

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

TIME: 7:00 PM,  
DATE: Thursday, November 14, 2019  
PLACE: Council Chambers.

1. Call to Order
  - a)
2. Adoption of Agenda
  - a)
3. Declaration of pecuniary interest
4. Approval of Minutes – October 10, 2019
  - a)
5. New Consent Applications:
  - a) S-20-19-P (Granlund) (Cotnam) 4 - 16

**Location:** Part Lot 12, Concession 11, District of Portland, Township of South Frontenac, municipally known as 4708 Verona Sand Road.  
**Purpose of Application:** Consent for conveyance of a lot addition of approximately 28.3 hectares (70 acres) of vacant land from the subject property to enlarge a developed lot municipally known as 4710 Verona Sand Road. The retained lands at 4708 Verona Sands Road will be approximately 8.9 hectares (22 acres) in area and the road frontage will be maintained.
  - b) S-21-19-S (Sleeth) 17 - 31

**Location:** Part Lot 14, Concession 9, being parts 2-4 on Plan 13R6237, District of Storrington, Township of South Frontenac, municipally known as 1978 Wellington Street.  
**Purpose of Application:** Consent for the creation of a new residential lot consisting of approximately 0.81 hectares (2 acres) with approximately 94.5 metres (310 feet) of frontage on Wellington Street and a depth of 66.75 metres (219 feet) from a developed lot municipally known as 1978 Wellington Street. The retained lands will retain the single family dwelling and accessory buildings and will be approximately 0.81 hectares (2 acres) in area with approximately 94.5 metres (310 feet) of frontage on Wellington Street.
  - c) S-22-19-B (1995926 Ontario Limited) (Greenslade & Black) 32 - 48

**Location:** Part Lot 23 East, Part Lot 24 and Part Lot 25 South, Concession 9, District of Bedford, Township of South Frontenac.  
**Purpose of Application:** Consent for conveyance of a lot addition of approximately 28.33 hectares (70 acres) of vacant land from the subject property to enlarge a developed lot municipally known as 642 Burrige Road. The retained lands will be approximately 81 hectares (200 acres) in area with property frontage along McNeil Road, Lee Road, Belknap Lane & Maynard Lane.
  - d) S-23-19-S (1974658 Ontario Limited) (Card & Garrison) 49 - 59

**Location:** Part Lots 32-34, Concession 7, District of Storrington, Township of South Frontenac.  
**Purpose of Application:** Consent for conveyance of a lot addition of approximately 0.31 hectares (0.76 acres) of vacant land from the subject property to enlarge a lot located at Part Lot 12 on Plan 1713.

The retained lands will be approximately 27.59 hectares (68.18 acres) in area.

6. New Minor Variance Applications:

a) MV-33-19-S (Chamberlain) 60 - 78

**Location:** Part Lots 19 & 20, Concession 10, municipally known as 1671 Burnt Hills Road, Battersea, Dog Lake, District of Storrington, Township of South Frontenac

**Purpose of Application:** To reduce the waterbody setback from 30 metres (98.4 ft) to 27 metres (88.6 ft) to permit the construction of a garage 768 ft<sup>2</sup> in the front yard. The applicant is seeking relief from Section 5.8.2a Flooding and Shoreline Erosion Hazards and Section 8.3.3 of the Waterfront Residential (RW) Zone which requires a 30 metre setback from the highwater mark. The applicant is also seeking relief to Section 5.24.2 Accessory Buildings for an accessory structure being a garage located in the front yard.

b) MV-34-19-P (Caird) 79 - 93

**Location:** Part Lot 9, Concession 11, being Part 5 on Plan 13R3431, District of Portland, Township of South Frontenac, municipally known as 6097 Carlton Drive, Verona Lake.

**Purpose of Application:**

<b>Official Plan Designation:</b> Settlement Area	<b>Zoning:</b> Urban Density – First Density Zone (URI Zone)
<b>Section 5.6.2.2:</b> Setback from Private Lanes and Public Roads	<b>Relief:</b> 10m from the centre of the right-of-way to 0.91m (3 ft) from the front yard
<b>Section 5.8.2a.:</b> Setback for the Building or Structure – 30m setback to the highwater mark	<b>Relief:</b> 30m from the highwater mark to 9.75m (32 ft) to the highwater mark of Verona Lake
<b>Section 5.10.2:</b> Existing building erected prior to the date of passing of the By-law and the building is less than 30m from the HWM, the building may be repaired, but no increase in floor area or height.	<b>Relief:</b> Increase in gross floor area by 200ft <sup>2</sup> , and an increase to the height of the building.
<b>Section 5.24.2:</b> An accessory building not part of the main building is to be located to the rear or exterior of the main building.	<b>Relief:</b> Permit an accessory building to be constructed in the projected front yard of a property.
<b>Section 14.3.1:</b> Lot coverage for the principal building for waterfront lots shall be a maximum of 5%, principal buildings shall be setback 7.5 m (24.6 ft) from the rear lot line.	<b>Relief:</b> Principal building coverage of 14.2% (increase of approximately 200ft <sup>2</sup> for the dwelling and an increase in approximately 330ft <sup>2</sup> for the deck) and a setback from the rear lot line of 7.3m (24 ft).

c) MV-35-19-P (Gee) 94 - 107

**Location:** Part Lot 16, Concession 14, being Part 2 on Plan 13R8370, District of Portland, Township of South Frontenac, municipally known as 4732 Snider Road.

**Purpose of Application:** To permit the construction of an accessory building, being a detached garage in the projected front yard of a developed rural property (19.2 metres) 63 feet from front property

line. The application is seeking relief from section 5.24.2 which requires accessory buildings to be located to the rear of the projected front or exterior side wall of the main building and section 7.3.2 which requires a minimum setback of 20 metres (65.6 feet) from the front lot line.

- d) MV-36-19-L (Peck & Baxter) 108 -  
121  
**Location:** Lot 5, Plan 1986 being Parts 22-24 on Plan 13R14914, District of Loughborough, Township of South Frontenac, municipally known as 4586 Fox Ridge Trail, Sydenham Lake.  
**Purpose of Application:** To permit the construction of an accessory building, being a detached garage in the projected front yard of a developed residential property. The applicant is seeking relief from section 5.24.2 which requires accessory buildings to be located to the rear of the projected front or exterior side wall of the main building.
- e) MV-37-19-B (Potvin) 122 -  
137  
**Location:** Part Lot 18, Concession 4, being Parts 2-4 on Plan 13R4656, District of Bedford, Township of South Frontenac, municipally known as 21A Bayshore Lane, Bobs Lake.  
**Purpose of Application:** To reduce the waterbody setback from 30 metres (98.4 feet) to 25.9 metres (85 feet) to permit the reconstruction of a one storey seasonal dwelling, that was destroyed by a fire, on the subject property. The applicant is seeking relief from Section 10.3.1 Limited Service Residential – Waterfront Zone Regulations and Section 5.8.2 a) Flooding and Shoreline Erosion Hazards which both require a 30 metre (98.4 feet) setback from the highwater mark and Section 5.10.2 which does not permit enlargement of gross floor area, increase in height and does not allow living space to be added below grade for existing buildings within 30 metres (98.4 feet) of a Waterbody or Watercourse.

7. Other Business



8. Adjournment

TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR CONSENT  
Planning Act, R.S.O. 1990, c. P.13 as amended

Date Received: Oct 9/19

File No: S-20-19-P

1. Name of Owner(s): Randy & Tracy Granlund

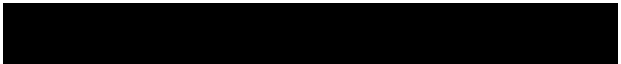

Full Mailing Address of Owner(s):   


Phone number of Owner(s): 

Email Address of Owner(s): 

2. If the applicant is **NOT** the owner of the subject land, the written authorization of the owner that the applicant is authorized to make the application, must accompany the application.

Name of Authorized Agent: Jeff Cotnam

Full Mailing Address of Authorized Agent:   


Phone number of Authorized Agent: 

Email Address of Authorized Agent: 

Agent as named above is hereby authorized to act on behalf of the owners for purposes of processing this application for Minor Variance.

  
Signature(s) of Owner(s)

3. The description of the subject land: which lot addition is coming from

District:  Bedford  Portland  Loughborough  Storrington

Concession Number: Con 11 Lot Number: PT Lot 12

Street Number: 4708 Name of Road/Street: Verona Sand Road

Reference Plan Number: \_\_\_\_\_ Part Number(s): \_\_\_\_\_

Roll Number: 1029-080-080-15100

**TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR CONSENT**  
**Planning Act, R.S.O. 1990, c. P.13 as amended**

4. The frontage(s), depth and area of the subject land.

Frontage (on water): 0 Frontage (on road/lane): 570 ft

Depth: 4150 ft. Area: 92.29 ac.

5. The type and the purpose of the proposed transaction, such as a transfer for the creation of a new lot, a lot addition, an easement/right-of-way, a charge, a lease or a correction of title.

Lot Addition

6. The following information regarding the land intended to be severed and the land to be retained:  
 NOTE: If your application is for a new lot, answer question 6(a); if the application is for a lot addition or right-of-way only, answer question 6(b).

a. The frontage, depth and the area. **(Complete this section for a new lot only)**

Proposed New Lot:

Retained Lot:

Frontage  
On Road \_\_\_\_\_

Frontage  
On Road \_\_\_\_\_

Frontage  
On Water \_\_\_\_\_

Frontage  
On Water \_\_\_\_\_

Depth \_\_\_\_\_

Depth \_\_\_\_\_

Area \_\_\_\_\_

Area \_\_\_\_\_

Please list/describe the existing and proposed **USES** of the land to be severed and to be retained:

Existing Uses

Proposed Uses

New Lot: \_\_\_\_\_

\_\_\_\_\_

Retained: \_\_\_\_\_

\_\_\_\_\_

Structures Existing

Structures Proposed

New Lot: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR CONSENT**  
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Structures Existing

Structures Proposed

Retained Lot: \_\_\_\_\_

\_\_\_\_\_

(b) The frontage, depth and the area. **(Complete for a lot addition or right-of-way (R.O.W.) only)**

Proposed Lot Addition (or right-of-way)

Retained Lot: (This is the property *from which the lot addition is being severed or over which the R.O.W. will run*)

Frontage On Road: 0

Frontage On Road: 570 ft.

Frontage On Water: 0

Frontage On Water: 0

Depth: 2900 ft

Depth: 1250 ft

Area: 70 ac +/-

Area: 22 ac +/-

Please list/describe the existing and proposed **USES** of the land to be severed and to be retained:

Present Use of Property

Proposed Use of Property

Lot Addition or R.O.W.: Res/Agri

Res/Agri

Retained: Res/Agri

Res/Agri.

Structures Existing

Structures Proposed

Lot Addition (or R.O.W.): shed

Shed

Retained Lot: House

0

Drive Shed

0

7. \* Please list the name of the person(s) to whom the land or an interest in the land is to be transferred, charged or leased (**if known**):

Jeff + Teresa Catham

**TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR CONSENT**  
**Planning Act, R.S.O. 1990, c. P.13 as amended**

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8. Indicate whether there are any easements or restrictive covenants affecting the subject land and a description of each easement or covenant and its effect (*if known*):

None

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9. Name of road or lane which accesses:

The new lot (lot addition or R.O.W.): Verona Sand Rd

The retained lot: Verona Sand Rd.

NOTE: Some roads (particularly former "County" Roads) have specific requirements for spacing between entrances. Also, any proposed new entrance must have safe sight-lines. These requirements may affect the success of your application. If you wish to check the status of your road or sight line conditions, please contact the Roads Department at 376-3027.

9. If access to the **new lot** is **by water only**, describe the parking and docking facilities to be used and the approximate distance of these facilities from the subject land and the nearest public road.

New Lot: N/A

Retained Lot: N/A

10. Note the method by which water will be provided, i.e., by a publicly owned and operated piped water system, privately owned and operated individual or communal well, a lake or other water body or other means.

New Lot: N/A Retained Lot: well

11. Note the method by which sewage disposal will be provided, e.g. private septic, privy or other means:

New Lot: N/A Retained Lot: septic

12. The current zoning of the subject land in the applicable Zoning By-law.

Rural

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13. **If known**, has the subject land ever been the subject of a previous consent (severance) application OR an application for a plan of subdivision under section 51 of the Planning Act? If so, please indicate:

(a) The file #: unknown (b) The decision on the application: approved

**TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR CONSENT**  
**Planning Act, R.S.O. 1990, c. P.13 as amended**

(c) The current use of the lot created (if applicable):

residential / Agri

14. **If known**, has the subject land ever been the subject of any other application under the Planning Act, such as an application for an amendment to an official plan, a zoning by-law, a minister's zoning order, a minor variance? If so, please indicate:

(b) The file #: N/A (b) The decision on the application:  
N/A

(c) The current use of the land: Res / Agri

15. Are there any abandoned wells on the property you aware of?  Yes  No

16. A **SKETCH** must be submitted showing the following:

- a) The boundaries and dimensions of the subject land, the part that is to be severed and the part that is to be retained.
- b) The location of all land previously severed from the parcel (if applicable) originally acquired by the current owner of the subject land.
- c) The approximate location of all natural and artificial features on the subject land and on the abutting lands. Examples include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, barns, wetlands, wooded areas, wells and septic tanks. Show distance of these features from the applicant's property lines.
- d) The current uses of land that is abutting the subject land, such as residential, agricultural and commercial uses (if agricultural, please indicate the approximate distance of any barn structure from the proposed new lot).

**Note: The existence of a nearby barn or other farm type structure may affect the success of your application because of incompatibility issues. Please check with the Planning Department regarding the implications of any farm structure, on your application.**

- e) The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way.
- f) If access to the subject land is by water only, the location of the parking and boat docking facilities to be used.
- g) The location and nature of any easement affecting the subject land.
- h) The location of any abandoned wells on the property.
- i) **Please prepare your sketch so that North is at the top of the page.**

**TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR CONSENT**  
***Planning Act, R.S.O. 1990, c. P.13 as amended***

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**AGREEMENT TO INDEMNIFY**

Attached to this application is a cheque payable to the Township of South Frontenac in the amount of \$817.00 representing payment of the application fee.

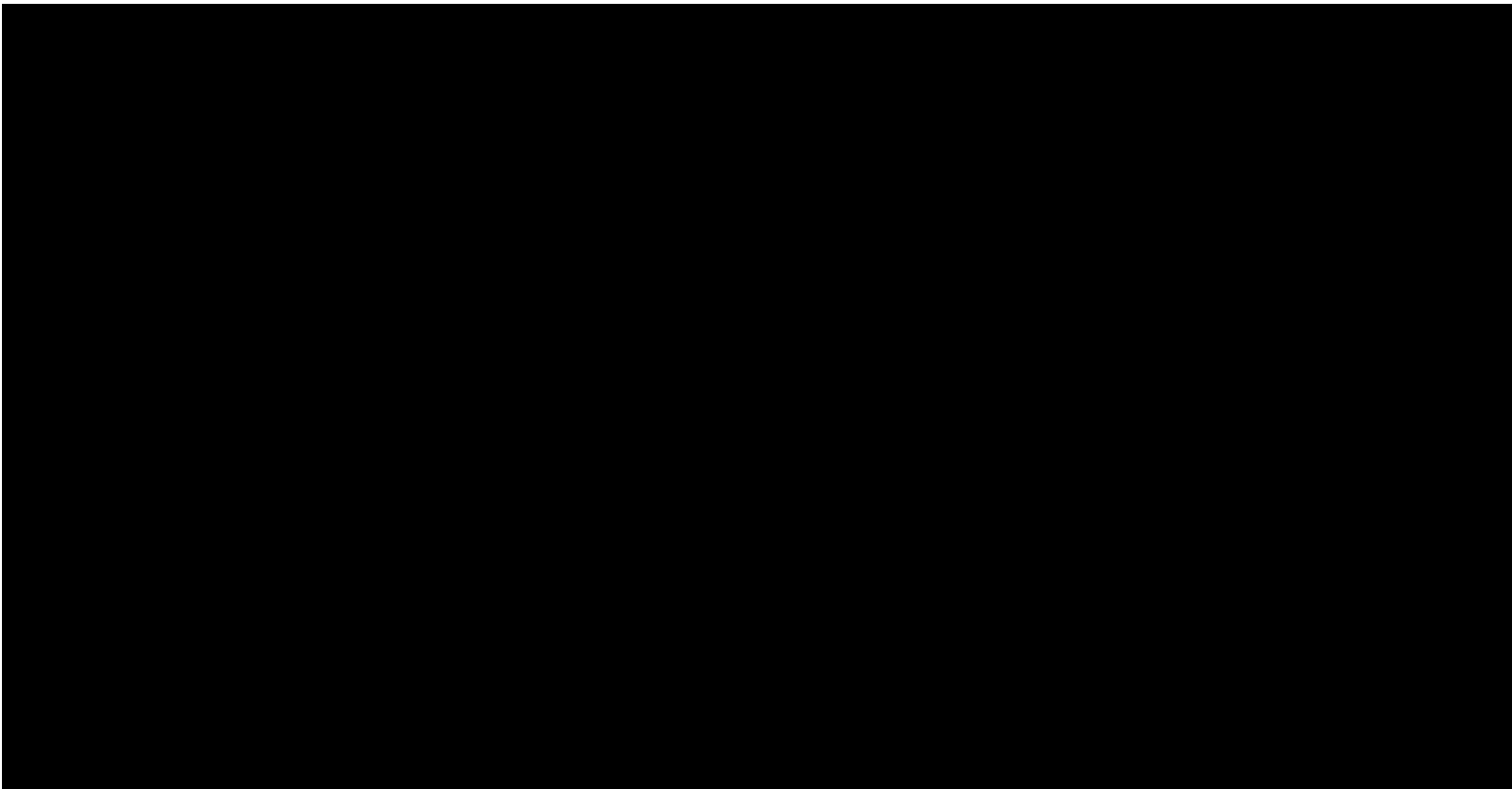
The Owner/Applicant/Agent agrees that the information recorded in this Consent Application Form is accurate. The Owner/Applicant/Agent agrees that representatives of the Township, Public Health and, where applicable, the appropriate Conservation Authority, may enter onto the subject property for the purpose of determining the appropriateness of the site for the proposed development.

The Owner/Applicant agrees to reimburse and indemnify the municipality for all fees and expenses incurred by the municipality to process the application, including any fees and expenses attributable to proceedings before the Ontario Municipal Board or any court or other administrative tribunal if necessary to defend the Committee's decision to support the application.

Without limiting the foregoing, such fees and expenses shall include the fees and expenses of consultants, planners, engineers, lawyers and such other professional and technical advisors as the municipality may, in its absolute discretion acting reasonably, consider necessary or advisable to more properly process and support the application.

The Owner/Applicant further agrees to provide the municipality, upon request and in cases where an application has been appealed to the Ontario Municipal Board, with a deposit (over and above the normal application fee), from which the municipality may, from time to time charge any fees and expenses incurred by the municipality in order to process the application. If such appeal expenses exceed the deposit, the Owner/Applicant shall pay the difference forthwith upon being billed by the municipality, with interest at the rate of 1.25% per month (15% per annum) on accounts overdue more than 30 days,

The Owner/Applicant further agrees that, until such requests have been complied with, the municipality will have no continuing obligation to process the application or attend or be represented at the Ontario Municipal Board or any court or other administrative proceeding in connection with the application:





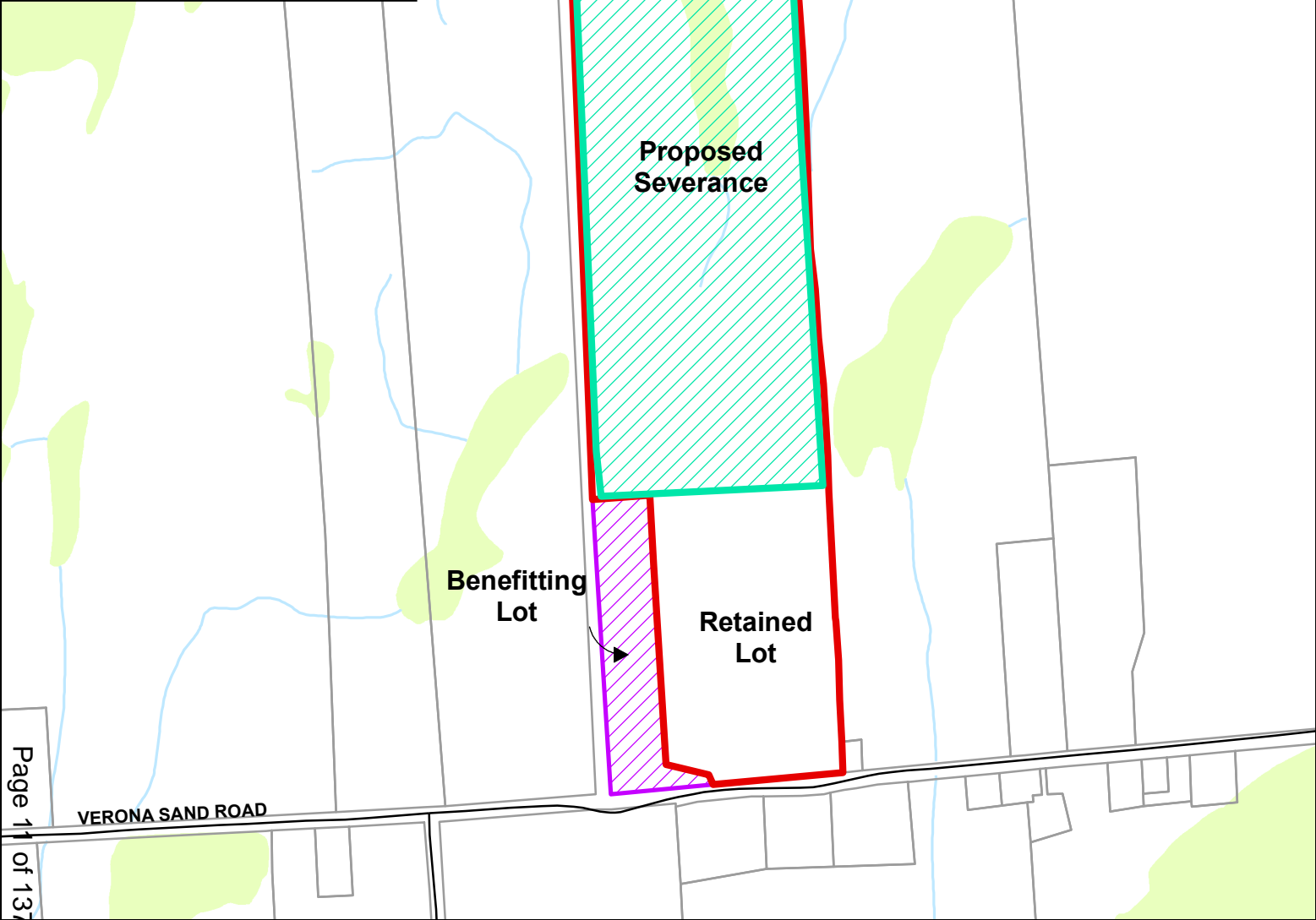
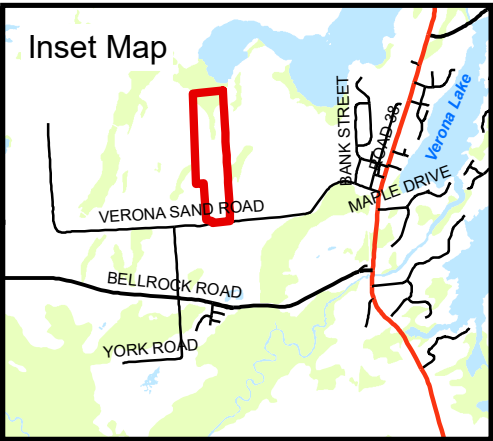
Legend  
Parcels  
Citations

Notes



1: 18,056


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THIS MAP IS NOT TO BE USED FOR NAVIGATION



**GRANLUND (COTNAM)  
S-20-19-P**

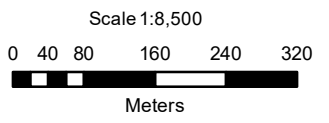
**4708 VERONA SAND RD**

**Legend**

-  Granlund Property
  -  Proposed Severance
  -  Benefitting Lot
  -  Parcel Fabric
  -  River / Stream
  -  Provincially Significant Wetlands
- Waterbodies**
-  Water Area, Permanent
  -  Wetland Area, Permanent

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.



UTM Projection NAD 83



# REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



## PLANNING REPORT – CONSENT APPLICATION

**Report Date:** November 7, 2019

**Application Nos:** S-20-19-P

**Owner:** Granlund (Cotnam)

**Location of Property:** Part Lot 12, Concession 11, District of Portland, Township of South Frontenac, municipally known as 4708 Verona Sand Road

**Purpose of Application:** Consent for a lot addition

**Date of Hearing:** November 14, 2019

**Recommendation:** That provisional consent be:

- granted with conditions (attached)
- deferred
- denied

**Purpose:**  enlarge abutting lot

create new lot

right-of-way / easement

other:

<p><b>Area Severed:</b> approximately 28.3 ha (70 ac)</p> <p><b>Water Frontage:</b> N/A</p> <p><b>Road Frontage:</b> Existing maintained</p>	<p><b>Official Plan Designation:</b> Rural &amp; Environmental Protection</p> <p><b>Zoning:</b> Rural (RU)</p>
<p><b>Area Retained:</b> approximately 8.9 ha (22 ac)</p> <p><b>Water Frontage:</b> N/A</p> <p><b>Road Frontage:</b> Existing maintained</p>	<p><b>Official Plan Designation:</b> Rural</p> <p><b>Zoning:</b> Rural (RU)</p>

**Review:** This application:

- ✓ Is consistent with the Provincial Policy Statement (s. 3(5) *Planning Act*);
- ✓ Does not require a plan of subdivision for the proper and orderly development of the municipality (s. 53(1) *Planning Act*);
- ✓ Conforms with section 51(24) of the *Planning Act*;
- ✓ Conforms with the County of Frontenac Official Plan (3.3.2);
- ✓ Conforms with the Township of South Frontenac Official Plan (5.7);
- ✓ Complies with the Township of South Frontenac Zoning By-law 2003-75 (or will comply subject to a standard condition of rezoning or minor variance); and
- ✓ Has no unresolved objections/concerns raised (to date) from agencies or the public.



# REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



## Proposal

The purpose of this application is consent for the conveyance of a lot addition from an existing property at Part Lot 12, Concession 11, District of Portland, Township of South Frontenac, municipally known as 4708 Verona Sand Road (see attached map) to be merged with an adjacent property to the south at Part Lot 12, Concession 11, Part 1 13R17931 municipally known as 4710 Verona Sand Road. The property at 4710 Verona Sand Road contains an existing single detached dwelling. The subject lands at 4708 Verona Sand Road contain an existing older single detached dwelling with outbuildings. The property lies within the regulated area of unevaluated wetland draining into Vanluven Lake. The grade of the property slopes from the existing house towards Verona Sand Road and at the north of the dwelling slopes gradually towards the fields, wooded areas and wetlands.

No development is proposed at either 4708 or 4710 Verona Sand Road at this time. The owners of 4710 Verona Sand Road had indicated that the subject lands were historically part of a larger land holding and would like to maintain and protect the character of the natural environment of the lands to be merged with 4710 Verona Sand Road.

## Agency Analysis and Comments

Public Services Department – The application was not required to be circulated to Public Services as the existing entrance will be maintained at 4708 and 4710 Verona Sand Road.

KFL&A Public Health – The application was not required to be circulated to the Health Unit as the existing septic system will not be impacted.

Quinte Conservation – Comments from Quinte Conservation dated October 28, 2019 indicate that they have no objection to the application as presented. The lands lie within the regulated area of unnamed wetlands draining into Vanluven Lake. The owners will need to apply to the Conservation Authority for a permit prior to development for development within 120 metres of any wetland boundary and within 45 metres of the seasonal high water mark/top of bank from any watercourse (no development is proposed for the lands). Staff are satisfied that and Section 2.1 Natural Heritage and Section 3.1 Natural Hazards of the Provincial Policy Statement have been addressed.

Public Comments – No comments have been received from the public to date.

## Conclusion

The consent application conforms with the Provincial Policy Statement, County Official Plan and South Frontenac Official Plan. The lot addition is not required to be rezoned. The lot addition will increase the lot area of the existing property at 4710 Verona Sand Road. The application is subject to the recommended conditions:

## Recommended Conditions

\*\*Conditions are a decision of the Committee of Adjustment, the conditions below are recommended. The final approved conditions will be included in the signed decision\*\*

### Expiry Period

1. Conditions imposed must be met within one year of the date of notice of decision, as required by Section 53(41) of the Planning Act, RSO 1990, as amended. If conditions are not fulfilled as prescribed within one year, the application shall be deemed to be refused. Provided the conditions and the Certificate of Official is stamped within one year. The application is valid for two years from the date the certificate was issued and the deed must be registered within two years of the issuance of the certificate of official.



# REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



## Severed Lands

2. The land to be severed by Consent Application S-20-19-P shall be for a lot addition with an area of approximately +/- 28.3 ha (70 ac) to be conveyed only to 4710 Verona Sand Road (Roll no. 102908008015110).
3. The lands to be severed are for the purpose of a lot addition only to the adjacent lands described as Part Lot 12 Concession 11 RP 13R17931; Part 1 (PIN 3614-60299), municipally described as 4710 Verona Sand Road and any subsequent transfer, charge or other conveyance of the lands to be severed is subject to Section 50(3) (or subsection 50(5) if in a plan of subdivision) of the Planning Act. Neither the lands to be severed nor the adjacent lands are to be reconveyed without the other parcel unless a further consent is obtained. The owner shall cause the lands to be severed to be consolidated on title with the adjacent lands and for this condition to be entered into the parcel register as a restriction.

## Survey/Reference Plan or Registerable Description

4. An acceptable reference plan or legal description of the severed lands in duplicate [*Registry Act*, s.81, *Land Titles Act*, s. 150], the deed or instrument conveying the severed lands, and the Certificate of Official 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 date of Decision [*Planning Act*, ss. 53(17) and 53(24)].

## Municipal Requirements

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. The Township of South Frontenac shall receive \$100 in lieu of parkland [*Planning Act*, s. 51(1)].
7. 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.
8. Where a violation of the Township of South Frontenac Comprehensive Zoning Bylaw is evident, the appropriate minor variance or rezoning be obtained to the satisfaction of the Municipality.

**Submitted by:** Trudy Gravel, CPT, AMCT, Planner, Township of South Frontenac

**Approved by:**

Claire Dodds, MCIP, RPP, Director of Development Services, Township of South Frontenac

**Attachments:** Map of Granlund/Cotnam property

**Site Visit:** November 1, 2019

## QUINTE CONSERVATION - PLANNING ACT REVIEW

**QC File No. PL0254-2019**

<b>Municipality:</b>	South Frontenac		
<b>Owner</b>	Jeff Cotnam		
<b>Location:</b>	4708 Verona Sand Road	Lot 12, Concession 11	Portland
<b>Roll #:</b>	10290800801510000000		
<b>Application Description:</b>	Consent to Sever File No. S-20-19-P	Proposed lot addition with frontage onto Verona Sand Road	
<b>Feature:</b>	Unnamed Wetlands and watercourses draining into Vanluven Lake		
<b>Comments:</b>	<p><b><u>Planning Act - Natural Hazard policies of the Provincial Policy Statement and Quinte Conservation Planning Act Review policy</u></b>          Conservation Authorities have Provincially delegated responsibilities to represent Provincial interests regarding natural hazards under section 3.1 of the Provincial Policy Statement (PPS) (2014). Natural hazards include areas subject to flooding, prone to erosion, dynamic beaches and unstable bedrock. Generally the policies of the PPS direct development to areas outside of hazards lands.</p> <p><u>Staff are satisfied that the application as presented is consistent with section 3.1 of the PPS as there is sufficient area for development outside the flood hazard.</u></p> <p><b><u>Ontario Regulation #319/09 (Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses)</u></b>          The subject lands lie within the regulated area of unnamed wetlands and watercourses draining into Vanluven Lake (by virtue of Ontario Regulation #319/09 – Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses).</p> <p><u>Please note that the owners will need to apply to the Conservation Authority for a permit prior to development (construction / filling/ excavation/ site grading) within 120 metres of any wetland boundary and within 45 metres of the seasonal high water mark/ top of bank (whichever is greater) from any watercourse.</u></p> <p><b><u>Quinte Region Source Protection Plan</u></b>          Quinte Conservation provides Risk Management services as prescribed by the <i>Clean Water Act</i>, 2006 on behalf of member municipalities. Part of this is reviewing building and planning applications to ensure no new significant drinking water threats as outlined in the Quinte Region Source Protection Plan are created. Policies for significant threats in the Quinte Region Source Protection Plan are not applicable as the subject property lies outside of an intake protection zone or wellhead protection area for a municipal drinking water system.</p> <p><u>As such no Section 59 Clearance Notice is required.</u></p>		

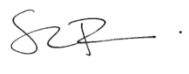
	<p><b><u>Planning Act - Natural Heritage policies of the Provincial Policy Statement</u></b></p> <p>Section 2.1 of the Natural Heritage policies of the Provincial Policy Statement protects features including (but not limited to); Provincially Significant Wetlands, significant woodlands and significant Areas of Natural and Scientific Interest. The subject lands do not lie within a Provincially Significant Wetland, or within an Area of Natural and Scientific Interest. Further, an Environmental Impact Study was not provided with the current planning application, and we will not be requesting one.</p> <p><u>Staff are satisfied that the application as presented is consistent with the natural heritage policies of the Provincial Policy Statement.</u> The proponent may wish to contact the Ministry of Natural Resources and Forestry for further information.</p>
<p><b>Final Comments:</b></p>	<p>Quinte Conservation has no objection to the application as presented.</p>



Christine Jennings  
 Planning and Regulations Technician

10/28/2019  
 Date

And:



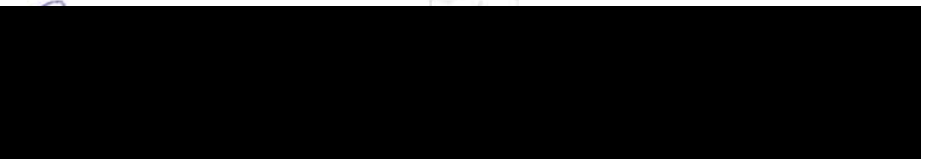
Sharlene Richardson  
 Regulations Officer

TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR CONSENT  
Planning Act, R.S.O. 1990, c. P.13 as amended

Date Received: Oct. 7/19

File No: S-21-19-5

1. Name of Owner(s): Paul Sleeth Jeff Sleeth @

Full Mailing Address of Owner(s): 

Phone number of Owner(s): 

Email Address of Owner(s): 

2. If the applicant is **NOT** the owner of the subject land, the written authorization of the owner that the applicant is authorized to make the application, must accompany the application.

Name of Authorized Agent: \_\_\_\_\_

Full Mailing Address of Authorized Agent: \_\_\_\_\_

Phone number of Authorized Agent: \_\_\_\_\_

Email Address of Authorized Agent: \_\_\_\_\_

Agent as named above is hereby authorized to act on behalf of the owners for purposes of processing this application for Minor Variance.

\_\_\_\_\_  
Signature(s) of Owner(s)

3. The description of the subject land:

District:  Bedford  Portland  Loughborough  Storrington

Concession Number: 9 Lot Number: Pt 19

Street Number: 1978 Name of Road/Street: Wellington St

Reference Plan Number: 13R6237 Part Number(s): 2-4

Roll Number: 102906006005310

**TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR CONSENT**  
**Planning Act, R.S.O. 1990, c. P.13 as amended**

4. The frontage(s), depth and area of the subject land.

Frontage (on water): N/A Frontage (on road/lane): 625 FT  
 Depth: 259 Area: 4.18 AC

5. The type and the purpose of the proposed transaction, such as a transfer for the creation of a new lot, a lot addition, an easement/right-of-way, a charge, a lease or a correction of title.

New Lot

6. The following information regarding the land intended to be severed and the land to be retained:  
 NOTE: If your application is for a new lot, answer question 6(a); if the application is for a lot addition or right-of-way only, answer question 6(b).

a. The frontage, depth and the area. **(Complete this section for a new lot only)**

Proposed New Lot:

Retained Lot:

Frontage On Road 310 FT

Frontage On Road 310 FT

Frontage On Water N/A

Frontage On Water N/A

Depth 219

Depth 259 FT

Area 2 AC

Area 2 AC

Please list/describe the existing and proposed **USES** of the land to be severed and to be retained:

Existing Uses

Proposed Uses

New Lot: Bush + Field

Single Family Dwelling

Retained: EXISTING S.F. Dwelling

Same

Structures Existing

Structures Proposed

New Lot: None

New House

**TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR CONSENT**  
**Planning Act, R.S.O. 1990, c. P.13 as amended**

4. The frontage(s), depth and area of the subject land.

Frontage (on water): \_\_\_\_\_ Frontage (on road/lane): 625 FT  
 Depth: 259 Area: 4.18 AC

5. The type and the purpose of the proposed transaction, such as a transfer for the creation of a new lot, a lot addition, an easement/right-of-way, a charge, a lease or a correction of title.

New Lot

6. The following information regarding the land intended to be severed and the land to be retained:  
 NOTE: If your application is for a new lot, answer question 6(a); if the application is for a lot addition or right-of-way only, answer question 6(b).

a. The frontage, depth and the area. **(Complete this section for a new lot only)**

Proposed New Lot:

Retained Lot:

Frontage On Road 310 FT

Frontage On Road 310 FT

Frontage On Water \_\_\_\_\_

Frontage On Water \_\_\_\_\_

Depth 219 FT

Depth 259 FT

Area 2 AC

Area 2 AC

Please list/describe the existing and proposed **USES** of the land to be severed and to be retained:

Existing Uses

Proposed Uses

New Lot: Bush Field

Single Family Dwelling

Retained: Existing SF Dwelling

Same

Structures Existing

Structures Proposed

New Lot: NA

New house

TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR CONSENT  
Planning Act, R.S.O. 1990, c. P.13 as amended

Date Received: \_\_\_\_\_

File No: \_\_\_\_\_

1. Name of Owner(s): PAUL STEEHL

Full Mailing Address of Owner(s): 2156 Wellington St  
Brampton  
Ontario

Phone number of Owner(s): 613 353-7479

Email Address of Owner(s): pasleeth@hotmail.com

2. If the applicant is **NOT** the owner of the subject land, the written authorization of the owner that the applicant is authorized to make the application, must accompany the application.

Name of Authorized Agent: \_\_\_\_\_

Full Mailing Address of Authorized Agent: \_\_\_\_\_

Phone number of Authorized Agent: \_\_\_\_\_

Email Address of Authorized Agent: \_\_\_\_\_

Agent as named above is hereby authorized to act on behalf of the owners for purposes of processing this application for Minor Variance.

Signature(s) of Owner(s) \_\_\_\_\_

3. The description of the subject land:

District:  Bedford  Portland  Loughborough  Storrington

Concession Number: 9 Lot Number: 14

Street Number: 1958 Name of Road/Street: Wellington St

Reference Plan Number: 13R6237 Part Number(s): 2-7

Roll Number: 102906006005310

TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR CONSENT  
Planning Act, R.S.O. 1990, c. P.13 as amended

8. Indicate whether there are any easements or restrictive covenants affecting the subject land and a description of each easement or covenant and its effect (*if known*):

n/a

9. Name of road or lane which accesses:

The new lot (lot addition or R.O.W.): Wellington St

The retained lot: Wellington St

NOTE: Some roads (particularly former "County" Roads) have specific requirements for spacing between entrances. Also, any proposed new entrance must have safe sight-lines. These requirements may affect the success of your application. If you wish to check the status of your road or sight line conditions, please contact the Roads Department at 376-3027.

9. If access to the **new lot** is by **water only**, describe the parking and docking facilities to be used and the approximate distance of these facilities from the subject land and the nearest public road.

New Lot: n/a

Retained Lot: n/a

10. Note the method by which water will be provided, i.e., by a publicly owned and operated piped water system, privately owned and operated individual or communal well, a lake or other water body or other means.

New Lot: private well Retained Lot: private well

11. Note the method by which sewage disposal will be provided, e.g. private septic, privy or other means:

New Lot: private septic Retained Lot: private septic

12. The current zoning of the subject land in the applicable Zoning By-law.

Rural

13. If known, has the subject land ever been the subject of a previous consent (severance) application OR an application for a plan of subdivision under section 51 of the Planning Act? If so, please indicate:

(a) The file #: \_\_\_\_\_ (b) The decision on the application: \_\_\_\_\_

**TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR CONSENT**  
*Planning Act, R.S.O. 1990, c. P.13 as amended*

Structures Existing

Structures Proposed

Retained Lot: Single Family Home  
Out BLDG

\_\_\_\_\_

\_\_\_\_\_

(b) The frontage, depth and the area. (Complete for a lot addition or right-of-way (R.O.W.) only)

Proposed Lot Addition (or right-of-way)

Retained Lot: (This is the property from which the lot addition is being severed or over which the R.O.W. will run)

Frontage  
On Road: \_\_\_\_\_

Frontage  
On Road: \_\_\_\_\_

Frontage  
On Water: \_\_\_\_\_

Frontage  
On Water: \_\_\_\_\_

Depth: \_\_\_\_\_

Depth: \_\_\_\_\_

Area: \_\_\_\_\_

Area: \_\_\_\_\_

Please list/describe the existing and proposed **USES** of the land to be severed and to be retained:

Present Use of Property

Proposed Use of Property

Lot Addition or R.O.W.: \_\_\_\_\_

\_\_\_\_\_

Retained: \_\_\_\_\_

\_\_\_\_\_

Structures Existing

Structures Proposed

Lot Addition (or R.O.W.): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Retained Lot: \_\_\_\_\_

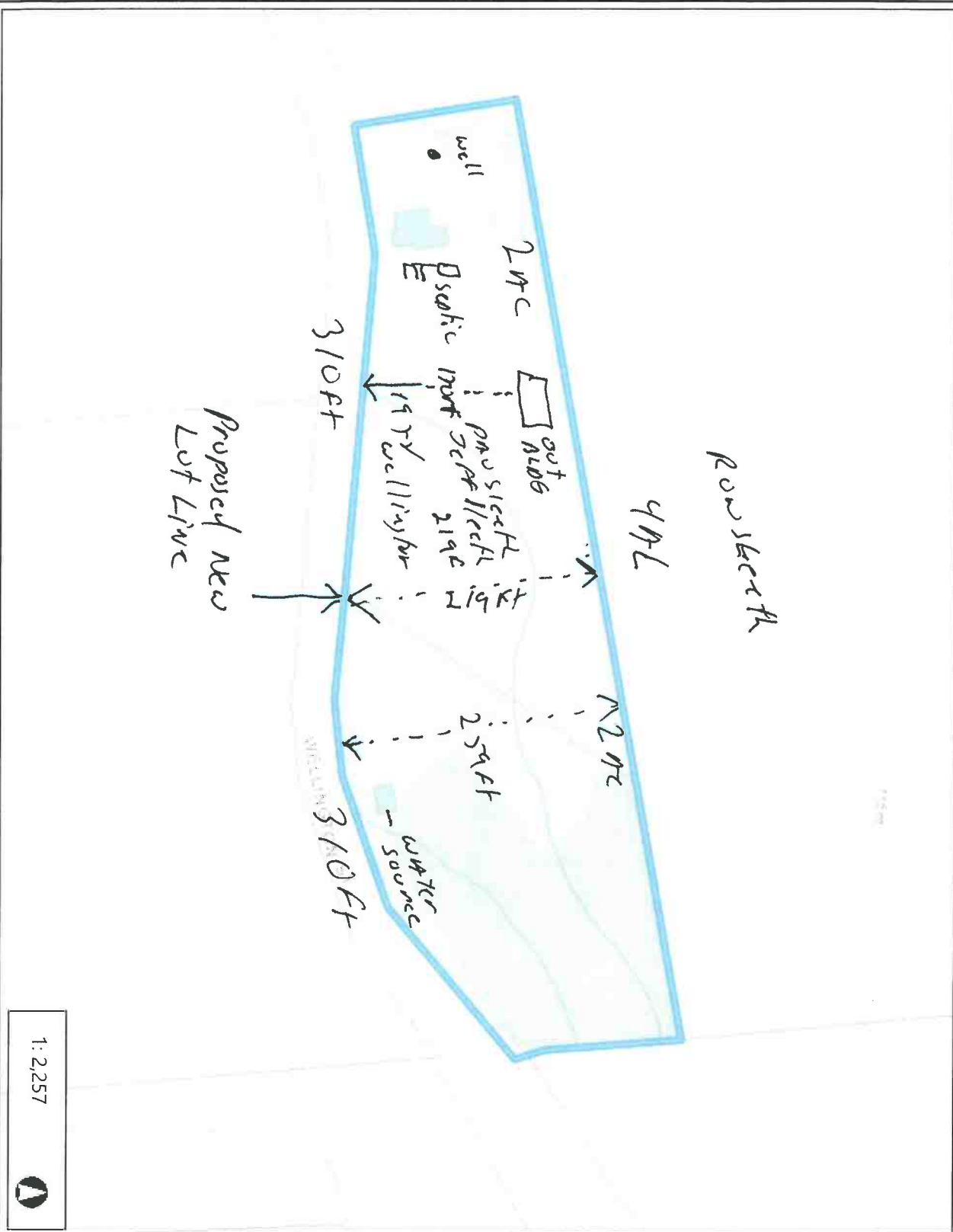
\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

7. Please list the name of the person(s) to whom the land or an interest in the land is to be transferred, charged or leased (*if known*):

UNKNOWN



1: 2,257



Notes

Legend

- Assessment Parcels
- Rivers
- Waterbody
- Provincially Significant Wetland
- PSW 120m Buffer
- Other Significant Wetland
- Wetland
- Citations

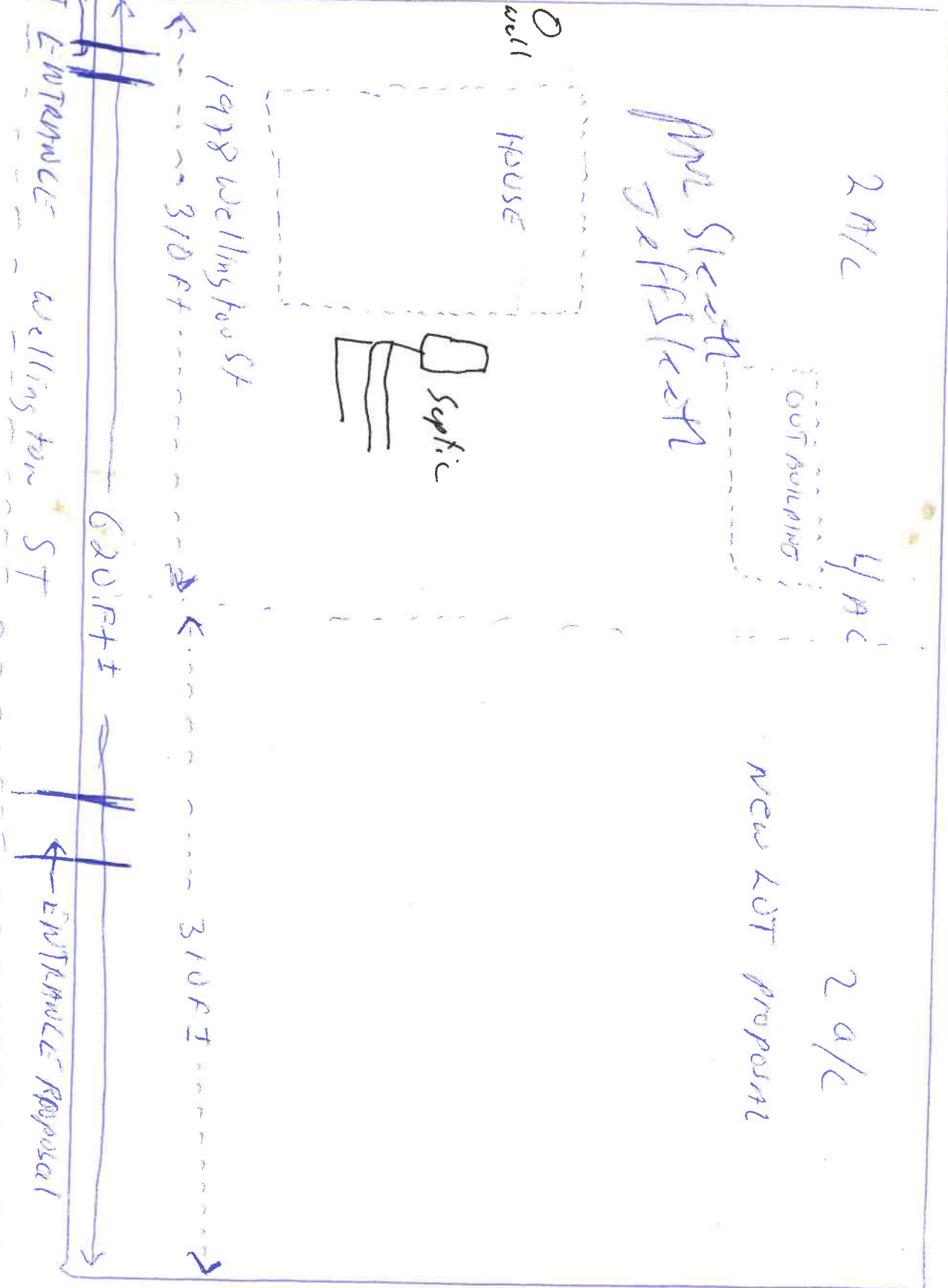


This map is a user generated static output from an internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

ROW SLEETH

NORTH  
ROW SLEETH



2 A/C

40 FT

20 FT

Prop Sleeth  
of 2 FFS Sleeth

Garage Building

New Lot Proposal

Oil  
Well  
HOUSE

Septic

1998 Wellington St

310 FT

310 FT

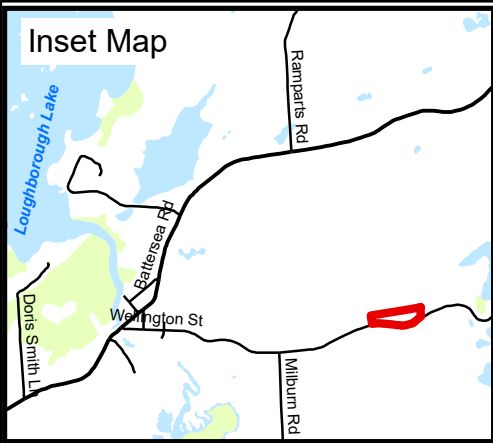
620 FT

Current Entrance Wellington St

ENTRANCE Proposal

SOUTH

BLANKELY



**SLEETH  
S-21-19-S**

**1978 WELLINGTON ST**

**Legend**

-  Sleeth Property
  -  Proposed Severance
  -  Parcel Fabric
  -  River / Stream
  -  Provincially Significant Wetlands
- Waterbodies**
-  Water Area, Permanent
  -  Wetland Area, Permanent



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 1:1,591

0 5 10 20 30 40



Meters

UTM Projection NAD 83



**PORT TO COMMITTEE OF ADJUSTMENT  
PLANNING DEPARTMENT**



**PLANNING REPORT – CONSENT APPLICATION**

**Report Date:** November 8, 2019

**Application No:** S-21-19-S

**Owner:** Sleeth

**Location of Property:** Part Lot 14, Concession 9, being Parts 2-4 on Plan 13R6237, District of Storrington, Township of South Frontenac, municipally known as 1978 Wellington Street

**Purpose of Application:** Consent to create one new lot

**Date of Hearing:** November 14, 2019

**Recommendation:** That provisional consent be:

- ✓ granted with conditions (attached)
- deferred
- denied

**Purpose:** enlarge abutting lot

- ✓ create new lot
- right-of-way / easement
- other:

<b>Area Severed:</b> 0.81 ha (2 ac)	<b>Official Plan Designation:</b> Rural
<b>Frontage:</b> 94.5m (310 ft)	<b>Zoning:</b> Rural
Wellington Street, Battersea	
<b>Area Severed:</b> 0.81 ha (2 ac)	<b>Official Plan Designation:</b> Rural
<b>Frontage:</b> 94.5m (310 ft)	<b>Zoning:</b> Rural
Wellington Street, Battersea	

**Review:** This application:

- ✓ Is consistent with the Provincial Policy Statement (s. 3(5) *Planning Act*);
- ✓ Does not require a plan of subdivision for the proper and orderly development of the municipality (s. 53(1) *Planning Act*);
- ✓ Conforms with section 51(24) of the *Planning Act*;
- ✓ Conforms with the County of Frontenac Official Plan (3.3);
- ✓ Conforms with the Township of South Frontenac Official Plan (5.7 & 7.1);
- ✓ Complies with the Township of South Frontenac Zoning By-law 2003-75 (or will comply subject to a standard condition of rezoning or minor variance); and
- ✓ Has no unresolved objections/concerns raised (to date) from agencies or the public.

**Proposal**

The purpose of this application is consent for the creation of a new approximately 0.81 ha (2 ac) residential lot with approximately 94.5 metres (310 ft) of frontage from an existing property at Part Lot 14, Concession 9, being Parts 2-4 on Plan 13R6237, District of Storrington, Township of South Frontenac, municipally known as 1978 Wellington Street (see attached map). The subject property is



# PORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



located on the north side of Wellington Street east of the Village of Battersea outside the hamlet boundary.

The retained western parcel consists of approximately 0.81 ha (2 ac) with approximately 94.5 metres (310 ft) of frontage and contains an existing residential dwelling with outbuildings located to the northeast of the home. The property slopes southeast towards Wellington Street and contains an existing row of trees that divide the property which provides a natural buffer from the existing dwelling located to the west. The property contains agricultural lands with mature trees surrounding the property to the southeast.

The proposed new approximately 0.81 ha (2 ac) lot contains two existing small structures at the southwest corner of the site closer towards Wellington Street. An existing drive shed is located across from the subject lands along Wellington Street. The closest barn is approximately 490 metres from the property.

## Agency Analysis and Comments

Public Works Department – An entrance permit, for a new access, will be required to be located at the southeast portion of the proposed new lot at the building permit stage. The second entrance into the field, located to the west of the severed lot, is required to be removed. The applicant is required to provide a lot grading and drainage plan for development on the severed lands. The plan will be required to be submitted at the building permit stage for the construction of a new dwelling. Public Services recommends taking a road widening to achieve the 66 foot right of way.

Cataraqui Region Conservation Authority – Staff have indicated that they are not required to review the application as there does not appear to be any natural hazard or natural heritage features on the property.

KFL&A Public Health – KFL&A Public Health comments dated November 1, 2019 indicate that the proposed lot is capable of providing flexibility in siting a sewage disposal system. 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.

Public Comments – To date comments have not been received from the public.

## Conclusion

The consent application conforms with the Provincial Policy Statement, County Official Plan, South Frontenac Official Plan and Zoning By-law subject to the recommended conditions:

## Recommended Conditions

\*\*Conditions are a decision of the Committee of Adjustment, the conditions below are recommended. The final approved conditions will be included in the signed decision\*\*

## Recommended Conditions for the Consent Application S-21-19-S

### Expiry Period

1. Conditions imposed must be met within one year of the date of notice of decision, as required by Section 53(41) of the *Planning Act*, RSO 1990, as amended. If conditions are not fulfilled as prescribed within one year, the application shall be deemed to be refused. Provided the conditions are fulfilled within one year, the application is valid for two years from the date of notice of certificate issuance, the deed must be registered within two years of the issuance of the certificate of official.

### Severed Lands

2. The land to be severed by Consent Application S-21-19-S shall be for the creation of one new lot with an area of approximately 0.81 ha (2 ac) with approximately 94.5 metres (310 ft) of vacant land with approximately 94.5 metres (310 ft) of frontage along Wellington Street.



# PORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



## Survey/Reference Plan or Registerable Description

3. An acceptable reference plan or legal description of the severed lands in duplicate [*Registry Act*, s.81, *Land Titles Act*, s. 150], the deed or instrument conveying the severed lands, and the Certificate of Official 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 date that "Notice of Decision" is given [*Planning Act*, ss. 53(17) and 53(24)].
4. The surveyor or applicant shall submit the draft Reference Plan electronically or in paper form for review and approval by planning staff prior to depositing the Reference Plan with the Land Registry Office.

## Road Widening

5. The surveyor who prepares the reference plan referred to in Condition #3 shall also determine by survey the width of the public road to be 66 feet. If such width is less than 66 ft., the owner shall dedicate to the Township land along the frontage of the severed lands as the case may be in the following manner:
  - a. The land to be dedicated shall be the width required to ensure there is a 66 foot road allowance;
  - 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.

## Municipal Requirements

6. 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.
7. The Township of South Frontenac shall receive 5% of the value of the parcel to be severed through Consent Applications S-21-19-S, in lieu of parkland [*Planning Act*, s. 51(1)].
8. In the event that there are abandoned wells located on the property being severed, and the retained property, they shall 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.
9. The Owner shall submit a well driller's report demonstrating a potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test for the parcel severed through Consent Application S-21-19-S.
10. The well driller who prepares the well driller's report referred to in condition # 9 shall also provide a copy of the drawn down and recovery of the closest well that was collected by the



## PORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



well driller at the time of the new well pump test in accordance with D-5-5 Private Wells: Water Supply Assessment, demonstrating that the well on the new proposed lot would not detrimentally impact on the closest existing well. If the adjacent well owner(s) do not wish to have their well tested for interference, a letter signed by the adjacent homeowner is required that indicates that they do not wish to have their well tested.

OR

A basic Hydrogeological Assessment signed by a Professional Engineer or Professional Geoscientist will be required for the new well in accordance with D-5-5 Private Wells: Water Supply Assessment.

11. The applicant shall enter into a Development Agreement with the Township to be registered on title to the severed parcel to address the development of the lot, including lot grading and drainage.

### Zoning

12. Where a violation of the Township of South Frontenac Comprehensive Zoning Bylaw is evident, the appropriate minor variance or rezoning be obtained to the satisfaction of the Municipality.

**Submitted by:** Trudy Gravel, CPT, AMCT, Planner, Township of South Frontenac

**Approved by:**


Claire Dodds, MCIP, RPP, Director of Development Services, Township of South Frontenac

**Attachments:** Map of Sleeth property

**Site Visit:** November 1, 2019



**CONSENT TO SEVER  
INSPECTION REPORT**

<b>File Number:</b> S-21-19-S		<b>Receipt Number:</b> SK-41-2019			
<b>Owner(s):</b> Sleeth, Jeff and Sleeth, Paul					
<b>Municipality:</b> Township of South Frontenac			<b>Ward / Former Township:</b> Storrington		
<b>Lot:</b> Part 14	<b>Concession:</b> 9	<b>Registered Plan:</b> 13R6237	<b>Part(s):</b> 2 to 4	<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> Partially cleared lot used for agriculture on the western end, with mixed woods occupying the remainder of the proposed severed lot; the proposed severed lot slopes down from the north toward Wellington Street. The proposed severed lot is bordered by neighbouring lots to the north and east, Wellington Street to the south, and the proposed retained lot to the west.					
<b>Retained:</b> Mostly cleared lot with some agricultural use on the eastern end, with an existing dwelling served by a well and sewage system on the western end; the proposed retained lot slopes southeast toward Wellington Street. The proposed retained lot is bordered by a neighbouring lot to the west and north, the proposed severed lot to the east, and Wellington Street to the south.					
<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>	
Grade/organic layer		----->	0.0 m		
Clay soils		----->	0.3 m		
Some water observed in TH#2		----->	0.6 m		
Bottom of both test holes		----->	0.9 m		
			1.2 m		
			1.5 m		
<b>Percolation rate (estimated):</b> > 50 min/cm			<b>Percolation rate (estimated):</b>		
<b>NOTE:</b> 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>Suitability for on-site sewage disposal:</b>					
<b><u>SEVERED</u></b>		<b>Conditions:</b> The proposed lot is capable of providing flexibility in siting a sewage disposal system. 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.			
<input checked="" type="checkbox"/> Satisfactory					
<input type="checkbox"/> Unsatisfactory					
<input checked="" type="checkbox"/> Site Flexible					
<input type="checkbox"/> Site Specific					
<b><u>RETAINED</u></b>		<b>Conditions:</b>			
<input type="checkbox"/> Satisfactory					
<input type="checkbox"/> Unsatisfactory					
<input type="checkbox"/> Site Flexible					
<input type="checkbox"/> Site Specific					
<b>Inspector:</b> Matthew Doyle CPHI(C), Public Health Inspector		<b>Approved:</b> 		<b>Date:</b> November 01, 2019	

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

# Report from Roads to Committee of Adjustment

**Application Number:** \_\_\_\_\_

**Applicant's Name:** \_\_\_\_\_

**Concession:** \_\_\_\_\_ **Lot:** \_\_\_\_\_ **District:** \_\_\_\_\_

**Road:** \_\_\_\_\_

**Road Maintenance:**      Year-round       Seasonal

**Sight Lines:** Are there adequate sight lines for the entrance?    Yes     No

If no, what changes would be required to improve sight lines?

Entrance on a corner. Public Services recommends taking additional widening to achieve 66 foot ROW.

**Road Conditions:**

1. Are there any special drainage/ditching concerns related to creation of new lot(s)?

Yes       No

If yes, what action is the applicant required to take?

A lot grading and drainage plan shall be submitted.

2. Is the overall road condition adequate to serve increased development/traffic?

Yes       No

If no, please explain, and indicate if there are any measures that could be taken to correct the inadequacies.

**Road Widening Required?**

Yes       No

Any specific requirement?


Widen to achieve 66 foot ROW

**Approved by the Public Services?**

Yes       Yes, with conditions       No

If yes, with conditions, please describe conditions below.

The second entrance to the property on the West end into the field is to be removed. The existing entrance on the East end is to be used as the sole entrance.

  
\_\_\_\_\_  
Signature on behalf of Public Services

\_\_\_\_\_  
Date

TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR CONSENT  
Planning Act, R.S.O. 1990, c. P.13 as amended

Date Received: Oct-3/19

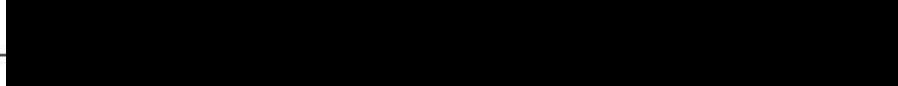
File No: S-22-19-B

1. Name of Owner(s): 1995926 ONTARIO LIMITED

Full Mailing Address of Owner(s): 



Phone number of Owner(s): 

Email Address of Owner(s): 

2. If the applicant is **NOT** the owner of the subject land, the written authorization of the owner that the applicant is authorized to make the application, must accompany the application.

Name of Authorized Agent: Angela <sup>Black</sup> / Binny Greenslade

Full Mailing Address of Authorized Agent: 



Phone number of Authorized Agent: 

Email Address of Authorized Agent: 

Agent as named above is hereby authorized to act on behalf of the owners for purposes of



Signature(s) of Owner(s)

3. The description of the subject land:

District:  Bedford     Portland     Loughborough     Storrington

Concession Number: 9    Lot Number: 23 W

Street Number: \_\_\_\_\_ Name of Road/Street: \_\_\_\_\_

Reference Plan Number: \_\_\_\_\_ Part Number(s): \_\_\_\_\_

Roll Number: 10290100 100300

**TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR CONSENT**  
**Planning Act, R.S.O. 1990, c. P.13 as amended**

4. The frontage(s), depth and area of the subject land.

Frontage (on water): N/A Frontage (on road/lane): 153m (M)  
(MacNeil Road)  
 Depth: 605m Area: 70 +/- Acres MAX - 70 Acres

5. The type and the purpose of the proposed transaction, such as a transfer for the creation of a new lot, a lot addition, an easement/right-of-way, a charge, a lease or a correction of title.

transfer for creation of new lot

6. The following information regarding the land intended to be severed and the land to be retained:  
 NOTE: If your application is for a new lot, answer question 6(a); if the application is for a lot addition or right-of-way only, answer question 6(b).

a. The frontage, depth and the area. **(Complete this section for a new lot only)**

Proposed New Lot:  Frontage On Road _____  Frontage On Water _____  Depth _____  Area _____	Retained Lot:  Frontage On Road _____  Frontage On Water _____  Depth _____  Area _____
---	---

Please list/describe the existing and proposed **USES** of the land to be severed and to be retained:

Existing Uses	Proposed Uses
New Lot: _____	_____
Retained: _____	_____

Structures Existing	Structures Proposed
New Lot: _____	_____
_____	_____

**TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR CONSENT**  
**Planning Act, R.S.O. 1990, c. P.13 as amended**

Structures Existing

Structures Proposed

Retained Lot: \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_

(b) The frontage, depth and the area. (Complete for a lot addition or right-of-way (R.O.W.) only)

Proposed Lot Addition (or right-of-way)

Retained Lot: (This is the property from which the lot addition is being severed or over which the R.O.W. will run)

Frontage On Road: 270m +/- on 642 Binnidge Rd

Frontage On Road: 270m +/-

Frontage On Water: \_\_\_\_\_

Frontage On Water: N/A

Depth: 625m +/-

Depth: 1200m +/-

Area: 30 Acres +/-

Area: 216 +/- Acres

Please list/describe the existing and proposed **USES** of the land to be severed and to be retained:

Present Use of Property

Proposed Use of Property

Lot Addition or R.O.W.: Agricultural

Agricultural

Retained: Managed Forest

\_\_\_\_\_

Structures Existing

Structures Proposed

Lot Addition (or R.O.W.): N/A

N/A

Retained Lot: N/A

N/A

7. Please list the name of the person(s) to whom the land or an interest in the land is to be transferred, charged or leased (if known):

Angela : Barry

**TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR CONSENT**  
**Planning Act, R.S.O. 1990, c. P.13 as amended**

8. Indicate whether there are any easements or restrictive covenants affecting the subject land and a description of each easement or covenant and its effect (**if known**):

NO easements, NO Covenants

9. Name of road or lane which accesses:

The new lot (lot addition or R.O.W.): 642 Bunnings Road

The retained lot: Lee Road

NOTE: Some roads (particularly former "County" Roads) have specific requirements for spacing between entrances. Also, any proposed new entrance must have safe sight-lines. These requirements may affect the success of your application. If you wish to check the status of your road or sight line conditions, please contact the Roads Department at 376-3027.

9. If access to the **new lot is by water only**, describe the parking and docking facilities to be used and the approximate distance of these facilities from the subject land and the nearest public road.

New Lot: N/A

Retained Lot: N/A

10. Note the method by which water will be provided, i.e., by a publicly owned and operated piped water system, privately owned and operated individual or communal well, a lake or other water body or other means.

New Lot: N/A Retained Lot: N/A

11. Note the method by which sewage disposal will be provided, e.g. private septic, privy or other means:

New Lot: N/A Retained Lot: N/A

12. The current zoning of the subject land in the applicable Zoning By-law.

RU - Rural Zone

13. **If known**, has the subject land ever been the subject of a previous consent (severance) application OR an application for a plan of subdivision under section 51 of the Planning Act? If so, please indicate:

(a) The file #: N/A (b) The decision on the application: N/A

**TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR CONSENT**  
**Planning Act, R.S.O. 1990, c. P.13 as amended**

(c) The current use of the lot created (if applicable):

~~N/A~~ Agricultural

14. If **known**, has the subject land ever been the subject of any other application under the Planning Act, such as an application for an amendment to an official plan, a zoning by-law, a minister's zoning order, a minor variance? If so, please indicate:

(b) The file #: N/A (b) The decision on the application:

N/A

(c) The current use of the land: Agricultural

15. Are there any abandoned wells on the property you are aware of?  Yes  No

16. A **SKETCH** must be submitted showing the following:

- a) ~~The boundaries and dimensions of the subject land, the part that is to be severed and the part that is to be retained.~~
- b) ~~The location of all land previously severed from the parcel (if applicable) originally acquired by the current owner of the subject land.~~
- c) ~~The approximate location of all natural and artificial features on the subject land and on the abutting lands. Examples include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, barns, wetlands, wooded areas, wells and septic tanks. Show distance of these features from the applicant's property lines.~~
- d) ~~The current uses of land that is abutting the subject land, such as residential, agricultural and commercial uses (if agricultural, please indicate the approximate distance of any barn structure from the proposed new lot).~~

**Note: The existence of a nearby barn or other farm type structure may affect the success of your application because of incompatibility issues. Please check with the Planning Department regarding the implications of any farm structure, on your application.**

- e) ~~The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way.~~
- f) ~~If access to the subject land is by water only, the location of the parking and boat docking facilities to be used.~~
- g) ~~The location and nature of any easement affecting the subject land.~~
- h) ~~The location of any abandoned wells on the property.~~
- i) **Please prepare your sketch so that North is at the top of the page.**

**TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR CONSENT**  
***Planning Act, R.S.O. 1990, c. P.13 as amended***

---

**AGREEMENT TO INDEMNIFY**

Attached to this application is a cheque payable to the Township of South Frontenac in the amount of \$817.00 representing payment of the application fee.

The Owner/Applicant/Agent agrees that the information recorded in this Consent Application Form is accurate. The Owner/Applicant/Agent agrees that representatives of the Township, Public Health and, where applicable, the appropriate Conservation Authority, may enter onto the subject property for the purpose of determining the appropriateness of the site for the proposed development.

The Owner/Applicant agrees to reimburse and indemnify the municipality for all fees and expenses incurred by the municipality to process the application, including any fees and expenses attributable to proceedings before the Ontario Municipal Board or any court or other administrative tribunal if necessary to defend the Committee's decision to support the application.

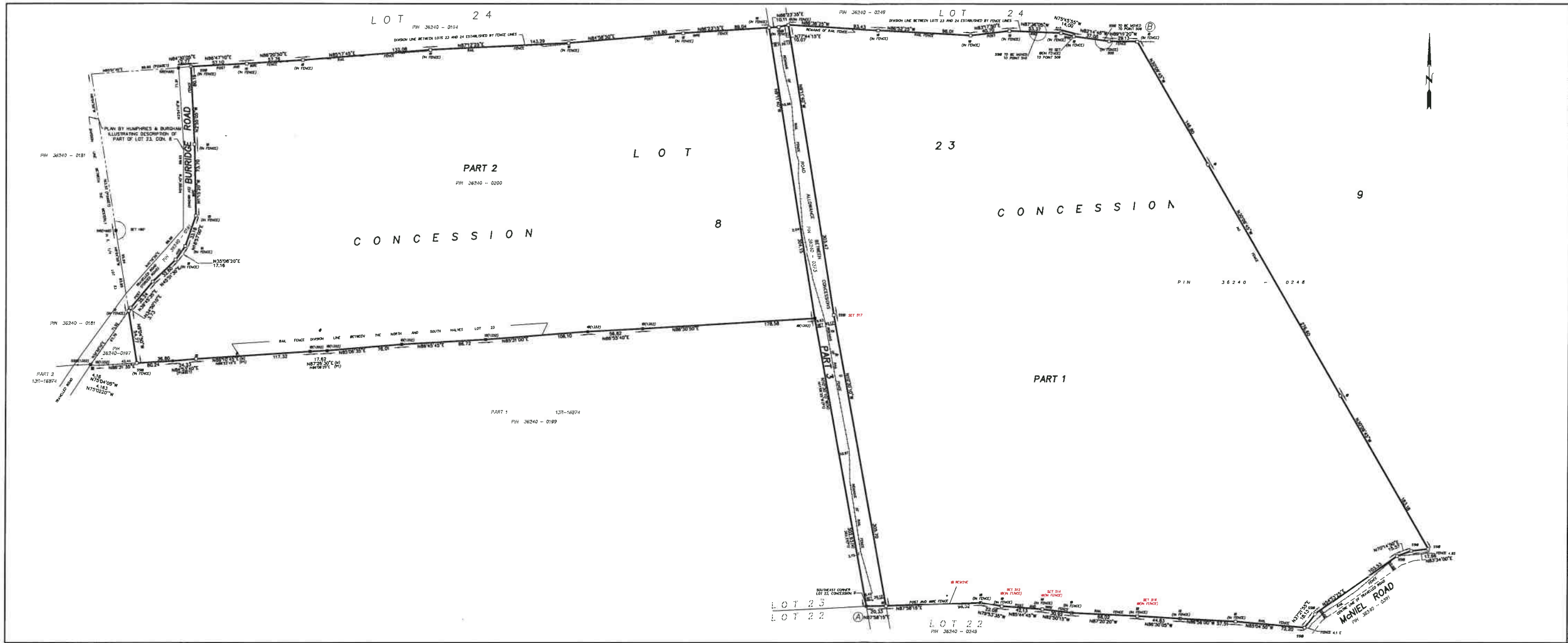
Without limiting the foregoing, such fees and expenses shall include the fees and expenses of consultants, planners, engineers, lawyers and such other professional and technical advisors as the municipality may, in its absolute discretion acting reasonably, consider necessary or advisable to more properly process and support the application.

The Owner/Applicant further agrees to provide the municipality, upon request and in cases where an application has been appealed to the Ontario Municipal Board, with a deposit (over and above the normal application fee), from which the municipality may, from time to time charge any fees and expenses incurred by the municipality in order to process the application. If such appeal expenses exceed the deposit, the Owner/Applicant shall pay the difference forthwith upon being billed by the municipality, with interest at the rate of 1.25% per month (15% per annum) on accounts overdue more than 30 days,

The Owner/Applicant further agrees that, until such requests have been complied with, the municipality will have no continuing obligation to process the application or attend or be represented at the Ontario Municipal Board or any court or other administrative proceeding in connection with the application:

DATED AT THE TOWNSHIP OF SOUTH FRONTENAC





I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND REGISTRY ACT.

**PLAN 13R**  
RECEIVED AND DEPOSITED

DATE: \_\_\_\_\_ DATE: \_\_\_\_\_

**DRAFT**  
ONTO LND SURVYOR

REPRESENTATIVE FOR THE LAND REGISTRY DIVISION OF FRONTENAC (No. 13)

SCHEDULE				
PART	LOT	CONCESSION	PIN	AREA (ha)
1	PART OF 23	9	PART OF 36240-0248	28.206
2	PART OF 23	8	PART OF 36240-0249	1.222
3	PART OF ROAD ALLOWANCE	BETWEEN CON. 8 AND CON. 9	PART OF 36240-0248	19.232

**PLAN OF SURVEY OF PART OF LOT 23, CONCESSIONS 8 & 9 AND PART OF THE ROAD ALLOWANCE BETWEEN CONCESSIONS 8 & 9**

GEOGRAPHIC TOWNSHIP OF BEDFORD  
MUNICIPALITY OF THE TOWNSHIP OF SOUTH FRONTENAC  
COUNTY OF FRONTENAC

SCALE 1 : 1500 METRES  
0 5 10 15 20 30 40 50 60 70 80 90 100 120

**LEGEND**

- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT SET
- SSB DENOTES SHORT STANDARD IRON BAR
- SB DENOTES STANDARD IRON BAR
- W DENOTES WOODEN BAR
- WT DENOTES WITNESS
- M DENOTES MEASURED
- HMB DENOTES HUMPHRIES & BURGHAM, O.L.S.
- P1 DENOTES PLAN 13R-16874
- P2 DENOTES SURVEY BY HUMPHRIES & BURGHAM, O.L.S. ILLUSTRATING DESCRIPTION OF PART OF LOT 23, CON. 8, 1352 DENOTES BRIAN KERR SURVEYING LTD., O.L.S.

**BEARING NOTES**  
BEARINGS ARE UTM, QRS, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK OBSERVATIONS, UTM ZONE 18 (75 WEST LONGITUDE), NAD83(CSRS(2011)). FOR BEARING COMPARISONS, THE FOLLOWING ROTATIONS WERE APPLIED:  
P1 - 1°08'45" CLOCKWISE

**DISTANCE NOTES - METRIC**  
DISTANCES ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.  
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE CORRECTED SCALE FACTOR OF 0.999760.

**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT:  
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.  
2. THE SURVEY WAS COMPLETED ON (FIELD NOTE DATE).

(SIGNATURE DATE) **DRAFT**  
DATE: \_\_\_\_\_

**UTM COORDINATES**

UTM ID	NORTHING	EASTING
18	4948811.08	278331.48
19	4947999.08	278331.48

**IBW SURVEYORS**  
IBWSURVEYORS.COM | 1.800.467.0494



1 : 15,000



WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© Latitude Geographics Group Ltd.

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THIS MAP IS NOT TO BE USED FOR NAVIGATION



Legend

Provincially Significant Wetlands

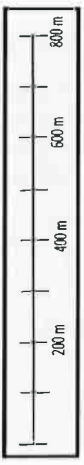
PSW 120 m Buffer

Notes

Distance to Wetlands



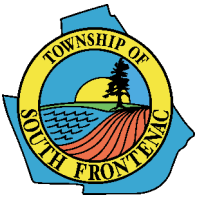
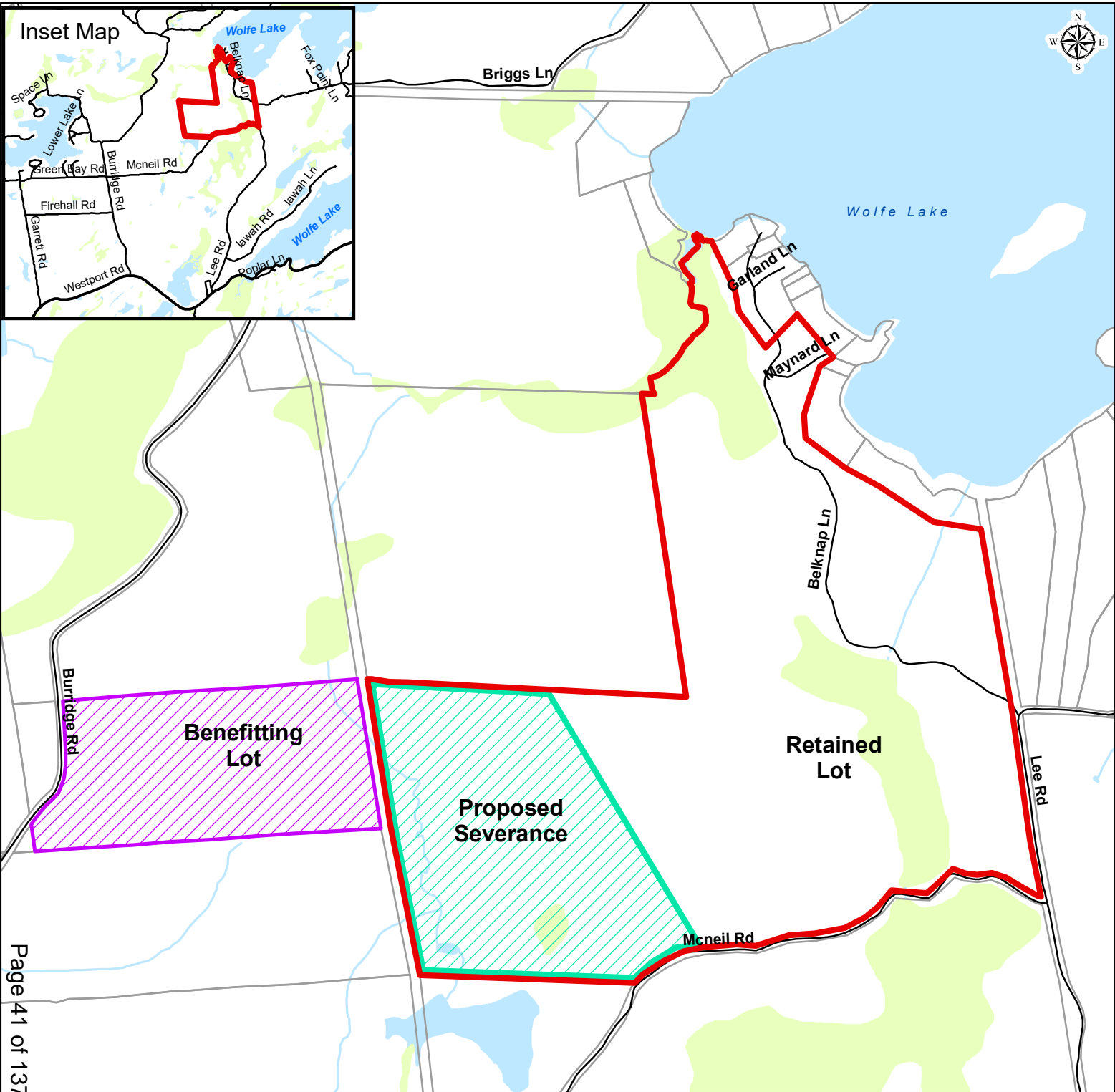
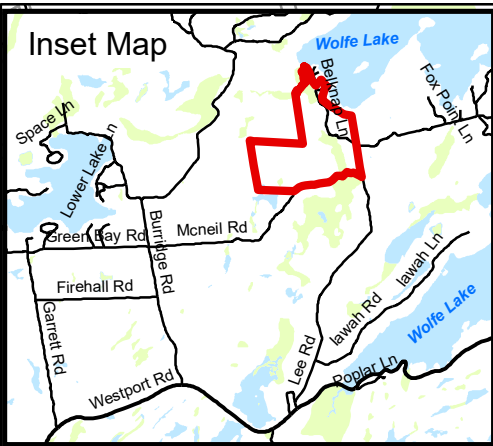
1 : 15,000



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WGS\_1984 Web\_Mercator\_Auxiliary\_Sphere  
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

Notes





**1995926 ONTARIO LIMITED  
(Greenslade & Black)  
S-22-19-B**

**MCNEIL RD**

**Legend**

-  1995926 ONTARIO LIMITED Property
-  Proposed Severance
-  Benefitting Lot (Black)
-  Parcel Fabric
-  River / Stream
-  Provincially Significant Wetlands
-  Water Area, Permanent
-  Wetland Area, Permanent

**Waterbodies**

-  Water Area, Permanent
-  Wetland Area, Permanent

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 1:11,000

037.575 150 225 300



Meters

UTM Projection NAD 83



# REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



## PLANNING REPORT – CONSENT APPLICATION

**Report Date:** November 8, 2019

**Application Nos:** S-22-19-B

**Owner:** 1995926 Ontario Limited

**Location of Property:** Part Lot 23 East, Part Lot 24 and Part Lot 25 South, Concession 9, District of Bedford, Township of South Frontenac

**Purpose of Application:** Consent for a lot addition

**Date of Hearing:** November 14, 2019

**Recommendation:** That provisional consent be:

- granted with conditions (attached)
- deferred
- denied

**Purpose:** enlarge abutting lot

- create new lot
- right-of-way / easement
- other:

<b>Area Severed:</b> 70 ac (28.3 ha) <b>Water Frontage:</b> N/A <b>Road Frontage:</b> N/A	<b>Official Plan Designation:</b> Rural <b>Zoning:</b> Rural (RU)
<b>Area Retained:</b> 81 ha (200 ac) <b>Water Frontage:</b> Wolfe Lake <b>Road Frontage:</b> Existing frontage maintained along McNeil Road, Lee Road, Belknap Lane and Maynard Lane	<b>Official Plan Designation:</b> Rural & Environmental Protection <b>Zoning:</b> Rural (RU) & Environmental Protection (EP) Zones Provincially Significant Wetland & 120 metre buffer

**Review:** This application:

- Is consistent with the Provincial Policy Statement (s. 3(5) *Planning Act*);
- Does not require a plan of subdivision for the proper and orderly development of the municipality (s. 53(1) *Planning Act*);
- Conforms with section 51(24) of the *Planning Act*;
- Conforms with the County of Frontenac Official Plan (3.3.2);
- Conforms with the Township of South Frontenac Official Plan (5.7);
- Complies with the Township of South Frontenac Zoning By-law 2003-75 (or will comply subject to a standard condition of rezoning or minor variance); and
- Has no unresolved objections/concerns raised (to date) from agencies or the public.

### Proposal

The purpose of this application is consent for the conveyance of a lot addition from an existing property at Part Lot 23 East, Part Lot 24 and Part Lot 25 South, Concession 9, District of Bedford,



# REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



Township of South Frontenac (see attached map) to be merged with property at Part Lot 23, Concession 8 North, municipally known as 642 Burrige Road.

The subject property is a vacant parcel consisting of approximately 116 ha (286.5 ac) and fronts onto Wolfe Lake. The lands contain provincially significant wetlands associated with the Wolfe Lake Complex. The wetlands are not located on the lands that are proposed to be merged with 642 Burrige Road. The property drains towards Wolfe Lake.

There are watercourses and a small, unevaluated wetland indicated on the lands to be merged with 642 Burrige Road. The property at 642 Burrige Road contains an existing dwelling, barn and outbuildings. The lands to be merged are vacant agricultural lands. The property is to be enlarged and contain existing agricultural and wooded lands with no existing structures. The applicant has indicated that they wish to continue the use of the merged lands for agricultural purposes.

The property at 642 Burrige Road is subject to an application for road closing (File RC-19-04). It is anticipated that the by-law to close the unopened road allowance and transfer to the Blacks and Greenslades for the road closing will be finalized at the November 19, 2019 meeting of Council. The unopened road allowance is located between 642 Burrige Road and the 28.3 ha (70 ac) of land to the east to be merged with 642 Burrige Road.

## Agency Analysis and Comments

Public Services Department – The application was not required to be circulated to Public Services as the existing entrance will be maintained at 642 Burrige Road.

KFL&A Public Health – The application was not required to be circulated to the Health Unit as the existing septic system will not be impacted and will continue to be maintained at 642 Burrige Road.

Rideau Valley Conservation Authority – The RVCA have indicated that they have no objection to the subject application as noted in their comments dated October 31, 2019 indicating that they have no concerns associated with Sections 2.1, 2.2, or 3.1 of the PPS. Should there be any proposed modifications to watercourses on the property, written permission is required from this office in accordance with Ontario Regulation 174/06 under Section 28 of the Conservation Authorities Act. RVCA strongly encourage the preservation of the wetlands and recommend actions for maintaining downstream water quality by reducing pollutant loadings, proper septic system maintenance and maximizing setbacks from the normal high water mark as indicated in the Rideau Lakes Study. Care should be taken to avoid land uses and practices that may inadvertently lead to undesirable effects on groundwater. This can be achieved by taking advantage of the RVCA's Rural Clean Water Program.

Public Comments – No comments have been received from the public to date.

## Conclusion

The consent application conforms with the Provincial Policy Statement, County Official Plan and South Frontenac Official Plan. The lot addition is not required to be rezoned. The lot addition will increase the lot area of the existing property at 642 Burrige Road. The application is subject to the recommended conditions:

## Recommended Conditions

\*\*Conditions are a decision of the Committee of Adjustment, the conditions below are recommended. The final approved conditions will be included in the signed decision\*\*

### Expiry Period

1. Conditions imposed must be met within one year of the date of notice of decision, as required by Section 53(41) of the *Planning Act*, RSO 1990, as amended. If conditions are not fulfilled as prescribed within one year, the application shall be deemed to be refused. Provided the conditions and the Certificate of Official is stamped within one year. The application is valid for two years from the date the certificate was given and the deed must be registered within two years of the issuance of the certificate of official.



# REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



## Severed Lands

2. The land to be severed by Consent Application S-22-19-B shall be for a lot addition with an area of approximately 70 +/- acres to be conveyed only to 642 Burrige Road (Roll no. 102901001003700).
3. The lands to be severed are for the purpose of a lot addition only to the adjacent lands described as Part Lot 23 Concession 8 North (PIN 36240-0200), municipally described as 642 Burrige Road and any subsequent transfer, charge or other conveyance of the lands to be severed is subject to Section 50(3) (or subsection 50(5) if in a plan of subdivision) of the *Planning Act*. Neither the lands to be severed nor the adjacent lands are to be reconveyed without the other parcel unless a further consent is obtained. The owner shall cause the lands to be severed to be consolidated on title with the adjacent lands and for this condition to be entered into the parcel register as a restriction.

## Survey/Reference Plan or Registerable Description

4. An acceptable reference plan or legal description of the severed lands in duplicate [*Registry Act*, s.81, *Land Titles Act*, s. 150], the deed or instrument conveying the severed lands, and the Certificate of Official 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 date of Decision [*Planning Act*, ss. 53(17) and 53(24)].

## Road Widening

5. The surveyor who prepares the reference plan referred to in Condition #3 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 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.

## Municipal Requirements

6. 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.
7. The Township of South Frontenac shall receive \$100 in lieu of parkland [*Planning Act*, s. 51(1)].



## REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



8. 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.
9. Where a violation of the Township of South Frontenac Comprehensive Zoning Bylaw is evident, the appropriate minor variance or rezoning be obtained to the satisfaction of the Municipality.
10. Prior to the stamping of the deeds for S-22-19-B, the transfer of the portion of road allowance involved in the road closing application RC-19-04, shall be transferred to the property proposed to be enlarged by this severance. The Black/Greenslade application is required to be finalized for the road closing application file RC-19-04 (Black/Greenslade).

**Submitted by:** Trudy Gravel, CPT, AMCT, Planner, Township of South Frontenac

**Approved by:**

Claire Dodds, MCIP, RPP, Director of Development Services, Township of South Frontenac

**Attachments:** Map of 1995926 Ontario Limited property

**Site Visit:** June 6, 2019



3889 Rideau Valley Drive  
PO Box 599, Manotick ON K4M 1A5  
T 613-692-3571 | 1-800-267-3504  
F 613-692-0831 | www.rvca.ca

October 31, 2019  
19-SFR-SEV-0029 (BEDFORD)

Township of South Frontenac  
Committee of Adjustment  
P.O. Box 100  
4432 George Street  
Sydenham, ON  
K0H 2T0

Attention: Michelle Hannah

Subject: **1995926 Ontario Limited**; Application **S-22-19-B** – Part Lot 24 and 25 South, Concession 9; Former Township of Bedford, Now the Township of South Frontenac; Roll Number: 1029010010093000000

Dear Ms. Hannah,

The Rideau Valley Conservation Authority (RVCA) has reviewed the subject application within the context of:

- Section 2.1 Natural Heritage, 2.2 Water and 3.1 Natural Hazards of the Provincial Policy Statement under Section 3 of the Planning Act;
- The Rideau Valley Conservation Authority (“Development, Interference with Wetlands and Alteration to Shorelines and Watercourses” regulation 174/06 under Section 28 of the Conservation Authorities Act);
- The Rideau Lakes – Wolfe Lake Catchment Report;,
- The Mississippi-Rideau Source Protection Plan;

### The Proposal

The RVCA understands this proposal to be for an addition-to-lot severance where approximately 25.2 hectares will be added from the subject property to 642 Burrigge Road.

### The Property

The lot from which the 28.3 hectares will come does not have an address. It is approximately 107 hectares and fronts onto Wolfe Lake. There are several provincially significant wetlands

**Proudly working in partnership  
with our 18 watershed municipalities**

Athens, Augusta, Beckwith, Central Frontenac, Clarence-Rockland,  
Drummond/North Elmsley, Elizabethtown-Kitley, Merrickville-Wolford, Montague,  
North Dundas, North Grenville, Ottawa, Perth, Rideau Lakes, Smiths Falls, South Frontenac, Tay Valley, Westport

associated with the Wolfe Lake Complex located on it, but it does not appear that these wetlands are proposed to be included in the lands to be added to 642 Burr Ridge Road.

There are watercourses and several small, unevaluated wetlands indicated on the lands to be transferred to 642 Burr Ridge Road and which were observed during a site visit to the property. There is a large swath of organic soils indicated, although it does not appear that these are within the lands to be added to 642 Burr Ridge Road.

## **Review Comments and Recommendations**

### Provincial Policy Statement

Our office has no concerns associated with Sections 2.1, 2.2 or 3.1 of the PPS as a result of this proposed lot addition.

### Ontario Regulation 174/06

The applicants should be aware that any watercourses on the subject property are regulated under Ontario Regulation 174/06. As such, should any modifications to watercourses be proposed, prior written permission is required from our office in accordance with our regulation (Development, Interference with Wetlands, Alterations to Shoreline and Watercourses) made under Section 28 of the Conservation Authorities Act.

### Unevaluated Wetlands

Unevaluated wetlands are currently required to be regulated under the Conservation Authorities Act. Given the numerous benefits of all wetlands, the Conservation Authority strongly encourages their preservation. These benefits include: attenuation of flood water; serving as a groundwater recharge/discharge area and providing a more stable source of water during low water conditions; filtering our drinking water; and providing habitat to many species of plants and animals (often including fish). The RVCA is in the process of reviewing the implementation of our policies and procedures to comply with the updated Conservation Authorities Act. For further information on these changes please see the following link: <http://conservationontario.ca/policy-priorities/conservation-authorities-act/>.

### Rideau Lakes – Wolfe Lake Catchment Report

Ultimately, this property drains towards Wolfe Lake. Therefore, reference has been made to that catchment report for indications of downstream water quality and recommended actions.

The water quality report for Wolfe Lake is “fair” according to the Catchment Report. Nutrient concentrations are generally low-moderate according to the Provincial Water Quality Objectives (PWQO) with few exceedances. Efforts such as the diversion of runoff and enhanced shoreline buffers are important to continue to protect and enhance water quality and reduce future nutrient increases. This is particularly important for roadways and dwellings that border the lake. Residents can help minimize their impact on the lake by reducing nutrient inputs through practices such as proper septic maintenance, keeping shorelines natural and using phosphate free soaps and detergents. Wolfe Lake is characterized by warm water fish species.

Opportunities for action within Wolfe Lake are indicated as being:

- Reduce pollutant loadings to Wolfe Lake through application of shoreline and stormwater best management practices, including consideration of low impact development methods.
- Proper septic system maintenance,
- Maximizing setbacks from the normal highwater mark as indicated in the Rideau Lakes Study.

### Source Water Protection

The subject property is also identified as overlying a highly vulnerable aquifer. These are aquifers that are vulnerable to surface contaminants due to thin or absent soils overlying bedrock that may be fractured. Where these conditions exist, it may be possible for contaminants to enter drinking ground water supplies. For this reason, care should be taken to avoid land uses and practices that may inadvertently lead to undesirable effects on groundwater.

### **Recommendations**

The RVCA would recommend that the owners of the recipient lots consider taking advantage of the RVCA's Rural Clean Water Program. RVCA staff can assist with preparing Forest Management Plans or providing information on the Trees for Tomorrow Program. If the applicants are interested in this service they should contact Scott Danford ([scott.danford@rvca.ca](mailto:scott.danford@rvca.ca) or 613-692-3571 x 1175) or Derek Matheson ([derek.matheson@rvca.ca](mailto:derek.matheson@rvca.ca) or 613-692-3571 x 1134) at our Manotick office. This is a voluntary program.

### **Conclusions**

In conclusion, The Rideau Valley Conservation Authority has no objection to the subject application. The RVCA would like its comments and recommendations noted on any decision from the Committee.

Thank you for the opportunity to comment and please do not hesitate to contact the undersigned at (613) 267-5353 x 131 should you have any questions.

Please advise us on the Committee's decision respecting this application or any changes in the status of the application.

Yours truly,



Phil Mosher  
Planner RPP

cc – Barry Greenslade, agent  
cc – Joanne McGurn, KFLPHA  
cc – Bruce Maynard, owner

TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR CONSENT  
Planning Act, R.S.O. 1990, c. P.13 as amended

Date Received: Sept. 20, 2019

File No: S-23-19-5

1. Name of Owner(s): 1974658 ONTARIO LIMITED

Full Mailing Address of Owner(s): [REDACTED]  
[REDACTED]

Phone number of Owner(s): [REDACTED]

Email Address of Owner(s): [REDACTED]

2. If the applicant is **NOT** the owner of the subject land, the written authorization of the owner that the applicant is authorized to make the application, must accompany the application.

Name of Authorized Agent: WILLIAM H. CARP OR TREENA GARRISON

Full Mailing Address of Authorized Agent: [REDACTED]  
[REDACTED]

Phone number of Authorized Agent: [REDACTED]

Email Address of Authorized Agent: [REDACTED]

Agent as named above is hereby authorized to act on behalf of the owners for purposes of processing this application for Minor Variance.

[REDACTED] [REDACTED]  
Signature(s) of Owner(s)

*XX PREFER TO PICK UP SIGNAGE AT TOWNSHIP OFFICE*

3. The description of the subject land:

District:  Bedford  Portland  Loughborough  Storrington

Concession Number: 7 Lot Number: 32

Street Number: \_\_\_\_\_ Name of Road/Street: MAPLE CREST COURT

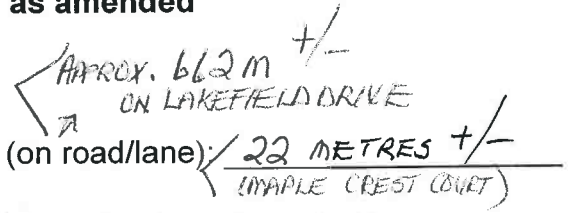
Reference Plan Number: \_\_\_\_\_ Part Number(s): \_\_\_\_\_

Roll Number: \_\_\_\_\_

*PURPOSE: TO ALLEVIATE AN UNUSABLE NECK OF LAND AND TO HELP ELIMINATE TRESPASSING-*

**TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR CONSENT**  
**Planning Act, R.S.O. 1990, c. P.13 as amended**

4. The frontage(s), depth and area of the subject land.



Frontage (on water): 7710' +/-

Frontage (on road/lane): 22 METRES +/- (MAPLE CREST COURT)

Depth: 86 METRES +/-

Area: 69.01 AC / 27.9 HA

5. The type and the purpose of the proposed transaction, such as a transfer for the creation of a new lot, a lot addition, an easement/right-of-way, a charge, a lease or a correction of title.

LOT ADDITION

6. The following information regarding the land intended to be severed and the land to be retained:  
 NOTE: If your application is for a new lot, answer question 6(a); if the application is for a lot addition or right-of-way only, answer question 6(b).

a. The frontage, depth and the area. **(Complete this section for a new lot only)**

Proposed New Lot:

Retained Lot:

Frontage On Road \_\_\_\_\_

Frontage On Road \_\_\_\_\_

Frontage On Water \_\_\_\_\_

Frontage On Water \_\_\_\_\_

Depth \_\_\_\_\_

Depth \_\_\_\_\_

Area \_\_\_\_\_

Area \_\_\_\_\_

Please list/describe the existing and proposed **USES** of the land to be severed and to be retained:

Existing Uses

Proposed Uses

New Lot: \_\_\_\_\_

\_\_\_\_\_

Retained: \_\_\_\_\_

\_\_\_\_\_

Structures Existing

Structures Proposed

New Lot: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR CONSENT**  
**Planning Act, R.S.O. 1990, c. P.13 as amended**

Structures Existing

Structures Proposed

Retained Lot: \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_

(b) The frontage, depth and the area. **(Complete for a lot addition or right-of-way (R.O.W.) only)**

Proposed Lot Addition (or right-of-way)

Retained Lot: (This is the property from which the lot addition is being severed or over which the R.O.W. will run)

Frontage On Road: 22 METRES +/-

Frontage On Road: Ø

Frontage On Water: N/A

Frontage On Water: 7710' +/-

Depth: 86 METRES +/-

Depth: Ø

Area: 3,075 m<sup>2</sup> +/-

Area: 27.59 HA / 68.18 AC

Please list/describe the existing and proposed **USES** of the land to be severed and to be retained:

Present Use of Property

Proposed Use of Property

Lot Addition or R.O.W.: VACANT

RESIDENTIAL

Retained: VACANT

VACANT

Structures Existing

Structures Proposed

Lot Addition (or R.O.W.): NONE

FUTURE RESIDENTIAL

Retained Lot: NONE

NONE

7. Please list the name of the person(s) to whom the land or an interest in the land is to be transferred, charged or leased (**if known**):

1974658 ONTARIO LIMITED

TO BE MERGED WITH:

PT LOT 12, PLAN 1713

**TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR CONSENT**  
**Planning Act, R.S.O. 1990, c. P.13 as amended**

8. Indicate whether there are any easements or restrictive covenants affecting the subject land and a description of each easement or covenant and its effect (**if known**):

NO

9. Name of road or lane which accesses:

The new lot (lot addition or R.O.W.): MAPLE CREST COURT

The retained lot: LAKEFIELD DRIVE

NOTE: Some roads (particularly former "County" Roads) have specific requirements for spacing between entrances. Also, any proposed new entrance must have safe sight-lines. These requirements may affect the success of your application. If you wish to check the status of your road or sight line conditions, please contact the Roads Department at 376-3027.

9. If access to the **new lot** is **by water only**, describe the parking and docking facilities to be used and the approximate distance of these facilities from the subject land and the nearest public road.

New Lot: N/A

Retained Lot: \_\_\_\_\_

10. Note the method by which water will be provided, i.e., by a publicly owned and operated piped water system, privately owned and operated individual or communal well, a lake or other water body or other means.

New Lot: PRIVATE INDIVIDUAL WELL      Retained Lot: N/A

11. Note the method by which sewage disposal will be provided, e.g. private septic, privy or other means:

New Lot: PRIVATE SEPTIC      Retained Lot: N/A

12. The current zoning of the subject land in the applicable Zoning By-law.

RU - RURAL ZONE (CROCA HAVE STATED NO COMMENT REQUIRED - SEE ATTACHED JULY 25/19 EMAIL FROM CROCA)  
WITHIN PSW 120 BUFFER

13. If known, has the subject land ever been the subject of a previous consent (severance) application OR an application for a plan of subdivision under section 51 of the Planning Act? If so, please indicate:

(a) The file #: N/A      (b) The decision on the application: \_\_\_\_\_

**TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR CONSENT**  
**Planning Act, R.S.O. 1990, c. P.13 as amended**

(c) The current use of the lot created (if applicable):

N/A

14. If known, has the subject land ever been the subject of any other application under the Planning Act, such as an application for an amendment to an official plan, a zoning by-law, a minister's zoning order, a minor variance? If so, please indicate:

(b) The file #: N/A (b) The decision on the application:

(c) The current use of the land: VACANT LOT

15. Are there any abandoned wells on the property you aware of?  Yes  No

16. A **SKETCH** must be submitted showing the following:

- a) The boundaries and dimensions of the subject land, the part that is to be severed and the part that is to be retained.
- b) The location of all land previously severed from the parcel (if applicable) originally acquired by the current owner of the subject land.
- c) The approximate location of all natural and artificial features on the subject land and on the abutting lands. Examples include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, barns, wetlands, wooded areas, wells and septic tanks. Show distance of these features from the applicant's property lines.
- d) The current uses of land that is abutting the subject land, such as residential, agricultural and commercial uses (if agricultural, please indicate the approximate distance of any barn structure from the proposed new lot).

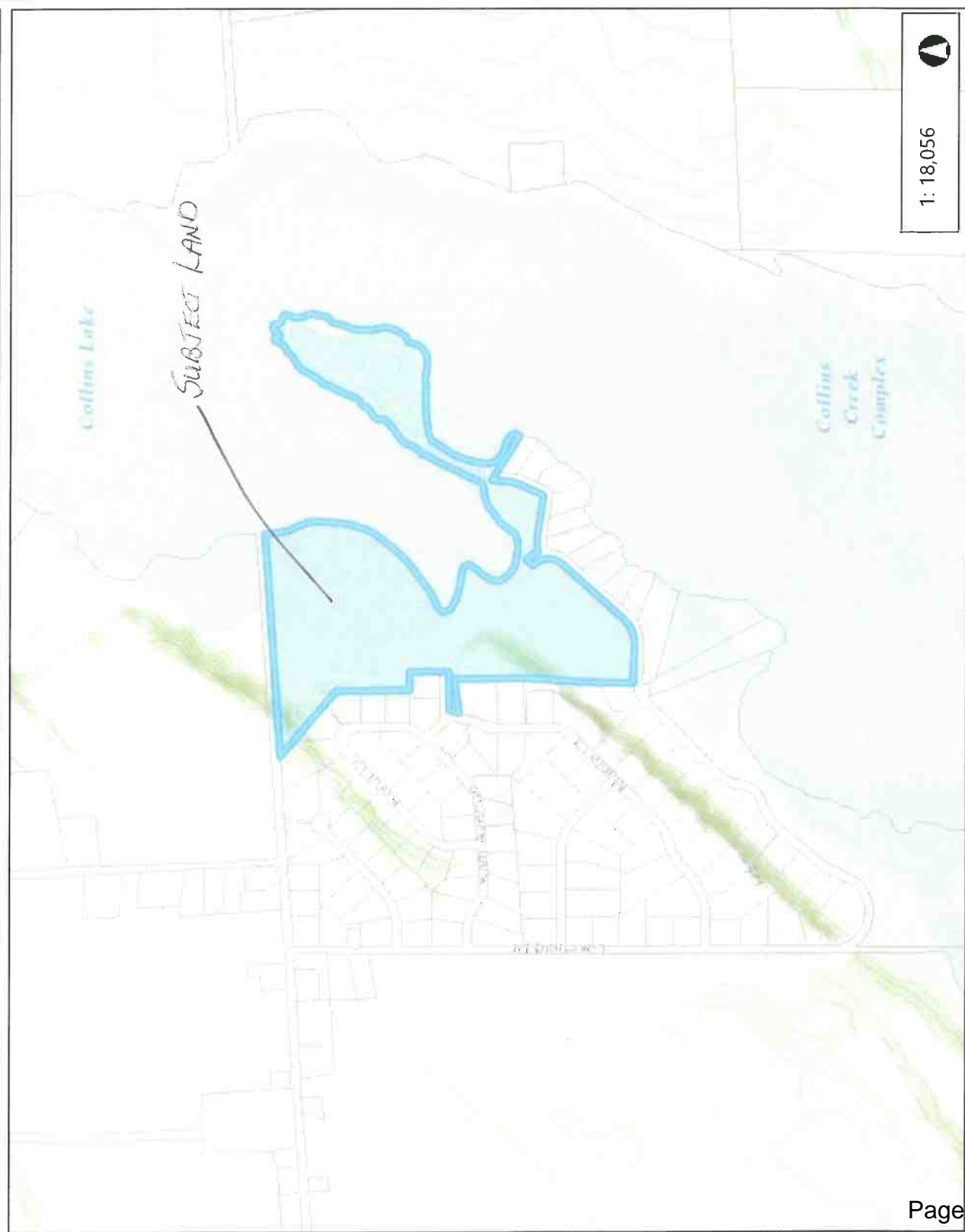
**Note: The existence of a nearby barn or other farm type structure may affect the success of your application because of incompatibility issues. Please check with the Planning Department regarding the implications of any farm structure, on your application.**

- e) The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way.
- f) If access to the subject land is by water only, the location of the parking and boat docking facilities to be used.
- g) The location and nature of any easement affecting the subject land.
- h) The location of any abandoned wells on the property.
- i) **Please prepare your sketch so that North is at the top of the page.**



Legend  
Assessment Parcels  
Citations

Notes



1: 18,056

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.  
**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

0.9 Kilometers

0.46

0





**1974658 ONTARIO LIMITED  
(Card & Garrison)  
S-23-19-S**

**LAKEFIELD DR**

**Legend**

Benefitting Lot (Card & Garrison)

Proposed Severance

1974658 ONTARIO LIMITED Property

Parcel Fabric

River / Stream

Provincially Significant Wetlands

**Waterbodies**

Water Area, Permanent

Wetland Area, Permanent

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.

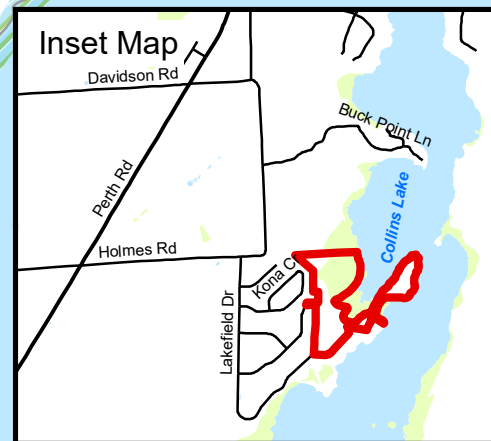
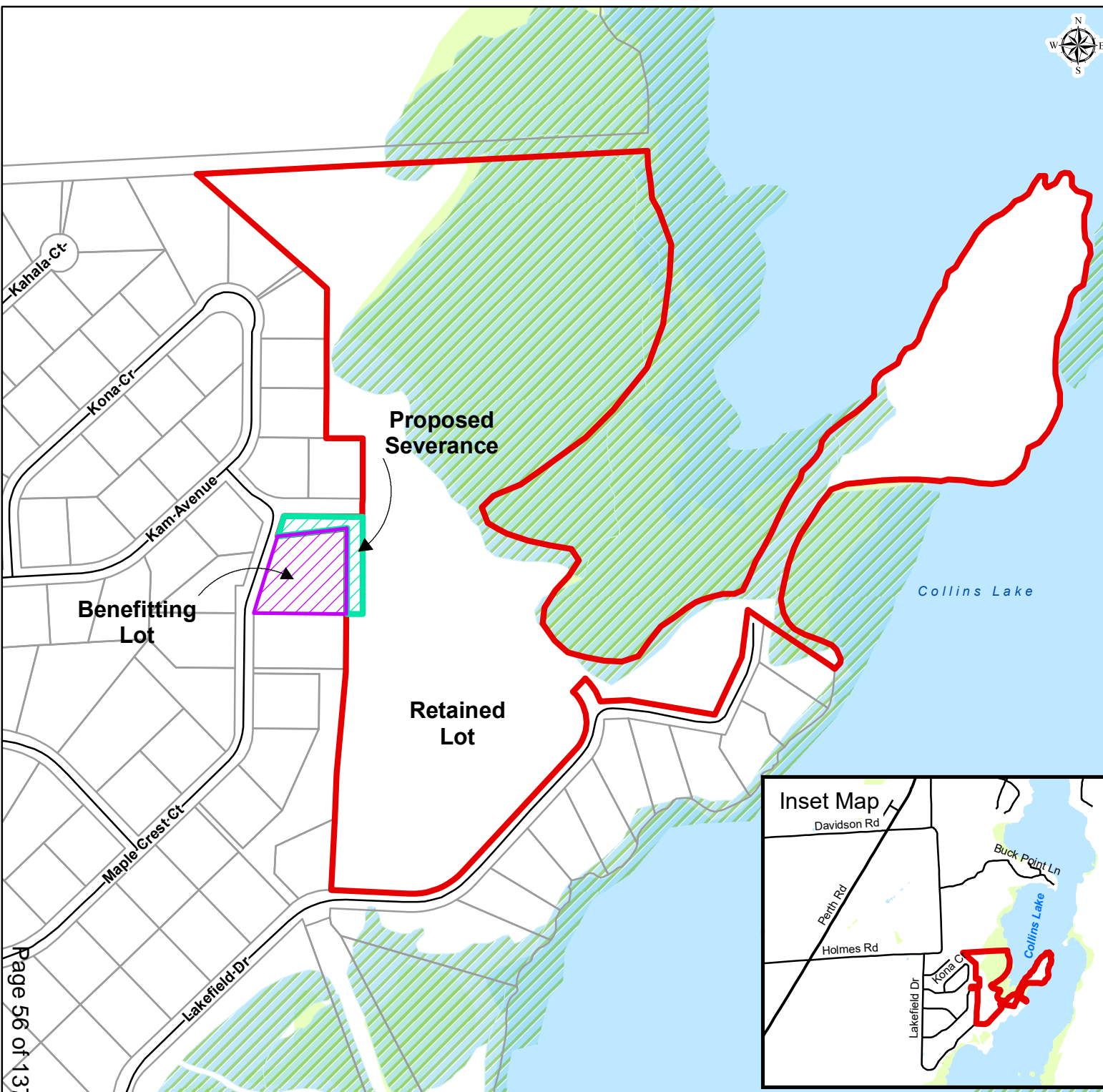
Scale 1:6,000

0 20 40 80 120 160



Meters

UTM Projection NAD 83





# REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



## PLANNING REPORT – CONSENT APPLICATION

**Report Date:** November 7, 2019

**Application Nos:** S-23-19-S

**Owner:** 1974658 Ont. Ltd. (Card & Garrison)

**Location of Property:** Part Lot 32-34, Concession 7, District of Storrington, Township of South Frontenac, Collins Lake

**Purpose of Application:** Consent for a lot addition

**Date of Hearing:** November 14, 2019

**Recommendation:** That provisional consent be:

- granted with conditions (attached)
- deferred
- denied

**Purpose:**  enlarge abutting lot

create new lot

right-of-way / easement

other:

<p><b>Area Severed:</b> 0.31 ha (0.76 ac)</p> <p><b>Water Frontage:</b> 0</p> <p><b>Road Frontage:</b> approximately 22 metres along Maple Crest Court &amp; approximately 87.18 metres along Lakefield Drive</p>	<p><b>Official Plan Designation:</b> Rural</p> <p><b>Zoning:</b> Rural (RU)</p> <p>Provincially Signification Wetland &amp; 120 metre buffer</p>
<p><b>Area Retained:</b> 68.18 ha (27.59 ac)</p> <p><b>Water Frontage:</b> approx. 2,350 m (7,710 ft) along Collins Lake</p> <p><b>Road Frontage:</b> Lakefield Drive</p>	<p><b>Official Plan Designation:</b> Rural &amp; Environmental Protection</p> <p><b>Zoning:</b> Rural (RU) Environmental Protection (EP) Zones</p> <p>Provincially Significant Wetlands &amp; 120 metre buffer</p>
<p><b>Parcel to be Enlarged</b></p> <p>Plan 1713 Part Lot 12, Lyons Landing</p>	<p><b>Official Plan Designation:</b> Rural</p> <p><b>Zoning:</b> Residential (R) Zone</p>

**Review:** This application:

- ✓ Is consistent with the Provincial Policy Statement (s. 3(5) *Planning Act*);
- ✓ Does not require a plan of subdivision for the proper and orderly development of the municipality (s. 53(1) *Planning Act*);
- ✓ Conforms with section 51(24) of the *Planning Act*,
- ✓ Conforms with the County of Frontenac Official Plan (3.3.3);
- ✓ Conforms with the Township of South Frontenac Official Plan (5.7 & 7.0);
- ✓ Complies with the Township of South Frontenac Zoning By-law 2003-75 (or will comply subject to a standard condition of rezoning or minor variance); and



# REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



- ✓ Has no unresolved objections/concerns raised (to date) from agencies or the public.

## Proposal

The purpose of this application is consent for the lot addition parallel from an existing property at Part Lots 32-34, Concession 7, District of Storrington, Township of South Frontenac (see attached map) to enlarge the existing Lot at Part Lot 12 on Plan 1713, Lyons Landing. The subject lands are located at the southeast corner of Maple Crest Court and Lakefield Drive and are located along the west shore of Collins Lake. The lands to be merged are vacant and are zoned Rural and Environmental Protection Zone.

The lands to be transferred is located between the north lot line of Part Lot 12 and the road allowance for Lakefield Drive and also includes a strip of land being taken from the rear lot line.

The applicants have indicated that the purpose of the lot addition is to transfer an unusable portion of land to enlarge a lot in the Lyons Landing Subdivision in the hopes of eliminating trespassing that has historically occurred on the property.

## Agency Analysis and Comments

Public Services Department – The application was not required to be circulated to Public Services at this time.

KFL&A Public Health – The application was not required to be circulated to the Health Unit as a septic system is not proposed at this time.

Cataraqui Region Conservation Authority – The application was not required to be circulated to the CRCA based on meeting with the applicant previously. In correspondence received July 25, 2019 staff of the CRCA had indicated that they had no concerns and were not required to be circulated.

Public Comments – One member of the public called on November 4, 2019 requesting additional information.

## Conclusion

The consent application conforms with the Provincial Policy Statement, County Official Plan and South Frontenac Official Plan. The lot addition is required to be rezoned from the Rural Zone to the Residential (R) Zone. The lot addition will increase the lot area of the existing property at Plan 1713 in Lyons Landing. The application is subject to the recommended conditions:

## Recommended Conditions

\*\*Conditions are a decision of the Committee of Adjustment, the conditions below are recommended. The final approved conditions will be included in the signed decision\*\*

### Expiry Period

1. Conditions imposed must be met within one year of the date of notice of decision, as required by Section 53(41) of the Planning Act, RSO 1990, as amended. If conditions are not fulfilled as prescribed within one year, the application shall be deemed to be refused. Provided the conditions and the Certificate of Official is stamped within one year. The application is valid for two years from the date of the certificate issuance and the deed must be registered within two years of the issuance of the certificate of official.

### Severed Lands

2. The land to be severed by Consent Application S-23-19-S shall be for a lot addition with an area of approximately 0.31 ha (0.76 +/- ac) to be conveyed only to Part Lot 12 on Plan 1713, Lyons Landing (Roll no. 102906001006414).
3. The lands to be severed are for the purpose of a lot addition only to the adjacent lands described as Part Lot 12 on Plan 1713 Lyons Landing (PIN 36294-0662 and any subsequent



## REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



transfer, charge or other conveyance of the lands to be severed is subject to Section 50(3) (or subsection 50(5) if in a plan of subdivision) of the Planning Act. Neither the lands to be severed nor the adjacent lands are to be reconveyed without the other parcel unless a further consent is obtained. The owner shall cause the lands to be severed to be consolidated on title with the adjacent lands and for this condition to be entered into the parcel register as a restriction.

### Survey/Reference Plan or Registerable Description

4. An acceptable reference plan or legal description of the severed lands in duplicate [*Registry Act*, s.81, *Land Titles Act*, s. 150], the deed or instrument conveying the severed lands, and the Certificate of Official 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 date of Decision [*Planning Act*, ss. 53(17) and 53(24)].

### Municipal Requirements

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. The Township of South Frontenac shall receive \$100 in lieu of parkland [*Planning Act*, s. 51(1)].
7. 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.
8. Where a violation of the Township of South Frontenac Comprehensive Zoning Bylaw is evident, the appropriate minor variance or rezoning be obtained to the satisfaction of the Municipality.
9. Prior to the stamping of the deeds, the applicant shall rezone the lot addition from the portion of lands located in the Rural (RU) Zone to the Residential (R) Zone to ensure that the entire property at Part Lot 12 on Plan 1713 is consistently in the Residential (R) Zone. Please see the Township's Planning Department to begin this process.

**Submitted by:** Trudy Gravel, CPT, AMCT, Planner, Township of South Frontenac

**Approved by:**

Claire Dodds, MCIP, RPP, Director of Development Services, Township of South Frontenac

**Attachments:** Map of 1974658 Ontario Limited property

**Site Visit:** November 1, 2019

TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR MINOR VARIANCE  
Planning Act, R.S.O. 1990, c. P.13 as amended

Date Received: Sept 13, 2019

File No: MV-33-19-S

1. Name of Owner(s): LEE CHAMBERLAIN

Full Mailing Address of Owner(s): [REDACTED]

[REDACTED]

Phone number of Owner(s): [REDACTED]

Email Address of Owner(s): [REDACTED]

2. If the applicant is **NOT** the owner of the subject land, the written authorization of the owner that the applicant is authorized to make the application, must accompany the application.

Name of Authorized Agent: GAY CHAMBERLAIN (Sister)

Full Mailing Address of Authorized Agent: [REDACTED]

[REDACTED]

Phone number of Authorized Agent: [REDACTED]

Email Address of Authorized Agent: [REDACTED]

Agent as named above is hereby authorized to act on behalf of the owners for purposes of processing this application for Minor Variance.

[REDACTED]  
Signature(s) of Owner(s)

3. The description of the subject land:

District:  Bedford  Portland  Loughborough  Storrington

Concession Number: I Lot Number: 19+20

Street Number: 1671 Name of Road/Street: Burnt Hills Road

Reference Plan Number: \_\_\_\_\_ Part Number(s): \_\_\_\_\_

Roll Number: 060060178000 000

**TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR MINOR VARIANCE**  
**Planning Act, R.S.O. 1990, c. P.13 as amended**

4. The frontage(s), depth and area of the subject land.

Frontage (on water): 1200 ft      Frontage (on road/lane): 1000 ft  
 Depth: 300 ft.      Area: approx 300,000 ft<sup>2</sup>

5. The current zoning of the subject land:

(Rw) Water front Residential

6. The nature and extent of the relief from the Zoning By-law:

I am planning to build a single story garage. A corner of the garage encroaches onto 30m Set-Back - approx 3m  
 5.8.2 - 30m Hwm  
 8.3.3 - 30m Hwm  
 8.3.2 - 6m - B < 6m (5.8m)  
 5.24.2 - Front-Yard

7. The reason why the proposed use cannot comply with the provisions of the Zoning By-law:

The garage is limited by granite rock, a cliff, hydro pole & direction of the driveway.

8. Does the subject property front on a municipally maintained road?  Yes       No  
 OR a privately maintained road?     Yes       No

Name of Road/Lane:

Burnt Hills Road

9. **If access to the subject property is by water only**, please indicate the parking and docking facilities used or to be used and the approximate distance of these facilities from the subject land and the nearest public road.

No

10. What are the existing uses of the subject land?

Residential.

11. Please indicate whether there are any **EXISTING** buildings or structures on the subject land. (I.e. residence, garage, shed, etc.)

Yes       No

**TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR MINOR VARIANCE**  
*Planning Act, R.S.O. 1990, c. P.13 as amended*

12. If the answer to item 11 is yes, for EACH building or structure indicate:

Type of Structure (E.g. residence)	(1)	(2)	(3)	(4)
Setback from Front Lot Line	36m	Small sleeping cabin (Bunkie) - do not have the water or sewage. 50m		
Setback from Rear Lot Line	13m	25m		
Setback from Side Lot Line	200m + 50m	> 200m + 90m		
Height of Building (Also indicate if it is one story or two story)	2 story 22.5 ft. 6.9m	1 story 11 ft 3.4 m		
Dimensions of Floor Area	53' x 25' 16.1m x 7.6m	24' x 16' 7.3m x 4.9m		
Setback from High Water Mark (If applicable)	13m	18m		

13. The proposed uses of the subject land:

Residential + Garage for my camper and a car.

14. Are any building(s) or structure(s), or additions to existing building(s) or structure(s), PROPOSED to be built on the subject land?

Yes NAAD LLC

**TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR MINOR VARIANCE**  
**Planning Act, R.S.O. 1990, c. P.13 as amended**

15. If the answer to item 14 is yes, for each proposed addition, building or structure indicate:

Type of Structure (E.g. residence)	(1)	(2)	(3)	(4)
Setback from Front Lot Line	Garage . 20m			
Setback from Rear Lot Line	27m			
Setback from Side Lot Line	60m +/- >100m			
Height of Building (Also indicate if it is one story or two story)	6m			
Outside Dimensions of Building/Structure	32 x 24 ft 9.75 x 7.32 m			
Setback from High Water Mark (If applicable)	27m			

NOTES: 1) If the subject property is on waterfront, and on a private lane, the setback from the front lot line and the setback from the high water mark will be the same.  
 2) The dimensions required in this question relate to the **NEW CONSTRUCTION ONLY**, and **NOT** to the total size of the completed building.

16. Do your plans include any **DEMOLITION** of existing structures?  Yes  No

If yes, please provide details:

---

**TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR MINOR VARIANCE**  
*Planning Act, R.S.O. 1990, c. P.13 as amended*

17. Do your plans include the **RAISING** of an existing structure?  Yes  No

If yes, please provide details:

---

18. What are the uses of the proposed development?

- (a) Increase in number of bedrooms  Yes  No
- (b) Increase in plumbing fixtures  Yes  No
- (c) Increase in living space  Yes  No
- (d) Will the addition or structure encroach on the existing septic system?  Yes  No

19. The date the subject land was acquired by the current owner:

October 2018

20. The date the existing buildings and structures were constructed on the subject lands:

2006 (I believe)

21. The length of time that the existing uses of the subject land have continued:

continuous - residential.

22. Indicate whether water is provided to the subject land by a publicly owned and operated piped water system, a privately owned and operated individual or communal well, a lake, or other water body, or other means:

private well. No water going to the garage.

23. Indicate whether sewage disposal is provided to the subject land by a publicly owned and operated sewage system, a privately owned and operated individual or communal septic system, a privy, or other means:

private septic. Garage will not be connected.

24. Is storm drainage provided by sewers, ditches, swales or by other means?

ditches.

**TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR MINOR VARIANCE**  
*Planning Act, R.S.O. 1990, c. P.13 as amended*

25. Please indicate whether the subject land is subject of an application under the Planning Act for approval of a Plan of Subdivision or Consent.

Yes       No

26. If the answer to question 25 is yes, please give the file number of the application and the status of the application.

---

27. If known, please indicate whether the subject land has ever been the subject of an application under Section 43 of the Planning Act (Minor Variance).

Yes       No      *Unknown.*

28. If the answer to item 27 is yes, please give the file number of the application and the status of the application.

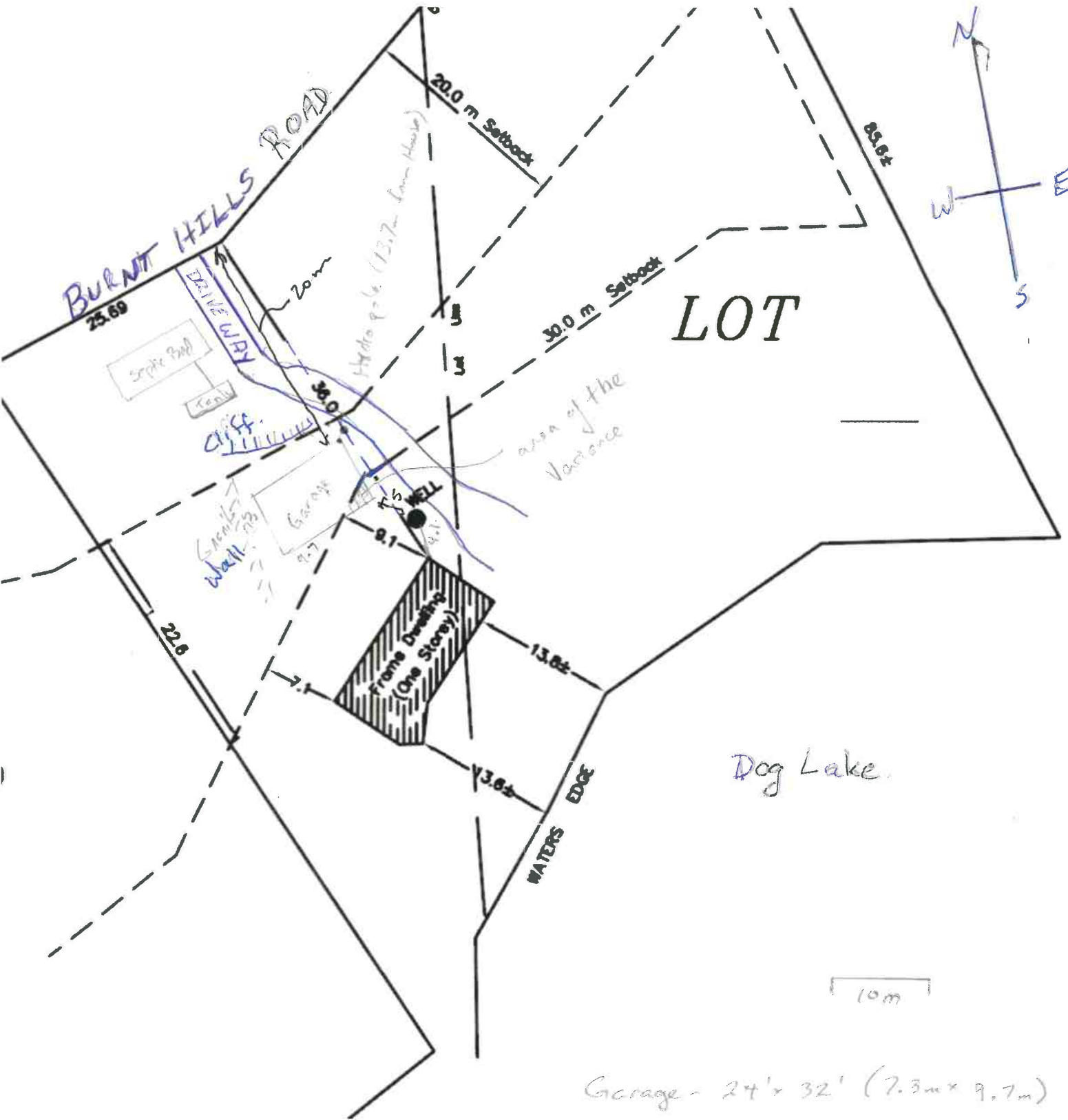
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29. A **SKETCH** must be submitted showing the following:

- i) THE SKETCH **MUST** HAVE A NORTH ARROW AT THE TOP OF THE PAGE.
- ii) The boundaries and dimensions of the subject land including the location of any existing and proposed buildings.
- iii) The location of a reference point.....i.e. distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing.
- iv) The location of all abutting (neighbours') lands.
- v) The approximate location of all natural and artificial features on the subject land and on the land that is adjacent to the subject land. Examples include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, barns, wetlands, wooded areas, wells and septic tanks. Show distance of these features from the applicant's property lines.

**\*\*Note: \*\*** The distances to on-site and abutting owners' wells, septic fields and barns, from the property to be varied, **IS REQUIRED** to be shown. The **SKETCH** is of significant importance and should be prepared as carefully, neatly and accurately as possible.

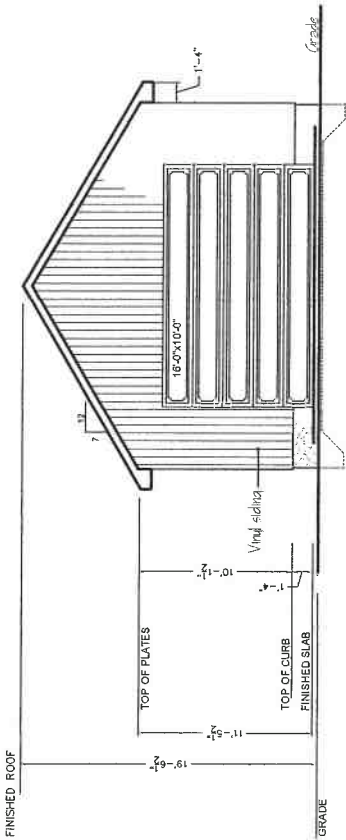




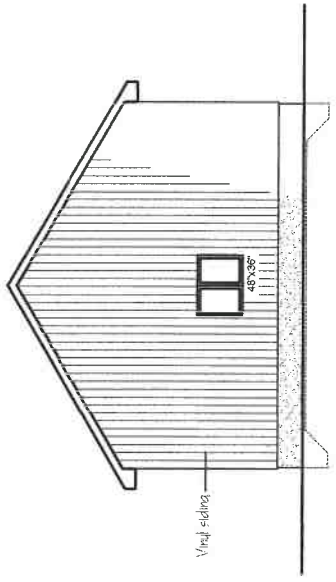
Garage - 24' x 32' (7.3m x 9.7m)

Distance to neighbours wells or  
 Septic is >100m in any direction

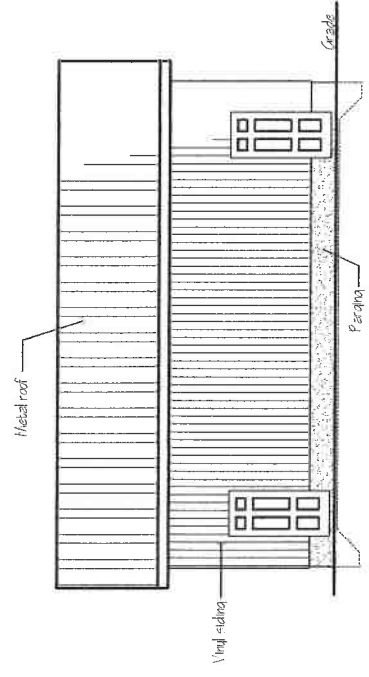
Standard Note:  
These drawings are designed in accordance with the 2012 Ontario Building Code



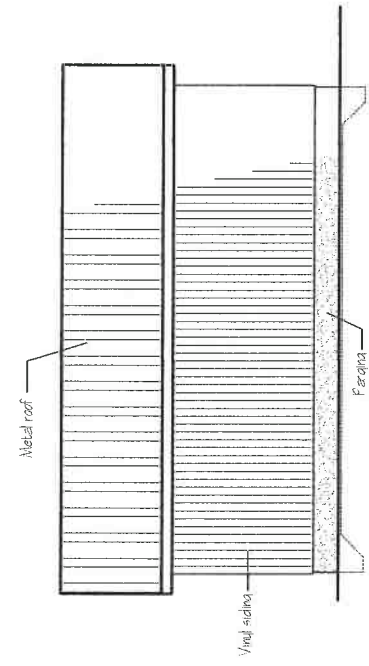
1  
A2  
FRONT ELEVATION  
1/8"=1'-0"



2  
A2  
REAR ELEVATION  
1/8"=1'-0"



3  
A2  
LEFT ELEVATION  
1/8"=1'-0"

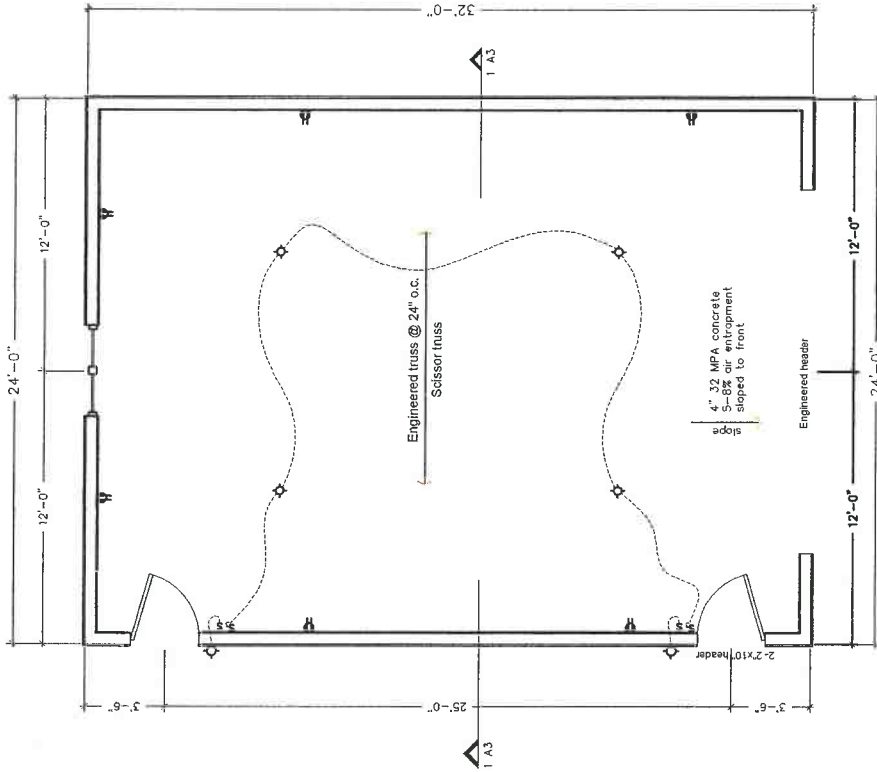


4  
A2  
RIGHT ELEVATION  
1/8"=1'-0"

Attn: Building Official  
City of Toronto  
100 Queen Street West  
Toronto, Ontario M5H 2N2  
Phone: (416) 392-7923  
Fax: (416) 392-7924  
Email: oc@cityoftoronto.com

<b>LOT INFORMATION</b> Plot: _____ Lot: _____ Co.: _____	
<b>OPERATION</b> CRAIG LEEHAN 13977 Sunken Road Horowitz Phone: (416) 392-7923 Email: oc@cityoftoronto.com Date: 2023	
<b>PROJECT NAME</b> Proposed Garage Lee Chamberlain 671 Bent Hill Road South York, Ontario	
<b>DRAWING NAME</b> ELEVATIONS	
SCALE	1/8" = 1'-0"
PLotted DATE	EN/23/23
DRAWN BY	CRAIG LEEHAN
DATE	202308
CHECKED BY	_____
DATE	_____
DRAWING No.	A2

Standard Note:  
 These drawings are designed in accordance with the 2012 Ontario Building Code



ELECTRICAL LEGEND	
	= CEILING FIXTURE
	= EXTERIOR FIXTURE
	= RECEPTACLE
	= THREE WAY SWITCH
	= SINGLE SWITCH

ATTN: BUILDING OFFICIAL  
 I received and for my responsibility  
 description and meet the requirements  
 of the Ontario Building Code. I am  
 not responsible for the design and  
 construction of the building system and  
 its operation. I am only responsible for  
 the electrical system as shown on this  
 application. *2020*  
 Craig Leeman, BCN, 2020

LOT INFORMATION	
Organization	CRAIG LEEAMAN
Company Name	Design
Address	2007 South Road
City	Windsor, ON
E-mail	cr.leaman@leaman.com
Phone	31273

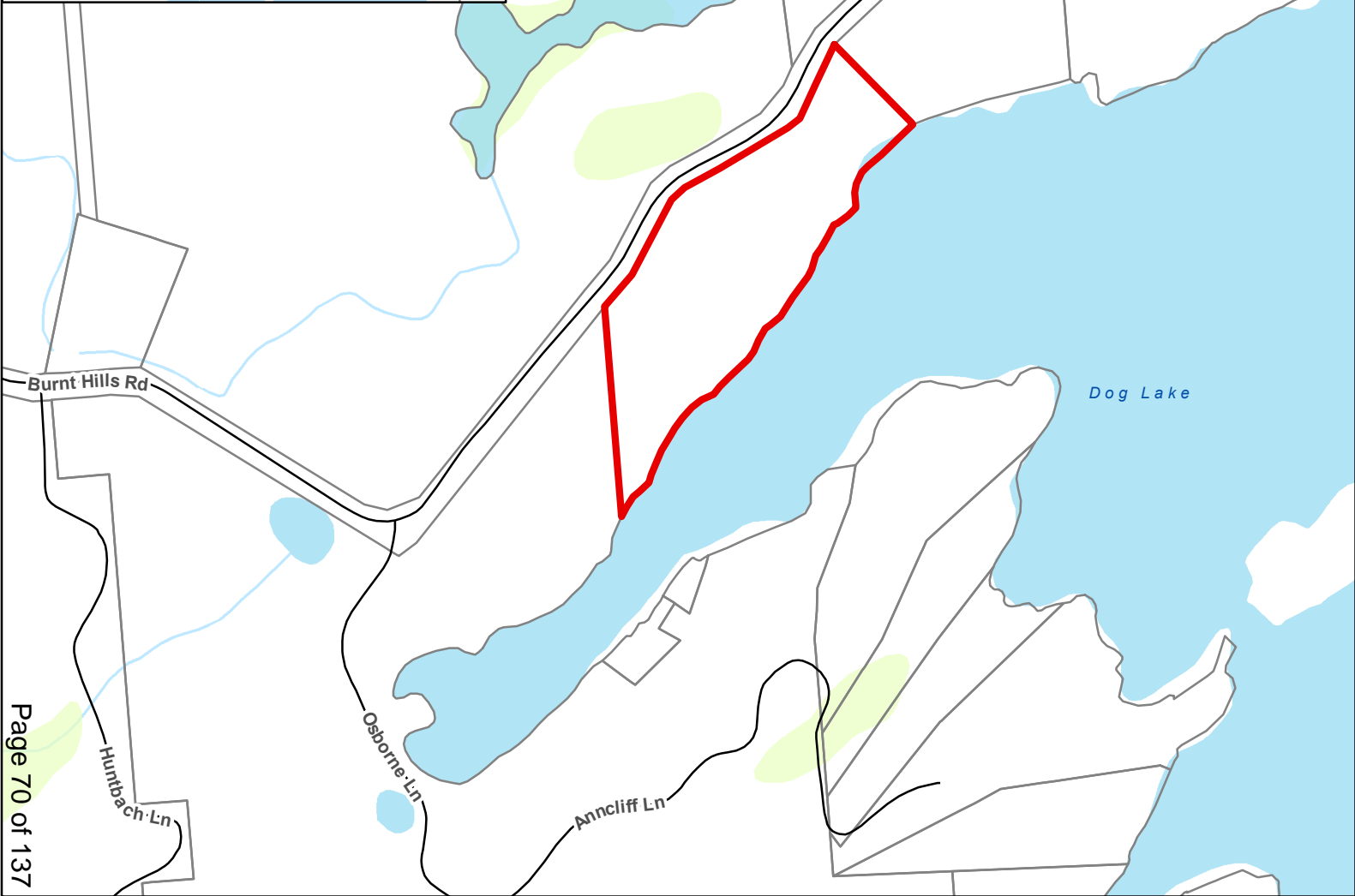
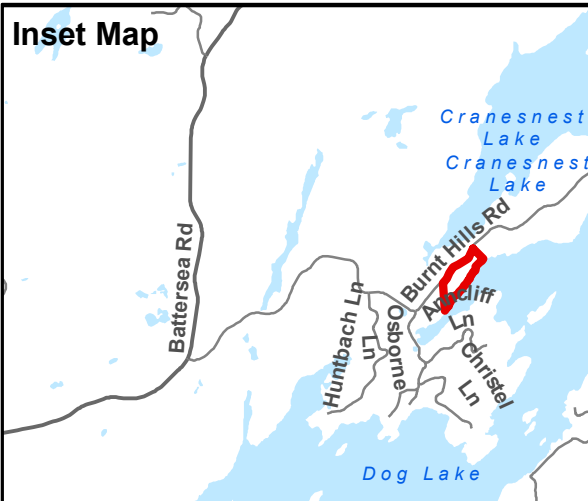
PROJECT NAME	
Proposed Garage	
Address	871 Burnt Mill Road
City	South Frontenac

DRAWING NAME	
FLOOR PLAN	
MAIN FLOOR	

SCALE	3/16" = 1'-0"
PLOT DATE	09/20/19
DRAWN BY	CRAIG LEEAMAN
CHECKED BY	2020
DRAWING No.	A1

1  
 A1 FLOOR PLAN  
 3/16" = 1'-0"

**Inset Map**



**CHAMBERLAIN  
MV-33-19-S**

**1671 BURNT HILLS RD**

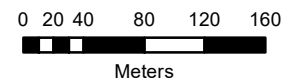
**Legend**

-  Chamberlain Property
-  Parcel Fabric
-  Provincially Significant Wetlands
-  Wetland
-  Waterbody
-  River/ Stream
- Roads**
-  Arterial
-  Expressway / Highway
-  Local / Street

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 1:5,000



UTM Projection NAD 83



# REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



## MINOR VARIANCE – PLANNING REPORT

**Report Date:** November 7, 2019

**Application No:** MV-33-19-S

**Owner:** Lee Chamberlain (Gay Chamberlain)

**Location of Property:** Part Lots 19 & 20 Concession 10, District of Storrington, Township of South Frontenac, municipally known as 1671 Burnt Hills Road, Dog Lake

**Purpose of Application:** To vary Section 5.8.2 a, Section 8.3.3 & 5.24.2 of the Township of South Frontenac Zoning Bylaw

**Date of Hearing:** November 14, 2019

**Recommendation:** That provisional approval be:

- granted with conditions (attached)
- deferred
- denied

**Purpose:**

- zoning relief for construction of a new structure
- zoning relief for replacement to an existing structure
- zoning relief for other

<b>Official Plan Designation:</b> Rural	<b>Dog Lake &amp; Rideau Canal Historic Site and UNESCO World Heritage Site</b>
<b>Zoning:</b> Waterfront Residential (RW) Zone	<b>Zoning Relief Requested:</b>
<b>Section 5.8.2a:</b> Flooding and Shoreline Erosion Hazards	<b>Relief:</b> 30 metres from the highwater mark to 27 metres to the highwater mark of Dog Lake for the construction of a garage
<b>Section 5.24.2:</b> Accessory Buildings for an accessory structure being a garage located in the front yard	<b>Relief:</b> Permit a garage in the front yard, setback 20 metres from the front lot line
<b>Section 8.3.3:</b> RW for the Principal Building – 30m setback to the highwater mark	<b>Relief:</b> 30 metres from the highwater mark to 27 metres to the highwater mark of Dog Lake for the construction of a garage

**Review:** This application:

- ✓ Is consistent with the Provincial Policy Statement (s. 3(5) *Planning Act*);
- ✓ Conforms with the general intent and purpose of the County of Frontenac Official Plan;
- ✓ Conforms with the general intent and purpose of the Township of South Frontenac Official Plan;
- ✓ Complies with the general intent and purpose of the Township of South Frontenac Zoning By-law 2003-75 (or will comply subject to approval for the minor variance);
- ✓ Is desirable for the appropriate development of the lands in question; and
- ✓ Is minor.



# REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



## Proposal

An application for minor variance has been submitted to permit the construction of a one storey garage in the front yard consisting of 768 ft<sup>2</sup> to be constructed 27 metres from the highwater mark of Dog Lake. The garage is proposed to be 6.0 metres in height and will comply with the required height of 6.0 metres for an accessory building. No plumbing fixtures are proposed for the garage. The property contains an existing dwelling and sleeping cabin located at Part Lots 19 & 20, Concession 10, District of Storrington, Township of South Frontenac, municipally known as 1671 Burnt Hills Road, Battersea, Dog Lake (see attached map).

The property is located on the north shore of Dog Lake. The topography of the property is described as rising up steeply from the shoreline to the location of the existing dwelling, then continuing to rise slowing in a northerly direction until reaching a high ridge of land between the proposed location of the garage and Burnt Hills Road.

Under Section 45(1) of the *Planning Act* there are four tests a minor variance must meet. 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:

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

## Background

The subject property is a waterfront lot with 365.7 metres (1200 feet) of waterfrontage along Dog Lake and approximately 304.8 metres (1000 feet) along Burnt Hills Road and consists of 6.25 acres (2.53 ha) in area. The property is located on the south side of Burnt Hills Road. As the property has significant topography changes and is constrained with the existing hydro line and granite rock outcropping, the proposed location of the garage is the most appropriate location on the lot.

The current owners purchased the property in October 2018. The dwelling was constructed in approximately 2006. The property has an existing septic system closer to the road and well adjacent to the house. The existing sleeping cabin is located to the south of the dwelling. The applicant has indicated that services will not be extended to the garage.

The property has a number of existing mature trees and two existing docks at the waterfront. The surrounding area contains existing seasonal and year round dwellings located along the shoreline of Dog Lake in proximity to this site.

## Planning Analysis

### Agency Analysis and Comments

KFL&A Public Health – The application was not circulated to the Health Unit as the septic system is located northwest of the proposed garage which will be closer to the existing dwelling.

Rideau Waterway Development Review Team (RWDRT) – Comments dated October 24, 2019 from the RWDRT indicate the main interests of the RWDRT are the avoidance of natural hazards (e.g. flooding and erosion) associated with the shoreline of Dog Lake, the protection of the water quality of the lake, and the conservation of the cultural and natural heritage and scenic values of the Rideau Canal National Historic Site and UNESCO World Heritage Site.

Staff have no objections to the approval of MV-33-19-S based on their consideration for natural hazards, natural heritage and water quality and quantity protection policies. The proposed development will require a permit from the CRCA as per Ontario Regulation 148/06 prior to development taking place as the proposed development is within 15 metres of the top of valley for Dog Lake. Staff recommend that roof runoff be directed away from the lake if possible.

Public Comments – At the time of the writing of this report, no comments have been received from the public.



# REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



## Conclusion

The proposed application to permit the construction of a one storey garage consisting of 768 ft<sup>2</sup> to be constructed 27 metres from the high water mark of Dog Lake to the north of the existing dwelling located at Part Lots 19 & 20, Concession 10, District of Storrington, Township of South Frontenac, municipally known as 1671 Burnt Hills Road, Battersea, Dog Lake, meets the four tests for a minor variance:

- The variance conforms to the general intent and purpose of the Official Plan as the proposed garage will be constructed to the west of the existing single detached dwelling located on the rural waterfront property. The garage will be located as far back as possible from the waterfront given the constraints on the lot.
- The variance conforms to the general intent and purpose of the Zoning By-law. The proposed dwelling complies with the zoning provisions in the Zoning By-law for the RW Zone with the exception of the setback to the highwater mark and garage located in the front yard. Achieving the 30 metre setback would be difficult due to the constraints and topography of the lot. The CRCA have indicated that they have no objection to the approval of the minor variance and are happy to see the visual character of the landscape from the water maintained as the garage will be constructed behind the existing dwelling.
- The variance is desirable for the appropriate development of the lands in question as the garage will be further from the waterfront than existing buildings on the property and will not be visible from the waterfront.
- The variance is minor as the proposal seeks to maintain the waterbody setback given the location of the existing dwelling, sleeping cabin and septic system. With the addition of the garage, the lot will continue to be under the 5% lot coverage permitted by the RW Zone.

## Recommended Conditions

\*\*Conditions are a decision of the Committee of Adjustment, the conditions below are recommended. The final approved conditions will be included in the signed decision\*\*

1. The Minor variance is for the construction of a one storey garage consisting of 768m<sup>2</sup> to be constructed to the west of an existing single detached dwelling, as per the drawings submitted with MV-33-19-S. The garage will be 27 metres to the highwater mark of Dog Lake in the Waterfront Residential (RW) Zone.
2. The applicant is required to enter into a Development Agreement to be registered on the title of the property to the satisfaction of the Township to address the matters outlined in the October 24, 2019 of the Rideau Waterway Development Review Team (RWDRT) and requirements of the Township:
  - The Owner shall ensure that roof runoff is directed away from Dog Lake.
3. The Owner is required to obtain a permit prior to development commencing from the CRCA under Regulation 148/06: Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses, which is administered by the CRCA.
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 the approval from the Township of South Frontenac.
5. Minor variance MV-33-19-S is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.

**Submitted by:** Trudy Gravel, CPT, AMCT, Planner, Township of South Frontenac

**Approved by:**



# REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



Claire Dodds, MCIP, RPP, Director of Development Services, Township of South Frontenac

**Date of Site Visit:** November 1, 2019

**Attachments:** Map of the Chamberlain property

October 24, 2019

File: MV/FRS/249/2019

**Sent by Email**

Ms. Trudy Gravel, Planner  
Township of South Frontenac  
P.O. Box 100  
Sydenham, Ontario  
K0H 2T0

Dear Ms. Gravel:

**Re: Application for Minor Variance MV-33-19-S (Chamberlain)  
Lots 19, 20, Concession 10; 1671 Burnt Hills Road  
Storrington District, Township of South Frontenac  
Waterbody: Dog Lake**

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

**Summary of the Proposal**

The proposal involves the construction of a single story garage 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.a) of the South Frontenac Zoning By-law, to 27 metres in order to permit the construction of a garage.

**Site Description**

The property is located on the north shore of Dog Lake. The topography of the property can be described as rising up quickly from the shoreline to the location of the existing dwelling, then continuing to rise slowly in a northerly direction until reaching a high ridge of land between the proposed location of the garage and Burnt Hills Road.

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

## Discussion

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

### Natural Hazards

**Flooding:** The maximum recorded water level for Dog Lake is 98.95 metres geodetic. For Dog Lake, the maximum recorded water level is used in lieu of an engineered flood plain. The CRCA's Guidelines for Implementing Ontario Regulation 148/06 (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, the proposed development will be located outside of the setback from the regulatory flood plain.

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

### Water Quality

Section 5.8.2 (1.) of the Zoning By-Law for South Frontenac Township suggests that a 30 metre setback from the highwater mark is required to be maintained as a buffer in order to protect water quality. The Official Plan also requires that this buffer area be maintained as a natural vegetative buffer strip adjacent to the water's edge to filter pollutants from runoff.

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. However, the CRCA Planning Policy also suggests that new development within the water setback may be considered when there are no reasonable alternatives for locating the development outside of the water setback area, the development is no closer to the water than existing buildings or structures on the property the development complies with the maximum lot coverage provisions of the Zoning By-law, and suitable methods to minimize negative impacts on water quality are incorporated into the development.

The site is constrained by the high rocky ridge and the proposed development is being set back as far as possible from the water, the development is further away from the water than the existing development, and the proposal complies with the maximum lot coverage provisions contained in the By-law. *Staff recommend that roof runoff be directed away from the lake if possible.*

### Rideau Canal National Historic Site and UNESCO World Heritage Site

Similarly, RWDRT staff strive to preserve and enhance the cultural, natural and scenic values of the national historic site and world heritage site so that all Canadians can enjoy this legacy into the future. This can be achieved through the maintenance of a natural shoreline, the maintenance and enhancement

of vegetation on the property, development which complements the visual character of the landscape, and the maintenance of a minimum 30 metre setback of all development from the water. In this instance, the one-story structure is to be built behind an existing building so the visual character of the landscape will not be impacted and encroachment into the water setback is minimal.

### **Recommendation**

RWDRT staff have no objection to the approval of application MV-33-19-S based on our consideration for natural hazards, natural and cultural heritage, and water quality and quantity protection policies.

### Regulatory Requirements

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

Please also 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. A CRCA permit will be required as the proposed development is within 15 metres of the top of valley for Dog Lake.

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 email at [aschmidt@crca.ca](mailto:aschmidt@crca.ca)

Yours truly,



Andrew Schmidt  
Supervisor, Development Review

/as

c.c. Lee Chamberlain, applicant (via email)  
Tom Green, Parks Canada (via email)  
Michelle Hannah, South Frontenac Township (via email)



RECEIVED

TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR MINOR VARIANCE

Planning Act, R.S.O. 1990, c. P.13 as amended

Oct. 08, 2019

Date Received: \_\_\_\_\_

File No: MV-34-19-P

TOWNSHIP OF  
SOUTH FRONTENAC  
PLANNING DEPARTMENT  
PERORANCE

EDNA CAIRD

1. Name of Owner(s): DALE EDMONDE CAIRD

Full Mailing Address of Owner(s): \_\_\_\_\_

\_\_\_\_\_

Phone number of Owner(s): \_\_\_\_\_

Email Address of Owner(s): \_\_\_\_\_

2. If the applicant is **NOT** the owner of the subject land, the written authorization of the owner that the applicant is authorized to make the application, must accompany the application.

Name of Authorized Agent: \_\_\_\_\_

Full Mailing Address of Authorized Agent: \_\_\_\_\_

\_\_\_\_\_

Phone number of Authorized Agent: \_\_\_\_\_

Email Address of Authorized Agent: \_\_\_\_\_

Agent as named above is hereby authorized to act on behalf of the owners for purposes of processing this application for Minor Variance.

Signature(s) of Owner(s) \_\_\_\_\_

3. The description of the subject land:

District:  Bedford  Portland  Loughborough  Storrington

Concession Number: 36148-0289 Lot Number: P75-13R3431

Street Number: 060 97 Name of Road/Street: CARLTON DR.

Reference Plan Number: 13R 3214 Part Number(s): 5

Roll Number: 080-090-10700-0000

TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR MINOR VARIANCE  
Planning Act, R.S.O. 1990, c. P.13 as amended

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4. The frontage(s), depth and area of the subject land.

Frontage (on water): 30 FT

Frontage (on road/lane): 61.84 FT

Depth: 159'

Area: 9399.68 SQ FT

5. The current zoning of the subject land:

UR1

6. The nature and extent of the relief from the Zoning By-law:

5.8.2 30M TO THE HWY / 5.10.1 CHANGING FOOT PRINT

5.24.1 EXCEED LOT COVERAGE / 5.24.2 GARAGE IN FRONT YARD

14.3.1 LOT COVERAGE 5 PERCENT

7. The reason why the proposed use cannot comply with the provisions of the Zoning By-law:

\_\_\_\_\_  
\_\_\_\_\_

8. Does the subject property front on a municipally maintained road?  Yes  No  
OR a privately maintained road?  Yes  No

Name of Road/Lane:

CARLTON DRIVE

9. If access to the subject property is by water only, please indicate the parking and docking facilities used or to be used and the approximate distance of these facilities from the subject land and the nearest public road.

\_\_\_\_\_  
\_\_\_\_\_

10. What are the existing uses of the subject land?

\_\_\_\_\_

11. Please indicate whether there are any **EXISTING** buildings or structures on the subject land. (I.e. residence, garage, shed, etc.)

Yes  No

**TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR MINOR VARIANCE**  
*Planning Act, R.S.O. 1990, c. P.13 as amended*

12. If the answer to item 11 is yes, for EACH building or structure indicate:

Type of Structure (E.g. residence)	(1)	(2)	(3)	(4)
	RESIDENCE WOOD			
Setback from Front Lot Line	<del>30 FT</del> 98 FT			
Setback from Rear Lot Line	32 FT			
Setback from Side Lot Line	1.5 SOUTH 28.5 NORTH			
Height of Building (Also indicate if it is one story or two story)	ONE STORY			
Dimensions of Floor Area	32x24 = 768			
Setback from High Water Mark (if applicable)	32 FT			

13. The proposed uses of the subject land:

RESIDENTIAL

14. Are any building(s) or structure(s), or additions to existing building(s) or structure(s), **PROPOSED** to be built on the subject land?

Yes       No

**TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR MINOR VARIANCE**  
*Planning Act, R.S.O. 1990, c. P.13 as amended*

15. If the answer to item 14 is yes, for each proposed addition, building or structure indicate:

Type of Structure (E.g. residence)	(1)	(2)	(3)	(4)
Type of Structure (E.g. residence)	<del>RESIDENCE</del> WOOD	RESIDENCE WOOD	WOOD-DECK	GARAGE
Setback from Front Lot Line	96 FT	90 FT	<del>3 FT</del> APP 90'	3 FT
Setback from Rear Lot Line	32 FT	32 FT	24' 134 FT	130 FT
Setback from Side Lot Line	11 FT SOUTH 29 FT NORTH	15 FT SOUTH 4 15 FT NORTH	<del>20 FT SOUTH</del> 7 8 <del>20 FT NORTH</del>	20 FT SOUTH 20 FT NORTH
Height of Building (Also indicate if it is one story or two story)	ONE STORY	ONE STORY + 2.6 FT	ONE STORY 12.5 FT	19.7 FT
Outside Dimensions of Building/Structure	<del>32 X 94 FT</del>	32 X 30 FT	22 X 15 FT	15 X 22 FT
Setback from High Water Mark (If applicable)	32 FT	32 FT	<del>134 FT</del> DECK 24	130 +/- 5 FT

NOTES: 1) If the subject property is on waterfront, and on a private lane, the setback from the front lot line and the setback from the high water mark will be the same.  
 2) The dimensions required in this question relate to the **NEW CONSTRUCTION ONLY**, and **NOT** to the total size of the completed building.

16. Do your plans include any **DEMOLITION** of existing structures?  Yes  No

If yes, please provide details:

---

**TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR MINOR VARIANCE**  
*Planning Act, R.S.O. 1990, c. P.13 as amended*

17. Do your plans include the **RAISING** of an existing structure?  Yes  No

If yes, please provide details:

TO DIG BASMENT

18. What are the uses of the proposed development?

- (a) Increase in number of bedrooms  Yes  No
- (b) Increase in plumbing fixtures  Yes  No
- (c) Increase in living space  Yes  No
- (d) Will the addition or structure encroach on the existing septic system?  Yes  No

19. The date the subject land was acquired by the current owner:

1949

20. The date the existing buildings and structures were constructed on the subject lands:

1950

21. The length of time that the existing uses of the subject land have continued:

1950 TO PRESENT

22. Indicate whether water is provided to the subject land by a publicly owned and operated piped water system, a privately owned and operated individual or communal well, a lake, or other water body, or other means:

PRIVATE WELL

23. Indicate whether sewage disposal is provided to the subject land by a publicly owned and operated sewage system, a privately owned and operated individual or communal septic system, a privy, or other means:

PRIVATE SEPTIC SYSTEM

24. Is storm drainage provided by sewers, ditches, swales or by other means?

IT'S ON SAND

**TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR MINOR VARIANCE**  
*Planning Act, R.S.O. 1990, c. P.13 as amended*

---

25. Please indicate whether the subject land is subject of an application under the Planning Act for approval of a Plan of Subdivision or Consent.

Yes       No

26. If the answer to question 25 is yes, please give the file number of the application and the status of the application.

---

27. If known, please indicate whether the subject land has ever been the subject of an application under Section 43 of the Planning Act (Minor Variance).

Yes       No

28. If the answer to item 27 is yes, please give the file number of the application and the status of the application.

---

29. A **SKETCH** must be submitted showing the following:

- i) THE SKETCH **MUST** HAVE A NORTH ARROW AT THE TOP OF THE PAGE.
- ii) The boundaries and dimensions of the subject land including the location of any existing and proposed buildings.
- iii) The location of a reference point.....i.e. distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing.
- iv) The location of all abutting (neighbours') lands.
- v) The approximate location of all natural and artificial features on the subject land and on the land that is adjacent to the subject land. Examples include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, barns, wetlands, wooded areas, wells and septic tanks. Show distance of these features from the applicant's property lines.

**\*\*Note: \*\*** The distances to on-site and abutting owners' wells, septic fields and barns, from the property to be varied, **IS REQUIRED** to be shown. The **SKETCH** is of significant importance and should be prepared as carefully, neatly and accurately as possible.

CARLETON DRIVE

This is the dimensions of my lot now.

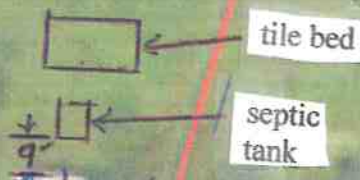


1/ this cottage is 32 ft long  
By 24 ft wide, changing it  
To 30 ft.  
2/ it would also be raised 2.5 ft

CARLETON DRIVE



garage



tile bed

septic tank



32 x 30 house

gar den shed

32'



CARLETON DRIVE



Veranda  
8 ft deep

Deck 8 FT HIGH  
8 ft deep  
covering two  
sides of the house

**Inset Map**



**CAIRD  
MV-34-19-P**

**6097 CARLETON DR**

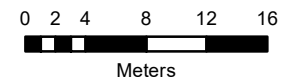
**Legend**

-  Caird Property
  -  Parcel Fabric
  -  Provincially Significant Wetlands
  -  Wetland
  -  Waterbody
  -  River/ Stream
- Roads**
-  Arterial
  -  Expressway / Highway
  -  Local / Street

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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 1:500



UTM Projection NAD 83



# REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



## PLANNING REPORT – VARIANCE APPLICATION

**Report Date:** November 8, 2019

**Application No:** MV-34-19-P

**Owner:** Dale & Florence Caird

**Location of Property:** Part Lot 9, Concession 11, being Part 5 on Plan 13R3431, District of Portland, Township of South Frontenac, municipally known as 6097 Carleton Drive, Verona Lake

**Purpose of Application:** To vary Sections 5.6.2.2, 5.8.2a, 5.10.2, 5.24.2 & 14.3.1 of the Township of South Frontenac Zoning Bylaw

**Date of Hearing:** November 14, 2019

### Recommendation

It is recommended that the Committee of Adjustment receive comments from the public and that the Committee of Adjustment **defer** making a decision on application MV-34-19-P to allow staff and agencies additional time to undertake a site inspection and work with the applicants to modify the submitted plans.

### Proposal

An application for minor variance has been submitted for the property located at Part Lot 9, Concession 11, being Part 5 on Plan 13R3431, District of Portland, Township of South Frontenac, municipally known as 6097, Verona Lake (see attached map) to permit the relocation of an existing one storey cottage consisting of 768 ft<sup>2</sup> in the dimensions of 32 feet by 24 feet (to be reduced to 30 feet) to the north of the current location to be 2.5 metres (8.2 ft) from the interior lot line. The cottage will be raised 2.5 feet higher than its current elevation. The existing setback of the cottage, being 32 feet to the high water mark of Verona Lake, will be maintained for the new cottage. The construction of the new cottage at 32 feet from Verona Lake requires relief under the UR1 Zone and will require relief from the UR1 Zone. The requested modifications to the existing cottage will change the legal non-complying status of the cottage.

The applicants are also requesting to construct a deck 8 feet deep, in the dimensions of 15 feet at the south side of the cottage and 22 feet at the south and east sides of the cottage, proposed to be setback 24 feet from the highwater mark of the lake. The proposed construction also includes a proposed veranda at the front of the dwelling extending 8 feet towards the front yard. As per the Urban Residential – First Density (UR1) Zone, the interior side yard is required to be 2.5 metres (8.2 ft.) and the applicants will be required to amend their plans and application to either comply with the required interior setback or will require relief.

The existing garden shed is proposed to be removed to accommodate for the relocation of the cottage and will remain outside the existing tile bed and septic tank at the west side of the dwelling. The applicants are also proposing to construct a garage 15 feet by 22 feet setback 3 feet from the front property line adjacent to Carleton Drive. Public Services have indicated that the garage should be setback a minimum of 10 feet from Carleton Drive and that the existing driveway is required to be used for access as a second driveway entrance shall not be permitted.

The property is located on the western shore of Verona Lake. The topography of the property is relatively level at the street with a gradual slope to the cottage and dropping off towards the lake. The property shares a paved driveway with the property to the south.

Township staff are requesting to defer the minor variance application. Quinte Conservation Authority have provided comments, but have not undertaken a site inspection of the property. The deferral request is to allow Quinte Conservation staff time to survey the 1:100 year flood plain on the subject property. The deferral will provide additional time for planning staff to work with the applicants to modify their plans based on the preliminary review of the application.

### Submitted by:

Trudy Gravel, CPT, AMCT, Planner, Township of South Frontenac

### Approved by:

Claire Dodds, MCIP, RPP, Director of Development Services, Township of South Frontenac

**Date of Site Visit:** November 1, 2019



# REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



**Attachments:** Map of Caird property

## QUINTE CONSERVATION - PLANNING ACT REVIEW

**QC File No. PL0255-2019**

<b>Municipality:</b>	South Frontenac		
<b>Owner</b>	Dale Caird		
<b>Location:</b>	6097 Carleton Drive	Lot 9, Concession 11	Portland
<b>Roll #:</b>	10290800901070000000		
<b>Application Description:</b>	Minor Variance File No. MV-34-19-P	Seeking relief to rebuild cottage, proposed garage and to allow for open decks	
<b>Feature:</b>	Verona Lake		
<b>Comments:</b>	<p><b><u>Planning Act - Natural Hazard policies of the Provincial Policy Statement and Quinte Conservation Planning Act Review policy</u></b></p> <p>Conservation Authorities have Provincially delegated responsibilities to represent Provincial interests regarding natural hazards under section 3.1 of the Provincial Policy Statement (PPS) (2014). Natural hazards include areas subject to flooding, prone to erosion, dynamic beaches and unstable bedrock. Generally the policies of the PPS direct development to areas outside of hazards lands.</p> <p><u>Staff are satisfied that the application as presented is consistent with section 3.1 of the PPS as there is sufficient area for development outside the flood hazard.</u></p> <p><b><u>Ontario Regulation #319/09 (Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses)</u></b></p> <p>The subject lands lie within the regulated area of Verona Lake (by virtue of Ontario Regulation #319/09 – Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses).</p> <p><u>Please note that the owners will need to apply to the Conservation Authority for a permit prior to development (construction / filling/ excavation/ site grading) within 30 metres of the 1:100 year floodplain of Verona Lake.</u></p> <p><u>Quinte Conservation staff have not been to the subject property and have not surveyed the 1:100 year flood plain. Staff would not have any concerns with moving the dwelling and the proposed garage as long as the proposed development does not encroach any closer to the 1:100 year flood plain. Further, our staff would not have any concerns with the proposed open decks as long as the decks are not within the 1:100 year flood plain. Drawings will have to be provided at the permitting stage.</u></p>		

**Quinte Region Source Protection Plan**

Quinte Conservation provides Risk Management services as prescribed by the *Clean Water Act, 2006* on behalf of member municipalities. Part of this is reviewing building and planning applications to ensure no new significant drinking water threats as outlined in the Quinte Region Source Protection Plan are created. Policies for significant threats in the Quinte Region Source Protection Plan are not applicable as the subject property lies outside of an intake protection zone or wellhead protection area for a municipal drinking water system.

As such no Section 59 Clearance Notice is required.

**Planning Act - Natural Heritage policies of the Provincial Policy Statement**

Section 2.1 of the Natural Heritage policies of the Provincial Policy Statement protects features including (but not limited to); Provincially Significant Wetlands, significant woodlands and significant Areas of Natural and Scientific Interest. The subject lands do not lie within a Provincially Significant Wetland, or within an Area of Natural and Scientific Interest. Further, an Environmental Impact Study was not provided with the current planning application, and we will not be requesting one.

Staff are satisfied that the application as presented is consistent with the natural heritage policies of the Provincial Policy Statement. The proponent may wish to contact the Ministry of Natural Resources and Forestry for further information.

**Final Comments:**

Quinte Conservation has no objection to the application as presented.



Christine Jennings  
Planning and Regulations Technician

10/31/2019  
Date

And:



Sharlene Richardson  
Regulations Officer

Report from Roads to Committee of Adjustment

Application Number: \_\_\_\_\_

Applicant's Name: \_\_\_\_\_

Concession: \_\_\_\_\_ Lot: \_\_\_\_\_ District: \_\_\_\_\_

Road: \_\_\_\_\_

Road Maintenance:      Year-round       Seasonal

Sight Lines: Are there adequate sight lines for the proposed placement of the garage?    Yes     No

If no, what changes would be required to improve sight lines?

The proposed location of the garage will obstruct the sightlines to the north for both the applicants property and the neighboring property that is joined. Public Services recommends moving garage back from the property line to a distance of 10 feet minimum.

**Approved by the Public Services?**

Yes       Yes, with conditions       No

If yes, with conditions, please describe conditions below.

\_\_\_\_\_  
Signature on behalf of Public Services

\_\_\_\_\_  
Date

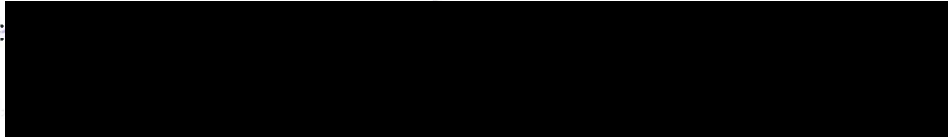
TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR MINOR VARIANCE  
Planning Act, R.S.O. 1990, c. P.13 as amended

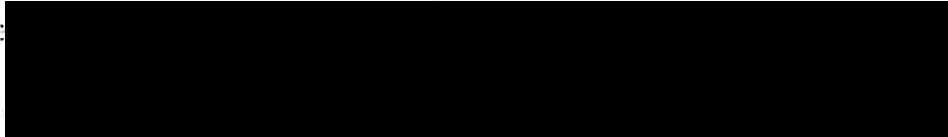
Date Received: Oct. 11, 2019

File No: MV-35-19-P

1. Name of Owner(s): Brooks + Michelle Gee

Full Mailing Address of Owner(s): 

Phone number of Owner(s): 

Email Address of Owner(s): 

2. If the applicant is **NOT** the owner of the subject land, the written authorization of the owner that the applicant is authorized to make the application, must accompany the application.

Name of Authorized Agent: \_\_\_\_\_

Full Mailing Address of Authorized Agent: \_\_\_\_\_

Phone number of Authorized Agent: \_\_\_\_\_

Email Address of Authorized Agent: \_\_\_\_\_

Agent as named above is hereby authorized to act on behalf of the owners for purposes of processing this application for Minor Variance.

Signature(s) of Owner(s): 

3. The description of the subject land:

District:  Bedford  Portland  Loughborough  Storrington

Concession Number: 14 Lot Number: LOT 16

Street Number: 4732 Name of Road/Street: Snider Rd.

Reference Plan Number: 13R8370 Part Number(s): 2

Roll Number: 1027908008021602

TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR MINOR VARIANCE  
Planning Act, R.S.O. 1990, c. P.13 as amended

4. The frontage(s), depth and area of the subject land.

Frontage (on water): Na Frontage (on road/lane): 256 ft

Depth: 238.2 ft Area: 1.4 acres

5. The current zoning of the subject land:

Rural

6. The nature and extent of the relief from the Zoning By-law:

Section 5.24.2 (accessory buildings)

Section 7.3.2 (for

7. The reason why the proposed use cannot comply with the provisions of the Zoning By-law:

Proposed building closer to Road than existing / Land to side/rear is swampy

8. Does the subject property front on a municipally maintained road?  Yes  No  
OR a privately maintained road?  Yes  No

Name of Road/Lane:

Snider Rd.

9. If access to the subject property is by water only, please indicate the parking and docking facilities used or to be used and the approximate distance of these facilities from the subject land and the nearest public road.

Na.

10. What are the existing uses of the subject land?

Residential

11. Please indicate whether there are any **EXISTING** buildings or structures on the subject land. (I.e. residence, garage, shed, etc.)

Yes  No

**TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR MINOR VARIANCE**  
*Planning Act, R.S.O. 1990, c. P.13 as amended*

12. If the answer to item 11 is yes, for EACH building or structure indicate:

Type of Structure (E.g. residence)	(1)	(2)	(3)	(4)
	shed (to be removed)	shed	shed	Residence.
Setback from Front Lot Line	30'	144'	195'	102
Setback from Rear Lot Line	180'	60'	10'	90'
Setback from Side Lot Line	75'	3m	50'	108'
Height of Building (Also indicate if it is one story or two story)	6'	6'	8'	19'
Dimensions of Floor Area	10x10	10x10	8x10	house - 28 1/2 x 44 attached garage - 18 1/2 x 22 1/2
Setback from High Water Mark (If applicable)	Na	Na	Na	Na

13. The proposed uses of the subject land:

No change

14. Are any building(s) or structure(s), or additions to existing building(s) or structure(s), **PROPOSED** to be built on the subject land?

Yes       No

**TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR MINOR VARIANCE**  
*Planning Act, R.S.O. 1990, c. P.13 as amended*

15. If the answer to item 14 is yes, for each proposed addition, building or structure indicate:

Type of Structure (E.g. residence)	(1)	(2)	(3)	(4)
	Detached Garage			
Setback from Front Lot Line	63'			
Setback from Rear Lot Line	132'			
Setback from Side Lot Line	45' Southern Lot Line			
Height of Building (Also indicate if it is one story or two story)	1 story 6 m			
Outside Dimensions of Building/Structure	40 x 32			
Setback from High Water Mark (If applicable)	Na			

NOTES: 1) If the subject property is on waterfront, and on a private lane, the setback from the front lot line and the setback from the high water mark will be the same.  
 2) The dimensions required in this question relate to the **NEW CONSTRUCTION ONLY**, and **NOT** to the total size of the completed building.

16. Do your plans include any **DEMOLITION** of existing structures?  Yes  No

If yes, please provide details:

---

TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR MINOR VARIANCE  
Planning Act, R.S.O. 1990, c. P.13 as amended

17. Do your plans include the **RAISING** of an existing structure?  Yes  No

If yes, please provide details:

---

18. What are the uses of the proposed development?

- (a) Increase in number of bedrooms  Yes  No
- (b) Increase in plumbing fixtures  Yes  No
- (c) Increase in living space  Yes  No
- (d) Will the addition or structure encroach on the existing septic system?  Yes  No

19. The date the subject land was acquired by the current owner:

1999

20. The date the existing buildings and structures were constructed on the subject lands:

house 1994 / shed 1 2014 / shed 2 2013 / shed 3 2001

21. The length of time that the existing uses of the subject land have continued:

25 yrs

22. Indicate whether water is provided to the subject land by a publicly owned and operated piped water system, a privately owned and operated individual or communal well, a lake, or other water body, or other means:

~~No~~ Yes

23. Indicate whether sewage disposal is provided to the subject land by a publicly owned and operated sewage system, a privately owned and operated individual or communal septic system, a privy, or other means:

~~No~~ Yes

24. Is storm drainage provided by sewers, ditches, swales or by other means?

ditch at Road / swale at sides

**TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR MINOR VARIANCE**  
*Planning Act, R.S.O. 1990, c. P.13 as amended*

---

25. Please indicate whether the subject land is subject of an application under the Planning Act for approval of a Plan of Subdivision or Consent.

Yes       No

26. If the answer to question 25 is yes, please give the file number of the application and the status of the application.

---

27. If known, please indicate whether the subject land has ever been the subject of an application under Section 43 of the Planning Act (Minor Variance).

Yes       No

28. If the answer to item 27 is yes, please give the file number of the application and the status of the application.

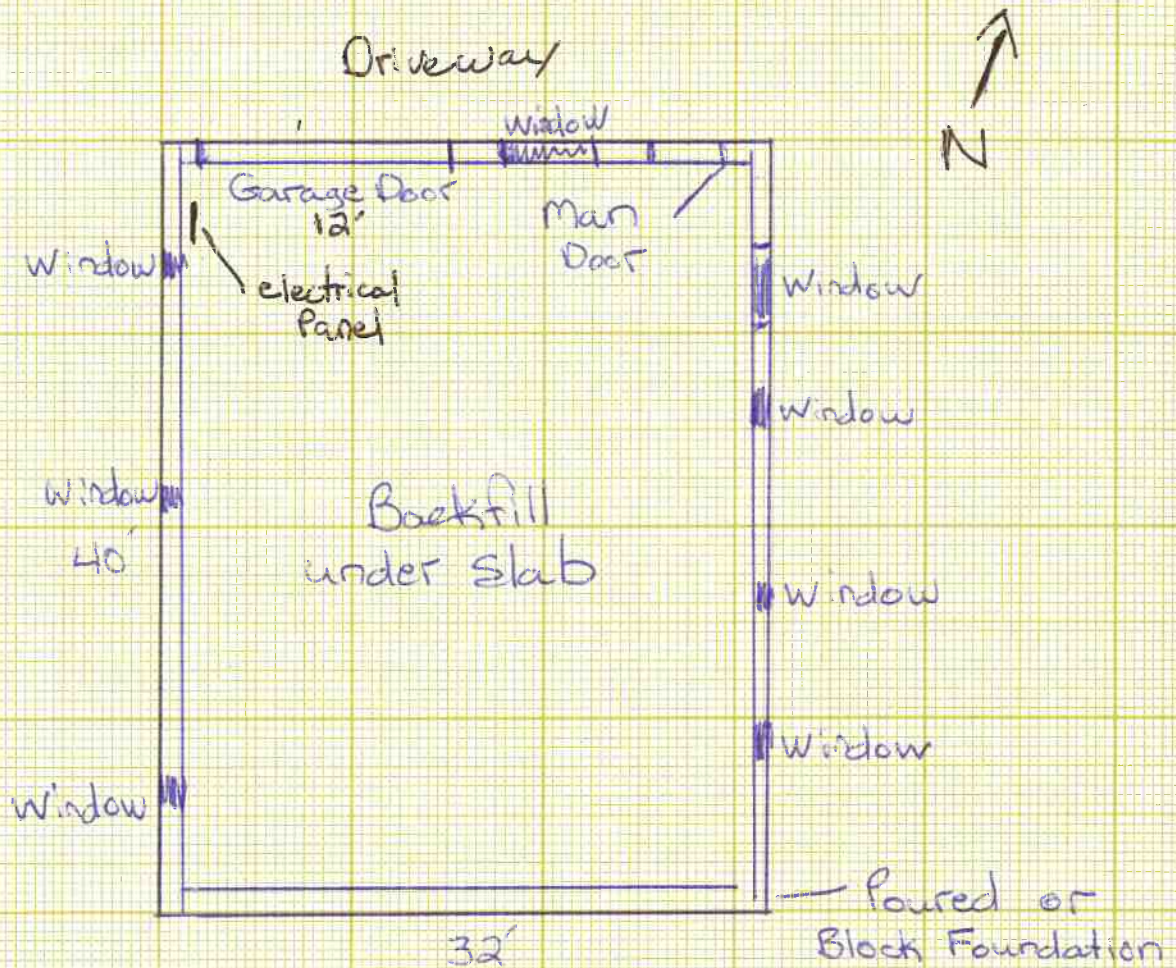
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29. A **SKETCH** must be submitted showing the following:

- i) THE SKETCH **MUST** HAVE A NORTH ARROW AT THE TOP OF THE PAGE.
- ii) The boundaries and dimensions of the subject land including the location of any existing and proposed buildings.
- iii) The location of a reference point.....i.e. distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing.
- iv) The location of all abutting (neighbours') lands.
- v) The approximate location of all natural and artificial features on the subject land and on the land that is adjacent to the subject land. Examples include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, barns, wetlands, wooded areas, wells and septic tanks. Show distance of these features from the applicant's property lines.

**\*\*Note: \*\*** The distances to on-site and abutting owners' wells, septic fields and barns, from the property to be varied, **IS REQUIRED** to be shown. The **SKETCH** is of significant importance and should be prepared as carefully, neatly and accurately as possible.

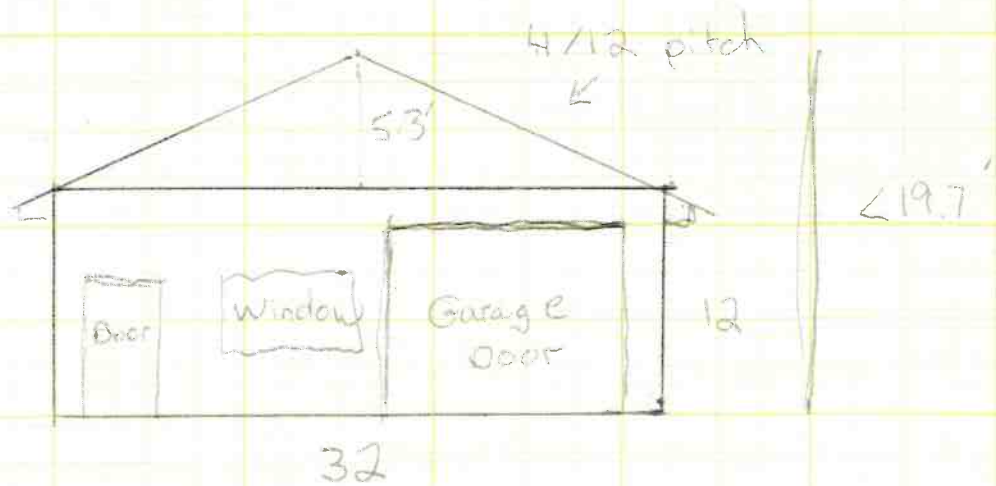
# Proposed Detached Garage at 4732 Snider Rd.



- 2x6x12' stud walls
- engineered Trusses (4/12 pitch to match house)
- vinyl siding exterior to match house
- either metal roof or shingles

- Blueprints to follow pending  
variance approval

Tentative Front view of  
Proposed Workshop at  
4732 Snider Rd  
Verona, ON



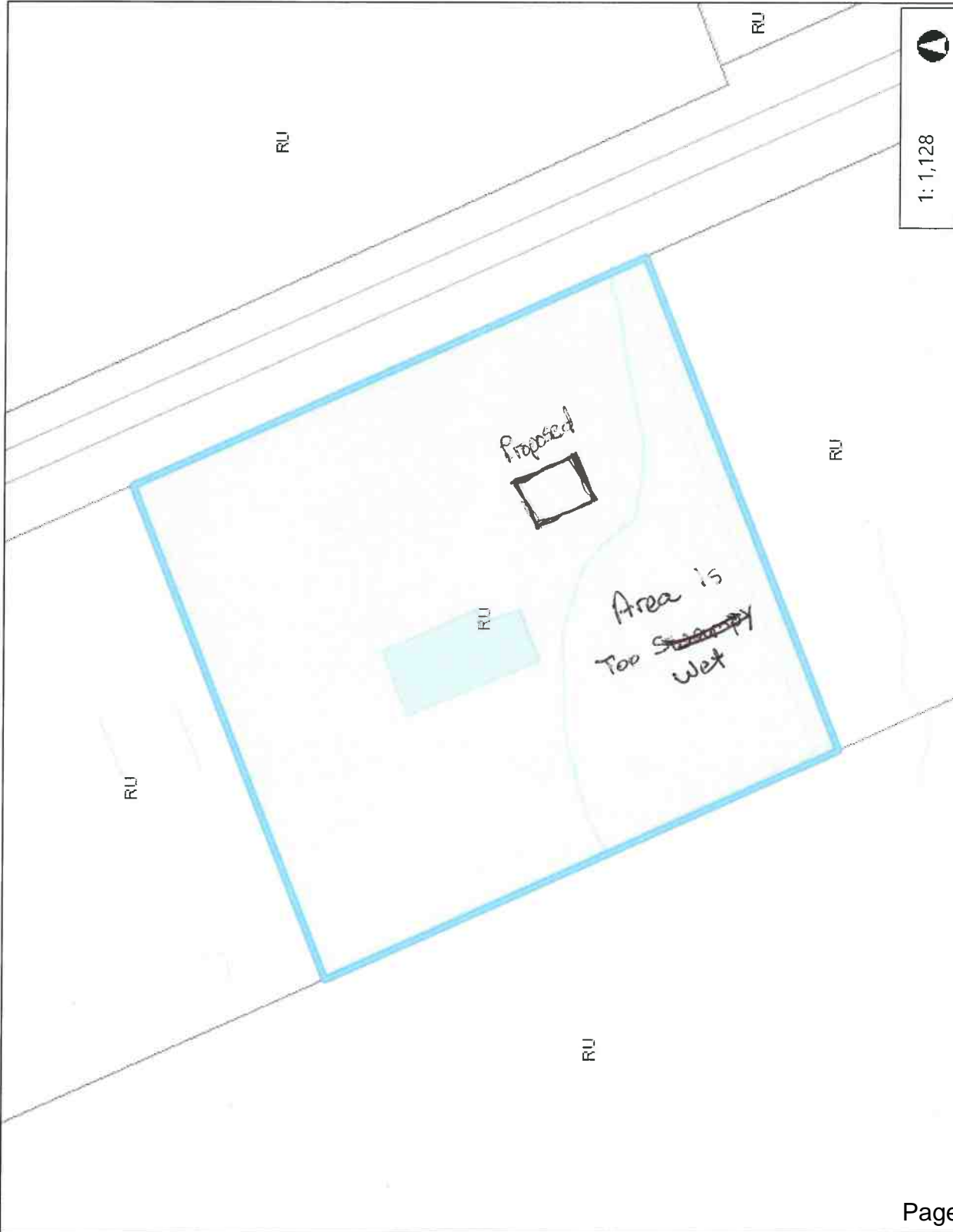


Legend

SF Zoning Updates 2019

- AGRICULTURAL ZONE (A)
- COMMUNITY FACILITY ZONE (CF)
- ENVIRONMENTAL PROTECTION
- MOBILE HOME RESIDENTIAL ZO
- OPEN SPACE - PUBLIC ZONE (O)
- OPEN SPACE - PRIVATE ZONE ((
- PIT 'A' ZONE (PA)
- PIT 'B' ZONE (PB)
- QUARRY 'A' ZONE (QA)
- QUARRY 'B' ZONE (QB)
- RESIDENTIAL ZONE (R)
- RURAL COMMERCIAL ZONE (RC)
- RURAL INDUSTRIAL ZONE (RI)
- LIMITED SERVICE RESIDENTIAL
- LIMITED SERVICE RESIDENTIAL (RLSW)
- RECREATIONAL RESORT COMM
- RURAL ZONE (RU)
- WATERFRONT RESIDENTIAL ZO
- SALVAGE YARD INDUSTRIAL ZO
- TUZ
- URBAN COMMERCIAL ZONE (UC)
- URBAN INDUSTRIAL ZONE (UI)
- URBAN MULTIPLE RESIDENTIAL

Notes



1: 1,128

0 0.03 0.1 Kilometers



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THIS MAP IS NOT TO BE USED FOR NAVIGATION



Legend

Parcels

1: 2,257



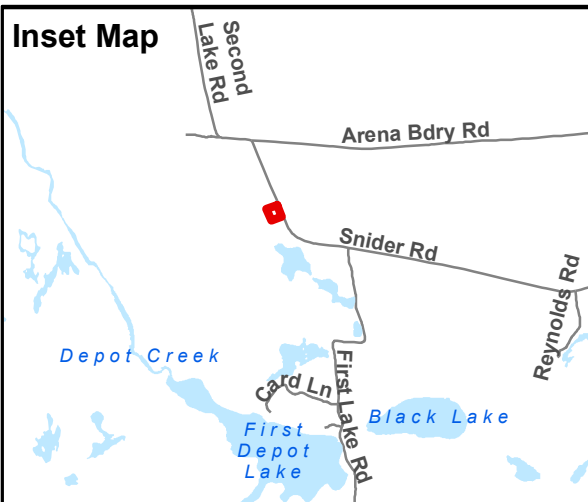
0.1 0 0.06 0.1 Kilometers

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
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Notes

### Inset Map






**GEE  
MV-35-19-P**

**4732 SNIDER RD**

### Legend

-  Gee Property
-  Parcel Fabric
-  Provincially Significant Wetlands
-  Wetland
-  Waterbody
-  River/ Stream

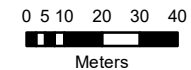
### Roads

-  Arterial
-  Expressway / Highway
-  Local / Street

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Scale 1:2,000



UTM Projection NAD 83



# REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



## MINOR VARIANCE – PLANNING REPORT

**Report Date:** November 11, 2019

**Application No:** MV-35-19-P

**Owner:** Brooks & Michelle Gee

**Location of Property:** Part Lot 16, Concession 14, being Part 2 on Plan 13R8370, District of Portland, Township of South Frontenac, municipally known as 4732 Snider Road

**Purpose of Application:** To vary Section 5.24.2 & Section 7.3.2 of the Township of South Frontenac Zoning Bylaw

**Date of Hearing:** November 14, 2019

**Recommendation:** That provisional approval be:

- granted with conditions (attached)
- deferred
- denied

**Purpose:**

- zoning relief for construction of a new structure
- zoning relief for replacement to an existing structure
- zoning relief for other

<b>Official Plan Designation:</b> Rural	
<b>Zoning:</b> Rural (RU) Zone	<b>Zoning Relief Requested:</b>
<b>Section 5.24.2:</b> Accessory Buildings for an accessory structure being a detached garage located in the front yard	<b>Relief:</b> Permit a garage in the front yard
<b>Section 7.3.2:</b> Minimum Front Yard setback requirement of 20 metres (65.6 ft)	<b>Relief:</b> Permit a garage in the front yard, setback 19.2 metres (63 ft) in the front yard.

**Review:** This application:

- ✓ Is consistent with the Provincial Policy Statement (s. 3(5) *Planning Act*);
- ✓ Conforms with the general intent and purpose of the County of Frontenac Official Plan;
- ✓ Conforms with the general intent and purpose of the Township of South Frontenac Official Plan;
- ✓ Complies with the general intent and purpose of the Township of South Frontenac Zoning By-law 2003-75 (or will comply subject to approval for the minor variance);
- ✓ Is desirable for the appropriate development of the lands in question; and
- ✓ Is minor.

### Proposal

An application for minor variance has been submitted to permit the construction of a one storey Garage, 6 metres in height, in the front yard consisting of 1200 ft<sup>2</sup> to be constructed 19.2 metres from the front yard. The property contains an existing dwelling with attached garage and sheds located along the rear of the property line at Part Lot 14, Concession 16, District of Portland, Township of South Frontenac, municipally known as 4732 Snider Road (see attached map).

The property is located on the west side of Snider Road, located south of Arena Boundary Road. The



# REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



topography of the property is described as sloping towards the southwest corner of the site. The proposed garage will be constructed on an existing granular surface and will replace a shed at this location. The shed is presently closer to the front yard than where the proposed garage is to be constructed.

Staff are requesting that the garage comply with the required minimum front yard setback of 20 metres (65.6 ft.) as per the Rural (RU) Zone as the front yard setback can be met as the detached garage can be accommodated on the existing granular surface. It is understood that the garage will be constructed in the front yard which requires relief to the by-law.

Under Section 45(1) of the *Planning Act* there are four tests a minor variance must meet. 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:

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

## Background

The subject property is a rural residential lot with 256 feet (78 metres) of frontage along Snider Road and consists of 1.4 acres (0.56 ha) in area. The property is located in an area of existing residential homes. As the property slopes towards the southwest, which is low lying, the proposed location is a suitable location. This area has an existing granular base to support the proposed garage.

The current owners purchased the property in 1999. The dwelling was constructed in approximately 1994 and the sheds were constructed after that date. The property has an existing septic system located to the rear of the house. The well is located to the north of the home.

There are existing residential dwellings surrounding the subject property.

## Planning Analysis

### Agency Analysis and Comments

Public Services – Comments are not required.

KFL&A Public Health – The application was not circulated to the Health Unit as the septic system is located northwest of the proposed garage to the rear of the existing dwelling.

Quinte Conservation – The application was not circulated to Quinte Conservation given the lands are zoned Rural and are not adjacent to a body of water and do not have any wetlands identified on site.

Public Comments – At the time of the writing of this report, no comments have been received from the public.

## Conclusion

The proposed application to permit the construction of a one storey garage, 6 metres in height, consisting of 1200 ft<sup>2</sup> to be constructed 20 metres from the front yard setback from Snider Road located at Part Lot 16, Concession 14, District of Portland, Township of South Frontenac, municipally known as 4732 Snider Road, meets the four tests for a minor variance:

- The variance conforms to the general intent and purpose of the Official Plan as the proposed garage will be constructed to the southeast of the existing single detached dwelling located on the rural property. The garage will be located in the front yard setback and away from the low area at the southwest corner of the property.
- The variance conforms to the general intent and purpose of the Zoning Bylaw. The proposed garage complies with the zoning provisions in the Zoning By-law for the Rural Zone with the exception the garage located in the front yard. Staff recommend that the applicant comply with the required setback front yard setback of 20 metres.



## REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



- The variance is desirable for the appropriate development of the lands in question as the garage is away from the low lying area at the southwest corner of the property and will be buffered by existing trees in the front yard, located on an area that contains an existing granular surface.
- The variance is minor as the proposed garage will be setback from the existing dwelling and septic system. The proposed addition does not exceed lot coverage and maximum permitted height of 6 metres.

### **Recommended Conditions**

\*\*Conditions are a decision of the Committee of Adjustment, the conditions below are recommended. The final approved conditions will be included in the signed decision\*\*

1. The Minor variance is for the construction of a one storey garage consisting of 1200m<sup>2</sup> to be constructed to the southeast of the existing single detached dwelling, as per the drawings submitted with MV-35-19-P. The garage will be 20 metres from the front yard setback in the Rural (RU) Zone.
2. The applicant is required to enter into a Development Agreement to be registered on the title of the property to the satisfaction of the Township to address the requirements of the Township.
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 the approval from the Township of South Frontenac.
4. Minor variance MV-35-19-P is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.

**Submitted by:** Trudy Gravel, CPT, AMCT, Planner, Township of South Frontenac

**Approved by:**

Claire Dodds, MCIP, RPP, Director of Development Services, Township of South Frontenac

**Date of Site Visit:** November 1, 2019

**Attachments:** Map of the Gee property

TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR MINOR VARIANCE  
Planning Act, R.S.O. 1990, c. P.13 as amended

Date Received: Oct. 11, 2019

File No: MV-36-19-L

1. Name of Owner(s): Jeff Peck and Stephanie Baxter

Full Mailing Address of Owner(s): \_\_\_\_\_

Phone number of Owner(s): \_\_\_\_\_

Email Address of Owner(s): \_\_\_\_\_

2. If the applicant is **NOT** the owner of the subject land, the written authorization of the owner that the applicant is authorized to make the application, must accompany the application.

Name of Authorized Agent: \_\_\_\_\_

Full Mailing Address of Authorized Agent: \_\_\_\_\_

Phone number of Authorized Agent: \_\_\_\_\_

Email Address of Authorized Agent: \_\_\_\_\_

Agent as named above is hereby authorized to act on behalf of the owners for purposes of processing this application for Minor Variance.

Signature(s) of Owner(s) \_\_\_\_\_

3. The description of the subject land:

District:  Bedford  Portland  Loughborough  Storrington

Concession Number: \_\_\_\_\_ Lot Number: \_\_\_\_\_

Street Number: 4586 Name of Road/Street: FOX RIDGE TRAIL

Reference Plan Number: 1986 Lot 5 P3R 14914 PARTS 22 Part Number(s): \_\_\_\_\_

Roll Number: 10290400109705

TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR MINOR VARIANCE  
Planning Act, R.S.O. 1990, c. P.13 as amended

4. The frontage(s), depth and area of the subject land.

Frontage (on water): 215ft Frontage (on road/lane): 195ft  
Depth: 533ft Area: 1.97 acres

5. The current zoning of the subject land:

R

6. The nature and extent of the relief from the Zoning By-law:

TO BUILD A DETACHED GARAGE (ACCESSORY BUILDING)  
IN FRONT OF THE PRINCIPAL BUILDING

7. The reason why the proposed use cannot comply with the provisions of the Zoning By-law:

- See attached cover letter

8. Does the subject property front on a municipally maintained road?  Yes  No  
OR a privately maintained road?  Yes  No

Name of Road/Lane:

FOX RIDGE TRAIL

9. If access to the subject property is by water only, please indicate the parking and docking facilities used or to be used and the approximate distance of these facilities from the subject land and the nearest public road.

N/A

10. What are the existing uses of the subject land?

Principle Residence

11. Please indicate whether there are any **EXISTING** buildings or structures on the subject land. (i.e. residence, garage, shed, etc.)

Yes  No

**TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR MINOR VARIANCE**  
*Planning Act, R.S.O. 1990, c. P.13 as amended*

12. If the answer to item 11 is yes, for EACH building or structure indicate:

Type of Structure (E.g. residence)	(1)	(2)	(3)	(4)
	House	SHED		
Setback from Front Lot Line	242 FT	400 FT		
Setback from Rear Lot Line	190 FT	100 <del>sq</del> FT		
Setback from Side Lot Line	WEST - 45 FT EAST 72 FT	WEST - 170 FT EAST - 20 FT		
Height of Building (Also indicate if it is one story or two story)	- One story - Approx 30 FT	9 FT		
Dimensions of Floor Area	- Approx 2800 sq ft	96 sq ft		
Setback from High Water Mark (If applicable)	190 FT	100 FT		

13. The proposed uses of the subject land:

No Change

14. Are any building(s) or structure(s), or additions to existing building(s) or structure(s), **PROPOSED** to be built on the subject land?

Yes       No

**TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR MINOR VARIANCE**  
*Planning Act, R.S.O. 1990, c. P.13 as amended*

15. If the answer to item 14 is yes, for each proposed addition, building or structure indicate:

Type of Structure (E.g. residence)	(1)	(2)	(3)	(4)
	Garage			
Setback from Front Lot Line	APPROX 100 FT			
Setback from Rear Lot Line	APPROX 40 FT			
Setback from Side Lot Line	EAST - 25 FT WEST - 130 FT			
Height of Building (Also indicate if it is one story or two story)	COMPLIANT - AS PER CZBL			
Outside Dimensions of Building/Structure	40 FT X 35 FT			
Setback from High Water Mark (If applicable)	APPROX 400 FT			

NOTES: 1) If the subject property is on waterfront, and on a private lane, the setback from the front lot line and the setback from the high water mark will be the same.  
 2) The dimensions required in this question relate to the **NEW CONSTRUCTION ONLY**, and **NOT** to the total size of the completed building.

16. Do your plans include any **DEMOLITION** of existing structures?  Yes  No

If yes, please provide details:

---

**TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR MINOR VARIANCE**  
*Planning Act, R.S.O. 1990, c. P.13 as amended*

17. Do your plans include the **RAISING** of an existing structure?  Yes  No

If yes, please provide details:

---

18. What are the uses of the proposed development?

- (a) Increase in number of bedrooms  Yes  No
- (b) Increase in plumbing fixtures  Yes  No (IF POSSIBLE)
- (c) Increase in living space  Yes  No
- (d) Will the addition or structure encroach on the existing septic system?  Yes  No

19. The date the subject land was acquired by the current owner:

2013

---

20. The date the existing buildings and structures were constructed on the subject lands:

+/- 2000

---

21. The length of time that the existing uses of the subject land have continued:

Approx 19 yrs

---

22. Indicate whether water is provided to the subject land by a publicly owned and operated piped water system, a privately owned and operated individual or communal well, a lake, or other water body, or other means:

Private Well

---

23. Indicate whether sewage disposal is provided to the subject land by a publicly owned and operated sewage system, a privately owned and operated individual or communal septic system, a privy, or other means:

Private Septic

---

24. Is storm drainage provided by sewers, ditches, swales or by other means?

Ditches & Swales

---

**TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR MINOR VARIANCE**  
*Planning Act, R.S.O. 1990, c. P.13 as amended*

25. Please indicate whether the subject land is subject of an application under the Planning Act for approval of a Plan of Subdivision or Consent.

Yes       No

26. If the answer to question 25 is yes, please give the file number of the application and the status of the application.

---

27. If known, please indicate whether the subject land has ever been the subject of an application under Section 43 of the Planning Act (Minor Variance).

Yes       No

28. If the answer to item 27 is yes, please give the file number of the application and the status of the application.

---

29. A **SKETCH** must be submitted showing the following:

- i) THE SKETCH **MUST** HAVE A NORTH ARROW AT THE TOP OF THE PAGE.
- ii) The boundaries and dimensions of the subject land including the location of any existing and proposed buildings.
- iii) The location of a reference point.....i.e. distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing.
- iv) The location of all abutting (neighbours') lands.
- v) The approximate location of all natural and artificial features on the subject land and on the land that is adjacent to the subject land. Examples include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, barns, wetlands, wooded areas, wells and septic tanks. Show distance of these features from the applicant's property lines.

**\*\*Note: \*\*** The distances to on-site and abutting owners' wells, septic fields and barns, from the property to be varied, **IS REQUIRED** to be shown. The **SKETCH** is of significant importance and should be prepared as carefully, neatly and accurately as possible.

**TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR MINOR VARIANCE**  
***Planning Act, R.S.O. 1990, c. P.13 as amended***

**AGREEMENT TO INDEMNIFY**

Attached to this application is a cheque payable to the Township of South Frontenac in the amount of \$747.00 representing payment of the application fee.

The Owner/Applicant/Agent agrees that the information recorded in this Minor Variance Application Form is accurate. The Owner/Applicant/Agent agrees that representatives of the Township, Public Health and, where applicable, the appropriate Conservation Authority, may enter onto the subject property for the purpose of determining the appropriateness of the site for the proposed development.

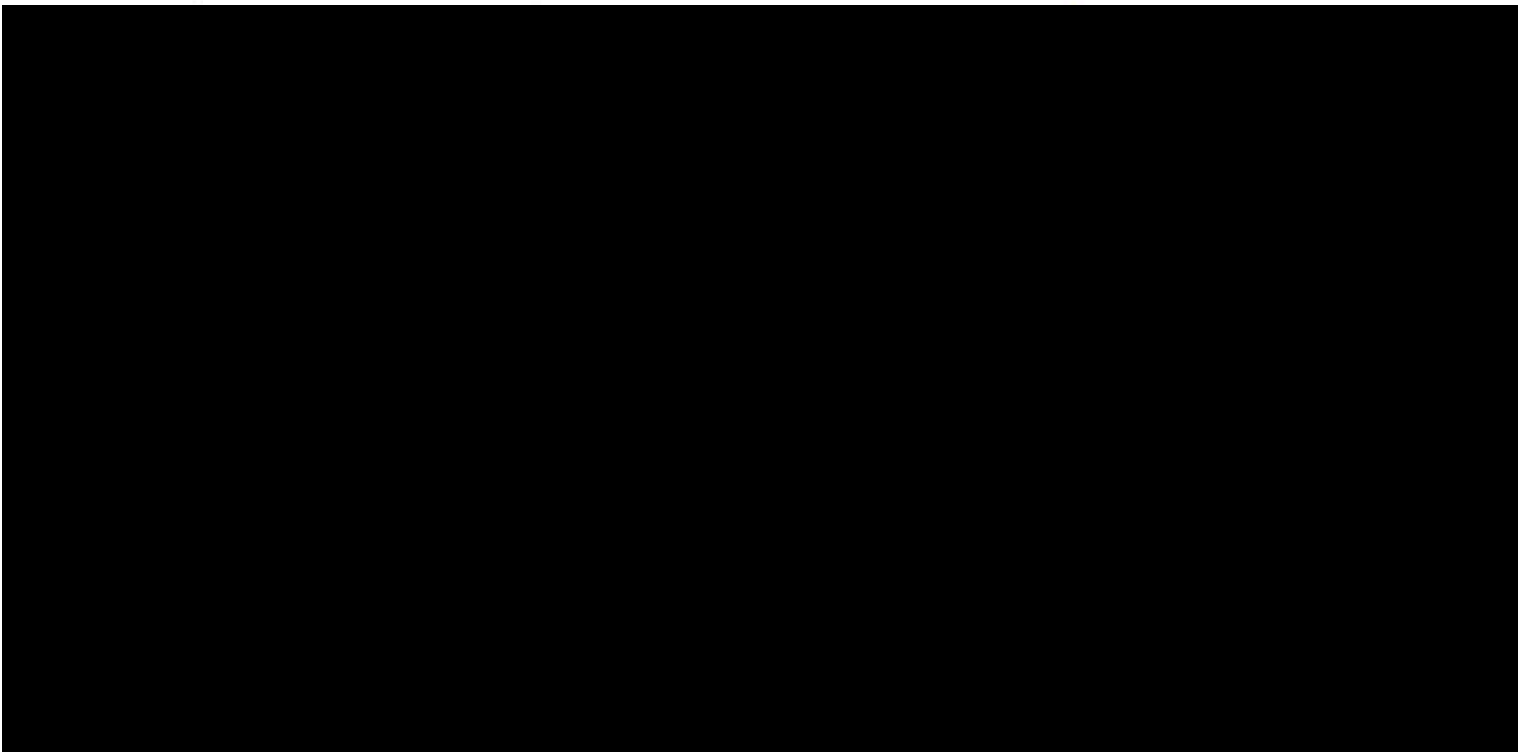
The Owner/Applicant/Agent agrees to reimburse and indemnify the municipality for all fees and expenses incurred by the municipality to process the application, including any fees and expenses attributable to proceedings before the Ontario Municipal Board or any court or other administrative tribunal if necessary to defend Council's decision to support the application.

Without limiting the foregoing, such fees and expenses shall include the fees and expenses of consultants, planners, engineers, lawyers and such other professional and technical advisors as the municipality may, in its absolute discretion acting reasonably, consider necessary or advisable to more properly process and support the application.

The Owner/Applicant/Agent further agrees to provide the municipality, upon request and in cases where an application has been appealed to the Ontario Municipal Board, with a deposit (over and above the normal application fee), from which the municipality may, from time to time charge any fees and expenses incurred by the municipality in order to process the application. If such appeal expenses exceed the deposit, the Owner/Applicant shall pay the difference forthwith upon being billed by the municipality, with interest at the rate of 1.25% per month (15% per annum) on accounts overdue more than 30 days,

The Owner/Applicant/Agent further agrees that, until such requests have been complied with, the municipality will have no continuing obligation to process the application or attend or be represented at the Ontario Municipal Board or any court or other administrative proceeding in connection with the application:

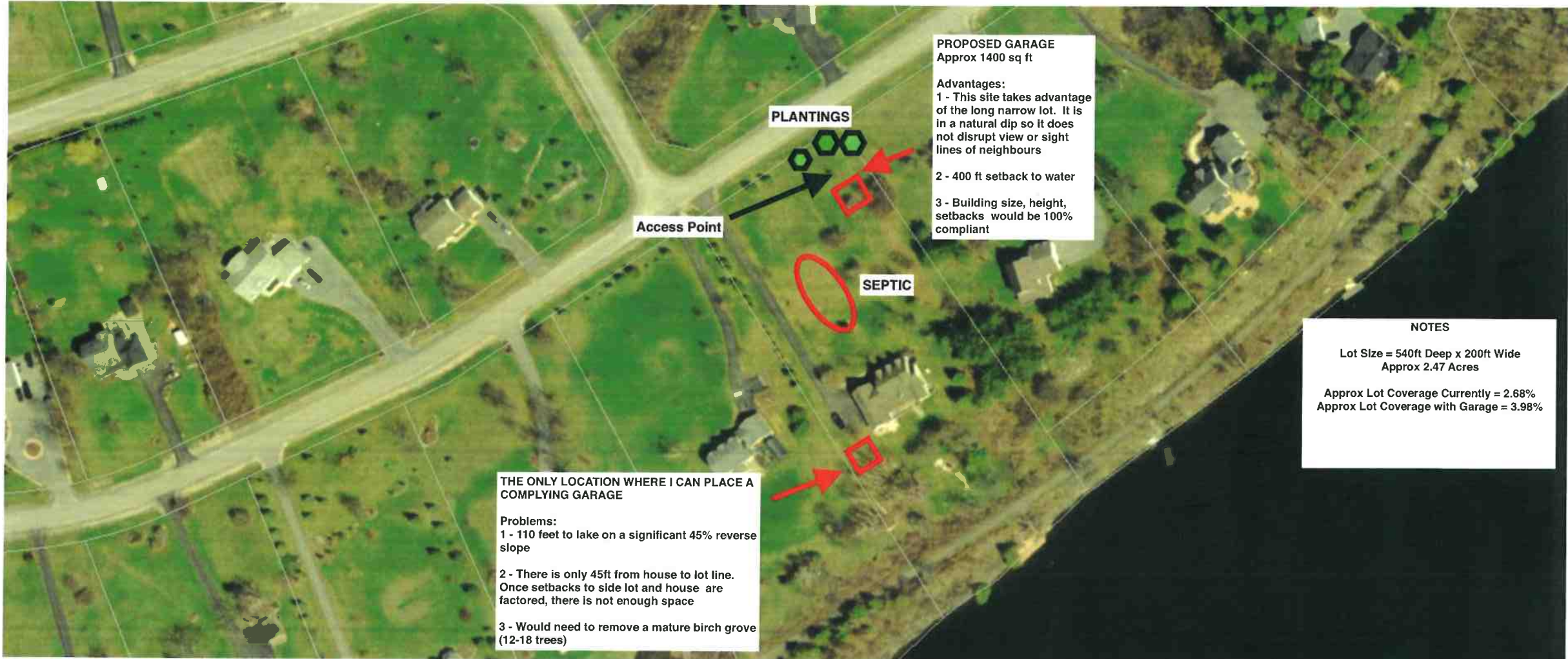
DATED AT THE TOWNSHIP OF SOUTH FRONTENAC



2- Sketch of 4586 Fox Ridge Trail  
 → shows proposed ~~location~~ location

N ↑

FRONT LOT SETBACK - 7'-100 FT  
 REAR LOT SETBACK - 7'-400 FT  
 EAST SIDE LOT SETBACK - 7'-25 FT  
 WEST SIDE SIDE-LOT SETBACK 7'-130 FT



**PROPOSED GARAGE**  
 Approx 1400 sq ft

**Advantages:**

- 1 - This site takes advantage of the long narrow lot. It is in a natural dip so it does not disrupt view or sight lines of neighbours
- 2 - 400 ft setback to water
- 3 - Building size, height, setbacks would be 100% compliant

PLANTINGS

Access Point

SEPTIC

**NOTES**

Lot Size = 540ft Deep x 200ft Wide  
 Approx 2.47 Acres

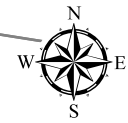
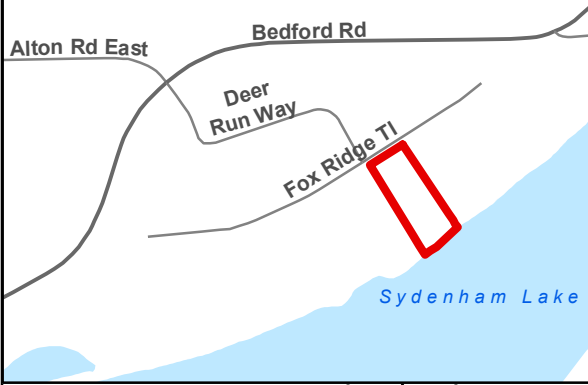
Approx Lot Coverage Currently = 2.68%  
 Approx Lot Coverage with Garage = 3.98%

**THE ONLY LOCATION WHERE I CAN PLACE A COMPLYING GARAGE**

**Problems:**

- 1 - 110 feet to lake on a significant 45% reverse slope
- 2 - There is only 45ft from house to lot line. Once setbacks to side lot and house are factored, there is not enough space
- 3 - Would need to remove a mature birch grove (12-18 trees)

# Inset Map



## PECK & BAXTER MV-36-19-L

### 4586 FOX RIDGE TRAIL

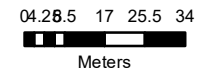
#### Legend

-  Peck & Baxter Property
  -  Parcel Fabric
  -  Provincially Significant Wetlands
  -  Wetland
  -  Waterbody
  -  River/ Stream
- #### Roads
-  Arterial
  -  Expressway / Highway
  -  Local / Street

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 1:1,600



UTM Projection NAD 83

Report from Roads to Committee of Adjustment

Application Number: \_\_\_\_\_

Applicant's Name: \_\_\_\_\_

Concession: \_\_\_\_\_ Lot: \_\_\_\_\_ District: \_\_\_\_\_

Road: \_\_\_\_\_

Road Maintenance:      Year-round       Seasonal

Sight Lines: Are there adequate sight lines for the proposed placement of the garage?    Yes     No

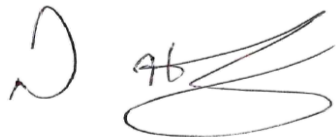
If no, what changes would be required to improve sight lines?

**Approved by the Public Services?**

Yes       Yes, with conditions       No

If yes, with conditions, please describe conditions below.

Public Services will not allow a second entrance to the property to the garage. It will have to be serviced from the existing entrance.

  
\_\_\_\_\_  
Signature on behalf of Public Services

\_\_\_\_\_  
Date



# REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



## MINOR VARIANCE – PLANNING REPORT

**Report Date:** November 14, 2019

**Application No:** MV-36-19-L

**Owner:** Jeff Peck & Stephanie Baxter

**Location of Property:** Lot 5, Plan 1986 being Parts 22-24 on Plan 13R14914, District of Loughborough, Township of South Frontenac, municipally known as 4586 Fox Ridge Trail, Sydenham Lake

**Purpose of Application:** To vary Section 5.24.2 of the Township of South Frontenac Zoning Bylaw

**Date of Hearing:** November 14, 2019

**Recommendation:** That provisional approval be:

- granted with conditions (attached)
- deferred
- denied

**Purpose:**

- zoning relief for construction of a new structure
- zoning relief for replacement to an existing structure
- zoning relief for other

<b>Official Plan Designation:</b> Rural	
<b>Zoning:</b> Residential (R) Zone & Open Space – Public (OS-1) Zone	<b>Zoning Relief Requested:</b>
<b>Section 5.24.2:</b> Accessory Buildings for an accessory structure being a garage located in the front yard	<b>Relief:</b> Permit a garage in the front yard, setback 20 metres in the front yard.

**Review:** This application:

- ✓ Is consistent with the Provincial Policy Statement (s. 3(5) *Planning Act*);
- ✓ Conforms with the general intent and purpose of the County of Frontenac Official Plan;
- ✓ Conforms with the general intent and purpose of the Township of South Frontenac Official Plan;
- ✓ Complies with the general intent and purpose of the Township of South Frontenac Zoning By-law 2003-75 (or will comply subject to approval for the minor variance);
- ✓ Is desirable for the appropriate development of the lands in question; and
- ✓ Is minor.

### Proposal

An application for minor variance has been submitted to permit the construction of a one storey garage in the front yard consisting of 1400 ft<sup>2</sup> to be constructed approximately 100 feet from the road Fox Ridge Trail, and approximately 400 feet from Sydenham Lake. The applicants have indicated that the height of the garage will comply with the maximum permitted height of 6 metres for an accessory building and will comply with the maximum permitted lot coverage. The property contains an existing two storey residential dwelling with attached garage situated to the rear of the lands, located on Lot 5, Plan 1986 being Parts 22-24 on Plan 13R14914, District of Loughborough, Township of South Frontenac, municipally known as 4586 Fox Ridge Trail, Sydenham Lake.



# REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



The property is located on the north shore of Sydenham Lake. The topography of the property is described as sloping gradually from the street towards the dwelling and dropping off towards Sydenham Lake. The property has mature trees between the road and the existing house or front yard which will partially buffer the proposed garage in a slightly depressed portion of the site, and towards the rear of the existing dwelling towards the waterfront. The applicants have indicated that additional landscaping will be provided in the front yard to provide additional buffering of the garage.

Under Section 45(1) of the *Planning Act* there are four tests a minor variance must meet. 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:

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

## Background

The subject property is a waterfront lot with 215 feet (65.53 metres) of waterfrontage along Sydenham Lake and approximately 195 feet along Fox Ridge Trail and consists of 1.97 acres (0.79 ha) in area. The property is located on the south side of Fox Ridge Trail. The applicants have indicated that their current attached garage is 400 ft<sup>2</sup> and cannot accommodate for the storage of boats, lawnmower and summer and winter items.

The garage would be located away from the existing dwelling, septic system and well in a partially depressed area with partial vegetative cover. The applicant has indicated that they will be installing additional landscaping at the front of the garage so as to screen the structure from the neighbours view across the street. The garage will be accessed from the existing driveway.

The current owners purchased the property in 2013. The dwelling was constructed in approximately 2000. The property has an existing septic system between the existing dwelling and the street and the well is located adjacent to the house. The applicant has indicated that services will be extended to the garage and may contain plumbing fixtures. The applicants will be working with the Health Unit to assess whether the existing septic system can accommodate for additional plumbing.

The property has a number of existing trees and a dock along the shore of the waterfront. The surrounding area contains existing year round dwellings located along the shoreline of Sydenham Lake in proximity to this site.

The owners have noted that the neighbour to the north will be most directly impacted, but with the additional tree planting undertaken the visual impact will be minimized.

## Planning Analysis

### Agency Analysis and Comments

Public Services – Public Services will not permit a second entrance for this property to provide access to the garage. The garage will be required to be accessed from the existing entrance.

KFL&A Public Health – Staff at the Health Unit indicated in their November 14, 2019 comments that they have no objection to the proposed minor variance and that the location of the garage will not impact the existing on-site sewage system (permit # LO-4-99). The applicants will be required to complete an Application for Review of Performance Level of Existing On-Site Sewage System through KFL&A Public Health, in advance of applying for a building permit through the Township. KFL&A will work with the applicants to ensure that the access to the garage does not impact the existing on-site sewage system. No additional charge is required from the applicants as the fee has been paid with the minor variance application.

Cataraqui Region Conservation Authority – CRCA staff have concluded that they are not required to review the application for minor variance as there appears to be no natural hazard or natural heritage features in proximity to the proposed location for the garage.



# REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



Public Comments – At the time of the writing of this report, no comments have been received from the public.

## Conclusion

The proposed application to permit the construction of a one storey garage consisting of 1400 ft<sup>2</sup>, to comply with the maximum permitted height of 6 metres and to be constructed approximately 100 feet from Fox Ridge Trail to the northeast of the existing dwelling located at Lot 5, Plan 1986 being Parts 22-24 on Plan 13R14914, District of Loughborough, Township of South Frontenac, 4586 Fox Ridge Trail, Sydenham Lake, meets the four tests for a minor variance:

- The variance conforms to the general intent and purpose of the Official Plan as the proposed garage will be constructed to the northeast of the existing single detached dwelling located on the rural waterfront property. The garage will be located as far back as possible from the waterfront given the constraints on the lot.
- The variance conforms to the general intent and purpose of the Zoning Bylaw as the structure will be constructed outside the 30 metre setback to the highwater mark of Sydenham Lake. As the property has frontage on a maintained street, the rear of the lands along Sydenham Lake is determined to be the rear yard as per Section 5.25 of the zoning by-law. The proposed development will not impact the (IPZ-1) Zone given the garage located in the front yard.
- The variance is desirable for the appropriate development of the lands in question as development is further from the waterfront than existing buildings on the property. The proposed garage will be constructed in a depressed area and is partially screened by existing trees. By condition, additional landscaping will be provided to screen the proposed garage from the street and the neighbour's view of the subject property.
- The variance is minor as the proposal seeks to maintain the waterbody setback and direct the garage away from Sydenham Lake. The proposed garage does not exceed lot coverage and will comply with the maximum permitted height of 6 metres.

## Recommended Conditions

\*\*Conditions are a decision of the Committee of Adjustment, the conditions below are recommended. The final approved conditions will be included in the signed decision\*\*

1. The Minor variance is for the construction of a one storey garage consisting of 130m<sup>2</sup> (1400 ft<sup>2</sup>) to be constructed to the northeast of the existing single detached dwelling, as per the drawings submitted with MV-36-19-L. The garage will be approximately 400 feet to the highwater mark of Sydenham Lake and approximately 100 feet from the front lot line in the Residential (R) Zone.
2. The applicant is required to enter into a Development Agreement to be registered on the title of the property to the satisfaction of the Township to address the matters and requirements of the Township:
  - The Owner shall provide additional landscaping to ensure that the garage is visually screened from the road.
  - The access to and placement of the garage shall not impact the existing on-site sewage system.
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 the approval from the Township of South Frontenac.
4. The applicants will be required to complete an Application for Review of Performance Level of Existing On-Site Sewage System through KFL&A Public Health, in advance of applying for



## REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



a building permit through the Township. The applicants are required to work with KFL&A to ensure that the access to the garage does not impact the existing on-site sewage system.

5. The design of the garage shall be in general conformity with the illustrated elevation plan submitted in support of application MV-36-19-L, attached to the Decision as Schedule "A".
6. Minor variance MV-36-19-L is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.

**Submitted by:** Trudy Gravel, CPT, AMCT, Planner, Township of South Frontenac

**Approved by:**

Claire Dodds, MCIP, RPP, Director of Development Services, Township of South Frontenac

**Date of Site Visit:** November 1, 2019

**Attachments:** Map of the Peck & Baxter property

TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR MINOR VARIANCE  
Planning Act, R.S.O. 1990, c. P.13 as amended

Date Received: Oct. 7, 2019

File No: MV-37-19-B

1. Name of Owner(s): ANNA POTVIN

Full Mailing Address of Owner(s): [REDACTED]

[REDACTED]

Phone number of Owner(s): [REDACTED]

Email Address of Owner(s): [REDACTED]

2. If the applicant is **NOT** the owner of the subject land, the written authorization of the owner that the applicant is authorized to make the application, must accompany the application.

Name of Authorized Agent: \_\_\_\_\_

Full Mailing Address of Authorized Agent: \_\_\_\_\_

\_\_\_\_\_

Phone number of Authorized Agent: \_\_\_\_\_

Email Address of Authorized Agent: \_\_\_\_\_

Agent as named above is hereby authorized to act on behalf of the owners for purposes of processing this application for Minor Variance.

\_\_\_\_\_  
Signature(s) of Owner(s)

3. The description of the subject land:

District:  Bedford  Portland  Loughborough  Storrington

Concession Number: 4 Lot Number: 18

Street Number: 21A Name of Road/Street: BAYSHORE LANE

Reference Plan Number: 13-R-4656 Part Number(s): 2, 3, 4

Roll Number: 1029 020 020 43502 0000

TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR MINOR VARIANCE  
Planning Act, R.S.O. 1990, c. P.13 as amended

4. The frontage(s), depth and area of the subject land.

Frontage (on water): 200' Frontage (on road/lane): 240'  
Depth: 472' Area: 2.4 acres

5. The current zoning of the subject land:

RLSW

6. The nature and extent of the relief from the Zoning By-law:

30m setback to high water Section 5, 8, 2A  
Section 10, 3, 1 30m high water mark.

7. The reason why the proposed use cannot comply with the provisions of the Zoning By-law:

The new structure encroaches on the 30 metres. The original was built there due to extensive rock and bush and slope.

8. Does the subject property front on a municipally maintained road?  Yes  No  
OR a privately maintained road?  Yes  No

Name of Road/Lane: Sunset Shores  
and then Bayshore Lane

9. If access to the subject property is by water only, please indicate the parking and docking facilities used or to be used and the approximate distance of these facilities from the subject land and the nearest public road.

\_\_\_\_\_  
\_\_\_\_\_

10. What are the existing uses of the subject land?

Seasonal Dwelling / Cottage

11. Please indicate whether there are any **EXISTING** buildings or structures on the subject land. (I.e. residence, garage, shed, etc.)

Yes  No

**TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR MINOR VARIANCE**  
*Planning Act, R.S.O. 1990, c. P.13 as amended*

12. If the answer to item 11 is yes, for EACH building or structure indicate: **EXISTING**

Type of Structure (E.g. residence)	(1)	(2)	(3)	(4)
Setback from Front Lot Line	30.48 m.			
Setback from Rear Lot Line	95.04 m.			
Setback from Side Lot Line	10.2 m.			
Height of Building (Also indicate if it is one story or two story)	ONE STORY			
Dimensions of Floor Area	30'2" x 48'0" (includes current deck) 25'6" x 36'0" (excludes deck)			
Setback from High Water Mark (If applicable)	25.9			

13. The proposed uses of the subject land:

SEASONAL DWELLING/COTTAGE

14. Are any building(s) or structure(s), or additions to existing building(s) or structure(s), **PROPOSED** to be built on the subject land?

Yes       No

**TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR MINOR VARIANCE**  
*Planning Act, R.S.O. 1990, c. P.13 as amended*

15. If the answer to item 14 is yes, for each proposed addition, building or structure indicate:

	(1)	(2)	(3)	(4)
Type of Structure (E.g. residence)	Cottage			
Setback from Front Lot Line	30.48 m			
Setback from Rear Lot Line	95.93 m			
Setback from Side Lot Line	10.79 m			
Height of Building (Also indicate if it is one story or two story)	one (7.3m) Story			
Outside Dimensions of Building/Structure	41'2" w x 41'10" d			
Setback from High Water Mark (If applicable)	25.9 m			

NOTES: 1) If the subject property is on waterfront, and on a private lane, the setback from the front lot line and the setback from the high water mark will be the same.

2) The dimensions required in this question relate to the **NEW CONSTRUCTION ONLY**, and **NOT** to the total size of the completed building.

16. Do your plans include any **DEMOLITION** of existing structures?  Yes  No

If yes, please provide details:

TOTAL LOSS fire SEPT 2, 2017. STRUCTURE STANDING  
ON current foundation

TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR MINOR VARIANCE  
Planning Act, R.S.O. 1990, c. P.13 as amended

17. Do your plans include the **RAISING** of an existing structure?  Yes  No

If yes, please provide details:

Basement changes.  
Changing from wood with cement pillars to a poured concrete foundation

18. What are the uses of the proposed development?

- (a) Increase in number of bedrooms  Yes  No
- (b) Increase in plumbing fixtures  Yes  No
- (c) Increase in living space  Yes  No
- (d) Will the addition or structure encroach on the existing septic system?  Yes  No

19. The date the subject land was acquired by the current owner:

SEPT 25, 2008

20. The date the existing buildings and structures were constructed on the subject lands:

1988

21. The length of time that the existing uses of the subject land have continued:

Since 1988

22. Indicate whether water is provided to the subject land by a publicly owned and operated piped water system, a privately owned and operated individual or communal well, a lake, or other water body, or other means:

Lake Intake

23. Indicate whether sewage disposal is provided to the subject land by a publicly owned and operated sewage system, a privately owned and operated individual or communal septic system, a privy, or other means:

PRIVATE SEPTIC

24. Is storm drainage provided by sewers, ditches, swales or by other means?

Small side yard drainage ditch.

**TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR MINOR VARIANCE**  
*Planning Act, R.S.O. 1990, c. P.13 as amended*

25. Please indicate whether the subject land is subject of an application under the Planning Act for approval of a Plan of Subdivision or Consent.

Yes       No

26. If the answer to question 25 is yes, please give the file number of the application and the status of the application.

---

27. If known, please indicate whether the subject land has ever been the subject of an application under Section 43 of the Planning Act (Minor Variance).

Yes       No

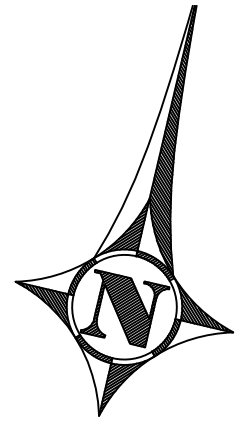
28. If the answer to item 27 is yes, please give the file number of the application and the status of the application.

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29. A **SKETCH** must be submitted showing the following:

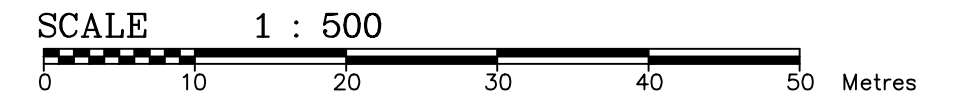
- i) THE SKETCH **MUST** HAVE A NORTH ARROW AT THE TOP OF THE PAGE.
- ii) The boundaries and dimensions of the subject land including the location of any existing and proposed buildings.
- iii) The location of a reference point.....i.e. distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing.
- iv) The location of all abutting (neighbours') lands.
- v) The approximate location of all natural and artificial features on the subject land and on the land that is adjacent to the subject land. Examples include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, barns, wetlands, wooded areas, wells and septic tanks. Show distance of these features from the applicant's property lines.

**\*\*Note: \*\*** The distances to on-site and abutting owners' wells, septic fields and barns, from the property to be varied, **IS REQUIRED** to be shown. The **SKETCH** is of significant importance and should be prepared as carefully, neatly and accurately as possible.



**SKETCH FOR BUILDING PERMIT**  
**PART OF LOT 18**  
**CONCESSION 4**  
 TOWNSHIP OF CENTRAL FRONTENAC  
 COUNTY OF FRONTENAC

McINTOSH PERRY SURVEYING INC.



**METRIC :**  
 DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES  
 AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

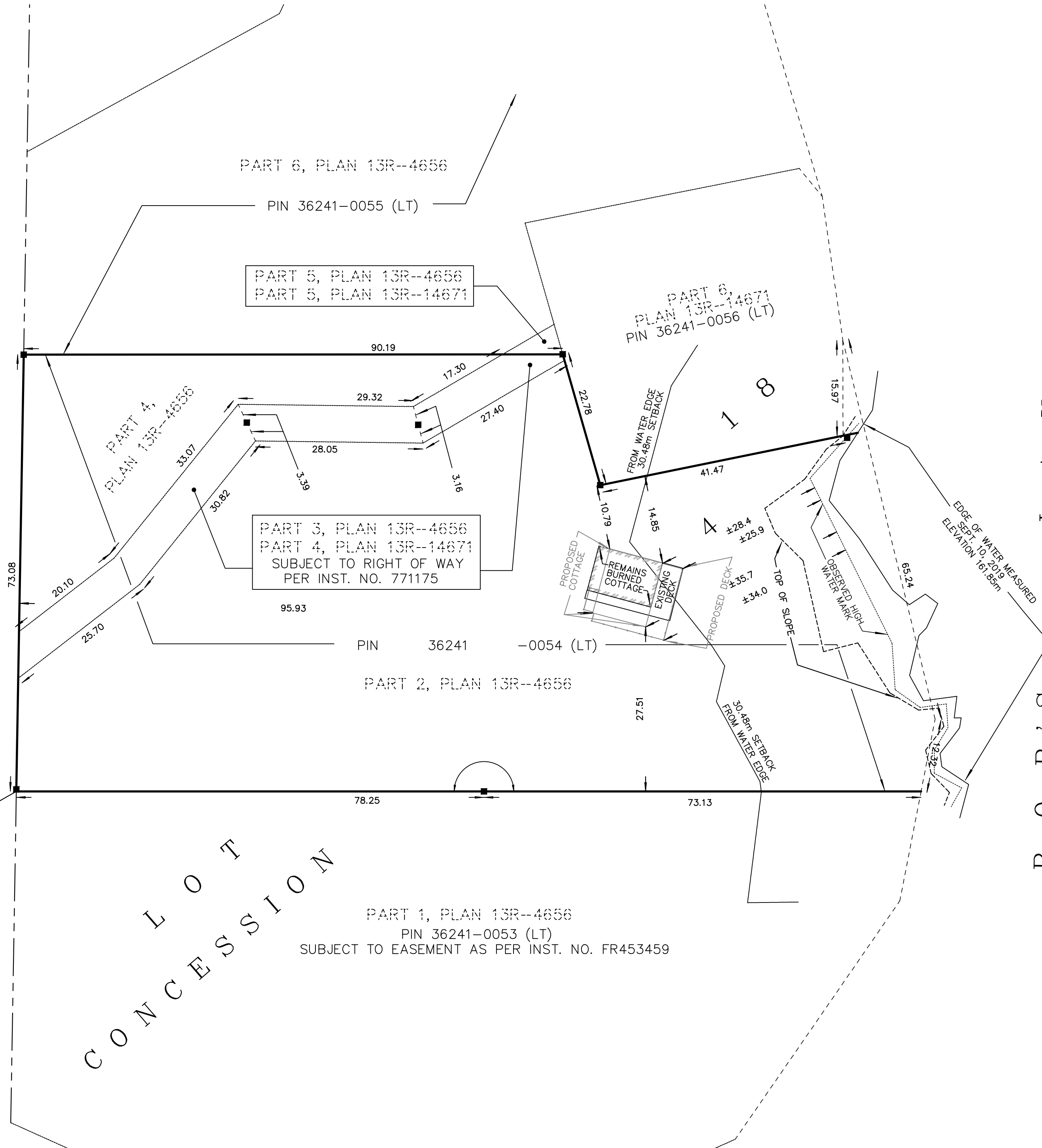
**CAUTION :**  
 THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT  
 FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.  
 THIS PLAN IS PROTECTED BY COPYRIGHT. ©

**NOTES :**  
 TIES SHOWN ON THIS PLAN ARE FROM PROPOSED BUILDING TO  
 REPLACE EXISTING BURNED COTTAGE.  
 PROPOSED BUILDING DIMENSIONS ARE FROM ARCHITECTURAL PLANS  
 PRODUCED BY L.A.C. DESIGN.

ROAD ALLOWANCE BETWEEN CONCESSIONS 3 & 4  
 PIN 36241-0360 (LT)

CONCESSION

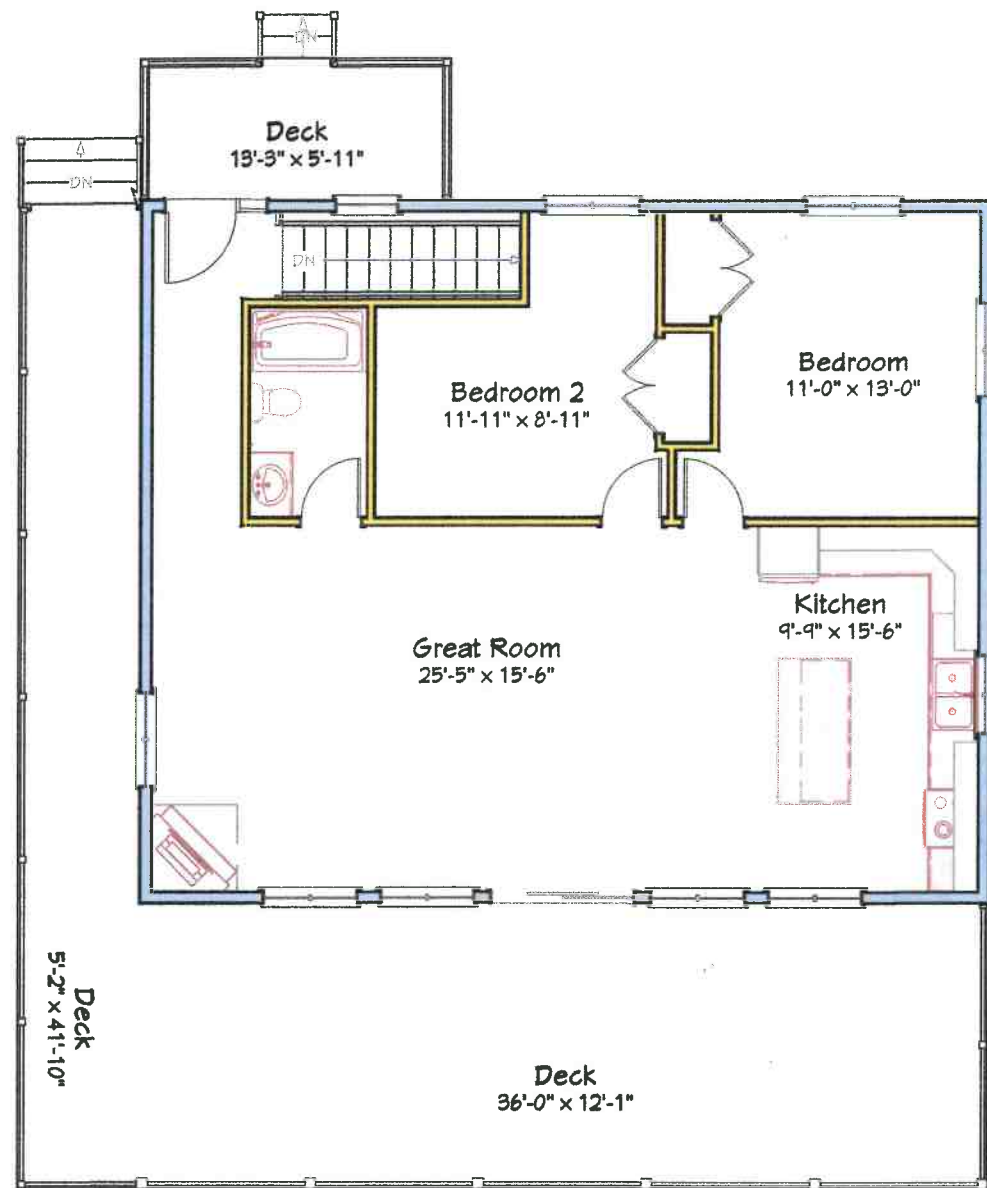
L A K E  
 B O B ' S



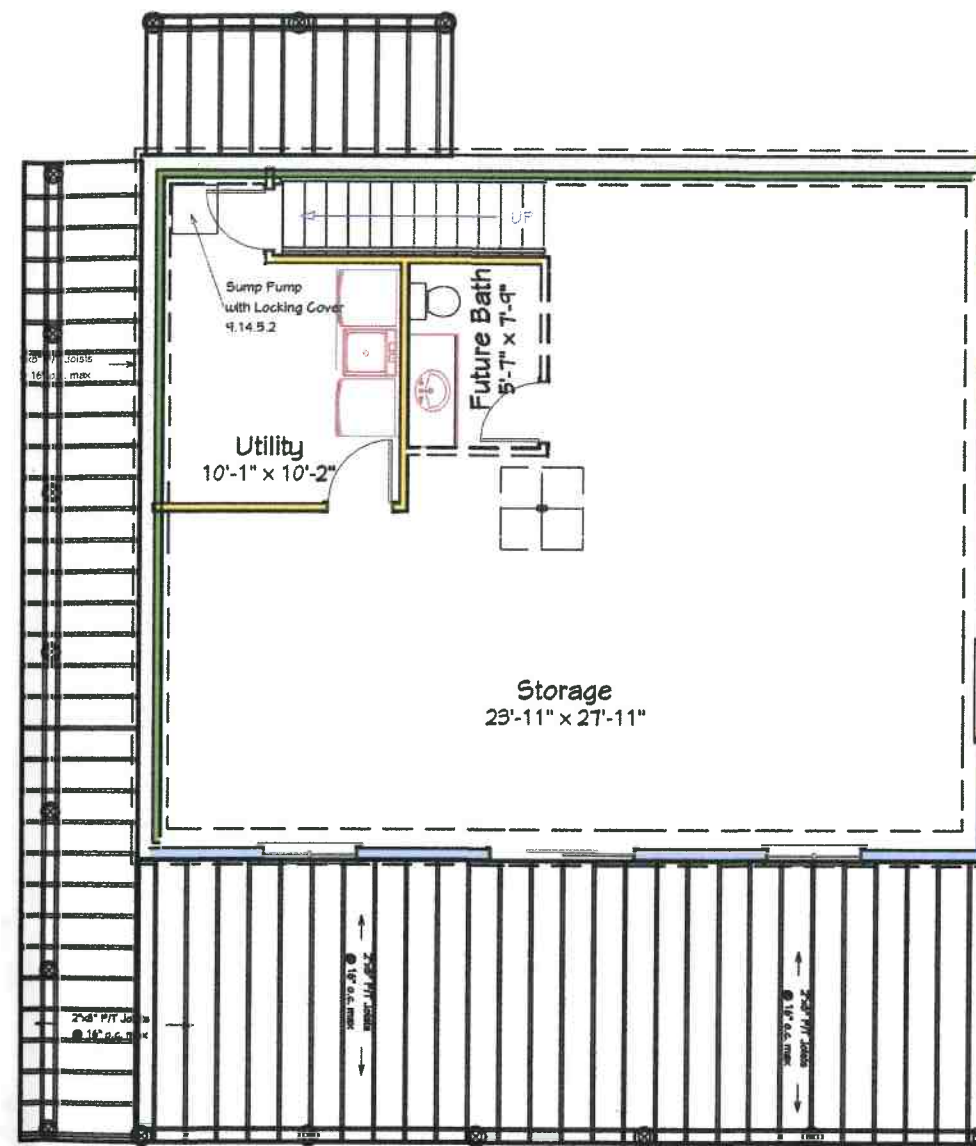
© COPYRIGHT IN THIS PLAN REMAINS THE PROPERTY OF  
 McINTOSH PERRY SURVEYING INC.. REPRODUCTION OF  
 THIS PLAN BY ANY MEANS IS PROHIBITED.

JOB No. 19-4337	DRAWING # 19-4337_Site Plan
PREPARED FOR: Anna Potvin	
<b>McINTOSH PERRY</b> <b>SURVEYING INC.</b> 3240 Drummond Con. 5A, R.R. #7, Perth, ON K7H 3C9 Tel: 613-267-6524 Fax: 613-267-7992 www.mcintoshperry.com	
EXAMINED:	CHECK:

M:\MPSI CORRESPONDENCE\2019 JOBS\19-4337 LUKE & ANNA POTVIN\_LOT 18,19 CON 4  
 BEDFORD\_SRPR\CAD\DRAWING\19-4337\_SITEPLAN.DWG  
 October 11, 2019 11:35:01 AM



Living Area  
1087 sq ft



Living Area  
1087 sq ft

Note:  
The Cottage is to be used as a 3 Season cottage.  
To be constructed for possible 4 Season use in the future. There is to be NO heating system installed at this time.

### Notes

L. A. Cunha has reviewed and takes responsibility for the design provided on this page.



This is an unauthorised copy if this note is not red.

The contractor is responsible for checking and verifying all the dimensions & data noted herein with conditions on site and shall report any discrepancy to the designer for adjustments to drawings.

Date: Revisions:

L.A.C Design reserves the right to re-use and re-issue any and all parts of this drawing.



2675 Delmar Street  
Kingston, Ontario  
Phone/Fax: (613) 384-2661  
E-Mail: lacdesign@cogeco.ca

Project Title:  
Potvin Cottage

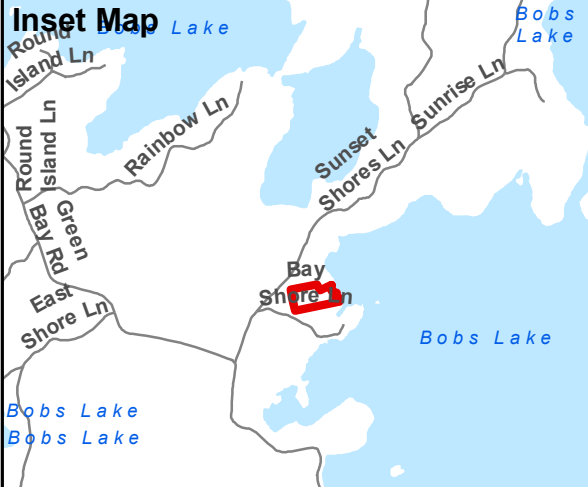
Drawn For:  
A. Potvin  
anna.potvin@rogers.com

Page Title  
Main Floor  
Layout Plan

Square Ft:	1087
Scale:	1/8" = 1'0"
Date:	Sept. 2019
Drawn By:	L.A.C
BCIN#:	22942
Checked By:	
BCIN#:	
Firm BCIN#:	31248
File Name:	Potvin

Page No.:  
**A1**

**Inset Map**



**POTVIN  
MV-37-19-B**

**21A BAYSHORE LANE**

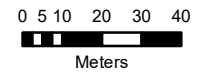
**Legend**

-  Potvin Property
  -  Parcel Fabric
  -  Provincially Significant Wetlands
  -  Wetland
  -  Waterbody
  -  River/ Stream
- Roads**
-  Arterial
  -  Expressway / Highway
  -  Local / Street

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 1:1,900



UTM Projection NAD 83



# REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



## PLANNING REPORT – VARIANCE APPLICATION

**Report Date:** November 8, 2019

**Application No:** MV-37-19-B

**Owner:** Anna Potvin

**Location of Property:** Part Lot 18, Concession 4, being Parts 2-4 on Plan 13R4656, District of Bedford, Township of South Frontenac, municipally known as 21A Bayshore Lane, Bobs Lake.

**Purpose of Application:** To vary Sections 5.8.2a), 5.10.2, & 10.3.1 of the Township of South Frontenac Zoning Bylaw

**Date of Hearing:** November 14, 2019

### Recommendation

It is recommended that the Committee of Adjustment receive comments from the public and that the Committee of Adjustment **defer** making a decision on application MV-37-19-B to provide the applicant with additional time to work with the Rideau Valley Conservation Authority to modify the submitted application and plans.

### Proposal

An application for minor variance has been submitted for the property located at Part Lot 18, Concession 4, being Parts 2-4 on Plan 13R4656, District of Bedford, Township of South Frontenac, municipally known as 21A Bayshore Lane, Bobs Lake. (see attached map) to permit the re-construction of a one storey seasonal dwelling and deck. The applicant is seeking relief from Sections 5.8.2a), 5.10.2, & 10.3.1 from the Limited Service Residential – Waterfront (RLSW) Zone and Flooding and Shoreline Erosion Hazards which both require a 30 metre (98.4 feet) setback from the highwater mark and Section 5.10.2 which does not permit enlargement of gross floor area, increase in height and does not allow living space to be added below grade for existing buildings within 30 metres (98.4 feet) of a Waterbody or Watercourse.

The applicant had noted that the original cottage was destroyed by fire in the fall of 2017. The size of the four season cottage was originally 7.6m (25 ft) wide by 11m (36 ft) deep with a loft and a roughed-in basement with two washrooms. The existing deck towards the waterfront remains on site. Based on a letter from the applicant, the applicant is proposing to rotate the cottage to reconstruct a new deck towards the waterfront.

The property is located on the western shore of Bobs Lake in Green Bay. The topography of the property is rocky and wooded to the west of where the original cottage was located and then slopes towards the waterfront.

Rideau Valley Conservation Authority provided comments dated November 7, 2019 indicating that they object to the requested reduction in the setback to 28.4 metres for the cottage and 25.9 metres for the deck. RVCA are receptive to having the reconstructed deck encroach into the 30 metre setback, but not the cottage. Based on the comments from RVCA, the deferral request will provide additional time for the applicant to work with RVCA staff to modify their plans.

### Submitted by:

Trudy Gravel, CPT, AMCT, Planner, Township of South Frontenac

### Approved by:

Claire Dodds, MCIP, RPP, Director of Development Services, Township of South Frontenac

**Date of Site Visit:** November 1, 2019

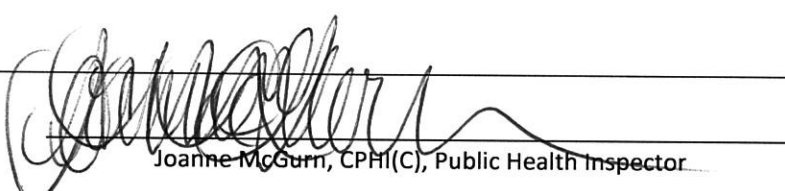
**Attachments:** Map of Potvin property



**KFL&A**  
Public Health

**REQUESTS FOR COMMENTS**

**Environmental Health Department**  
1130 Elizabeth Street  
Sharbot Lake, Ontario K0H 2P0  
(613) 279-2151  
1-800-267-7875  
Fax: (613) 279-3997  
<http://www.kflapublichealth.ca>

<b>To:</b>	Ms. Michelle Hannah Secretary-Treasurer, Committee of Adjustment Township of South Frontenac P.O. Box 100 4432 George Street Sydenham, ON K0H 2T0
<b>Application Number:</b>	MV-37-19B
<b>Type of Application or Proposal:</b>	Minor Variance
<b>Applicant Name(s):</b>	Potvin, Anna
<b>Location:</b>	Lot 18. Concession 4, 13R4565 Pts. 2,3,4; Bedford District 21A Bayshore Lane
<b>Planning Department or Agency:</b>	Township of South Frontenac (Bedford)
<b>Comments:</b>	KFL&A Public Health has no objections to the proposed minor variance to rebuild cottage. Owner has submitted an application under permit number BE-23-19.
<b>Inspector:</b>	 Joanne McGurn, CPHI(C), Public Health Inspector
<b>Date:</b>	October 31, 2019

**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.



3889 Rideau Valley Drive  
PO Box 599, Manotick ON K4M 1A5  
T 613-692-3571 | 1-800-267-3504  
F 613-692-0831 | www.rvca.ca

November 7, 2019  
19-SFR-MVA-0028 (BEDFORD)

Township of South Frontenac  
Committee of Adjustment  
P.O. Box 100  
4432 George Street  
Sydenham, ON  
K0H 2T0

Attention: Michelle Hannah

Subject: **POTVIN, Anna**; Application **M-37-19-B** – 21A Bayshore Lane, Part Lot 18,  
Concession 4; Former Township of Bedford, Now the Township of South  
Frontenac; Roll Number: 1029020020435020000

Dear Ms. Hannah,

The Rideau Valley Conservation Authority (RVCA) has reviewed the subject application within the context of:

- Section 2.1 Natural Heritage, 2.2 Water and 3.1 Natural Hazards of the Provincial Policy Statement under Section 3 of the Planning Act;
- The Rideau Valley Conservation Authority (“Development, Interference with Wetlands and Alteration to Shorelines and Watercourses” regulation 174/06 under Section 28 of the Conservation Authorities Act);
- The Bobs Lake – Crow Lake Catchment Report;
- The Mississippi-Rideau Source Protection Plan;
- The Rideau Lakes Study

### The Proposal

The RVCA understands this proposal to be an application for a minor variance to seek relief from Sections 5.8.2a and 10.3.1 of the Township of South Frontenac’s Zoning By-law. The requested variance would permit a reduction of the required 30 metre setback to 25.9 metres from the normal high water mark of Bob’s Lake. The variance also proposes to vary section 5.10.2 to allow enlargement of gross floor space and an increase in height within 30 metres of a waterbody.

**Proudly working in partnership  
with our 18 watershed municipalities**

Athens, Augusta, Beckwith, Central Frontenac, Clarence-Rockland,  
Drummond/North Elmsley, Elizabethtown-Kitley, Merrickville-Wolford, Montague,  
North Dundas, North Grenville, Ottawa, Perth, Rideau Lakes, Smiths Falls, South Frontenac, Tay Valley, Westport

No structures are proposed to be reconstructed closer to the water than currently exists.

## **The Property**

The subject property is indicated as being approximately 1 hectare in area with road frontage of approximately 80 metres on Bayshore Lane and water frontage of approximately 60 metres adjacent Bobs Lake. It has an average depth of 143 metres.

A review of our records did not indicate the presence of any wetlands, organic soils or unstable slopes. Steep slopes were observed during the site visit to the property. Our office does have a regulated flood level of 163.07 metres above sea level (geodetic) associated with Bobs Lake which should be considered in any future reconstruction.

## **Review Comments**

### Provincial Policy Statement

Our office does not have any concerns in respect of Section 2.1, natural heritage, associated with this development.

Section 2.2 of the PPS requires planning authorities to protect, improve or restore the quality and quantity of water by using the watershed as the ecologically meaningful scale for integrated and long-term planning (which can be a foundation for considering cumulative impacts of development). The planner is of the opinion that as long-term planning can consider cumulative impacts, where there is the ability to improve non-complying setbacks these should be undertaken, especially when development proposes to increase gross floor area. Based on this section of the PPS and the additional requirement to ensure that stormwater management practices minimize stormwater volume, contaminant loads and maintain or increase the extent of pervious and vegetative surfaces, our office would advocate for an improved setback where there is an increase in gross floor area.

Regarding Section 3.0 of the PPS, as long as redevelopment is mindful of the regulated flood level, our office has no concerns associated with this section.

### Ontario Regulation 174/06

The applicants should be aware that Bobs Lake (Green Bay) is regulated as a watercourse under Ontario Regulation 174/06. As such, should any modifications to the shoreline be proposed, prior written permission is required in accordance with our regulation (Development, Interference with Wetlands, Alterations to Shoreline and Watercourses) made under Section 28 of the Conservation Authorities Act.

### Bobs Lake Catchment Report – Green Bay

The water quality report for Green Bay is “good” according to the Bobs Lake Catchment Report. Nutrient concentrations are generally below the Provincial Water Quality Objectives (PWQO) with few exceedances. It is possible that occasional problems with nutrient enrichment may be observed in shallow, sheltered bays or following periods of heavy runoff. Bacterial contamination is not currently a significant concern in Green Bay. Efforts such as the diversion of runoff and enhanced shoreline buffers are important to continue to protect and enhance water

quality and reduce future nutrient increases. This is particularly important for roadways and dwellings that border the lake. Residents can help minimize their impact on the lake by reducing nutrient inputs through practices such as proper septic maintenance, keeping shorelines natural and using phosphate free soaps and detergents. The report recommends that a minimum 30 metre development setback be applied consistently for water quality and shoreline protection adjacent the lake.

### Source Water Protection

The subject property is identified as overlying a highly vulnerable aquifer. These are aquifers that are vulnerable to surface contaminants due to thin or absent soils overlying bedrock that may be fractured. Where these conditions exist, it may be possible for contaminants to enter drinking ground water supplies. For this reason, care should be taken to avoid land uses and practices that may inadvertently lead to undesirable effects on groundwater.

### **Discuss and Recommendations**

The Township's Official Plan states one of its goals is to preserve and enhance environmental quality for the enjoyment of future generations while realizing its economic potential (Section 4.1). In order to accomplish this, the Plan recognizes that development decisions will be made from a long term cumulative impact point of view to ensure no net loss of environmental quality occurs, to maintain or improve surface and subsurface water quality and to encourage re-establishment of natural vegetation along shorelines (4.1[a][iv][v][vi]). The Township considers all lands within 90 metres of the highwater mark of lakes and rivers to be "Environmentally Sensitive Areas" (5.2.7[b]). In addition, Green Bay is also considered to be a "Highly Sensitive Lake Trout Lake" (5.2.8) and it is indicated that the policies of 5.2.7[b][i] will apply to existing and new development and/or site alterations located adjacent to such lakes (5.2.8). The intent of the Plan is that all buildings and structures not related to the use of water, and all sewage disposal system leaching beds be well setback from the water. More specifically, a minimum setback of 30 metres shall apply.

Based on the site visit completed to the subject property, RVCA staff are aware of the limitations which currently exist with the subject property, namely being the large slope to the rear of the existing cottage. During conversations with the applicant, our office had recommended maintaining the existing setback and possibly improving it somewhat while acknowledging the slope to the rear of the cottage. It is important to note that the planner took rough measurements in the field on September 4, 2019. An existing setback of 23.77 metres was recorded. The planner recommended that an improvement occur but did not think it was feasible to achieve 30 metres.

With the provision of a survey completed by qualified surveyors, the actual measurements indicate that the existing deck is 25.9 metres and the setback to the cottage is 28.4 metres. There are two observations about this survey. The first is that if the recommended improvement in setback, as discussed during the site visit, was implemented the cottage would entirely meet the 30 metre setback except for the projection of the deck into the 30 metre setback. The second is that the survey provided indicates that the applicants have decided not to pursue an improvement in setback.

If the northwest corner of the existing cottage is used as the same location for the proposed reconstructed cottage, construction of the habitable space would meet the 30 metre setback from the proposed highwater mark. The deck would still project into the 30 metre setback by

approximately 3.5 metres, but there is no proposed enlargement to the deck structure as a result of this application.

It is the opinion of the planner that efforts to improve the setback should be explored based on the intent of the Township's Official Plan, the catchment report and the PPS. This interpretation relies on the fact that increases in gross floor area are occurring. Because no increase in deck gross floor area is proposed as a result of the development application, our office is of the opinion that the existing deck encroachment is permitted, although we still recommend attempting to achieve a greater setback from the deck.

Therefore, our office recommends that any proposed reduction in the 30 metre setback be only for the deck projection and that the Committee require the cottage, with its increased gross floor area, to meet the 30 metre setback. We must **object** to the requested reduction in setback to 28.4 metres for the cottage and 25.9 metres to the deck.

If the Committee and applicant are open to having the reconstructed cottage meet the 30 metre setback, and having only the deck project into the required 30 metre setback, our office would be able to offer support for that scenario and would have the following conditions:

- Sediment and erosion controls between the construction area and Bobs Lake are to be installed prior to initiation of the work, to remain in place until the site has been allowed to regenerate and vegetation has been re-established to the satisfaction of the Township or Chief Building Official.
- All materials from construction (such as demolished materials or excess soil) will be disposed of 30 metres or more from the normal highwater mark of Bobs Lake at a proper disposal site.
- A planting plan showing the current on-site vegetation shall be prepared and submitted as part of any implementing agreement. This will be to the satisfaction of the Township. This should take the form of a drawing showing the current vegetation with a commitment to its maintenance. The applicants can consult with RVCA staff regarding this recommended condition.
- Roof runoff should be directed to the rear or side yards and to an area of soil depth or containment adequate to allow for absorption, infiltration and treatment. Collection and management of runoff in this manner helps to control untreated surface water from running overland to Bobs Lake. This assists with preventing nutrients and sediment from reaching these features.
- The following statement should be included in any agreement, should one be required as a result of this development:

*“Should any work be undertaken along the shoreline of Bobs Lake permits would be required by the Rideau Valley Conservation Authority in accordance with Ontario Regulation 174/06 (“Development, Interference with Wetlands and Alteration to Shorelines and Watercourses”).”*

*“It is recommended that the underside of habitable floor space of the cottage be at least 0.3 metres above the regulatory flood level of 163.07 metres above sea level (geodetic). It is also recommended that all mechanical, electrical or heating and cooling units or ductwork be located above the regulatory flood level.”*

## **Conclusions**

In conclusion, The Rideau Valley Conservation Authority recommends that the reconstructed cottage meet the required 30 metre setback as much as possible while still allowing for a deck projection. Our office remains open to ongoing discussions regarding this development application and are of the opinion that a development can be proposed which meets the intent of the Township’s Official Plan, the catchment report and the PPS.

Thank you for the opportunity to comment and please do not hesitate to contact the undersigned at (613) 267-5353 x 131 should you have any questions.

Please advise us on the Committee’s decision respecting this application or any changes in the status of the application.

Yours truly,



Phil Mosher  
Planner<sub>RPP</sub>

cc – Ms. Potvin, owner  
cc – KFLPHA