

**TOWNSHIP OF SOUTH FRONTENAC
COMMITTEE OF ADJUSTMENT MEETING
AGENDA**

TIME: 7:00 PM,
DATE: Thursday, July 13, 2017
PLACE: Council Chambers.

1. Call to Order
 - a) Resolution
2. Adoption of Agenda
3. Declaration of pecuniary interest
4. Approval of Minutes
 - a) Minutes of May 11, 2017 3 - 31
 - b) Minutes of June 8, 2017 32 - 53
5. New Consent Applications:
 - a) S-33-17-L - Elva Clough - Concession 9, Part Lot 19, Perth Road, District of Loughborough - Consent to create a right-of-way 54 - 56
 - b) S-34-17-L - George Hamilton - Concession 13, Part Lot 24/25, Twisty Lane, District of Loughborough - Consent to create a new lot 57 - 96
 - c) S-36-17-S - 1324789 Ontario Inc. - Concession 3/4, Part Lot 23/24, Round Lake Road, District of Storrington - Consent to create a new lot 97 - 99
6. New Minor Variance Applications:
 - a) MV-27-17-S - Tim Prue - Concession 8, Part Lot 20, 3922 Hideaway Lane, District of Storrington - Variance to permit construction within the 30m setback from water 100 - 105
 - b) MV-28-17-S - Paul and Gina Bearne - Concession 9, Part Lot 22, 4212 Carrying Place Road, District of Storrington - Variance to permit construction within the 30m setback from water 106 - 111
 - c) MV-29-17-L - Christina Sinclair - Concession 5, Part Lot 2, 3080 Rutledge Road, District of Loughborough - Variance to reduce side yard setback 112 - 114
 - d) MV-30-17-S - Donna and Francois Savard - Concession 8, Part Lot 10, Hideaway Lane, District of Storrington - Variance to permit construction within the 30m setback from water, variance to permit an increase in lot coverage 115 - 126
 - e) MV-31-17-L - Jason Martin - Concession 6, Part Lot 21, Wild Flower Lane, District of Loughborough - Variance to permit construction within the 30m setback from water, variance to reduce setback from 127 - 129

a private lane

- f) MV-32-17-L - Jeff Bennett and Margaret Eberle - Concession 5, Part 130 -
Lot 6, 1040 Slumber Lane, District of Loughborough - Variance to 149
permit construction within the 30m setback from water

7. Other Business

8. Adjournment

a) Resolution



**TOWNSHIP OF SOUTH FRONTENAC
PLANNING DEPARTMENT**



MINUTES 17:04
May 11, 2017

LOCATION: South Frontenac Municipal Offices, Sydenham

IN ATTENDANCE: Ron Sleeth (Storrington District-C)
Ken Gee (Storrington District)
David Hahn (Bedford District)
Alan Revill (Bedford District-C)
Larry Redden (Portland District)
John McDougall (Portland District-C)
Ross Sutherland (Loughborough District-C)

ABSENT WITH REGRETS: John Sherbino (Loughborough District)

STAFF: Lindsay Mills – Secretary-Treasurer/Planner
Jennie Kapusta – Deputy Secretary Treasurer

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Item # 1: Call to Order

RESOLUTION: C of A: 17:04:01

Moved by: J. McDougall

Seconded by: L. Redden

THAT the May 11, 2017 meeting of the South Frontenac Township Committee of Adjustment is hereby called to order at 7:0 p.m. with Alan Revill in the Chair.

Carried

Item # 2: Adoption of the Agenda

Approved as circulated

Item # 3: Declaration of Pecuniary Interest

None declared

Item # 4: Approval of Minutes

RESOLUTION: C of A: 17:04:02

Moved By: L. Redden

Seconded By: J. McDougall

THAT the South Frontenac Township Committee of Adjustment hereby approves the minutes of the April 13, 2017 meeting of the Committee, as circulated.

Carried

Item # 5: MV-28-16-B (Bechard)

Speaking to the Application: Mike Preston (agent)

Discussion:

This application was brought to the Committee in December, 2016 but was deferred due to a lack of comments from KFL&A Public Health.

This application was originally submitted in July 2016 but was deferred from coming to the Committee at the request of the applicant due to an early unfavourable report from the Cataraqui Region Conservation Authority. After reworking the original submission the applicant was able to satisfy the concerns of the CRCA, who now have no objections to the proposal.

The subject land consists of a 24.7 +/- hectares (61 acres) with frontage on Desert Lake. The lot is currently vacant. The proposal is for the construction of a new 3,255 square foot footprint two (2) storey dwelling, to be located a minimum of 82.5 feet (25m) on the northern side and a minimum of 30m on the southern side, from the high water mark of Desert Lake. The proposed location is on a peninsula and on the side which is encroaching into the HWM setback the structure will be up against a large rock ridge that will aid in reducing potential environmental impact. The applicant is also planning on constructing a 300 square foot maximum footprint sleeping cabin, but this will be located entirely outside the 30m setback from the HWM. The by-law does not permit the construction of any structures within 30 m of the HWM for the reasons of reducing adverse effects on the environment, maintaining a natural vegetative buffer and aiding in the preservation of the rural character of the Township.

Comments from public health have yet to be received, though the applicant has indicated they are planning on installing a new septic system at a minimum distance of 15m from the high water mark of Desert Lake as required by the building code.

UPDATE: Comments from Public Health have now been received and they have no objections as the applicant has submitted and received approval to install a new septic system.

RESOLUTION: C of A: 17:04:03

Moved by: D. Hahn

Seconded by: J. McDougall

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-05-17-B by Robert Bechard and Jamie Maclean, to permit construction within the 30m setback from water, in Concession 3, Part Lot 2, Sleafview Lane, District of Bedford, subject to conditions.

Carried

Application No: MV-28-16-B
Owner: Robert Bechard & Jamie Maclean
Location of Property: Concession 3, Part Lot 2, Sleafview Lane, District of Bedford, Township of South Frontenac
Purpose of Application: To vary Section 5.8.2 of the Comprehensive Zoning By-law to permit construction within the 30m setback from HWM
Date of Hearing: December 8, 2016
Date of Decision: May 11, 2017

Decision: MINOR VARIANCE APPROVED, subject to conditions

CONDITIONS

1. This minor variance is for the construction of a new 3,255 square foot footprint two (2) storey dwelling, to be located a minimum of 82.5 feet (25m) from the high water mark of Desert Lake.
2. Minor variance MV-28-16-B is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.
3. 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 South Frontenac.
4. The applicant shall enter into a site plan agreement with the Township to be registered on title, which sets out the Township's environmental and limited service policies, and which specifies that a permit may be required from the Cataraqui Region Conservation Authority for the proposed development, and for any shoreline or in-water works. This agreement is also to include added conditions including survey locating the foundation and specifying the required no cut zone along the waterfront.

Item # 6: MV-08-17-B (Cove)

Speaking to the Application: None Speaking

Discussion:

This item was originally brought to the Committee in March, 2017 but was deferred pending receipt of a report from KFL&A public health.

This item was returned to the Committee in April, 2017 but there were continuing questions regarding the size, shape and depth of the proposed parking area, along with questions over exact building placement. These concerns have been address by the applicant via email (see attached)

The subject land consists of a 0.38 +/- acres with frontage on Bobs Lake. The lot is currently developed with a 100 square foot storage shed, a 10 square foot outhouse, and a 100 square foot deck with attached drawbridge style dock. The proposal is for the demolition of the existing storage shed and the construction of 25 ft. by 30 ft. (750 square foot) two story seasonal dwelling to be located a minimum of 55 feet from the high water mark (HWM) of Bob's Lake. Also proposed is the construction of an 8 ft. by 16 ft. (128 square foot) storage shed to be located a minimum of 120 feet from the HWM and the construction of a gravelled 30 foot by 50 foot parking area to be located along the eastern edge of the property. The proposed location for the septic system is a minimum of 90 feet from the HWM.

The by-law does not permit the construction of any structures within 30 m of the HWM for the reasons of reducing adverse effects on the environment, maintaining a natural vegetative buffer and aiding in the preservation of the rural character of the Township.

RESOLUTION: C of A: 17:04:04

Moved by: J. McDougall

Seconded by: D. Hahn

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-08-07-B by Kevin and Harriet Cove, to permit construction within the 30m setback from water, in Concession 6, Part Lot 32, Island Drive Lane, District of Bedford, subject to conditions.

Carried

Application No: MV-08-17-B
Owner: Kevin and Harriet Cove
Location of Property: Concession 6, Part Lot 32, Island Drive Lane, District of Bedford, Township of South Frontenac
Purpose of Application: To vary Section 5.8.2 of the Comprehensive Zoning By-law to permit construction within the 30m setback from HWM
Date of Hearing: March 9, 2017
Date of Decision: May 11, 2017

Decision: MINOR VARIANCE APPROVED, subject to conditions

CONDITIONS:

1. This minor variance is for the demolition of the existing storage shed and the construction of a 750 square foot two (2) story dwelling to be located a minimum of 55 feet from the high water mark of Bob's Lake.

2. Minor variance MV-08-17-B is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.
3. 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 South Frontenac.
4. The applicant shall enter into a site plan agreement with the Township to be registered on title, which sets out the Township's environmental and limited service policies, and which specifies that a permit may be required from the Rideau Valley Conservation Authority for the proposed development, and for any shoreline or in-water works.

Item # 7: MV-14-17-B (Muzik)

Speaking to the Application: Sally Muzik, Joe Bowes (agent), Dave Brown (Taskforce Engineering)

Discussion:

This application was originally brought to the Committee in April, 2017 but was deferred to allow an opportunity for the applicant to confirm and stake out the proposed building location and allow an opportunity for Committee members to conduct a site visit.

The applicant has confirmed the proposed setback from the HWM at 30 feet and has indicated they are willing to survey locate the new foundation if required.

The subject land consists of 1.24 +/- acres with frontage on Bob's Lake and Morton Point Lane. The lot is currently developed with a 760 square foot footprint dwelling with an attached 400 square foot deck located approximately 6 feet from the high water mark of Bobs Lake, plus a 200 square foot detached garage located 7 feet from the HWM and a 120 square foot shed located 10 feet from the HWM of Bob's Lake. The proposal is for the demolition of all existing structures and the construction of a 960 square foot dwelling to be located a minimum of 30 feet from the HWM of Bob's Lake. This proposed structure will be raised to accommodate a crawlspace for utilities and new foundation. A new septic system is proposed to be located on the south side of Morton Point Lane in order to minimize impact on the lake.

The by-law does not permit the construction of any structures within 30 m of the HWM for the reasons of reducing adverse effects on the environment, maintaining a natural vegetative buffer and aiding in the preservation of the rural character of the Township.

The Rideau Valley Conservation Authority has no objection the application as submitted. They have recommended several best management practices to be incorporated into the site plan agreement, including re-establishment of the waterfront vegetative buffer in front of the new structure except for a pedestrian access path to the dock/water.

KFL&A Public Health has no objections.

Comments were not required from roads.

The building department has no objections.

There was discussion amongst committee members regarding the feasibility of placing all structures on south side of Morton Point Lane, as well as concerns over whether or not the requested 30 foot setback could be achieved. There was also discussion regarding the possibility of moving the existing lane to allow for a greater setback on the north side of Morton Point Lane.

J. Bowes stated he had completed detailed measurements on the property and there was very limited space to locate everything on the south side of the lane. Possibly would have to locate parking area on north side should dwelling be pushed to south side and parking areas have greater runoff capability and environmental impact.

D. Brown spoke to a number of points: Ms. Muzik was trying to produce better conditions that what currently exists regarding setbacks (30 feet vs. 6 feet) and septic construction (currently no septic system); all existing structures will be removed (shed, garage and cottage) and only the cottage will be reconstructed leading to an 11.4% reduction in overall footprint on the lot; that the proposal may not meet the magic number desired but overall the proposal is a significant improvement on current conditions.

RESOLUTION: C of A: 17:04:05

Moved by: D. Hahn

Seconded by: J. McDougall

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-14-17-B by Sally Muzik, to permit construction within the 30m setback from water, in Concession 2, Part Lot 21, Morton Point Lane, District of Bedford, subject to conditions.

Carried

Application No: MV-14-17-B
Owner: Sally Muzik
Location of Property: Concession 2, Lot/Part Lot 21, 25 Morton Point Lane, District of Bedford, Township of South Frontenac
Purpose of Application: To vary section 5.8.2 and section 10.3.1 of the Comprehensive Zoning By-law to permit construction within the 30m setback from HWM
Date of Hearing: April 13, 2017
Date of Decision: May 11, 2017

DECISION: PROVISIONAL CONSENT BE GRANTED, subject to conditions

CONDITIONS:

1. This minor variance is for the construction of a maximum 960 square foot footprint, single story, dwelling with a crawlspace underneath, no living space permitted, to be constructed a minimum of 30 feet from the high water mark of Bob's Lake.
2. Minor variance MV-14-17-B is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.
3. 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 South Frontenac.
4. The applicant shall enter into a site plan agreement with the Township to be registered on title, which sets out the Township's environmental and limited service policies, and which specifies that a permit may be required from the Rideau Valley Conservation Authority for the proposed development, and for any shoreline or in-water works.

Item # 8: S-08-17-L (Koen)

Speaking to the Application: None Speaking

Discussion:

The subject land consists of 4.3 +/- acres with frontage on Koen Road and Loughborough Lake. The lot is currently vacant. The proposal is for the creation of a new 0.2 +/- acre lot addition, with 60 feet of frontage on Koen Road and 60 feet of water frontage, to be added to 316 Koen Road (ARN 102904003013400). The property to be enlarged is currently 0.25 +/- acres in size and is developed with a seasonal dwelling.

The planning department is able to support the application for the lot addition as the proposal increases the size of a significantly undersized waterfront lot.

Cataraqui Region Conservation Authority has no objections to the application, but note that written permission must be obtained prior to any development taking place on the property.

The building department has no objections.

Comments from KFL&A Public Health and Public Works were not required.

RESOLUTION: C of A: 17:04:06

Moved by: R. Sutherland

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-08-17-L by the Estate of John Francis Koen, to create a lot addition, in Concession 6, Part Lot 25, District of Loughborough, subject to conditions.

Carried

Application No: S-08-17-L
Owner: Estate of John Francis Koen
Location of Property: Concession 6, Lot/Part Lot 25, Koen Road, District of Loughborough, Township of South Frontenac
Purpose of Application: Consent to create a lot addition
Date of Hearing: May 11, 2017
Date of Decision: May 11, 2017

DECISION: PROVISIONAL CONSENT BE GRANTED, subject to conditions

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year [Planning Act, s. 53(41)] after the "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].
2. The land to be severed by Consent Application S-08-17-L shall be for the creation of a 0.2 +/- acre lot addition only to 316 Koen Road (ARN 102904003013400).
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive \$100 in lieu of parkland [Planning Act, s. 51(1)].
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
 - a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
 - c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended.
 - d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
 - e. The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.

Item # 9: S-09-17-S (Desrochers)

Speaking to the Application: George Desrochers

Discussion:

The subject land consists of 215.5 +/- acres with frontage on Ramparts Road and Battersea Road. The lot is developed with two small agricultural buildings. The proposal is for the creation of a 10+/- acre lot addition to be added to 5002 Ramparts Road (ARN 102906006015200). The property to be enlarged is currently 25+/- acres in size and is developed with a single detached dwelling and two accessory buildings.

The planning department is able to support the application for the lot addition.

The building department has no objections.

Comments from Cataraqui Region Conservation Authority, KFL&A Public Health and Public Works were not required.

RESOLUTION: C of A: 17:04:07

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-09-17-S by George Desrochers to create a lot addition, in Concession 10, Part Lot 13, Ramparts Road, District of Storrington, subject to conditions.

Carried

Application No: S-09-17-S
Owner: George Desrochers
Location of Property: Concession 10, Lot/Part Lot 13, Ramparts Road, District of Storrington, Township of South Frontenac
Purpose of Application: Consent to create a lot addition
Date of Hearing: May 11, 2017
Date of Decision: May 11, 2017

DECISION: PROVISIONAL CONSENT BE GRANTED, subject to conditions

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year [Planning Act, s. 53(41)] after the "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].
2. The land to be severed by Consent Application S-09-17-L shall be for the creation of a 10 +/- acre lot addition only to 5002 Ramparts Road (ARN 102906006015200).
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive \$100 in lieu of parkland [Planning Act, s. 51(1)].
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
 - a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
 - c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended.
 - d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
 - e. The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.

Item # 10: S-11-17-S (Desrochers)

Speaking to the Application: George Desrochers

Discussion:

The subject land consists of 215.5 +/- acres with frontage on Ramparts Road and Battersea Road. The lot is developed with two small agricultural buildings. The proposal is for the creation of a 140+/- acre lot addition to be added to a vacant parcel (ARN 102906006015223). The property to be enlarged is currently 0.4 +/- acres in size and is land locked.

The planning department is able to support the application for the lot addition.

The building department has no objections.

Comments from Cataraqui Region Conservation Authority, KFL&A Public Health and Public Works were not required.

RESOLUTION: C of A: 17:04:08

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-11-17-S by George Desrochers to create a lot addition, in Concession 10, Part Lot 13, Battersea Road, District of Storrington, subject to conditions.

Carried

Application No: S-11-17-S
Owner: George Desrochers
Location of Property: Concession 10, Lot/Part Lot 13, Ramparts Road, District of Storrington, Township of South Frontenac
Purpose of Application: Consent to create a lot addition
Date of Hearing: May 11, 2017
Date of Decision: May 11, 2017

DECISION: PROVISIONAL CONSENT BE GRANTED, subject to conditions

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year [Planning Act, s. 53(41)] after the "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].
2. The land to be severed by Consent Application S-11-17-L shall be for the creation of a 140 +/- acre lot addition only to a vacant parcel (ARN 102906006015223).
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive \$100 in lieu of parkland [Planning Act, s. 51(1)].
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
 - a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
 - c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended.

- d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
- e. The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.

Item # 11: S-10-17-S (Richards)

Speaking to the Application: None Speaking

Discussion:

The subject land consists of 2.67 +/- acres with frontage on Greenfield Road. The lot is currently vacant. The proposal is for the creation of a 0.02+/- acre lot addition with 5 feet of frontage on Greenfield Road to be added to 3920 Greenfield Road (ARN 102906002014750). This lot addition is to rectify the issue of the septic pipes and other buried service lines for 3920 Greenfield Road being located on the abutting property. The property to be enlarged is currently 6.5+/- acres in size and is developed with a single detached dwelling and a detached accessory building.

The planning department is able to support the application for the lot addition.

The building department has no objections.

Comments from Cataraqui Region Conservation Authority, KFL&A Public Health and Public Works were not required.

RESOLUTION: C of A: 17:04:09

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-10-17-S by Mark and Julie Richards, to create a lot addition, in Concession 4, Part Lot 18, Greenfield Road, District of Storrington, subject to conditions.

Carried

Application No: S-10-17-S
Owner: Mark & Julie Richards
Location of Property: Concession 4, Lot/Part Lot 18, Greenfield Road, District of Storrington, Township of South Frontenac
Purpose of Application: Consent to create a lot addition
Date of Hearing: May 11, 2017
Date of Decision: May 11, 2017

DECISION: PROVISIONAL CONSENT BE GRANTED, subject to conditions

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year [Planning Act, s. 53(41)] after the "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].
2. The land to be severed by Consent Application S-10-17-L shall be for the creation of a 0.02 +/- acre lot addition only to 3920 Greenfield Road (ARN 102906002014750).
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.

5. The Township of South Frontenac shall receive \$100 in lieu of parkland [Planning Act, s. 51(1)].
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
 - a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
 - c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended.
 - d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
 - e. The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.

Item # 12: S-12-17-S (Cliff)

Speaking to the Application: David Cliff

Discussion:

The subject land consists of 86.5 +/- acres with frontage on Holmes Road. The lot is developed with a single detached dwelling and multiple agricultural outbuildings. The proposal is for the creation of a minimum 2.0 acre residential lot with a minimum of 76m of frontage along Holmes Road. A Minimum Distance Separation calculation has been done and the proposed lot is outside the area of influence. The planning department is able to support the application for the proposed lot.

The Public Works department has no objections.

KFL&A Public Health has no objections and states that the lot is flexible for the siting of a septic system.

The building department has no objections.

Comments from Cataraqui Region Conservation Authority were not required

RESOLUTION: C of A: 17:04:10

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-12-17-S by David Cliff, to create a new lot, in Concession 1, Part Lot 18/19, Holmes Road, District of Storrington, subject to conditions.

Carried

Application No: S-12-17-S
Owner: David Cliff
Location of Property: Concession 1, Lot/Part Lot 18/19, Holmes Road, District of Storrington, Township of South Frontenac
Purpose of Application: Consent to create a new lot
Date of Hearing: May 11, 2017
Date of Decision: May 11, 2017

DECISION: PROVISIONAL CONSENT BE GRANTED, subject to conditions

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year [Planning Act, s. 53(41)] after the "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].
2. The land to be severed by Consent Application S-12-17-S shall be for the creation of a minimum 2.0 acre lot with a minimum of 76m of frontage along Holmes Road.
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive 5% of the value of the new parcel in lieu of parkland [Planning Act, s. 51(1)].
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
 - a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
 - c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended.
 - d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
 - e. The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.

Item # 13: S-13-17-S (Cliff)

Speaking to the Application: David Cliff

Discussion:

The subject land consists of 86.5 +/- acres with frontage on Holmes Road. The lot is developed with a single detached dwelling and multiple agricultural outbuildings. The proposal is for the creation of a minimum 2.0 acre residential lot with a minimum of 76m of frontage along Holmes Road. A Minimum Distance Separation calculation has been done and the proposed lot is outside the area of influence. This lot, should it be approved, will be the third and final severance permitted from 4276 Holmes Road. The planning department is able to support the application for the proposed lot.

The Public Works department has no objections.

KFL&A Public Health has no objections and states that the lot is flexible for the siting of a septic system.

The building department has no objections.

Comments from Cataraqui Region Conservation Authority were not required.

RESOLUTION: C of A: 17:04:11

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-13-17-S by David Cliff, to create a new lot, in Concession 1, Part Lot 18/19, Holmes Road, District of Storrington, subject to conditions.

Carried

Application No: S-13-17-S
Owner: David Cliff
Location of Property: Concession 1, Lot/Part Lot 18/19, Holmes Road, District of Storrington, Township of South Frontenac
Purpose of Application: Consent to create a new lot
Date of Hearing: May 11, 2017
Date of Decision: May 11, 2017

DECISION: PROVISIONAL CONSENT BE GRANTED, subject to conditions

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year [Planning Act, s. 53(41)] after the "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].
2. The land to be severed by Consent Application S-13-17-S shall be for the creation of a minimum 2.0 acre lot with a minimum of 76m of frontage along Holmes Road.
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive 5% of the value of the new parcel in lieu of parkland [Planning Act, s. 51(1)].
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
 - a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
 - c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended.
 - d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
 - e. The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.

Item # 14: S-14-17-L (Quintal)

Speaking to the Application: None Speaking

Discussion:

The subject land consists of 1.5 +/- acres with approximately 700 feet of frontage on Sydenham Lake. The lot is developed with a single detached dwelling and a detached accessory building (1971 Hogan Road). The proposal is for the creation of a 0.3+/- acre lot addition to a 1.2 +/- acre vacant parcel (ARN 102905004061215). This lot addition will have the effect of creating a new waterfront lot, as the lot being enlarged currently does not have any frontage on Sydenham Lake. The vacant lot does have an existing deeded right-of-way over 1971 Hogan Road, to access Sydenham Lake and this right-of-way is encompassed within the lot addition parcel; the lot addition parcel is also separated from the rest of the lot by a significant difference in elevation. These factors combined have the effect of making the lot addition parcel unusable to 1971 Hogan Road.

While there is sufficient waterfrontage to allow both lots to have the required minimum of 91m both the severed and retained parcels will need to be rezoned to a special Waterfront Residential zone to reflect the reduced lot sizes, 1.5 +/- acres (vacant) and 1.2 +/- acres (1971 Hogan Road).

The planning department is able to support the application for the proposed lot.

Cataraqui Region Conservation Authority has evaluated the proposal and have no objections based on consideration for natural hazards, natural heritage and water quality. They have indicated that a permit may be required for any proposed development on the lot as it lies within 120 metres of a provincially significant wetland.

The building department has no objections.

Comments from KFL&A Public Health and Public Works were not required.

RESOLUTION: C of A: 17:04:12

Moved by: R. Sutherland

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-14-17-L by Don and Claudette Quintal, to create a lot addition, in Concession 6, Part Lot 11, Hogan Road, District of Loughborough, subject to conditions.

Carried

Application No: S-14-17-L
Owner: Don & Claudette Quintal
Location of Property: Concession 6, Lot/Part Lot 11, Hogan Road, District of Loughborough, Township of South Frontenac
Purpose of Application: Consent to create a lot addition
Date of Hearing: May 11, 2017
Date of Decision: May 11, 2017

DECISION: PROVISIONAL CONSENT BE GRANTED, subject to conditions

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year [Planning Act, s. 53(41)] after the "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].
2. The land to be severed by Consent Application S-14-17-L shall be for the creation of a 0.3 +/- acre lot addition only, with a minimum of 91m of frontage along Sydenham Lake, to a vacant parcel (ARN 102905004061215).
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall \$100 in lieu of parkland [Planning Act, s. 51(1)].
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such

width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:

- a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
- b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
- c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended.

- d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
 - e. The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.
7. The applicant shall enter into a development agreement to be registered on title to the severed and retained parcels which deals with the Township's environmental policies, as well as the requirement for the owner to contact Cataraqui Region Conservation Authority prior to any development on the property, to determine the need for a permit. This agreement shall also specify the required no cut zone along the waterfront.
 8. The applicant shall rezone the lots (severed and retained parcels) to be created from Consent Application S-14-17-L from Rural to a Special Residential Waterfront Zone in order to recognise the undersized lots. Please contact Lindsay Mills, the Township Planner, to begin this process.

Item # 15: S-15-17-L (Koen)

Speaking to the Application: None Speaking

Discussion:

The subject land consists of 150 +/- acres with frontage on Northshore Road and Leland Road. The lot is currently vacant. The proposal is for the creation of a 50 +/- acre lot, identified as Part 3 on reference plan 13R18071 with frontage on Northshore Road and Leland Road. This part was originally a separate parcel but has merged with the southern 100 +/- acres (identified as Part 1 on reference plan 13R18071) through common ownership. The two parcels are joined along a 30 foot long fence line and the proposal is to divide them along this existing line. The applicant has indicated the intention of selling to 50 +/- acre parcel to the Nature Conservancy of Canada (NCC) as a significant portion of the lot is designated as provincially significant wetland and unsuitable for development. The applicant will be required to rezone the parcel created from Rural to Open Space – Private in order to limit the possibility of future development.

The planning department is able to support the application for the proposed lot.

Cataraqui Region Conservation Authority has evaluated the proposal and has recommended deferral of the application until the applicant has completed an Environmental Impact Assessment which recommends an appropriate location to access the portion of the property that could be considered for development which demonstrates no negative effects. Once completed the CRCA has requested to be circulated with the EIA so they can complete a peer review of the evaluation.

Note: The CRCA has been advised of the intention to sell the severed parcel to the NCC and the required rezoning to OS-P; they have indicated they would be favourable to this.

The building department has no objections.

Comments from KFL&A Public Health and Public Works were not required as there is no new entrance or septic system proposed.

RESOLUTION: C of A: 17:04:13

Moved by: R. Sutherland

Seconded by: R. Sleeth

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-15-17-L by the Estate of John Francis Koen, to create a new lot, in Concession 7, Part Lot 24/25, North Shore Road, District of Loughborough, subject conditions.

Carried

Application No: S-15-17-L
Owner: Estate of John Francis Koen
Location of Property: Concession 7, Lot/Part Lot 24/25, Northshore Road, District of Loughborough, Township of South Frontenac
Purpose of Application: Consent to create a new lot
Date of Hearing: May 11, 2017
Date of Decision: May 11, 2017

DECISION: PROVISIONAL CONSENT BE GRANTED, subject to conditions

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year [Planning Act, s. 53(41)] after the "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].
2. The land to be severed by Consent Application S-15-17-L shall be for the creation of a 50 +/- acre lot with frontage on Northshore Road and Leland Road.
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive 5% of the value of the parcel in lieu of parkland [Planning Act, s. 51(1)].
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
 - a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
 - c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended.
 - d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
 - e. The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.
7. The applicant shall rezone the lot to be created from Consent Application S-15-17-L from Rural to Open Space – Private Zone in order to limit future development. Please contact Lindsay Mills, the Township Planner, to begin this process.

Item # 16: S-16-17-L (Veryzer)

Speaking to the Application: John McLaren

Discussion:

The subject land consists of 38.4 +/- acres with frontage on Rosedale Road. The lot is currently developed with a single detached dwelling. The proposal is for the creation of a minimum 2.0 acre residential with a minimum of 76m of frontage along Rosedale Road. This new lot will encompass the existing structure.

The planning department is able to support the application for the proposed lot.

The building department has no objections.

Comments from Cataraqui Region Conservation Authority, KFL&A Public Health, Public Works were not required as there is no new entrance or septic system proposed.

RESOLUTION: C of A: 17:04:14

Moved by: R. Sutherland

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-16-17-L by Krista Veryzer and Paul Rapin, to create a new lot, in Concession 6, Part Lot 4, Rosedale Road, District of Loughborough, subject to conditions.

Carried

Application No: S-16-17-L
Owner: Krista Veryzer, Paul Rapin
Location of Property: Concession 6, Lot/Part Lot 4, Rosedale Road, District of Loughborough, Township of South Frontenac
Purpose of Application: Consent to create a new lot
Date of Hearing: May 11, 2017
Date of Decision: May 11, 2017

DECISION: PROVISIONAL CONSENT BE GRANTED, subject to conditions

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year [Planning Act, s. 53(41)] after the "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].
2. The land to be severed by Consent Application S-16-17-L shall be for the creation of a minimum 2.0 acre lot with a minimum of 76m of frontage on Rosedale Road.
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive 5% of the value of the parcel in lieu of parkland [Planning Act, s. 51(1)].
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
 - a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;

- b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
- c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended.

- d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
7. The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.

Item # 17: S-17-17-S, S-18-17-S (K. Mulrooney Trucking)

Speaking to the Application: Jennifer Garrah

Discussion:

The subject land consists of 73.3 +/- acres with frontage on Frontenac Road and Battersea Road. The lot is currently vacant but partially zoned Rural Industrial which permits a variety of uses. The proposal is for the creation two (2) new residential lots each a minimum of 2 acres in size, with a minimum of 76m of frontage on Frontenac Road. Both proposed lots are outside the 500m area of influence for the nearby mineral aggregate designated lands.

The planning department is able to support the application for the proposed lots.

The building department has no objections.

Public works has no objections.

KFL&A has no objections and has indicated both proposed lots are flexible in terms of siting a septic system.

RESOLUTION: C of A: 17:04:15

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-17-17-S by K. Mulrooney Trucking, to create a new lot, in Concession 7, Part Lot 37/38, Frontenac Road, District of Loughborough, subject to conditions.

Carried

Application No: S-17-17-S
Owner: K. Mulrooney Trucking
Location of Property: Concession 7, Lot/Part Lot 37/38, Frontenac Road, District of Storrington, Township of South Frontenac
Purpose of Application: Consent to create a new lot
Date of Hearing: May 11, 2017
Date of Decision: May 11, 2017

DECISION: PROVISIONAL CONSENT BE GRANTED, subject to conditions

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year [Planning Act, s. 53(41)] after the "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].
2. The land to be severed by Consent Application S-17-17-S shall be for the creation of a minimum 2.0 acre lot with a minimum of 76m of frontage on Frontenac Road.

3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive 5% of the value of the parcel in lieu of parkland [Planning Act, s. 51(1)].
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
 - a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
 - c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended.
 - d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
 - e. The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.

RESOLUTION: C of A: 17:04:16

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-18-17-S by K. Mulrooney Trucking, to create a new lot, in Concession 7, Part Lot 37/38, Frontenac Road, District of Loughborough, subject to conditions.

Carried

Application No: S-18-17-S
Owner: K. Mulrooney Trucking
Location of Property: Concession 7, Lot/Part Lot 37/38, Frontenac Road, District of Storrington, Township of South Frontenac
Purpose of Application: Consent to create a new lot
Date of Hearing: May 11, 2017
Date of Decision: May 11, 2017

DECISION: PROVISIONAL CONSENT BE GRANTED, subject to conditions

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year [Planning Act, s. 53(41)] after the "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].
2. The land to be severed by Consent Application S-18-17-S shall be for the creation of a minimum 2.0 acre lot with a minimum of 76m of frontage on Frontenac Road.

3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive 5% of the value of the parcel in lieu of parkland [Planning Act, s. 51(1)].
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
 - a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
 - c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended.
 - d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
 - e. The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.

Item # 18: S-19-17-S, S-20-17-S, S-21-17-S (1324782 Ontario Inc.)

Speaking to the Application: Jennifer Garrah

Discussion:

The subject land consists of 73.3 +/- acres with frontage on McGarvey Road and Battersea Road. The lot is currently developed with an unoccupied livestock barn currently used for machine storage. The proposal is for the creation three (3) new residential lots each a minimum of 2 acres in size, with a minimum of 76m of frontage on Battersea Road. The northeastern most lot will also have frontage on McGarvey Road. A Minimum Distance Separation calculation has been completed for the unoccupied livestock barn and two (2) of the three (3) proposed lots lie partially or entirely within the area of influence. If the applicant wishes to proceed with these proposed lots, this barn needs to be formally decommissioned and the retained parcel rezoned to prevent the housing of livestock in any structure existing at the date of passage of the by-law.

All three (3) proposed lots are outside the 500m area of influence for the nearby mineral aggregate designated lands.

Public works is unable to permit three additional driveway entrances onto Battersea Road as it is a former county road and is subject to increased distances between entrances.

After discussions with the planning and public works departments the applicant has agreed to revise the proposed lot configurations to have one lot with frontage only on Battersea Road, one lot with frontage on both Battersea Road and McGarvey Road, and one lot with frontage only on McGarvey Road. This will allow two of the three proposed lots to have entrances from McGarvey Road and only one with an entrance on Battersea Road in order to satisfy the spacing requirements. The lot with frontage exclusively on McGarvey Road will also encompass the existing livestock barn and remove the requirement to rezone the retained parcel as the lot created will be too small to permit livestock. The building department has no objections.

KFL&A has no objections and has indicated all three (3) proposed lots are flexible in terms of siting a septic system.

Comments from Cataraqui Region Conservation Authority were not required.

RESOLUTION: C of A: 17:04:17

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-19-17-S by 1324782 Ontario Inc., to create a new lot, in Concession 7, Part Lot 36/37, Battersea Road, District of Storrington, subject to conditions.

Carried

Application No: S-19-17-S
Owner: 1324782 Ontario Inc.
Location of Property: Concession 7, Lot/Part Lot 36/37, Frontenac Road, District of Storrington, Township of South Frontenac
Purpose of Application: Consent to create a new lot
Date of Hearing: May 11, 2017
Date of Decision: May 11, 2017

DECISION: PROVISIONAL CONSENT BE GRANTED, subject to conditions

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year [Planning Act, s. 53(41)] after the "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].
2. The land to be severed by Consent Application S-19-17-S shall be for the creation of a minimum 2.0 acre lot with a minimum of 76m of frontage on Battersea Road.
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive 5% of the value of each of the parcels in lieu of parkland [Planning Act, s. 51(1)].
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
 - a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
 - c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended.
 - d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
 - e. The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good

and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.

RESOLUTION: C of A: 17:04:18

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-20-17-S by 1324782 Ontario Inc., to create a new lot, in Concession 7, Part Lot 36/37, Battersea Road, District of Storrington, subject to conditions.

Carried

Application No: S-20-17-S
Owner: 1324782 Ontario Inc.
Location of Property: Concession 7, Lot/Part Lot 36/37, Frontenac Road, District of Storrington, Township of South Frontenac
Purpose of Application: Consent to create a new lot
Date of Hearing: May 11, 2017
Date of Decision: May 11, 2017

DECISION: PROVISIONAL CONSENT BE GRANTED, subject to conditions

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year [Planning Act, s. 53(41)] after the "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].
2. The land to be severed by Consent Application S-20-17-S shall be for the creation of a minimum 2.0 acre lot with a minimum of 76m of frontage on Battersea Road.
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive 5% of the value of each of the parcels in lieu of parkland [Planning Act, s. 51(1)].
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
 - a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
 - c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended.
 - d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
 - e. The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario

addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.

RESOLUTION: C of A: 17:04:19

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby DEFERS consent application S-21-17-S by 1324782 Ontario Inc., to create a new lot, in Concession 7, Part Lot 36/37, McGarvey Road, District of Storrington, subject to KFL&A public health approval.

Carried

Item # 19: MV-16-17-L (Vanden Heuval)

Speaking to the Application: Rita Vanden Heuval, Reg Genge

Discussion:

The subject land consists of 1.5 +/- acres with frontage on Trotter Road and Shales Road. The lot is currently vacant. The proposal is for the construction of a 30 foot by 40 foot (1200 square foot footprint) dwelling to be located 15m from the front property line, 2.5m from the side property line and 22m from the unnamed waterbody located on the property. This unnamed waterbody was enlarged to the current size by the previous owner and the applicant is in process with the Cataraqui Region Conservation Authority to reduce the dimensions of this waterbody in order to increase the setback from the HWM.

The by-law does not permit the construction of any structures within 30 m of the HWM for the reasons of reducing adverse effects on the environment, maintaining a natural vegetative buffer and aiding in the preservation of the rural character of the Township.

Cataraqui Region Conservation Authority has no objections to the proposal as submitted.

KFL&A Public health has no objections to the proposal as the applicant has an has submitted and received approval for a permit to install a septic system on the lot.

Public works has no objections.

The building department has no objections.

R. Sutherland has visited the site and would like to increase the reduction in front yard setback in order to also increase the distance from the water; 10m from the road and 27m from the water.

Lisa Lajeunesse spoke about concerns over the infill of the pond and impacts on species.

R. Parslow indicated he has been working with the CRCA to infill the man made pond.

Several emails were received from neighbours who expressed similar concerns regarding the infilling of the pond and the impacts on the water flow and species in the area. These emails were taken into consideration by the committee when making their decision.

RESOLUTION: C of A: 17:04:20

Moved by: R. Sutherland

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-16-17-L by Richard Parslow, to permit construction within the 30m setback from water, within the 15 setback from top of bank, within the 20m front yard setback, within the 3m sideyard setback, in Concession 10, Part Lot 19, Trotter, District of Loughborough, subject to conditions.

Carried

Application No: MV-16-17-L
Owner: Richard Parslow
Location of Property: Concession 10, Lot/Part Lot 19, District of Loughborough, Township of South Frontenac
Purpose of Application: To vary section 5.8.2 and section 7.3.2 of the Comprehensive Zoning By-law to permit construction within the 30m setback from HWM, within 15m from top of bank, within the 20m front yard setback, within the 3m side yard setback
Date of Hearing: May 11, 2017
Date of Decision: May 11, 2017
Decision: MINOR VARIANCE APPROVED, subject to conditions

CONDITIONS:

1. This minor variance is for the construction of a maximum 1200 square foot footprint dwelling to be constructed a minimum of 27m from the high water mark of the unnamed waterbody on a vacant property (ARN 102904004001430), a minimum of 10 from the front property line at Trotter Road and a minimum of 2.5m from the side property line.
2. Minor variance MV-16-17-L is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.
3. 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 South Frontenac.
4. The applicant shall enter into a site plan agreement with the Township to be registered on title, which sets out the Township's environmental policies and which specifies that a permit may be required from Cataraqui Region Conservation Authority for the proposed development, and for any shoreline or in-water works.

Item # 20: MV-17-17-L (Silva)

Speaking to the Application: None Speaking

Discussion:

The subject land consists of 1.86 +/- acres with frontage on Fairhaven Lane and Bobs Lake. The lot is currently developed with a single detached dwelling. The proposal is for the construction of a 35 foot by 40 foot (1400 square feet) detached accessory building with a finished height of 24.5 feet to the peak. This additional height is required to permit the construction of a second floor storage area. The proposed accessory building is outside the 30m setback from the high water mark and meets all other setbacks as required in the comprehensive zoning by-law.

Comments from Rideau Valley Conservation Authority, KFL&A Public Health and Public Works were not required.

The building department has no objections.

D. Hahn visited the site and has concerns over a deck near the water which is currently under construction, in addition to a shed near the proposed site of the garage. He would like these questions addressed prior to making a decision on the variance application.

RESOLUTION: C of A: 17:04:21

Moved by: D. Hahn

Seconded by: J. McDougall

THAT the South Frontenac Township Committee of Adjustment hereby DEFERS minor variance application MV-17-17-B by Norman and Goretti Silva, to permit an increase in height of an accessory building, in Concession 7, Part Lot 32, Trotter, District of Bedford, subject to investigation over possible unauthorised structures on the property.

Carried

Item # 21: MV-18-17-S (Brown)

Speaking to the Application: Janet Brown

Discussion:

The subject land consists of 6.66 +/- acres with frontage on Huntbach Lane and Dog Lake. The lot is currently developed with a single detached dwelling (4806 Huntbach Lane). The proposal is for the construction of a 160 square foot footprint screen porch addition to be located a minimum of 25.2m from the high water mark of Dog Lake. There is currently a deck in place which extends past the end of the dwelling to approximately 25m from the HWM. The applicant intends to remove the existing deck structure and rebuild the entire thing at the same time as construction the screen porch addition and remove all portions of the deck which extend past the structure.

The by-law does not permit the construction of any structures within 30 m of the HWM for the reasons of reducing adverse effects on the environment, maintaining a natural vegetative buffer and aiding in the preservation of the rural character of the Township.

The Rideau Waterway Development Review Team has evaluated the proposal and have no objections to the application.

Comments from KFL&A Public Health and Public Works were not required.

The building department has no objections.

RESOLUTION: C of A: 17:04:22

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-18-17-S by Janet Brown, to permit construction within the 30m setback from water, in Concession 10, Part Lot 17/18, Huntbach Lane, District of Storrington, subject to conditions.

Carried

Application No: MV-18-17-S
Owner: Janet Brown
Location of Property: Concession 10, Lot/Part Lot 17/18, District of Storrington, Township of South Frontenac
Purpose of Application: To vary section 5.8.2 and section 10.3.1 of the Comprehensive Zoning By-law to permit construction within the 30m setback from water
Date of Hearing: May 11, 2017
Date of Decision: May 11, 2017

Decision: MINOR VARIANCE APPROVED, subject to conditions

CONDITIONS:

1. This minor variance is for the construction of a maximum 160 square foot footprint screen porch addition to an existing structure located at 4806 Huntbach Lane to be located a minimum of 25m from the high water mark of Dog Lake.
2. Minor variance MV-18-17-B is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.
3. 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 South Frontenac.
4. The applicant shall enter into a site plan agreement with the Township to be registered on title, which sets out the Township's environmental and limited service policies, and which specifies that a permit may be required from the Rideau Valley Conservation Authority for the proposed development, and for any shoreline or in-water works. This agreement shall also specify the requirement for roof runoff to be directed away from the lake.

Item # 22: MV-19-17-B (Ryckman)

Speaking to the Application: None Speaking

Discussion:

The subject land consists of 1.0 +/- acres with frontage on West Devil Lake Lane and Devil Lake. The lot is currently developed with a single detached dwelling (199 West Devil Lake Lane). The proposal is for the construction of a 12 foot by 34 foot deck to be located a minimum of 26.3m (86.3 feet) from the high water mark of Devil Lake. There is currently a 2.2 m (7.5 ft.) wide deck and stairs located on the water side, the proposed deck will extend a further 1.5m into the setback from the HWM.

The by-law does not permit the construction of any structures within 30 m of the HWM for the reasons of reducing adverse effects on the environment, maintaining a natural vegetative buffer and aiding in the preservation of the rural character of the Township.

The Cataraqui Region Conservation Authority is recommending denial of the application as they feel it does not meet the intent of the Official Plan. CRCA notes that the proposed development is outside the setback from the flood plain and outside the erosion hazard area identified on the property. They have also indicated that a permit will be required for all development on this property.

Comments from KFL&A Public Health and Public Works were not required.

The building department has no objections.

RESOLUTION: C of A: 17:04:23

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-19-17-S by Steven and Cindy Ryckman, to permit construction within the 30m setback from water, in Concession 10, Part Lot 9, Devil Lake Lane, District of Bedford, subject to conditions.

Carried

Application No: MV-19-17-B
Owner: Steven Ryckman and Cindy Ryckman
Location of Property: Concession 10, Lot/Part Lot 9, District of Bedford, Township of South Frontenac
Purpose of Application: To vary section 5.8.2 and section 10.3.1 of the Comprehensive Zoning By-law to permit construction within the 30m setback from water
Date of Hearing: May 11, 2017
Date of Decision: May 11, 2017

Decision: MINOR VARIANCE APPROVED, subject to conditions

CONDITIONS:

1. This minor variance is for the construction of a maximum 12 foot by 34 foot deck to be located a minimum of 26.3m from the high water mark of Devil Lake.
2. Minor variance MV-19-17-B is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.
3. 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 South Frontenac.
4. The applicant shall enter into a site plan agreement with the Township to be registered on title, which sets out the Township's environmental and limited service policies, and which specifies that a permit may be required from the Rideau Valley Conservation Authority for the proposed development, and for any shoreline or in-water works.

Item # 23: MV-20-17-B (McNichols)

Speaking to the Application: Paul McNichols

Discussion:

The subject land consists of 1.24 +/- acres with frontage on McNichols Lane and Thirty Island Lake. The lot is currently developed with a single detached dwelling and small accessory building. The proposal is for the construction of a 20 foot by 46 foot (920 square feet) detached accessory building with a finished height of 23.6 feet to the peak. This additional height is required to permit the construction of a second floor storage area. The proposed accessory building is outside the 30m setback from the high water mark and meets all other setbacks as required in the comprehensive zoning by-law.

Comments from Rideau Valley Conservation Authority, KFL&A Public Health and Public Works were not required.

The building department has no objections.

RESOLUTION: C of A: 17:04:24

Moved by: D. Hahn

Seconded by: J. McDougall

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-20-17-B by Steven and Cindy Ryckman, to permit an increase in height of an accessory building, in Concession 3, Part Lot 7, McNichols Lane, District of Bedford, subject to conditions.

Carried

Application No: MV-20-17-B
Owner: Paul & Janice McNichols
Location of Property: Concession 3, Lot/Part Lot 7, District of Bedford Township of South Frontenac
Purpose of Application: To vary section 10.3.2 of the Comprehensive Zoning By-law to permit an increase in height of an accessory building

Date of Hearing: May 11, 2017

Date of Decision: May 11, 2017

Decision: MINOR VARIANCE APPROVED, subject to conditions

CONDITIONS:

1. This minor variance is for the construction of a maximum 1400 square foot footprint accessory building with a finished height to peak of 23.6 feet. This accessory structure is not permitted to have any living space.
2. Minor variance MV-20-17-B is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.
3. 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 South Frontenac.

Item # 24: MV-21-17-S (Harvey)

Speaking to the Application: Nicholas Harvey

Discussion:

The subject land consists of 0.9 +/- acres with frontage on Ormsbee Road and Dog Lake. The lot is currently developed with a single detached dwelling (1517 Ormsbee Road) located approximately 26.8m from the high water mark of Dog Lake. The proposal is for a three (3) foot increase in height of the existing structure to permit an increase in living space on the second floor, as well as the creation of an outdoor deck above the existing covered porch which will be accessed from the upper level. The structure currently has a small upper loft area but the floor space is limited due to the pitch of the roof. This application is seeking to rectify a building without a permit situation discovered by the Chief Building Official.

The by-law does not permit the construction of any structures within 30 m of the HWM for the reasons of reducing adverse effects on the environment, maintaining a natural vegetative buffer and aiding in the preservation of the rural character of the Township.

The Rideau Waterway Development Review Team has no objection to the application as it does not encroach any farther into the required setback from the HWM and does not increase the lot coverage. CRCA noted that a permit is required for the proposed development.

Comments from KFL&A Public Health and Public Works were not required as the applicant has already upgraded his septic system to accommodate the renovations.

The building department has no objections.

RESOLUTION: C of A: 17:04:25

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-21-17-S by Nicholas Harvey, to permit construction within the 30m setback from water, in Concession 9, Part Lot 19, Ormsbee Road, District of Storrington, subject to conditions.

Carried

Application No: MV-21-17-S

Owner: Nicholas Harvey

Location of Property: Concession 9, Lot/Part Lot 19, District of Storrington, Township of South Frontenac

Purpose of Application: To vary section 5.8.2 and section 10.3.1 of the Comprehensive Zoning By-law to permit construction within the 30m setback from water

Date of Hearing: May 11, 2017

Date of Decision: May 11, 2017

Decision: MINOR VARIANCE APPROVED, subject to conditions

CONDITIONS:

1. This minor variance is for a maximum three (3) foot increase in height to peak of an existing dwelling located at 1517 Ormsbee Road to permit an increase in living space, in addition to the construction of a new second story deck over an existing lower level porch.

2. Minor variance MV-21-17-B is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.
3. 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 South Frontenac.
4. The applicant shall enter into a site plan agreement with the Township to be registered on title, which sets out the Township's environmental and limited service policies, and which specifies that a permit may be required from the Cataraqui Region Conservation Authority for the proposed development, and for any shoreline or in-water works.

Item # 25: MV-22-17-B (Brice)

Speaking to the Application: Roger Brice

Discussion:

The subject land consists of 1.5 +/- acres with frontage on Perth Road and Devil Lake. The property is zoned RRC-34 and permits three tourist cabins, a single detached dwelling and an accessory storage building. The proposal is for the addition of a 100 square foot mudroom to the non-water side of the existing principal dwelling located approximately 20m from the high water mark of Devil Lake. The by-law does not permit the construction of any structures within 30 m of the HWM for the reasons of reducing adverse effects on the environment, maintaining a natural vegetative buffer and aiding in the preservation of the rural character of the Township.

The Cataraqui Region Conservation Authority has no objections as the permit issued for the renovations to the building included the proposed mudroom.

Comments from KFL&A Public Health and Public Works were not required as the applicant has already upgraded his septic system to accommodate the renovations.

The building department has no objections.

RESOLUTION: C of A: 17:04:26

Moved by: J. McDougall

Seconded by: D. Hahn

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-22-17-B by Roger Brice, to permit construction within the 30m setback from water, in Concession 13, Part Lot 8, Perth Road, District of Bedford, subject to conditions.

Carried

Application No: MV-22-17-B
Owner: Roger Brice
Location of Property: Concession 13, Lot/Part Lot 8, District of Bedford, Township of South Frontenac
Purpose of Application: To vary section 5.8.2 and section 18.3.1 of the Comprehensive Zoning By-law to permit construction within the 30m setback from water
Date of Hearing: May 11, 2017
Date of Decision: May 11, 2017
Decision: MINOR VARIANCE APPROVED, subject to conditions

CONDITIONS:

1. This minor variance is for the construction of a maximum 100 square foot mudroom addition to an existing dwelling located 20m from the HWM of Devil Lake.
2. Minor variance MV-22-17-B is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.
3. 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 South Frontenac.

Item # 26: MV-23-17-B (Kimmatt)

Speaking to the Application: Tony and Michelle Kimmatt

Discussion:

The subject land consists of 43.9 +/- acres with frontage on Lee Road and Wolfe Lake. The property is currently developed with a seasonal dwelling and small accessory building. The proposal is for an increase in height (a maximum of 6 feet) of the existing dwelling to permit the reconstruction of the foundation and the creation of a crawlspace underneath the cottage to locate services. The dwelling is located approximately 55 feet at its closest point to Wolfe Lake and is within 120m of a Provincially Significant Wetland; as such, the applicant has submitted an Environmental Impact Assessment completed by Ontario Lake Assessments which stated there would be no long-term impacts as a result of the proposed construction. However, the EIA indicated that there needs to be appropriate soil stability measures taken during and after construction to prevent disruption of the native soil mantle.

The by-law does not permit the construction of any structures within 30 m of the HWM for the reasons of reducing adverse effects on the environment, maintaining a natural vegetative buffer and aiding in the preservation of the rural character of the Township.

Comments from Rideau Valley Conservation Authority have yet to be received.

Comments from KFL&A Public Health and Public Works were not required.

The building department has no objections.

RESOLUTION: C of A: 17:04:27

Moved by: D. Hahn

Seconded by: J. McDougall

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-23-17-B by Tony and Michelle Kimmett, to permit construction within the 30m setback from water, in Concession 10, Part Lot 23/24, Perth Road, District of Bedford, subject to conditions.

Carried

Application No: MV-23-17-B
Owner: Tony & Michelle Kimmett
Location of Property: Concession 10, Lot/Part Lot 23/24, District of Bedford, Township of South Frontenac
Purpose of Application: To vary section 5.10.2 of the Comprehensive Zoning By-law to permit construction within the 30m setback from water
Date of Hearing: May 11, 2017
Date of Decision: May 11, 2017

Decision: MINOR VARIANCE APPROVED, subject to conditions

CONDITIONS:

1. This minor variance is for the raising of an existing dwelling (966 Lee Road) a maximum of six (6) feet to permit the reconstruction of the foundation and the creation of a crawlspace underneath the cottage to locate services; no living space is permitted.
2. Minor variance MV-23-17-B is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.
3. 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 South Frontenac.
4. The applicant shall enter into a site plan agreement with the Township to be registered on title, which sets out the Township's environmental and limited service policies, and which specifies that a permit may be required from the Rideau Valley Conservation Authority for the proposed development, and for any shoreline or in-water works.

Item # 27: MV-24-17-S (Anglin)

Speaking to the Application: Bill Anglin

Discussion:

The subject land consists of 1.49 +/- acres with frontage on Loughborough Lake. This property is unique in that while it is possible to drive to it via Hickory Lane it is essentially an island with a bridge to the mainland. The property is currently developed with a seasonal dwelling (1050 square feet plus 515 square foot deck) and small accessory building (less than 100 square feet) located 48 feet from

the high water mark (HWM) of Loughborough Lake. The proposal is for the demolition of all existing structures on the property and the construction of a 1660 square foot dwelling plus rebuilding the same size deck to be located a minimum of 50 feet from the HWM. The applicant has also proposed the construction of a new 385 square foot detached garage as a future outbuilding also to be located a minimum of 50 feet from the HWM. The proposed dwelling and accessory buildings are to be located approximately 50 feet from Loughborough Lake and within 120m of a Provincially Significant Wetland; as such, the applicant has submitted an Environmental Impact Assessment (EIA) completed by Ontario Lake Assessments. The EIA suggests there is an opportunity to move the proposed cottage to the south somewhat to achieve a slightly better setback from the HWM and permit the possible construction of a full septic system as opposed to the two (2) tank holding tank setup currently being used.

The by-law does not permit the construction of any structures within 30 m of the HWM for the reasons of reducing adverse effects on the environment, maintaining a natural vegetative buffer and aiding in the preservation of the rural character of the Township.

Cataraqui Region Conservation Authority have no objections; however they have indicated that a permit will be required for the proposed construction.

Comments from KFL&A Public Health have yet to be received.

The building department has no objections.

Comments from Public Works were not required.

RESOLUTION: C of A: 17:04:28

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby DEFERS minor variance application MV-24-17-S by Carolyn Anglin, to permit construction within the 30m setback from water, in Concession 10, Part Lot 4, Hickory Lane, District of Storrington, subject to KFL&A approval.

Carried

Item #28 : Adjournment

RESOLUTION: C of A: 17:04:29

Moved by: J. McDougall

Seconded by: L. Redden

THAT the April 13, 2017 meeting of the South Frontenac Township Committee of Adjustment is hereby adjourned at 8:50 p.m. to reconvene at 7:00 p.m. on Thursday, June 8, 2017 or at the call of the Chair.

Carried

Alan Revill
Chair

Lindsay Mills
Secretary-Treasurer



TOWNSHIP OF SOUTH FRONTENAC
PLANNING DEPARTMENT



MINUTES 17:05
June 8, 2017

LOCATION: South Frontenac Municipal Offices, Sydenham

IN ATTENDANCE: Ron Sleeth (Storrington District-C)
Ken Gee (Storrington District)
David Hahn (Bedford District)
Alan Revill (Bedford District-C)
Larry Redden (Portland District)
John McDougall (Portland District-C)
Ross Sutherland (Loughborough District-C)
John Sherbino (Loughborough District)

STAFF: Lindsay Mills – Secretary-Treasurer/Planner
Jennie Kapusta – Deputy Secretary Treasurer

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Item # 1: Call to Order

RESOLUTION: C of A: 17:05:01

Moved by: J. McDougall

Seconded by: L. Redden

THAT the June 8, 2017 meeting of the South Frontenac Township Committee of Adjustment is hereby called to order at 7:05 p.m. with Alan Revill in the Chair.

Carried

Item # 2: Adoption of the Agenda

Approved as circulated

Item # 3: Declaration of Pecuniary Interest

None declared

Item # 4: Approval of Minutes

RESOLUTION: C of A: 17:04:02

Moved By: R. Sutherland

Seconded By: D. Hahn

THAT the South Frontenac Township Committee of Adjustment hereby defers approval of the minutes of the April 13, 2017 meeting of the Committee, until the July 13, 2017 meeting to add notes of conditions to select applications.

Carried

Item # 5: S-15-17-L (Koen)

Speaking to the Application: None Speaking

Discussion:

This application was granted provisional consent at the May 11, 2017 meeting but the applicant has requested a revision of conditions of consent; specifically the removal of the 5% parkland fee condition. The basis for this request is that the severed parcel is to be sold to the Nature Conservancy of Canada and as such will essentially be a park in its entirety and accessible to the public as is all their land.

RESOLUTION: C of A: 17:05:03

Moved by: R. Sutherland

Seconded by: J. Sherbino

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES a change of conditions, to consent application S-15-17-L by the Estate of John Francis Koen, to remove the condition for the 5% parkland fee.

Carried

Application No: S-15-17-L
Owner: Estate of John Francis Koen
Location of Property: Concession 7, Lot/Part Lot 24/25, Northshore Road, District of Loughborough, Township of South Frontenac
Purpose of Application: Consent to create a new lot
Date of Hearing: May 11, 2017
Date of Decision: May 11, 2017

DECISION: PROVISIONAL CONSENT BE GRANTED, subject to conditions

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year [Planning Act, s. 53(41)] after the "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].
2. The land to be severed by Consent Application S-15-17-L shall be for the creation of a 50 +/- acre lot with frontage on Northshore Road and Leland Road.
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
 - a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;

- b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
- c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended.

- d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
 - e. The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.
6. The applicant shall rezone the lot to be created from Consent Application S-15-17-L from Rural to Open Space – Private Zone in order to limit future development. Please contact Lindsay Mills, the Township Planner, to begin this process.

Item # 6: MV-08-17-B (1324782 Ontario Inc.)

Speaking to the Application: Jennifer Garrah (agent, Fotenn Consultants)

Discussion:

This item was originally brought to the Committee in May, 2017 but was deferred pending receipt of a report from KFL&A public health. The boundaries had changed from the original submission and required re-evaluation by public health for an alternative septic location.

The subject land consists of 73.3 +/- acres with frontage on McGarvey Road and Battersea Road. The lot is currently developed with an unoccupied livestock barn currently used for machine storage. The proposal is for the creation a new residential lot a minimum of 2 acres in size, with a minimum of 76m of frontage on McGarvey Road. This lot will encompass the livestock barn and result in a property of insufficient size for livestock so an MDS calculation is not required.

The proposed lot is outside the 500m area of influence for the nearby mineral aggregate designated lands.

The planning department is able to support the application for the proposed lot.

RESOLUTION: C of A: 17:05:04

Moved by: K. Gee

Seconded by: R. Sleeth

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-21-17-S by 1324782 Ontario Inc., to create a new lot, in Concession 7, Part Lot 36/37, McGarvey Road, District of Storrington, subject to conditions.

Carried

Application No: S-21-17-S
Owner: 1324782 Ontario Inc.
Location of Property: Concession 7, Lot/Part Lot 36/37, Frontenac Road, District of Storrington, Township of South Frontenac
Purpose of Application: Consent to create a new lot
Date of Hearing: May 11, 2017
Date of Decision: June 8, 2017

DECISION: PROVISIONAL CONSENT BE GRANTED, subject to conditions

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a

period of one year [Planning Act, s. 53(41)] after the "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].

2. The land to be severed by Consent Application S-21-17-S shall be for the creation of a minimum 2.0 acre lot with a minimum of 76m of frontage on McGarvey Road.
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive 5% of the value of each of the parcels in lieu of parkland [Planning Act, s. 51(1)].
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
 - a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
 - c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended.
 - d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
 - e. The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.
7. The applicant must submit a well driller's report demonstrating a potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test for the parcel severed through consent application S-21-17-S.

Item # 7: MV-17-17-B (Silva)

Speaking to the Application: None Speaking

Discussion:

This application was originally brought to the Committee in May, 2017 but was deferred to allow an opportunity for the Committee to confirm reports of a shed and waterfront deck constructed without permits or planning approval.

The subject land consists of 1.86 +/- acres with frontage on Fairhaven Lane and Bobs Lake. The lot is currently developed with a single detached dwelling. The proposal is for the construction of a 35 foot by 40 foot (1400 square feet) detached accessory building with a finished height of 24.5 feet to the peak. This additional height is required to permit the construction of a second floor storage area. The proposed accessory building is outside the 30m setback from the high water mark and meets all other setbacks as required in the comprehensive zoning by-law.

RESOLUTION: C of A: 17:05:05

Moved by: D. Hahn

Seconded by: J. McDougall

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-17-17-B by Norman and Goretti Silva, to permit an increase in height of an accessory building, in Concession 7, Part Lot 32, Fairhaven Lane, District of Bedford, subject to conditions.

Carried

Application No: MV-17-17-B
Owner: Norman Silva and Goretti Silva
Location of Property: Concession 7, Lot/Part Lot 32, District of Bedford, Township of South Frontenac
Purpose of Application: To vary section 10.3.2 of the Comprehensive Zoning By-law to permit an increase in height of an accessory building
Date of Hearing: May 11, 2017
Date of Decision: June 8, 2017

Decision: MINOR VARIANCE APPROVED, subject to conditions

CONDITIONS:

1. This minor variance is for the construction of a maximum 1400 square foot footprint accessory building with a finished height to peak of 24.5 feet. This accessory structure is not permitted to have any living space.
2. Minor variance MV-17-17-B is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.
3. 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 South Frontenac.
4. Prior to the issuance of a building permit the applicant is required to remove the deck constructed at the water's edge with no building permit or planning permission, and to legalise the 12 foot by 12 foot shed constructed without a building permit.

Item # 8: MV-24-17-S (Anglin)

Speaking to the Application: Bill Anglin

Discussion:

This application was originally brought to the committee in May, 2017 but was deferred pending the receipt of a report from KFL&A Public Health. This report has now been received.

The subject land consists of 1.49 +/- acres with frontage on Loughborough Lake. This property is unique in that while it is possible to drive to it via Hickory Lane it is essentially an island with a bridge to the mainland. The property is currently developed with a seasonal dwelling (1050 square feet plus 515 square foot deck) and small accessory building (less than 100 square feet) located 48 feet from the high water mark (HWM) of Loughborough Lake. The proposal is for the demolition of all existing structures on the property and the construction of a 1660 square foot dwelling plus rebuilding the same size deck to be located a minimum of 50 feet from the HWM. The applicant has also proposed the construction of a new 385 square foot detached garage as a future outbuilding also to be located a minimum of 50 feet from the HWM. The proposed dwelling and accessory buildings are to be located approximately 50 feet from Loughborough Lake and within 120m of a Provincially Significant Wetland; as such, the applicant has submitted an Environmental Impact Assessment (EIA) completed by Ontario Lake Assessments. The EIA suggests there is an opportunity to move the proposed cottage to the south somewhat to achieve a slightly better setback from the HWM and permit the possible construction of a full septic system as opposed to the two (2) tank holding tank setup currently being used.

The by-law does not permit the construction of any structures within 30 m of the HWM for the reasons of reducing adverse effects on the environment, maintaining a natural vegetative buffer and aiding in the preservation of the rural character of the Township.

Cataraqui Region Conservation Authority has no objections to the proposal as submitted. They have indicated that a permit from the CRCA will be required for the proposed development.

KFL&A Public Health have no objection to the proposal provided that the proposed dwelling specifications and site plan submitted with permit ST-16-17 do not change.

The building department has no objections.

Comments from Public Works were not required.

RESOLUTION: C of A: 17:05:06

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-24-17-S by Carolyn Anglin, to permit construction within the 30m setback from water, in Concession 10, Part Lot 4, Hickory Lane, District of Storrington, subject to conditions.

Carried

Application No: MV-24-17-S
Owner: Carolyn Anglin
Location of Property: Concession 10, Lot/Part Lot 4, District of Storrington, Township of South Frontenac
Purpose of Application: To vary section 5.10.2 of the Comprehensive Zoning By-law to permit construction within the 30m setback from water
Date of Hearing: May 11, 2017
Date of Decision: June 8, 2017

Decision: MINOR VARIANCE APPROVED, subject to conditions

CONDITIONS:

1. This minor variance is for construction of a maximum 1660 square foot footprint dwelling (no basement permitted) plus a maximum 550 square foot deck and a maximum 385 square foot detached accessory building (storage only, no living space permitted) to be located a minimum of 50 feet from the high water mark of Loughborough Lake.
2. Minor variance MV-24-17-S is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.
3. 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 South Frontenac.
4. The applicant shall enter into a site plan agreement with the Township to be registered on title, which sets out the Township's environmental and limited service policies, and which specifies that a permit may be required from the Cataraqui Region Conservation Authority for the proposed development, and for any shoreline or in-water works.

Item # 9: S-22-17-L (Snider)

Speaking to the Application: D'Arcy Snider

Discussion:

The subject land consists of 86.6 +/- acres with frontage on Rutledge Road, Stagecoach Road and Lambert Road. The lot is currently developed with a single detached dwelling and several agricultural outbuildings. The proposal is for the creation of a minimum 0.9 acre residential with a minimum of 50m of frontage along Rutledge Road. This new lot will encompass the existing dwelling but not the agricultural buildings.

KFL&A public health has no objections.

The building department has no objections.

Comments from Cataraqui Region Conservation Authority, Public Works were not required.

RESOLUTION: C of A: 17:05:07

Moved by: J. Sherbino

Seconded by: R. Sutherland

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-22-17-L by D'Arcy Snider to create a new lot, in Concession 4, Part Lot 4, Rutledge Road, District of Loughborough, subject to conditions.

Carried

Application No: S-22-17-L
Owner: D'Arcy Snider

Location of Property: Concession 4, Lot/Part Lot 4, Rutledge Road, District of Loughborough, Township of South Frontenac
Purpose of Application: Consent to create a new lot
Date of Hearing: June 8, 2017
Date of Decision: June 8, 2017

DECISION: PROVISIONAL CONSENT BE GRANTED, subject to conditions

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year [Planning Act, s. 53(41)] after the "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].
2. The land to be severed by Consent Application S-22-17-L shall be for the creation of a minimum 0.9 acre lot with a minimum of 50m of frontage on Rutledge Road.
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive 5% of the value of the parcel in lieu of parkland [Planning Act, s. 51(1)].
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
 - a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
 - c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended.
 - d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
 - e. The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.

Item # 10: S-23-17-P (McConville)

Speaking to the Application: None Speaking

Discussion:

This application was originally given provisional consent in May 2015 but the conditions were not completed within the required one year time period. It has been resubmitted exactly as approved previously.

The subject land consists of 127 +/- acres with frontage on Bellrock Road. The lot is currently developed with a single detached dwelling. The proposal is for the creation of a 10 +/- acre lot with 295 m of frontage along Bellrock Road.

The planning department is able to support the application for the proposed lot.
KFL&A public health has no objections as the lot was expanded to include the required area for septic.
The building department has no objections.
Quinte Conservation Authority has no objections.
Public works has no objections.

RESOLUTION: C of A: 17:05:08

Moved by: J. McDougall

Seconded by: L. Redden

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-23-17-P by Brent McConville to create a new lot, in Concession 10, Part Lot 10, Bellrock Road, District of Portland, subject to conditions.

Carried

Application No: S-23-17-P
Owner: Brent McConville
Location of Property: Concession 10, Lot/Part Lot 10, Bellrock Road, District of Portland, Township of South Frontenac
Purpose of Application: Consent to create a new lot
Date of Hearing: June 8, 2017
Date of Decision: June 8, 2017

DECISION: PROVISIONAL CONSENT BE GRANTED, subject to conditions

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year [Planning Act, s. 53(41)] after the "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].
2. The land to be severed by Consent Application S-23-17-P shall be for the creation of a 10 +/- acre lot with a 295 m of frontage on Bellrock Road.
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive 5% of the value of the parcel in lieu of parkland [Planning Act, s. 51(1)].
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
 - a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
 - c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended.

- d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
 - e. The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.
7. The applicant must submit a well driller's report demonstrating a potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test for the parcel severed through consent application S-23-17-P.

Item # 11: S-24-17-L (Koen)

Speaking to the Application: None Speaking

Discussion:

The subject land consists of 97 +/- acres with frontage on North Shore Road. The lot is currently vacant. The proposal is for the creation of a 16 +/- acre lot addition with 16 m of frontage along North Shore Road to 551 Leland Road. A significant portion of the subject land is zoned Environmental Protection (EP) and designated Provincially Significant Wetland (PSW). The land is currently used for agricultural purposes and the planned use is to continue as agricultural.

The planning department is able to support the application for the proposed lot.

Comments from KFL&A public health were not required.

The building department has no objections.

Cataraqui Region Conservation Authority has no objections to the proposal and has determined there is no need for a preliminary Environmental Impact Assessment. They have indicated that should development be proposed the applicant should contact the CRCA to determine the need for a permit. Public works has no objections.

RESOLUTION: C of A: 17:05:09

Moved by: J. Sherbino

Seconded by: R. Sutherland

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-24-17-L by Estate of John Francis Koen, to create a lot addition, in Concession 7, Part Lot 24, North Shore Road, District of Loughborough, subject to conditions.

Carried

Application No: S-24-17-L
Owner: Estate of John Francis Koen
Location of Property: Concession 7, Lot/Part Lot 24, North Shore Road, District of Loughborough, Township of South Frontenac
Purpose of Application: Consent to create a lot addition
Date of Hearing: June 8, 2017
Date of Decision: June 8, 2017

DECISION: PROVISIONAL CONSENT BE GRANTED, subject to conditions

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year [Planning Act, s. 53(41)] after the "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].
2. The land to be severed by Consent Application S-24-17-L shall be for the creation of a 16 +/- acre lot addition only to 551 Leland Road
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)

4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive \$100 in lieu of parkland [Planning Act, s. 51(1)].
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
 - a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
 - c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended.
 - d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
 - e. The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.
7. Prior to the stamping of the deed for consent the lot addition to be created through application S-24-17-L the lot to be created through consent application S-15-17-L must be finalised.

Item # 12: S-25-17-S (Kier)

Speaking to the Application: Tom Brennan (agent)

Discussion:

The subject land consists of 88.5 +/- acres with no frontage on either a public road or private lane. The lot is currently vacant. The proposal is for the creation of a 5.7 +/- acre lot with a minimum of 76m of frontage on Kier Road. Currently Kier Road does not extend along the proposed lot, but the applicant has requested and received approval from Council to extend Kier Road for the purposes of this new lot creation, provided the extension is constructed according to the Townships Guidelines for new roads.

The planning department is able to support the application for the proposed lot.

Comments from Cataraqui Region Conservation Authority were not required.

The building department has no objections.

KFL&A public health has no objections

Public works has no objections as the extension to Kier Road has already been approved by Council. The applicant will need to construct the new section and have it approved prior to the stamping of the deeds.

A letter submitted to the Township by Gary Beach was read into the record at the meeting. While he indicated he was not opposed to the application, this email outlined the several conditions Mr. Beach wanted to see included into the consent approval. These conditions included surveying and marking the new road location, maintaining a tree buffer, that South Frontenac Public Works Department oversee construction and have final approval for the new road construction, that the surface of the new section match the standard of the existing section of Kier Road, that the details of his letter be added as conditions of the proposed severance and road closing.

T. Brennan indicated that the majority of these requested conditions had already been addressed during the Council approval process for the road closing and he saw no need for any additional conditions.

Several committee members including R. Sleeth and D. Hahn stated that the committee should not add conditions merely because a request from the public was made for their addition, that any requests should be carefully considered.

G. Beach said if T. Brennan wanted to proceed that his requested conditions were not unreasonable, that he had put in more than his fair share of money towards upgrading the length of Kier Road in order to facilitate his Applewood Condominium development, that he was going to meet with Mark Segsworth (Manager of Public Works) to discuss his concerns.

RESOLUTION: C of A: 17:05:10

Moved by: K. Gee

Seconded by: R. Sleeth

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-25-17-S by Colin Kier, to create a new lot, in Concession 4, Part Lot 22, Kier Road, District of Storrington, subject to conditions.

Carried

Application No: S-25-17-S
Owner: Colin Kier
Location of Property: Concession 4, Lot/Part Lot 22, Kier Road, District of Storrington, Township of South Frontenac
Purpose of Application: Consent to create a new lot
Date of Hearing: June 8, 2017
Date of Decision: June 8, 2017

DECISION: PROVISIONAL CONSENT BE GRANTED, subject to conditions

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year [Planning Act, s. 53(41)] after the "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].
2. The land to be severed by Consent Application S-25-17-S shall be for the creation of a 5.7 +/- acre lot with a minimum of 76m on Kier Road.
3. Prior to the stamping of the deeds, the applicant must construct an extension to Kier Road which is constructed according to the Townships Guidelines for new roads and this extension must extend a minimum of 76m along the north side of the lot to be created through consent application S-25-17-S. This extension must be approved and assumed for maintenance by Public Works prior to the stamping of the deeds.
4. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
5. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
6. The Township of South Frontenac shall receive 5% of the value of the severed parcel in lieu of parkland [Planning Act, s. 51(1)].
7. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
 - a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;

- c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended.

- d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
- e. The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.

- 8. The applicant must submit a well driller's report demonstrating a potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test for the parcel severed through consent application S-25-17-S.

Item # 13: S-26-17-S, S-27-17-S (Howlett)

Speaking to the Application: Barry Howlett

Discussion:

The subject land consists of 9.3 +/- acres with frontage on Sands Road and Cedar Lake. The lot is developed with a single detached dwelling and an accessory building. The proposal is for the creation of a minimum 2.0 acre lot with a minimum of 65m of frontage on Sands Road. The newly created lot will need to be rezoned to reflect the reduced frontage along Sands Road. In addition to the new lot creation, the applicant is also asking to create a right-of-way to give deeded access to Cedar Lake for the newly created lot. The applicant has requested a 10m wide right-of-way be created along the western edge of the retained parcel to provide this water access.

The planning department is able to support the application for the proposed lot.

Comments from Cataraqui Region Conservation Authority were not required.

The building department has no objections.

KFL&A public health has no objections

Public works has no objections.

The committee had no objections to the creation of the proposed lot. They agreed with planner L.

Mills regarding limiting development to the rear of 2484 Sands Road and the need to provide appropriate buffering between the two properties for privacy reasons.

There was significant discussion regarding the proposed right-of-way and what the applicant intended to use this access for. The end result of this discussion was the general consensus that the addition of this right-of-way to the proposed lot had the effect of creating a waterfront lot with extremely limited frontage and increased the potential impact on Cedar Lake. R. Sleeth and K. Gee did not agree with this point of view.

RESOLUTION: C of A: 17:05:11

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-26-17-S by Donna Howlett, to create a new lot, in Concession 8, Part Lot 7, Sands Road, District of Storrington, subject to conditions.

Carried

RESOLUTION: C of A: 17:05:12

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-27-17-S by Donna Howlett, to create a right-of-way, in Concession 8, Part Lot 7, Sands Road, District of Storrington, subject to conditions.

Defeated

Application No: S-26-17-S
Owner: Donna Howlett
Location of Property: Concession 8, Lot/Part Lot 7, Sands Road, District of Storrington, Township of South Frontenac
Purpose of Application: Consent to create a new lot, together with a right-of-way
Date of Hearing: June 8, 2017
Date of Decision: June 8, 2017

DECISION: PROVISIONAL CONSENT BE GRANTED, subject to conditions

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year [Planning Act, s. 53(41)] after the "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].
2. The land to be severed by Consent Application S-26-17-S shall be for the creation of a minimum 2.0 acre lot with a minimum of 65m of frontage on Sands Road.
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive 5% of the value of the severed parcel in lieu of parkland [Planning Act, s. 51(1)].
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
 - a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
 - c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended.
 - d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
 - e. The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.
7. The applicant must submit a well driller's report demonstrating a potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test for the parcel severed through consent application S-26-17-S.
8. Prior to the stamping of the deeds the applicant must rezone the lot created through consent application S-26-17-S from Urban Residential – First Density (UR1) to a special Urban Residential – First Density zone to reflect the reduced frontage along Sands Road and prohibit development in the rear of 2484 Sands Road.

- 9. The applicant shall provide appropriate buffering along the rear lot line of 2484 Sands Road to the satisfaction of the Township.
- 10. The applicant shall enter into a development agreement with the Township to be registered on title of the retained parcel, which sets out the Township’s environmental policies, and which specifies that a permit may be required from the Cataraqui Region Conservation Authority for any shoreline or in-water works.

Item # 14: S-28-17-S (Caird)

Speaking to the Application: Ron Caird

Discussion:

The subject land consists of 50 +/- acres with frontage on Dixon Road. The lot is developed with a single detached dwelling. The proposal is for the creation of a 2.75 +/- acre residential lot with a 122m of frontage on Dixon Road.

The planning department is able to support the application for the proposed lot.

Comments from Cataraqui Region Conservation Authority were not required.

The building department has no objections.

KFL&A public health has no objections, but has indicated a site specific location for the proposed sewage system. This specific location required the applicant to slightly adjust the lot dimensions from their original application to include an increase in road frontage and a decrease in lot depth.

Public works has no objections.

RESOLUTION: C of A: 17:05:13

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-28-17-S by Rod and Candy Caird, to create a new lot, in Concession 7, Part Lot 17, Dixon Road, District of Storrington, subject to conditions.

Carried

Application No: S-28-17-S
Owner: Rod and Candy Caird
Location of Property: Concession 7, Lot/Part Lot 17, Dixon Road, District of Storrington, Township of South Frontenac
Purpose of Application: Consent to create a new lot
Date of Hearing: June 8, 2017
Date of Decision: June 8, 2017

DECISION: PROVISIONAL CONSENT BE GRANTED, subject to conditions

CONDITIONS:

- 1. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year [Planning Act, s. 53(41)] after the "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].
- 2. The land to be severed by Consent Application S-28-17-S shall be for the creation of a minimum 2.0 acre lot with a minimum of 76m of frontage on Dixon Road.
- 3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
- 4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
- 5. The Township of South Frontenac shall receive 5% of the value of the severed parcel in lieu of parkland [Planning Act, s. 51(1)].

6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
- The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
 - The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended.
 - The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
 - The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.
7. The applicant must submit a well driller's report demonstrating a potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test for the parcel severed through consent application S-28-17-S.

Item # 15: S-29-17-L (Shales)

Speaking to the Application: None Speaking

Discussion:

The subject land consists of 5.6 +/- acres with frontage on Shales Road. The lot is currently vacant. The proposal is for the creation of a 0.81 +/- acre lot addition with a 16.7m of frontage on Shales Road to 1388 Shales Road. The purpose of this lot addition is to rectify a lot line dispute.

The planning department is able to support the application for the proposed lot.

Comments from Cataraqui Region Conservation Authority, KFL&A public health and public works were not required.

The building department has no objections.

RESOLUTION: C of A: 17:05:14

Moved by: R. Sutherland

Seconded by: J. Sherbino

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-29-17-L by Donald Shales, to create a lot addition, in Concession 10, Part Lot 17, Shales Road, District of Loughborough, subject conditions.

Carried

Application No: S-29-17-L
Owner: Donald Shales
Location of Property: Concession 10, Lot/Part Lot 17, Shales Road, District of Loughborough, Township of South Frontenac
Purpose of Application: Consent to create a lot addition
Date of Hearing: June 8, 2017
Date of Decision: June 8, 2017

DECISION: PROVISIONAL CONSENT BE GRANTED, subject to conditions

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year [Planning Act, s. 53(41)] after the "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].
2. The land to be severed by Consent Application S-29-17-L shall be for the creation of a 0.81 +/- acre lot addition only, to 1388 Shales Road.
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive \$100 in lieu of parkland [Planning Act, s. 51(1)].
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
 - a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
 - c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended.
 - d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
 - e. The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.

Item # 16: S-13017-L (Jespersen)

Speaking to the Application: None Speaking

Discussion:

The subject land consists of 17.6 +/- acres with frontage on Sands Road and Cedar Lake. The lot is currently developed with a single detached dwelling and multiple accessory buildings. The proposal is for the creation of a 7.5 +/- acre lot with 66m of frontage on Sands Road, which will encompass all the existing structures. The retained parcel will have 65m of frontage on Sands Road. The applicant will be required to rezone both the severed and retained parcels from Rural (RU) to a special Rural zone to reflect the reduced frontage on Sands Road.

The planning department is able to support the application for the proposed lot.

Comments from Cataraqui Region Conservation Authority, KFL&A public health and public works were not required.

The building department has no objections.

RESOLUTION: C of A: 17:05:15

Moved by: K. Gee

Seconded by: R. Sleeth

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-30-17-S by Kurt and Evelyn Jespersen, to create a new lot, in Concession 8, Part Lot 6, Sands Road, District of Storrington, subject to conditions.

Carried

Application No: S-30-17-S
Owner: Kurt and Evelyn Jespersen
Location of Property: Concession 8, Lot/Part Lot 6, Sands Road, District of Storrington, Township of South Frontenac
Purpose of Application: Consent to create a new lot
Date of Hearing: June 8, 2017
Date of Decision: June 8, 2017

DECISION: PROVISIONAL CONSENT BE GRANTED, subject to conditions

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year [Planning Act, s. 53(41)] after the "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].
2. The land to be severed by Consent Application S-30-17-S shall be for the creation of a 7.5 +/- acre lot, with a minimum of 66m of frontage on Sands Road. The northern limit of the proposed lot shall not extend into the defined wetland area; rather the wetland area shall remain entirely with the retained parcel.
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive 5% of the value of the severed parcel in lieu of parkland [Planning Act, s. 51(1)].
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
 - a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
 - c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended.
 - d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
 - e. The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.

- 7. Prior to the stamping of the deeds the applicant shall rezone the lots (severed and retained parcels) to be created from Consent Application S-30-17-S from Rural to a Special Rural Zone in order to recognise the reduced road frontage. Please contact Lindsay Mills, the Township Planner, to begin this process.
- 8. The applicant shall enter into a development agreement with the Township to be registered on title of the retained parcel, which sets out the Township’s environmental policies, and which specifies that a permit may be required from the Cataraqui Region Conservation Authority for any shoreline or in-water works.

Item # 17: S-31-17-L (Butterill)

Speaking to the Application: None Speaking

Discussion:

The subject land consists of 110 +/- acres with frontage on Opinicon Road. The lot is developed with a single detached dwelling and agricultural outbuildings. The proposal is for the creation of a 10 +/- acre lot with 295m of frontage on Opinicon Road.

The planning department is able to support the application for the proposed lot.

Comments from Cataraqui Region Conservation Authority were not required.

The building department has no objections.

KFL&A public health have no objections.

Public works has no objections.

RESOLUTION: C of A: 17:05:16

Moved by: R. Sutherland

Seconded by: J. Sherbino

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-31-17-L by Robert and Bette Butterill, to create a new lot, in Concession 10, Part Lot 23/24, Opinicon Road, District of Loughborough, subject to conditions.

Carried

Application No: S-31-17-L
Owner: Robert and Bette Butterill
Location of Property: Concession 10, Lot/Part Lot 23/24, Opinicon Road, District of Loughborough, Township of South Frontenac
Purpose of Application: Consent to create a new lot
Date of Hearing: June 8, 2017
Date of Decision: June 8, 2017

DECISION: PROVISIONAL CONSENT BE GRANTED, subject to conditions

CONDITIONS:

- 1. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year [Planning Act, s. 53(41)] after the "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].
- 2. The land to be severed by Consent Application S-31-17-L shall be for the creation of a 10 +/- acre lot, with a 295m of frontage on Opinicon Road.
- 3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
- 4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
- 5. The Township of South Frontenac shall receive 5% of the value of the severed parcel in lieu of parkland [Planning Act, s. 51(1)].

6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:

- a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
- b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
- c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended.

- d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
- e. The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.

Item # 18: S-32-17-B (Knapp)

Speaking to the Application: None Speaking

Discussion:

The subject land consists of 175 +/- acres with frontage on Bradshaw Road, Steele Road and Bobs Lake Road. The lot is developed with a single detached dwelling and agricultural outbuildings. The proposal is for the creation of a 108 +/- acre lot with frontage on Bradshaw Road and Steele Road. The applicant was under the impression their property was two (2) separate parcels, but when selling discovered they had in fact merged into a single parcel. This application is to re-sever the parcel along the previously determined lot lines.

The planning department is able to support the application for the proposed lot.

Comments from Cataraqui Region Conservation Authority, KFL&A public health and public works were not required.

The building department has no objections.

RESOLUTION: C of A: 17:05:17

Moved by: D. Hahn

Seconded by: J. McDougall

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-32-17-B by Carl Knapp, to create a new lot, in Concession 2, Part Lot 26, Bradshaw Road, District of Bedford, subject to conditions.

Carried

Application No: S-32-17-B
Owner: Carl Knapp
Location of Property: Concession 2, Lot/Part Lot 26, Bradshaw Road, District of Bedford, Township of South Frontenac
Purpose of Application: Consent to create a new lot
Date of Hearing: June 8, 2017
Date of Decision: June 8, 2017

DECISION: PROVISIONAL CONSENT BE GRANTED, subject to conditions

CONDITIONS:

- 1. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a

period of one year [Planning Act, s. 53(41)] after the "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].

2. The land to be severed by Consent Application S-32-17-B shall be for the creation of a 108 +/- acre lot, with frontage on Bradshaw Road and Bobs Lake Road.
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
 - a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
 - c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended.
 - d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
 - e. The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.

Item # 19: MV-25-17-S (Alexander)

Speaking to the Application: James Alexander, Reg Genge

Discussion:

The subject land consists of 4.66 +/- acres with frontage on Collins Lake and Moreland-Dixon Road. The property is developed with a single detached dwelling and several accessory buildings. The proposal is for a 24 foot by 22 foot (528 square feet) addition to an existing garage located approximately 27 metres from the high water mark of Collins Lake. This proposed addition will not encroach any farther in to the required setback that the existing building. Portions of the property and shoreline are designated as Provincially Significant Wetland (PSW) and zoned Environmental Protection (EP), but not the area where the construction is proposed. The applicant has submitted a Preliminary Environmental Impact Assessment (EIA) completed by Ontario Lake Assessments which has determined that the addition will not have any additional impact on the sensitive natural environment.

The by-law does not permit the construction of any structures within 30 m of the HWM for the reasons of reducing adverse effects on the environment, maintaining a natural vegetative buffer and aiding in the preservation of the rural character of the Township.

RESOLUTION: C of A: 17:04:20

Moved by: K. Gee

Seconded by: R. Sleeth

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-25-17-S by James Alexander, to permit construction within the 30m setback from water, in Concession 2, Part Lot 22, Moreland-Dixon Road, District of Storrington, subject to conditions.

Carried

Application No: MV-25-17-S
Owner: James Alexander
Location of Property: Concession 2, Lot/Part Lot 22, 3859 Moreland-Dixon Road, District of Storrington, Township of South Frontenac
Purpose of Application: To vary section 5.10.2 of the Comprehensive Zoning By-law 2003-75 to permit construction within the 30m setback from water
Date of Hearing: June 8, 2017
Date of Decision: June 8, 2017

Decision: MINOR VARIANCE APPROVED, subject to conditions

CONDITIONS:

1. This minor variance is for construction of a maximum 530 square foot single storey addition to an existing garage at 3859 Moreland-Dixon Road, to be located a minimum of 25 metres from the high water mark of Collins Lake.
2. Minor variance MV-25-17-S is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.
3. 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 South Frontenac.
4. The applicant shall enter into a site plan agreement with the Township to be registered on title, which sets out the Township's environmental and limited service policies, and which specifies that a permit may be required from the Cataraqui Region Conservation Authority for the proposed development, and for any shoreline or in-water works. This agreement shall detail the required shoreline re-naturalisation as per the preliminary Environmental Impact Assessment completed by Ontario Lake Assessments.

Item # 20: MV-26-17-B (Brant)

Speaking to the Application: None Speaking

Discussion:

The subject land consists of 0.82 +/- acres with frontage on Bobs Lake. The property is developed with a seasonal dwelling and a 12 foot by 14 foot accessory building. The proposal is for a 10 foot by 11.5 foot (115 square feet) addition to the existing accessory building located approximately 27 metres from the high water mark of Bobs Lake. This proposed addition is on the non-water side of the structure and will not encroach any farther in to the required setback that the existing building.

The by-law does not permit the construction of any structures within 30 m of the HWM for the reasons of reducing adverse effects on the environment, maintaining a natural vegetative buffer and aiding in the preservation of the rural character of the Township.

Rideau Valley Conservation Authority has no objection to the application as submitted. They have indicated that no permit will be required from RVCA for the proposed development.

Comments from KFL&A Public Health and Public Works were not required.

The building department has no objections.

RESOLUTION: C of A: 17:04:21

Moved by: D. Hahn

Seconded by: J. McDougall

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-26-17-B by James Brant, to permit construction within the 30m setback from water, in Concession 4, Part Lot 25, Birch Island, District of Bedford, subject to conditions.

Carried

Application No: MV-26-17-B
Owner: James Brant
Location of Property: Concession 4, Lot/Part Lot 25, 14 Birch Island, District of Bedford, Township of South Frontenac

Purpose of Application: To vary section 5.10.2 and section 11.3.2 of the Comprehensive Zoning By-law 2003-75 to permit construction within the 30m setback from water
Date of Hearing: June 8, 2017
Date of Decision: June 8, 2017

Decision: MINOR VARIANCE APPROVED, subject to conditions

CONDITIONS:

1. This minor variance is for construction of a maximum 115 square foot single storey addition to an existing accessory building at 14 Birch Island, to be located a minimum of 27 metres from the high water mark of Bobs Lake.
2. Minor variance MV-26-17-B is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.
3. 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 South Frontenac.
4. The applicant shall enter into a site plan agreement with the Township to be registered on title, which sets out the Township's environmental and limited service policies, and which specifies that a permit may be required from the Rideau Valley Conservation Authority for the proposed development, and for any shoreline or in-water works.

Item #21: Adjournment

RESOLUTION: C of A: 17:05:20

Moved by: L. Redden

Seconded by: J. McDougall

THAT the June 8, 2017 meeting of the South Frontenac Township Committee of Adjustment is hereby adjourned at 8:45 p.m. to reconvene at 7:00 p.m. on Thursday, July 13, 2017 or at the call of the Chair.

Carried

Alan Revill
Chair

Lindsay Mills
Secretary-Treasurer



REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



PUBLIC MEETING

Report Date: July 7, 2017

Application No: S-33-17-L
Owner: Elva Clough
Location of Property: Concession 9, Lot/Part Lot 19, Perth Road, District of Loughborough, Township of South Frontenac
Purpose of Application: Consent to create a right-of-way
Date of Hearing: July 13, 2017

RECOMMENDATION

It is recommended that the Committee hear comments from members of the public and that the consent application to create a right-of-way **be considered for passage.**

BACKGROUND

The subject land consists of 6.1 +/- acres with frontage on Perth Road. The lot is currently vacant. The proposal is for the creation of a 34m +/- long right-of-way. The purpose of the right-of-way is to create legal access to an otherwise land locked parcel which is currently used for agricultural purposes. The right-of-way, if approved will be surveyed and constructed to the Township's standard for new private lanes.

The planning department is able to support the application for the proposed right-of-way.

Current Zoning: Rural (RU)
 Application Complies with Zoning: Yes
 Current Official Plan Designation: Rural (RU)
 Application Complies with Official Plan: Yes

AGENCY ANALYSIS AND COMMENTS

Comments from Cataraqui Region Conservation Authority and KFL&A public health were not required.

Public works has no objections

The building department has no objections.

CONDITIONS

1. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year [Planning Act, s. 53(41)] after the "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].
2. The land to be severed by Consent Application S-33-17-L shall be for the creation of a minimum 20m wide, 34m +/- long right-of-way with frontage on Perth Road.
3. The right-of-way created through Consent Application S-33-17-L shall be surveyed and constructed according to the Township's standard for new private lanes. The right-of-way access shall be recognized on the deeds of the lot to be access and the property over which it passes.
4. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. This includes all taxes levied as of the date of the stamping of the deeds.
5. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
6. The Township of South Frontenac shall receive \$100 in lieu of parkland [Planning Act, s. 51(1)].



REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



7. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
- a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
 - c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended.
 - d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
 - e. The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.

ATTACHMENTS

Map of Clough Property




Submitted/approved by: Lindsay Mills

Prepared by: Jennie Kapusta



**CLOUGH
S-33-17-L**

Legend

-  Clough Property
-  Moeslinger Property
-  Proposed ROW

Property to be Accessed

6063 Perth Road

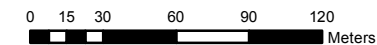
Proposed Right-of-Way

PERTH ROAD

Produced by the Township of South Frontenac under license with the Ontario Ministry of Natural Resources © Queen's Printer for Ontario, 2015.

While the Township makes every effort to insure that the information presented is accurate for the intended uses of this map, there is an inherent error in all mapping products, and accuracy of the mapping cannot be guaranteed for all possible uses. This map displays basic topographic features only.

Scale 1:3,111



UTM Projection NAD 83



REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



PUBLIC MEETING

Report Date: July 7, 2017

Application No: S-34-17-L
Owner: George Hamilton
Location of Property: Concession 13, Lot/Part Lot 24/25, Billy Green Road/Twisty Lane, District of Loughborough, Township of South Frontenac
Purpose of Application: Consent to create a new lot
Date of Hearing: July 13, 2017

RECOMMENDATION

It is recommended that the Committee hear comments from members of the public and that the consent application to create a new lot **be considered for passage.**

BACKGROUND

The subject land consists of 46 +/- acres with frontage on Billy Green Road, Twisty Lane and Buck Lake. The lot is developed with a seasonal dwelling and a detached accessory building. The proposal is for the creation of a 12 +/- acre waterfront residential lot with approximately 700 feet of frontage on Buck Lake. Buck Lake is designated as a Highly Sensitive Trout Lake (at capacity) and as such special requirements need to be met prior to the consideration of any new lots within 300 metres of the lake (Section 5.2.8(a)(iii) of the Official Plan). The applicant has submitted an Environmental Impact Assessment (EIA) completed by Ontario Lake Assessments which examines the potential impact the proposed lot will have on Buck Lake; factors evaluated include water quality, impact on lake trout habitat, impact on nearshore fish habitat and impact on species at risk. Based on extensive site and data evaluations it was determined that an appropriate building could be located at a distance of 40m from the high water mark. This is less than the 50m suggested by the conservation authority but this reduction is based on evidence of potential black rat snake nesting areas at the 50m to 60m setback. Additionally, at approximately 50m there is a large granite ridge which would cause significant environmental impact should it be required to be removed for construction as opposed to locating the building envelope between the 40m to 50m setback. The EIA also speaks to the identified septic location (and main source of increased nutrient loading) on the back slope of this granite ridge at a setback of 95m from Buck Lake as a reason for locating the building envelope at a 40m rather than 50m setback.

The proposed lot will gain access from Twisty Lane and will be required to be rezoned from Rural to Limited Service Residential Waterfront.

The planning department is able to support the application for the proposed lot.

Current Zoning: Rural (RU)
 Application Complies with Zoning: No
 Current Official Plan Designation: Rural (RU)
 Application Complies with Official Plan: No

AGENCY ANALYSIS AND COMMENTS

After conducting several site visits and evaluating soil samples from the property the Ministry of the Environment and Climate Change (MOECC) has no objections to the application.

Cataraqui Region Conservation Authority have no objection to the application provided development be set back a minimum of 50m from Buck Lake to protect the water quality and have suggested a site specific zone that details this setback, along with a requirement for site plan control. They have indicated a permit for development may be required depending on the location proposed for construction.

KFL&A public health have no objection to the application provided the septic system is located greater than 45m from Buck Lake in the location identified and approved in consultation with the MOECC and Ontario Lake Assessments. This identified location is actually set back 95m from Buck Lake.

Comments from Public Works were not required.

The building department has no objections.



REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



CONDITIONS

1. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year [Planning Act, s. 53(41)] after the "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].
2. The land to be severed by Consent Application S-34-17-L shall be for the creation of a 12 +/- acre waterfront lot with a minimum of 91m (300 feet) of frontage on Buck Lake and a minimum of 76m (250 feet) of frontage on Twisty Lane.
3. The right-of-way access over Twisty Lane to the lot created through Consent Application S-34-17-L shall be surveyed according to the Township's standard for new private lanes. The right-of-way access shall be recognized on the deeds of the lot to be access and the property over which it passes.
4. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. This includes all taxes levied as of the date of the stamping of the deeds.
5. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
6. The Township of South Frontenac shall receive 5% of the value of the severed parcel in lieu of parkland [Planning Act, s. 51(1)].
7. The applicant shall rezone the lot to be created through Consent Application S-34-17-L from Rural (RU) to a Special Limited Service Residential Waterfront zone to reflect the site specific environmental concerns, building envelope and septic location. Please see Planner Lindsay Mills to begin this process.
8. Prior to the issuance of a building permit the applicant shall enter into a Site Plan Agreement to be registered on title with the Township demonstrating the proposed development meets the required setbacks, which shows the location of the water access as specified in the EIA, and specifies that roof run-off be directed away from the lake into French drains.
9. The applicant shall enter into a development agreement to be registered on title to the severed and retained parcels which deals with the Township's environmental policies, as well as the requirement for the owner to contact the Cataraqui Region Conservation Authority prior to any development on the property, or shoreline or in-water works, to determine the need for a permit.

ATTACHMENTS

Map of Hamilton Property
CRCA Report
KFLA Report
Environmental Impact Assessment by Ontario Lake Assessments



Submitted/approved by: Lindsay Mills

Prepared by: Jennie Kapusta



**HAMILTON
S-34-17-L**

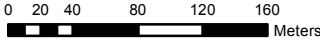
Legend

-  Hamilton Property
-  Hamilton Proposed Lot

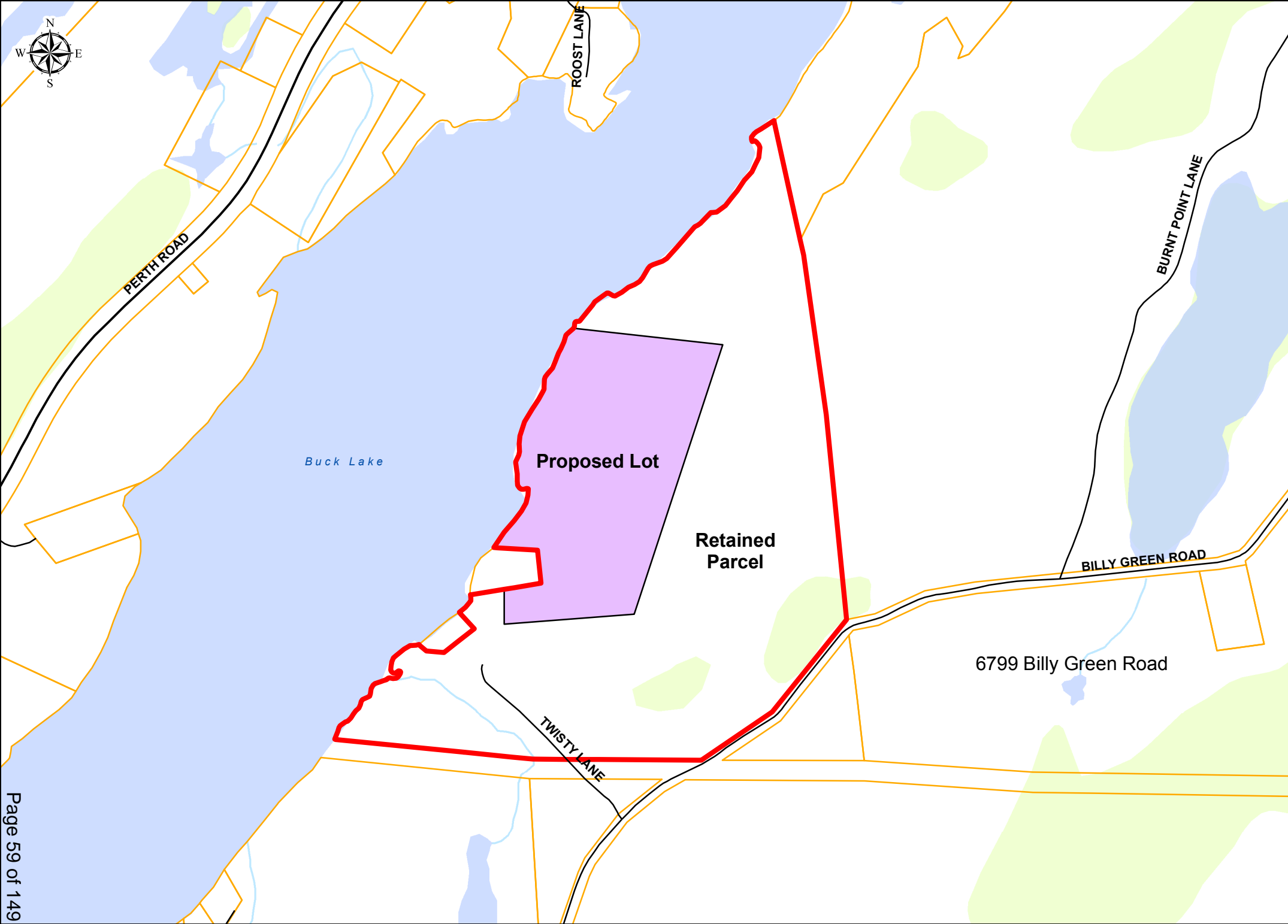
Produced by the Township of South Frontenac under license with the Ontario Ministry of Natural Resources © Queen's Printer for Ontario, 2015.

While the Township makes every effort to insure that the information presented is accurate for the intended uses of this map, there is an inherent error in all mapping products, and accuracy of the mapping cannot be guaranteed for all possible uses. This map displays basic topographic features only.



Scale 1:4,667



UTM Projection NAD 83



CONSENT TO SEVER INSPECTION REPORT

File Number: S-34-17-L			Receipt Number: SK-38-2017		
Owner(s): Hamilton, G & Milligan, C					
Municipality: South Frontenac			Ward / Former Township: Loughborough		
Lot: 24/25	Concession: 13	Registered Plan: 13R16693	Part(s): 1, 2, 3, 4, 5, 6	Plan of Subdivision:	Sublot:
General Description (existing buildings, surface features, slopes, site services for water and sewage, etc) Severed: Wooded, undulating, some rock outcrops, waterfront Retained: Existing cottage, wooded, undulating, some rock outcrops, waterfront					
Soil type, depth and water table on each part of potential leaching bed areas. Indicate water table with bar. Show estimated permeability (good, fair, poor) for each part where natural soil is acceptable.					
Severed		Depth of Soil	Retained		
Silty Sandy Clay		0.0 m	N/A		
		0.3 m			
		0.6 m			
		0.9 m			
		1.2 m			
		1.5 m			
					
Percolation rate (estimated): T>50min/cm			Percolation rate (estimated):		
NOTE: the approval of any new lot is based on its suitability to provide an area for a Class 4 septic tank system for an average 3 bedroom home. Approval to build a larger home on this lot will be subject to availability of sufficient area for a larger septic tank system.					
Suitability for on-site sewage disposal:					
<u>SEVERED</u> <input checked="" type="checkbox"/> Satisfactory <input type="checkbox"/> Unsatisfactory <input checked="" type="checkbox"/> Site Flexible <input type="checkbox"/> Site Specific		Conditions: <ul style="list-style-type: none"> - Soil conditions found on the lot will require additional suitable granular soil to construct a sewage disposal system. Specific requirements for additional soil will be indicated on an Application to Construct a Sewage System prior to site development. - The proposed lot is capable of providing flexibility in siting a sewage disposal system, dependent on the proposal submitted through an Application to Construct a Sewage System. - Proposed location is >45m from Buck Lake, area identified and approved in consultation with MOECC, Reg Genge, Lake Evaluator. 			
<u>RETAINED</u> <input type="checkbox"/> Satisfactory <input type="checkbox"/> Unsatisfactory <input type="checkbox"/> Site Flexible <input type="checkbox"/> Site Specific		Conditions: N/A			
Inspector: Gord Mitchell CPHI(C), Public Health Inspector		Approved: 		Date: June 23 2017	

PLEASE FORWARD A COPY OF THE NOTICE OF DECISION TO KFL&A PUBLIC HEALTH.

Personal information on this form is collected under the authority of the Building Code Act, and will be used for the administration of Public Health programs. Any questions about the collection of this information should be directed to the Manager of Environmental Health, KFL&A Public Health, 221 Portsmouth Avenue, Kingston, Ontario K7M 1V5, (613) 549-1232 ext. 1243 or 1-800-267-7875.



CATARAQUI REGION CONSERVATION AUTHORITY

1641 Perth Road, P.O. Box 160 Glenburnie, Ontario K0H 1S0
Phone: (613) 546-4228 Toll Free (613 area code): 1-877-956-CRCA
Fax: (613) 547-6474 E-mail: info@crca.ca
Websites: www.crca.ca & www.cleanwatercataraqui.ca



June 27, 2017

File: SEV/FRS/161/2017

Sent by Email

Ms. Jennie Kapusta, Planning Assistant
Township of South Frontenac
P.O. Box 100
Sydenham, Ontario
K0H 2T0

Dear Ms. Kapusta:

**Re: Applications for Consent to Sever S-34-17-L (Milligan)
Part Lots 24, 25, Concession 13; 1051B Twisty Lane
Township of South Frontenac (Loughborough)
Waterbody: Buck Lake**

Staff of the Cataraqui Region Conservation Authority (CRCA) have reviewed the above-noted application for consent to sever and offer the following comments for the Land Division Committee's consideration.

Summary of Proposal

The applicant has requested severance of a 4.8 hectare piece of land from the property known as 1051B Twisty Lane (lot to be severed). It is proposed that the lot will be accessed by way of a proposed extension to Twisty Lane. The lot to be retained would be approximately 14.16 hectares in area.

Site Description

The property is located on the west side of Billy Green Road in Loughborough district. The severed and retained parcels have water frontage onto Buck Lake. Presently, the lot to be severed is vacant. The new lot is proposed to be used for residential development in the future. The retained lot presently contains a cottage and a garage.

The property is currently designated 'Rural' in the Official Plan and 'Rural' (RU) in the implementing Zoning By-law for South Frontenac Township. Buck Lake itself is identified as a highly sensitive Lake Trout lake in the Official Plan and is zoned 'Environmental Protection' (EP) in the Zoning By-law.

Discussion

The main interests of the CRCA with respect to this application are the avoidance of natural hazards (e.g. flooding and erosion) associated with the shoreline of Buck Lake and the protection of the water

quality of the lake.

Natural Hazards

Flooding: The maximum recorded water level for Buck Lake is 133.16 metres geodetic. For Buck Lake, the maximum recorded water level is used in lieu of an engineered flood plain. The CRCA's Guidelines for Implementing Ontario Regulation 148/06 (see description below) requires that all development be set back a minimum of 6 metres from the regulatory floodplain of a waterbody. Based upon elevation mapping data, staff are satisfied that there is considerable area for development to occur beyond the required setback from the flood plain on both the lot to be severed and the retained lot. Therefore, staff have no concerns with the applications from a flooding perspective.

Erosion: Section 5.8.2(2) of the Zoning By-law specifies that no building or structure or septic tank installation shall be located within a minimum of 15 metres horizontal of the top of bank of any embankment, the slope of which is greater than 30% from horizontal. The CRCA defines the extent of potential erosion hazards to include an allowance for toe erosion, a stable slope allowance for rock of 1(h):1(v), plus an erosion access allowance of 6 metres. Staff have concluded that the lot to be severed and the retained lot contain suitable building envelopes outside of the erosion hazard setbacks described above. Therefore, staff have no concerns with the applications from an erosion perspective.

Water Quality

Section 2.2 of the Provincial Policy Statement (PPS) suggests that planning authorities should seek to protect, improve or restore the quality and quantity of water. Accordingly, the Official Plan and Zoning By-law for the Township of South Frontenac provide guidance with respect to how development should occur in consideration of protecting, improving and restoring water quality within the municipality. Similarly, the CRCA's Planning Policy (April, 2015) contains provisions that seek to support these objectives.

The Official Plan recognizes the need to minimize impacts to water quality by reducing phosphorous inputs, preventing erosion and maintaining natural appearances. Accordingly, policies have been included that can vary the setback from the highwater mark from 30 to 90 metres depending on the site characteristics such as steepness of slope, vegetation cover, soil depth and soil phosphorus retention.

Policy 6.1.6 of the CRCA's Planning Policy suggests that development setbacks should be based on the findings of lake management plans and site evaluation guidelines if available. For Precambrian shield lakes such as this one, Appendix G of the Planning Policy is used to establish an appropriate setback for future development. Appendix G was developed in consideration of the findings of a report entitled "Assessment of Municipal Site Evaluation Guidelines for Waterfront Development in Eastern Ontario's Lake Country" completed by Hutchinson Environmental Sciences Ltd. (April, 2014). These guidelines define a horizontal water setback distance based upon characteristics such as soil depth, slope and vegetation along the shoreline. Based upon available information, the recommended minimum depth of shoreline buffer for development for the proposed lot to be severed should be 50 metres to protect the water quality of Buck Lake.

In order to ensure that future residential development is consistent with the 50 metre setback noted above, staff recommend that additional controls be placed on the proposed new lot. More specifically, it is recommended that the proposed lot be rezoned to a site-specific waterfront residential zone that

requires a minimum 50 metre setback provision for new development. It is also recommended that the proposed lot be subject to site plan approval to control the location of buildings, structures and site alteration on the severed lot. This is of particular importance since Buck Lake is designated as a highly sensitive Lake Trout lake in the Official Plan.

Staff note that there appears to be suitable development envelopes outside of the recommended 50 metre setback from Buck Lake on the lot to be severed.

Recommendation

Staff have no objection to the approval of application S-34-17-L provided that development be set back a minimum of 50 metres from the high water mark on the severed lot to protect the water quality of Buck Lake. To achieve this, staff recommend rezoning the severed lot to a site specific waterfront residential zone requiring a 50 metre setback for development and that the severed lot be subject to site plan control.

The CRCA, under Ontario Regulation 148/06: *Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses*, regulates development within 15 metres of a flood plain or erosion hazard, and within 15 metres of the top of valley. Therefore, a permit may be required for proposed development on the severed and retained lots. The applicant or future owners of the lands will be required to contact the undersigned at the building permit stage for more information regarding permitting requirements under Ontario Regulation 148/06.

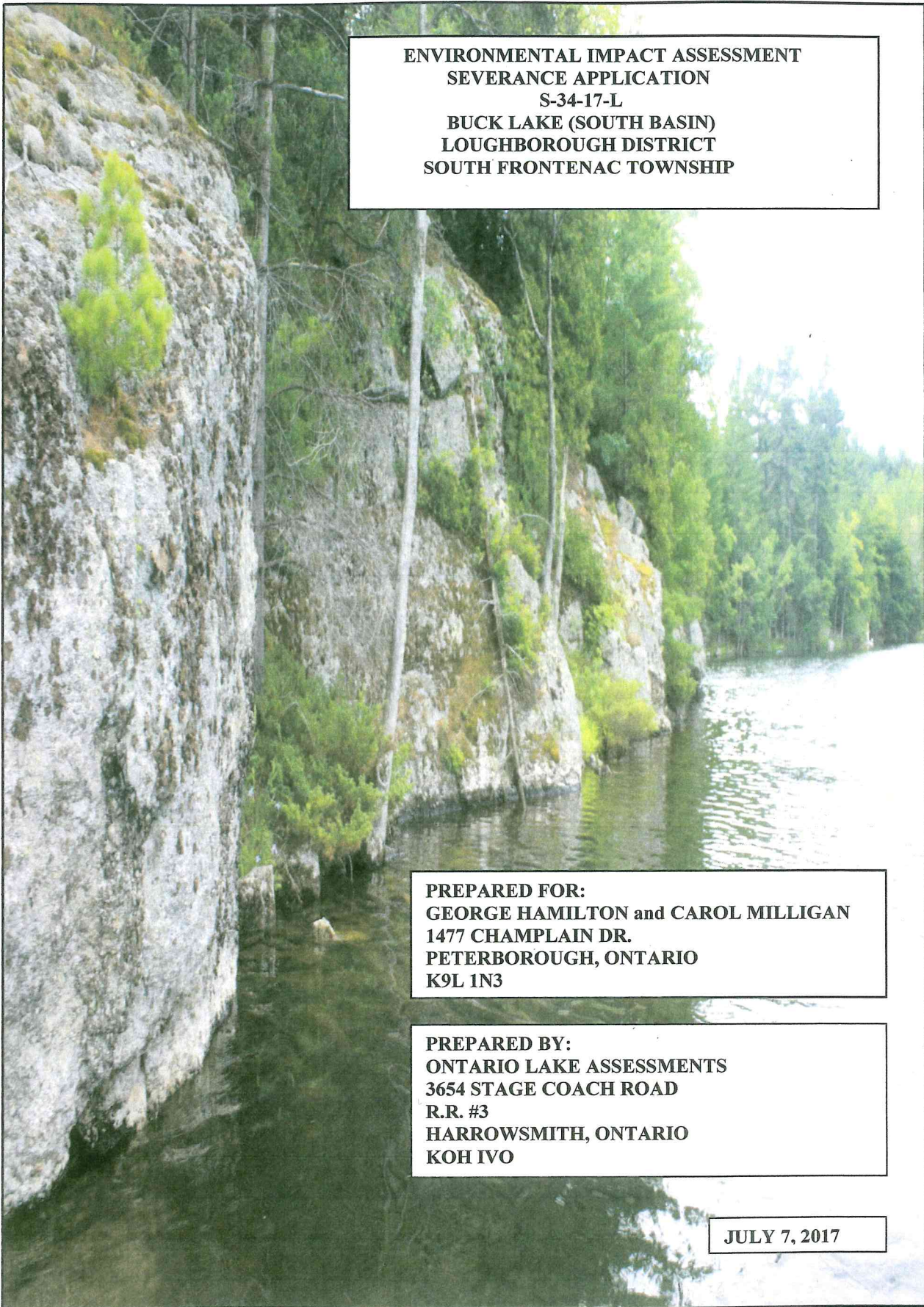
Please notify this office of any decision made by the Committee with regard to this application. If you have any questions, please contact Andrew Schmidt at (613) 546-4228 extension 244 or by email at aschmidt@crca.ca.

Yours truly,



Andrew Schmidt, C.Tech.
Supervisor, Development Review

c.c. George & Carol Milligan, 1477 Champlain Drive, Peterborough, ON, K9L 1N3
Lindsay Mills, Planner, Township of South Frontenac (via email)



**ENVIRONMENTAL IMPACT ASSESSMENT
SEVERANCE APPLICATION
S-34-17-L
BUCK LAKE (SOUTH BASIN)
LOUGHBOROUGH DISTRICT
SOUTH FRONTENAC TOWNSHIP**

**PREPARED FOR:
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PETERBOROUGH, ONTARIO
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ONTARIO LAKE ASSESSMENTS
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KOH IVO**

JULY 7, 2017

Executive Summary

The following report examines the potential for environmental impacts as the result of creating a new residential lot on the South Basin of Buck Lake. Buck Lake is designated as 'highly sensitive' by the MOECC and is recognised as such in the OP and Zoning By-law for South Frontenac Township. This designation does not allow for the creation of new lots unless very stringent requirements of MOECC can be achieved.

The Natural Heritage Features and Functions of concern with this application is of course the water quality of Buck Lake; the potential for impact on lake trout habitat; the potential for impact on nearshore fish habitat and also the potential for impact on species at risk.

Each of the above factors were examined in detail, both through a field presence and review of the relevant print material. In addition, satisfactory outcomes were determined and achieved through the cooperation of staffs from MOECC, the KFLAHU and the staffs of the Township of South Frontenac.

As such, the findings indicate support for the application and recommendations are provided to achieve a low impact development with this approval.

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1.0 INTRODUCTION / BACKGROUND:

The proponents, George Hamilton and Carol Milligan, wish to sever one parcel from an existing lot of record on the east side of Buck Lake (South Basin) in Loughborough District. The existing 19.0 ha (47 ac) parcel contains one cottage and a workshop/storage shed; there is on the order of 732± m (2,400 ft) of shoreline. The property is on Concession 13; Part Lots 24 & 25; 1051B Twisty Lane.

The property fronts on Billy Green Road to the east and on the shoreline of Buck Lake to the west; the proposed new lot will not have frontage on Billy Green Road. The parcel to be severed will have approximately 213m (650 to 750 ft) of shoreline on the lake and will be accessed from Twisty Lane. The retained portion is designated as managed forest and residential; the proposed parcel to be severed will also be managed forest and residential. The proposed parcel to be severed will be 4.86 ha± (12 ac) in area. The property is zoned rural; when the severance is approved a re-zoning to limited service residential – waterfront zone (RLSW) will be required for the new lot.

Buck Lake is managed by the Ministry of Natural Resources and Forestry (MNR) for a lake trout fishery and has been determined by the Ministry of the Environment and Climate Change (MOECC) through both lake modeling and the evaluation of water quality data to be highly sensitive to increases in nutrient loading. As such, Buck Lake (South Basin) is identified as highly sensitive in the Official Plan (OP) for South Frontenac Township and on the Land Use Plan Map (Schedule A) to the OP and also as such in the Comprehensive Zoning By-Law 2003-75. The highly sensitive designation prohibits the creation of new waterfront lots unless it can be demonstrated to the satisfaction of MOECC that site conditions prevail that will result in nutrient containment.

This EIA demonstrates, that for this application as proposed, the strict and protective conditions required by MOECC can be achieved and that there will be no impact to the water quality of Buck Lake as a result.

2.0 BACKGROUND INFORMATION

2.1 Buck Lake (South Basin) – Location and Physical Features *

Municipality - South Frontenac
 District(s) - Bedford, Storrington and Loughborough Districts
 Watershed – Cataraqui River Watershed
 Bedrock – Precambrian Shield

Watershed Area – 51.28 km²
 Lake Area - 4.910 x 10⁶ m²
 Lake Volume - 60.990 x 10⁶ m³
 Maximum Depth – 41.0 metres
 Mean Depth – 12.4 metres

* From MOE/MNR report Inland Lake Trout Management in Southeastern Ontario January 1993

2.2 Buck Lake (South Basin) – Water Quality and Lake Modeling Results

There are two water quality parameters of importance related to potential development impacts on lakes with cold water fisheries; these are phosphorus concentrations and oxygen concentrations below the thermocline.

The Provincial Water Quality Objective (PWQO) for phosphorus is 10 ug/L for oligotrophic lakes that are naturally below that level. A review of the MOECC Lake Partner Program sample results from 2002 to 2015 inclusive, show that Buck Lake (South Basin) is close to the 10 ug/L objective. The average total phosphorus (TP) is between 9.5 ug/L and 10.3 ug/L for that period of record (see Appendix 1). As such every effort should be made to manage phosphorus levels at or below the 10 ug/L threshold.

Buck Lake (South Basin) is a deep oligotrophic lake containing a cold-water fishery and is managed by MNRF as a lake trout lake with a natural reproducing population. While it appears fairly large in both area and volume, it ranks only 40th largest by volume and 41st largest by area, when compared to 52 other lakes in the above mentioned report; it ranks only 29th of the 53 lakes when comparing the warm surface water volume to the cold water volume. The warm water volume ($38 \times 10^6 \text{ m}^3$) at the end of the summer is almost two times larger than the cold water volume ($23 \times 10^6 \text{ m}^3$). It is this factor that most contributes to the lake sensitivity. Buck Lake (South Basin) was classified as moderately sensitive in the above report. While the lake modelling undertaken in the above mentioned report is still valid today, changes in the oxygen objective has resulted in a reclassification to highly sensitive.

Since the writing of that report, there is a new PWQO for oxygen and a new methodology has been developed to evaluate and classify lake trout lakes. The PWQO requires a mean volume weighted hypolimnion dissolved oxygen value of 7.0 mg/L. Using the data from both historical and more recent measured oxygen profiles, the MOECC determined that the south basin of Buck Lake could not meet the 7.0 mg/L objective and on that basis re-classified the basin as highly sensitive. This designation is recognized in the Official Plan (OP) (p.21) for South Frontenac Township (Personal communication V. Castro, MOECC).

Each of the water quality data, the lake modeling and the ‘highly sensitive’ lake designation are accepted at face value and are considered to be correct and appropriate for Buck Lake. **As such, Section 5.2.10 (p.24) of the OP is satisfied and therefore a new lake impact assessment inclusive of lake modelling is not a required to fulfill the conditions of this EIA.**

3.0 SITE EVALUATION APPROACH:

The evaluation of this site for the potential to sever **one new** lot on Buck Lake (South Basin) was undertaken with a view to satisfy the requirements of the Township of South Frontenac OP (March 2003) and the Comprehensive Zoning By-Law 2003-75. This approach includes Best Management Practices (BMP) not only for the retained lot but also for the proposed new lot that are protective

of the shoreline buffer area, the lake riparian area, fish habitat and the water quality of Buck Lake (South Basin).

Accordingly, every effort has been made to address the following sections of the OP:

- 1) *Section 5.2 (Environmental Protection) (p.14) addresses development requirements for areas designated Environmental Protection; this designation applies to all wetlands, lakes and watercourses. This designation requires a 30 metre setback from lakes, fish habitat, and wetlands zoned EP.*
- 2) *Section 5.2.7 (p.19) (Environmentally Sensitive Areas) includes all lands within 90 metres (295') of the high water mark of lakes and rivers....
5.2.7 (a)(i) Council may permit development and site alterations within and adjacent to Environmentally Sensitive Areas when an Environmental Impact Assessment indicates no negative impacts on natural features or the ecological functions occur.*
- 3) *5.2.7(a) (vii)(p.19)site plan control will be used where appropriate to implement remedial measures/mitigation measures identified by an Environmental Impact Assessment.*
- 4) *5.2.7 (b)(p.19) (Policies for Development and Site Alteration Adjacent to Lakes and Rivers) 5.2.7 (b)(i) 'All lands within 90 metres of the high water mark of all lakes and rivers which are not designated EP are included as Environmentally Sensitive Areas'. Vegetation in the setback area should be disturbed as little as possible consistent with pedestrian passage, safety, provision of views and ventilation.*
- 5) *5.2.7(b)(ii)1(p.20) On lots created subsequent to the approval of this plan and having steep slopes, minimal wood vegetation, thin soils and soils with poor phosphorus retention capability, setbacks of up to 90 metres (295') may be required. 2) On lots created subsequent to approval of this OP which have fewer constraints, reduced setbacks are permitted with an absolute minimum of 30 metres (98') for ideal sites.*
- 6) *5.2.7(b)(ii)4(p.20) Development and/or site alterations proposed within 30 metres (98') of the high water mark will require an Environmental Impact Assessment*
- 7) *Section 5.2.8 Lake Trout Lakes (p.22) All development or site alterations proposed within 30 metres of the high water mark will require the submission of an Environmental Impact Assessment prepared in accordance with Section 5.2.11. A Lake Impact Assessment prepared in accordance with Section 5.2.10 of this plan may also be required.*

All development or site alterations on or adjacent to a sensitive lake trout lake will be subject to Site Plan Control.

- 8) *Section 5.2.10 (p.24) (Lake Impact Assessments) This section indicates that development next to any waterbody has the potential to negatively impact on water quality and fisheries. A Lake Impact Assessment (LIA) must be prepared by a qualified individual in consultation with and to the satisfaction of the municipality and the Ministry of Environment.*
- 9) *Section 5.2.11 (p.24) (Environmental Impact Assessment) This section addresses any development or site alteration within or adjacent to any Environmentally Sensitive Area, Provincially Significant Wetland....., or within 300 metres of a sensitive lake trout lake, Council in consultation with the Conservation Authority, will require a preliminary Environmental Impact Assessment (PEIA). Should the municipality determine from the results of the preliminary assessment that a more detailed Environmental Impact Assessment (EIA) is required, it shall be prepared by a qualified individual and shall consist of the elements of Section 5.2.11 (a), (b), (c), (d), (e), and (f) of the OP (p24 &25).*

Likewise, every effort has been made to address the following sections of the Comprehensive Zoning By-Law 2003 - 75:

- 1) *5.8.2(p.30) no building or structure or septic tank installation including the weeping tile field shall be located : 1. within a minimum distance of 30 metres (98.4') horizontal of the high water mark of a waterbody..... . Additional setbacks of up to a maximum of 90 metres (295.3') horizontal may be required*
- 2) *5.8.4(p.31) Natural vegetation buffers should be maintained within 30 metres (98.4') of the high water mark.*
- 3) *5.37.1(p.47) Environmentally Sensitive Lands identified on the schedules to this by-law include all lands that have fish habitat, significant wildlife habitat,, all lands within 300 metres of the high water mark of highly sensitive lake trout lakes and 90 metres of the high water mark of any other waterbody, 50 metres from Areas of Natural and Scientific Interest and significant portions of the habitat of an endangered or threatened species, 30 metres from fish habitat, An Environmental Impact Assessment shall accompany all development or site alteration applications.*
- 4) *8.3.1 ZONE REGULATIONS (p.61) For Single detached or Seasonal Dwelling
Minimum Lot Area - 10,000 m² (107,642 ft²)
Minimum Water Frontage - 91 metres (300')
Minimum Setback from the High Water Mark – 30 m (98.4')*

4.0 SITE LOCATION:

The property is located on the east shoreline towards the south end of the south basin of Buck Lake. The legal description is Part Lots 24 & 25; 1051B Twisty Lane; Concession 13; District of Loughborough, Township of South Frontenac (Grange W. Elliot Ltd. 1996). To get to the property

take Perth Road to the Opinicon Road, then Maple Leaf Road, then Billy Green Road to 1051B Twisty Lane. The property is indicated on the 1:50,000 topographic map (Westport 31/C9) and the Google Earth image (below). The property is zoned rural.

Buck Lake (South Basin) is a basin in the Cataraqui River Watershed and is downstream from the north basin of Buck Lake. Both are located on the Frontenac Axis portion of the Precambrian Shield. The majority of the watershed is forested but historically contained small homesteads with small plots of cleared land; there are active farming practices within the catchment for the South basin of Buck Lake. Most lakes in the area are developed with permanent and seasonal residences.

The majority of the shoreline of Buck Lake is developed; there were 15 permanent residences and 191 seasonal residences and 100% of the shoreline is patented lands (MOE/MNR Inland Lake Trout Management in Southeastern Ontario 1993). This is dated information for Buck Lake; the reality is that many conversions to permanent residences have occurred since the publication of the above report.

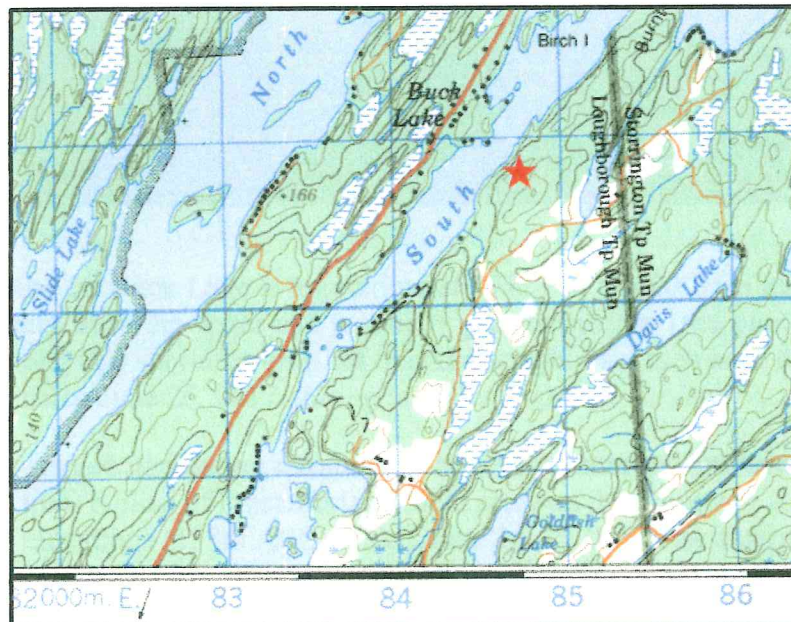


Figure 1

5.0 DESCRIPTION OF EXISTING LOT (PARCEL):

The existing lot is 19.0[±] hectares (47.0[±] acres) in size (see survey Figure 3 below). The property fronts on Buck Lake (South Basin) with the majority of the area of the property extending inland and easterly to the Billy Green Road. The south end of the property is traversed by Twisty Lane that provides access to the cottage on the proposed retained portion plus two additional cottages on adjacent properties. An unopened road allowance exists along the southern boundary between Concessions 12 & 13.

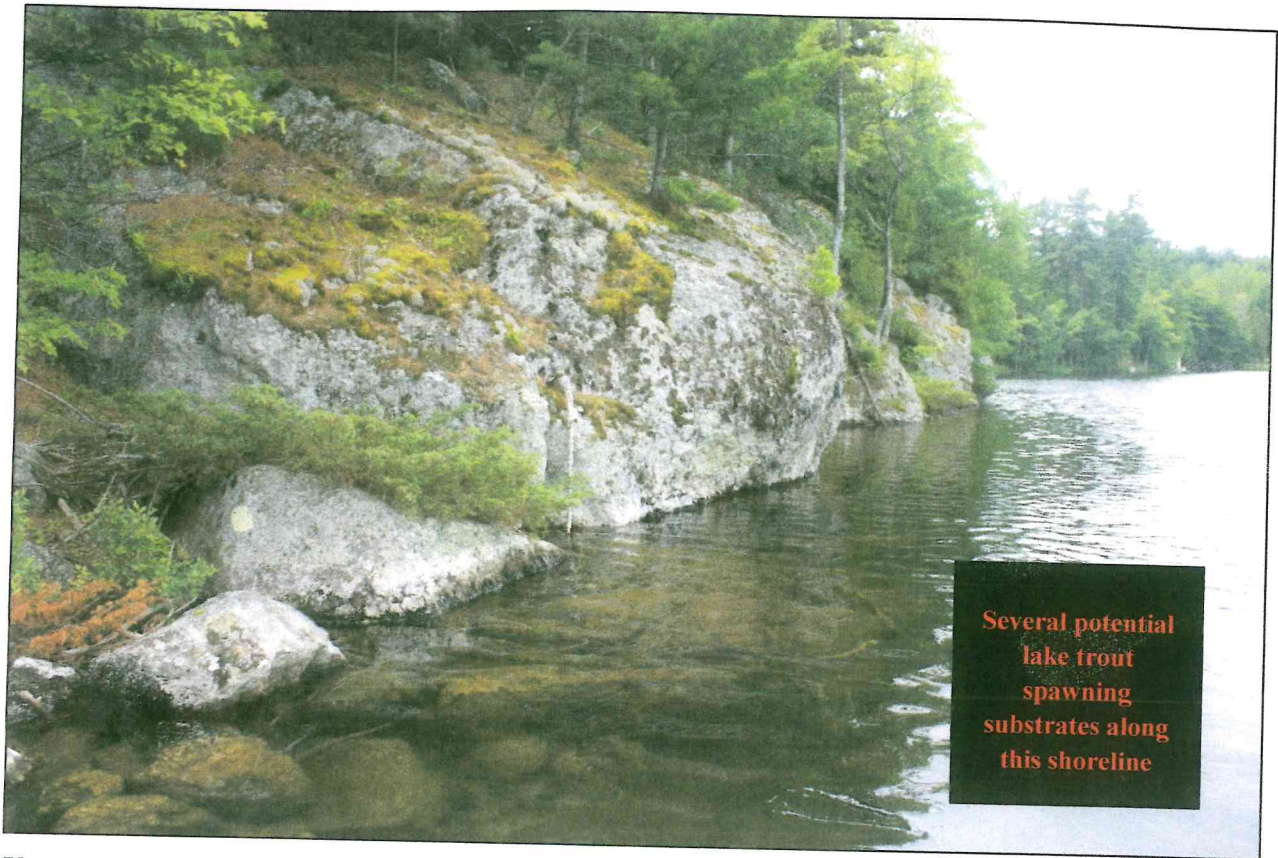


Figure 2

The shoreline fronting on Buck Lake is approximately $732\pm$ m (2,400 ft) in length. Much of the shoreline rises quickly from the water and is mostly granite outcrop (see photograph 1, below). The water depths along this shoreline drop off quickly, roughly six metres of depth at six metres off shore; depths verified June 26, 2017, during in-water shoreline survey.

The interior is very rugged undulating terrain with bare rock outcrops interspersed with areas of deep soils in valley areas typical of Precambrian Shield areas on the Frontenac Axis. Using Google Earth & a GPS, the elevations (133m ASL at lake, June 26, 17 GPS) rise sharply from the lake, a 6 m rise at 10m from shore (GE), then to a 12m rise at 50m (from shore GPS). The high point elevation is 177m ASL at 170m from the lakeshore. A valley lays inland and parallels the lakeshore at a distance of 60 to 80 m from the lake that has deep underlying soils in excess of 3m (10') in depth, soil depth confirmed June 21st, 2017. The valley acts as a small catchment for the runoff from the high elevations to the east and contains a small ephemeral flow during the freshet; it is not indicated as ES (Environmentally Sensitive) on Schedule B in the Zoning By-Law. This flow discharges between the two neighboring properties.

A small intermittent stream flows along the southern boundary and alongside Twisty Lane and delivers spring freshet flow into the lake. This stream provides drainage from a large wetland located off the property south of the Billy Green Road.



Photograph 1 - June 26, 2017 OLA

The property is well treed with a mixed deciduous forest containing white cedar (*Thuja occidentalis*), red oak (*Quercus velutina*), sugar maple (*Acer saccharum*), white birch (*Betula papyrifera*), ironwood (*Carpinus caroliniana*), basswood (*Tilia Americana*), and white pine (*Pinus strobes*). Juniper bush (*Juniperus horizontalis*) is located sporadically along the shoreline and along and over rock outcrops.

6.0 WETLAND and ENVIRONMENTALLY SENSITIVE (ES) AREA

There is a small area on this property that is indicated as wetland on Schedule A to the OP; it is the same area indicated as ES on Schedule B to the zoning By-law. The identified area on the above schedules is located in the northern extent of the proposed retained portion of the property at a distance of 108m \pm from the proposed septic site and an even greater distance from the proposed building envelope; this ES area will in no way be influenced by the creation of this proposed lot.

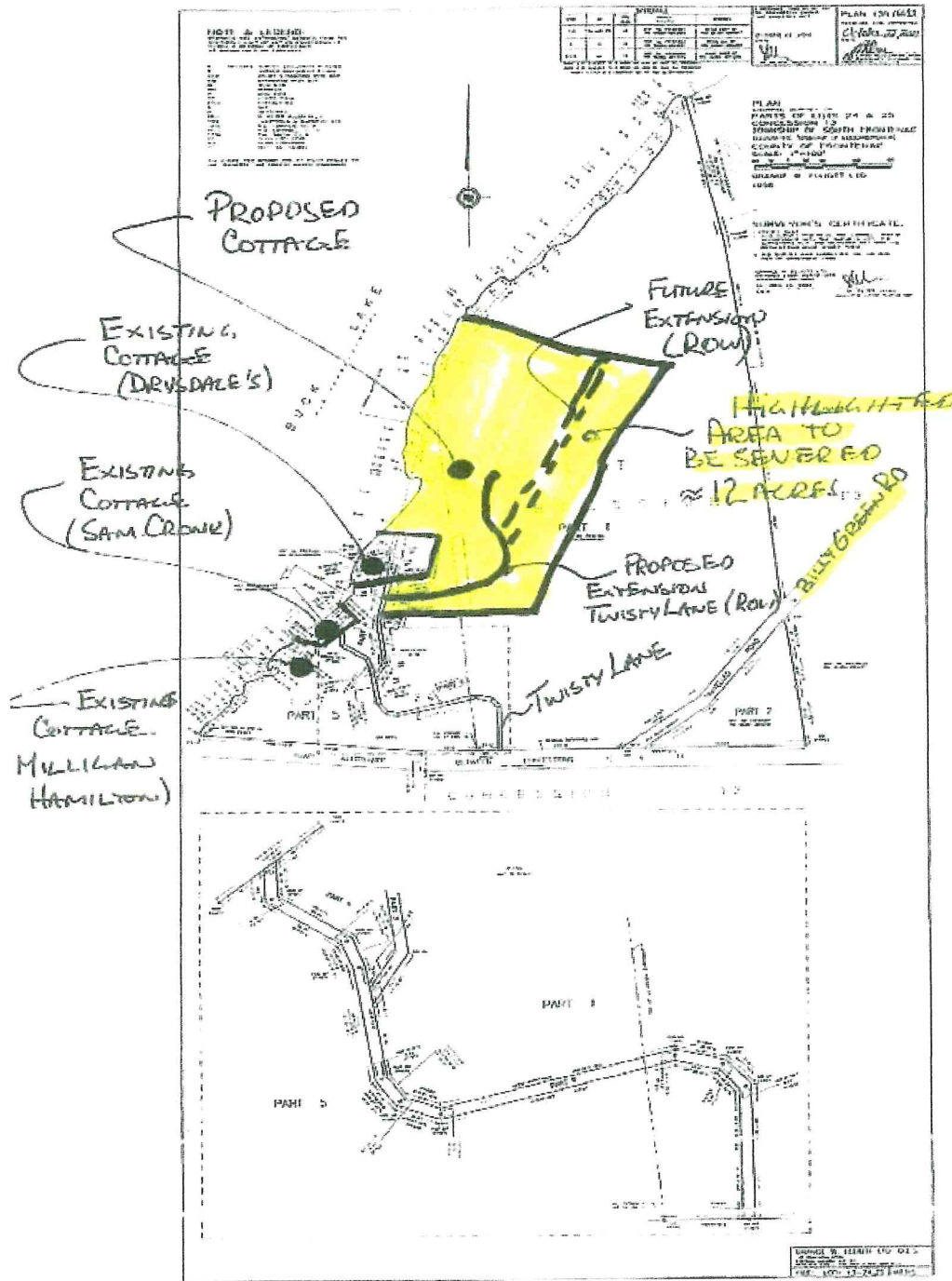


Figure 3

7.0 SPECIES AT RISK / THREATENED OR ENDANGERED SPECIES

This property shares a lakefront that also has shoreline fronting on Frontenac Provincial Park in the north basin of Buck Lake. Frontenac Provincial Park is a threshold wilderness park included in the United Nations Educational, Scientific and Cultural Organization (UNESCO) designated Thousand Islands-Frontenac Arch Biosphere Reserve. This UNESCO designated area also includes the Thousand Islands National Park and extends into Adirondack State Park in New York State. The UNESCO designation applies to all lands, both public and private, in the geographic area known as the Frontenac Arch and includes this property.

Three threatened species of turtles and eastern rat snakes are found within the park and locally and are considered to be Species at Risk (SAR). These are Eastern Rat Snakes (*Elaphe obsoleta obsoleta*), northern map turtles (*Graptemys geographica*), common musk turtles (*Stenotherus odoratus*), and Blanding's Turtles (*Emydoidea blandingii*) as well as many other species.

In order to address these concerns, the author has communicated with Dr. Gabriel Blouin-Demers, Professor at Ottawa University and Dr. Patrick Weatherhead with the University of Illinois Ecology and Evolutionary Biology Program; both persons have completed studies on these species in eastern Ontario.

7.1 Eastern Rat Snakes (*Elaphe obsoleta obsoleta*)

Eastern rat snakes are common from New England to the southern states; in Ontario the species occurs in only two locations, north of lake Erie and in the area of the Frontenac Axis, roughly Westport to Gananoque. Eastern rat snakes are tree-climbing constrictors that prey on birds and small rodents. This large and docile snake is subject to human persecution due to ignorance; it is protected under Ontario's Fish and Game Act. This snake is common in the U.S. and receives no special status. One of the key measures identified for protection of this species is the identification and protection of hibernacula (information from www.rom.on.ca/ontario/risk). Dr. Blouin-Demers indicates that rat snake hibernacula are difficult to find. In his 15-year experience the only way to know for sure is to equip snakes with radio transmitters and follow them to hibernacula sites. The snakes are known to use the same sites year after year. Dr. Weatherhead also confirmed the need to use telemetry to follow snakes to hibernation sites. Hibernation sites are anywhere a dry cavity can be located below frost level.

Dr. Weatherhead did indicate that the probability of a cottage being placed on a hibernaculum is **very remote** because the density of hibernacula is so low. He has made a very proactive and practical suggestion as a mitigative measure to protect the snakes during the construction phase. Excavation and building should only be permitted during the period June 1st to September 30th when snakes have left their hibernaculum in Eastern Ontario.

This property, both the retained and the proposed parcel to be severed, contains prime habitat for eastern rat snakes. There is lots of woody debris (deadfalls) that provide nesting sites for egg laying and much of the granite ridges have broken rock rubble along their bases that could provide entry points.

There is no evidence of possible hibernaculum sites in the proposed building envelope located at a distance of 40m from the lake. There is however a large granite ridge with much broken rock and fissures at the 50-60 metre setback that could contain caverns that are suitable for below frost hibernaculas for this species. For this reason, and due to the large setback of the septic bed (the primary nutrient source) it is recommend that relief be granted from the 50m setback down to a 40m setback for the structure in order to protect any potential hibernaculum that might be located at the 50-60m distance.

This recommendation is in keeping with Section 5.2.7(b)(ii)2(p.20) *On lots created subsequent to approval of this OP which have fewer constraints, reduced setbacks are permitted with an absolute minimum of 30 metres (98') for ideal sites.* The sewage system setback and the soil chemistry guarantee that nutrients will be contained therefore some relief from topographical constraints and in this case a potential SAR habitat can be granted. A building setback at 40m distance is a reasonable compromise.

7.2 Common Musk Turtles (Stinkpot Turtles)

The common musk turtle or stinkpot turtle has a range over much of eastern North America from the Gulf of Mexico to Ontario. In Ontario it is largely associated with the sedimentary bedrock area south of the Precambrian Shield. It prefers shallow slow moving water typically associated with marshes and wetlands. Musk turtles do not bask in the sun on land; instead they bask at the water surface. Musk turtles are protected in Ontario under the Fish and Wildlife Conservation Act. Threats to this species include habitat loss and collisions with boat propellers (information from www.rom.on.ca/ontario/risk). Dr. Blouin-Demers believes that the issue of boat collisions with basking musk and Blanding's turtles is not an issue because of their preference for marshy wetland areas.

There is no habitat on the proposed lot for stinkpot turtles.

7.3 Blanding's Turtle

Blanding's turtle range is from southwest Quebec to southwestern Ontario through the Great Lakes Region west to Iowa and South Dakota and Missouri plus scattered locals in the New England states. This species is found in lakes, ponds, and marshes with productive eutrophic habitats with soft organic bottoms and abundant aquatic vegetation. Blanding's turtles often travel inland considerable distances to lay eggs; this results in significant mortality to turtles in high-density road network areas.

Wetland alteration or destruction is believed to be an important factor in the decline of several populations of Blanding's turtles. The pet trade industry has also been identified as responsible for declines in Blanding's and map turtle populations. Dr. Blouin-Demers believes that the issue of boat collisions with basking musk and Blanding's turtles is not an issue because of their preference for marshy wetland areas.

Blanding's turtles may frequent the forested areas of the property but the development activity associated with this proposal will not impact vital habitat for this species.

7.4 Northern Map Turtles

The northern map turtle ranges from the Great Lakes down the Mississippi River to Louisiana and east to the Appalachian and Adirondack Mountain barriers. It also occurs in Ontario from Georgian Bay south to Lake Ontario and down the St. Lawrence to Montreal area. The northern map turtle is not well studied and there is not much evidence to support the position that there has been any decline. Population declines have been documented in southwestern Ontario where up to 70 % of wetlands have been drained.

Map turtles are more of a lake dwelling species that is extremely wary and will dive at the slightest provocation (information from www.rom.on.ca/ontario/risk). Despite this behavior Dr. Blouin-Demers reports that on the Rideau and St. Lawrence River many map turtles are injured or wounded by boat propellers. These waterways experience heavy boat traffic and fast bass boats and PWCs. Map turtles in Ontario are protected under the Fish and Wildlife Conservation Act.

Several map turtles and one snapping turtle were observed basking on rocks close to the Buck Lake boat launch on June 26, 2017. There is no aspect of this proposal that will impact this species.

8.0 FISH HABITAT

The shoreline in front of and adjacent to the proposed new lot was examined June 26th, 2017 and large portions of the shoreline were determined to be habitat that would be considered Type 1 or Type 2 fish habitat by the MNRF.

Type 1 fish habitat is considered by MNRF to be critical to the overall productive capacity of the fishery. It includes: spawning areas for species with stringent spawning requirements (e.g. coarse rock rubble and boulder size substrate for lake trout spawning shoals; small coarse sand and gravel substrates for bass and centrachidae to spawn); essential rearing and nursery areas for young fish and forage species; very productive feeding areas such as macrophyte beds; refuges (e.g. young-of-year small mouth bass require rocky areas in which to hide to avoid predation); plus many others.

Type 2 fish habitat while still important is not a limiting factor to the overall productive capacity. Type 2 fish habitat includes feeding areas for large fish; cool shelter and shaded refuge areas; plus others.

For Buck Lake (South Basin), of particular interest is the need to protect lake trout near-shore spawning shoals from alteration or harm as a result of dock placement and other human intrusions at the shoreline etc. Lake trout spawning shoals are usually shallow (< 1.0m depth) bolder shoals and near-shore sites that are exposed to high energy wave wash. Additionally, pea gravel spawning substrate for large and smallmouth bass and near-shore nursery habitat could be of significance.

The entire in-water shoreline was examined and photographed on June 27, 2017. Much of the documentation of that site visit is recorded on the photographs that follow. The majority of the shoreline drops off relatively quickly into deep water (6-8m) within 6-8 metres from shore.

There are several Type 1 habitat locations where suitable substrate and site conditions exist for potential lake trout spawning use; these are not prime sites (locales) but rather may be ancillary locations (Figure 4 below). Lake trout spawning shoals typically are found near points of land on downwind shorelines in high energy wave wash zones. There is very little suitable habitat for small and largemouth bass spawning along this shoreline, only two redds were located that were active this spring.

Much of the Type 2 habitats identified in Figure 4 are characterized by aquatic vascular plants dominated by tape grass and coontail. Both provide nursery habitat for bass and centrachid species; many small fish were observed in the grasses and the accumulated woody debris.

The littoral zone area at the site of the proposed water access for the proposed new lot has a soft organic substrate. It is an accumulation zone here that provides a substrate that encourages a healthy growth of submergent and emergent vascular plant growth (see Photographs 2 and 3 below). Many small centrachidae and minnows were observed here as well as an adult bass. Similar conditions are also located at the mouth of the creek that outlets to the lake near the southern boundary of the property.

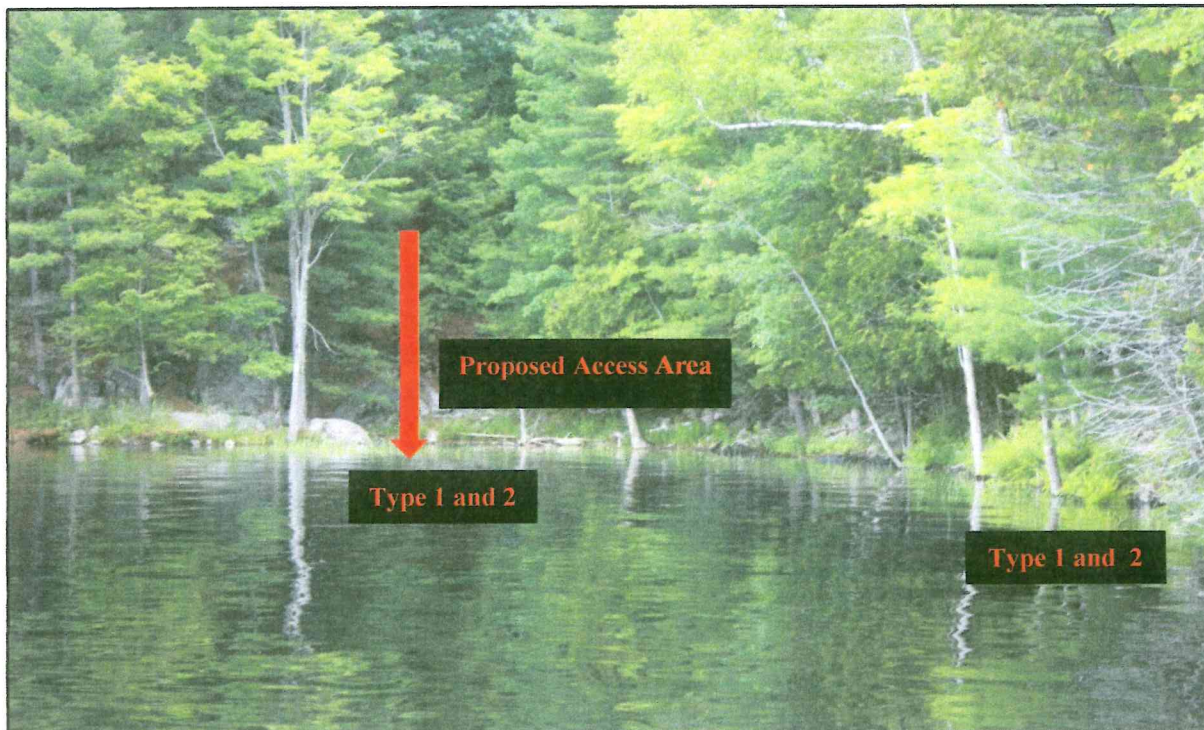


Figure 4

9.0 PROPOSED LOT TO BE SEVERED

The proposed lot to be severed is 4.86 ha[±] (12 ac[±]) in size with 198m to 229m (650 – 750') of water frontage. Much of the shorefront rises sharply from the water and makes for difficult water access with the exception of one location where there is a natural depression in the shoreline topography that leads to the water.

The shoreline at this location rises with a slope of about 60% for the first 10m inland from shore and then declines to a more moderate slope of 20% from the 10m mark to about 45 metres inland; the average slope overall is 29%. Soil depths in this foreslope area are generally shallow (< 25cm) with broken rock rubble at the surface. The foreslope area is considered to be undisturbed forest and is very well treed at present with lots of dead woody debris on the forest floor. Section 5.2.7b(iii) of the OP references the 'Rideau Lakes Basin Carrying Capacities and Proposed Shoreland Development Policies' for guidance in determining setback distances for development. Using that scoring methodology the setback for development should be 50m from the waterfront for the building envelope and the septic bed.



Photograph 2- June 26, 2017 OLA



Photograph 3 – June 26, 2017 OLA

That scoring works well for this lot with the exception that it does not take into consideration the opportunity for the backslope location of the septic bed, the 90m setback distance of the septic bed nor the soil chemistry.

Beyond approximately 40 m from the shoreline a granite outcrop occurs and the topography then drops into a valley behind. The opportunity exists to locate a septic system in this valley/backslope area at a distance of 80-90m from the lake. It is the location of the site that was excavated and agreed upon with the MOECC and the KFLAHU.

Section 5.2.7(b)(ii)1)(p.20 of the OP) states “On lots created subsequent to the approval of this plan and having steep slopes, minimal wood vegetation, thin soils and soils with poor phosphorus retention capability, setbacks of up to 90 metres (295’) may be required. 2) On lots created subsequent to approval of this OP which have fewer constraints, reduced setbacks are permitted with an absolute minimum of 30 metres (98’) for ideal sites.

For the above reason and for the SAR discussion it is recommended that a 40m setback from the water in every direction for the residence is the optimum compromise.

10.0 SOIL CHEMISTRY and PROPOSED SEPTIC LOCATION:

Discussions began with Victor Castro (MOECC) in the fall of 2016 to determine the requirements of the Ministry to create a new lot on Buck Lake. It was explained that the only circumstance where a new lot could be created was essentially a total containment of nutrients originating from the septic bed. To satisfy this request the parent soils would have to have:

- 1) > 1% of both Al and Fe and also have < 1% CaCO₃ equivalence by weight,

- 2) three metres of parent material soil depth below the septic bed and
- 3) 1.5 m of parent material above the saturated zone (water table)*.

*The above are delineated in the Lakeshore Capacity Assessment Handbook May 2010 p. 38 and 39.

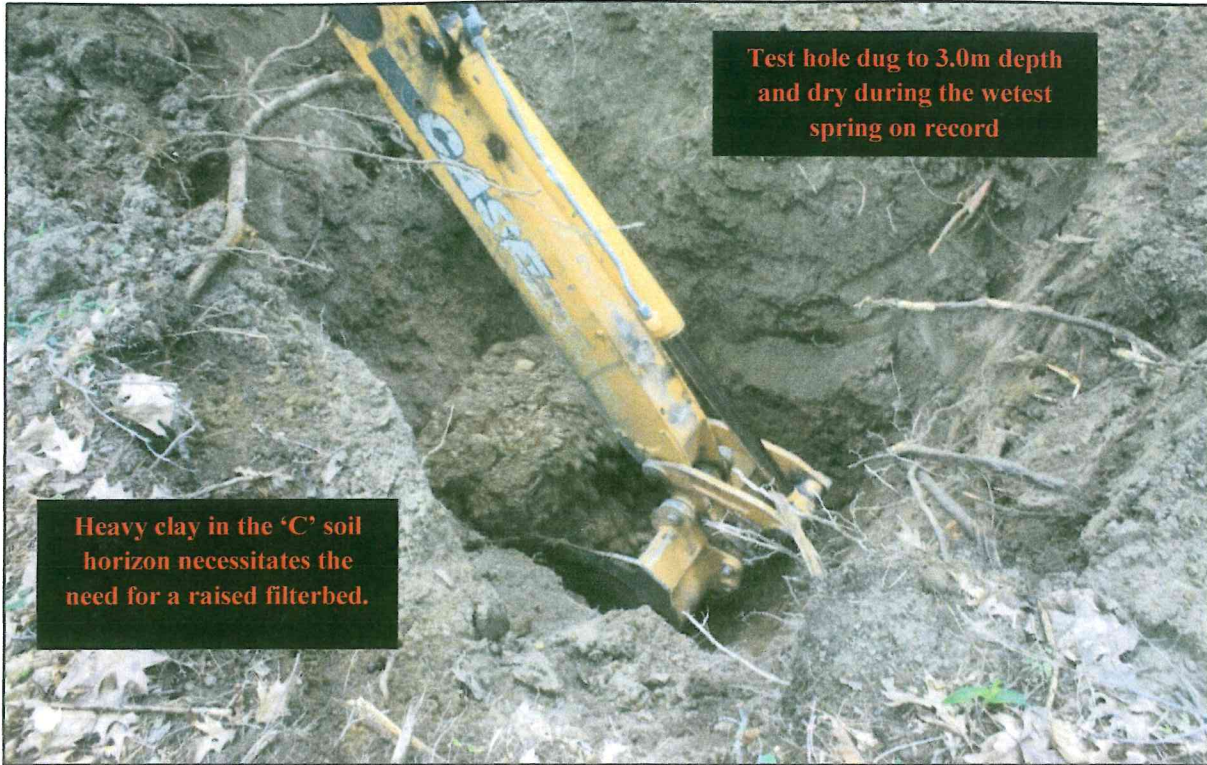
To satisfy these requirements soil samples were collected from the 'B' soil horizon and the bottom of a 1.6 metre test hole on October 29th, 2016 and submitted to Caduceon Environmental Laboratories for analysis. Due to difficulties getting CaCO₃ analysis on the samples the MOECC agreed to undertake this additional testing (see Appendix 2 for test results). The soil results were all favourable and therefore satisfy requirement #1 above.

In order to satisfy requirements #2 and #3 above, Victor Castro and Gord Mitchell agreed to meet on site to determine a test location for the septic system and witness the excavation; this was completed on June 21st, 2017 (see Photographs 4, 5, and 6 below).

The excavation confirmed >3.0m of soil depth; the surface 0.5m was brown forest soil containing lots of decomposed organics; the depths below that consisted of a brown-gray coloured clay; there were very few rocks. The presence of the clay soils at depth necessitates the need for a raised filter-bed. In addition, the excavation to a depth of 3.0m did not intercept any water and the excavation remained dry despite the spring of 2017 being the wettest spring on record.

This site is in a backslope area 80-90m horizontal distance from the lake and approximately 300 m[±] from the lake in a circuitous flow path through a forested valley; the parent material soil chemistry is known to bind phosphorus in perpetuity and with heavy clay parent soils that is also known to remove nutrients. The parent soil depths are > 3m deep and therefore a raised bed will also >3m above the water table.

The site conditions for the septic satisfies all the requirements of MOECC and the KFLAHU for approval of this lot.



Photograph 4 – June 21, 2017 OLA



Photograph 5 – June 21, 2017 OLA



Photograph 6 – June 21, 2017 OLA

11.0 SUMMARY:

This proposal and this site are unique and therefore not to be considered precedent setting for the following reasons:

- 1) The proposed lot size is large (4.86 ha \pm).
- 2) The proposed lake frontage is large (213m \pm).
- 3) The septic location is in a backslope area with a circuitous flow path of 300m \pm .
- 4) The septic bed location is 80-90m setback distance from the lake.
- 5) The septic location has >3m depth of soil parent materials.
- 6) The parent soils are high in Al and Fe and are low in CaCO₃ and therefore bind nutrients and meet all the requirements of MOECC for highly sensitive lakes.
- 7) The water table is >3 metres below the surface at the proposed septic bed location.
- 8) The septic system will be a Class IV system with a raised bed and will meet all the requirements of the KFLAHU
- 9) Given the location of the septic system and the safeguards achieved regarding nutrient containment, there is opportunity for some flexibility in terms of the required setback from the water for the residence in order to accommodate terrain constraints. The front of the building envelope should be allowed within of 40m horizontal distance in all directions.
- 10) The proposed water access site does not have any lake substrate suitable for lake trout spawning.
- 11) The proposed water access point can accommodate a floating dock with minimal impact on the Type 2 fish habitat in the confined/protected bay. A recommendation

for placement of this dock is included; final placement will require approval from the CRCA.

- 12) There are no species at risk issues with respect to the building envelope, the septic location, the driveway construction or the waterfront access.

12.0 RECOMMENDATIONS:

1. The lot should be approved conditional upon proceeding by way of Site Plan Control.
2. The setback for the residence should be 40m[±] horizontal distance from the water in all directions.
3. Rain gutters and roof leaders should be directed into a soak away pit or french drain; the drain to be to the rear of the building if possible.
4. The septic tank must be located in the backslope area; the septic bed must be located at the site of the test excavation; 80-90m from the lake.
5. The proposed access to the shoreline must be at the site indicated in this report.
6. Access to the water must be by way of a floating dock; final permits for location and shoreline alteration to be arranged with the CRCA.
7. The natural trees/vegetation in the 40m setback must be maintained in a natural state; allowing for minor trimming and clearing to create a view and ventilation.
8. No maintained 'lawn' area is to be permitted within the setback.
9. Best Management Practices to be used for the duration of the construction period to contain sediment and debris on site; e.g. staked hay bales across the downslope in front of the building envelope.

Prepared By:



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Principal
Ontario Lake Assessments
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613-376-3863

APPENDIX 1

- **Lake Partner Program (MOECC) Phosphorus Data**

Lake Partner Total Phosphorus (TP) Concentration Data, 2002-2015
Important note:

TP1 and TP2 are duplicate total phosphorus (TP) concentrations (sample pairs). It is normal for there to be minor differences between these duplicates. Data have been 'flagged' in YELLOW when there are major differences between TP1 and TP2. * When there are major differences between TP1 and TP2, it is probable that one of the two samples was contaminated (usually the higher value). Contamination can occur when the sample water contains zooplankton or other debris. Use caution when interpreting TP data that has been flagged.

Lake Name	Township	STN	Site ID	Site Description	Latitude (DMS)	Longitude (DMS)	Date	TP1 (µg/L)	TP2 (µg/L)	Data Collector
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	3	S Bay, Porcupine Is.	44°32'40"	76°26'05"	05-May-02	12.6	24.5	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	3	S Bay, Porcupine Is.	44°32'40"	76°26'05"	02-Jun-02	11.5	21.7	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	3	S Bay, Porcupine Is.	44°32'40"	76°26'05"	30-Jun-02	29.2	12.5	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	3	S Bay, Porcupine Is.	44°32'40"	76°26'05"	13-Jul-02	12.4	16.8	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	3	S Bay, Porcupine Is.	44°32'40"	76°26'05"	27-Jul-02	28.9	37.8	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	3	S Bay, Porcupine Is.	44°32'40"	76°26'05"	10-Aug-02	11.1	10.4	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	3	S Bay, Porcupine Is.	44°32'40"	76°26'05"	04-May-03	9.8	14.2	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	3	S Bay, Porcupine Is.	44°32'40"	76°26'05"	15-Jun-03	8.8	16.5	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	3	S Bay, Porcupine Is.	44°32'40"	76°26'05"	30-Jun-03	10.7	11.2	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	3	S Bay, Porcupine Is.	44°32'40"	76°26'05"	28-Jul-03	10.3	8.4	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	3	S Bay, Porcupine Is.	44°32'40"	76°26'05"	02-Aug-03	8.0	8.0	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	3	S Bay, Porcupine Is.	44°32'40"	76°26'05"	05-Oct-03	9.8	9.0	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	3	S Bay, Porcupine Is.	44°32'40"	76°26'05"	29-May-04	9.7	8.3	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	3	S Bay, Porcupine Is.	44°32'40"	76°26'05"	13-Jun-04	9.0	9.4	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	3	S Bay, Porcupine Is.	44°32'40"	76°26'05"	11-Jul-04	13.9	16.2	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	3	S Bay, Porcupine Is.	44°32'40"	76°26'05"	30-Jul-04	7.7	7.6	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	3	S Bay, Porcupine Is.	44°32'40"	76°26'05"	03-Oct-04	10.2	10.8	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	3	S Bay, Porcupine Is.	44°32'40"	76°26'05"	30-Jul-05	7.3	7.6	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	3	S Bay, Porcupine Is.	44°32'40"	76°26'05"	21-Aug-05	7.1	8.2	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	3	S Bay, Porcupine Is.	44°32'40"	76°26'05"	30-Sep-05	7.7	12.4	LPP Volunteer

BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	25-May-05	9.2	8.9	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	30-Mar-08	6.3	6.1	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	25-May-08	8.0	7.9	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	29-Jul-08	5.8	5.5	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	29-Oct-08			LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	17-Jun-09	11.0	11.7	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	03-May-10	12.6	12.4	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	05-Jun-10	9.0	8.6	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	04-Jul-10	9.6	9.8	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	08-Aug-10	9.2	8.6	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	15-Sep-10	7.6	7.2	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	10-Oct-10	8.4	7.8	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	17-May-11	12.2	13.2	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	14-Jun-11	8.0	8.2	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	30-Jun-11	9.2	9.8	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	17-Aug-11	7.4	6.4	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	10-May-12	10.0	9.8	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	23-Jun-12	10.0	8.8	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	11-Jul-12	8.8	9.0	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	25-Aug-12	7.6	7.6	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	14-Sep-12	8.0	7.2	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	09-Oct-12	7.4	7.8	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	19-May-13			LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	19-May-13	10.2	9.6	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	23-Jun-13			LPP Volunteer

BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	23-Jun-13	9.0	9.0	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	13-Jul-13			LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	13-Jul-13	8.6	7.6	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	11-Aug-13	8.2	8.2	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	17-Sep-13	7.8	7.8	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	12-Oct-13	8.4	8.8	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	18-May-14	14.4	15.0	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	20-Jun-14			LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	26-Jun-14	10.2	9.8	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	12-Jul-14	10.0	9.2	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	23-Aug-14	11.8	8.0	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	17-Sep-14	9.8	10.6	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	20-Oct-14	9.4	9.8	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	16-May-15	10.4	10.8	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	07-Jun-15	7.6	7.8	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	07-Jul-15	10.8	10.8	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	22-Aug-15	8.4	8.0	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	21-Sep-15	7.6	8.0	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	4	SouthBranch-southend	44°31'08"	76°27'22"	20-Oct-15	8.0	8.0	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	5	N/E end, deep spot	44°32'56"	76°25'25"	25-May-05	10.4	10.8	MOECC Eastern Region (Kingston)
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	6	W arm, deep spot	44°31'29"	76°28'13"	25-May-05	10.1	10.5	MOECC Eastern Region (Kingston)
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	7	W arm - south, deep spot	44°30'53"	76°28'35"	25-May-05	9.8	9.9	MOECC Eastern Region (Kingston)
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	7	W arm - south, deep spot	44°30'53"	76°28'35"	07-May-12	12.6	13.2	MOECC Eastern Region (Kingston)
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	9	E of Burnt Point-S Bay	44°31'50"	76°26'07"	07-May-12	9.2	9.4	MOECC Eastern Region (Kingston)
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	10	S Bay, S of Narrows	44°29'51"	76°28'16"	09-Jul-15	11.2	12.2	LPP Volunteer

BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	10	S Bay, S of Narrows	44°29'51"	76°28'16"	04-Aug-15	11.2	11.2	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	10	S Bay, S of Narrows	44°29'51"	76°28'16"	06-Sep-15	10.0	9.6	LPP Volunteer
BUCK LAKE	LOUGHBOROUGH, BEDFORD	6186	10	S Bay, S of Narrows	44°29'51"	76°28'16"	05-Oct-15	9.2	8.8	LPP Volunteer
								Average of all data		10.3
								Average of un-flagged data		9.5

APPENDIX 2

- **Soil Test Results – Caduceon Environmental Laboratories**
 - **Ministry of Environment and Climate Change**

C.O.C.: G63784

REPORT No. B16-35600

Report To:

Ontario Lake Assessments
 3654 Stage Coach Rd, RR#3
 Harrowsmith Ontario K0H 1V0 Canada

Caduceon Environmental Laboratories
 285 Dalton Ave
 Kingston Ontario K7K 6Z1
 Tel: 613-544-2001
 Fax: 613-544-2770

Attention: Reg Genge

DATE RECEIVED: 29-Nov-16 JOB/PROJECT NO.: G.Hamilton DATE REPORTED: 05-Dec-16 P.O. NUMBER:

SAMPLE MATRIX: Soil

WATERWORKS NO.

Client I.D.	Sample A	Sample B		
Sample I.D.	B16-35600-1	B16-35600-2		
Date Collected	06-Nov-16	06-Nov-16		

Parameter	Units	R.L.	Reference Method	Date/Site Analyzed				
Aluminum	µg/g	10	EPA 6010	05-Dec-16/O	15900	18600		
Calcium	µg/g	10	EPA 6010	02-Dec-16/O	2420	4010		
Iron	µg/g	10	EPA 6010	05-Dec-16/O	22600	29200		



R.L. = Reporting Limit

Test methods may be modified from specified reference method unless indicated by an *

Site Analyzed=K-Kingston,W-Windsor,O-Ottawa,R-Richmond Hill

Michelle Dubien
 Lab Manager

The analytical results reported herein refer to the samples as received. Reproduction of this analytical report in full or in part is prohibited without prior consent from Caduceon Environmental Laboratories.

ogin: C236126

rogram Code130042101

Program: MOE OPERATIONS DIVISION

Study: CONTAMINATED SITES

Project: EASTERN REGION TECH SUPPORT

Activity: SITE CLEANUP / VERIFICATION

Organization: District Manager Kingston

Org. Id: 4613

Mail this copy to :

CASTRO, VICTOR
MOE - KINGSTON REGIONAL OFFICE
1259 GARDINERS ROAD
KINGSTON, ONT
K7P 3J6

Final reports to : CASTRO, VICTOR

Approved for release by : KAREN MACPHERSON Manager, Toxic Organics Section

Approved date : May. 11, 2017

Inquiries to : KAREN MACPHERSON
DAVE MORSE

Telephone : 416-235-5848
Telephone : 416-235-5989

OGIN DESCRIPTION: BUCK LAKE, SOUTH FRONTENAC TOWNSHIP

he results relate only to items tested.
o provide customer service feedback on this report and/or other services provided by LaSB, please contact the LaSB HelpDesk at 416-235-6030 or the Customer Service Manager at 416-235-5831

FINAL REPORT(manager4)

Print Date: May. 11, 2017 01:58 PM By REPORTADMIN

**** FINAL ****

gin: C236126

This report contains confidential information intended only for the person(s) to whom it is addressed. Any unauthorized disclosure, copying, other distribution of this report, or taking any action on its content is strictly prohibited. If you have received Manager at 416-235-5831

Sample Location Description
BUCK LAKE PROPERTY PIT 1

Sampler Information

DE*LIMS Products Requested:

SO E3529 CARB3529

Sample ID
C236126-0001

ne Easting Northing

1 385000 4934000

INTERPOL UNKNOWN
ATION- N
MAP

Date Time Zone
Sample Comment Description31 JAN 2017 5

Id Id

Collection Accuracy

Method Map Datum (metres) 6-10M

DE*LIMS Products Requested:

SO E3529 CARB3529

Sample Location Description
BUCK LAKE PROPERTY PIT 2

Sampler Information

UTM:

Zone Zone Easting Northing
231 385000 4934000

Sample

INTERPOL UNKNOWN
ATION- N
MAP

Date Time
Sample Comment Description31 JAN 2017 5

C236126-0002

UNITED STATES OF AMERICA

FINAL REPORT(manager4)

SOIL GRAB FROM 60 INCHES

Accuracy

Collection
Map Datum (metres) 6-10M
Field ID: Sample ID:
MOE*LIMS ID:

2

C236126-0002
2017SO5-00002

1
C236126-0001
2017SO5-00001

Station ID:
Collect Date: Sample Location Description:

31 JAN 2017

31 JAN 2017

Sample Comments Description:

BUCK LAKE PROPERTY PIT 2

BUCK LAKE PROPERTY PIT 1

tid Pamname

529L1 Carbon; total organic Carbonate; total
Carbon; total

SOIL GRAB 12-14 INCHES SOIL GRAB FROM 60 INCHES
Units Qual Rmk1 Rmk2 Val Units Qual Rmk1

Value
6 mg
. /g
2 dry
1 mg
/g
dry
6 mg
. /g
2 dry

<MDL
<MDL
mg/g dry
mg/g dry
mg/g dry

gjn: C236126

CODE DESCRIPTION

<MDL LESS THAN METHOD DETECTION LIMIT

EXT COMMENT

roduct Completion

Sample ID	Matrix	Method	Product	Analytical Department	Completion Date
C236126-0001	SO	E3529	CARB3529	2422	01-MAY-17
C236126-0002	SO	E3529	CARB3529	2422	01-MAY-17

iSB Method Summary

Method	Method Description	Status	Status Description
3529	THE DETERMINATION OF TOTAL INORGANIC CARBON, TOTAL ORGANIC CARBON AND TOTAL CARBON IN SOILS, SEDIMENTS AND VEGETATION BY COMBUSTION AND INFRARED DETECTION	ROUTINE	Method has been fully validated, is deemed fit for purpose and has the associated Uncert information available upon request

End of Report ***



REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



PUBLIC MEETING

Report Date: July 7, 2017

Application No: S-36-17-S
Owner: 1324789 Ontario Inc.
Location of Property: Concession 3/4, Lot/Part Lot 23/24, Round Lake Road/Sweetfern Lane, District of Storrington, Township of South Frontenac
Purpose of Application: Consent to create a new lot
Date of Hearing: July 13, 2017

RECOMMENDATION

It is recommended that the Committee hear comments from members of the public and that the consent application to create a new lot **be considered for passage.**

BACKGROUND

The subject land consists of 52 +/- acres with frontage on Round Lake Road, Sweetfern Lane and Inverary Lake. The lot is developed with a single detached dwelling and a detached accessory building. The proposal is for the creation of a 15 +/- acre residential lot with frontage on Round Lake Road and Sweetfern Lane. The proposed lot will encompass all existing structures. The proposed lot will gain access from Sweetfern Lane. The retained parcel will encompass all the waterfrontage on Inverary Lake and will gain access from Sweetfern Lane. The retained parcel will be required to be rezoned from Rural (RU) to Limited Service Residential Waterfront (RLSW). The planning department is able to support the application for the proposed lot.

Current Zoning: Rural (RU)
 Application Complies with Zoning: No
 Current Official Plan Designation: Rural (RU)
 Application Complies with Official Plan: No

AGENCY ANALYSIS AND COMMENTS

Comments from Cataraqui Region Conservation Authority, KFL&A Public Health and Public Works were not required.

The building department has no objections.

CONDITIONS

1. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year [Planning Act, s. 53(41)] after the "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].
2. The land to be severed by Consent Application S-36-17-S shall be for the creation of a 15 +/- acre waterfront lot with 106m frontage on Round Lake Road.
3. The right-of-way access over Sweetfern Lane to the retained parcel created through Consent Application S-35-17-L shall be surveyed according to the Township's standard for new private lanes. The right-of-way access shall be recognized on the deeds of the lot to be accessed and the property over which it passes.
4. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. This includes all taxes levied as of the date of the stamping of the deeds.
5. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
6. The Township of South Frontenac shall receive 5% of the value of the severed parcel in lieu of parkland [Planning Act, s. 51(1)].



REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



7. The applicant shall rezone the lot to be created through Consent Application S-36-17-S from Rural (RU) to a Limited Service Residential Waterfront (RLSW) zone. Please see Planner Lindsay Mills to begin this process.
8. The applicant shall enter into a development agreement to be registered on title to the retained parcel which deals with the Township's environmental policies, as well as the requirement for the owner to contact the Cataraqui Region Conservation Authority prior to any development on the property, or shoreline or in-water works, to determine the need for a permit.

ATTACHMENTS

Map of 1324789 Ontario Inc. Property



Submitted/approved by: Lindsay Mills

Prepared by: Jennie Kapusta



1324789 ONTARIO INC.
S-36-17-S

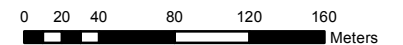
Legend

-  1324789 Ontario Inc Property
-  1324789 Ontario Inc. proposed lot

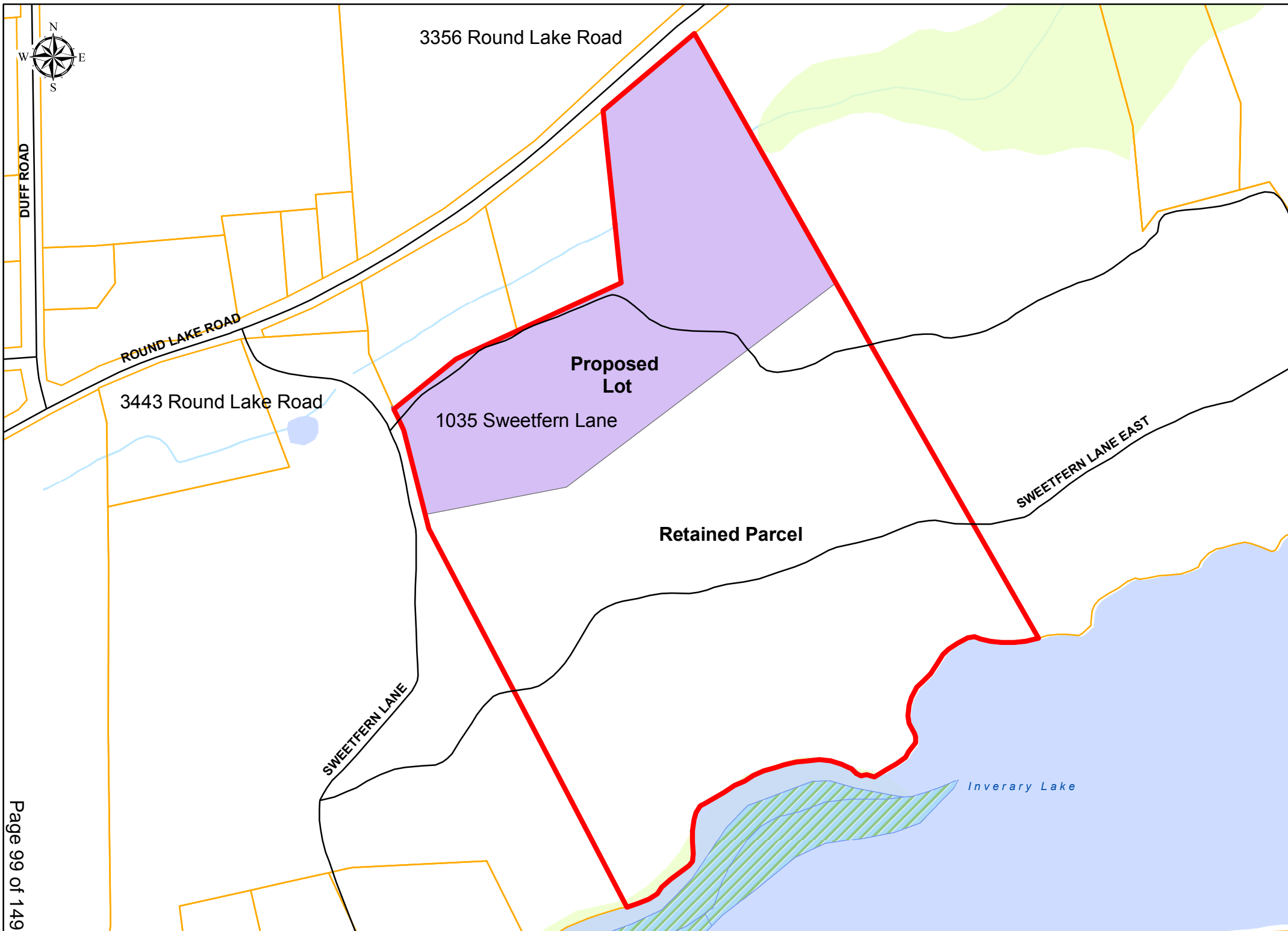
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Scale 1:4,030



UTM Projection NAD 83



3356 Round Lake Road

ROUND LAKE ROAD

3443 Round Lake Road

1035 Sweetfern Lane

Proposed Lot

Retained Parcel

SWEETFERN LANE EAST

SWEETFERN LANE

Inverary Lake





REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



PUBLIC MEETING

Report Date: July 7, 2017

Application No: MV-27-17-S
Owner: Tim Prue
Location of Property: Concession 8, Lot/Part Lot 20, 3922 Hideaway Lane, District of Storrington, Township of South Frontenac
Purpose of Application: To vary section 10.3.2 of the Comprehensive Zoning By-law 2003-75 to permit construction within the 30m setback from water
Date of Hearing: July 13, 2017

RECOMMENDATION

It is recommended that the Committee hear comments from members of the public and that the minor variance to permit construction within the required 30m setback from the high water mark **be considered for passage.**

BACKGROUND

The subject land consists of 1.04 +/- acres with frontage on Dog Lake. The property is developed with a dwelling and a detached accessory building. The proposal is for the construction of an above ground pool to be located approximately 70 feet from the high water mark of Dog Lake. The by-law does not permit the construction of any structures within 30 m of the HWM for the reasons of reducing adverse effects on the environment, maintaining a natural vegetative buffer and aiding in the preservation of the rural character of the Township.

FOUR TESTS OF A MINOR VARIANCE

Section 45(1) of the Planning Act

A variance may be authorized from the provisions of the zoning by-law, if, in the opinion of the Committee of Adjustment, the request meets all of the following tests:

1. Is the minor variance desirable for the appropriate development or use of the land, building or structure?
2. Is the general intent and purpose of the official plan maintained?
3. Is the general intent and purpose of the zoning by-law maintained?
4. Is the variance minor?

Current Zoning: Limited Service Residential Waterfront (RLSW)

Application Complies with Zoning: Yes

Current Official Plan Designation: Rural (RU)

Application Complies with Official Plan: Yes

AGENCY ANALYSIS AND COMMENTS

The Rideau Waterway Development Review Team recommends denial of the application for the reasons of alternative locations on the property which could accommodate the pool, further



REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



development within the 30m setback, and to minimize the visual impact of development from the water.

Comments from KFL&A Public Health and Public Works were not required.

The building department has no objections.

CONDITIONS

1. This minor variance is for construction of an above ground pool to be located a minimum of 70 feet from the high water mark of Dog Lake.
2. Minor variance MV-27-17-S is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.
3. 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 South Frontenac.
4. The applicant shall enter into a site plan agreement with the Township to be registered on title, which sets out the Township's environmental and limited service policies, and which specifies that a permit may be required from the Cataraqui Region Conservation Authority and Parks Canada – Rideau Canal office for the proposed development, and for any shoreline or in-water works.

ATTACHMENTS

Map of Prue Property

RWDRT Report dated June 27, 2017



Submitted/Approved by: Lindsay Mills

Prepared by: Jennie Kapusta



**PRUE
MV-27-17-S**

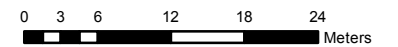
Legend

-  Prue Property
-  Prue Proposed Pool

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Scale 1:618



UTM Projection NAD 83



June 27, 2017

File: MV/FRS/160/2017

Sent by E-mail

Ms. Jennie Kapusta, Planning Assistant
Township of South Frontenac
P.O. Box 100
Sydenham, Ontario
K0H 2T0

Dear Ms. Kapusta:

**Re: Application for Minor Variance MV-27-17-S (Prue)
Lot 20, Concession 8; 3922 Hideaway Lane
Storrington District, Township of South Frontenac
Waterbody: Dog Lake**

The Rideau Waterway Development Review Team, made up of staff from the Cataraqui Region Conservation Authority (CRCA) and Parks Canada have reviewed the above-noted application for minor variance, and provide the following comments for the Committee of Adjustment's consideration.

Summary of the Proposal

The proposal involves the construction of an above-ground pool on the subject property. The variance is requested to:

- Reduce the required setback from the high water mark from 30 metres, as required by Section 5.8.2.(1.) of the South Frontenac Zoning By-law, to 21.3 metres in order to permit the construction of an above-ground pool.

Site Description

The subject property is located on Dog Lake. The topography of the property can be described as rising quickly from the shoreline and then continuing to rise up more slowly to the location of an existing cottage. The bank is approximately 2.4 metres in height and consists of bedrock. Currently, the property contains the dwelling serviced by a septic system, a detached garage and two sheds.

The property is designated 'Rural' in the Official Plan and zoned 'Limited Service Residential – Waterfront Zone' (RLSW) in the implementing Zoning By-law.

Discussion

The main interests of the RWDRT with respect to this application are the avoidance of natural hazards associated with the shoreline of Devil Lake (e.g. flooding and erosion), the protection of the water quality

and shoreline riparian buffer of the lake, and the conservation of the cultural and natural heritage and scenic values of the Rideau Canal National Historic Site and UNESCO World Heritage Site.

Natural Hazards

Flooding: The maximum recorded water level for Dog Lake is 98.95 metres geodetic. For Dog Lake, the maximum recorded water level is used in lieu of an engineered flood plain. The CRCA's Guidelines for Implementing Ontario Regulation 148/06 requires that all development be set back a minimum of 6 metres from the regulatory floodplain of a waterbody. Based upon available elevation mapping data, the proposed development will be located outside of the setback from the regulatory flood plain. Therefore, the RWDRT has no concerns from a flooding perspective.

Erosion: Section 5.8.2.(2.) of the Zoning By-law (By-law No. 2003-75) for South Frontenac suggests that no building or structure shall be located within 15 metres horizontal of the top of bank of any embankment, the slope of which is greater than 30% from horizontal. The CRCA defines the extent of potential erosion hazards to include an allowance for toe erosion, a stable slope allowance for bedrock shorelines of 1(h):1(v), plus an erosion access allowance of 6 metres. Based on an estimated 2.4 metre high slope, the total erosion hazard allowance is anticipated to be approximately 8.4 metres measured horizontally inland from the stable toe of slope at the shoreline. Based upon available elevation mapping data, the proposed development will be located outside of the setbacks described above. Therefore, the RWDRT has no concerns from an erosion perspective.

Water Quality / Riparian Buffer

Section 2.2 of the Provincial Policy Statement (PPS) suggests that planning authorities should seek to protect, improve or restore the quality and quantity of water. Accordingly, the Official Plan and Zoning By-law for the Township of South Frontenac provide guidance with respect to how development should occur in consideration of protecting, improving and restoring water quality within the municipality. Section 5.2.7 b)(i) of the Official Plan for South Frontenac Township suggests that a 30 metre setback from the high water mark is required to be maintained as a buffer in order to protect water quality. Similarly, the CRCA's Planning Policy (April, 2015) contains provisions that seek to support these objectives and provides guidance with respect to the importance of maintaining natural shoreline riparian lands.

In the opinion of staff, there are alternative locations to the north and west of the existing dwelling for the proposed pool. Since there are reasonable alternative locations for the development, staff do not believe that the proposal meets the intent of the policies found within Section 5.2.7 of the Official Plan and Section 6.1 of the CRCA's Planning Policy. In addition, staff are concerned that the installation of a pool in this location may provide the impetus for additional associated development within the water setback (e.g. decking around the pool).

Rideau Canal National Historic Site and UNESCO World Heritage Site

Similarly, RWDRT staff strive to preserve and enhance the cultural, natural and scenic values of the national historic site and world heritage site so that all Canadians can enjoy this legacy into the future. This can be achieved through the maintenance of a natural shoreline, the maintenance and enhancement of vegetation on the property, development which complements the visual character of the landscape, and the maintenance of a minimum 30 metre setback of all development from the water. This 30 metre setback corresponds with the 30 metre buffer zone surrounding the world heritage site, in place to help protect the Outstanding Universal Value of the site.

Given the proposed location of the pool within 30 metres of the water, the presence of existing development within this setback, and the alternative locations that could accommodate a pool, further development within this buffer zone is not supported in order to minimize the visual impact of development from the water, and to preserve and enhance the cultural, natural and scenic values of this protected heritage place.

Based upon the discussion above, RWDRT staff do not support the minor variance application.

Recommendation

RWDRT staff recommend denial of application MV-27-17-S based on our consideration for natural hazards, natural and cultural heritage, and water quality and quantity protection policies.

Parks Canada - Rideau Canal Office oversees all in-water and shoreline works along the Canal system. If the landowner wishes to carry out any in-water or shoreline works in the future, the Rideau Canal Office must be contacted and written approval obtained prior to the commencement of construction.

CRCA's Ontario Regulation 148/06

Please note that a portion of the property is subject to Ontario Regulation 148/06: Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses, which is administered by the CRCA. The purpose of the regulation is to ensure that proposed changes (e.g. development and site alteration) to a property are not affected by natural hazards, such as flooding and erosion, and that the changes do not put other properties at greater risk from these hazards. Within a regulated area, written permission must be obtained from the CRCA prior to development taking place.

Please inform this office of any decision made by the Committee with regard to this application. If you have any questions, please contact the undersigned at 613-546-4228 ext. 244, or by e-mail at aschmidt@crca.ca

Yours truly,



Andrew Schmidt, C. Tech.
Supervisor, Development Review

c.c. Mr. Tim Prue, 3922 Hideaway Lane, Battersea, ON, K0H 1H0
Susan Millar, Parks Canada (via email)
Lindsay Mills, Planner, Township of South Frontenac (via email)



REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



PUBLIC MEETING

Report Date: July 7, 2017

Application No: MV-28-17-S
Owner: Paul and Gina Bearne
Location of Property: Concession 9, Lot/Part Lot 22, 4212 Carrying Place Road, District of Storrington, Township of South Frontenac
Purpose of Application: To vary section 5.10.2 and section 10.3.1 of the Comprehensive Zoning By-law 2003-75 to permit construction within the 30m setback from water
Date of Hearing: July 13, 2017

RECOMMENDATION

It is recommended that the Committee hear comments from members of the public and that the minor variance to permit construction within the required 30m setback from the high water mark **be considered for passage.**

BACKGROUND

The subject land consists of 2.2 +/- acres with frontage on Cranberry Lake. The property is developed with a dwelling and a detached accessory building. The proposal is for the demolition of an existing deck and the construction of a 16 foot by 12 foot screened porch to the west side of an existing dwelling to be located 79 feet (24m) from the high water mark of Cranberry Lake. The applicant is also proposing to replace a 12 foot by 31 foot uncovered deck which was constructed without planning or building approvals.

The by-law does not permit the construction of any structures within 30 m of the HWM for the reasons of reducing adverse effects on the environment, maintaining a natural vegetative buffer and aiding in the preservation of the rural character of the Township.

FOUR TESTS OF A MINOR VARIANCE

Section 45(1) of the Planning Act

A variance may be authorized from the provisions of the zoning by-law, if, in the opinion of the Committee of Adjustment, the request meets all of the following tests:

1. Is the minor variance desirable for the appropriate development or use of the land, building or structure?
2. Is the general intent and purpose of the official plan maintained?
3. Is the general intent and purpose of the zoning by-law maintained?
4. Is the variance minor?

Current Zoning: Limited Service Residential Waterfront (RLSW)

Application Complies with Zoning: Yes

Current Official Plan Designation: Rural (RU)

Application Complies with Official Plan: Yes



REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



AGENCY ANALYSIS AND COMMENTS

The Rideau Waterway Development Review Team has no objections to the proposal.

Comments from KFL&A Public Health and Public Works were not required.

The building department has no objections.

CONDITIONS

1. This minor variance is for construction of a maximum 200 square foot screen porch to be located a minimum of 24m (79 feet) from the high water mark of Cranberry Lake.
2. Minor variance MV-28-17-S is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.
3. Prior to the issuance of a building permit for the screen porch the applicant shall remove the 12 foot by 31 foot uncovered deck which extends towards Cranberry Lake and re-naturalise the area.
4. 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 South Frontenac.
5. The applicant shall enter into a site plan agreement with the Township to be registered on title, which sets out the Township's environmental and limited service policies, and which specifies that a permit may be required from the Cataraqui Region Conservation Authority and Parks Canada – Rideau Canal office for the proposed development, and for any shoreline or in-water works.

ATTACHMENTS

Map of Bearne Property
RWDRT Report dated June 28, 2017

Submitted/Approved by: Lindsay Mills

Prepared by: Jennie Kapusta



4275 Carrying Place Road

CARRYING PLACE ROAD

4212 Carrying Place Road




4290 Carrying Place Road

Cranberry Lake



**BEARNE
MV-28-17-S**

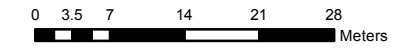
Legend

-  Bearne Property
-  Proposed Sunroom
-  Deck to be Replaced

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Scale 1:709



UTM Projection NAD 83

June 28, 2017

File: MV/FRS/159/2017

Sent by E-mail

Ms. Jennie Kapusta, Planning Assistant
Township of South Frontenac
P.O. Box 100
Sydenham, Ontario
K0H 2T0

Dear Ms. Kapusta:

**Re: Application for Minor Variance MV-28-17-S (Bearne)
Lot 22, Concession 9; 4212 Carrying Place Road
Storrington District, Township of South Frontenac
Waterbody: Cranberry Lake**

The Rideau Waterway Development Review Team (RWDRT), made up of staff from the Cataraqui Region Conservation Authority (CRCA) and Parks Canada, has reviewed the above-noted application for minor variance, and provide the following comments for the Committee of Adjustment's consideration. The site was visited by CRCA staff on June 28, 2017.

Summary of the Proposal

The proposal involves the construction of a sunroom addition onto an existing dwelling on the subject property. The variance is requested to:

- Reduce the required setback from the high water mark from 30 metres, as required by Section 5.8.2.(1.) of the South Frontenac Zoning By-law, to 24 metres in order to permit the construction of a sunroom.

Site Description

The property is located on north shore of Cranberry Lake. The topography of the property can be described as a high rock slope adjacent to the water that levels out to a relatively flat upland area where there is an existing dwelling.

The property is designated 'Rural' in the Official Plan and zoned 'Waterfront Residential' (RW) in the implementing Zoning By-law.

Discussion

The main interests of the RWDRT in this application are the avoidance of natural hazards associated with the shoreline of Cranberry Lake (e.g. flooding and erosion), the protection of the water quality of the lake, and the conservation of the cultural and natural heritage and scenic values of the Rideau Canal National Historic Site and UNESCO World Heritage Site.

Natural Hazards

Flooding: The maximum recorded water level for Cranberry Lake is 98.95 metres geodetic. For Cranberry Lake, the highest recorded water level is used in lieu of an engineered flood plain. The CRCA's Guidelines for Implementing Ontario Regulation 148/06 (see description below) requires that all development be set back a minimum of 6 metres from the regulatory floodplain of a waterbody. Based upon elevation mapping data and site observations, the proposed development will be located outside of the setback from the regulatory flood plain as well as being considerably elevated above the flood plain of Cranberry Lake.

Erosion: Section 5.8.2 (2) of the Zoning by-law requires that no building or structure or septic tank installation shall be located within 15 metre horizontal of the top of bank of any embankment, the slope of which is greater than 30% from horizontal. CRCA policy defines the extent of potential erosion hazards to include an allowance for toe erosion, a stable slope allowance for bedrock shorelines of 1(h):1(v), plus an erosion access allowance of 6 metres. Based on an estimated 6 metre high slope, the total erosion hazard allowance is anticipated to be approximately 14 metres measured horizontally inland from the stable toe of slope at the shoreline. Staff note that the proposed development will be located outside of the erosion hazard allowance as defined by the CRCA.

Water Quality

Section 2.2 of the Provincial Policy Statement (PPS) suggests that planning authorities should seek to protect, improve or restore the quality and quantity of water. Accordingly, the Official Plan and Zoning By-law for the Township of South Frontenac provide guidance with respect to how development should occur in consideration of protecting, improving and restoring water quality within the municipality. Similarly, the CRCA's Planning Policy (April, 2015) contains provisions that seek to support these objectives.

Section 5.8.2 (1.) of the Zoning By-Law for South Frontenac Township suggests that a 30 metre setback from the high water mark is required to be maintained as a buffer in order to protect water quality. The Official Plan also requires that this buffer area be maintained as a natural vegetative buffer strip adjacent to the water's edge to filter pollutants from runoff. The CRCA's Planning Policy (2015) recommends that new development and site alteration, including septic system tile fields and open or enclosed decks/patios attached to the main dwelling, be set back a minimum distance of 30 metres from the high water mark of a waterbody. However, new development within the water setback may be considered when there are no reasonable alternatives for locating the development outside of the water setback area, the development is no closer to the water than existing buildings or structures on the property the development complies with the maximum lot coverage provisions of the Zoning By-law, and suitable methods to minimize negative impacts on water quality are incorporated into the development.

The proposed development is being constructed in an area that is already developed (existing deck), is set back as far as possible without encroaching closer to a wetland on the other side of the deck, the development is no closer to the water than existing development, and the proposal complies with the maximum lot coverage provisions contained in the By-law. *Staff recommend that roof runoff be directed away from the lake if possible to reduce the potential for erosion and to protect the water quality of the lake.*

Rideau Canal National Historic Site and UNESCO World Heritage Site

Similarly, RWDRT staff strive to preserve and enhance the cultural, natural and scenic values of the national historic site and world heritage site so that all Canadians can enjoy this legacy into the future. This can be achieved through the maintenance of a natural shoreline, the maintenance and enhancement of vegetation on the property, development which complements the visual character of the landscape, and the maintenance of a minimum 30 metre setback of all development from the water.

Recommendation

RWDRT staff have no objection to the approval of application MV-28-17-S based on our consideration for natural hazards, natural and cultural heritage, and water quality and quantity protection policies.

Parks Canada - Rideau Canal Office oversees all in-water and shoreline works along the Canal system. If the landowner wishes to carry out any in-water or shoreline works in the future, the Rideau Canal Office must be contacted and written approval obtained prior to the commencement of construction.

CRCA's Ontario Regulation 148/06

Please note that a portion of the property is subject to Ontario Regulation 148/06: Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses, which is administered by the CRCA. The purpose of the regulation is to ensure that proposed changes (e.g. development and site alteration) to a property are not affected by natural hazards, such as flooding and erosion, and that the changes do not put other properties at greater risk from these hazards. Staff note that the development is partially located within an area that is subject to regulation under said regulation. Within a regulated area, written permission must be obtained from the CRCA prior to development taking place.

Please inform this office of any decision made by the Committee with regard to this application. If you have any questions, please contact the undersigned at 613-546-4228 ext. 244, or by e-mail at aschmidt@crca.ca

Yours truly,



Andrew Schmidt, C. Tech.
Supervisor, Development Review



/as

c.c. Paul & Gina Bearne, 4212 Carrying Place Road, Seeley's Bay, ON, K0H 2N0
Susan Millar, Parks Canada (via email)
Lindsay Mills, Planner, Township of South Frontenac (via email)



**SINCLAIR
MV-29-17-L**

Legend

-  Sinclair Property
-  Sinclair Proposed Addition

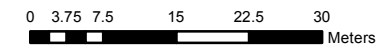


RUTLEDGE ROAD

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Scale 1:778



UTM Projection NAD 83



REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



PUBLIC MEETING

Report Date: July 7, 2017

Application No: MV-29-17-L
Owner: Christina Sinclair
Location of Property: Concession 5, Lot/Part Lot 2, 3080 Rutledge Road, District of Loughborough, Township of South Frontenac
Purpose of Application: To vary section 14.3.1 of the Comprehensive Zoning By-law 2003-75 to permit construction within the 2.5m side yard setback
Date of Hearing: July 13, 2017

RECOMMENDATION

It is recommended that the Committee hear comments from members of the public and that the minor variance to permit construction within the required 2.5m side yard setback **be considered for passage.**

BACKGROUND

The subject land consists of 0.42 +/- acres with frontage on Rutledge Road. The property is developed with a single detached dwelling. The proposal is for the demolition of an attached carport and the construction of a 24 foot by 26 foot attached garage. The proposed garage is 4.5 feet wider than the existing carport requiring a reduction in side yard setback from 8.2 feet to 3.5 feet.

FOUR TESTS OF A MINOR VARIANCE

Section 45(1) of the Planning Act

A variance may be authorized from the provisions of the zoning by-law, if, in the opinion of the Committee of Adjustment, the request meets all of the following tests:

1. Is the minor variance desirable for the appropriate development or use of the land, building or structure?
2. Is the general intent and purpose of the official plan maintained?
3. Is the general intent and purpose of the zoning by-law maintained?
4. Is the variance minor?

Current Zoning: Urban Residential – First Density (UR1)

Application Complies with Zoning: Yes

Current Official Plan Designation: Rural (RU)

Application Complies with Official Plan: Yes

AGENCY ANALYSIS AND COMMENTS

Comments from KFL&A Public Health, Cataraqui Region Conservation Authority and Public Works were not required.

The building department has no objections.



REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



CONDITIONS

1. This minor variance is for construction of a 625 square foot attached garage to be located a minimum of 3.5 feet from the interior side yard between 3080 Rutledge Road and 3076 Rutledge Road.
2. Minor variance MV-29-17-L is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.
3. 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 South Frontenac.

ATTACHMENTS

Map of Sinclair Property

Submitted/Approved by: Lindsay Mills

Prepared by: Jennie Kapusta



REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



PUBLIC MEETING

Report Date: July 7, 2017

Application No: MV-30-17-S
Owner: Donna and Francois Savard
Location of Property: Concession 8, Lot/Part Lot 10, Hideaway Lane, District of Storrington, Township of South Frontenac
Purpose of Application: To vary section 10.3.1 of the Comprehensive Zoning By-law 2003-75 to permit construction within the 30m setback from water and an increase in lot coverage from 5% to 12.4%
Date of Hearing: July 13, 2017

RECOMMENDATION

It is recommended that the Committee hear comments from members of the public and that the minor variance to permit construction within the required 30m setback from water **be denied**.

BACKGROUND

There was a minor variance granted previously on this property for a 1500 square foot dwelling to be located a minimum of 54 feet from the high-water mark of Dog Lake. However, it was granted in 2003 and was varying the Township of Storrington's Zoning By-law which was repealed and replaced with the current Township of South Frontenac Comprehensive Zoning By-law 2003-75. The applicant submitted all the original supporting documentation which was in favour of the proposal. Given the time between the original approval and the current submission the proposal was recirculated to the applicable agencies.

The subject land consists of 0.4 +/- acres with frontage on Hideaway Lane and Dog Lake. The property is currently vacant. The proposal is for the construction of a 2142 square foot footprint dwelling to be located a minimum of 48 feet from the high-water mark of Dog Lake. Included in this footprint is a 744 square foot attached garage, a 196 square foot enclosed screen porch and 280 square feet of decks. The dwelling is proposed to be a single story with a walkout basement facing the lake. The maximum lot coverage permitted for this property is 5% (870 square foot footprint); with a 2142 square foot footprint the proposed dwelling has a lot coverage of 12.4%

The by-law does not permit the construction of any structures within 30 m of the HWM for the reasons of reducing adverse effects on the environment, maintaining a natural vegetative buffer and aiding in the preservation of the rural character of the Township.

FOUR TESTS OF A MINOR VARIANCE

Section 45(1) of the Planning Act

A variance may be authorized from the provisions of the zoning by-law, if, in the opinion of the Committee of Adjustment, the request meets all of the following tests:

1. Is the minor variance desirable for the appropriate development or use of the land, building or structure?
2. Is the general intent and purpose of the official plan maintained?
3. Is the general intent and purpose of the zoning by-law maintained?
4. Is the variance minor?



REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



Current Zoning: Limited Service Residential Waterfront (RLSW)
Application Complies with Zoning: No
Current Official Plan Designation: Rural (RU)
Application Complies with Official Plan: No

AGENCY ANALYSIS AND COMMENTS

Comments from KFL&A Public Health have yet to be received.

Cataraqui Region Conservation Authority evaluated the prior and current submissions and continues to have no objections to the application.

The building department has no objections.

CONDITIONS

1. This minor variance is for construction of a maximum 2142 square foot footprint, single story dwelling with walkout basement to be located a minimum of 48 feet from the high water mark of Dog Lake.
2. Minor variance MV-30-17-L is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.
3. 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 South Frontenac.
4. The applicant shall enter into a site plan agreement with the Township to be registered on title, which sets out the Township's environmental and limited service policies, and which specifies that a permit may be required from the Cataraqui Region Conservation Authority and Parks Canada – Rideau Canal office for the proposed development, and for any shoreline or in-water works.

ATTACHMENTS

Map of Savard Property

Submitted/Approved by: Lindsay Mills

Prepared by: Jennie Kapusta




HIDEAWAY LANE



**SAVARD
MV-30-17-S**

3844 Hideaway Lane

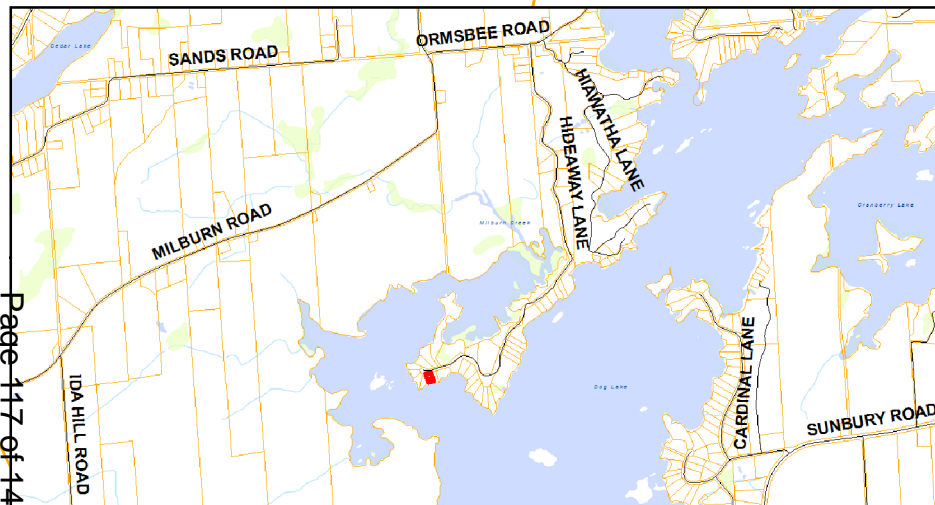
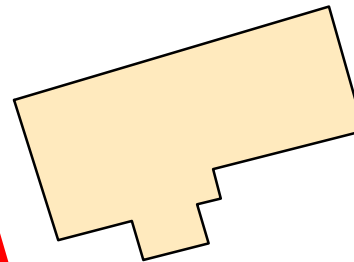
Legend

 Savard Property

 Savard Proposed Dwelling

3836 Hideaway Lane

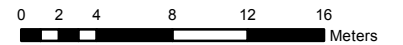
3838 Hideaway Lane



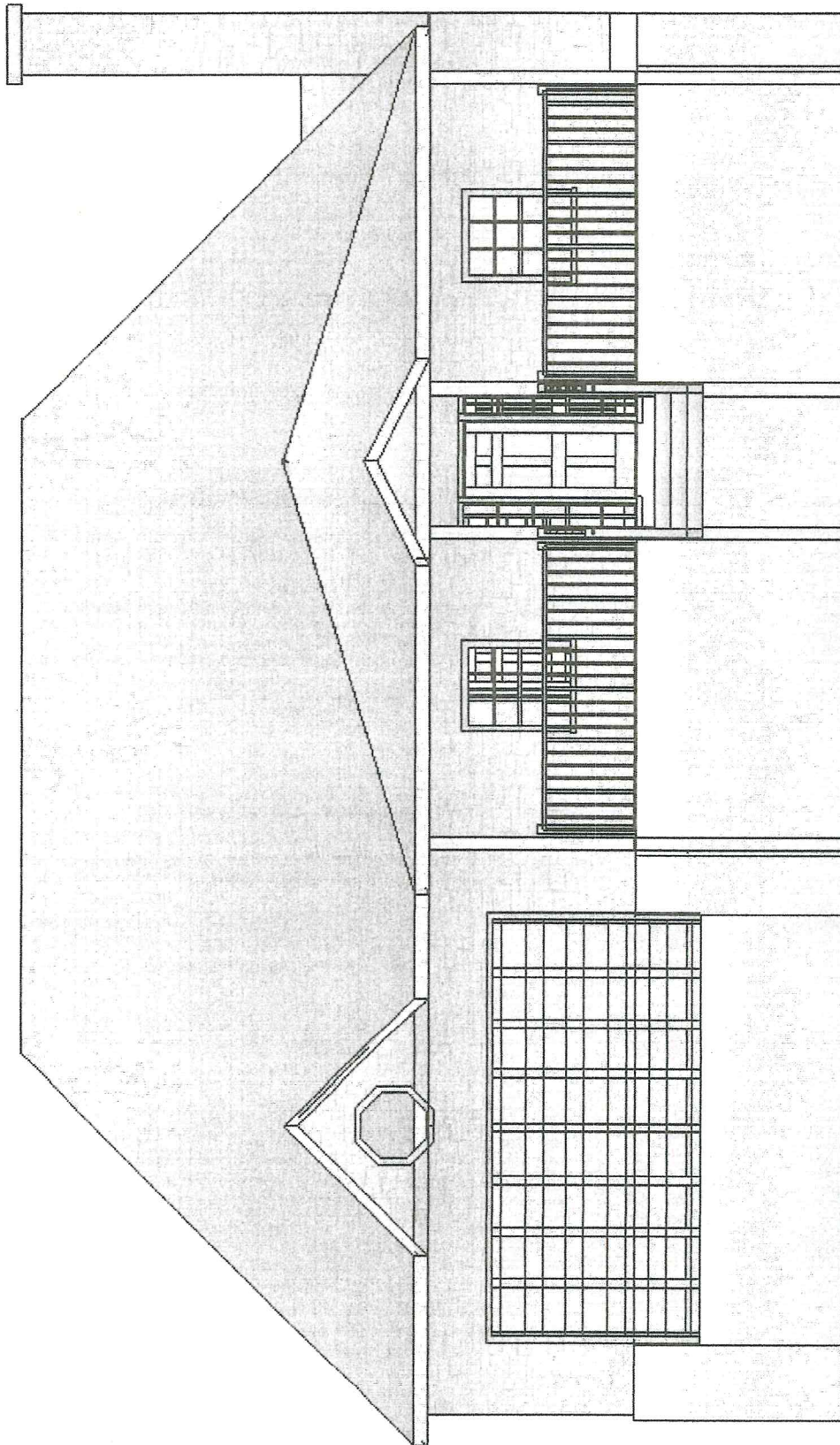
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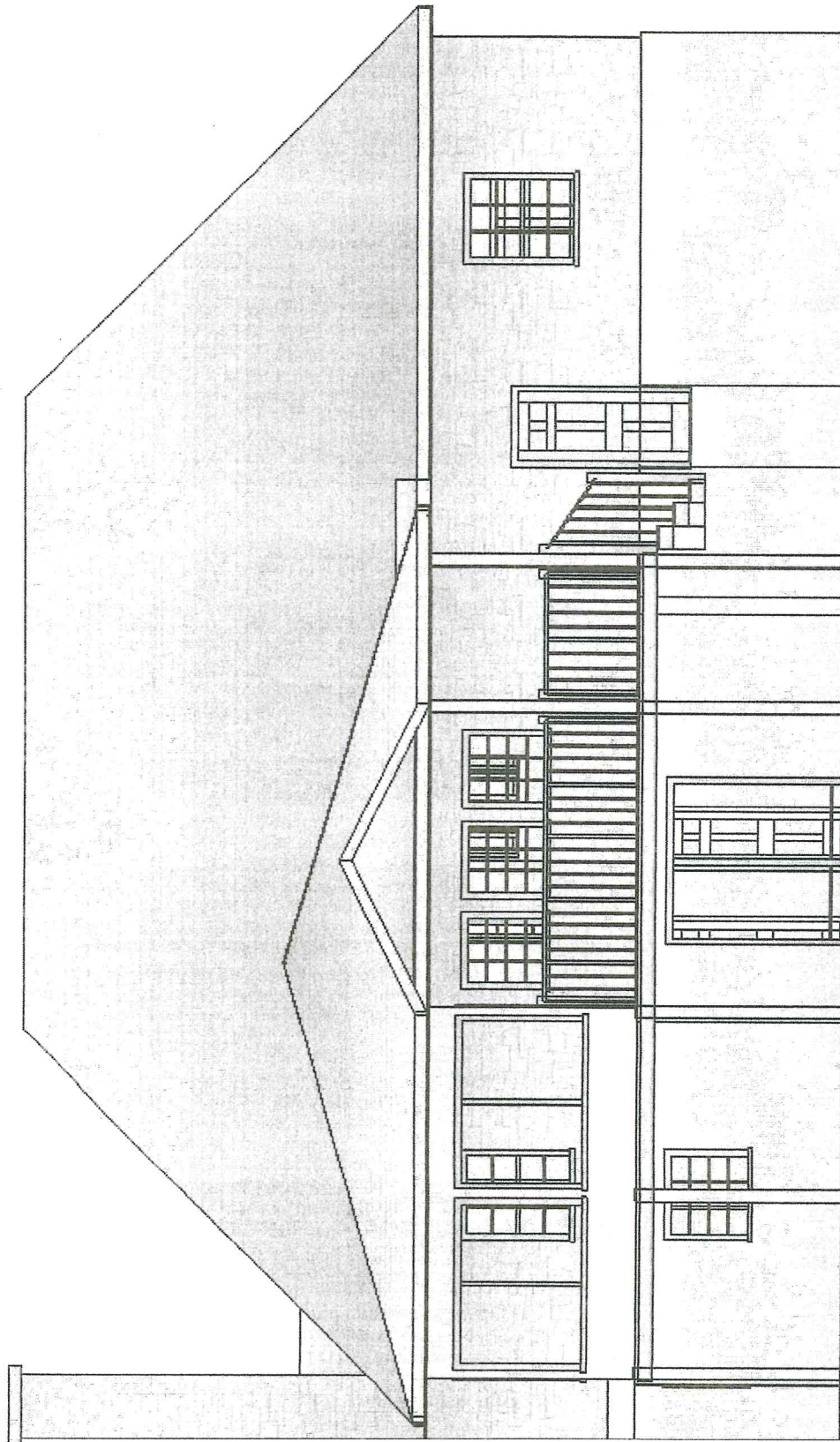
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UTM Projection NAD 83

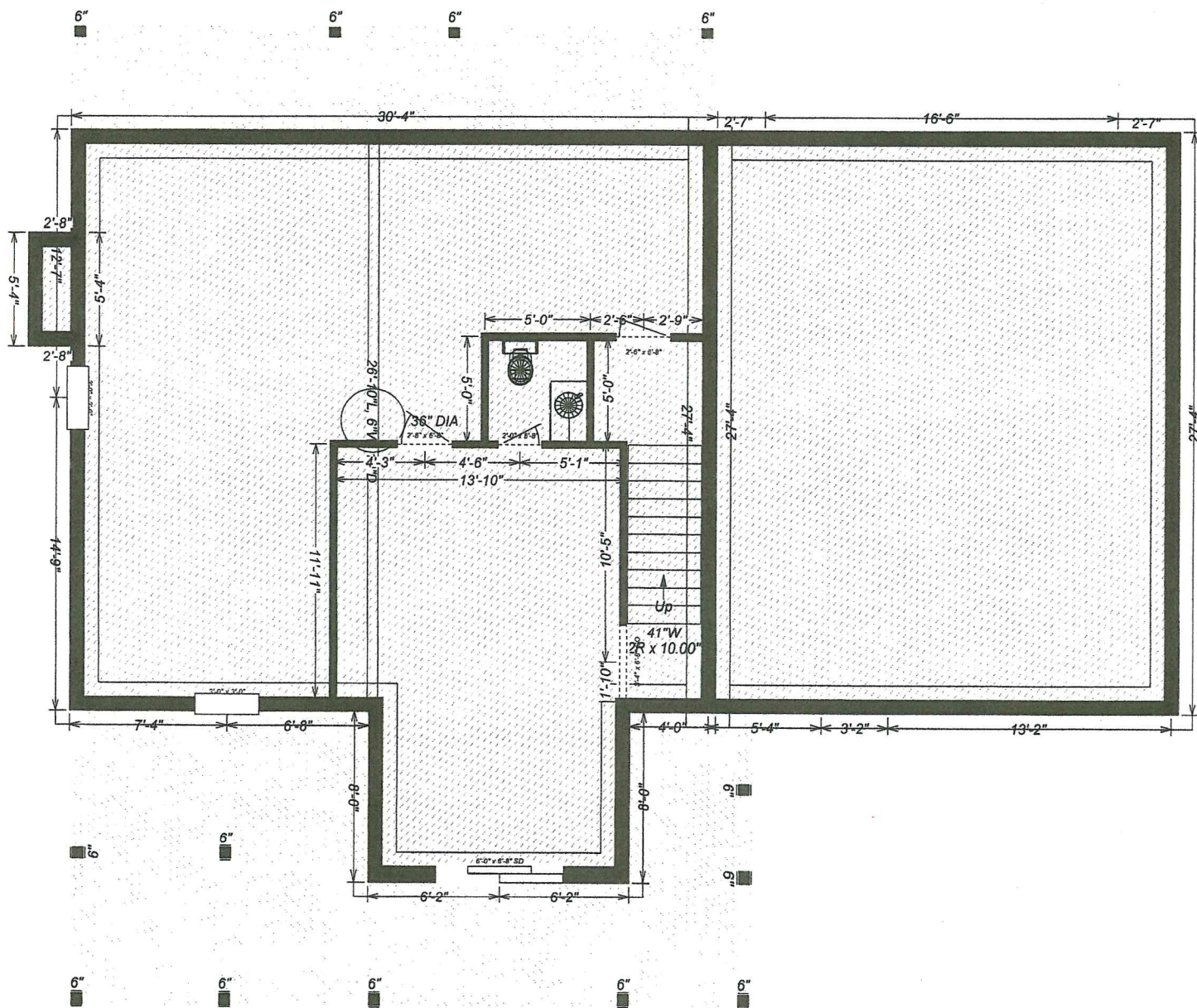


*Savard's Property
North Elevation*



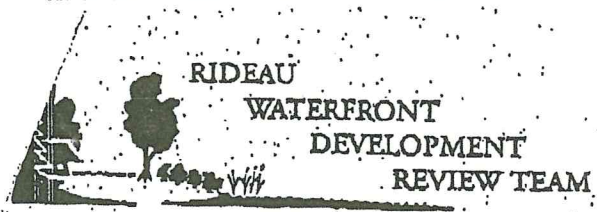
*Savard's Property
South Side Elevation*

North Side



SCALE: 1 cm = 3ft

Jul-30-2003 07:01pm From-BISHOP LAW OFFICE 6135442197 T-388 P.005 F-812



RIDEAU
WATERFRONT
DEVELOPMENT
REVIEW TEAM

June 20, 2003

File: MV-FRS

FAX ONLY

Mr. Lindsay Mills, Planning Coordinator
Township of South Frontenac
Box 100
4432 George St.
Sydenham, ON K0H 2T0

Dear Mr. Mills

RE: APPLICATION FOR MINOR VARIANCE
MV-008-03-S; PART LOT 12; CONCESSION VIII
TOWNSHIP OF SOUTH FRONTENAC; GEO. TWP. OF STORRINGTON
HIDEAWAY LANE; DOG LAKE (RIDEAU CANAL)

Staff of the Rideau Waterfront Development Review Team (RWDRT) have reviewed the application noted above and have inspected the site. The proposed minor variance would permit the construction of a new dwelling at a setback of 15 metres from the high water mark of Dog Lake (Rideau Canal). We would like to offer the following comments.

In a letter dated May 23, 2003, staff provided comments on an application for Minor Variance to permit the construction of a dwelling at 21 metres from the high water mark on this lot. Staff have since received a letter prepared on May 27, 2003 by the Kingston Frontenac and Lennox & Addington Health Unit. In this letter staff of the Health Unit highlight the unique characteristics of this lot and state that "the house will need to be located no further than 50 feet (15 metres) from the high water mark, orientated parallel to the shoreline" in order to accommodate a septic system. This recommendation is based on the proximity of wells and septic systems on neighbouring lots and is to protect public health.

RWDRT staff agree with the conclusion of the letter from the Health Unit and support the recommendation for a 15 metre setback provided that no vegetation be removed from the area between the dwelling and the high water mark of Dog Lake, except that which is necessary for the maintenance of a small (3 metres wide) access path to the lake shore.

Staff note that this agreement with a 15 metre setback is based on the information provided by the Health Unit and how this information relates to public health. Staff will not support variances of this nature in the future unless a public health issue has been identified by the Health Unit.

2

WORKING TOGETHER IN ONE ENVIRONMENT

Parks Canada - Rideau Canal * Carleton Place Region Conservation Authority
Ontario Ministry of Natural Resources * Rideau Valley Conservation Authority

Jul-30-2003 07:02pm From-BISHOP LAW OFFICE

6135442197

T-388 P.006

F-812

(4)

-2-

If there any questions with regard to the above, please contact the undersigned at (613) 546-4228 ext. 236. Parks Canada, Rideau Canal Office oversees all in water works along the canal system, if the landowner wishes to carry out any in water works in the future (docks/boathouse) the Rideau Canal office should be contacted prior to construction. The Rideau Canal office can be reached at 1 800 230-0016.

Yours truly



Andrew Marshall
RWDRT

c.c. -Mr. Bill Bishop, Agent for the Applicant

JUL-30-2003 07:02pm From-BISHOP LAW OFFICE
06/13/2003 08:04 6133766657

6135442197
SOUTH FRONTENAC

T-308 P.007 F-812
PAGE 04/11

3

B: IS THE PROPOSED DEVELOPMENT...

- In a Provincially Significant Wetland? Yes No
- Adjacent (120 m) to a Provincially Significant Wetland? Yes No
- In a Regionally Significant Wetland (RSW)? Yes No
- Adjacent (30m) to a RSW? Yes No
- In/adjacent to an Unevaluated Wetland? Yes No
- Adjacent (30m) to an unevaluated wetland? Yes No
- In an Area of Natural and Scientific Interest (ANSI)? Yes No
- Adjacent (50 m) to an ANSI? Yes No
- In the Habitat of Endangered or Threatened Species? Yes No
- Adjacent (50 m) to a Habitat of Endangered or Threatened Species? Yes No
- Unknown
- In significant wildlife habitat? Yes No
- Adjacent (50 m) to the habitat of Endangered/Threatened Species? Yes No
- Unknown
- Within 90 m of a high water mark (lakes & rivers)? Yes No
- In fish habitat? Yes No
- Adjacent (30 m) to fish habitat? Yes No
- Adjacent (300 m) to Highly Sensitive Lake Trout Lake? Yes No
- Adjacent (90 m) to a Moderately Sensitive Lake Trout Lake? Yes No
- In a 1:100 year floodplain? Yes No If yes - Mapped Unmapped
- Adjacent (15m) to a Floodplain? Yes No
- In a Significant Woodland?: Yes No
- Adjacent (50 m) to a significant woodland? Yes No
- Unknown
- In a Significant Valleyland?: Yes No
- Adjacent (50 m) to a Significant Valleyland? Yes No
- Unknown
- Subject to a potential erosion hazard? Yes No
- Adjacent (10 m) to a potential erosion hazard? Yes No

Jul-30-2003 07:02pm From-BISHOP LAW OFFICE
07/13/2003 08:04 6139756657

6135442197
SOUTH FRONTENAC

T-388 P.008 F-812
PAGE 06
PAGE 05/11

C: Is more than 25% of the property's shoreline developed? Yes No

D: IS A MORE DETAILED SITE SPECIFIC ASSESSMENT (EIS) REQUIRED TO DEMONSTRATE APPROPRIATENESS OF PROPOSED DEVELOPMENT?

Yes No

If yes:

a) which natural feature(s) should the assessment focus on?

b) should the EIS be Scoped? Yes No

E: MITIGATION: The municipality requires applicants who propose to develop within Environmentally Sensitive Areas to enter into a Site Plan Agreement with the municipality which is registered on title to the property. This Agreement specifies basic mitigation measures as contained in Schedule "A" attached hereto. Based on your responses to the questions in B above, would you recommend additional mitigating measures which would reduce the potential negative impact of development? If so, please specify your concern and the suggested mitigating measure:

OTHER COMMENTS:

Submit completed Evaluation to:
Secretary-Treasurer
South Frontenac Township Committee of Adjustment
P.O. Box 100
Sydenham, ON
K0H 2T0
(613) 376-3027 ext. 224 (613) 376-6657 (fax) email: sfronten@kingston.net



REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



PUBLIC MEETING

Report Date: July 7, 2017

Application No: MV-31-17-L
Owner: Jason Martin
Location of Property: Concession 6, Lot/Part Lot 21, Wild Flower Lane, District of Loughborough, Township of South Frontenac
Purpose of Application: To vary section 10.3.1 of the Comprehensive Zoning By-law 2003-75 to permit construction within the 30m setback from water and a reduction in the setback from a private lane
Date of Hearing: July 13, 2017

RECOMMENDATION

It is recommended that the Committee hear comments from members of the public and that the minor variance to permit construction within the required 30m setback from water **be considered for passage.**

BACKGROUND

The subject land consists of 1.26 +/- acres with frontage on Wild Flower Lane, North Shore Road and Loughborough Lake. The property is currently developed with a dwelling and detached accessory building. The proposal is for the demolition of the existing dwelling and the construction of a new dwelling farther from the lake. The proposed dwelling is to be 32 feet by 50 feet with a walkout basement and is to be located a minimum of 26.6m from the high-water mark of Loughborough Lake and a minimum of 2.5m from the edge of Wild Flower Lane.

The proposal significantly increases the setback from the water as the current dwelling is located approximately 10m from the high-water mark. The topography of the lot limits the ability of the applicant to increase the setback any more than proposed.

The by-law does not permit the construction of any structures within 30 m of the HWM for the reasons of reducing adverse effects on the environment, maintaining a natural vegetative buffer and aiding in the preservation of the rural character of the Township.

FOUR TESTS OF A MINOR VARIANCE

Section 45(1) of the Planning Act

A variance may be authorized from the provisions of the zoning by-law, if, in the opinion of the Committee of Adjustment, the request meets all of the following tests:

1. Is the minor variance desirable for the appropriate development or use of the land, building or structure?
2. Is the general intent and purpose of the official plan maintained?
3. Is the general intent and purpose of the zoning by-law maintained?
4. Is the variance minor?

Current Zoning: Limited Service Residential Waterfront (RLSW)

Application Complies with Zoning: Yes

Current Official Plan Designation: Rural (RU)

Application Complies with Official Plan: Yes



REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



AGENCY ANALYSIS AND COMMENTS

Comments from KFL&A Public Health have yet to be received.

Comments from Cataraqui Region Conservation Authority have yet to be received.

Comments from Public Works were not required.

The building department has no objections.

CONDITIONS

1. This minor variance is for construction of a maximum 1600 square foot footprint, single story dwelling with walkout basement to be located a minimum of 26.6 metres from the high water mark of Loughborough Lake and a minimum of 2.5 metres from Wild Flower Lane.
2. Minor variance MV-31-17-L is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.
3. 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 South Frontenac.
4. The applicant shall enter into a site plan agreement with the Township to be registered on title, which sets out the Township's environmental and limited service policies, and which specifies that a permit may be required from the Cataraqui Region Conservation Authority for the proposed development, and for any shoreline or in-water works.

ATTACHMENTS

Map of Martin Property




Submitted/Approved by: Lindsay Mills

Prepared by: Jennie Kapusta



**MARTIN
MV-31-17-L**

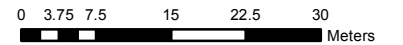
Legend

-  Martin Property
-  Martin Proposed Dwelling
-  Existing Buildings

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Scale 1:757



UTM Projection NAD 83





REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



PUBLIC MEETING

Report Date: July 7, 2017

Application No: MV-32-17-L
Owner: Jeff Bennett and Margaret Eberle
Location of Property: Concession 5, Lot/Part Lot 6, 1040 Slumber Lane, District of Loughborough, Township of South Frontenac
Purpose of Application: To vary section 10.3.1 of the Comprehensive Zoning By-law 2003-75 to permit construction within the 30m setback from water
Date of Hearing: July 13, 2017

RECOMMENDATION

It is recommended that the Committee hear comments from members of the public and that the minor variance to permit construction within the required 30m setback from water **be denied**.

BACKGROUND

The subject land consists of 2.62 +/- acres with frontage on Sydenham Lake. The property is currently developed with a dwelling and two (2) detached accessory buildings. The current dwelling is located 13.9 metres from the high-water mark of Sydenham Lake. The proposal is for a 292 square foot (27.13 square metres) increase to the existing foot print, plus a 2 foot 10 inch increase in height (to allow for foundation works to stabilise the dwelling), plus a corresponding (292 square foot) increase in square footage to the existing second storey. The proposal involves the demolition of two of the walls facing away from Sydenham Lake and their reconstruction approximately 2 feet 2 inches farther out than their current location, plus the construction of a two story addition and covered porch to the west side of the existing dwelling and the reconstruction of the entire roof structure to facilitate the increase in second storey square footage..

The by-law does not permit the construction of any structures within 30 m of the HWM for the reasons of reducing adverse effects on the environment, maintaining a natural vegetative buffer and aiding in the preservation of the rural character of the Township.

FOUR TESTS OF A MINOR VARIANCE

Section 45(1) of the Planning Act

A variance may be authorized from the provisions of the zoning by-law, if, in the opinion of the Committee of Adjustment, the request meets all of the following tests:

1. Is the minor variance desirable for the appropriate development or use of the land, building or structure?
2. Is the general intent and purpose of the official plan maintained?
3. Is the general intent and purpose of the zoning by-law maintained?
4. Is the variance minor?

Current Zoning: Limited Service Residential Waterfront (RLSW)

Application Complies with Zoning: Yes

Current Official Plan Designation: Rural (RU)

Application Complies with Official Plan: Yes



REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



AGENCY ANALYSIS AND COMMENTS

KFL&A Public Health has no objections.

Cataraqui Region Conservation Authority has no objections to the application. They have recommended that the recommendation of Concord Engineering, who completed the slope stability study, to pin the foundation to the bedrock be added as a condition of approval.

Comments from Public Works were not required.

The building department has no objections.

CONDITIONS

1. This minor variance is for construction of a maximum 292 square foot footprint addition, plus a maximum three (3) foot increase in height to an existing dwelling located 13.9 metres from the high water mark of Sydenham Lake.
2. Minor variance MV-32-17-L is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.
3. 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 South Frontenac.
4. The applicant shall enter into a site plan agreement with the Township to be registered on title, which sets out the Township's environmental and limited service policies, and which specifies that a permit may be required from the Cataraqui Region Conservation Authority for the proposed development, and for any shoreline or in-water works.

ATTACHMENTS

Map of Martin Property

CRCA report dated June 28, 2017

Concord Engineering report dated June 6, 2017




Submitted/Approved by: Lindsay Mills

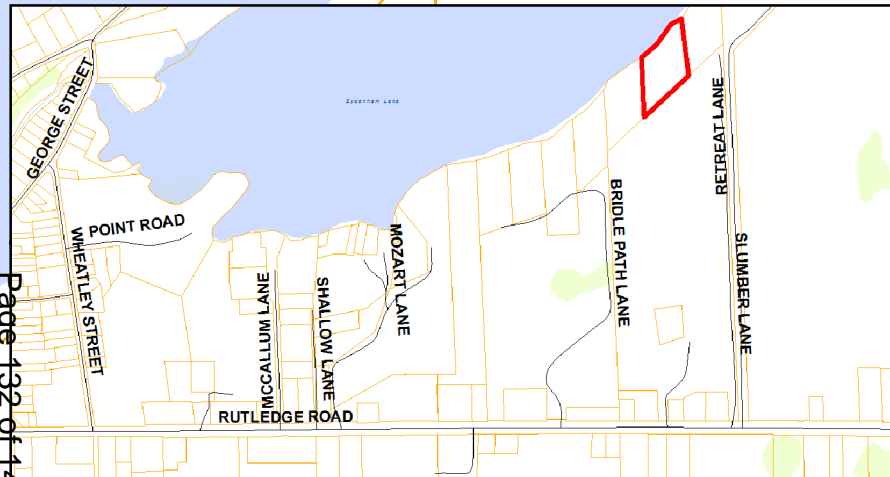
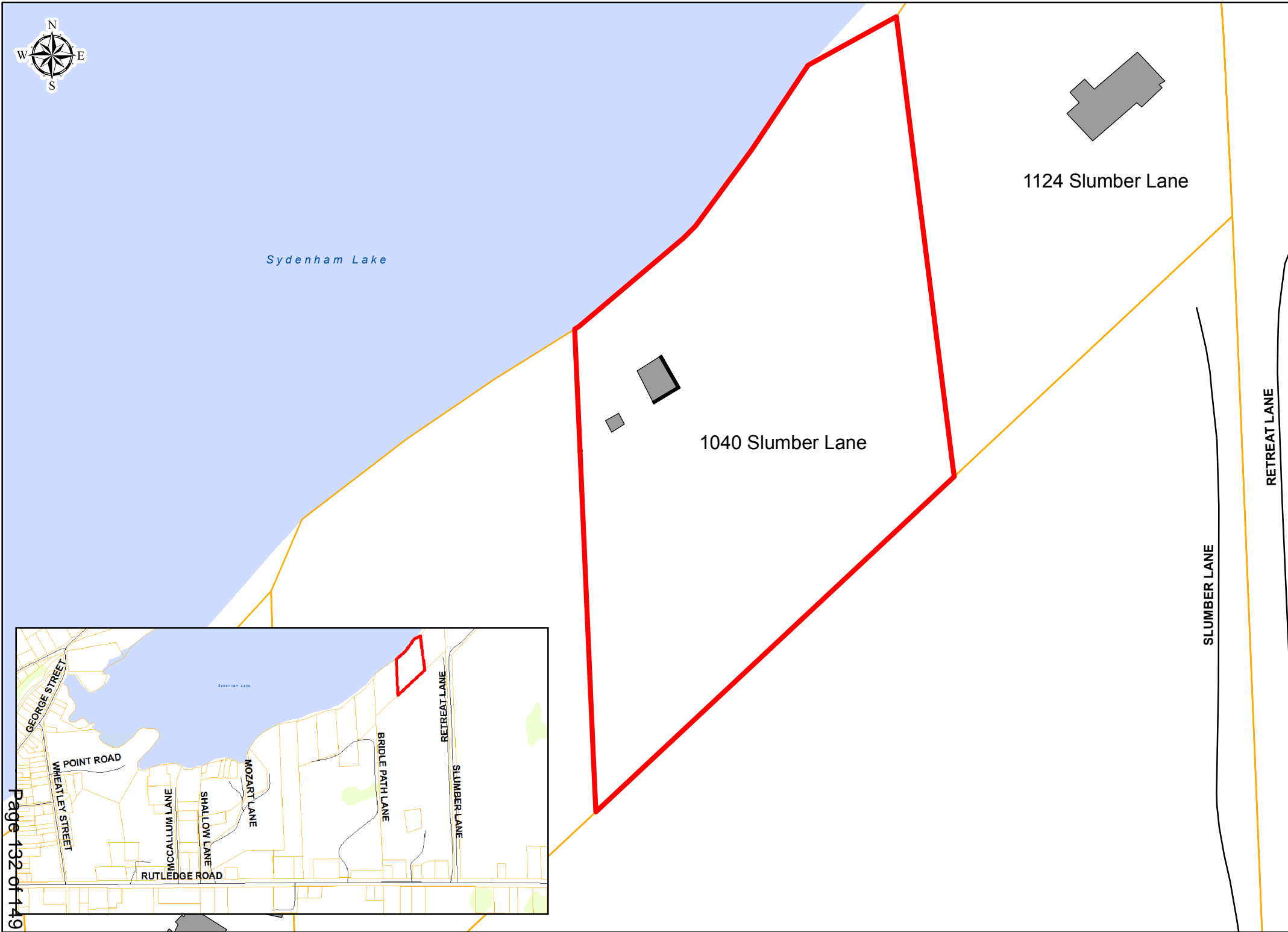
Prepared by: Jennie Kapusta



**BENNETT
MV-32-17-L**

Legend

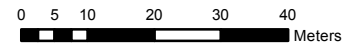
-  Existing Buildings
-  Bennett Property
-  Bennett Proposed Addition



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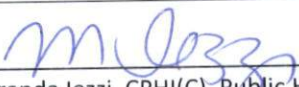
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UTM Projection NAD 83

Environmental Health Department
 221 Portsmouth Avenue
 Kingston, Ontario K7M 1V5
 (613) 549-1232
 1-800-267-7875
 Fax: (613) 549-7738
<http://www.kflpublichealth.ca>

REQUESTS FOR COMMENTS

To:	Jennie Kapusta Township of South Frontenac 4432 George Street Sydenham, ON K0H 2T0
Application Number:	MV-32-17L
Type of Application or Proposal:	Minor Variance
Applicant Name(s):	Jeff Bennett & Margeret Eberle
Location:	Pt Lot 6 Conc. 5 1040 Slumber Lane
Planning Department or Agency:	Township of South Frontenac (Loughborough)
Comments:	KFL&A Public Health has no objection to the minor variance.
Inspector:	 Miranda Iezzi, CPHI(C), Public Health Inspector
Date:	July 06, 2017

PLEASE FORWARD A COPY OF THE NOTICE OF DECISION TO KFL&A PUBLIC HEALTH.

Personal information on this form is collected under the authority of the Building Code Act, and will be used for the administration of Public Health programs. Any questions about the collection of this information should be directed to the Manager of Environmental Health, KFL&A Public Health, 221 Portsmouth Avenue, Kingston, Ontario K7M 1V5, (613) 549-1232 ext. 1243 or 1-800-267-7875.



KFL&A
Public Health

**Application for Review of Performance
Level of Existing On-Site Sewage System**

Office Use Only	
Application number	LO-29-17
Name	Bennett, Jeff. Date submitted July 05/17
Fee number	K-131-2017. Fee amount 200.00
Renewal Date	Date Entered July 06/17

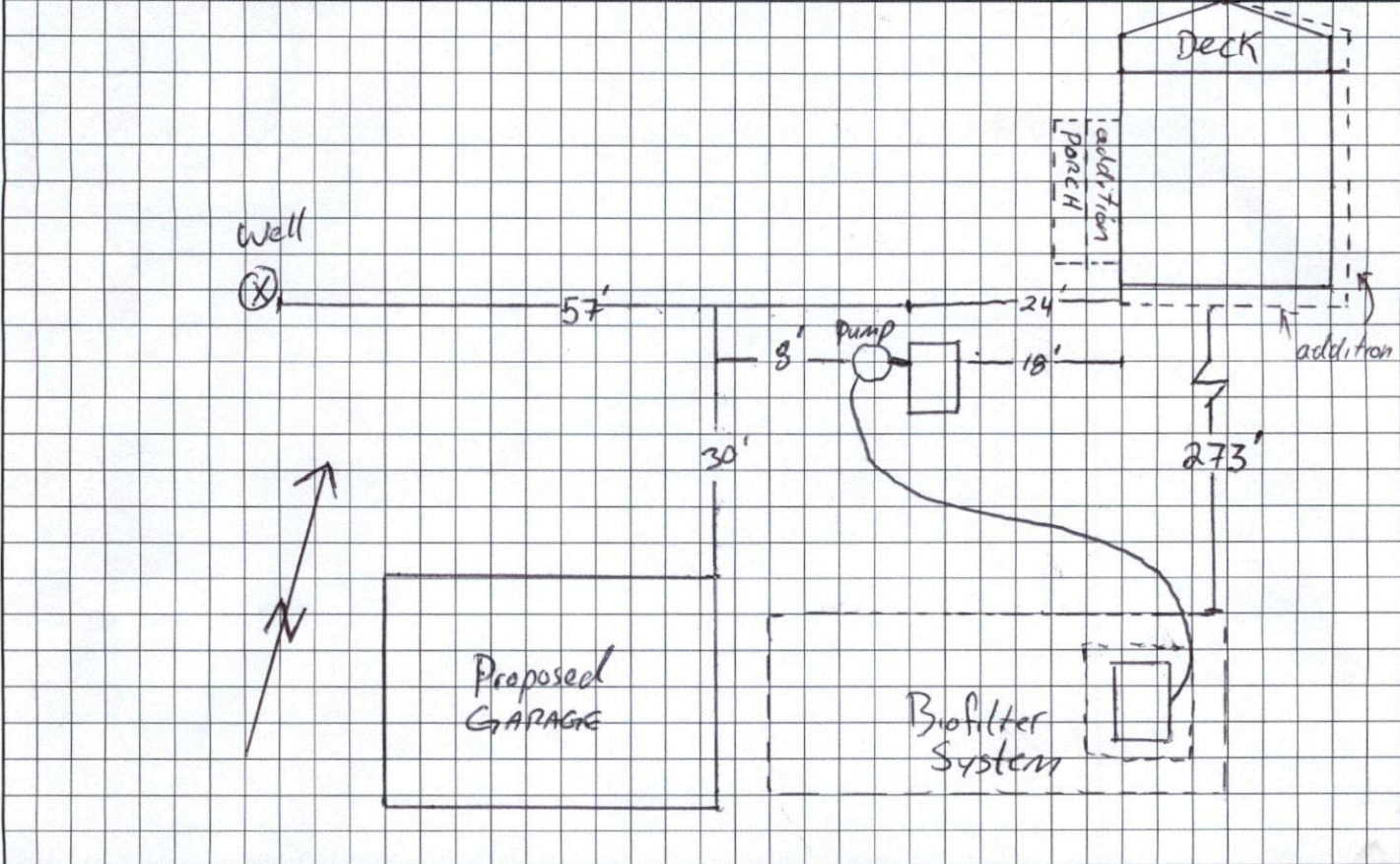
1. Legal owner (mailing address)																																																																					
Last name <u>Bennett</u>		First name <u>Jeff</u>																																																																			
Street address <u>128 ONTARIO ST</u>		Municipality <u>KINGSTON</u>	Postal code <u>K7L 2Y4</u> Province <u>ON</u>																																																																		
Telephone <u>63530 6022</u>	Fax	Cell <u>63530-6022</u>	E-mail <u>Jeff@myteamfinancial.com</u>																																																																		
2. Location of property																																																																					
Building number, street name <u>1040 Slumber Lane</u>		Lot and concession <u>P+lot 6 CON 5</u>	Municipality <u>Loughborough</u>																																																																		
Plan number or other description		Part <u>2</u>	Plan <u>1029 040010 1330 0000</u>																																																																		
3. Proposal																																																																					
<input checked="" type="checkbox"/> Building addition <input checked="" type="checkbox"/> Garage <input type="checkbox"/> Pool <input type="checkbox"/> Other																																																																					
If other, please explain proposal or need for review																																																																					
4. Building addition																																																																					
Existing number of bedrooms <u>2</u>		Additional number of bedrooms <u>0</u>																																																																			
Existing total floor area of dwelling (metres ²) <u>125 m²</u>		Proposed additional floor area of dwelling (metres ²) <u>33.82 m²</u>																																																																			
New total number of bedrooms <u>2</u>		New total floor area (existing plus proposed) (metres ²) <u>158.82 m²</u>																																																																			
5. Existing fixture units (see Ontario Building Code Table 7.4.9.3 for non-residential)		6. Additional fixture units (for proposed additions or renovations)																																																																			
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7. Water supply																																																																					
<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Existing																																																																					
<input checked="" type="checkbox"/> Drilled well Casing depth <u>> 6</u> (metres)																																																																					
<input checked="" type="checkbox"/> Dug, bored, or blasted well																																																																					
<input type="checkbox"/> Sandpoint or drivepoint well																																																																					
<input type="checkbox"/> Surface water																																																																					
<input type="checkbox"/> Shore well																																																																					
<input type="checkbox"/> Municipal water																																																																					
<input type="checkbox"/> Cistern																																																																					
<input type="checkbox"/> Other _____																																																																					
8. Current sewage system information																																																																					
<input checked="" type="checkbox"/> Septic tank <u>4500</u> (litres)		<input type="checkbox"/> Holding tank _____ (litres)																																																																			
<input type="checkbox"/> Leaching bed _____ (metres of distribution piping)		<input checked="" type="checkbox"/> Treatment unit type <u>Waterloo Biofilter Config 4A</u>																																																																			
<input type="checkbox"/> Filter bed loading area _____ (metres ²)		<input type="checkbox"/> Class 1 and 2 (outhouse or privy and leaching pit)																																																																			
9. Previous permit information (If unknown, please attach a list of previous owners)																																																																					
Permit or certificate of approval number(s) <u>LO-17-12</u>		Year installed <u>2012</u>																																																																			
10. Directions to lot (municipal address, secondary roads, signs to follow, etc.)																																																																					
11. I certify the foregoing information is true and accurate																																																																					
<input checked="" type="checkbox"/> Signature of legal owner		Date <u>4/July/17</u>																																																																			
<input checked="" type="checkbox"/> Signature of agent		Date																																																																			

Sewage System Plans Page

Office Use Only	
Application number	LO-29-17
Name	Bennett, Jeff

12. Lot diagram and sewage system plan (drawing must be accurate, to scale, indicate north point and show the following):

- (a) Location of sewage system components (e.g. tank(s), leaching bed(s), etc). Locate and show horizontal distances from system to adjacent existing or proposed buildings, water supplies (including neighbours), existing on-site systems, driveways, property lines, lakes, rivers, springs, water courses, swimming pools.
- (b) Lot dimensions topographic features (e.g., swamps, steep slopes) near system. 1 square = 4 metres of feet **DRAW TO SCALE**



13. I certify the foregoing information is true and accurate

Signature of legal owner	Signature of agent	Date
<i>[Signature]</i>	X	4/July/17

14. Office use only

- Proposal will not reduce the performance level of the existing sewage system; no objections to issuance of a building permit for proposal.
- Sewage system is not contravening section 8.9.1.2. (1) (a) (b) (c) of the Ontario Building Code.
- Proposal will reduce the performance level of the existing sewage system. On-site sewage system will require upgrading.

Inspector: *mlezz* Date: July 6, 2017
 Chief Building Official: *J. Mitelose* Date: 6/7/17



CATARAQUI REGION CONSERVATION AUTHORITY
1641 Perth Road, P.O. Box 160 Glenburnie, Ontario K0H 1S0
Phone: (613) 546-4228 Toll Free (613 area code): 1-877-956-CRCA
Fax: (613) 547-6474 E-mail: info@crca.ca
Websites: www.crca.ca & www.cleanwatercataraqui.ca



June 28, 2017

File: MV/FRS/158/2017

Sent by Email

Ms. Jennie Kapusta, Planning Assistant
Township of South Frontenac
P.O. Box 100
Sydenham, Ontario
K0H 2T0

Dear Ms. Kapusta:

**Re: Application for Minor Variance MV-32-17-L (Bennett / Eberle)
Part Lot 6, Concession 5; 1040 Slumber Lane
Loughborough District, Township of South Frontenac
Waterbody: Sydenham Lake**

Staff of the Cataraqui Region Conservation Authority (CRCA) have reviewed the above-noted application for minor variance, and provide the following comments for the Committee of Adjustment's consideration.

Summary of Proposal

The proposal involves the construction of an addition onto a dwelling on the subject property. The variance is requested to:

- reduce the required setback from the high water mark from 30 metres, as required by Section 5.8.2(1.) of the South Frontenac Zoning By-law, to 13.9 metres in order to permit the construction of an addition.

Site Description

The property is located on the south side of Sydenham Lake on Slumber Lane. The topography of the site can be characterized as having a high, relatively steep bank along the shoreline, a small level area where the dwelling is located and then rising again toward the south. Currently, the property contains a single family dwelling and two sheds. A future detached garage is proposed outside of the 30 metre water setback.

The property is currently designated 'Rural' and 'Environmental Protection' in the Official Plan and 'Limited Service Residential – Waterfront' (RLSW) in the implementing Zoning By-law for South Frontenac Township.

Discussion

The main interests of the CRCA with respect to this application are the avoidance of natural hazards associated with the shoreline of Sydenham Lake (e.g. flooding and erosion), and the protection of its water quality. There were no natural heritage features identified on the subject property.

Natural Hazards

Flooding: For Sydenham Lake, the regulatory flood plain has been established as elevation 131.6 metres geodetic. Section 4.1.3 of the CRCA's Planning Policy recommends a 15 metre horizontal setback from the regulatory flood plain to account for variations in the regulatory flood plain elevation, changes over time in the anticipated extent of the regulatory flood plain, and situations such as debris or ice jams that may affect flood levels. However, for a lot of record such as this property, a reduction of this allowance to 6 metres can be considered if the development is appropriately elevated / flood-proofed. Section 3.3.6 2) of the CRCA's Guidelines for Implementing Ontario Regulation 148/06 suggests that where development is proposed and the elevation of the flood plain is known, buildings and structures must be located a minimum horizontal distance of 6 metres beyond the furthest landward extent of the regulatory flood plain. Based upon topographic mapping data, staff do not believe that the proposed development will be within the setback from the flood plain, and in this instance, the proposed development will be constructed in a location that is substantially elevated above the flood plain of Sydenham Lake.

Erosion: For inland lakes such as this one, the regulatory erosion standard includes an allowance for toe erosion, a stable slope allowance of 1:1 (horizontal/vertical) for bedrock shorelines, and a 6 metre erosion access allowance. The shoreline was found to be rocky so a toe erosion allowance is not applicable in this instance. The height of the (lower) shoreline is estimated to be approximately 10 metres. Therefore, the total erosion hazard allowance was determined to be 16 metres. The existing structure is only 13.9 metres from the toe of slope placing it within the erosion access allowance.

The applicant has provided a slope and erosion assessment (Concord Engineering, June 6, 2017) in support of the minor variance application. This report concluded that "foundations anchored to the bedrock are not considered susceptible to either erosion or global instability", and that the proposed development is consistent with Section 3.1 of the Provincial Policy Statement related to natural hazards. Staff are satisfied with the recommendations and conclusions provided in the Concord Engineering report. Staff are also satisfied that the proposed additions will not aggravate the hazard or further impede access. *Staff recommend that the consultant's recommendation to pin the foundation to bedrock be added as a condition of approval.*

Water Quality

Section 2.2 of the Provincial Policy Statement (PPS) suggests that planning authorities should seek to protect, improve or restore the quality and quantity of water. Accordingly, the Official Plan and Zoning By-law for the Township of South Frontenac provide guidance with respect to how development should occur in consideration of protecting, improving and restoring water quality within the municipality. Similarly, the CRCA's Planning Policy (April, 2015) contains provisions that seek to support these objectives.

Section 5.2.7 b)(i) of the Official Plan for South Frontenac Township suggests that a 30 metre setback from the high water mark is required to be maintained as a buffer in order to protect water quality.

Similarly, the CRCA Planning Policy recommends that new development and site alteration, including septic system tile fields and open or enclosed decks/patios attached to the main dwelling, be set back a minimum distance of 30 metres from the high water mark of a waterbody. However, new development within the water setback may be considered when there are no reasonable alternatives for locating the development outside of the water setback area, the development is no closer to the water than existing buildings or structures on the property the development complies with the maximum lot coverage provisions of the Zoning By-law, and suitable methods to minimize negative impacts on water quality are incorporated into the development.

The proposal is to construct a reasonably sized minor addition onto an existing structure within the water setback and the water setback cannot be met without moving the entire structure. The addition is going no closer to the water than the existing structure, and the proposal complies with the maximum lot coverage provisions contained in the By-law. *Staff recommend that roof runoff be directed away from the lake if possible to reduce the potential for erosion and to protect the water quality of the lake.*

Recommendation

Staff have no objection to the approval of application MV-32-17-L based on our consideration for natural hazards, natural heritage, and water quality and quantity protection policies.

Ontario Regulation 148/06

The CRCA, under Ontario Regulation 148/06: *Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses*, regulates development within 15 metres of a valley land. Staff note that the proposed development is located within 15 metres of the valley land. Therefore, a CRCA permit will be required for the proposed development. The applicant will be required to contact the undersigned at the building permit stage for more information regarding permitting requirements under Ontario Regulation 148/06.

Please notify this office of any decision made by the Committee of Adjustment with regard to this application. If you have any questions, please contact Andrew Schmidt at (613) 546-4228 extension 244 or by email at aschmidt@crca.ca.

Yours truly,



Andrew Schmidt, C.Tech.
Supervisor, Development Review

/as
c.c. Jeff Bennett & Margaret Eberle, 128 Ontario Street, Kingston, ON, K7L 2Y4
Lindsay Mills, Township of South Frontenac (via email)



755 Baker Crescent
Kingston, ON K7M 6P5
Ph: (613) 634-4357
Fax: (613) 634-4353
E-mail: concorde@kos.net

June 6, 2017

MARGARET EBERLE AND JEFF BENNETT

RE: SLOPE & EROSION ASSESSMENT
1040 SLUMBER LANE
SYDENHAM, ONTARIO
Our Reference No. 17-0411

1.0 INTRODUCTION

This letter reports a geotechnical assessment carried out at the above captioned property to address natural hazards. The subject property includes waterfront on Sydenham Lake and concerns sloping ground overlooking the lake. The assessment is intended to evaluate the risk of slope failure and erosion with regard to the retrofit of a full foundation on an existing cottage footprint. The assessment is based on an examination of the slope conducted in April 2017, as well as an archival and policy review. For the purposes of this report the serviceability period is considered to be one hundred years.

2.0 BACKGROUND AND OBSERVATIONS

The above captioned address consists of a 1-½ storey wood frame Viceroy home supported on pier foundations at a prominent and sloping site on the south shore of Sydenham Lake. A landscaped terrace east of the cottage is supported by a stacked limestone retaining wall and access to the waterfront is similarly supported, accompanied with rustic railings. Waterfront facilities include a wood dock. A newer Waterloo Biofilter based septic system is located southwest of the cottage and reportedly discharges to a bed remote from the cottage.

It is understood that the geotechnical investigation was initiated further to proposed construction of a full foundation on the existing cottage footprint. There is also potential for extension of the building up to 1.83m and a 1.52m-wide covered wood deck, both on the west side of the footprint and that the cottage be moved 0.61m to the northeast and expanded 0.61m in two directions. The project may or may not include reuse of the superstructure. A garage is proposed on land southwest of the dwelling adjacent the current driveway, and beyond the 30 metre lake setback. Consultation with CRCA has resulted in a request for assessment of the stability of the sloping ground in support of the proposal. The location of the site is presented on **Drawing No. 1/2**, attached and photos documenting the site are included in **Appendix 'A'**.

Site topography and features are outlined on **Drawing No. 2/2**. The lot comprises 2.3 acres with some 110 metres of waterfront on Sydenham Lake. It is understood that the adjacent property to the west is currently being rented by Margaret Eberle and Jeff Bennett. The level of Sydenham Lake is controlled via a dam located at the inlet to Millhaven Creek in the Village of Sydenham.

Reference to geological mappings of the area indicates brown lithographic to finely crystalline limestone of the Gull River Formation (lower member) that is exposed or with less than 1

CONCORD ENGINEERING o/u 1112185 Ontario Inc.

metre of drift cover. A search of the MOECC's on-line interactive well record mapping database for the supply well tagged as A121695 found on the property indicates grey shale bedrock at 0.91 metres below grade, corresponding to a site elevation of 140.83 metres. The well record is included in **Appendix 'B'**. Well records searched in the area indicate shale or limestone between 0.91 metres and 1.22 metres below grade.

Site reconnaissance was performed on April 25th and May 11th, 2017. As described, the landscape features filled terraces supported by stacked limestone retaining walls, which appear to be in good condition. The backshore from the lake is defined by a limestone escarpment which extends behind and 10 metres or so above the cottage terrace. Limestone beds are generally a foot or so thick at the cottage. Descending toward the lake one encounters steeper exposures comprised of weathered beds that are only a few inches thick. The slope is vegetated with established white cedars, with some sugar maples and yellow birches. Cedars dominate the slope below the cottage, where "gunstocked" trunks consistent with soil creep are common.

Bedrock depths were inferred with boreholes advanced with a ½"-diameter steel rod motivated by a 20-pound post-pounder during the site reconnaissance. Results indicate bedrock is in excess of 1.22m at three of the four corners of the cottage corresponding to site elevations below 141 metres. The borehole at the eastern most corner of the cottage achieved refusal, and inferred limestone bedrock, between 0.46 and 0.61 metres, corresponding to site elevations of 142.14 and 141.99 metres. Borehole locations and a slope profile are included in **Drawing No. 2/2**.

In the area immediately adjacent the cottage decks nearest retaining wall, down slope, refusal was observed at a depth of 0.61m, site elevation 140.65 metres. Bedrock was at grade (138.97 metres in site elevation) 4.2 metres in front of the deck.

In the proposed garage area, refusal on inferred bedrock was between 0.46 and 0.61 metres (146.2 and 146.0 metres) at the proposed rear wall, and in excess of 1.22 metres (142.78 metres) at the front.

Topographic elevations pertinent to the assessment were determined on April 25th, 2017 using a CST/Berger automatic level equipped with a 20 times magnification scope. All topographic elevations were referenced to the main floor of the cottage, using an elevation found on a topographic survey of the property produced by Hopkins Chitty Land Surveyors Inc.

3.0 DISCUSSION:

Development setbacks along Sydenham Lake are typically based upon a 100-year erosion allowance and stable slope geometry. Although the site is remote from Lake Ontario and the St. Lawrence River, the attached Shoreline Classification System (for) Lake Ontario and the St. Lawrence River - Cataraqui Region was referenced for discussion purposes. The slope at the site would be considered high bedrock and the shoreline is essentially bedrock. Based on the foregoing, a 1:1 setback for the foundations from the shoreline would be appropriate. Reference to the slope section on **Drawing No. 1/1** indicates that the proposed foundation would conform to this criterion and global slope stability is therefore of no concern.

Sydenham Lake follows the southwesterly grain of the regional terrain, which is coincident with the prevailing winds. As a result the fetch affecting wave action on the shoreline is less than a kilometer or oblique. The dam located in the village of Sydenham reduces erosion by controlling the water level of the lake, and the limestone which abuts the waterfront is not considered to be at significant risk of erosion. The extensive retaining walls were stable and in good repair. Areas

which were not covered in rock were vegetated adequately. There was no evidence of erosion scars in the slope despite a wet spring.

Deployment of silt fencing while commencing any substantial renovation or excavation is recommended at the property. Spoil resulting from excavation at the site should be stored toward the back of the terrace, covered as necessary to mitigate turbid runoff. Straw bails and check dams may also be used to diffuse runoff toward the slope.

Disturbed areas should be restored using topsoil and erosion mats as necessary, and seeded to promote re-growth. Mitigation of damage to the current vegetation and retaining walls on the slope should be a priority during in any renovations.

4.0 CONCLUSIONS:

The topography at the site is controlled by retaining walls and exposed limestone bedrock beneath and downslope of the cottage. Foundations anchored to the bedrock are not considered susceptible to either erosion or global instability. The fill at the property includes large cobbles, boulders and bedrock fragments. For design and estimating purposes, it is recommended that test pits be excavated using a machine (i.e. a backhoe or excavator) to verify the depth to bedrock in the area of the proposed foundation.

Temporary silt fencing, straw bales and/or check dams are recommended to mitigate the potential for turbid runoff. The performance of these measures should be monitored and secondary measures taken as warranted. Disturbed vegetation should be restored as quickly as possible.

Based on the foregoing, development consistent with Section 3.1 of the Provincial Policy Statement is viable at the property.

We trust that this report is to your satisfaction. Should you have any questions or concerns regarding this submission, please contact our office.

Yours truly,
CONCORD ENGINEERING



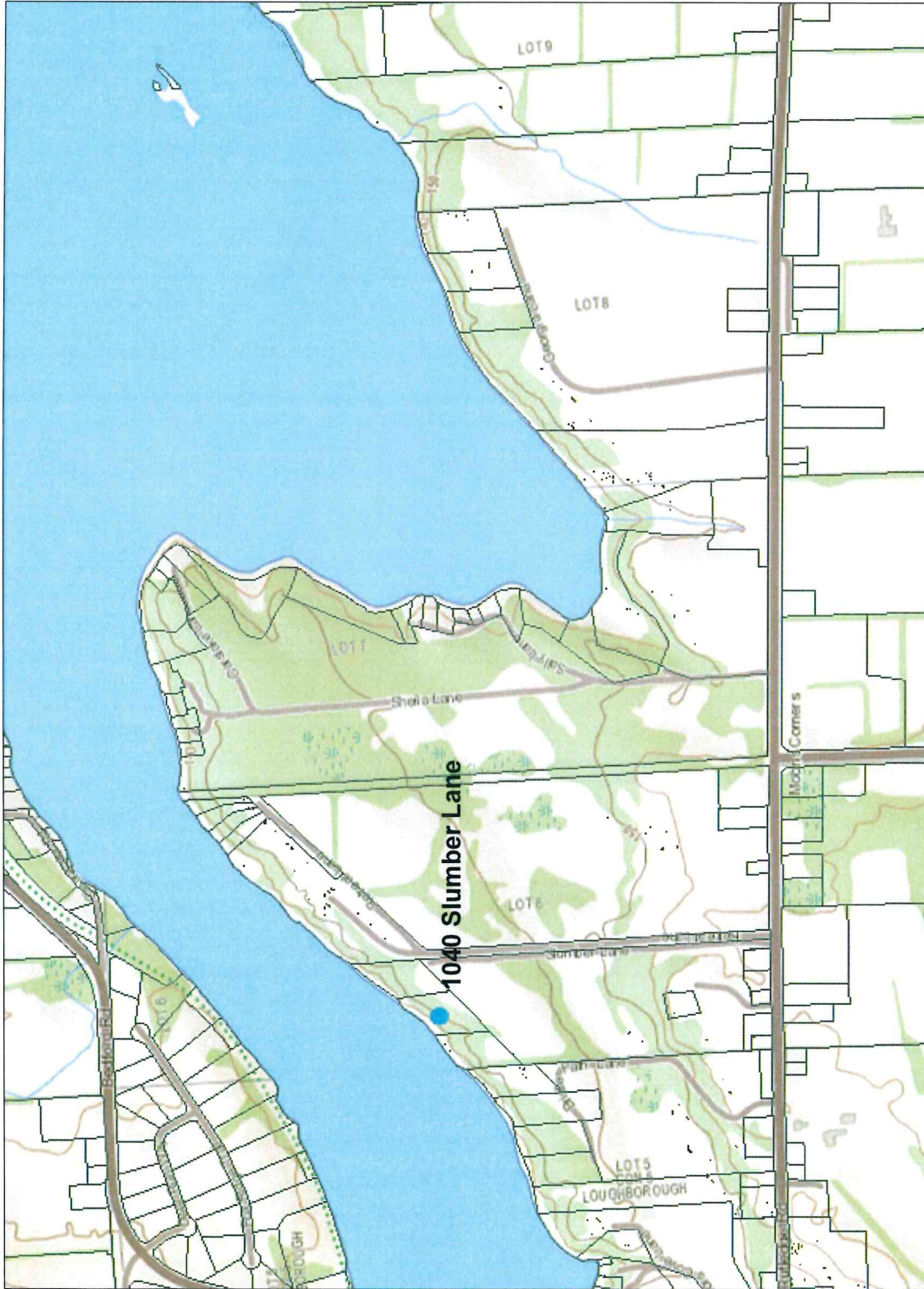
Michael Zylstra
Environmental Technologist



R. David Oliver, P.Eng.

Encl.

Notes:



Legend



0 0.7 km

The Ontario Ministry of Natural Resources and Forestry shall not be liable in any way for the use of, or reliance upon, this map or any information on this map. This map should not be used for: navigation, a plan of survey, routes, nor locations.

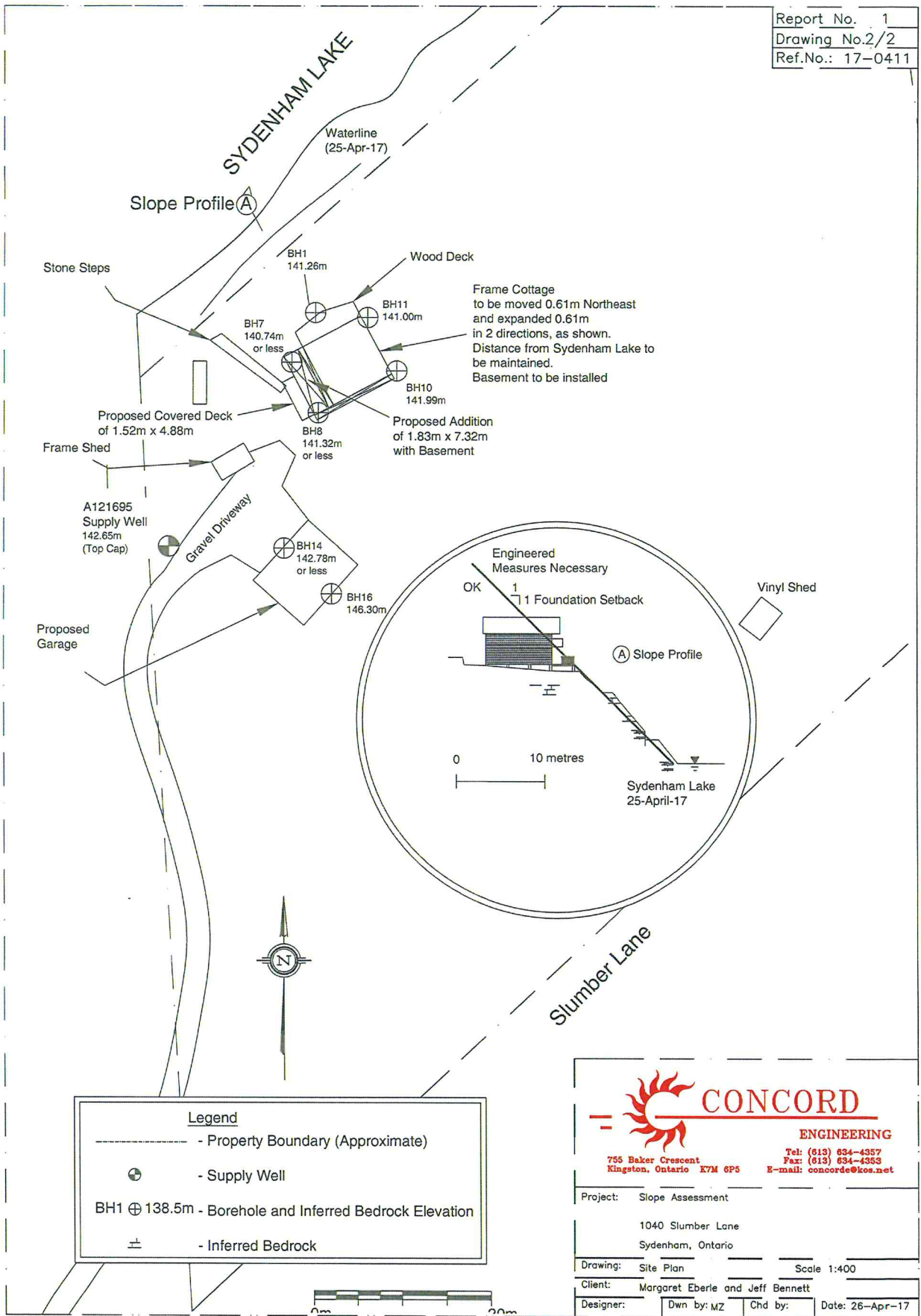
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CONCORD ENGINEERING

755 Baker Crescent
 Kingston, Ontario K7M 6P5
 Tel: (613) 634-4357
 Fax: (613) 634-4353
 E-mail: concord@kos.net

Project: Slope Assessment

1040 Slumber Lane
 Sydenham, Ontario

Drawing: Site Plan Scale 1:400

Client: Margaret Eberle and Jeff Bennett

Designer: Dwn by: MZ Chd by: Date: 26-Apr-17

Appendix 'A'

Site Photos

1040 Slumber Lane Cottage from the South West



Deck to Shore Profile from the North East



West Side of Cottage facing North toward Sydenham Lake



Centre of Deck facing North toward Sydenham Lake



Exposed Bedrock located 6.7m from North of the Cottage, facing South East



Appendix 'B'

MOECC Well Record

For

A121695



Address of Well Location (Street Number/Name) **SLUMBER LANE** Township **(Loughborough)** Lot **5** Concession **5**
 County/District/Municipality **FRONTENAC** City/Town/Village **SYDENHAM** Province **Ontario** Postal Code **K0H 2T0**
 UTM Coordinates Zone **18** Easting **394145** Northing **4919029** Municipal Plan and Sublot Number

Overburden and Bedrock Materials/Abandonment Sealing Record (see instructions on the back of this form)

General Colour	Most Common Material	Other Materials	General Description	Depth (m/ft)
				From To
BROWN	CLAY			0 3
GREY	SHALE			3 7
BLUE	LIMESTONE			7 35
GREEN	LIMESTONE			35 61
RED	SANDSTONE			61 132

Annular Space

Depth Set at (m/ft)	Type of Sealant Used (Material and Type)	Volume Placed (m ³ /ft ³)
From To		
20 0	CEMENT	8

Results of Well Yield Testing

After test of well yield, water was:
 Clear and sand free
 Other, specify

Static Level	Draw Down		Recovery	
	Time (min)	Water Level (m/ft)	Time (min)	Water Level (m/ft)
		33.2		
1		39.6	1	70.1
2		43.1	2	67.8
3		46.2	3	65.2
4		48.1	4	62.7
5		49.7	5	60.6
10		56.2	10	51.9
15		59	15	44.6
20		60.7	20	39.6
25		63.5	25	36.3
30		65.9	30	35.1
40		69.8	40	34.4
50		71.2	50	33.9
60		73	60	33.4

Pump intake set at (m/ft) **130**
 Pumping rate (l/min / GPM) **5 G.P.M.**
 Duration of pumping **1** hrs + **0** min
 Final water level end of pumping (m/ft) **73'**
 If flowing give rate (l/min / GPM)

Recommended pump depth (m/ft) **129'**
 Recommended pump rate (l/min / GPM) **5 G.P.M.**
 Well production (l/min / GPM) **6.5 G.P.M.**
 Disinfected? Yes No

Method of Construction

<input checked="" type="checkbox"/> Cable Tool	<input type="checkbox"/> Diamond	<input type="checkbox"/> Public	<input type="checkbox"/> Commercial	<input type="checkbox"/> Not used
<input type="checkbox"/> Rotary (Conventional)	<input type="checkbox"/> Jetting	<input checked="" type="checkbox"/> Domestic	<input type="checkbox"/> Municipal	<input type="checkbox"/> Dewatering
<input type="checkbox"/> Rotary (Reverse)	<input type="checkbox"/> Driving	<input type="checkbox"/> Livestock	<input type="checkbox"/> Test Hole	<input type="checkbox"/> Monitoring
<input type="checkbox"/> Boring	<input type="checkbox"/> Digging	<input type="checkbox"/> Irrigation	<input type="checkbox"/> Cooling & Air Conditioning	
<input type="checkbox"/> Air percussion		<input type="checkbox"/> Industrial		
<input type="checkbox"/> Other, specify		<input type="checkbox"/> Other, specify		

Construction Record - Casing

Inside Diameter (cm/in)	Open Hole OR Material (Galvanized, Fibreglass, Concrete, Plastic, Steel)	Wall Thickness (cm/in)	Depth (m/ft)		Status of Well
			From	To	
64"	STEEL	188	2	20	<input checked="" type="checkbox"/> Water Supply
6"	OPEN HOLE		20	132	<input type="checkbox"/> Replacement Well

Status of Well

<input checked="" type="checkbox"/> Water Supply	<input type="checkbox"/> Abandoned, Insufficient Supply
<input type="checkbox"/> Replacement Well	<input type="checkbox"/> Abandoned, Poor Water Quality
<input type="checkbox"/> Test Hole	<input type="checkbox"/> Abandoned, other, specify
<input type="checkbox"/> Recharge Well	<input type="checkbox"/> Other, specify
<input type="checkbox"/> Dewatering Well	
<input type="checkbox"/> Observation and/or Monitoring Hole	
<input type="checkbox"/> Alteration (Construction)	

Construction Record - Screen

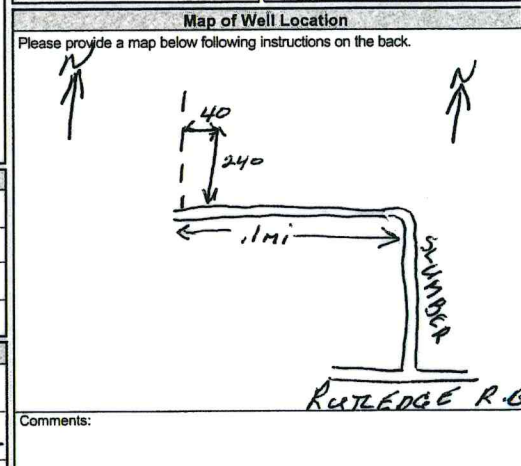
Outside Diameter (cm/in)	Material (Plastic, Galvanized, Steel)	Slot No.	Depth (m/ft)	
			From	To

Water Details

Water found at Depth (m/ft)	Kind of Water: <input type="checkbox"/> Fresh <input checked="" type="checkbox"/> Untested	Depth (m/ft)	Diameter (cm/in)
	<input type="checkbox"/> Gas <input type="checkbox"/> Other, specify	From To	
68 (m/ft)		0 20	10"
127 (m/ft)		20 132	6"

Well Contractor and Well Technician Information

Business Name of Well Contractor **DAVE KNOX DRILLING** Well Contractor's Licence No. **32002**
 Business Address (Street Number/Name) **2580 PETHA R.D.** Municipality **GREENBURNE**
 Province **ONT** Postal Code **K0H1S0** Business E-mail Address
 Bus. Telephone No. (inc. area code) **6135466164** Name of Well Technician (Last Name, First Name) **KNOX JOHN**
 Well Technician's Licence No. **2879** Signature of Technician and/or Contractor **Ron Knox** Date Submitted **Y Y Y Y M M D D**



Comments:

Well owner's information package delivered <input type="checkbox"/> Yes <input type="checkbox"/> No	Date Package Delivered 20120516	Ministry Use Only Audit No. Z137888 Date Work Completed 20120516
	Date Work Completed 20120516	