Committee of Adjustment Minutes

1:00 PM - Monday, August 24, 2026
Council Chambers

Present:	Garry Wood (Chair); Carl Tooley (Member); Jim Ogilvie (Member); and Brent Smith (Alternate Member)
Absent with Regret	Deputy Mayor Roy Huetl, Council Liaison
Also Present:	Tara Mieske, Secretary/Treasurer; Marnie Geerlinks, Administrative Assistant to the Clerk's Department; Councillor Roy Huetl, Council Liaison; and Dmitry Kurylovich, Community Planner, County of Frontenac (Electronic Participation)

1. Call to Order

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

2. Traditional Land Acknowledgement

The Secretary-Treasurer read the Traditional Land Acknowledgement.

3. Approval of Agenda

a) ***August 24, 2026***

39-26 Moved by Carl Tooley, Seconded by Jim Ogilvie

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

4. Disclosure of Pecuniary Interest and General Nature Thereof

None declared.

5. Delegations

None.

6. Adoption of Minutes

a) ***Minutes of Meeting held July 27, 2026***

40-26 Moved by Jim Ogilvie, Seconded by Carl Tooley

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

2026, as circulated.
Carried

7. Business Arising Out of Minutes

None.

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

None.

9. Consent Applications

None.

10. Minor Variance Applications

a) ***File #A13/26: Part of Lot 27, Concession 8, Geographic Township of Barrie (1042 K&A Lane) - Minor Variance for an Oversized Sleep Cabin with a Reduced Setback from High Water Mark of Marble Lake***

Richard Tomalty, the applicant, attended the hearing electronically.

Dmitry Kurylovich, Senior Planner, provided an overview of the application for permission to Expand a Legal Non-Complying Structure, Garage/Sleep Cabin that proposes to:

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

Kurylovich advised that the existing structure is non-compliant because of the deficient waterbody setback. He noted that the structure is located approximately 20 metres (65 feet) from the highwater mark of Marble Lake whereas 30 metres (98.4 feet) is required by the current Zoning By-law. Kurylovich added that the proposed deck will result in a setback of approximately 16.7 metres (55 feet) from the highwater mark of Marble Lake, expanding the footprint. He noted that the proposed deck will be built around a young tree that is within the proposed area for the deck. He also noted that the property has a sufficient vegetative buffer.

Kurylovich advised that the existing development contains:

- A one storey 22.3 square metre (240 square foot) accessory structure (garage/sleep cabin) located approximately 20 metres (65 feet) from the highwater mark of Marble Lake. Approximately 12.2 square metres (1132 square feet) of the structure is used as a sleep cabin, the rest being used for storage;
- A two-storey dwelling with a 55 square metre (590 square foot) ground floor area

footprint and a 23.7 square metre (256 square foot) attached deck;
- A septic transfer tank that is located between the existing dwelling and Marble Lake; a septic holding tank behind the dwelling; and a sewage disposal system that is located north of the development near K&A Lane, approximately 50 metres (165 feet) from Marble Lake; and
- A storage shed within 30 metres (98.4 feet) of Marble Lake.

Kurylovich advised that the Mississippi Valley Conservation Authority (MVCA) reviewed the application, with no objections. He noted that MVCA staff generally suggest against encroachments into existing deficient waterbody setbacks, however in this case, the proposed deck is far enough from the shoreline to minimize the potential for erosion impacts, provided mitigation measures are implemented.

Kurylovich advised that there was one public comment received from a nearby resident on August 2, 2026. The resident had no objections to the proposed deck, providing the existing shed is confirmed to be structurally capable of supporting the additional weight and snow loads. The residents' main concerns are increased construction traffic and potential damage to K&A Lane, which is the sole access to their property.

Kurylovich advised that the County staff are of the opinion that 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.

Tomalty, the applicant, stated that they will monitor the work, minimize impact and revegetate if any vegetation is removed during construction.

Carl Tooley advised he attended the site on August 3, 2026 and noted that the required signs were posted and well marked for the location of the proposed deck. Tooley advised that the proposed deck will wrap around the existing structure and stated it will be three feet on the west side to ten feet on east side. Tooley advised that the proposed deck will improve safety of access to the structure. He noted that there is a young tree that may need to be removed when the proposed deck is constructed. Tooley advised that Marble Lake is not deemed a sensitive lake or at capacity and recommended approval of the application subject to conditions included in the Planning Report.

Tomalty asked what was meant by haybales mentioned during the reading of the Planning Report. Kurylovich explained that haybales are for mitigative/erosion control and should be implemented to control run off from going into the lake. Tomalty advised that there will be minimal removal of material; only the material removed for the posts of the proposed deck, and confirmed mitigative measures will be taken.

Brent Smith inquired about black piping that was evident in one of the site photos. Tomalty stated this is the water line and that there are plans to relocate it during or after the proposed development.

Geerlinks advised there were no public comments.

41-26 Moved by Carl Tooley, Seconded by Jim Ogilvie

Be It Resolved That Planning Application File #A13/26, 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 pubic body described by September 3, 2026.
Carried

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

Christine Whitmore and Milan Rukavina, Applicants were present in Chambers for the hearing.

Dimitry Kurylovich, Senior Planner with the County of Frontenac provided an overview of the application for permission to expand a legal non-complying structure with the following developments:

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

Kurylovich advised that the existing dwelling is non-compliant because of the deficient waterbody setback. He stated the existing development is approximately 22 metres (72.2 feet) from the highwater mark of Kashwakamak Lake.

Kurylovich advised that the proposed development will result in a structure that is larger than the existing structure but will be set further back from the water with a one storey structure that will increase the current set back of 22 metres (72.2 feet) to 29 metres (95.1 feet); and that the relocation of the septic disposal system will be an increase in the

current setback of 21 metres (67 feet) to 36 metres (118.1 feet) from the shoreline. He explained that the existing structure will be removed and replaced with the new proposed development.

Kurylovich advised that the MVCA initially conducted a desktop review noted that the existing and proposed dwelling sits on a flat area between two slopes. He stated that MVCA conducted a site visit and concluded that a Slope Stability Assessment (SSA) was not required.

Kurylovich advised that the County staff are of the opinion that 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.

Jim Ogilvie advised he attended the site on August 18, 2026 and noted that the required signs were posted at this time. Ogilvie stated the location is well forested with Birch, Hemlock and Maple trees. He stated the driveway is at a sufficient grade with a small staging area for equipment and construction materials. Ogilvie advised there will be no impact on neighboring properties and recommended approval of the application subject to conditions included in the Planning Report.

Geerlinks advised there were no public comments.

42-26 Moved by Jim Ogilvie, Seconded by Carl Tooley

Be It Resolved That Planning Application File #A14/26, 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 pubic body described by September 3, 2026.
Carried

11. Other Business

None.

12. Adjournment

a) ***Motion to Adjourn***

43-26 Moved by Jim Ogilvie, Seconded by Carl Tooley

Be It Resolved That the meeting adjourns at 1:34 p.m. until September 28, 2026, at 1:00 p.m. or at the call of the Chair.
Carried

Chair

Secretary