

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



TIME: 7:00 PM,
DATE: Thursday, August 12, 2021
PLACE: Council Chambers/Virtual via Zoom.

1. Call to Order

a) Resolution

2. Adoption of Agenda

a) Resolution

3. Electronic Meeting Information

a) The meeting will be live streamed at the following link:

<http://www.facebook.com/SouthFrontenacTwp/>

Please visit the Virtual Committee of Adjustment Meetings page on the Township website for the link to register to be a participant in this meeting:

<https://www.southfrontenac.net/en/open-for-business/virtual-committee-of-adjustment-meetings.aspx>

Instructions about participating via Computer, Laptop, Smartphone, Tablet and Telephone can be found at the above noted link as well.

b) PowerPoint Presentation

3 - 49

Staff has prepared a PowerPoint Presentation that will be displayed on the screen of the meeting, you can also follow along with the PDF version that is in the attachment of this agenda item.

4. Declaration of pecuniary interest

5. Approval of Minutes – July 8, 2021

a) Resolution

6. New Minor Variance Applications:

a) MV-19-21-P (Thomas & Riehl)

50 - 66

Location: Part Lot 6, Concession 13, District of Portland, Township of South Frontenac, municipally known as 1128 High Falls Lane.

Purpose of Application: To vary section 5.8.2a) and 10.3.1 of the Zoning By-law to permit the construction of a second storey addition to an existing 38.7 square metre (416.6 square foot) principal dwelling to be located 14 metres (46 feet) from the highwater mark of Howes Lake whereas the Zoning by-law requires a minimum setback of 30 metres from the highwater mark. The applicants are proposing to move the existing dwelling further back from the highwater mark, raise the principal dwelling and add a second storey addition. This application will also need relief from section 10.3.2 for the

construction of a new 48 square metre (516 square foot) accessory structure being a detached garage to be located at 23 metres from the highwater mark whereas the Zoning By-law requires a minimum setback of 30 metres from the highwater mark for all structures.

- b) MV-28-21-L (Gannon) (Concord Homes) 67 - 99

Location: 1088 Perry Lane, Sydenham Lake, Loughborough District
Purpose of Application: To vary sections 5.8.2(a) and 10.3.1 of Zoning By-law No. 2003-75 to permit a single detached dwelling with an attached deck to be set back 7.9 metres from the highwater mark of Sydenham Lake, whereas a minimum 30 metre setback is required. Also, to permit the dwelling to be set back 6 metres from the rear lot line, whereas a minimum 10 metre setback is required. Also, to permit the dwelling to have a maximum lot coverage of 14.9% whereas a maximum of 5% for the principal building is permitted.

- c) MV-30-21-L (Martin) 100 - 116

Location: Part Lot 21, Concession 6, being Parts 1 – 4 on Plan 13R4508, District of Loughborough, Township of South Frontenac, municipally known as 1028 Wildflower Lane.

Purpose of Application: To vary section 5.6.1, 5.8.2a) and 10.3.1 of the Zoning By-law to permit the construction of a 143 square metre (1536 square foot) principal dwelling to be located 20 metres (66 feet) from the highwater mark of Loughborough Lake and 1.5 metre (4.9 feet) from Wildflower Lane whereas the Zoning by-law requires a minimum setback of 30 metres from the highwater mark and a setback of 5 metres (16.4 feet) from all private lanes. The 143 square metre (1536 square foot) principal dwelling will be two storeys a total height of 9 metres (29.5 feet), with a walk out basement. The total size for the dwelling includes a 31.2 square metre (336 square foot) screened in porch, a 31.2 square meter (336 square foot) deck being located on the second storey and a carport being 62.4 square meters (672 square feet) in size located below the deck and the screened in porch.

7. Other Business

- a) 117 - 119

8. Adjournment

- a) Resolution

Township of South Frontenac Committee of Adjustment Meeting

Thursday, August 12, 2021

7:00 p.m. Council Chambers Virtual Meeting

4432 George Street, Sydenham, ON



Welcome to Virtual Meeting for the Committee of Adjustment

This is a hearing of the Committee of Adjustment for the Township of South Frontenac. All members of the public are muted on our end and your cameras will not be turned on.

Committee Members

- Randy Ruttan (Chair of the Committee)
- Pat Barr
- Norm Roberts
- Mike Nolan
- Doug Morey
- Mike Howe
- Tom Bruce
- Ken Gee

Township Staff

- Anna Geladi (Planner)
- Claire Dodds (Director)
- Christine Woods (Senior Planner)
- Michelle Hannah (Planning Assistant & Secretary Treasurer)

Format for the Meeting

1. The Chair will introduce the file
2. The Planner will provide an overview of the application
3. Comments and/or Question from:
 - 1) Committee Members – Questions for Staff
 - 2) Applicant / Agent / Members of the Public
 - 3) Further Comments or Questions from Committee Members
4. The Committee will then deliberate and vote on the application
5. The Chair will state whether the vote was carried

Appeal Rights

- If a person or public body does not make oral submissions at the meeting or make written submissions to the Township of South Frontenac before a decision is made, the person or public body is not entitled to appeal the decision.
- The applicant, the Minister, or any other person or public body who has an interest in the matter may within 20 days of making the decision or date of notice appeal to the Ontario Land Tribunal against the decision of the Committee by filing with the Secretary-Treasurer of the Committee a notice of appeal.
- Township staff will be in contact with the applicant following the meeting. Where a decision has been made, the decision will be forwarded to the applicant and anyone who has requested to be notified within 15 days of this meeting.
- If you have any questions after the meeting, please reach out to staff.

How to Speak to an Application

- The Chair of the meeting will open the floor to public comments
- Click “Raise Hand” button to request to speak or dial *9 (star nine) when calling in by telephone
- The Chair will recognize a member of the public, and the Meeting Host will unmute the member of the public
- Once the member of the public is done speaking or the Committee has no further questions, the Meeting Host will mute their microphone

In Case of Technical Difficulties

- If a Committee member disconnects from the meeting, the meeting will proceed if quorum is met and the Committee member will attempt to reconnect.
- Should all members of the Committee disconnect, members will be asked to reconnect.
- If the meeting cannot be restored within 15 minutes, the meeting will be postponed.
- Staff will be in touch with applicants.
- A notice will also be posted on the Township's social media letting you know.

Agenda

- Call to Order
- Adoption of Agenda
- Declaration of Pecuniary Interests
- Approval of Minutes of Previous Meeting
- New Minor Variance Applications
- Other Business
- Adjournment

Minor Variance Applications



MV-19-21-P

Thomas & Riehl



Recommendation: Approval

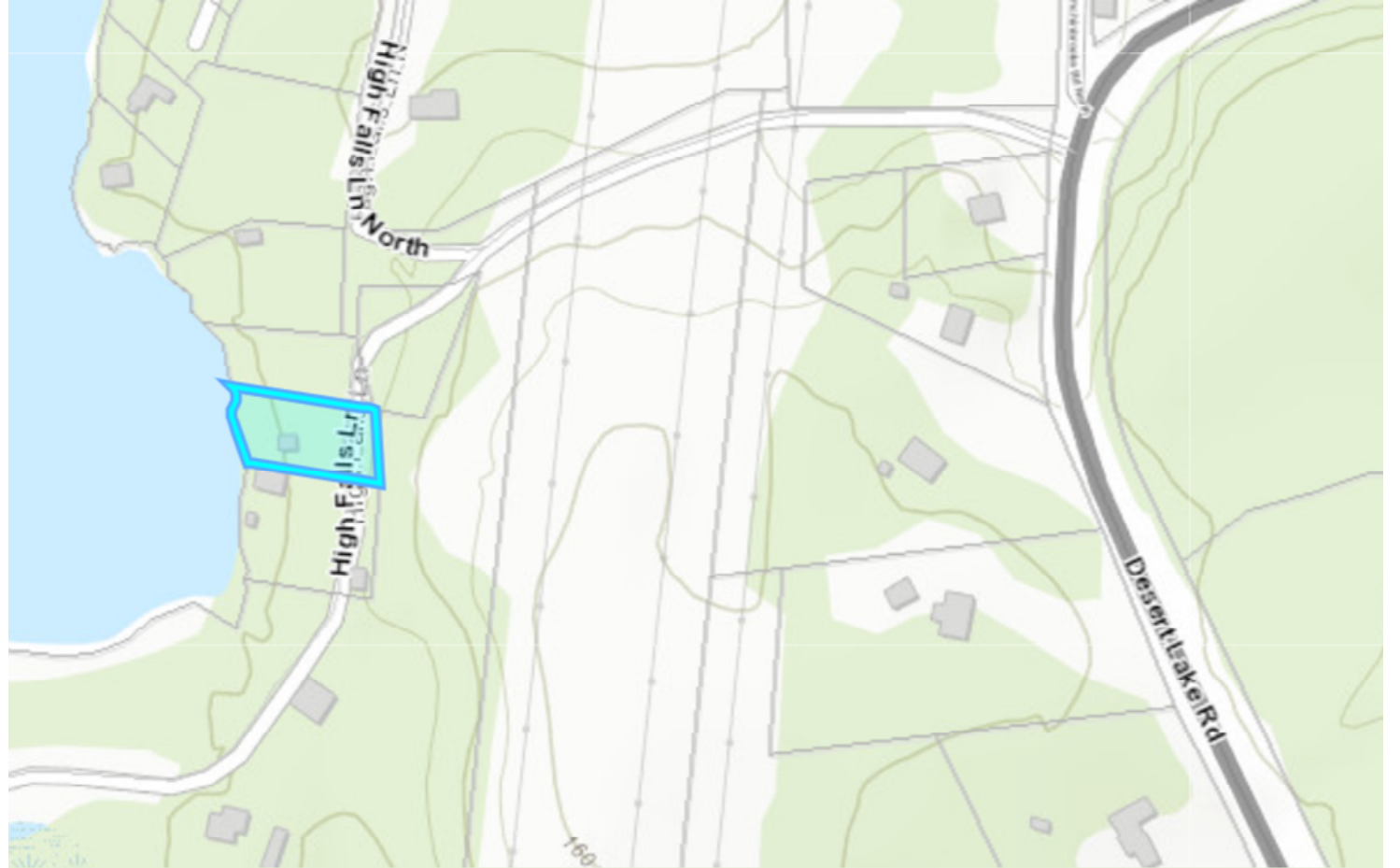
- pending comments received from the public
- subject to conditions

Applicant: Anthony Thomas and
Kathy Riehl

Location of Property: 1128 High
Falls Lane, District of Portland

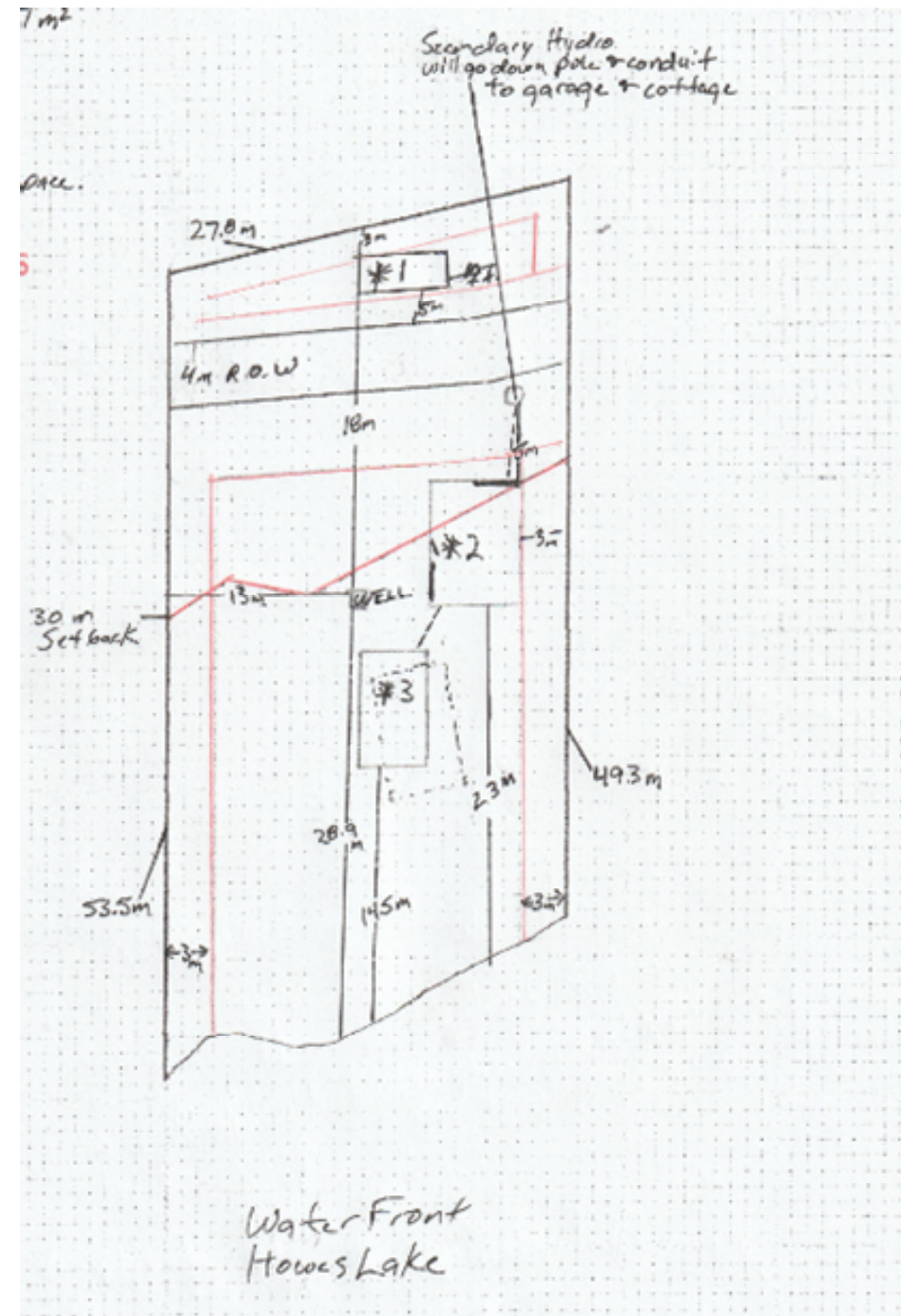
OP Designation: Rural

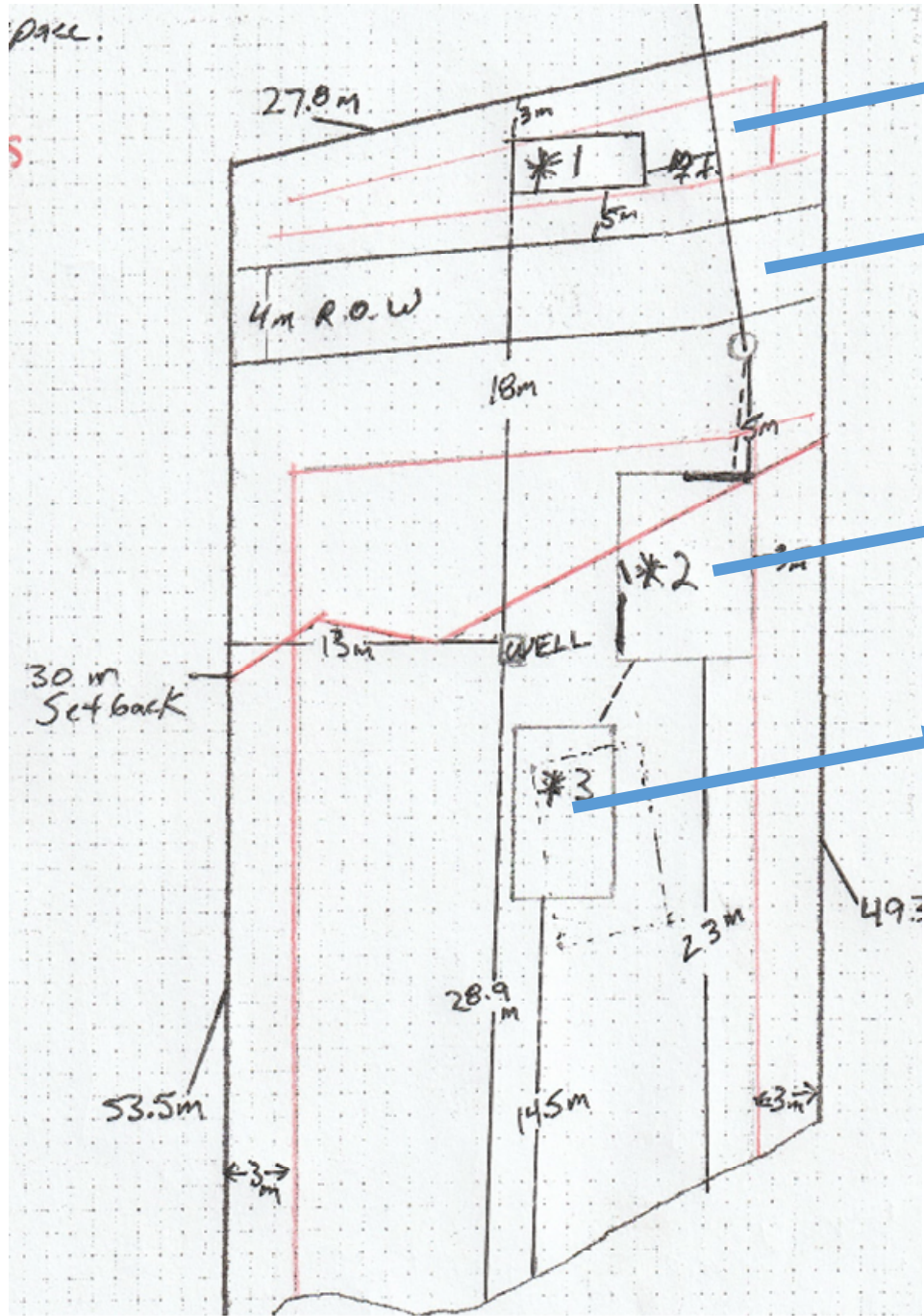
Zoning: RLSW



Variances Requested

- To permit a reduced front yard and highwater mark setback (14 meters) for a single detached dwelling
- To permit a reduced highwater mark setback (23 metres) for an accessory building (detached garage)





Proposed Septic

High Falls Lane

Proposed Garage

Proposed Dwelling





View from north of the lane





View from the right side of the lane
to the water



View from the lake towards the lane



View from left side of the lane towards the water

Department, Agency and Public Comments

Building Department (Buildings) – No objection to the approval. The proposed location of the garage is acceptable as per the revised plot plan received July 23, 2021, showing that the secondary hydro will travel from the pole through conduit to the garage and the dwelling.

Building Department (Sewage System Review) – No objection to the approval of the application. It was noted that due to the lot size and well location there appears to be no other option than to permit a Class 5 Sewage System (Holding Tank) to be installed on the east side of the lane. The applicant will need to submit a septic permit application for a holding tank.

Quinte Conservation – No objections to the application. A permit under O. Reg 319/09 will be required for the proposed development.

Public Comments – No comments have been received to date.

The Application meets the Four Tests of a Minor Variance under the Planning Act

1. Maintains the general intent and purpose of the Township of South Frontenac Official Plan
2. Maintains the general intent and purpose of Zoning By-law No. 2003-75
3. Is desirable for the appropriate development of the lands in question
4. Is minor

Application: MV-19-21-P

Owner: Anthony Thomas and Kathy Riehl

Location of Property: 1128 High Falls Lane, Howe's Lake, District of Portland

Recommendation

It is recommended that the Committee of Adjustment receive comments from the public and, pending comments received, **approve** minor variance application MV-19-21-P, subject to conditions.

Proposed Conditions of Approval

- The Minor Variance is approved in accordance with plans submitted.
- Applicant is required to enter into a Development Agreement to address environmental policies.
- Building permit is required for ALL construction on the property.
- MV-19-21-P is only applicable to Zoning By-Law No. 2003-75 and not to any subsequent zoning by-laws



Questions & Comments

- 1) Committee Members – Questions for Staff
- 2) Applicant / Agent / Members of the Public
- 3) Further Questions or Comments from Committee Members

If you would like to speak:

- Use “Raise Hand” feature at the bottom of your screen
- If you are calling in by phone, please dial *9 (star nine)

Please wait to speak until you hear your name and your microphone has been unmuted.

Resolution & Voting

Upon the Chair asking if any member of the Committee is opposed to the Resolution, please advise if you are opposed. The Chair will call if the vote is carried or is lost.



MV-28-21-L
Gannon
(Concord Homes)



Recommendation: Approval

- pending comments received from the public
- subject to conditions

Applicant: Steve and Vicki Gannon

Agent: Concord Homes

Location of Property:
1088 Perry Lane, Sydenham Lake

OP Designation: Rural

Zoning: RLSW

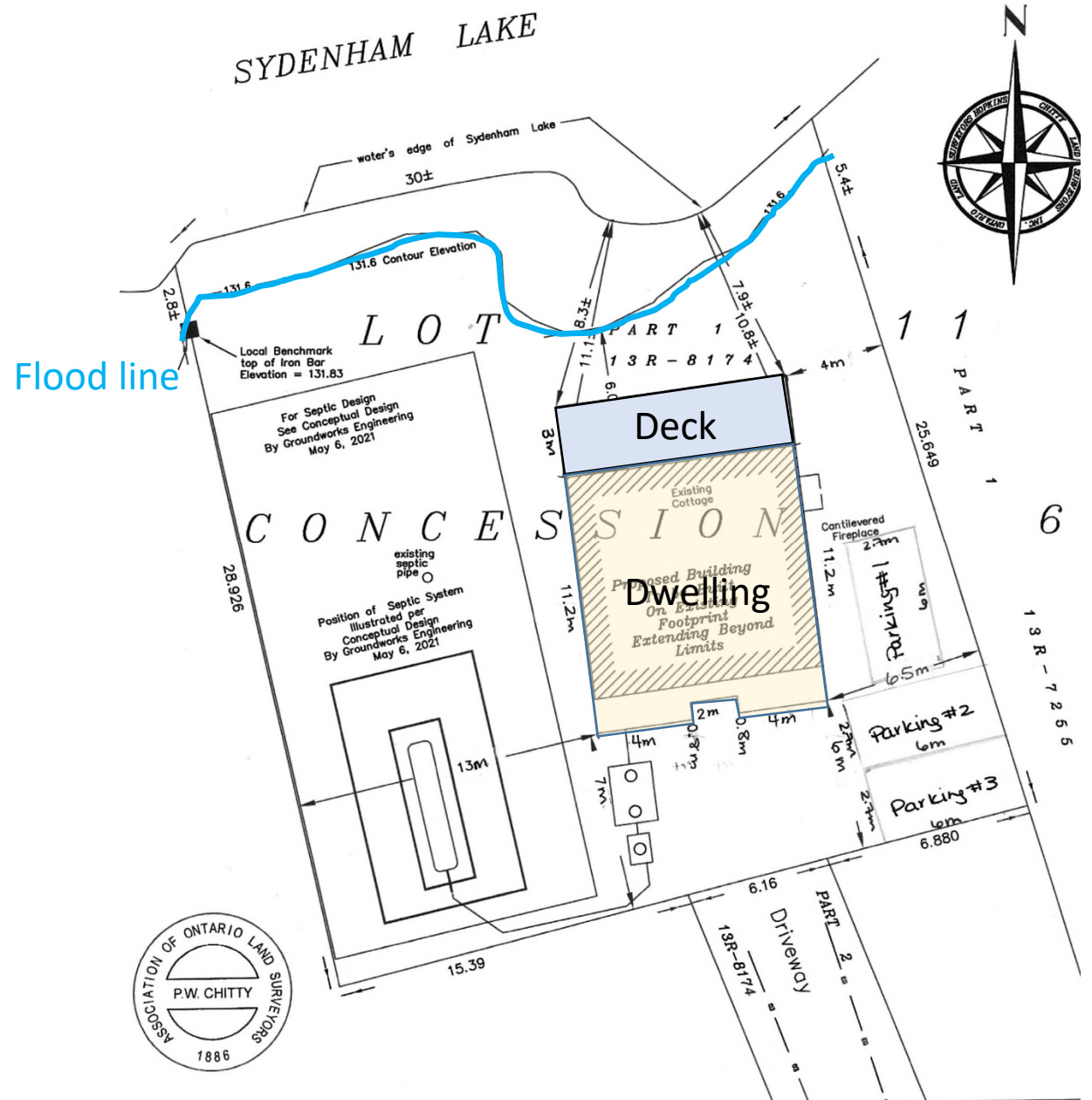


Proposal

- Replace the existing dwelling and attached deck with a new enlarged dwelling with attached deck

Variiances Requested

- 6 m rear yard
- 7.9 m front yard/ highwater mark setback
- 14.9% lot coverage



Excerpt from Plot Plan (Chitty, July 29, 2021)

Department, Agency and Public Comments

Building Department (Sewage System Review) – No objection to the application.

Cataraqui Conservation

- An O. Reg. 148/06 permit could be issued for the new dwelling but not the deck.
- Does not support application because it appeared the building footprint could be moved farther from the highwater mark, and the proposed lot coverage.

Public Comments – No comments received.

The Application meets the Four Tests of a Minor Variance under the Planning Act

1. Maintains the general intent and purpose of the Township of South Frontenac Official Plan
2. Maintains the general intent and purpose of Zoning By-law No. 2003-75
3. Is desirable for the appropriate development of the lands in question
4. Is minor

Application: MV-28-21-L

Owner: Steve and Vicki Gannon

Agent: Concord Homes

Location of Property: 1088 Perry Lane, District of Loughborough

Recommendation

It is recommended that the Committee of Adjustment receive comments from the public and, pending comments received, **approve** minor variance application MV-28-21-L, subject to conditions.

Proposed Conditions of Approval

- The Minor Variance is approved in accordance with plans submitted.
- Applicant is required to enter into a Development Agreement to address environmental policies
- Building permit is required for ALL construction on the property.
- MV-28-21-L is only applicable to Zoning By-Law No. 2003-75 and not to any subsequent zoning by-laws

Questions & Comments

- 1) Committee Members – Questions for Staff
- 2) Applicant / Agent / Members of the Public
- 3) Further Questions or Comments from Committee Members

If you would like to speak:

- Use “Raise Hand” feature at the bottom of your screen
- If you are calling in by phone, please dial *9 (star nine)

Please wait to speak until you hear your name and your microphone has been unmuted.

Resolution & Voting

Upon the Chair asking if any member of the Committee is opposed to the Resolution, please advise if you are opposed. The Chair will call if the vote is carried or is lost.



MV-30-21-L Martin



Recommendation: Approval

- pending comments received from the public
- subject to conditions

Applicant: Jason Martin

Location of Property: 1028
Wildflower Lane, District of
Loughborough

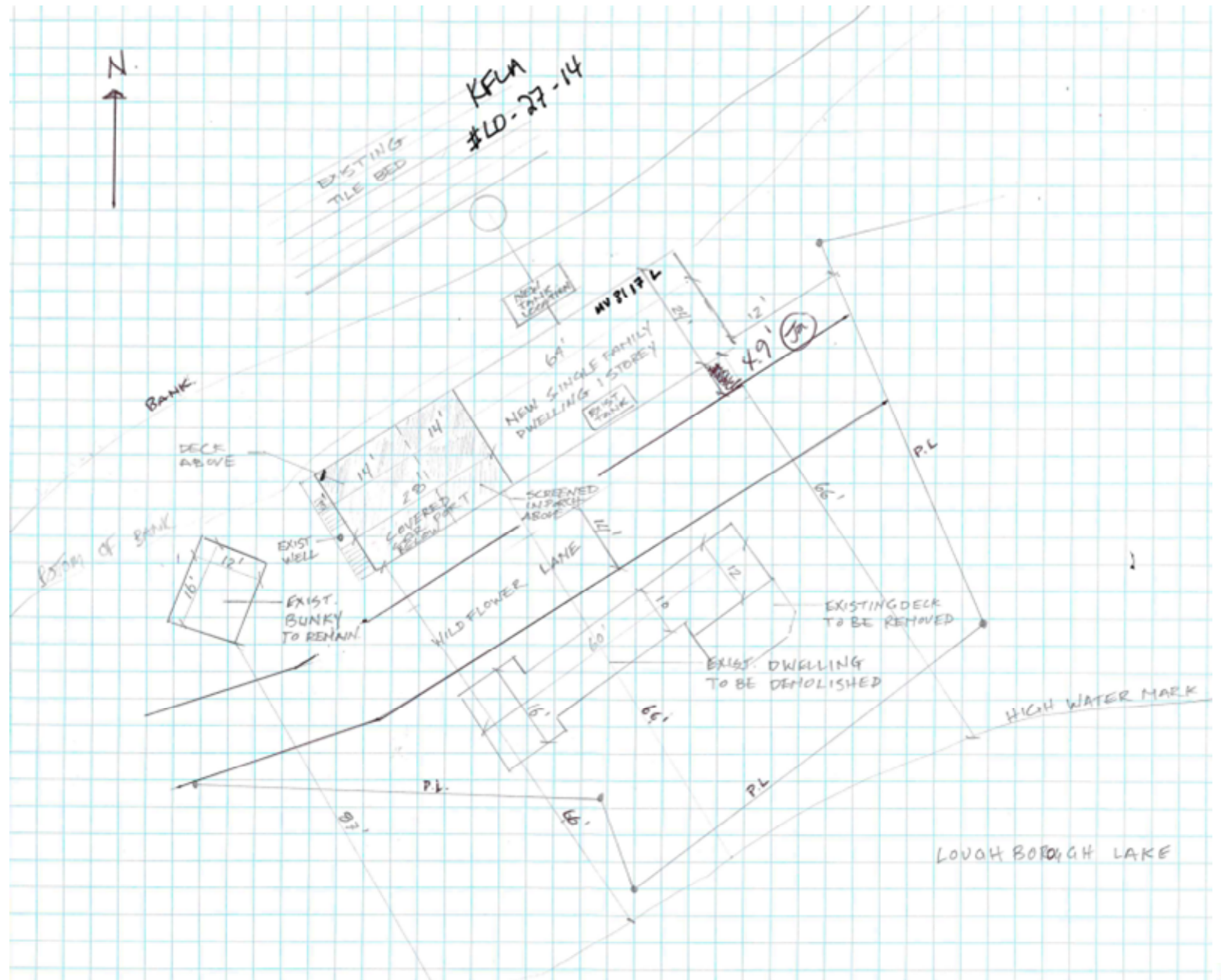
OP Designation: Rural

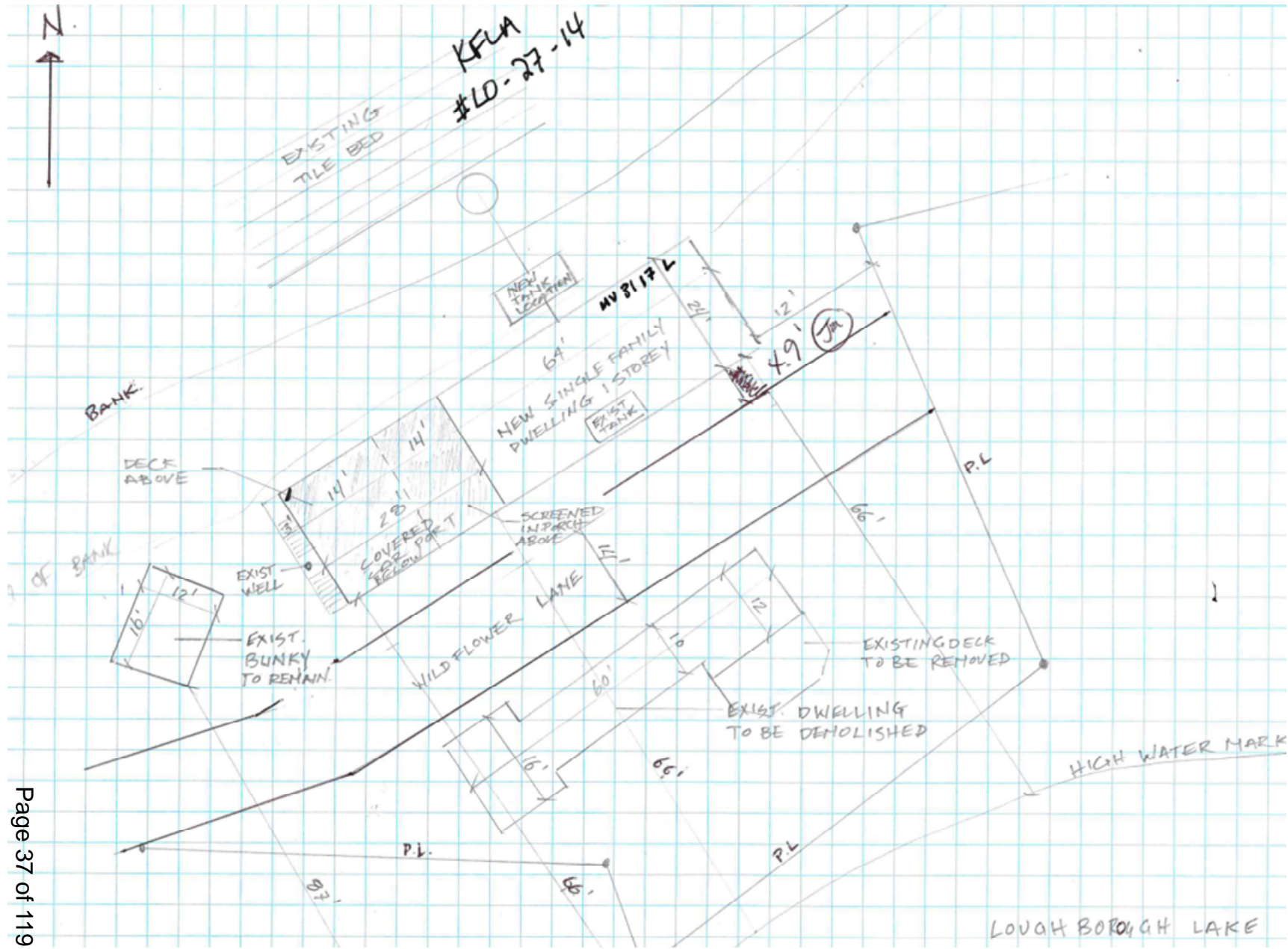
Zoning: Residential Waterfront

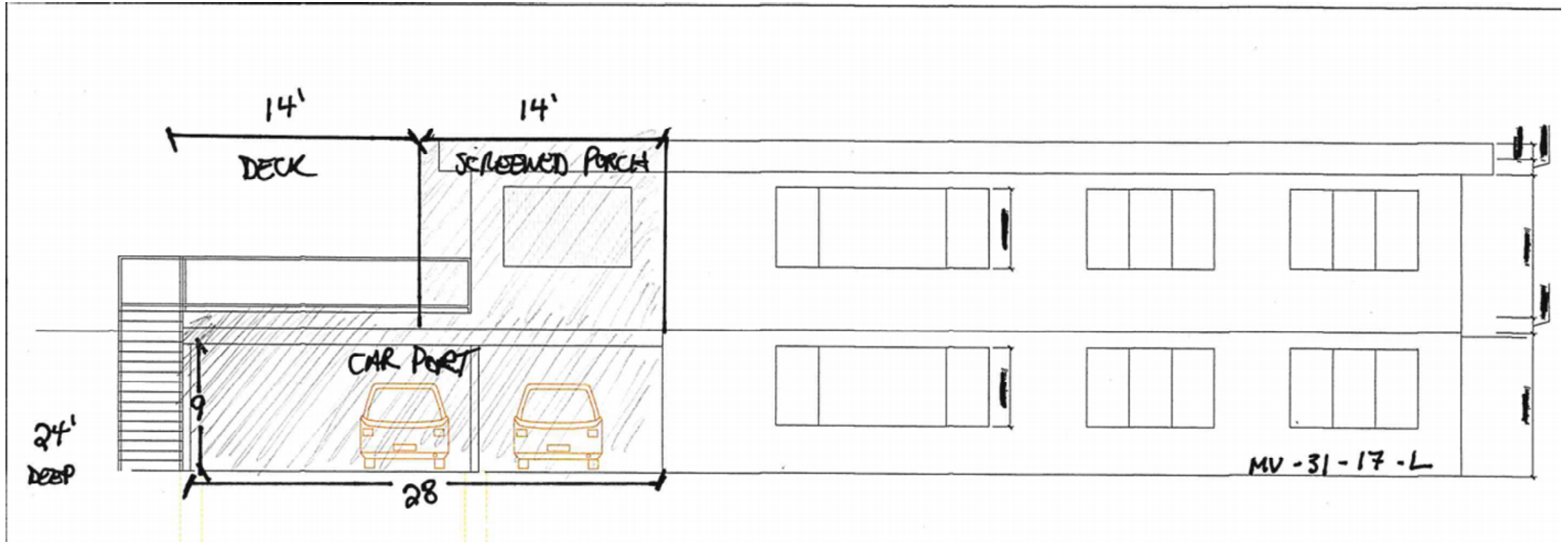


VariANCES Requested

- To permit a reduced setback from the private lane (1.5 metres) and from the highwater mark (20 metres) for a single detached dwelling







Proposal – south east view



View from the east side – north of the lane



View from the front – north of the lane



View from the west side – south of the lane



View from waterfront



View east side – south of the lane



View from North Shore Road



Panoramic View – from end of the lane

Background

The Committee of Adjustment approved minor variance application MV-31-17-L for the subject property in February 2018.

The variance granted a 149 square metre (1600 square foot) dwelling with a walkout basement to be located a minimum of 26.6 metres from the highwater mark of Loughborough Lake and a minimum of 2.5 metres from Wildflower Lane.

The Owner contacted Planning Staff in April 2021 regarding the 2017 minor variance. The Owner identified that the approved setback from the highwater mark and the size of the dwelling was inconsistent with their plans.

The Owner submitted application MV-30-21-L to request variances to facilitate their current proposal. The current proposal is for a 61 square metre 656 square foot larger dwelling that would be setback 20 metres from the highwater mark and 1.5 metres from the lane.

Department, Agency and Public Comments

Public Services Department – This application did not meet the criteria for circulation.

Building Department (Buildings) – All approved setbacks will need to be confirmed by an Ontario Land Surveyor at the time of building permit application.

Building Department (Sewage System Review) – The Building Department was not formally circulated on this application as KFL&A Public Health had no objections to the approval of application MV-31-17-L. It was noted by the Building Department that the owner will need to apply for a permit to move the existing septic tank prior to development, and that the new location of the tank will need to comply with the Ontario Building Code.

Cataraqui Conservation – No objection to the application. A permit under O. Reg 148/06 will be required for the proposed development as it is located within a regulated area. The applicant must contact Cataraqui Conservation at the building permit stage.

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

The Application meets the Four Tests of a Minor Variance under the Planning Act

1. Maintains the general intent and purpose of the Township of South Frontenac Official Plan
2. Maintains the general intent and purpose of Zoning By-law No. 2003-75
3. Is desirable for the appropriate development of the lands in question
4. Is minor

Application: MV-30-21-L

Owner: Jason Martin

Location of Property: 1028 Wildflower Lane, District of Loughborough

Recommendation

It is recommended that the Committee of Adjustment receive comments from the public and, pending comments received, **approve** minor variance application MV-30-21-L, subject to conditions.

Proposed Conditions of Approval

- The Minor Variance is approved in accordance with plans submitted.
- Applicant is required to enter into a Development Agreement to address environmental policies
- Building permit is required for ALL construction on the property.
- MV-30-21-L is only applicable to Zoning By-Law No. 2003-75 and not to any subsequent zoning by-laws

Questions & Comments

- 1) Committee Members – Questions for Staff
- 2) Applicant / Agent / Members of the Public
- 3) Further Questions or Comments from Committee Members

If you would like to speak:

- Use “Raise Hand” feature at the bottom of your screen
- If you are calling in by phone, please dial *9 (star nine)

Please wait to speak until you hear your name and your microphone has been unmuted.

Resolution & Voting

Upon the Chair asking if any member of the Committee is opposed to the Resolution, please advise if you are opposed. The Chair will call if the vote is carried or is lost.



Other Business

Consents approved by Consent Granting Authority

- S-37-20-P (Barker)
- S-23-21-P (Robinson)
- S-24-21-B (Bresee & Biscaro)
- S-25-21-B (Bresee & Biscaro)
- S-26-21-S (Sleeth)
- S-29-21-S (Knapp)
- S-31-21-P (Allan)
- S-32-21-P (Allan)
- S-39-21-B (Steele) (Chisamore)
- S-402-21-B (Kehoe)

Township of South Frontenac Committee of Adjustment Meeting

Conclusion/Adjournment



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

1. Name of Owner(s): Anthony Ronald Thomas & Kathy Jane Richl

Full Mailing Address of Owner(s): [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: N/A

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: 13 Lot Number: 6

Street Number: 1128 Name of Road/Street: High Falls Lane

Reference Plan Number: _____ Part Number(s): _____

Roll Number: 080-050-15800-0000

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

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

Frontage (on water): 90 m Frontage (on road/lane): 26.67 m
Depth: 168 Area: 35 Acre

5. The current zoning of the subject land:

LRSW

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

Adding a 2nd level to structure withing 30m setback & building a garage within setback.

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

Building is already within setback. Also lot size and Right of Way make it impossible to meet setback.

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

Name of Road/Lane:

High Falls 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.

N/A

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

Seasonal Cottage.

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

Yes No

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

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

Type of Structure (E.g. residence)	(1)	(2)	(3)	(4)
Setback from Front Lot Line	Cottage			
Setback from Rear Lot Line	26m			
Setback from Side Lot Line	7m			
Height of Building (Also indicate if it is one story or two story)	1 Story 4m			
Dimensions of Floor Area	38.7 m ²			
Setback from High Water Mark (If applicable)	12m			

13. The proposed uses of the subject land:

Full time residence

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

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

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

Type of Structure (E.g. residence)	(1) Adding 2nd Level Cottage	(2) New Garage	(3)	(4)
Setback from Front Lot Line	24 m	18		
Setback from Rear Lot Line				
Setback from Side Lot Line	10 m	3 m		
Height of Building (Also indicate if it is one story or two story)	2 story 7.5 m	1 story 4 m		
Outside Dimensions of Building/Structure	7.9 m x 4.8 m	6 m x 8 m		
Setback from High Water Mark (If applicable)	14 m	23 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:

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

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

If yes, please provide details:

Adding block basement under cottage

18. What are the uses of the proposed development?

- | | | | |
|-----|--|---|--|
| (a) | Increase in number of bedrooms | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| (b) | Increase in plumbing fixtures | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| (c) | Increase in living space | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| (d) | Will the addition or structure encroach on the existing septic system? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

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

March 2012

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

May, 1965

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

57 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:

Privy & compost toilet.

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

N/A

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.

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

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.

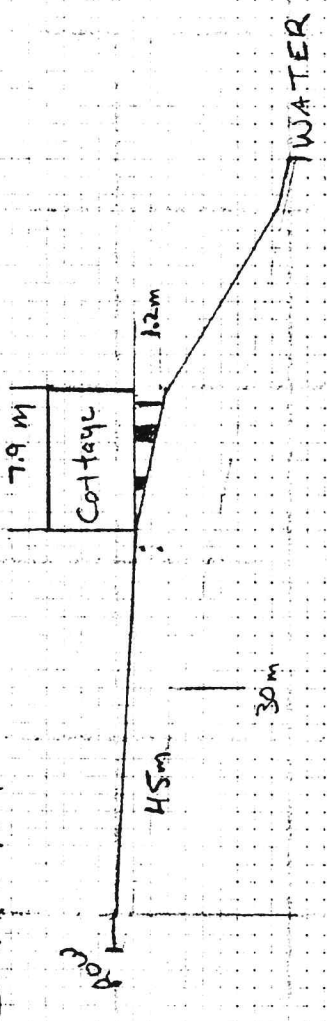
29. A **SKETCH** must be submitted showing the following:

- 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.

AGREEMENT TO INDEMNIFY

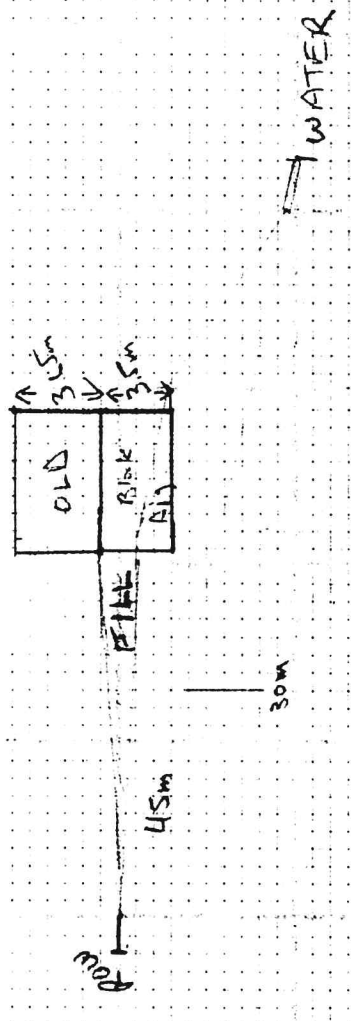
CURRENT



SCALE 1 square = 1m

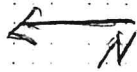
VERY ROUGH APPROX OF LOT ELEVATION.
 CANNOT BE SURE OF ACCURACY OF SCALE,
 FOR CONCEPT ONLY.

LIFT & ADDITION

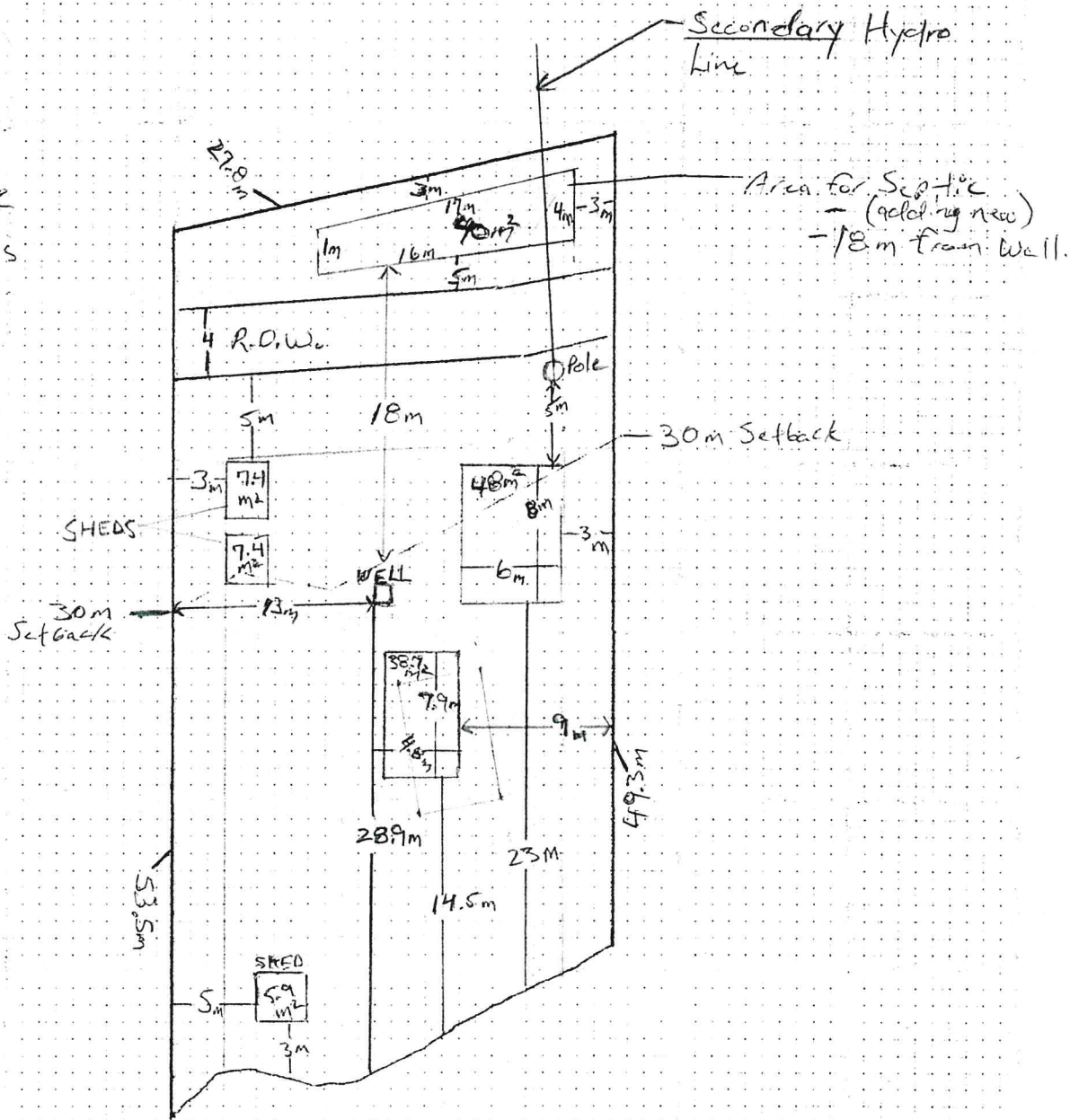


5/29

1128 High Falls Lane



SE lot coverage 69.67
 Cottage 38.7m²
 Lifting to create
 77.4m² living space
 Adding 48m² Garage
 Total Accessory Buildings
 68.7m²



Waterfront
Hawes Lake

1128 High Falls Lane



5% lot coverage 69.67 m²
 Cottage 38.7 m²
 Garage 48 m²
 Lifting Cottage to
 create 77.4 m² living space.

Red lines = setbacks
 & allowances.

Well will be 18m from
 holding tank and is
 28.9 from water front.

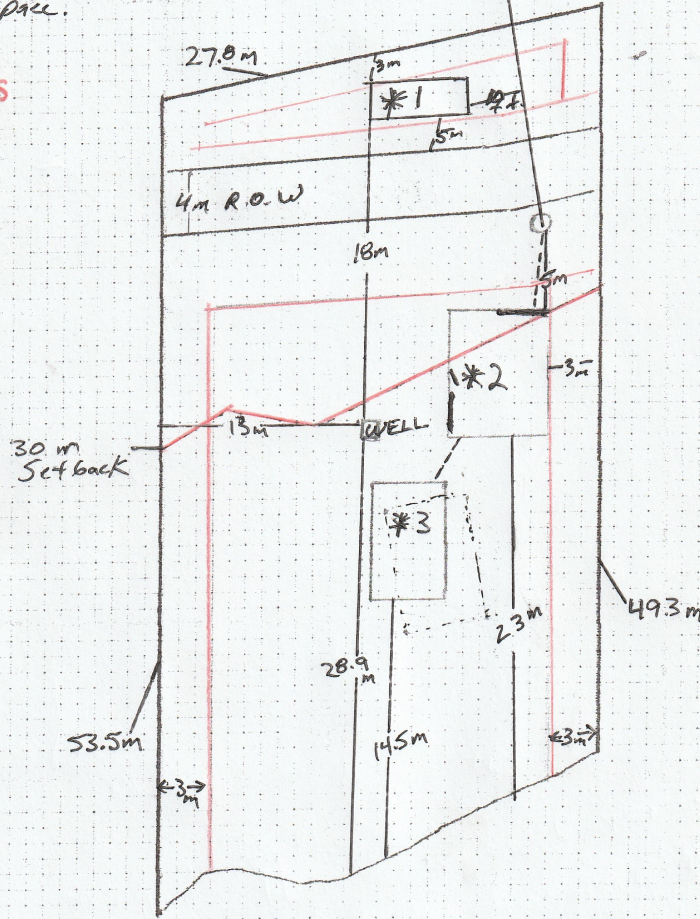
*1 Holding Tank NEW
 2500 gallon, 9x16
 10' from Hydro line.

*2 Garage New
 1 story 6m x 8m

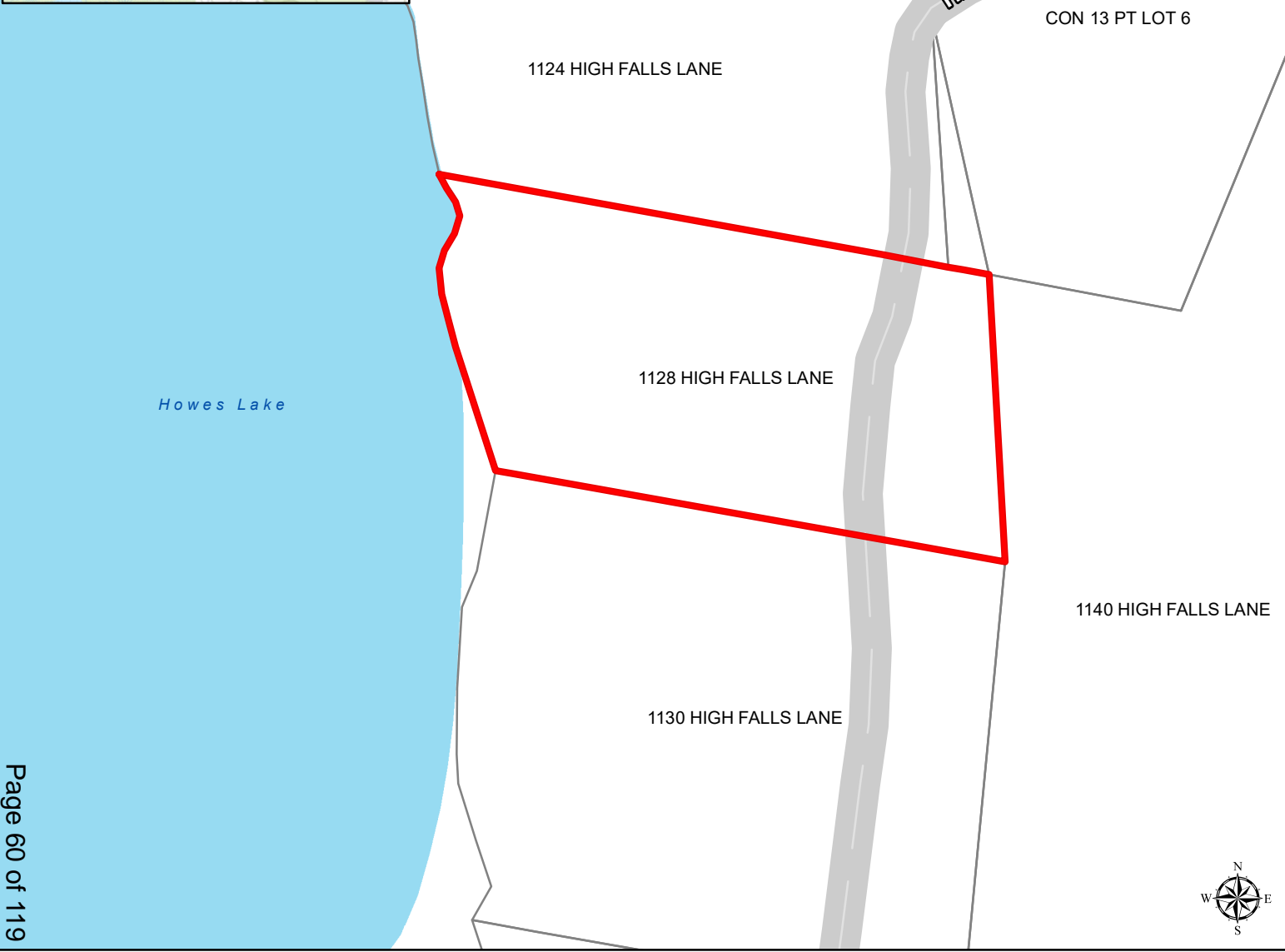
*3 Residence Lifted.
 7.9m x 4.8m

----- old footprint.

Secondary Hydro
 will go down pole & conduit
 to garage & cottage



Water Front
 Howes Lake



MV-19-21-P
(Thomas & Riehl)

1128 HIGH FALLS LANE

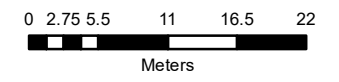
Legend

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

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

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

Scale 1:600



UTM Projection NAD 83


Date: 2021-05-06

**The Township of South Frontenac
Building Services**

4432 George Street, PO Box 100
Sydenham, ON K0H 2T0
613-376-3027



Sewage System Review Comments

To:	Secretary-Treasurer, Committee of Adjustment Township of South Frontenac 4432 George Street, PO Box 100 Sydenham, Ontario K0H 2T0
Application Number:	MV-19-21-P
Type of Application or Proposal:	Minor Variance
Applicant Name(s):	Thomas, Anthony & Jane, Kathy
Location:	1128 High Falls Lane Township of South Frontenac (Portland)
Comments:	As per the revised plot plan received on July 23, 2021 the proposed location of the garage will be acceptable. Due to the lot size and well location there appears to be no other option than to permit a Class 5 Sewage System (Holding Tank) to be installed on the east side of the laneway.
Building Inspector:	 <hr/> Tom Berriault
Date:	July 27, 2021

QUINTE CONSERVATION - PLANNING ACT REVIEW

QC File No. PL0148-2021

Municipality:	Township of South Frontenac		
Landowner:	Anthony Ronald Thomas & Kathy Jane Rich		
Location:	1128 High Falls Lane	Part Lot 6, Concession 13	Portland
Roll #:	10290800501580000000		
Application Description:	Minor Variance Appl'n File No. MV-19-21-P	Reduce the high water mark setback from 30 metres to 14 metres which would allow for the applicants to move the existing dwelling further back from the high water mark, raise the principal dwelling and add a second storey addition. The application also proposes a reduction to the high water mark setback from 30 metres to 23 metres for a new detached garage.	
Feature:	Howes Lake		
Comments:	<p><u>Planning Act - Natural Hazard policies of the Provincial Policy Statement and Quinte Conservation Planning Act Review policy</u></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) (2020). 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. <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 natural or flood-related hazard.</u></p> <p><u>Ontario Regulation #319/09 (Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses</u></p> <p>The subject lands lie within the regulated area of Howes Lake. 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 45 metres of the 1:100 year floodplain of Howes Lake.</p> <p><u>Quinte Region Source Protection Plan</u></p> <p>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 <u>not applicable</u> to the subject property as it lies outside of an intake protection zone or wellhead protection area for a municipal drinking water system. <u>As such no Section 59 Clearance Notice is required.</u></p> <p><u>Planning Act - Natural Heritage policies of the Provincial Policy Statement</u></p> <p>Section 2.1 of the Natural Heritage policies of the Provincial Policy Statement protect features such as (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 as per Quinte Conservation's Regulation and Policies we will not be recommending one.</p>		
Final Comments:	Quinte Conservation has no objection to the application as presented.		



Sam Carney
 Planning and Regulations Technician

August 3, 2021

Date



REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



Report Date: August 6, 2021

Application No: MV-19-21-P

Owner & Applicant: Anthony Thomas and Kathy Riehl

Location of Property: Part Lot 6, Concession 13, District of Portland, Township of South Frontenac, municipally known as 1128 High Falls Lane

Purpose of Application: To vary Sections 5.8.2(a), 10.3.1, and 10.3.2 of Zoning By-law No. 2003-75

Date of Hearing: August 12, 2021

Recommendation: That provisional approval be:

- granted with conditions (attached)
- deferred
- denied

Purpose:

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

Official Plan Designation: Rural	Zoning: Limited Service Residential Waterfront (RLSW)
Zoning Relief Requested:	
<p>Section 5.8.2a): Flooding and Shoreline Erosion Hazards</p> <p>Section 10.3.1: RLSW Zone - Principal Building</p> <p>Section 10.3.2: RLSW Zone – Accessory Structure</p>	<p>Relief: To permit a minimum 14 metre (46 foot) highwater mark setback for a single detached dwelling, and a minimum 23 metre (75 foot) highwater mark setback for an accessory building (detached garage), whereas the Zoning By-law requires a 30 metre (98.4 feet) setback from the highwater mark for all buildings and structures.</p> <p>Relief: To permit a minimum 14 metre (46 foot) front yard and highwater mark setback for a single detached dwelling, whereas the Zoning By-law requires a minimum 30 metre (98.4 feet) front yard and setback from the highwater mark for the principal building.</p> <p>Relief: To permit a minimum 23 metre (75 foot) highwater mark setback for an accessory building (detached garage), whereas the Zoning By-law requires a minimum 30 metre (98.4 feet) setback from the highwater mark for accessory buildings.</p>

Review:

This application:

- ✓ Is consistent with the Provincial Policy Statement (s. 3(5) *Planning Act*);
- ✓ Maintains the general intent and purpose of the County of Frontenac Official Plan;
- ✓ Maintains the general intent and purpose of the Township of South Frontenac Official Plan;
- ✓ Maintains the general intent and purpose of Zoning By-law No. 2003-75;
- ✓ 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 was received to permit a reduced front yard and highwater mark setback for a single detached dwelling, as well as a reduced highwater mark setback for an accessory building (detached garage).

The subject property is located on High Falls Lane, off Desert Lake Road, and is municipally known as 1124 High Falls Lane. The subject property has frontage on Howe's Lake and can be characterized as rising steeply from the lake towards the lane. The subject property is 0.35 acres (0.14 hectares) in area.

The subject property contains an existing dwelling with an attached deck and three accessory structures (small sheds). The small sheds are proposed to be removed and relocated in compliance with zoning requirements. The well is located on the east side of the dwelling, between the dwelling and the lane. The existing dwelling has a 39 square metres (420 square feet) floor area, and is setback 10 metres (32 feet) from the highwater mark of Howe's Lake. The existing one storey dwelling is 4 metres (13 feet) in height. The 9 square metre (96 square feet) attached deck is located on the north side of the dwelling, and is set back 11 metres (36 feet) from the highwater mark. The existing lot coverage for the principal building is 2.7%.

The applicants are proposing to move the existing dwelling further back from the highwater mark, and to raise the dwelling by constructing a block walkout basement under the dwelling. The existing dwelling will become the second storey. The applicants are proposing to demolish the existing deck and not rebuild it.

The proposed dwelling would continue to have a 39 square metre (420 square foot) ground floor area, but would have a gross floor area of 78 square metres (840 square feet), and a maximum height of 7.5 metres (24.6 feet). The dwelling would be setback a minimum of 14 metres (46 feet) from the highwater mark. The dwelling would meet all other zone provisions including setbacks from other property lines, the lane, and lot coverage.

The proposed one-storey garage will have a 48 square metre (517 square foot) floor area, and a building height of 4 metres (13 feet). It would be setback a minimum of 23 metres (75 feet) from the highwater mark. The garage would meet all other zone provisions including setbacks from other property lines, the lane, and lot coverage.

There is currently no septic system on the property. Due to site constraints, a holding tank is being proposed to be located on the subject property, on the east side of High Falls Lane.

There are hydro lines and a hydro pole located on the north and east side of the subject property. Both the garage and the dwelling will be impacted by the hydro line. The application included an e-mail from Hydro One stating that Hydro One has no issues if the applicant builds right up-to and including under the secondary conductor that is located on the property.

Department, Agency and Public Comments

Public Services Department – This application did not meet the criteria for circulation.

Building Department (Buildings) – The Building Department provided comments on July 27, 2021 indicating that the proposed location of the garage is acceptable as per the revised plot plan received July 23, 2021, showing that the secondary hydro will travel from the pole through conduit to the garage and the dwelling.

Building Department (Sewage System Review) – The Building Department provided comments on July 23 2021 indicating that they have no objection to the approval of the application. It was noted that due to the lot size and well location there appears to be no other option than to permit a Class 5 Sewage System (Holding Tank) to be installed on the east side of the lane. The applicant will need to submit a septic permit application for a holding tank.



REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



Quinte Conservation – Comments received from Quinte Conservation in an e-mail dated June 24, 2021 indicate that Quinte Conservation would be supportive of the cottage (with the inclusion of a basement) in a similar location or moved further back (road side) from the highwater mark than what currently exists.

It was noted that a permit under O. Reg 319/09 will be required for the proposed development as it is located within a regulated area. The applicant must contact Quinte Conservation at the building permit stage.

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

Planning Analysis Summary

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:

1. Does the variance maintain the general intent and purpose of the Official Plan?

The proposed variances maintain the general intent and purpose of the Official Plan, specifically the policies on limited service residential development, and development within environmentally sensitive areas adjacent to a lake. The proposed dwelling and detached garage are consistent with the permitted residential use of the property. Both the enlarged dwelling and the detached garage would be setback farther from the highwater mark than the existing dwelling.

2. Does the variance maintain the general intent and purpose of the Zoning By-law?

The variances maintain the general intent and purpose of the Zoning By-law as the proposed dwelling and garage are permitted uses on the subject property. The proposed dwelling would be located 4 metres (13 feet) farther from the highwater mark than the existing dwelling. The lot coverage for the principal building will decrease slightly by removing the deck. The proposed increase in building height complies with the maximum building height permitted in the RLSW zone.

The proposed detached garage does not exceed the maximum permitted building height, nor lot coverage, and is not larger than the principal building. The proposed detached garage will be located farther from the highwater mark than the proposed dwelling.

3. Is the requested variance desirable for the appropriate development of the land, building or structure in question?

Yes, the variances are desirable for the appropriate development of the subject property, as it would facilitate redevelopment of the property with a modest-sized dwelling in a location that is practical given the physical constraints. The setback of the proposed dwelling from the highwater mark would be increased. The increase in building height for the principal building would allow additional living space on the property without expanding the footprint of the building.

4. Is the variance minor?

Yes, the variances are minor as they maintain the general intent of the Official Plan and Zoning By-law, and are desirable for the appropriate development of the land.

Conclusion

It is recommended that the Committee of Adjustment receive comments from the public and, pending comments received, **approve** minor variance application MV-19-21-P, subject to conditions.



REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



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 a 39 square metre (420 square foot) single detached dwelling and a 48 square metre (517 square foot) detached garage. The single detached dwelling is permitted to establish a minimum 14 metre (46 foot) front yard and a minimum 14 metre (46 foot) setback from the highwater mark of Howe's Lake. The detached garage is permitted to be setback a minimum of 23 metres (75 feet) from the highwater mark. All as per the revised drawings received by the Township by e-mail on July 23, 2021, that will be attached to the Decision as Schedule "A".
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 Township environmental policies.
3. A building permit is required for ALL construction and demolition on the property. There shall be no additional development on the property without the approval of the Township of South Frontenac.
4. Minor variance MV-19-21-P is applicable only to Zoning By-law No. 2003-75 and not to any subsequent zoning by-laws.

Submitted by: Anna Geladi, Planner

Reviewed by: Christine Woods, MCIP, RPP, Senior Planner

Date of Site Visit: April 26, 2021



TOWNSHIP OF SOUTH FRONTENAC
APPLICATION FOR MINOR VARIANCE OR PERMISSION
 Updated January, 2021

The Committee of Adjustment is a Committee of eight persons appointed by Township Council. The Committee is formed under Section 45 of the Planning Act R.S.O. 1990, Chapter P.13, to authorize a minor variance from a zoning by-law.

The Committee may vary Zoning By-law provisions provided the Committee is of the opinion that the variance:

- Is desirable for the appropriate development or use of the land, building or structure
- Maintains the general intent and purpose of the Official Plan.
- Maintains the general intent and purpose of the Zoning By-law.
- Is minor in nature

Application Requirements

1. It is required that one (1) copy of this application be filed with the Secretary-Treasurer of the Committee of Adjustment, together with the **SKETCH** referred to in Note 3 (below), accompanied by a **NON-REFUNDABLE FEE in accordance with the chart below** in cash, debit or by cheque made payable to the Township of South Frontenac.

Application Type:	Planning Fee:	Building Admin Fee:	TOTAL:
1-3 Variances	\$959.00	\$94.00	\$1,053.00
4+ Variances	\$1,316.00	\$94.00	\$1,410.00
After building without a permit	\$2,010.00	\$94.00	\$2,104.00

2. It is required that a Fee be provided for the Township to review onsite sewage disposal and Conservation Authority (where applicable) when submitting an application (Separate **cheques**, payable to the applicable Conservation Authority, are to be submitted to the Township with the completed application).

Township of South Frontenac <i>Minor Variance Only</i>	\$450
<i>Minor Variance WITH Performance Review</i>	\$700
<i>Minor Variance in combination with a new Class 2, 3, 4, or 5 sewage system other than a Class A system</i>	\$1,150
Cataraqui Region Conservation Authority	\$420
Quinte Conservation Authority	\$344
Rideau Valley Conservation Authority	\$390

Please Note: These fees are for **consultation** on this application only; these agencies may require additional permit applications and fees prior to any construction.

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

3. PLEASE READ THIS ITEM CAREFULLY

Each applicant shall provide a sketch showing the dimensions of the subject land and of all abutting lands as outlined in Question 29 of the application. The sketch should be accurately dimensioned and scaled in either Imperial or Metric measures. This sketch, in conjunction with the Application Form, is the basis for the analysis of the Minor Variance Application by the Committee of Adjustment. It is strongly recommended that the applicant spend the necessary time to carefully and thoroughly assemble the data and transfer the data to the sketch. It is important that the sketch be drawn with accurate dimensions and measurements. Any application which does not include the above required information may not be accepted. In this regard, the applicant may wish to secure the assistance of a person who specializes in the drafting of such sketches. A guide to answering the application questions is attached.

4. Collection of Personal Information

Personal information requested herein is required under the *Planning Act*, 1990 as amended. This information will be used by the Committee of Adjustment/Land Division Committee for the purpose of reviewing the above referenced application, and may be made available to those boards, Commissions, Authorities, Agencies and Persons having an interest in this matter. Any questions regarding the collection of this information should be directed to the Secretary Treasurer of the Committee of Adjustment (P.O. Box 100, Sydenham, Ont., K0H 2T0, Phone 376-3027 ext.2224).

RECEIVED

JUN 14 2021

TOWNSHIP OF
SOUTH FRONTENAC
PLANNING DEPARTMENT

Date Received: _____

File No: MV-28-21-L

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

Frontage (on water): 30m ± Frontage (on road/lane): 30.5m

Depth: 32m Area: 960m² ±

5. The current zoning of the subject land:

Limited Service Residential Waterfront Zone

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

- rear yard setback requirement is 10m, we are requesting 6.5m setback
- existing water setback is 30m - we are requesting 7.9m setback as per existing dwelling setback.
- existing max. lot coverage is 5% - we are requesting 12% lot coverage where existing non-conforming lot coverage is 10.5%

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

This is an undersized lot of record. The lot is too small to allow for compliance with the maximum lot coverage or water setback.

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

Name of Road/Lane:

Perry 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.

N/A

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

Residential - single family dwelling

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

Yes No

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

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

Type of Structure (E.g. residence)	(1)	(2)	(3)	(4)
	House	Deck		
Setback from Front Lot Line	10.8m	7.9m		
Setback from Rear Lot Line	6m	17.2m		
Setback from Side Lot Line	4m / 13m	4m		
Height of Building (Also indicate if it is one story or two story)	1 storey w/ crawlspace 6.2m	6'		
Dimensions of Floor Area	10m x 9.5m	10m x 3.1m		
Setback from High Water Mark (If applicable)	10.8m	7.9m		

13. The proposed uses of the subject land:

Residential - single family dwelling

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

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

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

Type of Structure (E.g. residence)	(1)	(2)	(3)	(4)
	House	Deck		
Setback from Front Lot Line	10.8m	7.9m		
Setback from Rear Lot Line	6m	17.2m		
Setback from Side Lot Line	4m/13m	4m		
Height of Building (Also indicate if it is one story or two story)	1 storey w/ crawlspace 7.7 m	6'		
Outside Dimensions of Building/Structure	10m x 11.2m	10m x 3.1m		
Setback from High Water Mark (If applicable)	10.8m	7.9m		

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:

existing home requires demolition

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

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

If yes, please provide details:

18. What are the uses of the proposed development?

- | | | | |
|-----|--|---|--|
| (a) | Increase in number of bedrooms | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| (b) | Increase in plumbing fixtures | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| (c) | Increase in living space | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| (d) | Will the addition or structure encroach on the existing septic system? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

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

2008

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

the house was built in 1965

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

Over 56 years

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:

existing is privately owned well, proposed is a lake line

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:

existing and proposed is privately owned septic system

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

Ditches & swales

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.

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

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.

AGREEMENT TO INDEMNIFY

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

Attached to this application is a cheque payable to the Township of South Frontenac representing payment of the application fee.

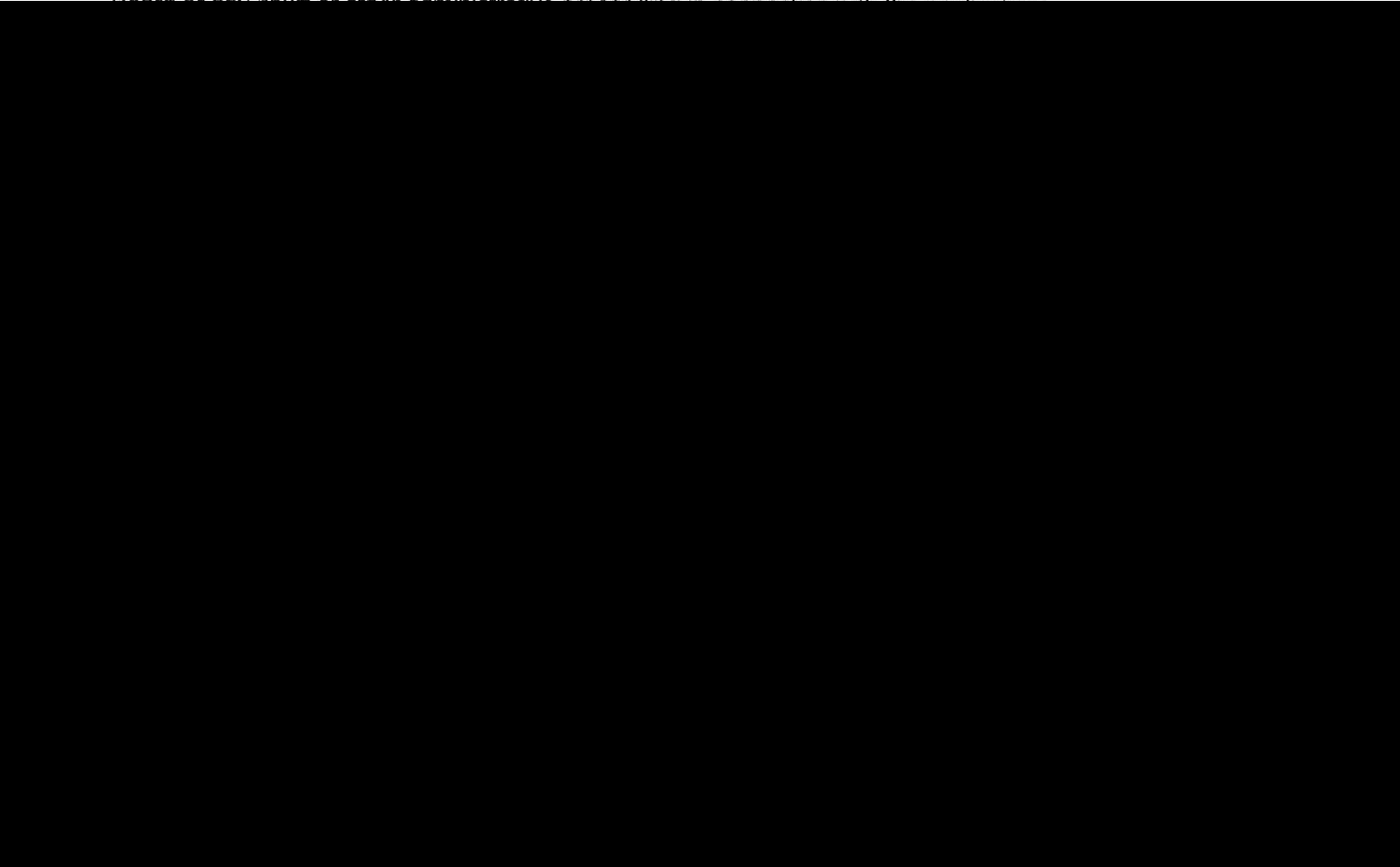
The Owner/Applicant/Agent agrees that the information recorded in this Minor Variance Application Form is accurate. The Owner/Applicant/Agent agrees that representatives of the Township and, where applicable, the appropriate Conservation Authority, may enter onto the subject property for the purpose 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 tribunal in connection with the application.



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

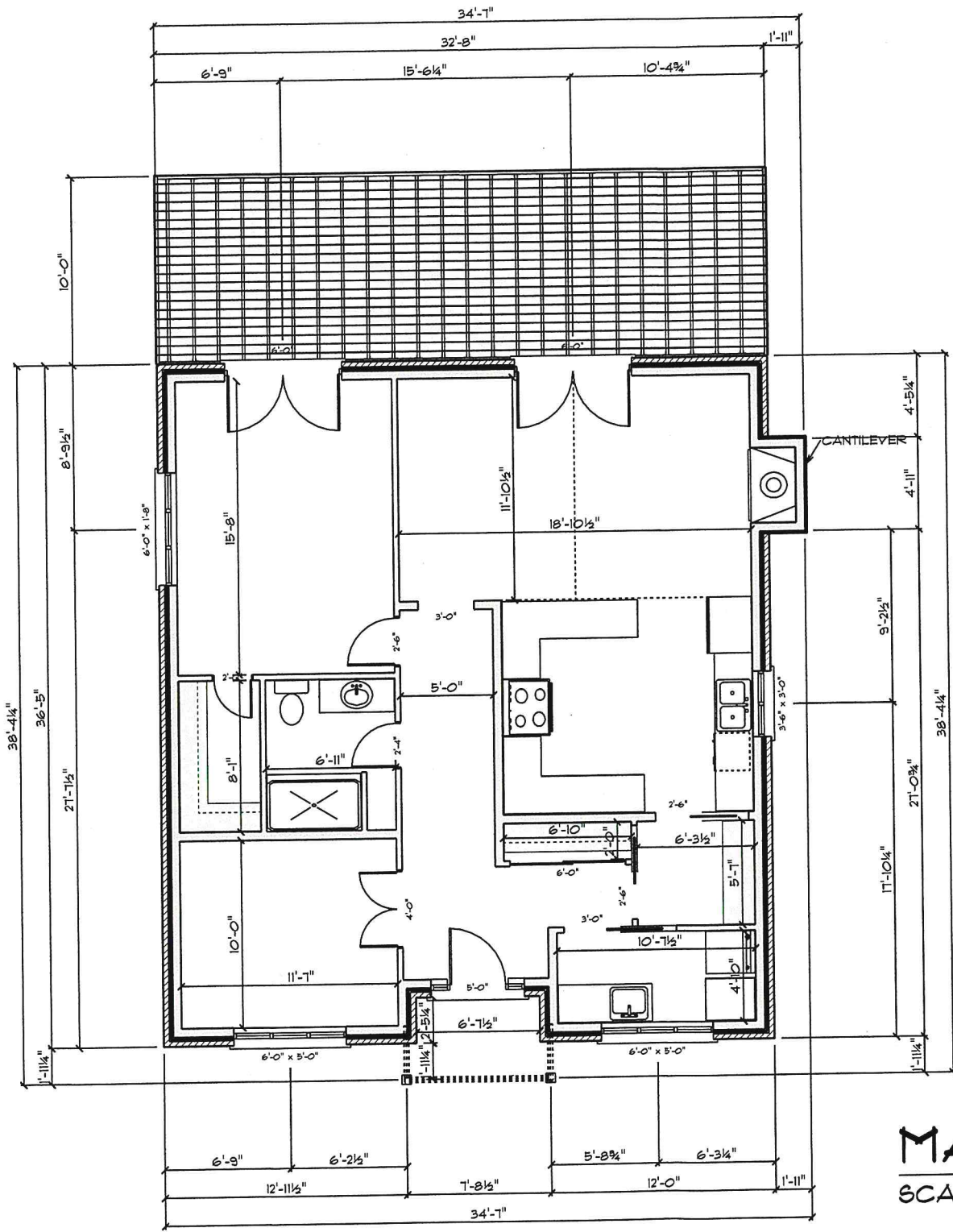
- 1) The names of **all** owners must appear in this section, even if they live in separate residences, and the address(es) should be the **full mailing address, complete with postal code**.
- 2) You may wish to appoint someone to act on your behalf during the variance process. If so, that person's name, address and phone number should appear here All owner's must sign the authorization.
- 3) Description of the Subject Land:
 - a. District: The Districts are the same as the former Townships. If you are not sure, check the roll number (the long number beginning with 1029) on your tax bill. If the numbers are 010, 020 or 030, your district is Bedford; if the numbers are 040-050, your district is Loughborough; if the numbers are 060 or 070, your district is Storrington; and if the numbers are 080, your district is Portland.
 - b. Concession and Lot Numbers: if you are not sure, check your tax bill
 - c. Street Number: Your civic address – if a civic number has not been assigned, leave this space blank.
 - d. Name of Road/Street: This question applies whether or not you are on a private lane or a public road.
 - e. Reference Plan No: If your property has been surveyed, it will have a plan number, and one or more parts on that plan. If your property has not been surveyed, leave this space blank.
 - f. Roll No: This is the number beginning with '1029' which appears on your tax bill. Please take time to look it up before submitting the application.
- 4) Frontage, depth, area, acres: All parts of this question must be completed.
- 5) Current zoning: You may not be aware of the zoning on your property and this can be determined when you come in for pre-consultation with planning staff.
- 6) Nature and Extent of Relief: This question is asking what you are asking to do that requires the variance – for example, it could be that you are asking to be 25 m rather than 30 m from the high water mark, or that you are asking to increase the height of a structure within 30 m of the high water mark, or that you are seeking a variance to construct an accessory building closer to the front lot line than the principal building.
- 7) Reason why you can't comply: In other words, why can you not meet the required setbacks. It could be, for example, because you are seeking a variance to add on to an existing structure that is already too close to the water, or that developing further from the water would be impossible because of a steep embankment.
- 8) Roads: Municipally maintained roads are looked after by the Township; private roads are lanes that residents maintain themselves (not private driveways, but lanes that provide access to your property and that are generally shared with others).
- 9) Parking and Docking: This question is only relevant is you can only access your property by water.

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

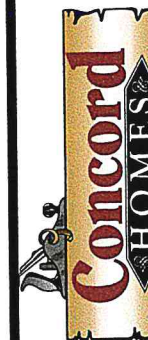
- 10) Existing Uses: e.g. residential, retail business, vacant recreational land
- 11) Buildings: If there are **ANY** buildings or structures on the property now, the answer to this question is "yes".
- 12) Description of buildings and structures: You must complete all sections of this question for each structure on your property. **If there is a deck on your dwelling, please describe it separately from the residence.**
- 13) Proposed Uses: Generally, the answer to this question will be the same as the answer to #10, but if, for example, the land is currently vacant, and you are planning to construct a dwelling, then the use to be described in section 10 would be "vacant recreational land", and the use described in section 13 would be "residential"
- 14) Proposed structures: If you are planning to build **ANYTHING** on the property, the answer to this question is "yes" – This includes additions, decks, garages, septic systems.
- 15) Description of new construction: **ALL** proposed new development must be described here. If you are proposing to construct an addition to a dwelling, and to add a deck, please show this information in separate columns.
- 16) **Demolition: All demolition requires a permit from the building department.** In some instances, a proposed addition or increase in height cannot be accomplished without the removal of existing walls. If this is not made clear to the Committee at the beginning of the process, you may find that, although you are granted permission to add on to your residence, you can't actually do it because you have not made it clear that there is demolition involved.
- 17) Raising of Structure: In other words, are you proposing to raise the building in order to construct a basement under it.
- 18) Uses of Development: Please answer each part of this question. An increase in living space would include anything with walls – e.g. a screened porch would involve an increase in living space.
- 19) Date land acquired: When did you take possession of the property?
- 20) Date of existing buildings: If you are not sure, provide your best estimate.
- 21) Length of existing uses: For example, has the land been used for residential purposes for 30 years, or 18 months?
- 22) Water supply: in most cases the answer will be private well, but some waterfront properties take their water from a lake.
- 23) Septic: in most cases the answer will be private sewage system, but there may be some privies.

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

- 24) Drainage: Are there specific ditches that have been constructed to deal with drainage; is there natural drainage, etc.?
- 25) Application for consent: Is there currently an application for consent (severance) being proposed for the property?
- 26) If yes: If there is a current application for severance or subdivision on the property, please indicate the file number. (Staff can help provide this information)
- 27) Minor variance: Has there ever been a minor variance granted on the property? If you are long-time owner of the property, you will probably be aware of any other special permission granted for a variance to the zoning by-law. If you are a new owner, the seller will probably have made you aware of this.
- 28) If yes: If there has been a previous variance granted on the property, please indicate the application number if known, and what the details of the variance were.
- 29) **SKETCH: We cannot stress enough the importance of a detailed, accurate, and complete sketch. You do not necessarily need to contract with a professional to draw the sketch, but sketches that are not drawn to scale, do not show dimensions and distances, or are not drawn neatly (PLEASE USE A RULER), will not be accepted.**
- 30) **Agreement to Indemnify:** Must be signed in front of a commissioner of oaths – you may have this done before submitting the application, or sign the application in front of staff who can sign as commissioners. All owners must sign the application, or it can be signed by an agent if one has been appointed.



MAIN FLOOR
 SCALE: 1/8" = 1'-0"



Concord Homes

1020 Bayridge Drive
 Kingston
 Ontario
 K7P 2S2
 PHONE: 613-384-0033
 info@concordhomes.ca

1088 Perry Lane

PHONE:
 FAX:
 MOBILE:

DRAWN BY: A. CRANSHAW

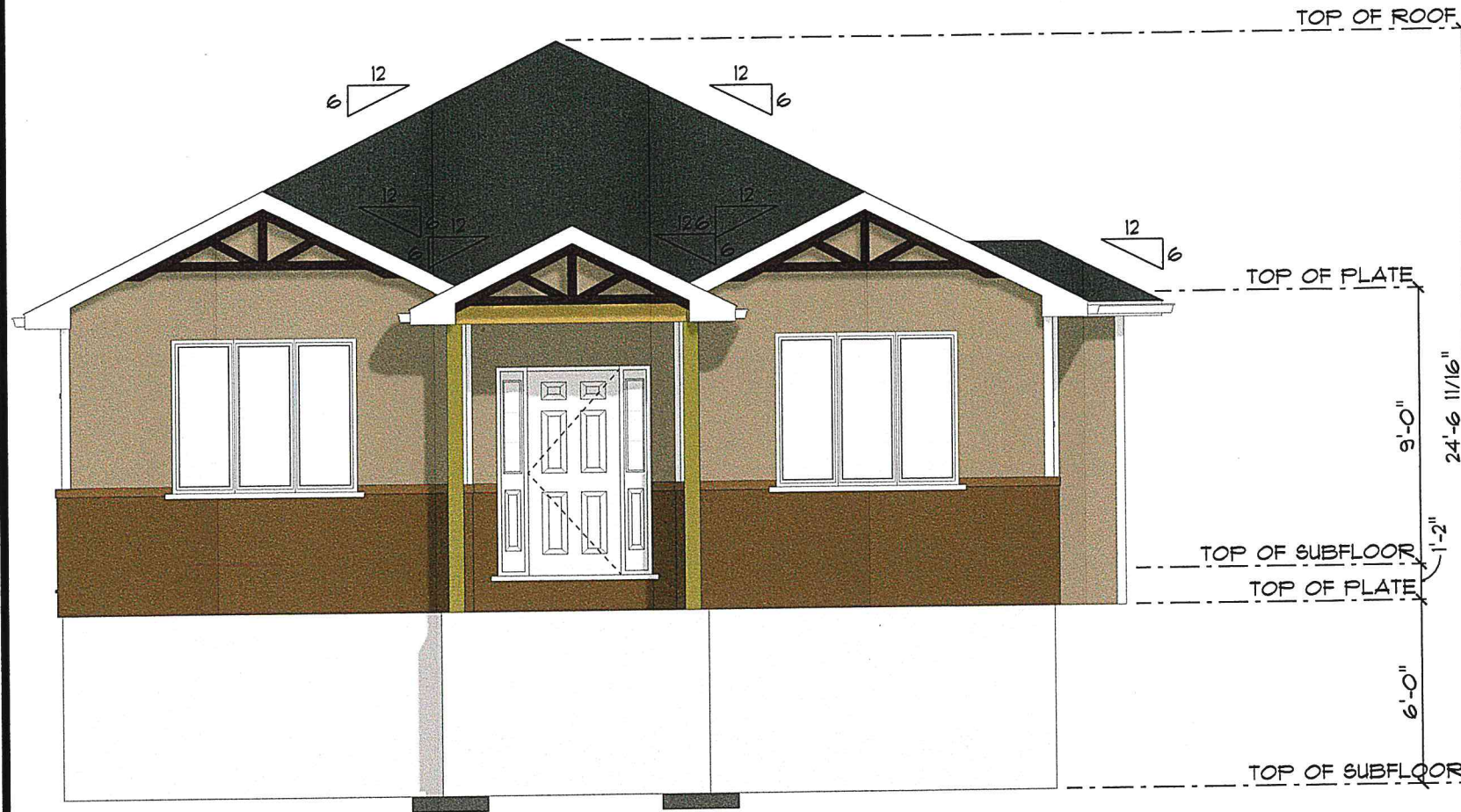
SCALE: 1/8" = 1'-0"

DATE: April 25, 2021

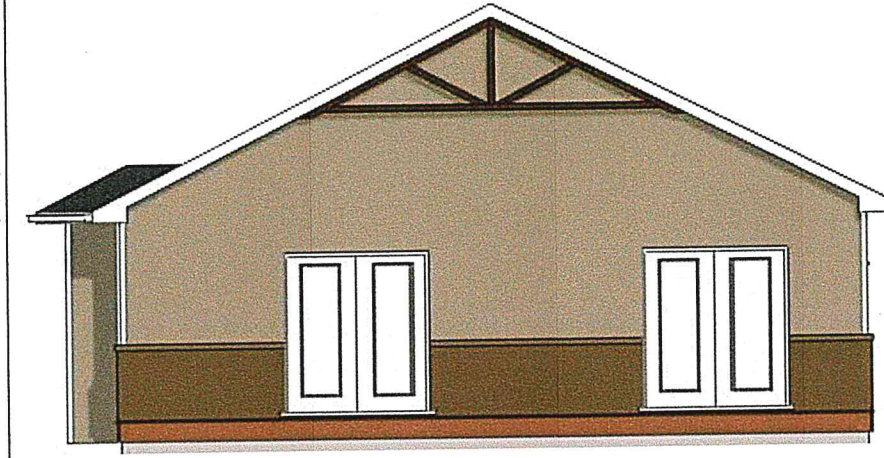
PAGE:

1/2

Main Floor



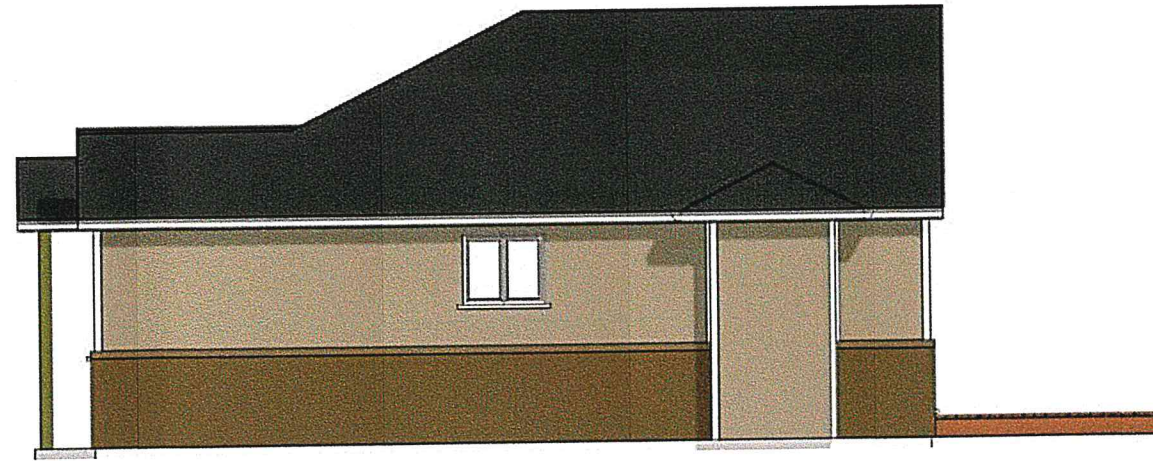
FRONT ELEVATION



REAR ELEVATION



LEFT ELEVATION



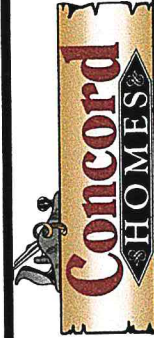
RIGHT ELEVATION

1088 Perry Lane

PHONE:
FAX:
MOBILE:

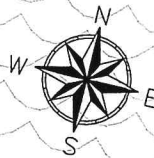
DRAWN BY: A. CRANSHAW
SCALE: As Noted
DATE: April 25, 2021

PAGE: **2/2**
Elevations

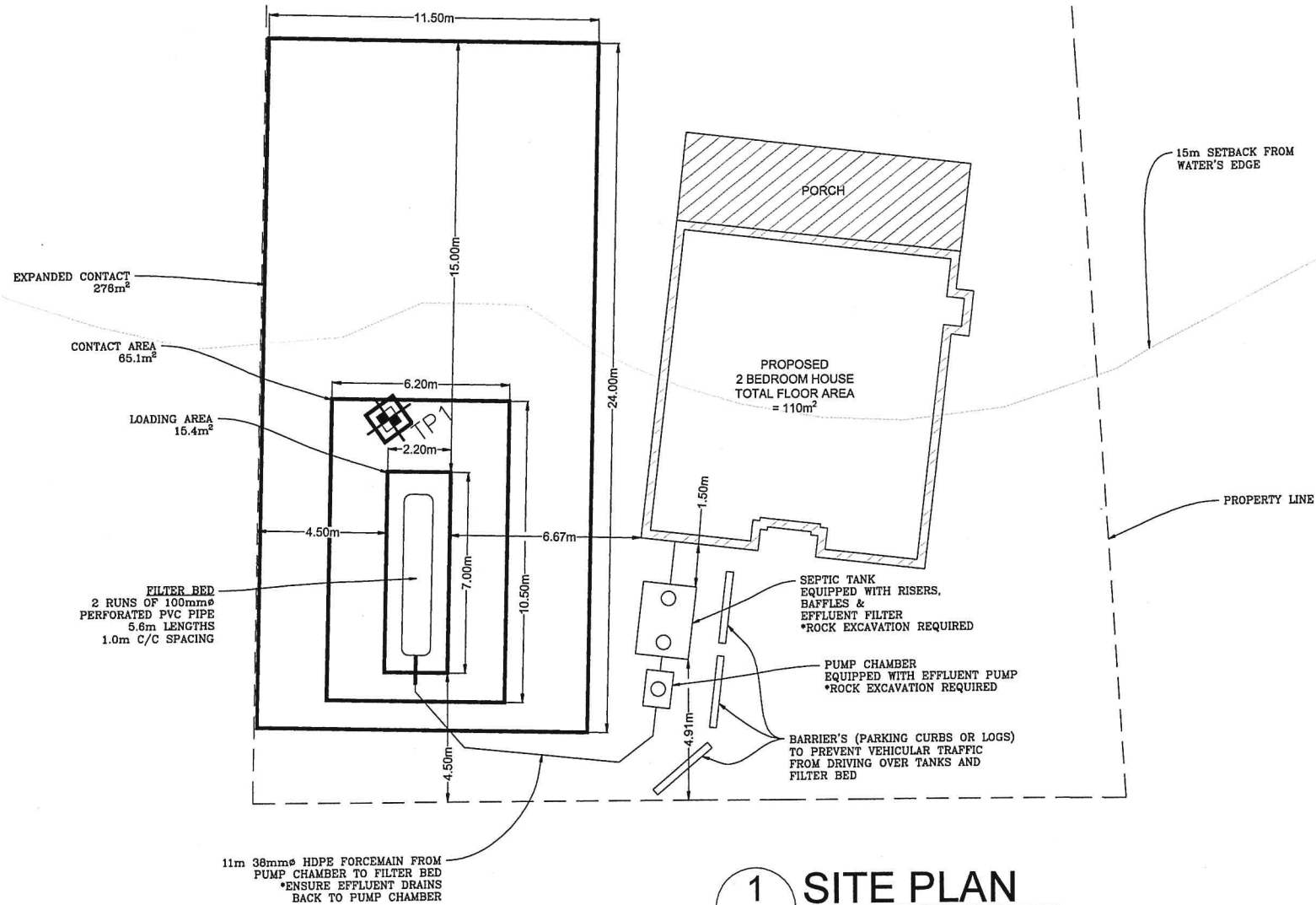


Concord Homes

1020 Bayridge Drive
Kingston
Ontario
K7P 2S2
PHONE: 613-384-0033
info@concordhomes.ca



SYDENHAM LAKE



1 SITE PLAN
C-101 1:100

NOTE:
WHEN DETERMINING WELL LOCATION THERE WILL NEED TO BE A 15m CLEARANCE FROM THE SEPTIC TANK AND LOADING AREA OF FILTER BED AS PER OBC TABLE 8.2.1.6.A. & OBC TABLE 8.2.1.6.B.



CALCULATIONS AS PER ONTARIO BUILDING CODE PART 8 DAILY SEWAGE FLOW DETERMINATION

PROPOSED HOUSE
- 2 BEDROOMS = 1,100 L/D
- FIXTURES NUMBER 11.5 < 20 = 0 L/D
- TOTAL FLOOR AREA 110m² < 200 = 0 L/D

TOTAL (Q) = 1,100 L/DAY

SEPTIC TANK SIZING

- RESIDENTIAL 1,100 L/DAY X 2 = 2,200 L/DAY

MINIMUM SEPTIC TANK VOLUME = 3,600L

FILTER BED CALCULATIONS

EXISTING SOIL:
T-TIME > 50 (TOP SOIL OVER BEDROCK)

FLOW RATE < 3000L/DAY
THEREFORE USE Q/75

LOADING AREA = 16.4m² → $\frac{1100}{16.4} = 67.1$

CONTACT AREA = 65.1m² → $\frac{1100}{65.1} = 16.9$

EXPANDED CONTACT AREA = 278m² → $\frac{1100}{278} = 3.96$

REVISIONS

No.	Description	Date
1	ISSUED FOR REVIEW	MAY 6, 2021

BENCHMARK:

No. / #	DESCRIPTION	ELEVATION
XXX	XXX	XXX.XX

DRAFT

Client / Land Owner:

CONCORD HOMES

Project: 1088 PERRY LANE

SOUTH FRONTENAC ONTARIO

Drawing Title: PRELIMINARY SEPTIC DESIGN

Drawn by: JH

Checked By: MB

Page Size: 24"x36"

Scale: 1:100

Date: MAY 6, 2021

Project Number:

GW-21002-22

Drawing Number:

C-101

SHEET 1 of 1

BUILDING PERMIT APPLICATION PLOT PLAN

APPLICANT NAME: **CONCORD HOMES** PHONE #: **(613) 384-0033** PROPERTY ADDRESS: **1088 Perry Lane**

LEGEND:

DETAILS:

- | | |
|---|--|
| ENTRANCE LOCATION & # OF RISERS TO GRADE
<input checked="" type="checkbox"/> COMMUNITY MAIL BOX
<input type="checkbox"/> HYDRO TRANSFORMER
<input type="checkbox"/> BELL PEDESTAL
<input type="checkbox"/> CABLE PEDESTAL
<input type="checkbox"/> LIGHT STANDARD
<input type="checkbox"/> HYDRANT
<input type="checkbox"/> TRAFFIC SIGN
<input type="checkbox"/> STREET SIGN
-E- EASEMENT LINE
-O- OVERHEAD HYDRO LINE
<input type="checkbox"/> HOUSE
<input type="checkbox"/> GARAGE
<input type="checkbox"/> DRIVEWAY | _____ WATER SERVICE
_____ SANITARY SERVICE
_____ STORM SERVICE
CB <input type="checkbox"/> CATCH BASIN
MHO <input type="checkbox"/> MANHOLE
-[SW]- SIDEWALK
[////] CURB
[302.2] PROPOSED ELEVATION
302.2 EXISTING-ELEVATION
[302.2]+ PROPOSED ELEVATION TO BE PROVIDED BY APPLICANT
- - - - - DRAINAGE DIRECTION
- - - - - DRAINAGE SWALE
⊕ FUSE PEDESTAL
⊕ WATERMAIN VALVE |
|---|--|

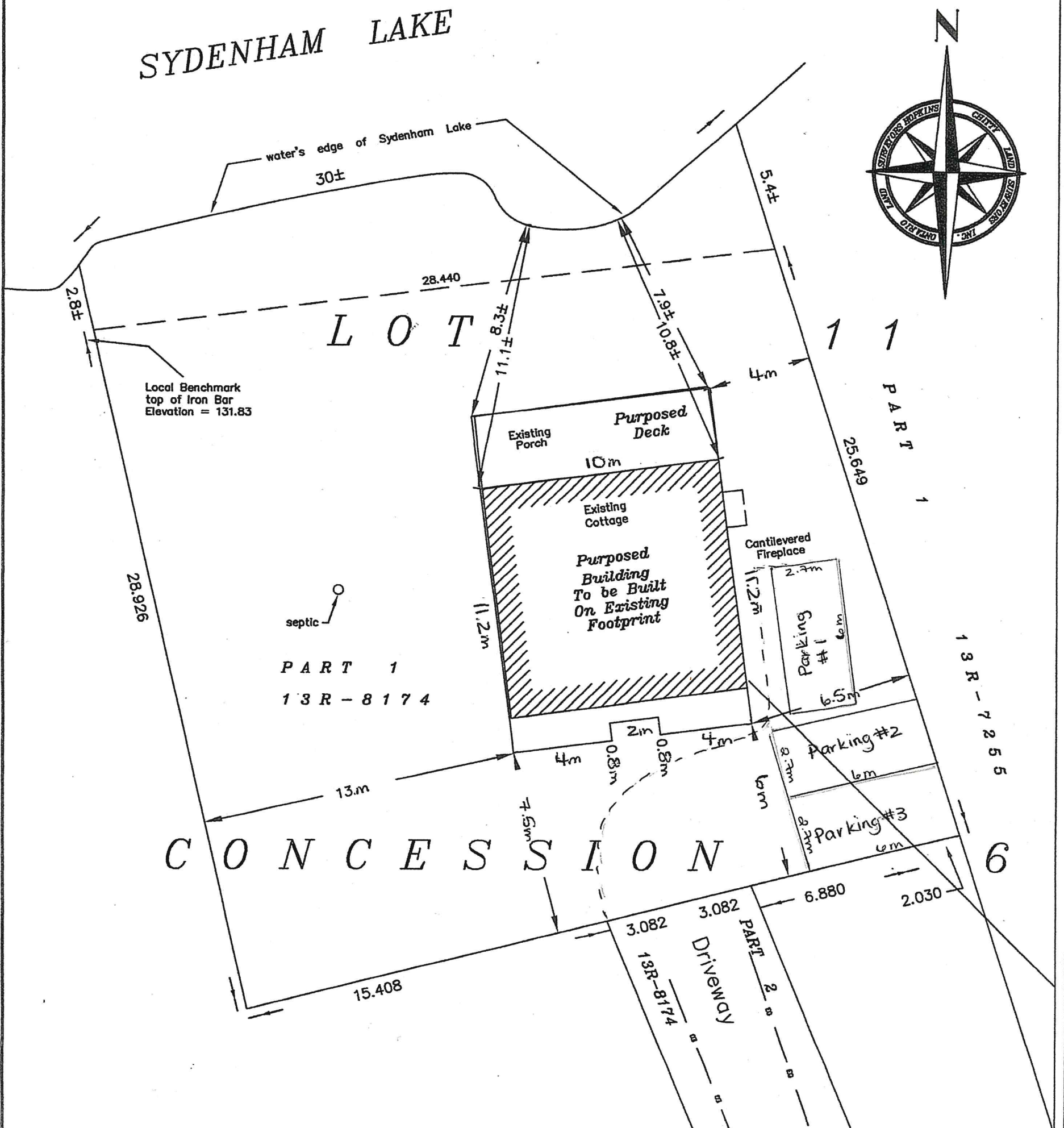
LOT No. 6 PLAN / CONC. 11
 PART No. _____ REFERENCE PLAN No. _____
 TOP FOUNDATION ELEVATION: _____
 BOTTOM FOOTING ELEVATION: _____
 ELEVATION AT GRADE: _____ FOUNDATION CUT: _____

ZONE: **RRC**
 LOT AREA: 905.0 SQ. Metres
 PROPOSED FOOTPRINT AREA: 109.0 SQ. Metres
 PREVIOUS FOOTPRINT AREA: 95.1
 COVERAGE %: PROPOSED: 12.0%
 COVERAGE %: PREVIOUS: 10.5%
 PERMITTED: 5.0%

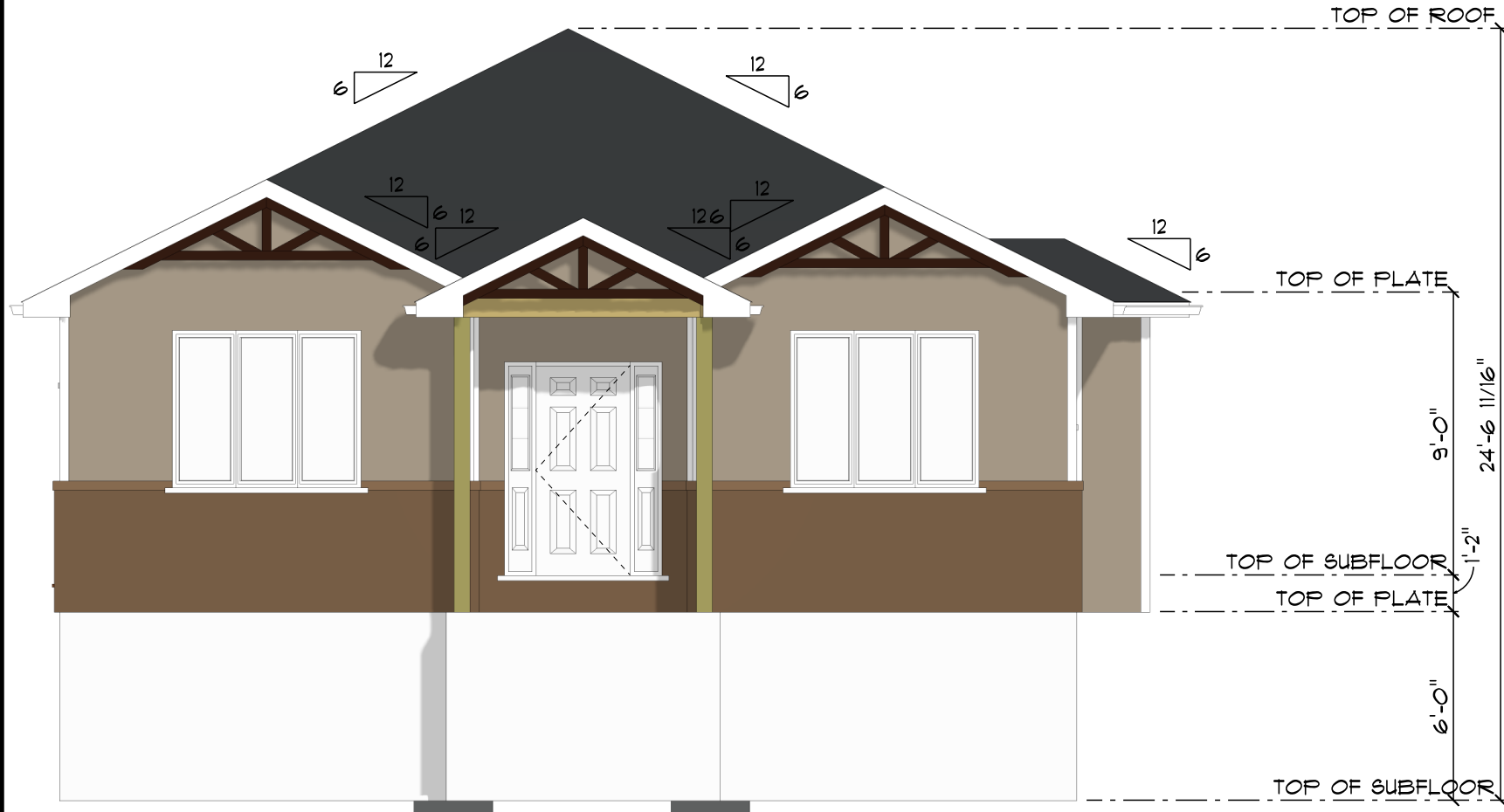
DRIVEWAY INFORMATION: WIDTH: _____ m.
 SLOPE (MAX. 10%): _____ BELOW GRADE: Y _____ N _____ X _____
 SURFACE MATERIAL: GRAVEL (NEW CONSTRUCTION)

SCALE: **1:500**

DATE: May 7, 2021



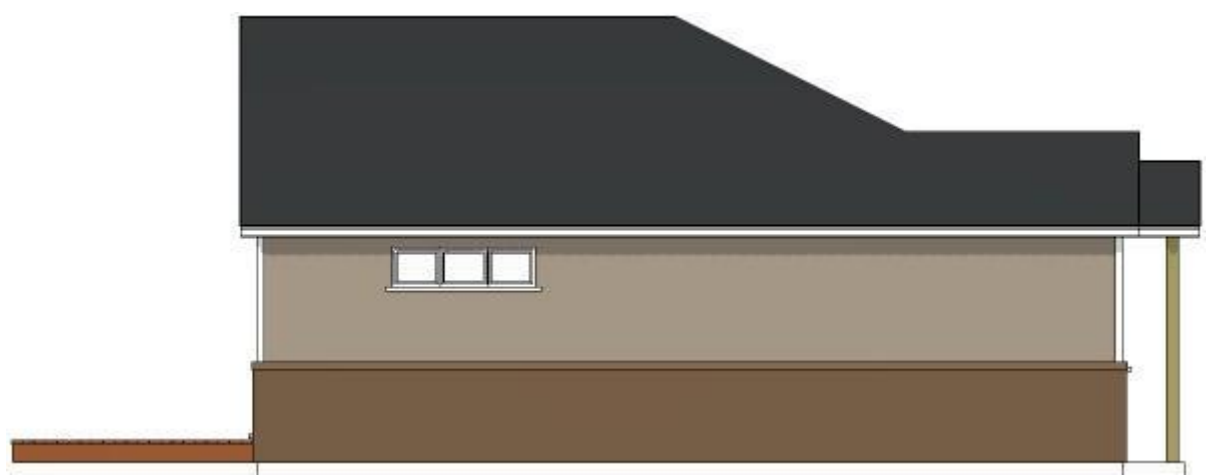
REVIEWED BY	DATE	APPROVED	REJECTED _____ (REASONS AS NOTED)	LOT GRADING SECURITY REQUIRED: YES <input type="checkbox"/> NO <input type="checkbox"/>	AMOUNT REQUIRED
-------------	------	----------	--------------------------------------	--	-----------------



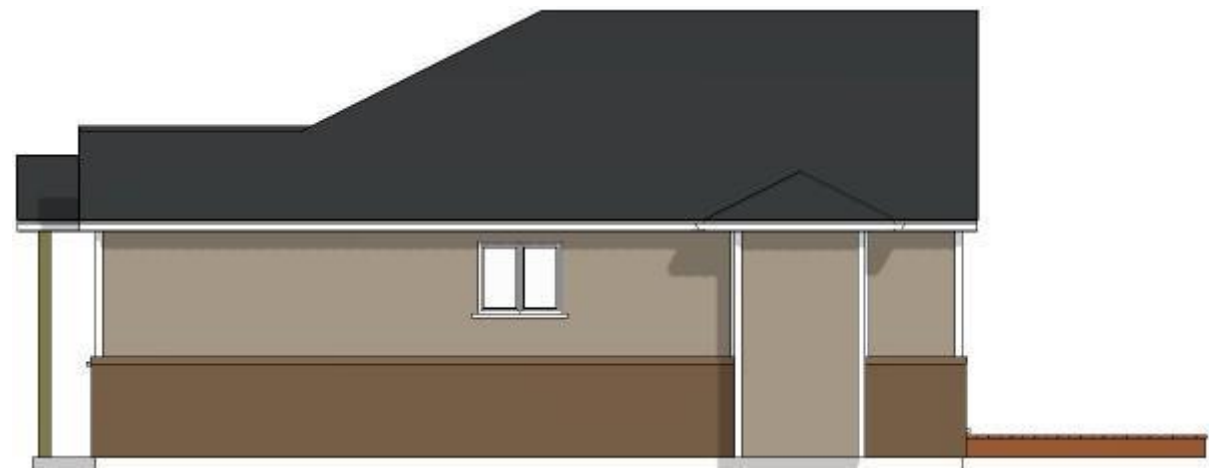
FRONT ELEVATION



REAR ELEVATION



LEFT ELEVATION



RIGHT ELEVATION

1088 Perry Lane

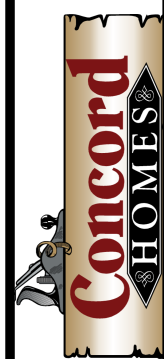
PHONE:
FAX:
MOBILE:

DRAWN BY: A. CRANSHAW

SCALE: As Noted

DATE: April 25, 2021

PAGE: **2/2**
Elevations



Concord Homes

1020 Bayridge Drive PHONE: 613-384-0033
Kingston info@concordhomes.ca
Ontario
K7P 2S2

BUILDING PERMIT APPLICATION PLOT PLAN

APPLICANT NAME: CONCORD HOMES	PHONE #: (613) 384-0033	PROPERTY ADDRESS: 1088 Perry Lane
---	-----------------------------------	---

LEGEND:

- | | |
|---|--|
| <ul style="list-style-type: none"> ↳ # OF RISERS TO GRADE ☑ COMMUNITY MAIL BOX ☐ HYDRO TRANSFORMER ☐ BELL PEDESTAL ☐ CABLE PEDESTAL ☐ LIGHT STANDARD ● HYDRANT ○ TRAFFIC SIGN ☐ STREET SIGN -E- EASEMENT LINE —O— OVERHEAD HYDRO LINE ☐ HOUSE ☐ GARAGE ☐ DRIVEWAY | <ul style="list-style-type: none"> — WATER SERVICE — SANITARY SERVICE — STORM SERVICE ☐ CATCH BASIN ○ MANHOLE — [SM] — SIDEWALK ▨ CURB 302.2 PROPOSED ELEVATION 302.2 EXISTING ELEVATION 302.2+ PROPOSED ELEVATION TO BE PROVIDED BY APPLICANT —▶— DRAINAGE DIRECTION - - - DRAINAGE SWALE ⊕ FUSE PEDESTAL ⊗ WATERMAIN VALVE |
|---|--|

DETAILS:

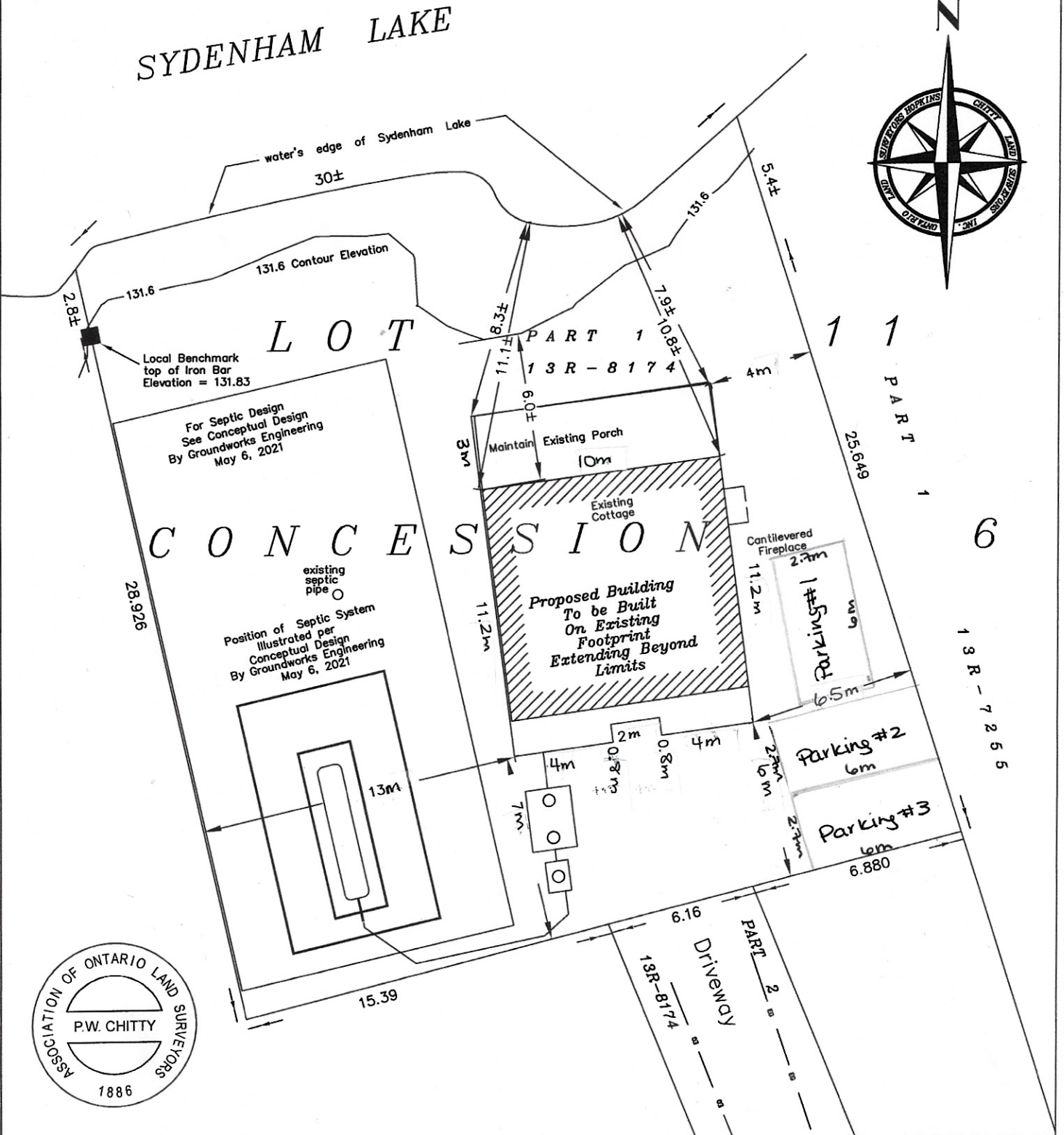
LOT No. 11 PLAN / CONC. 6
 PART No. 1 REFERENCE PLAN No. 13R-8174
 TOP FOUNDATION ELEVATION: _____
 BOTTOM FOOTING ELEVATION: _____
 ELEVATION AT GRADE: _____ FOUNDATION CUT: _____
 ZONE: **RRC**
 LOT AREA: 905.0 SQ. Metres
 PROPOSED FOOTPRINT AREA: 109.0 SQ. Metres
 PREVIOUS FOOTPRINT AREA: 95.1
 COVERAGE %: PROPOSED: 12.0%
 COVERAGE %: PREVIOUS: 10.5%
 PERMITTED: 5.0%

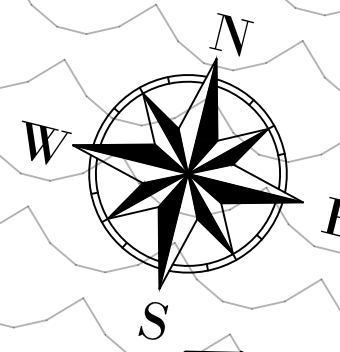
DRIVEWAY INFORMATION: WIDTH: _____ m.
 SLOPE (MAX. 10%): _____ BELOW GRADE: Y _____ N _____ X _____
 SURFACE MATERIAL: GRAVEL (NEW CONSTRUCTION)

SCALE: **1:500**

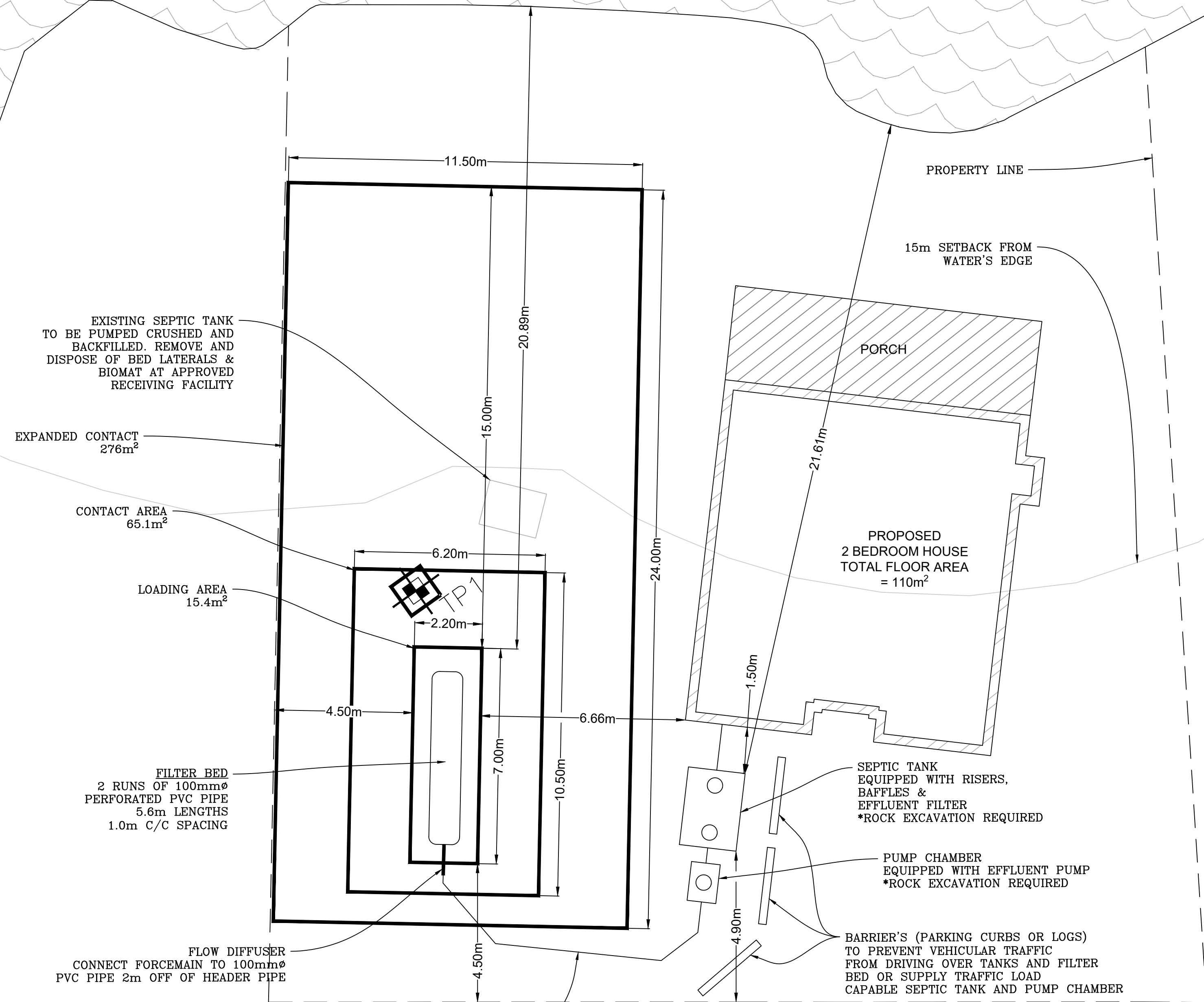
DATE: May 7, 2021
 DATE: July 29, 2021

SYDENHAM LAKE



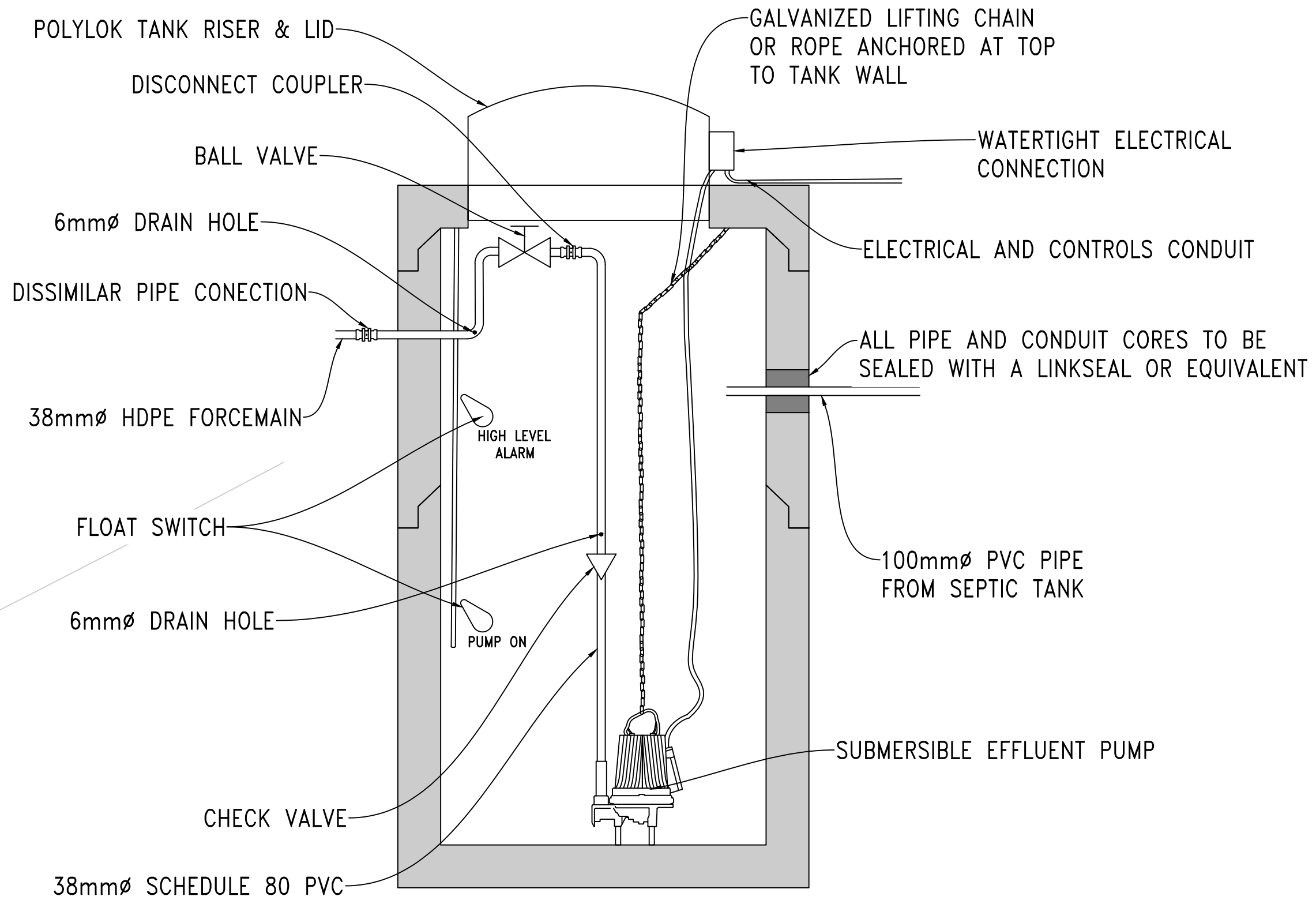


SYDENHAM LAKE



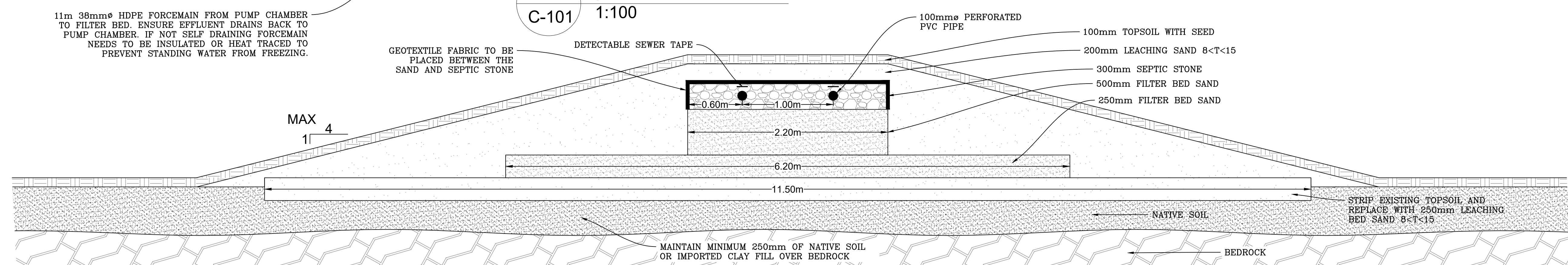
1 SITE PLAN

C-101 1:100



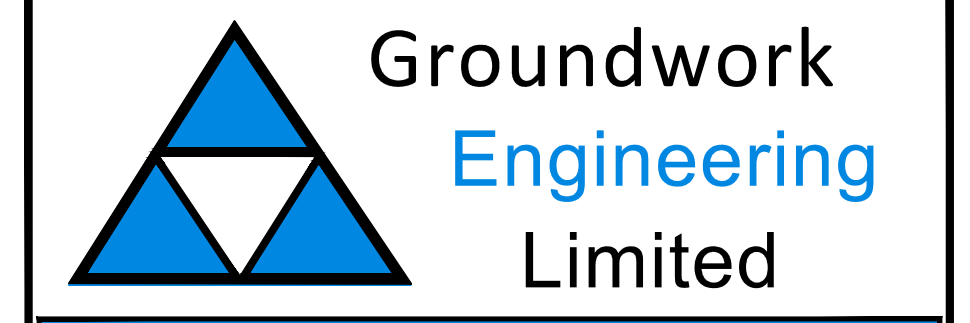
2 PUMPCHAMBER DETAIL

C-101 NTS



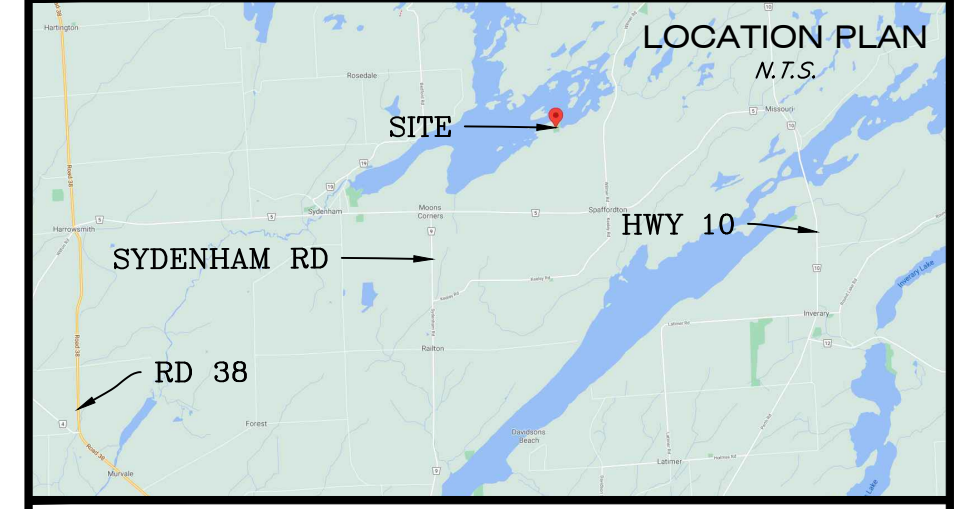
3 FILTERBED PROFILE

C-101 NTS



GEOTECHNICAL • CIVIL • STORMWATER • ONSITE WASTEWATER

UNIT 640 - 654 NORRIS COURT
KINGSTON, ONTARIO
OFFICE (613) 634-1789



- NOTES:
1. FILTER BED TO BE CONSTRUCTED AS PER OBC 8.7.5.3.
 2. SEPTIC STONE GRADATIONS AS PER OBC 8.7.3.3.
 3. THE HEADER AND DISTRIBUTION LINES SHALL BE INSTALLED AS PER OBC 8.7.2.2.
 4. SEPTIC TANK TO BE EQUIPPED WITH RISERS, BAFFLE AND EFFLUENT FILTER.
 5. EFFLUENT FILTER AS PER OBC 8.6.2.1.(2)
 6. FILTER BED SAND AS PER OBC 8.7.4.1.
 7. STRIP ALL EXISTING TOPSOIL IN THE AREA OF FILTER BED.
 8. GEOTEXTILE TO BE NON WOVEN NEEDLE PUNCHED POLYPROPYLENE TERRAFIX 270R OR EQUIVALENT.
 9. PUMP CHAMBER TO HAVE A MINIMUM WORKING VOLUME OF 450L.
 10. PUMP TO BE EQUIPPED WITH AUDIBLE AND VISUAL HIGH LEVEL ALARM.
 11. SUBMERSIBLE EFFLUENT PUMP TO BE LIBERTY FL30 SERIES 1/2 HP, 115V, 1.5" DISCHARGE OR EQUIVALENT WITH TDH 4.3m.
 12. CONTROL PANEL TO BE SIMPLEX DEMAND DOSE CONTROL PANEL 120V, 15AMP OR APPROVED EQUIVALENT.
 13. CONTROL PANEL WITH ALARM MOUNTED IN MECHANICAL ROOM. SEAL ALL DUCTS ENTERING BUILDING WITH EYES FITTING TO PREVENT GAS TRANSFER.
 14. ALL ELECTRICAL WORK AS PER OBC AND ELECTRICAL SAFETY AUTHORITY.
 15. WHEN DETERMINING WELL LOCATION THERE WILL NEED TO BE A 15m CLEARANCE FROM SEPTIC TANK AND LOADING AREA OF FILTER BED AS PER OBC TABLE 8.2.1.6.A & OBC TABLE 8.2.1.6.B

CALCULATIONS AS PER ONTARIO BUILDING CODE PART 8 DAILY SEWAGE FLOW DETERMINATION

PROPOSED HOUSE

- 2 BEDROOMS = 1,100 L/D
- FIXTURES NUMBER 11.5 < 20 = 0 L/D
- TOTAL FLOOR AREA 110m² < 200 = 0 L/D

TOTAL (Q) = 1,100 L/DAY

SEPTIC TANK SIZING

- RESIDENTIAL 1,100L/DAY X 2 = 2,200L/DAY

MINIMUM SEPTIC TANK VOLUME = 3,600L

FILTER BED CALCULATIONS

EXISTING SOIL:

T-TIME > 50 (TOP SOIL OVER BEDROCK)

FLOW RATE < 3000L/DAY

THEREFORE USE Q/75

LOADING AREA = 15.4m² → $\frac{1100}{15.4} \times \frac{1}{75} = 14.6$

CONTACT AREA = 65.1m² → $\frac{1100}{65.1} \times \frac{1}{75} = 64.7$

EXPANDED CONTACT AREA = 276m² → $\frac{1100}{276} \times \frac{1}{75} = 275$

No.	Description	Date
1	PRELIMINARY DRAFT ISSUED	MAY 6, 2021
2	FINALIZED DRAWING ISSUED	JULY 23, 2021
3	REVISED DIMENSIONS	AUG 6, 2021

BENCHMARK:		
No.	DESCRIPTION	ELEVATION
#.	XXX	XXX.XX

23 Jul 2021

M. H. BURGER

PROFESSIONAL ENGINEER

PROVINCE OF ONTARIO

Client / Land Owner:

CONCORD HOMES

Project:

1088 PERRY LANE

SOUTH FRONTENAC ONTARIO

Drawing Title:

SEPTIC DESIGN

Drawn by: JH

Checked By: MB

Page Size: 24"x36"

Scale: 1:100

Date: AUG 6, 2021

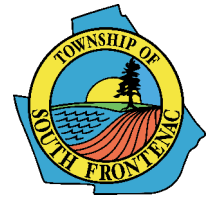
Project Number:

GW-21002-22

Drawing Number:

C-101







SHEET 1 of 1



**MV-28-21-L (Gannon)
(Concord Homes)**

1088 PERRY LANE

Legend

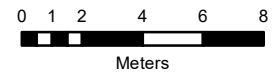
-  Subject Property
-  Roads
-  Parcels
-  Provincially Significant Wetlands
-  Wetland
-  River/ Stream
-  Waterbody



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 1:250



UTM Projection NAD 83



Date: 2021-06-18



1382614 Ontario Ltd.
Box 26016 Gardiners
Kingston, ON K7M 8W4
HST# 882812720

Office: 613-384-0033
info@concordhomes.ca
www.concordhomes.ca

August 10, 2021

Committee of Adjustment
Township of South Frontenac
4432 George Street
Sydenham, Ontario
K0H 2T0

Project: 1088 Perry Lane, South Frontenac
Regarding: Response to Cataraqui Region Conservation Report

On August 9, 2021 the Cataraqui Region Conservation Authority (CRCA) provided the Township of South Frontenac and Concord Homes with their report for the requested minor variance at 1088 Perry Lane.

Within the report, the CRCA addresses the issue of water quality. The main issue of concern is seemingly the increase in lot coverage and the required setbacks from the property lines. However, no correlation is drawn between the effects of the lot coverage and setbacks on the water quality.

Due to the lot being an undersized lot of record, construction can not be located outside of the 30m setback from the highwater mark. The CRCA has suggested that, in lieu of the small addition on the roadside which will improve the function of the home, that we relocate the existing footprint towards the roadside. The CRCA has not elaborated on how moving the house 4' towards the road would either improve or protect the water quality. Moving the house 4' is not going to mitigate water quality issues.

Our clients plan to retire in this home. They want a home with minimal maintenance, and with the highest quality of energy efficiency. What will improve and protect water quality is the installation of a modern septic system which will reduce existing phosphates filtering into the lake and decrease future phosphates from entering the water system. Rebuilding this home will also reduce the carbon footprint, contributing a long-term benefit to water quality for everyone.

The concern of intensification is also mentioned within the report. The small addition (roughly 4' x 32') will increase this home's function for our clients and allow for aging in place. The added square footage will allow the addition of a laundry room and improve the width of hallways. There is no increase in the number of bedrooms, or the creation of any new living space. Our clients are not asking to move any closer to the water or adding major square footage to the house. What they're requesting is very reasonable and should not be considered intensification.

Although we understand the necessity for input from the CRCA, in this case there does not seem to be a practical application of the regulations. The owners live in an old, poorly constructed dwelling and are asking for a modest increase in size to make for a functional layout in order to age in place. They are willing to invest in re-constructing the dwelling and replace the aged septic system with a new modern system.

We feel these benefits far outweigh the imagined impact, if any, on the water quality and allow the owners to enjoy their home for years to come. We ask that you please consider these points when reviewing the information set forth by the Cataraqui Region Conservation Authority.

Regards,
Concord Homes

A handwritten signature in black ink, appearing to read 'Martin Mack', written over a horizontal line.

Martin Mack
President



REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



Report Date: August 10, 2021

Application No: MV-28-21-L
Owner: Steve and Vicki Gannon
Agent: Concord Homes
Location of Property: 1088 Perry Lane, Sydenham Lake, Loughborough District
Purpose of Application: To vary Sections 5.8.2 a) and 10.3.1 of Comprehensive Zoning By-law 2003-75
Date of Hearing: August 12, 2021

Recommendation: That provisional approval be:

- granted with conditions (attached)
- deferred
- denied

Purpose:

- zoning relief for an addition to an existing building
- zoning relief for replacement of an existing building
- zoning relief for other

Official Plan Designation	Zoning
Rural	Limited Service Residential – Waterfront
Zoning Relief Requested	
Section 5.8.2 a): High Water Mark	To permit a 7.9 metre highwater mark setback for a single detached dwelling with an attached deck, whereas the Zoning By-law requires a minimum 30 metre setback for all buildings and structures.
Section 10.3.1: Front Yard and High Water Mark	To permit a 7.9 metre front yard depth and highwater mark setback for a single detached dwelling with an attached deck, whereas the Zoning By-law requires a minimum 30 metre front yard and highwater mark setback for the principal building.
Section 10.3.1: Rear Yard	To permit a 6.0 metre rear yard depth for a single detached dwelling with an attached deck, whereas the Zoning By-law requires a minimum 10 metre rear yard for the principal building.
Section 10.3.1: Lot Coverage	To permit a maximum 14.9% lot coverage for the principal building (i.e. dwelling with attached deck), whereas the Zoning By-law permits a maximum 5% lot coverage.

Review:

This application for a variance:

- ✓ Is consistent with the Provincial Policy Statement (s. 3(5) Planning Act);
- ✓ Maintains the general intent and purpose of the County of Frontenac Official Plan;
- ✓ Maintains the general intent and purpose of the Township of South Frontenac Official Plan;
- ✓ Maintains the general intent and purpose of Zoning By-law No. 2003-75;



REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



- ✓ Is desirable for the appropriate development of the land, building or structure in question; and
- ✓ Is minor.

Proposal

An application for minor variance was received to permit a reduced setback from the highwater mark, a reduced front yard and, a reduced rear yard, as well as an increase in the maximum lot coverage for a principal building. The variance would facilitate the construction of a single detached dwelling with an attached deck and a replacement sewage system on the subject property.

The 960 square metre (0.23 acres) property on Sydenham Lake is accessed over private land from Perry Lane. Perry Lane is off Morrison Road at the east end of the Lake. The property is surrounded by forested rural land to the south and west, and is adjacent to a recreational resort commercial property to the east. The shoreline of the subject property is a small, shallow bay that is part of the Eel's Bay Provincially Significant Wetland. The subject property is located entirely within 30 metres of the highwater mark of Sydenham Lake. The subject lands consist of exposed bedrock and shallow soil over bedrock. Trees line the side lot lines, otherwise the property is grassed.

The property is developed with an existing seasonal dwelling with an attached deck. The existing 126 square metre total floor area consists of 95 square metres of dwelling and 31 square metres of deck. The existing dwelling is setback 10.8 metres, and the deck is setback 7.9 metres, from the highwater mark of Sydenham Lake. The existing dwelling is also setback 7.5 metres from the rear lot line. The existing dwelling and deck has a 13.2% lot coverage.

The proposed single detached dwelling with an attached deck would replace the existing seasonal dwelling with an attached deck. The proposed 143 square metre total floor area would consist of 112 square metres of dwelling and 31 square metres of deck. The proposed dwelling and deck would maintain the existing setbacks from highwater mark. The proposed dwelling would be setback 6.0 metres from the rear lot line. The proposed dwelling and deck would have a 14.9% lot coverage.

The replacement sewage system would be located between the western side lot line and the dwelling, more than 15 metres from the highwater mark, satisfying the minimum standards of the Ontario Building Code. The sewage system includes a filter bed in order to minimize the area of land needed.

Department, Agency and Public Comments

Building Department (Septic System Review) – The Building Department conducted a preliminary review of the file MV-28-21-L for 1088 Perry Lane in July 2021, which indicated that the proposed draft submission by Groundwork Engineering Limited provides the basic details to ensure the proposed sewage system will support the proposed two bedroom dwelling. However, due to the limitations of this existing property, they required a completed sewage system permit application, and an Ontario Land Surveyor to complete a seal drawing indicating the location of the proposed Class 4 Sewage System, all required setbacks including setbacks from property lines, high water setbacks and all existing structures that will remain on the property.

On August 9, 2021, the Building Department indicated that updated drawings (Groundwork Engineering Limited, August 6, 2021) cross-referenced with a plot plan (July 29, 2021) confirm that there should be sufficient space for the proposed sewage system on the property. They note that the owner will need to ensure as part of an updated sewage system permit application that Ontario Building Code separation distances can be achieved between the sewage system and any neighbouring wells.



REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



Cataraqui Conservation – In a letter dated June 25, 2021, Cataraqui Conservation staff noted that the deck appeared to be located within 6 metres of the regulatory floodplain, and that they would be unable to issue a permit for new development (i.e. new enlarged dwelling with an attached deck) within this area under O. Reg. 148/06.

They recommended that the Owner be required to retain a qualified professional to prepare a plot plan to demonstrate the proposed dwelling and deck would be at least 6 metres from the regulatory floodplain. The agent provided a detailed plot plan (July 29, 2021) that identified the extent of the floodplain on the property and that the proposed dwelling would be setback 6 metres from the floodplain. The agent also provided revised drawings (July 12, 2021) that specified that the existing deck would be maintained, in response to a discussion they had with Cataraqui Conservation staff about what a permit could be issued for under O. Reg. 148/06.

Cataraqui Conservation staff also noted that generally an Environmental Impact Assessment (EIA) should be required to provide mitigation recommendations to improve the nearshore vegetation community. However, there are limited opportunities to incorporate plantings into the project due to the presence of bedrock. It was the opinion of Cataraqui Conservation staff that an EIA would not be helpful.

Cataraqui Conservation staff acknowledged that there are no other more reasonable alternatives for locating development outside the water setback area due to the small size for the property. However, they did not support the application because it appeared that the building footprint could be moved farther from the highwater mark, and due to the proposed lot coverage. They recommended deferral of the application to allow the Owner to address these concerns. The agent disagrees with this assessment.

Public Comments – No comments were received from the public at the time of the writing of this report.

Planning Analysis Summary

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 variance maintain the general intent and purpose of the Official Plan?

- The subject lands are designated Rural in the Official Plan on Schedule A. The type and amount of development on Rural lands must maintain the rural character, natural heritage, and cultural landscape in the Township.
- The proposed variance maintains the general intent and purpose of the Official Plan related to limited service residential development, and development adjacent to environmentally sensitive areas.
- The subject property is adjacent to a provincially significant wetland. The wetland is characterized as an open water marsh. The proposed development would be no closer to the wetland than the existing development. Planning staff concur with Cataraqui Conservation staff that there would be no benefit to requiring an EIA given the physical characteristics of the property, as well as based on the minor change between the existing and proposed development. Therefore, an EIA was not required.
- A surveyed plot plan (dated July 29, 2021) was provided to confirm that the existing dwelling and deck are setback a minimum of 6 metres and 3 metres from the regulatory floodplain,



REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



respectively. This means the proposed dwelling and its attached deck, being no closer to the floodplain than the existing development, would satisfy Section 5.2.3 of the Official Plan, which prohibits development within the floodplain and does not specify a setback from the floodplain.

- Section 5.2.7(b)(ii)(3), which speaks to proposals to construct additions to existing dwellings that are within the 30 metre setback from the high water mark, does not specifically apply to the proposal since it is a new building. However, this policy specifies criteria for evaluating the merits of a proposal that can be useful in this situation. These criteria are the ultimate total gross floor area, building footprint and lot coverage being proposed, the closeness of the existing dwelling to the high water mark, and the capacity of the lot to accommodate new development at a greater setback from the high water mark. The proposed dwelling would have a minimal increase in gross floor area and lot coverage over the existing condition (17 square metres (183 square feet), or 1.7%). The proposed dwelling and its attached deck would be no closer to the water than the existing development. It could not be shifted farther from the highwater mark without impacting the required sewage system and the ability to accommodate minimum parking requirements on the property.

Does the variance maintain the general intent and purpose of the Zoning By-law?

- The proposed variances for the single detached dwelling maintain the general intent and purpose of the Zoning By-law as the existing dwelling a legal non-complying structure relative to the setbacks from the high water mark, front yard and rear yard, and the maximum lot coverage. The subject property is located entirely within 30 metres of the highwater mark of Sydenham Lake. The proposed dwelling and its attached deck, would not encroach farther into the setback from the high water mark. The rear yard would be minimized, while maintaining area for the minimum two parking spaces required for a dwelling (section 5.30.1.1) as well as for a replacement sewage system that was designed to minimize the area of land needed. The proposed increase in lot coverage is considered minor for this lot of record and relative to the existing lot coverage (a 1.7% increase).
- As indicated above, a surveyed plot plan (dated July 29, 2021) was provided by the agent to confirm that the proposed dwelling and its attached deck would be located outside the floodplain, as required by section 5.8.1.

Is the requested variance desirable for the appropriate development or use of the land, building or structure in question?

- The variances are desirable for the appropriate development of the land and building, as it would facilitate redevelopment of existing rural housing stock and allow a more functional floor plan, while maintaining the existing setback from the highwater mark and wetland, and requiring a minimal reduction to the rear yard and a minimal increase to lot coverage over the existing situation.
- The Owner intends to maintain the existing deck, so that Cataraqui Conservation staff could issue a permit for the new dwelling under O. Reg. 148/06. However, Planning staff and the Deputy Chief Building Official anticipate that the deck will need to be replaced as it is in an unsafe condition as determined through a site visit. The deck may need to be reconstructed to OBC standards to achieve safe access from the dwelling to the deck. It would be prudent of the Committee of Adjustment to acknowledge this circumstance, and to approve the requested variances for the deck. This would provide an opportunity for the Owner, Cataraqui Conservation, and the Building Department to come to a resolution to this matter (e.g. replace with a full-sized deck or a smaller deck, or a landing and stairs) within the parameters of the variance, and would eliminate the need for the Owner to come back to the Committee to request an additional variance for the deck.



REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



Is the variance minor?

- The requested variances are minor as they maintain the general intent of the Official Plan and Zoning By-law, and are desirable for the appropriate development of the land.

Conclusion

It is recommended that the Committee of Adjustment receive comments from the public and, pending comments received, **approve** minor variance application MV-28-21-L, subject to 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.****

1. The minor variance is for a single detached dwelling with a 112 square metre footprint (10 metres by 11.2 metres) and an attached deck with a 31 square metre footprint (10 metres by 3.1 metres). The dwelling is permitted to establish a minimum 6.0 metre rear yard, and to be set back a minimum of 10.8 metres from the highwater mark of Sydenham Lake. The attached deck portion of the dwelling is permitted to establish a minimum 7.9 metre front yard and to be set back a minimum of 7.9 metres from the highwater mark. The principal building is permitted to establish a maximum 14.9% lot coverage. All as per the submitted application, the amended drawings submitted to the Township on July 12, 2021 and the plot plan dated July 29, 2021.
2. The Owner 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 following matters and environmental standards of the Township prior to the issuance of a building permit:
 - a. The use of appropriate erosion control measures (e.g. silt fence, straw bales) during construction and until the site is stable and revegetated.
 - b. The removal of any excavated materials from the site so that it is not used as fill within 30 metres of the Sydenham Lake.
 - c. Roof runoff will be directed away from the shoreline of Sydenham Lake and discharged to natural or constructed leaching pits/areas to maximize infiltration or onto coarse rock rubble splash pads to reduce the velocity of runoff.
 - d. Re-establishing a natural vegetated buffer following construction of the sewage system and dwelling, especially at the shoreline, and maintaining the buffer in a natural state.
3. A building permit is required for ALL demolition and construction on the property. There shall be no additional development on the property without the approval from the Township of South Frontenac.
4. Minor variance MV-28-21-L is applicable only to Zoning By-law No. 2003-75 and not to any subsequent zoning by-laws.

Submitted by: Christine Woods, MCIP RPP, Senior Planner

Reviewed by: Claire Dodds, MCIP, RPP, Director of Development Services


Date of Site Visit: July 7, 2021

**The Township of South Frontenac
Building Services**

4432 George Street, PO Box 100
Sydenham, ON K0H 2T0
613-376-3027



Sewage System Review Comments

To:	Secretary-Treasurer, Committee of Adjustment Township of South Frontenac 4432 George Street, PO Box 100 Sydenham, Ontario K0H 2T0
Application Number:	MV-28-21-L
Type of Application or Proposal:	Minor Variance
Applicant Name(s):	Steve and Vicki Gannon
Location:	1088 Perry Lane, Sydenham Lake, Loughborough District CON 6 PT LOT 11 RP 13R8174;PART 1
Comments:	It appears that the proposed Class 4 Sewage System will have sufficient space to be constructed on the existing property as per the updated drawings by Groundwork Engineering Ltd submitted on August 6, 2021. The new drawing had been cross-referenced with the draft plot plan that was updated on July 29th, 2021. Ensure well locations of neighboring properties meet the required setbacks of the Ontario Building Code 2012.
Building Inspector:	 <hr/> Rebecca Roy
Date:	August 9, 2021

August 9, 2021

File: MV/FRS/211/2021

Sent by E-mail

Ms. Michelle Hannah, Planning Assistant
Township of South Frontenac
P.O. Box 100
Sydenham, ON K0H 2T0

Dear Ms. Geladi:

**Re: Application for Minor Variance MV-28-21-L (Gannon)
Lot 11, Concession 6; Roll No. 102904003014700000
Loughborough District, Township of South Frontenac
Waterbody: Sydenham Lake / Eel's Bay Provincially Significant Wetland**

Cataraqi Conservation staff have reviewed the above-noted application for minor variance and offer the following comments for the Committee of Adjustment's consideration. The property was visited by staff on June 25, 2021. ***The applicant has provided additional information and follow up comments to our letter of June 25, 2021 are provided in bold italic font for easy reference.***

Summary of Proposal

The proposal involves the construction of a dwelling on the subject property. More specifically, the variance is being 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 6.5 metres in order to permit the construction of a dwelling and deck.
- reduce the required setback from the highwater mark from 30 metres, as required by Section 11.3.1 of the South Frontenac Zoning By-law, to 6.5 metres in order to permit the construction of a dwelling and deck.

It is our understanding that the existing dwelling is to be demolished and that the existing deck is to remain and be renovated.

Site Description

The subject property located on the south shore of Sydenham Lake. The topography of the property can be characterized as being low lying near the shoreline, then rising up to the south, toward the location of the existing dwelling.



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

Discussion

The main interests of Cataraqi Conservation with respect to this application are the avoidance of natural hazards associated with the shoreline of Sydenham Lake (e.g. flooding and erosion), protection of the adjacent provincially significant wetland and the protection of the lake's water quality.

Natural Hazards

Flooding: For Sydenham Lake, the regulatory flood plain has been established as elevation 131.6 metres geodetic. Section 5.3.6. 2) of Cataraqi Conservation's Guidelines for Implementing Ontario Regulation 148/06 suggests that where development is proposed and the elevation of the flood plain is known, buildings and structures shall be located a minimum horizontal distance of 6 metres beyond the furthest landward extent of the regulatory flood plain. Based upon the information provided with the application and relevant mapping information, it appears that the structure is located within 6 metres of the regulatory flood plain. Staff would be unable to issue a permit under Ontario Regulation 148/06 for new development within 6 metres of the flood plain.

Staff recommend that the Township request that the applicant retain the services of a qualified professional to prepare a plot plan that demonstrates that the proposed location for the building will be a minimum distance of 6 metres from the regulatory flood plain.

The applicant has provided a detailed plot plan (P.W. Chitty, July 29, 2021) that illustrates the inland extent of the regulatory flood plain for Sydenham Lake as requested above. The plot plan indicates that there will be a minimum 6 metre setback from the flood plain for the new dwelling. Staff are satisfied with the additional information provided from a flooding perspective.

Erosion: Cataraqi Conservation's Environmental Planning Policy (2021) defines the erosion hazard limit as the sum of an allowance for toe erosion, a stable slope allowance of 1(h):1(v) for bedrock shorelines and a minimum erosion access allowance of 6 metres. Based upon site3 observations and measurements, staff have concluded that the proposed development will be located outside of the erosion hazard limit.

Natural Heritage

As noted above, this portion of Sydenham Lake has been classified as provincially significant wetland (PSW) by the Ontario Ministry of Natural Resources and Forestry. Section 2.1.8 of the Provincial



Policy Statement (PPS, 2014) suggests that development and site alteration should not be considered on adjacent lands to significant wetlands unless the ecological functions of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions. Additionally, Section 5.2.11 of the Official Plan suggests that when considering development within or adjacent to a provincially significant wetland, an Environmental Impact Assessment (EIA) may be required. Also, staff noted during the inspection that the land between the existing development and the shoreline is mown lawn and does not contain any woody vegetation. Generally, staff recommend that an EIA be completed to provide mitigation recommendations to improve the nearshore vegetation community. However, due to the presence of bedrock near the surface of the ground, there are limited opportunities to incorporate plantings into the project. Therefore, in the opinion of staff, preparation of an EIA would not be helpful in this instance.

Water Quality

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

The Township of South Frontenac Official Plan recognizes the need to minimize lake impacts by reducing phosphorous inputs, preventing erosion and maintaining natural appearances. Accordingly, policies have been included that can vary the setback from the highwater mark from 30 to 90 m depending on the site characteristics such as steepness of slope, vegetation cover soil depth and soil phosphorus retention. Section 5.2.7 (b)(ii)(3) of the Official Plan indicates that a reduction from the setback may only be considered if it is not physically possible or environmentally desirable to meet the 30 metre setback requirement, and that there will be no negative impacts to fish habitat or water quality.

Similar to the Official Plan, Cataraqui Conservation's Environmental Planning Policy considers new development within the 30 metre water setback area only if there are no reasonable alternatives for locating the development outside of the water setback area, the development is no closer to the water than existing buildings or structures on the property, and is set back as far as possible from the water in all directions, complies with the maximum lot coverage provisions of the Zoning By-law, and suitable methods to minimize negative impacts on water quality are incorporated into the development.

In this instance, there are no other more reasonable alternatives for locating the development outside of the water setback area due to the small size of the property. However, since an addition is



proposed off the back of the dwelling, it appears that development is not set back as far as possible from the water as the building footprint could be moved back into the area of the proposed addition. Further, the proposed development will exceed the maximum lot coverage provisions of the Zoning By-law for a principal dwelling by 7 per cent. The maximum lot coverage provisions in the Zoning By-law are intended to limit intensification on a waterfront lot in support of the water quality provisions of the Provincial Policy Statement and the Official Plan.

*Based upon the discussion above, staff do not support the application from a water quality perspective. **The additional information provided does not address this concern.***

Recommendation

Staff recommend deferral of application MV-28-21-L to allow the applicant to address the above noted water quality concern.

Ontario Regulation 148/06

Cataraqi Conservation, under Ontario Regulation 148/06: *Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses*, regulates development within 15 metres of a flood plain or erosion hazard and within 120 metres of a provincially significant wetland. Therefore, a permit will be required for the proposed development. The applicant will be required to contact the undersigned at the building permit stage for more information regarding permitting requirements under Ontario Regulation 148/06.

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

Yours truly,

Andrew Schmidt

Andrew Schmidt
Supervisor, Development Review

/as
c.c. Anna Geladi, Planner, South Frontenac Township (via e-mail)

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

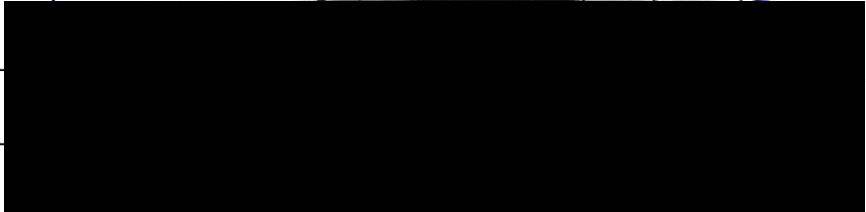
1. Name of Owner(s): JASON JOHN MARTIN

Full Mailing Address of Owner(s): JASON JOHN MARTIN



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: 6 Lot Number: 21

Street Number: 1628 Name of Road/Street: WILD FLOWER LANE

Reference Plan Number: 13R4508 Part Number(s): 1, 2, 3, 4, 6

Roll Number: 0400 30125 000 000

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

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

Frontage (on water): 25.68 m Frontage (on road/lane): 79.57 m
Depth: IRREGULAR Area: 4587.57 m²

5. The current zoning of the subject land:

RESIDENTIAL WATERFRONT

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

- locate deck / screened porch 20 m from high water mark
- locate deck / screened porch 1 m from right of way
- See attachment

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

- existing too close to the water to renovate
- too steep grade at 50m from water
- See attachment

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

Name of Road/Lane:

WILD FLOWER CANE

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?

RESIDENTIAL

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

Yes No

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

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

Type of Structure (E.g. residence)	(1)	(2)	(3)	(4)
Setback from Front Lot Line		30-18 m		
Setback from Rear Lot Line	1 m road 11 m lake	2.5 m ROAD 26.6 m LAKE		
Setback from Side Lot Line	10 m 4 m	44.9 m 37.2 m		
Height of Building (Also indicate if it is one story or two story)	4 m 1 story	3.04 1 story		
Dimensions of Floor Area	17.84 m ²	3.74 m 4.95 m		
Setback from High Water Mark (If applicable)	11 m	26.6 m		

13. The proposed uses of the subject land:

residential waterfront

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

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

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

Type of Structure (E.g. residence)	(1)	(2)	(3)	(4)
	residence	deck	Screen porch	CAR PORT
Setback from Front Lot Line	30m 30m	30m	30m	30m
Setback from Rear Lot Line	20m 20m	20m	20m	20m
Setback from Side Lot Line	X 12'	78'	104'	78'
Height of Building (Also indicate if it is one story or two story)	24' 24' 2 story	9'	28'	9' with 2 story (m)
Outside Dimensions of Building/Structure	24' x 64'	14' x 24'	14' x 24'	28' x 24'
Setback from High Water Mark (if applicable)	20m	20m	20m	20m

TOTAL STRUCTURE
 30 m
 20 m
 12'
 28'
 9' x 24'
 20m

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:

demolish existing structures after completion

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



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

If yes, please provide details:

18. What are the uses of the proposed development?

- | | | | |
|-----|--|---|-----------------------------|
| (a) | Increase in number of bedrooms | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| (b) | Increase in plumbing fixtures | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| (c) | Increase in living space | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| (d) | Will the addition or structure encroach on the existing septic system? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

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

July, 2010

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

residence 1965, bunk house 1984

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

since 1965

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:

drilled well 2010 install

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:

individual septic system, privately owned 2014 install

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

swales & ditches

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.

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

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.

MV-31-17-2, approved

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.

AGREEMENT TO INDEMNIFY

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 representing payment of the application fee.

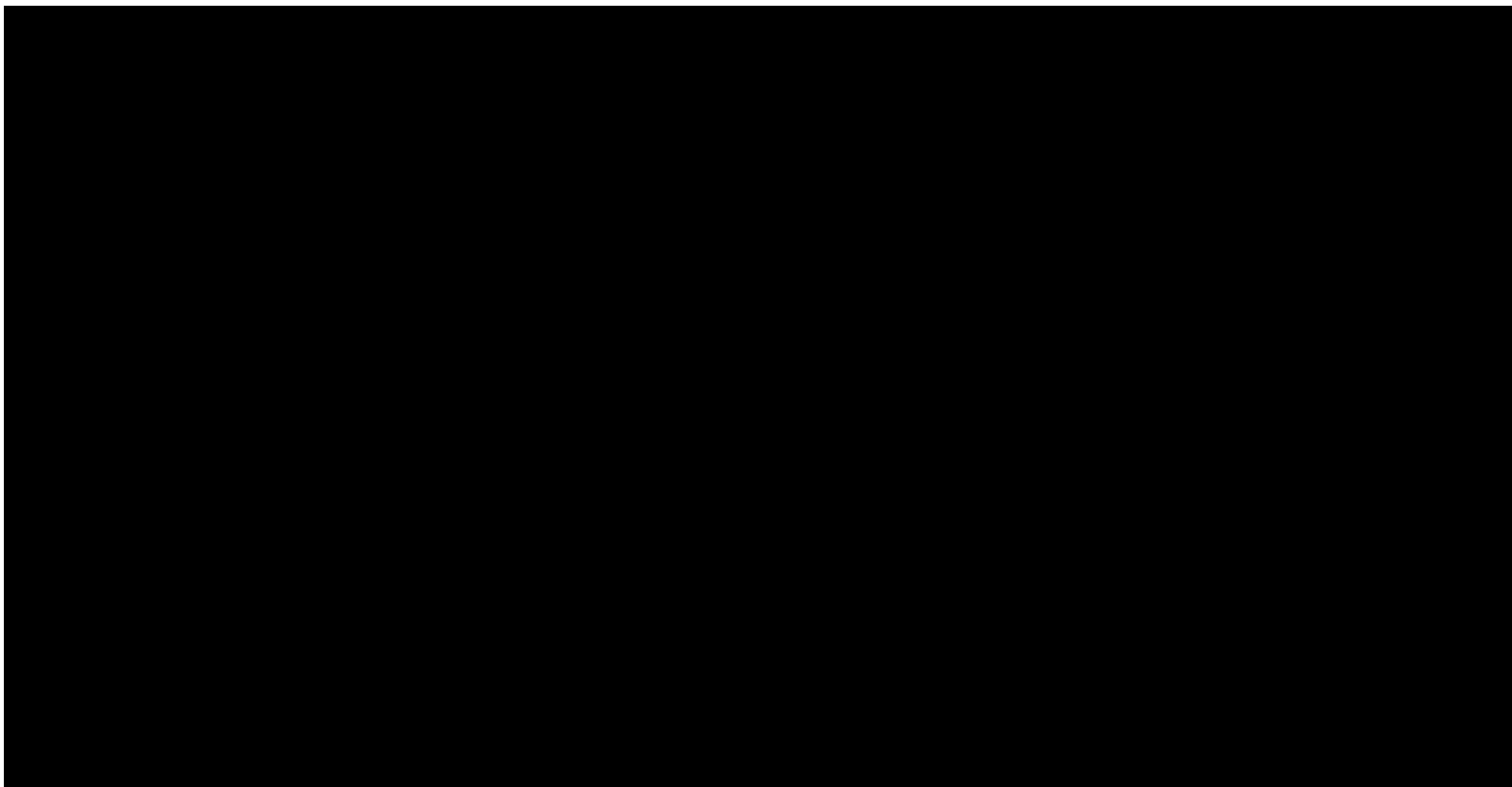
The Owner/Applicant/Agent agrees that the information recorded in this Minor Variance Application Form is accurate. The Owner/Applicant/Agent agrees that representatives of the Township and, where applicable, the appropriate Conservation Authority, may enter onto the subject property for the purpose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

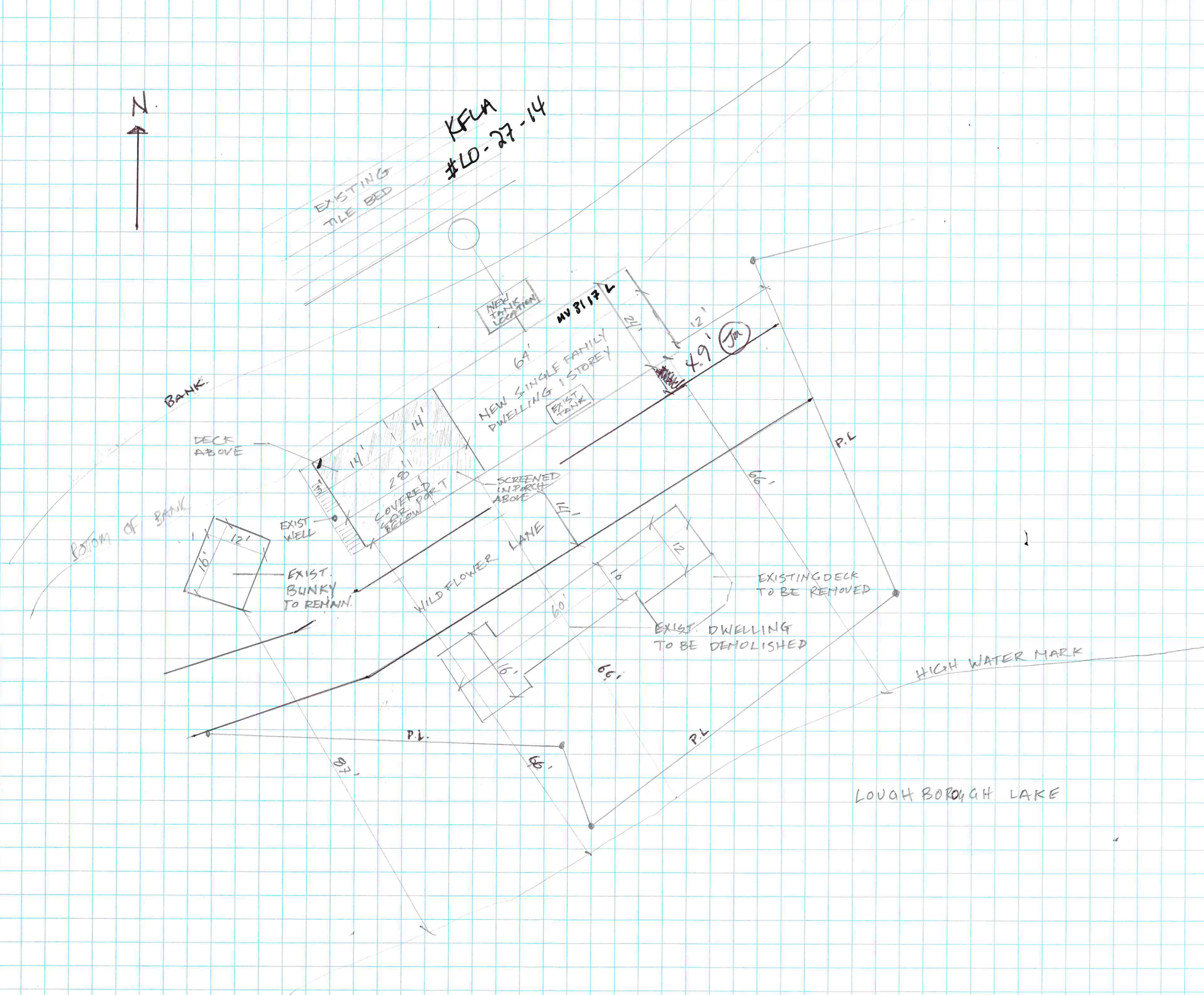
The Owner/Applicant/Agent further agrees that, until such requests have been complied with, the municipality will have no continuing obligation to process the application or attend or be represented at the Ontario Municipal Board or any court or other administrative proceeding in connection with the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



JASON MARTIN
MINOR VARIANCE
APPLICATION
SKETCH

JUNE/2021


 proposed





MV-30-21-L (Martin)
1026 WILD FLOWER LANE

Legend

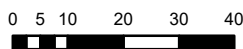
-  Subject Property
-  Parcels
-  Roads
-  Provincially Significant Wetlands
-  Wetland
-  River/ Stream
-  Waterbody



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 1:1,362



Meters

UTM Projection NAD 83



July 22, 2021

File: MV/FRS/243/2021

Sent by E-mail

Ms. Michelle Hannah, Planning Assistant
Township of South Frontenac
P.O. Box 100
Sydenham, ON K0H 2T0

Dear Ms. Hannah:

**Re: Application for Minor Variance MV-30-21-L (Martin)
Lot 21, Concession 6; 1028 Wild Flower Lane
Township of South Frontenac (Loughborough District)
Waterbody: Loughborough Lake (West Basin)**

Cataraqui Conservation staff have reviewed the above-noted application for minor variance and provide the following comments for the Committee of Adjustment's consideration.

The proposal involves the construction of a single family dwelling 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) and Section 10.3.1 of the South Frontenac Zoning By-law, to 20 metres in order to permit the construction of a dwelling and a deck.

Site Description

The property is located on the south side of North Shore Lane on the north shore of the west basin of Loughborough Lake. Wild Flower Lane crosses through the property from west to east. The topography of the site can be characterized as having a 3.5 metre high bank along the shoreline, then rising slowly toward Wild Flower Lane, and then flattening out in the area of the proposed new dwelling. Currently, the property contains a dwelling and a bunkie.

The property is currently designated as 'Rural' in the Official Plan and 'Waterfront Residential' (RW) in the implementing Zoning By-law for South Frontenac Township. Loughborough Lake itself is zoning 'Environmental Protection' (EP).



Discussion

The main interest of Cataraqi Conservation in this proposal is the protection of water quality of Loughborough Lake and the avoidance of natural hazards (e.g. flooding and erosion) associated with the shoreline.

Natural Hazards

Flooding: The maximum recorded water level for Loughborough Lake is 125.1 metres geodetic. For Loughborough Lake, the maximum recorded water level is used in lieu of an engineered flood plain. Cataraqi Conservation's Environmental Planning Policy requires all development and site alteration to be setback a minimum of 6 metres from the regulatory floodplain of a waterbody. Based upon elevation mapping data, the development proposal complies with this policy.

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. Cataraqi Conservation defines the extent of potential erosion hazards to include an allowance for toe erosion (estimated to be 2 metres), a stable slope allowance for till shorelines of 3(h):1(v) (estimated to be 10.5 metres), plus an equipment access allowance of 6 metres. Therefore, the erosion hazard limit extends 18.5 metres inland from the stable toe of slope. Staff note that the proposed development will be located outside of the erosion hazard limit.

Staff have no concerns from a natural hazard perspective.

Water Quality

The Official Plan recognizes the need to minimize lake impacts by reducing phosphorous inputs, preventing erosion and maintaining natural appearances. Accordingly, policies have been included that can vary the setback from the highwater mark from 30 to 90 m depending on the site characteristics such as steepness of slope, vegetation cover, soil depth and soil phosphorus retention. Section 5.2.7 (b)(ii)(3) of the Official Plan indicates that a reduction from the setback may only be considered if it is not physically possible or environmentally desirable to meet the 30 metre water setback requirement, and that there will be no negative impacts to fish habitat or water quality.



Staff recognize that the existing residential dwelling is in non-compliance with the current zoning by-law for the Township of South Frontenac and is entirely situated within the required 30 metre setback from the high water mark on Loughborough Lake. Similarly to the Official Plan, Cataraqi Conservation's Environmental Planning Policy (2021) considers new development within the 30 metre water setback area only if there are no reasonable alternatives for locating the development outside of the water setback area, the development is no closer to the water than existing buildings or structures on the property, and is set back as far as possible from the water in all directions, complies with the maximum lot coverage provisions of the Zoning By-law, and suitable methods to minimize negative impacts on water quality are incorporated into the development.

In this instance, the proposed development will be located further away from the water than existing development on the property and the proposal complies with the maximum lot coverage provisions of the Zoning By-law.

Staff recommend that as part of site plan control, that roof runoff be directed away from the lake, and that the area between the development and the lake be maintained as a vegetated buffer.

Recommendation

Staff have no objection to the approval of application MV-30-21-L based on our consideration for natural hazards, natural heritage, and water quality and quantity protection policies.

Ontario Regulation 148/06

Please note that a portion of the property is subject to Ontario Regulation 148/06: Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses, which is administered by Cataraqi Conservation. 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. The proposed development will require a permit from Cataraqi Conservation prior to development taking place.



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

Yours truly,

Andrew Schmidt

Andrew Schmidt
Supervisor, Development Review

/as

c.c. Anna Geladi, Planner, South Frontenac Township (via e-mail)



REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



Report Date: August 6, 2021

Application No: MV-30-21-L

Owner: Jason Martin

Location of Property: Part Lot 21, Concession 6, being Parts 1 – 4 on Plan 13R4508, District of Loughborough, Township of South Frontenac, municipally known as 1028 Wildflower Lane

Purpose of Application: To vary Sections 5.6.1, 5.8.2(a) and 8.3.3 of Zoning By-law No. 2003-75

Date of Hearing: August 12, 2021

Recommendation: That provisional approval be:

granted with conditions (attached)

deferred

denied

Purpose: zoning relief for construction of a new structure

zoning relief for replacement of an existing structure

zoning relief for other

Official Plan Designation: Rural	Zoning: Residential Waterfront (RW)
Zoning Relief Requested:	
Section 5.6.1: Setback from Private Lane	Relief: To permit a minimum 1.5 metre (4.9 foot) setback from the travelled portion of a private lane for a single detached dwelling, whereas the Zoning by-law requires a minimum setback of 5 metres (16.4 feet) from the travelled portion or the surveyed edge, whichever is greater, of all private lanes.
Section 5.8.2a) and 8.3.3: High Water Mark	Relief: To permit a minimum of 20 metres (66 feet) highwater mark setback for a single detached dwelling whereas the Zoning By-law requires a minimum 30 metre (98.4 feet) setback from the highwater mark for all buildings and structures.

Review:

This application:

- ✓ Is consistent with the Provincial Policy Statement (s. 3(5) *Planning Act*);
- ✓ Maintains the general intent and purpose of the County of Frontenac Official Plan;
- ✓ Maintains the general intent and purpose of the Township of South Frontenac Official Plan;
- ✓ Maintains the general intent and purpose of Zoning By-law No. 2003-75;
- ✓ 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 was received to permit a reduced setback from the private lane and from the highwater mark for a single detached dwelling. The single detached dwelling includes an attached carport. There would be a screened porch and unenclosed deck above the carport.

The 1.26 acre (0.5 hectare) subject property is known as 1028 Wildflower Lane. It is located on the south side of North Shore Road and has waterfrontage on Loughborough Lake. It is accessed from Wildflower Lane, which bisects the subject property, approximately 15 metres on average from the highwater mark. The subject property is currently developed with a dwelling with an attached deck, and a sleeping cabin. The dwelling is located between the lane and the lake. The sleeping cabin is located on the north side of the lane. An existing sewage system is also located north of the lane, near North Shore Road.

The subject property can be described as rising from the shoreline to the location of the existing dwelling and then flattening out along the location of Wildflower Lane and then rising very steeply towards North Shore Road. There are hydro lines that run through the subject property. They travel from North Shore Road towards the east and west property lines.

The existing dwelling with attached deck is set back 11 metres (36 feet) from the highwater mark and 1 metre (3.2 feet) from Wildflower Lane. The existing dwelling is on the south side of the lane. The sleeping cabin is located 26.6 metres (87 feet) from the highwater mark and 2.5 metres (8.2 feet) from Wildflower Lane.

The proposed single detached dwelling would replace the existing seasonal dwelling with an attached deck. The sleeping cabin will remain unchanged. The existing septic tank will need to be relocated north of the proposed dwelling. The proposed dwelling is located on the north side of the lane, farther from the lake than the existing dwelling.

The new two-storey dwelling, as described above, will be 7.3 metres (24 feet) in height. It will have a total footprint of 7.3 metres x 28 metres (24 feet x 94 feet) and a total floor area of 205 square metres (2208 square feet). The dwelling size is inclusive of the deck, the carport and the screened in porch.

The single detached dwelling will be set back a minimum of 20 metres (66 feet) from the highwater mark of Loughborough Lake and a minimum of 1.5 metres (4.9 feet) from Wildflower Lane. The single detached dwelling would meet all other zone provisions including setbacks from other property lines and lot coverage.

Background

The Committee of Adjustment approved minor variance application MV-31-17-L for the subject property in February 2018. The variance granted a 149 square metre (1600 square foot) dwelling with a walkout basement to be located a minimum of 26.6 metres (87 feet) from the highwater mark of Loughborough Lake and a minimum of 2.5 metres (8.2 feet) from Wildflower Lane.

The Owner contacted Planning Staff in April 2021 regarding the 2017 minor variance. The owner identified that the approved setback from the highwater mark and the size of the dwelling was inconsistent with their plans. Planning Staff reviewed the file and concluded that the original decision granted a 26.6 metre setback from the highwater mark whereas it should have been 20 metres. The materials in the file indicated that the decision was consistent with the information listed on the application, but does not match the size of the dwelling being proposed by the applicant.

The Owner submitted application MV-30-21-L to request variances to facilitate his current proposal. The current proposal is for a 61 square metre (656 square foot) larger dwelling that would be setback 20 metres from the highwater mark and 1.5 metres from the lane.

Department, Agency and Public Comments

Planning Department – The application form and sketch were revised multiple times in an attempt to ensure consistent setbacks and dimensions between the application and the sketch. Staff provided a



REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



copy of this report to the applicant to review prior to the Committee of Adjustment meeting to ensure the applicant is aware of the detailed dimensions and setbacks in the planning recommendation.

Public Services Department – This application did not meet the criteria for circulation.

Building Department (Buildings) – All approved setbacks will need to be confirmed by an Ontario Land Surveyor at the time of building permit application.

Building Department (Sewage System Review) – The Building Department was not formally circulated on this application. Township staff determined that KFL&A Public Health comments (July 13, 2017) on minor variance application MV-31-17-L are applicable to the current minor variance application. KFL&A Public Health had no objections to the approval of application MV-31-17-L. The current application included a copy of the inspection report for septic permit LO-27-14 that confirmed the location and size of the existing sewage system.

It was noted by the Building Department that the owner will need to apply for a permit to move the existing septic tank prior to development, and that the new location of the tank will need to comply with the Ontario Building Code.

Cataraqui Conservation – Comments received from Cataraqui Conservation on July 22, 2021 indicate they have no objection to the application. Cataraqui Conservation staff noted that the erosion hazard limit extends 18.5 metres inland from the stable toe of slope and that the proposed development will be located outside of the erosion hazard limit. Staff recommended that roof runoff be directed away from the lake and that the area between the development and the lake be maintained as a vegetated buffer.

It was noted that a permit under O. Reg 148/06 will be required for the proposed development as it is located within a regulated area. The applicant must contact Cataraqui Conservation at the building permit stage.

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

Planning Analysis Summary

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:

1. Does the variance maintain the general intent and purpose of the Official Plan?

The variance maintains the general intent and purpose of the Official Plan, specifically policies on development within environmentally sensitive areas adjacent to a lake. The proposed single detached dwelling is a permitted use on a property within the Rural designation. The dwelling would also be farther from the highwater mark than the existing dwelling. The proposed dwelling will be located outside of the erosion hazard limit.

2. Does the variance maintain the general intent and purpose of the Zoning By-law?

Yes, the variances maintain the general intent and purpose of the Zoning By-law as the proposed dwelling is a permitted use on the subject property. The proposed dwelling would be setback from the highwater mark more than twice the distance of the existing dwelling. It is not practical to achieve a minimum 5 metre setback from the lane due to the high bank and steep slope on the north side the property and the location of the existing septic system. The proposed dwelling would be slightly farther from the private lane than the existing dwelling.

3. Is the requested variance desirable for the appropriate development of the land, building or structure in question?

Yes, the variances are desirable for the appropriate development of the subject property, as it would facilitate redevelopment of the property with a modest-sized dwelling in a location that is practical given the physical constraints. The subject property is the second-last property at the end of



REPORT TO COMMITTEE OF ADJUSTMENT PLANNING DEPARTMENT



Wildflower Lane. There is also a turn-around at the end of the lane. Locating the dwelling 1.5 metres (4.9 feet) from the lane will not cause any additional negative impacts since there will be limited traffic past the dwelling. Removing the dwelling on the south side of the lane where the land is relatively flat may provide additional separation and room for vehicles.

4. Is the variance minor?

Yes, the variances are minor as they maintain the general intent of the Official Plan and Zoning By-law, and are desirable for the appropriate development of the land.

Conclusion

It is recommended that the Committee of Adjustment receive comments from the public and, pending comments received, **approve** minor variance application MV-30-21-L, subject to 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.

1. The Minor Variance is for a 7.3 metres x 28 metres (24 feet x 94 feet) single detached dwelling which includes the carport, deck and screened-in porch. The single detached dwelling is permitted to be setback a minimum of 20 metres (66 feet) from the highwater mark of Loughborough Lake and a minimum of 1.5 metres (4.9 feet) from the travelled portion of Wildflower Lane. All as per the revised drawing (dated June 2021) that will be attached to the Decision as Schedule "A".
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 Township environmental policies and Cataraqui Conservation recommendations including that roof runoff be directed away from the lake and that the area between the development and the lake be maintained as a vegetated buffer.
3. A building permit is required for ALL demolition and construction on the property. There shall be no additional development on the property without the approval of the Township of South Frontenac.
4. Minor variance MV-30-21-L is applicable only to Zoning By-law No. 2003-75 and not to any subsequent zoning by-laws.

Submitted by: Anna Geladi, Planner

Approved by: Christine Woods, MCIP, RPP, Senior Planner

Date of Site Visit: July 15, 2021



Report to the Committee of Adjustment



Development Services Department Planning Services

AGENDA DATE: August 12, 2021
REPORT DATE: August 9, 2021
SUBJECT: Decisions on Delegated Consents

RECOMMENDATION:

THAT the Committee of Adjustment and Council receive this report for information.

BACKGROUND:

The authority to grant undisputed consents is delegated to the Director of Development Services under By-law 2020-27. This report lists the applications which met the criteria for being considered as an undisputed consent and have received provisional consent approval.

Committee of Adjustment is notified for information.

COMMENTS:

a) S-37-20-P (Barker)

Location: Part Lot 10, Concession 7, being Part 1 on Plan 13R16983, District of Portland, Township of South Frontenac, municipally known as 4844 Watson Road

This undisputed consent was granted provisional consent on August 6, 2021.

The purpose and effect of this application is for the creation of one new lot with an area of approximately 1 hectare (+/- 2.5 acres) of land and +/- 77 metres (+/- 252 feet) on Watson Road.

b) S-23-21-P (Robinson)

Location: Part Lot 2, Concession 14, being Part 5 on Plan 13R20215, District of Portland, Township of South Frontenac, municipally known as vacant land on Desert Lake Road

This undisputed consent was granted provisional consent on August 6, 2021.

The purpose and effect of this application is for the creation of one new lot with an area of approximately 0.8 hectare (2 acres) and approximately 90 metres (+/-295 feet) on Desert Lake Road.

c) S-24-21-B (Bresee & Biscaro)

Location: Part Lot 16, Concession 12, District of Bedford, Township of South Frontenac, municipally known as vacant land on Devil Lake Road

This undisputed consent was granted provisional consent on August 6, 2021.

The purpose and effect of this application is for the creation of one new lot with an area of approximately 4.8 hectares (+/-12 acres) and approximately 129 metres (+/- 423 feet) of frontage on Devil Lake Road.



Report to the Committee of Adjustment



Development Services Department Planning Services

d) S-25-21-B (Bresee & Biscaro)

Location: Part Lot 16, Concession 12, District of Bedford, Township of South Frontenac, municipally known as vacant land on Devil Lake Road

This undisputed consent was granted provisional consent on August 6, 2021.

The purpose and effect of this application is for the creation of one new lot with an area of approximately 10.5 hectares (+/-26 acres) and approximately 286 metres (+/- 938 feet) of frontage on Devil Lake Road.

e) S-26-21-S (Sleeth)

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

This undisputed consent was granted provisional consent on August 6, 2021.

The purpose and effect of this application is for the creation of one new lot with an area of approximately 0.8 hectares (2 acres) and have approximately 94.5 metres (+/- 310 feet) of frontage on Wellington Street. An existing drive shed is located across from the subject lands along Wellington Street.

f) S-29-21-S (Knapp)

Location: Part Lot 26, Concession 2, being Parts 8 - 10 on Plan 13R21753, District of Bedford, Township of South Frontenac, municipally known as 382 Bradshaw Road

This undisputed consent was granted provisional consent on August 6, 2021.

The purpose and effect of this application is for the creation of one new lot with an area of approximately 10.6 hectares (+/-26.2 acres) and has approximately 248 metres (+/- 814 feet) of frontage on Steele Road.

g) S-31-21-P (Allan)

Location: Part Lots 6-8, Concession 11, Being Parts 13, 14, 21, 23, and 24 on Plan 13R9048 and Parts 1, 2, 11, 15-18 and 25 on Plan 13R9159, District of Portland, Township of South Frontenac, municipally known as vacant land on Hinchinbrooke Road.

This undisputed consent was granted provisional consent on August 6, 2021.

The purpose and effect of this application is for the creation of a lot addition to adjacent lands, the severed parcel will have an area of approximately 0.38 hectares (+/- 0.95 acres) with approximately 77 metres (+/- 252 feet) of frontage on Morning Glory Lane and +/- 102 metres (+/- 335 feet) of frontage on Rocky Shore Lane and +/- 43 metres (+/-141 feet) of water frontage on Hardwood Creek.



Report to the Committee of Adjustment



Development Services Department Planning Services

h) S-32-21-P (Allan)

Location: Part Lots 6-8, Concession 11, Being Parts 13, 14, 21, 23, and 24 on Plan 13R9048 and Parts 1, 2, 11, 15-18 and 25 on Plan 13R9159, District of Portland, Township of South Frontenac, municipally known as vacant land on Hinchinbrooke Road.

This undisputed consent was granted provisional consent on August 6, 2021.

The purpose and effect of this application is for the creation of a lot addition to adjacent lands, the lot addition will have an area approximately 1.2 hectares (+/- 2.9 acres) with approximately 130 metres (+/- 427 feet) of frontage on Morning Glory Lane and +/- 108 metres (+/- 354 feet) of water frontage on Mud Lake Creek.

i) S-39-21-B (Steele) (Chisamore)

Location: Part Lot 19, Concession 10, District of Bedford, Township of South Frontenac, municipally known as vacant land on Westport Road

This undisputed consent was granted provisional consent on August 6, 2021.

The purpose and effect of this application is for the creation of one new lot with an area approximately 2.7 hectares (+/- 6.8 acres) and approximately 188 metres (+/- 617 feet) of road frontage on Westport Road.

j) S-40-21-B (Kehoe)

Location: Part Lots 4 & 5, Concession 3, being Parts 1 – 5 on Plan 13R2584, District of Bedford, Township of South Frontenac, municipally known as 123 Buggy Lane

This undisputed consent was granted provisional consent on August 6, 2021.

The purpose and effect of this application is for the creation of an amendment to a right-of-way known as Buggy Lane. The owner of the property over which the right-of-way lies has re-aligned the lane for safer access for property owners using the lane to access their property.

ATTACHMENTS:

None

Submitted by: Michelle Hannah, Planning Assistant,
Secretary Treasurer of Committee of Adjustment

Approved by: Claire Dodds
Director of Development Services