



TOWNSHIP OF SOUTH FRONTENAC
Committee Of Adjustment Meeting
Agenda



TIME: 7:00 PM,
DATE: Thursday, June 9, 2022
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 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. 3 - 81
4. Declaration of pecuniary interest
 - a) None Declared
5. Approval of Minutes – May 12, 2022
 - a) Resolution
6. New Consent Applications:
 - a) S-90-21-P (MacKay) (Mills) 82 -
Location: 3911 Harrowsmith Road, District of Portland 135
Proposal: To create one new commercial lot consisting of 0.8 hectares (2 acres) and 76 metres (250 feet) of frontage on Harrowsmith Road in the settlement area of Harrowsmith.
 - b) PL-BDJ-2022-0022 (Mancino) (ZanderPlan Inc.) 136 -
Location: Between Westport Road and Gardner Lane 159
Assessment Roll Number: 102901001021415
Proposal: To create one new rural residential lot with an area of 0.7 hectares (1.74 acre) and 144 metres (472 feet) of frontage on Westport Road.

- c) PL-BDJ-2022-0023 (Mancino) (ZanderPlan Inc.) 160 -
Location: Between Westport Road and Gardner Lane 183
Assessment Roll Number: 102901001021415
Proposal: To create one new rural residential lot consisting of 0.7 hectares (1.77 acres) with 76 metres (250 feet) of frontage on Westport Road.
7. Minor Variance Applications from Previous Meetings:
- a) PL-ZNA-2022-0034 (Klassen) 184 -
Location: 73 Mill Bay Lane, Bobs Lake, District of Bedford 250
Proposal: to permit a dwelling with attached garage to be setback a minimum of 9.3 metres (30 feet) from the top of bank whereas the Zoning By-law requires a minimum 15 metre (49.2 feet) setback. And to permit a dwelling with attached garage to have a maximum lot coverage of 12%, whereas the Zoning By-law permits a maximum of 5% lot coverage for the principal building.
8. New Minor Variance Applications:
- a) PL-ZNA-2022-0046 (Liota) 251 -
Location: 2263 Green Bay Road, Bobs Lake, District of Bedford 295
Proposal:
This application is requesting permission to enlarge the residence (Dwelling #2) by increasing its footprint within the required setback from the highwater mark, and within the required front yard (roadside).
The application is also requesting zoning relief for the highwater mark for a shed.
- b) PL-ZNA-2022-0063 (Lachance) 296 -
Location: 5511 Rideau Road, Little Cranberry Lake, District of 318
Storrington
Proposal: To permit a single detached dwelling to be setback a minimum 15.3 metres from the highwater mark of Little Cranberry Lake. And to have a setback of 16.7 metres from the front lot line and to permit a maximum 5/8% lot coverage for the principle building.
- c) PL-ZNA-2022-0074 (Knapp) 319 -
Location: 4788 Carrying Place Road, Cranberry Lake, District of 333
Storrington
Purpose: To permit the lot coverage of all accessory buildings on the property to be 6.5%, Also, to permit the lot coverage of the accessory buildings to exceed that of the principal building.
And to permit an accessory building to be located in front of the projected front wall of the dwelling.
9. Other Business
- a) Delegated Consent Authority - Report 334 -
335
10. Adjournment
- a) Resolution



**SOUTH
FRONTENAC**

Committee of Adjustment Meeting

Thursday, June 9, 2022

7:00 p.m. Virtual Meeting from Council Chambers

4432 George Street, Sydenham, ON

Welcome to the 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)
- Alan Revill
- Norm Roberts
- Mike Nolan
- Doug Morey
- Mike Howe
- Tom Bruce
- Ken Gee

Township Staff

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

Format for Each Hearing

1. The Chair will introduce the file
2. The Planner will provide an overview of the application
3. Questions of clarification for the Planner or Applicant
4. Questions or comments from the Applicant / Agent / Members of the Public
5. Committee deliberation and vote
6. The Chair will state whether the vote was carried

Appeal Rights

- Township staff will be in contact with the applicant following the meeting. Where a decision has been made, it will be forwarded to the applicant and anyone who has requested to be notified within 15 days.
- If a person or public body does not make oral submissions at the hearing or make written submissions to the Township before a decision is made, the person or public body is not entitled to appeal the decision.
- Anyone may appeal the decision to the Ontario Land Tribunal. The appeal must be filed with the Secretary-Treasurer of the Committee of Adjustment within 20 days of the notice of decision. The notice of appeal must set out the reasons for the appeal and be accompanied by the fee required by the Tribunal.
- 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 participating 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
- Hearings for Applications
- Consent Granting Authority Report
- Other Business
- Adjournment

Consent Application S-90-21-P

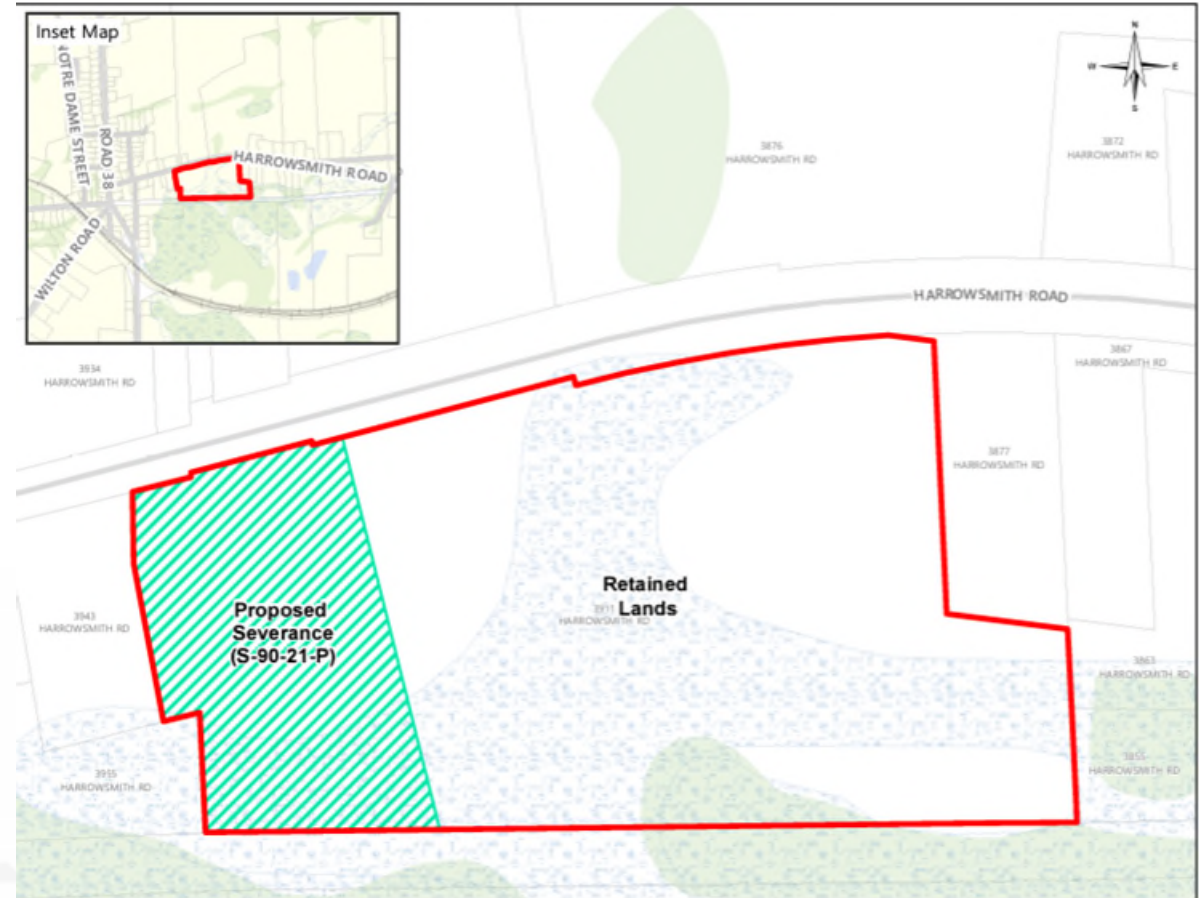
Applicant: Richard Todd McKay

Agent: Lindsay Mills

Location: 3911 Harrowsmith Road

Recommendation: Approval

- Pending public comment
- Subject to conditions



Proposal

- To create a new commercial lot

Severed Parcel

0.8 ha / 2 acres

76 metres (250 feet) frontage

0.7 acres of land is wetland

Building Envelope: 1 acre

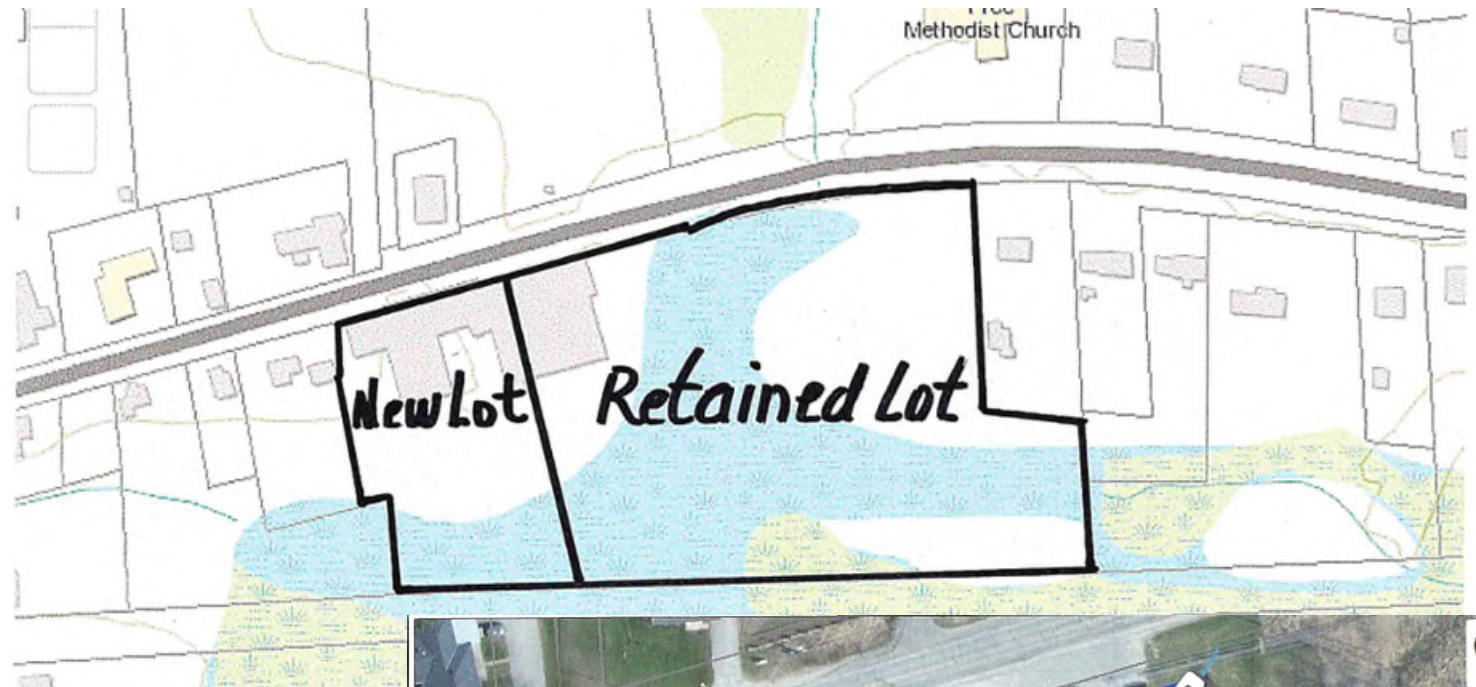
Retained Parcel

3.6 ha / 8..9 acres

192 metres (630 feet)

7 acres of land is wetland

Building Envelope: 0.5 acres



This map should not be relied on as a precise indicator of routes or locations, nor as a guide to navigation. The Ontario Ministry of Environment, Conservation and Parks (MECP) shall not be liable in any way for the use or any information on this map, of, or reliance upon, this map.



Aerial View of subject lands



View from Harrowsmith Road

Department, Agency and Public Comments

- **Building Department (Sewage System Review)** – No objection
- **Public Services** – No objection, road widening required
- **Cataraqui Conservation** – No objection, permit will be required
- **Public Comments** – Four comments received.

Planning Analysis

- Environmental Site Evaluation was submitted by Applicant
 - The consultant recommended a 30 metre setback for all development including buildings and the sewage system from the wetland boundary. Small open storage may be considered on a specific basis and would require a further environmental impact study. Parking may occur on the existing paved area of the property.
 - Recommended that the landowner enhance the shoreline the planting of native species of trees or shrubs to support the adjacent wetland.
- Environmental Site Conditions – Groundwater is improving with time for upland area
- A Record of Site Condition is only required where the use on a property is proposed to be changed to one that is sensitive (e.g. residential) - Not required for the creation of a commercial lot on this property since there is no change in use proposed.
- The UC-26 zone permits a wide range of uses.
- The UC-26 zone also requires that a site plan agreement be entered into and registered on title of the property prior to any development of the land.
 - Any potential impacts on abutting residential land uses and the suitability for the intended commercial uses of the parcel will be addressed through the site plan control process.
 - The site plan agreement will specify the locations of all buildings and structures, entrances and improvements to the public road including providing adequate parking as well as any buffering and landscaping measures between adjacent land uses and roadways.

Planning Analysis

Consistent with Provincial Policy Statement, 2020:	Yes
Current Official Plan Designation:	Settlement Area
Application conforms with Official Plan:	Yes
Current Zoning:	UC-26 & EP
Application Complies with Zoning By-law 2003-75:	Yes

Recommendation: Approval Subject to Conditions

- Prepare acceptable reference plan or legal description
- Drill a well & submit well driller's report
- Pay property taxes
- Road widening
- Pay 2% cash-in-lieu of parkland
- Decommission any abandoned wells

1. Questions of Clarification for Staff or Applicant
2. Public Questions or Comments
3. Committee Deliberation & Vote

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The Chair will call if the vote is carried or is lost.

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Consent Applications PL-BDJ-2022-0022 & 0023

Applicant: Michael Mancino

Agent: ZanderPlan Inc.

Address: Vacant Land between
Westport Road and Gardner Lane

Recommendation: Deferral



Consents PL-BDJ-
2022-0022 and
PL-BDJ-2022-0023

(Mancino)(ZanderPlan Inc.)
ARN: 102901001021415

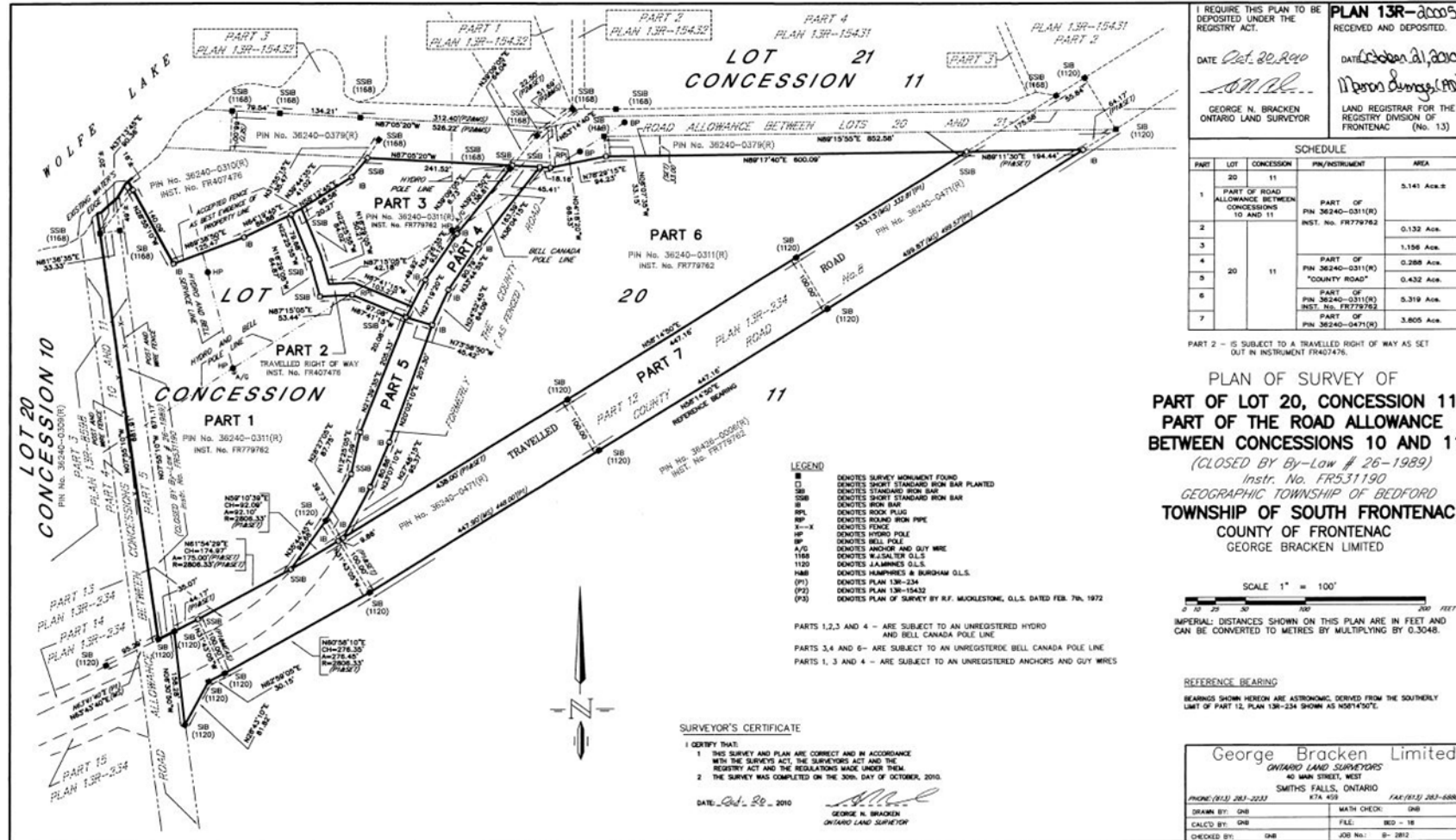
Subject Property



Property History

- Parts 1- 3 & 6 were bought under one deed.
- Parts 4 & 5 were purchased later.
- Parts 4 & 5 are the old road which was never deeded as a road or closed.
- No Quit Claim Deed
- Sale of old road should not have occurred.
- Several steps required to clear up title before Part 4 & 5 can be consolidated with Part 6.

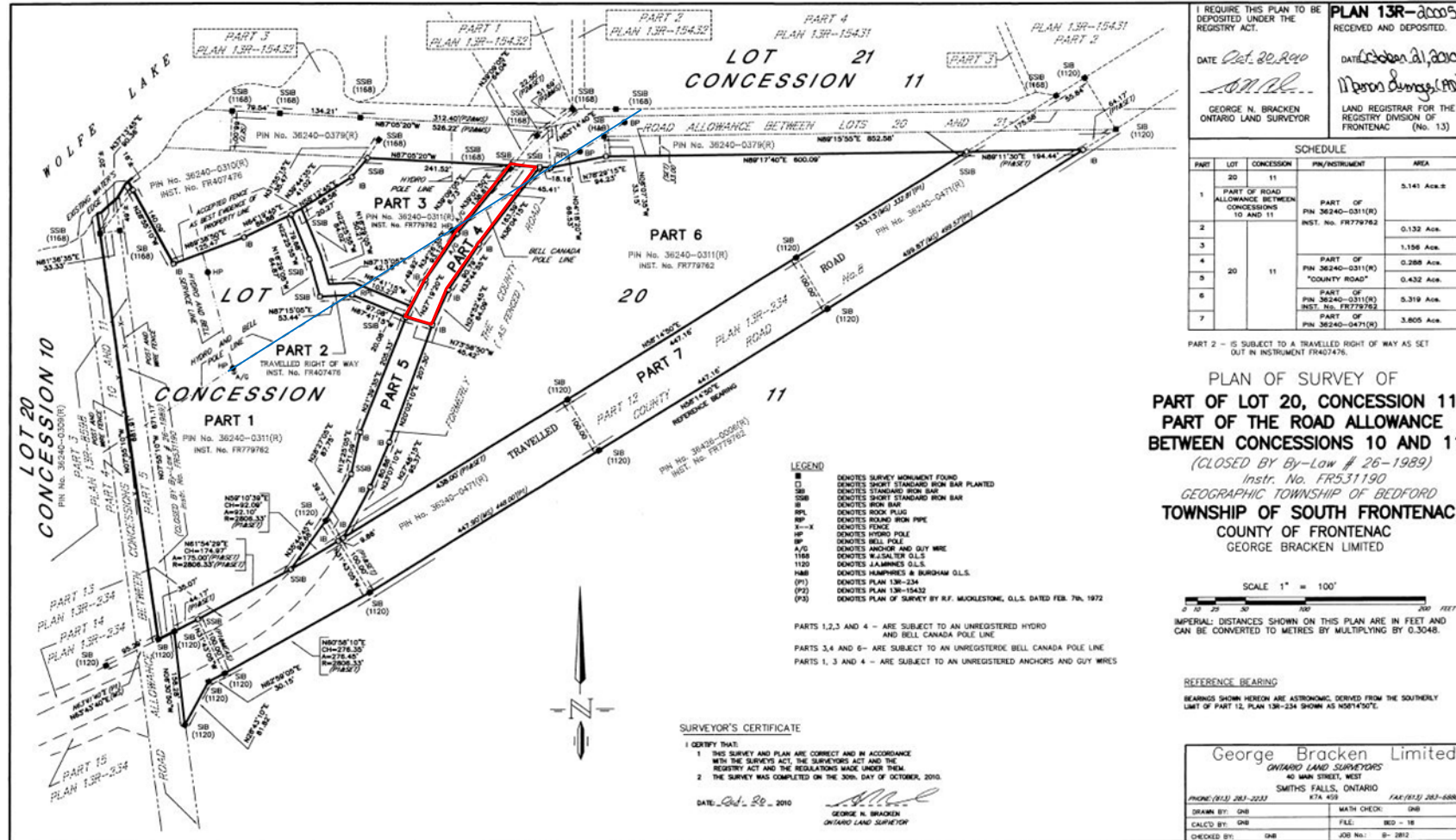
13R - 20005



Severance Proposal

- To only sever Part 6 on the survey and avoid the old road (parts 4 & 5).
- Combined Parts 4 – 6 are 6.019ac, enough for 0.8ha per lot.
- Parts 4 and 5 have constraints, their inclusion would not increase developable area despite meeting lot sizes.

Part 4, 13R - 20005



Part 5, 13R - 20005



Severance Proposal

- Adding Parts 4 & 5 does not add any developable area to the proposed lots.
- The Municipality may consider reductions to minimum lot sizes provided the overall intent of the Plan is Maintained (OP Sec. 5.7.4.ii.a)
- The lot sizes proposed are appropriate for the uses proposed (OP Sec. 7.1c).

Thank You

Proposal

- To create two new residential lots

Severed Parcel 1 - 0022

0.7 ha / 1.74 acres

144 metres (472 feet) on Westport

Severed Parcel 2 – 0023

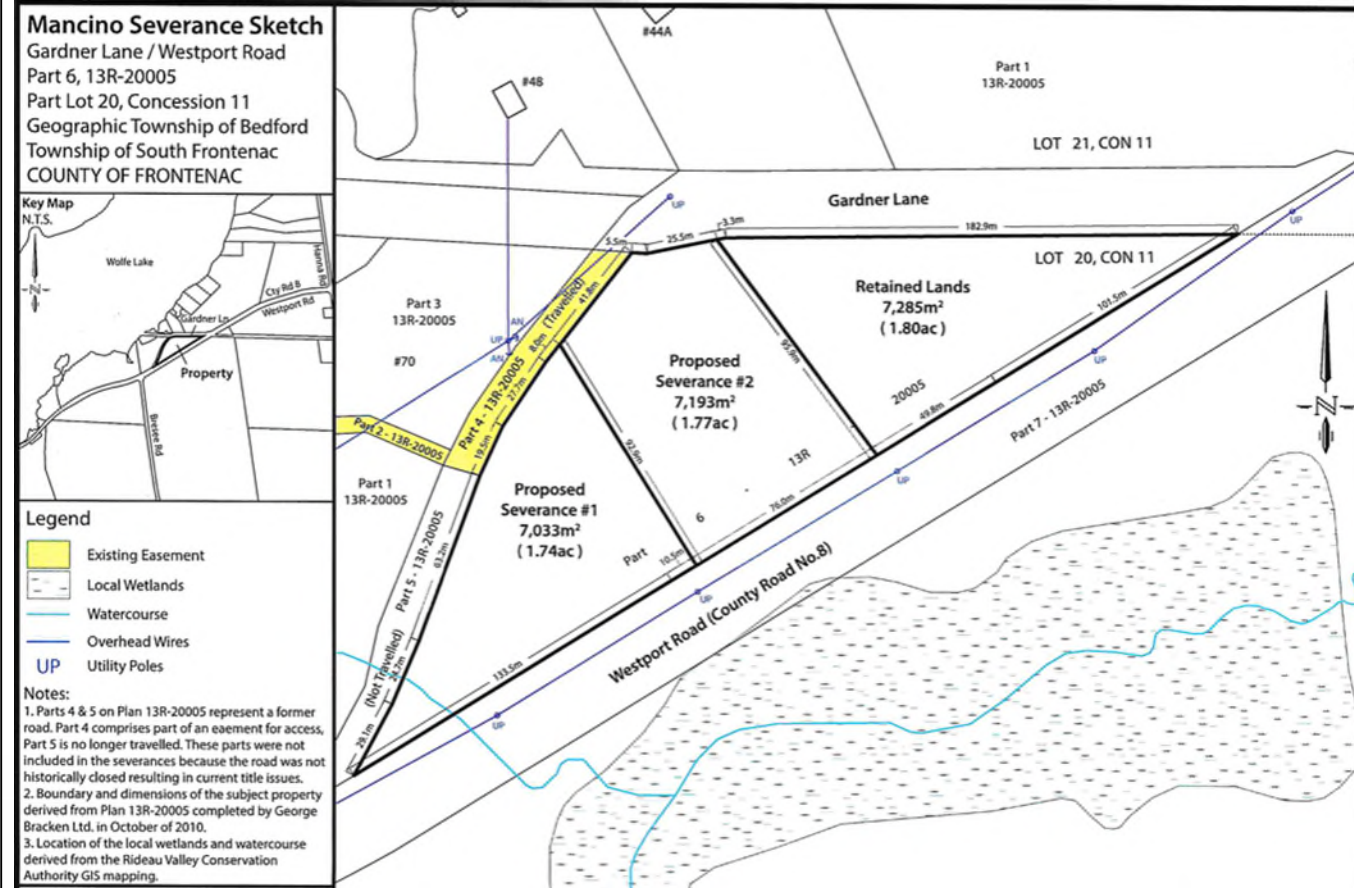
0.7 ha / 1.77 acres

76 metres (250 feet) on Westport

Retained Parcel

0.7 ha / 1.8 acres

151 metres (495 feet) on Westport





View of Severed and retained parcels

Department, Agency and Public Comments

- **Building Department (Sewage System Review)** – No Objection
 - Lot 1 has a more suitable location for the installation of a sewage system at a higher elevation is recommended to prevent unnecessary saturation of the sewage system by water run-off.
- **Public Services** – Require a lot grading and drainage plan as a condition of approval, road widening must be 33 metres (100 feet), the existing field entrance needs to be decommissioned

Department, Agency and Public Comments

- **Rideau Valley Conservation Authority** – They typically do not support the creation of undersized lots (less than 0.8 hectares) due to concerns with maintaining setbacks from natural heritage features and hazards and to ensure development occurs within zone regulations.
- There is adequate room for future development to occur outside the 30 metre setback from the watercourse present on Lot 1.
- They encourage reducing the proposed lot creation to one new lot, instead of two, to allow the minimum lot size to be met. RVCA staff provide two recommendations should the lots be approved:
 - 1) A native shoreline buffer be retained or enhanced within the 30 metre setback of the watercourse
 - 2) Any future construction would need to be setback a minimum of 30 metres from the top of bank of any watercourse
- **Public Comments** – None

Planning Analysis

- Located in Rural Area
- The property is eligible for a severance
- Compatible with surrounding existing residential uses
- Minimum lot area must be 2 acres
 - Less than 2 acres
 - Building envelopes on Lot 1 and the retained parcel would be constrained due to the triangular shape of the lots and the applicable zoning provisions (e.g. minimum 30 metre setback from the watercourse, 20 metre setback from the front lot line, and 10 metre setback from the rear lot line.
- The subject property is sufficiently large to accommodate a severed parcel that meets or exceeds the minimum 0.8 hectare (2 acre) lot area requirement.

Recommendation: Deferral

- To give the applicant time to revise the proposal to meet the minimum 2 acre lot area requirement
- If the Committee chooses to grant the creation of two new lots with reduced lot areas, the lot areas of the severed parcels and the retained parcel would need to be recognized through a minor variance or zoning by-law amendment application depending on the extent of the deficiency.
- A survey denoting the exact area of the parcels would be required prior to a minor variance or zoning by-law amendment application being received by the Township. All standard conditions for consent applications should also be applied to any approval of the consent applications.

1. Questions of Clarification for Staff or Applicant
2. Public Questions or Comments
3. Committee Deliberation & Vote

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.

If you would like to speak:

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Application PL-ZNA-2022-0034

Minor Variance

Applicant: Andrew Klassen

Property: 73 Mill Bay Lane, Bobs Lake

Recommendation: Denial

Property Description

- Rural designation
- RLSW Zone
- 0.2 ha (0.53 acres)
- Bobs Lake
- North side of Mill Bay Lane



Proposal

- demolish the existing dwelling, deck and shed and build a new dwelling with an attached garage on the same general footprint
- one storey
- height of 6.4 metres (21 feet)
- ground floor area of 264.95 square metres (2851.9 square feet)
- setback 30 metres from the highwater mark of Bobs Lake
- 9.5 metres from the top of bank
- Increase of 6% lot coverage for a total of 12%
- Slope Stability Study

TOPOGRAPHIC PLAN
OF SURVEY OF
PART OF LOT 34
CONCESSION 7
GEOGRAPHIC TOWNSHIP OF
BEDFORD
TOWNSHIP OF SOUTH FRONTENAC
COUNTY OF FRONTENAC

SCALE = 1 : 200



INSURVYING LTD. 2021



LOT
CONCESSION

30.53 m

PLAN 13 R 167

0.57M from top of
bank. Approximate slope
to new grade 14. Slope
existing grade 12%
Slope is less than 30%
listed by-law
19.2.2

3 4
7

Legend:

-  Stone Patio
-  New Building Footprint
-  Demo Existing (13 R 167)

shed to be demolished
after main building completion

PEN 8429-0112 (L3)

PART 17

Approximate location of
neighbour septic

PLAN 13 R 167

Neighbours well on opposite
side of property.

Proposed new well
location

New septic location per
site visit from Septic Installer
and Inspector Chris Seeg

PLAN 13 R 167

EMPTY LOT

PART "A"

PLAN 13 R 167

As of 2021-01-01



**SOUTH
FRONTENAC**







Department, Agency and Public Comments

- **Building Services (Sewage System Review)** – applicants will install an Elgin System between driveway and lane.
- **Public Comments** – One comment was received in support of the application

Department, Agency and Public Comments

- **Rideau Valley Conservation Authority**
- Agree with the findings of the slope stability study
- Recommends that the 6 metre setback from the top of bank be left natural and not be disturbed
- Note that they are concerned that the property could accommodate additional accessory structures which would result in an increase of impervious surfaces and has the potential to increase roof runoff, erosion and sediments which can contribute to a decrease in water quality
- RVCA does not support the proposal and recommends the applicant pursue a re-zoning or detach the garage.

Planning Analysis

Denial is recommended because the application fails to meet the four tests of a minor variance. The proposed 12% lot coverage for the dwelling with an attached garage does not maintain the general intent and purpose of the Official Plan nor Zoning By-law No. 2003-75.

Recommendation

- It is recommended that the Committee of Adjustment receive comments from the public and deny application PL-ZNA-2022-0034.

1. Questions of Clarification for Staff or Applicant
2. Public Questions or Comments
3. Committee Deliberation & Vote

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.

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Application PL-ZNA-2022-0046

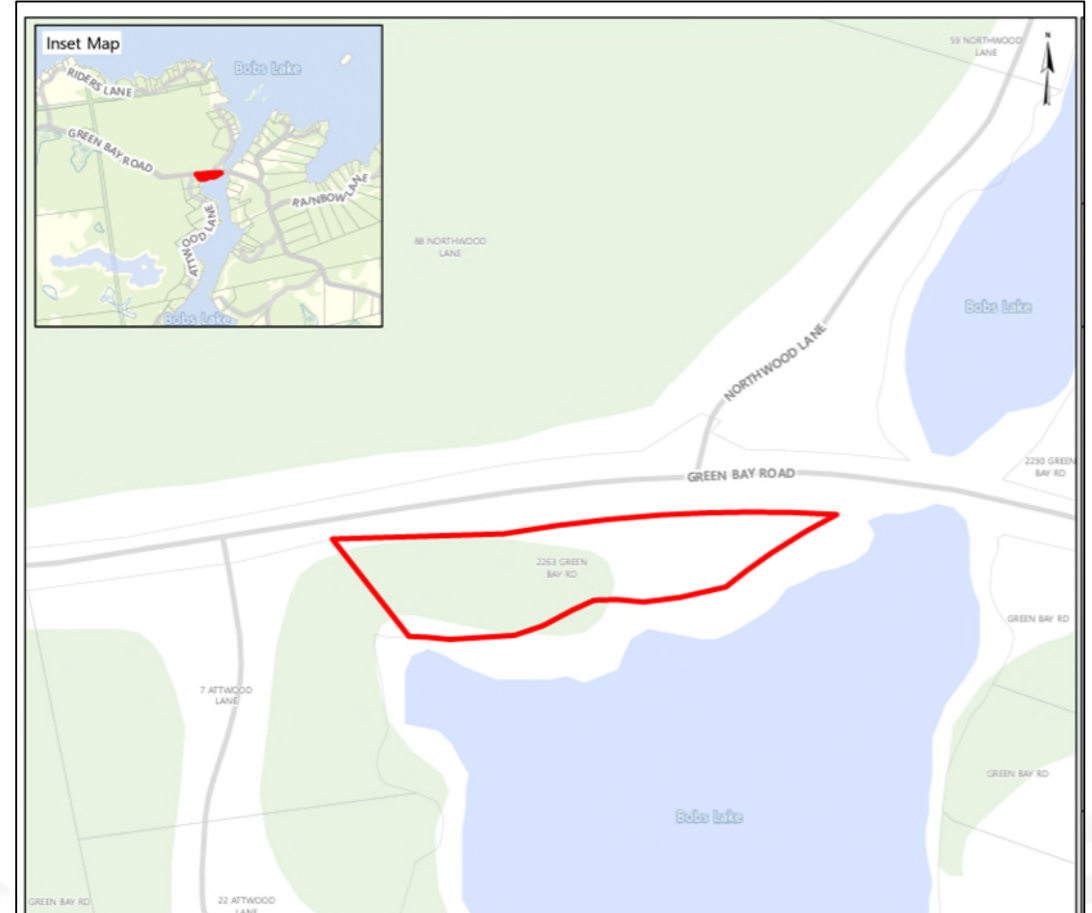
Permission & Minor Variance

Applicant: Neil Liota

Property: 2263 Green Bay Road

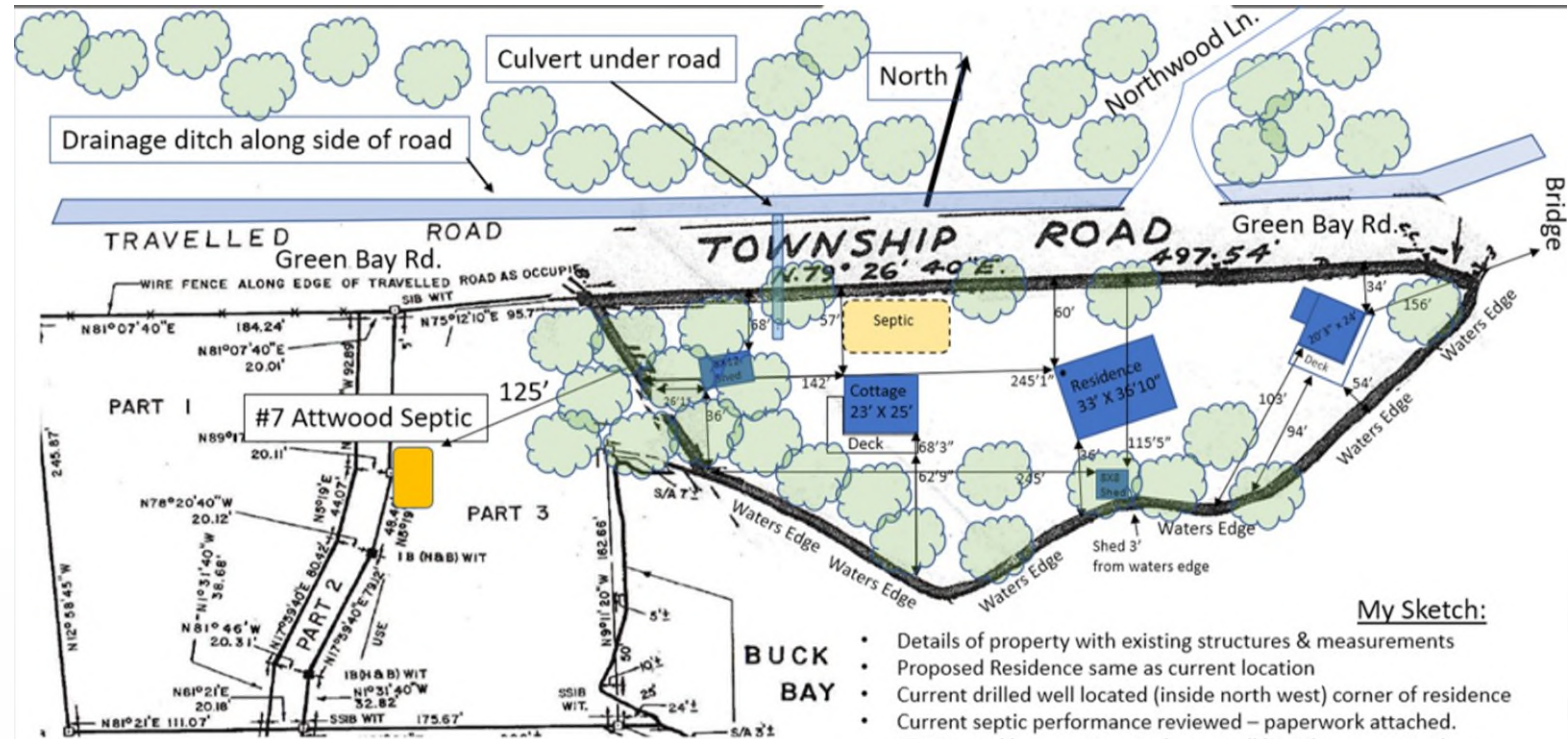
Recommendation: Approval

- Pending public comment
- Subject to conditions



Property Description

- Buck Bay – Bobs Lake
- Rural designation
- RW Zone
- 0.4 ha
- Existing dwelling and accessory buildings

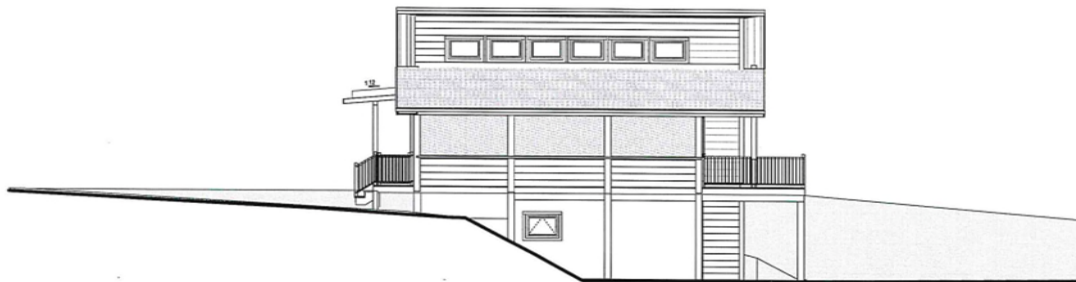


Proposal

- Permission under section 45(2) of the Planning Act to enlarge the legal non-conforming the residence (Dwelling #2) on the property within 30 metres of the highwater mark of Buck Bay and within the required front yard.
 - New Dwelling: 1862 square feet
 - Setback 10.5 metres from highwater mark (same as existing)
 - Setback 15 metres from the road – 3 metres closer than existing
- Zoning relief under section 45(1) of the Planning Act to permit a shed to be setback 10.5 metres (36 feet) from the highwater mark of Buck Bay
 - Shed is 8.9 square metres (96 square feet)
- The original application also proposed the construction of a 68 square metre (728 square feet) detached garage.



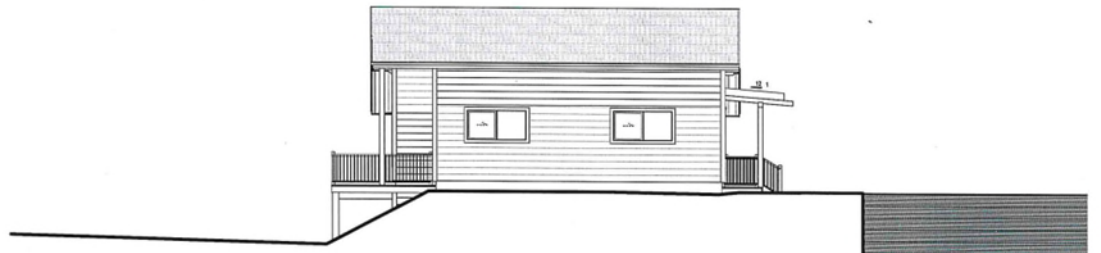
REAR ELEVATION
1/8" = 1'-0"



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



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



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













Department, Agency and Public Comments

- **Public Services** – No objections
- **Building Services** – No objections
- **Rideau Valley Conservation Authority** – no objection to proposal. Expressed concerns about the garage and the gazebo in original proposal.
- **Public Comments** – 6 comments received in support

Planning Analysis - Permission

- Property contains two dwellings. Both are legal non-confirming building
- The new, enlarged residence would be constructed on the same general footprint as the existing residence (dwelling #2). The new residence would maintain the existing 10.5 metre (36 foot) setback from the highwater mark. However, it would be 3 metres (10 feet) closer to the front lot line.
- Increase area is considered minimal
- Increase will not aggravate the situation, is not anticipated to have any negative impacts on vegetation than what currently exists and will not result in land use incompatibility not anticipated to have any adverse impacts on the neighbouring properties
- Expanding the property to the north is also practical due to the topography of the lot.
- The applicant is also proposing shoreline planting which will help screen views from the lake
- The enlargement allows for a more functional, accessible building for the owners

Planning Analysis

Variance meets four tests of a minor variance for the shed

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

Recommendation

- It is recommended that the Committee of Adjustment receive comments from the public and, pending comments received, **approve** application PL-ZNA-2022-0046, subject to conditions.
- Conditions:
 - The application is approved in accordance with plans submitted
 - Building permit is required for ALL demolition and construction on the property

1. Questions of Clarification for Staff or Applicant
2. Public Questions or Comments
3. Committee Deliberation & Vote

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Application PL-ZNA-2022-0063

Minor Variance

Applicant: Daniel and Jennifer Lachance

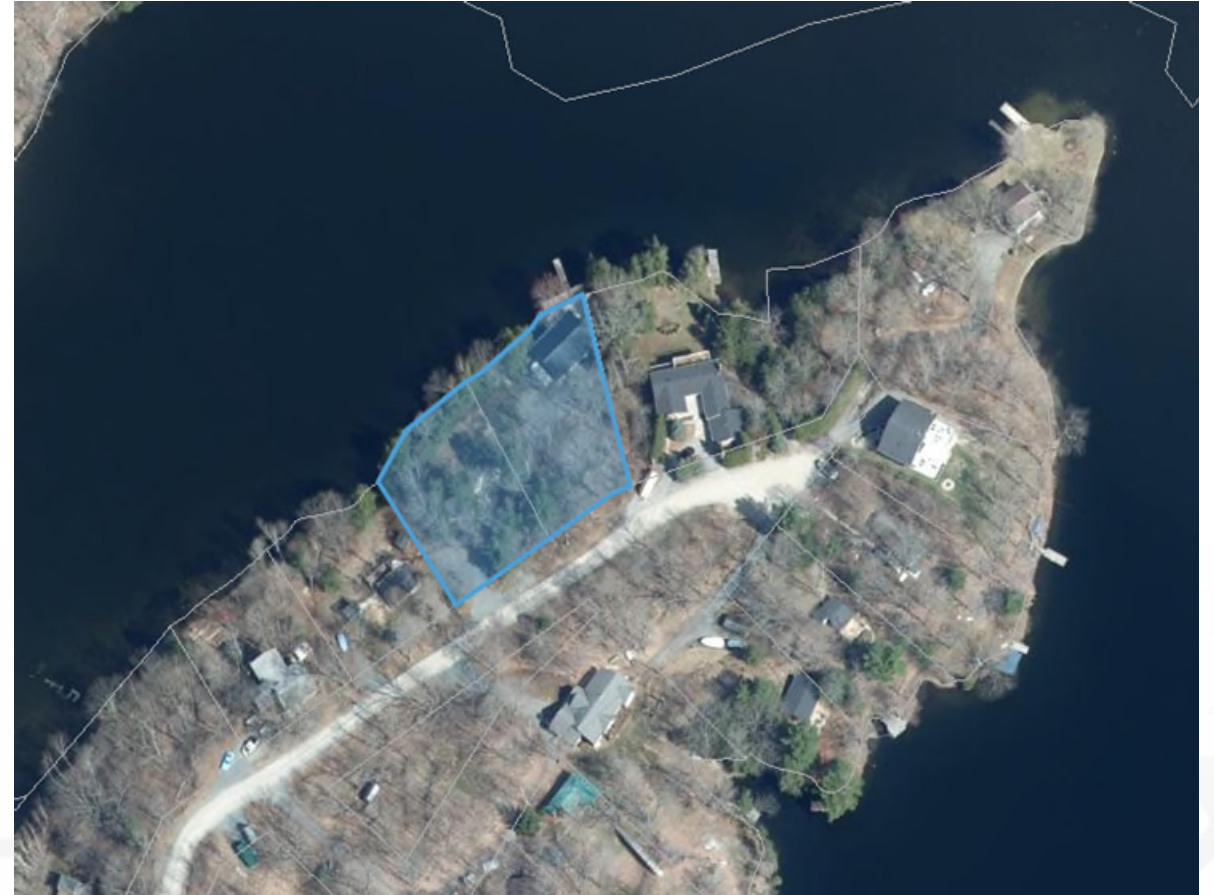
Property: 5511 Rideau Road

Recommendation: Approval

- Pending public comment
- Subject to conditions

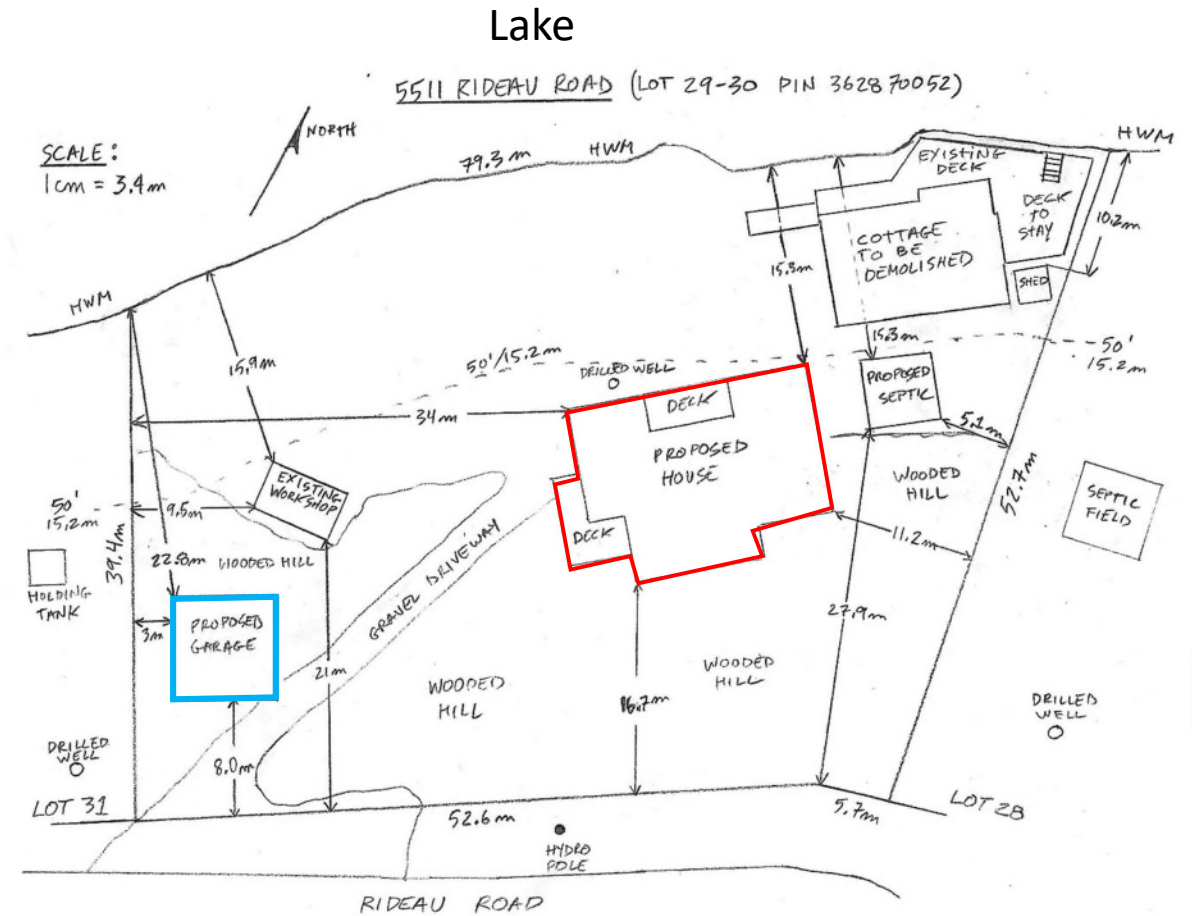
Property Description

- Rural designation
- RW zone
- 0.31 ha (0.77 acres)
- Cottage with deck
- Holding tank
- Two accessory buildings



Proposal

- Two-storey single detached dwelling with sewage system
 - 1952 square foot footprint
 - 15.3m from highwater mark
 - 16.7m from front lot line
 - 5.8% lot coverage
- Detached garage
 - 576 square foot footprint
 - Between dwelling and road
 - 22.8m from highwater mark
 - 8m from front lot line





View from Rideau Road



Cottage viewed from lake



View of previous cottage location



View of dwelling location, driveway and workshop

Department, Agency and Public Comments

- **Public Services** – no objection
- **Building Services** – no objection – sufficient area and conditions for sewage system
- **Rideau Waterway Development Review Team** – no objection
- **Public Comments** – none received

Planning Analysis

Variance meets four tests of a minor variance

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

Recommendation

- It is recommended that the Committee of Adjustment receive comments from the public and, pending comments received, **approve** application PL-ZNA-2022-0063, subject to conditions.
- Conditions:
 - The application is approved in accordance with submitted plans
 - Development agreement required
 - Building permit is required for ALL demolition and construction on the property

1. Questions of Clarification for Staff or Applicant
2. Public Questions or Comments
3. Committee Deliberation & Vote

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Application PL-ZNA-2022-0074

Minor Variance

Applicant: Dylan and Julia Knapp

Property: 4788 Carrying Place Road (aka 1059 Terrys Lane)

Recommendation: Approval

- Pending public comment
- Subject to conditions

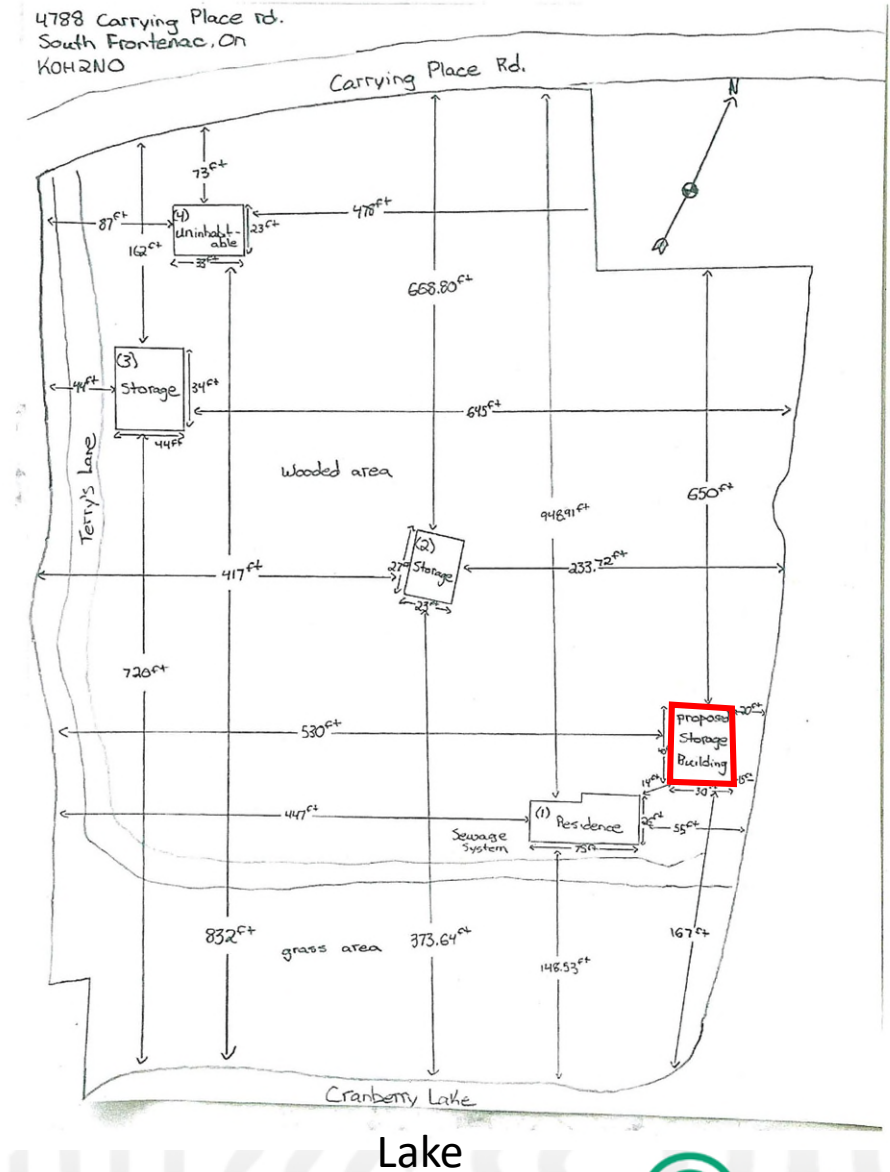
Property Description

- Rural designation
- RU zone
- 5.8 ha (14.4 acres)
- Single detached dwelling
- Three accessory buildings



Proposal

- 1200 square foot storage building
 - 50.9m from highwater mark
 - 4.5m from side lot line
 - Between house and road
 - Lot coverage more than that of house (0.65% vs 0.3%)





View from shoreline



Location of proposed storage building



Two accessory buildings near Carrying Place Road

Department, Agency and Public Comments

- **Public Services, Building Services, Cataraqui Conservation** – no comment due to nature of proposal and location of storage building
- **Parks Canada** – no objection
- **Public Comments** – none received

Planning Analysis

Variance meets four tests of a minor variance

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

Recommendation

- It is recommended that the Committee of Adjustment receive comments from the public and, pending comments received, **approve** application PL-ZNA-2022-0074, subject to conditions.
- Conditions:
 - The application is approved in accordance with submitted plans
 - Building permit is required for ALL demolition and construction on the property

1. Questions of Clarification for Staff or Applicant
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Consent Granting Authority

- a) S-66-21-B (Prikker) (ZanderPlan)
- b) S-97-21-P (PL-2021-0045) (Smart) (Gervan)
- c) PL-BDJ-2022-0012, 0013 & 0014 (Gurr Building Services)
- d) PL-BDJ-2022-0015 (Spafford) (Fotenn Planning + Design)
- e) PL-BDJ-2022-0024 (Emmons)

Conclusion/Adjournment

Committee of Adjustment Meeting

RECEIVED

TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR CONSENT

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

NOV 22 2021



Date Received: _____

File No: S-90-21-P

Date of Pre-Consultation Meeting: _____

Pre-consultation Fee Received: Amount: _____
(within 6 months to be applied to the application fee)

Date: August 24, 2021

1. Name of Owner(s): RICHARD TODD MCKAY

Full Mailing Address of Owner(s): _____

Phone number of Owner(s): _____

Email Address of Owner(s): _____

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

Name of Authorized Agent: Lindsay Milk

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: 5 Lot Number: 6

Street Number: 3911 Name of Road/Street: HARROWSMITH Rd

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Reference Plan Number: 13R-14285 Part Number(s): Part 1

Roll Number: 102908002005800

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

Frontage (on water): n/a Frontage (on road/lane): 269.29m

Depth: 168m Area: 4.4 ha.

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

Creation of a new lot

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

a. The frontage, depth and the area in metric (area can be acres). **(Complete this section for a new lot only)**

Proposed New Lot:

Retained Lot:

Frontage On Road 76.81m

Frontage On Road 192.48

Frontage On Water n/a

Frontage On Water n/a

Depth 134.44m

Depth 168m

Area 0.82 ha

Area 3.58 ha

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

Existing Uses

Proposed Uses

New Lot: Auto Sales

Commercial (not yet known)

Retained: Auto Sales

Auto Sales

Structures Existing

Structures Proposed

New Lot: 0

unknown

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Structures Existing	Structures Proposed
Retained Lot: <u>Temporary Sales Trailer</u>	Retained Lot: <u>Future Sales Office/garage</u>

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

<p>Proposed Lot Addition (or right-of-way)</p> <p>Frontage On Road: _____</p> <p>Frontage On Water: _____</p> <p>Depth: _____</p> <p>Area: _____</p>	<p>Retained Lot: (This is the property <i>from which the lot addition is being severed or over which the R.O.W. will run</i>)</p> <p>Frontage On Road: _____</p> <p>Frontage On Water: _____</p> <p>Depth: _____</p> <p>Area: _____</p>
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Please list/describe the existing and proposed **USES** of the land to be severed and to be retained:

Present Use of Property	Proposed Use of Property
Lot Addition or R.O.W.: _____	_____
Retained: _____	_____

Structures Existing	Structures Proposed
Lot Addition (or R.O.W.): _____	_____
_____	_____
Retained Lot: _____	_____
_____	_____

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

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not known

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

none

9. Name of road or lane which accesses:

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

The retained lot: Harrowsmith Road

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

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

New Lot: n/a

Retained Lot: _____

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

New Lot: private Retained Lot: private

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

New Lot: private Retained Lot: private

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

Special Urban Commercial (UC-26)

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

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(a) The file #: n/a (b) The decision on the application: _____

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

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

(b) The file #: Z-16/12 (b) The decision on the application:
 granted

(c) The current use of the land: Auto Sales

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

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

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

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

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

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AGREEMENT TO INDEMNIFY

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

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

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

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

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

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

DATED AT THE TOWNSHIP OF SOUTH FRONTENAC

THIS 22nd DAY OF November, 20 21





FRONTENAC FIND YOURSELF #INFRONTENAC

Search...

Getting Around

Identify

Measure

Drawing

Coordinates



Tool Labels



Printing & Exporting



Pan



Zoom In



Zoom Out



Initial View



Previous Extent

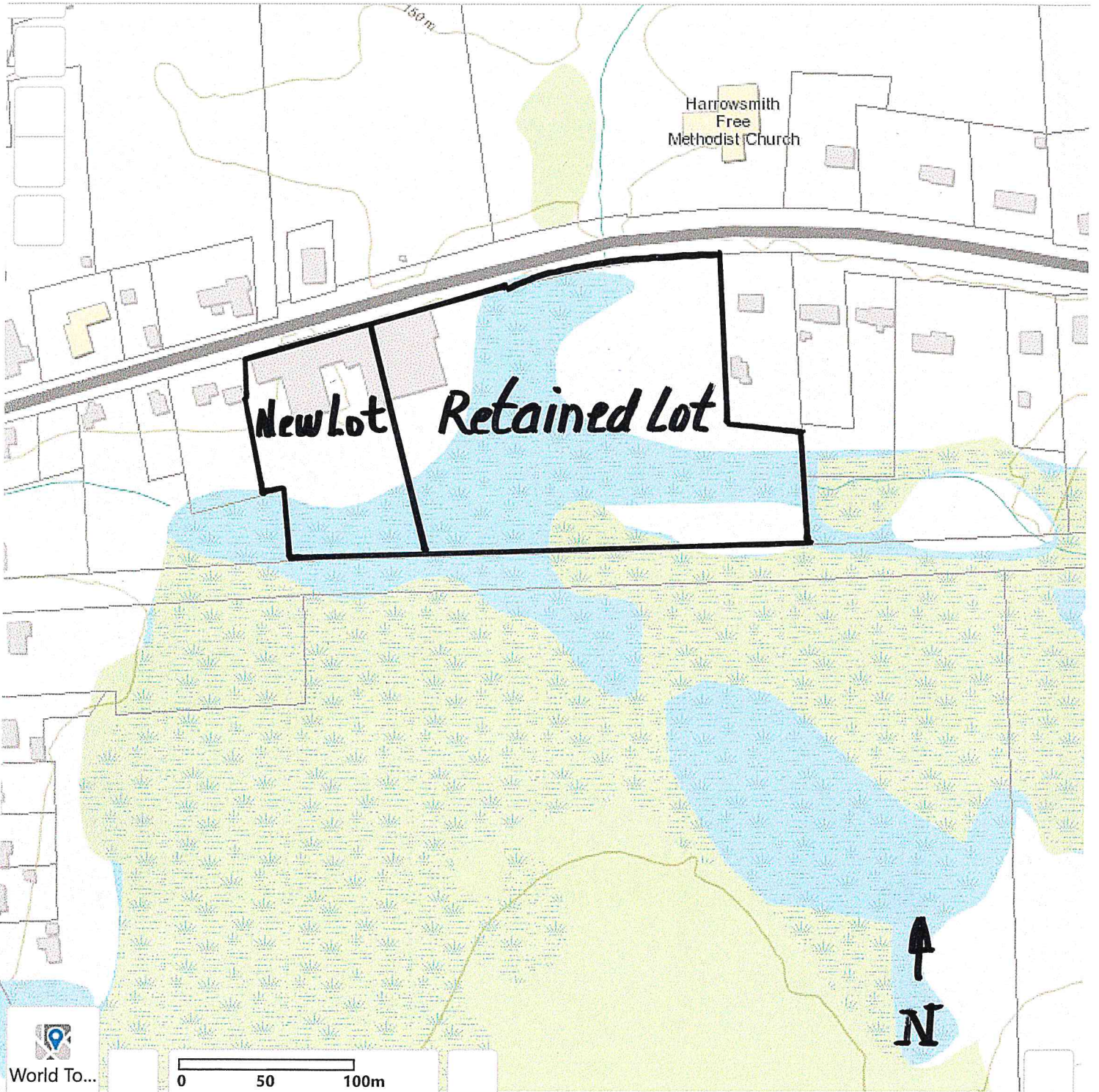


Next Extent



Bookmarks

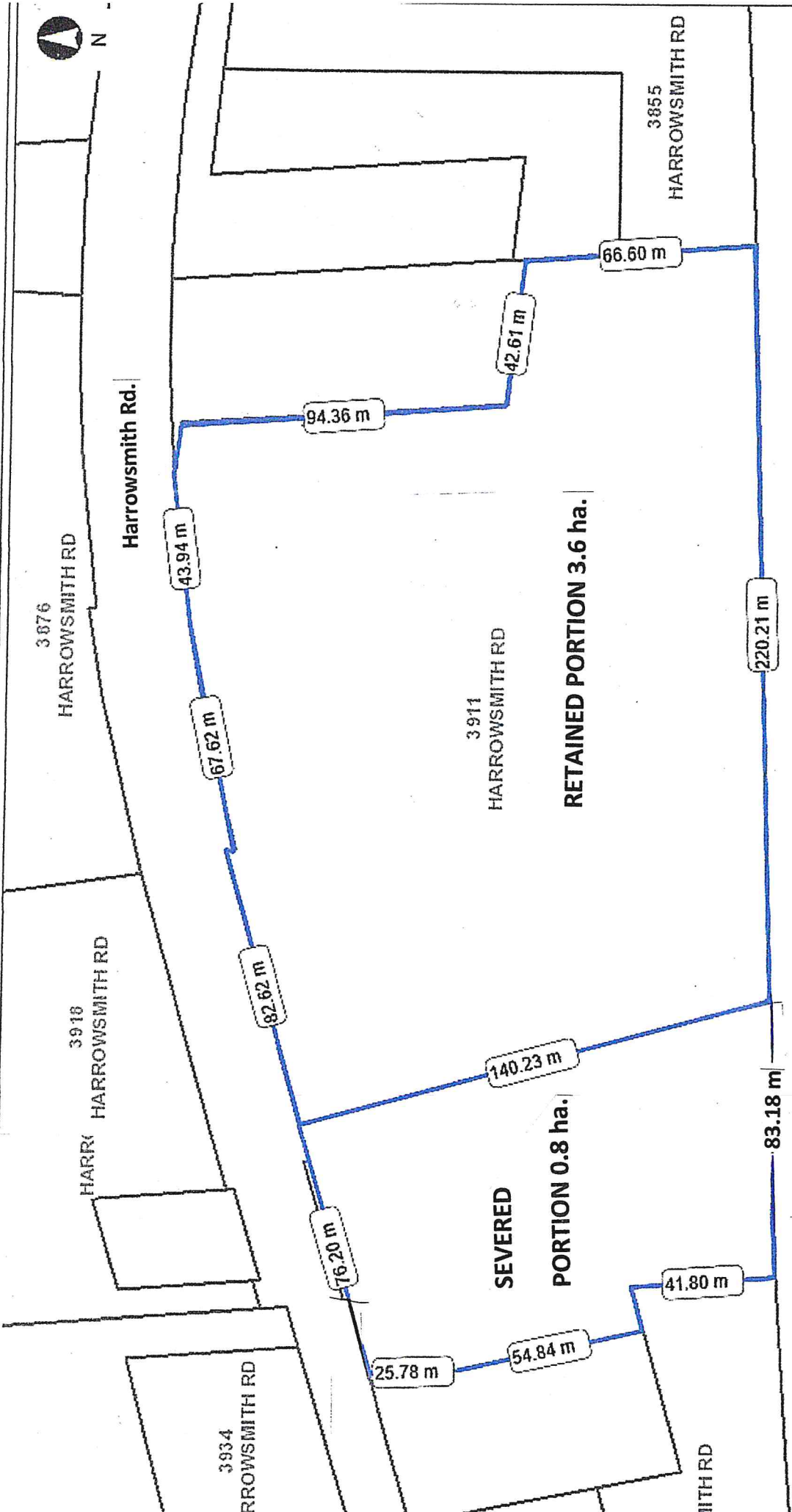
Navigation



World To...

0 50 100m

McKay Consent Application

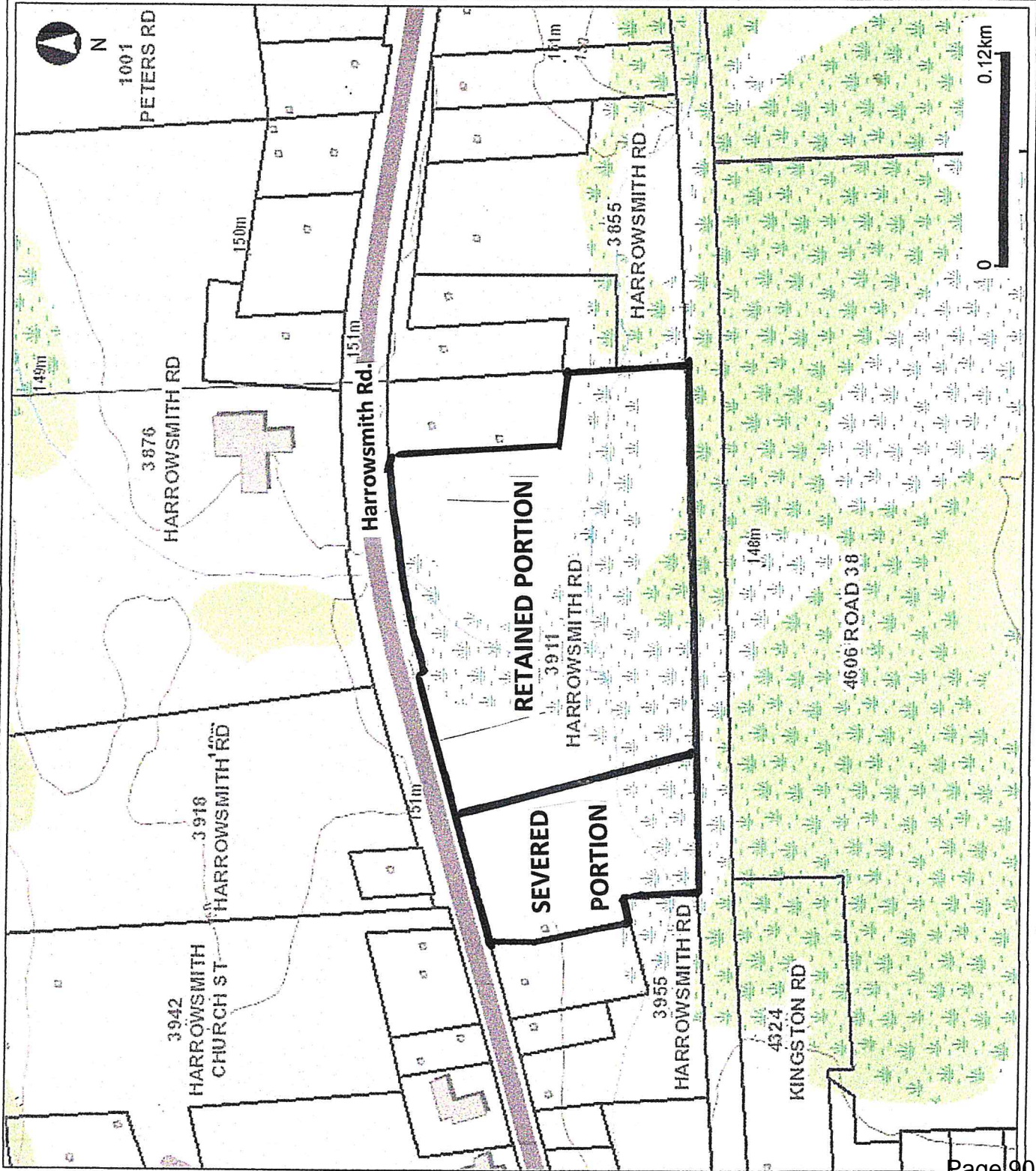


4606 ROAD 38



4324
INGLESTON RD

McKay Consent Application

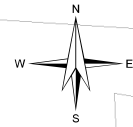
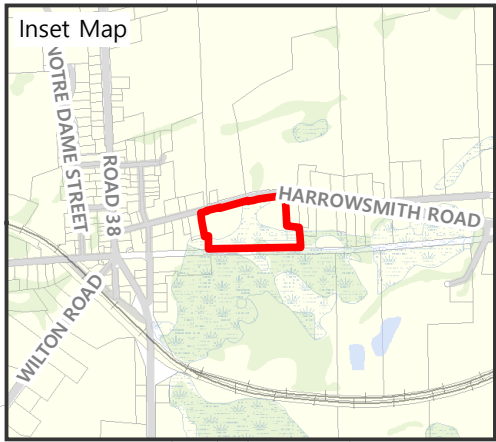


NOTES:

Severed 0.8 ha.

Retained 3.6 ha.

This map should not be relied on as a precise indicator of routes or locations, nor as a guide to navigation. The Ontario Ministry of Environment, Conservation and Parks (MECP) shall not be liable in any way for the use or any information on this map. of, or reliance upon, this map.













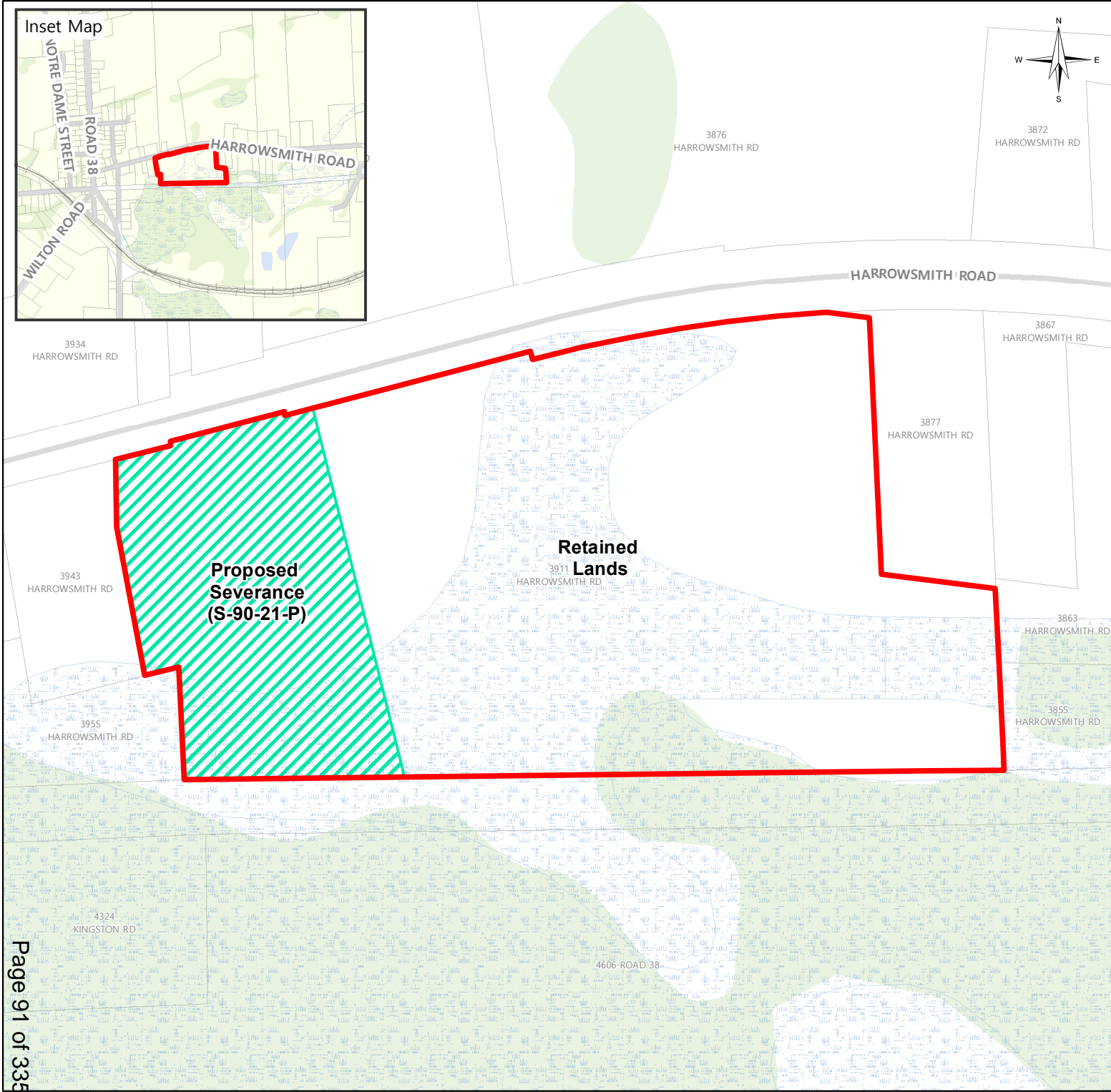
SOUTH FRONTENAC

**S-90-21-P
(MCKAY) (MILLS)**

3911 HARROWSMITH RD

Legend

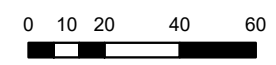
-  Subject Property
-  Proposed Severance
-  Road
-  Railway
-  Provincially Significant Wetlands
-  Wetland
-  Wooded Area
-  Water
-  Assessment Parcel
-  Township Boundary



Produced by the Township of South Frontenac under license with the Ontario Ministry of Natural Resources © Queen's Printer for Ontario, 2020.

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

Scale 1:2,000



Meters
UTM Zone 18 NAD 83

Date: 2021-12-15

June 2012



REPORT ON

**2012 Annual Groundwater
and Surface Water Sampling
at 3911 Harrowsmith Road
Harrowsmith, Ontario**

Submitted to:
Ivano Pazzia
Saputo Dairy Products Canada G.P.
8000 Boul. Langelier, Suite 700
St. Leonard, Quebec
H1P 3K2

REPORT



Report Number: 12-1122-0004

Distribution:

- 2 copies - Saputo Dairy Products Canada G.P.
- 1 e-copy - Saputo Dairy Products Canada G.P.
- 2 copies - Golder Associates Ltd.



June 12, 2012

Project No. 12-1122-0004

Ivano Pazzia
Saputo Dairy Products Canada G.P.
8000 Boul. Langelier, Suite 700
St. Leonard, Québec
H1P 3K2

**2012 ANNUAL GROUNDWATER AND SURFACE WATER SAMPLING
AT 3911 HARROWSMITH ROAD, HARROWSMITH, ONTARIO**

Dear Mr. Pazzia:

Golder Associates Ltd. ("Golder Associates") was retained by Saputo Dairy Products Canada G.P. ("Saputo") to carry out the 2012 annual groundwater and surface water sampling at the Saputo facility located at 3911 Harrowsmith Road in Harrowsmith, Ontario (the "Site"). The location of the Site is indicated on Figure 1.

The scope of work at the Site included measuring water levels and collecting groundwater samples from five existing monitoring wells which were previously installed at the Site, as well as collecting surface water samples from two locations within the adjacent low lying wetland area located downgradient of the Site. The objective of the annual groundwater sampling is to monitor groundwater quality and observe any potential changes of the groundwater plume characteristics in terms of hydrocarbon concentrations and extent over time. The objective of the surface water sampling is to provide information on the surface water quality in the low lying area downgradient of the Site and to assess whether hydrocarbons in groundwater may be discharging to the low lying area.

In 2009, toluene concentrations were detected in the furthest downgradient well (MW03-03). This was the first time since the monitoring program began that a chemical of potential concern (CoPC), i.e., specifically toluene, was detected at MW03-3. Since then, toluene concentrations have decreased from September 2009 to March 2010 and toluene was not detected at MW03-03 in September 2010, or April 2011.

BACKGROUND

Assessment activities have been previously completed at the Site by Golder Associates in 2003, and 2007 to 2011 and are described in the following reports:

- Supplemental Investigation and Delineation of Hydrocarbon Impacts, 3911 Harrowsmith Road, Harrowsmith, Ontario, October 2003. Project #03-1120-769 (Golder Associates, 2003);
- Additional Environmental Assessment Activities to Delineate Hydrocarbon Impacts, 3911 Harrowsmith Road, Harrowsmith, Ontario, August 2007. Project #07-1122-0122 (Golder Associates, 2007);

- Semi-Annual Groundwater Sampling at 3911 Harrowsmith Road, Harrowsmith, Ontario. Project # 08-1122-0004 (Golder Associates, April 2008);
- Semi-Annual Groundwater Sampling at 3911 Harrowsmith Road, Harrowsmith, Ontario. Project # 08-1122-0004 (Golder Associates, May 2009);
- Annual Groundwater Sampling at 3911 Harrowsmith Road, Harrowsmith, Ontario. Project # 09-1122-0145 (Golder Associates, January 2010);
- Biannual Groundwater Sampling at 3911 Harrowsmith Road, Harrowsmith, Ontario. Project # 10-1122-0021 (Golder Associates, May 2010);
- Biannual Groundwater Sampling at 3911 Harrowsmith Road, Harrowsmith, Ontario. Project # 10-1122-0021 (Golder Associates, October 2010); and,
- Annual Groundwater and Surface Water Sampling at 3911 Harrowsmith Road, Harrowsmith, Ontario. Project # 11-1122-0057 (Golder Associates, July 2011).

Golder Associates (2003) and Golder Associates (2007) identified petroleum hydrocarbon (PHC) impacted soil and groundwater in two areas of the site: in the vicinity of a former diesel underground storage tank (UST) and in the vicinity of the former boiler room (see Figure 2 for Site Plan). The extent of impacted soil in the former diesel UST area was reasonably well defined during the 2003 work program and further defined during the 2007 field work.

Chemical analyses conducted on groundwater samples collected in the vicinity of the former diesel UST indicated that PHC impacted groundwater is present in the vicinity of MW 03-2, to the east of the former UST.

During the October 2009 monitoring program, the toluene concentration reported at MW03-3 was greater than the 2004 MOE Table 1 standard for groundwater. This was the first detection of a CoPC at MW03-3. As such, the decision was made to conduct semi-annual groundwater sampling and include surface water sampling in the low lying area downgradient of the site in 2010.

The results of Golder Associates' groundwater monitoring program conducted during the first monitoring event in 2010 (i.e., March of 2010) indicated the continued impacts of PHCs at MW03-2 when compared to the 2004 MOE Table 1 Standard for groundwater. Toluene was detected at lesser concentrations at MW03-3 compared to the October 2009 program; however, toluene continued to exceed the 2004 MOE Table 1 Standard for groundwater. No surface water samples were collected during the fall sampling event as a result of limited water in the low lying area, even though multiple visits were completed after significant rainfall. It is possible that the presence of surface water observed in spring 2010 was due to the spring thaw and not a result of groundwater flow from the Site to the low lying area. Analysis of the two surface water samples collected downgradient of the Site in 2010 indicated that PHC F1-F4 and BTEX were all below the method detection limit and below the Provincial Water Quality Objectives (PWQO).

In 2011 groundwater samples submitted for PHC F1-F4 and BTEX analysis were below the 2011 MOE Table 6 and Table 8 Standards, with the exception of the concentrations of PHC F2 and F3 in groundwater collected from monitoring well MW03-2. As can be seen from the historical groundwater data provided in Attachment C, concentrations of PHC F2 and F3 at MW03-2 had been increasing since 2007.

The following sections discuss the annual 2012 monitoring event at the Site which occurred on May 22, 2012.

HEALTH AND SAFETY

Prior to initiating the field work, Golder Associates developed and implemented site-specific protocols to protect the health and safety of its employees through the preparation of a site-specific Health and Safety Plan. All field work described herein was carried out by Golder Associates' technical staff.

WATER LEVEL MEASUREMENTS

Water levels were measured in all monitoring wells on May 22, 2012 prior to the purging and sampling activities. Water levels were then converted to elevations relative to the Site datum. Based on groundwater level measurements obtained from on-Site monitoring wells, the local groundwater flow direction is inferred to be from the north toward the low lying area located south of the Site. A summary of groundwater levels and corresponding elevations is provided in Table 1 following the text of this letter.

GROUNDWATER SAMPLING

Monitoring wells were purged prior to sampling on May 22, 2012. The purging and sampling of the wells was completed using the dedicated "Waterra" type inertial samplers. Prior to sampling, each well was purged dry three times (or in rapidly recovering wells, three well volumes were removed). After the wells were allowed to recover, samples were collected in laboratory-supplied bottles, stored on ice in a cooler and shipped to Maxxam Analytics (Maxxam) in Ottawa, Ontario for analytical testing under chain-of-custody procedures.

All groundwater samples were collected for laboratory analysis of PHC fractions F1 to F4, benzene, toluene, ethylbenzene, and xylene compounds (collectively referred to as BTEX). PHC F1-F4 and BTEX compounds are collectively termed the Contaminants of Potential Concern (CoPCs) for the purposes of this letter. The groundwater samples were collected in accordance with the Ministry of the Environment (MOE), 1996 document, *Guidance on Sampling and Analytical Methods for Use at Contaminated Sites in Ontario*.

SURFACE WATER SAMPLING

During the annual surface water inspection, a sheen was visible at both surface water sampling locations in the low lying area and thus surface water samples were collected. The surface water samples were collected on May 22, 2012 from surface water locations SW-1 and SW-2, which were identified during the spring 2010 sampling event, and are considered to be downgradient of the existing monitoring wells. One duplicate surface water sample was collected from surface water location SW-1. Photographs of the surface water sampling locations are provided in Attachment B. Samples were collected into laboratory-supplied bottles, stored on ice in a cooler and shipped to Maxxam for analytical testing under chain-of-custody procedures.

All surface water samples were collected for laboratory analysis of PHC F1-F4 and BTEX. The surface water samples were collected in accordance with the Ministry of the Environment (MOE), 1996 document, *Guidance on Sampling and Analytical Methods for Use at Contaminated Sites in Ontario*.

APPLICABLE CRITERIA

The generic site condition standards presented in the 2011 MOE document entitled *Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act* are used in Ontario to assess the significance of potentially contaminated sites in the context of Ontario Regulation 153 and its amendments.

Based on the stratigraphy observed in the test pits and boreholes completed during previous investigations at the Site (Golder Associates, 2003; Golder Associates, 2007), the depth to bedrock is less than 2 metres below ground surface (mbgs) over at least 1/3 of the Site, therefore, the groundwater analytical results are compared to 2011 MOE Table 6: Generic Site Condition Standards for Shallow Soils in a Potable Groundwater Condition for commercial land use. A low lying area with standing surface water is also located within the southern portion of

the Site, therefore, the groundwater analytical results will also be compared to 2011 MOE Table 8: Generic Site Condition Standards for Use within 30 m of a Water Body in a Potable Groundwater Condition for commercial land use.

The surface water analytical results were compared with the MOE *Provincial Water Quality Objectives* (PWQO) dated July 1994.

QUALITY ASSURANCE/QUALITY CONTROL

One groundwater duplicate of MW03-3 (sample ID DUPE) and one surface water duplicate of SW-1 (sample ID DUPE 2) were analysed as part of the Quality Assurance and Quality Control (QA/QC). Chemical concentrations for the samples and the duplicates were all less than the method detection limit, therefore relative percent differences could not be calculated.

In addition, Maxxam implemented a QA/QC program, including laboratory replicate samples, sample blanks and control standards. The laboratory QA/QC data generated during the sample analysis are included in the laboratory analytical reports. The overall quality control for the analysis met Maxxam's acceptability criteria. Copies of the laboratory analytical reports, contained in the laboratory certificates of analysis, are included in Attachment A.

Historical groundwater chemistry since 2007 is included in Attachment C.

GROUNDWATER QUALITY

Summaries of laboratory results for groundwater are presented in Table 2 following the text of this report along with the 2011 MOE Table 6 and Table 8 Standards. The analytical results for groundwater samples submitted for PHC F1-F4 and BTEX analysis (Table 2) indicate that the concentrations of the analyzed parameters are below the 2011 MOE Table 6 and Table 8 Standards.

The most significant change from the 2011 (and historical) results was at MW03-2, where: 1) the PHC F2 concentration reduced from 1,000 to 1,500 µg/L range to 110 µg/L, and 2) the PHC F3 concentration reduced from the 500 to 700 µg/L range to below the method detection limit of 100 µg/L. In general, groundwater quality at the Site appears to be improving with time, although it is possible that the plume is migrating in the direction of groundwater flow from MW03-2 to MW03-3, and as such may be detected at MW03-3 in the future.

SURFACE WATER QUALITY

Summaries of laboratory results for surface water are presented in Table 3 following the text of this letter along with the PWQO. The analytical results for surface water samples submitted for PHC F1-F4 and BTEX analysis (Table 3) indicate that all analyzed parameters are below the PWQO.

CONCLUSIONS

The following conclusions are provided:

- Based on the 2012 monitoring session, PHC impacts in groundwater were generally below the method detection limit. PHC F2 and F3 concentrations in 2012 were much lower than previously measured;
- Based on groundwater samples collected since September 2009, the toluene concentration measured in 2009 and 2010 at MW03-3 has decreased. Toluene was not detected at MW03-3 in April 2011 or May 2012; and,
- Based on groundwater samples collected since September 2009, and surface water samples collected in May 2012, hydrocarbon impacts in the low lying area were not identified.

RECOMMENDATIONS

Based on a review of the analytical results collected since September 2009, Golder Associates considers it appropriate that the frequency of monitoring remain as annual groundwater monitoring for this Site in spring 2013; in particular, future monitoring will check the reduced PHC concentrations at MW03-2 and the occurrence of PHCs at MW03-3. Surface water samples need not be collected during that time; however, it is recommended that the low lying area be inspected during monitoring and surface water sample(s) be collected if any evidence of possible hydrocarbon impacts in the surface water are present.

LIMITATIONS

This letter report was prepared for the exclusive use of Saputo Dairy Products Canada G.P. Should additional parties require reliance on this letter report, written authorization from Golder Associates Ltd. will be required. The letter report, which specifically includes all tables, figures and attachments is based on data and information collected during the site assessment conducted by Golder Associates Ltd. and is based solely on the conditions of the property at the time of the field investigation, supplemented by historical information and data obtained by Golder Associates Ltd. as described in this letter report.

The assessment of environmental conditions and possible hazards at this site has been made using the results of chemical analyses of discrete groundwater and surface water samples from a limited number of locations. The site conditions between and beyond sampling locations have been inferred based on conditions observed at sample locations. Subsurface conditions may vary from these sample locations. Additional study, including further subsurface investigation, can reduce the inherent uncertainties associated with this type of study. However, it is never possible, even with exhaustive sampling and testing, to dismiss the possibility that part of a site may be contaminated and remain undetected.

The services performed as described in this letter report were conducted in a manner consistent with that level of care and skill normally exercised by other members of the engineering and science professions currently practicing under similar conditions, subject to the time limits and financial and physical constraints applicable to the services.

Any use which a third party makes of this letter report, or any reliance on, or decisions to be made based on it, are the responsibilities of such third parties. Golder Associates Ltd. accepts no responsibility for damages, if any, suffered by any third party as a result of decisions made or actions based on this letter report.

The content of this letter report is based on information collected during our investigation, our present understanding of the site conditions, and our professional judgement in light of such information at the time of this report. This letter report provides a professional opinion and therefore no warranty is either expressed, implied, or made as to the conclusions, advice and recommendations offered in this report. This letter report does not provide a legal opinion regarding compliance with applicable Canadian laws. With respect to regulatory compliance issues, it should be noted that regulatory statutes and the interpretation of regulatory statutes are subject to change.

The findings and conclusions of this letter report are valid only as of the date of this report. If new information is discovered in future work, including excavations, borings, or other studies, Golder Associates Ltd. should be requested to re-evaluate the conclusions of this report, and to provide amendments as required. The groundwater monitors installed during the course of this investigation have been left in place. These monitors are the property of the Saputo Dairy Products Canada and not Golder Associates Ltd.

CLOSURE


We trust that this meets your current requirements. Should you have any concerns, please do not hesitate to contact the undersigned.

Yours truly,

GOLDER ASSOCIATES LTD.



Paul Hurst, M.Sc., P.Eng.
Environmental Engineer



Paul Smolkin, P.Eng.
Principal

BCJM/PH/PAS/hw

n:\active\2012\1122 - contaminated lands\12-1122-0004 saputo harrowsmith\spring 2012 report\spring letter report 1211220004.docx

Attachments: Table 1 Groundwater Elevations
Table 2 Groundwater Analytical Data
Table 3 Surface Water Analytical Data
Figure 1 Key Plan
Figure 2 Site Plan
Attachment A Laboratory Certificates of Analysis
Attachment B Photographs of the Surface Water Sampling Locations
Attachment C Historic Groundwater Quality (since 2007)



PLANNING REPORT

To: Township of South Frontenac; Committee of Adjustment

From: Mills Planning Consultants

Report Date: November 22, 2021

**Subject: Application for Consent for Lot Creation: Part Lot 6,
Concession V, Portland, Township of South Frontenac: McKay**

Purpose of the Report

The purpose of this report is to bring to the Committee of Adjustment details of an application for consent to create a new commercial lot in the Village of Harrowsmith. Included is a review of Planning legislation and documents that provide a planning justification for approval of the application.

Lot Description and Application Details

The consent application proposes to create a new commercial lot in the settlement area (Village) of Harrowsmith. The existing lot is located at the southeast edge of the settlement area designation boundary and is municipally known as 3911 Harrowsmith Road. The location, within the settlement area designation, is shown highlighted on the map included hereto as Attachment #1.

The lot is 4.4 hectares in size and has 271 metres of frontage along Harrowsmith Road and a depth of 171 metres. It is bounded by Harrowsmith Road on the north, an unopened road allowance on the south and residential lots on the east and west. The land is the site of the former Harrowsmith Cheese Factory owned by Saputo Inc. which closed down in 2006. That part of the land is now vacant but a used car sales operation is now established on another portion of the lot. The property is flat and no less than half of the land is made up of shallow marshland while much of the remaining land surface at the northwest where the cheese factory building was located, is concrete, gravel and asphalt – remnants of the former use. The site was cleaned up, test wells installed, and has stood with no new development for approximately 15 years notwithstanding the car sales use.

A hydro substation exists immediately to the north across the road from the subject property along with a number of single detached dwellings. Dwellings also exist to the east and west. To the south across the unopened road allowance is a small unevaluated wetland.

The proposed new lot is to be severed on the west portion of the existing property. It would be 0.8 hectares in size with 76 metres of frontage on Harrowsmith Road and with a depth of 140 metres. The retained lot would still be 3.6 hectares in size with 192.5 metres of road frontage and 171 metres of depth. Both the severed and retained lots would be serviced by private wells and septic systems when developed. The new lot configuration is shown on Attachment #2 and lot dimensions are shown on Attachment #3.

The land is zoned Special Urban Commercial (UC-26) and Environmental Protection (EP) and it should be noted that both the new lot and the retained lot would maintain this commercial (and EP) zoning.

Discussion

Planning Act & Provincial Policy Statement

Municipalities are delegated authority from the province to plan their communities under the Planning Act of Ontario. The province gives further planning policy direction on certain key planning matters that affect communities through the Provincial Policy Statement (PPS) – as amended from time to time. The PPS of 2020 states that efficient land use and development patterns should support sustainability by promoting strong, livable, healthy and resilient communities. This includes protecting the environment and public health and safety, and facilitating economic growth.

Under the PPS, settlement areas are categorized as urban areas and rural settlement areas – including villages such as Harrowsmith. It explains that the vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities. Thus, section 1.1.3.1. describes that settlement areas shall be the focus of growth and development. This section further specifies that land use in settlement areas shall, among other things:

- efficiently use land and resources,
- be appropriate for the infrastructure and public service facilities which are planned or available and avoid the need for their unjustified and/or uneconomical expansion,
- be transit-supportive where transit may be developed, and,
- be freight-supportive.

Furthermore, land use patterns within settlement areas shall be based on a range of uses and opportunities for intensification and redevelopment according to the PPS.

Analysis

Creation of the new commercial lot, as proposed, appears to be consistent with the direction of the Provincial Policy Statement in terms of its location and use. As outlined above, settlement areas such as Harrowsmith shall be the focus of growth where the long-term economic prosperity of the community is centred. The lot would utilize private water and septic services and, with respect to infrastructure, it fronts on a well established and maintained public road as envisioned in the PPS. As well, its location on a major east/west road through the Township and near a major north/south route (Road #38) seems ideal to support freight and supplies for the commercial use and for any planned future public transit.

County of Frontenac Official Plan

The Official Plan of the County of Frontenac creates the framework for guiding land use changes in the County to the year 2034 by protecting and managing the natural environment, directing and influencing growth patterns, and facilitating the vision of the County as expressed through its residents.

The subject land is shown as 'Settlement' on Schedule "A" Land Use', of the Plan. Regarding this, section 2.2.1 provides that commercial uses are important for ensuring that as wide a range of commercial opportunities as possible exist for County residents. It further describes that 'community commercial' uses are those that consist of the business district and historic crossroads or core of each urban area. Section 3.2.1.1 states that, based on its historic settlement pattern, Frontenac County has many villages and hamlets scattered throughout (including the village of Harrowsmith). Traditionally, these communities have developed as residential and social and commercial centres.

According to the Plan, increasingly, residential uses have predominated these villages but commercial uses are expected to continue to service them. Among the policies that apply to development in settlement areas are policies that promote efficient development patterns and road connections to optimize public services and to make the most efficient use of land and resources and to promote mixed use development including residential, commercial, institutional and employment areas.

Analysis

Creation of the settlement area commercial lot, as proposed, appears to be consistent with the direction of the County Official Plan by focusing growth to the rural settlement area of

Harrowsmith. It also meets the direction of the Plan in terms of its commercial use and overall compatibility with surrounding rural lands which are comprised of many established residential lots which it would be expected to serve. Furthermore, the commercial land is located on a major arterial connector road near the established crossroads (or core of the village) of Harrowsmith Road, Colebrooke Road and Road #38 thereby promoting efficient development patterns and road connections to optimize public services, as the Plan envisions.

The Official Plan of the Township of South Frontenac

As stated on section 1.1 of the Township of South Frontenac Official Plan, its purpose is to provide a vision, goals, objectives and policies to direct the physical development of the Township while having regard for the relevant social, economic and environmental values. It is intended to direct Council and the Committee of Adjustment with respect to land use matters including plans of subdivision, consents and other matters.

The subject land is designated 'Settlement Areas' on "Schedule 'A' Land Use Plan" of the document. It recognizes that the location of certain commercial uses in the village setting is both necessary and appropriate to facilitate the provision of adequate commercial services and employment opportunities for residents of the Township. The Plan envisions such uses as personal service shops, recreational uses, places of entertainment business and professional offices, convenience stores and others.

Section 7.1 of the Plan provides general consent policies applicable to all land use designations but, under the policies in the Settlement Areas designation, new lots should be a minimum of 0.8 hectares in size and be of sufficient size to support a private water and septic system. It is also required that there be sufficient off-street parking and that adequate buffering be provided between adjacent land uses and roadways.

As noted above, the south portion of the proposed lot is marshy – part of a small isolated wetland abutting the land to the south. Section 4.1 of the Official Plan describes natural heritage goals and objectives which include preserving and enhancing the Township's environmental quality and enjoyment for future generations and, specifically, to ensure that no net loss of environmental quality of such areas occurs. Such areas to be protected include wetlands, watercourses, lakes and habitats of threatened or endangered species. Section 5.2 states that such areas are environmentally sensitive and should be protected and preserved in the long term. Accordingly, proposed development adjacent to these areas requires that all structures be a minimum of 30 metres away from the feature but greater separation distances may be required depending on the nature of the wetland area. Further, section 5.2.11 requires

an environmental impact assessment in considering any development or site alteration adjacent to any environmentally sensitive area.

Analysis

The subject application appears to meet the intent and purpose of all of the above provisions of the Township Official Plan. The land is located in the Settlement Areas designation where the Plan directs development and it clearly recognizes the continued need for commercial uses to provide services and employment within these built up settlement areas. Furthermore, the proposed new lot meets the minimum lot size requirement of 0.8 hectares and fronts on a fully maintained public road with good east/west connections and near a major north/south transport route.

With respect to the environmental area abutting the land on the south side, the owner contracted an environmental expert to evaluate the wetland feature and determine whether the created lot would adversely affect its ecological function. The resulting 'Environmental Site Evaluation' report, dated November 11, 2021, prepared by Ecological Services, noted that the wetland:

- is not a Provincially Significant Wetland or a Coastal Wetland and is not adjacent to one,
- is not a Regionally Significant Wetland nor is it adjacent to one,
- is not within an Area of Natural and Scientific Interest nor is it adjacent to one,
- is not in a the habitat of a species at risk nor is it adjacent to one,
- is not in a the habitat of significant wildlife habitat nor is it adjacent to one.

The report found that the marshy area constitutes an unevaluated wetland which is relatively small at less than 25 hectares and is isolated with no connection to the nearby Millhaven Creek wetland. The report concludes that the proposed undertaking would have no negative impact on its natural heritage features or on its ecological functions. It recommends that all development be set back a minimum distance of 30 metres from the wetland and that the shoreline be enhanced with the planting of trees or shrubs of native species. A copy of the report is attached hereto as Attachment #4.

Township of South Frontenac Zoning By-law No. 2003-75

Under section 34 of the Planning Act, municipal councils pass zoning by-laws to, among other things, regulate the use of land and location of buildings within zones. Accordingly, the Council of the Township of South Frontenac passed Comprehensive Zoning By-law No. 2003-75 on September 16, 2003.

The zoning by-law at that time zoned the whole of the subject property Urban Industrial (UI) in recognition of the industrial use Cheese Factory. However, much later in 2016, the land was rezoned by a new owner to a site-specific Special Urban Commercial (UC-26) Zone and Environmental Protection (EP) to accommodate the present car sales operation and recognizing the portion of the land that is marshy.

This special commercial zone permits a range of commercial uses but is special in that it purposely does not permit a number of uses that are normally included in the standard UC zone which were seen as potentially incompatible with the surrounding land uses. These incompatible uses which are not permitted are a tavern; an automobile service station; an eating establishment and/or banquet hall; and a hotel.

Analysis

As noted earlier in this report, both the new lot and retained lot would keep the present UC-26 zoning with the following permitted uses:

- a retail store or a convenience retail store,
- a service shop including a personal service shop,
- a lawn, garden and farm equipment and supplies outlet,
- a laundry and/or dry cleaning shop,
- a commercial recreational establishment such as a bowling or billiard establishment or other similar use,
- a bank and/or trust company,
- a business and/or professional office,
- a funeral home,
- a medical clinic,
- a post office,
- a bake shop,
- a private or commercial club,
- a restaurant take-out,
- a gift shop,
- a nursery school,
- a veterinary establishment,
- a public or private parking area, including parking facilities associated with the principal use(s) permitted under this section,
- an automobile sales agency,
- one dwelling unit in the form of an apartment as an accessory use in buildings in which commercial uses are permitted in accordance with sections 5.19 and 5.20,
- accessory buildings or uses to the above uses.

The owner does not know at this time what the use of the new lot would be but he does plan to develop the retained land to include an office for a personal business (car sales) on the hardened/paved area or around the cleared area (see Attachment 1 of the Environmental Report). Also referring to Attachment 1 of the Environmental Report, there is sufficient area on the retained lot to meet a 30 metre setback in determining the placement of any new construction. There is also a substantial area of buildable land – approximately 0.4 hectares - beyond the 30 metre setback to flexibly permit development on the proposed severed lot.

Thus, the new lot, as proposed, would meet the minimum lot size and road frontage requirements of the UC-26 zone and would be able to meet all minimum setbacks for new building construction as specified including the minimum 30 metre setback from the waterbody. It is also important to note that any development on the new lot or retained lot is subject to site plan control to help ensure that all setback requirements and other conditions of the environmental report are adhered to.

Conclusion

In consideration of the above document review and analysis, the proposed new lot appears to meet the intent and purpose of all applicable land use documents related to lot creation in the Settlement Areas designation.

Recommendation

It is recommended that the Committee of Adjustment grant approval to the consent application subject to the conditions noted in the Environmental Site Evaluation Report, dated November 11, 2021, and all other standard conditions .

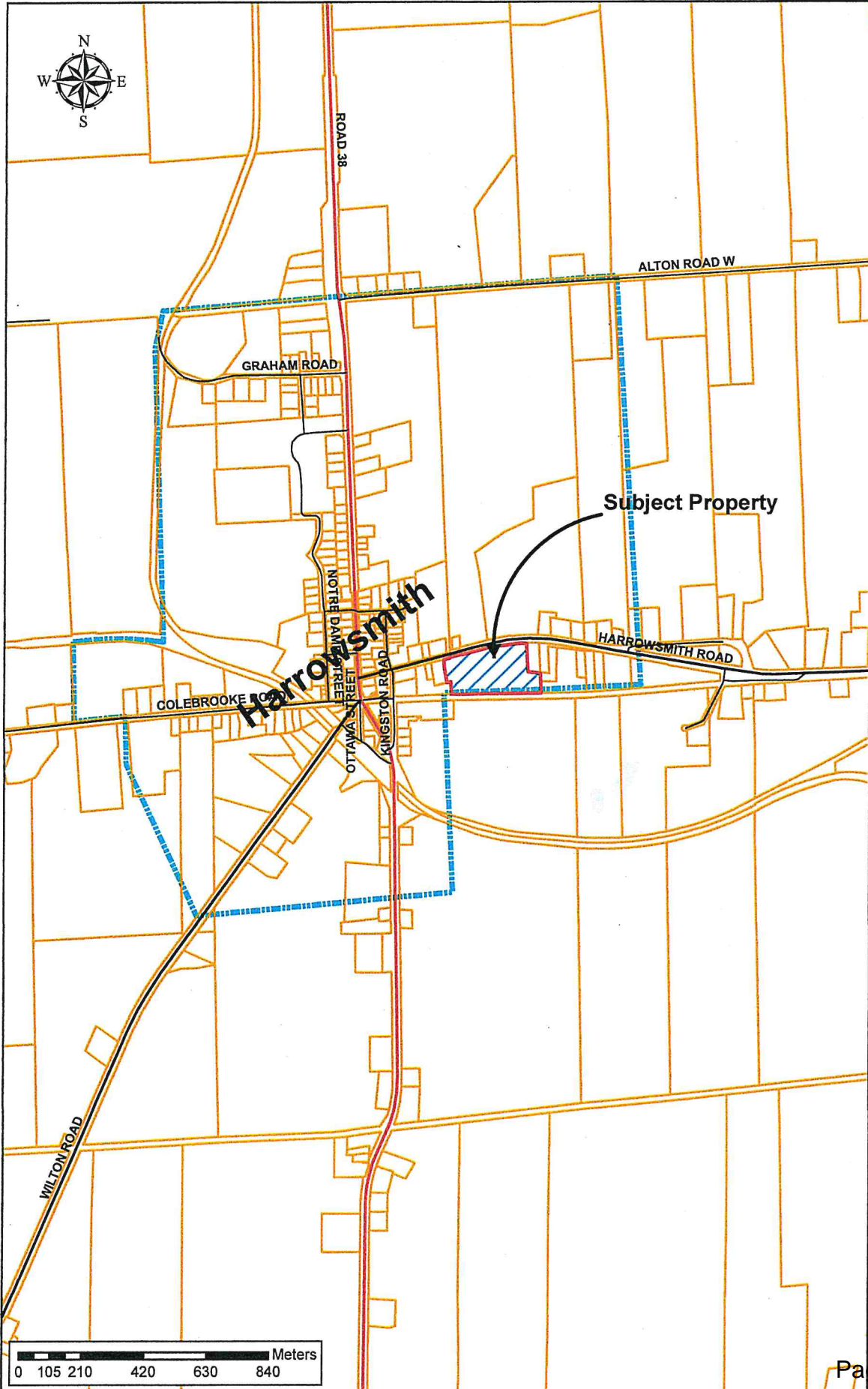


Lindsay Mills, MPL, MCIP, RPP

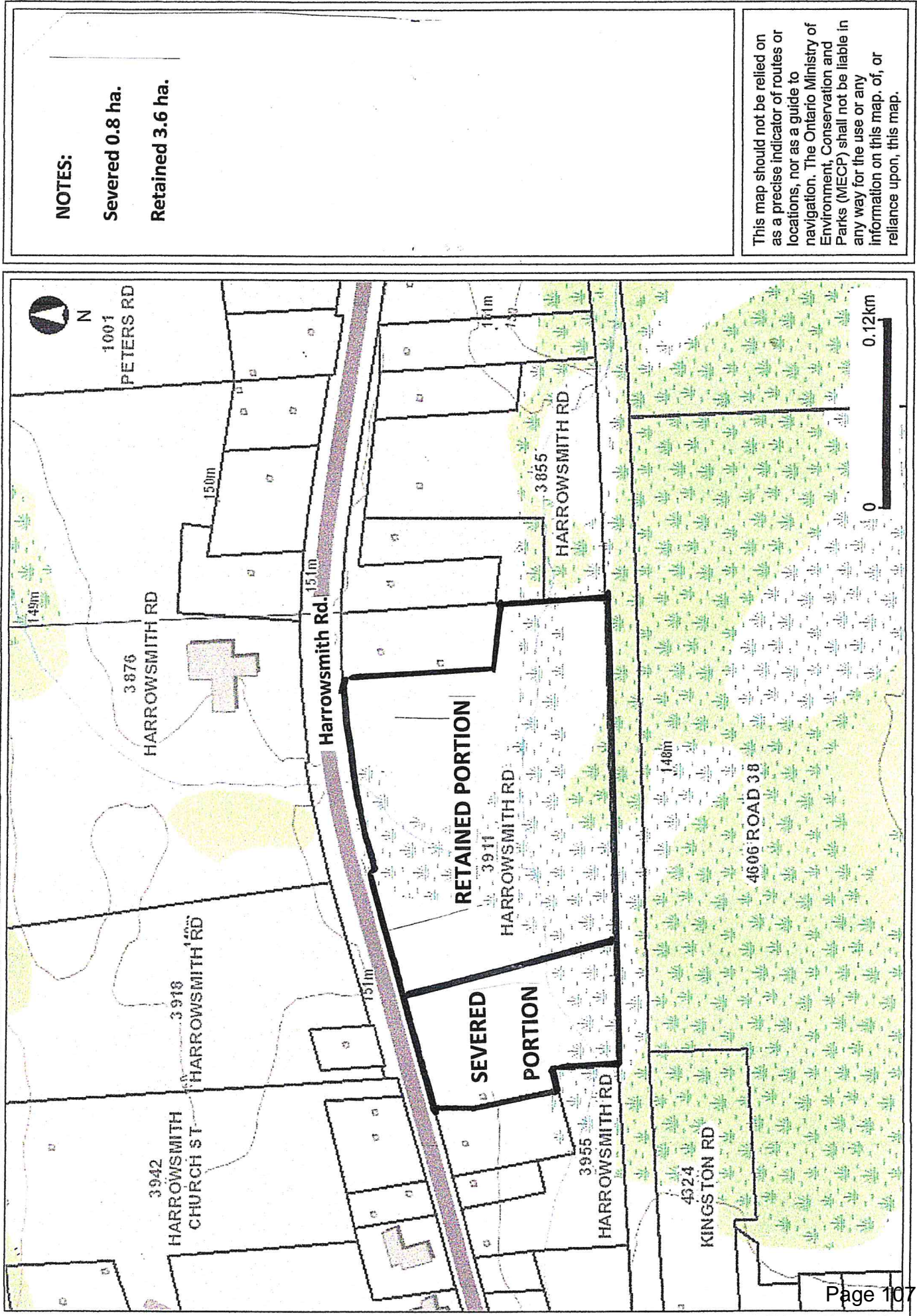
attachments

McKay Report

Attachment #1



McKay Consent Application: Attachment #2



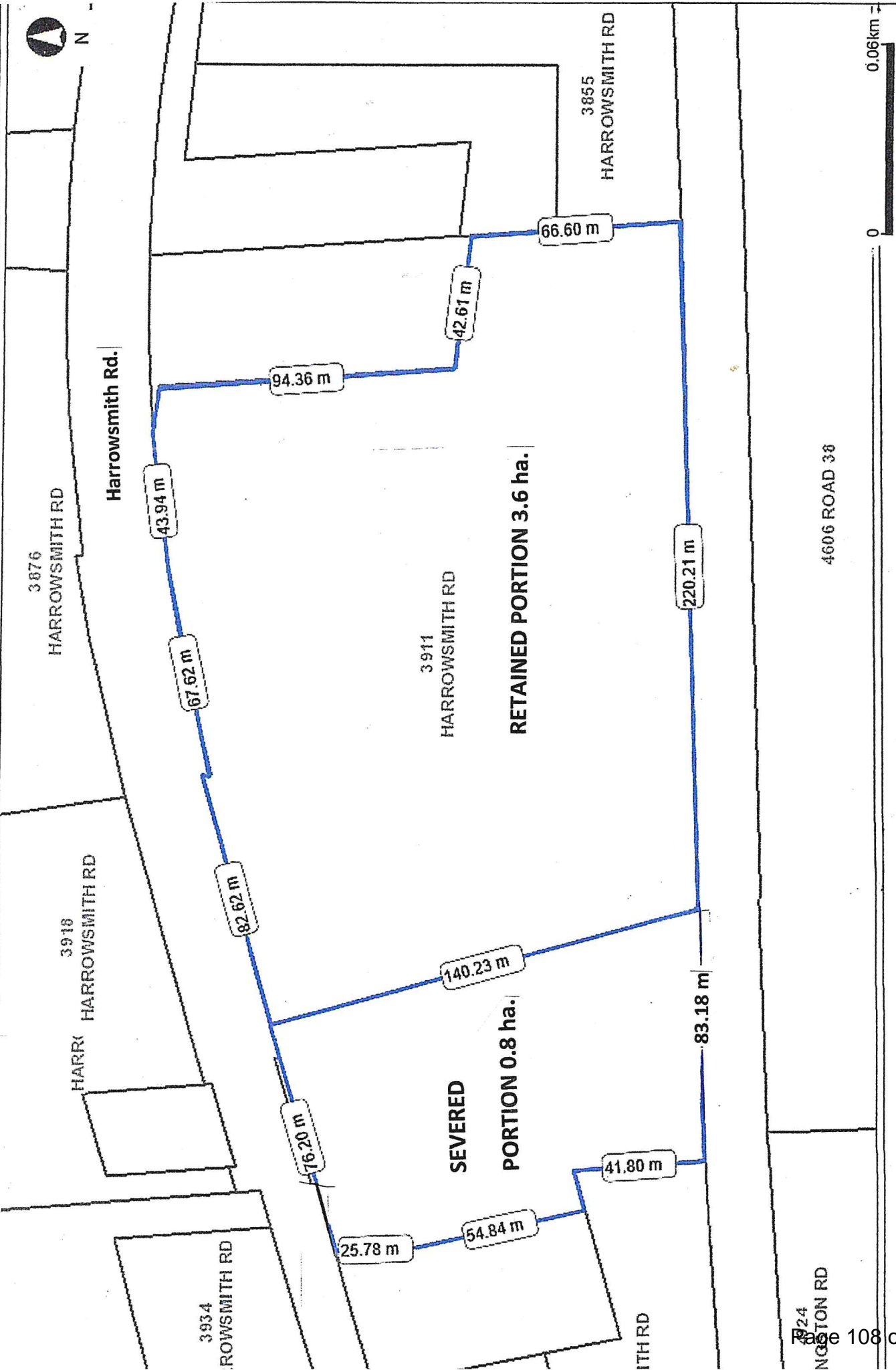
NOTES:

Severed 0.8 ha.

Retained 3.6 ha.

This map should not be relied on as a precise indicator of routes or locations, nor as a guide to navigation. The Ontario Ministry of Environment, Conservation and Parks (MECP) shall not be liable in any way for the use or any information on this map. of, or reliance upon, this map.

McKay Consent Application: Attachment #3



ATTACHMENT #4



Ecological Services
 R.R. #1, 3803 Sydenham Road
 Elginburg, Ontario K0H 1M0
 Phone: (613) 376-6916
 E-mail: mail@ecologicalservices.ca

ENVIRONMENTAL SITE EVALUATION

Municipality: Township of South Frontenac

Lots:

Concession:

Municipal Address: 3911 Harrowsmith Road

Site District: 6E-9

Landowner: Todd McKay

Planning Application Reference:

Description of Application: The proponent intends to apply for a severance, to divide the subject lands into two parcels.

Site Description:

The site is the location of a former cheese factory, and has been highly modified over the years. The front portion of the parcel has been hardened (through bricks, paving, etc). The cheese factory was closed and subsequently destroyed by fire in 2006. The site was cleaned up, test wells installed, and has stood much the same for the past 15 years.

To the south of the disturbed area, the balance of the site retains its natural vegetation cover, and is wetland. The wetland boundary is clearly evident on site, as the upland has been created/enhanced by fill material. Much of the wetland is dominated by Narrow-leaved Cattail (*Typha angustifolia*), with a lesser presence of species such as Reed Canary Grass, Red Osier Dogwood, and, further to the south and beyond the property, red/Silver Maple. In other areas we found that the non-native, invasive wetland grass *Phragmites australis* is becoming established.

A. Ecological Land Classification

The Ecological Land Classification (ELC) mapping of the site is provided in Attachment 1, based on the protocol developed for southern Ontario by Lee et al. (1998). The frontage of the property is mapped Cultural (CU). Lee et al. describe Cultural lands having variable site conditions and substrates, but they are community types resulting from of maintained by cultural or anthropogenic-based disturbances. Here, this was a mixture of paved, brick, and gravel areas, one area of which has been cleared by the proponent. There were a few weedy species growing on this hardened area where the surfaces had deteriorated; we noted Queen's Anne's Lake, Common Milkweed, Viper's Bugloss, alfalfa, *Cinquefoil* spp., Smooth Brome, Common Mullein, Timothy, etc. a few Trembling Aspen trees were also noted. At the margins of the site, we found a few Manitoba Maple trees. The small CU patch at the east end of the property adjacent to Harrowsmith Road had a small patch of Cultural Meadow (grass-dominated), along with adjacent Manitoba Maples, an apple tree, and Gray Dogwood (all upland species). We did not investigate the wetland thoroughly, as it was beyond the scope of our work; it

<p>appears that most if not all of the southern part of the property is wetland, but it may actually grade into upland. This is immaterial to the proposal, as development must be set back a minimum distance of 30 m from the wetland, so no development can occur to the south. Here we noted a community characterized by dense emergent vegetation, and dominated by non-native species: <i>Typha angustifolia</i>, Reed Canary Grass, and <i>Phragmites</i>. We also found a few Red Osier Dogwoods, as well as Willow shrubs (<i>Salix petiolaris</i>, but there may be other willow species as well). There was one area where Willow shrubs were more abundant (marked in Attachment 1), which area might be mapped as swamp if assessed more fully. Further to the south, we could observe Red/Silver Maple and Ash trees, but could not determine from a distance whether these were within wetland or not. Site photographs are included in Attachment 2.</p>	
<p>Is the Proposed Development:</p>	
<p>A. In a Provincially Significant Wetland or Coastal Wetland?</p>	<p>Yes <input type="checkbox"/> <input checked="" type="checkbox"/> No</p>
<p>Adjacent to a Provincially Significant Wetland or Coastal Wetland? The closest PSW is Millhaven Creek, which is over 2 km to the southeast.</p>	<p>Yes <input type="checkbox"/> <input checked="" type="checkbox"/> No</p>
<p>B. In a Regionally Significant Wetland?</p>	<p>Yes <input type="checkbox"/> <input checked="" type="checkbox"/> No</p>
<p>Adjacent to a Regionally Significant Wetland?</p>	<p>Yes <input type="checkbox"/> <input checked="" type="checkbox"/> No</p>
<p>C. In/adjacent to an Unevaluated Wetland? The property is adjacent to unevaluated wetland. This wetland is relatively small (an estimated 25 ha) and lies east of Harrowsmith, west of Lagoon Road, and between Harrowsmith Road and the railway line. It is an isolated wetland, and has no connection to the Millhaven Creek wetland. There is additional wetland to the south of the railway line, but there appears to be no direct surface water connection.</p> <p>The portion of this wetland that lies on the southern portion of the subject property was as described above, a very dense area of shallow marsh. Based upon what we could see from a distance, satellite images, and mapping from the Province, the wetland appears to likely be a mixture of marsh and swamp vegetation communities, with areas of shallow marsh characterized by emergent vegetation, and areas of tall willow shrubs that would be considered to be swamp. The approximate boundary in comparison to the subject property is shown in Attachment 3.</p> <p>The Ontario Wetland Evaluation System (OWES) assesses wetlands based on four components: biological, social, hydrological, and special features. In general, the greatest indicator of potential value is wetland size, because each of the components will generally score higher in a larger wetland. There are several points we noted that are indicative of a wetland of lower value: small size, lack of open water features (channels or ponds), very dense vegetation growth, monotypic vegetation communities, and isolation (the wetland is surrounded on three sides by roads, and by the railway on the remaining side). Nevertheless, the wetland community very likely provides some</p>	<p>Yes <input checked="" type="checkbox"/> <input type="checkbox"/> No</p>

<p>ecological values, such as nesting opportunities for tolerant birds such as Red-winged Blackbirds. All development should be set back a minimum distance of 30 m from the wetland boundary.</p> <p>We note that the landowner proposes to develop the retained lands, with the intent of building an office for a personal business on the hardened/paved area on or around the area marked as “cleared.” The exact location is being planned, but there is sufficient area to meet a 30 m setback in finalizing these planning decisions. There is also a substantial area of CU land outside of the 30 m setback to flexibly permit development of the proposed severed lot – approximately 0.4 ha.</p>	
<p>D. In an Area of Natural and Scientific Interest?</p>	<p>Yes <input type="checkbox"/> <input checked="" type="checkbox"/> No</p>
<p>Adjacent to an Area of Natural and Scientific Interest? The closest ANSI is the Harrowsmith Bog, which is located approximately 2.8 km WNW of the property.</p>	<p>Yes <input type="checkbox"/> <input checked="" type="checkbox"/> No</p>
<p>E. In the habitat of Species at Risk?</p>	<p>Yes <input type="checkbox"/> <input checked="" type="checkbox"/> No</p>
<p>Adjacent to habitat of Species at Risk? We checked the Natural Heritage Information Center (NHIC) database. There were two species reported within the 1 km² UTM blocks within which the property is located (18UQ6717, 18UQ6718, 18UQ6817, and 18UQ6818. These were the two grassland birds Eastern Meadowlark and Bobolink for which there is no suitable habitat on or adjacent to the property.</p>	<p>Yes <input type="checkbox"/> <input checked="" type="checkbox"/> No</p>
<p>F. In significant wildlife habitat?</p>	<p>Yes <input type="checkbox"/> <input checked="" type="checkbox"/> No</p>
<p>Adjacent to significant wildlife habitat? Assessment of significant wildlife habitat (SWH) requires assessment of habitats of seasonal concentrations of animals, rare vegetation communities, habitat of species of conservation concern (this does not include species at risk), and animal movement corridors.</p> <p>The wetland portion of the property may provide habitat for seasonal concentrations of animals (particularly, for breeding amphibians), but that is something that must be assessed in the spring, and cannot be assessed at this time of year. However, given the nature of the wetland with its lack of open water, it is highly unlikely that such use will meet the criteria to be deemed SWH.</p> <p>The NHIC database listed two turtle species within the UTM blocks referenced above: Midland Painted Turtle and Snapping Turtle. Both are designated as species of Special Concern. It is reasonable to assume that either species could make occasional use of the wetland portion of the property, but given the nature of the wetland here, it is our opinion that this does not provide valuable habitat. In contrast, the wetland associated with Millhaven Creek supports much more appropriate habitat, and it is likely that the database records are</p>	<p>Yes <input type="checkbox"/> <input checked="" type="checkbox"/> No</p>

associated with this larger wetland. Regardless, the upland portions of the site do not offer appropriate habitat, and assuming that the setback recommendation is met, there will be no impact to turtles.	
G. Within 120 m of a waterbody? The southern portion of the site is a densely vegetated wetland. The closest open water, however, is the lagoon located approximately 370 m to the southeast.	Yes <input checked="" type="checkbox"/> <input type="checkbox"/> No
H. In fish habitat?	Yes <input type="checkbox"/> <input checked="" type="checkbox"/> No
Adjacent to fish habitat?	Yes <input type="checkbox"/> <input checked="" type="checkbox"/> No
I. In or Adjacent to Highly or Moderately Sensitive Lake Trout Lake?	Yes <input type="checkbox"/> <input checked="" type="checkbox"/> No
J. In a significant woodland?	Yes <input type="checkbox"/> <input checked="" type="checkbox"/> No
Adjacent to a significant woodland?	Yes <input type="checkbox"/> <input checked="" type="checkbox"/> No
K. In a significant valleyland?	Yes <input type="checkbox"/> <input checked="" type="checkbox"/> No
Adjacent to a significant valleyland?	Yes <input type="checkbox"/> <input checked="" type="checkbox"/> No

In our opinion, is a more detailed Environmental Impact Statement (EIS) required to demonstrate the appropriateness of the proposed development?	Yes <input type="checkbox"/> <input checked="" type="checkbox"/> No
If yes, which natural feature(s) should the assessment focus on?	
<u>Recommendations for Setback:</u> It is recommended that all development be set back a minimum distance of 30 m from the wetland.	
<u>Recommendations for Mitigation:</u> As discussed on site, the landowner may wish to consider enhancing the shoreline with planting of trees or shrubs. We recommend that native species of trees and shrubs be considered, as they have a greater potential to support the adjacent wetland.	
<u>Environmental Impact Statement:</u> It is our opinion that the proposed undertaking will have no negative impact on the natural heritage features or on their ecological functions and that, assuming the implementation of our recommendations, the proposal is consistent with the intent of the Provincial Policy Statement.	Yes <input checked="" type="checkbox"/> <input type="checkbox"/> No
Is monitoring recommended?	Yes <input type="checkbox"/> <input checked="" type="checkbox"/> No
<u>Contacts, References & Literature Cited:</u> eBird. Online tool that provides a database of submitted bird sightings by citizen scientists, managed by the Cornell Lab of Ornithology . < http://ebird.org > Fish ON-line. Database created by the Ontario Ministry of Natural Resources and Forestry. < https://www.gisapplication.lrc.gov.on.ca/FishONLine/Index.html?site=FishONLine&viewer=FishONLine&locale=en-US > Henson, B.L. and K.E. Brodribb. 2005. Great Lakes Conservation Blueprint for Terrestrial Biodiversity: Volume 2 – Ecodistrict Summaries. Nature Conservancy of Canada. Completed as a partnership project between the Nature Conservancy of Canada and the Ontario Ministry of Natural Resources. 344 pp. Online at:	

< http://nhic.mnr.gov.on.ca/projects/conservation_blueprint/Terr_Vol2_final_e-version.pdf>

iNaturalist. Online tool that provides a database of submitted species sightings by citizen scientists. iNaturalist is a joint initiative by the California Academy of Sciences and the National Geographic Society. <<http://inaturalist.org>>

Lee, H.T., W.D. Bakowsky, J. Riley, J. Bowles, M. Puddister, P. Uhlig and S. McMurray. 1998. Ecological Land Classification for Southern Ontario. First Approximation and Its Application. Ontario Ministry of Natural Resources, Southcentral Science Section, Science Development and Technology Transfer Branch. SCSS Field Guide FG-02. 225 pp.

Natural Heritage Information Center. 2021. Web site maintained by the Ontario Ministry of Natural Resources and Forests, with species rarity rankings in Ontario, and information on reported element occurrences.
<http://www.gisapplication.lrc.gov.on.ca/mamnh/Index.html?site=MNR_NHLUPS_NaturalHeritage&viewer=NaturalHeritage&locale=en-US>

Ontario. 2013. Ontario Wetland Evaluation System: Southern Manual. 3rd Edition. NEST Technical Manual TM-002. 284 pp., plus forms.

Ontario Ministry of Natural Resources and Forestry. 2015. Significant Wildlife Habitat Criterion Schedules for Ecoregion 6E. OMNRF Regional Operations, Peterborough, Ontario. 38 pp.

Ontario Ministry of Natural Resources. 2010. Natural Heritage Reference Manual for Natural Heritage Policies of the Provincial Policy Statement, 2005. 2nd edition. Toronto: Queen's Printer for Ontario. 248 pp.

Ontario Ministry of Natural Resources. 2000. Significant Wildlife Habitat Technical Guide. Fish and Wildlife Branch, Wildlife Section, Science Development and Transfer Branch, Southcentral Sciences Section. 139 pp., plus appendices.

Provincial Policy Statement. 2020. Issued under Section 3 of the *Planning Act*. Province of Ontario. 53 pp.

Environmental Site Evaluation Completed by: Mary Alice Snetsinger and Megan Snetsinger

Date of Site Inspection: October 29, 2021

Date of Report: November 11, 2021

Signature:





Attachment 1. Ecological Land Classification mapping, based on Lee et al. (1998). The property boundary and proposed property division are shown in orange. The small red spot is a test well locations. The larger pink spot is the location of the well and a fire hydrant located on the property. Base image is from frontenacmaps.ca.

Attachment 2. Site photographs, taken by report author on October 29, 2021.



Photo 1. Looking westerly across paved (CU) area of property (from approximately property center front on retained lands.



Photo 2. Looking easterly (on proposed severance) across Cultural lands. Test well in center front. Note site alteration, gravel road in distance, and wetland beyond.

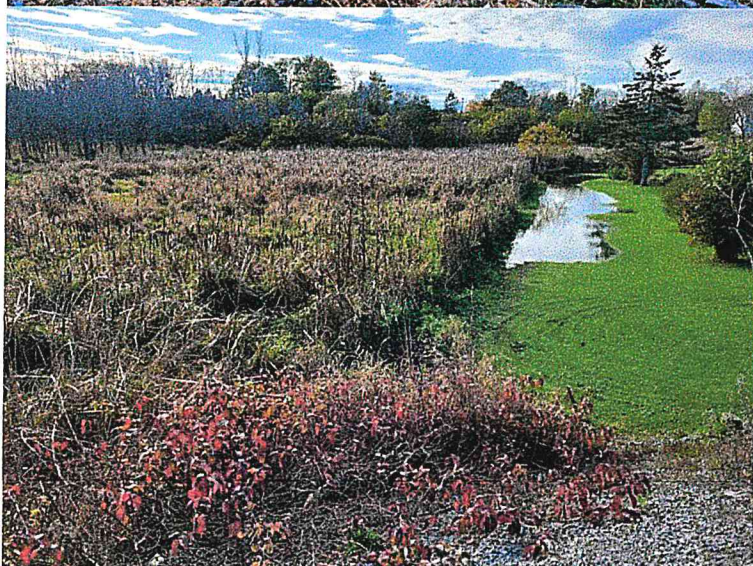


Photo 3. Looking westerly from west boundary of proposed lot toward neighboring lot. Note unfilled land, lawn on neighboring lot and cattail wetland vegetation immediately to the south.



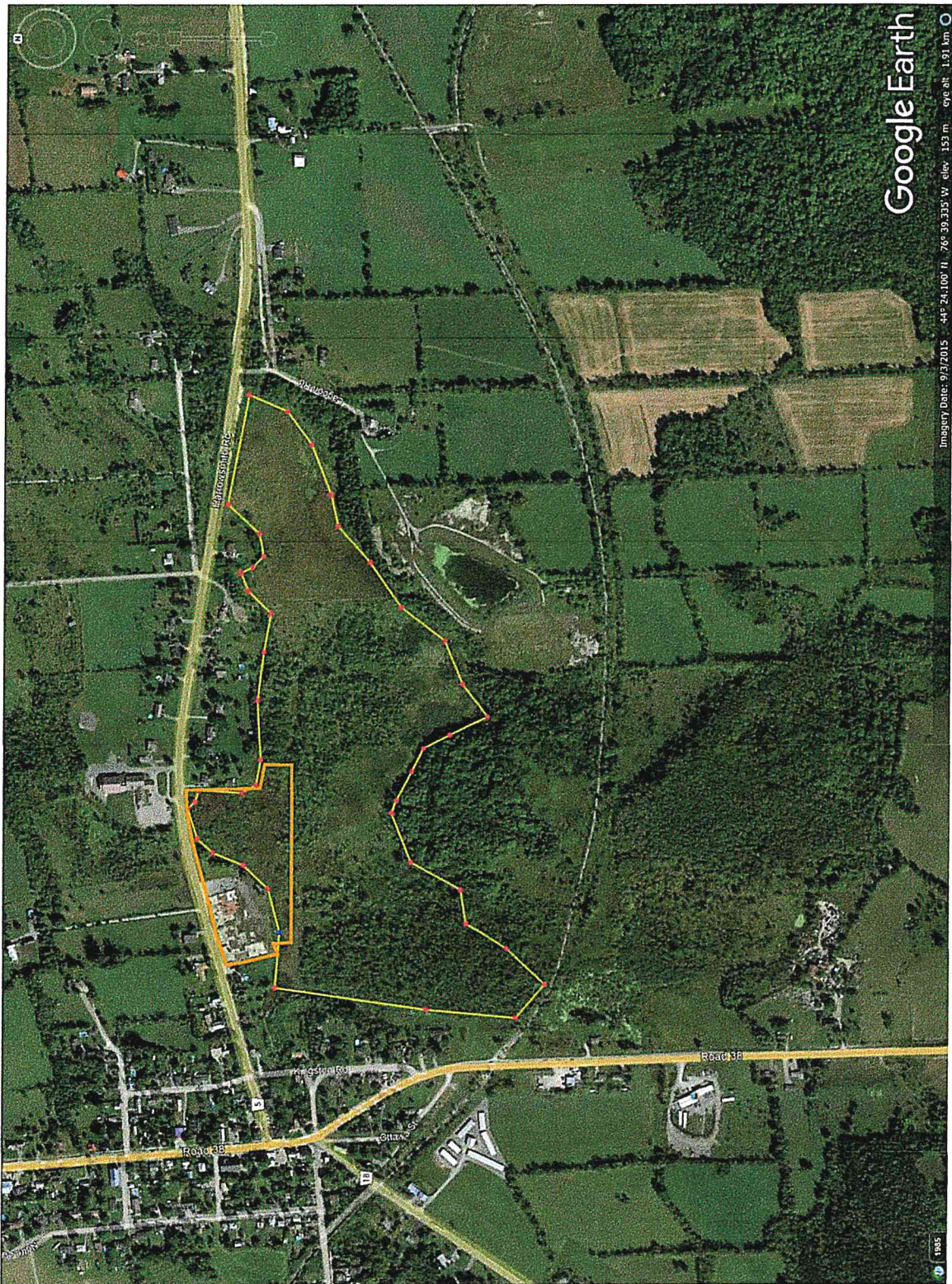
Photo 4. Looking south toward wetland, here with area of Phragmites present. Note the well and hydrant in the foreground.



Photo 5. Looking south toward wetland at the location where the culvert beneath Harrowsmith Road enters the property. Upland to the right.



Photo 6. East corner of the subject property, looking southwest. Small cultural area in the foreground, with grasses, Manitoba Maple, and shrubs, and cattail wetland behind.




Attachment 3. The approximate location of the boundary of the unevaluated wetland is outlined in yellow, with that of the overlapping subject property outlined in orange. Base image is from Google Earth.



SOUTH FRONTENAC

Building Services
4432 George St, Box 100
Sydenham, ON K0H 2T0
613-376-3027

Consent to Sever Inspection Report

File Number: PL20210040		Receipt Number: Receipt number	
Owner(s): Todd McKay		Roll #: 10290-080-020-05800	
Municipality: Township of South Frontenac		Ward / Former Township: Loughborough	
Lot:6	Reference Plan: 13R14285	Plan of Subdivision:	
Concession: 5	Part(s): 1	Sub-lot:	
General Description (existing buildings, surface features, slopes, site services for water and sewage, etc.)			
<p>Severed: The proposed severed lot consists of open area with remains of concrete foundation pads, gravel-based areas and wetlands in the southern part of the parcel. The parcel is bordered by Harrowsmith Road to the north, the retained parcel to the east, a road allowance to the south and a developed lot to the west. The test holes were located near the center of the proposed parcel and excavated to a depth of 0.7 to 0.9m. Probing of the test holes indicated a depth greater than 1.5m.</p> <p>Retained: N/A</p>			
Soil type, depth and water table on each part of potential leaching bed areas. Indicate water table with bar.			
	Severed	Depth of Soil	Retained
Compacted imported granular	----->	0.5 m	N/A
Ground water table	----->	0.6m	
Clay			
Test hole #1	----->	0.7m	
Test hole #2	----->	0.9m	
Depth of probe	----->	1,5m	
Percolation rate (estimated): >50 min/cm		Percolation rate (estimated): min/cm	
<p>NOTE: the approval of any new lot is based on its suitability to provide an area for a Class 4 sewage system for an average three (3) bedroom home. Approval to build a larger home on this lot will be subject to availability of sufficient area for a larger sewage system.</p> <p>Parcel suitability for on-site sewage system:</p>			
SEVERED Conditions:	<p>The Building Department has no objection to the proposed severance as the application states the consent is for a lot creation. The proposed lot can provide flexibility in siting a sewage system, dependent on the proposal submitted through an application to Construct a Sewage System. Existing granular and/or concrete pads must be removed, where applicable, for the construction of the sewage system and setbacks to the wetlands need to be considered.</p>		
<input checked="" type="checkbox"/> Satisfactory <input type="checkbox"/> Unsatisfactory <input type="checkbox"/> Site Flexible <input type="checkbox"/> Site Specific			
RETAINED Conditions:	N/A		
<input type="checkbox"/> Satisfactory <input type="checkbox"/> Unsatisfactory <input type="checkbox"/> Site Flexible <input type="checkbox"/> Site Specific			
Inspector: Chris Beeg	Approved: 	Date: April 12, 2022	

January 12, 2022

File: SEV/FRS/416/2021

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 Consent to Sever S-90-21-P (McKay / Mills)
Part Lot 6, Concession 5; 3911 Harrowsmith Road
Township of South Frontenac (Portland District)
Waterbody: Unevaluated Watercourse / Unevaluated Wetland**

Cataraqui Conservation staff have reviewed the above-noted application for consent to sever and offer the following comments for the Land Division Committee's consideration.

Summary of Proposal

The applicant has requested severance of a 0.82 ha parcel of land from the property known as 3911 Harrowsmith Road. The lot to be severed will have approximately 77 metres of road frontage onto Harrowsmith Road. The lot to be retained would be approximately 3.6 hectares in area with approximately 192 metres of road frontage onto Harrowsmith Road. The lot to be retained is presently developed as a commercial property and is proposed to remain in its present use. The severed lot is to be used for future commercial uses that are not specified within the application.

Site Description

The property is located on the south side of Harrowsmith Road, east of the Village of Harrowsmith. An unnamed watercourse having an associated unevaluated wetland are partially located on the southern portion of the property.

The property is currently designated 'Settlement Area' in the Official Plan and 'Special Urban Commercial' (UC-26) and 'Environmentally Sensitive Lands Overlay' in the implementing Zoning By-law for South Frontenac Township. The environmentally



sensitive lands overlay designation in the Zoning By-law appears to coincide with the location of the unevaluated wetland natural heritage feature.

Discussion

The main interests of Cataraqi Conservation with respect to this application are the avoidance of natural hazards associated with the unnamed watercourse (e.g. flooding), and the protection of the unevaluated wetland natural heritage feature.

Natural Hazards

Flood plain mapping is not available for this watercourse / wetland feature. Section 5.8.2 of the Zoning By-law specifies that no building or structure or septic tank installation shall be located within a minimum 30 metres horizontal of the highwater mark of a waterbody or watercourse. Similarly, Cataraqi Conservation's Environmental Planning Policy (EPP, 2021) also requires a 30 metre setback for new development and site alteration from the highwater mark of a waterbody provided that there is enough elevation difference to ensure that flood risk is minimized. Based upon a review of relevant mapping information, staff have concluded that the lot to be severed and the retained lot appear to contain suitable building envelopes outside of the required watercourse setback and at a suitable elevation above the waterbody. Therefore, staff have no concerns with the proposal from a flooding perspective.

Natural Heritage

As noted above, the lands contain a large unevaluated wetland feature which is identified as being environmentally sensitive. Section 5.2.7 of the Official Plan suggests that lands within 90 metres of the highwater mark of such a feature may be developed in accordance with the underlying land use designation when an Environmental Impact Assessment is prepared that indicates that no negative impacts will occur to the natural features or the ecological functions of the feature.

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

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The applicant has provided an Environmental Site Evaluation (Ecological Services, November 11, 2021) in support of the consent application. The environmental report recommends a minimum 30 metre setback from the wetland for development and suggests additional mitigation measures such as enhancing the shoreline with native plants.

Staff recommend that the mitigation recommendations contained within the environmental report be implemented through site plan control / development agreement.

Recommendation

Staff have no objection to approval of application S-90-21-P based on our consideration for natural hazards, natural heritage and water quality protection policies.

Ontario Regulation 148/06

Cataraqi Conservation, under Ontario Regulation 148/06: *Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses*, regulates development within 30 metres of an unevaluated wetland. Therefore, a permit may be required for proposed development on the severed and retained lots. The applicant will be required to contact the undersigned at the building permit stage for more information regarding permitting requirements under Ontario Regulation 148/06.

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

This letter is in response to the notice of consent application S-90-21-P (McKay) (Mills)
File #: PL-2021-0040

I would like to see a 6' privacy fence erected between our adjacent properties no matter of present or future ownership and acceptable to both parties.

My reasons for this decision are listed below:

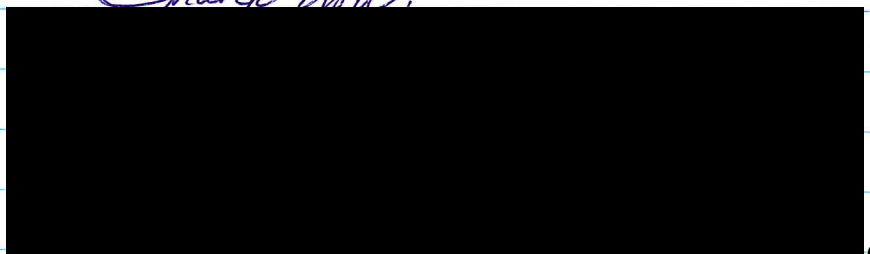
- 4 separate occasions of people urinating
- teens using lot vehicles for racing & burnouts on cement slab
- wrecks of no value put in our line of vision
- people doing mechanical & body work on vehicles & campers
- teens racing on lot trying to bury vehicles in snow banks
- approximately 40+ junk vehicles at one time sitting to be stripped of catalytic converters then crushed

All of this is approximately 30 yards in open view of our back deck.

When Mr. McKay first approached us before buying the lot he informed us that nothing would be towards our end and we would not see anything from our deck.

We would appreciate being notified of your decision.

Thank you.



Michelle Hannah

From: [REDACTED]
Sent: April 7, 2022 10:48 AM
To: planning
Subject: Cheese Factory

Hi my name is [REDACTED] and I am the owner of [REDACTED] and I would like to be kept up to date on the happenings of the old Harrowsmith cheese factory as I might be interested in the purchase of it.

Thank you
Sincerely

[REDACTED]

Sent from [Mail](#) for Windows

January 23, 2022

To: Michelle Hannah
Secretary – Treasurer, Committee of Adjustment
PO Box 100, 4432 George St. Sydenham ON K0H 2T0
planning@southfrontenac.net

Re: Notice of Consent Application S-90-P (McKay) (Mills) File Number: PL-2021-0040

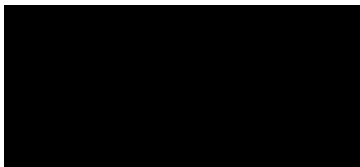
Regarding the above file number, we would like to file an objection to the creation of a new rural commercial lot.

As this piece of land was previously occupied by a cheese factory which burned down, the current owner has brought in old cars and prepared them for crushing (which includes draining oil and gas from them), and the fact that our well is located directly across the street from the proposed lot, I would strongly recommend that Phase 2 Testing be completed, and the results released to the surrounding neighbours prior to any action taking place with this parcel of land. If contaminants are found from this testing, remediation should happen prior to the new lot being created.

Another concern is that a large portion of this property is considered “Wetland”. We would recommend that the Conservation Authority do an inspection and report whether this land has ever been inspected (as is now considered “Wetland”), or if it has not been inspected, could it be “Provincially Significant Wetland”.

In closing, we feel that the wrecking yard currently on this piece of land should not be allowed within the village, so close to residential homes. Allowing the owner of this property to continue expanding the property could not only affect the amount and quality of our water supply, but also the value of surrounding homes.

Thank you,



Michelle Hannah

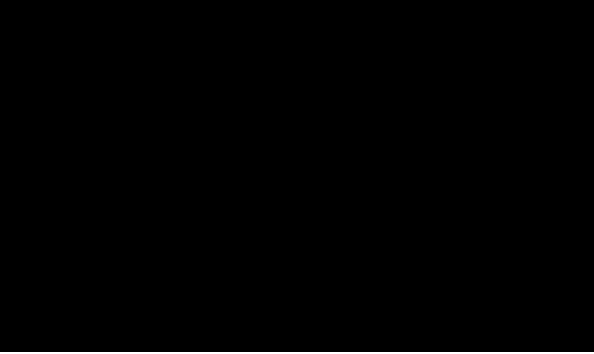
From: [REDACTED]
Sent: February 13, 2022 9:58 AM
To: Anna Geladi
Subject: McKay Property

Hello Anna,

I wanted to reach out and let you know that I wasn't very pleased when I saw that Mr. McKay had listed the property (that is pending severance) on MLS. Is this usually the process? If so, I feel it's designed to gain interest in the property, which would in turn influence the township in making a favorable decision for the seller?

If I am off base, I apologise, but in all fairness, he shouldn't be able to offer to sell something that is not yet there.

Thank you,



Township of South Frontenac Staff Report



To: Committee of Adjustment

Prepared by: Development Services Department

Report Date: June 9, 2022

Subject: Consent Application S-90-21-P (Mackay)(Mills)

Summary

This report recommends that provisional consent be granted with conditions to create one new commercial lot.

This application cannot be considered by the Director of Development Services because it does not meet all the By-law criteria since there are un-resolved comments from members of the public.

Background

Proposal: The creation of one new commercial lot

Location: 3911 Harrowsmith Road, District of Portland

Designation and Zoning: The subject property is designated Settlement Area and zoned Urban Commercial Special Provision 26 (UC-26) and Environmental Protection (EP).

Application Table

	Severed Parcel	Retained Parcel
Area	0.8 hectares (2 acres)	+/- 3.6 hectares (8.9 acres)
Frontage on Road	76 metres (250 feet) on Harrowsmith Road	+/- 192 metres (630 feet) on Harrowsmith Road
Frontage on Water	N/A	N/A

Review

This application:

- ✓ Conforms to section 51(24) of the *Planning Act*;
 - ✓ Does not require a plan of subdivision for the proper and orderly development of the municipality (s. 53(1) *Planning Act*);
 - ✓ Is consistent with the Provincial Policy Statement (s. 3(5) *Planning Act*);
 - ✓ Conforms to the County of Frontenac Official Plan (s. 3.3 & 7.1);
 - ✓ Conforms to the Township of South Frontenac Official Plan (s. 5.2, 5.6.3 & 7.1);
 - ✓ Complies with Zoning By-law No. 2003-75 (or will comply subject to a standard condition of rezoning or minor variance); and
- X Has no unresolved objections/concerns raised from agencies nor the public.

Discussion/Analysis

The purpose of this consent application is to create one new commercial lot.

Property Description

The subject property, municipally known as 3911 Harrowsmith Road, is located on the south side of Harrowsmith Road. The subject property is located in the Harrowsmith Settlement Area.

The subject property is approximately 4.4 hectares (10.9 acres) in area and has 271 metres (889 feet) of frontage on Harrowsmith Road. There are wetlands on the east and south portion of the subject property, which correspond to the EP zone on the property. Approximately 7 acres of the subject property consist of wetland area. The west side of the property consists primarily of remains of concrete foundation pads and gravel-based areas. Roughly 3.9 acres of the subject property consist of this upland area. The topography of the property can be described as flat.

The property currently contains remnants of previous development (concrete floor of the former cheese factory) and was recently used to store old cars. The subject property is a commercial property and has an established use of an auto sales agency.

There is an un-opened road allowance located to the south of the property. There is one church located to the north of the subject property and several residential properties around the subject property.

Property Background

The subject property is the site of the former Harrowsmith Cheese Factory which closed in 2006. After the cheese factory closed, there was site clean up and monitoring of groundwater completed on the site. According to a 2009 site monitoring report prepared by WESA, the potential for groundwater impacts to an existing water well were negligible. In a memo provided by MECP in 2010, they recommended that the groundwater monitoring program related to the lagoons can be discontinued.

The applicant provided the Township with a 2012 Annual Groundwater and Surface Water Sampling Report that was conducted by Golder and Associates. This report focused on the upland area. The 2012 report concluded that groundwater quality at the Site appeared to be improving with time. The report also concluded that hydrocarbon impacts were not identified in the low lying area on the property.

The subject property was rezoned in 2016 from Urban Industrial (UI) to a special provision Urban Commercial zone to permit a range of commercial uses including an automobile sales agency.

Summary of Proposal

The severed parcel consists of a minimum of 0.8 hectares (2 acres) of land with a minimum of 76 metres (250 feet) of road frontage on Harrowsmith Road. The severed parcel is located on the west side of the subject property and consists of a flat concrete pad, wetland and grassy area. The wetland is zoned EP. Approximately 0.7 acres of the land consists of wetland.

The retained parcel will be approximately 3.6 hectares (8.9 acres) of land with approximately 192 metres (630 feet) of road frontage on Harrowsmith Road. The retained lands would continue to be used for the auto sales agency. The east and south portion of the retained lands contain wetland zoned EP. Approximately 7 acres of the retained parcel consists of wetland.

Department and Agency Comments

Public Services provided comments on January 24, 2022 indicating that the subject lands are located within the village boundary and front onto Harrowsmith Road within a 60 kilometre per hour zone. They note that there is also a sidewalk that extends up to the most western corner of the property along Harrowsmith Road.

There is adequate frontage for both the severed and retained parcels to locate entrances that provide safe access to the parcels.

Public Services has no objection to the application.

Building Services (Sewage System Review) provided comments on April 12, 2022 indicating that the proposed lot is capable of providing flexibility in siting a sewage disposal system. Soil conditions found on the parcel will require additional suitable granular soil to construct a sewage disposal system; specific requirements for additional soil will need to be addressed prior to site development and through a application to construct a sewage system. They note that the existing granular and/or concrete pads must be removed for the construction of the sewage system and setbacks to the wetland need to be taken into consideration at the time of application.

They have no objection to the approval of the application.

Cataraqui Conservation – Comments received from Cataraqui Conservation on January 12, 2022. Cataraqui Conservation Staff note there is a potential development envelope on the severed and retained parcels outside of the required 30 setback from the wetlands on the subject property and they have no concerns from a flooding perspective.

Cataraqui Conservation recommend that the mitigation recommendations contained in the Environmental Site Evaluation (Ecological Services, dated November 11, 2021) be implemented through site plan control.

The applicant or future owner must contact Cataraqui Conservation prior to undertaking any site alteration and/or prior to the building permit stage to determine whether an O. Reg. 148/06 permit is required for the activity or development.

Public Comments

Comments were received from four members of the public. The neighbouring property owners to the west expressed a desire to have a privacy fence erected between the severed parcel and their property to provide a visual buffer.

The owners of a property on the north side of Harrowsmith Road noted concerns regarding their well and recommended that a phase 2 testing (i.e. Phase 2 Environmental Site Assessment) be required to determine if contaminants are present in their water supply and the groundwater in the area. They also asked if the wetland could be considered provincially significant. Lastly, they expressed concerns that the property is being used as a wrecking yard. Township Staff shared the Environmental Site Evaluation that was submitted with the application and explained that there was a monitoring program that was completed after the cheese factory closed. The monitoring program indicated that groundwater flows to the south, away from Harrowsmith Road.

Planning Analysis

Record of Site Condition

In accordance with the PPS 2020 and the County Official Plan, Section 6.24 of the Township Official Plan requires contaminated sites to be remediated as necessary. Site remediation is to occur to the satisfaction of the Ministry of Environment, Conservation and

Parks (MECP). The policy states that a “Record of Site Condition” will be required prior to development approvals being granted.

A Record of Site Condition summarizes the environmental condition of the property based on the completion of one or more environmental assessments. A Record of Site Condition is only required where the use on a property is proposed to be changed to one that is sensitive (e.g. residential). The Ministry of Environment, Conservation and Parks confirmed in an e-mail dated April 20, 2022 that Phase 1 and 2 Environmental Site Assessments (ESA) are not required for the creation of a commercial lot on this property since there is no change in use proposed.

Environmental Protection

Environmental Site Evaluation

Section 5.2.7 a) and 5.2.11 of the Township Official Plan require an Environmental Site Evaluation to be completed when considering development or site alteration adjacent to any Environmentally Sensitive Area and Provincially Significant Wetland. The applicant submitted an Environmental Site Evaluation in support of the consent application (Ecological Services, dated November 11, 2021). The subject property was assessed for wetlands, woodlands, areas of natural and scientific interest, fish habitat, species at risk and significant wildlife habitat.

The consultant determined that the wetland on the property is part of a larger unevaluated wetland that has no connection to the Provincially significant Millhaven Creek Wetland. The wetland on the property consists of a mixture of marsh and swamp vegetation. The wetland does not meet the criteria to be considered Provincially significant. While the wetland is of lower value, it may provide nesting opportunities for birds. They noted that there is no suitable habitat on or adjacent to the subject property for species at risk. The consultant recommended a 30 metre setback for all development including buildings and the sewage system from the wetland boundary. Small open storage may be considered on a specific basis and would require a further environmental impact study. Parking may occur on the existing paved area of the property.

The consultant also recommended that the landowner enhance the shoreline the planting of native species of trees or shrubs to support the adjacent wetland.

The Environmental Site Evaluation concluded that the proposed creation of a new lot will have no negative impact on the natural heritage features or on their ecological functions and that with the implementation of their recommendations the proposal is consistent with the intent of the Provincial Policy Statement.

In conformity to the PPS, the Township Official Plan specifies that consents shall not be granted for a parcel of land which is subject to flooding or erosion. Cataraqui Conservation

Staff confirmed that there is a suitability sized building envelope outside any lands that may be susceptible to flooding or erosion.

Section 5.2 of the Township Official Plan requires a minimum 30 metre setback from waterbodies. The Environmental Site Evaluation echoes this requirement by recommending a 30 metre setback from the wetland area and concluded that the proposed development would have no negative impact on its natural heritage features or its ecological functions. It was noted that there is sufficient area on the severed parcel and retained parcel for development to occur outside the 30 metre setback. The Environmental Site Evaluation recommendations would be incorporated into any future site plan agreements for the severed parcel and retained parcel.

Settlement Area Commercial Development Policies

The subject lands are located in Harrowsmith, which is a designated Settlement Area. The Provincial Policy Statement 2020 has policies that promote healthy, integrated and viable rural areas that are supported by accommodating an appropriate range of housing and promoting opportunities for a varied and balanced industrial/commercial base in the rural settlement areas. Therefore, accordingly, the intent for the Settlement Areas is to provide an opportunity for a balanced industrial/commercial development.

The County of Frontenac Official Plan and the Township of South Frontenac Official Plan intend for a majority of new growth, including commercial development to be directed to existing settlement areas where it can be supported by appropriate servicing. The policies indicate that rural settlement areas, such as Harrowsmith, must be the focus of growth and development.

The Settlement Area Commercial Development Policies in Section 5.6.3 of the Official Plan state that commercial uses should be located on major roads, that the commercial use will not create a traffic hazard and that its impact onto the residential area will be minimal.

The severed parcel fronts onto an established maintained public road, within a 60 kilometre per hour zone. Road 38 (former County Road) is located approximately 300 metres to the west of the subject property. The proposed severance is not anticipated to result in any traffic hazards due to sightlines. Public Services determined that an entrance can be obtained with appropriate sight lines on Harrowsmith Road. The retained parcel has a suitable existing entrance. The potential impacts of traffic changes caused by the proposed development on municipal roads is dependent on how the parcels will be utilized and would need to be assessed as part of future site plan control applications for both the severed and retained lands.

Section 5.6.3 (ii)(b) states that commercial development shall occur on lots of appropriate size, generally being 0.8 hectares (2 acres) or larger and of sufficient size to be supported by private water and sanitary sewage disposal system. The land division policies (section 7.1) echo the requirement for minimum lot areas and servicing. Section 7.1 also includes a requirement for minimum road frontage of 76 metres.

Private wells and sewage systems are the only servicing option in Harrowsmith. Building Services was satisfied that the severed parcel has flexibility to locate a sewage disposal system. The ability for the severed parcel to be serviced by a private well will need to be demonstrated as a condition of consent approval.

The severed parcel complies with the minimum lot area requirements of the Official Plan and Zoning By-law. Minimum road frontages are required to ensure a development pattern that is reasonably consistent in nature, and to help ensure a reasonable separation between residential uses. The severed parcel complies with the minimum road frontage of 76 metres. Taking into consideration the zoning setbacks and the 30 metre setback from the wetland for all development, the severed parcel has a building envelope of approximately 1 acre in size. Similarly, the retained parcel has a building envelope of 0.5 acres. The type of commercial use that can be established on the severed and retained parcels is limited to what is permitted in the site specific zone on the subject property and will be restricted by the building envelope available on the property. The way the parcels will be used will be determined through site plan control.

Section 5.6.3 (ii)(c) and (d) require that there be sufficient off-street parking and that adequate buffering be provided between adjacent land uses and roadways. The undevelopable portion of the land (wetland) will separate the commercial use from other residential uses to the east. The 30 metre wetland setback will provide a buffer between the EP zone and any buildings and structures associated with a commercial use. Furthermore, the subject property is required to go through site plan control which will require the implementation of the recommendations as outlined in the Environmental Site Evaluation. They include a establishing a shoreline buffer along the edge of the wetland to provide a further buffer between the EP zone and the commercial use.

The Environmental consultant confirmed that all development including buildings and the sewage system need to be setback a minimum distance of 30 metres from the wetland. The consultant also acknowledged that much of the site is already paved and parking may occur in these areas, however no extension of the paving should be supported and the improvements to the area adjacent to the wetland is highly encouraged. Parking requirements may also limit the type of commercial use that can be established on the property and would be further evaluated through site plan control.

Commercial properties that abut residential uses are required to have a minimum interior side yard setback of 5 metres to provide a buffer from surrounding land uses. This yard must include buffering such as landscaping, fencing and/or berming. The requirement for buffering would be implemented through site plan control. Site plan control will be required when the parcels are proposed to be developed.

Zoning and Site Plan Control

The subject property is currently zoned UC-26 and EP. The UC-26 zone permits a wide range of uses. Members of the public provided comments on the application and expressed concerns that the property is being used as a wrecking yard, which is not a permitted use in the UC-26 zone. The applicant has been working to clean up the property. It is the

understanding of Township Staff and it is indicated on the application that the property is currently being used as an automobile sales agency.

The UC-26 zone also requires that a site plan agreement be entered into and registered on title of the property prior to any development of the land. Any potential impacts on abutting residential land uses and the suitability for the intended commercial uses of the parcel will be addressed through the site plan control process. Additional studies will need to be submitted in support of any site plan control application, depending on the proposed development. For example, a traffic impact study, a hydrogeological assessment or a water supply assessment, and an environmental impact study.

The site plan agreement will specify the locations of all buildings and structures, entrances and improvements to the public road including providing adequate parking as well as any buffering and landscaping measures between adjacent land uses and roadways. It would also implement the recommendations of the Environmental Site Evaluation report (Ecological Services, November 11, 2021) that was prepared in support of the consent application.

Summary

The application as presented meets the intent and purpose of all applicable policy related to commercial lot creation in the settlement area. Further details on how the site will be used and developed will be required at the site plan control stage, as required by the site specific zoning on the property and Site Plan Control By-law 2003-25.

This application is being considered by the Committee of Adjustment because Township Staff have not been able to resolve public comments and the public requested an opportunity to speak directly to the application. Concerns that were not able to be resolved include buffering and site contamination as well as how the site will be used.

Notice/Consultation

Notice of the Application was given pursuant to the requirements of the Planning Act, at least 14 days before the applications were reviewed. This included notice given:

- by mail to every owner of land within 60 metres of the subject lands
- by posting notice signs on the subject lands
- by posting on the Township's Current Planning Application webpage
- by e-mail to prescribed persons and public bodies

The application was re-circulated with a notice of public meeting.

Recommendation

It is recommended that application S-90-21-P be approved for consent for the creation of one new rural residential lot located at Part Lot 6, Lot D in Block B, Concession 5, Being Part 1 on Plan 13R14285, District of Portland, subject to the following conditions.

Expiry Period

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

Severed Lands

2. The lands to be severed by Consent Application S-90-21-P shall be for the creation of one new commercial lot a minimum of 0.8 hectares (2 acres) of land with a minimum of 76 metres (250 feet) of road frontage on Harrowsmith Road.

Survey/Reference Plan or Registerable Description

3. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], the deed or instrument conveying the severed lands, and the Certificate of Official shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of two years [Planning Act, s. 53(41)] after the date that "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].
4. The surveyor or applicant shall submit the draft Reference Plan, including an area calculation and noting frontage along the road, electronically or in paper form for review and approval by planning staff prior to depositing the Reference Plan with the Land Registry Office.

Road Widening

5. The surveyor who prepares the reference plan referred to in Conditions #3 and #4 shall also determine by survey the width of Harrowsmith Road to be 30 metres (98.4 feet). If such width is less than 30 metres (98.4 feet), the owner shall dedicate to the Township land along the frontage of the severed lands as the case may be in the following manner:
 - a. The land to be dedicated shall be the width required to provide 15 metres (49.2 feet) from the centre of the existing travelled road for Harrowsmith Road;
 - b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the issuance of the Certificate of Official;
 - c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

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

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

Municipal Requirements

- 6. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. This includes all taxes levied as of the date of the issuance of the Certificate of Official.
- 7. The Township of South Frontenac shall receive 2% of the value of the parcel to be severed through Consent Application S-90-21-P, in lieu of parkland [Planning Act, s. 51(1)].
- 8. The Owner shall submit a well driller's report demonstrating a potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test for the parcel severed through Consent Application S-90-21-P.
- 9. In the event that there are abandoned wells located on the severed parcel or the retained property, they shall be sealed in accordance with the requirements of the Ministry of the Environment, Conservation and Parks and that this work shall be accomplished prior to the issuance of the Certificate of Official.

Zoning

- 10. Where a violation of Zoning By-law No. 2003-75 is evident, the appropriate minor variance or rezoning be obtained to the satisfaction of the Municipality.

Report Prepared By:

Anne (Anna) Geladi, Planner

Reviewed By:

Christine Woods, MCIP RPP, Senior Planner



Application Requirements

The following items must be submitted with your application. Any application which does not include the below required information may not be accepted or will not be considered complete.

1. A pre-consultation meeting is a requirement prior to submission of the application. *Held Jan. 19, 2022
Virtual - No Fee*

Pre-consultation meeting fee	\$105.00
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2. One hard copy of this completed application form signed and commissioned.
3. A Sketch of your proposal (see Question 25 for details on what to include). The sketch must be drawn with accurate dimensions and measurements. It is recommended that you take your time to carefully assemble the data and create the sketch. You may wish to secure the assistance of a person who specializes in the drafting of sketches.
4. The applicable **non-refundable** application fee, payable to the Township of South Frontenac:

Application Type:	Planning Fee:	Building Fee:	TOTAL:
Consent Application	\$927.00	\$97.00	\$1,024.00
Change of conditions	\$209.00	Nil	\$209.00
Change of conditions requiring re-circulation	\$365.00	\$97.00	\$462.00

5. Agency Review Fees (as applicable). A separate **cheque**, payable to the applicable Conservation Authority, is to be submitted to the Township with the completed application. The on-site sewage disposal review fee may be included in the payment of the application fee to the Township.

Agency:	TOTAL:
Township of South Frontenac onsite sewage disposal review (per new lot)	\$515
Cataraqui Conservation (per new lot or lot addition)	\$425
Quinte Conservation (per new lot or lot addition)	\$358
Rideau Valley Conservation Authority (per new lot or lot addition)	\$490

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

6. Required studies & Supporting Information identified at pre-consultation (if applicable)
7. Deed or transfer, or authorization for Township Staff to acquire title documents (if applicable)

TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION

Collection of Personal Information:

Personal information requested on the application form is required under the *Planning Act*. This information will be used by the Township for the purpose of reviewing the application. It 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 613-376-3027 ext. 2224).

What is considered when reviewing an application?

In considering an application, the decision making approval authority, shall have regard, among other matters, to the health, safety, convenience and welfare of the present and future inhabitants of the municipality and to:

- The effect of development on matters of provincial interest as referred to in Section 2 of the Planning Act.
- Whether the proposed severed lot is premature or in the public interest.
- Whether the consent conforms to the intent of the Official Plan and adjacent plans of subdivision (if any)
- The suitability of the land for the purposes for which it is being severed
- If affordable housing units are being proposed, the suitability of the proposed units for affordable housing
- The number, width, location and proposed grades and elevations of roadways and their adequacy in relation to any proposed roadway linking the proposed severed area with the established roadway system.
- The dimensions and shape of the proposed lot.
- Any restrictions on the subject land (or on the buildings and structures to be erected on it) and any restrictions on abutting lands.
- Conservation of natural resources and flood control.
- The adequacy of utilities and municipal services.
- The adequacy of schools.
- The area of land, if any, exclusive of roadways, that is to be conveyed or dedicated for public purposes (such as for parks).
- The physical configuration of the new lot having regard to energy conservation.
- Site Plan Control
- County of Frontenac Official Plan
- Township of South Frontenac Official Plan
- Township of South Frontenac Zoning By-Law
- Provincial Policy Statement

TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION

For Office Use Only

Date Received: _____ File Number: _____

1. Name of Owner(s): Michael Gordon Mancino

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, be provided below.

Name of Authorized Applicant/Agent: Chris Clarke, ZanderPlan Inc.

Full Mailing Address of Authorized Applicant/Agent: [Redacted]

Phone number of Authorized Applicant/Agent: [Redacted]

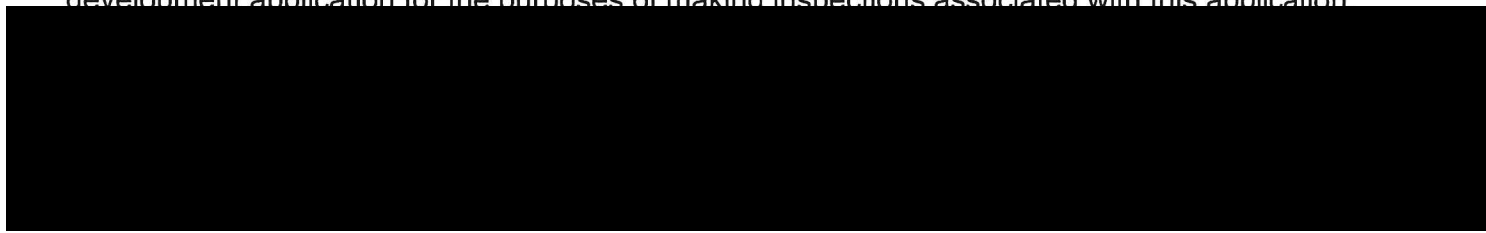
Email Address of Authorized Applicant/Agent: [Redacted]

Agent as named above is hereby authorized to act on behalf of the owners for purposes of processing this application (please fill out the last page)

Signature: [Redacted]

Communications are to be sent to: Owner(s) Agent

3. Permission to Enter Subject Lands: Permission is hereby granted to the relevant staff, committee members, and necessary commenting agencies to enter the premises (subject lands) subject to this development application for the purposes of making inspections associated with this application



TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION

4. Have you consulted with Township Planning Staff regarding this application?

Yes No

Date Fee Paid: Virtual - No fee required

Name of Planner: Anna Geladi

Date of Meeting: January 19, 2022

5. The description of the subject land:

District: Bedford Portland Loughborough Storrington

Civic Address: Westport Road (No Civic Number assigned)

Concession Number: 11 Lot Number: Part Lot 20

Reference Plan Number: 13R-20005 Part Number(s): 6

Roll Number: 1029-010-010-21415

Property Identification Number (PIN): 36240-0918

6. Indicate the frontage(s), depth and area of the subject land. The subject land is the whole property prior to any changes. Please indicate the name of the road/lane and waterbody (if applicable).

Frontage on water (m): N/A Frontage on road/lane (m): 371.3m (Westport Road)

Name of Waterbody: N/A Name of Road/Lane: Westport Road

Depth(m): Max Depth 107.4m Area(acres/ha): 5.31ac

7. Select the type of consent being applied for:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Creation of a New Lot | <input type="checkbox"/> Correction of Title |
| <input type="checkbox"/> Easement (right of way) | <input type="checkbox"/> Lease |
| <input type="checkbox"/> Lot Addition | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Charge/Discharge of Mortgage | |

8. Please provide a brief description of your application. Indicate the reason why you are applying for a consent.

To sever two lots concurrently from the property measuring 1.74 acres and 1.77 acres respectively and retaining

1.80 acres of land. The property owner is looking to create some building lots to support new residential uses.

TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION

9. Create a NEW LOT – Complete this section ONLY if you are applying to create a new lot.

The following information is regarding the land intended to be severed (created) and the land to be retained.

	Severed Lot (Proposed new lot):	Retained Lot:
Frontage on Road/Lane (m):	144.0m	151.3m
Name of Road/Lane:	Westport Road	Westport Road
Frontage on Water (m):	N/A	N/A
Name of Waterbody:	N/A	N/A
Depth (m):	92.9m	95.9m
Acres (acres or ha):	0.7033ha (1.74ac)	0.7285ha (1.80ac)

Please list the existing and proposed **USES** and **STRUCTURES**.

	Severed Lot (Proposed new lot):	Retained Lot:
Existing Use of Lot:	Vacant Land	Vacant Land
Existing Buildings/Structures:	None	None
Proposed Use of Lot:	Rural Residential	Rural Residential
Proposed Buildings/Structures:	None at this time	None at this time

TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION

10. LOT ADDITION – Complete this section ONLY if you are applying for a lot addition.

The following information is regarding the land intended to be severed (created) and the land to be retained.

	Proposed Lot Addition (Severed parcel):	Retained Lot:
Frontage on Road/Lane (m):		
Name of Road/Lane:		
Frontage on Water (m):		
Name of Waterbody:		
Depth (m):		
Acres (acres or ha):		

The following information is regarding the Benefitting Lands also known as the land being enlarged which are receiving the lot addition.

	Existing Benefitting Lot: (Before Lot Addition)	Enlarged Lot with added Land: (After Lot Addition)
Frontage on Road/Lane (m):		
Name of Road/Lane:		
Frontage on Water (m):		
Name of Waterbody:		
Depth (m):		
Acres (acres or ha):		

TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION

Please list the existing and proposed **USES and STRUCTURES**.

	Lot Addition:	Retained Lands:	Benefitting Lands:
Existing Use of Lot:			
Existing Buildings/Structures:			
Proposed Use of Lot:			
Proposed Buildings/Structures:			

11. EASEMENTS & RIGHT OF WAY – Complete this section if you ONLY are applying for an easement or a right-of-way

Length: _____ Depth: _____ Width: _____ Area: _____

Civic address of Benefitting lands: _____

Roll Number of Benefitting Lands: _____

Describe the purpose and effect of the easement and the property that will benefit:

12. Type of Servicing Proposed – WATER (Indicate the method by which water will be provided):

(NEW LOT) Severed Parcel

- Municipal water system
- Privately owned and operated well
- Lake water
- Other: _____

Retained Parcel

- Municipal water system
- Privately owned and operated well
- Lake water
- Other: _____

TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION

13. Type of Sewage Disposal System Proposed (How will sewage disposal system be provided?):

(NEW LOT) Severed Parcel

Retained Parcel

- | | |
|--|--|
| <input type="checkbox"/> Publicly owned and operated communal septic system | <input type="checkbox"/> Publicly owned and operated communal septic system |
| <input checked="" type="checkbox"/> Privately owned and operated individual septic system: | <input checked="" type="checkbox"/> Privately owned and operated individual septic system: |
| <input checked="" type="checkbox"/> Leaching Bed (Class 4) | <input checked="" type="checkbox"/> Leaching bed (Class 4) |
| <input type="checkbox"/> Holding Tank (Class 5) | <input type="checkbox"/> Holding Tank (Class 5) |
| <input type="checkbox"/> Greywater Pit (Class 2) | <input type="checkbox"/> Greywater Pit (Class 2) |
| <input type="checkbox"/> Privy/Outhouse (Class 1) | <input type="checkbox"/> Privy/Outhouse (Class 1) |

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

Michael Mancino

15. Are there any existing easements or restrictive covenants? Yes No Unknown
If Yes, please provide a description of each easement or covenant and its effect:

Easement not on subject property, easement over parts 2 and 4 on 13R-20005 in favour of others
Proposed new lot will not affect the current easement.

16. Are you aware of any abandoned wells on the subject property? Yes No

17. Name of road or lane which accesses:

The new lot (lot addition or Right of Way): Westport Road (Cty Rd 8)

The retained lot: Westport Road (Cty Rd 8)

Please indicate whether access to the land will be by:

- | | |
|--|--|
| <input type="checkbox"/> Provincial highway | <input type="checkbox"/> Lane |
| <input checked="" type="checkbox"/> Municipal Road - maintained year round | <input type="checkbox"/> A right of way |
| <input type="checkbox"/> Municipal Road - seasonally maintained | <input type="checkbox"/> Water (see next page) |

TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION

If access is by water only, describe the parking and docking facilities to be used and the approximate distance of these facilities from the subject land and the nearest public road. Parking and Docking for water access only properties **MUST** be legally deeded access. Please provide confirmation.

The New Lot: _____

The Retained Lot: _____

18. What is the zoning of the subject lands? (Check www.frontenacmaps.ca)

Rural (RU)

19. What is the current Official Plan Designation of the subject lands?

Rural

20. Please describe how the application conforms with the Township Official Plan & County Official Plan by **citing specific applicable** sections and sub sections. Please make sure to look at Sections 5 and 7 in the Township Official Plan and Section 3 in the County Official Plan. If you are unsure, please indicate that you do not know.

A registry office search showed the property is eligible for up to three severances, the two proposed lots would be permitted under 5.7.4.ii.c. The lots have complying frontage per the zoning by-law (76m) but all are slightly undersized below 0.8ha.

5.7.4.ii.a of the OP allows the municipality to consider frontage and area reductions if the overall intent is maintained. Though slightly smaller there are no mapped constraints resulting in sufficient building area to support development at the required zoning setbacks.

21. Is the application consistent with the 2020 *Provincial Policy Statement*?

Yes No Unknown

Please explain:

The PPS 2020 allows for limited residential development on rural lands and in rural areas through new lot creation.

The new lots would add to the range and mix of available residential building lots and would support new housing

per 1.4 of the PPS. Development will be directed away from natural heritage features and will not impact resources

such as minerals, aggregate, or agricultural activities.

TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION

22. Has the subject land ever been, or is currently, the subject of an application for approval of a plan of subdivision under section 51 of the *Planning Act*, for a consent under section 53 of the *Planning Act*, for a minor variance, for approval of a site plan, or for an amendment to an official plan, an amendment to the zoning by-law or a Minister's zoning order? Complete all applicable

<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown			
Application Type	Application Number	Date of Application	Decision
<input type="checkbox"/> Plan of Subdivision			
<input type="checkbox"/> Consent			
<input type="checkbox"/> Minor Variance			
<input type="checkbox"/> Site Plan Approval			
<input type="checkbox"/> Official Plan Amendment			
<input type="checkbox"/> Zoning By-law Amendment			
<input type="checkbox"/> Minister's Zoning Order			

23. Has land been previously severed from the subject property, since September 5, 2000? If yes, please provide date of transfer; name of transferee and uses of the land.

Yes _____

No

24. Did the current owner acquire the subject land as a result of a consent? Yes No

25. A SKETCH must be submitted. For more information on what the sketch needs to show, please see "A guide to completing your consent application form". If your application is approved and then the required survey shows different frontages, area and location than was submitted, a new consent may be required including submission of a new application and fees.**

Please note that the sketch must include the same metric as on the application, switching between meters and feet will not be acceptable unless both are shown.

The sketch must include the following:

TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION

- A directional arrow with North at the top of the page.
- The boundaries and dimensions of the whole property. LABEL the part that is to be severed and the part that is to be retained, including the total area (acres or hectares), road frontages on all roads/lanes for each and waterbodies.
- Indicate if the owner of the subject property also owns other lands near the proposal.
- The distance between the subject land and the nearest road, bridge or railway crossing
- The location of all land previously severed from the parcel (if applicable) originally acquired by the current owner of the subject land.
- All natural and artificial features that are located on the subject property and on land beside the subject property. Please label and show the approximate location of:
 - a. Existing Buildings, wells and septic systems, bridges, railways, roads, hydro lines
 - b. Waterbodies, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas
 - c. Landfills, propane facility, quarry's and pits
 - d. Barns

Note: The existence of a nearby barn will require you to complete a Minimum Distance Separation Calculation in order to consider compatibility issues. Please check with the Planning Department regarding the implications of any farm structure, on your application.

- Please include any information on natural and artificial features (as listed above) that in the applicant's opinion may affect the application
- Please indicate the current uses of land that is surrounding the property, such as residential, agricultural and commercial uses (if agricultural, please indicate the approximate distance of any barn structure from the proposed new lot).
- The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way.
- If access to the subject land is by water only, please show the location of the parking and boat docking facilities to be used, and the title documents to demonstrate legal deeded use of these facilities
- The location and nature of any easement affecting the subject land.
- The location of any abandoned wells on the property

TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION

PERMISSION, ACKNOWLEDGEMENT, AGREEMENT AND DECLARATION OF APPLICATION

I/ We, the undersigned, being the registered property owner(s) and/or agent acting on behalf of the owner agree that the information recorded in this Consent Application Form is accurate and agrees that representatives of the Township and relevant commenting agencies may enter onto the subject property for the purpose of determining the appropriateness of the site for the proposed development.

ACKNOWLEDGEMENT OF ADDITIONAL REQUIREMENTS

I/ We, the undersigned, being the registered property owner(s) and/or agent acting on behalf of the owner, acknowledge that additional studies and/or peer review and/or legal review may be required by the Township as a part of the review of my/our application. Should the need arise, I/we are responsible for completing the studies as requested in order for the application to be deemed complete.

Attached to this application is payment to the Township of South Frontenac in the correct amount representing payment of the application fee, and additional payment (or proof of payment) for any required commenting agency review fees.

AGREEMENT TO INDEMNIFY

The applicant hereby agrees to indemnify and save harmless The Corporation of the Township of South Frontenac ("the Municipality") from all costs and expenses that the Municipality may incur in connection with the processing of the applicant's application for approval under the *Planning Act*.

Without limiting the foregoing, such costs will include all legal, engineering, planning, and consulting fees and charges incurred or payable by the Municipality to process the application together with all costs and expenses arising from or incurred in connection with the Municipality being required, or requested by the applicant, to appear at the hearing of any appeal to the Ontario Land Tribunal from any decision of the Council, Delegated Decision of Council, or Committee of Adjustments, of their designated approval authority, as the case may be, hearing the applicant's application.

The Owner/Applicant further agrees to provide the Municipality, upon request and in cases where an application has been appealed to the Ontario Land Tribunal, 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 to prepare for and participate in the hearing. 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 applicant/owner acknowledges and agrees that if any amount owing to the Municipality in respect of the application is not paid when due, the Municipality will not appear before the Ontario Land Tribunal in connection with the application until the invoice has been paid in full.

TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION

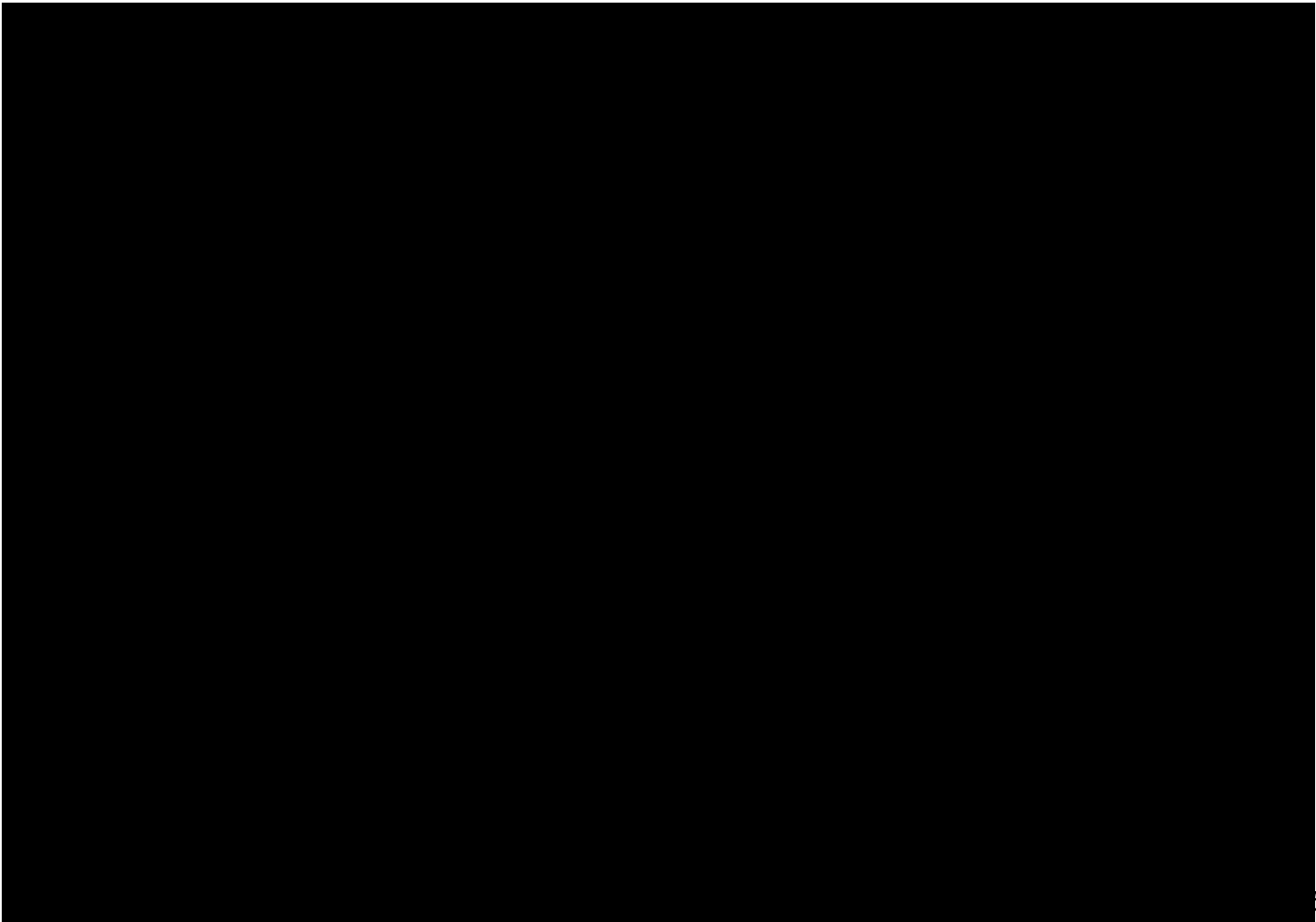
DECLARATION FOR THE PRESCRIBED INFORMATION

Note: Do not sign until in the presence of the Commissioner of Oaths. You will be required to provide photo identification (i.e. driver's license).

I/We, MICHAEL MARCINO,
(Name of Owner / Agent)

of LANA O LAKES FLORIAN
(Municipality, Town, City name)

do solemnly declare that the information contained in this application is true and that the information contained in the documents that accompany this application is true, and acknowledge that personal information and all other material collected on this form and provided to the municipality as part of this application, including all names, addresses, opinions and comments, is collected under the authority of the *Planning Act*, R.S.O. 1990, as amended, will be used to assist in making a decision on this matter and will be made available for public disclosure. I/We are aware the information collected in this Application will be provided in the applicable Agenda and posted on the Township's website.



Mancino Severance Sketch

Gardner Lane / Westport Road

Part 6, 13R-20005

Part Lot 20, Concession 11

Geographic Township of Bedford






Township of South Frontenac

COUNTY OF FRONTENAC

Key Map
N.T.S.



Legend

-  Existing Easement
-  Local Wetlands
-  Watercourse
-  Overhead Wires
-  Utility Poles

Notes:

1. Parts 4 & 5 on Plan 13R-20005 represent a former road. Part 4 comprises part of an easement for access, Part 5 is no longer travelled. These parts were not included in the severances because the road was not historically closed resulting in current title issues.
2. Boundary and dimensions of the subject property derived from Plan 13R-20005 completed by George Bracken Ltd. in October of 2010.
3. Location of the local wetlands and watercourse derived from the Rideau Valley Conservation Authority GIS mapping.

Version Date: January 25, 2022

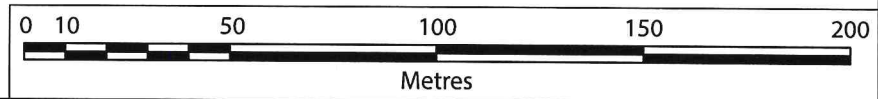
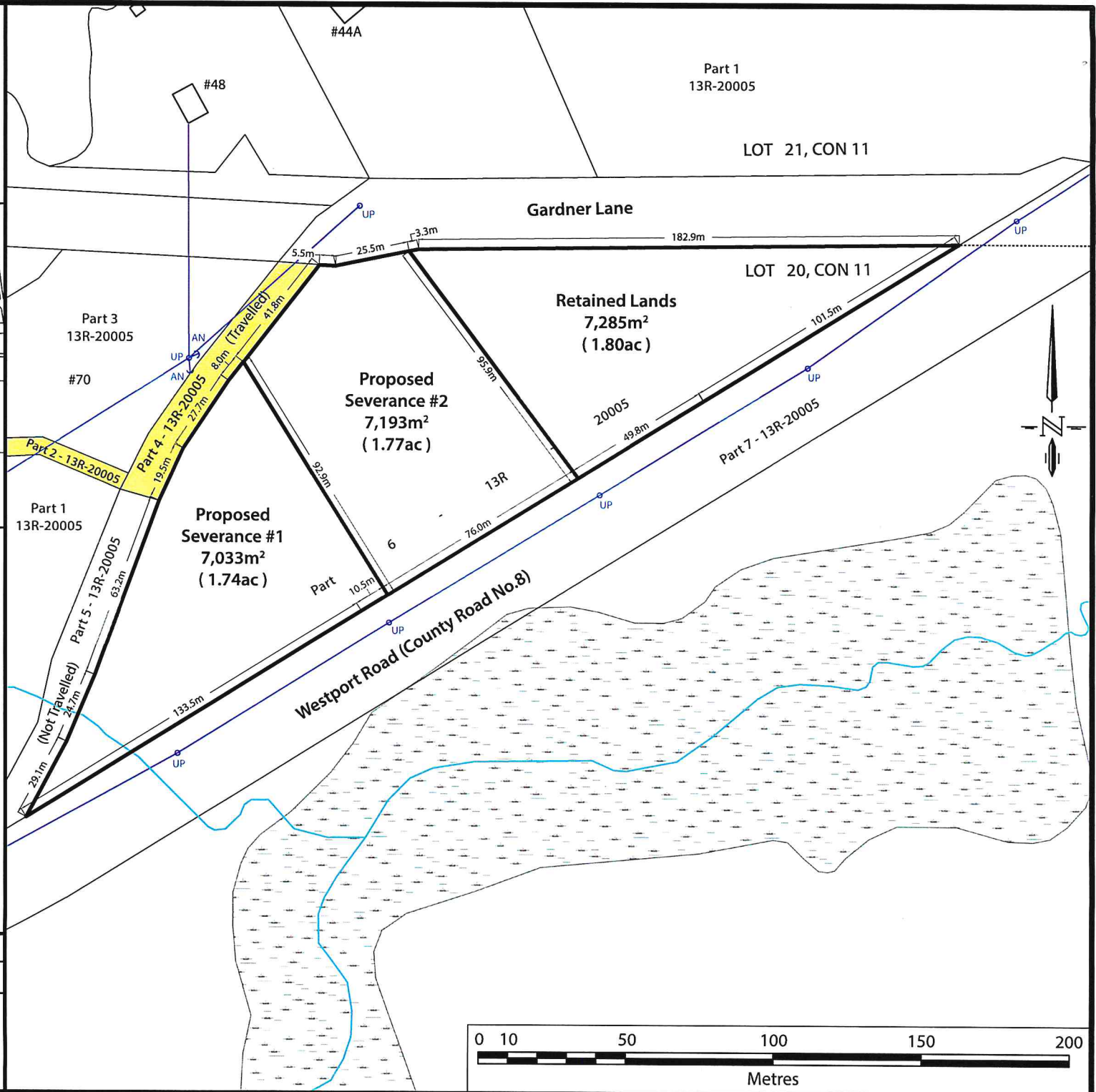
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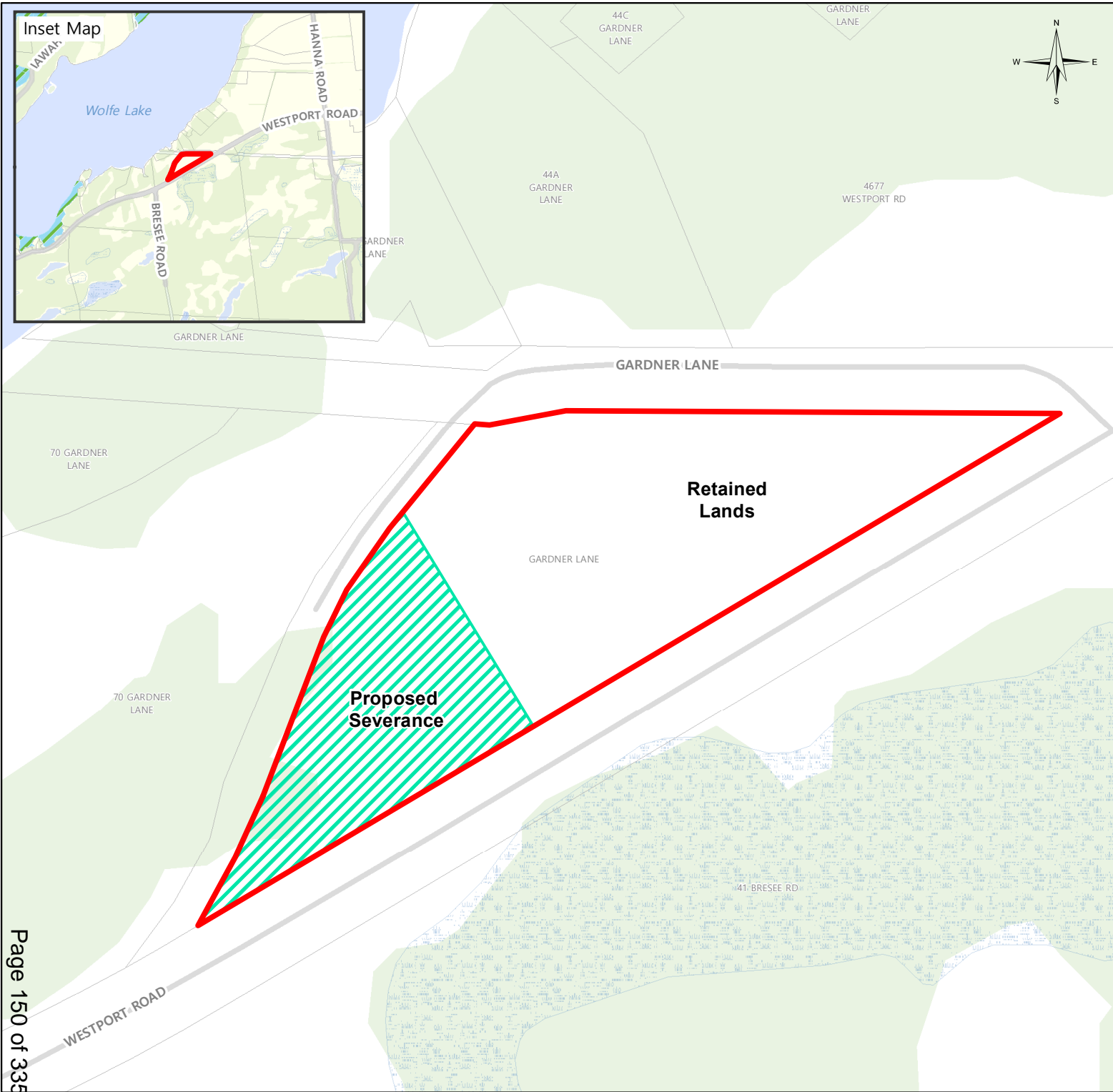
Drawn By: CC

ZANDERPLAN

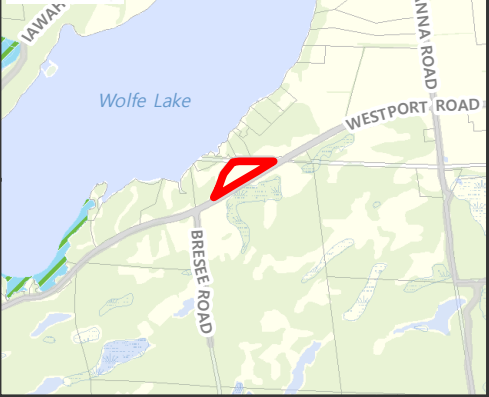
Your rural land planning experts

4901-33rd Street, Sunset Boulevard, Perth, ON K7H 2Y4 613-264-9600





Inset Map



SOUTH FRONTENAC

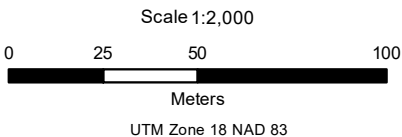
**PL-BDJ-2022-0022
(MANCINO)
(ZANDERPLAN INC.)
WESTPORT ROAD**

Legend

- Subject Property
- Proposed Severance
- Road
- Railway
- Assessment Parcel
- Provincially Significant Wetlands
- Wetland
- Wooded Area
- Water
- Township Boundary

Produced by the Township of South Frontenac under license with the Ontario Ministry of Natural Resources © Queen's Printer for Ontario, 2020.

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.



Report from Public Services

Application Number: PL-BDJ-2022-0022

Applicant's Name: Michael Mancino

Concession: 11 **Lot:** 20 **District:** Bedford

Road: Westport Road

Road Maintenance: Year-round Seasonal

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

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

Road Conditions:

1. Are there any special drainage/ditching concerns related to creation of new lot(s)?
Yes No

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

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

Yes No

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

Road Widening Required?

Yes No To be determined by an Ontario Land Surveyor

Any specific requirement?

Arterial Road - Ensure that there is a 30m (100ft road allowance) otherwise applicant to dedicate any shortfall of 15m from centerline.

Approved by the Public Services?

Yes Yes, with conditions No

If yes, with conditions, please describe conditions below.

1) Retained Lot has sufficient frontage to enable the development of a safe access onto the roadway.



Signature on behalf of Public Services

2022-04-08

Date



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

March 30, 2022
22-SFR-SEV-0014/ 22-SFR-SEV-0015 (Bedford)

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

Attention: Anna Gelaldi

Subject: **Mancino, Michael Gordon**; Application for Consent
PL-BDJ-2022-0022 & PL-BDJ-2022-0023 – Westport Rd & Gardner Ln, Lot 20,
Concession 11; Geographic Township of Bedford, Now the Township of South
Frontenac; Roll Number: 10290100102141500000

Dear Ms. Geladi

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

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

The Proposal

The RVCA understands these consent applications are for the creation of two new lots for residential use. The proposed parcel to be severed is approximately 2.15 ha (5.31 acres) with 373 m of frontage on Westport Rd. The two lots proposed by the subject applications are as follows:

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

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

- PL-BDJ-2022-0022 the creation of a 0.70 ha lot with 144 m of frontage on Westport Rd
- PL-BDJ-2022-0023 the creation of a 0.72 ha lot with 76 m of frontage on Westport Rd

Should both applications be approved the proposed retained lands would be 0.73 ha with 151.3 m of frontage on Westport Rd.

The Property

The subject property is an irregular shaped 2.15 ha parcel of land bordered to the north by Gardener Lane and the south by Westport Rd. The lot is vacant and appears to have been cleared for agricultural use. The perimeter of the lot is bordered by mature trees and a watercourse runs through a small portion of the lot's southwest corner. This watercourse flows west approximately 285 m before it empties into Wolfe Lake. A review of the desktop mapping products indicates the lot overlies a highly vulnerable aquifer. Our records do not reveal the presence of wetlands, marine clays, steep slopes, or organic soils.

Review Comments

Provincial Policy Statement

Regarding Section 2.1, and 3.1 of the PPS our office has no concerns.

With respect to section 2.2 our office has provided some comments to mitigate any impacts.

Ontario Regulation 174/06

The proposed and retained lands are not within an area regulated by RVCA, as a result written permission from our office is not required with respect to development and site alteration.

Please note that any proposed alterations to watercourses or waterbody, including but not limited to, culvert installation, bridge crossings, diverting, dredging, realigning, stabilizing, requires the prior written permission of the RVCA in accordance with Ontario Regulation 174/06 "Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".

Wolfe Lake Catchment Report

The catchment report has limited information that pertains directly to this site. As noted, the watercourse on the subject property does flow directly into Wolfe Lake. The 2014 Catchment reported water quality in Wolfe Lake as "Fair", this rating indicates that water quality is generally protected and that sometimes conditions depart from natural or desirable levels. Few nutrient exceedances, occasional periods of limited fish habitat conditions in late summer, and generally clear water contributed to the rating. The catchment report highlights that importance of protecting the riparian buffer along all shorelines including watercourses during the development approvals process through adherence to and enforcement of municipal land-use policies and zoning standards.

Mississippi Rideau Source Water Protection Plan

This property has been identified as overlying a highly vulnerable aquifer as stated in the catchment report and indicated in the Mississippi-Rideau Source Water Protection Plan. These are aquifers that are vulnerable to surface contaminants due to thin or absent soils overlying bedrock that may be fractured.

Where these conditions exist, it may be possible for contaminants to enter drinking ground water supplies. For this reason, care should be taken to avoid land uses and practices that may inadvertently lead to undesirable effects on groundwater. For this reason, care should be taken to avoid land uses and practices that may inadvertently lead to undesirable effects on groundwater. Some best practices that could be considered include:

- increased well casing depths;
- increased distance of septic systems from drinking water wells;
- ensuring wells are located upgradient of septic sewage disposal systems
- ensuring that wells and septic systems are properly maintained,
- avoiding use of pesticides, herbicides and fertilizers.

Discussion

The two proposed lots and retained lands are slightly less than the 0.8 ha required within the Rural zone. Our office does not typically support the creation of undersized lot due to concerns with maintaining setbacks from natural heritage features and hazards, and to ensure development occurs within zone regulations. It is encouraged that that the proposed lots be reduced to one new lot to allow the minimum lot size to be met.

However, it is noted that the Township's Official Plan does provide some flexibility regarding lot size and/or frontage within policies for the rural residential designation:

“...The municipality may consider reductions to the minimum lot size and frontage requirements provided the overall intent of the Plan is maintained “(Section 5.7.4 (ii) a)

This is preceded by the statement that:

“Subdivisions and severances to permit new residential uses shall be appropriately separated from incompatible agricultural areas, existing and proposed waste disposal, mineral extraction site and resource areas, natural heritage features and areas and natural hazards.” (Section 5.7.4)

Though a watercourse is present on the proposed lot 1 (PL-BDJ-2022-0022) there is adequate room for future development to occur outside the 30 m setback from this feature as required by the zoning by-law. Maintaining and enhancing native vegetation within this setback is important to mitigate any impacts from development. No additional natural hazard or heritage features were identified. The lot's location adjacent to Gardner Lane and Westport Rd has also been

considered as the lot is largely bordered by road and there is limited connectivity to natural heritage features. Though our office would encourage all applications to meet the minimum lot size there does not appear to be any constraints that prevents these proposed severances from meeting the intent of the Official Plan. If the proposed severances should be permitted the Township should be satisfied that any future development can occur within the regulations prescribed in section 7.3.2 of the Zoning By-law. Lastly, we would encourage opportunities to maintain and improve tree and vegetation cover on the property to be considered, this would provide benefits such as wildlife habitat, promote infiltration of runoff, prevent erosion, create windbreaks, etc.

Recommendations

Should the Committee approve the subject applications, the RVCA would of have the following recommendations for conditions on any decision for the proposed lots:

- A native shoreline buffer should be retained or enhanced within the 30 m setback of the watercourse
- Any future construction will need to be setback a minimum of 30 m from the top of bank of any watercourse or waterbody.

Also, should the Committee decide to approve this application, we respectfully request that our comments about highly vulnerable aquifers, Ontario Regulation 174/06 and vegetation cover be noted on the Committee's decision.

Conclusions

In conclusion our office has no objection to the subject application.

Thank you for the opportunity to comment and please do not hesitate to contact the undersigned at (613) 692-3571 x1109 should you have any questions.

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

Yours truly,



Sarah MacLeod-Neilson
Planner

cc – Michael Mancino, owner
cc – Chris Clarke, agent

To: Committee of Adjustment
Prepared by: Development Services Department
Meeting Date: June 9, 2022
Subject: **Consent Applications PL-BDJ-2022-0022 and PL-BDJ-2022-0023 (Mancino)(ZanderPlan Inc.)**

Executive Summary

These applications are for the creation of two new rural residential lots.

These applications cannot be considered by the Director of Development Services because they do not meet all the By-law criteria since the severed parcels and the retained parcel would have less than the required minimum lot area. This report recommends deferral so the applicant can revisit the proposal.

Recommendation

This report recommends that the Committee of Adjustment defer making decisions on the subject applications to provide the applicant an opportunity to consider amending their applications to propose severed and retained parcels that would comply with the minimum lot area required by the Official Plan and Zoning By-law 2003-75.

Application Details

Proposal: Creation of two new rural residential lots

Location: Between Westport Road and Gardner Lane

Assessment Roll Number: 102901001021415

Designation: The subject property is designated Rural and zoned Rural.

Proposed Lot Configurations

	Severed Parcel 1 PL-BDJ-2022-0022	Severed Parcel 2 PL-BDJ-2022-0023	Retained Parcel
Area	0.7 hectares (1.74 acres)	0.7 hectares (1.77 acres)	0.7 hectares (1.8 acres)
Frontage on Road	144 metres (472 feet) on Westport Road	76 metres (250 feet) on Westport Road	151 metres (495 feet) on Westport Road
Frontage on Water	None	None	None

Related Applications

The subject property is not subject to any other Planning Act applications at this time.

Discussion/Analysis

These applications propose to create two new residential lots and one retained lot.

Site Description

The subject property is located on the north side of Westport Road and to the south of Gardner Lane. A portion of Gardner Lane is located on an un-opened road allowance that leads from Westport Road to Wolfe Lake.

The subject property is triangular shaped and has a total area of 2.15 hectares (5.32 acres). The property is vacant and consists of farmland. There are mature trees along the property line that abuts Westport Road as well as along Gardner Lane. There is a watercourse that runs through the edge of the property in the south-west corner.

There is existing residential development along Gardner Lane surrounding the subject property.

Proposal

The purpose of these consent applications is to create two new residential lots.

Lot 1 would be 0.7 hectares (1.72 acres) of land and would have approximately 144 metres of frontage on Westport Road. It would be located on the westerly side of the subject property.

Lot 2 would be 0.72 hectares (1.7 acres) of land and would have approximately 76 metres of frontage on Westport Road. It would be located in the middle of the subject property, between Lot 1 and the retained parcel.

The retained parcel would be 0.73 hectares (1.8 acres) of land and would have 95.9 metres of frontage on Westport Road. It would be located on the easterly side of the subject property.

Department and Agency Comments

Public Services – Comments received from Public Services on April 8, 2022 indicate that there are adequate sight lines and frontage for an entrance for both severed parcels and the retained parcel. It was noted in the comments provided that the overall road condition is adequate to serve increased development/traffic. Staff noted that road widening would be required. Westport Road is an arterial road therefore the surveyor who prepares the reference plan would need to determine by survey the width of the public road to be 30 metres (100 feet).

Public Services Staff also noted that the existing field entrance would need to be decommissioned and removed.

Public Services has no objection to the approval of the application, subject to conditions.

Building Services (Sewage System Review) provided comments on May 25, 2022 indicating that the proposed severed parcels can provide flexibility in siting a sewage disposal system, specific requirements for the sewage system would need to be addressed prior to site development. Staff provided comments specifically for Lot 1 indicating that a more suitable location for the installation of a sewage system at a higher elevation is recommended to prevent unnecessary saturation of the sewage system by water run-off.

Building Services noted that the retained parcel contains an existing sewage system. The applicant indicated that they have a septic permit for the sewage system on the retained parcel. Building Services noted that if the applicant wants to use this sewage system, a copy of the permit would need to be provided to the Township.

The applicants wanted to be sure that a sewage system could be placed on the retained parcel regardless of the existing sewage system. The applicant was not sure what the existing sewage system could support. Therefore, in light of this, the applicant dug test holes on the retained parcel to demonstrate that the retained parcel has appropriate conditions for a sewage system. Building Services noted that the retained parcel can provide flexibility in siting a sewage disposal system, specific requirements for the sewage system would need to be addressed prior to site development.

They have no objection to the approval of the application.

Rideau Valley Conservation Authority provided comments on March 30, 2022. RVCA Staff are satisfied that the application is consistent with section 2.1 (Natural Heritage) and 2.2 (Water) of the PPS.

RVCA Staff identify that the property overlies a highly vulnerable aquifer that is susceptible to contamination, which could impact drinking water supply. They recommend best practices to mitigate undesirable effects on groundwater. They also indicate that they typically do not support the creation of undersized lots (less than 0.8 hectares) due to concerns with maintaining setbacks from natural heritage features and hazards and to ensure development occurs within zone regulations. They encourage reducing the proposed lot creation to one new lot, instead of two, to allow the minimum lot size to be met.

However, RVCA notes that there is adequate room for future development to occur outside the 30 metre setback from the watercourse present on Lot 1. RVCA staff provide two recommendations should the lots be approved:

- 1) A native shoreline buffer be retained or enhanced within the 30 metre setback of the watercourse
- 2) Any future construction would need to be setback a minimum of 30 metres from the top of bank of any watercourse

They have no objections to the approval of the application.

RVCA Staff indicate that the severed and retained parcels are not within a regulated area by RVCA and no written permission is required from their office with respect to development and site alteration. Any alterations to the watercourse including culvert installation will require written permission from RVCA.

Public Comments

No comments have been received from the public.

Planning Analysis

The Provincial Policy Statement 2020 and the County of Frontenac Official Plan (Section 3.3) permit residential development, that is locally appropriate, in rural areas. The subject lands are designated Rural in the Township of South Frontenac Official Plan.

A review of the Rural Lot Creation Policies in Section 5.7.4 of the Official Plan confirms that the subject property is eligible for the proposed consents as it has not exceeded the maximum number of severances permitted from a lot of record existing the day of adoption of the Official Plan by Council.

Section 5.7.4 (ii)(a) states that the minimum lot area for lots shall be 0.8 hectares (2 acres) with 76 metres (250 feet) of frontage on a public road. The land division policies (Section 7.1) also echo the requirement for minimum lot area. The severed parcels do not comply with the minimum lot area required by the Official Plan. The severed parcels are proposed to have an area of 1.7 acres (0.7 hectares) instead of the minimum 2 acres (0.8 hectares) required.

In addition, Planning Staff used Frontenac Maps to determine that the building envelopes on Lot 1 and the retained parcel would be constrained due to the triangular shape of the lots and the applicable zoning provisions (e.g. minimum 30 metre setback from the watercourse, 20 metre setback from the front lot line, and 10 metre setback from the rear lot line.

It is the opinion of Planning Staff that the applications do not conform to the Township Official Plan and Zoning By-law. The applications are not supported by staff.

The subject property is sufficiently large to accommodate one severed parcel and one retained parcel that meet or exceed the minimum 0.8 hectare (2 acre) lot area requirement, and that would provide a larger, more flexible building envelopes. Staff recommend that the applicant consider withdrawing one consent application and amending the other application to propose severed and retained parcels that would comply with the minimum lot area required by the Official Plan and Zoning By-law.

Another consideration that could be made by the applicant is to merge the subject property with a separate 0.3 hectare (0.7 acre) property owned by the applicant. Merging the two properties would facilitate consent applications for two severed parcels and a retained parcel that comply with the minimum lot area required by the Official Plan and Zoning By-law 2003-75. The separate property was reportedly a portion of the original Westport Road, and that it was not stopped up and closed properly. Planning staff and the applicant have discussed the procedure to formally stop up and close the road. The road would need to be stopped up and closed, and the properties merged on title, before Planning staff would support amended consent applications for the creation of two severed parcels and a retained parcel from the subject lands.

Section 5.7.4 (ii)(b) requires that rural residential development be serviced by a private well and private sanitary sewage disposal system. Section 7.1 also echoes this requirement. The Township requires the ability to be serviced by a private well to be demonstrated as a condition of consent approval. It is acknowledged that Building Services confirmed that the severed parcels and the retained parcel can each accommodate an appropriate sanitary sewage disposal system.

At this time, Committee of Adjustment is being asked to decide on these consent applications as they do not meet the criteria for an undisputed consent as the severed parcels and retained parcel would have less the required minimum lot area.

Staff recommend that the Committee defer making a decision in order to give the applicant an opportunity to consider amending their applications to propose severed and retained parcels that would comply with the minimum lot area required by the Official Plan and Zoning By-law.

If the Committee chooses to grant the creation of two new lots with reduced lot areas, the lot areas of the severed parcels and the retained parcel would need to be recognized through a minor variance or zoning by-law amendment application depending on the extent of the deficiency. A survey denoting the exact area of the parcels would be required prior to a minor variance or zoning by-law amendment application being received by the Township. All standard conditions for consent applications should also be applied to any approval of the consent applications.

Submitted by: Anne (Anna) Geladi, MCIP, RPP, Planner

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



SOUTH FRONTENAC

Consent Application

Severance #2

Application Requirements

The following items must be submitted with your application. Any application which does not include the below required information may not be accepted or will not be considered complete.

- 1. A pre-consultation meeting is a requirement prior to submission of the application. *Held Jan. 19, 2022
Virtual - No Fee*

Pre-consultation meeting fee	\$105.00
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- 2. One hard copy of this completed application form signed and commissioned.
- 3. A Sketch of your proposal (see Question 25 for details on what to include). The sketch must be drawn with accurate dimensions and measurements. It is recommended that you take your time to carefully assemble the data and create the sketch. You may wish to secure the assistance of a person who specializes in the drafting of sketches.
- 4. The applicable **non-refundable** application fee, payable to the Township of South Frontenac:

Application Type:	Planning Fee:	Building Fee:	TOTAL:
Consent Application	\$927.00	\$97.00	\$1,024.00
Change of conditions	\$209.00	Nil	\$209.00
Change of conditions requiring re-circulation	\$365.00	\$97.00	\$462.00

- 5. Agency Review Fees (as applicable). A separate **cheque**, payable to the applicable Conservation Authority, is to be submitted to the Township with the completed application. The on-site sewage disposal review fee may be included in the payment of the application fee to the Township.

Agency:	TOTAL:
Township of South Frontenac onsite sewage disposal review (per new lot)	\$515
Cataraqui Conservation (per new lot or lot addition)	\$425
Quinte Conservation (per new lot or lot addition)	\$358
Rideau Valley Conservation Authority (per new lot or lot addition)	\$490

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

- 6. Required studies & Supporting Information identified at pre-consultation (if applicable)
- 7. Deed or transfer, or authorization for Township Staff to acquire title documents (if applicable)

TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION

Collection of Personal Information:

Personal information requested on the application form is required under the *Planning Act*. This information will be used by the Township for the purpose of reviewing the application. It 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 613-376-3027 ext. 2224).

What is considered when reviewing an application?

In considering an application, the decision making approval authority, shall have regard, among other matters, to the health, safety, convenience and welfare of the present and future inhabitants of the municipality and to:

- The effect of development on matters of provincial interest as referred to in Section 2 of the Planning Act.
- Whether the proposed severed lot is premature or in the public interest.
- Whether the consent conforms to the intent of the Official Plan and adjacent plans of subdivision (if any)
- The suitability of the land for the purposes for which it is being severed
- If affordable housing units are being proposed, the suitability of the proposed units for affordable housing
- The number, width, location and proposed grades and elevations of roadways and their adequacy in relation to any proposed roadway linking the proposed severed area with the established roadway system.
- The dimensions and shape of the proposed lot.
- Any restrictions on the subject land (or on the buildings and structures to be erected on it) and any restrictions on abutting lands.
- Conservation of natural resources and flood control.
- The adequacy of utilities and municipal services.
- The adequacy of schools.
- The area of land, if any, exclusive of roadways, that is to be conveyed or dedicated for public purposes (such as for parks).
- The physical configuration of the new lot having regard to energy conservation.
- Site Plan Control
- County of Frontenac Official Plan
- Township of South Frontenac Official Plan
- Township of South Frontenac Zoning By-Law
- Provincial Policy Statement

TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION

For Office Use Only

Date Received: _____ File Number: _____

1. Name of Owner(s): Michael Gordon Mancino _____

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, be provided below.

Name of Authorized Applicant/Agent: Chris Clarke, ZanderPlan Inc. _____

Full Mailing Address of Authorized Applicant/Agent: [Redacted] _____

Phone number of Authorized Applicant/Agent: [Redacted] _____

Email Address of Authorized Applicant/Agent: [Redacted] _____

Agent as named above is hereby authorized to act on behalf of the owners for purposes of processing this application (please fill out the last page).

Signature(s) of Owner(s)

Communications are to be sent to: Owner(s) Agent

3. **Permission to Enter Subject Lands:** Permission is hereby granted to the relevant staff, committee members, and necessary commenting agencies to enter the premises (subject lands) subject to this development application for the purposes of making inspections associated with this application.

(Signature of the property owner)

(Signature of the property owner)

(Date)

TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION

4. Have you consulted with Township Planning Staff regarding this application?

Yes No

Date Fee Paid: Virtual - No fee required

Name of Planner: Anna Geladi

Date of Meeting: January 19, 2022

5. The description of the subject land:

District: Bedford Portland Loughborough Storrington

Civic Address: Westport Road (No Civic Number assigned)

Concession Number: 11 Lot Number: Part Lot 20

Reference Plan Number: 13R-20005 Part Number(s): 6

Roll Number: 1029-010-010-21415

Property Identification Number (PIN): 36240-0918

6. Indicate the frontage(s), depth and area of the subject land. The subject land is the whole property prior to any changes. Please indicate the name of the road/lane and waterbody (if applicable).

Frontage on water (m): N/A Frontage on road/lane (m): 371.3m (Westport Road)

Name of Waterbody: N/A Name of Road/Lane: Westport Road

Depth(m): Max Depth 107.4m Area(acres/ha): 5.31ac

7. Select the type of consent being applied for:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Creation of a New Lot | <input type="checkbox"/> Correction of Title |
| <input type="checkbox"/> Easement (right of way) | <input type="checkbox"/> Lease |
| <input type="checkbox"/> Lot Addition | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Charge/Discharge of Mortgage | |

8. Please provide a brief description of your application. Indicate the reason why you are applying for a consent.

To sever two lots concurrently from the property measuring 1.74 acres and 1.77 acres respectively and retaining
1.80 acres of land. The property owner is looking to create some building lots to support new residential uses.

TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION

9. Create a NEW LOT – Complete this section ONLY if you are applying to create a new lot.

The following information is regarding the land intended to be severed (created) and the land to be retained.

	Severed Lot (Proposed new lot):	Retained Lot:
Frontage on Road/Lane (m):	76.0m	151.3m
Name of Road/Lane:	Westport Road	Westport Road
Frontage on Water (m):	N/A	N/A
Name of Waterbody:	N/A	N/A
Depth (m):	Max depth 107.4m	95.9m
Acres (acres or ha):	0.7194ha (1.77ac)	0.7285ha (1.80ac)

Please list the existing and proposed **USES** and **STRUCTURES**.

	Severed Lot (Proposed new lot):	Retained Lot:
Existing Use of Lot:	Vacant Land	Vacant Land
Existing Buildings/Structures:	None	None
Proposed Use of Lot:	Rural Residential	Rural Residential
Proposed Buildings/Structures:	None at this time	None at this time

TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION

10. LOT ADDITION – Complete this section ONLY if you are applying for a lot addition.

The following information is regarding the land intended to be severed (created) and the land to be retained.

	Proposed Lot Addition (Severed parcel):	Retained Lot:
Frontage on Road/Lane (m):		
Name of Road/Lane:		
Frontage on Water (m):		
Name of Waterbody:		
Depth (m):		
Acres (acres or ha):		

The following information is regarding the Benefitting Lands also known as the land being enlarged which are receiving the lot addition.

	Existing Benefitting Lot: (Before Lot Addition)	Enlarged Lot with added Land: (After Lot Addition)
Frontage on Road/Lane (m):		
Name of Road/Lane:		
Frontage on Water (m):		
Name of Waterbody:		
Depth (m):		
Acres (acres or ha):		

TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION

Please list the existing and proposed **USES and STRUCTURES**.

	Lot Addition:	Retained Lands:	Benefitting Lands:
Existing Use of Lot:			
Existing Buildings/Structures:			
Proposed Use of Lot:			
Proposed Buildings/Structures:			

11. EASEMENTS & RIGHT OF WAY – Complete this section if you ONLY are applying for an easement or a right-of-way

Length: _____ Depth: _____ Width: _____ Area: _____

Civic address of Benefitting lands: _____

Roll Number of Benefitting Lands: _____

Describe the purpose and effect of the easement and the property that will benefit:

12. Type of Servicing Proposed – WATER (Indicate the method by which water will be provided):

(NEW LOT) Severed Parcel

- Municipal water system
- Privately owned and operated well
- Lake water
- Other: _____

Retained Parcel

- Municipal water system
- Privately owned and operated well
- Lake water
- Other: _____

TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION

13. Type of Sewage Disposal System Proposed (How will sewage disposal system be provided?):

(NEW LOT) Severed Parcel

Retained Parcel

- | | |
|--|--|
| <input type="checkbox"/> Publicly owned and operated communal septic system | <input type="checkbox"/> Publicly owned and operated communal septic system |
| <input checked="" type="checkbox"/> Privately owned and operated individual septic system: | <input checked="" type="checkbox"/> Privately owned and operated individual septic system: |
| <input checked="" type="checkbox"/> Leaching Bed (Class 4) | <input checked="" type="checkbox"/> Leaching bed (Class 4) |
| <input type="checkbox"/> Holding Tank (Class 5) | <input type="checkbox"/> Holding Tank (Class 5) |
| <input type="checkbox"/> Greywater Pit (Class 2) | <input type="checkbox"/> Greywater Pit (Class 2) |
| <input type="checkbox"/> Privy/Outhouse (Class 1) | <input type="checkbox"/> Privy/Outhouse (Class 1) |

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

Michael Mancino

15. Are there any existing easements or restrictive covenants? Yes No Unknown

If Yes, please provide a description of each easement or covenant and its effect:

Easement not on subject property, easement over parts 2 and 4 on 13R-20005 in favour of others
Proposed new lot will not affect the current easement.

16. Are you aware of any abandoned wells on the subject property? Yes No

17. Name of road or lane which accesses:

The new lot (lot addition or Right of Way): Westport Road (Cty Rd 8)

The retained lot: Westport Road (Cty Rd 8)

Please indicate whether access to the land will be by:

- | | |
|--|--|
| <input type="checkbox"/> Provincial highway | <input type="checkbox"/> Lane |
| <input checked="" type="checkbox"/> Municipal Road - maintained year round | <input type="checkbox"/> A right of way |
| <input type="checkbox"/> Municipal Road - seasonally maintained | <input type="checkbox"/> Water (see next page) |

TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION

If access is by water only, describe the parking and docking facilities to be used and the approximate distance of these facilities from the subject land and the nearest public road. Parking and Docking for water access only properties MUST be legally deeded access. Please provide confirmation.

The New Lot: _____

The Retained Lot: _____

18. What is the zoning of the subject lands? (Check www.frontenacmaps.ca)

Rural (RU)

19. What is the current Official Plan Designation of the subject lands?

Rural

20. Please describe how the application conforms with the Township Official Plan & County Official Plan by **citing specific applicable** sections and sub sections. Please make sure to look at Sections 5 and 7 in the Township Official Plan and Section 3 in the County Official Plan. If you are unsure, please indicate that you do not know.

A registry office search showed the property is eligible for up to three severances, the two proposed lots would be permitted under 5.7.4.ii.c. The lots have complying frontage per the zoning by-law (76m) but all are slightly undersized below 0.8ha. 5.7.4.ii.a of the OP allows the municipality to consider frontage and area reductions if the overall intent is maintained. Though slightly smaller there are no mapped constraints resulting in sufficient building area to support development at the required zoning setbacks.

21. Is the application consistent with the 2020 *Provincial Policy Statement*?

Yes No Unknown

Please explain:

The PPS 2020 allows for limited residential development on rural lands and in rural areas through new lot creation.

The new lots would add to the range and mix of available residential building lots and would support new housing

per 1.4 of the PPS. Development will be directed away from natural heritage features and will not impact resources

such as minerals, aggregate, or agricultural activities.

TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION

22. Has the subject land ever been, or is currently, the subject of an application for approval of a plan of subdivision under section 51 of the *Planning Act*, for a consent under section 53 of the *Planning Act*, for a minor variance, for approval of a site plan, or for an amendment to an official plan, an amendment to the zoning by-law or a Minister’s zoning order? Complete all applicable

<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown			
Application Type	Application Number	Date of Application	Decision
<input type="checkbox"/> Plan of Subdivision			
<input type="checkbox"/> Consent			
<input type="checkbox"/> Minor Variance			
<input type="checkbox"/> Site Plan Approval			
<input type="checkbox"/> Official Plan Amendment			
<input type="checkbox"/> Zoning By-law Amendment			
<input type="checkbox"/> Minister’s Zoning Order			

23. Has land been previously severed from the subject property, since September 5, 2000? If yes, please provide date of transfer; name of transferee and uses of the land.

Yes _____ No

24. Did the current owner acquire the subject land as a result of a consent? Yes No

25. A SKETCH must be submitted. For more information on what the sketch needs to show, please see “A guide to completing your consent application form”. If your application is approved and then the required survey shows different frontages, area and location than was submitted, a new consent may be required including submission of a new application and fees.**

Please note that the sketch must include the same metric as on the application, switching between meters and feet will not be acceptable unless both are shown.

The sketch must include the following:

TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION

- A directional arrow with North at the top of the page.
- The boundaries and dimensions of the whole property. LABEL the part that is to be severed and the part that is to be retained, including the total area (acres or hectares), road frontages on all roads/lanes for each and waterbodies.
- Indicate if the owner of the subject property also owns other lands near the proposal.
- The distance between the subject land and the nearest road, bridge or railway crossing
- The location of all land previously severed from the parcel (if applicable) originally acquired by the current owner of the subject land.
- All natural and artificial features that are located on the subject property and on land beside the subject property. Please label and show the approximate location of:
 - a. Existing Buildings, wells and septic systems, bridges, railways, roads, hydro lines
 - b. Waterbodies, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas
 - c. Landfills, propane facility, quarry's and pits
 - d. Barns

Note: The existence of a nearby barn will require you to complete a Minimum Distance Separation Calculation in order to consider compatibility issues. Please check with the Planning Department regarding the implications of any farm structure, on your application.

- Please include any information on natural and artificial features (as listed above) that in the applicant's opinion may affect the application
- Please indicate the current uses of land that is surrounding the property, such as residential, agricultural and commercial uses (if agricultural, please indicate the approximate distance of any barn structure from the proposed new lot).
- The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way.
- If access to the subject land is by water only, please show the location of the parking and boat docking facilities to be used, and the title documents to demonstrate legal deeded use of these facilities
- The location and nature of any easement affecting the subject land.
- The location of any abandoned wells on the property

TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION

PERMISSION, ACKNOWLEDGEMENT, AGREEMENT AND DECLARATION OF APPLICATION

I/ We, the undersigned, being the registered property owner(s) and/or agent acting on behalf of the owner agree that the information recorded in this Consent Application Form is accurate and agrees that representatives of the Township and relevant commenting agencies may enter onto the subject property for the purpose of determining the appropriateness of the site for the proposed development.

ACKNOWLEDGEMENT OF ADDITIONAL REQUIREMENTS

I/ We, the undersigned, being the registered property owner(s) and/or agent acting on behalf of the owner, acknowledge that additional studies and/or peer review and/or legal review may be required by the Township as a part of the review of my/our application. Should the need arise, I/we are responsible for completing the studies as requested in order for the application to be deemed complete.

Attached to this application is payment to the Township of South Frontenac in the correct amount representing payment of the application fee, and additional payment (or proof of payment) for any required commenting agency review fees.

AGREEMENT TO INDEMNIFY

The applicant hereby agrees to indemnify and save harmless The Corporation of the Township of South Frontenac ("the Municipality") from all costs and expenses that the Municipality may incur in connection with the processing of the applicant's application for approval under the *Planning Act*.

Without limiting the foregoing, such costs will include all legal, engineering, planning, and consulting fees and charges incurred or payable by the Municipality to process the application together with all costs and expenses arising from or incurred in connection with the Municipality being required, or requested by the applicant, to appear at the hearing of any appeal to the Ontario Land Tribunal from any decision of the Council, Delegated Decision of Council, or Committee of Adjustments, of their designated approval authority, as the case may be, hearing the applicant's application.

The Owner/Applicant further agrees to provide the Municipality, upon request and in cases where an application has been appealed to the Ontario Land Tribunal, 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 to prepare for and participate in the hearing. 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 applicant/owner acknowledges and agrees that if any amount owing to the Municipality in respect of the application is not paid when due, the Municipality will not appear before the Ontario Land Tribunal in connection with the application until the invoice has been paid in full.

TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION

DECLARATION FOR THE PRESCRIBED INFORMATION

Note: Do not sign until in the presence of the Commissioner of Oaths. You will be required to provide photo identification (i.e. driver's license).

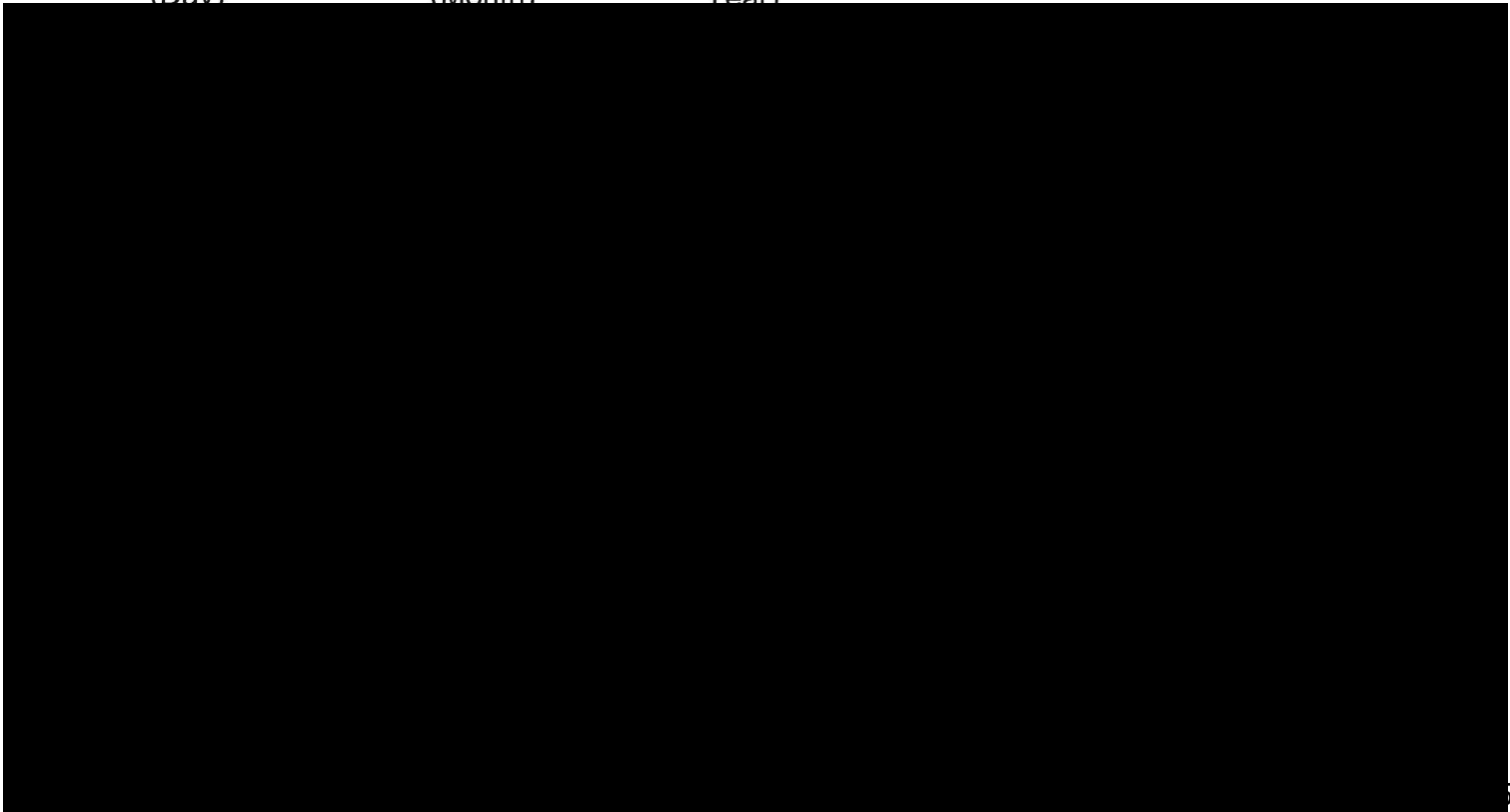
I/We, MICHAEL MARCINO,
(Name of Owner / Agent)

of LAND O LAKES FLORIDA
(Municipality, Town, City name)

do solemnly declare that the information contained in this application is true and that the information contained in the documents that accompany this application is true, and acknowledge that personal information and all other material collected on this form and provided to the municipality as part of this application, including all names, addresses, opinions and comments, is collected under the authority of the *Planning Act*, R.S.O. 1990, as amended, will be used to assist in making a decision on this matter and will be made available for public disclosure. I/We are aware the information collected in this Application will be provided in the applicable Agenda and posted on the Township's website.

Sworn (or declared) before me in the PASCO COUNTY FLORIDA
(Municipality name)

On this 25 day of JAN, 2024.
(Day) (Month) Year



Mancino Severance Sketch

Gardner Lane / Westport Road

Part 6, 13R-20005

Part Lot 20, Concession 11

Geographic Township of Bedford

Township of South Frontenac

COUNTY OF FRONTENAC

Key Map
N.T.S.



Legend

- Existing Easement
- Local Wetlands
- Watercourse
- Overhead Wires
- UP Utility Poles

Notes:

1. Parts 4 & 5 on Plan 13R-20005 represent a former road. Part 4 comprises part of an easement for access, Part 5 is no longer travelled. These parts were not included in the severances because the road was not historically closed resulting in current title issues.
2. Boundary and dimensions of the subject property derived from Plan 13R-20005 completed by George Bracken Ltd. in October of 2010.
3. Location of the local wetlands and watercourse derived from the Rideau Valley Conservation Authority GIS mapping.

Version Date: January 25, 2022

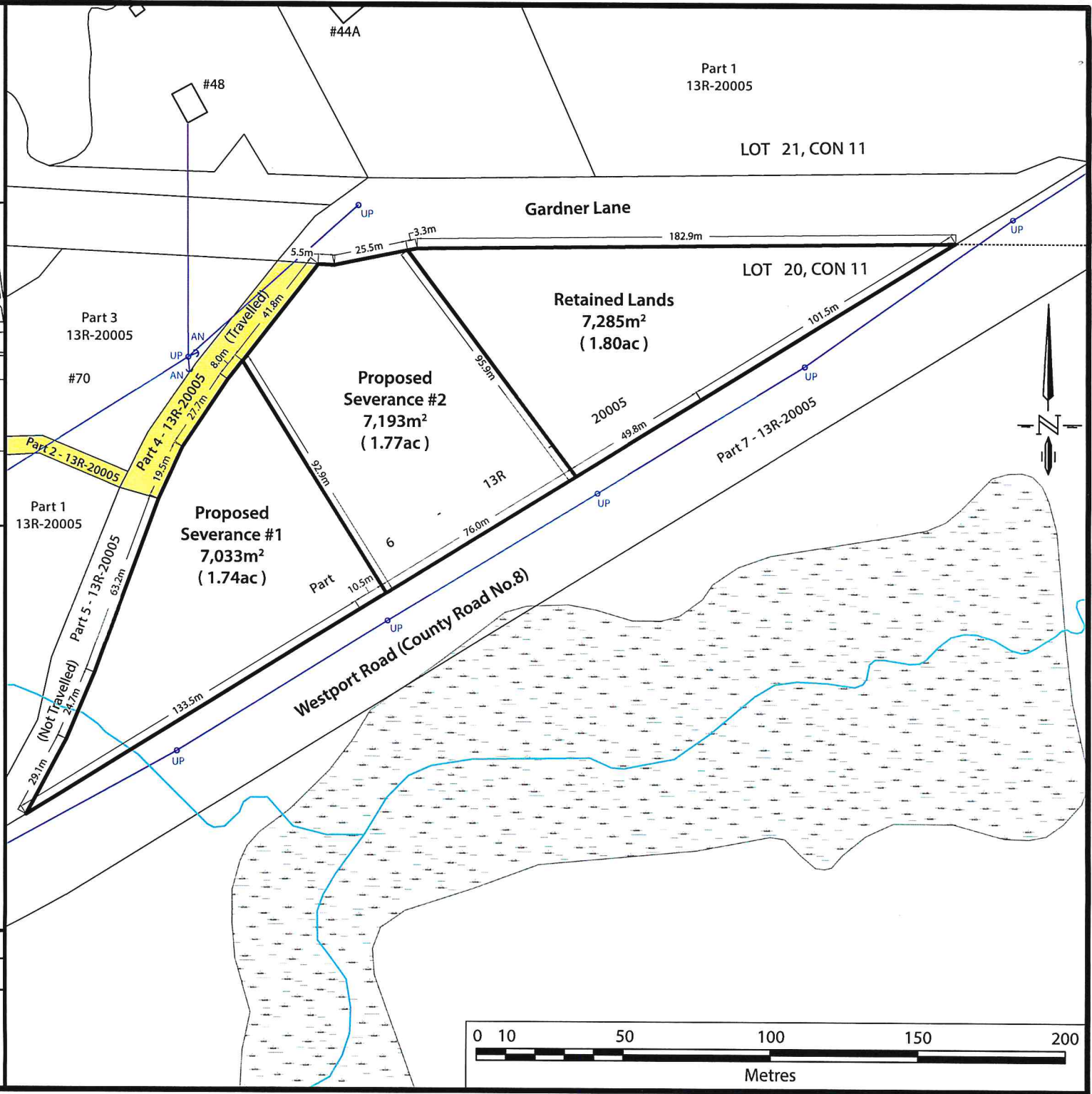
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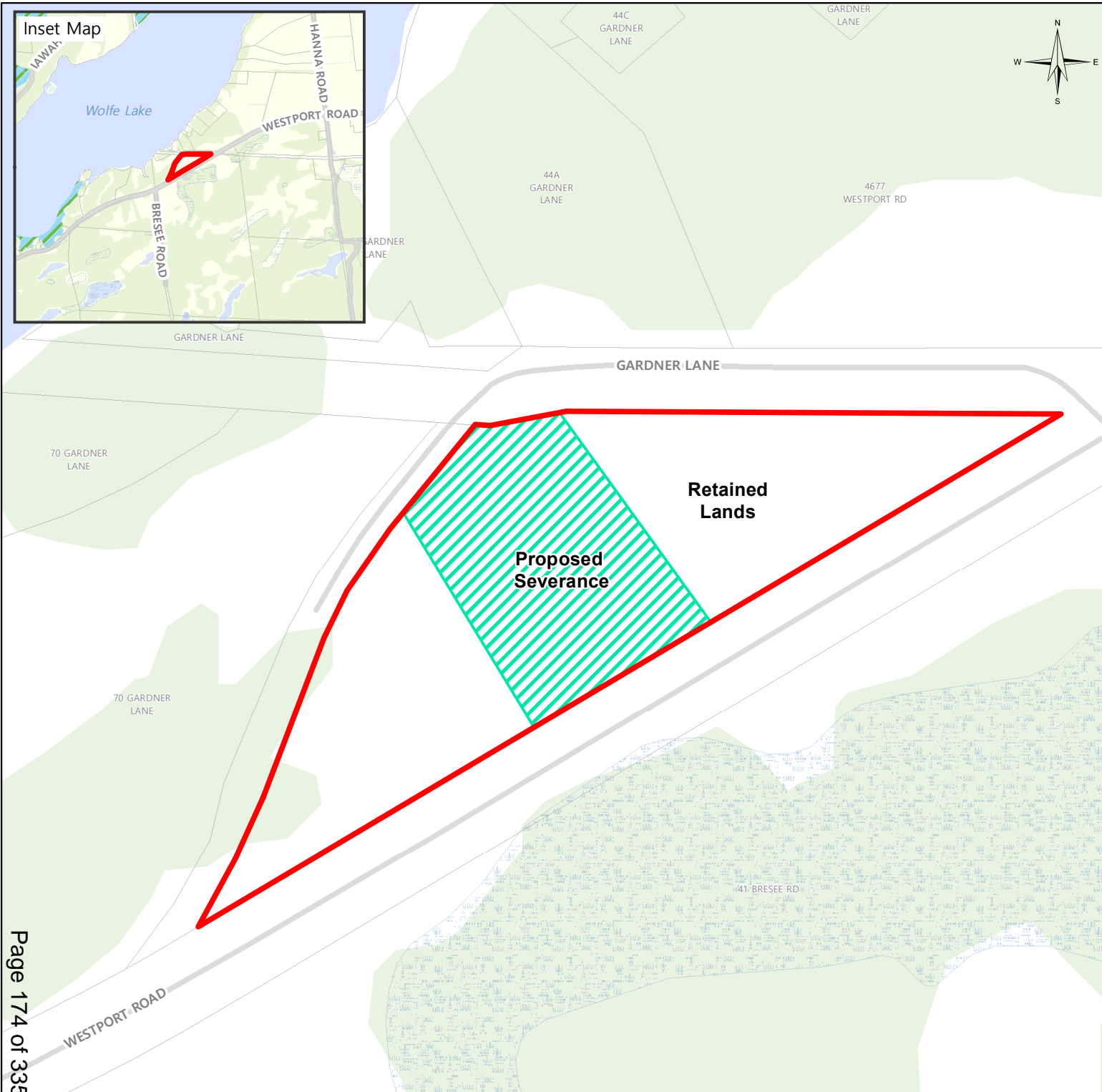
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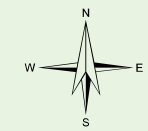
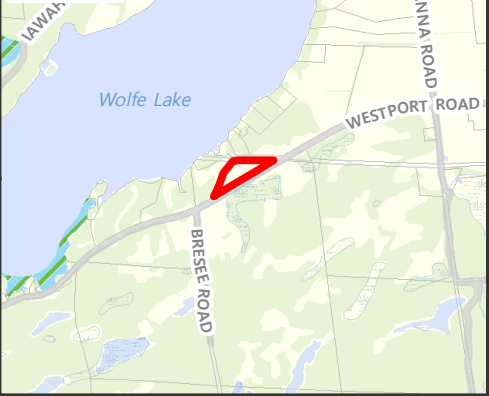
Your rural land planning experts

1301334
Sunset Boulevard, Perth, ON K7H 2Y4 613-264-9600















Inset Map



SOUTH FRONTENAC

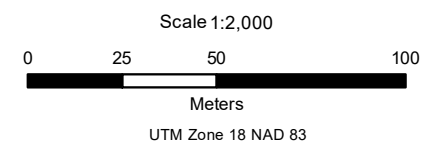
**PL-BDJ-2022-0023
(MANCINO)
(ZANDERPLAN INC.)
WESTPORT ROAD**

Legend

-  Subject Property
-  Proposed Severance
-  Road
-  Railway
-  Assessment Parcel
-  Provincially Significant Wetlands
-  Wetland
-  Wooded Area
-  Water
-  Township Boundary

Produced by the Township of South Frontenac under license with the Ontario Ministry of Natural Resources © Queen's Printer for Ontario, 2020.

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.



Report from Public Services

Application Number: PL-BDJ-2022-0023

Applicant's Name: Michael Mancino

Concession: 11 **Lot:** 20 **District:** Bedford

Road: Westport Road

Road Maintenance: Year-round Seasonal

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

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

Road Conditions:

1. Are there any special drainage/ditching concerns related to creation of new lot(s)?
Yes No

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

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

Yes No

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

Road Widening Required?

Yes No To be determined by an Ontario Land Surveyor

Any specific requirement?


Arterial Road - Ensure that there is a 30m (100ft road allowance) otherwise applicant to dedicate any shortfall of 15m from centerline.

Approved by the Public Services?

Yes Yes, with conditions No

If yes, with conditions, please describe conditions below.

1) An approved entrance through the permit process will be required.
2) Field Entrance to be decommissioned.
3) Retained Lot has sufficient frontage to enable the development of a safe access onto the roadway.



Signature on behalf of Public Services

2022-04-08
Date



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

March 30, 2022
22-SFR-SEV-0014/ 22-SFR-SEV-0015 (Bedford)

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

Attention: Anna Gelaldi

Subject: **Mancino, Michael Gordon**; Application for Consent
PL-BDJ-2022-0022 & PL-BDJ-2022-0023 – Westport Rd & Gardner Ln, Lot 20,
Concession 11; Geographic Township of Bedford, Now the Township of South
Frontenac; Roll Number: 10290100102141500000

Dear Ms. Geladi

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

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

The Proposal

The RVCA understands these consent applications are for the creation of two new lots for residential use. The proposed parcel to be severed is approximately 2.15 ha (5.31 acres) with 373 m of frontage on Westport Rd. The two lots proposed by the subject applications are as follows:

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

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

- PL-BDJ-2022-0022 the creation of a 0.70 ha lot with 144 m of frontage on Westport Rd
- PL-BDJ-2022-0023 the creation of a 0.72 ha lot with 76 m of frontage on Westport Rd

Should both applications be approved the proposed retained lands would be 0.73 ha with 151.3 m of frontage on Westport Rd.

The Property

The subject property is an irregular shaped 2.15 ha parcel of land bordered to the north by Gardener Lane and the south by Westport Rd. The lot is vacant and appears to have been cleared for agricultural use. The perimeter of the lot is bordered by mature trees and a watercourse runs through a small portion of the lot's southwest corner. This watercourse flows west approximately 285 m before it empties into Wolfe Lake. A review of the desktop mapping products indicates the lot overlies a highly vulnerable aquifer. Our records do not reveal the presence of wetlands, marine clays, steep slopes, or organic soils.

Review Comments

Provincial Policy Statement

Regarding Section 2.1, and 3.1 of the PPS our office has no concerns.

With respect to section 2.2 our office has provided some comments to mitigate any impacts.

Ontario Regulation 174/06

The proposed and retained lands are not within an area regulated by RVCA, as a result written permission from our office is not required with respect to development and site alteration.

Please note that any proposed alterations to watercourses or waterbody, including but not limited to, culvert installation, bridge crossings, diverting, dredging, realigning, stabilizing, requires the prior written permission of the RVCA in accordance with Ontario Regulation 174/06 "Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".

Wolfe Lake Catchment Report

The catchment report has limited information that pertains directly to this site. As noted, the watercourse on the subject property does flow directly into Wolfe Lake. The 2014 Catchment reported water quality in Wolfe Lake as "Fair", this rating indicates that water quality is generally protected and that sometimes conditions depart from natural or desirable levels. Few nutrient exceedances, occasional periods of limited fish habitat conditions in late summer, and generally clear water contributed to the rating. The catchment report highlights that importance of protecting the riparian buffer along all shorelines including watercourses during the development approvals process through adherence to and enforcement of municipal land-use policies and zoning standards.

Mississippi Rideau Source Water Protection Plan

This property has been identified as overlying a highly vulnerable aquifer as stated in the catchment report and indicated in the Mississippi-Rideau Source Water Protection Plan. These are aquifers that are vulnerable to surface contaminants due to thin or absent soils overlying bedrock that may be fractured.

Where these conditions exist, it may be possible for contaminants to enter drinking ground water supplies. For this reason, care should be taken to avoid land uses and practices that may inadvertently lead to undesirable effects on groundwater. For this reason, care should be taken to avoid land uses and practices that may inadvertently lead to undesirable effects on groundwater. Some best practices that could be considered include:

- increased well casing depths;
- increased distance of septic systems from drinking water wells;
- ensuring wells are located upgradient of septic sewage disposal systems
- ensuring that wells and septic systems are properly maintained,
- avoiding use of pesticides, herbicides and fertilizers.

Discussion

The two proposed lots and retained lands are slightly less than the 0.8 ha required within the Rural zone. Our office does not typically support the creation of undersized lot due to concerns with maintaining setbacks from natural heritage features and hazards, and to ensure development occurs within zone regulations. It is encouraged that that the proposed lots be reduced to one new lot to allow the minimum lot size to be met.

However, it is noted that the Township's Official Plan does provide some flexibility regarding lot size and/or frontage within policies for the rural residential designation:

“...The municipality may consider reductions to the minimum lot size and frontage requirements provided the overall intent of the Plan is maintained “(Section 5.7.4 (ii) a)

This is preceded by the statement that:

“Subdivisions and severances to permit new residential uses shall be appropriately separated from incompatible agricultural areas, existing and proposed waste disposal, mineral extraction site and resource areas, natural heritage features and areas and natural hazards.” (Section 5.7.4)

Though a watercourse is present on the proposed lot 1 (PL-BDJ-2022-0022) there is adequate room for future development to occur outside the 30 m setback from this feature as required by the zoning by-law. Maintaining and enhancing native vegetation within this setback is important to mitigate any impacts from development. No additional natural hazard or heritage features were identified. The lot's location adjacent to Gardner Lane and Westport Rd has also been

considered as the lot is largely bordered by road and there is limited connectivity to natural heritage features. Though our office would encourage all applications to meet the minimum lot size there does not appear to be any constraints that prevents these proposed severances from meeting the intent of the Official Plan. If the proposed severances should be permitted the Township should be satisfied that any future development can occur within the regulations prescribed in section 7.3.2 of the Zoning By-law. Lastly, we would encourage opportunities to maintain and improve tree and vegetation cover on the property to be considered, this would provide benefits such as wildlife habitat, promote infiltration of runoff, prevent erosion, create windbreaks, etc.

Recommendations

Should the Committee approve the subject applications, the RVCA would of have the following recommendations for conditions on any decision for the proposed lots:

- A native shoreline buffer should be retained or enhanced within the 30 m setback of the watercourse
- Any future construction will need to be setback a minimum of 30 m from the top of bank of any watercourse or waterbody.

Also, should the Committee decide to approve this application, we respectfully request that our comments about highly vulnerable aquifers, Ontario Regulation 174/06 and vegetation cover be noted on the Committee's decision.

Conclusions

In conclusion our office has no objection to the subject application.

Thank you for the opportunity to comment and please do not hesitate to contact the undersigned at (613) 692-3571 x1109 should you have any questions.

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

Yours truly,



Sarah MacLeod-Neilson
Planner

cc – Michael Mancino, owner
cc – Chris Clarke, agent

To: Committee of Adjustment
Prepared by: Development Services Department
Meeting Date: June 9, 2022
Subject: **Consent Applications PL-BDJ-2022-0022 and PL-BDJ-2022-0023 (Mancino)(ZanderPlan Inc.)**

Executive Summary

These applications are for the creation of two new rural residential lots.

These applications cannot be considered by the Director of Development Services because they do not meet all the By-law criteria since the severed parcels and the retained parcel would have less than the required minimum lot area. This report recommends deferral so the applicant can revisit the proposal.

Recommendation

This report recommends that the Committee of Adjustment defer making decisions on the subject applications to provide the applicant an opportunity to consider amending their applications to propose severed and retained parcels that would comply with the minimum lot area required by the Official Plan and Zoning By-law 2003-75.

Application Details

Proposal: Creation of two new rural residential lots

Location: Between Westport Road and Gardner Lane

Assessment Roll Number: 102901001021415

Designation: The subject property is designated Rural and zoned Rural.

Proposed Lot Configurations

	Severed Parcel 1 PL-BDJ-2022-0022	Severed Parcel 2 PL-BDJ-2022-0023	Retained Parcel
Area	0.7 hectares (1.74 acres)	0.7 hectares (1.77 acres)	0.7 hectares (1.8 acres)
Frontage on Road	144 metres (472 feet) on Westport Road	76 metres (250 feet) on Westport Road	151 metres (495 feet) on Westport Road
Frontage on Water	None	None	None

Related Applications

The subject property is not subject to any other Planning Act applications at this time.

Discussion/Analysis

These applications propose to create two new residential lots and one retained lot.

Site Description

The subject property is located on the north side of Westport Road and to the south of Gardner Lane. A portion of Gardner Lane is located on an un-opened road allowance that leads from Westport Road to Wolfe Lake.

The subject property is triangular shaped and has a total area of 2.15 hectares (5.32 acres). The property is vacant and consists of farmland. There are mature trees along the property line that abuts Westport Road as well as along Gardner Lane. There is a watercourse that runs through the edge of the property in the south-west corner.

There is existing residential development along Gardner Lane surrounding the subject property.

Proposal

The purpose of these consent applications is to create two new residential lots.

Lot 1 would be 0.7 hectares (1.72 acres) of land and would have approximately 144 metres of frontage on Westport Road. It would be located on the westerly side of the subject property.

Lot 2 would be 0.72 hectares (1.7 acres) of land and would have approximately 76 metres of frontage on Westport Road. It would be located in the middle of the subject property, between Lot 1 and the retained parcel.

The retained parcel would be 0.73 hectares (1.8 acres) of land and would have 95.9 metres of frontage on Westport Road. It would be located on the easterly side of the subject property.

Department and Agency Comments

Public Services – Comments received from Public Services on April 8, 2022 indicate that there are adequate sight lines and frontage for an entrance for both severed parcels and the retained parcel. It was noted in the comments provided that the overall road condition is adequate to serve increased development/traffic. Staff noted that road widening would be required. Westport Road is an arterial road therefore the surveyor who prepares the reference plan would need to determine by survey the width of the public road to be 30 metres (100 feet).

Public Services Staff also noted that the existing field entrance would need to be decommissioned and removed.

Public Services has no objection to the approval of the application, subject to conditions.

Building Services (Sewage System Review) provided comments on May 25, 2022 indicating that the proposed severed parcels can provide flexibility in siting a sewage disposal system, specific requirements for the sewage system would need to be addressed prior to site development. Staff provided comments specifically for Lot 1 indicating that a more suitable location for the installation of a sewage system at a higher elevation is recommended to prevent unnecessary saturation of the sewage system by water run-off.

Building Services noted that the retained parcel contains an existing sewage system. The applicant indicated that they have a septic permit for the sewage system on the retained parcel. Building Services noted that if the applicant wants to use this sewage system, a copy of the permit would need to be provided to the Township.

The applicants wanted to be sure that a sewage system could be placed on the retained parcel regardless of the existing sewage system. The applicant was not sure what the existing sewage system could support. Therefore, in light of this, the applicant dug test holes on the retained parcel to demonstrate that the retained parcel has appropriate conditions for a sewage system. Building Services noted that the retained parcel can provide flexibility in siting a sewage disposal system, specific requirements for the sewage system would need to be addressed prior to site development.

They have no objection to the approval of the application.

Rideau Valley Conservation Authority provided comments on March 30, 2022. RVCA Staff are satisfied that the application is consistent with section 2.1 (Natural Heritage) and 2.2 (Water) of the PPS.

RVCA Staff identify that the property overlies a highly vulnerable aquifer that is susceptible to contamination, which could impact drinking water supply. They recommend best practices to mitigate undesirable effects on groundwater. They also indicate that they typically do not support the creation of undersized lots (less than 0.8 hectares) due to concerns with maintaining setbacks from natural heritage features and hazards and to ensure development occurs within zone regulations. They encourage reducing the proposed lot creation to one new lot, instead of two, to allow the minimum lot size to be met.

However, RVCA notes that there is adequate room for future development to occur outside the 30 metre setback from the watercourse present on Lot 1. RVCA staff provide two recommendations should the lots be approved:

- 1) A native shoreline buffer be retained or enhanced within the 30 metre setback of the watercourse
- 2) Any future construction would need to be setback a minimum of 30 metres from the top of bank of any watercourse

They have no objections to the approval of the application.

RVCA Staff indicate that the severed and retained parcels are not within a regulated area by RVCA and no written permission is required from their office with respect to development and site alteration. Any alterations to the watercourse including culvert installation will require written permission from RVCA.

Public Comments

No comments have been received from the public.

Planning Analysis

The Provincial Policy Statement 2020 and the County of Frontenac Official Plan (Section 3.3) permit residential development, that is locally appropriate, in rural areas. The subject lands are designated Rural in the Township of South Frontenac Official Plan.

A review of the Rural Lot Creation Policies in Section 5.7.4 of the Official Plan confirms that the subject property is eligible for the proposed consents as it has not exceeded the maximum number of severances permitted from a lot of record existing the day of adoption of the Official Plan by Council.

Section 5.7.4 (ii)(a) states that the minimum lot area for lots shall be 0.8 hectares (2 acres) with 76 metres (250 feet) of frontage on a public road. The land division policies (Section 7.1) also echo the requirement for minimum lot area. The severed parcels do not comply with the minimum lot area required by the Official Plan. The severed parcels are proposed to have an area of 1.7 acres (0.7 hectares) instead of the minimum 2 acres (0.8 hectares) required.

In addition, Planning Staff used Frontenac Maps to determine that the building envelopes on Lot 1 and the retained parcel would be constrained due to the triangular shape of the lots and the applicable zoning provisions (e.g. minimum 30 metre setback from the watercourse, 20 metre setback from the front lot line, and 10 metre setback from the rear lot line.

It is the opinion of Planning Staff that the applications do not conform to the Township Official Plan and Zoning By-law. The applications are not supported by staff.

The subject property is sufficiently large to accommodate one severed parcel and one retained parcel that meet or exceed the minimum 0.8 hectare (2 acre) lot area requirement, and that would provide a larger, more flexible building envelopes. Staff recommend that the applicant consider withdrawing one consent application and amending the other application to propose severed and retained parcels that would comply with the minimum lot area required by the Official Plan and Zoning By-law.

Another consideration that could be made by the applicant is to merge the subject property with a separate 0.3 hectare (0.7 acre) property owned by the applicant. Merging the two properties would facilitate consent applications for two severed parcels and a retained parcel that comply with the minimum lot area required by the Official Plan and Zoning By-law 2003-75. The separate property was reportedly a portion of the original Westport Road, and that it was not stopped up and closed properly. Planning staff and the applicant have discussed the procedure to formally stop up and close the road. The road would need to be stopped up and closed, and the properties merged on title, before Planning staff would support amended consent applications for the creation of two severed parcels and a retained parcel from the subject lands.

Section 5.7.4 (ii)(b) requires that rural residential development be serviced by a private well and private sanitary sewage disposal system. Section 7.1 also echoes this requirement. The Township requires the ability to be serviced by a private well to be demonstrated as a condition of consent approval. It is acknowledged that Building Services confirmed that the severed parcels and the retained parcel can each accommodate an appropriate sanitary sewage disposal system.

At this time, Committee of Adjustment is being asked to decide on these consent applications as they do not meet the criteria for an undisputed consent as the severed parcels and retained parcel would have less the required minimum lot area.

Staff recommend that the Committee defer making a decision in order to give the applicant an opportunity to consider amending their applications to propose severed and retained parcels that would comply with the minimum lot area required by the Official Plan and Zoning By-law.

If the Committee chooses to grant the creation of two new lots with reduced lot areas, the lot areas of the severed parcels and the retained parcel would need to be recognized through a minor variance or zoning by-law amendment application depending on the extent of the deficiency. A survey denoting the exact area of the parcels would be required prior to a minor variance or zoning by-law amendment application being received by the Township. All standard conditions for consent applications should also be applied to any approval of the consent applications.

Submitted by: Anne (Anna) Geladi, MCIP, RPP, Planner

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

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

Date Received: March 15 2022

File No: _____

1. Name of Owner(s): Andrew Klassen

Full Mailing Address of Owner(s): _____

Phone number of Owner(s): _____

Email Address of Owner(s): _____

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

Name of Authorized Agent: _____

Full Mailing Address of Authorized Agent: _____

Phone number of Authorized Agent: _____

Email Address of Authorized Agent: _____

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

Signature(s) of Owner(s) _____

3. The description of the subject land:

District: Bedford Portland Loughborough Storrington

Concession Number: 7 Lot Number: 34

Street Number: 73 Name of Road/Street: Mill Bay Lane

Reference Plan Number: 13R 167 Part Number(s): 18

Roll Number: 1029030-020-93490-0000

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

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

Frontage (on water): 105 FT Frontage (on road/lane): 105 FT

Depth: 221 FT Area: 23,205 SqFT

5. The current zoning of the subject land:

RW

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

Total lot coverage for wheelchair accessible permanent residence. Attached Accessory building for wheelchair access from attached garage. Total Coverage of ~11.6% Combining 5% for principal and 5% accessory building. Existing lot is undersized.

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

Building must be slab on grade for wheelchair accessibility. Total footprint must be increased for wheelchair turning radius. This will become a permanent residence. Accessory Garage must be attached for wheelchair access. Existing lot is undersized.

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

Name of Road/Lane:

Mill Bay Lane

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

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

Seasonal cottage

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

Yes No

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

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

Type of Structure (E.g. residence)	(1) Cottage	(2) Deck	(3) Shed	(4) Deck
Setback from Front Lot Line	112FT	96FT	70FT	112FT
Setback from Rear Lot Line	70FT	80FT	115FT	103FT
Setback from Side Lot Line	26FT	13FT	13FT	50
Height of Building (Also indicate if it is one story or two story)	Single story 20FT	4FT	11FT	4FT
Dimensions of Floor Area	835 sqFT	450 sqFT	90 sqFT	82 sqFT
Setback from High Water Mark (If applicable)	112FT	96FT	70FT	112FT

13. The proposed uses of the subject land:

Wheelchair accessible permanent 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

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

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

Type of Structure (E.g. residence)	(1) Residence	(2) Attached Garage	(3)	(4)
Setback from Front Lot Line	100FT	145FT		
Setback from Rear Lot Line	73FT	45FT		
Setback from Side Lot Line	10FT	10FT		
Height of Building (Also indicate if it is one story or two story)	21FT	13FT		
Outside Dimensions of Building/Structure	50FTx37FT 1850 sqFT	40FTx23FT 920 sqFT		
Setback from High Water Mark (If applicable)	100FT	137FT		

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 cottage, deck, and shed will be demolished. Shed will be used for temporary storage until new construction is complete.

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

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

If yes, please provide details:

18. What are the uses of the proposed development?

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

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

February 2019

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

Unknown - estimated in late 1980s early 1990s

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

It is believed that the lot was severed for recreational use in 1970

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 cottage uses lake water intake. New residence will have a drilled 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:

Existing Septic to be removed and replaced with new.

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

There is no existing storm water control.

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

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

Yes

No

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

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

Yes

No

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

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

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

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

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

AGREEMENT TO INDEMNIFY

Attached to this application is a cheque payable to the Township of South Frontenac 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,

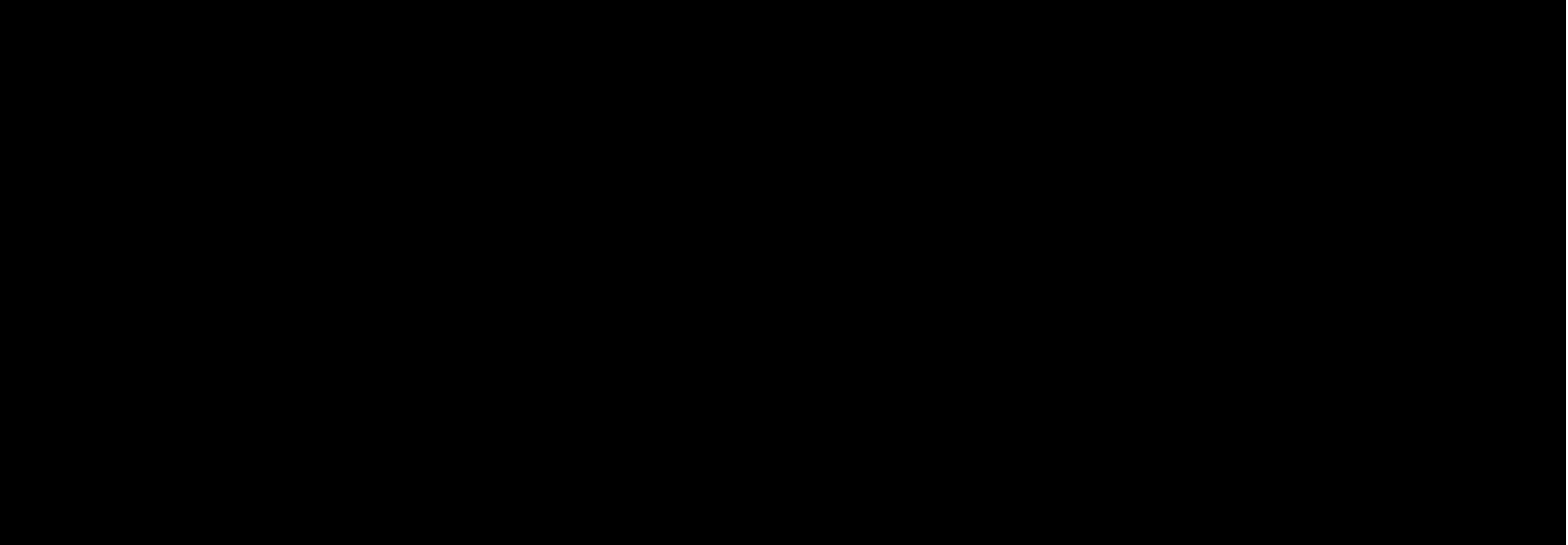
The Owner/Applicant/Agent further agrees that, until such requests have been complied with, the municipality will have no continuing obligation to process the application or attend or be represented at the Ontario Municipal Board or any court or other administrative proceeding in connection with the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

DATED AT THE TOWNSHIP OF SOUTH FRONTENAC

THIS 15 DAY OF MARCH, 2022

I, ANDREW KLASSEN OF OTTAWA

solemnly declare that all the statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.



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

A Guide to Completing the Minor Variance Form

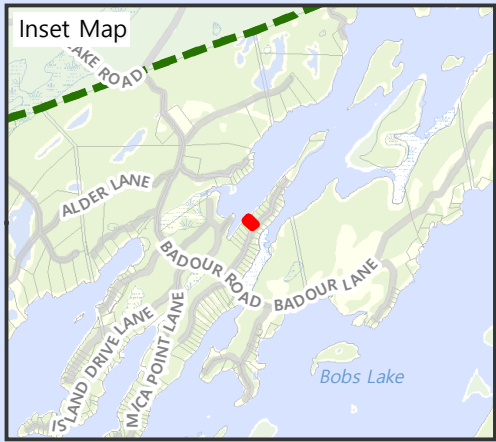
- 1) The names of **all** owners must appear in this section, even if they live in separate residences, and the address(es) should be the **full mailing address, complete with postal code**.
- 2) You may wish to appoint someone to act on your behalf during the variance process. If so, that person's name, 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).

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

- 9) Parking and Docking: This question is only relevant if you can only access your property by water.
- 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.

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

- 23) Septic: in most cases the answer will be private sewage system, but there may be some privies.
- 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.












SOUTH FRONTENAC

**PL-ZNA-2022-0034
(KLASSEN)**

73 MILL BAY LANE

Legend

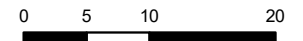
-  Subject Property
-  Road
-  Railway
-  Assessment Parcel
-  Provincially Significant Wetlands
-  Wetland
-  Wooded Area
-  Water
-  Township Boundary



Produced by the Township of South Frontenac under license with the Ontario Ministry of Natural Resources © Queen's Printer for Ontario, 2020.

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



Meters

UTM Zone 18 NAD 83

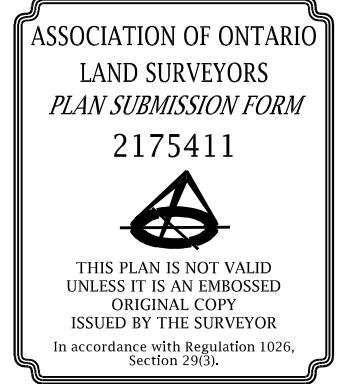
Date: 2022-03-22

TOPOGRAPHIC PLAN
OF SURVEY OF
PART OF LOT 34
CONCESSION 7
GEOGRAPHIC TOWNSHIP OF
BEDFORD
TOWNSHIP OF SOUTH FRONTENAC
COUNTY OF FRONTENAC

SCALE = 1 : 200



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LOT
CONCESSION

PIN 36239 - 0172 (LT)
PART 18

PLAN 13 R 167

34
7

Legend:

Stone Patio

New Building Footprint

Demo Existing

173 (LT)

19

PLAN 13 R 167

EMPTY LOT

Proposed new well location

Shed to be demolished after main building completion

Approximate location of Neighbours septic

Neighbours well on opposite side of property.

PIN 36239 - 0171 (LT)
PART 17
Approximate location of Neighbours septic
PLAN 13 R 167

New Septic location

9.57M from top of bank. Approximate slope to new grade 5%. Slope to existing grade 12%. Slope is less than 30% listed in By-Law 5.8.2.2

SIB (981) ORP-1
N 51°18'09" E (REFERENCE BEARING)
29.764

SSIB (981)
N 46°06'30" W
175.97

O/H HYDRO LINE
POLE

GRAVEL DRIVE
18.56

GRAVEL DRIVE
173.07

GRAVEL DRIVE
173.06

GRAVEL DRIVE
172.76

GRAVEL DRIVE
172.69

GRAVEL DRIVE
172.41

GRAVEL DRIVE
172.41

GRAVEL DRIVE
172.41

PIN 36239 - 0182 (LT)
PART "A"
PLAN 13 R 167
(KNOWN AS MILL BAY LANE)

SITE BENCHMARK

- SITE BENCHMARK IS A NAIL IN TREE HAVING A GEODETIC ELEVATION OF 180.92m
- ELEVATIONS ARE GEODETIC AND HAVE BEEN DERIVED USING GPS, CGVD-1928 DATUM

SURVEY INTEGRATION NOTES:

- THE INFORMATION PROVIDED ON THIS SURVEY COMPLIES WITH SECTION 14(1) & (2) SUCH THAT THE COORDINATES ARE ACCURATE, AT THE 95% CONFIDENCE LEVEL, TO 0.2 METRES IN RURAL AREAS.
- COORDINATES HAVE BEEN DIRECTLY OBSERVED USING GPS: - REAL TIME NETWORK (RTN) COORDINATES FROM TOPCON NETWORK
- DISTANCES ON THIS PLAN ARE HORIZONTAL GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY THE AVERAGE COMBINED SCALE FACTOR OF 0.99976621

SURVEY NOTES:

- BEARINGS ARE UTM GRID DERIVED FROM GPS - REAL TIME NETWORK (RTN) OBSERVATIONS ON MONUMENTS ORP-1 AND ORP-2, HAVING A GRID BEARING OF N51°18'09"E, NAD83 (CSRS 1997.0) AND ARE REFERRED TO THE CENTRAL MERIDIAN IN UTM ZONE 18 (75°W).
- DISTANCES AND COORDINATES ILLUSTRATED ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
- THE HIGH WATER MARK IS CONTROLLED BY A DAM AT THE OUTLET OF BOB'S LAKE

BEARINGS ARE UTM GRID DERIVED FROM GPS - REAL TIME NETWORK (RTN) OBSERVATIONS, FOR BEARING COMPARISONS A ROTATION FACTOR WAS APPLIED TO CONVERT TO UTM BEARINGS, AS NOTED BELOW.

PLAN ID.	BEARING ROTATION	DIRECTION
P1	01°05'09"	CLOCKWISE

ALL COORDINATES ARE IN METRES, ARE RELATED TO UTM ZONE 18 (75°W LONGITUDE) NAD83 CSRS AND HAVE A RELATIVE ACCURACY TO MEET THE REQUIREMENTS OF A RURAL AREA AT A 95% CONFIDENCE LEVEL. OBSERVED REFERENCE POINT (ORP) OR SPECIFIED CONTROL POINT (SCP)

POINT ID.	POINT DESC.	NORTHING (N)	EASTING (E)
ORP-1	SIB (981)	4 953 250.7	375 928.4
ORP-2	SSIB (981)	4 953 289.3	375 976.6

THE COORDINATE(S) ILLUSTRATED CANNOT, THEMSELVES, BE USED TO RE-ESTABLISH THE CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

LEGEND

	DENOTES PLANTED MONUMENT	RB	DENOTES ROCK BAR
	DENOTES FOUND MONUMENT	CC	DENOTES CUT CROSS
	DENOTES STANDARD IRON BAR	IP	DENOTES IRON PIPE
	DENOTES SHORT STANDARD IRON BAR	WIT	DENOTES WITNESS
	DENOTES IRON BAR	FN	DENOTES FIELD NOTES
	DENOTES ROUND IRON BAR	-X-X-	DENOTES FENCE
	DENOTES CONCRETE MONUMENT	-TB-	DENOTES TOP OF BANK
	DENOTES DIRECTION (NORTH, EAST, SOUTH & WEST)	-BB-	DENOTES BOTTOM OF BANK
P1 (981)	DENOTES PLAN 13 R 167	W/S	DENOTES WOODEN STAKE
(981) (OU)	DENOTES L.U. MAUGHAN, O.L.S	IPS	DENOTES INTERLOCKING PAVING STONES
	DENOTES ORIGIN UNKNOWN	GW	DENOTES GUY WIRE
			DENOTES SITE BENCHMARK

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 16TH DAY OF SEPTEMBER, 2021.

OCTOBER 26, 2021.

W. B. COLLETT
ONTARIO LAND SURVEYOR

IN ENGINEERING + SURVEYING
SUITE #205, 31 KING ST. E., BROCKVILLE, ONTARIO - K6V 1A8
TEL: 613-342-2611 OR 1-800-267-4433
E-MAIL: info@ineng.ca
www.inengineering.ca

THIS PLAN IS NOT A VALID COPY UNLESS EMBOSSED WITH SURVEYOR'S SEAL.

MAP CHECK
J.Mc.

PTY. CH.
M.S.

DRN. BY
J.Mc.

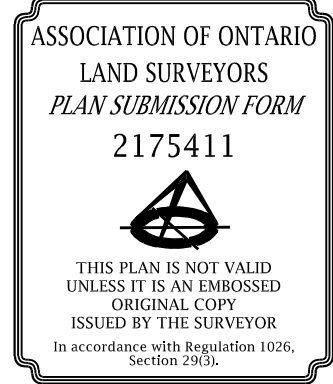
FILE NO.
10831 MT

TOPOGRAPHIC PLAN
OF SURVEY OF
PART OF LOT 34
CONCESSION 7
GEOGRAPHIC TOWNSHIP OF
BEDFORD
TOWNSHIP OF SOUTH FRONTENAC
COUNTY OF FRONTENAC

SCALE = 1 : 200



© IN SURVEYING LTD. 2021



LOT
CONCESSION

PIN 36239 - 0172 (LT)
PART 18

PLAN 13 R 167

34
7

Legend:

Stone Patio

New Building Footprint

Demo Existing 173 (LT)

PLAN 13 R 167

EMPTY LOT

CONTROLLED HIGH WATER MARK (AS PER PLAN 13R 167)

BOB'S LAKE

CURRENT HIGH WATER MARK - SEPTEMBER 16, 2021

30.53 m

9.57M from top of bank. Approximate slope to new grade 5%. Slope to existing grade 12%. Slope is less than 30% listed in By-Law 5.8.2.2

Shed to be demolished after main building completion

Approximate location of Neighbours septic

Neighbours well on opposite side of property.

Proposed new well location

New Septic location per Site visit from Septic installer and Inspector Chris Beeg

PIN 36239 - 0171 (LT)

PART 17

PLAN 13 R 167

PART "A"

PLAN 13 R 167

(KNOWN AS MILL BAY LANE)

PART 38

PART 37

PLAN 13 R 167

PART 36

SITE BENCHMARK

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	DENOTES FOUND MONUMENT	CC	DENOTES CUT CROSS
	DENOTES STANDARD IRON BAR	IP	DENOTES IRON PIPE
	DENOTES SHORT STANDARD IRON BAR	WIT	DENOTES WITNESS
	DENOTES IRON BAR	FN	DENOTES FIELD NOTES
	DENOTES ROUND IRON BAR	-X-X-	DENOTES FENCE
	DENOTES CONCRETE MONUMENT	-TB-	DENOTES TOP OF BANK
	DENOTES DIRECTION (NORTH, EAST, SOUTH & WEST)	-BB-	DENOTES BOTTOM OF BANK
P1 (981)	DENOTES PLAN 13R 167	W/S	DENOTES WOODEN STAKE
(981) (OU)	DENOTES L.U. MAUGHAN, O.L.S	IPS	DENOTES INTERLOCKING PAVING STONES
	DENOTES ORIGIN UNKNOWN	GW	DENOTES GUY WIRE
			DENOTES SITE BENCHMARK

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MAP CHECK
J.Mc.

PTY. CH.
M.S.

DRN. BY
J.Mc.

FILE NO.
10831 MT.

Roof Types

- (1) Standard Gable Roof / Cathedral Ceiling
 12/12 pitch
 2" of insulation
 1/2" of sheathing
 1/2" of sheathing
 1/2" of sheathing
 1/2" of sheathing
- (2) Standard / Vaulted Cathedral Ceiling
 12/12 pitch
 2" of insulation
 1/2" of sheathing
 1/2" of sheathing
 1/2" of sheathing

Wall Types

- (1) 1/2" Drywall
 1/2" of sheathing
 1/2" of sheathing
 1/2" of sheathing
- (2) 1/2" Drywall
 1/2" of sheathing
 1/2" of sheathing
 1/2" of sheathing

Floor Types

- (1) 1/2" Drywall
 1/2" of sheathing
 1/2" of sheathing
 1/2" of sheathing
- (2) 1/2" Drywall
 1/2" of sheathing
 1/2" of sheathing
 1/2" of sheathing

Partition Types

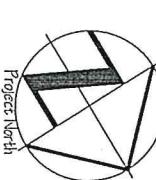
- (1) 1/2" Drywall
 1/2" of sheathing
 1/2" of sheathing
 1/2" of sheathing
- (2) 1/2" Drywall
 1/2" of sheathing
 1/2" of sheathing
 1/2" of sheathing

General Notes:

1. This plan is a general guide only. It is not intended to be a contract document. The contractor shall be responsible for all details and for obtaining all necessary permits. The contractor shall be responsible for all details and for obtaining all necessary permits. The contractor shall be responsible for all details and for obtaining all necessary permits.

DESIGNER INFORMATION

1. Rod Stokes of Rod Stokes Consulting Inc. is the designer of this plan. The contractor shall be responsible for all details and for obtaining all necessary permits. The contractor shall be responsible for all details and for obtaining all necessary permits.



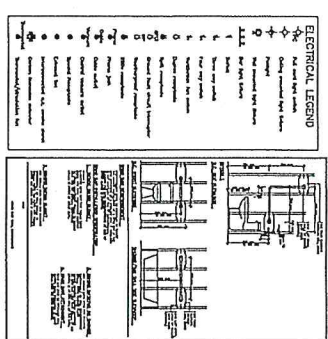
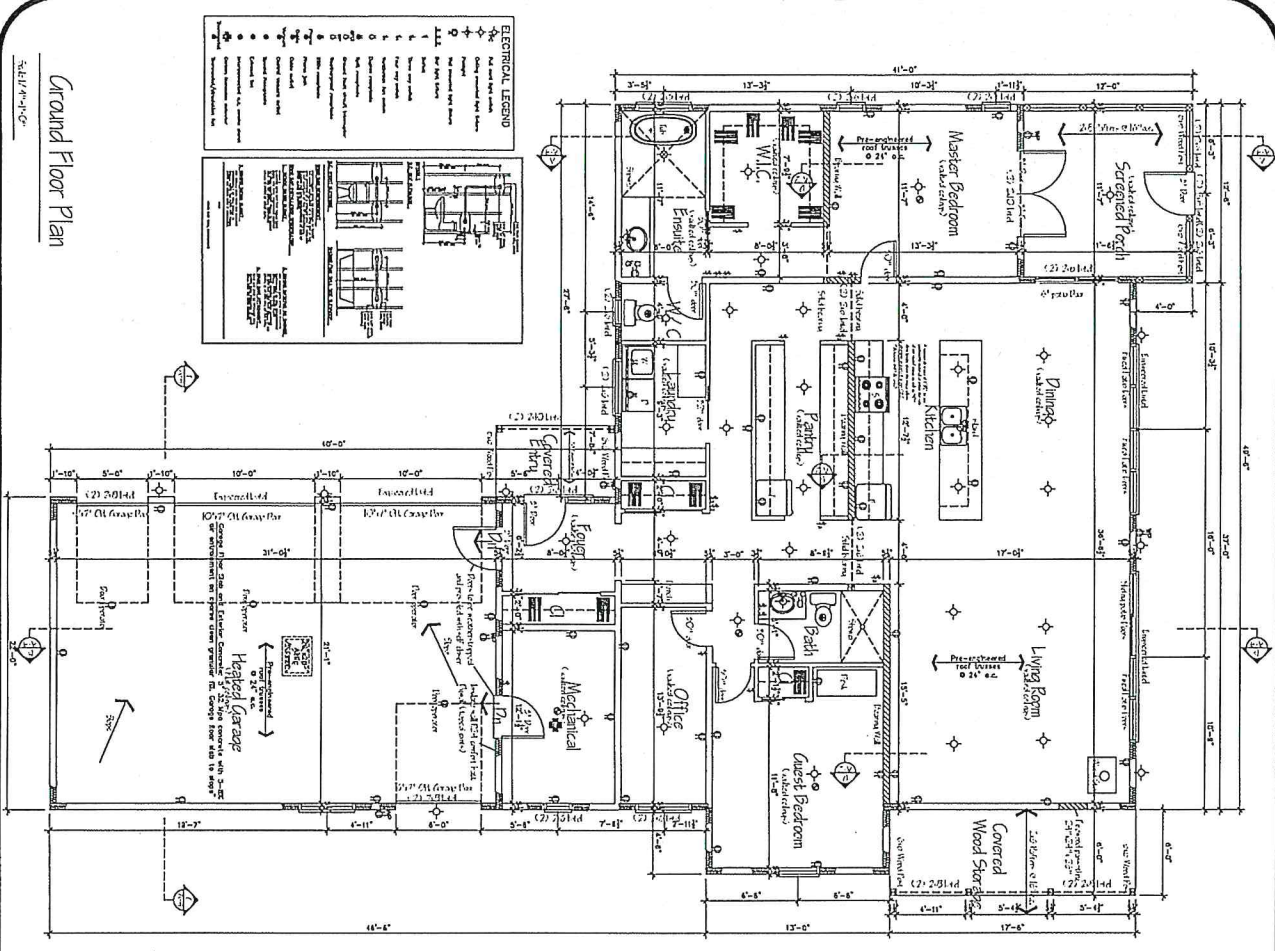
No.	Revisions/Issues	Date
1		
2		
3		



Ground Floor Plan

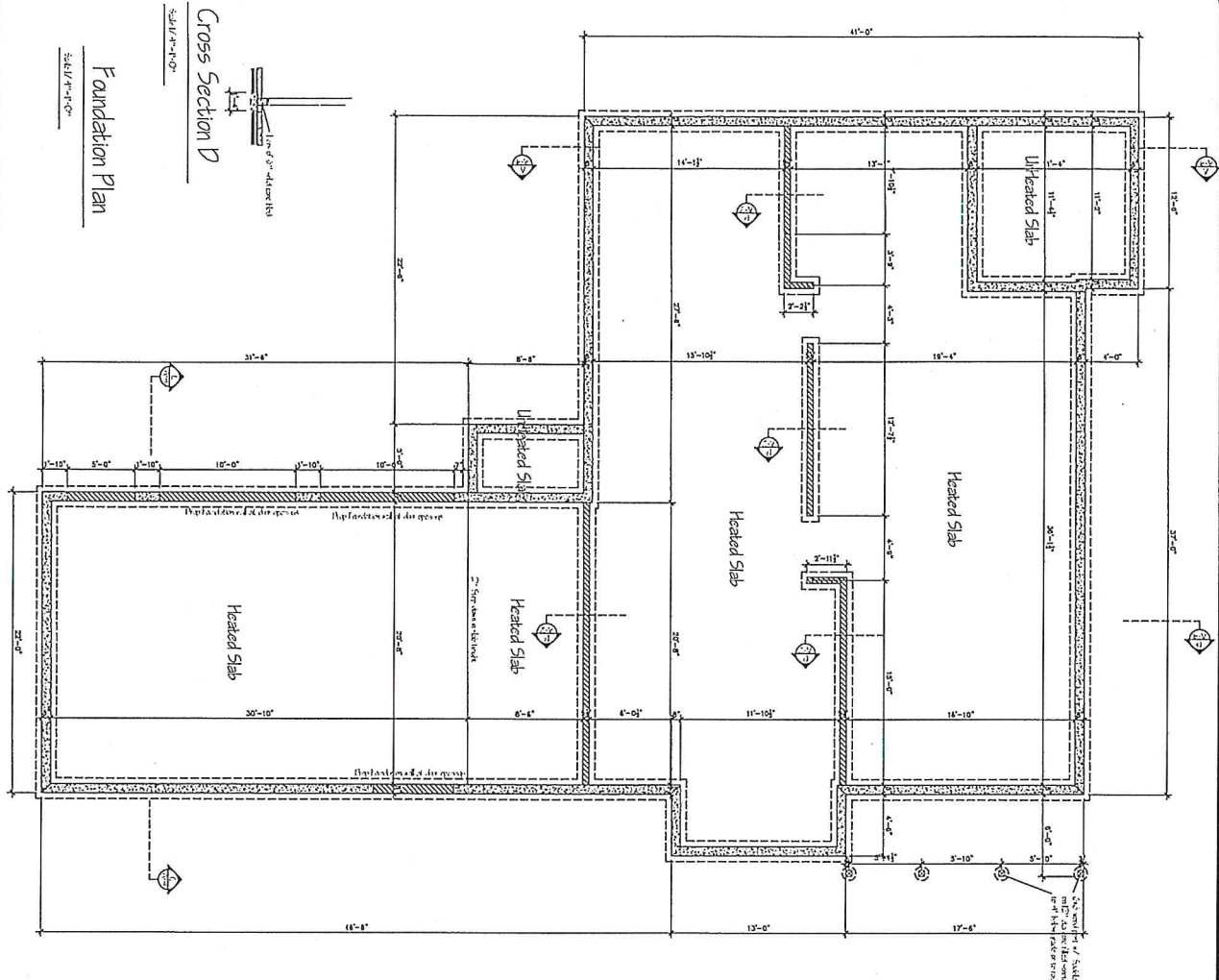
Prepared by:
 A. Nelson and C. Howard
 75 Mill Park Lane, Markham, Ont.
 For the use of:
 Family of Sarah Frimans.

Project	Sheet
As noted	A-1



Ground Floor Plan

1. This plan is a general guide only. It is not intended to be a contract document. The contractor shall be responsible for all details and for obtaining all necessary permits. The contractor shall be responsible for all details and for obtaining all necessary permits.



Roof Types

- (10) Number of Joist / Ceiling / Truss / Decking / Insulation / Membrane / Finish
1/2" x 12" joists
2" rigid insulation
1/2" gypsum board
1/2" x 12" joists
2" rigid insulation
1/2" gypsum board
1/2" x 12" joists
- (11) Structural Insulated Concrete Slab
2" rigid insulation
1/2" x 12" joists
2" rigid insulation
1/2" x 12" joists

Wall Types

- (12) Masonry
1/2" x 12" joists
2" rigid insulation
1/2" x 12" joists
2" rigid insulation
1/2" x 12" joists
- (13) Insulated Concrete Slab
2" rigid insulation
1/2" x 12" joists
2" rigid insulation
1/2" x 12" joists

Floor Types

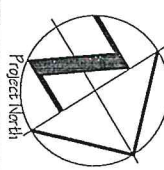
- (14) Foundation Slab
2" rigid insulation
1/2" x 12" joists
2" rigid insulation
1/2" x 12" joists
- (15) Partition Types
2" rigid insulation
1/2" x 12" joists
2" rigid insulation
1/2" x 12" joists

General Notes:

These plans were prepared in accordance with the provisions of the International Building Code, 2003 Edition, and shall be used in accordance with the provisions of the International Building Code, 2003 Edition, and shall be used in accordance with the provisions of the International Building Code, 2003 Edition.

These plans were prepared in accordance with the provisions of the International Building Code, 2003 Edition, and shall be used in accordance with the provisions of the International Building Code, 2003 Edition, and shall be used in accordance with the provisions of the International Building Code, 2003 Edition.

DESIGNER INFORMATION:
LISA S. STOKES, P.E.
11111 111th Street, Suite 1111
Farmingdale, NY 11735
Tel: 516-241-1111
Fax: 516-241-1111
www.rod-stokes.com



No.	Revision/Date	Date
1	Issue/Date	
2	Issue/Date	
3	Issue/Date	

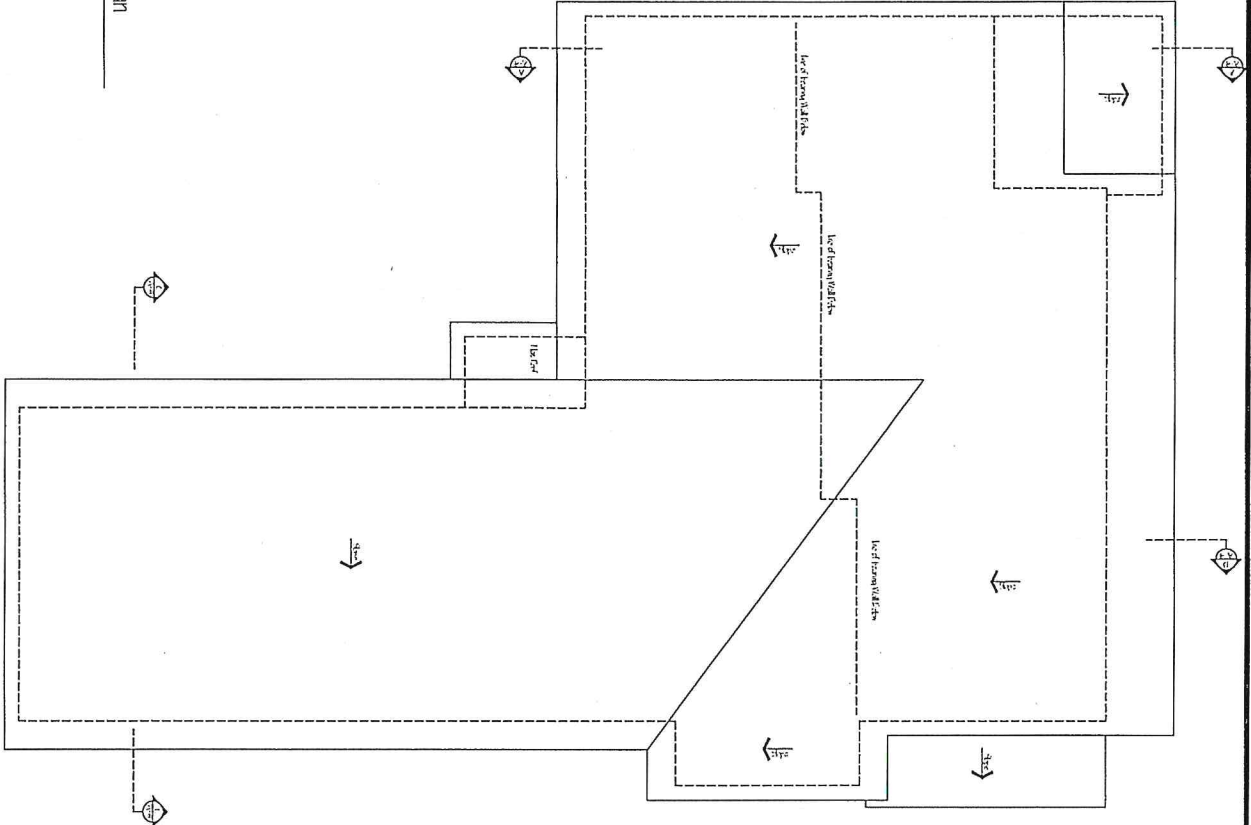


Foundation Plan

New Single Family Residence For
A. Messeri and C. Messeri
75 Mill Pond Lane, Westfield, MA
For info of Sarah Fredenick

Project: A-2
Date: 11/11/11
Scale: As noted

Roof Plan



Roof Types

- 1) Standard Gable Roof / Gable Roof with Mansard roof on main level
- 2) Standard Gable Roof / Gable Roof with Mansard roof on main level
- 3) Standard Gable Roof / Gable Roof with Mansard roof on main level
- 4) Standard Gable Roof / Gable Roof with Mansard roof on main level

Wall Types

- 1) Masonry Wall / Masonry Wall
- 2) Masonry Wall / Masonry Wall
- 3) Masonry Wall / Masonry Wall
- 4) Masonry Wall / Masonry Wall

Floor Types

- 1) Concrete Slab / Concrete Slab
- 2) Concrete Slab / Concrete Slab
- 3) Concrete Slab / Concrete Slab
- 4) Concrete Slab / Concrete Slab

Partition Types

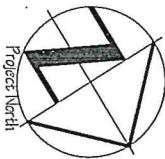
- 1) Masonry Wall / Masonry Wall
- 2) Masonry Wall / Masonry Wall
- 3) Masonry Wall / Masonry Wall
- 4) Masonry Wall / Masonry Wall

General Notes:

1. This plan is for information only and is not to be used for construction purposes. It is the responsibility of the contractor to verify all dimensions and details on site. The contractor shall be responsible for obtaining all necessary permits and approvals from the relevant authorities. The contractor shall be responsible for ensuring that all work is completed in accordance with the relevant building codes and standards. The contractor shall be responsible for ensuring that all work is completed in accordance with the relevant building codes and standards.

DESIGNER INFORMATION

L. Rod Stokes of Rod Stokes Consulting is the sole author of this plan. The plan was prepared under the supervision of L. Rod Stokes. The plan was prepared in accordance with the relevant building codes and standards. The plan was prepared in accordance with the relevant building codes and standards.



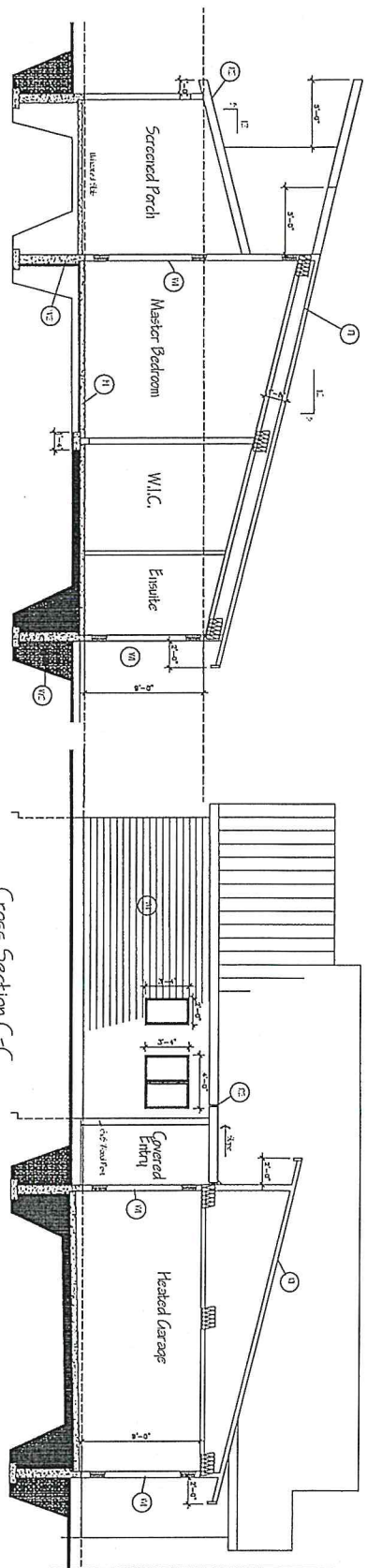
No.	Revision/Issue	Date
1		
2		
3		



Roof Plan

Non-Smoke Family Residence For A. Mason and C. Moberd 75 Mill Gap Lane, North Oke. Territory of South Frisco.

Sheet	Number
As noted	A-3

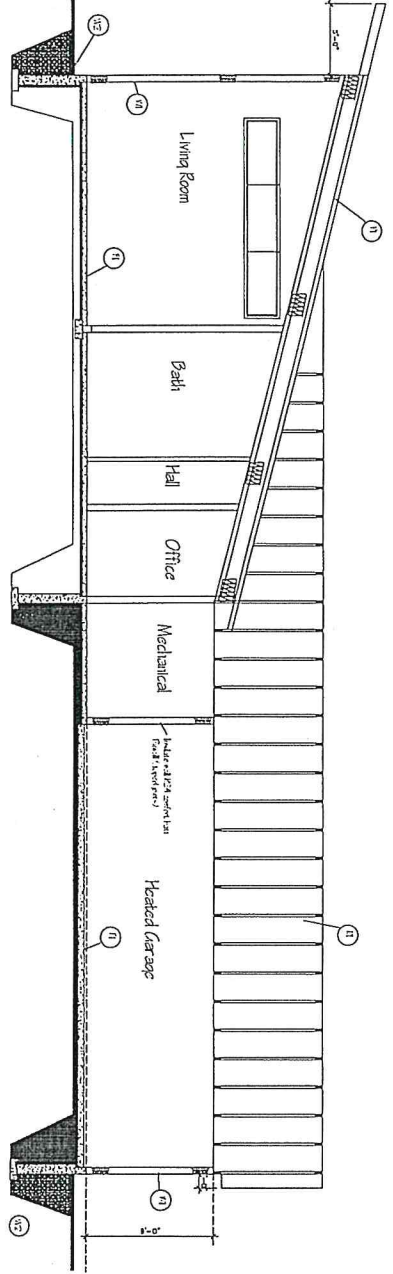


Cross Section A-A

SCALE: 1/4" = 1'-0"

Cross Section C-C

SCALE: 1/4" = 1'-0"



Cross Section B-B

SCALE: 1/4" = 1'-0"

Roof Types

- 11. 24/12 Pitched Gable Roof / Cedar/Asph/Flt
 1 1/2" x 6" rafters
 1/2" x 8" joists
 1/2" x 12" purlins
 1/2" x 12" ridge
 1/2" x 12" eaves
 1/2" x 12" fascia
- 12. 24/12 Pitched Gable Roof / Cedar/Asph/Flt
 1 1/2" x 6" rafters
 1/2" x 8" joists
 1/2" x 12" purlins
 1/2" x 12" ridge
 1/2" x 12" eaves
 1/2" x 12" fascia

Wall Types

- 10. 1/2" x 8" Studs / 1/2" x 4" Sill
 1/2" x 8" studs
 1/2" x 4" sill
 1/2" x 4" top plate
 1/2" x 4" bottom plate
- 11. 2x4 Studs / 1/2" x 4" Sill
 2x4 studs
 1/2" x 4" sill
 1/2" x 4" top plate
 1/2" x 4" bottom plate

Floor Types

- 11. 1/2" x 8" Studs / 1/2" x 4" Sill
 1/2" x 8" studs
 1/2" x 4" sill
 1/2" x 4" top plate
 1/2" x 4" bottom plate
- 12. 1/2" x 8" Studs / 1/2" x 4" Sill
 1/2" x 8" studs
 1/2" x 4" sill
 1/2" x 4" top plate
 1/2" x 4" bottom plate

Partition Types

- 11. 1/2" x 8" Studs / 1/2" x 4" Sill
 1/2" x 8" studs
 1/2" x 4" sill
 1/2" x 4" top plate
 1/2" x 4" bottom plate
- 12. 1/2" x 8" Studs / 1/2" x 4" Sill
 1/2" x 8" studs
 1/2" x 4" sill
 1/2" x 4" top plate
 1/2" x 4" bottom plate

General Notes:

1. Contractor shall be responsible for the completion of the building envelope. The building envelope shall be completed and verified for air tightness before the interior finish is applied.

2. The contractor shall be responsible for the completion of the building envelope. The building envelope shall be completed and verified for air tightness before the interior finish is applied.

DESIGNER INFORMATION

Rod Stokes Consulting
 73 All Day Lane, Markham, Ont.
 L3R 9V7
 Phone: (905) 477-3882
 Fax: (905) 477-3882
 Website: www.rod-stokes.com
 Individual B.O.L.N.: 31134
 Firm B.O.L.N.: 38822



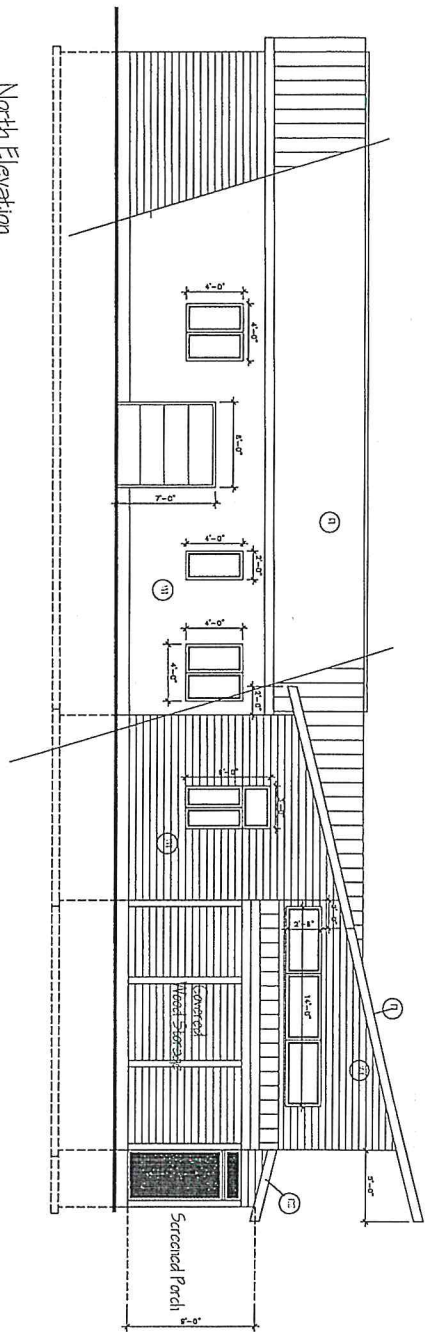
No.	Revision/Issue	Date
1		
2		
3		



Sections

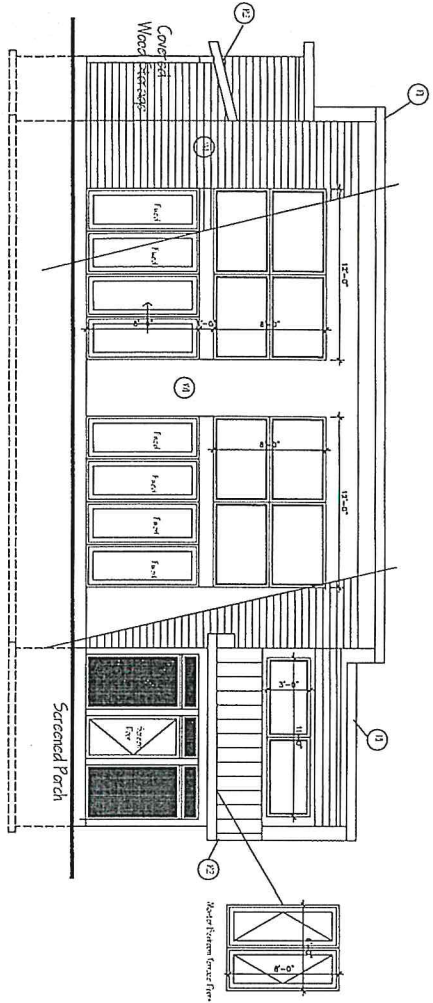
1. A-Master and C-Master
 73 All Day Lane, Markham, Ont.
 L3R 9V7
 For info or to schedule a consultation

Project	Section
11	A-4
Scale	As noted



North Elevation

Scale: 1/4" = 1'-0"



West Elevation

Scale: 1/4" = 1'-0"

Roof Types

- 11 Metal Roofing/ Shingles
- 12 Wood Shakes

Wall Types

- 13 Concrete Block
- 14 Brick

Floor Types

- 15 Hardwood
- 16 Carpet
- 17 Tile

Partition Types

- 18 Drywall
- 19 Glass

General Notes:

1. All elevations are shown in perspective. Dimensions are given in feet and inches. All dimensions are to the face unless otherwise noted. All elevations are shown in perspective. Dimensions are given in feet and inches. All dimensions are to the face unless otherwise noted. All elevations are shown in perspective. Dimensions are given in feet and inches. All dimensions are to the face unless otherwise noted.

DESIGNER INFORMATION
 Rod Stokes
 1700 S. 17th Street
 Phoenix, AZ 85024
 Phone: 602.955.1111
 Fax: 602.955.1112
 Email: info@rodstokes.com
 Website: www.rodstokes.com



No.	Revision/Date	By
1		
2		
3		
4		

rod STOKES
 CONSULTING

Elevations

Non-Single Family Residence For
 A. Mason and C. Mason
 75 Mill Bay Lane, Watson, Ca.
 for the City of South Pasadena

Project	Sheet
As noted	A-6

To: Building Department and Council of South Frontenac

Re: 73 Mill Bay Lane New Residence PL-ZNA-2022-0034

Date: April 11, 2022

We will be making Mill Bay Lane our permanent residence in South Frontenac. We love the area.

Our project entails the demolition of an old cottage (circa 1980's) including a small shed and, the construction of a new wheelchair accessible home that is slab on grade. The property is an undersized lot (about 0.5 Acres) that has a very steep slope on the road side, and a cliff on the water side. The existing grade at the new building location will be dropped by approximately 5 ft.

We love to garden and will be moving the topsoil and bushes/plants from our existing beds to the perimeter. Mainly at the cliff edge to help mitigate potential erosion with the plant root system and provide a natural barrier to the cliff edge. The road side has some tiered areas that we plan on developing into flower gardens. Unfortunately, there are several large Oak trees that need to be removed but, with the current LDD infestation we will be planting at least one Maple tree for each tree we remove. The Oak harvested will be milled locally and integrated in our interior design.

To reduce environmental impact and support nature we are planting clover instead of grass. We started planting clover last spring and now see Grouse, Deer, and other animals that we did not see previously. Clover does not need to be mowed and its root system is excellent at reducing soil erosion.

As the site is mostly cliff on the road and water side, there is no room for a separate garage in the location close to the principal dwelling. There is an area near the road but, would not meet the setback requirements and not wheelchair accessible. The attached garage is vital as there is insufficient area in the building location for a separate garage and would not be conducive to wheelchair use. One cohesive structure rather than a collection of small structures will be visually appealing.

The overall height of the building is 21 feet, this is similar to the existing structure. As the grade will be lowered by approximately 5 ft, the visual impact will be reduced. Sight lines from the neighbouring home will not be impacted. Sight lines from the lake (if you are in a boat) will see less structure than the existing cottage.

The lot to the north of the property is currently vacant and they are in the design phase for their future cottage. Their current design faces away from our property and down the bay (opposite direction from our build) and views will not be affected.

Local builder RK Porter is our contractor of choice.

Best Regards,

A. Klassen *Chantal Menard*

Andrew Klassen and Chantal Menard



TECHNICAL MEMORANDUM

To: Mr. Andrew Klassen
73 Mill Bay Lane
Maberly, ON K0H 2B0

From: Dylan Hill, P.Eng.
Geotechnical Engineer
Malroz Engineering Inc.

Reviewed: David Hodgson, P.Eng.
Senior Engineer, Principal
Malroz Engineering Inc.

Date: April 28, 2022

Subject: Assessment of Slope Stability for Proposed Residential Dwelling
73 Mill Bay Lane, South Frontenac ON

Malroz Engineering Inc. (Malroz) was contacted on April 12, 2022 by Mr. Andrew Klassen (the Client) to conduct an evaluation of the stability of a slope located at 73 Mill Bay Lane (Part Lot 34, Concession 7, Bedford), in South Frontenac, Ontario (the Site). This evaluation was conducted to support the construction of a new residential dwelling on the Site, designed in accordance with Part 9 of the Ontario Building Code. The property is located on the north side of Mill Bay Lane, on a peninsula in Mill Bay on Bobs Lake, approximately 11 km northeast of Tichborne, Ontario.

This assessment was carried out in general accordance with the requirements of the Ontario Ministry of Natural Resources and Forestry (MNRF) guidelines as outlined in the MNRF Technical Guide for River and Stream Systems: Erosion Hazard Limit (2002) Slope Stability Rating System.

A site visit was carried out on April 21, 2022 by Mr. Dylan Hill, of Malroz Engineering, who is a licensed geotechnical engineer in the province of Ontario (CV enclosed at the end of this document), in order to document conditions and complete the inspection. The results of the field observations, as per the MNR Slope Stability Rating System, are summarized in the following sub-sections of this memorandum:

Project Understanding and General Observations

We understand that the Client proposes to demolish the existing single storey dwelling in its entirety, and construct a new multi-season residential dwelling, designed in accordance with Part 9 of the Ontario Building Code (i.e. small structures). We understand that the proposed new structure will extend the existing building footprint marginally to the northwest, and to the southeast. The foundation for the proposed new dwelling will consist either of shallow strip footings along the perimeter of the structure or a thickened slab on grade.

The proposed corners of the new building, as pinned by the Client at the time of the site visit, were located between approximately 9.3 and 11 m from the crest of the slope on the Site, which is located to the north west and extends downward to Bob's Lake. A staircase was observed running down the face of the slope to the shoreline. An existing residential dwelling was observed on the adjacent property to the west.. Figure 1, enclosed at the end of this memorandum in Attachment A, depicts the Site and topography of the immediate area (retrieved from the MNR). Our understanding of the configuration of the proposed development is based on the topographic survey, enclosed at the end of this memorandum.

As discussed with the Client during our visit to the Site, we understand that the slope will not be altered in any way as a part of the currently proposed development.

Several photographs of the Site are enclosed in the attached photo log at the end of this document in Attachment B.

Rating System

The Ministry of Natural Resources and Forestry (MNRF) Slope Stability Rating System employs a semi-quantitative scoring system based on the categories summarized below. A higher assigned score identifies a greater level of risk associated with the categories. The slope inspection field record is provided in Attachment C and discussed below.

Slope Inclination and Height:

The inclination of the slope past the crest was estimated during the Site visit to be near vertical (between 60-80 degrees). Slope height was measured in the topographic survey to be between 15 and 16 m from the high water mark at the base of the slope to the crest.

Based on the above, we have assigned a score of 24 (16 for inclination and 8 for height) for this category under the MNR's Slope Stability Rating System.

Soil Stratigraphy:

Outcropping of Precambrian granitic rock was observed throughout the area of the development, with the Client noting that a short retaining wall constructed previously to the northeast of the house required significant effort for rock removals. The existing structure was observed to be founded on piers placed directly on limestone bedrock (see photo log enclosed).

The physiography of the Bobs Lake area was described by the Ontario Geological Survey (OGS) as shallow till and rock ridges (Chapman and Putnam, 2007). The OGS mapped the Quaternary geology (OGS, 2010) of the area predominantly as very thin glacial drift with exposed bedrock, with coarse-textured glaciolacustrine deposits of sand and gravel to the south of the site. Bedrock geology was mapped by the OGS (Easton, 2001; OGS, 2011) as near the peninsula as gneiss with intercalated marble. Foliation of the metamorphic rocks along the peninsula is trending to the northeast and is moderately to steeply dipping towards the southeast.

Based on the above, we have assigned a score of 0 for this category, with the expectation that all new developments will have foundations constructed directly on bedrock.

Seepage:

No seepage was observed from the face of the slope, nor were any watercourses present along the slope. Bob's Lake is located directly at the toe of the slope.

Based on the above, we have assigned a score of 0 for this category.

Vegetative Cover:

The slope was lightly grass covered with some medium sized brush and bushes, and a large number of mature trees over the entire face.

Based on the above, we have assigned a score of 0 for this category.

Drainage:

Several minor erosional features were observed on the slope face, e.g. exposed rock on some shallower sections of slope. However, relatively dense underbrush suggests only minor flow over the slope face during wet seasonal periods. The up-gradient catchment area is expected to be relatively small.

Based on the above, we have assigned a score of 2 for this category.

Toe of Slope:

No toe erosion was evident at this Site. Numerous outcrops of granitic rock were evident across the slope face. Vegetative cover should be maintained at the toe of the slope where possible in order to prevent erosion if possible, however given the well established root mat from mature tree growth, we would not consider this an absolute requirement. Only a thin drift of overburden is present at this location on the slope face. Bob's Lake is located directly adjacent to the bottom of the slope.

Based on the proximity of Bob's Lake to the slope toe, we have assigned a score of 6 for this category.

Landslide History:

No obvious evidence of local landslides in the immediate area of the Site were observed (i.e. bowed trees, tension cracking, slumped ground etc.).

Based on the above, we have assigned a score of 0 for this category.

Discussion

Following our review of the Site in accordance with the MNR Slope Stability Rating System, a summation of rating values total score of 32 has been achieved. Accordingly, this slope is considered to have a slight potential for instability. Based on the observation of significant rock outcropping in the area of the existing development (see photo log), in our opinion no further test pitting or drilling was necessary in the area of development and criteria for the field investigation has been satisfied. Given the lightly loaded nature of a typical Part 9 residential structure, the proximity to the slope as proposed (e.g. roughly 9-12 m from the crest), the well vegetated nature of the slope face, and the apparent massive rock, we are of the opinion that no viable failure (planar, wedge, circular, block or buckling) is likely to occur over the service life of the structure.

Vegetation should be maintained on all slopes to the extent possible to limit erosion, and no excavations should take place on the face or at the slope toe without additional evaluation by a geotechnical engineer.

The proposed addition is suitable to be constructed at the existing setback. We recommend that construction of any ancillary structures (retaining walls etc.) be set back a minimum of 1 m from the top of the slope. However, we understand that the conservation authority recommends a minimum 6 m setback from top of slope for such structures, which should be respected without further assessment and approval from relevant authorities.

Closure

We trust this memorandum meets your present requirements. Please do not hesitate to contact us should there be any questions or clarifications required.

References

Chapman, L.J., and Putnam, D.F. (2007) Physiography of southern Ontario; Ontario Geological Survey, Miscellaneous Release--Data 228.

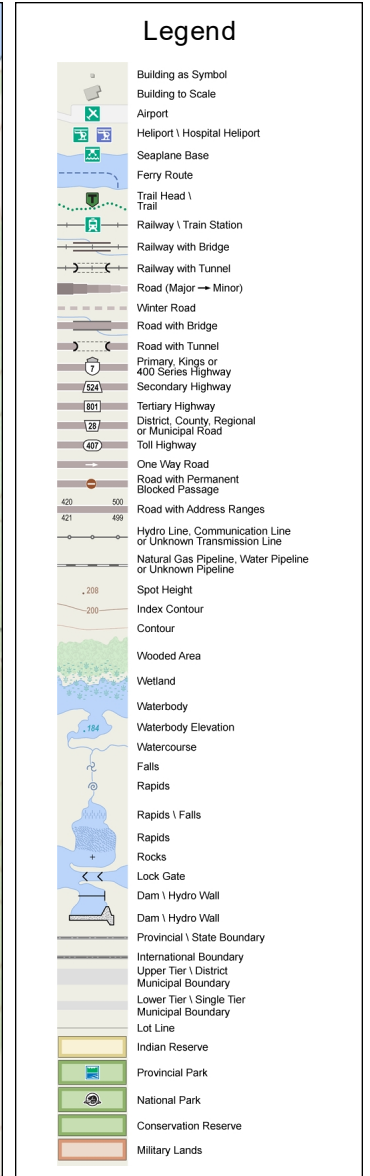
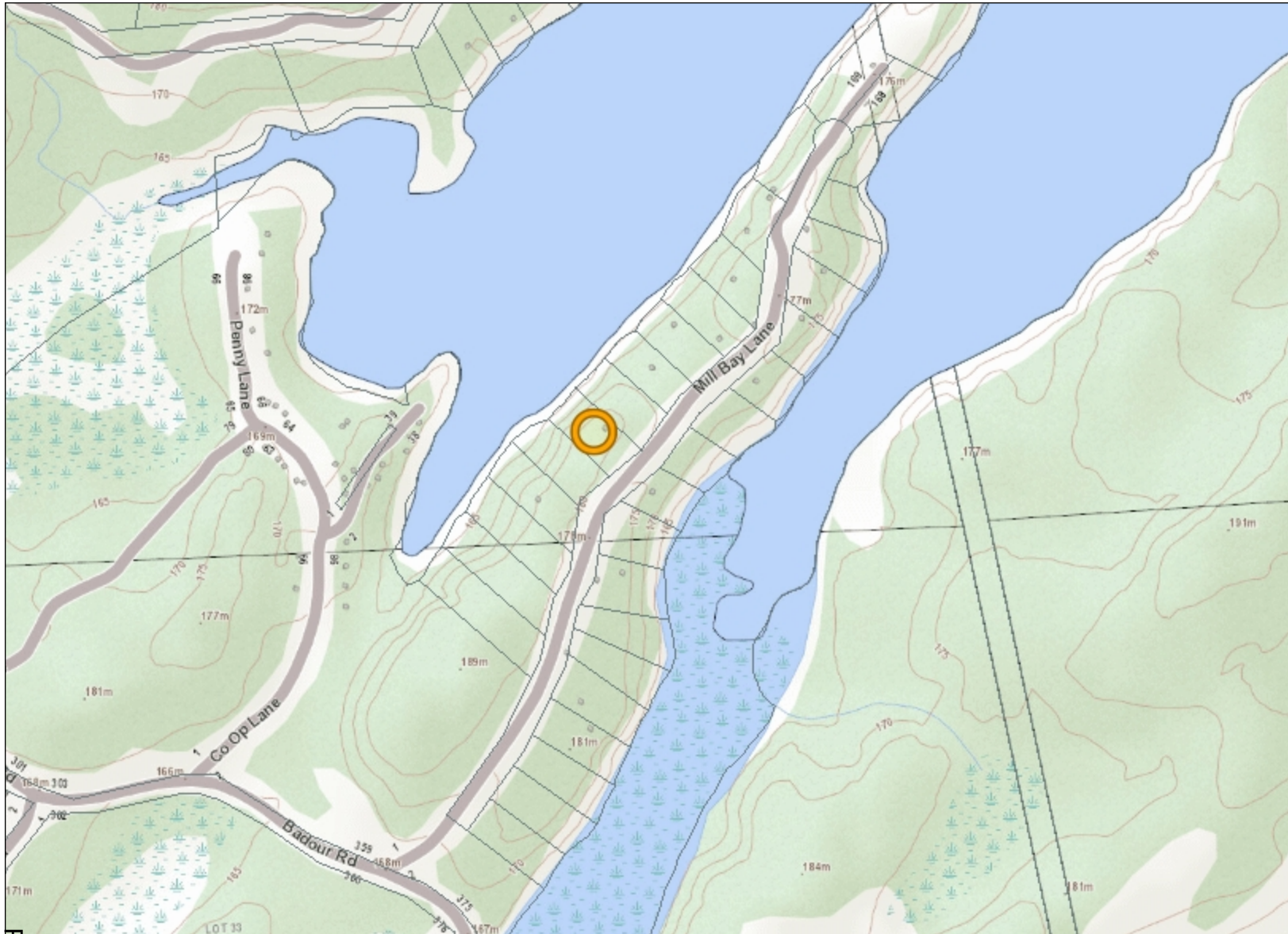
Easton, R.M. (2001) Precambrian geology, Tichborne area; Ontario Geological Survey, Preliminary Map P.3442, scale 1:50,000.

Ontario Geological Survey (2010) Surficial geology of southern Ontario; Ontario Geological Survey, Miscellaneous Release--Data 128-REV.

Ontario Geological Survey (2011) 1:250 000 scale bedrock geology of Ontario; Ontario Geological Survey, Miscellaneous Release---Data 126-REV1.

Ontario Ministry of Natural Resources (2002). River & Stream Systems: Erosion Hazard Limit.

Attachment A
Figures



0.2 km

Projection: Web Mercator



Attachment B
Photo Log



Photo 1 Face of slope from crest, looking north

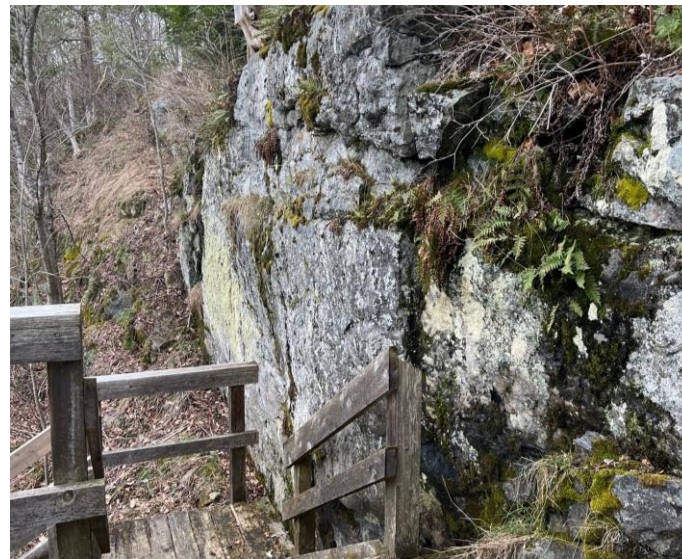


Photo 2 Face of slope from mid-slope, looking east



Photo 3 Pier foundations of existing residence placed directly on bedrock.

Attachment C
Slope Inspection Field Records

TABLE 4.1 - Slope Inspection Record

1. FILE NAME / NO. 1639
 INSPECTION DATE (DDMMYY): 210422
 WEATHER (circle):

- sunny • partly cloudy (cloudy)
 - calm • breeze • windy
 - clear • fog • rain • snow
 - cold (cool) • warm • hot
- estimated air temperature: ~8°C

INSPECTED BY (name): D. Hill

2. SITE LOCATION (describe main roads, features)

SKETCH 73 Mill Bay Lane, Maberly (see OLI topo)

3. WATERSHED Bob's Lake (Quaternary); Rideau River (Tertiary)

4. PROPERTY OWNERSHIP (name, address, phone):

LEGAL DESCRIPTION

Lot 34
 Concession 7
 Township South Frontenac
 County Frontenac

CURRENT LAND USE (circle and describe)

- vacant -field, bush, woods, forest, wilderness, tundra,
- passive -recreational parks, golf courses, non-habitable structures, buried utilities, swimming pools,
- active -habitable structures, residential, commercial, industrial, warehousing and storage,
- infra-structure or public use - stadiums, hospitals, schools, bridges, high voltage power lines, waste management sites,

5. SLOPE DATA

HEIGHT • 3 - 6 m • 6 - 10 m • 10 - 15 m • 15 - 20 m
 • 20 - 25 m • 25 - 30 m • > 30 m

estimated height (m): 15-16m

INCLINATION AND SHAPE

- | | | |
|------------------------------|-------------------------|--------------------------------|
| • 4:1 or flatter
25 % 14° | • up to 3:1
33 % 18° | • up to 2:1
50 % 26° |
| • up to 1:1
100 % 45° | • up to :1
200 % 63° | [• steeper than :1
> 63°] |

6. SLOPE DRAINAGE (describe)

TOP

(FACE) Some exposed rock on flatter portions of slope (minor)

BOTTOM

7. SLOPE SOIL STRATIGRAPHY (describe, positions, thicknesses, types)

TOP

FACE

BOTTOM

} Exposed granitic, massive or thin drift of topsoil, root mat.

8. WATER COURSE FEATURES (circle and describe)

SWALE, CHANNEL

GULLY

STREAM, CREEK, RIVER

POND, BAY, LAKE

→ lake at base of slope

SPRINGS

MARSHY GROUND

9. VEGETATION COVER (grasses, weeds, shrubs, saplings, trees)

TOP - upslope developed, some mature trees remain

FACE - significant mature tree growth, root mat but little undergrowth

BOTTOM - n/a (lake)

10. STRUCTURES (buildings, walls, fences, sewers, roads, stairs, decks, towers,)

TOP - existing dwelling, light landscaping

FACE - staircase

BOTTOM - n/a

11. EROSION FEATURES (scour, undercutting, bare areas, piping, rills, gully)

TOP - n/a

FACE - light exposed rock on flatter slope areas

BOTTOM - n/a

12. SLOPE SLIDE FEATURES (tension cracks, scarps, slumps, bulges, grabens, ridges, bent trees)

TOP

FACE

BOTTOM

} N/A

13. PLAN SKETCH OF SLOPE

- See topo

14. PROFILE SKETCH OF SLOPE

- See topo

TABLE 4.2 - SLOPE STABILITY RATING CHART

Site Location: 73 Mill Bay Ln.
 Property Owner: Andrew Klassen
 Inspected By: D. Hill

File No. 1639
 Inspection Date: April 21, 2022
 Weather: Overcast, 8°C (46°)

1. SLOPE INCLINATION		
degrees	horiz. : vert.	
a) 18 or less	3 : 1 or flatter	0
b) 18 - 26	2 : 1 to more than 3 : 1	6
c) more than 26	steeper than 2 : 1	<u>16</u>
2. SOIL STRATIGRAPHY		
a) Shale, Limestone, Granite (Bedrock)		<u>0</u>
b) Sand, Gravel		6
c) Glacial Till		9
d) Clay, Silt		12
e) Fill		16
f) Leda Clay		24
3. SEEPAGE FROM SLOPE FACE		
a) None or Near bottom only		<u>0</u>
b) Near mid-slope only		6
c) Near crest only or, From several levels		12
4. SLOPE HEIGHT		
a) 2 m or less		0
b) 2.1 to 5 m		2
c) 5.1 to 10 m		4
d) more than 10 m		<u>8</u>
5. VEGETATION COVER ON SLOPE FACE		
a) Well vegetated; heavy shrubs or forested with mature trees		<u>0</u>
b) Light vegetation; Mostly grass, weeds, occasional trees, shrubs		4
c) No vegetation, bare		8
6. TABLE LAND DRAINAGE		
a) Table land flat, no apparent drainage over slope		0
b) Minor drainage over slope, no active erosion		<u>2</u>
c) Drainage over slope, active erosion, gullies		4
7. PROXIMITY OF WATERCOURSE TO SLOPE TOE		
a) 15 metres or more from slope toe		0
b) Less than 15 metres from slope toe		<u>6</u>
8. PREVIOUS LANDSLIDE ACTIVITY		
a) No		<u>0</u>
b) Yes		6
SLOPE INSTABILITY RATING VALUES INVESTIGATION RATING SUMMARY		TOTAL <u>32</u>

Attachment D
Staff CVs



DYLAN HILL, P.Eng., QP
Senior Geotechnical Engineer



Summary

Mr. Hill has been a member of the Malroz team since 2017. He has over 11 years of geotechnical and geo-environmental engineering experience, with project experience ranging from small site characterization work at the local and municipal level to major infrastructure works under P3/AFP models. Mr. Hill has managed projects in a number of Canadian provinces, including operating and managing field offices in remote and challenging environments such as Baffin Island. Mr. Hill has several thousand hours of geotechnical/geo-environmental drilling experience, with geotechnical, direct push and exploration drill rigs. He has extensive experience developing work plans for site characterization, supervising subcontractors, liaising with private and governmental/institutional clients and regulatory bodies, as well as with on-site construction inspection/oversight for construction materials testing and geotechnical aspects. Mr. Hill is the Engineer of Record for Malroz's CCIL certified materials testing laboratory, and provides oversight of applicable laboratory activities.

Education

B. Eng. Civil Engineering
Lakehead University, 2010

*Diploma Civil Engineering
Technology*
St. Lawrence College, 2007

Professional Designations

Licensed Professional
Engineer, Ontario
(#100160715)

Qualified Person (ESA),
Ontario Ministry of the
Environment, Conservation
and Parks (MECP)

Professional Development

Canadian Geotechnical
Society (National) – member
of professional practice
committee (current)

Canadian Geotechnical
Society, Kingston Section,
Past Chair and Director
(current)

CGS-SOS workshop on
Cone Penetration Testing
(CPT), 2019

Rocscience Slide2 Technical
Course, 2018

Working at heights training,
2017

Example Projects

*Performance Testing of Large Diameter Post-Tensioned
Grouted Anchors, Eglinton Ave West and Tretheway Drive,
Toronto ON*

Mr. Hill supervised the performance testing of testing of two large diameter grouted anchors, consisting of 37 braided steel cables, grouted over 10 m bond lengths within limestone bedrock. Testing included performing cyclical load/unload cycles as specified in project agreement (in general conformance with PTI requirements), as well as 24 hour creep tests for each. Results presented included loading versus elongation vs theoretical expected for each loading cycle, as well as log-time presentation of displacement during creep testing. Challenges included maintaining suitable enclosure/control over the test apparatus at the time of work based on prevailing atmospheric conditions.

*Fletcher's Creek Bridge Pile Load Testing, Highway 401,
Toronto ON*

Mr. Hill supervised a full scale pile load testing program at Fletcher's Creek bridge. Testing was conducted for the construction contractor, in general accordance with ASTM D-1143 using modified Procedure A.

HAZWOPER, refresher,
2019

HAZWOPER 40 hour
training course, 2012

Work Experience

Malroz Engineering Inc.
Geotechnical Engineer 2017
– *Present*

SNC-Lavalin GEM Ontario
Inc. Geotechnical Project
Manager – 2014-2017

Inspec-Sol Inc.
Geotechnical Project
Coordinator/E.I.T. –
2010-2014

Student Residence, Queen's University, Kingston, ON

Managed a geotechnical investigation and long term groundwater study for a new multi-storey student residence building located on Albert Street in Kingston, Ontario. The investigation included advancement of a number of borings and rock probes to determine appropriate founding elevations across the Site, retrieval and compressive strength testing of numerous rock core samples in order to calculate true bearing resistances (as opposed to estimates based on published values), as well as installation of monitoring wells across the Site outfitted with Solinst levelloggers to evaluate seasonal groundwater fluctuations and comment on their effects on the proposed development. In addition, worked with a geophysics subconsultant in order to provide in-situ shear wave velocities to provide a more favorable site classification for seismic site response, reducing the cost for the building seismic force restraint system and related ancillary works (HVAC restraints, etc).

Various Highways, Prince Edward County, ON

Completed geotechnical investigations and pavement designs for several major highways as well as local roads in Prince Edward County for the 2018 and 2019 construction year, in accordance with AASHTO 1993 design methodology, adapted for Ontario conditions per MTO technical publication MI-183. In addition, managed materials testing program during the construction phase, including providing technical input to several contract dispute resolutions.

County Road 4 Reconstruction, County of Lennox and Addington, ON

Working in conjunction with the County's design consultant, led an investigation for the rehabilitation of Lennox and Addington County Road 4 between County Highway 33 and Highway 401, an approximately 7 km PCC roadway with nearly 1 km of asphalt overlay. The field program included advancement of nearly 100 borings and retrieval of a similar quantity of pavement cores. Lab testing included gradation analysis of existing granular base materials to determine suitability to remain in place, as well as subgrade soils. The Client was provided with a number of rehabilitative options, with designs carried out in accordance with AASHTO 1993 design methodology, adapted for Ontario conditions per MTO technical publication MI-183. Mr. Hill assisted the Client through design and tender phase of the work by attending design decision meetings to provide input, as well as responding to technical inquiries from bidders. Mr. Hill will manage assurance efforts in relation to construction materials to be carried out on behalf of the Client during construction.

City of Toronto, Various Roads, ON

Project manager/lead geotechnical engineer for investigations related to road reconstruction/redevelopment in the GTA. Samples were submitted from each roadway for analysis in accordance with O.Reg. 278/05 ("Ashing Method" as per EPA-600R-93-116) to detect presence of asbestos fibres in asphalt for each investigation completed.

Crosslinx Transit Solutions, Toronto, ON

Acted as one of the lead geotechnical designers for several major developments on the Eglinton Crosstown Light Rail project in Toronto, Ontario, including new bridges, mechanically stabilized earth walls, and large diameter culverts. Tasks included preparation of supplementary geotechnical investigation programs, construction impact assessment reports, coordination with project stakeholders in addition to internal staff, conducting various foundation analyses and generating technical reports and memorandums. In addition, Mr. Hill also generated specifications for geotechnical instrumentation and monitoring programs for various aspects of the project.

Integrated Logistics (ILS) Maintenance, Transportation and Supply Facility Project (materials testing and inspection), CFB Kingston, ON

Managed geotechnical inspection and construction materials testing for new multi-storey building. Testing included concrete, aggregates, and asphalt compliance, as well as a detailed vibration monitoring program during construction. Responded to queries from DCC stakeholders during the construction on subgrade problems, cold weather concreting, and other pertinent items raised due to changed conditions and/or seasonal construction issues.

New Sports Stadium, Queen's University, Kingston, ON

Managed an investigation for a new sports stadium and ancillary buildings, which involved an evolving scope of work due to unexpected site conditions and presence of impacted soils. Value added solutions were presented to the Client through the use of more non-traditional characterization methods such as the use of refraction tomography geophysical methods to assist in characterizing a suspected previously backfilled quarry in the area of construction. More recently, also conducted geotechnical investigations for a new multi-storey residence building and an 8 storey addition to Duncan McArthur hall on west campus.

Wind Farm, Port Hardy, BC

Managed a multi-stage field investigation at a remote access site in northwestern Vancouver Island for a new wind farm, including establishment of a field office, coordinating subcontractors and managing stakeholder relations during ongoing pre-construction activities such as road construction and tower and Site clearing. Mr. Hill performed all geotechnical investigative works for the project, performed a geophysical investigation program, in addition to carrying out inspection activities during the construction phase of the project (i.e. subgrade, reinforcing steel etc.).

Subsurface Reactive Barrier System, CNRL, Northern Ontario,

Performed a geotechnical investigation in support of construction of a subsurface permeable reactive barrier system to treat at Strontium 90 contaminated groundwater plume originating at a CNRL waste management area. Tasks performed on this project included undertaking field work in a radiologically hazardous working environment, coordinating with federal agencies' staff, as well as preparation of technical reports and design recommendations based on the results of the field program.

To: Building Department and Council of South Frontenac

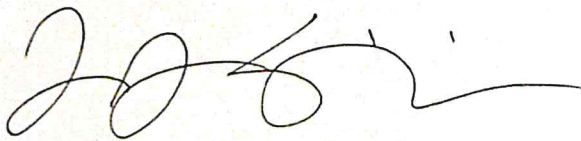
Re: 73 Mill Bay Lane New Residence PL-ZNA-2022-0034

Date: April 9, 2022

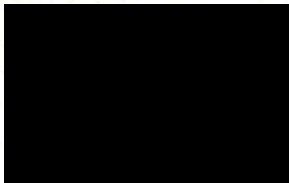
Our neighbours at 73 Mill Bay Lane have plans to demolish their existing cottage and build a permanent residence. The plans for the new residence have been shared with me and we support the design, site plan, and location proposed.

The new structure will have no impact on our view of the lake or trees.

I have no objections or concerns with their proposed plans.



Jason Skilnick



PROPOSAL FOR CLASS 4 & 5 SEWAGE SYSTEM BUILDING PERMIT



NOTE: The property owner, applicant, designer and installer of the sewage system retain full responsibility to ensure that the sewage system is designed and installed in accordance with the approved plans, the *Building Code Act*, and the Ontario Building Code.

If the listed applicant is not the property owner, please provide a **Letter of Authorization** from the registered property owner.

Application forms should be submitted electronically as a PDF to building@southfrontenac.net; pictures not accepted.

Alternatively, you can mail/drop off your application form to: Township of South Frontenac
ATTN: Building Department
4432 George Street
PO Box 100
Sydenham, ON K0H 2T0

Directions to lot:

Hwy 38 To Crowe Lake Road Follow to Badour Road
East of Crowe Lake Village to Mill Bay Lane on left
to # 73 on left.

Owner communication method: E-mail Mail Pick Up
Installer communication method: E-mail Mail Pick Up

The proposed system will be (check appropriate box):

CLASS 4: LEACHING BED/TANK Tank & bed Tank only Bed only Treatment unit
 CLASS 5: HOLDING TANK

Test Holes:

- Excavated to 1.5 metres (5 feet) deep
OR until bedrock
- Located in leaching bed dispersal area
- Located in mantle loading area (if required)
- Located in _____ (if no mantle)
- Covered / protected from precipitation, collapse, fall hazards

Items Included in Submitted Proposal:

Floor Plans:

One (1) copy of floor plans including all levels of the structure, no larger than 11" x 17"

Letter of Authorization:

Included with this application

Leaching Bed Area:

- Leaching bed dispersal area clearly marked with stakes, paint, or other method
- Filter bed base contact area clearly marked with stakes, paint, or other method
- Mantle loading area clearly marked with stakes, paint, or other method

Additional Information (if required):

- Sampling and Maintenance Agreement
- Copy of Design Sheet for BMEC System
- Daily Design Sewage Flow calculations for non-residential or multiple occupancies



Application for a Permit to Construct or Demolish

This form is authorized under subsection 8(1.1) of the Building Code Act.

For use by Principal Authority			
Application number:		Permit number (if different):	
Date received:		Roll number: <i>030-020-93490-0000</i>	
Application submitted to: <u>Township of South Frontenac</u>			
A. Project information			
Building number, street name <i>73 Mill Bay Lane</i>		Unit number <i>Part 18</i>	Lot/con. <i>lot 33 con 7</i>
Municipality <i>South Frontenac Bedford ward</i>	Postal code	Plan number/other description <i>RP13R167</i>	
Project value est. \$		Area of work (m ²)	
B. Purpose of application			
<input checked="" type="checkbox"/> New construction	<input type="checkbox"/> Addition to an existing building	<input type="checkbox"/> Alteration/repair	<input type="checkbox"/> Demolition
		<input type="checkbox"/> Conditional Permit	
Proposed use of building <i>Residential</i>		Current use of building <i>Residential</i>	
Description of proposed work <i>New Septic System For New House Construction.</i>			
C. Applicant			
Applicant is:		<input type="radio"/> Owner or <input checked="" type="radio"/> Authorized agent of owner	
Last name <i>CRAIN</i>	First name <i>WILBURT</i>	Corporation or partnership <i>CRAINS' CONSTRUCTION LTD.</i>	
Street address <i>1800 MABERLY-ELPHIN RD.</i>		Unit number	Lot/con.
Municipality <i>MABERLY</i>	Postal code <i>K0H 2B0</i>	Province <i>ON</i>	E-mail <i>wilburt@crainsconstruction.ca</i>
Telephone number <i>(613) 268-2308</i>	Fax <i>(613) 268-2466</i>	Cell number <i>(613) 812-6640</i>	
D. Owner (if different from applicant)			
Last name <i>Klassen</i>	First name <i>Andrew</i>	Corporation or partnership	
Street address <i>1052 Rocky Harbour Drive</i>		Unit number	Lot/con.
Municipality <i>Ottawa</i>	Postal code <i>K1V 1V3</i>	Province <i>ONT.</i>	E-mail <i>aklassen@ahprice-sales.com</i>
Telephone number <i>()</i>	Fax <i>()</i>	Cell number <i>(613) 410-8593</i>	

Schedule 1: Designer Information

Use one form for each individual who reviews and takes responsibility for design activities with respect to the project.

A. Project Information			
Building number, street name <i>73 Mill Bay Lane</i>		Unit no.	Lot/con. <i>Lot 33 con 7</i>
Municipality <i>South Frontenac Bedford Ward</i>	Postal code	Plan number/ other description <i>RP13R167</i>	
B. Individual who reviews and takes responsibility for design activities			
Name <i>WILBURT D. CRAIN</i>		Firm <i>CRAINS' CONSTRUCTION LTD.</i>	
Street address <i>1800 MABERLY-ELPHIN RD.</i>		Unit no.	Lot/con.
Municipality <i>MABERLY</i>	Postal code <i>K0H 2B0</i>	Province <i>ON</i>	E-mail <i>wilburt@crainsconstruction.com</i>
Telephone number <i>(613) 268-2308</i>	Fax number <i>(613) 268-2466</i>	Cell number <i>(613) 812-6640</i>	
C. Design activities undertaken by individual identified in Section B. [Building Code Table 3.5.2.1. of Division C]			
<input type="checkbox"/> House	<input type="checkbox"/> HVAC – House	<input type="checkbox"/> Building Structural	
<input type="checkbox"/> Small Buildings	<input type="checkbox"/> Building Services	<input type="checkbox"/> Plumbing – House	
<input type="checkbox"/> Large Buildings	<input type="checkbox"/> Detection, Lighting and Power	<input type="checkbox"/> Plumbing – All Buildings	
<input type="checkbox"/> Complex Buildings	<input type="checkbox"/> Fire Protection	<input checked="" type="checkbox"/> On-site Sewage Systems	
Description of designer's work <i>New Septic for New House</i>			
D. Declaration of Designer			
I <u><i>WILBURT D. CRAIN</i></u> declare that (choose one as appropriate): (print name)			
<input checked="" type="radio"/> I review and take responsibility for the design work on behalf of a firm registered under subsection 3.2.4. of Division C, of the Building Code. I am qualified, and the firm is registered, in the appropriate classes/categories. Individual BCIN: _____ 11009 Firm BCIN: _____ 15901			
<input type="radio"/> I review and take responsibility for the design and am qualified in the appropriate category as an "other designer" under subsection 3.2.5. of Division C, of the Building Code. Individual BCIN: _____ Basis for exemption from registration: _____			
<input type="radio"/> The design work is exempt from the registration and qualification requirements of the Building Code. Basis for exemption from registration and qualification: _____			
I certify that:			
1. The information contained in this schedule is true to the best of my knowledge.			
2. I have submitted this application with the knowledge and consent of the firm.			
<i>Feb 25/2022</i>		<i>Wilburt D. Crain</i>	
Date		Signature of Designer	

NOTE:

- For the purposes of this form, "individual" means the "person" referred to in Clause 3.2.4.7(1) d). of Division C, Article 3.2.5.1. of Division C, and all other persons who are exempt from qualification under Subsections 3.2.4. and 3.2.5. of Division C.
- Schedule 1 is not required to be completed by a holder of a license, temporary license, or a certificate of practice, issued by the Ontario Association of Architects. Schedule 1 is also not required to be completed by a holder of a license to practise, a limited license to practise, or a certificate of authorization, issued by the Association of Professional Engineers of Ontario.

Schedule 3: Site Evaluation Form

Water Supply: <input checked="" type="checkbox"/> Proposed <input type="checkbox"/> Existing			
<input type="checkbox"/> Lake	<input checked="" type="checkbox"/> Drilled well	<input type="checkbox"/> Dug well	<input type="checkbox"/> Other (specify): _____
<input type="checkbox"/> Shore well	Casing depth: <u>6</u> m	<input type="checkbox"/> Sandpoint	

APPROXIMATE SOIL PERCOLATION RATES (T-time)

The following are estimated ranges of soil percolation rates (T-times) measured in a rate of min/cm. Actual on-site soil conditions may vary significantly from estimates; it can be difficult to tell a 30 from a 50 just by looking at it.

Estimated T-times shall be determined by samples analyzed by the Unified Soil Classification System, the Soil Texture Classification from the USDA Soil Survey Manual, or percolation tests being conducted on in-situ soils.

Disputes about estimated T-times shall be resolved by sending in-situ soil samples to a Canadian Council of Independent Laboratories testing firm at the applicant's cost. The T-time will be determined by the falling head test and grain size analysis; the percent passing the 75 µm #200 sieve is to be included for silt content.

Soil Type	Sand	Sandy Loam	Loam	Silty Loam	Clay Loam	Silt - Clay	Clay
T-time (min/cm)	<u>10</u>	12 - 20	17 - 25	20 - 30	30 - 40	40 - 50	50+

Sub-surface conditions encountered:		Applicant's Use		Approved by Inspector
Indicate depth to bedrock, T>50, &/or high ground water table (where present):	Depth (m)	Soil type	T-time	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<u>1.0</u>	<u>SAND</u>	<u>10</u>	

IMPORTED SEPTIC STONE AND LEACHING BED FILL CERTIFICATION

I, Wilbert Crain (Registered Installer per Div. C, Section 3.3 of the Ontario Building Code), certify that the materials used to construct the sewage system, under the application herein, meet Ontario Building Code requirements, and correspond to the percolation rate on the application and the soils analysis provided to the Township of South Frontenac:

NAME/NUMBER OF LICENSED AGGREGATE PIT	TYPE OF MATERIAL	T-TIME / SILT CONTENT	LAST TESTING DATE (M/D/Y)
<u>Crain Valley Farm</u>	<u>Septic Stone</u>	<u>1</u>	<u>1 / 1</u>
<u>"</u>	<u>Filter Sand</u>	<u>1</u>	<u>1 / 1</u>
<u>"</u>	<u>Septic Sand</u>	<u>1</u>	<u>1 / 1</u>

Note: Leaching bed fill means soil used to construct of conventional and chamber leaching beds, filter beds, dispersal beds, and area beds as prescribed under specific Building Materials Evaluation Commission authorizations. It may not include a requirement for other soils as prescribed by treatment unit manufacturers; check with the manufacturer before installation. The silt content of leaching bed fill must be included in the analysis.

The Township of South Frontenac may require you to submit soil samples for analysis.

Wilbert D. Crain
Signature of Licensed Installer

Feb 25/2022
Date

Schedule 4: Design Criteria

DESCRIPTION	DWELLING				OTHER: _____			
	Total # of Existing	Total # of Proposed	# UNITS PER FIXTURE	TOTAL FIXTURE UNITS	Total # of Existing	Total # of Proposed	# UNITS PER FIXTURE	TOTAL FIXTURE UNITS
Bathroom group – 3 piece (toilet, sink, tub/shower)		2	x 6.0 =	12			x 6.0 =	
Additional toilet		1	x 4.0 =	4			x 4.0 =	
Bathtub or shower		1	x 1.5 =	1.5			x 1.5 =	
Additional sinks			x 1.5 =				x 1.5 =	
Kitchen sink		1	x 1.5 =	1.5			x 1.5 =	
Dishwasher		1	x 1.0 =	1.0			x 1.0 =	
Clothes Washer		1	x 1.5 =	1.5			x 1.5 =	
Laundry tub		1	x 1.5 =	1.5			x 1.5 =	
Other: _____			x . =				x . =	
FIXTURE UNITS	Total:				Total:			
FINISHED FLOOR AREA m²	Existing	Proposed	Total		Existing	Proposed	Total	
		204	23					
# OF BEDROOMS		2	Total:				Total:	

DESIGN FLOW CALCULATION TABLE				
Residential Occupancy			Volume (L)	Flows
(A) Bedroom flow	1 bedroom dwelling		750	
	2 bedroom dwelling		1100	1100
	3 bedroom dwelling		1600	
	4 bedroom dwelling		2000	
	5 bedroom dwelling		2500	
(B) Extra bedroom flow	Each bedroom over 5,		500	
(C) Living area flow	Each 10 m ² (or part thereof) over 200 m ² up to 400 m ² ,		100	100
	Each 10 m ² (or part thereof) over 400 m ² up to 600 m ² , and		75	
	Each 10 m ² (or part thereof) over 600 m ² , or		50	
(D) Fixture count flow	Each fixture unit over 20 fixture units		50	150

Daily Design Sewage Flow, Q = 1250 liters/day A + (B or C or D)

Schedule 5: Proposal to Construct

Propose to INSTALL a Class 4 sewage system to serve Single Family
(construct, install, alter, extend, enlarge, replace, etc.) (facility: e.g. single family dwelling, motel, etc.)

Is the land currently vacant? YES NO Additions/renovations proposed? YES NO

If replacing, is there a permit for the system on the property? YES NO Permit # _____

Is the existing system failing? YES NO Explain: New Septic for New House - Build New House Demo Existing Cottage

Is there more than one system on the property? YES NO Permit # _____

Will the proposed system service more than one building? YES NO List: _____

Provide proposed information instead of minimum requirements:

<input checked="" type="checkbox"/> Septic Tank	<input type="checkbox"/> Class 5 Holding Tank	<input type="checkbox"/> Treatment Unit	<input type="checkbox"/> Digester Tank
<input checked="" type="checkbox"/> New Proposed working capacity: <u>4141</u> litres	<input type="checkbox"/> Level II <input type="checkbox"/> Level III <input type="checkbox"/> Level IV		
<input type="checkbox"/> Use existing Size _____ Permit # _____	Make / Model of treatment unit: _____		

T-time (min/cm) of existing soil: <u>10</u>	Subsurface detection method: <u>Magnetic</u>	Pump required? <input type="checkbox"/> No <input checked="" type="checkbox"/> Effluent <input type="checkbox"/> Macerating <input type="checkbox"/> TBD
---	--	--

	Percolation Time (T) of Existing Soil, min/cm	1 < T ≤ 20	20 < T ≤ 35	35 < T ≤ 50	T > 50
Mantle Loading Area Trench Bed, Leaching Chambers, Filter Bed only					
	Loading Rates, (L/m²)/day	10	8	6	4
<input checked="" type="checkbox"/> Existing Soil (T ≤ 15) <input checked="" type="checkbox"/> Imported Leaching Bed Fill	Q ÷ Loading Rate = $\frac{1250}{10} = 125$ m ² Length <u>15</u> m x Width <u>8.5</u> m				

<input type="checkbox"/> Class 4 Trench Bed Typical Drawing A	Total pipe length: $\frac{Q \times T}{200} =$ _____ m	Raised height (above grade): _____ m
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<input type="checkbox"/> Class 4 Type II Leaching Chambers Typical Drawing A	Total pipe length: $\frac{Q \times T}{300} =$ _____ m	Raised height (above grade): _____ m
--	---	--------------------------------------

<input checked="" type="checkbox"/> Class 4 Filter Bed Typical Drawing B	Loading area: $Q \div 75 / 50 = \frac{1250}{375} = 16.67$ m ²	If over 50 m ² , # of filter beds: _____
If Q ≤ 3000 L/day, Q=75 If Q > 3000 L/day, Q=50	Contact area: $\frac{Q \times T}{850} = \frac{1250 \times 10}{850} = 14.71$ m ²	Raised height (above grade): <u>70</u> m

<input type="checkbox"/> Class 4 BMEC Bed Typical Drawing C, D or E	Specified sand area: $\frac{Q \times T}{400} =$ _____ m ²	Length _____ m x Width _____ m
	Number of modules: Q ÷ _____ = _____	Raised height (above grade): _____ m

<input type="checkbox"/> Type A Dispersal Bed Typical Drawing F, G, H or I	Stone area: Q ÷ 75 / 50 = _____ m ²	Raised height: (above grade): _____ m
If Q ≤ 3000 L/day, Q=75 If Q > 3000 L/day, Q=50	1 < T ≤ 15 sand area: $\frac{Q \times T}{850} =$ _____ m ²	T > 15 sand area: $\frac{Q \times T}{400} =$ _____ m ²

<input type="checkbox"/> Shallow Buried Trench / Type B / Other: Attach calculations and design	
--	--

Schedule 6: Site Plan and Cross-Sectional Diagram Checklists

SITE PLAN DIAGRAM CHECKLIST

DRAWING REQUIREMENTS: PLEASE CHECK (IF ATTACHING A SEPARATE DIAGRAM, ENSURE THESE ARE INDICATED)

1 Copy of site plan submitted

- Property owners name and property (civic) address;
- Lot size, property dimensions, roads, existing rights-of-way, easements, or municipal/utility corridors;
- Indicate distances to all utilities (i.e. telephone, Hydrolines above and below ground);
- Show and identify neighboring properties, including wells (indicate if none);
- Show location and size of all proposed and existing sewage system components (tanks, pump chambers, alarms, distribution bed) and the test pits;
- Show the direction of surface water flow, as well as any surface water (i.e. creek, pond, lake) on or adjacent to the property and provide the common name;
- Indicate directions of North on the site plan; and
- Show the distances from pipes in bed and tank to ALL buildings, structures, property lines, surface water, easements, rights-of-way, driveways and wells (including neighbouring wells)

PROPOSED DISTANCES (Actual, not minimum)

Distribution pipe (or stone area) distances:

to closest structure: 6 m
 to closest lot line: 3 m
 to well on lot: 15 m +
 to neighbouring wells: 15 m / m
 to surface water: 30 m +

Septic Tank / Treatment Unit distances:

to closest structure: 2m m
 to closest lot line: 8m m
 to well on lot: 15m m +
 to neighbouring wells: 15 m / m +
 to surface water: 30 m +

CROSS-SECTIONAL DIAGRAM CHECKLIST

DRAWING REQUIREMENTS: ATTACH THE SEPARATE CROSS-SECTIONAL DIAGRAM AND ENSURE THE BELOW ARE INDICATED

1 Copy of Cross-Sectional Diagram Submitted

- Typical Drawing A (Absorption Trench)
- Typical Drawing B (Filter Media Bed)
- Typical Drawing C (BMEC Eljen GSF)
- Typical Drawing D (BMEC EnviroSeptic)
- Typical Drawing E (BMEC Infiltrator ATL)
- Typical Drawing F (Waterloo Biofilter Shed)
- Typical Drawing G (Waterloo Biofilter Flatbed)
- Typical Drawing H (Type A Dispersal Bed)
- Typical Drawing I (Ecoflo Biofilter)

Depth to bedrock / hardpan / groundwater table / T > 50 soil: 1.0 m

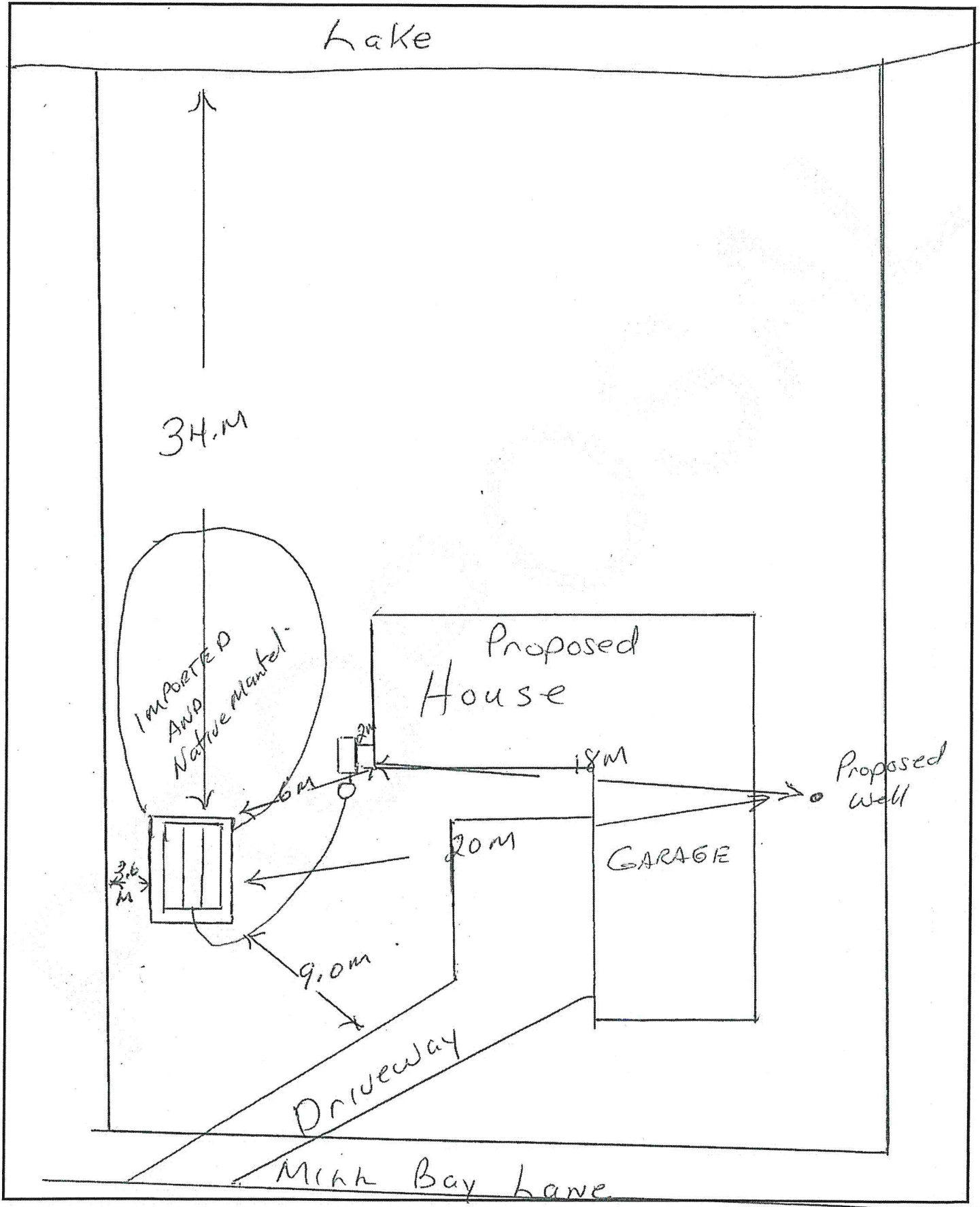
Check appropriate: Dug In Raised 3 sides open

Proposed raised height above existing grade: 6 m

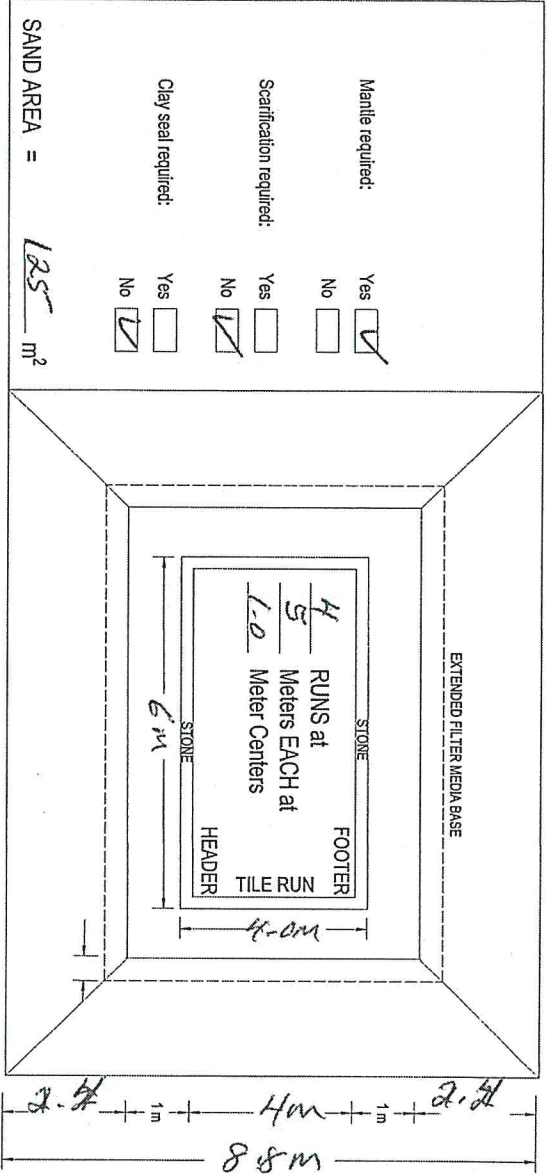
Existing grade: _____

Finished side slope ratio: 4 to 1

Schedule 7: Site Plan Diagram



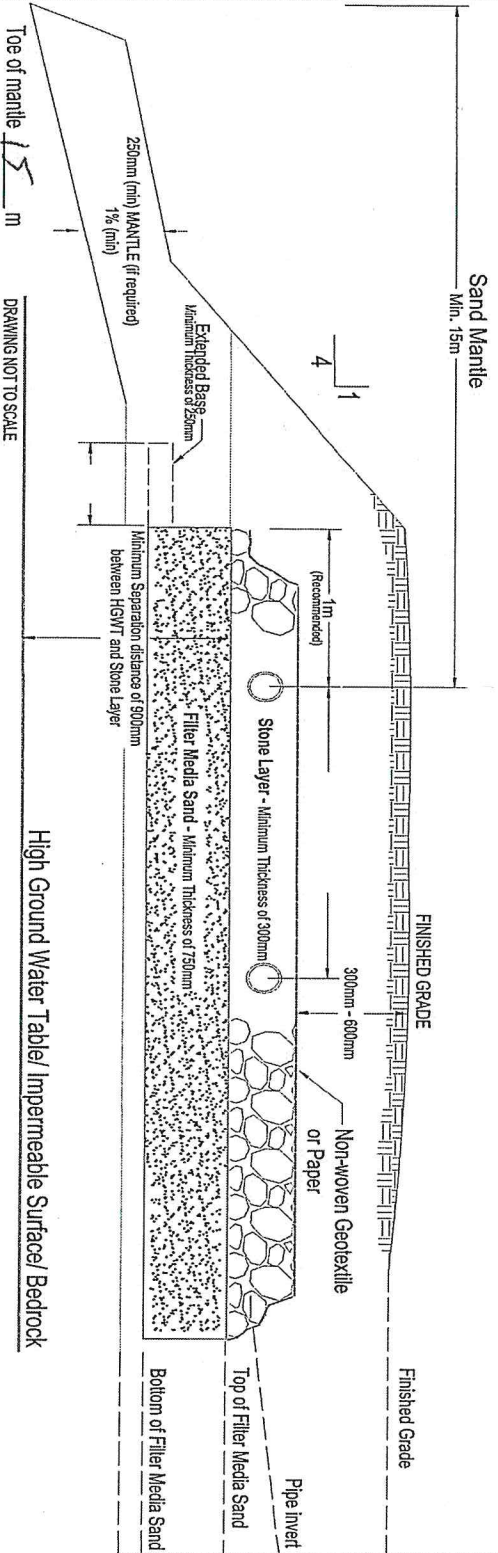
Plan View



TYPICAL DRAWING B
 BURIED OR RAISED TILE BED
 FILTER MEDIA METHOD



Cross-Section Profile



Proposed Installation Grades	Approved Installation Grades	Existing Grade
100.75		
100.15		
100.00		100.00
99.25		

TOWNSHIP OF SOUTH FRONTENAC
BUILDING SERVICES

4432 George Street
PO Box 100
Sydenham, ON
K0H 2T0
613-376-3027 X2226
building@southfrontenac.net



SEWAGE SYSTEM SETBACK WAIVER
and INSPECTION REQUIREMENTS

Permit #: _____

Project location information:

(Office use only)

Property owners name: Andrew Klassen Phone #: 613-410-8593

Municipal Address: 73 Mill Bay Lane

Roll Number: 030-020-93490-0000

Concession: 7 Lot: 33 Part: 18 R Plan #: RP 13R167

To the Township of South Frontenac,

I declare that; I am owner listed above , or;

I am the authorized agent of the property owner listed above

As the owner/agent I hereby acknowledge;

- That the issuance of a Building Permit and/or a general site review by the Building Department Staff is not confirmation that all zoning setbacks have been adhered to. This includes but is not limited to separation of structures to the high water mark, lot lines, septic systems and other structures. It is understood that it is the sole responsibility of the owner/agent to meet the setback requirements as set out in the Township Zoning By-law, and;
- The owner(s) are obligated to arrange for the inspections indicated on the permit card issued for the project, and that no work will proceed until the Building Inspector has inspected the various stages of construction indicated on the permit card, and;
- Permit Drawings and documents submitted with errors or omissions contained therein do not relieve the owner and/or authorized agent from the responsibility of completing all work to meet or exceed the requirements of the Ontario Building Code.
- If the owner is a corporation or partnership, I have the authority to bind the corporation or partnership.

Robert D. Jain
Signature

Feb 25/2022
Date

Note: The Ontario Building Code Act requires that request for inspections are made a minimum 2 regular business days in advance of the regular business day upon which the inspection is needed.

Agent Authorization Letter

Andrew Klassen

Property Owners Name

Corporation or Partnership

1052 Rocky Harbour Cr. Ottawa ON, K1V1V3

Mailing Address

aklassen@ehpricesales.com 613-410-8593

Phone & E-mail

Date: Feb 25, 2022

To: The Chief Building Official
Township of South Frontenac
Building Department
PO Box 100
4432 George Street
Sydenham, ON K0H 2T0

RE: **Proposed Project:** 73 Mill Bay Lane

(A brief description of the work to be performed)
Project Location: 73 Mill Bay Lane
~~CON 7 Lot 33 to 34 PT RP~~
13R167 Part 18 Bobs Lake

(Property Address, Legal Description etc...)

The undersigned, being the current owner of the above referenced property, authorizes;

WILBURT CRAIN

/ CRAINS' CONSTRUCTION LTD.

Agents Name

Company Name

to apply for a building permit for the above referenced project on my behalf. This will allow my agent to answer any and all questions on my behalf and to sign any and all documents for me; however, I understand that I shall be responsible to ensure that my project complies with the Ontario Building Code.

Andrew Klassen

Andrew
Klassen

2022.02.25

08:07:30-05'00' Date

Print Name

Signature

Of Individual Owner OR
Authorizing Officer

of Individual Owner OR
of Authorizing Officer

(I have authority to bind the Corporation)

Note: This form is valid only for one access to Building Permit Record Application. Subsequent applications by an authorized agent will require a new agent authorization form completed by the current property owner.



Township of South Frontenac

PO Box 100
Sydenham, ON K0H 2T0
613-376-3027 Ext. 2200 1-800-559-5862
taxes@southfrontenac.net

TAX NOTICE

Interim:	2021
Date:	March 1, 2021

Roll No. 030-020-93490-0000	Class: NON79
Mortgage Company SCOTIA MORTGAGE CORP	Mortgage No. 4535126
Name and Address	Municipal Address/Legal Description
KLASSEN ANDREW MENARD CHANTAL 1052 ROCKY HARBOUR CR OTTAWA, ON K1V 1V3	00073 MILL BAY LANE CON 7 LOT 33 TO 34PT RP 13R167 PART18 BOBS LAKE (MUD BAY)

Assessment			Municipal Levy		County Levy		Education Levy	
Class	Value	Class/Educ. Support	Tax Rate(%)	Amount	Tax Rate(%)	Amount	Tax Rate(%)	Amount
RTEP	\$216,000.00	Res/Farm Tx:Full - EPubSup	0.00601812	\$454.96	0.00186451	\$140.96	0.00153000	\$115.67

Sub Totals >>>

Municipal Levy	\$454.96	County Levy	\$140.96	Education Levy	\$115.67
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Special Charges		Instalments		Summary	
Description	Amt	Due Date	Amount		
		2021-04-30	\$711.59	Sub-Total - Tax Levy	\$711.59
				Special Charges/Credits	\$0.00
				2021 Tax Cap Adjustment	\$0.00
				Interim 2021 Levies	\$711.59
				Past Due Taxes/Credit	\$0.00
Total Special Charges	\$0.00			Total Amount Due	\$711.59

Did you know you can access your account information and make payments online.
To get started, visit our website: www.southfrontenac.net/vmo
Create an account using your roll number and customer ID, **KLASSE00001**

Your interim bill is 35% of your 2020 annualized taxes levied or 35% of new assesment for new rolls.

Please note that for online payments, your roll number is your account number

Township of South Frontenac
PO Box 100
Sydenham, ON K0H 2T0
613-376-3027 Ext. 2200 or 1-800-559-5862 Ext. 2200
taxes@southfrontenac.net

Payment may be made by online banking, by mail or in person at most financial institution or our office located at 4432 George street, Sydenham. Make cheques payable to the Township of South Frontenac and include you roll number on the front of the cheque.

For credit card payments, please vist our website under Living Here/Property Taxes or call 1-855-498-9976.

Penalty at 1.25 % added on the first day of the month following default and on the first day of each month thereafter.

Questions/Concerns: For additional information, contact us.

PLEASE DETACH AND SUBMIT WITH PAYMENT THANK YOU

Received from:	
Roll #	030-020-93490-0000
Name	KLASSEN ANDREW MENARD CHANTAL
Address	1052 ROCKY HARBOUR CR OTTAWA, ON K1V 1V3
Due Date	Total Due
*** DO NOT PAY - MORTGAGE COMPANY IS PAYING ***	





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

June 2, 2022
22-SFR-MVA-0018 (Bedford)

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

Attention: Anna Geladi RPP, MCIP

Subject: **Klassen, Andrew**; Application for Minor Variance, PL-ZNA-2022-0034 – 73 Mill Bay Rd, Lot 34, Concession 7; Geographic Township of Bedford, Now the Township of South Frontenac; Roll Number: 1029 0100 2022 4000 0000

Dear Ms. Geladi,

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

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

The Proposal

The RVCA understands this application is seeking to remove an existing seasonal dwelling and build a new wheelchair-accessible permanent residence with an attached garage. It is understood that the initial site plan has been altered since the initial circulation and resulted in locating the septic to the rear of the proposed garage rather than adjacent to the proposed dwelling.

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

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

The Property

The subject property is an 0.22 ha rectangular-shaped lot with 32 m of frontage on Mill Bay, Bobs Lake as well as 32 m of road frontage on Mill Bay Lane. The property slopes steeply from the shoreline, a series of wooden staircases provide access to the water. From the top of the crest the land slopes gently to the existing dwelling. There are several mature trees and an area cleared with a patio between the existing cottage and the top of slope. To the rear of the cottage the property slopes towards Mill Bay Lane. Several mature trees and native vegetation exist throughout the slope and riparian zone. A review of desktop mapping and a site visit to the subject property on April 1, 2022, indicated the following natural hazards or natural heritage features:

- Our office has a regulated flood level of 163.07 metres above sea level associated with Bobs Lake
- Bobs Lake is considered to be a watercourse for the purpose of our regulation
- Steep slopes are present on the property adjacent to Bobs Lake
- The property overlies a highly vulnerable aquifer

A review of our records does not reveal the presence of marine clays, organic soils, or wetland areas.

Review Comments

Provincial Policy Statement

Regarding Section 2.1 of the PPS, our office has no concerns.

Concerning Section 2.2 of the PPS, planning authorities are required to protect, improve or restore the quality and quantity of water. This may be achieved through using the watershed as the ecologically meaningful scale for long-term planning, which can be a foundation for considering the cumulative impacts of development. This section also identifies minimizing potential negative impacts, ensuring stormwater management practices minimize stormwater volumes and contaminant loads, and maintaining or increasing the extent of vegetative and pervious surfaces as measures to safeguard water resources.

Concerning section 3.1 of the PSS a slope stability study has been submitted in support of this application to address any hazards associated with steep slopes, and recommendations have been provided to mitigate any hazards resulting from the proposed development.

Ontario Regulation 174/06

Currently, our office regulates the shoreline of Bobs Lake. Should any development be proposed along the shoreline of Bobs Lake (including, but not limited to, grading, site alteration, dock installation, or erosion protection works) the prior written permission is required from our office in accordance with our (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses) made under Section 28 of the Conservation Authorities Act.

The development proposed in the subject application does not include any shoreline alteration and will not require written permission from our office.

Bobs Lake-Crow Lake Catchment Report

This lot is located on Mill Bay in Bobs Lake, the 2017 report indicates that Mill Bay has a water quality rating that ranges from “Poor” (2006-2008) to “Fair ”(2015-2017) based upon samples collected at the bay’s deep point. Occasional nutrient exceedances, periods of limited fish habitat conditions in late summer, and generally clear water contributed to the rating. A water quality monitoring site (RVL-23B) is located across the bay from this property and indicated moderate nutrient levels and low bacterial counts. The catchment report notes that well-vegetated shorelines are critically important in protecting water quality, and habitat conditions and reducing the potential for erosion, and highlights the importance of shoreline protection particularly where water setbacks cannot be met. and reduce the amount of stormwater runoff to the lake, this is particularly important on sensitive waterfront properties that have steep slopes or shallow soils.

Mississippi Rideau Source Water Protection Plan

This property has been identified as overlying a highly vulnerable aquifer as stated in the catchment report and indicated in the Mississippi-Rideau Source Water Protection Plan. These are aquifers that are vulnerable to surface contaminants due to thin or absent soils overlying bedrock that may be fractured.

Where these conditions exist, it may be possible for contaminants to enter drinking groundwater supplies. For this reason, care should be taken to avoid land uses and practices that may inadvertently lead to undesirable effects on groundwater. For this reason, care should be taken to avoid land uses and practices that may inadvertently lead to undesirable effects on groundwater. Some best practices that could be considered include:

- increased well casing depths;
- increased distance of septic systems from drinking water wells;
- ensuring wells are located upgradient of septic sewage disposal systems
- ensuring that wells and septic systems are properly maintained,
- avoiding the use of pesticides, herbicides, and fertilizers.

Assessment of Slope Stability

An assessment of slope stability (prepared by Malroz Engineering Inc, File 1639.00-101, dated April 28, 2022) was provided in support of this application. The report found the slope to be stable due to the shallow depth to bedrock. Technical staff from our office reviewed this report and accepted the finding of a stable slope and that the proposed setback of 9 m to 11.3 m from the top of crest was adequate. In addition to the recommendation that vegetation is retained on the slope to the extent possible, the RVCA requires that the 6 metre setback from the crest of the slope be left natural and not regraded or disturbed.

Township Zoning By-Law

The subject property is within the Rural Waterfront zoning designation, within this zone the following regulations are stated for a single detached dwelling (Section 8.3):

- Lot area (minimum) 10 000 m²
- Road frontage (minimum) 76 m
- Water frontage (minimum) 91 m
- Lot coverage (minimum) 5 %

Additionally, within the General Provisions (Section 5.24) lot coverage for accessory buildings of 5% is permitted.

The subject property does not meet the minimum requirements for lot size and frontage under the zoning designation, is it understood that it is considered an existing undersized lot. Section 5.12 of the General Provisions speaks to undersized lots and states:

“...such smaller lot may be used and a building or structure may be erected, altered or used on such smaller lot, provided that a suitable building envelope, outside of any hazards, which is appropriate for the intended use and which minimizes environmental impacts can be identified...”

With requestion to the subject application Section 5.36 address requirements for Minor Variances and states:

“The Committee of Adjustment may consider a variance to any provision of this By-law provided that: a. the variance conforms with the intent of the Township Official Plan and Zoning By-law; b. the variance is appropriate for the proper development of the property; and c. the variance is minor in nature.”

Discussion

The proposed dwelling would encroach on the existing water setback but is located outside the minimum 30 m setback as required by section 5.2.7 of the Townships Official Plan *((b)Policies of Development and Site Alterations Adjacent to Lakes and Rivers)*. During the site visit our office expressed concern regarding the reduced setback from the top of the slope and recommended a slope stability study be completed to ensure any hazards or erosion risks could be mitigated. Technical staff from our office accepted the finding that the slope was stable and the proposed encroachment on the existing setback would not result in a hazard. As part of this review, a 6 m setback from the top of the slope be left in with natural vegetation cover is recommended.

As an existing undersized lot, there are challenges in considering the amount of development relative to the lot size. Under the Rural Waterfront zoning, 5% lot coverage is permitted for a single detached dwelling (Section 8.3.1 of the Township’s Zoning By-law), and an additional 5% is permitted for accessory structures not attached to the principal dwelling (Section 5.24). The existing cottage represents 3.6% lot coverage. The proposed dwelling (8%) with an attached garage (3.9%) would increase the lot coverage for the dwelling to 11.9%, exceeding the 5% permitted within the Rural Waterfront zone.

In considering this proposal it is noted that the proposed lot coverage (11.9%) is slightly above the total lot coverage of 10% that could be permitted given the provisions for both a dwelling

(5%) and accessory structures (5%) within the Zoning By-law; and could be considered minor. However, there is the concern that this interpretation would still enable additional accessory structures. As understood by this reviewer, the Zoning By-law considers the attached garage as part of the principal dwelling and not an accessory structure. As a result, 5% lot coverage would still be available for accessory structures. Should the Township approve this proposal, our office would not support any future development or structures on this property. Under the PPS planning authorities are required to protect and improve water quality and maintaining or increasing the extent of vegetative or pervious cover is identified as a method to protect water quality. Increases in impervious surfaces (including buildings and structures) have the potential to increase runoff, erosion, and sedimentation which can contribute to water quality impairment. Given that the current proposal would allow for additional accessory buildings and a further increase in lot coverage, it is the opinion of this reviewer that the current proposal and requested variance do not conform to the intent of the Township's Zoning By-Law. As such, the current proposal cannot be supported as presented by our office.

However, this reviewer is of the opinion that revisions could be made to allow for development that meets the intent of the Township's Zoning By-Law and provides better protection for water quality conditions in Bobs Lake. Resubmission of the application as a zoning by-law amendment with a provision that limits the lot coverage to that within this proposal and does not permit additional accessory structures would be encouraged. Alternatively, a revised proposal with a detached garage as an accessory structure could be considered. In any resubmission we would recommend consideration should be given to the mitigation of runoff through low-impact development (LID) measures such as French drains or natural areas with robust vegetation to promote infiltration of surface water. Additionally, the recommendations provided in the slope stability assessment and technical review comments by our office should also be included. Our office does understand that similar suggestions have been previously discussed between the applicant and the Township, and would encourage them to work with both our office and the Township to develop a proposal that better meets the Zoning By-Law.

Conclusions

In conclusion, our office cannot support the current application as proposed. Please advise us on the Committee's decision respecting this application or any changes in the status of the application.

Thank you for the opportunity to comment and please do not hesitate to contact the undersigned at (613) 692-3571 x1109 should you have any questions.

Yours truly,



Sarah MacLeod-Neilson
Planner

cc – Andrew Klassen, owner
cc – Terry Davidson, RVCA
cc – Matthew Doyle, South Frontenac

Township of South Frontenac Staff Report



To: Committee of Adjustment

Prepared by: Development Services Department

Date of Meeting: June 9, 2022

**Subject: Minor Variance Application (S. 45(1) of the Planning Act)
PL-ZNA-2022-0034 (Klassen) – 73 Mill Bay Lane, Bedford
District**

Summary

This application is a request for zoning relief for lot coverage and top of bank setback for a single detached dwelling. This report recommends that the Committee of Adjustment deny this application.

Denial is recommended because the application fails to meet the four tests of a minor variance. The proposed 12% lot coverage for the dwelling with an attached garage does not maintain the general intent and purpose of the Official Plan nor Zoning By-law No. 2003-75.

Background

This application was heard at the May 12, 2022 Committee of Adjustment Meeting. Township Staff recommended deferral:

- 1) to provide the applicant time to work with their sewage system installer to provide a revised design of the sewage system to the Building Department,
- 2) to allow RVCA time to peer-review the slope stability study, and
- 3) to allow the applicant time to consider revising their application to reduce the proposed lot coverage.

The Township has since received confirmation that the sewage system installer will provide a revised design of the sewage system, as well as technical comments from RVCA.

Following the Committee meeting, Township Staff spoke with the applicant about alternatives for the proposal. The applicant confirmed on May 26, 2022 that they would like to proceed with the application as originally submitted. No changes have been made to the application.

Official Plan Designation: Rural

Zoning: Limited Service Residential Waterfront – (RLSW)

Zoning Relief Requested

Section 5.8.2(b) – (Top of Bank): to permit a dwelling with attached garage to be setback a minimum of 9.3 metres (30 feet) from the top of bank whereas the Zoning By-law requires a minimum 15 metre (49.2 feet) setback.

Section 10.3.1 – (Lot Coverage): to permit a dwelling with attached garage to have a maximum lot coverage of 12%, whereas the Zoning By-law permits a maximum of 5% lot coverage for the principal building.

Discussion/Analysis

Property Description

The subject property is located at 73 Mill Bay Lane and has an area of approximately 0.2 hectares (0.53 acres) with frontage on Bobs Lake. The subject property is located on the north side of Mill Bay Lane.

The property contains a single detached dwelling with attached deck and a small shed. The property rises steeply from the shoreline of Bobs Lake to a flat area where the existing dwelling is located. The property drops steeply from the location of the existing dwelling towards the lane. The area between the shoreline and the flat area consists of bedrock and is predominately forested. The area between the flat area and the lane is also treed.

The existing dwelling is one storey and has an attached deck located on the north side. The building has a height of 6 metres and a ground floor area of 77.6 square metres (835 square feet). The total footprint of the dwelling and deck is 127 square metres (1367 square feet). The dwelling and deck are setback more than 30 metres from the highwater mark, except for the landing for the deck stairs, which is setback 29 metres (96 feet). The dwelling and deck are setback 10 metres from the top of bank, at the closest point. The lot coverage of this dwelling is 6%.

The shed is located to the south of the dwelling, 21 metres (70 feet) from the highwater mark of Bobs Lake. It has a footprint of 8 square metres (90 square feet). The shed has a lot coverage of 0.3%.

A sewage system is located south of the dwelling, between the dwelling and the neighbouring property to the south. The property is in an area of similarly developed waterfront residential properties.

Summary of Proposal

The applicants are proposing to demolish the existing dwelling, deck and shed and build a new dwelling with an attached garage on the same general footprint.

The new dwelling with attached garage will be one storey with a height of 6.4 metres (21 feet) and have a ground floor area of 257 square metres (2770 square feet). It would have a slab-on-grade foundation. There will be a stone patio instead of an attached deck on the waterside of the dwelling. The dwelling will be setback 30 metres from the highwater mark of Bobs Lake and 9.3 metres from the top of bank.

The floor area of the new dwelling with the attached garage will be 130 square metres (1403 square feet) larger than the existing dwelling and deck. This will result in an increase of 6% lot coverage for a total of 12%.

The applicants and their agent identified that the sewage system will need to be upgraded. The applicants and their agent consulted with a sewage system installer and have applied for a new class 4 sewage system to be located on the subject property. The original location for the new sewage system was proposed to be located more than 30 metres from the highwater mark, between the dwelling and the neighbouring property to the south, in the same location as the existing sewage system.

Upon further review, a better location was determined for the sewage system. The sewage system will now be set into the hill between the lane and the dwelling, to the east of the driveway. The location of the old sewage system, between the dwelling and the neighbouring property will remain vacant as manicured lawn. The old system will need to be removed and the site will need to be restored.

The applicant submitted with their application, a letter of support from the neighbours to the south (67 Mill Bay Lane). The neighbours note that they support the design, site plan and proposed location and that the new structure will not impact their view of the lake or trees and therefore have no objection to the proposed plans.

The applicant submitted a Slope Stability Study in support of the application (Malroz Engineering Inc, dated April 28, 2022) which speaks to assessing construction near the steep slope to ensure that any slope stability or erosion hazard risks would be addressed. This was required as the proposed reconstruction would encroach on the 15 metre setback from the top of bank. The study concluded that the slope is stable and that the proposed dwelling is suitable to be constructed at the existing setback of 9.3 metres.

Department and Agency Comments

Building Services (Sewage System Review)

Building Services provided comments on May 5, 2022 indicating that they are working with the applicants' sewage system installer and are waiting for a revised design from the installer. The sewage system is now proposed to be located between the dwelling and the lane, in a different location than what was originally proposed (i.e. where the existing sewage system is located).

Building Services confirmed on June 1, 2022 that the sewage system installer will provide a revised design for an advance treatment Eljen system instead of the proposed Filter bed system, due to the site constrains. The sewage system will be located on the west site of the driveway, between the road-side property line and the proposed dwelling. The location of the old sewage system will need to be decommissioned and restored.

Rideau Valley Conservation Authority

Rideau Valley Conservation Authority (RVCA) Staff spoke to Planning Staff via telephone on May 6, 2022. They noted their Engineer is currently reviewing the slope stability study. They request more time to review the study that was received on April 29, 2022.

The Director of Engineering and Regulations for RVCA provided comments in a letter dated May 20, 2022 indicating that the proposed setback of 9.3 metres to 11 metres to the new dwelling from the top of the slope is acceptable.

RVCA staff provided updated comments on June 2, 2022. RVCA reviewed the assessment of slope stability (prepared by Malroz Engineering Inc, dated April 28, 2022) which was provided in support of this application. They note that the proposed setback from the top of bank that the study recommended was adequate. RVCA recommends that the 6 metre setback from the top of the slope be left natural and not be disturbed.

RVCA staff note that the proposed lot coverage is slightly above the total lot coverage of 10% that could be permitted given the provisions for both a dwelling (5%) and accessory structures (5%) within the Zoning By-law and there is concern that this interpretation could still enable additional accessory structures for an additional 5%.

RVCA notes that they would not support any future development or structures on the property. They note that increases in imperious surfaces which includes buildings and structures have the potential to increase runoff, erosion and sedimentation which can contribute to a decrease in water quality. Given that the current proposal would allow for additional accessory structures, RVCA does not support the current proposal.

RVCA states that revisions could be made to allow for development that does meet the intent of the Zoning by-law and provides better protection for water quality condition in Bob's Lake. They suggest applying for a zoning by-law amendment with a provision that limits lot coverage on the property and/or detaching the garage.

RVCA recommends taking into consideration any mitigations such as French drains or natural areas with robust vegetation to promote infiltration of surface water.

The development proposed in the application will not require a permit from RVCA because it does not include any site alteration.

RVCA does not support the currently application as presented.

Public Comments

One comment was received from the neighbours located at 67 Mill Bay Lane in support of the application.

Planning Analysis

The proposal needs to be assessed against the four tests of a minor variance outlined in Section 45(1) of the Planning Act. All four tests must be met for an application to be approved. It is the opinion of Planning staff that the proposal does not meet all of the four tests as explained below.

[Does the variance maintain the general intent and purpose of the Official Plan?](#)

The subject property is designated Rural in the Township Official Plan. The Township of South Frontenac Official Plan's housing goal encourages residential development which is affordable, of high quality and capable of meeting the changing and diverse needs of the rural community. The proposed dwelling with attached garage is consistent with the permitted residential use of the property, and would contribute to improved housing in the Township.

Section 5.2.4 of the Official Plan requires development to be directed away from lands which may be subject to shoreline erosion hazards. The Slope Stability Study (Malroz Engineering Inc, dated April 28, 2022) confirmed that the proposed dwelling is not expected to be subject to an erosion hazard.

Section 5.2.7(b)(i) of the Official Plan requires development to be setback a minimum of 30 metres from the high water mark, and encourages maintenance of natural vegetation and the soil mantle within the 30 metre setback. It is the intent of the Official Plan that all buildings

and structures not related to the use of the water and all sewage disposal leaching beds be well setback from the highwater mark to minimize environmental and visual impacts to the lake and maintain a natural appearance of the shoreline. The proposed dwelling and sewage system will be located outside of the 30 metre setback, in the same general footprint as the existing dwelling. Vegetation within the setback area is anticipated to be disturbed as little as possible through the redevelopment of the property.

The existing community is characterized by predominately small single detached dwellings with waterfront view or access to the shoreline. As explained in section 5.2.7 of the Township Official Plan, the policies of the plan are to protect and strengthen the character of these areas, while it should be expected that incremental change is expected as a natural part of a growing community subject to redevelopment of changing lifestyles and accessibility throughout the municipality and the transition from a more seasonal dwelling to more permanent dwellings in the area. As pressures amount to permit higher density development, there is a need protect the Township's waterfront areas, unique natural and environmental character. On the subject property, the intent of this policy would best be maintained through a zoning by-law amendment that would prescribe a maximum lot coverage for the principal building and prohibit accessory buildings and structures. There is further discussion on this below.

The proposed development maintains the general intent and purpose of the Official Plan, specifically the policies on limited service residential development, but not those on development within environmentally sensitive areas.

[Does the variance maintain the general intent and purpose of the Zoning By-law?](#)

The intent and purpose of Zoning By-law No. 2003-75 is to regulate the use of lands and the character, the location and use of buildings and structures within the Township.

The proposed dwelling with attached garage is a permitted use on the subject property. The subject property is an undersized lot of record with an area of 0.21 hectares (0.53 acres). The topography of the property is challenging for the placement and construction of a dwelling with an attached garage. The land rises steeply both from the lane and from the lake to a plateau in the middle of the property. The plateau is the only appropriate location for development without significant site alteration. The proposed dwelling with attached garage will be constructed on the same general footprint as the existing dwelling and will be setback a minimum of 30 metres from the highwater mark, compliant with the Zoning By-law. The proposed dwelling with attached garage exceeds the interior side yard setbacks and rear yard setback and is within the maximum building height allowed in the RLSW zone.

The dwelling would be setback 9.5 metres from the top of bank, instead of the 15 metres required. The 9.5 metre top of bank setback is supported by a Slope Stability Study (Malroz

Engineering Inc, dated April 28, 2022) and peer-reviewed by the Conservation Authority. The study concluded a 9.3 – 11 metre setback is appropriate, that the exposed bedrock is stable and that the proposed location is suitable for development from an erosion hazard perspective. The proposed setback is greater than the appropriate 9.3 metre setback at 9.5 metres from the top of bank.

RVCA peer reviewed the slope stability study. The Director of Engineering and Regulations for RVCA provided comments in a letter dated May 20, 2022 indicating that the proposed setback of 9.5 metres to the new dwelling from the top of the slope is acceptable. The variance for a reduced top of bank would maintain the general intent and purpose of the Zoning By-law.

A variance has also been requested to increase the allowable lot coverage for the principal building (dwelling with attached garage) from the existing 6% to 12%. The increase in lot coverage is requested because the applicants are proposing to build a dwelling with an attached garage. This is being requested to allow for easier movement between the garage and the house as the applicants age in their home.

The RLSW zone permits a maximum 5% lot coverage for the principal building, and the General Provisions permit an additional maximum 5% lot coverage for accessory buildings and structures. The maximum lot coverage permitted is intended to control the scale and density of development on a parcel, avoid an overdeveloped appearance of a lot and shoreline, ensure there is adequate landscaped space, and to minimize site disturbance and vegetation removal.

The proposed development is much larger in scale and density than the existing and well-established waterfront residential neighbourhood of Mill Bay Lane. It is out of character for the neighbourhood. From an aerial analysis as well as MPAC data obtained from Frontenac Maps, properties along Mill Bay Lane are all undersized waterfront lots developed with single detached dwellings. The average lot coverage for a principal dwelling on properties similar in size to the subject property is 7%. One way to reduce the lot coverage of the principal building to be more in keeping with the average lot coverage in the neighbourhood is to detach the garage from the dwelling.

The argument has been made that if the 12% lot coverage is broken down to the two components of the building, it would be similar to the 5% permitted for the principal building plus the 5% permitted for accessory buildings and structures. The dwelling component represents approximately 8% and the attached garage represents approximately 4%.

While the sum of the components of the building is similar to the combined lot coverage permitted, Township staff note that if the requested variance to more than double the allowable lot coverage for a principal building was granted, there is no mechanism to stop the current or subsequent landowners from obtaining a building permit for accessory buildings on their property in a location that is compliant with the RLSW zone, thereby

further increasing lot coverage on the subject property beyond what is intended by the Zoning By-law. The requested increase in lot coverage does not meet the intent and purpose of the Zoning By-law.

It would be more appropriate to pursue the proposed development through a zoning by-law amendment rather than a minor variance. A site-specific RLSW zone on the property that permits a maximum of 12% lot coverage for the principal building and prohibits accessory buildings and structures would remove the potential for additional development that would further increase lot coverage. This approach would address Planning staff concerns and may mitigate concerns raised by Rideau Valley Conservation Authority regarding the size of the dwelling footprint and lot coverage. This approach is also consistent with the position taken by the Township on similar developments proposed on waterfront properties.

[Is the requested variance desirable for the appropriate development or use of the land, building or structure in question?](#)

In evaluating whether this application is desirable and appropriate, planning staff considered the location and configuration of the property, and generally whether this proposal represents good planning. The requested variances support redevelopment of an existing residential use, and so are not anticipated to introduce an incompatible or inappropriate development.

The increase in lot coverage associated with the proposed dwelling with attached garage is not anticipated to be evident from the lane due to the change in elevation (e.g. the dwelling would be several metres above the lane). Similarly, the proposed dwelling is setback more than 30 metres from the highwater mark and several metres above the lake. The proposal allows for the maintenance of the existing natural treed buffer between the dwelling and the steep cliff to the water.

There would be adequate amenity area for the dwelling and adequate setbacks to maintain privacy to adjacent dwellings.

[Is the variance minor?](#)

Considering whether an application is minor is not based on the numerical value requested, but rather it is focused on whether the impact of allowing the requested variance is minor. This includes considering how the proposed development could impact the functionality of the subject lands or of neighbouring properties.

The proposed dwelling will be on the same general footprint as the existing dwelling where it will have minimal visual impact on surrounding the lake and neighbouring properties. The proposed location of the dwelling is practical on the subject property as it maximizes the setbacks from the lake and top of bank, and allows sufficient area for a sewage system.

Building on the same footprint will cause minimal disturbance to the natural features on the subject property.

Notice/Consultation

Notice of the Statutory Public Hearing was given pursuant to the requirements of the Planning Act, at least 10 days in advance of the Public Hearing in May 2022. This included notice given:

- by mail to every owner of land within 60 metres of the subject lands
- by posting notice signs on the subject lands
- by posting on the Township's Current Planning Application webpage
- by e-mail to prescribed persons and public bodies

Recommendation

That the Committee of Adjustment receive comments from the public and **deny** minor variance application PL-ZNA-2022-0034 for 73 Mill Bay Lane.

Report Prepared By:

Anne Geladi, MCIP, RPP, Planner

Reviewed By:

Christine Woods, MCIP RPP, Senior Planner



TOWNSHIP OF SOUTH FRONTENAC
APPLICATION FOR MINOR VARIANCE OR PERMISSION
 Updated January, 2022

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	\$979.00	\$97.00	\$1,076.00
4+ Variances	\$1,343.00	\$97.00	\$1,440.00
After building without a permit	\$2,058.00	\$97.00	\$2,105.00

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>	\$463.00
<i>Minor Variance WITH Performance Review</i>	\$720.00
<i>Minor Variance in combination with a new Class 2, 3, 4, or 5 sewage system other than a Class A system</i>	\$1,183.00
Cataraqui Region Conservation Authority	\$425.00
Quinte Conservation Authority	\$358.00
Rideau Valley Conservation Authority	\$400.00

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).

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

Date Received: _____

File No: _____

1. Name of Owner(s): NEIL LIOTA

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

[REDACTED]

Phone number of Owner(s): [REDACTED]

Email Address of Owner(s): [REDACTED]

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

Name of Authorized Agent: _____

Full Mailing Address of Authorized Agent: _____

Phone number of Authorized Agent: _____

Email Address of Authorized Agent: _____

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

Signature(s) of Owner(s) _____

3. The description of the subject land:

District: Bedford Portland Loughborough Storrington

Concession Number: 3 Lot Number: PT LOT 20

Street Number: 2263 Name of Road/Street: GREEN BAY RD.

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

Roll Number: 102901002022400

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

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

Frontage (on water): 550' Frontage (on road/lane): 497.5'

Depth: ~ 160' AT WIDEST POINT Area: 1.5 ACHRES

5. The current zoning of the subject land:

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

REMOVE EXISTING RESIDENCE AND BUILD NEW RESIDENCE WITH ADDITION OF SCREENED IN PORCH + GARAGE SUITABLE FOR PERSONS WITH DISABILITIES.

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

CURRENT LEGAL NON-CONFORMING STRUCTURE TO BE REPLACED WITH NEW STRUCTURE MAINTAINING CURRENT SET BACK FROM WATERS EDGE.

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

Name of Road/Lane:

GREEN BAY RD.

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

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

PRIMARY RESIDENCE

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

Yes No

- ① COTTAGE - 23'x25' EST: 1985
- ② RESIDENCE - 33'x36'10" EST: 1968
- ③ OLD STORE FRONT - 24'2"x20'3" EST: 1972
- ④ SHED BY COTTAGE - 8'x12' EST: 2020
- ⑤ SHED BY HOUSE - 8'x8' EST: 1985

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

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

Type of Structure (E.g. residence)	(1) COTTAGE EST: 1985	(2) "House" RESIDENCE EST: 1968	(3) OLD STORE FRONT EST: 1972	(4) SHED BY COTTAGE EST: 2020	(5) 1981 SHED BY HOUSE
Setback from Front Lot Line "WATER"	62'9" TO DECK 68'3" TO COTTAGE	36'	54' TO BOAT LAUNCH 103' TO SOUTH	36'	3'
Setback from Rear Lot Line "ROAD"	57'	60'	34'	~68' (57') SNOW + ELEVATION CAUSED ISSUES MEASURING THIS.	115'5"
Setback from Side Lot Line "WEST"	142' TO COTTAGE 136'9" TO DECK	245'1"	156' TO BRIDGE (EAST SIDE)	26'1"	255'
Height of Building (Also indicate if it is one story or two story)	1 STORY ~16'	1.5 STORY ~19'5" AT ROADSIDE	1 STORY ~12'4"	1 STORY ~10'7"	1 STORY ~8'
Dimensions of Floor Area	23' x 25' 575 FT ²	33' x 36'10" 1214 FT ²	20'3" x 12'7" (LAND) 14'5" x 11'7" 421.5 FT ²	8' x 12' 96 FT ²	8' x 8' 64 FT ²
Setback from High Water Mark (If applicable)	62'9" TO DECK 68'3" TO COTTAGE	36' TO EDGE OF RESIDENCE	54' TO BOAT LAUNCH 103' TO SOUTH	36'	3'

13. The proposed uses of the subject land:

MAIN 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

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

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

Type of Structure (E.g. residence)	(1)	(2)	(3)	(4)
	RESIDENCE	GARAGE	GAZEBO	
Setback from Front Lot Line "WATER"	36'	68'	3'	
Setback from Rear Lot Line "ROAD"	50'	34'6"	112'	
Setback from Side Lot Line "WEST"	234'1"	314'4"	255'	
Height of Building (Also indicate if it is one story or two story)	1-STORY 17'2 7/8" ROADSIDE BASEMENT WALKOUT	1-STORY 15'3 3/4"	1-STORY OPEN SITTING AREA WITH PAD	
Outside Dimensions of Building/Structure	49' x 38' INCLUDING DECK + SCREENED IN PORCH 28' x 29' FOUNDATION	28' x 26'	10' x 10'	
Setback from High Water Mark (If applicable)	36'	68'	3'	

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:

REMOVAL OF EXISTING "RESIDENCE" #2 ON PAGE 5 (33' x 36' 10")
REMOVAL OF EXISTING SHED + PATIO STONES. #5 ON PAGE 5 (8' x 8')

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

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

Yes No

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

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

Yes No

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

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

- 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.

NONE *125'* *NONE*

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.

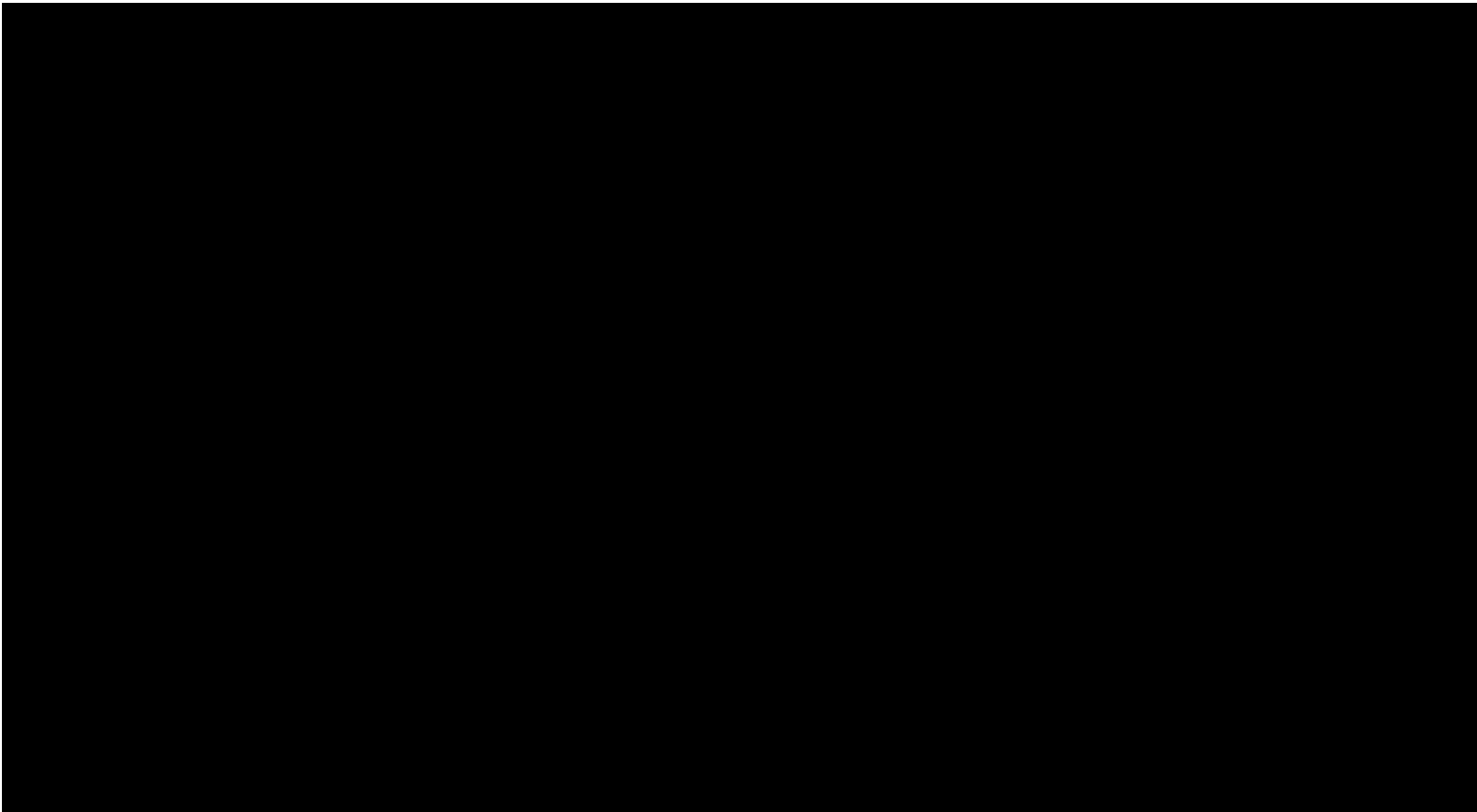
The Owner/Applicant/Agent agrees that the information recorded in this Minor Variance Application Form is accurate. The Owner/Applicant/Agent agrees that representatives of the Township and, where applicable, the appropriate Conservation Authority, may enter onto the subject property for the purpose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



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

A Guide to Completing the Minor Variance Form

- 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).

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

- 9) Parking and Docking: This question is only relevant if you can only access your property by water.
- 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.

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

- 23) Septic: in most cases the answer will be private sewage system, but there may be some privies.
- 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.

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

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

Frontage (on water): 550' Frontage (on road/lane): 497.5'
 Depth: ~ 160' AT WIDEST POINT Area: 1.5 ACHRES

5. The current zoning of the subject land:

100'
100'

6. The nature and extent of the relief from the Zoning By-law: *REVISED AFTER APRIL 25 200M.*
- ADDITION OF SHED WITHIN THE 100' SETBACK *
REMOVE EXISTING RESIDENCE AND BUILD NEW RESIDENCE WITH ADDITION
OF SCREENED IN PORCH + GARAGE SUITABLE FOR PERSONS WITH DISABILITIES.

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

CURRENT LEGAL NON-CONFORMING STRUCTURE TO BE REPLACED WITH NEW
STRUCTURE MAINTAINING CURRENT SET BACK FROM WATERS EDGE.

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

Name of Road/Lane:

GREEN BAY RD.

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

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

PRIMARY RESIDENCE

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

Yes No

- ① COTTAGE - 23'x25' EST: 1985 - DECK SPACE ~ 243 FT²
- ② RESIDENCE - 33'x36'10" EST: 1968 - NO DECK
- ③ OLD STORE FRONT - 24'2"x20'3" EST: 1972 - DECK SPACE ~ 284.1 FT²
- ④ SHED BY COTTAGE - 8'x12' EST: 2020 - NO DECK
- ⑤ SHED BY HOUSE - 8'x8' EST: 1985 - 10'x10' PATIO STONES

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

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

Type of Structure (E.g. residence)	(1)	(2) "House"	(3)	(4)	(5) 198
	COTTAGE EST: 1985	RESIDENCE EST: 1968	OLD STORE FRONT EST: 1972	SHED BY COTTAGE EST: 2020	SHED BY HOUSE
Setback from Front Lot Line "WATER"	62'9" TO DECK 68'3" TO COTTAGE	36'	54' TO BOAT LAUNCH 103' TO SOUTH	36'	3'
Setback from Rear Lot Line "ROAD"	57'	60'	34'	~68' (57') SNOW + ELEVATION CAUSED ISSUES MEASURING THIS.	115'5"
Setback from Side Lot Line "WEST"	142' TO COTTAGE 136'9" TO DECK	245'1"	156' TO BRIDGE (EAST SIDE)	26'1"	255'
Height of Building (Also indicate if it is one story or two story)	1 STORY ~16'	1.5 STORY ~19'5" AT ROADSIDE	1 STORY ~12'4"	1 STORY ~10'7"	1-STORY ~8'
Dimensions of Floor Area NOT INCLUDING DECKS	23' x 25' 575 FT ²	33' x 36'10" 1214 FT ²	20'3" x 12'7" & (AND) 14'5" x 11'7" 421.5 FT ²	8' x 12' 96 FT ²	8' x 8' 64 FT ²
Setback from High Water Mark (If applicable)	62'9" TO DECK 68'3" TO COTTAGE	36' TO EDGE OF RESIDENCE	54' TO BOAT LAUNCH 103' TO SOUTH	36'	3'

See ATTACHE FOR
DECK
AREAS.
PAGE (4)

13. The proposed uses of the subject land:

MAIN 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

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

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

Type of Structure (E.g. residence)	(1)	(2) *REMOVED AFTER APRIL 25 ZOOM	(3)	(4)
Type of Structure (E.g. residence)	RESIDENCE	GARAGE	GAZEBO	
Setback from Front Lot Line "WATER"	36'	68'	3'	
Setback from Rear Lot Line "ROAD"	50'	34'6"	112'	
Setback from Side Lot Line "WEST"	234'1"	314'4"	255'	
Height of Building (Also indicate if it is one story or two story)	1-STORY 17'2 7/8" ROADSIDE BASEMENT WALKOUT	1-STORY 15'3 3/4"	1-STORY OPEN SITTING AREA WITH PAD	
Outside Dimensions of Building/Structure	49' x 38' INCLUDING DECK + SCREENS IN PORCH 28' x 29' FOUNDATION	28' x 26"	10' x 10'	
Setback from High Water Mark (If applicable)	36'	68'	3'	

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:

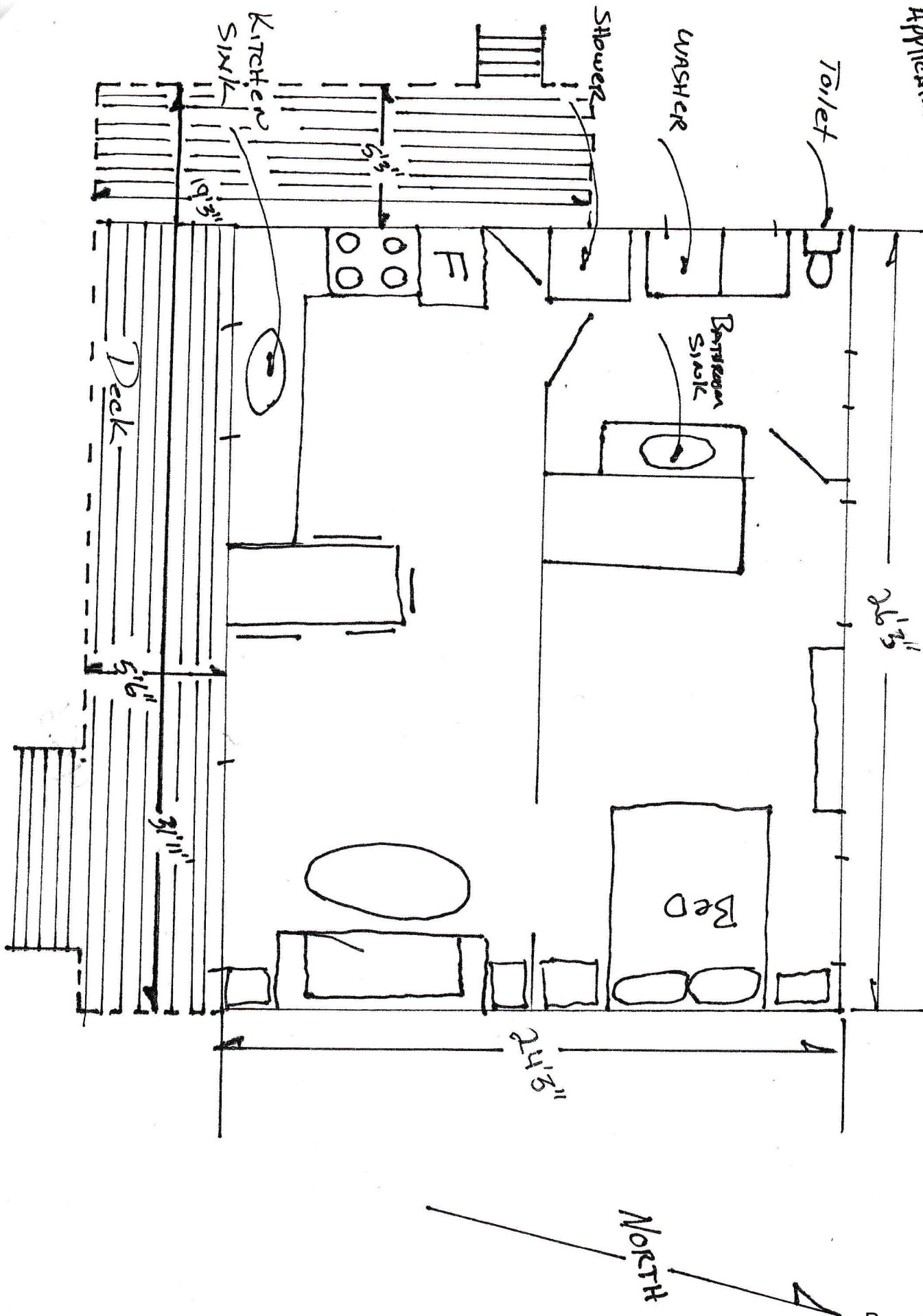
REMOVAL OF EXISTING "RESIDENCE" #2 ON PAGE 5 (33' x 36' 10")
REMOVAL OF EXISTING SHED + PATIO STONES. #5 ON PAGE 5 (8' x 8')

Building
#1
ON Application

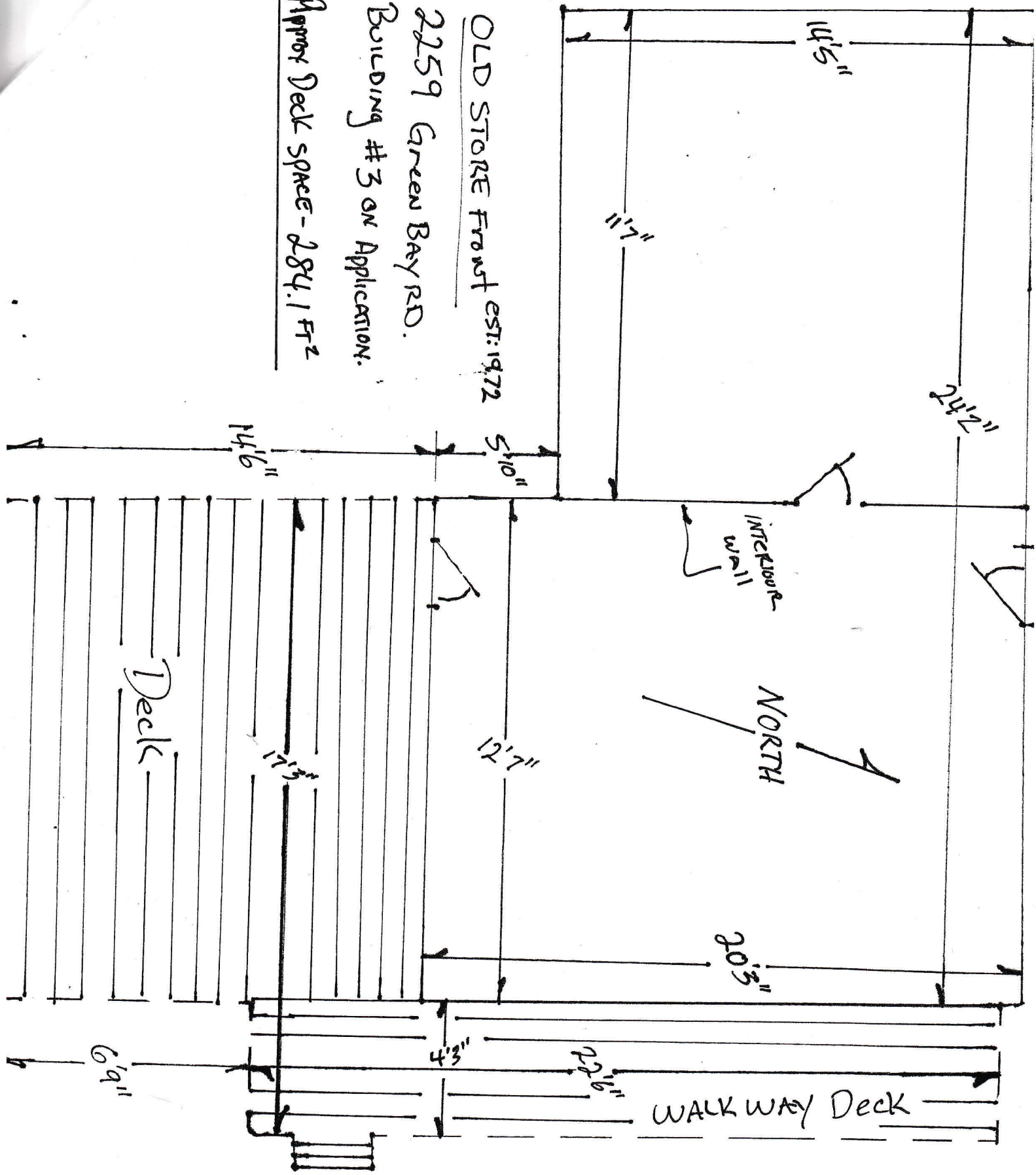
Cottage: 2273 Green Bay Rd.

EST. 1985

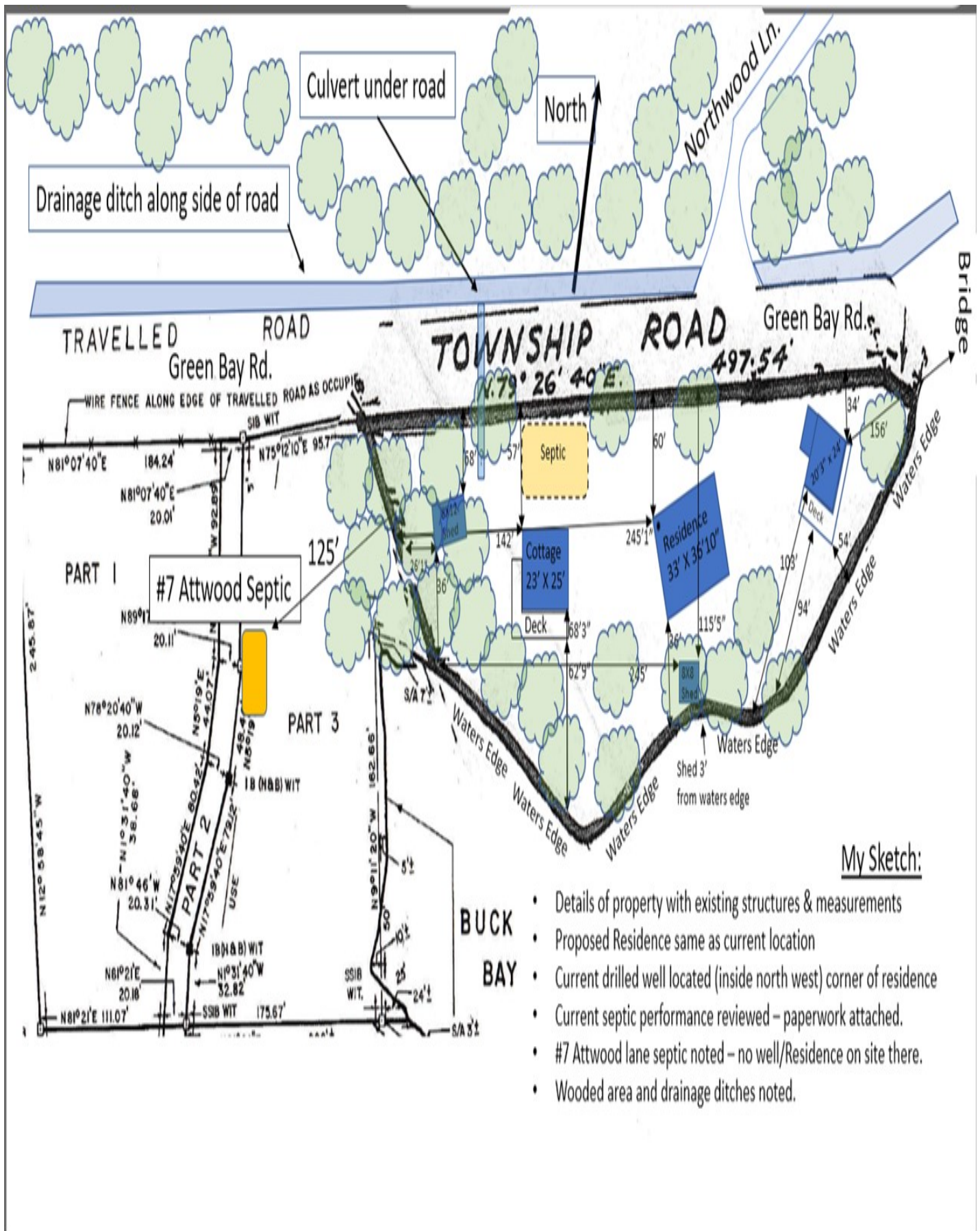
Approx Deck Space 243^{FT}2



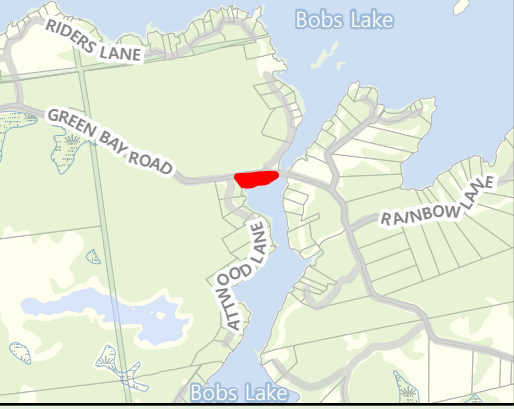
OLD STORE front est: 1972
 2259 Green Bay RD.
 Building #3 on Application.
 Approx Deck space - 284.1 FT²



* BOAT LAUNCH SIDE *



Inset Map



88 NORTHWOOD LANE

59 NORTHWOOD LANE














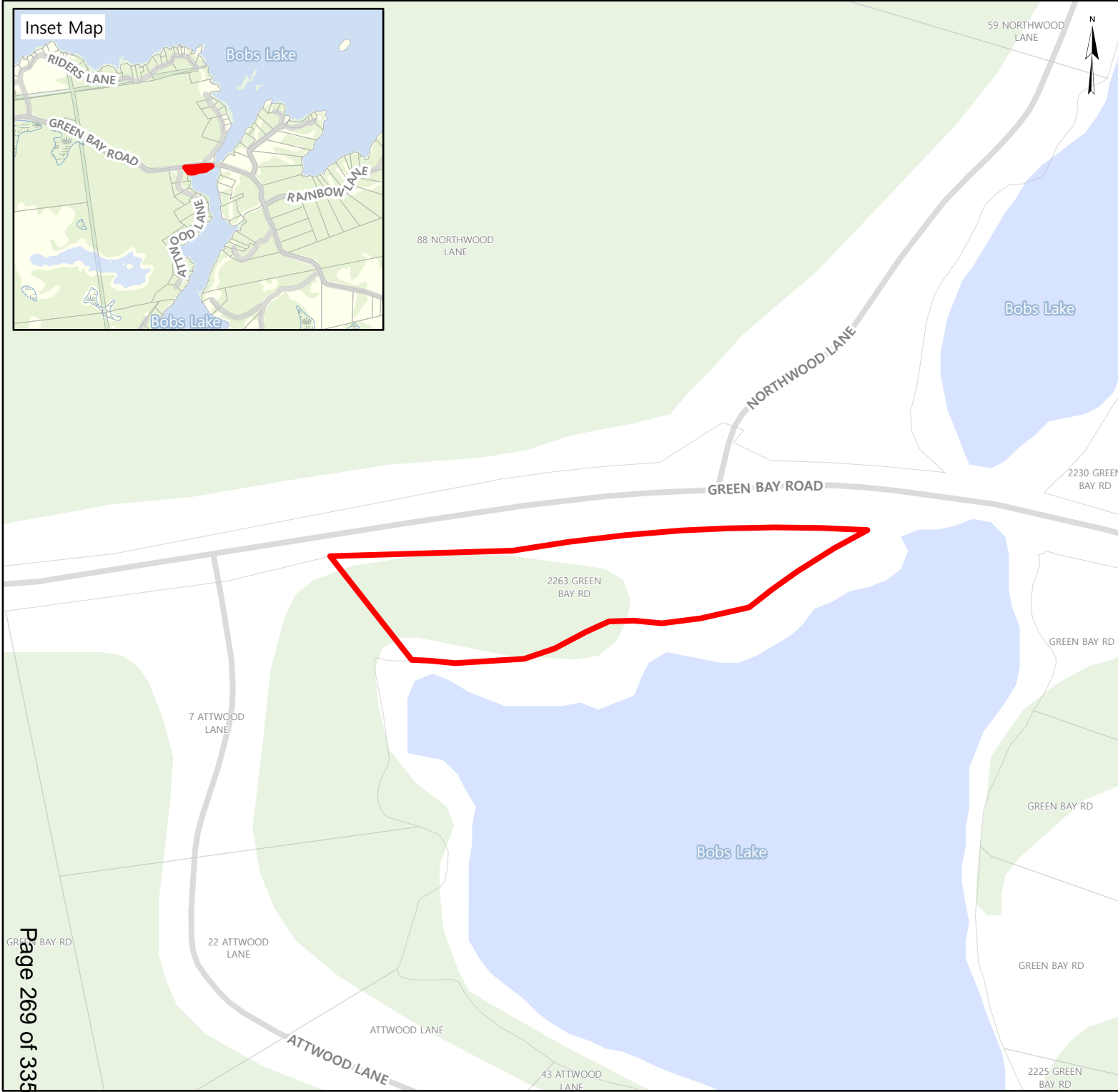
SOUTH FRONTENAC

**PL-ZNA-2022-0046
(LIOTA)**

2263 GREEN BAY ROAD

Legend

-  Subject Property
-  Assessment Parcel
-  Township Boundary
-  Lake Trout Lake - At Capacity
-  Lake Trout Lake - Not at Capacity
-  Non-Lake Trout Lake - At Capacity
-  Wooded Area
-  Waterbody
-  Provincially Significant Wetland
-  Wetland
-  Road



Produced by the Township of South Frontenac under license with the Ontario Ministry of Natural Resources © Queen's Printer for Ontario, 2020.

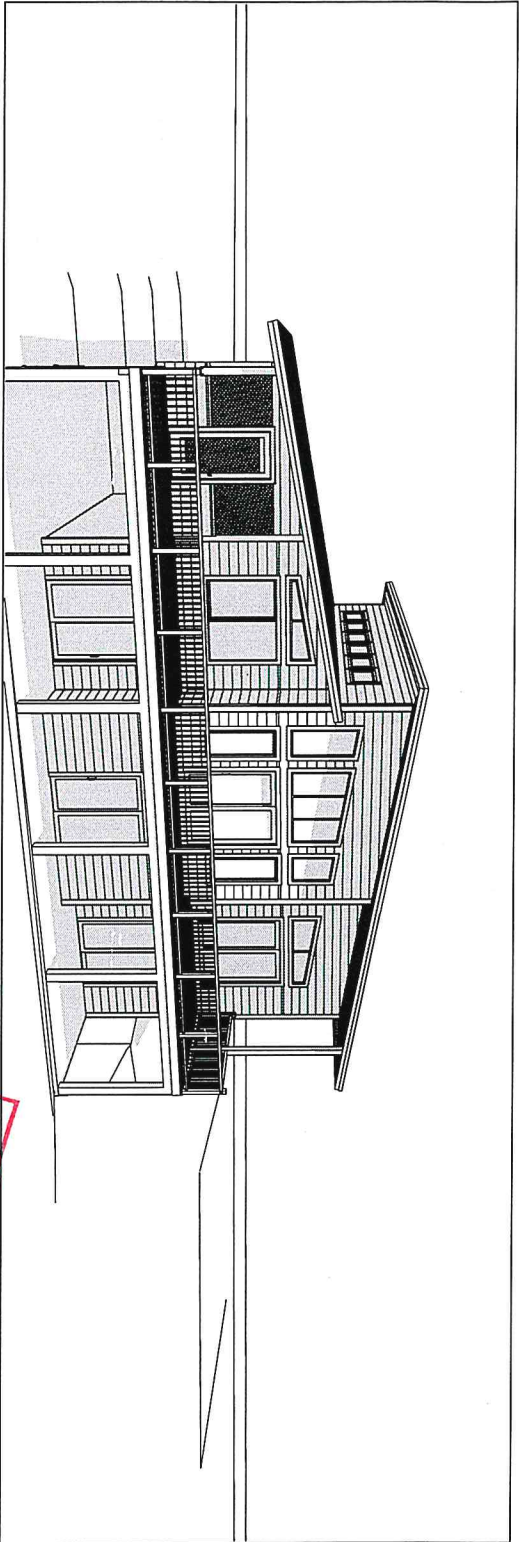
While the Township makes every effort to insure that the information presented is accurate for the intended uses of this map, there is an inherent error in all mapping products, and accuracy of the mapping cannot be guaranteed for all possible uses. This map displays basic topographic features only.

Scale: 1:1,500



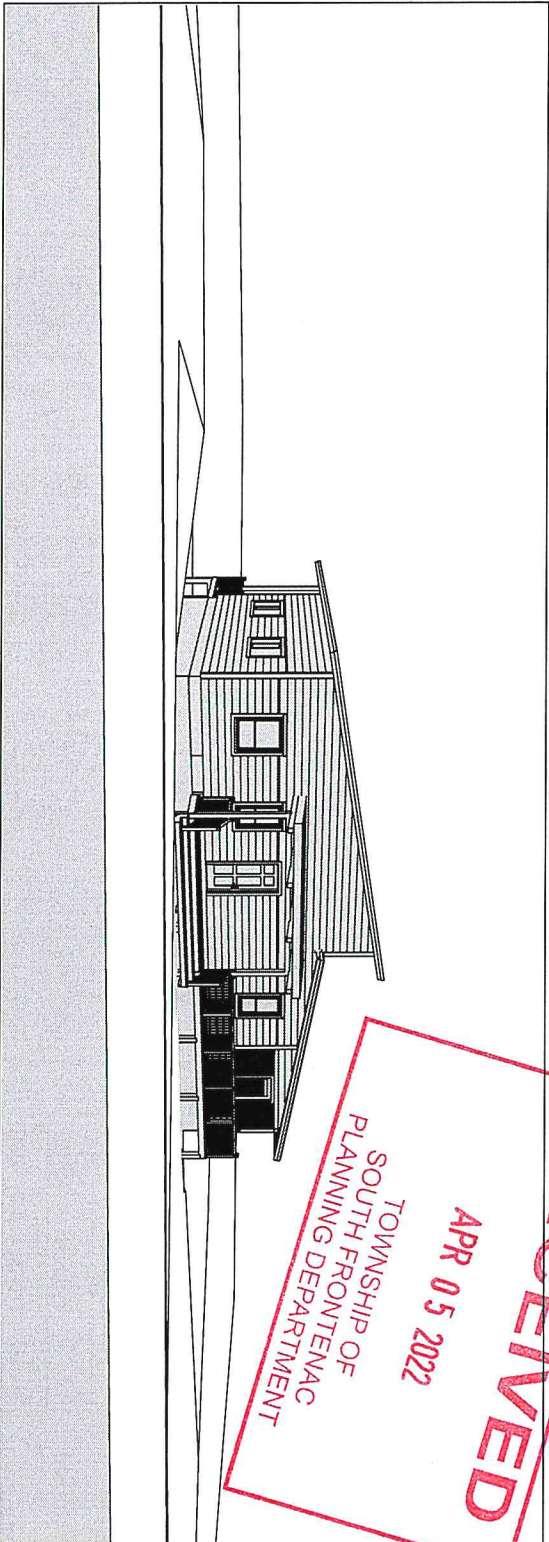
UTM Zone 18 NAD 83

Date: 2022-04-25



FRONT LEFT PERSPECTIVE

(SUN SHADOWS: June 21st @ 12pm)



REAR RIGHT PERSPECTIVE

(SUN SHADOWS: June 21st @ 12pm)

RECEIVED
 APR 05 2022
 TOWNSHIP OF SOUTH FRONTENAC
 PLANNING DEPARTMENT

This Drawing is the property of Discovery Dream Homes. It is not to be reproduced, or used to produce products or services, unless written consent is first obtained from Discovery Dream Homes.

**PRELIMINARY DRAWINGS
NOT FOR CONSTRUCTION**

FLOOR AREAS (sq.ft.)	
BASEMENT	1,150
BASEMENT	1,150 ft²
LIVING AREAS	
MAIN FLOOR PLAN	1,152
	1,152 ft²
PORCHES & DECKS	
DECK	444
ENTRY PORCH	63
FRONT DECK	82
SCREENED PORCH	310
	899 ft²
	3,201 ft²



Discovery Dream Homes
 Keene, Ontario, Canada
 705-409-1035 (5947)

Project: **Dragonfly Cove**

Client: **Neil Lota**

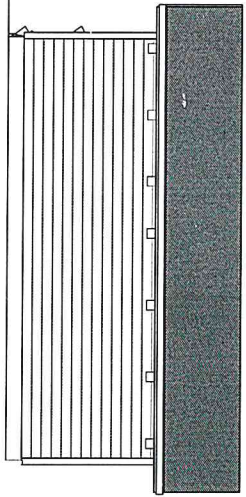
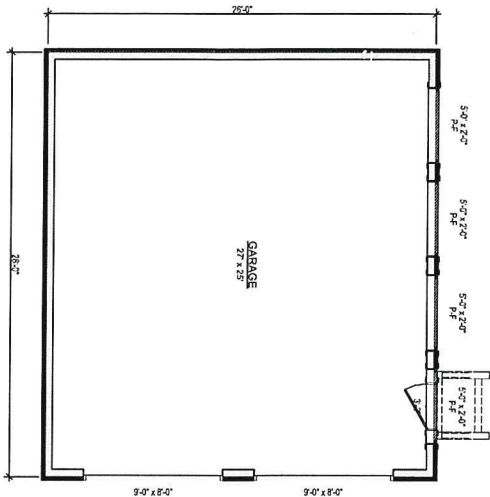
Drawn By: DEG	Sales Rep.: CN	Project No.: 22-013	Revision: B
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Date: **Friday, April 1, 2022**

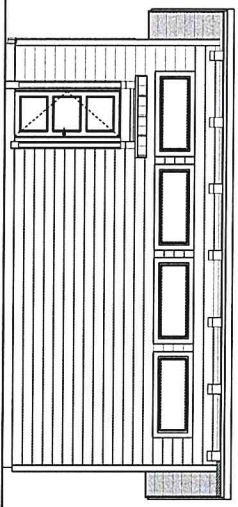
Ground Snow Load: **2.5 kPa**

Pg No: **1 of 7**

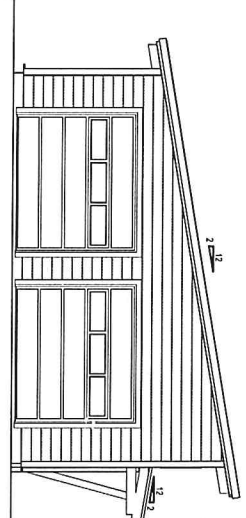
GARAGE FLOOR PLAN
1/8" = 1'-0"



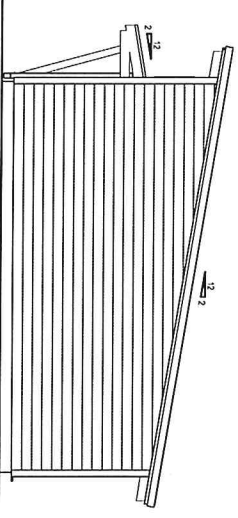
FRONT GARAGE
1/8" = 1'-0"



REAR GARAGE
1/8" = 1'-0"



RIGHT GARAGE
1/8" = 1'-0"



LEFT GARAGE
1/8" = 1'-0"

This Drawing is the property of Discovery Dream Homes. It is not to be reproduced, or used to produce products or services, unless written consent is first obtained from Discovery Dream Homes.

PRELIMINARY DRAWINGS NOT FOR CONSTRUCTION

2263
Garage

Project: **Custom Dream Home**

Client: **Linda**

Drawn By: Sales Rep.; Project No: [redacted]

Date: **November 10, 2016**

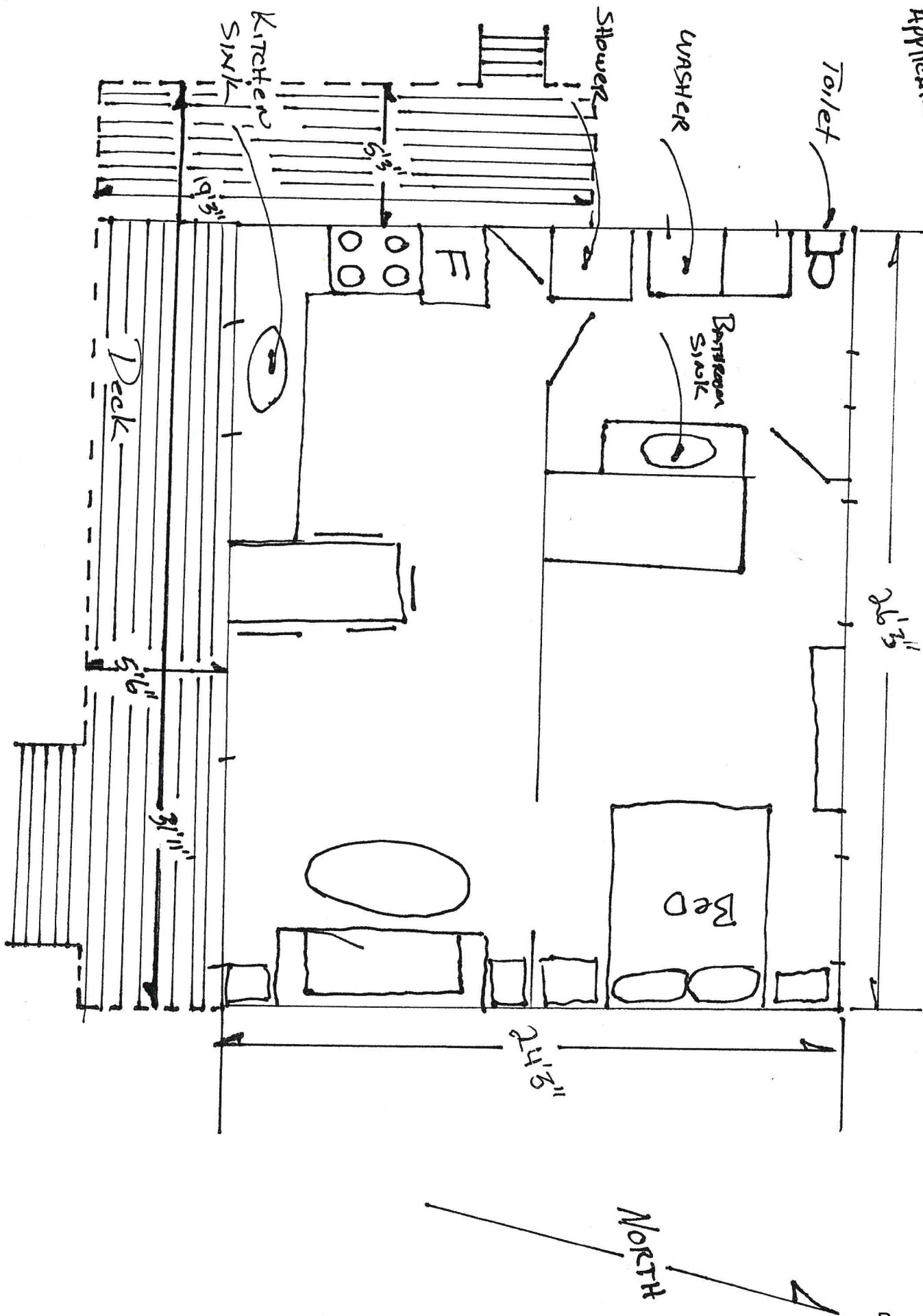
Scale: **AS NOTED**

Pg. No: [redacted]

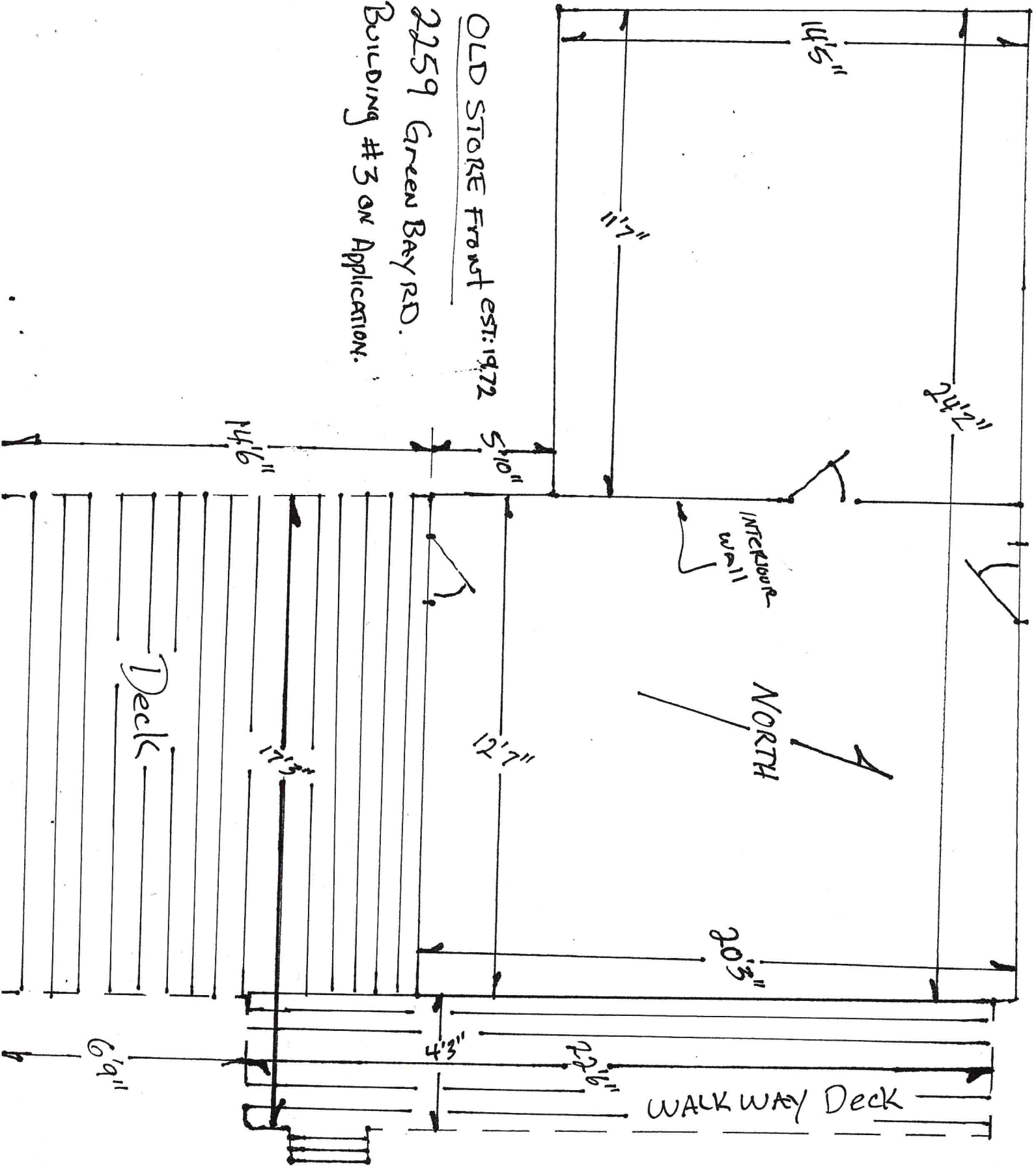


BUILDING
#1
ON APPLICATION

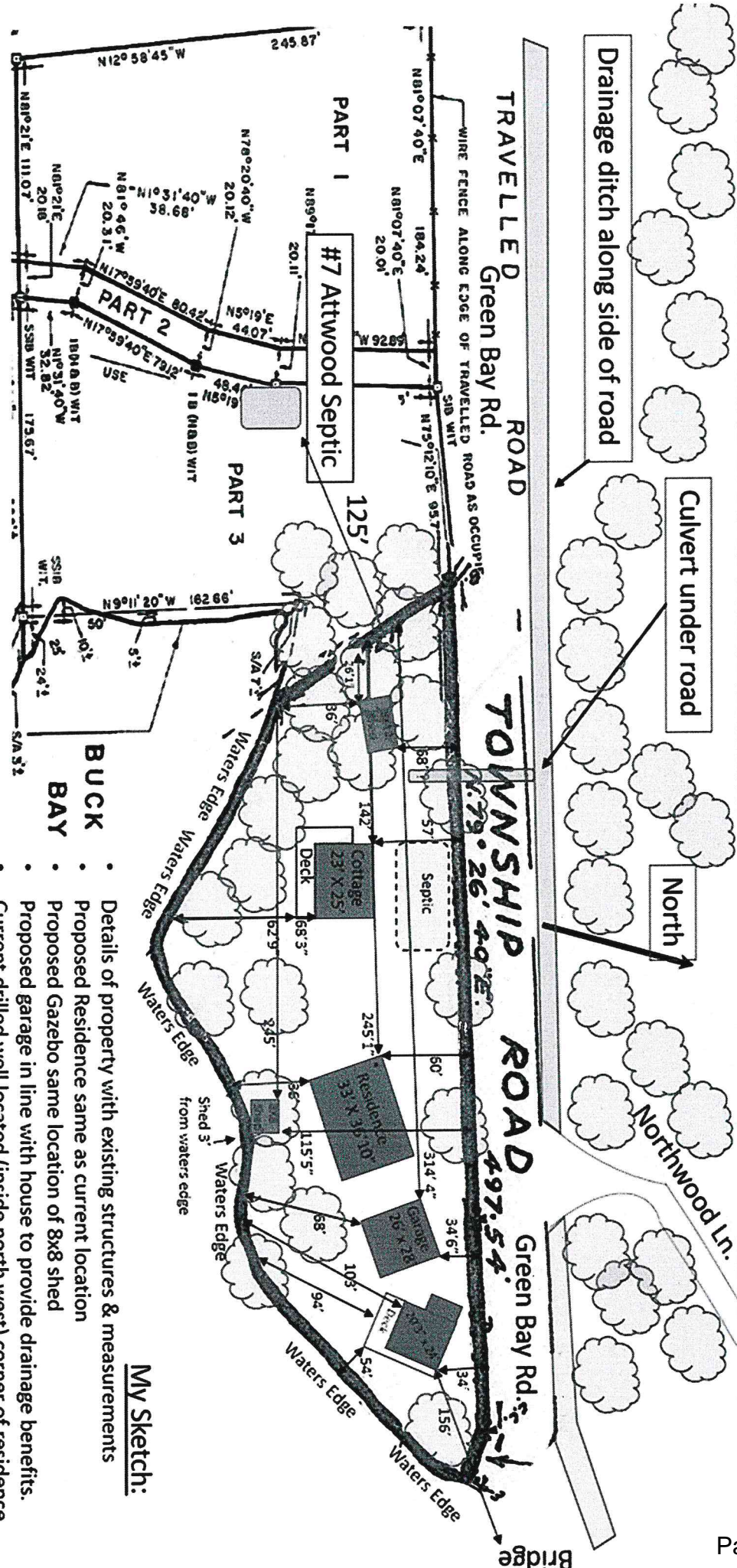
Cottage: 2273 Green Bay Rd. 1985^{EST.}



OLD STORE front est: 1972
2259 Green Bay RD.
Building #3 on Application.



* BOAT LAUNCH SIDE *



Drainage ditch along side of road

Culvert under road

North

Northwood Ln.

Green Bay Rd. Bridge

- Details of property with existing structures & measurements
- Proposed Residence same as current location
- Proposed Gazebo same location of 8x8 shed
- Proposed garage in line with house to provide drainage benefits.
- Current drilled well located (inside north west) corner of residence
- Current septic performance reviewed – paperwork attached.
- #7 Attwood lane septic noted – no well/Residence on site there.
- Wooded area and drainage ditches noted.

My Sketch:

SHORELINE STEWARDSHIP AGREEMENT RVSS-2022-130

SCHEDULE A

PLANTING PLAN (NOT-TO-SCALE)

MAP 1: PROPOSED PLANTING AREAS

RECEIVED

APR 05 2022

TOWNSHIP OF

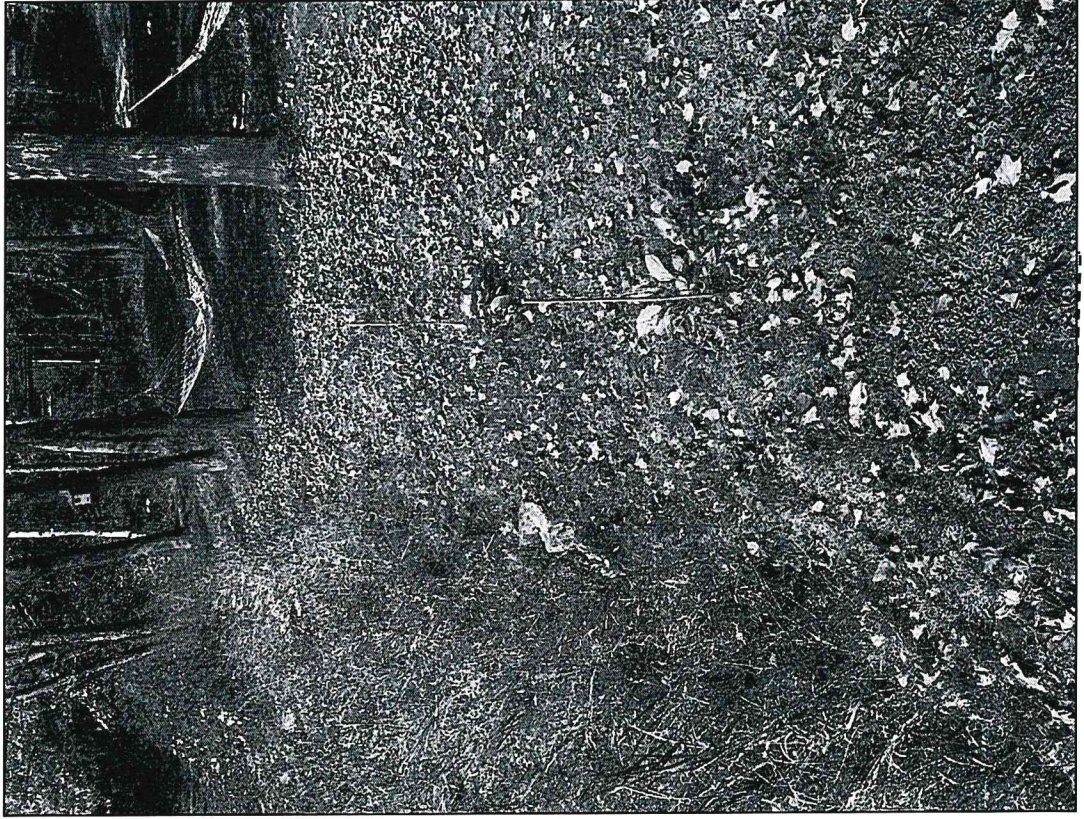
SOUTH MONTENAC
PLANNING DEPARTMENT



SHORELINE STEWARDSHIP AGREEMENT RVSS-2022-130
SCHEDULE A

PLANTING PLAN (NOT-TO-SCALE)

Site Photos



SHORELINE STEWARDSHIP AGREEMENT RVSS-2022-130
SCHEDULE A

PLANTING PLAN (NOT-TO-SCALE)

SITE DESCRIPTION AND PURPOSE

To naturalize the shoreline are by planting native shrubs and limiting mowing. A narrow strip of plants will be planted along the drainage ditch and dragonfly bay shoreline at the west edge of the property.

TOTAL PLANTING LIST

Species	Size	Number
Red Osier Dogwood (Cornus stolonifera)	Bareroot, shrub	20
Purple Flowering Raspberry (Rubus odoratus)	Potted (1 gallon pot), shrub	5
Wild Rose Mix	Bareroot, shrub	20
Highbush Cranberry (Viburnum trilobum)	Bareroot, shrub	20
Fragrant Sumac (Rhus aromatica)	Bareroot, shrub	20
Steeplebush (Spiraea tomentosa)	Potted (1 gallon pot), shrub	5
Total		90

OTHER PLANTING NOTES/SUGGESTIONS

- To be hand planted by RVCA staff in spring 2022
- New shrubs will be planted directly into existing turf grass using hand shovels
- Spacing: Shrubs to be planted in clusters of three or five approximately 0.5 metres apart
- Some grass competition control may be required to ensure bareroot nursery stock growing success but overall, landowner should limit mowing in new buffer areas where possible (“no-mow” zone)
- Biodegradable coir mats will be installed around the plants to keep down grasses and other competition
- Species list may be subject to change based on nursery availability (you will be informed of any changes)
- Survival assessments will be completed annually by RVCA staff for five years with permission of landowner
- Landowners are not required to be present during planting
- **Water plants as needed**

SHORELINE STEWARDSHIP AGREEMENT RVSS-2022-130

SCHEDULE B

Project Details/Estimated Costs

Description of Land(s)

All in singular those certain parcels of land and premises situate, lying and being in Bedford
 Lot: 20, Concession: 3, Geotownship: Bedford, Civic Address: 2273 Green Bay Road

Site Prep & In Kind Contributions

Planning Details

Item/Description	Completed	Value
RVCA Site Visit and Planting Plan (In Kind Contribution)	2021	\$350.00
Total		\$350.00

Materials

Bareroot Nursery Stock

Item	Number	Cost/Item	Subtotal
Red osier dogwood	20	\$1.25	\$25.00
Wild Rose Mix	20	\$1.00	\$20.00
Highbush cranberry	20	\$1.36	\$27.20
Fragrant sumac	20	\$1.55	\$31.00
Total	80	Total	\$103.20

Potted Nursery Stock

Item	Number	Cost/Item	Subtotal
Purple Flowering Raspberry	5	\$10.50	\$52.50
Steeplebush	5	\$10.50	\$52.50
Total	10	Total	\$105.00

Services

Item	Number	Cost/Item	Subtotal
Bareroot Nursery Stock Planting	80	\$1.00	\$80.00
Potted Nursery Stock Planting	10	\$4.00	\$40.00
Project Management & Delivery			\$400.00
Total			\$520.00

Project Cost Breakdown

Total Project Value (includes in-kind contributions)	\$1,078.20
Total Eligible Costs	\$728.20
B&CLF Contribution	\$250.00
RVCA Contribution - RCWP (Materials)	\$208.20
RVCA Contribution (100% of remaining services)	\$270.00
Landowner Contribution (0% of eligible costs)	\$0.00
Total	\$0.00

Prepared By: Laura Parent

Date: Nov 10, 2021

SHORELINE STEWARDSHIP AGREEMENT RVSS-2022-130

AGREEMENT MADE THIS November 10, 2021

BETWEEN Neil Liota
2273 Green Bay Road
Tichborne, ON
K0H 2V0
(hereinafter called the OWNERS)

AND Rideau Valley Conservation Authority
P.O. Box 599, 3889 Rideau Valley Drive
Manotick, Ontario K4M 1A5
1 (800) 267-3504 (613) 692-3571
(hereinafter called the AUTHORITY)

WHEREAS the Owners and the Authority have met and discussed plans for shoreline naturalization on the specified area(s) in Schedule A existing on the Owners' land;

WHEREAS the Owners indicate approval of the project as proposed;

WHEREAS the project is, or will be for the benefit of the Owners and others;


1. This agreement shall be in effect for a period of 5 years, commencing with the date of this agreement.
2. The Owners and the Authority agree that the areas where the work is to be performed is as described in Schedule A.
3. The Owners grant the Authority, its contractors, successors, employees and agents, the right to enter the property to perform the work agreed upon as outlined in Schedule A and B. In addition, the Authority, its contractors, successors, employees and agents may inspect the work performed for purposes of monitoring the project and survival assessment, with prior agreement with Owners for date and time of inspection.
4. The Owners agree to contribute the "Landowner In Kind" and pay the costs indicated as "Landowner Eligible Cash Contribution" in Schedule B.
5. In instances where the Owners are to pay the Authority for work to be performed (outlined in Schedule B), the Owners agree to provide payment to the Authority prior to the commencement of that operation. Failure of payment shall constitute a break in this agreement and the Owners agree this agreement will be terminated and thereupon the Owners agree to pay the Authority the estimated costs of the operations of the project completed, if any.
6. If a contractor is required to perform the work outlined in Schedule A and B, the contractor carrying out the work on the land described shall take out and furnish evidence of a comprehensive policy of public liability and property damage coverage. The contractor and their workers will require being in good standing with the Workplace Safety and Insurance Board prior to performing the work.
7. The Owners agree, if necessary, to a reasonable amount of maintenance, which is described in Schedule B.
8. The Owners agree not to remove, destroy or alter the project without prior consultation and approval of the Authority. Pruning and trimming planted nursery stock, or adding replacement native nursery stock is exempt.
9. The Owners agree not to mow the planted area. The Owners agree to restrict livestock access to the planted area.

10. The Owners do acknowledge that the Authority, its contractors, successors, employees and agents, having performed said works, are not under further obligation with respect to survival of nursery stock, inspection, or maintenance.
11. The Owners, in the absence of negligence, hereby remises, releases and forever discharges the Authority, its contractors, successors, employees and agents from all claims and demands for injuries, including death, loss, damages and costs in any way related to or connected with installation and maintenance of the work described or resulting from any deleterious effects of the work to the land or to the lands and buildings thereon retained by the Owners.

IN WITNESS WHEREOF the parties have agreed to the contents of this plan,
SIGNED,

RIDEAU VALLEY CONSERVATION AUTHORITY per

Meaghan McDONALD
Authority Representative


Owners

Nov. 19 - 2021
Date

NOV. 19. 2021
Date



**SOUTH
FRONTENAC**

Building Services
4432 George St, Box 100
Sydenham ON, K0H 2T0
613-376-3027 Ext 2351
cbeeg@southfrontenac.net

March 26, 2022

Neil Liota
156 Eighth Line Road
Athens, ON
K0E 1B0

Re: Review of Performance Level of Existing On-Site Sewage System at 2263 Green Bay Road for PRSP20220131

Dear Neil,

A review of the performance level of your existing on-site sewage system was completed on March 23, 2022

It has been determined that

- The proposal will not reduce the performance level of the existing sewage system, which will allow you to proceed with your building permit application.
- The existing sewage system appears to be operated and maintained in compliance with Sentence 8.9.1.2.(1) of the Ontario Building Code.

Please contact the undersigned if you have any questions at (613) 376-3027 EXT 2227 or by email at cbeeg@southfrontenac.net

Sincerely,

Chris Beeg
Building Inspector
Township of South Frontenac

p: +613-376-3027 ext. 2227
e: cbeeg@southfrontenac.net
a: 4432 George St., Box 100, Sydenham, ON
www.southfrontenac.net



Township of South Frontenac Staff Report



To: Committee of Adjustment

Prepared by: Development Services Department

Date of Meeting: June 9, 2022

Subject: **Permission and Minor Variance Application PL-ZNA-2022-0046, Liota, 2263 Green Bay Road, District of Bedford**

Summary

There are two existing dwellings located on the property. They are all located within 30 metres of the highwater mark of Buck Bay (Bobs Lake) and were lawfully established prior to the existing Zoning By-law.

This application is requesting permission to enlarge the residence (Dwelling #2) by increasing its footprint within the required setback from the highwater mark, and within the required front yard (roadside). This report recommends that the Committee of Adjustment grant permission to enlarge the legal non-conforming building, per section 45(2) of Planning Act, subject to conditions.

The application is also requesting zoning relief for the highwater mark for a shed. This report recommends that the Committee of Adjustment grant approval of this application, subject to conditions, as this application meets the four tests of a minor variance under section 45(1) of Planning Act.

Background

Official Plan Designation: Rural

Zoning: Waterfront Residential (RW)

Relief Requested

The applicant seeks permission under section 45(2) of the Planning Act to enlarge the legal non-conforming the residence (Dwelling #2) on the property within 30 metres of the highwater mark of Buck Bay and within the required front yard.

The applicant also seeks zoning relief under section 45(1) of the Planning Act from section 5.8.2(b) and 8.3.3 of the Zoning By-law to permit a shed to be setback 10.5 metres (36 feet) from the highwater mark of Buck Bay, whereas the Zoning By-law requires a 30 metre setback from the highwater mark for any building.

Property Description

The subject property is located at 2263 Green Bay Road. The property has an area of approximately 0.4 hectares (1 acre) and waterfrontage on Buck Bay. Attwood Lane is located on the west side of the subject property and Northwood Lane is located to the north, north of Green Bay Road. The subject property has a manicured lawn and slopes gently to Buck Bay. There are bedrock outcrops on the east portion of the property, adjacent to Buck Bay. Mature trees exist along the west edges of the shoreline of the property. There is a private boat launch located on the most east side of the subject property off Green Bay Road. There are two docks on the property.

There are two existing dwellings located on the property as well as a sewage system, and an accessory building and two sheds. From west to east, the sequence of the buildings and structures on the property is as follows: shed #1, dwelling #1 (cottage), sewage system, dwelling #2 (residence), shed #2, accessory building (old store front).

Shed #1 was built in 2020 and is located on the west side of the subject property. It has a footprint of 8.9 square metres (96 square feet) and is located 10.5 metres (36 feet) from the highwater mark of Buck Bay. Shed #1 is the subject of the minor variance application and is seeking relief from the highwater mark.

Dwelling #1 (Cottage) is located in between Shed #1 (to the west) and the sewage system and Dwelling #2 (residence) (to the east). The cottage was built around 1985. It has an attached deck located on the waterside, approximately 18.5 metres (62 feet) from Buck Bay. The total footprint of the cottage and the deck is 76 square metres (818 square feet). It is one storey with a height of 4.8 metres (16 feet).

The class 4 sewage system on the property services the cottage and the residence, the two buildings that have plumbing. It is in the centre of the subject property, between the cottage and the residence.

The residence (dwelling #2) is located to the east of the sewage system. The residence was built in 1968. It is 1.5 storey with a height of 6 metres (19.5 feet) measured on the roadside of the building. It is setback 10.5 metres (36 feet) from the highwater mark of Buck Bay. It is setback 18 metres (60 feet) from the front lot line (i.e. lot line abutting road). The total footprint of the residence is 113 square metres (1214 square feet). The residence is subject to the permission application.

Shed #2 is near the residence. It is setback 0.9 metres (3 feet) from the highwater mark and has a footprint of 8.9 square metres (96 square feet).

The accessory building (old store front) is located on the east side of the property. It has an attached deck on the east side and is setback 16.5 metres (54 feet) from the highwater mark. It is one storey with a height of 3.8 metres (12.5 feet). It has a total footprint of 72 square metres (775 square feet).

Discussion/Analysis

Summary of Proposal

The 113 square metres (1214 square feet) residence (dwelling #2) would be demolished, and replaced with a dwelling with attached deck and porch with a total footprint of 1862 square feet. The existing 10.5 metre (36 foot) setback from the highwater mark of Buck Bay would be maintained. The new residence would be setback 15 metres (50 feet) from the front lot line, which would be 3 metres (10 feet) closer than the existing residence.

The new residence will be 1 storey with a walk-out basement. It will have height of 5.3 metres (17.4 foot) on the roadside of the building. The applicant noted that they will be altering the level of the ground around the residence so that the main floor and the basement would be accessible from the outside to address their current and future disability requirements. The new residence will be 60 square metres (648 square feet) larger than the existing dwelling. Therefore, the lot coverage for the property will increase by 1.3%.

The shed #1 is 8.9 square metres (96 square feet) in size. Due to its size, it did not require a building permit. The applicants were not aware that they required a variance if they did not need a building permit, therefore are now seeking permission retroactively to allow the shed to be located within the 30 metre setback.

The shed #2 near the residence is proposed to be demolished.

The original application also proposed the construction of a 68 square metre (728 square feet) detached garage. The application was subsequently revised to not include the garage based on feedback provided by Planning staff and RVCA staff. This was recommended to further protect the shoreline and natural vegetation, including concerns with drainage and roof run-off, the total number of buildings on the property and to avoid an overdevelopment of the subject property.

Department and Agency Comments

Public Services provided comments on May 2, 2022. They note that the application as presented does not relate to any proposed changes or alterations to the current entrances. Therefore, they do not have any concerns.

Building Services (Sewage System Review) provided comments on April 5, 2022. They note that the applicant is reducing the number of bedrooms in the residence from 3 to 2. They note that the proposal will not reduce the performance level of the existing sewage system and that the sewage system is operated and maintained in compliance with the Ontario Building Code. They have no objections.

Rideau Valley Conservation Authority (RVCA) provided comments on May 16, 2022. The comments speak to the various improvements that have been made on the property by the applicant by removing docks, cleaning up debris in the immediate shoreline, improving the shoreline vegetation and working to remove the boat launch and naturalize a portion of the shoreline previously used for docking where cement retaining walls are present.

RVCA Staff note that the original application also included a garage and a gazebo, however the revised proposal has removed these structures following initial concerns expressed by Township Staff and RVCA staff regarding increased development within the 30 metre setback from the highwater mark. They note that the property presents challenges in redevelopment as there is insufficient depth and provide recommendations to protect, improve and restore water quality through this redevelopment.

RVCA Staff have no objection to the proposed development.

It was noted that the application does not include any shoreline alteration and therefore will not require a permit under O. Reg 174/06.

Public Comments

Comments were received from six members of the public. All comments received support the proposal, speak highly about the character of the applicant and speak to the many improvements that the applicant has made on the property and the shoreline/waterfront.

Planning Analysis

Permission to Enlarge Legal Non-Conforming Dwelling

The subject property is zoned Waterfront Residential. This zone only permits one dwelling along with accessory structures. The subject property contains two dwellings. Both dwellings pre-date the current zoning by-law in the Township and are considered to be legal non-conforming structures.

The residence (Dwelling #2), which is the subject to this portion of the application, is also legal non-conforming due to section 5.10.2 of the Zoning By-law. Section 5.10.2 states that existing buildings with less than the minimum 30 metre setback from the highwater mark of a waterbody may be repaired, renovated, or strengthened to a safe condition provided there is no enlargement of the gross floor area or increase in height. The residence is setback 10.5 metres (36 feet) from the highwater mark.

Permission is required to make changes to legal non-conforming buildings. In this situation, the Committee of Adjustment should consider whether to grant permission to enlarge the legal non-conforming building (Residence) under Section 45(2) of the Planning Act.

Any permission must also contemplate a reduced front yard. Section 5.10.1 of the Zoning By-law permits existing buildings having less than the minimum front yard to be enlarged and reconstructed provided the enlargement does not further reduce the required yard and all other provisions are complied with. The existing residence is setback 18 metres (60 feet) from the front lot line, but the new residence would be setback 15 metres (50 feet).

The new, enlarged residence would be constructed on the same general footprint as the existing residence (dwelling #2). The new residence would maintain the existing 10.5 metre (36 foot) setback from the highwater mark. However, it would be 3 metres (10 feet) closer to the front lot line.

The existing dwelling has a 112.8 square metre (1214 square foot) footprint. The increase in the footprint area of the dwelling to 173 square metres (1862 square feet) will not aggravate the situation and the enlargement of the non-conforming structure is limited in nature and in appropriate proportion. The enlargement of the dwelling is happening to the north of the property, closer to the road. Enlarging the dwelling to the north will allow the dwelling to maintain the existing setback to the highwater mark. Expanding the property to the north is also practical due to the topography of the lot. The road is much higher in elevation than the property, therefore the visual impact from the road would be minimal. Additionally, Public Services provided comments stating that the proposed expansion to the north will not affect the way the road is used.

The height of the building on the road side will be approximately 0.2 metres (0.7872 feet) less than the residence (Dwelling #2) due to proposed site alterations on the property that will lower the average grade on the site. The residence will be visually screened from Green Bay Road by the intervening slope from the road to the lake. While the applicant is proposing to shift from a 1.5 storey building to a one storey building with a walkout basement, the height of the residence from the water is only increasing minimally due to the grade alterations on the property. The applicant is also proposing shoreline planting which will help screen views from the lake. The property is also located at the end of a bay, and there are no other properties nearby. There is no massing and no evidence that there would be undue adverse impact on the owners of adjacent properties or on the neighbourhood.

The property is accessed from a Township Road. No additional traffic is anticipated with the application and the driveway location is not proposed to change. The driveway that provides access to the cottage is not changing.

The proposed residence is not anticipated to impact the character of the waterfront as the residence will be in the same location as the existing residence. The enlargement allows for a more functional, accessible building for the owners. This proposal represents an individual opportunity to provide improved access to a home which contributes to a more

inclusive housing stock in the Township. This proposal supports an existing residential use in a residential area and given its size and location, does not introduce an incompatible or inappropriate development.

The proposed location and size of the residence are practical on the subject property, located in the same general area as the existing seasonal residence. The existing community is characterized by predominately single detached residences with waterfront view or access to the shoreline. The existing residence is compatible with the established built form and character of the surrounding properties.

There is an existing area of trees separating the dwelling from the neighbouring property to the west. There is sufficient open space and a buffer of trees to provide buffering from neighbours to the east. The applicant is re-vegetating the shoreline on the property which will provide additional screening from views from the water. No damage to the features or character of the shoreline will occur.

The applicant noted that they have been working with Rideau Valley Conservation Authority on making improvements to naturalize the shoreline of their property. With the submission of their application, the applicant included a shoreline stewardship agreement entered into in November 2021 which requires the owner to re-vegetate certain areas along the shoreline in accordance with a shoreline planting plan that they developed with RVCA.

The applicant is also working with RVCA on removing the boat ramp and the upland concrete ledge. RVCA is working on a site plan and the applicant indicated they are waiting on the approval from RVCA prior to starting remediation of the site.

While the applicant is making net environmental improvements to the property, RVCA provided further mitigation recommendations. Township Staff support the recommendation provided by the Conservation Authority that roof runoff be directed away from the lake to protect the water quality of the lake and soil erosion. Requiring a development agreement as a condition of approval will ensure that the proposed development is undertaken in accordance with the Township environmental standards, including how to manage roof runoff and will take into consideration RVCA's recommendations.

As this is an existing lot of record with legal non-conforming uses, the sewage system on the property was reviewed. The class 4 sewage system services both the cottage and the residence. The applicants indicated that they will be putting in a new well to support shared water feed for the cottage and the residence. The existing level of services is understood to be adequate for the proposed development.

Conclusion

It is the opinion of staff that it is appropriate for the Committee of Adjustment to grant permission to enlarge the legal non-conforming the residence (Dwelling #2), as described in this report.

Minor Variance for Shed

The proposal for the shed needs to be assessed against the four tests of a minor variance outlined in Section 45(1) of the Planning Act. All four tests must be met for an application to be approved. It is the opinion of Planning staff that the proposal meets the four tests as explained below.

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

The subject property is designated Rural in the Township Official Plan. The shed is an accessory use consistent with the permitted legal non-conforming residential use of a property in the Rural designation.

The shed is located as far back from the highwater mark as possible, in a practical location on the subject property.

The variance maintains the general intent and purpose of the Official Plan, specifically policies on limited-service residential development, and development adjacent to environmentally sensitive areas.

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

The shed is a permitted use on the subject property. The shed is located a suitable distance from property lines. The shed is located behind a hill, in a cleared area at the end of the driveway that provides access to the cottage. The hill is located between the shed and the road and the shed and the neighbouring property to the west. The hill helps screen the shed from the road. The shed was constructed no closer to the highwater mark than the cottage.

The subject property is long and narrow. It is not possible to locate the garage farther from the highwater mark due to the narrow nature of the lot. The shed is located 17 metres from the front lot line being the public road. It can not be located further back due to the location of the existing driveway which comes in to the north of the shed, off the road. The variance maintains the general intent and purpose of the Zoning By-law.

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

The shed is located on the east-most side of the subject property. It is located adjacent to the cottage and provides for storage of equipment and materials to maintain the property. The shed is accessed from the existing driveway near the cottage. It has a roof overhang to the side that provides covered storage for an ATV on the property.

Allowing the shed to be located near the cottage will allow for more storage near the cottage which will aid in keeping the property in a neat and tidy condition.

The variance is desirable for the appropriate development of the lands.

Is the variance minor?

Yes, the variance is minor as it maintains the general intent of the Official Plan and Zoning By-law, and is desirable for the appropriate development of the land.

The shed was constructed no closer to the highwater mark than the cottage. The shed is not anticipated to have an adverse visual impact as the shed is located between the road and the highwater mark. The shed is concealed from the road since it is located on lower ground than the road. There is no opportunity to move the shed further to the north (closer to the road) because of the location of the driveway. The shed is screened by various trees to the east and the south. The trees screen the shed from the water and neighbouring properties to the west. The view from the lake is not anticipated to be impacted. The shed is located in the most practical location on the subject property, away from other buildings and is hidden from the road, the lake and any neighbours.

Notice/Consultation

Notice of the Statutory Public Hearing was given pursuant to the requirements of the Planning Act, at least 10 days in advance of the Public Hearing. This included notice given:

- by mail to every owner of land within 60 metres of the subject lands
- by posting notice signs on the subject lands
- by posting on the Township's Current Planning Application webpage
- by e-mail to prescribed persons and public bodies

Recommendation

That the Committee of Adjustment receive comments from the public and, pending comments received, **approve** for application PL-ZNA-2022-0046, subject to the following conditions.

1. Permission is granted to enlarge Dwelling #2 (referred to as the Residence on the revised application and drawings received by the Township on April 25, 2022) on the subject property. The Residence is permitted to have a 33 feet x 36 feet 10 inches footprint area, inclusive of all attached decks and porches, as well as living space below grade (i.e. in the walkout basement). The Residence is permitted to be setback 10.5 metres (36 feet) from the highwater mark and 15 metres (50 feet) from

the front lot line as per the revised application and drawings received by the Township on April 25, 2022, that will be attached to the Decision as Schedule "A".

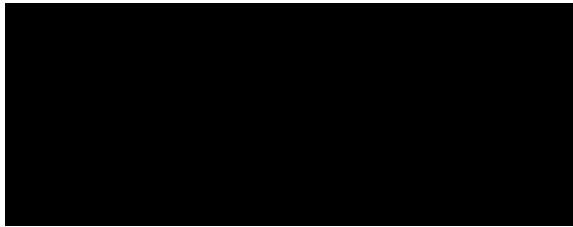
2. The Minor Variance is for the existing Shed #1 that has an area of 8.9 square meters (96 square feet). Shed #1 is permitted remain on the subject property as it exists today, and to be setback a minimum of 10.5 metres (36 feet) from the highwater mark as per the revised application and revised drawings received by the Township on April 25, 2022, that will be attached to the Decision as Schedule "A"
3. Shed #2, located 0.9 metres (3 feet) from the highwater mark, referred to as the 8x8 Shed on the revised application and drawings received by the Township on April 25, 2022 is required to be removed prior to an occupancy permit being issued for Dwelling #2.
4. The applicant is required to enter into a development agreement to address the Township's environmental standards on the subject property including recommendations outlined by RVCA Staff in their letter dated May 16, 2022.
5. A building permit is required for ALL demolition and construction on the property. There shall be no additional development, or demolition of existing structures, on the property without the approval from the Township of South Frontenac.

Report Prepared By:

Anne (Anna) Geladi, MCIP, RPP, Planner

Reviewed By:

Christine Woods, MCIP RPP, Senior Planner



Township of South Frontenac,
PO Box 100,
Sydenham, ON, K0H 2T0
Attn: Michelle Hannah, Committee of Adjustment

We are writing on behalf of Neil Liota who has an application before your committee to develop and improve his property at 2263 Green Bay Road West, Tichborne (Godfrey), ON. His application number is PL-ZNA-2022-046

We support his plan.

We have owned a nearby property on the same cove near the Buck Bay bridge since 1995. Our property is 41 Attwood Lane, Roll #010020220100000.

Since Neil bought the property a few years ago, he has made impressive improvements to it. The property is now attractive with a tidy shoreline. The overall property is well maintained

We feel that his improvements have enhanced the value of all the properties that front on the cove. We are confident his redevelopment will be undertaken with the same care and attention.

Respectfully,

Andrew & Mary Catherine Robb

Michelle Hannah

From: Bill Willick <[REDACTED]>
Sent: May 25, 2022 11:38 AM
To: planning
Subject: Comments on minor variance application PL-ZNA-20220046 for 2263 Green Bay Road.

TO: South Frontenac Secretary-Treasurer, Committee of Adjustment, Michelle Hannah

Ms Hannah,

I am writing in support of Neil Liota's application for a minor variance (PL-ZNA-20220046). I am aware of his desire to tear down the existing home and replace it with a new home with attached garage.

My wife and I own a cottage at 43 Attwood Lane directly across the bay from Neil Liota's property. We can view the entire property from our property. Neil has made several improvements to the property since purchasing it a few years ago. Neil has closed off access to the boat launch which was quite near the bridge over the waterway between Bob's Lake and Buck Bay. The close proximity to the bridge was a safety concern. I understand Neil intends to remove the ramp and restore the shoreline to a natural state. Neil has also removed all the docks from the old Buck Bay Canteen. The new roof and tidying up around the canteen is also appreciated. The Buck Bay Canteen is a well-known local landmark that has been a fixture since the sixties. It would be a shame to see it go. Neil has taken numerous trailer loads of junk to the dump, which has greatly improved the aesthetics of the property from both the water and roadside viewpoints.

I understand Neil is working with a local conservation group to restore some of the natural shoreline vegetation.

As far as lot density, even with the footprint of the proposed new dwelling, the property will not look crowded. As I stated, from my view from across the bay, it appears as though there are nicely spaced building structures as compared with most cottages and homes on Bob's Lake.

As for Neil personally, he is a welcome addition to the Buck Bay community. He has made several friends in the Bob's Lake/Buck Bay area. I believe that he knows almost all of the property owners on Attwood Lane as well as adjoining property owners. . He is always friendly, helpful and generous in our encounters with him. He is a welcome addition to the neighbourhood.

Respectfully,
[REDACTED]

Michelle Hannah

From: Gary Baxter <[REDACTED]>
Sent: May 26, 2022 8:09 AM
To: planning
Cc: Linda (Lindy) Louise Baxter; Neil Liota
Subject: Attn: Michelle Hanna, Application PL-ZNA-2022-046

To: South Frontenac Township,
Secretary-Treasurer,
Committee of Adjustment,
Attn: Michelle Hannah

Michelle,

We have recently become aware of a situation involving Neil Liota, the new owner of the property formerly known as the 'Buck Bay Marina', now aptly renamed 'Dragonfly Cove'.

Apparently his application and plans need to exhibit that he is "committed to improving, benefiting and maintaining the property's value and integrity". We want to let you know we thoroughly support these concepts on the part of the planning entities within the township.

We also would like to advise you that in our opinion Neil has made great strides in achieving these goals over the past few years we have known him. He turned what was essentially an eyesore property into a far superior presentation, and continues to work at it. Community minded? When he took over the place he allowed the McConnells to stay while they made other arrangements, for quite a long time! He is constantly offering or providing assistance, his time, advise and equipment resources to all his new neighbours. He eliminated the old fuelling dock facility and several falling down sheds. He has cleaned up the grounds in general, mending or adding decorative fencing, completed building improvements and fixed up trees and gardens. All in the midst of COVID-19 pandemic issues, Gypsy Moth infestations, horrific winters and wind storms, as well as several personal family and medical issues. We have boated extensively for many years from our home on Buck Bay and around Bobs Lake, and it is now a true joy to cruise by Neil's area.

We look forward to his further improvements, enhancements and hope your team will be able to accommodate his request(s) to help him achieve them.

Thank You... Gary & Lindy Baxter

[REDACTED]

Sent from my iPad... Gary

Fw: Property Improvements



Application # PL-ZNA2022-046

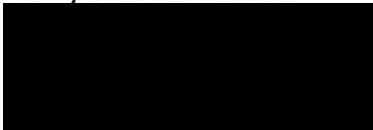
To the Planning Department

This letter is in regards to my neighbor Neil Liota 2263 Green bay Rd. Godfrey, ON. During the past two years, my wife Re and I have watched a wonderful clean up, consisting of many trailer loads of garbage, old sheds and junk removed from the property. Conversations with other neighbors has always included many positive remarks on the upgraded appearance of the property. The restoration of the iconic store by the bridge and the studio building, have been done with excellent taste and carpentry craftsmanship. Neils plans for the rebuilding of the main house seems to be a beautiful addition to the neighborhood.

We have been made aware of your restrictive motions for the advancement of Neil's building permit to build his new home. You may not be aware of Neil's physical limitations however his design is specific for his future years, health, comfort and sustainability here at his property. Any changes to his building plans which are footprinted on the existing house would be detrimental to Neils health and future. As I have known Neil for a few years now I respect his abilities to design and build an aesthetically pleasing as well as a workable and sustainable building. It is my hope that you will give further and agreeable cconsideration to Mr. Liota's building permit and plan.

Sincerely,
Neil Liota's neighbor

Larry and Re Haslett



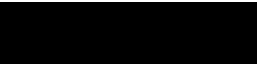
Michelle Hannah

From: Louise and Ray Cassidy <louray1@live.ca>
Sent: May 4, 2022 11:57 AM
To: planning; Michelle Hannah
Subject: Feedback re: PL-ZNA-2022-046

Hello:

I am writing in support of Neil Liota's application PL-ZNA-2022-046. He has spoken to us about his vision for the property at 2263 Green Bay Rd. Since purchase of the property, we have been pleased to see the pride in ownership which had been sadly missing from the previous long-time owners; for example power-washing everything on the property then maintaining that standard, adding community appeal such as several Canadian flags on the rejuvenated poles in front of the property, removing brush which contained wasp nests, planting perennials and removal of many loads of trash. The result has been a more neighbourhood-friendly vibe, and no creeping consumer trash laying about. Buck Bay Canteen has been a landmark for confused travelers for the over 30 years we have enjoyed the lake and has been completely renovated before becoming Dragonfly Cove, a new landmark which also retained some character. It would be a shame to lose it. We believe that the changes to the property would benefit our little Bob's Lake community by enabling a new permanent neighbor to live safely and comfortably, more energy-efficiently too. The addition of a garage would benefit anyone with mobility issues and would reduce outdoor cluttered areas by providing storage. Thank you for considering our support.

Louise & Ray Cassidy



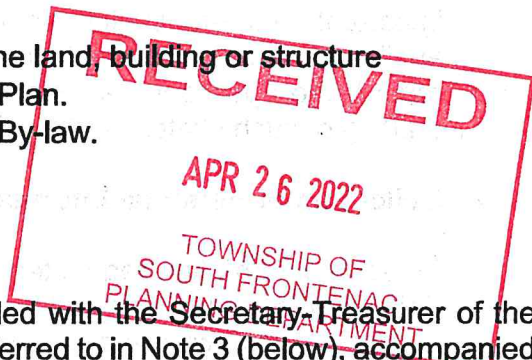


TOWNSHIP OF SOUTH FRONTENAC
APPLICATION FOR MINOR VARIANCE OR PERMISSION
 Updated January, 2021

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).

Date Received: _____

File No: _____

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) Deck	(2) Workshop	(3) Garden Shed	(4) Cottage
Setback from Front Lot Line	42.5m	21m	39.8m	35.7m
Setback from Rear Lot Line	1.2m	15.9m	10.2m	5m
Setback from Side Lot Line	1m	9m	1m	3.4m
Height of Building (Also indicate if it is one story or two story)	N/A	One Story 3.7m high peak	One Story 2.4m high peak	One Story 5.5m high peak
Dimensions of Floor Area	6m x 7.6m	7.3m x 4.9m	3m x 3m	9.1m x 12.1m
Setback from High Water Mark (If applicable)	1.2m	15.9m	10.2m	5m

13. The proposed uses of the subject land:

Residential

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

Yes No

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) House	(2) Septic System	(3) Garage	(4)
Setback from Front Lot Line	16.7m	27.9m	8.0m	
Setback from Rear Lot Line	15.3m	15.3m	22.8m	
Setback from Side Lot Line	11.2m Eastside 34m Westside	5.1m Eastside 66m Westside	49.4m Eastside 3m Westside	
Height of Building (Also indicate if it is one story or two story)	Two Story 7.6m	N/A	One Story 5.8m	
Outside Dimensions of Building/Structure	15.5m x 11.7m	N/A	6.7m x 6.7m	
Setback from High Water Mark (If applicable)	15.3m	15.3m	22.8m	

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 Cottage will be demolished in Spring 2022 (Permit number: 21-680).

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:

26 April 2019

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

Uncertain. The Cottage was likely renovated in 2017-2018 before we bought it.

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

Approximately for over 50 years. The MPAC has recorded the presence of a dwelling starting in 1966.

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 (Drilled well)

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

Private sewage system: the holding tank will be removed and replaced by a new septic system.

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

No

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. 3.7m

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

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

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

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

DATED AT THE TOWNSHIP OF SOUTH FRONTENAC



1. The information in this document is classified "Confidential - Security Information" because its disclosure could result in the identification of sources, methods, or other information that would be of value to an adversary.

2. This information is being disseminated to you on a "need-to-know" basis. It is not to be distributed outside your organization or to any other personnel who do not have a valid "need-to-know" without the express written approval of the originating office.

3. If you are not a member of the personnel to whom this information is being disseminated, you should not read, discuss, or disseminate this information. If you are a member of the personnel to whom this information is being disseminated, you should read, discuss, and disseminate this information only to those personnel who have a valid "need-to-know".

4. If you are a member of the personnel to whom this information is being disseminated, you should read, discuss, and disseminate this information only to those personnel who have a valid "need-to-know". If you are not a member of the personnel to whom this information is being disseminated, you should not read, discuss, or disseminate this information.

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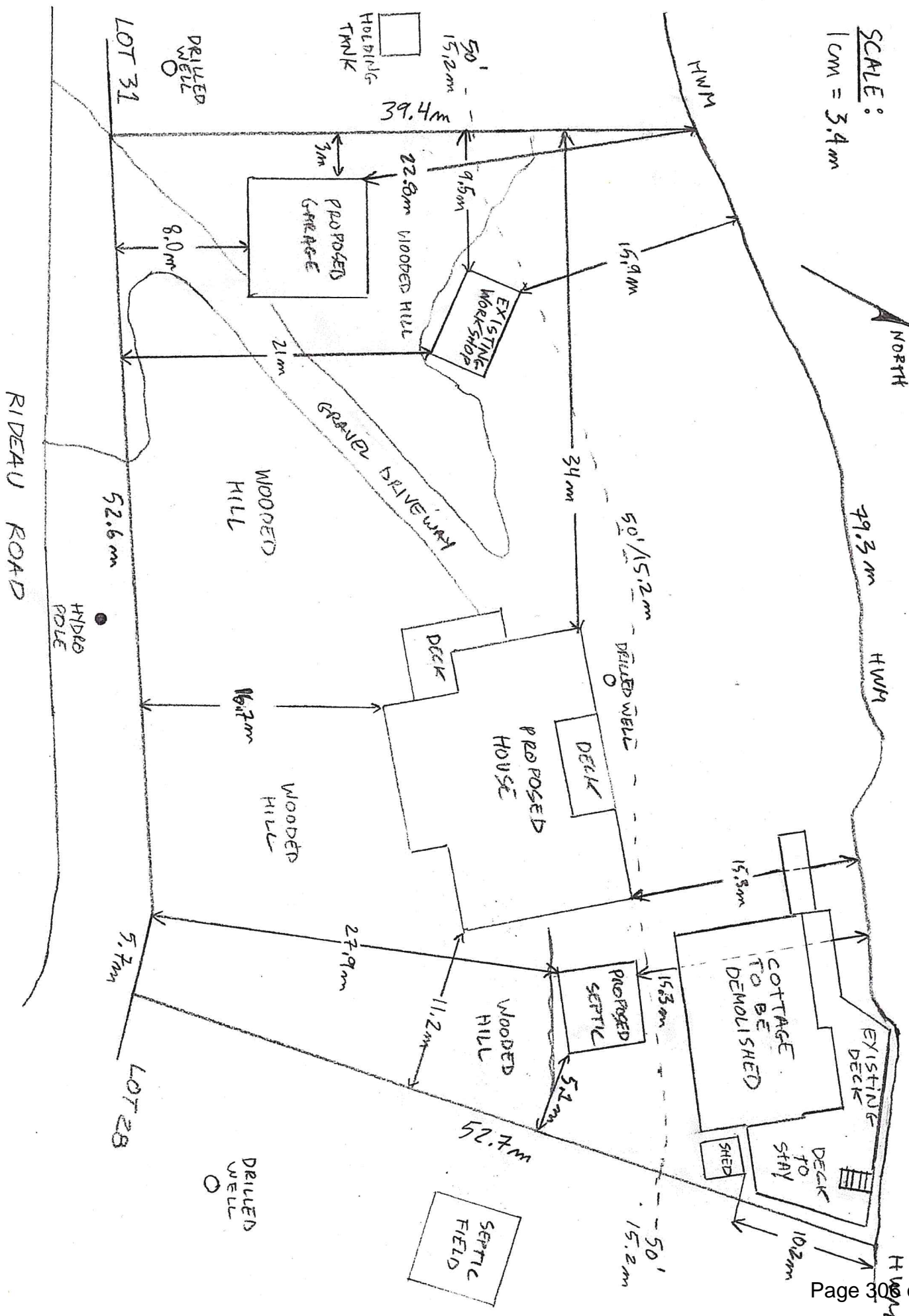
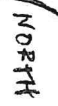
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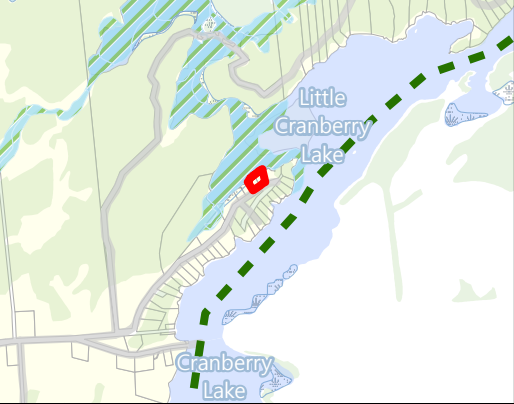
12. If you are a member of the personnel to whom this information is being disseminated, you should read, discuss, and disseminate this information only to those personnel who have a valid "need-to-know". If you are not a member of the personnel to whom this information is being disseminated, you should not read, discuss, or disseminate this information.

5111 RIDEAU ROAD (LOT 29-30 PIN 3628 70052)

SCALE: 1 CM = 3.4 mm



Inset Map














SOUTH FRONTENAC

PL-ZNA-2022-0063 (LACHANCE)

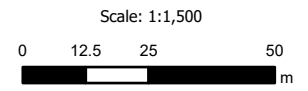
5511 RIDEAU ROAD

Legend

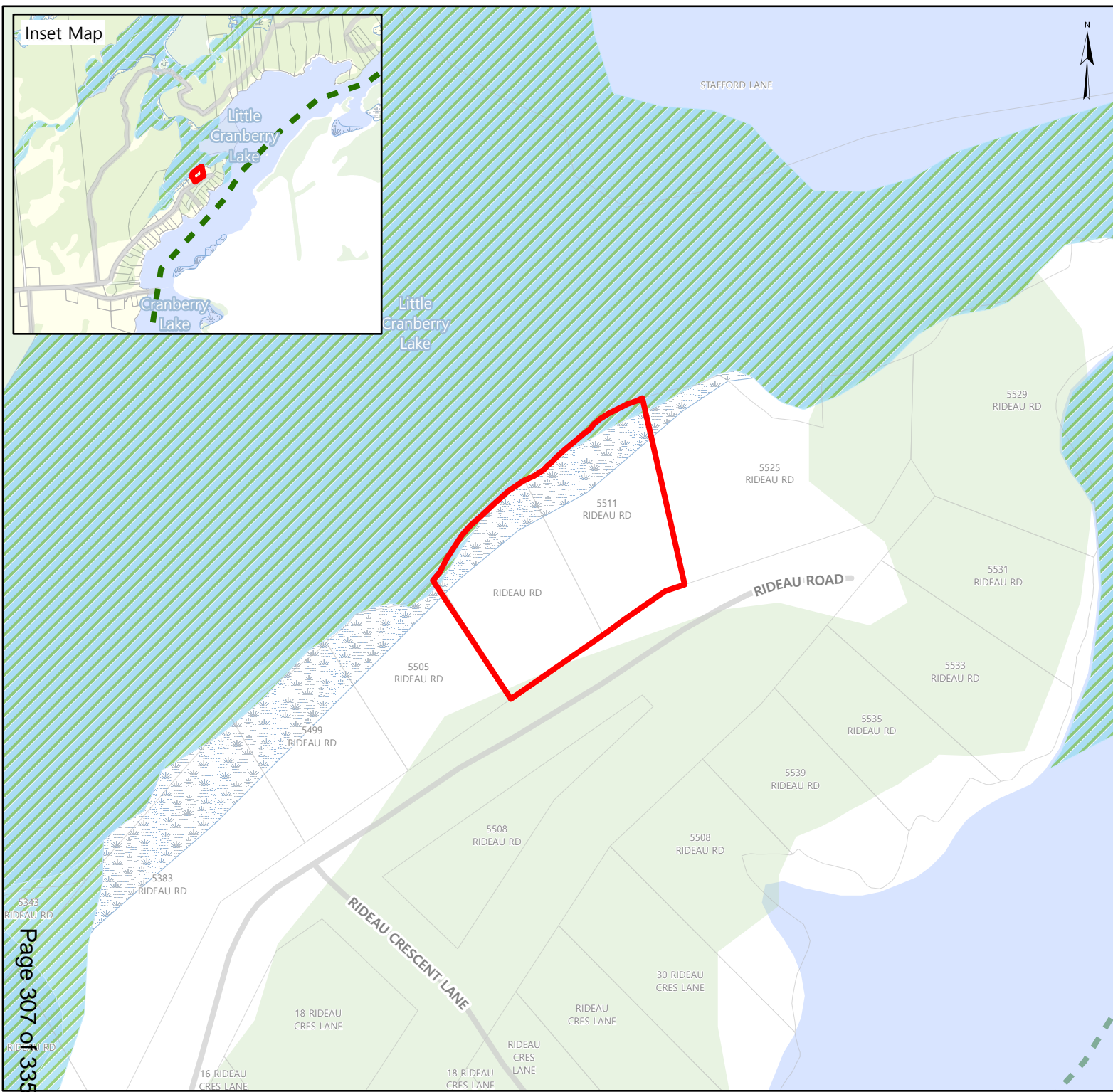
-  Subject Property
-  Assessment Parcel
-  Township Boundary
-  Lake Trout Lake - At Capacity
-  Lake Trout Lake - Not at Capacity
-  Non-Lake Trout Lake - At Capacity
-  Wooded Area
-  Waterbody
-  Provincially Significant Wetland
-  Wetland
-  Road

Produced by the Township of South Frontenac under license with the Ontario Ministry of Natural Resources © Queen's Printer for Ontario, 2020.

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



UTM Zone 18 NAD 83
Date: 2022-04-28



May 11, 2022

File: MV/FRS/121/2022

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 PL-ZNA-2022-0063 (Lachance)
Part Lot 33, Concession 11; 5511 Rideau Road
Storrington District, Township of South Frontenac
Waterbody: Little Cranberry Lake / Beacon Point Provincially Significant Wetland**

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

Summary of the Proposal

The proposal involves the construction of a single family dwelling and a garage on the subject property. The variance is requested to:

- Reduce the required setback from the highwater mark from 30 metres, as required by Section 5.8.2.a) of the South Frontenac Zoning By-law, to 15.3 metres in order to permit the construction of a new dwelling.
- 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 22.8 metres in order to permit the construction of a detached garage.

Site Description

The property is located on a peninsula of land along the west side of Little Cranberry Lake. The topography of the property can be described as having a 3 metre high bank along the shoreline of the lake, levelling out in the location for the proposed dwelling, then rising sharply toward Rideau Road to the south. The property contains a mix of wooded and cleared areas.

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

Discussion

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

Natural Hazards

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

Erosion: 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. Cataraqui Conservation policy defines the extent of potential erosion hazards to include an allowance for toe erosion, a stable slope allowance for bedrock shorelines of 3(h):1(v), plus an erosion access allowance of 6 metres. Based on an estimated 3 metre high slope at the shoreline, the total erosion hazard allowance is anticipated to be approximately 15 metres measured horizontally inland from the stable toe of slope at the shoreline. Staff note that the proposed development will be located outside of the erosion hazard allowance as defined by Cataraqui Conservation.

Natural Heritage

As noted above, this portion of Little Cranberry 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, 2020) 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. However, in the opinion of staff, an EIA is not warranted in this instance since the applicant is removing a structure that is closer to the wetland feature and building a new structure further back, thereby increasing the wetland buffer.

Water Quality

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 (EPP, 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, there are no other more reasonable alternatives for locating the development outside of the water setback area, development is set back as far as possible from the water due to topographic constraints, and the principal building is only marginally over the maximum lot coverage provisions of the Zoning By-law.

Staff recommend that roof runoff be directed away from the lake if possible.

Rideau Canal National Historic Site and UNESCO World Heritage Site

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

In this instance, the applicant is removing a structure that is only 1.2 metres from the highwater mark and replacing it with a new structure that is 15.3 metres from the highwater mark which increases the buffer between development and the water and will also improve visual impacts.

Recommendation

RWDRT staff have no objection to the approval of application PL-ZNA-2022-0063 based on our consideration for natural hazards, natural and cultural heritage, and water quality protection policies.

Regulatory Requirements

Parks Canada

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

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 Cataraqui 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. In this instance, the proposed development is within a regulated area, and thus, a Cataraqui Conservation permit will be required under said regulation.

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
Manager, Watershed Planning and Engineering

/as

c.c. Christine Woods, Senior Planner, South Frontenac Township (via e-mail)
Susan Millar, Parks Canada (via e-mail)

Michelle Hannah

From: Troy Dunlop
Sent: May 3, 2022 9:48 AM
To: Christine Woods
Cc: Ronnie Joslin
Subject: RE: Public Services Comments - Rideau Road Lachance PL-ZNA-2022-0063

Follow Up Flag: Follow up
Flag Status: Completed

Categories: CityView Planning Attachment

Hello Christine,

Having reviewed the constraints of setbacks (road/lake), the ROW width on Rideau Road, and the existing neighbourhood context we don't have any objections to the setback as proposed.



W. Troy Dunlop, C.E.T.
Manager of Technical Services and Infrastructure
Township of South Frontenac

p: +613-376-3027 ext. 3333
e: tdunlop@southfrontenac.net
a: 4432 George St., Box 100, Sydenham, ON
www.southfrontenac.net



 Please consider the environment before printing this email

Township of South Frontenac Staff Report



To: Committee of Adjustment

Prepared by: Development Services Department

Date of Meeting: June 9, 2022

Subject: **Minor Variance Application (S. 45(1) of Planning Act)**
PL-ZNA-2022-0063, Daniel and Jennifer Lachance, 5511 Rideau Road, Storrington District

Summary

This report recommends that the Committee of Adjustment grant approval of this application for zoning relief for a single detached dwelling and an accessory detached garage, subject to conditions, as this application meets the four tests of a minor variance outlined in section 45(1) of the Planning Act.

Background

Official Plan Designation: Rural

Zoning: Waterfront Residential (RW)

Zoning Relief Requested for Dwelling

Sections 5.8.2(a) and 8.3.3 – to permit a single detached dwelling to be setback a minimum of 15.3 metres from the highwater mark of Little Cranberry Lake, whereas a minimum 30 metre setback is required for all buildings and structures.

Section 8.3.1 – to permit a single detached dwelling to establish a minimum 16.7 metre front yard, whereas the RW zone requires a minimum 20 metre front yard.

Section 8.3.1 – to permit a maximum 5.8% lot coverage for the principal building, whereas the RW zone permits a maximum 5% lot coverage.

Zoning Relief Requested for Accessory Building

Section 5.24.2 – to permit an accessory building (detached garage) to be located in front of the projected front wall of the dwelling whereas the Zoning By-law requires an accessory building to be erected to the rear of the projected front or exterior side wall of the main building.

Sections 5.8.2(a) and 8.3.3 Highwater Mark – to permit an accessory building (detached garage) to be setback a minimum of 22.8 metres from the highwater mark of Little Cranberry Lake, whereas a minimum 30 metre setback is required for all buildings and structures.

Related Applications

The lands are not subject to any additional applications under the Planning Act.

Discussion

Property Description

The 0.31 hectare (0.77 acre) property consists of two original lots of a plan of subdivision that were merged on title. The property has frontage on Rideau Road and on Little Cranberry Lake. The Beacon Point Provincially Significant Wetland is part of the lake in this location.

The property is approximately 45 metres deep. The lands consist of a forested ridge that slopes down from the road towards the lake. The ground is level at the midpoint of the property, and then there is another short drop to the shoreline.

The property was developed with a cottage with an attached deck, a holding tank, and two accessory buildings (a small shed and a workshop). All the buildings and structures are less than 30 metres from the highwater mark. The cottage, which was setback 5 metres from the highwater mark and located within the erosion hazard limit, was recently demolished. The attached deck is setback 1.2 metres from the highwater mark, and is about 3 metres above the lake.

Summary of Proposal

The owners propose to construct a two-storey single detached dwelling with a 1952 square foot footprint. The dwelling would be constructed into the bottom of the ridge. It would be setback a minimum of 15.3 metres from the highwater mark and a minimum of 16.7 metres from the front lot line (abutting Rideau Road). The dwelling would result in 5.8% lot coverage. The dwelling would be serviced by a new sewage system.

The existing deck that was attached to the original cottage is proposed to remain in place as an amenity area. The existing deck would not be connected to the proposed dwelling.

The owners also propose to construct a one-storey 576 square foot detached garage. The garage would be located on top of the ridge. It would be setback a minimum of 22.8 metres from the highwater mark and a minimum of 8 metres from the front lot line.

The variances are being requested so that the dwelling and a garage can be setback as far as physically possible from the lake without significant alterations to the ridge.

Agency Comments

Public Services indicated on May 3, 2022, that they have no objection to the application based on their review of the constraints of setbacks (road/lake), the right-of-way width on Rideau Road, and the existing neighbourhood context.

Building Services (Sewage System Review) indicated on June 6, 2022, that they have no objection to the application, as there is sufficient area and conditions for the proposed sewage system.

The Rideau Waterway Development Review Team (RWDRT) indicated on May 11, 2022, that the proposed dwelling and garage would be setback from the floodplain of Little Cranberry Lake. They also indicated that the buildings would be outside the erosion hazard limit. Regarding the proximity to the Provincially significant wetland, it was their opinion that an Environmental Impact Assessment (EIA) was not required since the new dwelling will be setback farther from the wetland than the previous dwelling. They were satisfied that the buildings would be setback as far as possible from the lake due to topographic constraints and that the new dwelling would be marginally over the maximum lot coverage provision. Also, that the increased setback from the highwater mark would increase the buffer between development and the lake and will improve visual impacts.

The RWDRT noted that written permission is required from the Parks Canada – Rideau Canal Office for any future in-water or shoreline works. Written permission is required from Cataraqui Conservation under O. Reg. 148/06 for the proposed dwelling and garage. A permit has already been issued for the fill required for the sewage system.

Public Comments

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

Planning Analysis

The proposal needs to be assessed against the four tests of a minor variance outlined in Section 45(1) of the Planning Act. It is the opinion of Planning staff that the proposal meets the four tests as explained below.

[Does the variance maintain the general intent and purpose of the Official Plan?](#)

The proposed variance maintains the general intent and purpose of the Official Plan related to waterfront residential development, and development adjacent to environmentally sensitive areas.

The variances would facilitate construction of a single detached dwelling and an accessory building on lands that are designated Rural in the Official Plan on Schedule A.

The subject property is adjacent to a provincially significant wetland. The wetland is characterized as an open water marsh. The proposed dwelling and detached garage would be farther from the wetland than the previous dwelling. Planning staff concur with Cataraqui Conservation staff that there would be no benefit to requiring an EIA given that the proposed buildings will be set back farther from the wetland, thereby improving the situation. Therefore, an EIA was not required.

The building setbacks from the front lot line would be reduced in order to maximize the setbacks of the proposed buildings from the highwater mark, maintaining the intent of the Official Plan policies on development adjacent to environmentally sensitive areas.

[Does the variance maintain the general intent and purpose of the Zoning By-law?](#)

The proposed dwelling and accessory detached garage are permitted uses in the RW zone. The dwelling was designed to maximize its setback from both the highwater mark and the front lot line, and to minimize its footprint. The dwelling would result in 5.8% lot coverage, which is a 0.8% increase over the existing situation.

The proposed garage was also designed to maximize its setback from both the highwater mark and the front lot line, and with consideration for the topography of the property. Public Services was satisfied that the reduced setback from the front lot line will not impact the Township's maintenance and operation of the road. The total lot coverage of all accessory buildings and structures on the property will not exceed the permitted 5%.

The proposed variances maintain the general intent and purpose of the Zoning By-law.

[Is the requested variance desirable for the appropriate development or use of the land, building or structure in question?](#)

The requested variances are desirable for the appropriate development of the land. The proposed dwelling would be setback farther from the highwater mark of Little Cranberry Lake and the Beacon Point Provincially Significant Wetland than the previous dwelling. The dwelling setback from the front lot line has been maximized. Its footprint has been minimized. The dwelling would be visually screened from both the lake and the road by existing tree cover and the ridge.

The location of the proposed accessory detached garage between the new dwelling and Rideau Road protects the environmentally sensitive lands between the dwelling and Little Cranberry Lake. All the accessory buildings on the property are visually screened from

both the lake and/or the road by existing tree cover. They are similarly screened from adjacent properties.

Is the variance minor?

The requested variances are minor as they maintain the general intent and purpose of the Official Plan and Zoning By-law, and are desirable for the appropriate development of the land. They are not anticipated to impact the existing or planned functionality of the property and adjacent properties.

Notice/Consultation

Notice of the Statutory Public Hearing was given pursuant to the requirements of the Planning Act, at least 10 days in advance of the Public Hearing. This included notice given:

- by mail to every owner of land within 60 metres of the subject lands
- by posting notice signs on the subject lands
- by posting on the Township's Current Planning Application webpage
- by e-mail to prescribed persons and public bodies

Recommendation

It is recommended that the Committee of Adjustment receive comments from the public and, pending comments received, **approve** minor variance application PL-ZNA-2022-0063 for the property at 5511 Rideau Road, subject to the following conditions.

1. The minor variance is for a single detached dwelling with a 1952 square foot footprint and for a 576 square foot accessory detached garage. The dwelling is permitted to establish a minimum 16.7 metre front yard, and to be setback a minimum of 15.3 metres from the highwater mark of Little Cranberry Lake. The principal building is permitted to establish a maximum 5.8% lot coverage. The detached garage is permitted to be located in the front yard of the dwelling, and setback a minimum of 8 metres from the front lot line. The detached garage is also permitted to be setback a minimum of 22.8 metres from the highwater mark. The development must be consistent with drawings submitted at the time of application.
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:
 - 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 Little Cranberry Lake.
 - c. Roof runoff will be directed away from the shoreline of Little Cranberry 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. Maintaining a natural vegetated buffer in its natural state within 10 metres of the shoreline.
3. A building permit is required for ALL proposed 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 PI-ZNA-2022-0063 is applicable only to Zoning By-law No. 2003-75 and not to any subsequent zoning by-laws.

Report Prepared By:

Christine Woods, MCIP RPP, Senior Planner

Reviewed By:

Claire Dodds, MCIP, RPP, Director of Development Services

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

Date Received: _____

File No: PL-ZNA-2022-0074

1. Name of Owner(s): Dylan John Knapp, Julia Joanne Knapp

Full Mailing Address of Owner(s): _____

Phone number of Owner(s) _____

Email Address of Owner(s): _____

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

Name of Authorized Agent: _____

Full Mailing Address of Authorized Agent: _____

Phone number of Authorized Agent: _____

Email Address of Authorized Agent: _____

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

Signature(s) of Owner(s)

3. The description of the subject land:

District: Bedford Portland Loughborough Storrington

Concession Number: 10 Lot Number: 25 parts 5, 10, 11

Street Number: 4788 Name of Road/Street: Carrying Place Rd

Reference Plan Number: _____ Part Number(s): 5, 10, 11

Roll Number: 070-060-22105-0000

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

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

Frontage (on water): 477^{ft} Frontage (on road/lane): 441.69^{ft}
Depth: 1071.5865 Area: 61890.9457 (14.39 acres)

5. The current zoning of the subject land:

RU

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

1. Accessory building in the front yard
2. Accessory building lot coverage greater than that of the house.

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

1 Accessory building in the front yard and lot coverage
greater than that of the house.

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

Name of Road/Lane:

Carrying Place Rd.

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

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

Home and Storage buildings

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

Yes No

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

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

Type of Structure (E.g. residence)	(1)	(2)	(3)	(4)
	Residence	Storage	Storage	uninhabitable
Setback from Front Lot Line	948.91 ^{ft}	668.80 ^{ft}	162 ^{ft}	73 ^{ft}
Setback from Rear Lot Line	148.53 ^{ft}	373.64 ^{ft}	720 ^{ft}	832 ^{ft}
Setback from Side Lot Line	1.55 ^{ft} 2.447 ^{ft}	1.233.72 ^{ft} 2.417 ^{ft}	1.44 ^{ft} 2.645 ^{ft}	33^{ft} 1.87 ^{ft} 2.478 ^{ft}
Height of Building (Also indicate if it is one story or two story)	15 ^{ft} to Peak	10 ^{ft}	15 ^{ft}	13 ^{ft} to Peak
Dimensions of Floor Area	75 ^{ft} by 26 ^{ft}	27 ^{ft} by 23 ^{ft}	44 ^{ft} by 34 ^{ft}	33 ^{ft} by 23 ^{ft}
Setback from High Water Mark (If applicable)	148.53 ^{ft}	373.64 ^{ft}	720 ^{ft}	832 ^{ft}

13. The proposed uses of the subject land:

Storage building

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

Yes No

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

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

Type of Structure (E.g. residence)	(1)	(2)	(3)	(4)
Type of Structure (E.g. residence)	Storage building			
Setback from Front Lot Line	20ft and 15th DK (Attached drawing) * 650ft			
Setback from Rear Lot Line	167ft			
Setback from Side Lot Line	20ft and 15ft (Attached drawing) 530ft to other Line			
Height of Building (Also indicate if it is one story or two story)	14ft 1 story			
Outside Dimensions of Building/Structure	30ft by 40ft			
Setback from High Water Mark (If applicable)	167ft			

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

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

If yes, please provide details:

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

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

If yes, please provide details:

18. What are the uses of the proposed development?

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

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

August 31st, 2018

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

Early 1990's

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

Early 1990's

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:

Privately Owned 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:

Privately Owned

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

Natural Drainage

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

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

Yes No

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

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

Yes No

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

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

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

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

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

AGREEMENT TO INDEMNIFY

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

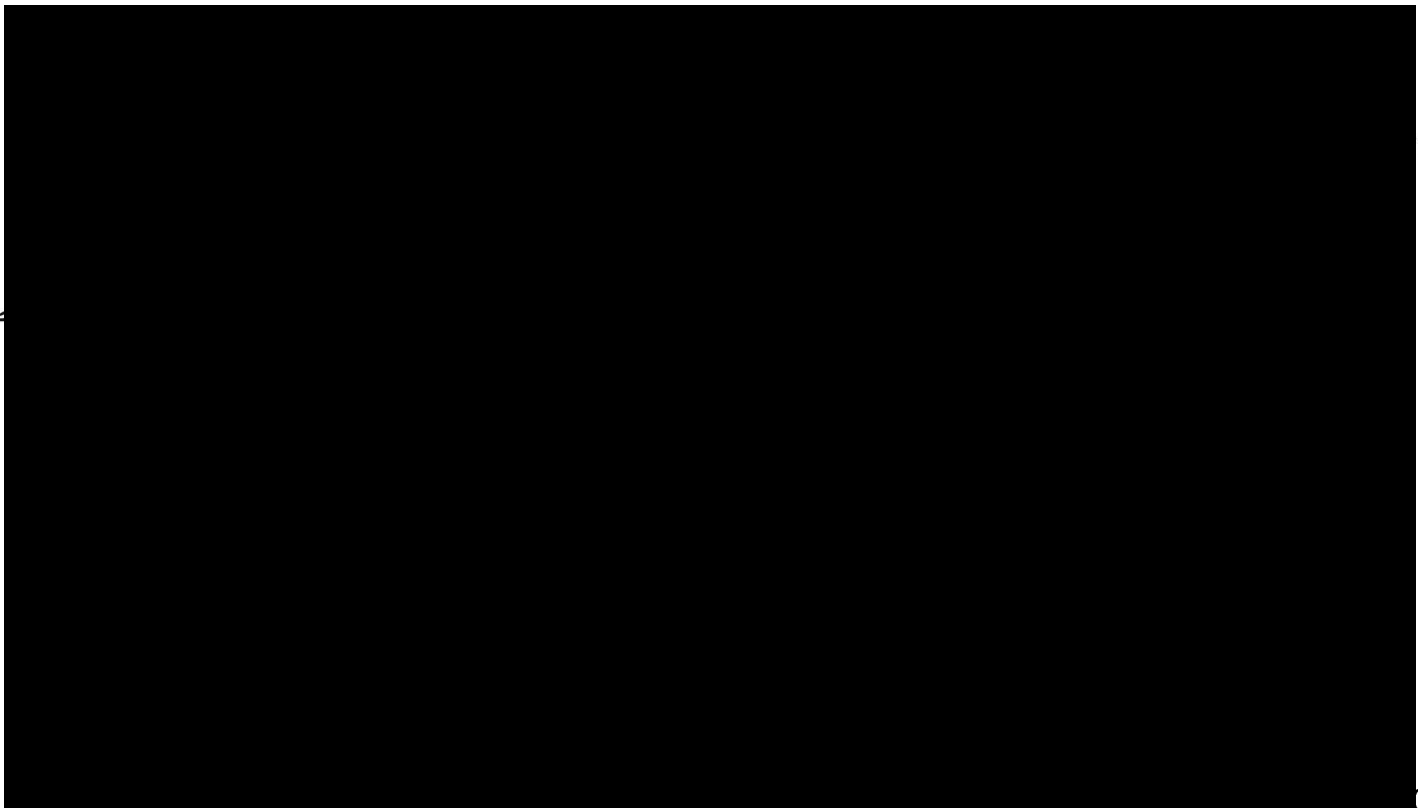
The Owner/Applicant/Agent agrees that the information recorded in this Minor Variance Application Form is accurate. The Owner/Applicant/Agent agrees that representatives of the Township and, where applicable, the appropriate Conservation Authority, may enter onto the subject property for the purpose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

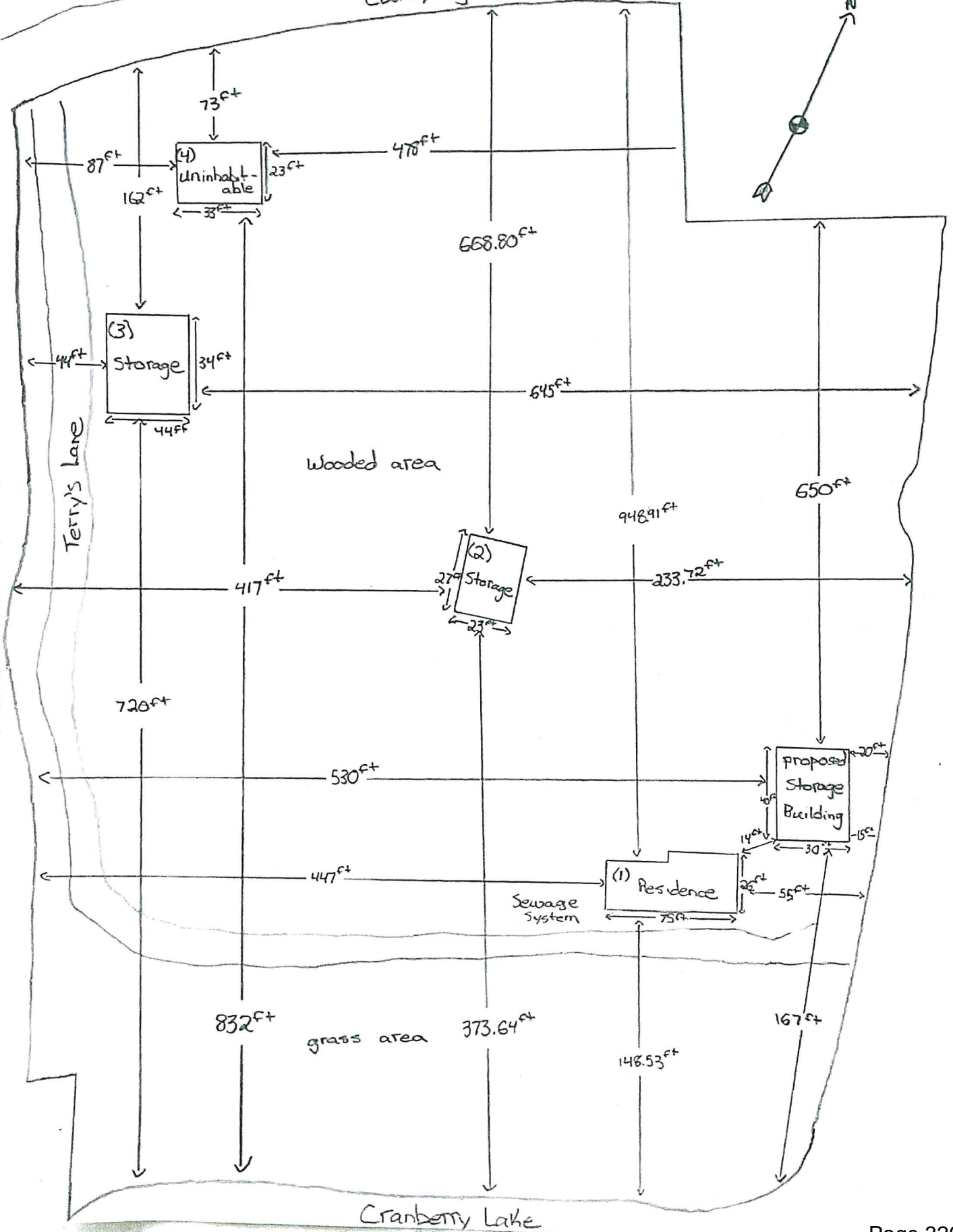
The Owner/Applicant/Agent further agrees to provide the municipality, upon request and in cases where an application has been appealed to the Ontario Municipal Board, with a deposit (over and above the normal application fee), from which the municipality may, from time to time charge any fees and expenses 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:



4788 Carrying Place Rd.
South Frontenac, ON
K0H2N0

Carrying Place Rd.



Inset Map














SOUTH FRONTENAC

**PL-ZNA-2022-0074
(KNAPP)**

4788 CARRYING PLACE RD

Legend

-  Subject Property
-  Assessment Parcel
-  Township Boundary
-  Lake Trout Lake - At Capacity
-  Lake Trout Lake - Not at Capacity
-  Non-Lake Trout Lake - At Capacity
-  Wooded Area
-  Waterbody
-  Provincially Significant Wetland
-  Wetland
-  Road

Produced by the Township of South Frontenac under license with the Ontario Ministry of Natural Resources © Queen's Printer for Ontario, 2020.

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

Scale: 1:2,200



UTM Zone 18 NAD 83

Date: 2022-05-26



Michelle Hannah

From: Susan Millar [REDACTED]
Sent: June 1, 2022 5:20 PM
To: Christine Woods
Subject: RE: PL-ZNA-2022-0074 for 4788 Carrying Place Road

Hi Christine

Thanks for the circulation. Given the location of the building from the water and partially screened by the house, Parks Canada has no objections to the proposal. Given the extent of mature vegetation on the waterside of the proposed building, I am interested to know what the access route is to the storage building? A building of that size may be holding large equipment/machinery and an access route would be required. We would expect any clearing for access to be located to the rear (north side) of the house, with no clearing of vegetation between the storage building and the water.

**Thanks
Susan**

Township of South Frontenac Staff Report



To: Committee of Adjustment

Prepared by: Development Services Department

Date of Meeting: June 9, 2022

**Subject: Minor Variance Application (S. 45(1) of the Planning Act)
PL-ZNA-2022-0074, Dylan and Julia Knapp, 4788 Carrying
Place Road, Storrington District**

Summary

The subject application seeks zoning relief to permit an accessory building to be located within the projected front yard of an existing dwelling, and to allow the lot coverage of all accessory buildings to exceed 5% and to exceed the lot coverage of the dwelling.

This report recommends that the Committee of Adjustment grant approval of this application subject to conditions, as this application meets the four tests of a minor variance outlined in section 45(1) of Planning Act.

Background

Official Plan Designation: Rural

Zoning: Rural

Zoning Relief Requested

Section 5.24.1 – to permit the lot coverage of all accessory buildings on the property to be 6.5%, whereas a maximum 5% is permitted. Also, to permit the lot coverage of the accessory buildings to exceed that of the principal building.

Section 5.24.2 – to permit an accessory building to be located in front of the projected front wall of the dwelling whereas the Zoning By-law requires an accessory building to be erected to the rear of the projected front or exterior side wall of the main building.

Related Applications

The subject property is not subject to any other applications under the Planning Act.

Discussion/Analysis

Property Description

The 5.8 hectare (14.4 acre) property on Cranberry Lake has frontage on Carrying Place Road. However, it is accessed from Terry's Lane. The lands within 30 metres of the lake are generally level and are maintained as a lawn. The balance of the lands is forested.

The property is developed with a single detached dwelling and three storage buildings. The 1950 square foot dwelling is setback approximately 42 metres from the highwater mark. The storage buildings are near Carrying Place Road and in the centre of the property.

Summary of Proposal

The owners propose to construct a 30 foot by 40 foot (1200 square foot) storage building. The storage building would be located between the dwelling and the eastern lot line. The storage building would be setback 50.9 metres from the highwater mark, 4.5 metres from the eastern lot line, and approximately 250 metres from the front lot line (abutting Carrying Place Road).

An application for minor variance was received to permit the storage building to be located within the projected front yard of an existing dwelling (i.e. between the dwelling and Carrying Place Road), and to allow the lot coverage of all accessory buildings to be 6.5%, and to exceed the 3.1% lot coverage of the dwelling.

Department and Agency Comments

The application was not reviewed by any Township departments nor Cataraqui Conservation due to the nature of the requested relief and the proposed location of the storage building.

The Parks Canada – Rideau Canal Office indicated on June 1, 2022, that it has no objection to the application given the location of the building from the water and that it is partially screened by the house.

Public Comments

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

Planning Analysis

The proposal needs to be assessed against the four tests of a minor variance outlined in Section 45(1) of the Planning Act. It is the opinion of Planning staff that the proposal meets the four tests as explained below.

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. The subject lands are designated Rural in the Official Plan on Schedule A. The proposed accessory building and the existing accessory buildings are uses associated with the permitted residential use of the property.

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

The proposed variances maintain the general intent and purpose of the Zoning By-law. The proposed accessory building and the existing accessory buildings are uses associated with the permitted residential use of the property.

The location of the existing dwelling at the south end of the property, far from Carrying Place Road and near Cranberry Lake, results in any accessory building needing to be placed in the front yard of the dwelling (e.g. between the dwelling and Carrying Place Road). However, the proposed building would be setback more than 50 metres from the lake and 250 metres from the road, which far exceed the setbacks required for the dwelling.

The Zoning By-law permits a maximum 5% total lot coverage for all accessory buildings on a property, and requires that this lot coverage not exceed that of the principal building. The intent of this provision is to ensure that the dwelling remains the focus of a residential property, and that the property is not overcrowded with buildings. The proposed accessory building would increase the total lot coverage over what is permitted. However, the existing accessory buildings, which are remnants from when the property was part of a large agricultural landholding, are scattered throughout the 5.8 hectare property. Only the proposed accessory building would be located near the dwelling. While the total footprint of all the accessory buildings is greater than the lot coverage of the principal dwelling, the proposed accessory building would have a smaller footprint than the dwelling. Permitting a greater total lot coverage for accessory buildings would not result in an overdeveloped appearance of the property.

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

The requested variances are desirable for the appropriate development of the land. The location of the proposed accessory building between the new dwelling and Carrying Place Road protects the environmentally sensitive lands between the dwelling and Cranberry Lake. All the accessory buildings on the property are visually screened from both the lake and/or the road by both distance and existing tree cover. They are similarly screened from adjacent properties.

Is the variance minor?

The requested variances are minor as they maintain the general intent and purpose of the Official Plan and Zoning By-law, and are desirable for the appropriate development of the land. They are not anticipated to impact the existing or planned functionality of the property and adjacent properties.

Notice/Consultation

Notice of the Statutory Public Hearing was given pursuant to the requirements of the Planning Act, at least 10 days in advance of the Public Hearing. This included notice given:

- by mail to every owner of land within 60 metres of the subject lands
- by posting notice signs on the subject lands
- by posting on the Township's Current Planning Application webpage
- by e-mail to prescribed persons and public bodies

Recommendation

It is recommended that the Committee of Adjustment receive comments from the public and, pending comments received, **approve** minor variance application PL-ZNA-2022-0074 for the property at 4788 Carrying Place Road, subject to the following conditions.

1. The minor variance is for an accessory building (storage building). The storage building is permitted to be located in the front yard of the dwelling, and setback a minimum of 250 metres from Carrying Place Road. Also, the total lot coverage of all accessory buildings on the property is permitted to be 6.5%, and to exceed that of the principal building, all as per the submitted sketch, which would be attached to the Decision as Schedule "A".
2. 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.

3. Minor variance PL-ZNA-2022-0074 is applicable only to Zoning By-law No. 2003-75 and not to any subsequent zoning by-laws.

Report Prepared By:

Christine Woods, MCIP RPP, Senior Planner

Reviewed By:

Claire Dodds, MCIP, RPP, Director of Development Services

To: Committee of Adjustment

Prepared by: Development Services Department

Date of Meeting: June 9, 2022

Subject: Decision on Delegated Consents

Summary

This report is an information report to the Committee of Adjustment summarizing the Consents that have been approved by Delegated Authority since the last Committee of Adjustment Meeting.

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.

Discussion/Analysis

a) S-66-21-B (Prikker) (ZanderPlan)

This undisputed consent was granted provisional consent on May 5, 2022.

The purpose of this consent application is to create one new waterfront residential lot.

b) S-97-21-P (PL-2021-0045) – (Smart) (Gervan)

This undisputed consent was granted provisional consent on May 5, 2022.

The purpose of this consent application is to create one new residential lot.

c) PL-BDJ-2022-0012,0013 & 0014 (Gurr Building Services)

These undisputed consents were granted provisional consent on May 5, 2022.

The purpose of these consent applications is to create three new residential lots.

d) PL-BDJ-2022-0015 (Spafford) (Fotenn Planning + Design)

This undisputed consent was granted provisional consent on May 24, 2022.

The purpose of this consent is for the creation of a new residential lot.

e) PL-BDJ-2022-0024 (Emmons)

This undisputed consent was granted provisional consent on May 24, 2022.

The purpose of this consent is for the creation of a new residential lot.

Attachments

None.

Approvals

Report Prepared By:

Michelle Hannah, Planning Assistant

Approved by:

Claire Dodds, Director of Development Services