

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

TIME: 7:00 PM,  
DATE: Thursday, March 8, 2018  
PLACE: Council Chambers.

1. Call to Order
2. Adoption of Agenda
3. Declaration of pecuniary interest
4. Approval of Minutes – [February 8, 2018]
  - a) Resolution 3 - 18
5. New Consent Applications:
  - a) S-58-17-S - George Desrochers - Concession 10, Part Lot 14, Battersea Road/Ramparts Road, District of Storrington - Consent to create a lot addition 19 - 20
  - b) S-61-17-S - Brenda Gilbert - Concession 10, Part Lots 31/32, Beach Lane/Burnt Hills Road, District of Storrington - Consent to create a lot addition 21 - 23
  - c) S-08-18-P - Mike Giffin - Concession 6, Part Lot 4, Jamieson Road, District of Portland - Consent to create a new residential lot 24 - 27  
S-09-18-P - Mike Giffin - Concession 6, Part Lot 4, Jamieson Road, District of Portland - Consent to create a new residential lot  
S-10-18-P - Mike Giffin - Concession 6, Part Lot 4, Jamieson Road, District of Portland - Consent to create a new residential lot
  - d) S-11-18-S - George Gibson, Ken Gibson - Concession 3, Part Lot 10, Perth Road, District of Storrington - Consent to create a lot addition 28 - 30
  - e) S-13-18-L - Randy Ruttan - Concession 11, Part Lot 22, Buck Lake, District of Loughborough - Consent to create a parking and docking easement, and right-of-way access for a water access only property 31 - 33
  - f) S-62-17-L - Kellie Morgan - Concession 5, Block R/Part Block B, 4562 Bedford Road, District of Loughborough - Consent to create a new residential lot 34 - 40
6. New Minor Variance Applications:
  - a) MV-03-18-L - Jean-Claude and Jackie Lalumiere - Concession 6, Part Lot 21, 4708 North Shore Road, District of Loughborough - Variance to permit a reduction in setback from top-of-bank 41 - 53
7. Other Business
8. Adjournment

a) Resolution



TOWNSHIP OF SOUTH FRONTENAC  
PLANNING DEPARTMENT



MINUTES 18:01  
February 8, 2018

LOCATION: South Frontenac Municipal Offices, Sydenham

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

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

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**Item #1: Call to Order**

RESOLUTION: C of A: 18:01:01

Moved by: L. Redden

Seconded by: B. Barbeau

THAT the February 8, 2018 meeting of the South Frontenac Township Committee of Adjustment is hereby called to order at 7:00 p.m. by Lindsay Mills.

Carried

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**Item #2: Motions to Elect a Chairperson**

RESOLUTION: C of A: 18:01:02

Moved by: K. Gee

Seconded by: R. Sleeth

THAT the South Frontenac Township Committee of Adjustment hereby nominates Alan Revill for the position of Chairperson.

Carried

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**Item #3: Motions to Elect a Vice-Chairperson**

RESOLUTION: C of A: 18:01:03

Moved by: L. Redden

Seconded by: J. Sherbino

THAT the South Frontenac Township Committee of Adjustment hereby nominates Ross Sutherland for the position of Vice-Chairperson.

Carried

**Item #4: Adoption of the Agenda**

Approved as circulated

**Item #5: Declaration of Pecuniary Interest**

None declared

**Item #6: Approval of Minutes**

RESOLUTION: C of A: 18:01:04

Moved By: B. Barbeau

Seconded By: L. Redden

THAT the South Frontenac Township Committee of Adjustment hereby approves the minutes of the December 14, 2017 meeting of the Committee, as circulated.

Carried

**Item #7: S-57-17-P (Neil Morey)**

Speaking to the Application: None Speaking

Discussion:

This application was originally brought to the committee in December 2017, but was deferred pending receipt of comments from KFL&A public health on septic suitability for the proposed lot. These comments have been received and are favourable.

The subject land consists of 178 +/- acres (72.0 hectares) with frontage on Hinchinbrooke Road North. The lot is currently developed with a single detached dwelling and accessory building. The proposal is for the creation of a minimum 2 acre residential lot with a minimum of 76 metres of frontage on Hinchinbrooke Road North. The retained parcel will be approximately 176 +/- acres in size and retain all the existing structures.

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

Comments were not required from Quinte Conservation Authority.

KFL&A Public Health has no objections to the application.

Public Works has no objections.

The building department has no objections.

RESOLUTION: C of A: 18:01:05

Moved by: L. Redden

Seconded by: B. Barbeau

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-57-17-P by Neil Morey, to create a new lot, in Concession 14, Part Lot 3/4/5, Hinchinbrooke Road North, District of Portland, subject to conditions.

Carried

**Application No:** S-57-17-P  
**Owner:** Neil Morey  
**Location of Property:** Concession 14, Part Lot 3/4/5, Hinchinbrooke Road North, District of Bedford, Township of South Frontenac  
**Purpose of Application:** Consent to create a new lot  
**Date of Hearing:** December 14, 2017  
**Date of Decision:** February 8, 2018

**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-57-17-P shall be for the creation of a minimum 2 acre lot, with a minimum of 76 metres of frontage on Hinchinbrooke Road North.
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 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 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-57-17-P.

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**Item #8: MV-31-17-L (Jason Martin)**

Speaking to the Application: None Speaking

**Discussion:**

This item was originally brought to the Committee in July 2017 but was deferred following a recommendation of Cataraqui Region Conservation Authority to complete a slope stability study to ensure the relocation would not adversely affect the hill. This report has been completed, and a few small design changes have been made to the dwelling to accommodate retaining walls and ensure proper drainage. The minimum setback and maximum proposed square footage will remain unchanged.

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.

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: 18:01:06

Moved by: R. Sutherland

Seconded by: J. Sherbino

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-31-17-L by Jason Martin, to permit reconstruction of a dwelling within the 30 metre setback from water, in Concession 6, Part Lot 21, 1028 Wildflower Lane, District of Loughborough, subject to conditions.

Carried

**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  
**Date of Decision:** February 8, 2018  
**Decision:** MINOR VARIANCE APPROVED, subject to conditions

#### CONDITIONS:

1. This minor variance is for construction of a maximum 1800 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.

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#### Item #9: MV-47-17-L (Randy Ruttan)

Speaking to the Application: None speaking

#### Discussion:

This item was originally brought to the committee in December 2017, but was deferred due to questions surrounding the possibility of including plumbing in the dwelling and needing a site evaluation for a grey water system. The applicant has confirmed that there will be no plumbing in the proposed dwelling and therefore there is no need for further evaluations. A condition to this effect will be added to the approval.

The subject land consists of 8.33 +/- acres with frontage on Buck Lake and an unevaluated wetland area. The property is currently vacant. The proposal is for the construction of a 485 square foot footprint, seasonal dwelling to be located a minimum of 80 feet from the high water mark of Buck

Lake. This dwelling would have a 250 square foot loft in order to meet the Township's minimum 635 square foot gross floor area requirement for a principal dwelling. Of the 8.33 acres the property encompasses, approximately 5 acres is wetland area, with the remaining 3.3 acres of land broken into multiple small islands. The proposed dwelling would be located on the largest of these parcels in a natural plateau with a ridge of land between the proposed location and Buck Lake; this rise will aid in directing runoff away from Buck Lake and into the wetland area.

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 Planning Department is able to support the application.

Comments were not required from KFL&A Public Health as the applicant has indicated there is to be no plumbing in the dwelling.

Cataraqui Region Conservation Authority has no objections to the application as submitted. They have indicated that while Buck Lake is identified as a highly sensitive Lake Trout Lake there is no need for an additional Environmental Impact Assessment. They stated that the topography of the property will direct runoff away from the lake and into the inland wetland area.

Comments from Public Works were not required.

The building department has no objections.

RESOLUTION: C of A: 18:01:07

Moved by: J. Sherbino

Seconded by: R. Sutherland

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-47-17-L by Randy Ruttan, to permit construction of a dwelling within the 30 metre setback from water, in Concession 11, Part Lot 22, Buck Lake, District of Loughborough, subject to conditions.

Carried

**Application No:** MV-47-17-L  
**Owner:** Randy Ruttan  
**Location of Property:** Concession 11, Lot/Part Lot 22, Buck Lake, District of Loughborough, Township of South Frontenac  
**Purpose of Application:** To vary section 5.10.2 of the Comprehensive Zoning By-law 2003-75 to permit construction of a dwelling within 30m of the water, and section 10.3.1 to permit a reduction in rear yard  
**Date of Hearing:** December 14, 2017  
**Date of Decision:** February 8, 2018  
**Decision:** MINOR VARIANCE APPROVED, subject to conditions

#### CONDITIONS:

1. This minor variance is for the construction of a 485 square foot footprint dwelling with a loft to be located a minimum of 80 feet from the high water mark of Buck Lake and 30 feet from the rear property line. This dwelling is not permitted to have any plumbing.
2. Minor variance MV-47-17-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.

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#### Item #10: S-63-17-L (George Hamilton, Carol Milligan)

Speaking to the Application: None Speaking

Discussion:

The subject lands consist of 12 +/- acres with frontage on Buck Lake and Twisty Lane. The land is currently vacant and has Provisional Consent through application number S-34-17-L to be severed from 1051B Twisty Lane. The application is for the creation of an approximately 355 metre extension to the existing Twisty Lane. This lane extension will be surveyed and constructed according to the Township's Standard for new private lanes. The severance (S-34-17-L) will be required to be completed prior to the creation of this right-of-way extension. The purpose of the extension of the right-of-way (Twisty Lane) is to facilitate continued access to the northern part of 1051B Twisty Lane. The planning department is able to support the application for the proposed right-of-way extension. Public Works has no objections.

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

Gary Beach sent an email expressing concerns over Species At Risk, specifically black rat snakes, on the property and whether or not the extension to Twisty Lane would potentially impact the habitat required for breeding.

R. Sutherland questioned whether or not the Environmental Impact Assessment completed for the creation of the new lot dealt with black rat snakes. He also wanted to know if there would be any impact on the proposed septic location from the right-of-way extension.

RESOLUTION: C of A: 18:01:08

Moved by: R. Sutherland

Seconded by: J. Sherbino

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-63-17-L by George Hamilton and Carol Milligan, to create an extension to an existing right-of-way, in Concession 13, Part Lot 24/25, Twisty Lane, District of Loughborough, subject to conditions.

Carried

**Application No:** S-63-17-L  
**Owner:** George Hamilton and Carol Milligan  
**Location of Property:** Concession 13, Pt. Lot 24/25, Twisty Lane, District of Loughborough, Township of South Frontenac  
**Purpose of Application:** Consent to create an extension to a right-of-way  
**Date of Hearing:** February 8, 2018  
**Date of Decision:** February 8, 2018

**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-63-17-L shall be for the creation of an approximately 355 metre extension to the existing Twisty Lane right-of-way.
3. The right-of-way extension shall be surveyed and constructed according to the Townships standards for new private lanes.
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.

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**Item #11: S-01-18-L (Joe Rodrigues)**

Speaking to the Application: None Speaking

Discussion:

This item was originally brought to the committee in December 2016 and was granted Provisional Consent. The applicant was unable to meet all required conditions within the one year time period and as such is resubmitting the same proposal.

The subject lands consist of 11.6 +/- acres with frontage on Wilmer Road. The land is currently developed with a single detached dwelling. The application is for the creation of a minimum 2.0 acre residential lot with a minimum of 76m frontage along Wilmer Road. The retained parcel will be approximately 8.1 +/- acres in size and retain the existing dwelling.

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

Public Works has no objections but indicated that the entrance for the proposed lot must be constructed at the crest of the hill due to limited sightlines.

Comments were not required from Cataraqui Region Conservation Authority.

KFL&A public health and the building department have no objections.

**RESOLUTION:** C of A: 18:01:09

Moved by: J. Sherbino

Seconded by: R. Sutherland

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-01-18-L by Joe Rodrigues, to create a new residential lot, in Concession 8, Part Lot 17, Wilmer Road, District of Loughborough, subject to conditions.

Carried

**Application No:** S-01-18-L  
**Owner:** Joe Rodrigues  
**Location of Property:** Concession 8, Pt. Lot 17, Wilmer Road, District of Loughborough, Township of South Frontenac  
**Purpose of Application:** Consent to create a new lot  
**Date of Hearing:** February 8, 2018  
**Date of Decision:** February 8, 2018

**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-01-18-L shall be for the creation of a minimum 2.0 acre lot, with a minimum of 76 metres of frontage on Wilmer 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 to be severed through consent application S-01-18-L 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 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-01-18-L.

**Item #12: S-02-18-S (Sheila Arthur)**

Speaking to the Application: None Speaking

**Discussion:**

The subject lands consist of 42 +/- acres with frontage on Arthur Road. The land is currently developed with a single detached dwelling and multiple detached accessory buildings. The application is for the creation of an 18 +/- acre lot with 108 m of frontage along Arthur Road. The proposed lot will encompass all the existing structures. The retained parcel will be approximately 23.5 +/- acres in size.

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

Comments were not required from Cataraqui Region Conservation Authority or KFL&A public health. Public Works and the building department have no objections.

**RESOLUTION:** C of A: 18:01:10

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-02-18-S by Sheila and Robert Arthur to create a new lot, in Concession 3, Part Lot 19, Arthur Road, District of Storrington, subject to conditions.

Carried

**Application No:** S-02-18-S  
**Owner:** Sheila and Robert Arthur  
**Location of Property:** Concession 3, Pt. Lot 19, 3866 Arthur Road, District of Storrington, Township of South Frontenac  
**Purpose of Application:** Consent to create a new lot  
**Date of Hearing:** February 8, 2018  
**Date of Decision:** February 8, 2018

**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-02-18-S shall be for the creation of an 18 +/- acre lot, with 108 +/- metres of frontage on Arthur Road which shall encompass all existing structures.

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 to be severed through consent application S-02-18-S 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 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.

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**Item #13: S-04-18-B (Paul Snelgrove)**

Speaking to the Application: Paul Snelgrove

**Discussion:**

The subject lands consist of 19.2 +/- acres with frontage on Frye Lane and Milk Lake. The land is currently vacant. The application is for the creation of a 6.5 +/- acre lot addition with approximately 630 metres of frontage along Frye Lane. The proposed lot addition parcel will be added to 8 Enchanted Lane. The retained parcel will be approximately 13 +/- acres in size.

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

CRCA have no objections.

Comments were not required from KFL&A public health or Public Works.

The building department has no objections.

RESOLUTION: C of A: 18:01:11

Moved by: D. Hahn

Seconded by: L. Redden

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-04-18-B by Paul Snelgrove create a lot addition, in Concession 11, Part Lot 1, Milk Lake, District of Bedford, subject to conditions.

Carried

**Application No:** S-04-18-B  
**Owner:** Paul Snelgrove  
**Location of Property:** Concession 11, Pt. Lot 1, Milk Lake, District of Bedford, Township of South Frontenac  
**Purpose of Application:** Consent to create a lot addition  
**Date of Hearing:** February 8, 2018

**Date of Decision:** February 8, 2018

**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-04-18-S shall be for the creation of an 18 +/- acre lot addition only to 8 Enchanted Lane, with 108 +/- metres of frontage on Frye Lane.
3. This lot addition parcel shall encompass the existing right-of-way, Frye Lane, and the surveyor who prepares the reference plan referred to in condition #1 shall also ensure that the right-of-way is surveyed to Township standards of 20 metres.
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)].

**Item #14: S-05-18-B (Paul Snelgrove)**

Speaking to the Application: Paul Snelgrove

**Discussion:**

The subject lands consist of 81 +/- acres with frontage on Enchanted Lane and Milk Lake. The land is currently developed with a single detached dwelling. The application is for the creation of a 6.5 +/- acre lot addition with approximately 630 metres of frontage along Frye Lane. The proposed lot addition parcel will be added to 8 Enchanted Lane. The retained parcel will be approximately 13 +/- acres in size.

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

CRCA have no objections.

Comments were not required from KFL&A public health.

Public Works and the building department have no objections.

**RESOLUTION:** C of A: 18:01:12

Moved by: L. Redden

Seconded by: D. Hahn

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-05-18-B by Paul Snelgrove create a lot addition, in Concession 11, Part Lot 1/2, Enchanted Lane, District of Bedford, subject to conditions.

Carried

**Application No:** S-05-18-B  
**Owner:** Paul Snelgrove  
**Location of Property:** Concession 11, Pt. Lot 1/2, Enchanted Lane, District of Bedford, Township of South Frontenac  
**Purpose of Application:** Consent to create a lot addition  
**Date of Hearing:** February 8, 2018  
**Date of Decision:** February 8, 2018

**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-05-18-S shall be for the creation of an 18 +/- acre lot addition, with 108 +/- metres of frontage on Frye Lane.
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)].

**Item #15: S-06-18-B (Paul Snelgrove)**

Speaking to the Application: Paul Snelgrove

**Discussion:**

The subject lands consist of 12 +/- acres with frontage on Frye Road and Milk Lake. The land is currently developed with a single detached dwelling. The application is for the creation of a 1.5 +/- acre lot addition with 76 metres of frontage on Frye Road. The proposed lot addition parcel will be added to 8 Enchanted Lane. The retained parcel will be approximately 10.5 +/- acres in size and retain the existing dwelling.

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

CRCA have no objections.

Comments were not required from KFL&A public health or Public Works.

The building department has no objections.

**RESOLUTION:** C of A: 18:01:13

Moved by: D. Hahn

Seconded by: L. Redden

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-06-18-B by Paul Snelgrove create a lot addition, in Concession 11, Part Lot 1, Frye Lane, District of Bedford, subject to conditions.

Carried

**Application No:** S-06-18-B  
**Owner:** Paul Snelgrove  
**Location of Property:** Concession 11, Pt. Lot 1, 204 Frye Lane, District of Bedford, Township of South Frontenac  
**Purpose of Application:** Consent to create a lot addition  
**Date of Hearing:** February 8, 2018  
**Date of Decision:** February 8, 2018

**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-06-18-S shall be for the creation of a 1.5 +/- acre lot addition only, to 8 Enchanted Lane, with 76 metres of frontage on Frye 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)].

**Item #16: S-07-18-B (Paul Snelgrove)**

Speaking to the Application: Paul Snelgrove

Discussion:

The subject lands consist of 75 +/- acres with frontage on Enchanted Lane, Frye Road and Milk Lake. The land is currently developed with a single detached dwelling. The application is for the creation of a 72 +/- acre lot addition to 477 Lele Lane. The retained parcel will be approximately 2.0 acres in size and retain the existing dwelling.

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

CRCA have no objections.

Comments were not required from KFL&A public health or Public Works.

The building department has no objections.

RESOLUTION: C of A: 18:01:14

Moved by: L. Redden

Seconded by: D. Hahn

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-07-18-B by Paul Snelgrove create a lot addition, in Concession 11, Part Lot 1/2, Enchanted Lane, District of Bedford, subject to conditions.

Carried

**Application No:** S-07-18-B  
**Owner:** Paul Snelgrove  
**Location of Property:** Concession 11, Pt. Lot 1, 8 Enchanted Lane, District of Bedford, Township of South Frontenac  
**Purpose of Application:** Consent to create a lot addition  
**Date of Hearing:** February 8, 2018  
**Date of Decision:** February 8, 2018

**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-07-18-S shall be for the creation of a 72 +/- acre lot addition only, to 477 Lele Lane (ARN 102901003005350).
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)].

**Item #17: MV-50-17-S (Wayne Pugh)**

Speaking to the Application: None Speaking

**Discussion:**

The subject land consists of 1.0 +/- acres with frontage on Loughborough Lake. The property is currently developed with a 528 square foot footprint single detached dwelling located approximately 27 feet from the high water mark of Loughborough Lake. The proposal is for the demolition of the existing dwelling and the construction of a 2128 square foot footprint, two story dwelling located a minimum of 65 feet from the high water mark of Loughborough Lake. This proposed square footage includes an attached garage. The applicant has also requested a reduction in side yard from 3 metres to 2.4 metres (eight feet). The location of the surveyed right-of-way, the hydro easement and the existing septic system on the property limit the opportunity for any further increase in setback from the water for the proposed dwelling.

The Planning Department is able to support the application.

KFL&A Public Health has no objections to the application, provided the new dwelling does not exceed the parameters stipulated in the Review of Performance of an Existing Septic System (application ST-3-18). This review states that the maximum gross floor area of the new dwelling is not to exceed 176 square metres.

Cataraqui Region Conservation Authority has no objections as the proposed location increases the setback from the high water mark of Loughborough Lake.

Comments were not required from Public Works.

The building department has no objections.

**RESOLUTION:** C of A: 18:01:15

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-50-17-S by Wayne Pugh, to permit reconstruction and enlargement of a dwelling within the 30 metre setback from water, in Concession 11, Part Lot 10, 5390 Ramparts Lane, District of Storrington, subject to conditions.

Carried

**Application No:** MV-50-17-S  
**Owner:** Wayne Pugh  
**Location of Property:** Concession 11, Lot/Part Lot 10, 5390 Ramparts Lane, 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 reconstruction and enlargement of a dwelling within the 30 metre setback from water and section 10.3.1 to permit a reduction in side yard  
**Date of Hearing:** February 8, 2018  
**Date of Decision:** February 8, 2018  
**Decision:** MINOR VARIANCE APPROVED, subject to conditions

**CONDITIONS:**

1. This minor variance is for the construction of a maximum 2128 square foot, two story single detached dwelling to be located a minimum of 65 feet from the high water mark of Loughborough Lake at 5390 Ramparts Lane. The dwelling is permitted to have a reduced side yard of eight feet.
2. Prior to the issuance of a building permit for the new dwelling, the existing dwelling must be demolished.
3. Minor variance MV-50-17-S is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.
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 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 #18: MV-01-18-L (2087033 Ontario Limited – Snug Harbour Resort)**

Speaking to the Application: Robert Canvin

## Discussion:

The subject land consists of 31.0 +/- acres with frontage on Desert Lake. The property is currently developed with 12 rental cabins and a lodge. The proposal is for the reconstruction and enlargement of one of the existing rental cabins which is located 65 feet from the high water mark of Desert Lake. The existing cabin has a 466 square foot footprint and the applicant has proposed 600 square foot footprint for the enlarged cabin, plus the addition of a 12 foot by 20 foot (240 square feet) deck for a total footprint of 840 square feet. The property is zoned Recreational Resort Commercial – Special Zone 21 (RRC-21); this zone permits the reconstruction of the five rental cabins which are located within the 30 metre setback provided there is no enlargement of the footprint or reduction of the water setback.

The Planning Department is unable to support the application as submitted.

Further discussions between the applicant and the Planning Department resulted in an amended proposal which did not include the addition of the proposed deck. The applicant agreed to remove this from the proposal and only apply for the increase in square footage to the cottage.

Cataraqui Region Conservation Authority has no objections as the proposed location increases the setback from the high water mark of Loughborough Lake.

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

The building department has no objections.

RESOLUTION: C of A: 18:01:16

Moved by: J. Sherbino  
Sutherland

Seconded by: R.

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-01-18-L by 2087033 Ontario Limited, to permit reconstruction and enlargement of a dwelling within the 30 metre setback from water, in Concession 14, Part Lot 6/7, 1029 Snug Harbour Lane, District of Loughborough, subject to conditions.

Carried

**Application No:** MV-01-18-L  
**Owner:** 2087033 Ontario Limited, Snug Harbour Resort  
**Location of Property:** Concession 14, Lot/Part Lot 6/7, 1029 Snug Harbour Lane, District of Loughborough, Township of South Frontenac  
**Purpose of Application:** To vary section 5.10.2 of the Comprehensive Zoning By-law 2003-75 to permit reconstruction and enlargement of a dwelling within the 30 metre setback from water  
**Date of Decision:** February 8, 2018  
**Decision:** MINOR VARIANCE APPROVED, subject to conditions

**CONDITIONS:**

1. This minor variance is for the reconstruction and enlargement of an existing dwelling located 65 feet from the high-water mark of Desert Lake. The dwelling is permitted to have a maximum footprint of 600 square feet.
2. Prior to the issuance of a building permit for the new dwelling, the existing dwelling must be demolished.
3. Minor variance MV-01-18-L is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.
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.

**Item #19: MV-02-18-S (Orrie and Andrea Cumpson)**

Speaking to the Application: Orrie Cumpson

## Discussion:

The subject land consists of 79 +/- acres with frontage on Latimer Road. The property is currently developed with a single detached dwelling and multiple agricultural use buildings. The proposal is for the complete demolition of one barn plus the demolition of a section of another barn (totaling 6,500 square feet), then the construction of a 9,500 square foot addition to the existing barn that was partially demolished. The net increase in square footage is 3,000 square feet. The applicant has submitted a Minimum Distance Separation (MDS) calculation prepared by Bryan Cook of Cropland Consulting Inc. which indicates the required separation between the expansion and the nearest residential use is 81 metres (266 feet). The proposed location for the expansion is only 40 metres from the nearest residential use, so a reduction of 41 metres has been applied for. While this is half the normally required setback, the barn which is to be totally demolished is currently only 28 metres from the residential use, so 40 metres would be a 12 metre increase in separation. There is also an outdoor cow yard which will be removed and rehabilitated as part of the proposed expansion; this cow yard is 23 metres from the residential use. The overall effect of the barn expansion would be an increase in setback to the livestock facility over the current situation. The proposed location of the barn expansion would also require a reduction in setback from an interior lot line to 4.5 metres from 10 metres.

The Planning Department is able to support the application.

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

The building department has no objections.

RESOLUTION: C of A: 18:01:17

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-02-18-S by Orrie and Andrea Cumpson, to permit a reduction in the normally required Minimum Distance Separation reconstruction and enlargement of an existing livestock barn, and a reduction in interior side yard, in Concession 3, Part Lot 17, 4403 Latimer Road, District of Storrington, subject to conditions.

Carried

**Application No:** MV-02-18-S  
**Owner:** Orrie and Andrea Cumpson  
**Location of Property:** Concession 3, Lot/Part Lot 17, 4403 Latimer Road, District of Storrington, Township of South Frontenac  
**Purpose of Application:** To vary section 5.35 of the Comprehensive Zoning By-law 2003-75 to permit a reduction in the normally required Minimum Distance Separation and section 6.3.2 to permit a reduction in setback from an interior lot line  
**Date of Decision:** February 8, 2018  
**Decision:** MINOR VARIANCE APPROVED, subject to conditions

**CONDITIONS:**

1. This minor variance is for the reconstruction and enlargement of an existing livestock facility to be located a minimum of 4.5 metres from the rear lot line of 4385 Latimer Road. The addition shall be a maximum of 9,500 square feet in size.
2. Minor variance MV-02-18-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.

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**Item #20: Adjournment**

RESOLUTION: C of A: 18:01:18

Moved by: K. Gee

Seconded by: R. Sleeth

THAT the February 8, 2018 meeting of the South Frontenac Township Committee of Adjustment is hereby adjourned at 7:45 p.m. to reconvene at 7:00 p.m. on Thursday, March 8, 2018 or at the call of the Chair.

Carried

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Alan Revill  
Chair

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Lindsay Mills  
Secretary-Treasurer

DRAFT



# REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



## PUBLIC MEETING

Report Date: February 28, 2018

**Application No:** S-58-17-S  
**Owner:** George Desrochers  
**Location of Property:** Concession 10, Pt. Lot 14, Battersea Road/Ramparts Road, District of Storrington, Township of South Frontenac  
**Purpose of Application:** Consent to create a lot addition  
**Date of Hearing:** March 8, 2018

### RECOMMENDATION

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

### BACKGROUND

The subject lands consist of 87 +/- acres with frontage on Battersea Road. The land is currently vacant. The application is for the creation of an approximately 21 +/- acre lot addition to the 35 +/- acre parcel that also includes the residence at 5002 Ramparts Road. This lot addition will serve to increase the separation and privacy between the dwelling at 5002 Ramparts Road and the surrounding property.

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

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

### AGENCY ANALYSIS AND COMMENTS

The building department has no objections.

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

### 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-58-17-S shall be for the creation of a 21 +/- 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)].

### ATTACHMENTS




Map of Desrochers/Fast property Property

**Submitted/approved by:** Lindsay Mills      **Prepared by:** Jennie Kapusta



**DESROCHERS  
S-58-17-S**

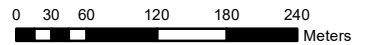
**Legend**

-  Desrochers Property
-  Desrochers Proposed Lot Addition
-  Fast Property

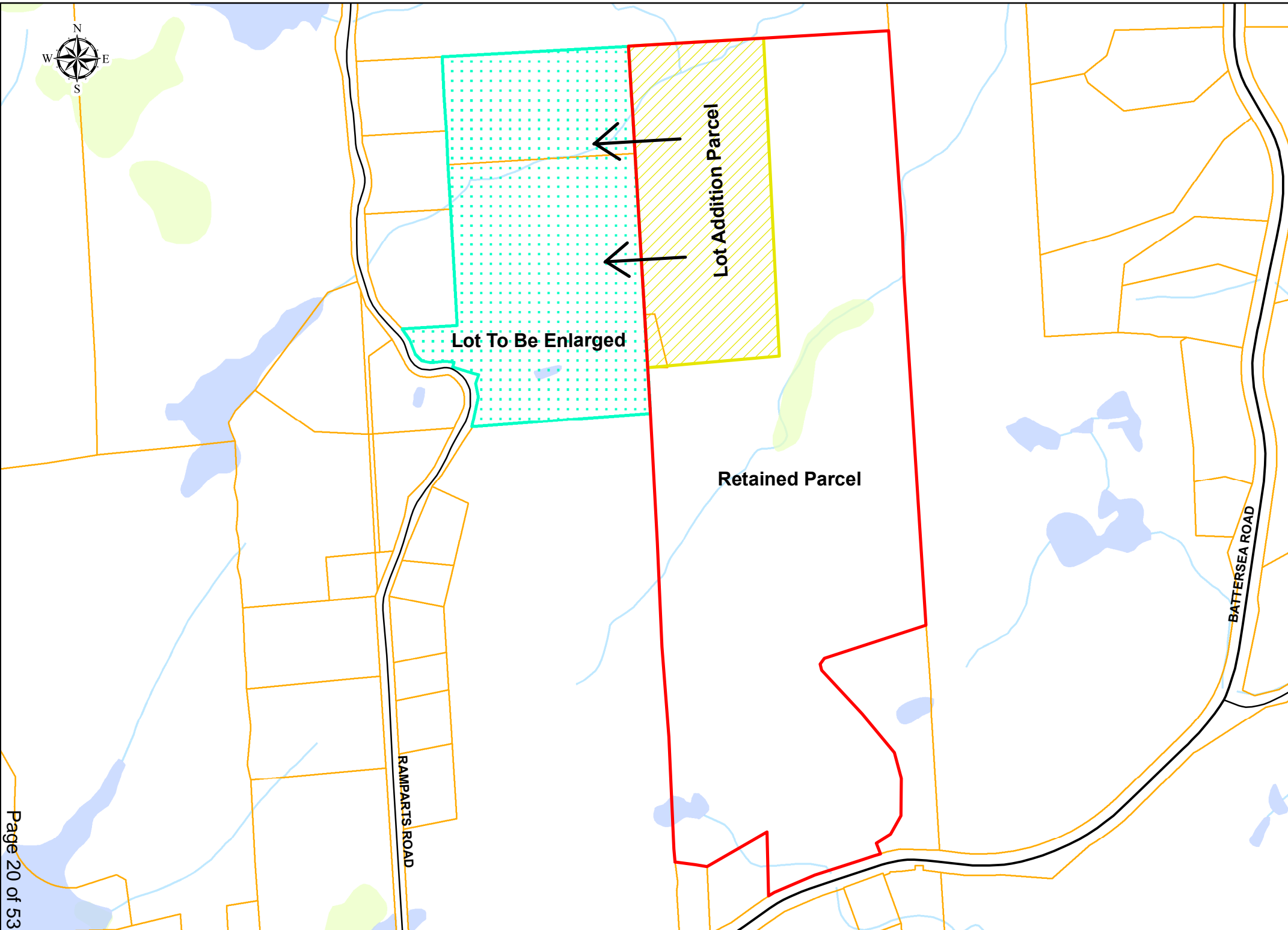
Produced by the Township of South Frontenac under license with the Ontario Ministry of Natural Resources © Queen's Printer for Ontario, 2015.

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 1:6,454



UTM Projection NAD 83





# REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



## PUBLIC MEETING

Report Date: March 1, 2018

**Application No:** S-61-17-S  
**Owner:** Brenda Gilbert  
**Location of Property:** Concession 10, Pt. Lot 31/32, Burnt Hills Road/Beach Lane, District of Storrington, Township of South Frontenac  
**Purpose of Application:** Consent to create a lot addition  
**Date of Hearing:** March 8, 2018

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### RECOMMENDATION

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

### BACKGROUND

The subject lands consist of 6 +/- acres with frontage on Cranberry Lake, with access provided by a right-of-way from Burnt Hills Road over 651A Burnt Hills Road. The land is currently developed with a seasonal dwelling and a detached accessory building. The application is for the creation of an approximately 1.5 +/- acre lot addition to be added to 1121C Beach Lane. The lot addition parcel is a heavily treed parcel which when added to 1121C Beach Lane will serve to increase the privacy and separation between 1121C Beach Lane and 651B Burnt Hills Road. The retained parcel will be approximately 4.4 +/- acres in size and will encompass the existing seasonal dwelling.

There is an area zoned as Pit 'B' Zone (PB) and designated as Mineral Aggregate in the Township's Official Plan on the abutting parcel of land. The Township's Comprehensive Zoning By-Law 2003-75 states that residential land uses within 300 metres of an existing or proposed pit below the water table. The proposed lot addition is not creating a situation which would permit an increase in residential development and is also located at the very edge of the required 300 metre setback for new development from mineral aggregates.

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

Current Zoning: Limited Service Residential Waterfront (RLSW)

Application Complies with Zoning: Yes

Current Official Plan Designation: Rural

Application Complies with Official Plan: Yes

### AGENCY ANALYSIS AND COMMENTS

The building department has no objections.

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

### 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-61-17-S shall be for the creation of a 1.5 +/- acre lot addition only to 1121C Beach Lane (ARN 102907006019850).
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.)



## REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



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 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 and Parks Canada – Rideau Canal Office prior to any development on the property, to determine the need for a permit.

### ATTACHMENTS

Map of Gilbert property.



**Submitted/approved by:** Lindsay Mills

**Prepared by:** Jennie Kapusta



**GILBERT  
S-61-17-S**

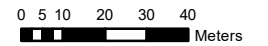
**Legend**

-  Gilbert Property
-  Gilbert Proposed Lot Addition

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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 1:1,809



UTM Projection NAD 83



BEACH LANE

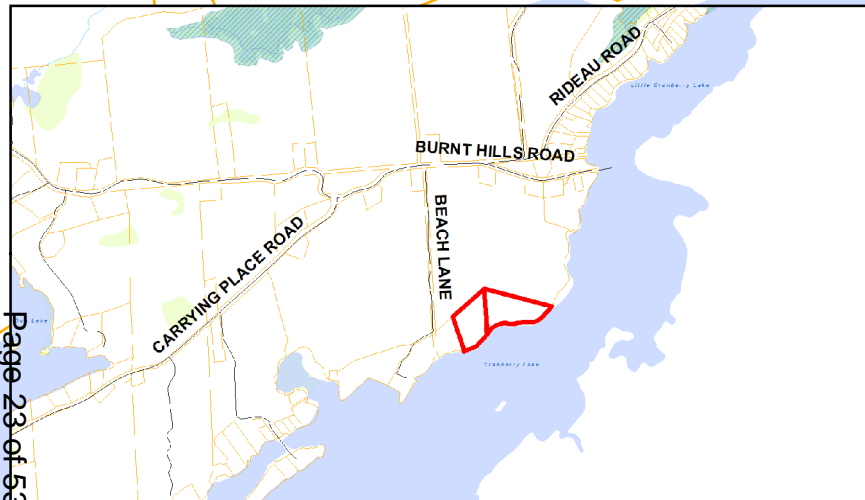
Lot To Be Enlarged



Lot Addition Parcel

Retained Parcel

Cranberry Lake





# REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



## PUBLIC MEETING

Report Date: March 1, 2018

**Application No:** S-08-18-P, S-09-18-P, S-10-18-P  
**Owner:** Mike Giffin  
**Location of Property:** Concession 6, Pt. Part Lot 4, Jamieson Road, District of Loughborough, Township of South Frontenac  
**Purpose of Application:** Consent to create three new residential lots  
**Date of Hearing:** March 8, 2018

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## RECOMMENDATION

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

## BACKGROUND

The subject lands consist of 18.8 +/- acres with frontage on Jamieson Road. The land is currently vacant. The application is for the creation of three 4.5 +/- acre residential lots, each with a minimum of 76 metres of frontage on Jamieson Road. There is a well drilled on the parcel to be severed through application S-10-18-P and the applicant has provided a well record demonstrating that it meets the Township minimum requirements for water on a new lot. The retained parcel will be approximately 4.5 +/- acres in size and have a minimum of 76 metres of frontage on Jamieson Road. The planning department is able to support the application for the proposed new lots.

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

## AGENCY ANALYSIS AND COMMENTS

The building department has no objections.

Comments were not required from Cataraqui Region Conservation Authority.

KFL&A Public Health has evaluated all three lots and the retained parcel for septic suitability. They have no objections.

Public Works 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-08-18-P shall be for the creation of a 4.5 +/- acre residential lot with a minimum of 75 metres of frontage on Jamieson Road.
3. The land to be severed by Consent Application S-09-18-P shall be for the creation of a 4.5 +/- acre residential lot with a minimum of 75 metres of frontage on Jamieson Road
4. The land to be severed by Consent Application S-10-18-P shall be for the creation of a 4.5 +/- acre residential lot with a minimum of 75 metres of frontage on Jamieson Road.



## REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



5. 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.)
6. 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.
7. The Township of South Frontenac shall receive 5% of the value of each of the parcels to be severed through consent applications S-08-18-P, S-09-18-P and S-10-18-P in lieu of parkland [Planning Act, s. 51(1)].
8. 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 Giffin property.

**Submitted/approved by:** Lindsay Mills

**Prepared by:** Jennie Kapusta



3801 Jamieson Road

3789 Jamieson Road

JAMIESON ROAD

3774 Jamieson Road

3812 Jamieson Road

3816 Jamieson Road

3820 Jamieson Road

Retained Parcel

S-08-17-P

S-09-17-P

S-10-17-P

**GIFFIN**  
**S-08-18-P**  
**S-09-18-P**  
**S-10-18-P**

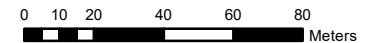
### Legend

-  Giffin Property
- Giffin Proposed Lots**
-  S-08-18-P
-  S-09-18-P
-  S-10-18-P
-  Retained Parcel

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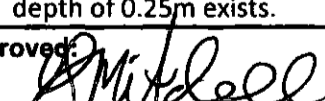
While the Township makes every effort to insure that the information presented is accurate for the intended uses of this map, there is an inherent error in all mapping products, and accuracy of the mapping cannot be guaranteed for all possible uses. This map displays basic topographic features only.

Scale 1:2,170



UTM Projection NAD 83

## CONSENT TO SEVER INSPECTION REPORT

<b>File Number:</b> S-08-18-P, S-09-18-P & S-10-18-P			<b>Receipt Number:</b> SK-2-2018		
<b>Owner(s):</b> Giffin, M					
<b>Municipality:</b> South Frontenac			<b>Ward / Former Township:</b> Portland		
<b>Lot:</b> 4	<b>Concession:</b> 6	<b>Registered Plan:</b> 13R-13390	<b>Part(s):</b>	<b>Plan of Subdivision:</b>	<b>Sublot:</b>
<b>General Description (existing buildings, surface features, slopes, site services for water and sewage, etc)</b>					
<b>Severed:</b> -Hay field, shallow overburden -Some treed area on southern portion of lots, some rock outcrops					
<b>Retained:</b> -Treed, shallow overburden -Some rock outcrops					
<b>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.</b>					
<b>Severed</b>		<b>Depth of Soil</b>	<b>Retained</b>		
Clay Loam		0.0 m	Silty sand with some clay		
_____		0.3 m	_____		
Rock		0.6 m	Rock		
		0.9 m			
		1.2 m			
		1.5 m			
Percolation rate (estimated): T>50min/cm			Percolation rate (estimated): T≈ 25min/cm		
<b>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.</b>					
<b>Suitability for on-site sewage disposal:</b>					
<b><u>SEVERED</u></b>		<b>Conditions:</b>			
<input checked="" type="checkbox"/> Satisfactory	- 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.				
<input type="checkbox"/> Unsatisfactory					
<input checked="" type="checkbox"/> Site Flexible					
<input type="checkbox"/> Site Specific					
<b><u>RETAINED</u></b>		<b>Conditions:</b>			
<input checked="" type="checkbox"/> Satisfactory	- 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. -System will be restricted to areas on lot where natural soil at a minimum depth of 0.25m exists.				
<input type="checkbox"/> Unsatisfactory					
<input checked="" type="checkbox"/> Site Flexible					
<input type="checkbox"/> Site Specific					
<b>Inspector:</b> Gord Mitchell CPH(C), Public Health Inspector		<b>Approved:</b> 		<b>Date:</b> Feb 12, 2018	

**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.



# REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



## PUBLIC MEETING

Report Date: March 1, 2018

**Application No:** S-11-18-S  
**Owner:** George Gibson  
**Location of Property:** Concession 3, Pt. Part Lot 10, Perth Road, District of Storrington, Township of South Frontenac  
**Purpose of Application:** Consent to create a lot addition  
**Date of Hearing:** March 8, 2018

---

### RECOMMENDATION

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

### BACKGROUND

The subject lands consist of 44 +/- acres with frontage on Perth Road and Greenfield Road. The land is currently vacant. The application is for the creation of a 2.5 +/- acre lot addition to 4102A Perth Road. The retained parcel will be approximately 41.5 +/- acres in size. The lot addition parcel will be required to be rezoned from Urban Residential – First Density to Urban Commercial to conform to the zoning of the parcel to which it will be added. The applicant has indicated they would like to construct an additional building for storage related to the current automobile repair business. The planning department is able to support the application for the proposed lot addition.

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

### AGENCY ANALYSIS AND COMMENTS

The building department has no objections.

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

### 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-11-18-S shall be for the creation of a 2.5 +/- acre lot addition to be added to 4102A Perth Road (ARN 102906002013300).
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)].



## REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



6. The applicant shall rezone the lot addition parcel to be created from Consent Application S-11-18-S from Urban Residential – First Density (UR1) to Urban Commercial (UC) Zone in order to conform to the zoning of the parcel to which it will be added. Please contact Lindsay Mills, the Township Planner, to begin this process.

### ATTACHMENTS

Map of Gibson property.




**Submitted/approved by:** Lindsay Mills

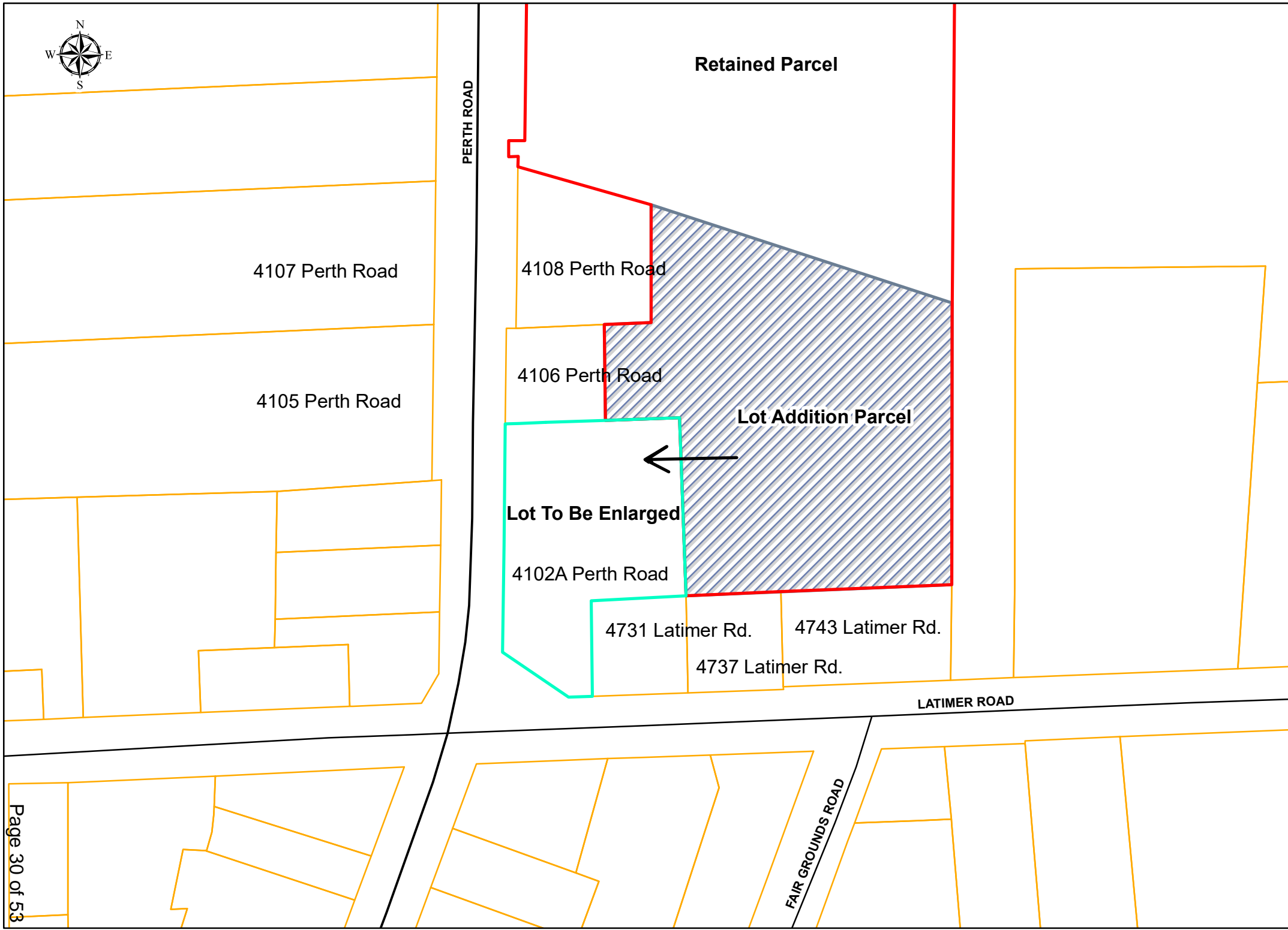
**Prepared by:** Jennie Kapusta



**GIBSON  
S-11-18-S**

**Legend**

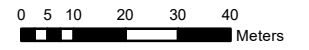
-  Fillion Property
-  Gibson Property
-  Gibson Proposed Lot Addition



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Scale 1:1,447



UTM Projection NAD 83



# REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



## PUBLIC MEETING

Report Date: March 1, 2018

**Application No:** S-13-18-L  
**Owner:** Randy Ruttan  
**Location of Property:** Concession 11, Pt. Part Lot 22, Hidden Valley Road, District of Loughborough, Township of South Frontenac  
**Purpose of Application:** Consent to create a parking and docking easement and right-of-way  
**Date of Hearing:** March 8, 2018

---

### RECOMMENDATION

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

### BACKGROUND

The subject lands consist of 44 +/- acres with frontage on Perth Road and Greenfield Road. The land is currently vacant. The application is for the creation of a parking and docking easement along with a right-of-way along Hidden Valley Lane to access this parking and docking area. This parking and docking easement is to facilitate deeded access to a water access only lot located on Buck Lake. This deeded access is required prior to the issuance of a building permit for the seasonal dwelling for which the applicant obtained a minor variance to construct in 2017 (application number MV-47-17-L). While currently both properties are owned by the applicant, this application will guarantee that should one of the properties be sold there will be no loss of access to the water access property on Buck Lake.

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

Current Zoning: Rural (RU), Recreational Resort Commercial – Special Zone 57 (RRC57)  
 Application Complies with Zoning: Yes  
 Current Official Plan Designation: Rural  
 Application Complies with Official Plan: Yes

### AGENCY ANALYSIS AND COMMENTS

The building department has no objections.

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

### 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-11-18-S shall be for the creation of a parking and docking easement along with a right-of-way along Hidden Valley Lane to facilitate access to a water access only property on Buck Lake (ARN 102905004079205).
3. The parking area shall be surveyed and constructed according to the Township's standards for off street parking areas.
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.)



## REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



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.

### **ATTACHMENTS**

Map of Ruttan property.



**Submitted/approved by:** Lindsay Mills

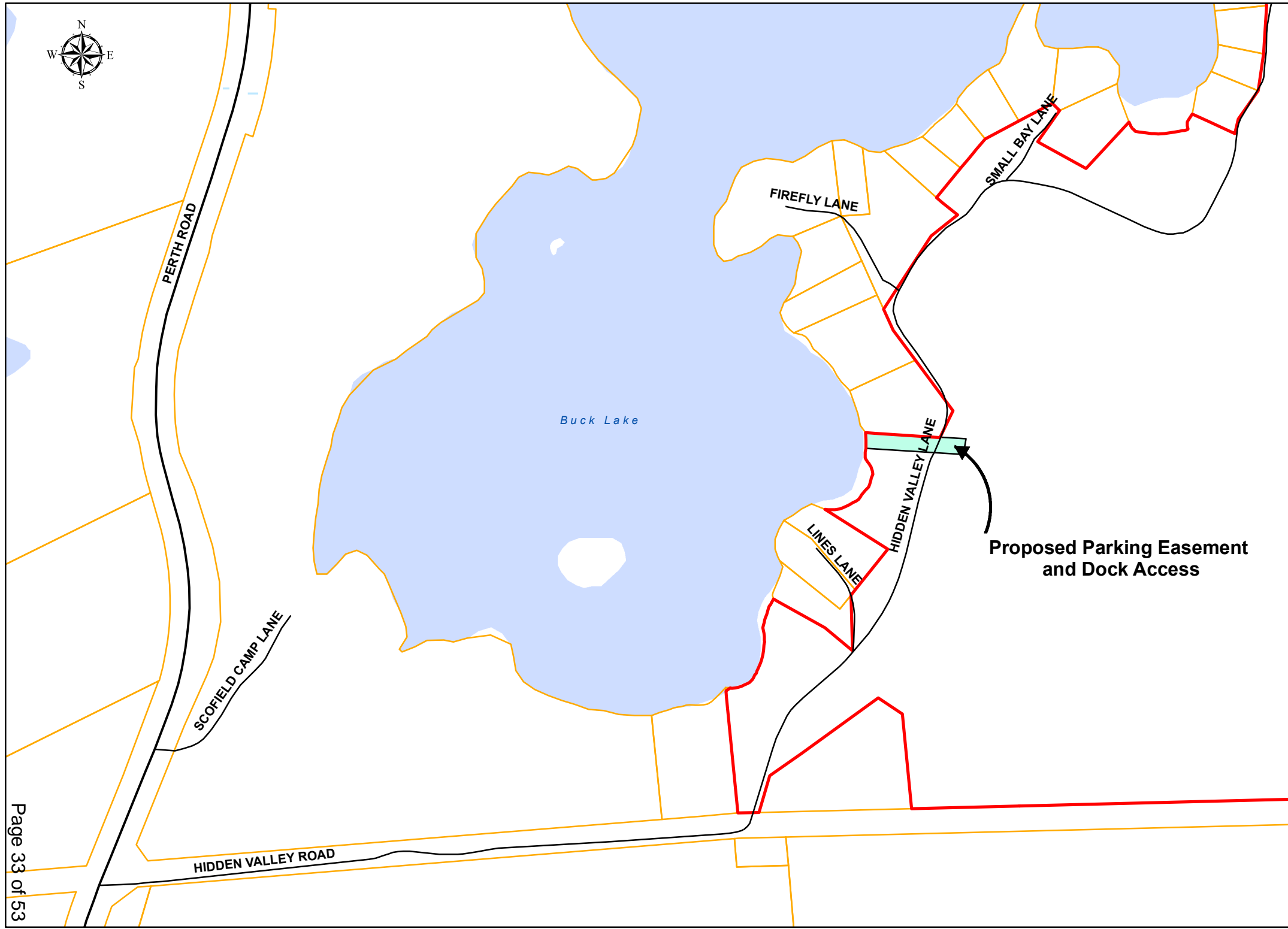
**Prepared by:** Jennie Kapusta



# RUTTAN S-13-18-L

## Legend

-  Ruttan Property
-  Ruttan Proposed Easement

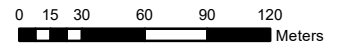


**Proposed Parking Easement  
and Dock Access**

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Scale 1:3,617



UTM Projection NAD 83



# REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



## PUBLIC MEETING

Report Date: March 1, 2018

**Application No:** S-62-17-L  
**Owner:** Kellie Morgan  
**Location of Property:** Concession 5, Pt. Block B/Block R, 4562 Bedford Road, District of Loughborough, Township of South Frontenac  
**Purpose of Application:** Consent to create a new residential lot  
**Date of Hearing:** March 8, 2018

---

### 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 lands consist of 2.45 +/- acres with frontage on Bedford Road and Sydenham Lake. The land is currently developed with a single detached dwelling and a detached accessory building. The application is for the creation of two 1.1 +/- acre residential lots, each with 64 metres of frontage on Bedford Road. The existing structures will be demolished to facilitate the division of the property into two lots and accommodate the road widening required. As a condition of severance both new lots will be required to connect to the municipal water system rather than having wells. The minimum lot size normally required for the creation of waterfront lots is 2.5 acres for both severed and retained parcels and 76 metres of frontage on a public road or private lane. As this property is located within the defined hamlet area of the Village of Sydenham and the new lots will be serviced with municipal water there is the opportunity to create smaller lots.

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

Current Zoning: Residential Waterfront (RW)  
 Application Complies with Zoning: Yes  
 Current Official Plan Designation: Settlement Area  
 Application Complies with Official Plan: Yes

### AGENCY ANALYSIS AND COMMENTS

The building department has no objections.

Cataraqui Region Conservation Authority has no objections as there is sufficient space outside the required setbacks for construction on both lots.

KFL&A Public Health has evaluated both severed and retained parcels and determined there is sufficient space on each for a septic system. The severed parcel currently has a well drilled on it, which may need to be decommissioned depending on the proposed septic location.

Public Works has no objections and requested a road widening which will even out the surveyed edge of the Bedford Road right-of-way in this location.

### 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-62-17-L shall be for the creation of a 1.1 +/- acre residential lot with 64 metres of frontage on Bedford Road.



## REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



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 to be severed through consent application S-62-17-L 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 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.

### ATTACHMENTS

Map of Morgan property.

**Submitted/approved by:** Lindsay Mills

**Prepared by:** Jennie Kapusta





4567 Bedford Road

**MORGAN**  
**S-62-17-L**

BEDFORD ROAD

**Legend**

-  Morgan Property
-  Morgan Proposed Severance

4562 Bedford Road

Retained Parcel

Proposed New Lot

4544 Bedford Road

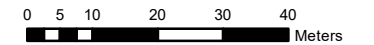
4532 Bedford Road

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*Sydenham Lake*

Scale 1:1,157



UTM Projection NAD 83



**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



January 24, 2018

File: SEV/FRS/310/2017

**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 Consent to Sever S-62-17-L (Morgan)  
Part Lot B, Concession 5; 4562 Bedford Road  
Township of South Frontenac (Loughborough)  
Waterbody: Sydenham 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 0.45 hectare parcel of land from the property known as 4562 Bedford Road. The lot to be severed will have approximately 64 metres of road frontage onto Bedford Road. The lot to be retained would also be approximately 0.45 hectares in area with 64 metres of frontage onto Bedford Road. The lot to be severed is presently developed as a residential property, and is proposed to remain in its present use. The lot to be retained is proposed for residential use.

**Site Description**

The property is located on the south-east side of Bedford Road just outside of the village of Sydenham. The severed and retained parcels have water frontage onto Sydenham Lake.

The property is currently designated 'Settlement Area' in the Official Plan and 'Waterfront Residential' (RW) 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 (e.g. flooding and erosion) associated with Sydenham Lake, and the protection of the water quality of the lake.

#### Natural Hazards

**Flooding:** Flood plain mapping is available for Sydenham Lake. For Sydenham Lake, the regulatory flood plain has been established as elevation 131.6 metres geodetic. The CRCA's Planning Policy recommends a 15 metre horizontal setback from the regulatory flood plain to account for variations in the 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. Based upon a review of relevant mapping information, staff have concluded that there is sufficient area outside of the suggested setback from the flood plain for future development to occur on both the lot to be severed and the retained parcel. Therefore, staff have no concerns with the proposal from a flooding hazard perspective.

**Erosion:** The CRCA's Planning Policy defines the erosion hazard limit as the sum of an allowance for toe erosion, a stable slope allowance of 3(h):1(v) for till shorelines and a minimum erosion access allowance of 6 metres. Based upon a review of relevant mapping information, staff have concluded that there is sufficient area outside of the defined erosion hazard limit for future development to occur on both the lot to be severed and the retained parcel. Therefore, staff have no concerns with the proposal from an erosion hazard 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 Township of South Frontenac Official Plan recognizes the need to minimize lake impacts by reducing phosphorous inputs, preventing erosion and maintaining natural landscapes. 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. Section 5.2.7 (b)(ii)(3) of the Official Plan indicates that a reduction from the setback may only be considered if it is not physically possible or environmentally desirable to meet the 30 metre setback requirement, and that there will be no negative impacts to fish habitat or water quality.

Similar to the Official Plan, CRCA Planning Policy considers new development within the 30 metre water setback area only if 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, and is set back as far as possible from the water in all directions, 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.

In this instance, staff have concluded that there is sufficient area outside of the 30 metre water setback for future development to occur on both the lot to be severed and the retained lot. Therefore, staff have no concerns with the proposal from a water quality perspective.

### **Recommendation**

Staff have no objection to the approval of application S-62-17-L based on our consideration for natural hazard, natural heritage and water quality 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 flood plain and within 15 metres of an erosion hazard. Therefore, a permit may be required for proposed development on the severed and retained lots. 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](mailto:aschmidt@crca.ca).

Yours truly,

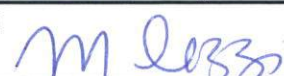


Andrew Schmidt, C.Tech.  
Supervisor, Development Review

/as

c.c. Kellie Morgan, 2797 Alton Road East, Sydenham, ON, K0H 2T0  
Lindsay Mills, Planner, Township of South Frontenac (via email)

## CONSENT TO SEVER INSPECTION REPORT

<b>File Number:</b> S-62-17-L			<b>Receipt Number:</b> SK-55-2017		
<b>Owner(s):</b> Kellie Morgan					
<b>Municipality:</b> Township of South Frontenac			<b>Ward / Former Township:</b> Loughborough		
<b>Lot:</b> PT. B & Block R	<b>Concession:</b> 5	<b>Registered Plan:</b> 50 13R-18924	<b>Part(s):</b> 1	<b>Plan of Subdivision:</b>	<b>Sublot:</b>
<b>General Description (existing buildings, surface features, slopes, site services for water and sewage, etc)</b>					
<b>Severed:</b> -New Lot-has house, well & septic					
<b>Retained:</b> -Old garage structure -Open field -Near road is imported fill					
<b>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.</b>					
<b>Severed</b>		<b>Depth of Soil</b>	<b>Retained</b>		
Topsoil		0.0 m	Topsoil		
Mottled clay		0.3 m	Mottled Clay		
Water		0.6 m	Water		
Table 3 ft		0.9 m	Table 2.5 ft		
1.2 m		1.5 m			
1.5 m					
<b>Percolation rate (estimated):</b>			<b>Percolation rate (estimated):</b>		
<b>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.</b>					
<b>Suitability for on-site sewage disposal:</b>					
<b><u>SEVERED</u></b>		<b>Conditions:</b>			
<input checked="" type="checkbox"/> Satisfactory <input type="checkbox"/> Unsatisfactory <input type="checkbox"/> Site Flexible <input type="checkbox"/> Site Specific		- 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. -Well may have to be decommissioned depending on septic location. -Septic to maintain 15m setback from flood plain as determined by Cataraqui Conservation Authority.			
<b><u>RETAINED</u></b>		<b>Conditions:</b>			
<input checked="" type="checkbox"/> Satisfactory <input type="checkbox"/> Unsatisfactory <input type="checkbox"/> Site Flexible <input type="checkbox"/> Site Specific		- 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. -Septic to maintain 15m setback from flood plain as determined by Cataraqui Conservation Authority.			
<b>Inspector:</b> Miranda Iezzi CPHI(C), Public Health Inspector		<b>Approved:</b> 		<b>Date:</b> February 23, 2018	

**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.



# REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



## PUBLIC MEETING

**Report Date: March 5, 2018**

**Application No:** MV-03-18-L  
**Owner:** Jean-Claude Lalumiere, Jackie Lalumiere  
**Location of Property:** Concession 6, Lot/Part Lot 21, 4708 North Road, District of Loughborough, Township of South Frontenac  
**Purpose of Application:** To vary sections 5.8.2a and 8.3.3 of the Comprehensive Zoning By-law 2003-75 to permit a reduction in the 30 metre setback from water and section 5.8.2b to permit a reduction in the 15 metre setback from top of bank and section 8.3.2 to permit a reduction in interior side yard  
**Date of Hearing:** March 8, 2018

## RECOMMENDATION

It is recommended that the Committee hear comments from members of the public and that the minor variance to permit a reduction in setback from water, to permit a reduction in the setback from top of bank and reduction in interior side yard **be considered for passage.**

## BACKGROUND

The subject land consists of 0.98 +/- acres with frontage on North Shore Road and Loughborough Lake. The property is currently developed with a single detached dwelling and a detached accessory building. The proposal is for the construction of a 10 foot by 82 foot lap pool to be located a minimum of 26 metres from the high water mark of Loughborough Lake and a minimum of 6 metres from the top of bank; the construction of a 445 square foot pool cabana to be located a minimum of 6.5 metres from the top of bank; the construction of a 230 square foot shade structure to be located a minimum of 12.5 metres from top of bank; the construction of a 260 square foot addition to the existing garage which will reduce the interior side yard from 3 metres to 1.2 metres. There was a previous minor variance granted on this property (MV-21-16-L) for a reduction in setback from top of bank, during this evaluation a slope stability study was submitted per the conservation authorities request; this study has been resubmitted as part of this application in support of the reduction from top of bank. The Planning Department is able to support the application.

## 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: Residential Waterfront (RW)

Application Complies with Zoning: Yes

Current Official Plan Designation: Rural

Application Complies with Official Plan: Yes



# REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



## AGENCY ANALYSIS AND COMMENTS

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

Cataraqui Region Conservation Authority has evaluated the proposal and have no objections to the application provided the minimum setback to top of bank is 6 metres for all proposed structures.

The building department has no objections.

## CONDITIONS

1. This minor variance is for the construction of a 10 foot by 82 foot lap pool to be located a minimum of 26 metres from the high water mark of Loughborough Lake and a minimum of 6 metres from the top of bank; the construction of a 445 square foot pool cabana to be located a minimum of 6.5 metres from the top of bank; the construction of a 230 square foot shade structure to be located a minimum of 12.5 metres from top of bank; the construction of a 260 square foot addition to the existing garage which will reduce the interior side yard from 3 metres to 1.2 metres.
2. Minor variance MV-03-18-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 Lalumiere Property





**Submitted/Approved by:** Lindsay Mills

**Prepared by:** Jennie Kapusta



**LALUMIERE  
MV-03-18-L**

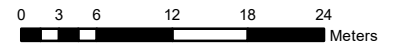
**Legend**

-  Lalumiere Property
-  Lalumiere Proposed Buildings/Addition
-  Lalumiere Proposed Pool
-  Existing Buildings

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 1:600



UTM Projection NAD 83





## 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



February 15, 2018

File: MV/FRS/29/2018

### 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-03-18-L (Lalumiere)  
Lot 21, Concession 6; 4708 North Shore Road  
Loughborough District, Township of South Frontenac  
Waterbody: Loughborough Lake (East Basin)**

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 the Proposal

The proposal involves the construction of a pool and a poolside Cabana on the subject property. The variance is requested to:

- Reduce the required setback from the highwater mark from 30 metres, as required by Section 5.8.2 (1.) of the Zoning By-law, to 24.4 metres in order to permit the construction of a pool.
- Reduce the required setback from the top of bank from 15 metres, as required by Section 5.8.2 (2.) of the Zoning By-law, to 6 metres to permit the construction of a pool and 9 metres for the construction of a poolside Cabana.

Staff note that the proposed locations for the garage addition and the "shade structure" were found to be outside of the setbacks required by Section 5.8.2 of the Zoning By-law.

### Site Description

The property is located on the north shore of the east basin of Loughborough Lake. The topography of the property can be described as rising very quickly from the shoreline to a high plateau table land where an existing dwelling is located. Currently, the property contains the dwelling and a garage structure.

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 CRCA with respect to this application are the avoidance of natural hazards (e.g. flooding and erosion) associated with the shoreline of Loughborough Lake, and the protection of the water quality of the lake.

### Natural Hazards

**Flooding:** The maximum recorded water level for Loughborough Lake is 125.1 metres geodetic. For Loughborough 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 and site observations, the proposed development will be located outside of the setback from the regulatory flood plain.

**Erosion:** 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 18 metre high slope, the total erosion hazard allowance is anticipated to be approximately 24 metres measured horizontally inland from the stable toe of slope at the shoreline. The applicant has provided a slope stability analysis (Forefront Engineering Inc., August 9, 2016) in support of the application. Staff concur with the findings of the slope stability report. Therefore, staff have no concerns with the proposal from an erosion hazard 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.

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 highwater mark of a waterbody.

Staff recognize that this is a constrained lot and note that the engineering report recommends that drainage is to be dispersed away from the slope to prevent erosion of the slope. In doing so, this will also protect the water quality of the lake by reducing the potential for contaminants to runoff toward the lake from the proposed development. *Staff recommend that this provision be addressed through site plan control.*

## Recommendation

Staff have no objection to the approval of application MV-03-18-L based on our consideration for natural hazards, natural heritage, and water quality and quantity protection policies.

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. The applicant will be required to obtain a permit prior to construction of the pool and the poolside Cabana.

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](mailto:aschmidt@crca.ca)

Yours truly,



Andrew Schmidt, C. Tech.  
Supervisor, Development Review

/as

c.c. Jean-Claude Lalumiere, 4708 North Shore Road, Perth Road, ON, K0H 2L0  
Lindsay Mills, Planner, Township of South Frontenac (via email)

August 9, 2016

Dr. Mark de Wolde  
4702 North Shore Road  
Perth Road Village ON  
KOH 2I0

**Regarding: Limited Slope Stability Review  
Proposed Pool, 4708 North Shore Road  
Township of South Frontenac**

Dear Dr. de Wolde:

Further to our recent visit to the site on August 5, 2016 below is a summary of our review related to the limited slope stability analysis for the 4708 North Shore Road property.

It is understood that a rectangular in-ground pool is to be constructed on the lot and that the municipality has requested that a slope stability review be completed to assess the proposed pool site.

The property is located at 4708 North Shore Road, on Loughborough Lake in the Township of South Frontenac. The property is legally described as Part 1, Lot 21, Concession 6, Geographic Township of Loughborough, Township of South Frontenac and encompasses an area of 0.4 hectares. Refer to Survey Plan appended. The lot has an existing house and detached garage. The pool is proposed for the area at the rear (southeast) of the garage. Refer to Existing Site Plan appended.

Beyond the rear of the garage, the grade is relatively flat for approximately 18m to the southeast. This area appears to be shallow fill and overburden with a gravel pad. Beyond this flat area, the grade slopes off to the southeast at approximately 2:1 slope for 15m. This area is characterized by bedrock outcrops, shallow overburden, and is vegetated with trees, shrubs, and grasses. Beyond this, the grade drops off steeply as a bedrock face to the southeast approximately 15m to Loughborough Lake. Refer to photos appended.

Bedrock in this area is classified as metasedimentary rock in the Bedrock Geology of Ontario, Southern Sheet, Map 2544.

The pool is proposed outside of the 30m setback from Loughborough Lake. It is proposed within the flat area beyond the slope area and well beyond (in excess of 20m) from the rock face. Refer to Proposed Site Plan appended.

The setback from the rock face consists of a stable, long, moderate slope. It is understood that the pool and deck are to be setback 2m from the top edge of the moderate slope. The nature of

the slope ensures that risk of any slope stability failure of the bedrock face or slope above that would impact the proposed pool is minute.

Given the proposed setback to the pool and deck from the slope, we are of the opinion that no further construction constraints with respect to slope stability are required. The sloped area is to remain undisturbed during construction. Pool drainage is to be dispersed away from the slope to prevent concentrated flow of water and to allow for disbursement within the existing shallow overburden soils on the flat areas. It is further recommended that the existing vegetation and trees on the slope remain.

Please contact this office if you require any additional information.

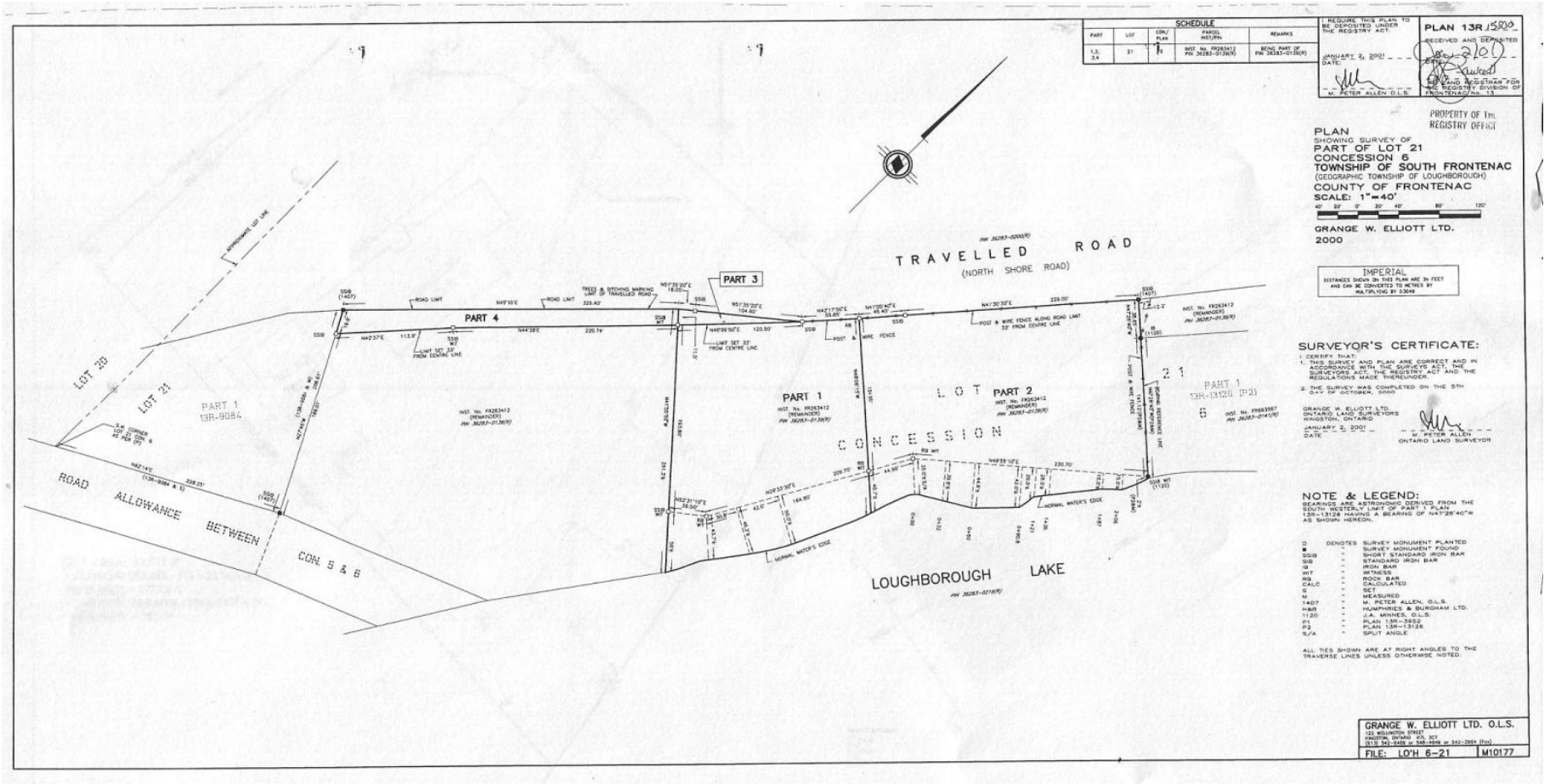
Sincerely,  
**FOREFRONT Engineering Inc.**

A handwritten signature in black ink, appearing to read 'Doug Prinsen', is positioned below the typed name.

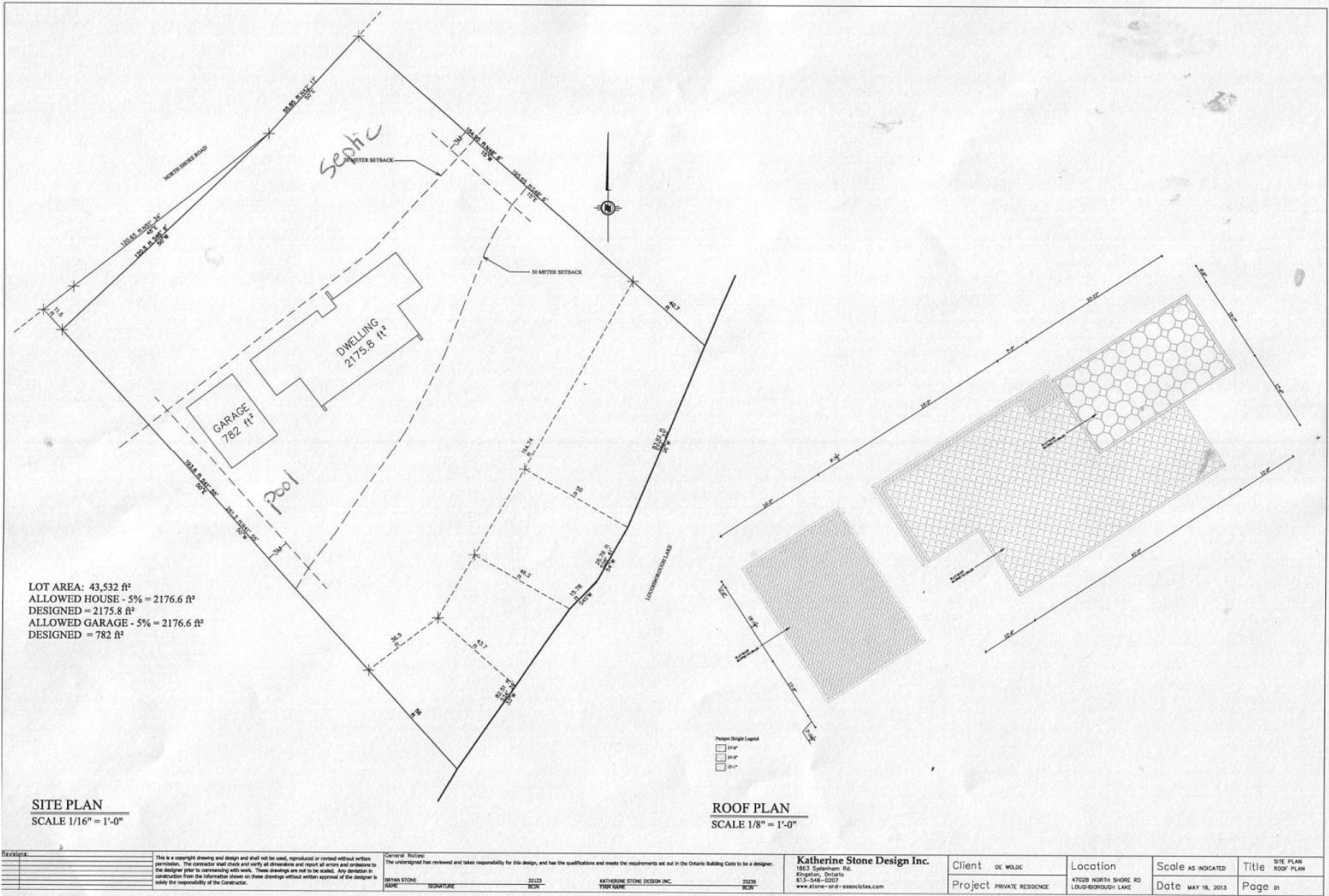
Doug Prinsen  
Senior Project Manager  
Doug.Prinsen@Forefronteng.ca

Dp:dp

Survey Plan

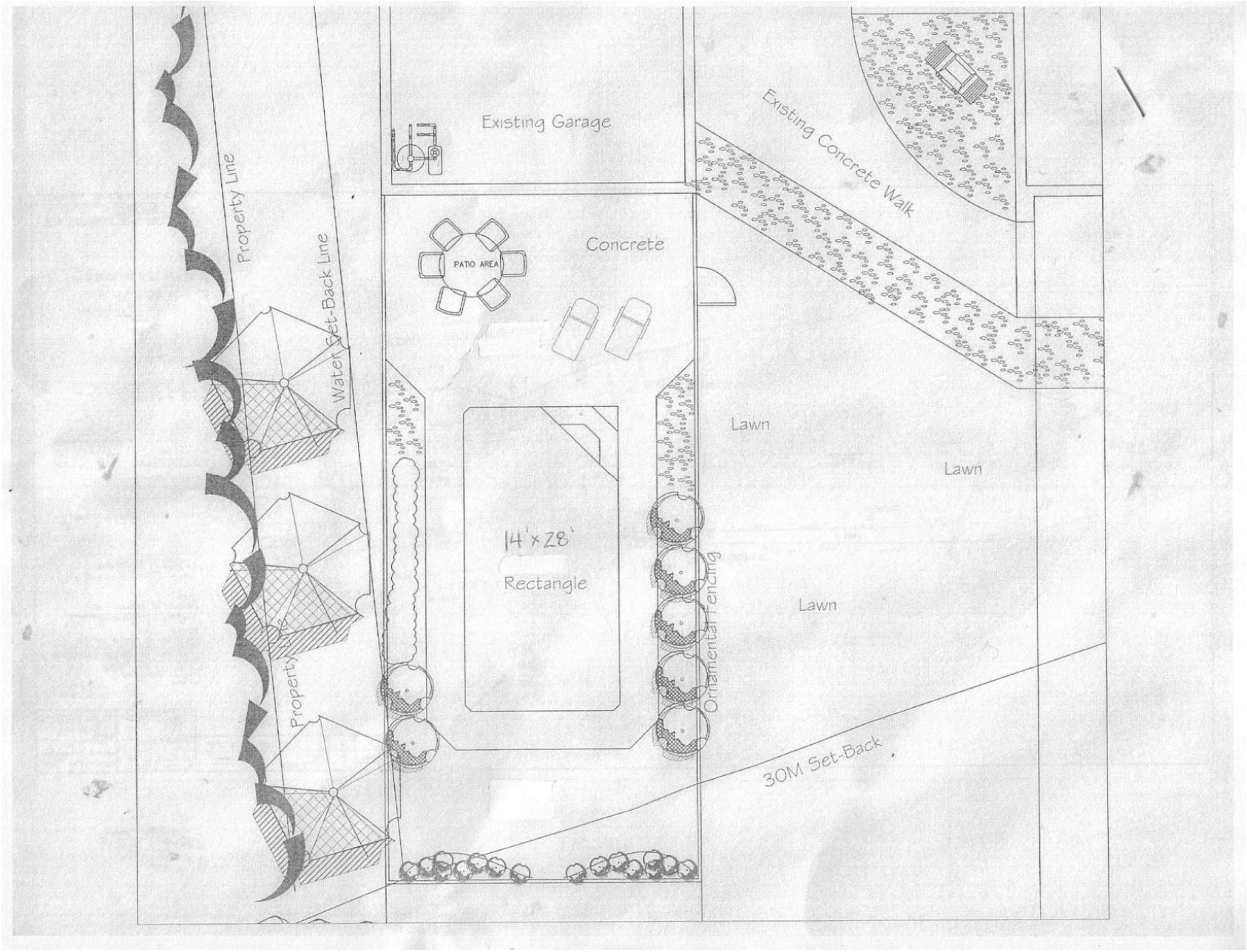


Site Plan



<p><b>Revisions:</b></p> <table border="1"> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </table>													<p>This is a copyright drawing and design and shall not be used, reproduced or revised without written permission. The contractor shall check and verify all dimensions and report all errors and omissions to the designer prior to commencing with work. These drawings are not to be scaled. Any deviation in construction from the information shown on these drawings without written approval of the designer is solely the responsibility of the Contractor.</p>	<p><b>General Notes:</b>                  The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.</p> <p><b>BRYAN STONE</b> 33123 KATHERINE STONE DESIGN INC. 33238                  NAME SIGNATURE BCIN FIRM NAME BCIN</p>	<p><b>Katherine Stone Design Inc.</b>                  1863 Spadensham Rd.                  Kingston, Ontario                  613-548-0207                  www.kstone-uid-associates.com</p>	<p><b>Client</b> DE WOLDE  <b>Project</b> PRIVATE RESIDENCE</p>	<p><b>Location</b> 4702B NORTH SHORE RD                  LOUGHBROUGH LAKE</p>	<p><b>Scale</b> AS INDICATED  <b>Date</b> MAY 16, 2013</p>	<p><b>Title</b> SITE PLAN                  ROOF PLAN                  Page 01</p>

Site Plan



Site Photos



*Photo 1: Proposed Pool Location – facing northwest*

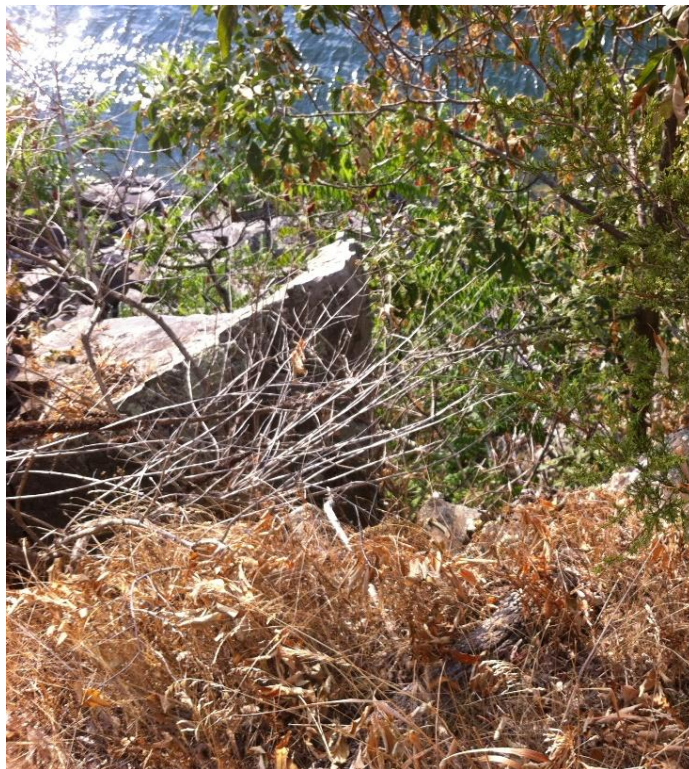


*Photo 2: Proposed Pool Location - facing south*

Site Photos



*Photo 3: Slope*



*Photo 4: Rock face*