garry Wood advised he attended the site on May 31, 2026 and noted that the required signs were posted at this time. Wood advised the property is relatively flat with easy vehicular access from the road to the dwelling and garage. He added there are 5 existing buildings on the property, including an outhouse. Wood advised that there are no trees around the area of the cottage that would be affected and recommended approval of the application subject to conditions included in the planning report.

Geerlinks advised there were no comments from the public.

28-26 Moved by Carl Tooley, Seconded by Jim Ogilvie

Be It Resolved That Planning Application File #A09/26, 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 July 3, 2026.
Carried

c) ***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***

Branko and Diane Racki, Applicants, were present for the hearing.

Dmitry Kurylovich, Senior Planner, provided an overview of the application for permission to expand a legal non-conforming structure. Kurylovich advised that the application

proposes to:

- Replace an existing unenclosed, uncovered deck with a 6.69 square metre (72 square foot) screened in porch and 37.9 square metre (408 square foot) covered deck on the east side of the existing dwelling.

Kurylovich advised the subject property is developed with the following:

- A one storey dwelling with a footprint of 154 square metres setback 13.7 metres (45 feet) from the high water mark of Big Gull Lake;
- A sleep cabin with a footprint of 28 square metre (304 square foot) setback approximately 2.4 metres (8 feet) from the high water mark;
- A shed with a footprint of 11 square metre (120 square foot) shed located approximately 18.3 metres (60 feet from) from the high water mark; and
- A privy located approximately 36 metres (120 feet) from the high water mark.

Kurylovich advised that planning staff attended the property on May 29, 2026 and identified a number of discrepancies between the submitted site plan and on-site observations. Kurylovich noted it appeared a significant amount of demolition and construction activity had already occurred at the time of the site visit, making it difficult to determine the extent of the footprint of the original dwelling.

Kurylovich advised Municipal Property Assessment Corporation (MPAC) records indicate that the property is developed with a 695 square foot dwelling constructed in 1975. However, the submitted application form and site plan identify the existing dwelling as having a floor area of 1,664 square feet. He advised aerial imagery captured in 2020 indicates that the southwestern corner of the dwelling did not exist at that time. However, based on observations from within the partially constructed dwelling, together with the existing foundation, it appears this area has been enclosed and represents approximately 320 square feet of additional floor area.

Kurylovich advised that the satellite imagery available to planning staff does not confirm the existence of a deck on the east side of the dwelling, where the development considered by this application is proposed. He added the submitted site plan identifies the area to the west and southwest of the dwelling as “woods.” This does not accurately reflect existing site conditions, as Big Gull Lake is located directly west and southwest of the dwelling. He explained that the site measurements obtained during the property inspection confirmed that the distance between the dwelling and the water's edge is less than that shown on the submitted site plan.

Kurylovich advised that because of these discrepancies, County staff have concerns regarding the accuracy of the submitted plans and the ability to verify the extent of the pre-existing development. He recommended deferral of the application to provide time for the applicant to either submit additional information that addresses the discrepancies or revise the application.

Mr. Racki advised the dwelling was constructed in 1966 with a footprint of approximately

700 square feet; however the footprint is now 1600 square feet.

Carl Tooley attended the site on May 26, 2026 and noted that the required signs were posted at this time. Tooley agrees with the recommendation to defer the application until more information is provided by the applicant. Ogilvie advised that the motion be amended to reflect providing applicant one year from the date of this meeting to provide the information requested.

Geerlinks advised there were no comments from the public.

29-26 Moved by Carl Tooley, Seconded by Jim Ogilvie

Be It Resolved That Planning Application File #A10/26, a Request for Permission to enlarge a Legal Non-Conforming/Non-Complying Structure, shall be deferred until the applicant provide the information requested in the Planning Report within one year from June 22, 2026.
Carried

Note: Carl Tooley, Member, left the meeting at this time as he declared a pecuniary interest.

10. Business Arising Out of Minutes

a) *Resolution #08-26: Severance Application File #B02/24, #B03/24, #B04/24 (Creation of Three New Lots) and File #B05/24 (Creation of Right-of-Way)*

- Mark Pederson, Solicitor for the applicant, attended the meeting electronically.

Jennie Kapusta, Community Planner with the County of Frontenac advised there is no formal presentation as there has been no changes in the planning report provided to the Committee at the meeting on April 27, 2026.

Jim Ogilvie requested clarification on the definition of a parking lot or an easement, and asked Kapusta to confirm if the proposed Right-of-Way will provide pedestrian access to the boat launch area. Kapusta explained that the terms "Right-of-Way" and "Easement" are interchangeable; and that the Right-of-Way will be used for pedestrian access.

Ogilvie advised he attended the site and reviewed the property on Frontenac Maps. He stated that the grade point of 16 percent indicated in the report from the Public Works Manager (PWM) and the Director of Emergency Services/Fire Chief (DESFC) appears to be incorrect. Kapusta stated she cannot provide comments on the information provided in the report prepared by the DESFC and the PWM.

Jason Tooley, Neighbour, attended the meeting electronically and provided a presentation to the Committee entitled "Proposed Sand Lake Development" outlining his

concerns with the proposed development as follows;

- Dock location and size comparison from 2020 and 2024 with comments on the possible increase of number of boats that will need to be docked.
- Navigation and safety concerns for the corridor between Sand Lake and Shawenegog Lake.
- Launching and parking area size not adequate to accommodate the level of proposed development.
- Erosion comparison from 2014 to 2020.
- Negative environmental impacts at launching area.
- By-law #55-19 discrepancies.
- Waterfront proposed lots Lot 2 and Lot 3
    - natural vegetation buffer depletion
    - concern with docking size and location on Lot 2 and Lot 3
- legal access to properties.

Brian Card, attended the meeting electronically and provided comments as an observer. Mr. Card read comments submitted to the Committee June 19, 2026, indicating that the planning applications remain technically incomplete; raise significant concerns regarding access and public safety; and have not demonstrated that the proposed lots can be safely and appropriately developed. The concerns included the following:

- Steep slopes, shoreline constraints, wetland proximity, emergency access, road grades, legal access rights, and the functionality of the proposed boat launch and turnaround area
- Inadequate and unsafe access
- Boat launch and turning area are not functional and below acceptable standards
- Township private lane standards are not met
- Environmental and Natural hazard concerns
- Legal access has not been demonstrated
- The proposal should be considered through a plan of subdivision
- The applications remain premature and incomplete

Mr. Pederson, asked if Mr. Card was presenting as a representative of any interested parties, as his comments appeared to be identical to a letter provided by Carl Tooley. Mr. Card advised he was not representing any interested parties and has no land holdings in North Frontenac; however is an interested observer of development in North Frontenac and Council's activities.

Brent Smith, Alternate Member, advised he attended the site. He stated that he has a safety concern with the docking area, turning radius and the slope of the driveway to the parking area. He also stated he has some issues with the report from the DESFC and the PWM.

Jim Ogilvie advised he tried to find a provincial standard for grade percent. He stated that there could be more issues during early spring or late fall due to weather conditions

(i.e. ice and snow).

Ogilvie asked Mr. Pedersen if he had enough time to review the presentation from Jason Tooley. Mr. Pedersen noted he had received the presentation in advance of the meeting. He advised it was important for the Committee to understand where the applicant is coming from. He explained there has been substantial effort put into the proposed development. If the application is denied the applicant is prepared to appeal the decision. Mr. Pederson noted this would place the municipality in the difficult position of defending the Committee's decision as the applications have been supported by planning staff, Township staff and applicable agencies. Ogilvie also asked if Mr. Pedersen wanted more time to form a rebuttal to the comments provided by the public. Mr. Pedersen advised the applicant is seeking a decision on the proposed development at this meeting.

Jim Ogilvie advised he is recommending denial of the applications for the following reasons:

- Issues with water access as this could be a liability to North Frontenac;
- Parking lot dimensions are too small for turning around a vehicle with boat and trailer;
- The grade/steepness of the slope to the parking area;
- The parking area cannot accommodate the amount of parking needed for vehicles and trailers;
- Proposed development will result in needing a total of seven (7) dock slips not four (4); however the docking area can't accommodate seven boats;
- Environmental issues (docks and gravel added without permission from MVCA);
- Public safety issue;
- Legal use of Beach Road to access Right-of-Way has not been shown by the applicant.

30-26 Moved by Jim Ogilvie, Seconded by Brent Smith

Whereas, at the meeting held April 27, 2026, the Committee passed Resolution #08/26 deferring the applications to create three new lots and a Right-of-Way to provide the Applicant time to provide additional technical information;
Therefore Be It Resolved That the following Planning Applications shall be denied:

- File #B02/24 Creation of New Lot
- File #B03/24 Creation of New Lot
- File #B04/24 Creation of New Lot
- File #B05/24 Creation of Right-of-Way

for the following reasons:

1. Issue with water access
2. Size, dimension and turn around area for vehicles/boats/trailers is inadequate
3. Grade/steepness of slope up to parking area
4. Number of parking spots within the parking area
5. Environmental issues
6. Potential enforcement issues and By-law infractions

7. Public safety issues
8. Legal access to Beach Road not established
9. Width of the proposed ROW

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 July 3, 2026.
Carried

Note: Carl Tooley returned to the meeting at this time.

11. Other Business

a) ***Secretary/Treasurer: 2026 Ontario Association of Committee of Adjustment (OACA) Report***

Brooke Drechsler and Garry Wood attended the 2026 Ontario Association of Committee of Adjustment (OACA) Conference held on May 10-13, 2026 in Ottawa and provided an overview of the sessions they attended over the course of two days;
Wood advised that the conference was very well attended and provided great content.
Drechsler discussed the different processes conducted by Committee of Adjustment members from other Municipalities.
Key items from sessions at the Conference were;

- The difference of a Judicial Review of decision regarding a planning application through the court as opposed to the Ontario Land Tribunal.
- Training schedule for the Committee members.
- Addressing Public Concerns.
- Ethical obligations of Land Use Planners within the municipal planning process.

31-26 Moved by Jim Ogilvie, Seconded by Carl Tooley

Be It Resolved That the Committee of Adjustment/Planning Advisory Committee receives for information the 2026 OACA Conference Report prepared by the Secretary/Treasurer.
Carried

12. Adjournment

a) ***Adjournment of the Committee Meeting***

32-26 Moved by Carl Tooley, Seconded by Jim Ogilvie

Be It Resolved That the meeting adjourns at 3:11 p.m. until July 27, 2026, at 1:00 p.m. or at the call of the Chair.
Carried

Chair

Secretary

Notice of Amended Application and Public Hearing – File Number A10/26

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

Owner/Applicant:	Diane Kroeker-Racki
Agent:	Branko Racki
Subject Lands:	1198A Helen Lane Lot 9, Plan 1007, Geographic Township of Clarendon
Roll Number:	1042 070 020 17400

Notice of Hearing

The original application was considered by the Committee of Adjustment at a public meeting held June 22, 2026; and deferred at that time. The amended application will be discussed and considered by the Committee on **July 27, 2026, at 1:00 p.m.** under the authority of Section 45 of the Planning Act, R.S.O. 1990 as amended. The meeting will be held in person at the Municipal Office in Council Chambers, 6648 Road 506, Plevna, Ontario; and through Electronic Participation.

Purpose and Effect under Section 45(2)

The Applicant is applying for relief from Section 3.24 of By-law #55-19, the Zoning By-law.

Section 3.24 (d) permits the renovation, repair or reconstruction of an existing non-complying/non-conforming building or structure provided such renovation, repair or reconstruction does not expand, enlarge or increase the height, size, or volume of the original non-complying building or structure.

The property is developed with a one storey seasonal dwelling with a footprint of approximately 864 square feet, setback approximately 36 feet from the high water mark of Big Gull Lake.

The applicant is proposing the following:

- To convert the existing seasonal dwelling to a year-round home;
- An addition to the southwest corner of the existing dwelling with a footprint of 320 square feet and a setback of approximately 31 feet from the high water mark;
- Construction of a 144 square foot covered deck on the northeast side of the dwelling; and
- Construction of a screened in porch on the east and southeast side of the dwelling.

The total dwelling footprint will be 1,664 square feet.

Submissions
Written comments on this application, shall be provided to the undersigned before the hearing of the application at the address above or by email to the Clerk at **clerkplanning@northfrontenac.ca** Members of the public are encouraged to submit written comments. Comments shall be made available to any interested person for inspection at the hearing. If we have not heard from you, we will assume that you have no comments or concerns regarding this matter.

Notice of Meeting

You are entitled to attend this meeting 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.

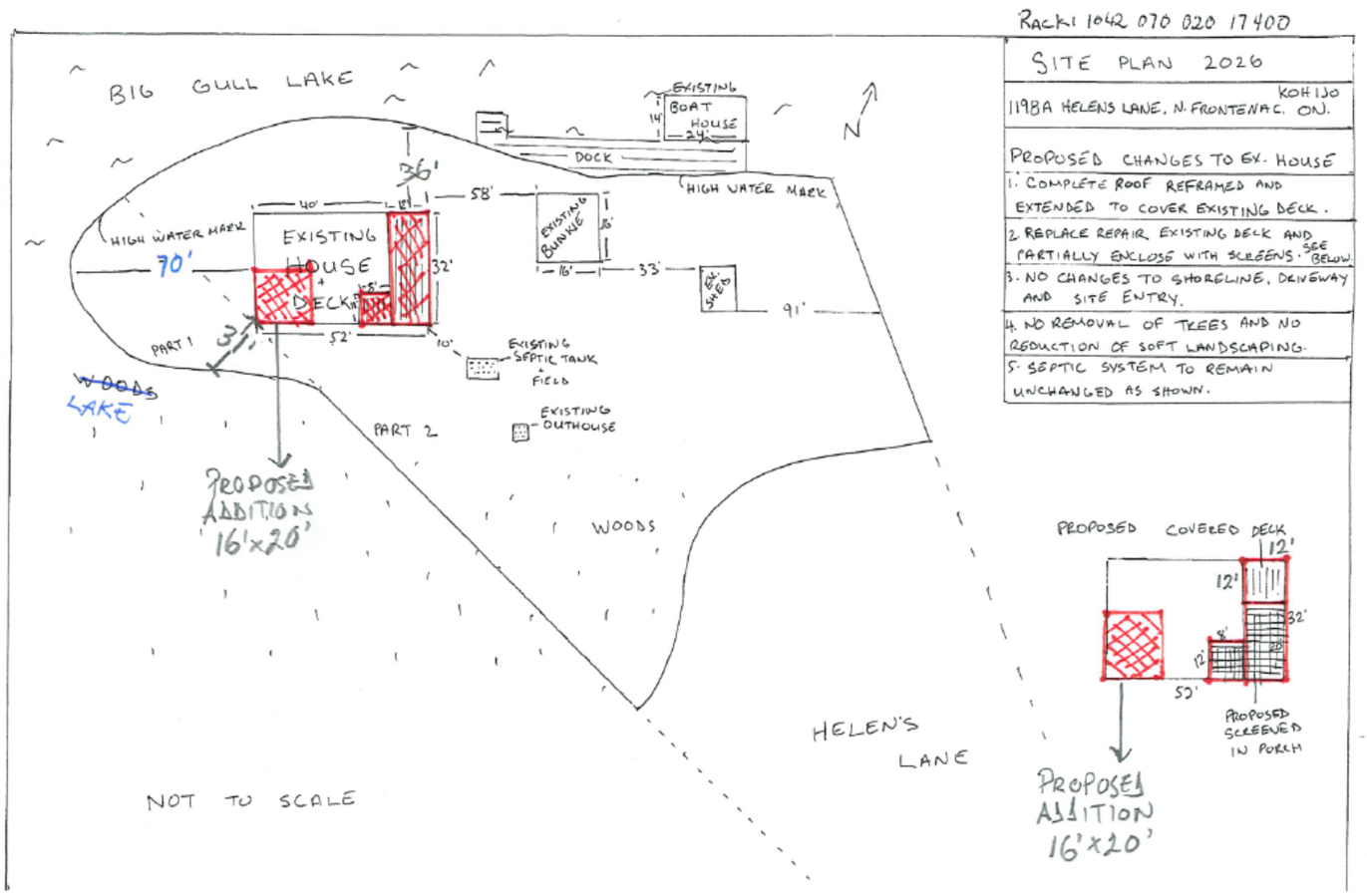
Notice of Collection
Personal information is collected under the authority of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Planning Act, and all other relevant legislation, and will be used to assist in making a decision on this matter. All personal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

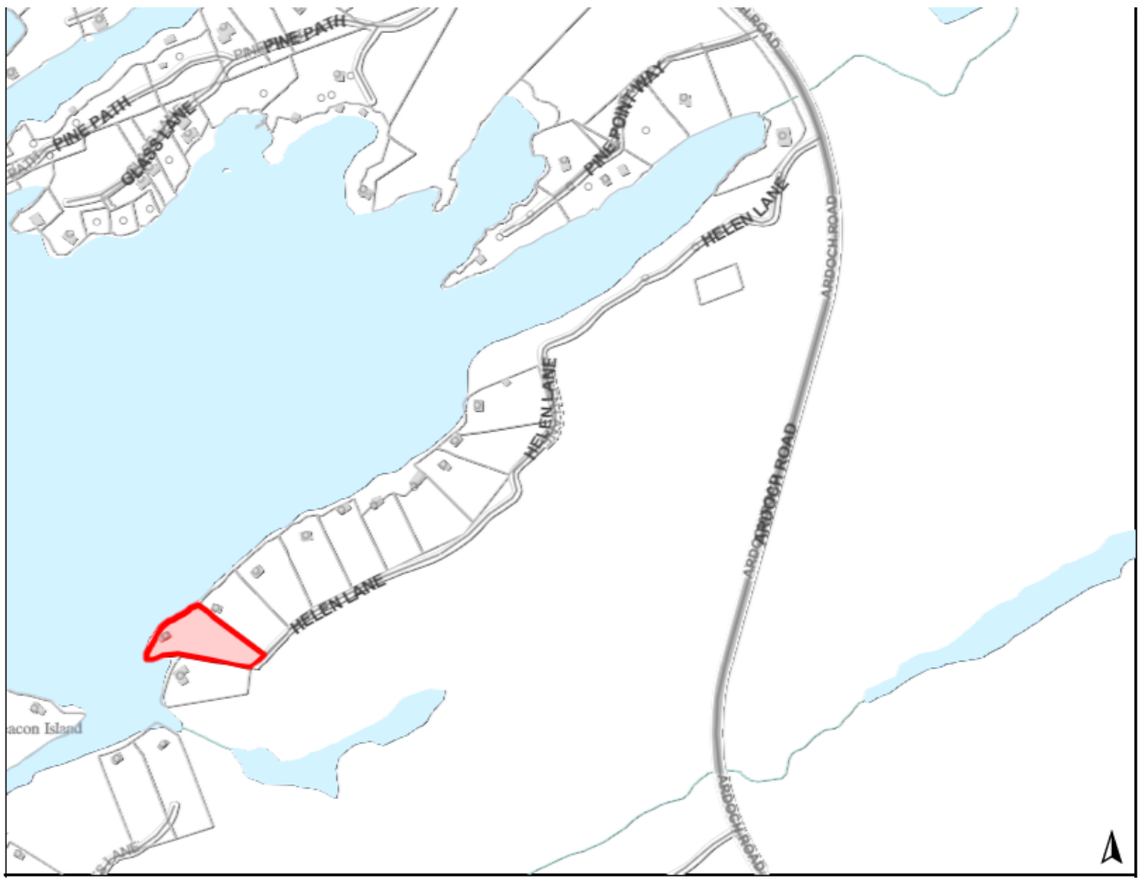
Dated at Plevna, Ontario this 9th day of July 2026.

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

Site Plan of Proposed Renovation



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:	27 Jul 2026
Re:	Planning Report: Application for A Permission to Expand a Legal Non-complying Structure.

Background:

This application is a re-submission of a proposal that was deferred by the Committee of Adjustment on June 22, 2026, following staff recommendations. County planning staff identified discrepancies in the original proposal that required clarification prior to further consideration.

County planning staff worked with the applicant to address the identified discrepancies, and the application was revised accordingly.

Address	1198A Helen Lane
Legal Description	Lot 9, Plan 1007, Geographic Township of Clarendon
File Number	A10/26
Owner/Applicant	Diane Kroeker-Racki
Date of Public Meeting	July 27, 2026

Proposal

This application is for permission to expand a legal non-complying structure that proposes to:

- 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 (320 square feet) and a setback of approximately 9.4 metres (31 feet) from the high watermark of Big Gull Lake;
- Construct a 13 square metre (144 square foot) covered deck on the northeast side of the dwelling setback approximately 11 metres (36 feet) from the high watermark of Big Gull Lake; and
- Construct a 31 square metre (336 square foot) screened in porch on the east side of the dwelling and south side of the covered deck.

Existing Development

The property is developed with:

- A one storey 80 square metre (864 square foot) dwelling located approximately 11 metres (36 feet) from the shoreline of Big Gull Lake;
- A 28 square metre (304 square foot) bunkie located approximately metres 2.4 metres (8 feet) from Big Gull Lake;
- A 11 square metre (120 square foot) shed located approximately 18.3 metres (60 feet from) the edge of Big Gull Lake; and

- A privy located approximately 36 metres (120 feet) from the Big Gull Lake.

Property Information

Official Plan designation	Waterfront Area
Zoning	Limited Service Waterfront (LSW)
Current size (area) of subject property	0.51 hectares (1.28 acres)
Existing road frontage and access	23 metres (75 feet) on Helen's Lane
Waterfront	Approximately 61 metres (200 feet) on Big Gull Lake
Natural heritage features	No mapped features. Property is naturally vegetated with the exception of development parcel
Surrounding land uses	Waterfront residential lots of similar size to the northeast and southwest, Crownland to the southeast, and Big Gull Lake to the northwest

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, 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 June 15, 2026 state that MVCA does not have any objection to the subject application. MVCA also noted that they do not have any record of a permit issued for a dock that is located on the property and will follow up with the property owner. The dock is not subject to this application.

The following mitigation measures have been recommended:

1. In accordance with the provisions of the relevant Municipal Zoning By-law, unvegetated sections of the northern 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. The existing vegetated buffer on the SW shoreline shall be retained in its entirety. These efforts 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.

Septic Approval Authority (Township of North Frontenac)

Due to the increase in interior living space, sewage system capacity and performance will need be addressed at the building permit stage. Since the sewage system bed is located more than 30 metres (98.4 feet) from the water, planning approval is not required for its expansion.

Public Comments

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 identifies 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.

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 feet) from the estimated highwater mark of any waterbody. The intent of the 30 metre (98 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 foot) waterbody setback, before the current Zoning By-law came into effect and is therefore considered to be a non-complying structure.

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

The proposed dwelling addition is located on the southwest side of the dwelling. Due to the shape of the shoreline, orientation of the dwelling and shape of the dwelling, the proposal will result in an additional 1.5 metres (5 foot) of encroachment into the waterbody setback. The proposed covered porch and screened porch are located on the east side of the dwelling and will not encroach closer to the water than the existing waterside wall.

The applicant advised that the east side of the dwelling historically contained an attached deck, which was removed in the late 1990s. As the deck has been absent for a considerable period of time and there is no evidence of an intent to reconstruct, it no longer qualifies as a legal non-complying structure. As such, the proposed covered porch and screened porch are being considered as new additions for the purposes of this application.

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 existing dwelling is already an established component of the shoreline character. The proposed addition on the southwest side of the dwelling will square off the existing building footprint and is not anticipated to be visible from the water. The proposed covered and screened-in deck/porch addition on the east side of the dwelling will be visible from the water; however, it is not anticipated to result in adverse visual impacts or contribute to an overly developed shoreline appearance.

Figure 1. Image from a May 29, 2026 site visit showing the existing dwelling and partially completed east side addition.

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

Natural Heritage

The property owner submitted photographs of the area where the dwelling addition is proposed. These photographs confirmed that the area was historically cleared of vegetation and was developed with patio stones. As such, no additional vegetation is proposed to be removed.

Figure 2. Image submitted with the application showing the state of the southwestern portion of the dwelling prior to construction.

Figure 3. Image submitted with the application showing the state of the southwestern portion of the dwelling prior to construction.

Based on on-site observations the covered and screened porch addition to the east side of the dwelling did not appear to remove any native vegetation. The property owner stated that the east side of the dwelling was at one point developed with a deck but was removed some time in the late 1990s. It is unlikely that significant vegetation removal was required to accommodate this development. Overall, County planning staff are of the opinion that the proposed development will have no impact on vegetation prior to the start of the construction of the additions proposed by this application.

The applicant shall install a sediment and erosion control barrier to ensure that the shoreline is protected during construction.

Natural Hazards

MVCA staff confirmed that the proposed development and existing dwelling are not subject to erosion or slope hazards.

Servicing

Sewage system capacity will be considered at the building permit stage.

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:

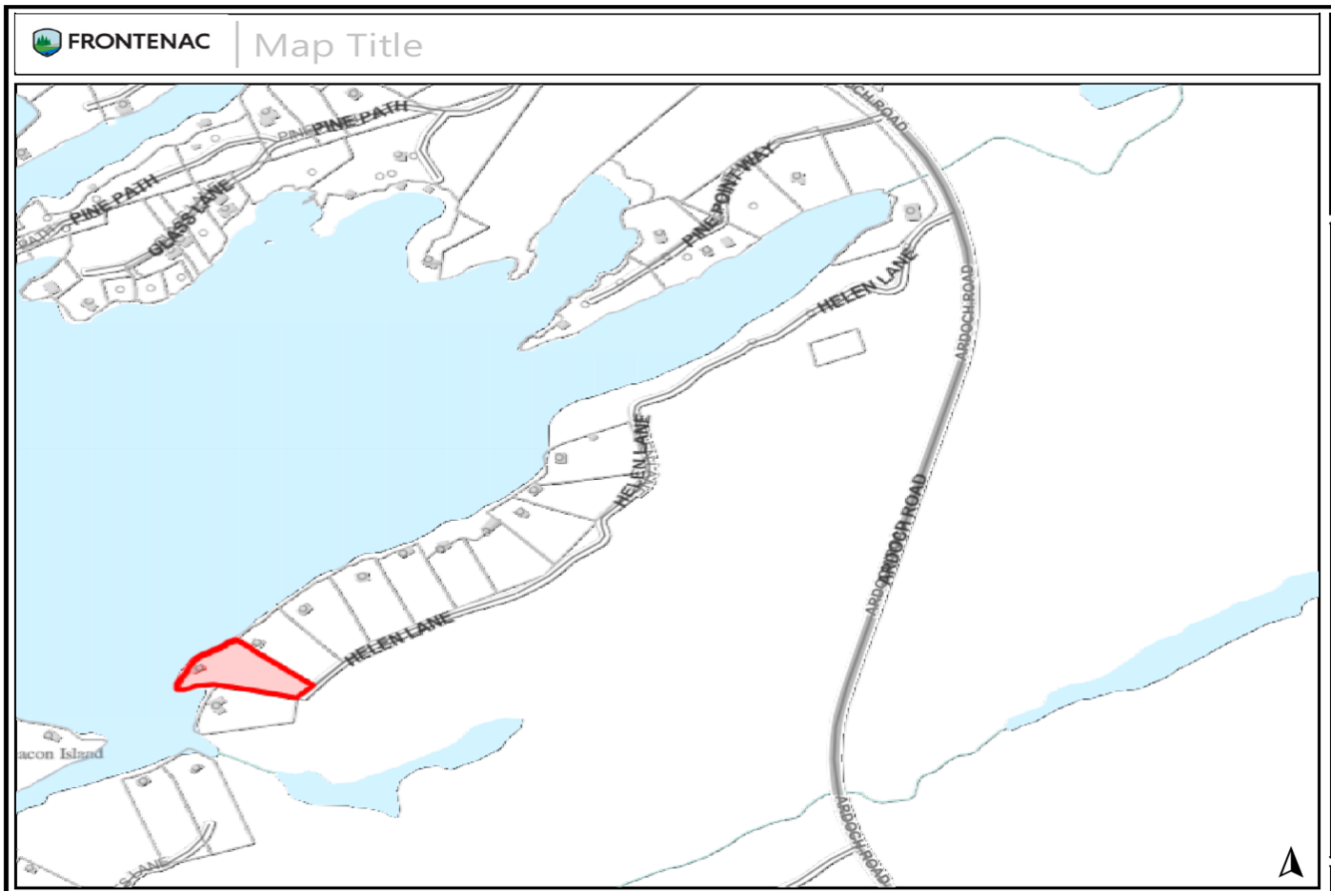
1. **Is the application desirable for appropriate development of the subject property?** Planning staff are of the opinion that the application is desirable for the appropriate development of the subject property. Overall, the proposal squares off the existing dwelling and adds a porch addition that is inline with the dwelling. The proposal represents a modest expansion of an existing legal non-complying dwelling that enhances the functionality of the dwelling while minimizing impacts. The proposal does not require the removal of native shoreline vegetation or significant site alteration and is not subject to natural hazards. Planning staff also recognize that, due to the constrained nature of the property, the location and configuration of the existing dwelling make it difficult to expand or improve the dwelling without further encroachment into the required waterbody setback.
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 development is modest in size, will not require significant site alteration or vegetation removal, and will not result in a shoreline that appears overly developed.

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 A10/26 as per the plans submitted with the application, and with the recommended conditions attached in Appendix A.

Key Map



Site Plan

Attachments:

Appendix A - Draft Conditions of Approval
Appendix B - Relevant Planning Policy

Appendix A: Draft Conditions of Approval

Note: Conditions are a decision of the Committee of Adjustment; the conditions below are recommended. The final approved conditions will be included in the signed decision.

Recommended Conditions for Application A10/26 (Racki)

Applicability

1. That the permission granted through application A10/26 is only to:

    a. To convert the existing seasonal dwelling to a year-round home;

    b. Construction a dwelling addition to the southwest corner of the existing dwelling with a footprint of 30 square metres (320 square feet) and a setback of approximately 9.4 metres (31 feet) from the high water mark;

    c. Construct a 13 square metre (144 square foot) covered deck on the northeast side of the dwelling; and

    d. Construct a 31 square metre (336 square foot) screened in porch on the east and southeast side of the dwelling.

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 A10/26 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 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.

Mississippi Valley Conservation Authority

26-NF-MV

July 15, 2026

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

Dear Ms. Mieske:

Re: Request for Permission– #A10/26 as Amended
Township of North Frontenac (Clarendon)
1198A Helen Lane
KROEKER-RACKI

Following MVCA's review letter dated June 15, 2026, we received an amended 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 property is developed with a one storey seasonal dwelling with a footprint of approximately 864 square feet, setback approximately 36 feet from the high water mark of Big Gull Lake. The applicant is proposing the following:

- *To convert the existing seasonal dwelling to a year-round home;*
- *An addition to the southwest corner of the existing dwelling with a footprint of 320 square feet and a setback of approximately 31 feet from the high water mark;*
- *Construction of a 144 square foot covered deck on the northeast side of the dwelling; and*
- *Construction of a screened in porch on the east and southeast side of the dwelling.* [336 sq.ft.]

The total dwelling footprint will be 1,664 square feet.

Notes based on MVCA's site visit:

- The proposed construction is already underway.
- A structure, which appears to be a relatively new dock, was observed extending

roughly 24 m along the shoreline. MVCA does not have a record of issuing permission for this dock.

PROPERTY CHARACTERISTICS

The subject property has frontage on Big Gull Lake. The overall terrain is characterized as irregular with localized areas of high, steep slopes. A portion of the shoreline, notably in front of the existing dwelling, consists of bedrock outcroppings roughly 2 m high.

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 3 m.

Based on MVCA's assessment of LiDAR and a site visit, there are slopes on the subject property that qualify as Erosion Hazards. However, these slopes were not observed in close proximity to the dwelling.

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, a 5' encroachment towards the lake is proposed to accommodate the 320 sq. ft. addition. For the purpose of mitigating potential shoreline erosion impacts, MVCA generally suggests against encroachments. However, in this case, the size of the proposed addition and the degree of encroachment, with a 31' setback, are considered sufficiently minor to minimize the potential for erosion impacts. The maintenance of the existing vegetated buffer on the SW shoreline is essential in ensuring impacts are mitigated.

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. Written permission is not required for the proposed works. However, it is required for docks that exceed 2 m along the shore, and/or a total surface area greater than 20 sq. m. The observed dock exceeds these parameters.

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 northern 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. The existing vegetated buffer on the SW shoreline shall be retained in its entirety. These efforts 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.

MVCA will be in contact with the landowner regarding the observed dock.

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 (including dock construction).

We advise consultation with Fisheries and Oceans Canada (DFO) Projects near water (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,

Diane Reid
Environmental Planner

Notice Complete Application and Public Hearing – File Number A11/26

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. The application pertains to the parcel of land as follows:

Owner/Applicant:	Tanner Watt
Subject Lands:	1043 Lake Road Part of Lot 29, Concession 3, Geographic Township of Palmerston
Roll Number:	1042 100 030 16110

Notice of Hearing

The Township of North Frontenac Committee of Adjustment will hold a public meeting on **July 27, 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 under Section 45(1)

The applicant is proposing to construct an accessory structure that does not meet the provisions for Accessory Structures under Section 3.1 of the Township's Comprehensive Zoning By-law #55-19.

The purpose of the Minor Variance application is to permit the construction of a Workshop with a building area of 71 square metres, setback 2 metres from the interior lot line.

The Applicant has applied for relief from **Section 3.1.1 (e)** which provides the following:

(e) Unless otherwise specified in this 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

Submissions

Written comments on this application, shall be provided to the undersigned before the hearing of the application.

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.

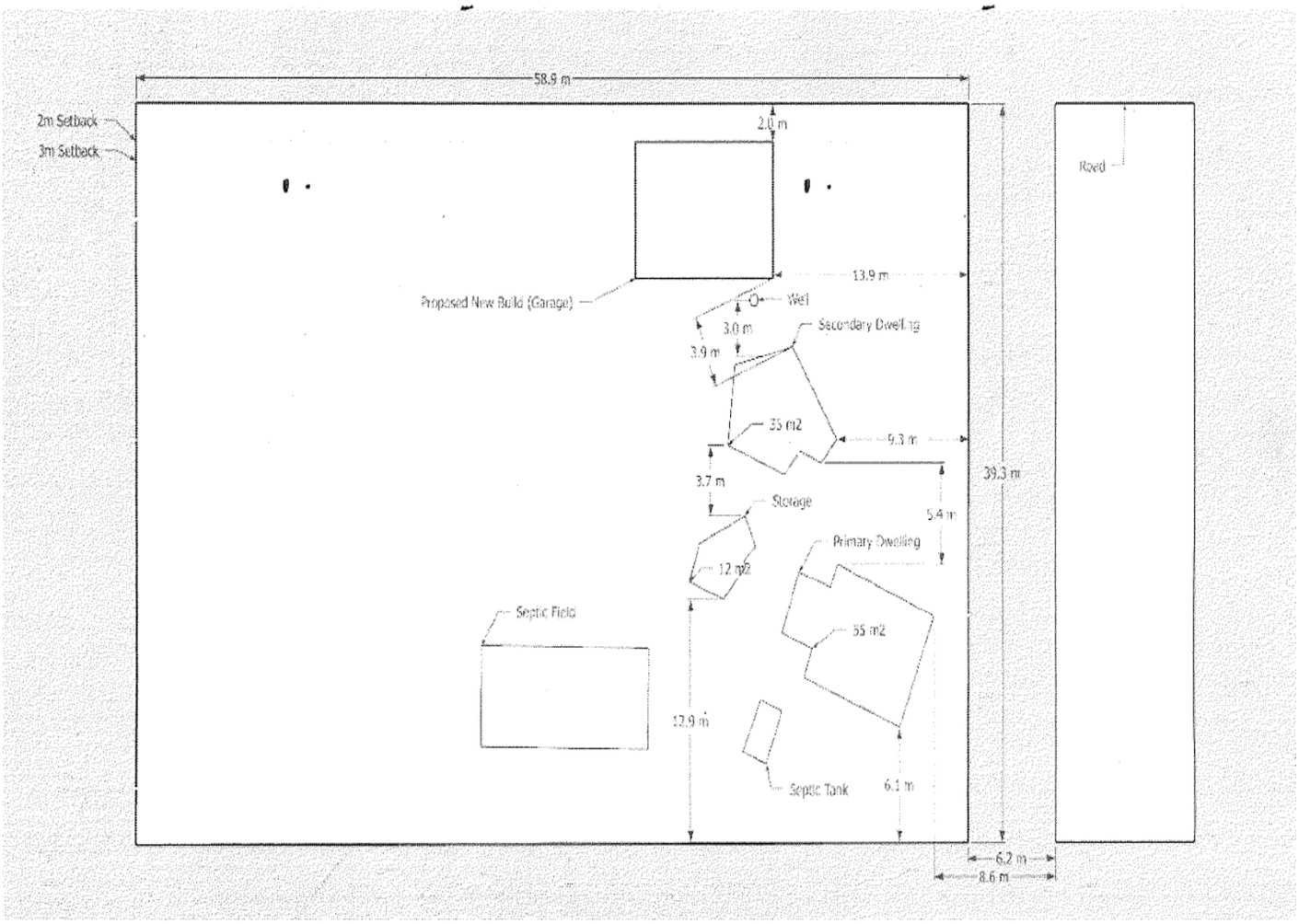
Additional information regarding the application is available by contacting the undersigned during regular business hours, Monday to Friday 9:00 am to 4:00 pm.

Dated at Plevna, Ontario this 19th day of June 2026.

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

Key Map

Site Plan of Proposed Development



To:	Committee of Adjustment/Planning Advisory Committee
From:	Dmitry Kurylovich, Project Manager/Senior Planner Lauren Breen, Planning Intern, County of Frontenac
Approved by:	
Date of Meeting:	27 Jul 2026
Re:	Planning Report: Application for Minor Variance to Permit a Reduced Sideyard Setback for the Construction of an Accessory Storage Building.

Background:

Address	1043 Lake Road
Legal Description	Part Lot 29, Concession 3; Part 1 on Registered Plan 13R-3143, Geographic Township of Palmerston
File Number	A11/26
Owner/Applicant	Tanner Watt
Date of Public Meeting	July 27th, 2026

Proposal

This application is for a Minor Variance to construct a one- and one-half storey accessory storage building (workshop) that is 71 square metres (764.2 square feet) in area with an interior side yard setback of 2 metres (6.6 feet).

Variance

Section 3.1.1.d. of the 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 (9.8 feet) to any interior side, or rear lot line, or to any private lane/right of way.

Section 3.6.3(a) (Hamlet Zone Requirements) also requires a minimum of a 3 metre (9.8 foot) interior side yard.

The proposed variance seeks a reduction to the side yard setback requirements from 3 metres (9.8 feet) to 2 metres (6.6 feet) to construct an accessory storage building that is 71 square metres (764.2 square feet) in area.

Existing Development

The subject property is developed with:

- A three storey 32 square metre (355 square foot) dwelling;
- A one and a half storey 35 square metre (376 square foot) secondary dwelling;
- A one storey 12 square metre (129 square foot) storage shed; and
- A Class 4 septic system

Property Information

Official Plan designation	Hamlet
Zoning	Hamlet
Current size (area) of subject property	0.22 ha (0.55 acres)
Existing road frontage and access	39.4 metres (129.3 feet) on Lake Road
Waterfront	No waterfront.
Natural heritage features	No identified natural heritage features on the property.
Surrounding land uses	Similar sized properties with residential uses to the north, east, and south, and a larger vacant property to the west.

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

Public Notice
Notice of the public meeting before the Committee of Adjustment was given in accordance with the requirements of the Planning Act. A notice was placed on the subject property and mailed to all property owners within 60 metres of the subject property, 10 days in advance of the public meeting.

Researched By:

Lauren Breen, Planning Intern, County of Frontenac

Comments:

Technical Comments

Mississippi Valley Conservation Authority (MVCA)
Mississippi Valley Conservation Authority (MVCA) was circulated on this application. However, MVCA screened this application and deemed it as being outside of their regulated area and therefore did not provide any technical comments.

Public Comments
None received.

Conformity and Consistency with Policy Planning Documents

Applications for Minor Variance are required to be consistent with the Provincial Planning Statement, 2024 and conform to both the County of Frontenac Official Plan and the Township of North Frontenac Official Plan. It is the opinion of planning staff that the 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 Hamlet. This zone permits the construction of both residential and non-residential uses, along with accessory uses such as accessory buildings (garages, storage sheds).

As an accessory building, a storage building is subject to the Accessory Buildings, Structures, and Uses provisions set forth in Section 3.1.1. Relevant provisions to this application include the following:

i. No accessory use, building or structure shall be erected closer to the front or exterior side lot lines than the minimum yard setbacks required for the main building, unless otherwise specified in this By-law. This provision shall not be applicable to:
    a. Boathouses, docks and waterfront structures which comply with the provisions of Section 3.1.2;
    b. A partially enclosed shelter having a gross floor area less than 9.3 square metres for use by students waiting for a school bus; or
    c. One farm produce outlet having a gross floor area of less than 9.3 square metres;
ii. Unless otherwise specified in this 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;
iii. In the case of buildings and structures in a residential zone which are accessory to a principal use, the combined lot coverage for all such accessory buildings and structures shall not exceed five percent (5%) of the lot area;
iv. Buildings or structures which are accessory to a residential use shall not exceed 8 metres in height and shall not exceed two (2) storeys;
v. Except where specified otherwise, no accessory building shall be erected closer than 3 metres to the main building and other accessory structures;

As stated in section 3.1.1. c) accessory uses, buildings, and structures are subject to the minimum yard setbacks required for the main building. In the Hamlet zone, the yard requirements for principal uses are the following (Section 4.6.3):

- Front Yard: 7 metres
- Rear Yard: 7 metres
- Interior Side Yard: 3 metres

This application seeks a variance from one component of the accessory building, structure, and uses provisions. Specifically, the applicant is requesting to build a storage building at 2 metres from the interior side lot line, rather than 3 metres. All other aspects of the proposed building conform to the zoning provisions as set out in the By-law.

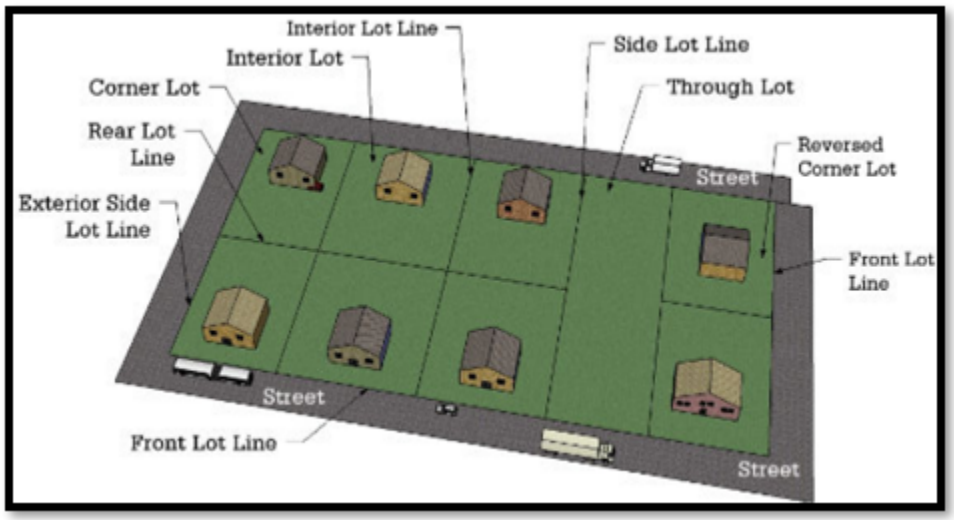


Figure 1. Illustration showing the different types of lot lines (Figure D-11 in the Township's Zoning By-Law).

The proposed storage building is to be 71 square metres (764.2 square feet) in area and 1.5 storeys or under 8 metres (26 feet) in height. Further, it is proposed to maintain the prescribed 3 metre (9.8 foot) separation distance from other buildings on the property and other yard setback requirements.

Regarding lot coverage, the maximum lot coverage for accessory structures is 5%; with this proposal and existing storage shed the accessory lot coverage stands at 3.7%.

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.

Rural Character
The proposed development is adequately set back from Lake Road and separated from existing development on the subject property and buildings located on neighbouring properties. County Planning staff are satisfied that this maintains the rural character of the Township.

Natural Heritage
The subject property does not contain any mapped natural heritage features nor is it within any prescribed natural heritage buffer areas. This application and proposed construction directs development towards an already flat and open area and will not impact vegetated areas of the property, retaining a wooded area at the rear.

Natural Hazards
There is no known natural hazard concerns related to the subject property.

Servicing
The proposed development will have no impact on the existing sewage system and will not be connected to the existing water or wastewater systems on the subject property.

Minimum Distance Separation
No livestock facilities, aggregate extraction operations, or waste management facilities were identified within the applicable screening areas surrounding the subject property.

Minor Variances
Under Section 45(1) of the *Planning Act* a minor variance application must meet all of the four tests of minor variance. The four tests are:

1. Is the application minor?
2. Is the application desirable for the appropriate development of the lands in question?
3. Does the application conform to the general intent and purpose of the Zoning By-law?
4. Does the application conform to the general intent and purpose of the Official Plan?

Planning staff are of the opinion that the proposed minor variance to permit a garage with a reduced interior side yard setback of 2 metres (6.8 metres) meets the four tests of minor variance for the following reasons:

1. Is the application minor?
County planning staff are of the opinion that the application is minor. The proposed structure is seeking 1 metre (3 foot) of relief from the interior side yard setback requirement of 3 metres (9.8 feet), while meeting all other zoning provisions as set out in the By-law.

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

The application is desirable for the lands in question. The variance to permit the construction of a storage building at a reduced setback is desirable to provide for an accessory use to the dwellings on the property for the storage of tools and supplies, maintaining these within a covered structure.

Further, the proposed garage is to be constructed on a relatively flat and already cleared portion of the subject property, reducing further clearance of trees and retaining a wooded area that is at the rear/western portion of the subject property.

Figure 2. The area for the proposed storage building, marked by orange flags, and a red arrow indicating the proposed setback. The intent of this photo is to show the proposed area and setback, as well as the wooded area retained through this application.

Figure 3. This image shows the natural berm that exists on the interior side lot line, separating this property and proposed structure from the neighbouring (northern) property and its structures.

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

County planning staff are of the opinion that the application meets the intent of the Zoning By-law. Side yard setbacks are in place to mitigate the impact of buildings and structures on neighbouring properties and to ensure that buildings can be accessed, constructed, and maintained without impeding on neighbouring properties or crossing over property lines.

The site of the proposed garage is on relatively flat ground, where the 2 metre (6.8 metre) setback would still allow for safe access to the side yard and roof overhang of the proposed structure.

Further, the geography of the subject property also contains a berm that forms on the interior side yard lot line, providing a naturally vegetated and raised privacy screen between the subject property and northern neighbouring property.

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

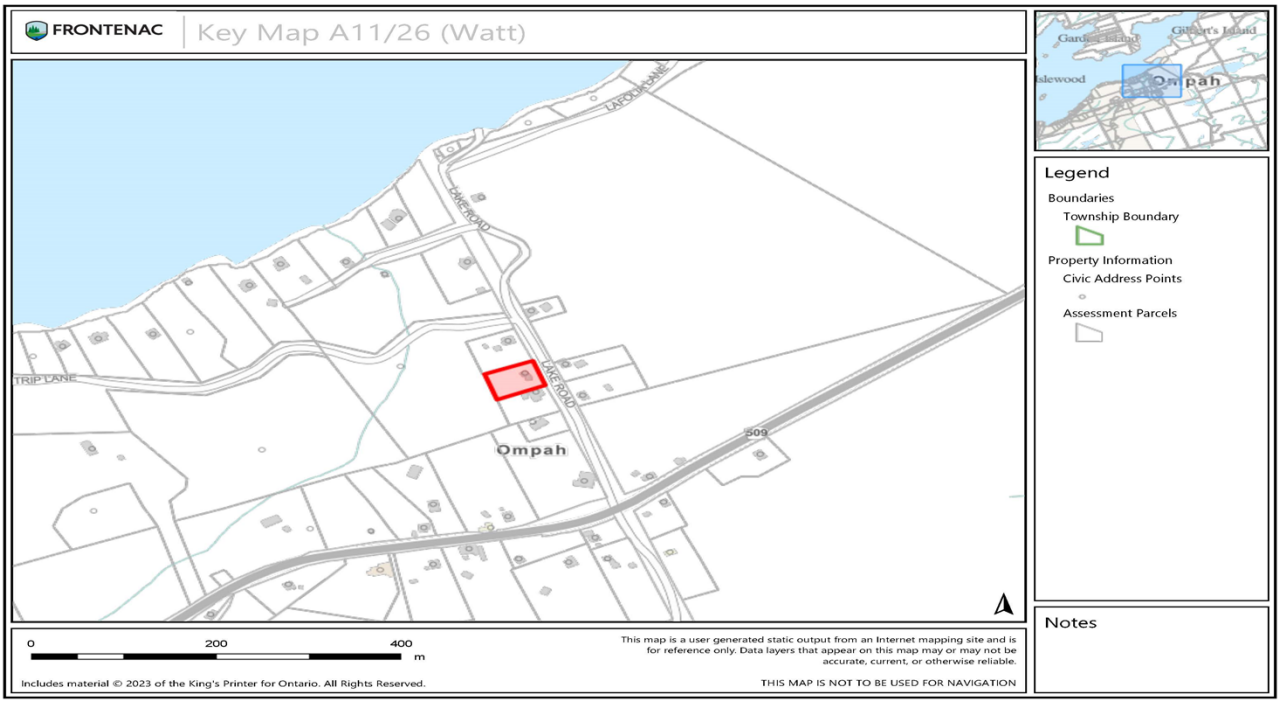
Figure 2. The area for the proposed storage building, marked by orange flags, and a red arrow indicating the proposed setback. The intent of this photo is to show the proposed area and setback, as well as the wooded area retained through this application.

County planning staff are of the opinion that application conforms to the general intent and purpose the official plan including policies regarding accessory uses, maintaining naturally vegetated areas, and side yard setbacks.

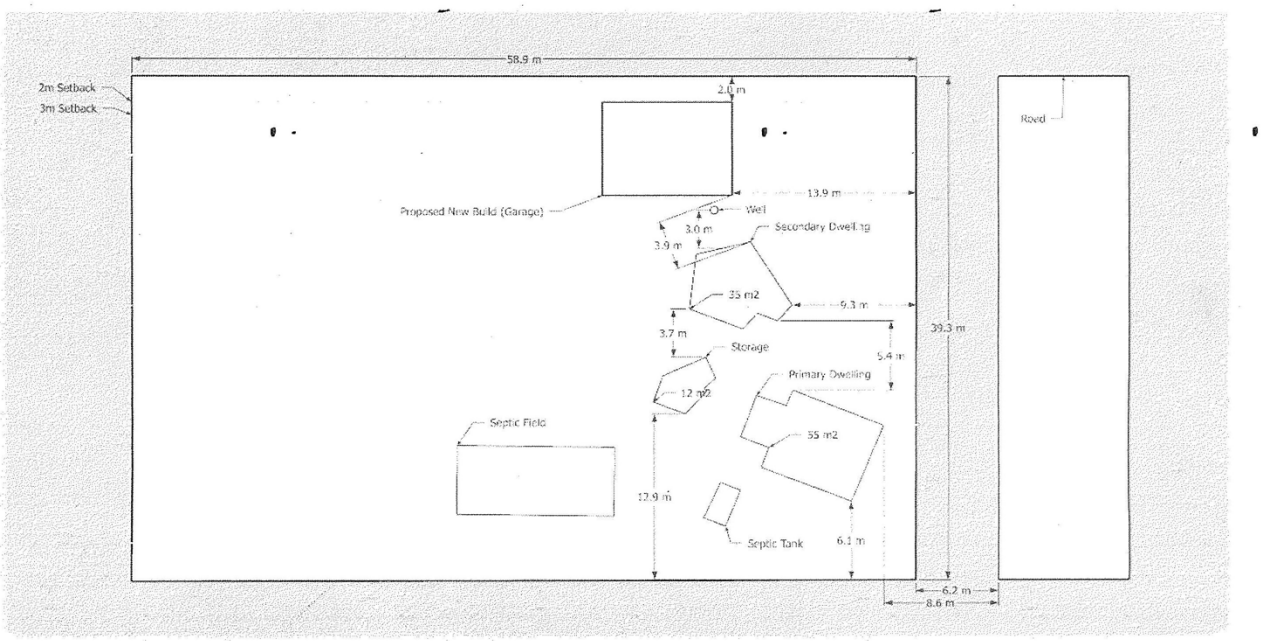
Recommendation

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 A11/26, as per the plans submitted with the application, and with the recommended conditions attached in Appendix A.

Key Map



Site Plan



Attachments:

Appendix A - Draft Conditions of Approval
Appendix B - Relevant Planning Policies

Appendix A: Draft Conditions of Approval

Note: Conditions are a decision of the Committee of Adjustment; the conditions below are recommended. The final approved conditions will be included in the signed decision.

Recommended Conditions for Application A11/26 (Watt)

Applicability

1. That the variance granted through application A11/26 is only to:

    a. Construct a one- and one-half storey accessory storage building (workshop) that is 71 square metres (764.2 square feet) on the northern edge of the subject property located 2 metres from the interior side lot line.

2. This permission does not include a reduction in the required setbacks along the entire width/length and depth of the property or for any future structures.

3. Application number A11/26 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. Natural drainage patterns on the site shall not be substantially altered such that additional run-off is directed towards neighboring properties.

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.

North Frontenac Official Plan (2017)

The area is designated as Hamlet in the North Frontenac Official Plan (2017). Hamlet Settlement Areas, permit a mix of land uses, with an emphasis on residential development to provide an adequate all-season basis for business and industry. Relevant Official Plan policies to this application include:

- Section 3.2: Wherever a use is permitted in a land use designation, it is intended that uses, buildings or structures normally incidental, accessory or essential to that use shall also be permitted. Permitted accessory uses shall be listed in the implementing Zoning By-law. (Examples: a swimming pool, shed, garage, home based business, boat house, garden suite to a residential use or a storage building, parking area, or accessory dwelling for non-residential uses.)

- Section 3.4.2. In all land use designations, it is the intent of Council that appropriate care be taken to preserve mature trees and other vegetation of heritage significance and/or scenic value (i.e. a cultural landscape). Existing landmark trees and tree and hedge lines should be an essential consideration in the design of any development. The preservation of trees along streets and roads shall be encouraged by Council, except

where removal is necessary because of disease, damage or to ensure public health and safety.

- Section 4.1.2 (G) Permitted Uses for Hamlet Settlement Areas include accessory uses and accessory dwelling units

- Section 4.1.3. (F) Provisions shall be made in the implementing Zoning By-law to classify individual types of land use and to set out the zone requirements for development (e.g. lot size, frontage, setbacks, height, parking, signs, landscaping, etc.). Where commercial or public service facilities are located adjacent to residential uses, provisions may be made for increased setbacks, buffering or screening to avoid land use conflicts with adjacent or nearby residential uses buffering (see Section 3.3 – Buffering and Land Use Conflicts).

Notice Complete Application and Public Hearing – File Number A12/26

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

Owner/Applicant:	Gordon Price and Jean Price
Subject Lands:	1105A North Pinnacle Point Lane Lot 7, Plan 1419, Big Gull Geographic Township of Barrie
Roll Number:	1042 010 020 03000

Notice of Hearing

The Township of North Frontenac Committee of Adjustment will hold a public meeting on **July 27, 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 under Section 45(2)

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

Section 3.24 (d) permits the renovation, repair or reconstruction of an existing non-complying/non-conforming building or structure provided such renovation, repair or reconstruction does not expand, enlarge or increase the height, size, or volume of the original non-complying building or structure.

The property is developed with a one storey dwelling with a footprint of approximately 780 square feet, setback approximately 57 feet from the high water mark of Big Gull Lake.

The applicants are proposing to construct an unenclosed, uncovered deck. This will increase the area of the existing deck by 80 square feet. There will be no further encroachment into the waterbody setback.

Submissions

Written comments on this application shall be provided to the undersigned before the hearing of the application.

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.

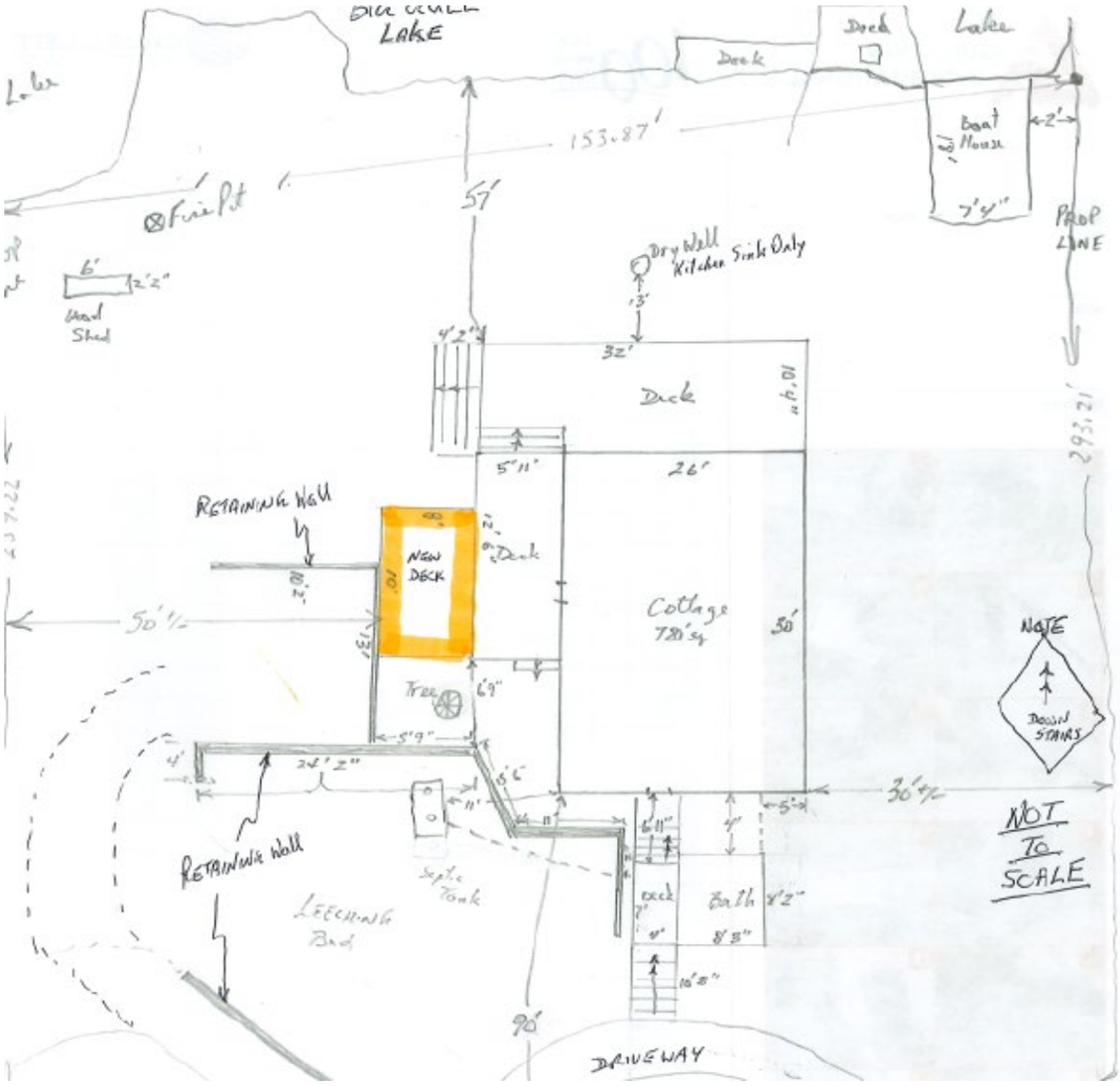
Notice of Collection
Personal information is collected under the authority of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Planning Act, and all other relevant legislation, and will be used to assist in making a decision on this matter. All personal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

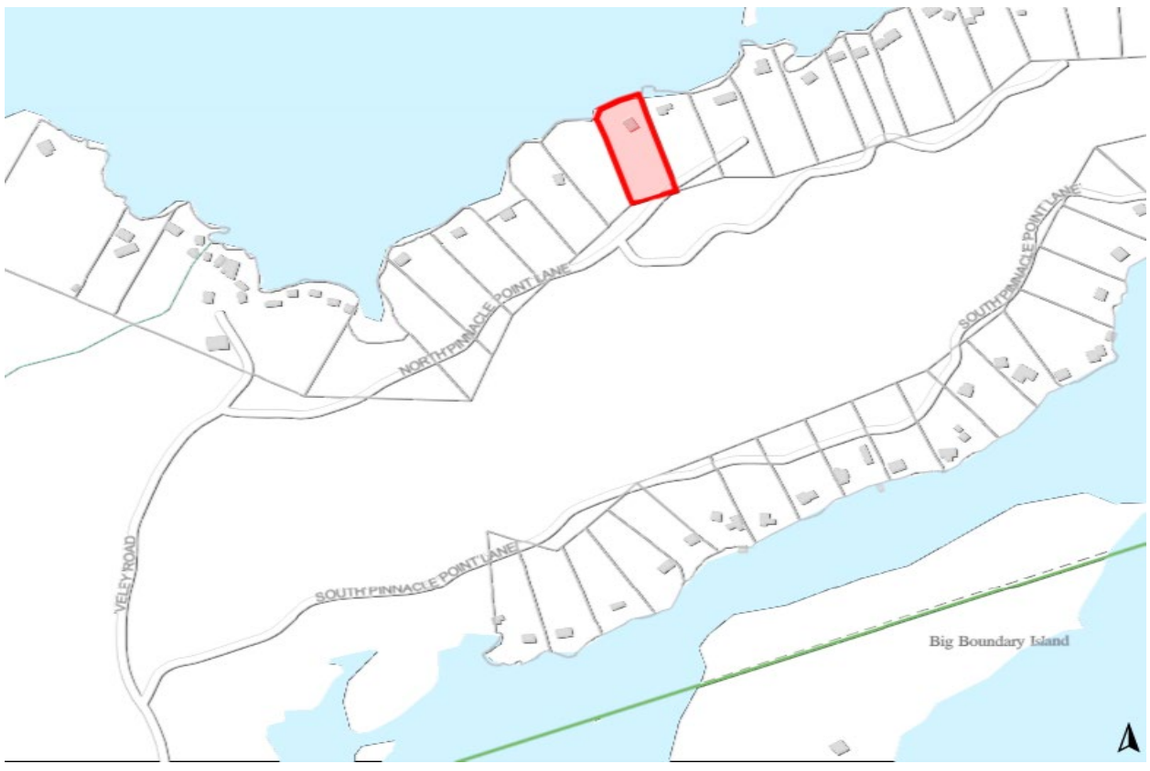
Dated at Plevna, Ontario this 19th day of June 2026.

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

Site Plan of Proposed Renovation



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:	27 Jul 2026
Re:	Planning Report: Application for Permission to Expand a Legal Non-Complying Structure (Deck)

Background:

Background

Address	1105A North Pinnacle Point Lane
Legal Description	Lot 7, Plan 1419, Geographic Township of Barrie
File Number	A12/26 (Price)
Owner/Applicant	Gordon and Jean Price
Date of Public Meeting	July 27, 2026

Proposal

This application proposes to construct a 7.4 square metre (80 square foot) deck addition to an existing non-complying deck.

The proposed development is an expansion of an existing legally non-complying dwelling footprint (deck included) 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 closest point of the dwelling (deck) is located approximately 17 metres (57 feet) from the highwater mark of Big Gull Lake whereas 30 metres (98 feet) is required by the current Zoning By-law. The proposed deck addition will not encroach closer to the water.

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

Existing Development

The 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.

Property Information

Official Plan designation	Waterfront Area
Zoning	Limited Service Waterfront (LSW)
Current size (area) of subject property	0.5 hectares (1.2 acres)
Existing road frontage and access	Accessed from North Pinnacle Point Lane.
Waterfront	49 metres (160 feet) on Big Gull 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 east and west. Crownland parcel to the south and Big Gull 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 (197 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 July 15, 2026 indicate no objection to the proposal.

The following mitigation measures have been recommended:

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 with native plant species to a minimum depth of 3 metres (measured from the shoreline towards the rear of the lot). 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 barrier should remain in place until all disturbed areas have been re-vegetated

Septic Approval Authority (Township of North Frontenac)

The sewage system will not be impacted by this development.

Public Comments

No comments from members of the public had been received at the time this report was written.

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 feet) from the estimated highwater mark of any waterbody. The intent of the 30 metre (98 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 and attached decks were constructed within the required 30 metre (98 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 deck addition is located on the southwest side of the existing L-shaped deck and will not be constructed closer to the lake than the existing deck.

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 existing dwelling and deck is already part of the existing shoreline character and that the proposed development will have no impact on the character of the shoreline.

Natural Heritage

No vegetation is proposed to be removed to accommodate the proposed development. There is a large tree that will be located adjacent to the proposed deck, it is unlikely to be impacted.

Figure 1. A photo of the proposed deck expansion area. The stakes show the extend of the deck expansion.

The applicant shall install a sediment and erosion control barrier to ensure that the shoreline is protected during construction.

Natural Hazards

Based on MVCA's assessment of LiDAR data and a site visit, there is a slope near the western part of the shoreline the qualifies as an Erosion Hazard. However, no hazards were observed in proximity to the dwelling. In addition, the overall slope does not qualify as a hazard.

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?

The proposed development is desirable as it will enhance the functionality of the property by providing an additional flat area near the dwelling, while maintaining the existing waterbody setback and avoiding the removal of existing vegetation.

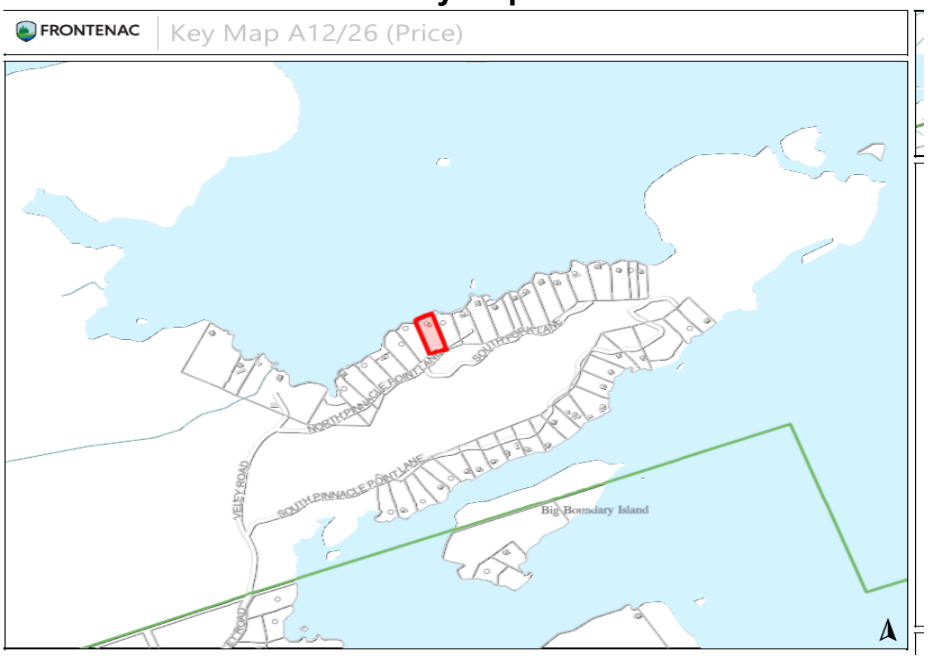
2. Will the application result in undue adverse impacts on the surrounding properties and neighbourhood?

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 addition is small and will not require significant site alteration or vegetation removal, and will not result in a shoreline that appears overly developed.

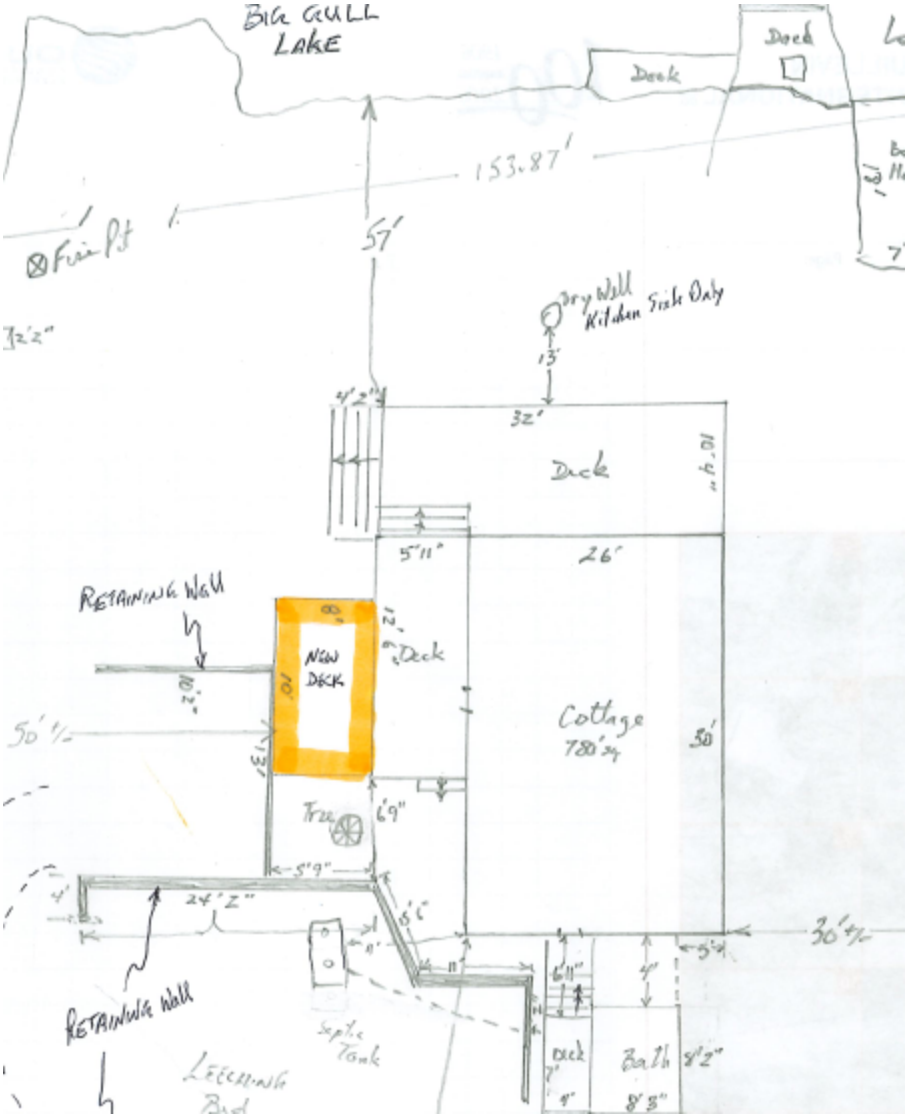
Recommendation

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 A12/26 as per the plans submitted with the application, and with the recommended conditions attached in Appendix A.

Key Map



Site Plan



Attachments:

Appendix A - Draft Conditions of Approval

Appendix B - Relevant Planning Policies

Appendix A: Draft Conditions of Approval

Note: Conditions are a decision of the Committee of Adjustment; the conditions below are recommended. The final approved conditions will be included in the signed decision.

Recommended Conditions for Application A12/26 (Price)

Applicability

1. That the permission granted through application A12/26 is only to construct a 7.4 square metre (80 square foot) deck addition to an existing non-complying deck.

2. This permission does not include a reduction in the required setbacks along the entire width/length and depth of the property or for any future structures.

3. Application number A12/26 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 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

Mississippi Valley Conservation Authority

26-NF-MV

July 15, 2026

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

Dear Ms. Mieske:

Re: Request for Permission– #A12/26
Township of North Frontenac (Barrie)
1105A Pinnacle Lane
PRICE

Mississippi Valley Conservation Authority (MVCA) has reviewed the above noted application for concerns related to natural hazards for the subject property and surrounding lands. We have 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 Conservation Authority "Prohibited Activities, Exemptions and Permits" regulation 41/24, Section 28 of the Conservation Authorities Act;
- The Mississippi-Rideau Source Protection Plan (2014, revised 2022)

PROPOSAL

According to the Notice, *The property is developed with a one storey dwelling with a footprint of approximately 780 square feet, setback approximately 57 feet from the high water mark of Big Gull Lake.*

The applicants are proposing to construct an unenclosed, uncovered deck. This will increase the area of the existing deck by 80 square feet. There will be no further encroachment into the waterbody setback.

PROPERTY CHARACTERISTICS
The subject property has frontage on Big Gull Lake. The overall terrain is moderately sloping towards the lake with a localized high, steep slope on the west side, near the shoreline.

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 3 m.

Based on MVCA's assessment of LiDAR and a site visit, there is a slope near the western part of the shoreline the qualifies as an Erosion Hazard. However, no hazards were observed in proximity to the dwelling. In addition, the overall slope does not qualify as a 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, no further encroachment is proposed, and the addition is considered minor in size.

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. Written permission is not required for the proposed works.

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 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.

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 (including dock construction).

We advise consultation with Fisheries and Oceans Canada (DFO) Projects near water (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,

Diane Reid
Environmental Planner