Committee of Adjustment Meeting Agenda

TIME: 7:00 PM,
DATE: Thursday, May 12, 2022
PLACE: Council Chambers.

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. 4 - 94

4. *Declaration of pecuniary interest*

5. *Approval of Minutes – March 10, 2022 & April 14, 2021*

a) Resolution

b) Resolution

6. *Consent Applications from Previous Meetings:*

a) S-15-19-S (Sands & Weatherby) 95 - 120
Property Address:
1206 Burnt Hills Road, Unit B, District of Storrington
Purpose and Effect of the Application
Consent for the creation of one new waterfront residential lot. The severed parcel consists of 6.7 acres of land with 76 metres of road frontage on Burnt Hills Road and 91.4 metres of waterfrontage on Cranesnest Lake.

7. *New Minor Variance Applications:*

a) PL-ZNA-2022-0020 (Shea) (Andrews) 121 - 137

Property Address:
13 Fawn Brook Drive, District of Storrington
Purpose and Effect of the Proposed Variance:

To vary section 12.3.2 of Zoning By-Law 2003-75 to permit the detached garage to have a maximum building height of 6.9 metres whereas the Zoning By-Law permits a maximum height of 6 metres for accessory structures.

b) PL-ZNA-2022-0034 (Klassen) 138 - 179

Property Address:
73 Mill Bay Lane, District of Bedford

Purpose and Effect of the Proposed Variance:
To vary section 5.8.2(b) and section 10.3.1 of Zoning By-law No. 2003-75 to permit a principal dwelling with an attached garage to be setback 9.2 metres from the top of bank and have a maximum lot coverage of 12% and whereas the Zoning By-law requires a 15 metre setback from the top of bank and permits a maximum lot coverage of 5% for the principal dwelling.

c) PL-ZNA-2022-0038 (MacDonald, Radley & Webb) 180 - 219

Property Address: 1 Younge Lane, Unit: A, District of Bedford

Purpose and Effect of the Proposed Variance:
The proposal is to demolish the existing deck that is attached to the cottage and to replace it with a larger deck in order to facilitate the safe maintenance of the front of the cottage. The new deck would be closer than the existing deck to the highwater mark of White Lake. The following variances are being requested from Zoning By-law No. 2003-75: (1) to vary section 5.8.2 and 10.3.1 to permit a minimum 26.7 metre setback from the highwater mark, whereas a minimum 30 metres is required, and (2) to vary section 10.3.1 to permit 5.29% lot coverage, whereas a maximum of 5% is permitted.

d) PL-ZNA-2022-0041 (Rombouts) 220 - 238

Property Address:
unassigned (located between 3301 and 3327 Wilton Road), District of Portland

Purpose and Effect of the Proposed Variance:
The proposal is to construct a dwelling and sewage system on the property. The following variance is being requested from Zoning By-law No. 2003-75: to vary section 7.3.2 to permit the dwelling to be setback a minimum of 15 metres from the front lot line, whereas a minimum of 20 metres is required. The variance would allow the dwelling to be built into the slope on the property.

e) PL-ZNA-2022-0044 (Batson) 239 - 259

Property Address:
4396 Sills Bay Road, District of Loughborough
Purpose and Effect of the Proposed Variance:

To vary section 5.24.2 and 8.3.2 of the Zoning By-law to permit an accessory structure (detached garage) to be located in front of the projected front wall of the dwelling and have a height of 6.5 metres, and to permit the existing accessory structure (detached garage) to continue to be located in front of the projected front wall of the

dwelling and have a height of 7 metres, whereas 6 metres is permitted for accessory structures in the Residential Waterfront zone and requires an accessory building to be erected to the rear of the projected front or exterior side wall of the main building.

f) PL-ZNA-2022-0045 (Milligan) 260 - 281

Property Address:
1037 Roost Lane, District of Loughborough

Purpose and Effect of the Proposed Variance:
To vary section 10.3.2 of Zoning By-law No. 2003-75 to permit the detached garage to have a maximum building height of 7.3 metres whereas the Zoning By-law permits a maximum height of 6 metres for accessory structures.

g) PL-ZNA-2022-0047 (Barker) 282 - 311

Property Address:
6060 First Lake Road, District of Portland
Purpose and Effect of the Proposed Variance:
To permit an accessory structure (detached garage) to be located in front of the projected front wall of the dwelling, approximately 12 metres from First Lake Road and to have a height of 7 metres (23 feet) 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 and permits a maximum height of 6 metres (19.7 feet) for accessory buildings in the Residential Waterfront zone.

h) PL-ZNA-2022-0059 (Jewitt & Fleming) (Fretts) (Bobs Lake Co-op) 312 - 329

Property Address:
40A Donalds Lane, District of Bedford

Purpose and Effect of the Proposed Variance:
40A Donalds Lane is part of the Bob's Lake Co-Operative. The Co-op's properties are zoned RLSW-3. The RLSW-3 zone requires that the replacement of any existing trailers on the property be subject to a minor variance application to determine the appropriateness of the size and location of the replacement trailer.
The application is to replace the existing 30 foot by 8 foot trailer with a 38 foot by 14 foot trailer at 40A Donalds Lane. The replacement trailer would be placed in the same location as the existing trailer, but would be farther from the rear lot line. The replacement trailer would be setback 3 metres (10 feet) from the rear lot line, whereas a minimum 10 metre (32.8 foot) rear yard is required in the RLSW zone. The replacement trailer would exceed all other required setbacks.

8. *Other Business*

a) Delegated Consent Authority Report

9. *Adjournment*

a) Resolution

Committee of Adjustment Meeting

Thursday, May 12, 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)

SOUTH FRONTENAC

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.

SOUTH FRONTENAC

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

SOUTH FRONTENAC

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.

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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-15-19-S

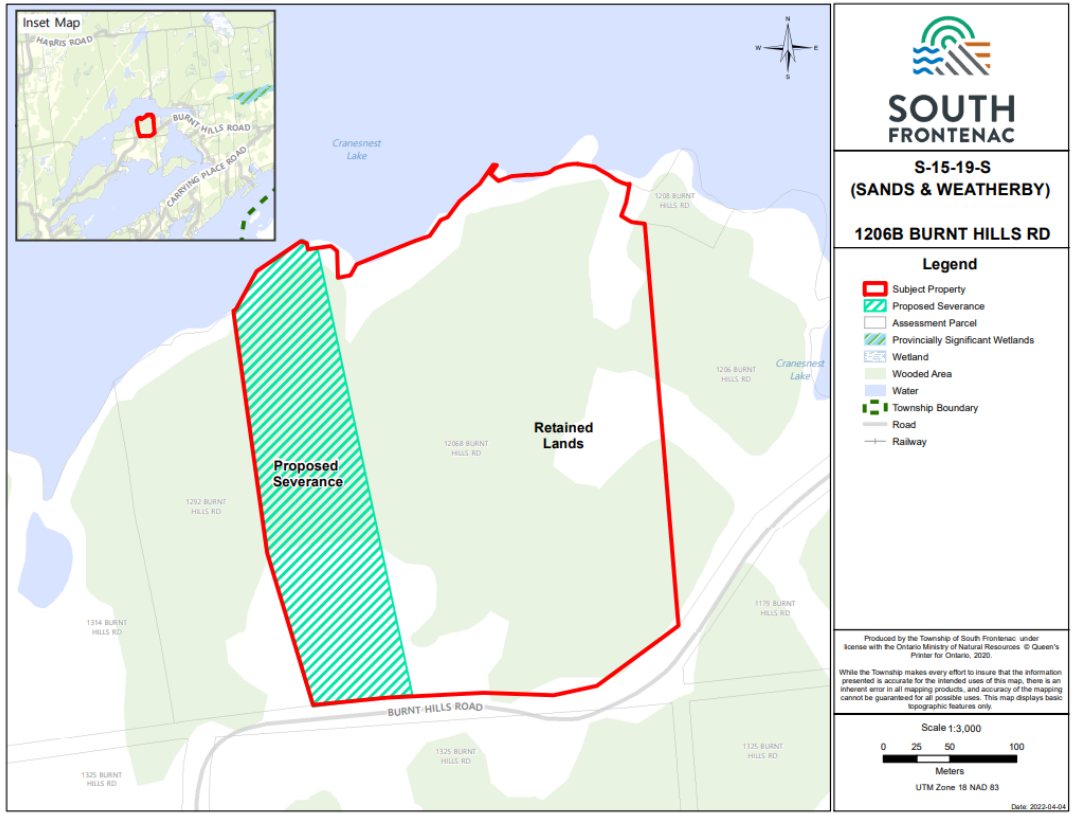
Owner: Heather Sands & Craig Weatherby

Applicant: Megan Sands

Location: 1206B Burnt Hills Road, Battersea

Recommendation: Approval

- Pending public comment
- Subject to conditions



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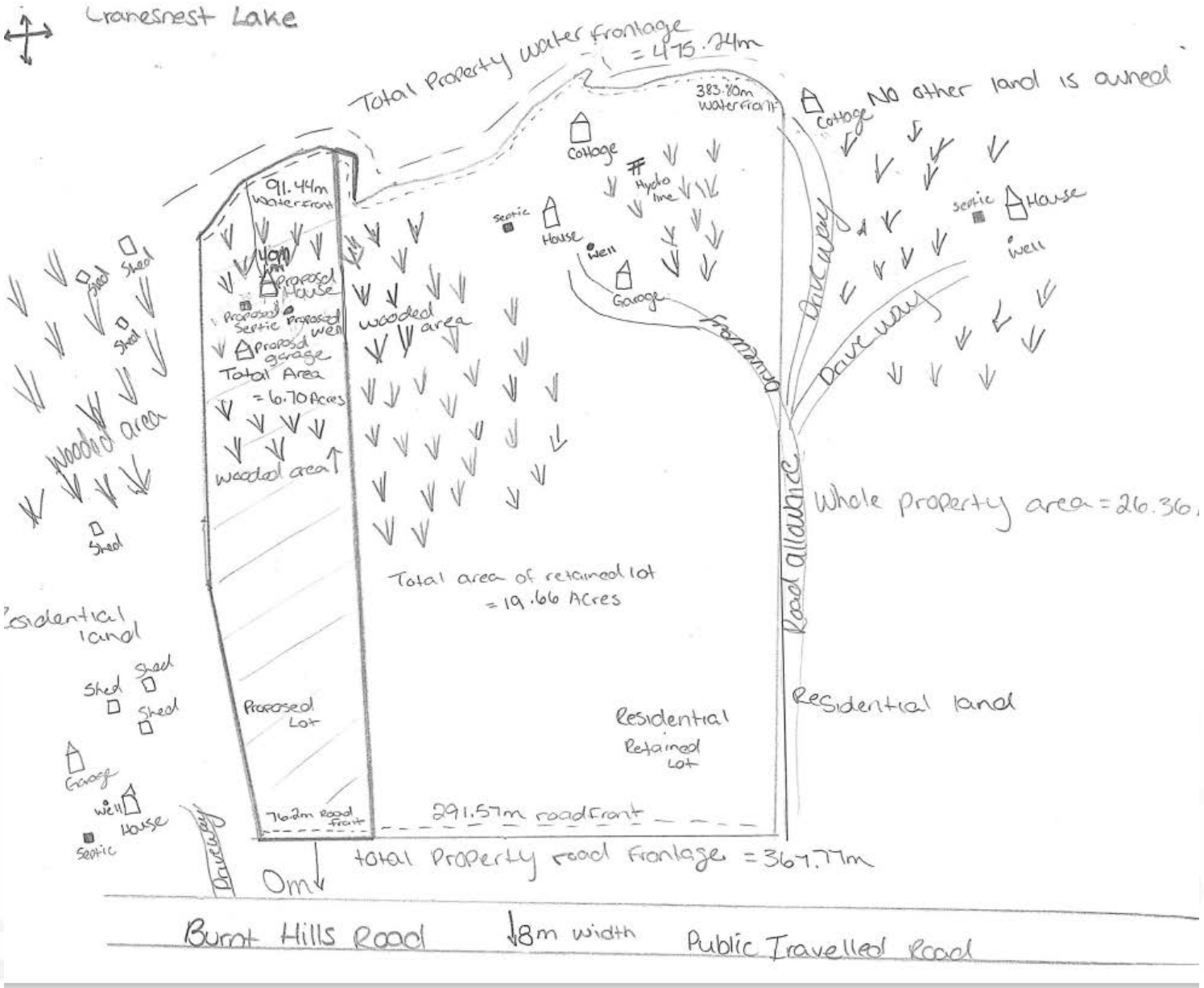
Proposal

- To create a new residential lot

<u>Severed Parcel</u>
6.7 acres
76 metres on Burnt Hills Road
91 metres on Cranesnest Lake

<u>Retained Parcel</u>
26 acres
291 metres on Burnt Hills Road
383 metres on Cranesnest Lake



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** – No comments received

Planning Analysis

Consistent with Provincial Policy Statement, 2020:	Yes
Current Official Plan Designation:	Rural
Application conforms with Official Plan:	Yes
Current Zoning:	Rural (RU)
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 5% cash-in-lieu of parkland
- Decommission any abandoned wells
- Applicant to enter into a development agreement to be registered on title – lot grading and drainage plan and entrance permit

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:

- Use “Raise Hand” feature at the bottom of your screen. Dial*9 (star nine) for phone.
- Please wait to speak until you hear your name and your microphone has been unmuted.

SOUTH FRONTENAC

Application PL-ZNA-2022-0020

Minor Variance

Applicant: Todd Shea

Agent: Bruce Andrews

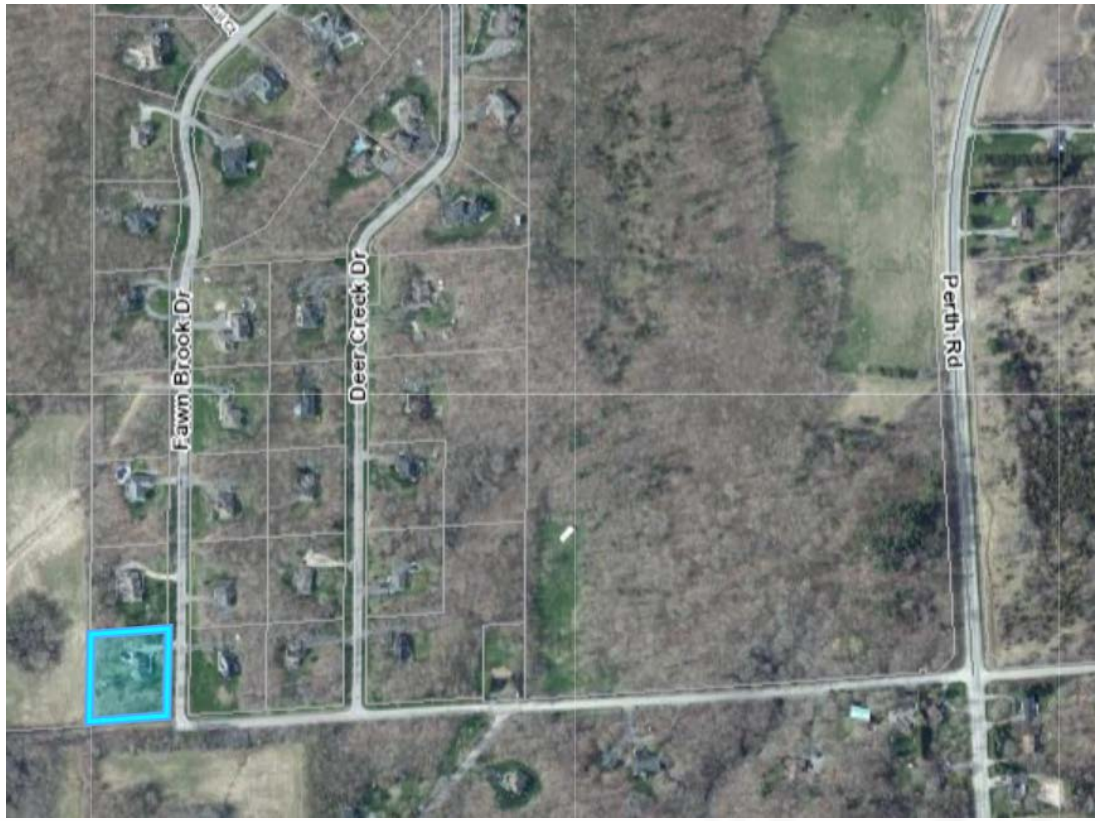
Property: 13 Fawn Brook Drive

Recommendation: Approval

- Pending public comment
- Subject to conditions

Property Description

- Rural designation
- Property Specific Residential Zone R-6
- 0.54 hectares
- Existing dwelling and accessory buildings



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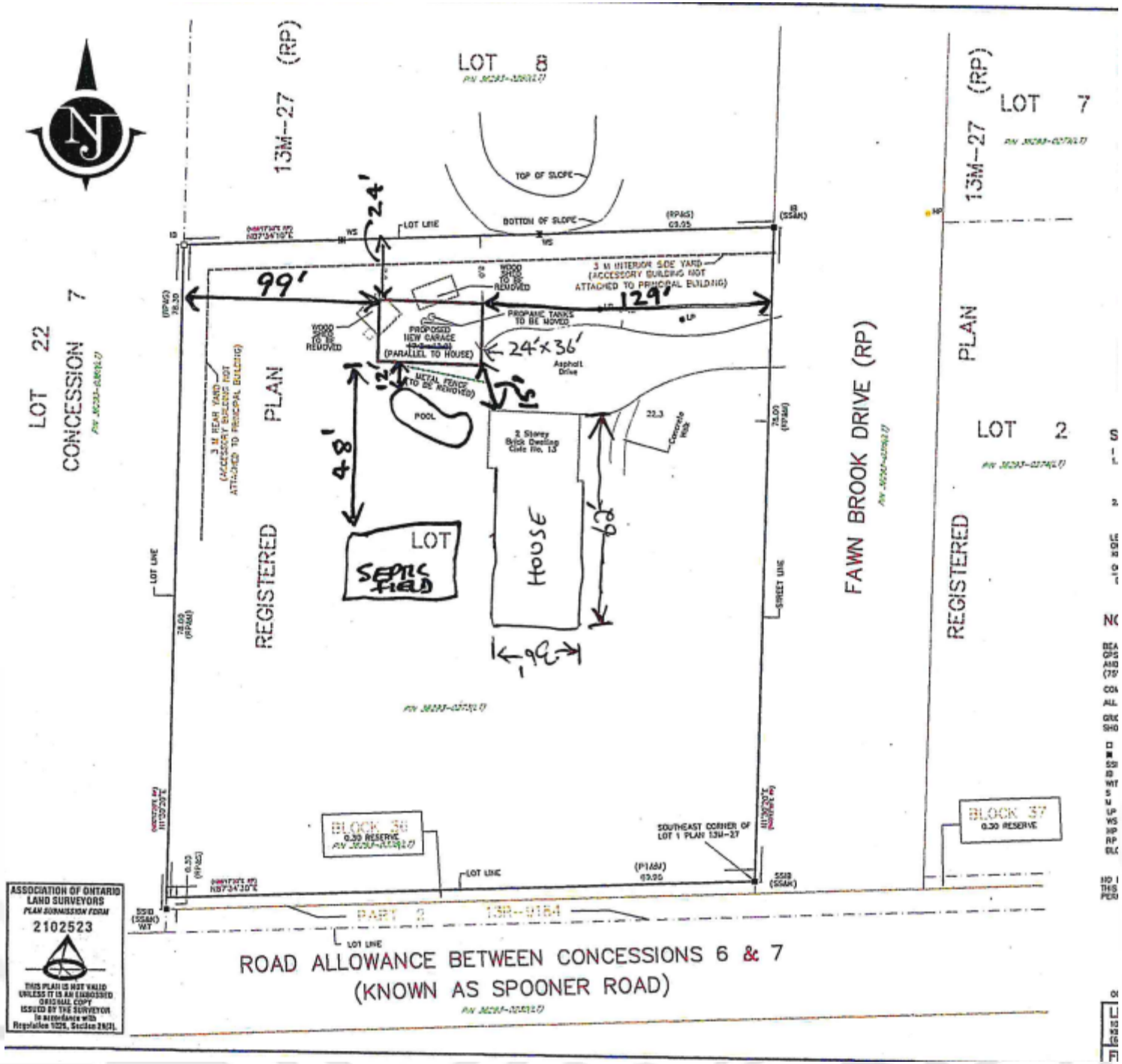
Proposal

- Construct a 7.31 metres x 11 metres (24 feet x 36 feet) detached garage
- Height of 6.9 metres (22.7 feet)
- The garage is proposed to be a one storey plus loft
- 7 metres from the north property line
- 39 metres from Fawn Brook Drive
- 30 metres from Rear Lot Line
- 4.5 metres from dwelling



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View from Fawn Brook Drive

View from location of proposed garage

Department, Agency and Public Comments

- **This application did not meet the criteria for circulation to departments nor agencies**
- **No comments received from the public.**

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-2022-0020, 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
  - Minor Variance is applicable to only Zoning By-law No.2003-75 and not any subsequent zoning by-laws

SOUTH FRONTENAC

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.

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SOUTH FRONTENAC

Application PL-ZNA-2022-0034

Minor Variance

Applicant: Andrew Klassen

Property: 73 Mill Bay Lane, Bobs Lake

Recommendation: Deferral

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 accessible dwelling with an attached garage on the same general footprint
- one storey
- height of 6.4 metres (21 feet)
- ground floor area of 257 square metres (2770 square feet
- setback 30 metres from the highwater mark of Bob’s Lake
- 9.3 metres from the top of bank
- this will result in an increase of 5.7% lot coverage for a total of 12%
- Slope Stability Study

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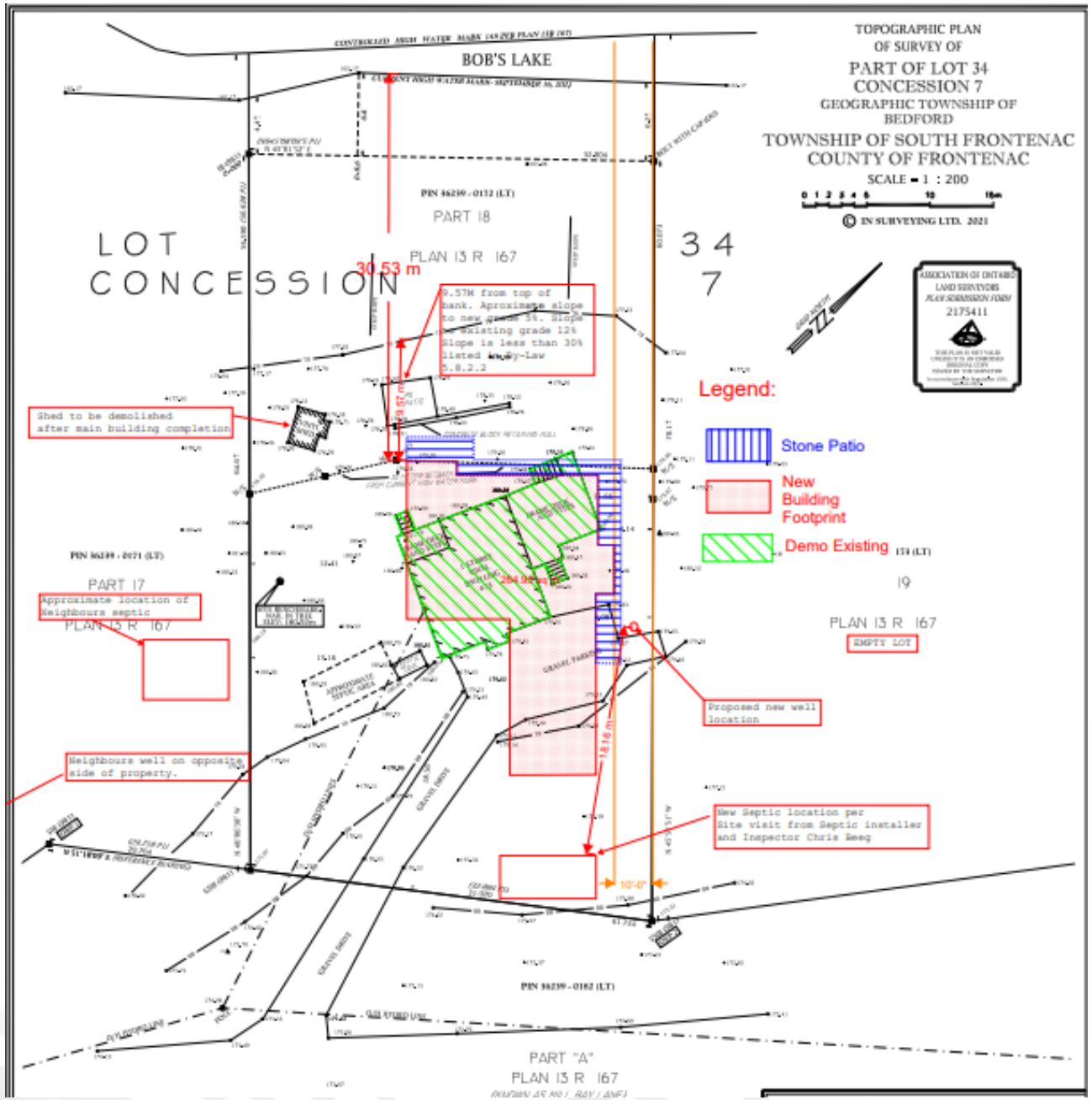
TOPOGRAPHIC PLAN
OF SURVEY OF
PART OF LOT 34
CONCESSION 7
GEOGRAPHIC TOWNSHIP OF
BEDFORD
TOWNSHIP OF SOUTH FRONTENAC
COUNTY OF FRONTENAC
SCALE = 1 : 200
BOB'S LAKE
LOT
CONCESSION
34
7
PART 18
PLAN 13 R 167
30.53 m
Shed to be demolished after main building completion
Legend:
Stone Patio
New Building Footprint
Demo Existing
PART 17
Approximate location of Neighbours septic
PLAN 13 R 167
EMPTY LOT
Proposed new well location
Neighbours well on opposite side of property.
New Septic location per Site visit from Septic installer and Inspector Chris Meeg
PART "A"
PLAN 13 R 167

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Department, Agency and Public Comments

- **Building Services (Sewage System Review)** – waiting for revised design from installer.
- **Rideau Valley Conservation Authority** – Engineer is reviewing the slope stability study
- **Development Services** – concerns with lot coverage
- **Public Comments** – One comment was received in support of the application

Recommendation

- It is recommended that the Committee of Adjustment receive comments from the public and, pending comments received, **Defer** application PL-ZNA-2022-0034:
  - 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
  - to allow RVCA time to peer-review the slope stability study
  - to allow the applicant time to consider revising their application to reduce the proposed lot coverage.

SOUTH FRONTENAC

1. Questions of Clarification for Staff or Applicant

2. Public Questions or Comments

3. Committee Deliberation & Vote

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SOUTH FRONTENAC

Application Pl-ZNA-2022-0038

Minor Variance

Applicant: John MacDonald, Debbie Radley, Derek and Jennifer Webb

Property: 1A younge Lane

Recommendation: Approval

- Pending public comment
- Subject to conditions

Property Description

- White Lake
- Rural designation
- RLSW zone
- 0.4 ha
- Existing dwelling and accessory buildings

SOUTH FRONTENAC

Proposal

- Demolish existing 445.9 sq. ft. deck attached to dwelling
- Construct 763 sq. ft. deck attached to dwelling
- Setback 26.7m from highwater mark of White Lake
- Increase lot coverage to 5.29%

Macdonald et al
Minor Variance

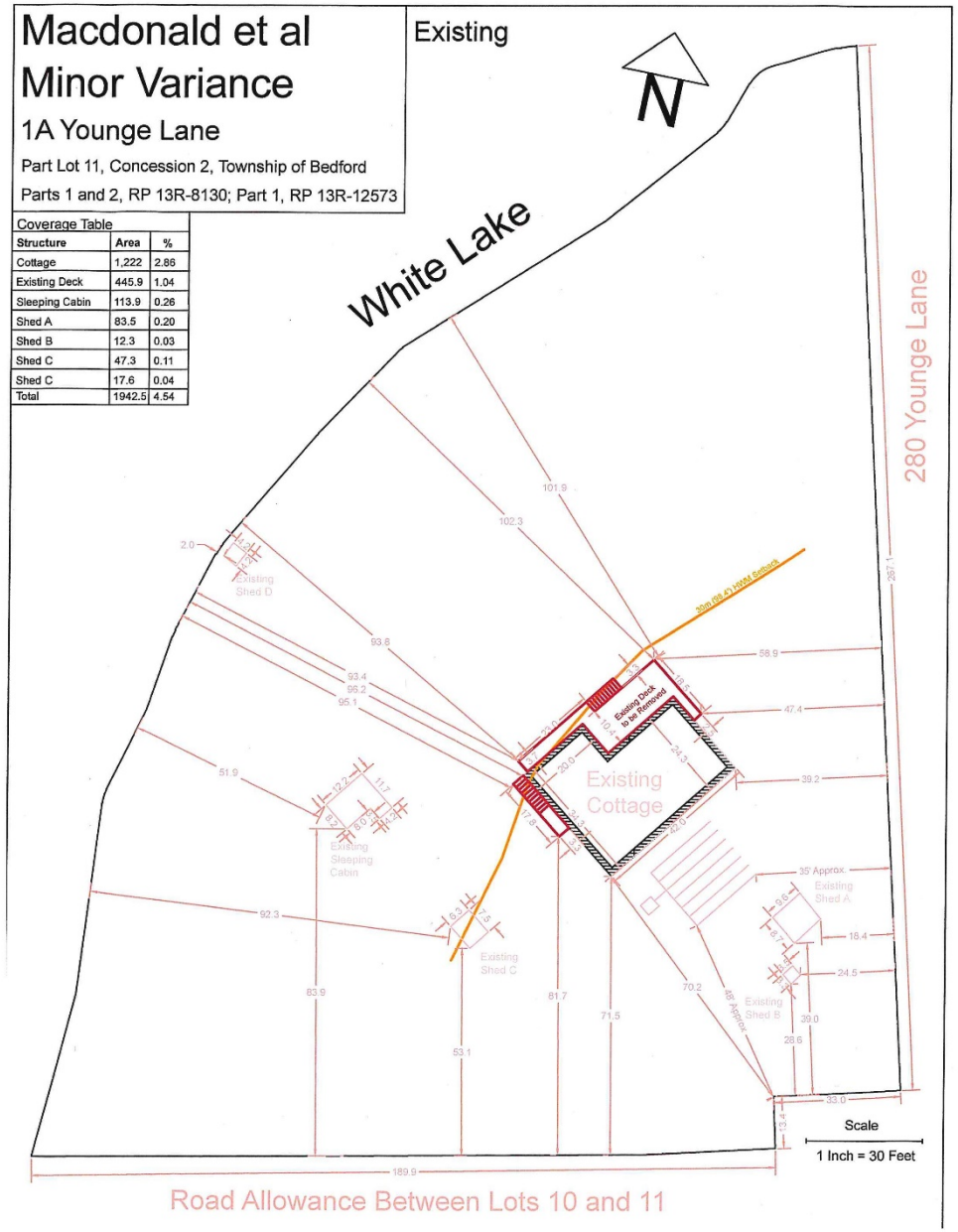
1A Younge Lane

Part Lot 11, Concession 2, Township of Bedford

Parts 1 and 2, RP 13R-8130; Part 1, RP 13R-12573

Existing

Coverage Table		
Structure	**Area**	**%**
Cottage	1,222	2.86
Existing Deck	445.9	1.04
Sleeping Cabin	113.9	0.26
Shed A	83.5	0.20
Shed B	12.3	0.03
Shed C	47.3	0.11
Shed C	17.6	0.04
Total	1942.5	4.54



Macdonald et al
Minor Variance

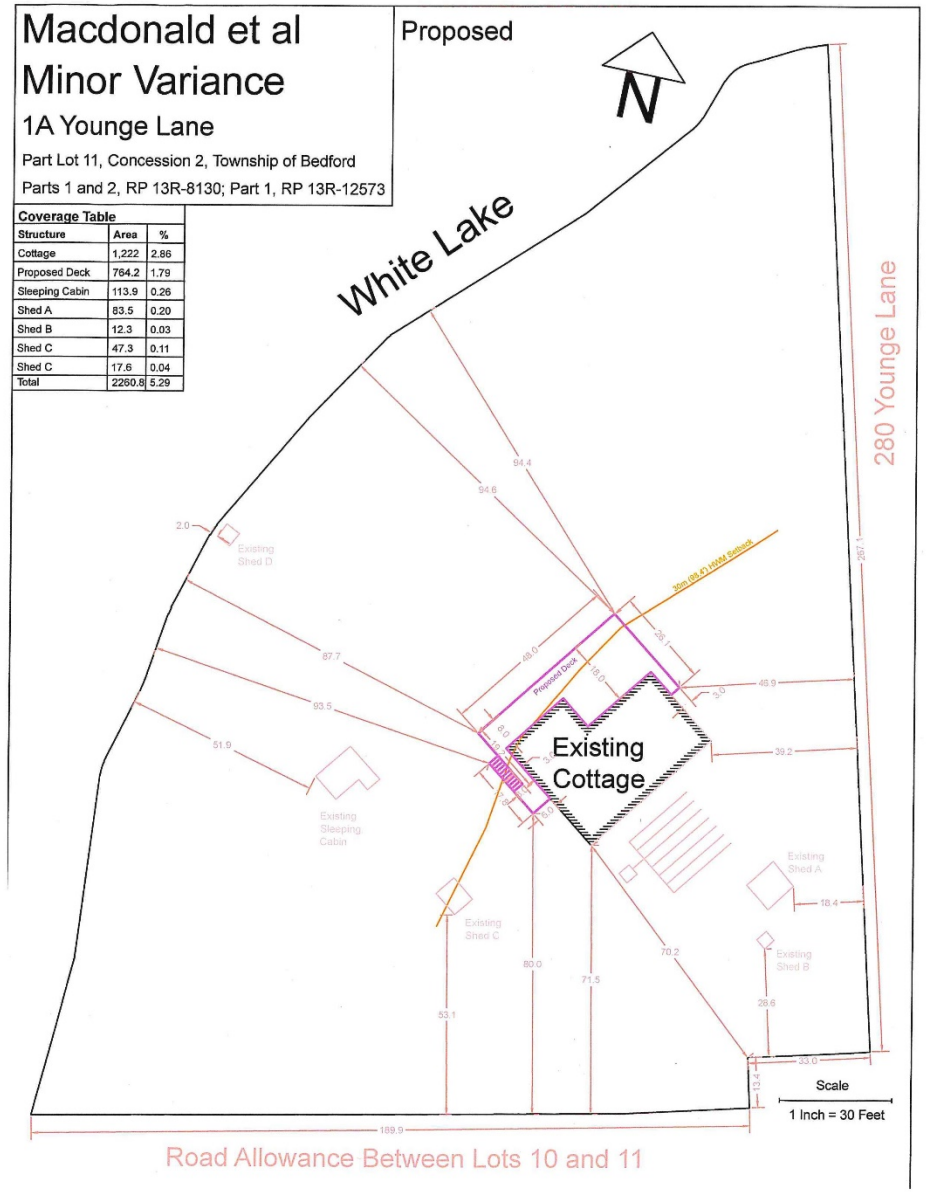
1A Younge Lane

Part Lot 11, Concession 2, Township of Bedford

Parts 1 and 2, RP 13R-8130; Part 1, RP 13R-12573

Proposed

Coverage Table		
Structure	**Area**	**%**
Cottage	1,222	2.86
Proposed Deck	764.2	1.79
Sleeping Cabin	113.9	0.26
Shed A	83.5	0.20
Shed B	12.3	0.03
Shed C	47.3	0.11
Shed C	17.6	0.04
Total	2260.8	5.29



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View of cottage from shoreline

Existing deck on cottage

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Department, Agency and Public Comments

- **Building Services** – Building permit will be required for a replacement deck
- **Quinte Conservation** – no objection; O. Reg. 319/09 permit required
- **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-2022-0038, 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

SOUTH FRONTENAC

1. Questions of Clarification for Staff or Applicant

2. Public Questions or Comments

3. Committee Deliberation & Vote

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Application PL-ZNA-2022-0041

Minor Variance

Applicant: Ken and Norma Rombouts

Property: 102908001004108 (Wilton Road)

Recommendation: Approval

- Pending public comment
- Subject to conditions

Property Description

- Rural designation
- RU zone
- 0.8 ha (2 acres)
- Wilton Road
- Vacant

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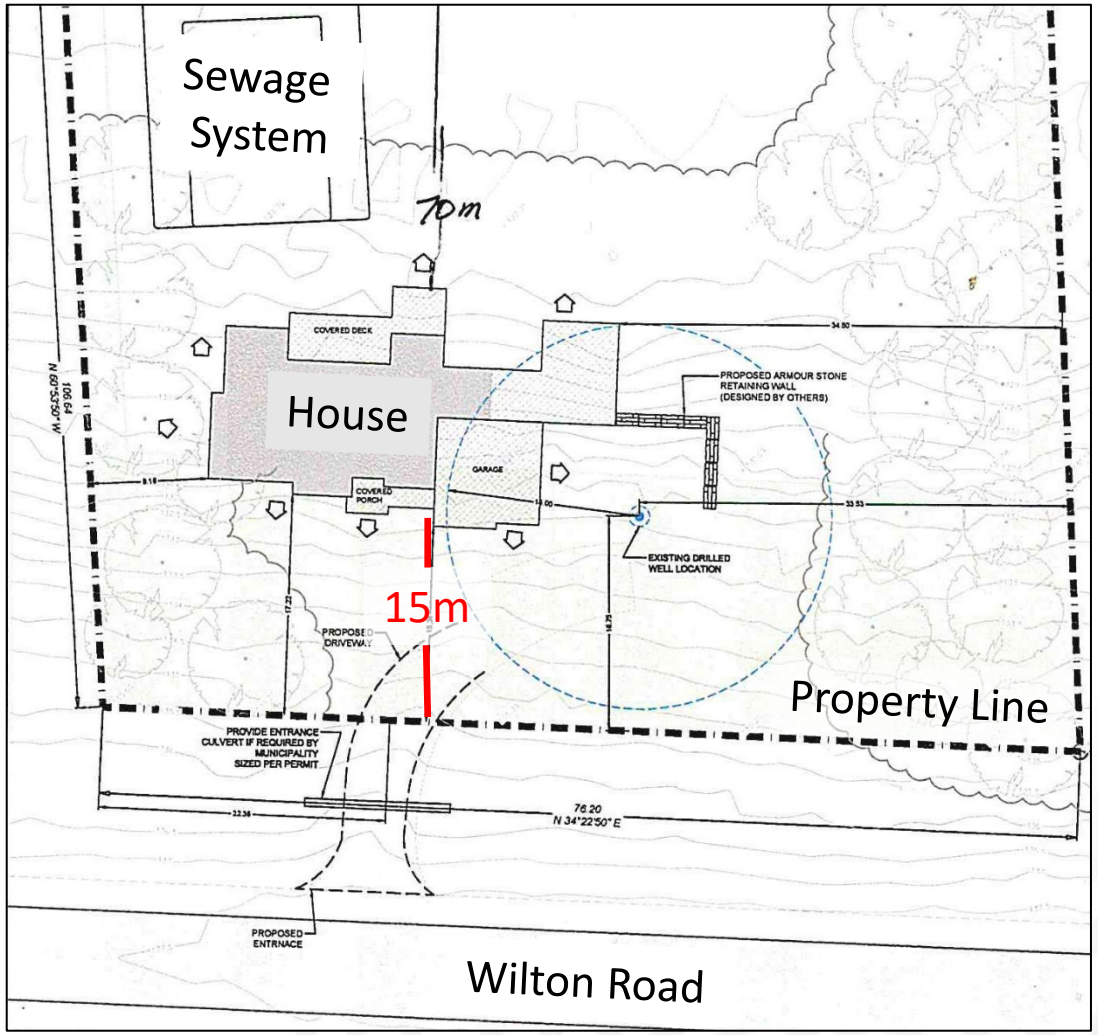
Proposal

- Construct 4273 sq. ft. dwelling including attached garage, covered deck and porch
- One storey with walkout basement
- Setback 15m from front lot line



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Department, Agency and Public Comments

- **Public Services** – no objection; 30m wide road allowance
- **Public Comments** – one landowner objects to the application because the applicant apparently knew a 20m setback was required, and site work was done before application

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-2022-0041, subject to conditions.
- Conditions:
  - The application is approved in accordance with plans submitted
  - Building permit is required for ALL proposed 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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SOUTH FRONTENAC

Application PL-ZNA-2022-0044

Minor Variance

Applicant: Paulette & Scott Batson

Property: 4396 Sills Bay Road

Recommendation: Approval

- Pending public comment
- Subject to conditions

SOUTH FRONTENAC

Property Description

- Rural designation
- RW Zone
- 1.5 hectares
- Sills Bay Road & Freeman Road
- Sydenham Lake
- Existing dwelling and accessory buildings

Proposal

- locate an accessory building (detached garage) in the front yard of the dwelling.
- The detached garage is 7.6 m by 15.25 m (25 feet by 50 feet).
- It will be single storey
- height of 6.5 m
- 2nd garage – has a building permit but no minor variance was obtained. As part of this application, permission is also being requested to formally allow the existing garage to be located in the front yard and to acknowledge its height of 7 metres.

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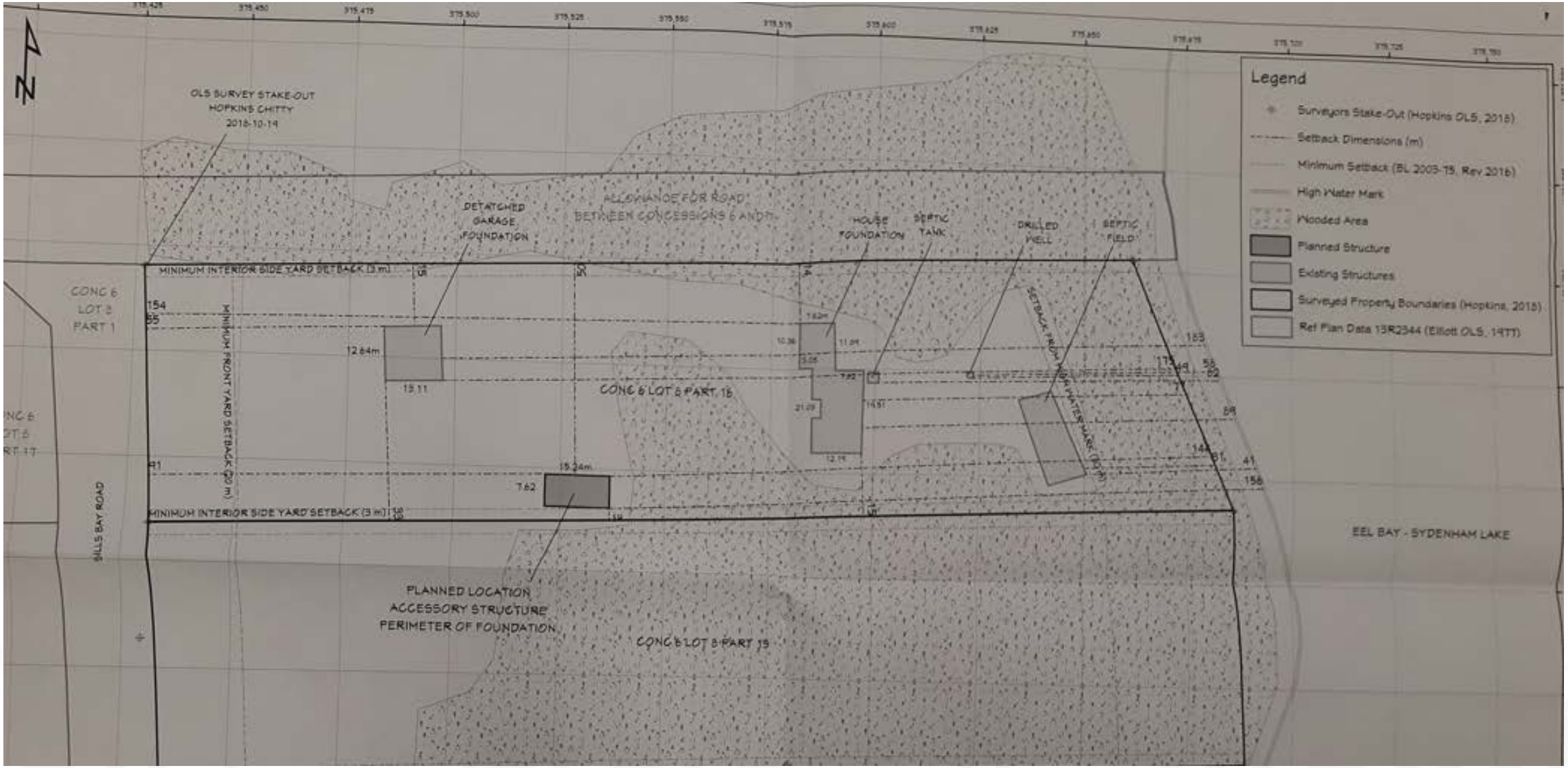

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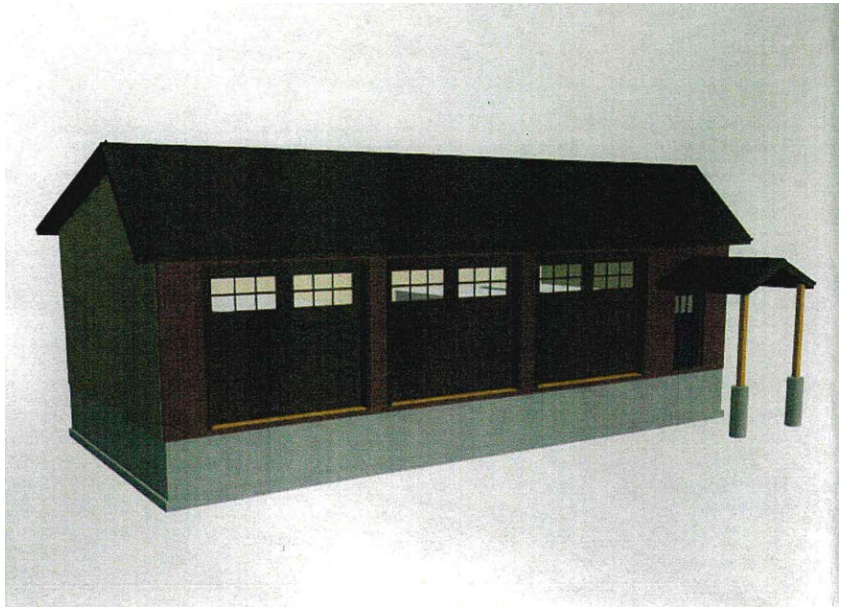
View from Driveway

View from House

SOUTH FRONTENAC

Existing Garage



Proposed Garage

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Department, Agency and Public Comments

- **Public Services has no objection.**
- **No comments received from the public.**

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-2022-0044, 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
  - Minor Variance is applicable to only Zoning By-law No.2003-75 and not any subsequent zoning by-laws

SOUTH FRONTENAC

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-2022-0045

Minor Variance

Applicant: Frank and Wendy Milligan

Property: Roost Lane

Recommendation: Approval

- Pending public comment
- Subject to conditions

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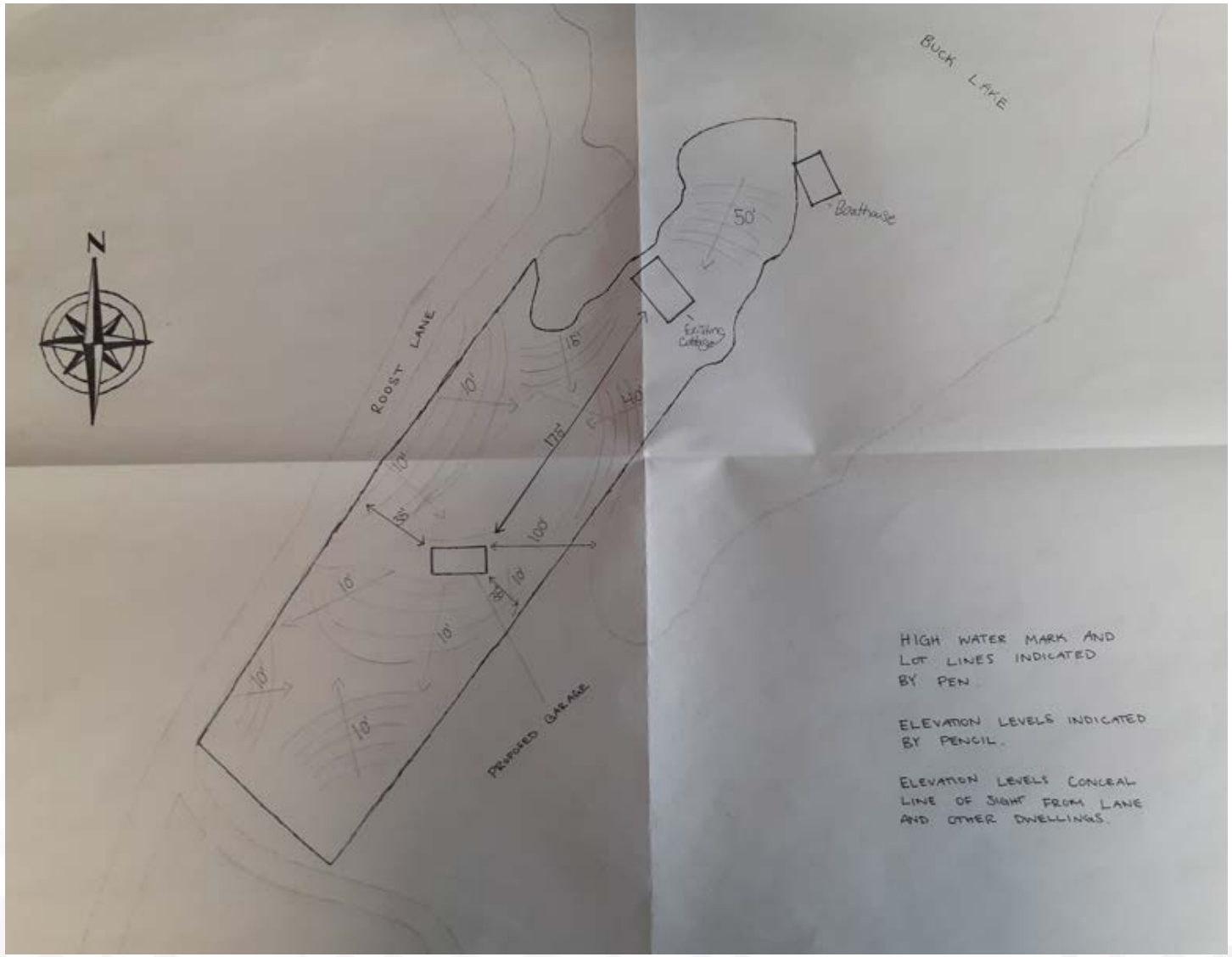
Property Description

- Rural designation
- RLSW
- 0.46 hectares
- Buck Lake – Trout Lake
- Peninsula
- Existing dwelling
- Holding Tank

Proposal

- construct an 8.5 m x 12 m (28 feet x 40 feet) detached garage
- height of 7.3 metres (23.10 feet).
- It will be one and a half storeys
- setback a minimum of 30 metres from the highwater mark of Buck Lake
- The additional height is requested to have additional space for storage.


BUCK LAKE
N
ROOST LANE
Boathouse
50'
Existing Cottage
16'
10'
175'
40'
15'
100'
10'
10'
10'
10'
10'
10'
PROPOSED GARAGE
HIGH WATER MARK AND LOT LINES INDICATED BY PEN.
ELEVATION LEVELS INDICATED BY PENCIL.
ELEVATION LEVELS CONCEAL LINE OF SIGHT FROM LANE AND OTHER DWELLINGS.

View from Lane

Proposed Location

Department, Agency and Public Comments

- **Cataraqui Conservation** – No objections – a permit will be required
- **No comments received from the public.**

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-2022-0045, 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
  - Development Agreement
  - Minor Variance is applicable to only Zoning By-law No.2003-75 and not any subsequent zoning by-laws

SOUTH FRONTENAC

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:

- Use “Raise Hand” feature at the bottom of your screen. Dial*9 (star nine) for phone.
- Please wait to speak until you hear your name and your microphone has been unmuted.

SOUTH FRONTENAC

Application PL-ZNA-2022-0047

Minor Variance

Applicant: Janice and Clint Barker

Property: 6060 First Lake Road, Portland

Recommendation: Deferral

Property Description

- Rural designation
- RW Zone
- 0.43 hectares
- Existing dwelling and accessory buildings

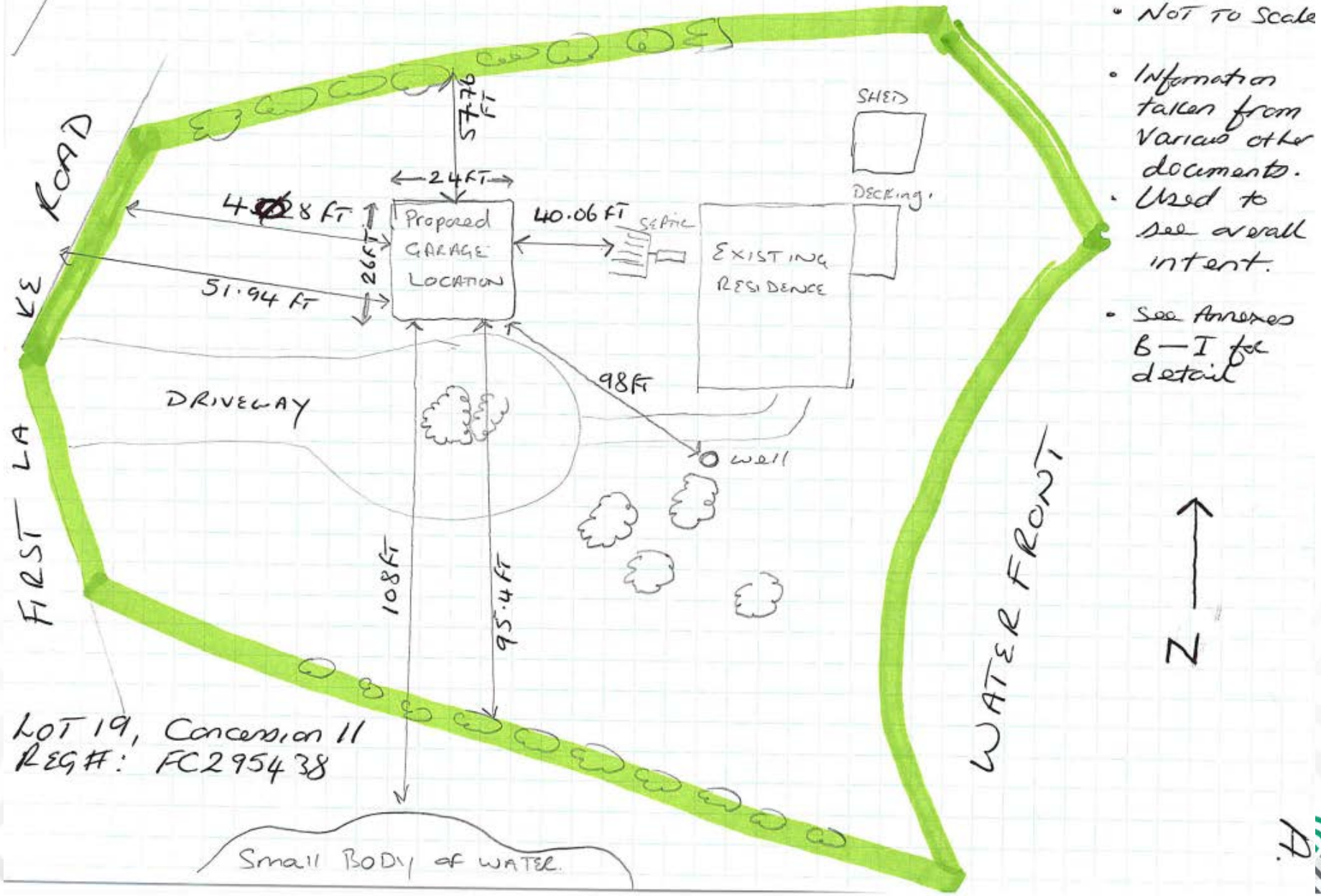
SOUTH FRONTENAC

Proposal

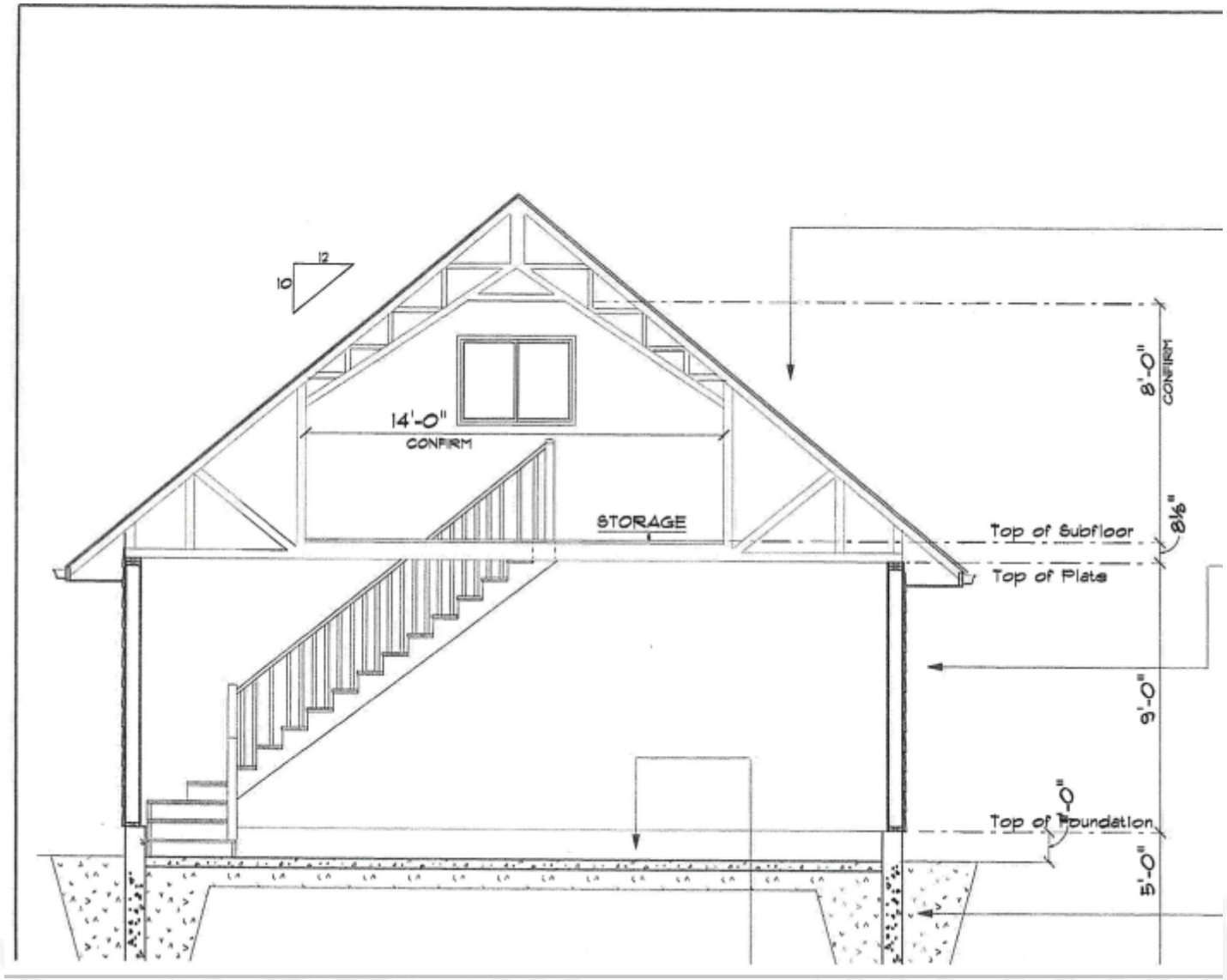
- Construct a detached garage in the front yard
- 7.9 metres by 7.3 metres (26 feet by 24 feet)
- It will be two storeys
- Height of 7 metres
- 12 metres from the front lot line adjacent to First Lake Road
- It will be setback more than 30 metres from Depot Creek
- The additional height is requested to have additional space for storage

SOUTH FRONTENAC

Consolidated Plot Sketch, for the application of a building Permit for a garage at 6060 Flint Lake Road.



- NOT TO Scale
- Information taken from various other documents.
- Used to see overall intent.
- See Annexes B—I for detail


10
12
14'-0"
CONFIRM
STORAGE
8'-0"
CONFIRM
8½"
Top of Subfloor
Top of Plate
9'-0"
Top of Foundation
5'-0"

View of proposed garage

Department, Agency and Public Comments

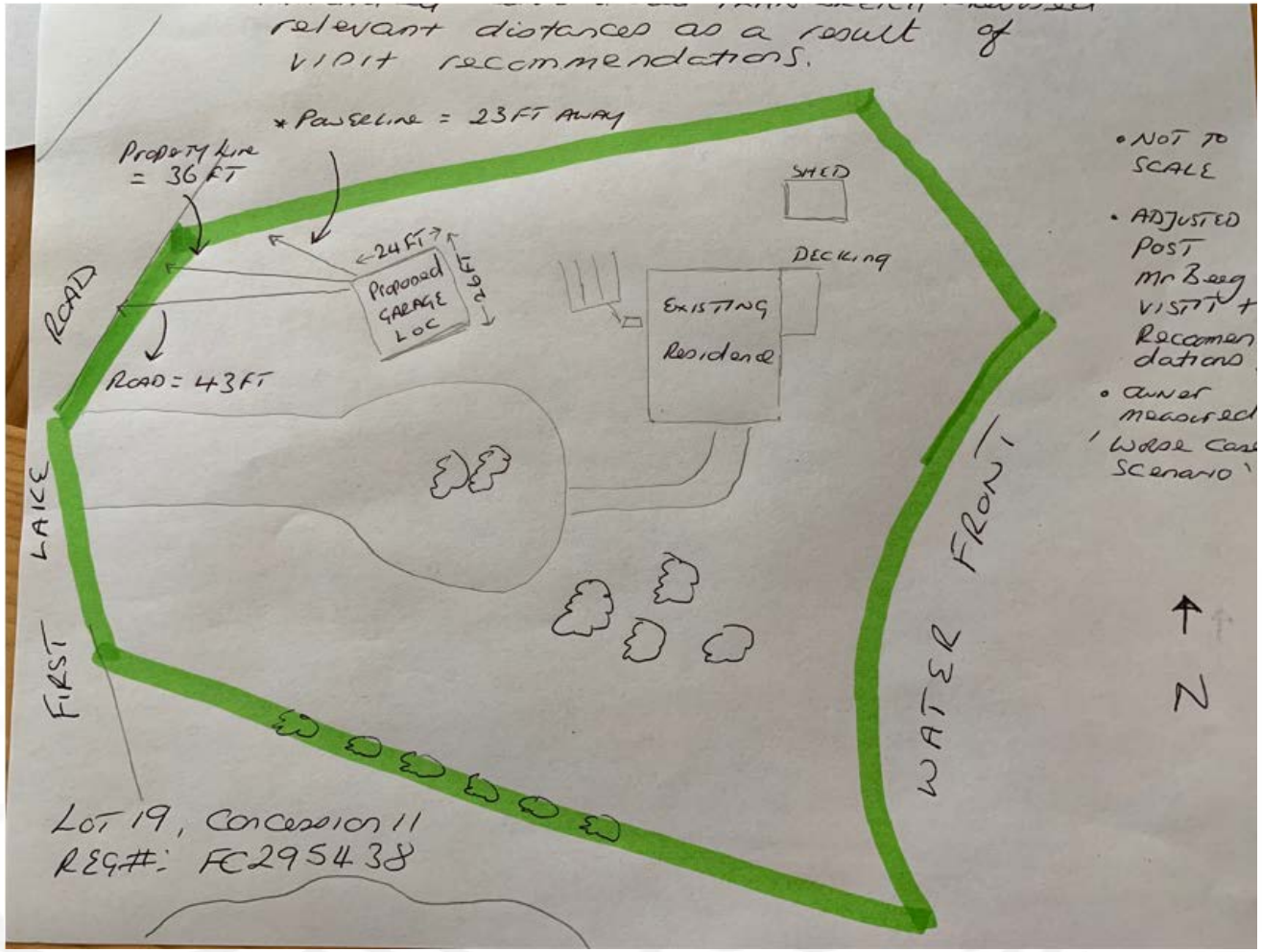
- **Public Services** – has no objection
- **Building Services** – Need an updated sketch showing compliance with sewage system and hydro lines
- **Quinte Conservation** – no objections – permit will be required
- **No comments received from the public.**

Recommendation

- It is recommended that the Committee of Adjustment receive comments from the public and, pending comments received, **defer** application PL-ZNA-2022-0047:
  - To provide the applicant time to revise the drawing and application to ensure the proposal would be of a size and in a location that is compliant with required setbacks from the sewage system and hydro line

Updated Application

Updated Application



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:

- Use “Raise Hand” feature at the bottom of your screen. Dial*9 (star nine) for phone.
- Please wait to speak until you hear your name and your microphone has been unmuted.

SOUTH FRONTENAC

Application PL-ZNA-2022-0059

Minor Variance

Applicant: John and Jewitt and Karen Fleming

Agent: Lee Fretts (Bob's Lake Co-operative)

Property: 40A Donalds Lane

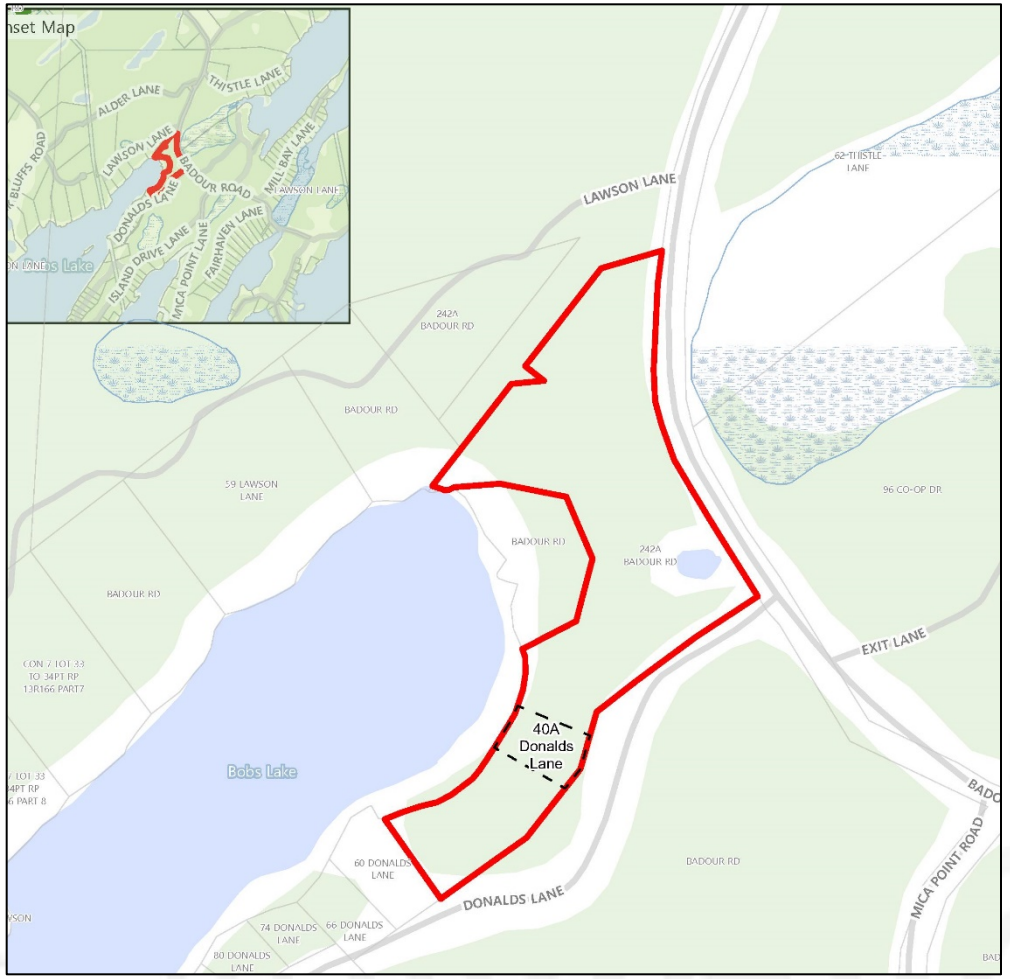
Recommendation: Approval

- Pending public comment
- Subject to conditions

SOUTH FRONTENAC

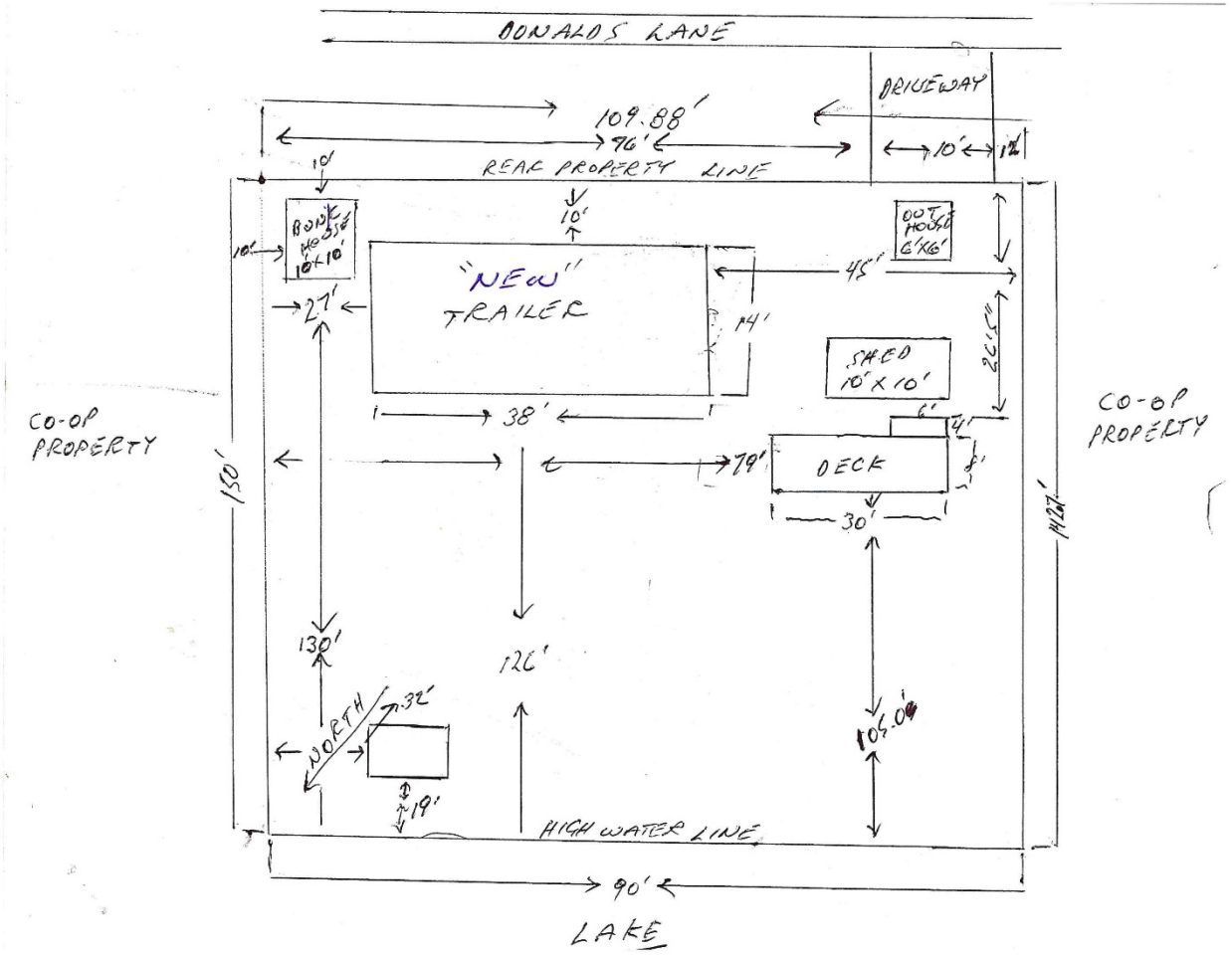
Property Description

- Rural designation
- RLSW-3 zone
- 0.8 ha (2 acres)
- Campsite in Bob’s Lake Co-op



Proposal

- Remove 30ft by 8ft trailer
- Add 38ft by 14ft trailer
- Setback 38m from highwater mark
- Setback 3m from rear lot line



SOUTH FRONTENAC

View from Donalds Lane

View from Rear Property Line

SOUTH FRONTENAC

Department, Agency and Public Comments

- **Building Services** – clarified the replacement trailer would need to be connected to a sewage system, or have its plumbing removed
- **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-2022-0059, 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
  - Applicant shall apply for and obtain a permit for a sewage system under Ontario Building Code or remove plumbing from trailer to satisfaction of Township

SOUTH FRONTENAC

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:

- Use “Raise Hand” feature at the bottom of your screen. Dial*9 (star nine) for phone.
- Please wait to speak until you hear your name and your microphone has been unmuted.

SOUTH FRONTENAC

Conclusion/Adjournment

Committee of Adjustment Meeting

SOUTH FRONTENAC

SOUTH FRONTENAC

RECEIVED
MAR 29 2022
TOWNSHIP OF SOUTH FRONTENAC PLANNING DEPARTMENT

Consent Application

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.

Pre-consultation meeting fee	$105.00

☐ 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 crate 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: March 29, 2022 File Number: S-15-19-S

1. Name of Owner(s): Heather Sands, Craig Weatherby

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: Megan Sands

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).

[redacted]

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.

[redacted]

er) March 28 2022 (Date)

TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION

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

☒ Yes ☐ No Date Fee Paid: _____

Name of Planner: Anna Gelacli Date of Meeting: _____

5. The description of the subject land:

District: ☐ Bedford ☐ Portland ☐ Loughborough ☒ Storrington

Civic Address: 1206B Burnt Hills Road

Concession Number: 11 Lot Number: 24

Reference Plan Number: 13R12560 Part Number(s): 2

Roll Number: 070-060-31114-0000

Property Identification Number (PIN): _____

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): 475.24m Frontage on road/lane (m): 367.77m

Name of Waterbody: Cranesnest Lake Name of Road/Lane: Burnt Hills Road

Depth(m): 0 Area(acres/ha): 26.36

7. Select the type of consent being applied for:

☒ Creation of a New Lot
☐ Easement (right of way)
☐ Lot Addition
☐ Charge/Discharge of Mortgage
☐ Correction of Title
☐ Lease
☐ Other: _____

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

_____

_____

_____

_____

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):	76.2	291.57
Name of Road/Lane:	Burnt Hills Road	Burnt Hills Road.
Frontage on Water (m):	91.44m	383.80m
Name of Waterbody:	Cranesnest Lake	Cranesnest Lake
Depth (m):	0	0
Acres (acres or ha):	6.70	26.36

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

	Severed Lot (Proposed new lot):	Retained Lot:
Existing Use of Lot:	Ø	Residential
Existing Buildings/Structures:	Ø	House, Garage, outdoor building
Proposed Use of Lot:	Residential House	
Proposed Buildings/Structures:	House, Garage	

N/A

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:	NA	Residential	NA
Existing Buildings/Structures:	NA	Outdoor building House, garage,	NA
Proposed Use of Lot:	NA	Severance	Residential
Proposed Buildings/Structures:	NA	NA	House, garage

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		Retained Parcel	
☐	Municipal water system	☐	Municipal water system
☒	Privately owned and operated well	☒	Privately owned and operated well
☐	Lake water	☐	Lake water
☐	Other: _____	☐	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
☐ Publicly owned and operated communal septic system	☐ Publicly owned and operated communal septic system
☒ Privately owned and operated individual septic system:	☒ Privately owned and operated individual septic system:
☒ Leaching Bed (Class 4)	☒ Leaching bed (Class 4)
☐ Holding Tank (Class 5)	☐ Holding Tank (Class 5)
☐ Greywater Pit (Class 2)	☐ Greywater Pit (Class 2)
☐ Privy/Outhouse (Class 1)	☐ 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***):

Megan Sanck

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:

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): Burnt Hills Road

The retained lot: Burnt Hills Road

Please indicate whether access to the land will be by:

☐ Provincial highway	☐ Lane
☒ Municipal Road - maintained year round	☐ A right of way
☐ Municipal Road - seasonally maintained	☐ Water (see next page)

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

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

Residential

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.

I do not know

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

☐ Yes ☐ No ☒ Unknown

Please explain:

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

☐ Yes ☐ No ☐ Unknown			
Application Type	Application Number	Date of Application	Decision
☐ Plan of Subdivision			
☐ Consent			
☐ Minor Variance			
☐ Site Plan Approval			
☐ Official Plan Amendment			
☐ Zoning By-law Amendment			
☐ 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. NA

☑ 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 NA

☑ 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 NA

☐ The location and nature of any easement affecting the subject land. NA

☐ The location of any abandoned wells on the property NIA

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 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, Megan Sands,
(Name of Owner / Agent)

of Battersea
(Municipality, Town, City name)

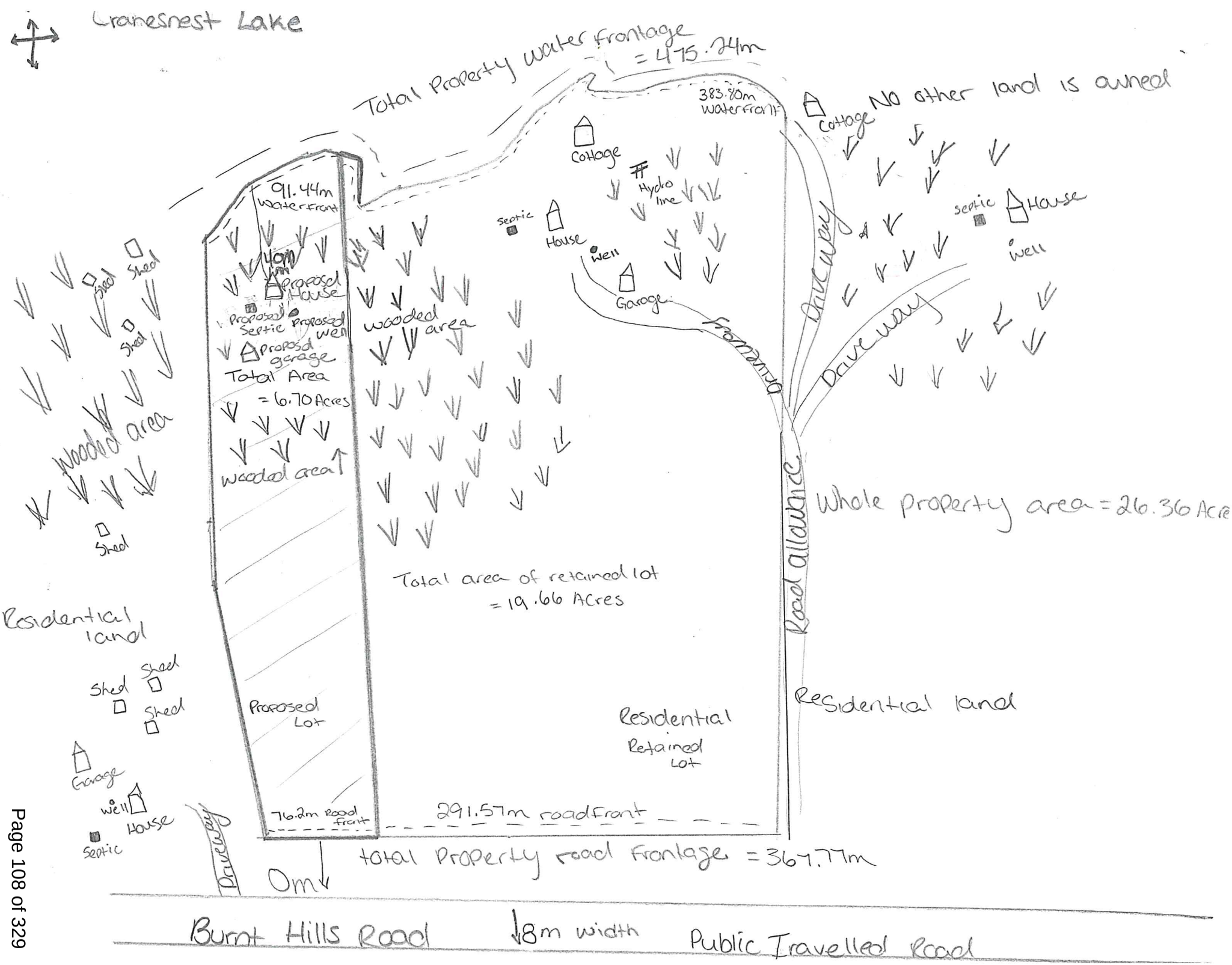
do solemnly declare that the information contained in this application is true and that the information contained in the documents that accompany this application is true, and acknowledge that personal information and all other material collected on this form and provided to the municipality as part 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 Township of South Frontenac (Sydenham)
(Municipality name)

On this 29th day of March, 2022.

[redacted]

Affix Commissioner of Oaths stamp below signatures


Cranesnest Lake
Total Property water frontage = 475.24m
383.80m waterfront
Cottage
No other land is owned
Cottage
Hydro line
91.44m waterfront
40m
Proposed House
Proposed Septic
Proposed well
Proposed garage
Total Area = 6.70 Acres
Septic
House
well
Garage
Driveway
Septic
House
well
Driveway
Shed
Shed
Shed
Shed
Shed
Shed
Shed
Wooded area
Wooded area
Wooded area
Road allowance
Whole Property area = 26.36 Acres
Total area of retained lot = 19.66 Acres
Residential land
Residential land
Proposed Lot
Residential Retained Lot
Garage
well
House
Septic
76.2m road front
291.57m road Front
Driveway
0m
total Property road Frontage = 367.77m
Burnt Hills Road
8m width
Public Travelled Road

SOUTH FRONTENAC

S-15-19-S (SANDS & WEATHERBY)

1206B BURNT HILLS RD

Legend

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

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

Scale 1:3,000

0 25 50 100

Meters

UTM Zone 18 NAD 83

Date: 2022-04-04

April 21, 2022 File: SEV/FRS/90/2022

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 Consent to Sever S-15-19-S (Sands / Weatherby)
Part Lot 24, Concession 11; 1206B Burnt Hills Road
Storrington District, Township of South Frontenac
Waterbody: Cranesnest Lake

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 6.7 ha parcel of land (lot to be severed) from a property known as 1206B Burnt Hills Road in South Frontenac Township. It is proposed that the lot to be severed will have approximately 76 metres of road frontage onto Burnt Hills Road. The lot to be retained would be approximately 26.36 ha in size with approximately 291.5 metres of road frontage.

Site Description

The property is located on the north side of Burnt Hills Road. The proposed lot to be severed and the retained parcel have water frontage onto Cranesnest Lake. The topography of the lot to be severed can be characterized as having a high bank along the shoreline that levels out in a southerly direction. The lot to be severed is presently vacant and is proposed to be used for future residential development. The retained lot is presently developed.

The property is currently designated 'Rural' in the Official Plan and in the implementing Zoning By-law for South Frontenac Township.

Discussion

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

Natural Hazards

Flooding: The maximum recorded water level for Cranesnest Lake is 98.95 metres geodetic. For Cranesnest 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, there is sufficient area for development to occur beyond the required setback from the flood plain for the lot to be severed and the retained lot.

Erosion: Section 5.8.2.b) of the Zoning By-law specifies that no building or structure or septic tank installation shall be located within a minimum of 15 metres horizontal of the top of bank of any embankment, the slope of which is greater than 30% from horizontal. Cataraqui Conservation defines the extent of potential erosion hazards to include an allowance for toe erosion, a stable slope allowance of 3(h):1(v) for till and 1(h):1(v) for rock, plus an erosion access allowance of 6 metres. Based upon a review of relevant mapping information, staff have concluded that the lot to be severed and the retained lot contain suitable building envelopes outside of the erosion hazard setbacks described above.

Staff have no concerns from a natural hazard perspective.

Water Quality

Section 2.2 of the Provincial Policy Statement (PPS) suggests that planning authorities should seek to protect, improve or restore the quality and quantity of water. Accordingly, the Official Plan and Zoning By-law for the Township of South Frontenac provide guidance with respect to how development should occur in consideration of protecting, improving and restoring water quality within the municipality. Similarly, the Cataraqui Conservation's Environmental Planning Policy (EPP, 2021) contains provisions that seek to support these objectives.

The Official Plan recognizes the need to minimize impacts to water quality by reducing phosphorous inputs, preventing erosion and maintaining natural appearances.

Accordingly, policies have been included that can vary the setback from the highwater mark from 30 to 90 metres depending on the site characteristics such as steepness of slope, vegetation cover, soil depth and soil phosphorus retention.

Section 5.8.2 of the Zoning By-law states that no building or structure or septic tank installation shall be located within 30 metres horizontal of the highwater mark of a waterbody. Staff note that the lot to be severed and the retained lot contain significant area outside of the minimum 30 metre water setback for future development to occur.

Staff have no concerns from a water quality perspective.

Recommendation

Staff have no objection to the approval of application S-15-19-S based on our consideration for natural hazards, natural heritage, and water quality protection policies.

Ontario Regulation 148/06

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

Please notify this office of any decision made by the Committee with regard to these applications. 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

c.c. Anna Geladi, Planner. South Frontenac Township (via e-mail)
Rhonda Roantree, Resource Planning Clerk, Cataraqui Conservation (via e-mail)

Report from Public Services

Application Number: S-15-19-S

Applicant's Name: Megan Sands

Concession: 11 **Lot:** 24 **District:** Storrington

Road: 1206 B Burnt Hills 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?

The proposed severance has sufficient frontage to enable the development of a safe access onto the roadway.

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?

Local road - rural classification. Ensure that there is a 20m (66ft road allowance) otherwise applicant to dedicate any shortfall of 10m from centerline.

Approved by the Public Services?

Yes ☑ Yes, with conditions ☐ No ☐

If yes, with conditions, please describe conditions below.

Signature on behalf of Public Services

2022-04-22
Date

Township of South Frontenac

Staff Report

To:	Committee of Adjustment
Prepared by:	Development Services Department
Report Date:	May 12, 2022
Subject:	**Consent Application S-15-19-S (Sands/Weatherby) – 1206B Burnt Hills Road, District of Storrington**

Summary

This report recommends that provisional consent be granted with conditions to create one new waterfront residential lot. The Committee of Adjustment originally heard this application in September 2019, but deferred making a decision.

Background

This application was heard by the Committee of Adjustment on September 6, 2019. The Committee deferred making a decision on the application to allow the applicant an opportunity to work with Planning Staff to explore the options of creating a residential lot that is has a more suitable location for a driveway and for development on the subject property.

The original application proposed a new lot to be created on the east-most side of the subject property. Concerns with sight lines were identified by Public Services, more specifically that the topography in the location of the proposed new lot was not ideal for an entrance due to a blind corner. They could not support a proposed lot in that location.

The applicant submitted a revised proposal in 2022. The application was re-circulated to the public and agencies for comments in April 2022.

Application Details

Proposal: To create one new vacant waterfront residential lot.

Location: Part Lot 24, Concession 11, 1206B Burnt Hills Road, District of Storrington

Designation and Zoning: The subject property is designated Rural and is zoned Rural (RU).

	Area	Road Frontage	Water Frontage
Severed Parcel	+/- 2.7 ha (6.7 acres)	76 metres (250 feet) on Burnt Hills Road	91 metres (300 feet) on Cranesnest Lake
Retained	+/- 10.5 ha (26 acres)	+/- 291 metres (954 feet) on Burnt Hills Road	+/- 383 metres (1256 feet) on Cranesnest Lake

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, 5.7.4, 5.7.7 & 7.1);
- ✓ Complies with Zoning By-law No. 2003-75 (or will comply subject to a standard condition of rezoning or minor variance); and
- ✓ Has no unresolved objections/concerns raised from agencies nor the public.

Discussion/Analysis

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

Property Description

The subject property is located on the north side of Burnt Hills Road. The subject property has waterfrontage on Cranesnest Lake. The topography of the property can be characterized as having a steep slope near the shoreline and generally level throughout the rest of the property. The subject property consists of a mix of forest and farmland.

The application identified that the property is developed with a single detached dwelling, a cottage, a detached garage and sewage system located on the east-most side of the subject property. The property is currently accessed from a right-of-way that travels over the driveway of 1206 Burnt Hills Road. There are several large waterfront residential properties around the subject property.

Summary of Revised Proposal

The severed parcel is located on the west-most side of the subject property and consists of vacant land. It will have approximately 2.7 hectares (6.7 acres) of land with a minimum of 76 metres (250 feet) of road frontage on Burnt Hills Road and 91 metres (300 feet) of waterfrontage on Cranesnest Lake.

The retained parcel will contain the existing buildings and structures. It will continue to be accessed from the right-of-way that travels over 1206 Burnt Hills Road and will be approximately 10.5 hectares (26 acres) in area with 291 metres (954 feet) of road frontage on Burnt Hills Road and 383 metres (1256 feet) of water frontage on Cranesnest Lake.

Department and Agency Comments

Public Services provided comments on April 22, 2022. It was noted that there are adequate sight lines for an entrance in the area of the severed parcel and that the proposed severance has sufficient frontage to enable the development of a safe access onto Burnt Hills Road.

There are no special drainage/ditching concerns and the overall road condition is adequate to serve increased development. The retained parcel has an existing entrance.

Burnt Hills Road is a local road. A road widening will be required if the road allowance is determined to be less than 20 metres (66 feet) wide adjacent to the property.

Public Services has no objection to the approval of the application.

Building Services (Sewage System Review) provided comments on April 22, 2022 indicating that the proposed lot is capable of providing flexibility in siting sewage disposal systems and that specific requirements for additional soil will need to be addressed prior to site development through an Application to Construct a Sewage System.

They have no objection to the approval of the application.

Cataraqui Conservation provided comments on April 21, 2022. It was noted that there is sufficient area on the severed parcel for development to occur beyond the required setback for the flood plain and erosion hazards (top of bank) on the severed parcel and retained parcel. Cataraqui Conservation Staff noted that severed parcel and retained parcel also contain significant area for future development to occur in compliance with the minimum 30 metre setback from the highwater mark.

They have no objection to the approval of the application based on their consideration for natural hazards, natural and cultural heritage and water quality and quantity protection policies.

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

No comments were received from the public.

Planning Analysis

Rural Residential Development

The Provincial Policy Statement (2020) allows growth and development to be directed to rural lands, including residential lot creation. In order to ensure efficient development and land use patterns on rural lands, the PPS 2020 encourages development that is compatible with the rural landscape and that can be sustained by rural service levels (section 1.1.5.4). The County of Frontenac Official Plan and the Township of South Frontenac Official Plan both permit residential development in the Rural designation. The subject lands are designated Rural in the Township of South Frontenac Official Plan.

The application proposes the creation of one new lot. There have been no previous severances from the subject property since the adoption of the Township Official Plan in September of 2000. In accordance with Section 5.7.4 of the Official Plan, the severed parcel is eligible as a rural residential severance.

The Township must be satisfied that any residential lots created by consent can be serviced by sewage disposal facilities and adequate water supply. Building Services was satisfied that the severed parcel has flexibility to locate a sewage disposal system. The application identified that the proposed severance will be serviced by a private well. The Township will require the ability to be serviced by a private well to be demonstrated as a condition of consent approval.

Under the Rural designation, section 5.7.4 of the Township of Official Plan lays out the minimum required size and frontage of any lot created for rural residential purposes. It requires that any lot created through the severance process be appropriate for the proposed use and to conform to the provisions of the zoning by-law.

The severed parcel meet the Rural Residential policies (section 5.7.4(ii)) including having a size and frontage that conforms to the zoning by-law, the ability to be serviced by a private sewage disposal system and having frontage on a public road. Both the severed parcel and retained parcel exceed the minimum of 1 hectare (2.5 acres) lot area for a waterfront property, the minimum of 91 metres (300 feet) of water frontage, and the minimum of 76 metres (250 feet) of frontage on a public road. The severed parcel and retained parcel have shapes that provide for a satisfactory geometric design.

The severed parcel complies with the land division policies (section 7.1) of the Township of South Frontenac Official Plan.

Environmental Protection

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 and erosion.

There is also sufficient area on the severed and retained parcel for development to occur outside the minimum 30 metre setback from the highwater mark of the lake as required by section 5.2 of the Official Plan and by Zoning By-law No. 2003-75.

When a dwelling is constructed on a residential property, it is important that the lot be graded properly to ensure that surface drainage is directed away from the buildings so that water flow will not cause flooding or damage to foundations and such that it does not adversely affect the neighbouring properties or natural heritage features and waterbodies. It is also important that runoff from buildings and hard surfaces be controlled in such a way to not cause soil erosion nor negatively impact lake water quality. The recommended condition of a development agreement will require a lot grading and drainage plan which will need to be prepared by a Professional Engineer or Ontario Land Surveyor for the proposed lot at the building permit stage.

Notice/Consultation

Notice of the Revised Application was given pursuant to the requirements of the Planning Act, at least 14 days before the application was 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

Recommendation

It is recommended that application S-15-19-S be approved for consent to sever one new waterfront residential lot located at Part Lot 24, Concession 11, District of Storrington, Township of South Frontenac, 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-15-19-S shall be for the creation of one waterfront residential lot that has 2.7 hectares (6.7 acres) of land with a minimum of 76 metres (250 feet) of road frontage on Burnt Hills Road and a minimum of 91 metres (300 feet) of waterfrontage on Cranesnest Lake.

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 and water, 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 Burnt Hills Road to be 20 metres (66 feet). If such width is less than 20 metres (66 feet) respectively, the owner shall dedicate to the Township land along the frontage of the severed lands as the case may be in the following manner:

    - The land to be dedicated shall be the width required to provide 10 metres (33 feet) from the centre of the existing travelled road for Burnt Hills Road;

    - The lands to be dedicated shall be described as a separate part(s) 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;

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

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

    - The Transfer/Deed for the lands to be dedicated shall be registered by the Owner at the Owner's expense;

    - The duplicate registered Transfer/Deed for the lands 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 lands 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 5% of the value of the parcel to be severed through Consent Application S-15-19-S, 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-15-19-S.

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.

10. The applicant shall enter into a Development Agreement with the Township to be registered on title to the severed parcel to address the development of the lot including:

    - Notification that a lot grading and drainage plan shall be submitted prior to the issuance of a building permit
    - Notification that an entrance permit is required for a driveway

Zoning

11. 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.

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, 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	$97.00	$1,056.00
4+ Variances	$1,316.00	$97.00	$1,413.00
After building without a permit	$2,010.00	$97.00	$2,107.00

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 *Minor Variance Only* *Minor Variance WITH Performance Review* *Minor Variance in combination with a new Class 2, 3, 4, or 5 sewage system other than a Class A system*	$463.00 $720.00 $1,183.00
Cataraqui Region Conservation Authority	$420.00
Quinte Conservation Authority	$344.00
Rideau Valley Conservation Authority	$390.00

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

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).

PROPOSED GARAGE.!
- NO ~~BATH~~ Rm.
- ~~NO~~ LIVING SPACE.
- INCREASE IN HEIGHT. IS TO MAKE IT ESTECITLY PLEASEING WITH HOUSE AND TO CREATE ~~EXTRA~~ STORAGE. SPACE

Date Received: _____ File No: _____

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

1. Name of Owner(s): TODD SHEA

Full Mailing Address of Owner(s): _____

_____

Phone number of Owner(s): [redacted]

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: BRUCE ANDREWS.

Full Mailing Address of Authorized Agent: [redacted]

Phone number of Authorized Agent: [redacted]

Email Address of Authorized Agent: [redacted]

[redacted] ehalf of the owners for purposes of

X

3. The description of the subject land:

District: ☐ Bedford ☐ Portland ☐ Loughborough ☒ Storrington

Concession Number: _____ Lot Number: 1

Street Number: 13 Name of Road/Street: FAWN BROOK DRIVE

Reference Plan Number: 13m-27 Part Number(s): _____

Roll Number: _____

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

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

Frontage (on water): _____ Frontage (on road/lane): 78 m

Depth: 69.95 m. Area: 5456.1 Sq m.

5. The current zoning of the subject land:

_____

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

INCREASE THE HEIGHT of STRUCTURE

_____

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

STRUCTURE TO HIGH. 22.7'

_____

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

Name of Road/Lane:

FAWN BROOK DRIVE

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

_____

_____

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

RESIDENTIAL.

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

☒ Yes ☐ No

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

TWO STORAGE SHEDS WHICH WILL BE REMOVED. 4

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 + ATTACHED. GARAGE	(2)	(3)	(4)
Setback from Front Lot Line	93'			
Setback from Rear Lot Line	99'			
Setback from Side Lot Line	60'			
Height of Building (Also indicate if it is one story or two story)	TWO STORY. 30' HIGH.			
Dimensions of Floor Area	36' x 62'.			
Setback from High Water Mark (If applicable)				

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) GARAGE	(2)	(3)	(4)
Setback from Front Lot Line	129 FT.			
Setback from Rear Lot Line	99 FT.			
Setback from Side Lot Line	24 FT.			
Height of Building (Also indicate if it is one story or two story)	22.7 FT. 1 STOREY. WITH LOFT.			
Outside Dimensions of Building/Structure	24' x 36'			
Setback from High Water Mark (If applicable)				

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~~ (BA.)

If yes, please provide details:

2 SHEDS TO BE REMOVED.

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:

2016

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

1999.

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

21 YRS.

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

PRIVATE WELL.

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

PRIVATE SEWAGE SYSTEM.

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

YES SWALES.

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

☐ 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.

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

☐ Yes ☒ No

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

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

i) THE SKETCH **MUST** HAVE A NORTH ARROW AT THE TOP OF THE PAGE.

ii) The boundaries and dimensions of the subject land including the location of any existing and proposed buildings.

iii) The location of a reference point..... i.e. distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing.

iv) The location of all abutting (neighbours') lands.

v) The approximate location of all natural and artificial features on the subject land and on the land that is adjacent to the subject land. Examples include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, barns, wetlands, wooded areas, wells and septic tanks. Show distance of these features from the applicant's property lines.

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

AGREEMENT TO INDEMNIFY

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

AGREEMENT TO INDEMNIFY

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

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

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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 29. DAY OF March, 2022.

I, Bruce Andrews. OF Kingston.

solemnly declare that all the statements contained in this application are true and I make this solemn

[redacted]

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.**

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   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.
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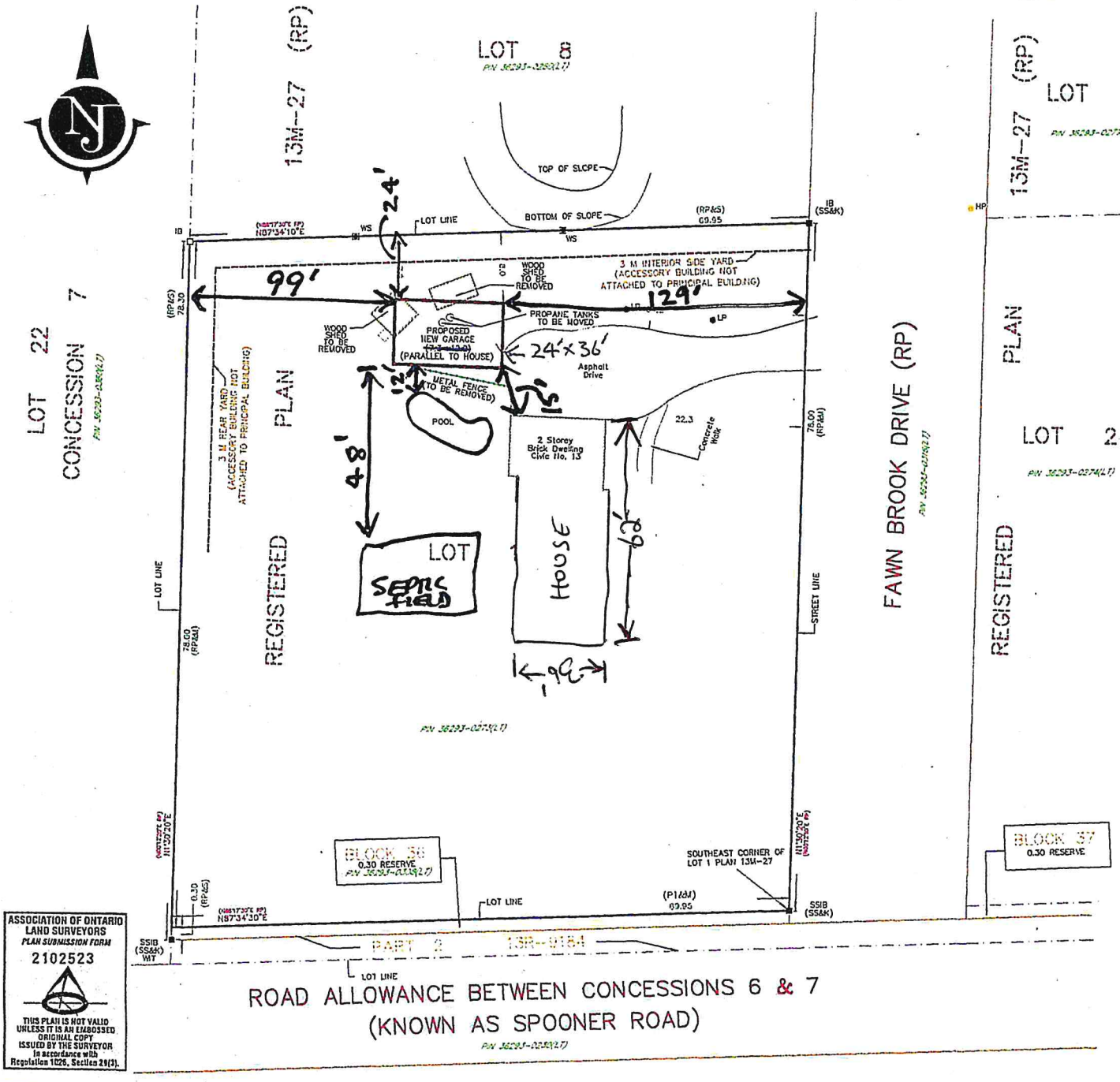

ASSOCIATION OF ONTARIO LAND SURVEYORS
PLAN SUBMISSION FORM
2102523

THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR in accordance with Regulation 1026, Section 29(3).

PLAN OF SURVEY
OF LOT 1
REGISTERED PLAN 13M-27
CITY OF KINGSTON
(GEOGRAPHIC TOWNSHIP OF KINGSTON)
(FROMERLY TOWNSHIP OF STORRINGTON)
COUNTY OF FRONTENAC

SCALE: 1 : 300

5m 0 10 20 metres

METRIC
DISTANCES & COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

LESLIE M. HIGGINSON SURVEYING Ltd.

2019

THIS REPORT WAS PREPARED FOR DAVID CUPIDO & THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES

SURVEYOR'S CERTIFICATE:

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 20TH DAY OF SEPTEMBER, 2019.

LESLIE M. HIGGINSON SURVEYING Ltd.
ONTARIO LAND SURVEYOR
KINGSTON, ONTARIO

OCTOBER 2, 2019
DATE

LESLIE M. HIGGINSON
ONTARIO LAND SURVEYOR

NOTE & LEGEND:

BEARINGS SHOWN HEREON ARE GRID BEARINGS DERIVED FROM GPS OBSERVATIONS USING REAL TIME NETWORK(RTN) BASE AND ROVER BASELINES AND ARE RELATED TO UTM ZONE 18, (75° WEST LONGITUDE) NAD83 (CSRS) (2010.0).

COMPARISONS SHOWN IN BRACKETS ARE TO ASTRONOMIC BEARINGS.

ALL DISTANCES SHOWN HEREON ARE HORIZONTAL GROUND DISTANCES.

GRID DISTANCES CAN BE CALCULATED BY MULTIPLYING THE GROUND DISTANCES SHOWN ON THE PLAN BY THE COMBINED SCALE FACTOR OF 0.999770.

	DENOTES	
□	-	SURVEY MONUMENT PLANTED
■	-	SURVEY MONUMENT FOUND
SSIB	-	SHORT STANDARD IRON BAR
IB	-	IRON BAR
WIT	-	WITNESS
S	-	SET
M	-	MEASURED
LP	-	LIGHT POLE
WS	-	WOODEN STAKE
HP	-	HYDRO POLE
RP	-	REGISTERED PLAN 13M-27

BLOCK 36 & 37 ARE EXAGGERATED IN WIDTH FOR DRAFTING CLARITY

NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF LESLIE M. HIGGINSON SURVEYING Ltd..

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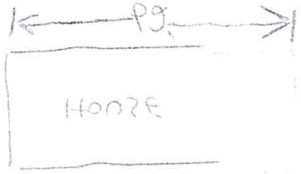
LESLIE M. HIGGINSON SURVEYING Ltd.
LESLIE M. HIGGINSON O.L.S. 2019

"THIS IS NOT AN ORIGINAL COPY UNLESS EMBOSSED WITH A SEAL"

OCTOBER 2, 2019

LESLIE M. HIGGINSON SURVEYING Ltd.
1064 GARDINERS ROAD
KINGSTON, ONTARIO K7P 1R7
(613) 389-7886 (FAX)389-5578 or leslie@mhiggin son.com

FILE: ST'N 13M-27, 1 | LMH1648GNDC POS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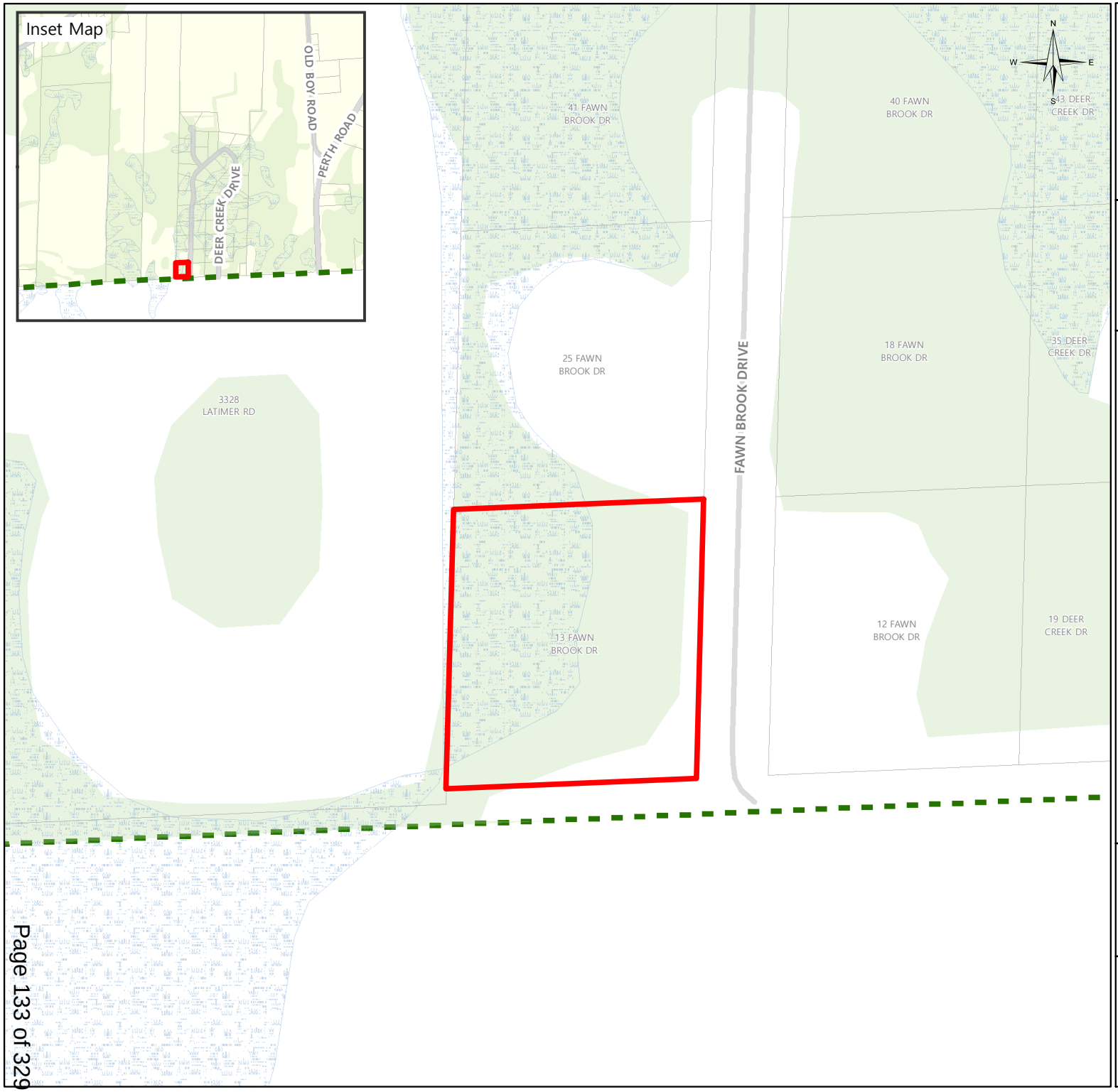

SOUTH FRONTENAC

PL-ZNA-2022-0020 (SHEA) (ANDREWS)

13 FAWN BROOK DRIVE

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 1:1,500

0 12.5 25 50

Meters

UTM Zone 18 NAD 83

Date: 2022-02-16

Township of South Frontenac

Staff Report

To:	Committee of Adjustment
Prepared by:	Development Services Department
Date of Meeting:	May 12, 2022
Subject:	**Minor Variance Application (S. 45(1) of the Planning Act) PL-ZNA-2022-0020 – Shea & Andrews, 13 Fawn Brook Drive, District of Storrington**

Summary

This application is a request for zoning relief for building height to allow a detached garage to be 6.9 metres in height whereas 6 metres is otherwise permitted. 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: Property specific Residential zone (R-6)

Zoning Relief Requested

Section 12.3.2 – Relief for an increase of 0.9 metres from the 6 metre maximum building height for accessory buildings to permit a 6.9 metre height for a detached garage.

Discussion/Analysis

Property Description

The subject property is located at 13 Fawn Brook Drive, at the intersection of Fawn Brook Drive and Spooner Road, in the Deer Creek subdivision. The property has an area of approximately 0.54 hectares (1.35 acres). The property is flat and consists of manicured lawn. The property is developed with an existing dwelling, two accessory structures (sheds), and a pool. The surrounding lots in the subdivision are developed with similar residential uses and accessory uses. The pool is located to the west of the dwelling and to the south of the proposed location for the garage. The sewage system is located to the west of the dwelling and to the south of the pool.

Summary of Proposal

The owner is proposing to construct a 7.31 metres x 11 metres (24 feet x 36 feet) detached garage with a height of 6.9 metres (22.7 feet). The garage is proposed to be a one storey plus loft.

The garage would be located to the north of the single detached dwelling on an existing gravel pad at the end of the existing driveway. It will be in the area of the existing sheds that are proposed to be demolished.

The garage will be setback 7 metres from the north property line, 39 metres from Fawn Brook Drive and 30 metres from the rear lot line. It will be located 4.5 metres from the dwelling.

The additional height is requested to have additional space for storage.

Department and Agency Comments

This application did not meet the criteria for circulation to any departments nor agencies.

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. 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 detached garage is an accessory use consistent with the permitted residential use of the property within the Rural designation. The variance is consistent with the general intent and purpose of the Official Plan.

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

The property is zoned a property specific Residential zone (R-6) which requires that no building or structure including septic systems shall be located within 15 metres of a natural

or engineered storm water drainage course nor within 15 metres of the rear lot line. The proposed detached garage meets these criteria because it is not located near an engineered storm water drainage course and is located more than 15 metres of the rear lot line.

The proposed detached garage is a permitted use on the subject property. The detached garage is located a suitable distance from property lines, exceeding the setback requirements for an accessory structure in the Residential zone. The garage will be setback 7 metres from the northern property line, whereas a minimum of 3 metres is required. Lot coverage is not exceeded with the addition of a detached garage to the property. The increase in height of 0.9 metres is reasonable for the proposed building to allow for additional storage. 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 variance for the proposed detached garage is desirable as it allows for the enclosed storage of vehicles, boats and surplus furniture which should help keep the property in a neat and safe condition. The detached garage will replace two existing sheds on the property. The owner intends for the building to complement the proposed dwelling in design and finish.

The requested height variance would not substantially increase the way that the building is used, which would be used for storage only.

Is the variance minor?

The proposed location and orientation of the garage is practical given the physical characteristics of the property. The proposed location for the detached garage is to the north of the single detached dwelling. It will be located on an existing gravel pad, at the end of an existing driveway, in one of two areas on the property that is currently used for parking.

There are several properties in the surrounding subdivision that have similar style garages to complement the dwelling. The proposed development will be compatible with existing built form in the neighbourhood with respect to size, setbacks and will not be detrimental to the streetscape or character of the neighbourhood.

The garage is not anticipated to have any adverse impacts on the residential property to the north, as it is separated from that house by more than 30 metres distance, and is screened by existing trees along the property line. The garage will not be taller than the dwelling, so a visual impact when viewed from the road is not anticipated.
The proposed detached garage is compatible with the surrounding neighbourhood and the increase in height will not negatively impact neighbouring properties. The increase in height

is minimal for the proposed development. The variance to increase height from 6 metres to 6.9 metres is minor.

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** minor variance application PL-ZNA-2022-0020 for 13 Fawn Brook Drive subject to the following conditions.

1. The Minor Variance is for one detached garage. The structure is permitted to have a maximum height of 6.9 metres as per the drawings received on March 30, 2022 and submitted with PL-ZNA-2022-0020, attached to the Decision as Schedule "A".

2. A building permit is required for ALL construction and demolition 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.

3. Minor variance PL-ZNA-2022-0020 is applicable only to Zoning By-law No. 2003-75 and not to any subsequent zoning by-laws.

Report Prepared By:
Anne 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): [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: 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

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

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

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.

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.

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.

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

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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.

[redacted]

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

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8) Roads: Municipally maintained roads are looked after by the Township; private roads are lanes that residents maintain themselves (not private driveways, but lanes that provide access to your property and that are generally shared with others).

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

10) Existing Uses: e.g. residential, retail business, vacant recreational land

11) Buildings: If there are **ANY** buildings or structures on the property now, the answer to this question is "yes".

12) Description of buildings and structures: You must complete all sections of this question for each structure on your property. **If there is a deck on your dwelling, please describe it separately from the residence.**

13) Proposed Uses: Generally, the answer to this question will be the same as the answer to #10, but if, for example, the land is currently vacant, and you are planning to construct a dwelling, then the use to be described in section 10 would be "vacant recreational land", and the use described in section 13 would be "residential"

14) Proposed structures: If you are planning to build **ANYTHING** on the property, the answer to this question is "yes" – This includes additions, decks, garages, septic systems.

15) Description of new construction: **ALL** proposed new development must be described here. If you are proposing to construct an addition to a dwelling, and to add a deck, please show this information in separate columns.

16) **Demolition: All demolition requires a permit from the building department.** In some instances, a proposed addition or increase in height cannot be accomplished without the removal of existing walls. If this is not made clear to the Committee at the beginning of the process, you may find that, although you are granted permission to add on to your residence, you can't actually do it because you have not made it clear that there is demolition involved.

17)Raising of Structure: In other words, are you proposing to raise the building in order to construct a basement under it.

18)Uses of Development: Please answer each part of this question. An increase in living space would include anything with walls – e.g. a screened porch would involve an increase in living space.

19)Date land acquired: When did you take possession of the property?

20)Date of existing buildings: If you are not sure, provide your best estimate.

21) Length of existing uses: For example, has the land been used for residential purposes for 30 years, or 18 months?

22) Water supply: in most cases the answer will be private well, but some waterfront properties take their water from a lake.

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

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.

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

0 1 2 3 4 5 10 15m

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ASSOCIATION OF ONTARIO LAND SURVEYORS
PLAN SUBMISSION FORM
2175411

THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR
In accordance with Regulation 1026, Section 29(3).

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

BOB'S LAKE

CURRENT HIGH WATER MARK- SEPTEMBER 16, 2021

(N045°08'09"E P1)
N 45°01'52" E
32.004
165.08

IB (981)
0+000

0+8.6

BOLT WITH CAP (OU)

6.6

4.4±

6.2±

56.590 (56.638 P1)

60.073

PIN 36239 - 0172 (LT)

PART 18

PLAN 13 R 167

LOT 34
CONCESSION 7

30.53 m

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

9.57 m

PS PATIO

STEEP SLOPE

Shed to be demolished after main building completion

VINYL SHED

CONCRETE BLOCK RETAINING WALL

64.6±

W/S

30 METER SETBACK FROM CURRENT HIGH WATER MARK

FRAME DECK AND STEPS

1 STOREY VINYL DWELLING #73

264.95 sq m

11.66

4.14

12.41

3.08

15.16

SITE BENCHMARK: NAIL IN TREE ELEV: 180.92m

PIN 36239 - 0171 (LT)

PART 17

PLAN 13 R 167

Approximate location of Neighbours septic

APPROXIMATE SEPTIC AREA

SEPTIC TANK

New Septic location

GRAVEL PARKING

Proposed new well location

EMPTY LOT

PART 19

PLAN 13 R 167

PIN 36239 - 0173 (LT)

Neighbours well on opposite side of property.

GRAVEL DRIVE

O/H HYDRO LINES

18.56

N 46°06'30" W

N 45°51'51" W

SIB (981) ORP-1

(29.718 P1)
29.764
N 51°18'09" E (REFERENCE BEARING)

SSIB (981)

(32.004 P1)
31.970

61.734

10'-0"

SSIB (981) ORP-2

PIN 36239 - 0182 (LT)

O/H HYDRO LINE

POLE

PART "A"
PLAN 13 R 167
(KNOWN AS MILL BAY LANE)

PART 38

PART 37
PLAN 13 R 167

PART 36

Legend:

- Stone Patio
- New Building Footprint
- Demo Existing

GRID NORTH

SURVEY INTEGRATION NOTES:

1. 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.
2. COORDINATES HAVE BEEN DIRECTLY OBSERVED USING GPS;
   - REAL TIME NETWORK (RTN) COORDINATES FROM TOPCON NETWORK
3. 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:

1. 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).
2. DISTANCES AND COORDINATES ILLUSTRATED ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
3. THE HIGH WATER MARK IS CONTROLLED BY A DAM AT THE OUTLET OF BOB'S LAKE

SITE BENCHMARK

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

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

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

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

OCTOBER 26, 2021.

W. B. COLLETT
ONTARIO LAND SURVEYOR

ENGINEERING + SURVEYING
SUITE #205, 51 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	PTY. CH.	DRN. BY	FILE NO.
J.Mc.	M.S.	J.Mc.	10831 MT

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 then the existing cottage.

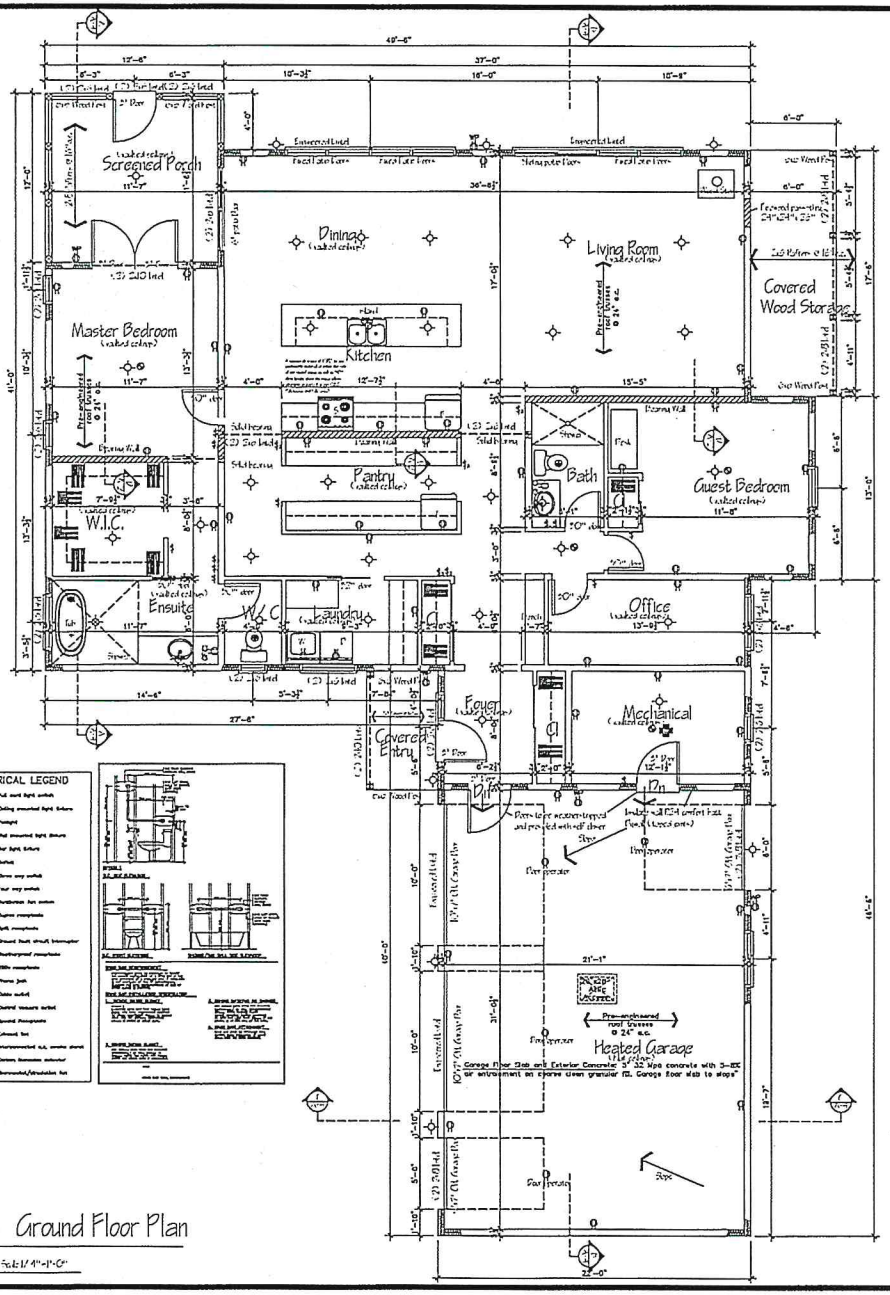
The lot to the north of the property is currently vacant and they are in the design phase for their future cottage. Their current design faces away from our property and down the bay (opposite direction from our build) and views will not be affected.

Local builder RK Porter is our contractor of choice.

Best Regards,

A. Klassen. Chmenard

Andrew Klassen and Chantal Menard



Ground Floor Plan

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

ELECTRICAL LEGEND

- Pull cord light switch
- Ceiling mounted light fixture
- Pendant
- Wall mounted light fixture
- Bar light fixture
- 1 Switch
- 2 Three way switch
- 3 Four way switch
- Combination fan switch
- Duplex receptacle
- Split receptacle
- Ground fault circuit interrupter
- Weatherproof receptacle
- 220v receptacle
- Phone jack
- Cable outlet
- Central vacuum outlet
- Ground Receptacle
- Exhaust fan
- Interconnected s.d. smoke alarm
- Carbon Monoxide detector
- Thermostat/Ventilation fan

Windows: All windows to conform to the requirements of CAN3-A440 "Windows". Windows located within 6'0" of adjacent ground level to conform to the requirements for resistance to forced entry as described in clause 10.13 of the above standard.

All water closets to have a maximum flush cycle of 4.8 litres (1.28 gallons), as per Table 7.6.4.2.B.

Resistance to Forced Entry: Insulated doors with deadbolts and blocking in accordance with O.B.C. 9.6.8. Unglazed doors without sidelights are to be provided with a door viewer. Doors between garage and dwelling to be fitted with a self closer.

Roof Ventilation: Roof ventilation to be split evenly between slotted soffits at eaves level and roof vents at ridge level. Total unobstructed vent area to be equal to min. 1/300 in insulated ceiling area. Min. 1 roof vent per 200 sq.ft. (24.71 sq.m.) of insulated roof space.

Sill Plate: 2" x 6" sill plate on proprietary sill gasket bolted down to wall with 1/2" anchor bolts @ max. 7'10" o.c.

Air Barrier: All air barriers to be continuous.

Intakes & Exhausts: All air intakes to be min. 15" above grade and min. 3'0" from exhaust vents. All air intakes to be labelled as such on the outside vent. All exhausts to be min. 4" above grade. Exhaust/intake vents to be goose necked externally above grade as required. Air intakes to incorporate insect screens (removable for cleaning where the mesh is less than 1/4"). Exhausts to incorporate backdraft damper at building envelope or insect screens as above.

Alarms and Detectors:
Smoke alarms to be provided on each floor level, in all bedrooms and in any hallway separating the bedrooms. Smoke alarms to be installed on or near the ceiling. All smoke alarms to be interconnected so that activation of one alarm will cause all alarms to sound. All smoke alarms to have a visual signaling component or be interconnected to a visual signaling component all smoke alarms to have a battery backup.
Carbon monoxide detectors are to be located in ceilings of rooms containing solid fuel appliances, and adjacent to each sleeping area.
CO Detectors are to be wired directly to overcurrent device with no disconnect, and wired so that activation will activate all CO Detectors.

Damp Protection: All non pressure treated wood framing supported on concrete in contact with the ground, to be separated from the concrete with polyethylene film not less than 2 mil thick.

Shower walls to have pressure balanced or thermostatically controlled mixing valves.

The maximum temperature of hot water supplied by fittings to fixtures (except to installed dishwashers or clothes washers) shall not exceed 49°C as per O.B.C. 7.8.3.1.

Egress Windows: At least one window in a floor level containing bedrooms to be openable from the inside without tools, have an openable area of at least 3.77 sq.ft. (0.35 sq.m.) and to have a sill height of 3'3" (1.00m) above floor level to comply with O.B.C. 9.7.1.2.

Fireblock: At soffits in accordance with O.B.C. 9.10.13.

Lintels: Headers over all openings throughout (sized as shown), with insulation between headers. Where lintels carry paint loads from girders or similar, lintel sizes to be confirmed by specialist.

Medicine Cabinet: All full bathrooms (i.e. those having a tub or shower) are to be provided with a medicine cabinet.

Multiple Studs: The thickness of built up wood columns should be the same as the supported structure to ensure that loads are transferred

Roof Types

R1 Main Hipped / Gable Roof / Cedar Accents
- prefinished metal fascia
- Ward-stoppers as per manufacturers recommendations
- 1/2" roof sheathing
- Exposed roof trusses @ 24" o.c., N.I.T.P.
- R20 Batt ceiling insulation (R31 Value ceiling)
- 6 mil poly vapour barrier
- 1/2" ceiling strapping @ 16" o.c.
- 1/2" drywall ceiling finish

R2 Covered Porch/ Wood Storage Ceiling Assembly
- prefinished metal fascia
- Ward-stoppers as per manufacturers recommendations
- 1/2" roof sheathing
- Rafters as per plan

Wall Types

W1 Base Exterior Wall Assembly, 1 HR

- Pre-cast ledge as per elevation
- Tack Pe barrier
- 2" rigid insulation R10
- 5" CMU wall construction
- 2" x 6" wall framing @ 16" o.c. (12" o.c. High Walls)
- R20 Batt insulation
- 6 mil poly vapour barrier
- 1/2" drywall

W2 Foundation Wall Assembly, R22 c.i.w.

- 2" rigid insulation
- 8" cast poured concrete foundation wall
- Waterproofing membrane
- Drainage layer
- Backfill

Floor Types

F1 Typical Floor Assembly
- 4" concrete slab (R10 perimeter insulation)
- 2" R10 rigid insulation
- on 6" crushed stone base

Partition Types

P1 2x6 wood stud @ 16" o.c.
- 2" thick fire separation wall at demising partitions
- 1/2" drywall on both sides

P2 1/2" drywall
- on 2" x 4" wood studs @ 16" o.c.

General Notes:

These plans were designed in accordance with the requirements of the Ontario Building Code.

Drawings must not be scaled.

Contractor shall verify and be responsible for all dimensions and minimum code requirements and shall report any discrepancy to the Owner before proceeding with any work.

Plans are copyrighted and any unlawful for use without company's express and written permission.

"These plans form the basis for permit issuance and any deviation from these plans and details, including the ventilation system, heating system, woodstoves, fireplaces, decks, balconies and finished basements, will require a revised drawing and clearance by the building inspection department".

The mechanical and electrical layout is only schematic. If items in plan cannot be placed exactly as shown, inform the Owner prior to installation.
Ventilation switch and circulation switch shall be clearly labelled as per O.B.C. regulations.

All mechanical, electrical and plumbing shall conform to the O.B.C. and all applicable codes prior to occupancy.

DESIGNER INFORMATION
I, Rod Stokes of Rod Stokes Consulting review and take responsibility for the design work, and am qualified in the appropriate categories as "Designer" under Division C Part 3 Section 3.2.4 of the Ontario Building Code.
Firm B.C.I.N.: 30482
Individual B.C.I.N.: 31134
Signed
Rod Stokes
January 25th 2022

Project North

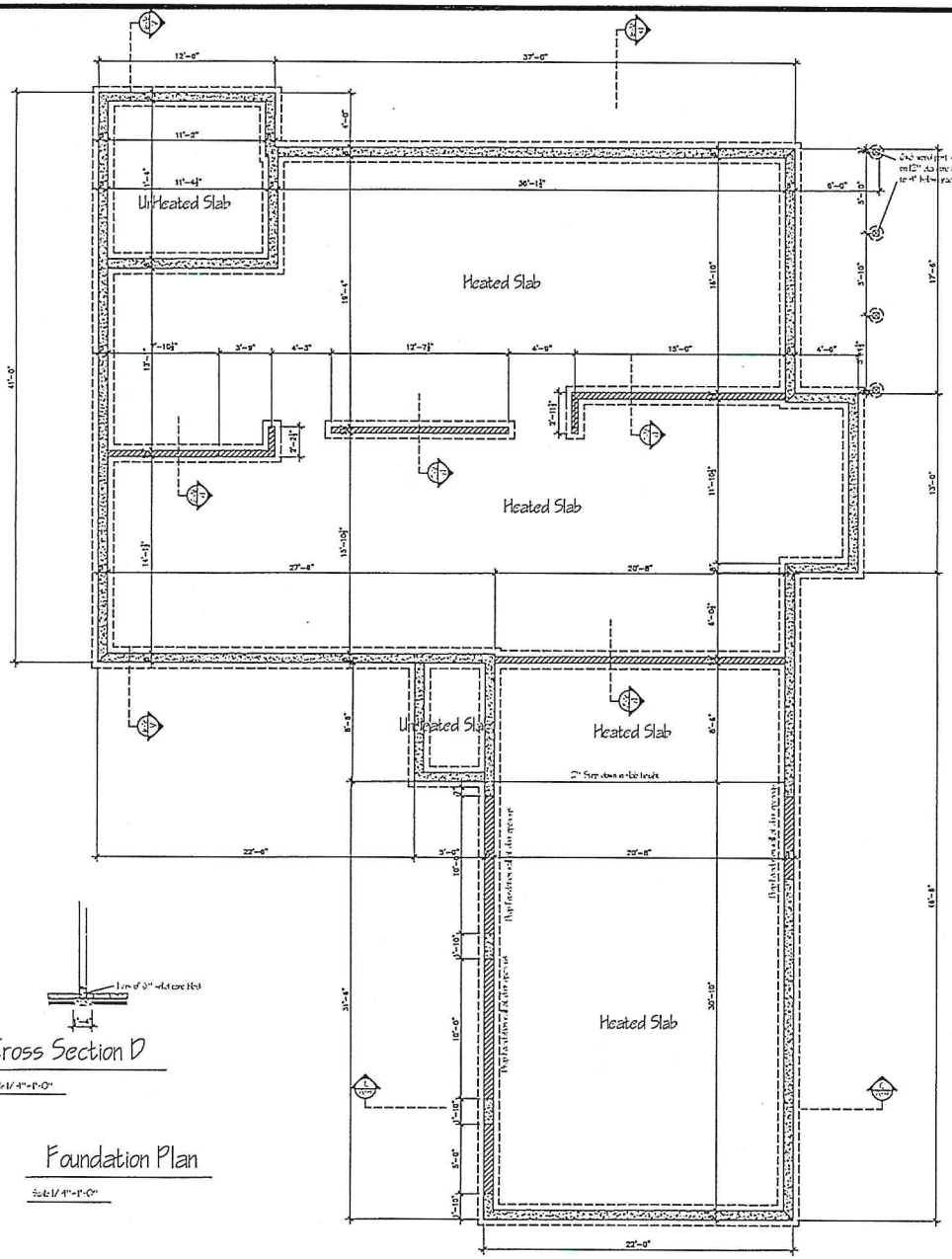
No.	Revision/Issue	Date
4		
3		
2		
1	Issued for permit	mm/dd/22

rodSTOKES CONSULTING

Drawing: Ground Floor Plan

Drawing: New Single Family Residence For A. Nasson and C. Menard
75 Mill Bay Lane, Waterdown Ont.
Township of South Frontenac

Project:
Date:
Scale: As noted
Sheet: A-1



Cross Section D

Scale 1/4"=1'-0"

Foundation Plan

Scale 1/4"=1'-0"

Roof Types

R1 Manufactured Torque Roof / Colour to match prefinished metal roofing
Wood strapping as per manufacturers recommendations
1/2" roof sheathing
Engineered roof trusses @ 24" o.c. Hybrid
R50 blown cellulose insulation / R21 Unfaced cellulose
6 mil poly vapour barrier
1x2 ceiling strapping @ 16" o.c.
1/2" drywall ceiling finish

R2 Sloped Roofs/ Roof Storage Colour to match prefinished metal roofing
Wood strapping as per manufacturers recommendations
1/2" roof sheathing
Rafters as per plan

Wall Types

W1 Wood Exterior Wall Assembly, R20

Horizontal vinyl siding as per elevation
Tyvek Air barrier
2" rigid insulation HD
8" OSB wall sheathing
2x6 wood studs @ 16" o.c. / 12" o.c. High Walls
R20 Batt insulation
6 mil poly vapour barrier
1/2" drywall

W2 Foundation Wall Assembly, R22 c.i.r.s.i.

2" rigid insulation
8" min poured concrete foundation walls
Waterproofing membrane
Drainage layer
to OBC

Floor Types

F1 Ground Floor Assembly

4" concrete floor slab (6" in garage)
2" RIC rigid insulation
on 6" granular base

Partition Types

P1 2x4 wood studs @ 16" o.c.
5/8" thick fire resistive material as planning dictates
1/2" drywall on both faces

P2 1/2" drywall
2x4 wood studs @ 16" o.c.

General Notes:

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All mechanical, electrical and plumbing shall conform to the O.B.C. and all applicable codes prior to occupancy.

DESIGNER INFORMATION
I, Rod Stokes of Rod Stokes Consulting review and take responsibility for the design work, and am qualified in the appropriate categories as "Designer" under Division C Part 3 Section 3.2.4 of the Ontario Building Code.
Firm B.C.I.N.: 38482
Individual B.C.I.N.: 31134
Signed:
Rod Stokes

Project North

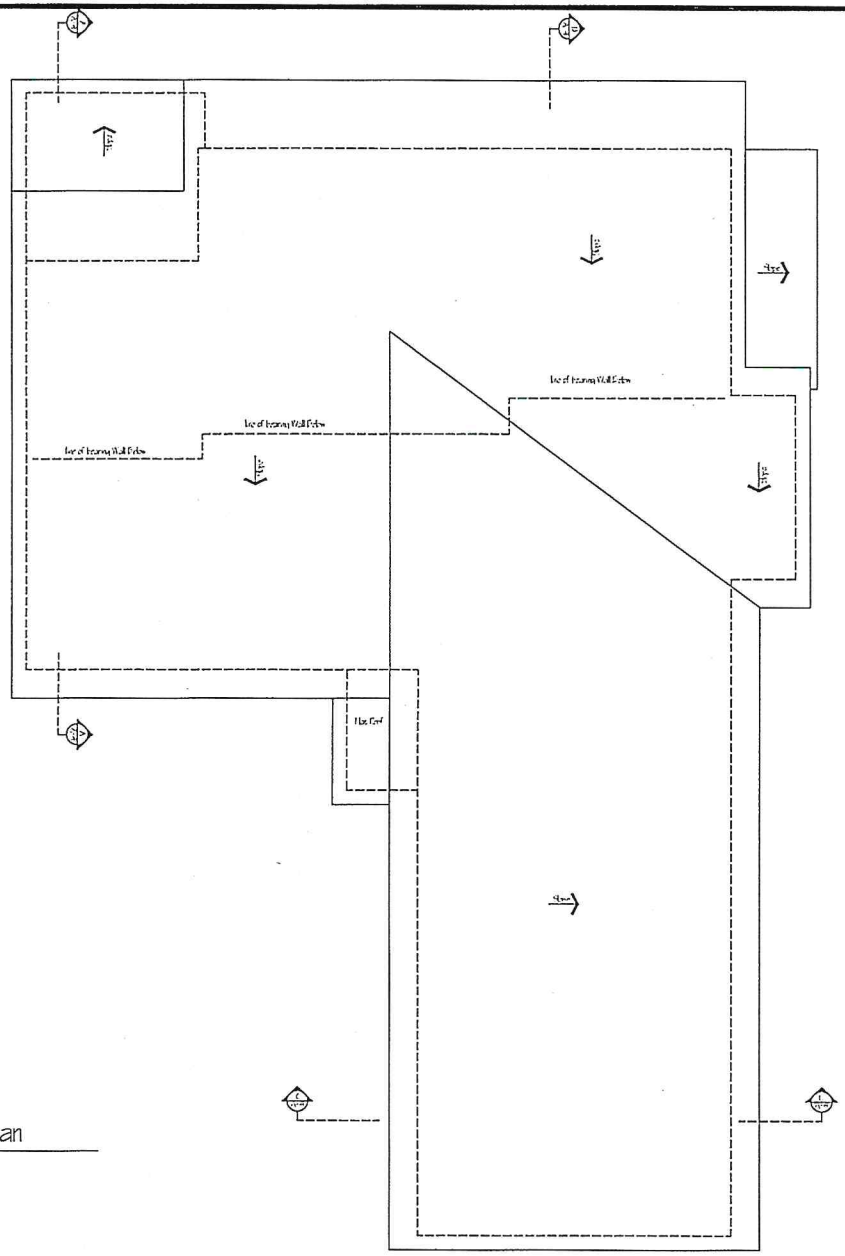
No.	Revision/Issue	Date
4		
3		
2		
1	Issued for permit	

rodSTOKES CONSULTING

Drawing: Foundation Plan

Drawing: New Single Family Residence For A. Nasson and C. Menard 75 Mill Bay Lane, Westerly Ont. Township of South Frontenac

Project:
Date:
Scale: As noted
Sheet: A-2



Roof Plan

Scale 1/4"=1'-0"

Roof Types

(R1) Steel Roof Cover Roof / Celotex with protected metal terms
Wood trusses as per manufacturers recommendations
1/2" roof sheathing
Ventilated Insulation 24"oc. Nailed
R20 Batt insulation (R31 Vaulted ceilings)
6 mil poly vapour barrier
1/2" drywall ceiling finish

(R2) Sloped Roof/ Wood Frame Celotex with protected metal terms
Wood trusses as per manufacturers recommendations
1/2" roof sheathing
Celotex as per plan

Wall Types

(W1) Above Exterior Walls with R 30

Brick veneer as per elevations
Rock Face Stone
2" rigid insulation R10
1" OSB wall sheathing
2"x6" wood studs @ 16"oc. (12"oc. Nail Walls)
R20 Batt insulation
6 mil poly vapour barrier
1/2" drywall

(W2) Foundation Walls with R20 c.i. min

2" rigid insulation
8" wide poured concrete foundation wall
Waterproofing membrane
Damp proofing
Backfill

Floor Types

(F1) Ground Floor Slab on Grade
4" min. thickness (4" to 6") min. over
2" R10 rigid insulation
min. 6" granular base

Partition Types

(P1) 2x4 wood studs @ 16"oc.
1/2" thick Gyp board on wood at plumbing areas
1/2" thick drywall both sides

(P2) 1/2" thick drywall
2x4 wood studs @ 16"oc.

General Notes:

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Firm B.C.I.N.: 38482
Individual B.C.I.N.: 31134
Signed.
Rod Stokes
January 27th 2022

Project North

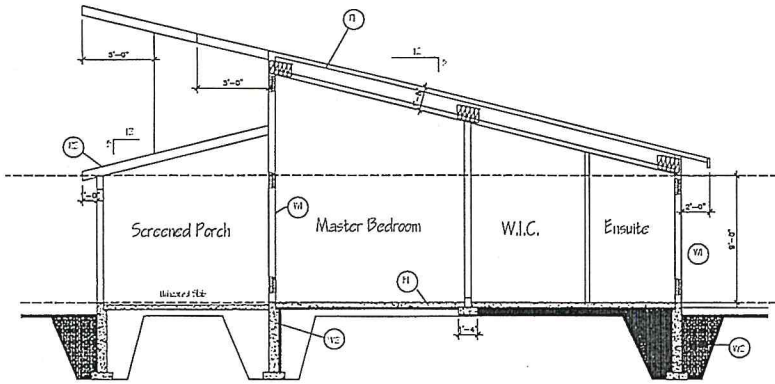
No.	Revision/Issue	Date
4		
3		
2		
1	Issued for permit	January/22

rodSTOKES CONSULTING

Drawing: Roof Plan

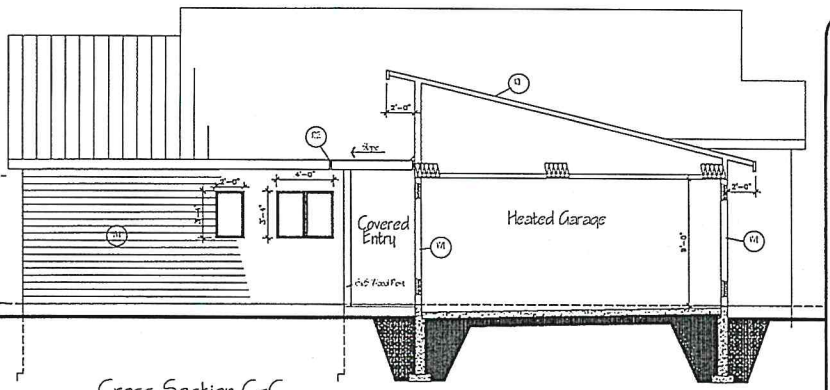
Drawing: New Single Family Residence For A. Nasson and C. Menard 73 Mill Bay Lane, Moberly Ont. Township of South Frontenac

Project	Sheet
Date	A-3
Scale: As noted	



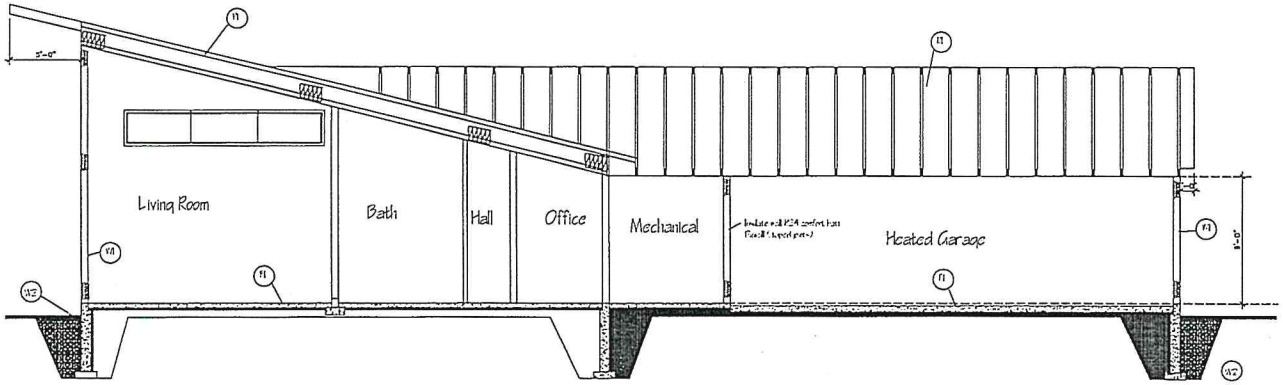
Cross Section A-A

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

(R1) Shingled Gable Roof / Cedar Accents
pre-manufactured trusses
Wood trusses as per manufacturers recommendations
1/2" roof sheathing
Ventilated roof system @ 24" o.c. Maximum
Roof Shingles as selected (CSA "Class A" rated)
6 mil poly vapour barrier
1/2 cedar strapping @ 16" o.c.
1/2" drywall ceiling finish

(R2) Screened Porch/ Wood Beams/ Cedar Accents
pre-manufactured trusses
Wood trusses as per manufacturers recommendations
1/2" roof sheathing
Rafters as per plan

Wall Types

(W1) Base Exterior Wall Assembly, R 20

Wood siding - per elevation
Tyvek air barrier
2" rigid insulation R10
2" OSB wall sheathing
2x6 wood studs @ 16" o.c. (12" o.c. max Width)
R20 Batt insulation
6 mil poly vapour barrier frame
1/2" drywall

(W2) Partition Wall Assembly, R22 o.c.
2" rigid insulation
6" wide poured concrete foundation wall
Waterproofing membrane
Drainage layer
Backfill

Floor Types

(F1) Ground floor Slab on Grade
4" concrete slab (+/-) minimum
2" R10 rigid insulation
on 6" granular base

Partition Types

(P1) 2x6 wood studs @ 16" o.c.
5/8" thick Wood shiplap material at plumbing locations
1/2" drywall on both sides

(P2) 1/2" drywall
2x4 wood studs @16" o.c.

General Notes:

These plans were designed in accordance with the requirements of the Ontario Building Code.

Drawings must not be scaled.

Contractor shall verify and be responsible for all dimensions and minimum code requirements and shall report any discrepancy to the Owner before proceeding with any work.

Plans are copyrighted and are unlawful for use without company's express and written permission.

These plans form the basis for permit issuance and any deviation from these plans and details; including the ventilation system, heating system, renovations, fireplaces, decks, balconies and finished basements, will require a revised drawing and clearance by the building inspection department.

The mechanical and electrical layout is only schematic. If items in plan cannot be placed exactly as shown, inform the Owner prior to installation.
Ventilation switch and circulation switch shall be clearly labeled as per O.B.C. regulations.

All mechanical, electrical and plumbing shall conform to the O.B.C. and all applicable codes prior to occupancy.

DESIGNER INFORMATION
I, Rod Stokes of Rod Stokes Consulting review and take responsibility for the design work, and am qualified in the appropriate categories as "Designer" under Division C Part 3 Section 3.2.4 of the Ontario Building Code.
Firm B.C.I.N.: 38482
Individual B.C.I.N.: 31134
Signed:
Rod Stokes
January 27th 2022

Project North

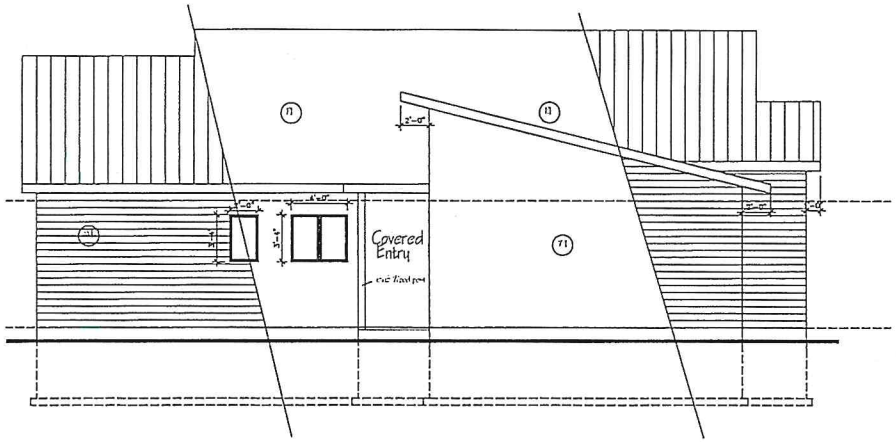
No.	Revision/Issue	Date
4		
3		
2		
1	Issued for permit	January/22

rodSTOKES CONSULTING

Drawing: Sections

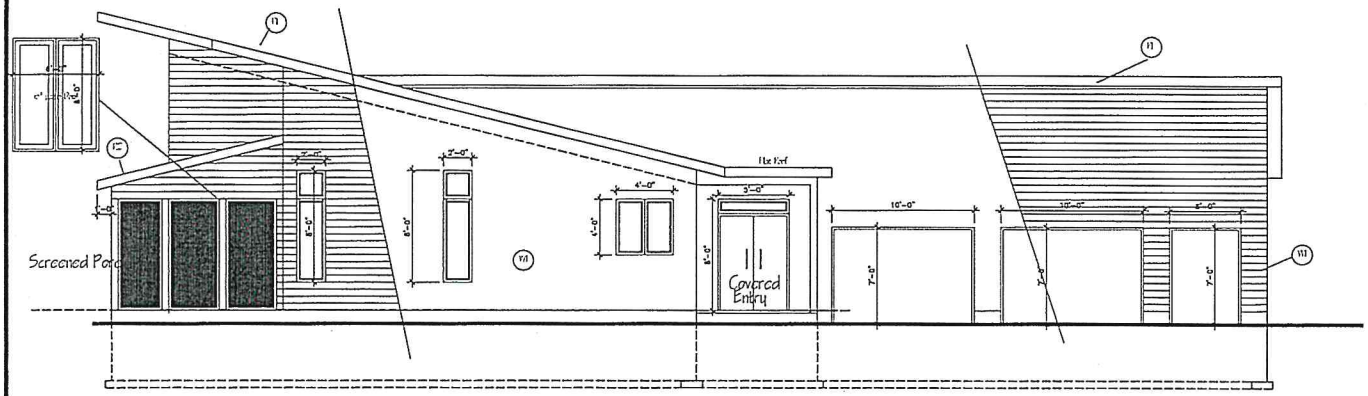
Drawing: New Single Family Residence For A. Nasson and C. Morard
75 Mill Bay Lane, Waterdown Ont.
Township of South Frontenac

Project:
Date:
Scale: As noted
Sheet: A-4



East Elevation

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



South Elevation

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

Roof Types

R1 — Asphalt shingle roof / Cedar shingle, pre-stained metal eaves
Wood trusses as per manufacturers recommendations
1/2" roof sheathing
Spaced roof boards @ 24" o.c. typical
#30 Asphalt underlay (#15 Felt underlay)
Shingles over entire
1x2 cedar nailers @ 16" o.c.
1/2" thick cedar fascia

R2 — Screened roof / Wood Shingle Cedar shingle, pre-stained metal eaves
Wood trusses as per manufacturers recommendations
1/2" roof sheathing
Rafters as per plan

Wall Types

W1 — Wood Exterior Wall Assembly, R 50

Vertical siding as per elevation
Tyvek Air barrier
2" rigid insulation R10
6" 2x6 wall framing
3/4" wood skirt @ 16" o.c. (12" o.c. High Wall)
R20 Batt insulation
6 mil polyvapour barrier
1/2" drywall

W2 — Foundation Wall Assembly, R23.8 min

2" rigid insulation
8" wide poured concrete foundation wall
Waterproofing membrane
Protection board
Backfill

Floor Types

F1 — Concrete Slab on Grade
4" min thick (6" thick at exterior)
2" R10 rigid insulation
6 mil vapour barrier

Partition Types

P1 — 2x4 wood studs @ 16" o.c.
2" thick fire separation around chimney between 1/2" drywall on both sides

P2 — 1/2" drywall
2x4 wood studs @ 12" o.c.

General Notes:

These plans were designed in accordance with the requirements of the Ontario Building Code.

Drawings must not be scaled.

Contractor shall verify and be responsible for all dimensions and minimum code requirements and shall report any discrepancy to the Owner before proceeding with any work.

Plans are copyrighted and any unlawful for use without company's express and written permission.

"These plans form the basis for permit issuance and any deviation from these plans and details, including the ventilation system, heating system, woodstoves, fireplaces, decks, balconies and finished basements, will require a revised drawing and clearance by the building inspection department".

The mechanical and electrical layout is only schematic. If items in plan cannot be placed exactly as shown, inform the Owner prior to installation.
Ventilation switch and circulation switch shall be clearly labeled as per O.B.C. regulations.

All mechanical, electrical and plumbing shall conform to the O.B.C. and all applicable codes prior to occupancy.

DESIGNER INFORMATION
I, Rod Stokes of Rod Stokes Consulting review and take responsibility for the design work, and am qualified in the appropriate categories as "Designer" under Division C Part 3 Section 3.2.4 of the Ontario Building Code.
Firm B.C.I.N.: 38482
Individual B.C.I.N.: 31134
Signed
Rod Stokes
June 25th 2022

Project North

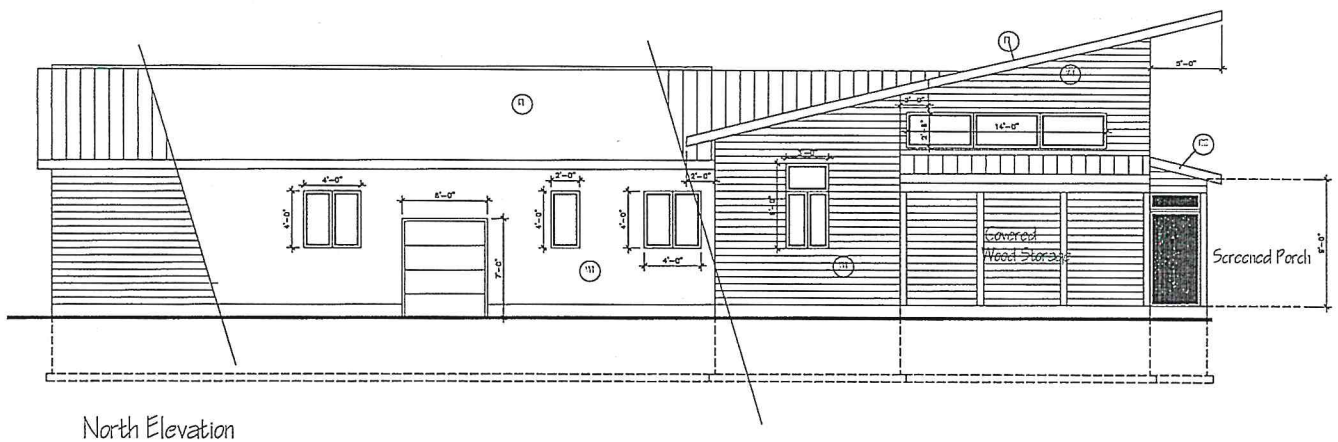
No.	Revision/Issue	Date
4		
3		
2		
1	Issued for permit	mm/dd/22

rodSTOKES CONSULTING

Drawing: Elevations

Drawing: New Single Family Residence For A. Nasson and C. Morard 73 Mill Bay Lane, Naiburn Ont. Township of South Frontenac

Project:
Date:
Scale: As noted
Sheet: A-5



North Elevation

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

West Elevation

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

Roof Types

R1 Sheathed, Gasketed / Screwdown with prefinished metal roofing
Wind strapping as per manufacturers recommendation
1/2" roof sheathing
Engineered roof trusses @ 24" o.c. Heated R50 fiberglass batts (R31 Vaulted ceiling)
6 mil poly vapour barrier
1/2" ceiling strapping @ 16" o.c.
1/2" drywall ceiling finish

R2 Screened Porch/ Wood Storage Gabled with prefinished metal roofing
Wood strapping as per manufacturers recommendation
1/2" roof sheathing
Rafters as per plan

Wall Types

W1 House Exterior Wall Assembly R20 min

Horizontal siding as per elevation
Tyvek Air barrier
7/16" rigid insulation R20
3/4" OSB wall sheathing
2x6 wood studs @ 16" o.c. (140 mm Wall)
R20 Batt insulation
6 mil poly vapour barrier
1/2" drywall

W2 Foundation Wall Assembly R20 min

8" cast concrete
8" wide poured concrete footings with
Reinforcing members
Damp proofing
Insulation
backfill

Floor Types

F1 Ground floor Slab on grade
4" concrete slab (10 cm) minimum
6" HDPE vapour barrier
min 6" granular base

Partition Types

P1 2x4 wood studs @ 16" o.c.
1/2" thick fire rated gypsum board at staircase location
1/2" drywall on both sides

P2 1/2" drywall
2x4 wood studs @ 16" o.c.

General Notes:

These plans were designed in accordance with the requirements of the Ontario Building Code.

Drawings must not be scaled.

Contractor shall verify and be responsible for all dimensions and minimum code requirements and shall report any discrepancy to the Owner before proceeding with any work.

Plans are copyrighted and are intended for use without company's express and written permission.

"These plans form the basis for permit issuance and any deviation from these plans and details including the ventilation system, heating system, woodstoves, fireplaces, decks, balconies and finished basements, will require a revised drawing and clearance by the building inspection department".

The mechanical and electrical layout is only schematic. If items in plan cannot be placed exactly as shown, inform the Owner prior to installation.
Ventilation switch and circulation switch shall be clearly labeled as per O.B.C. regulations.

All mechanical, electrical and plumbing shall conform to the O.B.C. and all applicable codes prior to occupancy.

DESIGNER INFORMATION
I, Rod Stokes of Rod Stokes Consulting review and take responsibility for the design work, and am qualified in the appropriate categories as "Designer" under Division C Part 3 Section 3.2.4 of the Ontario Building Code.
Firm B.C.I.N.: 38402
Individual B.C.I.N.: 31134
Signed
Rod Stokes
January 29th 2022

Project North

No.	Revision/Issue	Date
4		
3		
2		
1	Issued for permit	Jan/29/22

rodSTOKES CONSULTING

Drawing: Elevations

Drawing: New Single Family Residence For A. Nasson and C. Menard 75 Mill Bay Lane, Westerly Ont. Township of South Frontenac

Project	Sheet
Date	A-6
Scale: As noted	

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

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

Scale 1:600

0 5 10 20

Meters

UTM Zone 18 NAD 83

Date: 2022-03-22

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

[redacted]

File: 1639.00-101

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 MNRF). 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 or 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 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.

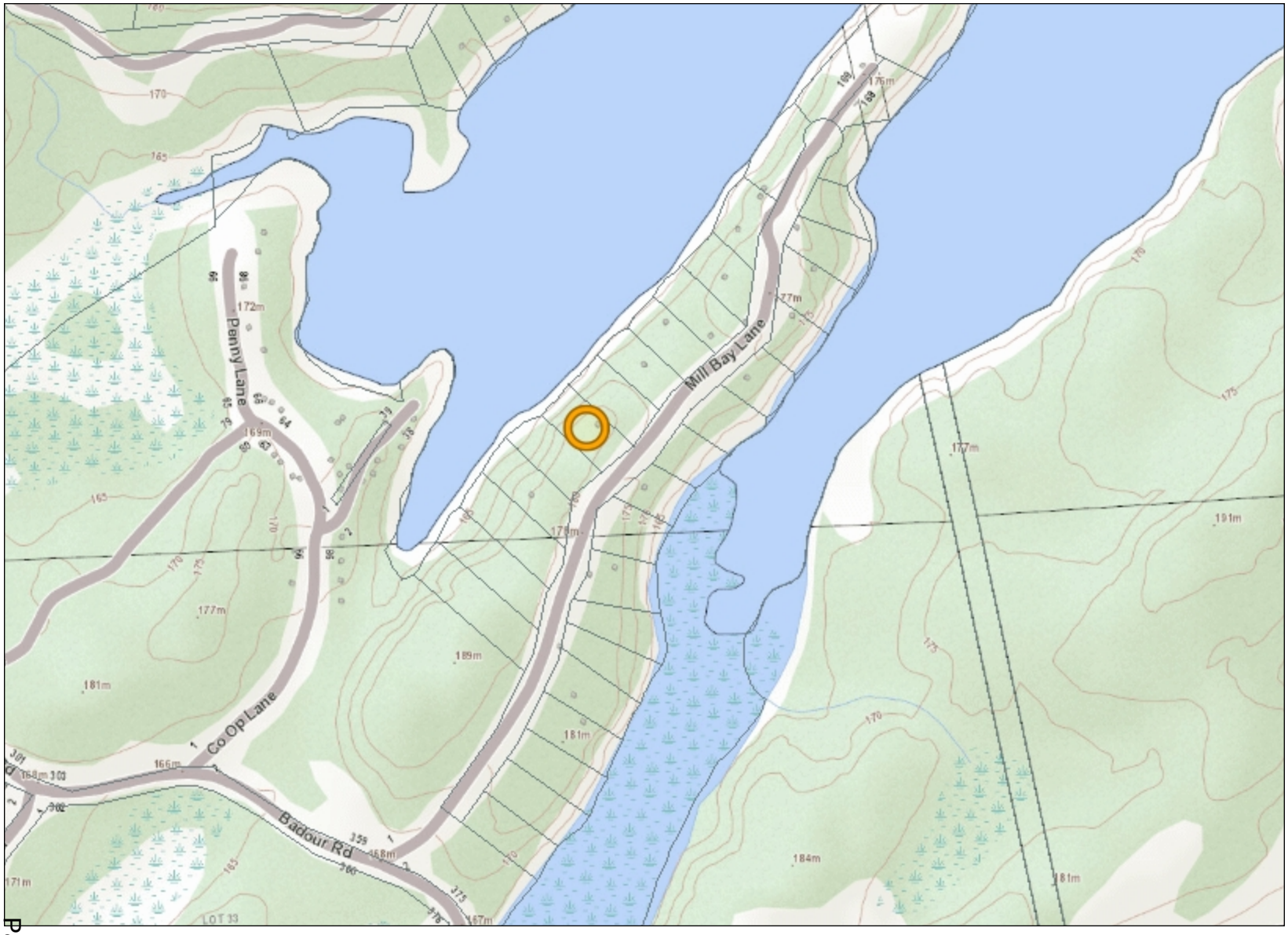
Attachment A
Figures

Ontario

MINISTRY OF NATURAL RESOURCES AND FORESTRY

Make a Topographic Map

Notes:



Legend

- Building as Symbol
- Building to Scale
- Airport
- Heliport \ Hospital Heliport
- Seaplane Base
- Ferry Route
- Trail Head \ Trail
- Railway \ Train Station
- Railway with Bridge
- Railway with Tunnel
- Road (Major → Minor)
- Winter Road
- Road with Bridge
- Road with Tunnel
- Primary, Kings or 400 Series Highway
- Secondary Highway
- Tertiary Highway
- District, County, Regional or Municipal Road
- Toll Highway
- One Way Road
- Road with Permanent Blocked Passage
- Road with Address Ranges
- Hydro Line, Communication Line or Unknown Transmission Line
- Natural Gas Pipeline, Water Pipeline or Unknown Pipeline
- Spot Height
- Index Contour
- Contour
- Wooded Area
- Wetland
- Waterbody
- Waterbody Elevation
- Watercourse
- Falls
- Rapids
- Rapids \ Falls
- Rapids
- Rocks
- Lock Gate
- Dam \ Hydro Wall
- Dam \ Hydro Wall
- Provincial \ State Boundary
- International Boundary
- Upper Tier \ District Municipal Boundary
- Lower Tier \ Single Tier Municipal Boundary
- Lot Line
- Indian Reserve
- Provincial Park
- National Park
- Conservation Reserve
- Military Lands

0.2 km

Projection: Web Mercator

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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 hardscaping
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. File No. 1639
Property Owner: Andrew Klassen Inspection Date: April 25, 2022
Inspected By: D. Hill Weather: Overcast, 8°C (+/-)

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	(16)
2. SOIL STRATIGRAPHY			
a)	Shale, Limestone, Granite (Bedrock)		(0)
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		(0)
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		(8)
5. VEGETATION COVER ON SLOPE FACE			
a)	Well vegetated; heavy shrubs or forested with mature trees		(0)
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		(2)
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		(6)
8. PREVIOUS LANDSLIDE ACTIVITY			
a)	No		(0)
b)	Yes		6

SLOPE INSTABILITY RATING VALUES INVESTIGATION RATING SUMMARY **TOTAL** 32

Attachment D
Staff CVs

DYLAN HILL, P.Eng., QP

Senior Geotechnical Engineer

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

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.

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 leveloggers 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.

Township of South Frontenac

Staff Report

To:	Committee of Adjustment
Prepared by:	Development Services Department
Date of Meeting:	May 12, 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 dwelling with an attached garage.

This report recommends that the Committee of Adjustment defer this application.

Deferral is recommended for the reasons below:

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.

Background

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 9.2 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 structure is 6.3%.

The shed is located to the south of the dwelling, 21 metres (70 feet) from the highwater mark of Bob’s Lake. It has a footprint of 8 square metres (90 square feet).

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 accessible dwelling with an attached garage on the same general footprint.

The new dwelling with detached 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. the dwelling will be setback 30 metres from the highwater mark of Bob’s Lake and 9.2 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 5.7% 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 new sewage system is 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.

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).

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.

Development Services

The proposed dwelling with attached garage would almost double lot coverage, from 6.3% to 12%. The application suggests that this is similar to the maximum 5% lot coverage

permitted for the principal building in the RLSW zone plus the 5% lot coverage permitted for accessory buildings and structures in the General Provisions.

The intent of the lot coverage provision on a waterfront property, is to regulate the scale and density of development relative to the local landscape to avoid an overdeveloped appearance of the lot, the shoreline and the neighbourhood, and to maintain appropriate green space (e.g. natural vegetation buffers). In addition, when considering lot coverage, it is important to consider the reasonable use of the property without creating a negative impact on safety. Upon reviewing this application, concerns with lot coverage were identified.

Development Services Staff encourage the applicant to revisit their application to reduce the lot coverage proposed to be more in keeping with the average lot coverage in the neighbourhood (approx. 6% not including decks).

Public Comments

One comment was received from the neighbours located at 67 Mill Bay Lane in support of the application.

Conclusion

Township Staff recommend deferral of the application:

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.

Report Prepared By:

Anne Geladi, MCIP, RPP, Planner

Reviewed By:

Christine Woods, MCIP RPP, Senior Planner

SOUTH FRONTENAC

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	$2,1055.00

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 *Minor Variance Only* *Minor Variance WITH Performance Review* *Minor Variance in combination with a new Class 2, 3, 4, or 5 sewage system other than a Class A system*	$463.00 $720.00 $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.

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): John Macdonald, Debbie Radley, Derek Webb and Jennifer Webb

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

Phone number of Owner(s): [redacted]

Email Address of Owner(s): [redacted]

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

Name of Authorized Agent: John Macdonald

Full Mailing Address of Authorized Agent: [redacted]

Phone number of Authorized Agent: [redacted]

Email Address of Authorized Agent: [redacted]

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

3. The description of the subject land:

District: ☒ Bedford ☐ Portland ☐ Loughborough ☐ Storrington

Concession Number: 11 Lot Number: 2

Street Number: 1A Name of Road/Street: Younge Lane

Reference Plan Number: See Description below Roll# Part Number(s): See Description below Roll#

Roll Number: 1029 010 040 13000 0000

Legal Description: Parts 1 and 2, Plan 13-R-8130 together with Part 1, Plan 13R-12573, Former Township of Bedford

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

Frontage (on water): Approx. 375 feet Frontage (on road/lane): None - See Question 8

Depth: Approx. 280 feet Area: 0.98 acres

5. The current zoning of the subject land:

RSLW - Limited Service Residential - Waterfront Zone

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

To reduce the minimum required setback to the highwater mark from 98.4 feet to 87.5 feet

to permit the demolition of the existing deck and construction of a new deck

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

Existing cottage is within the 98.4 foot setback. The existing deck is too narrow to allow for

~~the safe maintenance of the front of the cottage~~

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

Name of Road/Lane:

Note: Access to Younge Lane is granted via a deeded right-of-way over Plan 13R-3673

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

N/A

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

Seasonal dwelling (cottage), sleeping cabin and accessory storage sheds

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

☒ Yes ☐ No

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

Type of Structure (E.g. residence)	**(1)** 1a) Cottage 1b) Deck	**(2)** Sleeping Cabin	**(3)** 3a) Shed A 3b) Shed B	**(4)** 4a) Shed C 4b) Shed D
Setback from Front Lot Line	Cottage - 96.2' Deck - 93.4'	51.9'	Shed A - >100' Shed B - >100'	Shed C - 92.3' Shed D - 2.0'
Setback from Rear Lot Line	Cottage - 70.2" Deck - 81.7'	83.9'	Shed A - 39.0' Shed B - 28.6'	Shed C - 53.1' Shed D - >100'
Setback from Side Lot Line	Cottage - 39.2" Deck - 47.4'	127.0'	Shed A - 18.4' Shed B - 24.5'	Shed C - >100' Shed D - >100'
Height of Building (Also indicate if it is one story or two story)	Cottage - 27.5' (one storey with loft)	10.7'	Shed A - 8.5' Shed B - 7.5'	Shed C - 8.0' Shed D - 8.3'
Dimensions of Floor Area	Cottage - 1222sf Deck - 445.9sf	11.6'x12.1' irreg. 114.0 sf	Shed A - 83.5 sf Shed B - 11.6 sf	Shed C - 47.3 sf Shed D - 17.6 sf
Setback from High Water Mark (If applicable)	Cottage - 96.2' Deck - 93.4'	51.9'	Shed A - >100' Shed B - >100'	Shed C - 92.3' Shed D - 2.0'

13. The proposed uses of the subject land:

No change to existing uses: demolishing existing deck and replacing with a new deck

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:

Type of Structure (E.g. residence)	**(1)** New Deck	**(2)**	**(3)**	**(4)**
Setback from Front Lot Line	87.7'			
Setback from Rear Lot Line	80.0'			
Setback from Side Lot Line	46.9'			
Height of Building (Also indicate if it is one story or two story)	12' max from grade			
Outside Dimensions of Building/Structure	48' x 26.1' irreg 763.0 sf			
Setback from High Water Mark (If applicable)	87.7'			

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 deck to be demolished and replaced with new deck

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

If yes, please provide details:

18. What are the uses of the proposed development?

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

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

October, 2010

20. The date the existing buildings and structures were constructed on the subject lands:
Since Approximately 1976 - Previous owners indicated to us that existing sleeping cabin was constructed to accommodate owners while cottage was being built

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

46 years

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

Lake Supply

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 individual septic system

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

N/A - no storm drainage system (natural drainage)

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.

N/A

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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.

N/A

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

i) THE SKETCH **MUST** HAVE A NORTH ARROW AT THE TOP OF THE PAGE.

ii) The boundaries and dimensions of the subject land including the location of any existing and proposed buildings.

iii) The location of a reference point..... i.e. distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing.

iv) The location of all abutting (neighbours') lands.

v) The approximate location of all natural and artificial features on the subject land and on the land that is adjacent to the subject land. Examples include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, barns, wetlands, wooded areas, wells and septic tanks. Show distance of these features from the applicant's property lines.

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

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 22nd DAY OF May, 20 22

I, John Macdonald OF Kingston ON

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

[redacted]

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).

9) Parking and Docking: This question is only relevant is 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.

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.

Macdonald et al Minor Variance

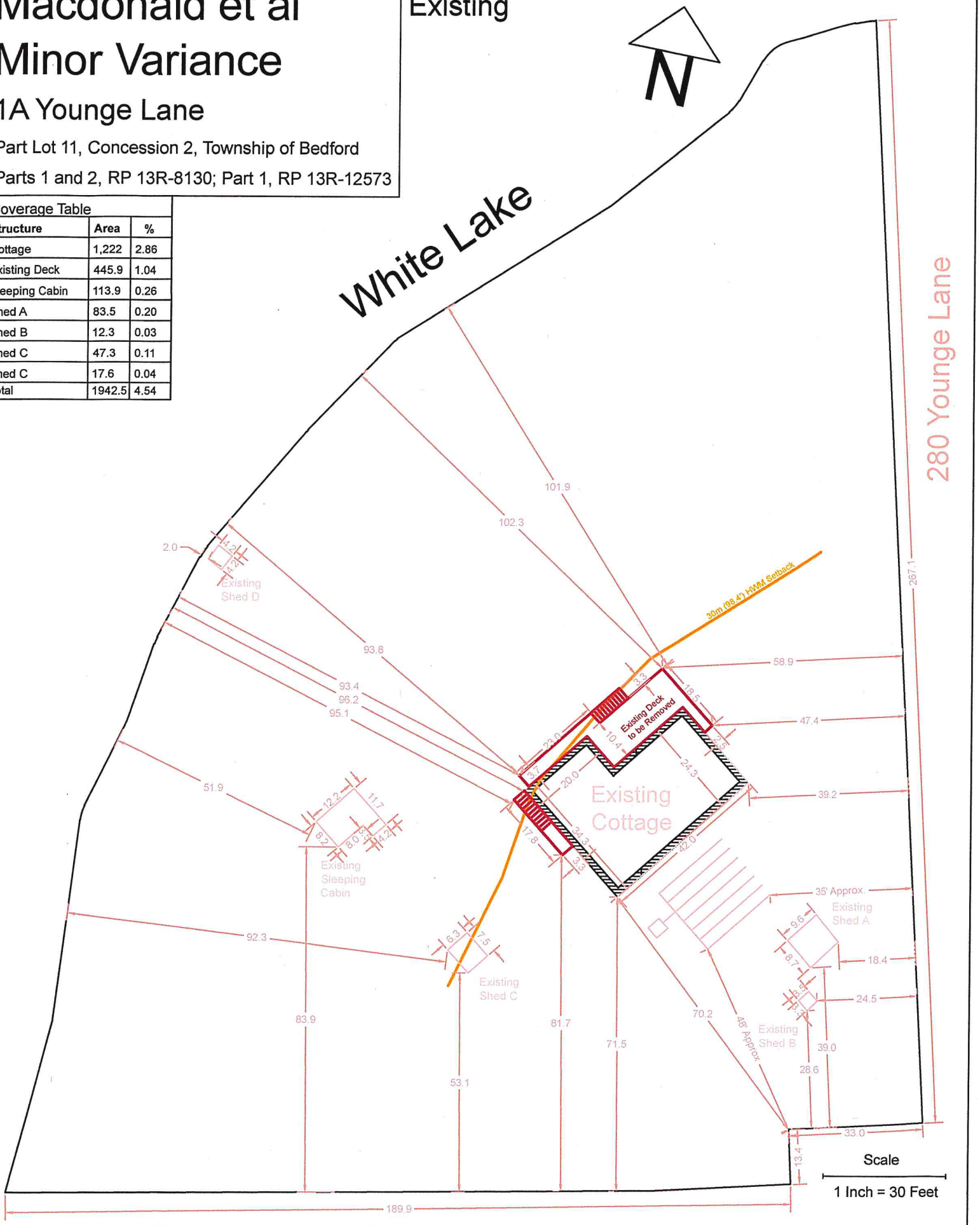
1A Younge Lane

Part Lot 11, Concession 2, Township of Bedford

Parts 1 and 2, RP 13R-8130; Part 1, RP 13R-12573

Existing

Coverage Table		
Structure	**Area**	**%**
Cottage	1,222	2.86
Existing Deck	445.9	1.04
Sleeping Cabin	113.9	0.26
Shed A	83.5	0.20
Shed B	12.3	0.03
Shed C	47.3	0.11
Shed C	17.6	0.04
Total	1942.5	4.54



Macdonald et al Minor Variance

1A Younge Lane

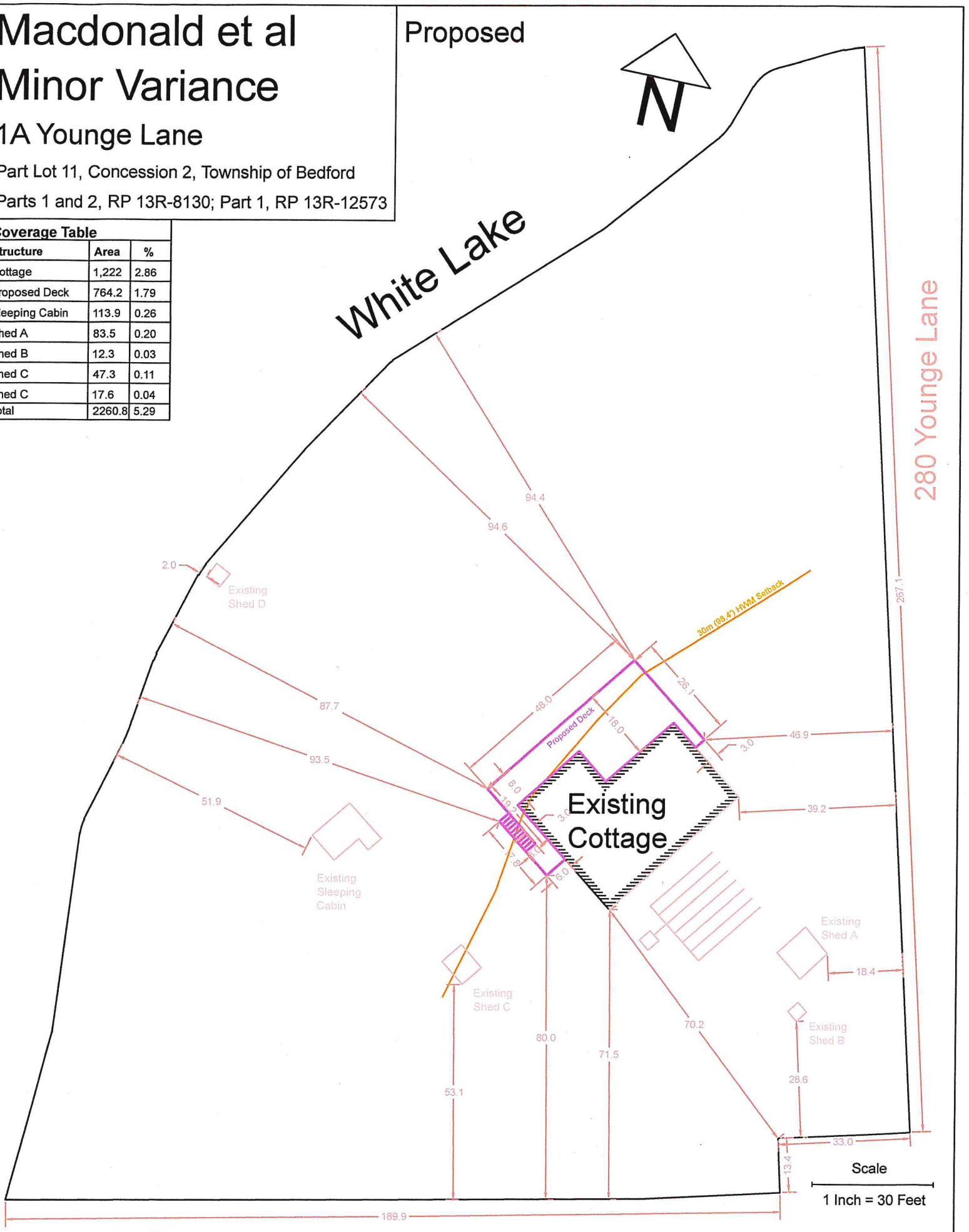
Part Lot 11, Concession 2, Township of Bedford

Parts 1 and 2, RP 13R-8130; Part 1, RP 13R-12573

Proposed

Coverage Table

Structure	Area	%
Cottage	1,222	2.86
Proposed Deck	764.2	1.79
Sleeping Cabin	113.9	0.26
Shed A	83.5	0.20
Shed B	12.3	0.03
Shed C	47.3	0.11
Shed C	17.6	0.04
Total	2260.8	5.29



March 23, 2022

Ms. Anna Geladi
Planner
Township of South Frontenac
Box 100
4432 George St
Sydenham, ON K0H 2T0
ageladi@southfrontenac.net

Dear Ms. Geladi:

PLANNING JUSTIFICATION - APPLICATION FOR MINOR VARIANCE
1A Younge Lane, Godfrey

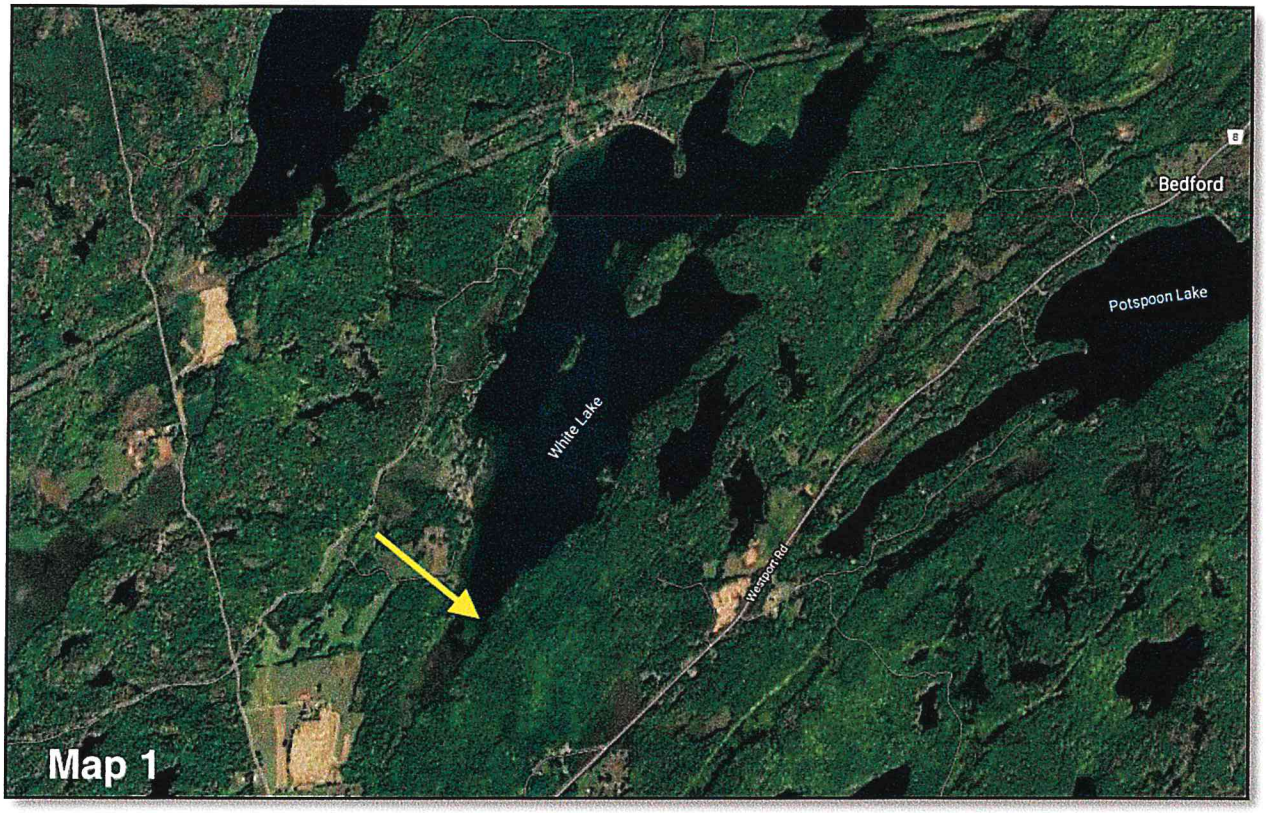
1.0 Introduction

On behalf of my co-applicants, I am pleased to submit this Planning Justification in support of an Application for Minor Variance for the lands located at 1 A Younge Lane, Godfrey, Part Lot 11, Concession 2 Former Township of Bedford, Parts 1 and 2, Plan 13R-8130 and Part 1, Plan 13R-12573.

Qualifications

I have over 20 years of experience in the land use planning field, four of which were working for municipalities as a zoning plans examiner in the City of Brampton (2 years) and then as the Planner for the Town of Gananoque (2 years). From 2005 to 2020 I was a planner with the Ministry of Municipal Affairs and Housing. On multiple occasions I have been recognized and qualified as an expert in the field of land use planning by the Ontario Municipal Board, and its successor, the Local Planning Appeals Tribunal. Working for the City of Brampton, and the Town of Gananoque, I gained experience in preparing planning reports for each municipality's respective Committee of Adjustment for Minor Variance and Land Severance applications, and to Council on other types of planning applications including Zoning Amendments, Site Plan Control Applications and Official Plan Amendments. During my time as a planner with the Ministry of Municipal Affairs and Housing, I have prepared dozens of planning reports for senior management regarding municipal official plans for lower-tier, upper-tier and single-tier municipalities. Despite not being in a planner role anymore, I am still sought after for advice from planning staff within the Ministry of Municipal Affairs and Housing when interpreting planning policy at both the provincial and municipal levels.

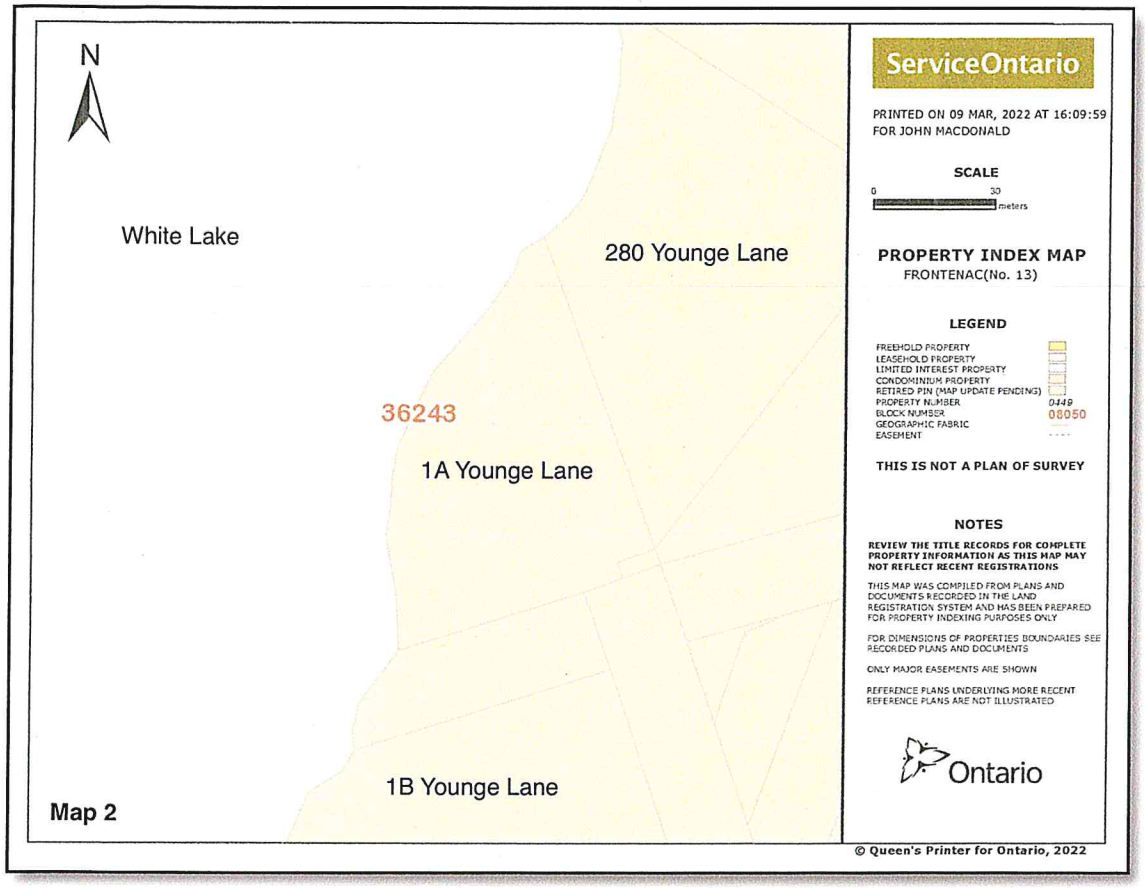
Site Description



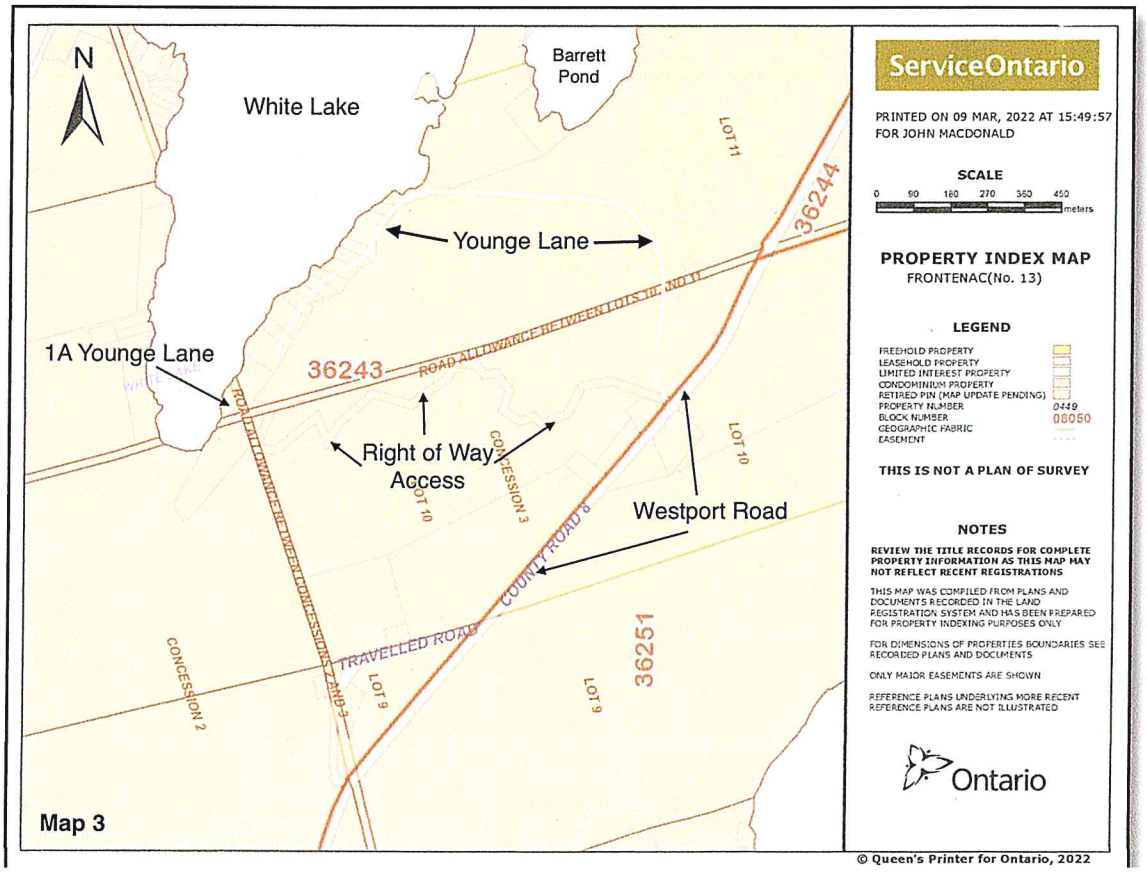
1A Younge Lane comprises approximately 0.98 acres located at the southern end of White Lake (Map 1). It is a triangular shaped lot at the northwest quadrant of the intersection of the road allowance between Lots 10 and 11 and the road allowance between Concessions 2 and 3, former Township of Bedford. Ownership of the property includes the road allowance between Concessions 2 and 3 (Map 2).

The property is adjacent to White Lake with approximately 375 feet of lake frontage to the north and west. There is a seasonal cottage on the property to the south (1B Younge Lane) and a seasonal cottage to the east (280 Younge Lane). The subject lands are currently developed with an existing single-storey-with-loft seasonal dwelling, a sleep cabin and four storage sheds (two of which are former outhouses). Water services are provided from White Lake and the property has a private septic system.

The topography of the property is in four naturally occurring “tiers”, which step down as you head west on the property. The highest tier is at the property line where the shared driveway ends and our private driveway begins. The second tier is where the current cottage is located, the existing sleeping cabin is on the third tier and the fourth tier is a narrow level area adjacent to the Lake.

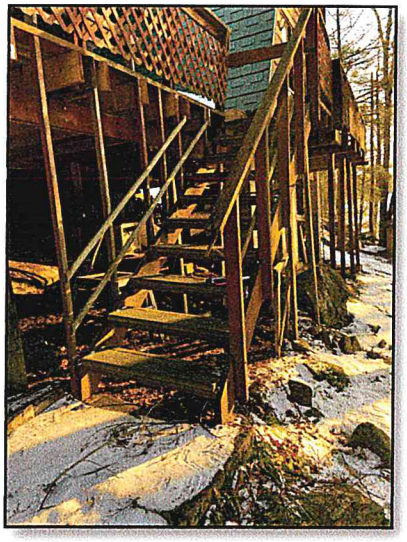


The property does not have direct access onto either a publicly maintained or private road. Access to the property is through a deeded right of way (Plan 13R-3673) along a shared driveway with the property at 1B Younge Lane. The driveway intersects with Younge Lane where it meets Godfrey Road (Map 3).

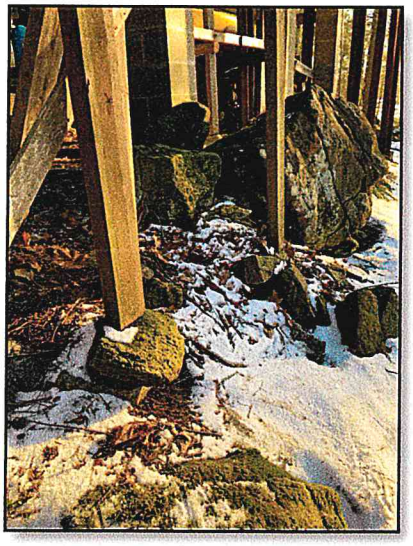


Development Proposal

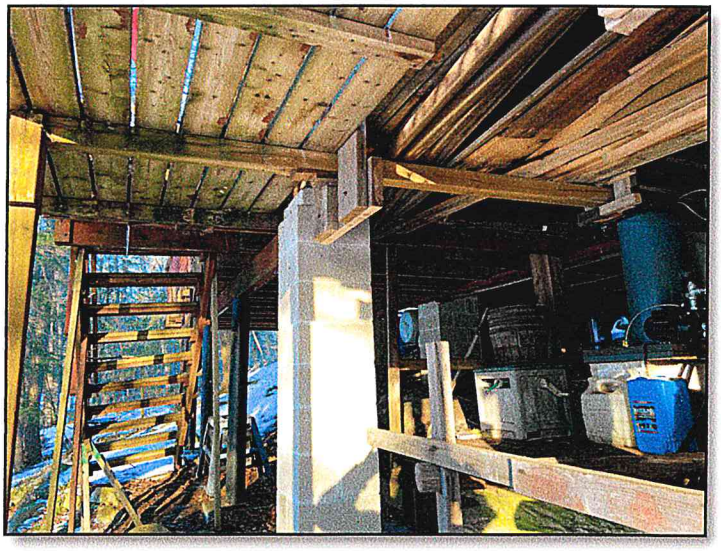
The proposed development includes the demolition of the existing deck and the construction of a new deck with a larger footprint. The primary purpose for the development is to improve safety on two fronts: 1) to improve the structural soundness of the existing deck and 2) to provide sufficient room to allow for safe maintenance to the front of the dwelling.



The existing deck is deteriorating due to its age. Portions of the existing deck are deteriorating to the point that they are no longer in use - namely the set of stairs on the north side of the deck.

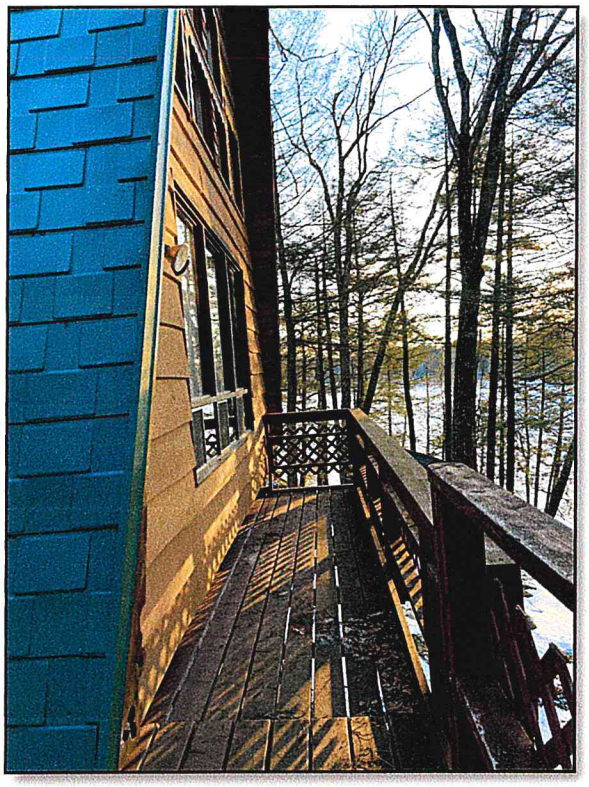


The portion of the deck closet to the water is not likely to meet current building code standards, as it is cantilevered out on 4x4 pressure treated lumber fixed to the bottom of the cottage. This area is provided additional "support" by additional 2x4 and 4x4 pressure treated lumber that stand on cinder blocks or on loose stones.



The proposed deck will be constructed using 6x6 pressure treated lumber on top of proper fittings set either into the ground to below the frost line or pinned to the bedrock if a footing depth of sufficient depth cannot be achieved.

The existing deck at the front of the cottage is currently less than four feet in depth. The peak of the seasonal dwelling at this point is approximately twenty-five feet above the level of the deck. A depth of four feet does not allow for the safe placement of a ladder on the deck to reach the peak, making it impossible to perform regular maintenance.



The proposed deck is 8 feet in depth which will allow for safer maintenance to the this portion of the seasonal dwelling. The proposed depth is limited to the depth required to safely erect a ladder tall enough to allow access to the peak. This is the area of the deck where the improved deck is most crucial, but it is also the area of the deck that is closest to the shoreline.

The existing railing around the deck also does not meet today's building code. The proposed deck will include a railing of sufficient height and will be constructed to today's standards.

2.0 Policy Documents

The property is part of the Township's Rural land use designation as shown on Schedule "A" of the Official Plan and is therefore subject to the policies with Section 5.7 of the Official Plan, in particular, 5.7.7 - Limited Service Residential Policies. Because the property is adjacent to a lake with in the Township, the Official Plan's policies regarding Environmentally Sensitive Areas apply.

The subject lands are in the 'RLSW - Limited Service Residential - Waterfront' Zone. Based on my review of the applicable zoning provisions and Pre-Application consultations with Township Staff, three variances from the Township's Comprehensive Zoning By-law No. 2003-75 are required as outlined in Table 1 below.

Table 1: Requested Variances

	SECTION	REQUIRED	PROPOSED	VARIANCE
1)	10.3.1 Maximum Lot Coverage	5.0%	5.29%	+ 0.29%
2)	5.8.2 and 10.3.1 Setback from Highwater Mark	30 metres (98.4 feet)	26.7 metres (87.7 feet)	- 3.3 metres (10.7 feet)
3)	5.10.2 existing buildings within 30m of a waterbody or watercourse	no enlargement to renovated building within 30 metres of HWM	26.7 metres (87.7 feet)	- 3.3 metres (10.7 feet)

3.0 Justification

3.1 Provincial Policy Statement

Section 3 of the Planning Act requires that any decision that affects a planning matter shall be consistent with the Provincial Policy Statement (PPS). The PPS is a document that guides development in the Province. This document is the basis of the Province's policy-led planning system and provides for appropriate development while protecting resources of provincial interest, public health and safety and the quality of the natural environment. When considering development applications on rural lands, planning authorities must comply with Section 1.1.5.1 - Rural Lands in Municipalities. This section requires the application of relevant policies of Section 1: Building Strong Healthy Communities; Section 2: Wise Use and Management of Resources; and Section 3: Protecting Public Health and Safety.

Section 1: Building Strong Healthy Communities includes policies to avoid development and land use patterns that may cause environmental or public health and safety concerns. Section 1.1.5.2 permits limited residential development rural lands including resource-based recreational uses, including recreational dwellings. Section 1.1.5.4 promotes development that is compatible with the rural landscape and can be sustained by rural service levels. The proposed development is consistent with surrounding development on White Lake.

Section 2: Wise Use and Management of Resources includes policies that encourage the protection of natural heritage, water, agriculture, mineral and cultural heritage and archaeological resources for their economic, environmental and social benefits. In preliminary discussions with Quinte Conservation staff, the conservation authority indicated that it's office is "unlikely to object to an open deck in the location [described]" (email string attached as Appendix 1). The 30 metre vegetation buffer adjacent to the shoreline has been kept largely intact in the 12 years the applicants have owned the property. During that time, only two trees have been removed within this area, both of which were dead, one of which threatened damage to the cottage if it were to fall on its own. Root systems for both of these trees were left intact to maintain the stability of the soils. The proposed deck will require the removal of one tree within the vegetative buffer.

Section 3: Protecting Public Health and Safety includes policies that direct development to areas outside of hazardous lands. The PPS defines hazardous lands as being areas subject to flooding, prone to erosion, dynamic beaches and unstable bedrock. The proposed deck is located outside of hazard lands.

3.2 The "Four Tests"

In support of this application, the following section outlines how the proposed variances satisfy the four (4) tests prescribed by Section 45(1) of the Planning Act and reiterated in Section 5.36 of the Township's Zoning By-law. These four tests are as follows:

1. Is the variance minor in nature?
2. Is the variance desirable and appropriate?
3. Does the variance maintain the general intent and purpose of the Official Plan?
4. Does the variance maintain the general intent and purpose of the Zoning By-law?

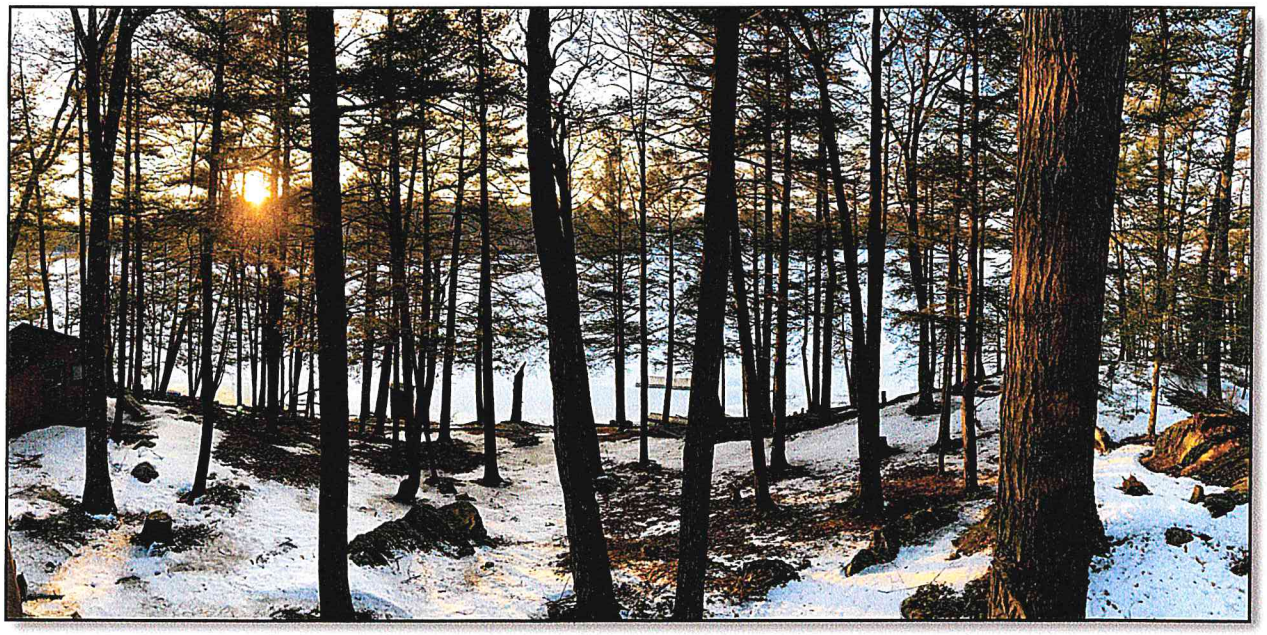
Section 10.3.1 of the Zoning By-law limits the coverage on rural lots to 5%. This is based on a minimum lot size of 10,000 square metres and would therefore allow a significantly sized house. The existing cottage on the subject property is modest in size, as are the sleeping cabin and storage sheds. The proposed deck will bump the coverage of the property to just over the maximum allowed, and should be considered minor relative to the amount of coverage that would normally be permitted on a 10,000 square metre parcel.

In the interest of brevity, all of the minor variances will be considered together in the following analysis.

Test 1: Is the variance minor in nature?

The term "minor" is not defined within the Township's planning documents, the Planning Act or the Provincial Policy Statement. The determination of whether an application is minor is not based on the degree of the variance requested, but rather on whether the impact of granting the request is minor. This includes how the variance could impact the existing or planned functionality of the subject lands and/or the surrounding lands, as well as the impact on the natural environment.

The proposed deck will improve the functionality of the subject lands by removing the existing deteriorating and unsafe deck while at the same time providing safe access to maintain the front of the cottage. The adjacent property to the south also contains a seasonal dwelling. Due to the topography of the properties, the existing cottage is not within visible range of the proposed deck. The proposed deck will not have any impact on the property to the south. The property to the east is within visual range of the proposed deck however, it is situated in such a manner that the proposed deck is behind the field of view. There is also densely forested area between the two cottages which provides additional screening. The proposed deck will have minimal visual impact to the cottage to the east. The cottage to the east is also separated from the proposed deck by sufficient distance that there will be no physical impact to that cottage. The area of the property between the cottage and the lakeshore is well forested, providing visual screening from the lake effectively removing the cottage from view when looking at the property from that vantage point. The proposed deck will only involve the removal of one tree, so this visual screen will be maintained. The proposed deck will not have a visual impact when looking at the property from the lake.

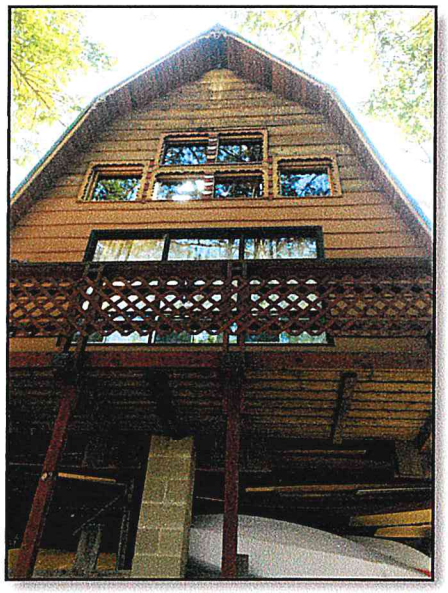


The proposed deck will be uncovered and open underneath which will allow for drainage and air circulation as well as free and open passage for any wildlife. Disturbance to the existing area within the 30 metre setback caused by the proposed deck will include the removal of one tree. The root system associated with the tree to be removed will be left in place to maintain soil stability. While the proposed deck will have an impact on the natural environment, it will be minor in nature.

Given the above, it is my opinion that the proposed development is minor in nature.

Test 2: Is the variance desirable and appropriate?

The proposed variance is desirable and appropriate as it will allow for the continued maintenance of the front of the cottage. As can be seen in the photo to the right, the existing deck does not allow for the maintenance of the front of the cottage all the way to the top of the wall. Being constructed of entirely organic material, without continued maintenance, the cottage will start to deteriorate over time as insects and vermin will be able to penetrate the outside wall and infest the building. The proposed development will enable us and future property owners to access the entire front wall to ensure this doesn't happen. A properly maintained building stock makes the area more desirable, thus having a positive impact on property values.



For the above reasons, it is my opinion that the proposed development is desirable and appropriate.

Test 3: Does the variance maintain the general intent and purpose of the Official Plan?

The property is designated as Rural in the Township of South Frontenac Official Plan. Official Plan policies regarding the Rural designation speak to the importance of maintaining rural character, natural heritage and cultural landscape in the Township. Section 5.7.7 - Limited Service Residential Policies include seasonal residential dwellings as a permitted use. Lots are to be developed with private water and sewage systems. Development on Limited Service Residential lots shall be designed to preserve as much as possible a site's physical attributes such as tree coverage, varying topography, scenic views etc. for the benefit of future residents. The proposed deck will have minimal impacts on the site's physical attributes. Scenic views will be maintained,

the topography will not be altered by the additional or removal of fill and tree coverage will only be impacted by the removal of one tree.

As the subject lands are adjacent to White Lake, it is included within the Environmentally Sensitive Areas. Section 5.2.7 b) 3) of the Official Plan contains policies permitting additions to existing dwellings that are already within the 30 metre setback subject to the merits of the proposal based on: a) the ultimate gross floor area, building footprint and lot coverage being proposed; b) the closeness of the existing dwelling to the high water mark; and the capacity of the lot to accommodate new development at a greater setback from the high-water mark. This section also indicates that in no case shall an already encroaching structure be permitted to encroach further on the setback from the high-water mark. While this latter policy may appear foreboding, precedent has been established through recent decisions of the Committee of Adjustment suggesting that there is some flexibility in implementing this policy (select cases listed in Appendix 2).

It should also be noted that White Lake is not identified as a Lake Trout Lake in the Township.

Given the above, it is my opinion that the proposed development meets the intent and purpose of the Official Plan.

Test 4: Does the variance maintain the general intent and purpose of the Zoning By-law?

The property is zoned Limited Service Waterfront Residential (RLSW) in the Township of South Frontenac Zoning By-law. The intent of the RLSW zone is to permit waterfront development with uses restricted to residential and ancillary uses which are accessible on private lanes. A 30 metre setback from the high-water mark is required for the construction of all dwellings and structures. Similar to the Official Plan, the Zoning By-law also includes a provision that does not allow for the enlargement of a building within the 30 metre setback to the high water mark. The proposed development is intended to allow for the safe access to the front of the cottage to perform regular maintenance by increasing the depth of the deck in front of the cottage. The proposed depth of the deck is limited to that required to safely erect a ladder to access the higher portions of the cottage wall. Due to the existing location of the cottage, providing a deck in the front of the cottage outside of the 30 metre setback is not possible as the existing cottage is already slightly encroaching into this setback.

4.0 Closing

It is my opinion that the requested variances satisfy the four tests under Section 45 of the Planning Act, are consistent with the Provincial Policy Statement 2020, constitute

good land use planning, and should therefore be approved.Should you have any questions or require further information, please do not hesitate to contact the undersigned.

Sincerely,

John Macdonald
613-985-7448

Appendix 1 - Quinte Conservation Correspondence

From: **Catherine Sinclair** CSinclair@quinteconservation.ca
Subject: RE: Lot 11, Conc. 2, Bedford, 1A Yonge Lane (White Lake)
Date: March 7, 2022 at 1:00 PM
To: John Macdonald jkmacdonald@yahoo.com, Samantha Carney SCarney@quinteconservation.ca

Thanks for that info John. This office isn't likely to object to an open deck in the location you describe. As you work through the process please submit your permit application once you're ready.

Catherine

Catherine Sinclair (She/Her)
Regulations Officer
Quinte Conservation
csinclair@quinteconservation.ca
RR#2, 2061 Old Hwy #2, Belleville, ON K8N 4Z2
Phone: (613) 968-3434 or (613) 354-3312 x 117

IMPORTANT COVID-19 NOTICE: In light of health concerns related to the Covid-19 virus, the QC office will be closed to the public until further notice. Events and meetings will be postponed until further notice. Residents can reach the office by calling 613-968-3434 or by emailing info@quinteconservation.ca. Documents can be dropped off via the mail slot at the main office or by mail at 2061 Old Hwy 2, Belleville ON, K8N 4Z2.

Click here to sign up for one of Quinte Conservation's e-newsletters!

www.QuinteConservation.ca
www.QuinteSourceWater.ca

Disclaimer: This is intended for the addressee indicated above. It may contain information that is privileged, confidential, or otherwise protected from disclosure under the Municipal Freedom of Information and Privacy Protection Act. If you have received this in error, please notify us immediately.

From: John Macdonald <jkmacdonald@yahoo.com>
Sent: March 7, 2022 12:41 PM
To: Catherine Sinclair <CSinclair@quinteconservation.ca>; Samantha Carney <SCarney@quinteconservation.ca>
Subject: Re: Lot 11, Conc. 2, Bedford, 1A Yonge Lane (White Lake)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Catherine,
Yes that is the property. You're correct - the lane does not go all the way to the property. We own the road allowance along the east side of the property. We access the property via a 1.5 km long shared driveway with the property at 1B Younge Lane that meets Younge Lane very close to Westport Road. This driveway is not maintained during the

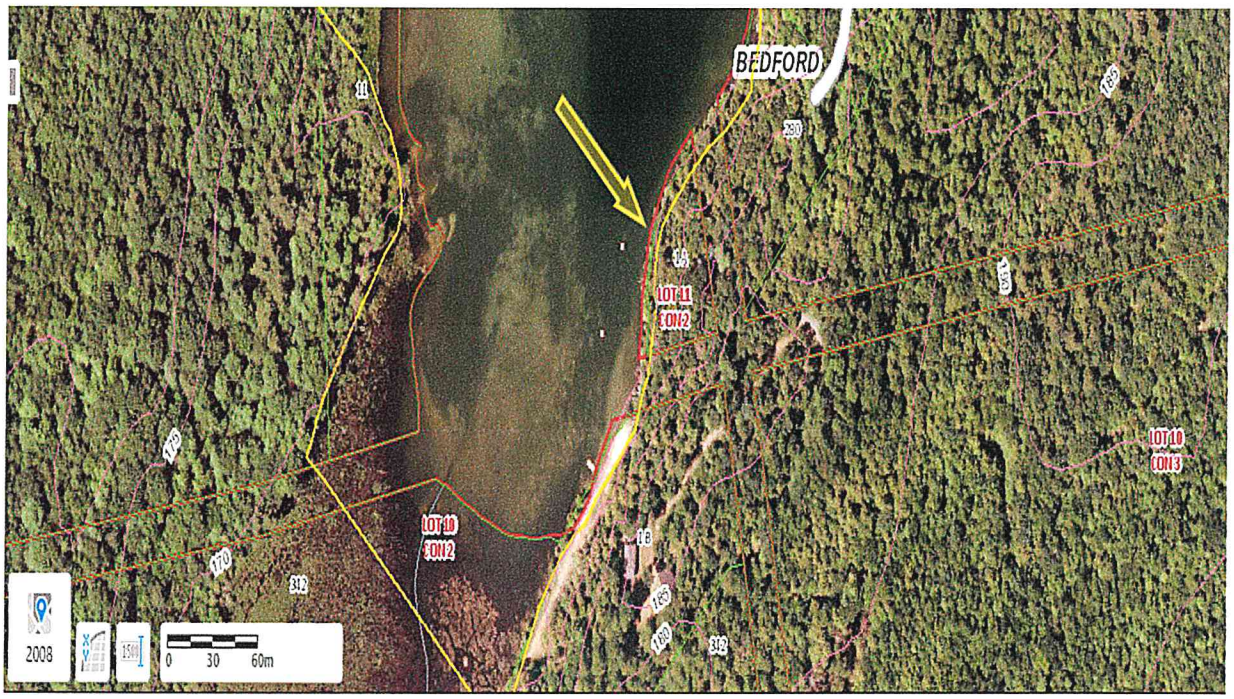
winter.

Neither the old deck nor new deck is/will be covered or screened in.

Thanks,
John

Sent from my iPhone

> On Mar 7, 2022, at 12:16 PM, Catherine Sinclair <CSinclair@quinteconservation.ca> wrote:
>
> Thanks John, that helped!
>
> Is it the piece below? As far as my mapping goes, it doesn't look like the lane goes that far and there is a road allowance which isolates the property - it's an odd set-up but I am sure there are reasons behind it.
>
> Is the existing deck covered and/or screened-in? Will the new deck be covered or screened-in?
>
> So you will have two processes that you need to go through - the Planning process to obtain the Minor Variance, and yes, the Township will circulate to our office for comment and then once the variance passes and the appeal period passes, you can then work towards obtaining building permits from both this office and the Township.
>
> Quinte Conservation's permit application can be found here: https://www.quinteconservation.ca/en/permits-and-planning/permits-and-planning.aspx



Catherine Sinclair (She/Her)
Regulations Officer
Quinte Conservation
csinclair@quinteconservation.ca
RR#2, 2061 Old Hwy #2, Belleville, ON K8N 4Z2
Phone: (613) 968-3434 or (613) 354-3312 x 117

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-----Original Message-----

From: John Macdonald <jkmacdonald@yahoo.com>
Sent: March 7, 2022 11:59 AM
To: Catherine Sinclair <CSinclair@quinteconservation.ca>
Subject: Re: Minor Variance

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thanks Catherine,
It's in former Bedford Twp.

Roll 1029 010 040 13000 0000

John

Sent from my iPhone

> On Mar 7, 2022, at 11:32 AM, Catherine Sinclair <CSinclair@quinteconservation.ca> wrote:
>
> John,
>
> I am not showing a Younge Lane at Lot 11, Conc. 2, Hinchinbrooke. Can you provide the roll number so I can find the property on our mapping?
>
> Thank you,
>
> Catherine
>
> Catherine Sinclair (She/Her)
> Regulations Officer
> Quinte Conservation
> csinclair@quinteconservation.ca
> RR#2, 2061 Old Hwy #2, Belleville, ON K8N 4Z2
> Phone: (613) 968-3434 or (613) 354-3312 x 117
>
>
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> www.QuinteSourceWater.ca

>
> Disclaimer: This is intended for the addressee indicated above. It may contain information that is privileged, confidential, or otherwise protected from disclosure under the Municipal Freedom of Information and Privacy Protection Act. If you have received this in error, please notify us immediately.
>
>
> -----Original Message-----
> From: Sam Reid <SReid@quinteconservation.ca>
> Sent: March 4, 2022 3:38 PM
> To: Paul McCoy <PMcCoy@quinteconservation.ca>
> Cc: Catherine Sinclair <CSinclair@quinteconservation.ca>
> Subject: FW: Minor Variance
>
>
>
> -----Original Message-----
> From: noreply@esolutionsgroup.ca <noreply@esolutionsgroup.ca> On Behalf Of John Macdonald
> Sent: March 4, 2022 1:41 PM
> To: Regulations <regulations@quinteconservation.ca>
> Subject: Minor Variance
>
> CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.
>
>
> Hi Paul,
> I will be submitting a minor variance application to the Township of South Frontenac to allow for the demolition of an existing deck and the construction of a new deck. The variance is required to reduce the setback to the high water mark from 30m to approximately 26m. My property is completely within the regulated area (address is 1A Younge Lane, Godfrey. Legal description Part lot 11, Concession 2, part road allowance, Parts 1 and 2, RP 13R8130 + Part 1 RP 13R12573). I understand that QRCA will have to review the application. My question is do I need to consult with you before hand or will the Township consult with you on my behalf? I would like to be able to get this application on to the agenda for the April meeting of the Township's Committee of Adjustment.
>
> Thanks,
> John
>
> ----------
> Origin: https://www.quinteconservation.ca/modules/contact/search.aspx?s=5lA5H0UZuzW4jkx5LfEOYEQrggeQuAleQuAl
> ----------
>
> This email was sent to you by John

Macdonald<jkmacdonald@yahoo.com> through
https://www.quinteconservation.ca.

Appendix 2 - Previous Committee of Adjustment Decisions Allowing Further Encroachment into the High Watermark Setback than Existing

File #	Applicant	Purpose	Decision	Date
MV-11-19-B	Kimmett	To alter and enlarge a building or structure within the 30m setback (among others)	Approved with conditions	Sept.12, 2019
MV-15-19-B	Amsden	To reduce the waterbody setback from 30m to 8.2m to permit the demolition of an existing cottage and the construction of a new cottage and decking	Approved with conditions	June 13, 2019
MV-32-19-S	Morrison/Stewart	To reduce the waterbody setback from 30 metres (98.4 ft) to 6.1 metres (20 ft) to permit the demolition and re-construction of a 342 ft2 deck with relocation of staircase and landing to be attached to the existing dwelling.	Approved with conditions	Oct.10, 2019
MV-25-19-B	Atkinson/Smith	To reduce the waterbody setback from 30 metres (98.4 ft) to 15.24 metres (50 ft) to permit the construction of a 384 ft2 addition at the west side of the one storey cottage with deck. The applicant is seeking relief from Section 5.8.2a Flooding and Shoreline Erosion Hazards and Section 10.3.1 of the Limited Service Residential – Waterfront (RLSW) Zone which requires a 30 metre setback from the highwater mark and section 5.10.2 which does not allow for enlargement of the gross floor area of an existing building with 30 metres (98.4 feet) of a waterbody or watercourse.	Approved with conditions	August 8, 2019

SOUTH FRONTENAC

PL-ZNA-2022-0038 (MACDONALD, RADLEY & WEBB) 1A YOUNGE LANE

Legend

- Subject Property
- Assessment Parcel
- Provincially Significant Wetlands
- Wetland
- Wooded Area
- Lake Trout Lake - At Capacity
- Lake Trout Lake - Not at Capacity
- Non-Lake Trout Lake - At Capacity
- Water
- Township Boundary
- Road
- Railway

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: 1:1,200

0 12.5 25 50 m

UTM Zone 18 NAD 83

Date: 2022-03-30

Quinte CONSERVATION

2061 OLD HIGHWAY 2, RR#2, BELLEVILLE, ON, K8N 4Z2
PHONE: (613) 968-3434 • **FAX:** (613) 968-8240
www.quinteconservation.ca

QUINTE CONSERVATION - PLANNING ACT REVIEW

QC File No. PL0107-2022

Municipality:	**Township of South Frontenac**		
Landowner:	**John Macdonald, Debbie Radley, Derek Webb and Jennifer Webb**		
Location:	**1A Younge Lane**	**Part Lot 11, Concession 2**	**Bedford**
Roll #:	**10290100401300000000**		
Application Description:	**Minor Variance Appl'n File No. PL-ZNA-2022-0038**	**Reduce the minimum required setback to the highwater mark from 30 metres (98.4 feet) to 26.67 metres (87.5 feet) to permit the demolition of the existing 445.9 square foot deck and construct a new enlarged deck approximately 763.0 square feet in size.**	
Feature:	**White Lake**		

Comments:

***Planning Act* - Natural Hazard policies of the Provincial Policy Statement and Quinte Conservation Planning Act Review policy**

Conservation Authorities have Provincially delegated responsibilities to represent Provincial interests regarding natural hazards under section 3.1 of the Provincial Policy Statement (PPS) (2020). Natural hazards include areas subject to flooding, prone to erosion, dynamic beaches and unstable bedrock. Generally, the policies of the PPS direct development to areas outside of hazard lands.

Staff are satisfied that the application as presented is consistent with section 3.1 of the PPS as there is sufficient area for development outside hazard lands.

Ontario Regulation #319/09 (Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses

The subject lands lie within the regulated area of White Lake (by virtue of Ontario Regulation #319/09 – Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses). Please note that the owners will need to apply to the Conservation Authority for a permit prior to development (construction / filling/ excavation/ site grading) within 45 metres of the 1:100-year flood plain of White Lake.

Based on an email received from the landowner on April 5, 2022, it is understood that the proposed deck will remain open and will not be screened in or covered.

As the proposed deck will be located within 45 metres of the 1:100-year flood plain of White Lake, **a permit will be required from this office prior to commencing the work**. There will be a fee associated with the Quinte Conservation permit application. The permit fee is separate from the fee required for Quinte Conservation's review of this planning application.

Quinte Region Source Protection Plan

Quinte Conservation provides Risk Management services as prescribed by the *Clean Water Act*, 2006 on behalf of member municipalities. Part of this is reviewing building and planning applications to ensure no new significant drinking water threats as outlined in the Quinte Region Source Protection Plan are created.

Policies for significant threats in the Quinte Region Source Protection Plan are not applicable as the subject property lies outside of an intake protection zone or wellhead protection area for a municipal drinking water system. As such no Section 59 Clearance Notice is required.

	***Planning Act* - Natural Heritage policies of the Provincial Policy Statement** Section 2.1 of the Natural Heritage policies of the Provincial Policy Statement protects features including (but not limited to), Provincially Significant Wetlands, significant woodlands and significant Areas of Natural and Scientific Interest. The subject lands do not lie within a Provincially Significant Wetland, or within an Area of Natural and Scientific Interest. Further, an Environmental Impact Study was not provided with the current planning application, and as per Quinte Conservation's Regulation and Policies we will not be requesting one
Final Comments:	As the proposed deck will remain open and will not be screened in or covered, Quinte Conservation has no objection to the minor variance application as presented. The landowners will be required to apply for a Quinte Conservation permit prior to any development on the subject lands, which includes the proposed deck.

Sam Carney
Planning Technician

April 13, 2022
Date

Township of South Frontenac

Staff Report

To:	Committee of Adjustment
Prepared by:	Development Services Department
Date of Meeting:	May 12, 2022
Subject:	**Minor Variance Application (S.45(1) of the Planning Act) PL-ZNA-2022-0038, John MacDonald, Debbie Radley, Derek and Jennifer Webb, 1A Younge Lane, Bedford District**

Summary

This report recommends that the Committee of Adjustment grant approval of this application for zoning relief for the enlargement of a deck on a seasonal detached dwelling closer to the highwater mark and for increased lot coverage, 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: Limited Service Residential – Waterfront (RLSW)

Zoning Relief Requested

Sections 5.8.2(a) and 10.3.1 Highwater Mark – to permit a deck attached to a seasonal dwelling to be set back a minimum of 26.7 metres from the highwater mark of White Lake, whereas a minimum 30 metre setback is required for all buildings and structures.

Section 10.3.1 Lot Coverage – to permit a maximum 5.29% lot coverage for the principal building (i.e. dwelling with attached deck), whereas the Zoning By-law permits a maximum 5% lot coverage.

Related Applications

The subject property is not subject to any other applications under the Planning Act.

Discussion/Analysis

Property Description

The 0.4 hectare (0.98 acre) property on White Lake is accessed from a shared driveway off Younge Lane. The property abuts an unopened road allowance to the south. The subject lands slope in tiers from the southern property line to the lake. The property is in a hemlock forest.

The property is developed with a seasonal A-frame dwelling, a sleeping cabin and four small sheds. The dwelling is setback 29.3 metres (96.2 feet) from the highwater mark of White Lake. A deck that is attached to the dwelling is setback 28.5 metres (93.4 feet) from the highwater mark.

Summary of Proposal

The owners propose to demolish the existing 445.9 square foot deck and construct a new 763 square foot deck in its place. The purpose of the new, larger deck is to facilitate the safe maintenance of the waterside of the dwelling by widening a portion of the deck from 1.2 metres to 2.4 metres. The new deck would be setback a minimum of 26.7 metres from the highwater mark.

An application for minor variance was received to permit a 763 square foot deck that would be attached to the dwelling, to be setback a minimum of 26.7 metres from the highwater mark of White Lake. Also, to permit an increase in lot coverage from 5% to 5.29%.

Department and Agency Comments

Public Services did not provide comments on the application as the property is accessed from a private lane.

Building Services confirmed that a building permit would be required for the new deck, should the minor variance application be approved.

Quinte Conservation indicated on April 13, 2022, that they have no objection to the approval of the application. The subject property is in an area regulated by Quinte Conservation under O. Reg. 319/09. A permit under this regulation would be required for the proposed deck.

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 subject lands are designated 'Rural' in the Official Plan on Schedule A. The type and amount of development on 'Rural' lands must maintain the rural character, natural heritage, and cultural landscape in the Township. The proposed deck is accessory to the permitted residential use of the property.

Section 5.2.7(b) of the Official Plan requires buildings and structures to be setback a minimum of 30 metres from the highwater mark of lakes and rivers. Vegetation within this area should be disturbed as little as possible and the soil mantle is also not to be altered. The purpose of these measures is to minimize environmental and visual lake impacts by reducing phosphorus inputs, preventing erosion and by maintaining a natural appearance of shorelines. Also, Section 5.7.7(ii)(e) requires limited service residential development to be designed to preserve as much as possible a site's physical attributes, such as tree coverage, varying topography, scenic views, etc. for the benefit of future residents. No vegetation would need to be removed as a result of the deeper deck, and the deck would continue to be screened from the lake by existing trees.

It is the opinion of Township staff that the proposed variances maintain the general intent and purpose of the Official Plan, specifically the policies on limited service residential development, and development within environmentally sensitive areas.

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

The proposed variance maintains the general intent and purpose of the Zoning By-law as the proposed attached deck is a permitted use on the subject property, and the proposed location complies with the setback requirements of the RLSW zone, with the exception of the reduced setback from the highwater mark. The increase in lot coverage from 5% to 5.29% is minor.

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

The variances are desirable for the appropriate development or use of the dwelling as they would facilitate a modest sized deck on the waterside of the dwelling where there is a significant difference in elevation between main floor of the dwelling and the ground. A deeper deck would facilitate the safe maintenance of the waterside of the dwelling. According to the applicant, the proposed depth of the deck has been limited to the depth required to safely erect a ladder tall enough to allow access to the peak.

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. They are also desirable for the appropriate development or use of the dwelling. The variances are not anticipated to cause adverse environmental or visual impact as the deck would be visually screened from the lake by distance and an existing treed buffer.

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-2022-0038, subject to the following conditions.

1. The minor variance is to permit a 763 square foot deck that would be attached to the dwelling to establish a minimum 26.7 metres front yard and to be setback a minimum of 26.7 metres from the highwater mark of White Lake, consistent with drawings submitted at the time of application. The minor variance also permits a maximum 5.29% lot coverage for the principal building.

2. 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.

3. Minor variance PL-ZNA-2022-0038 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 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

1076.00

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 *Minor Variance Only* *Minor Variance WITH Performance Review* *Minor Variance in combination with a new Class 2, 3, 4, or 5 sewage system other than a Class A system*	$450 $700 $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.

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: March 28/22 File No: PL-ZNA-2022-0041

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

1. Name of Owner(s): Ken & Norma Rombouts

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.

[redacted]

Signature(s) of Owner(s)

3. The description of the subject land:

District: ☐ Bedford ☑ Portland ☐ Loughborough ☐ Storrington

Concession Number: 1 Lot Number: 11

Street Number: unknown Name of Road/Street: Wilton Road

Reference Plan Number: RP-13R20857 Part Number(s): 1

Roll Number: 080-010-04108-0000

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

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

Frontage (on water): NO Frontage (on road/lane): Yes

Depth: 106.68 m Area: [redacted] KR 8 136 m²

5. The current zoning of the subject land:

~~Residential~~ KR Rural

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

Decreasing the set back from 20m to [redacted] KR 15.24m

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

The residential lot contains steep existing grades that creates significant constructability issues.

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

Name of Road/Lane:

Wilton Road

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

N/A

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

Vacant Land

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

☐ Yes ☑ No

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

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

13. The proposed uses of the subject land:

Single family dwelling

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

☐ Yes ☑ No

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

Type of Structure (E.g. residence)	(1) Single Family Dwelling	(2)	(3)	(4)
Setback from Front Lot Line	15.24m			
Setback from Rear Lot Line	70 m			
Setback from Side Lot Line	9/34m			
Height of Building (Also indicate if it is one story or two story)	One Story			
Outside Dimensions of Building/Structure	approx 10m			
Setback from High Water Mark (If applicable)	N/A			

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

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

If yes, please provide details:

_____

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

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:

June 30th 2021

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

N/A

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

N/A

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:

Well on property

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:

Septic to be built on property

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

ditches & hillside/grade

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.

AGREEMENT TO INDEMNIFY

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

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

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

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

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

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

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

DATED AT THE TOWNSHIP OF SOUTH FRONTENAC

THIS 28th DAY OF March, 20 22

I, Ken Rombouts OF Frankford.
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.

[redacted]

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

1) The names of **all** owners must appear in this section, even if they live in separate residences, and the address(es) should be the **full mailing address, complete with postal code**.

2) You may wish to appoint someone to act on your behalf during the variance process. If so, that person's name, address and phone number should appear here All owner's must sign the authorization.

3) Description of the Subject Land:
   a. District: The Districts are the same as the former Townships. If you are not sure, check the roll number (the long number beginning with 1029) on your tax bill. If the numbers are 010, 020 or 030, your district is Bedford; if the numbers are 040-050, your district is Loughborough; if the numbers are 060 or 070, your district is Storrington; and if the numbers are 080, your district is Portland.
   b. Concession and Lot Numbers: if you are not sure, check your tax bill
   c. Street Number: Your civic address – if a civic number has not been assigned, leave this space blank.
   d. Name of Road/Street: This question applies whether or not you are on a private lane or a public road.
   e. Reference Plan No: If your property has been surveyed, it will have a plan number, and one or more parts on that plan. If your property has not been surveyed, leave this space blank.
   f. Roll No: This is the number beginning with '1029' which appears on your tax bill. Please take time to look it up before submitting the application.

4) Frontage, depth, area, acres: All parts of this question must be completed.

5) Current zoning: You may not be aware of the zoning on your property and this can be determined when you come in for pre-consultation with planning staff.

6) Nature and Extent of Relief: This question is asking what you are asking to do that requires the variance – for example, it could be that you are asking to be 25 m rather than 30 m from the high water mark, or that you are asking to increase the height of a structure within 30 m of the high water mark, or that you are seeking a variance to construct an accessory building closer to the front lot line than the principal building.

7) Reason why you can't comply: In other words, why can you not meet the required setbacks. It could be, for example, because you are seeking a variance to add on to an existing structure that is already too close to the water, or that developing further from the water would be impossible because of a steep embankment.

8) Roads: Municipally maintained roads are looked after by the Township; private roads are lanes that residents maintain themselves (not private driveways, but lanes that provide access to your property and that are generally shared with others).

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

10) Existing Uses: e.g. residential, retail business, vacant recreational land

11) Buildings: If there are **ANY** buildings or structures on the property now, the answer to this question is "yes".

12) Description of buildings and structures: You must complete all sections of this question for each structure on your property. **If there is a deck on your dwelling, please describe it separately from the residence.**

13) Proposed Uses: Generally, the answer to this question will be the same as the answer to #10, but if, for example, the land is currently vacant, and you are planning to construct a dwelling, then the use to be described in section 10 would be "vacant recreational land", and the use described in section 13 would be "residential"

14) Proposed structures: If you are planning to build **ANYTHING** on the property, the answer to this question is "yes" – This includes additions, decks, garages, septic systems.

15) Description of new construction: **ALL** proposed new development must be described here. If you are proposing to construct an addition to a dwelling, and to add a deck, please show this information in separate columns.

16) **Demolition: All demolition requires a permit from the building department.** In some instances, a proposed addition or increase in height cannot be accomplished without the removal of existing walls. If this is not made clear to the Committee at the beginning of the process, you may find that, although you are granted permission to add on to your residence, you can't actually do it because you have not made it clear that there is demolition involved.

17) Raising of Structure: In other words, are you proposing to raise the building in order to construct a basement under it.

18) Uses of Development: Please answer each part of this question. An increase in living space would include anything with walls – e.g. a screened porch would involve an increase in living space.

19) Date land acquired: When did you take possession of the property?

20) Date of existing buildings: If you are not sure, provide your best estimate.

21) Length of existing uses: For example, has the land been used for residential purposes for 30 years, or 18 months?

22) Water supply: in most cases the answer will be private well, but some waterfront properties take their water from a lake.

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

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?

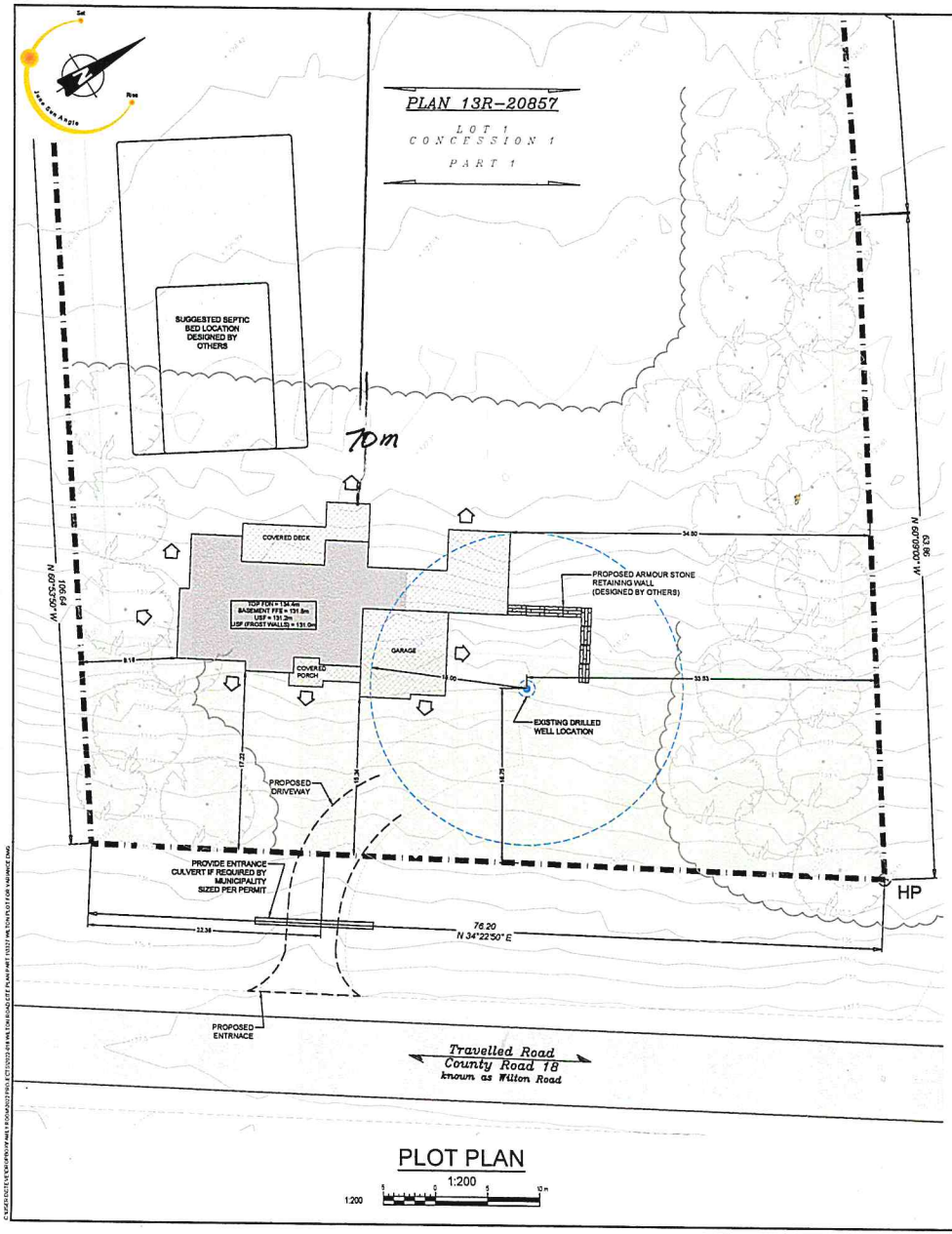
26) If yes: If there is a current application for severance or subdivision on the property, please indicate the file number. (Staff can help provide this information)

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.

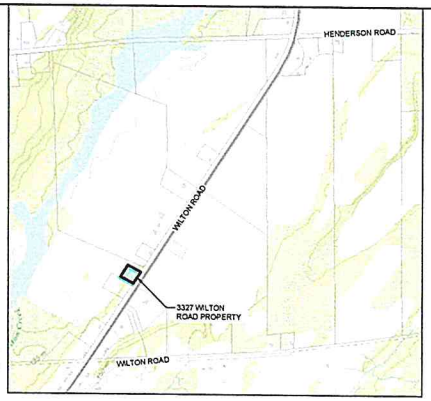
29) **SKETCH: We cannot stress enough the importance of a detailed, accurate, and complete sketch. You do not necessarily need to contract with a professional to draw the sketch, but sketches that are not drawn to scale, do not show dimensions and distances, or are not drawn neatly (PLEASE USE A RULER), 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.



PLOT PLAN

1:200



KEY MAP

N.T.S.

PLAN LEGEND

- PROPERTY LIMIT (LEGAL)
- PROPOSED DWELLING
- PROPOSED DWELLING ACCESSORIES
- PROPOSED DRIVEWAY
- RESTRICTED ZONING AREA
- PROPOSED WATER SERVICE
- PROPOSED HYDRO SERVICE
- PROPOSED OVERLAND DRAINAGE PATH /DIRECTION
- WELL WITH 15m AND 30m SETBACKS
- HP OVERHEAD HYDRO POLE UTILITY
- EXISTING ELEVATION
- 312.73 EXISTING CONTOURING
- 100.00 PROPOSED ELEVATION
- 20% PROPOSED GRADE
- SITE BENCHMARK

GENERAL NOTES:

1. THE ORIGINAL TOPOGRAPHY AND GROUND ELEVATIONS, SERVICING AND SURVEY DATA SHOWN ON THIS PLAN DRAWING IS PROVIDED FOR INFORMATION PURPOSES ONLY. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE ACCURACY OF ALL INFORMATION OBTAINED FROM THESE PLANS. ALL DIMENSIONS AND INVERTS MUST BE VERIFIED PRIOR TO CONSTRUCTION. IF THERE IS ANY DISCREPANCY THE CONTRACTOR IS TO NOTIFY THE ENGINEER.
2. POSITIVE DRAINAGE TO BE ENSURED FOR FINAL GRADE AND DURING CONSTRUCTION. IN NO CASE SHOULD GRADE BE DIRECTED TOWARDS THE FOUNDATION OF THE DWELLING.
3. THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE EXACT LOCATION, SIZE, MATERIAL AND ELEVATIONS OF ALL EXISTING UTILITIES PRIOR TO COMMENCING CONSTRUCTION. PROTECT AND ASSUME ALL RESPONSIBILITY FOR EXISTING UTILITIES WHETHER OR NOT SHOWN ON THE DRAWINGS. IF THERE ARE ANY DISCREPANCIES THE CONTRACTOR IS TO NOTIFY THE ENGINEER. ANY UTILITIES THAT MAY EXIST ON SITE MUST BE LOCATED AND VERIFIED BY ITS OWNER.
4. ALL UNDERGROUND SERVICES, MATERIALS, AND INSTALLATIONS TO BE IN ACCORDANCE WITH ONTARIO PROVINCIAL STANDARDS AND SPECIFICATIONS (OPSS) UNLESS OTHERWISE NOTED.
5. THE CONTRACTOR IS RESPONSIBLE FOR ALL LAYOUT FOR CONSTRUCTION PURPOSES.
6. **THE CONTRACTOR IS TO OBTAIN ALL NECESSARY PERMITS FROM THE COUNTY, MUNICIPALITY, CONSERVATION AUTHORITY, HEALTH UNIT AND ALL OTHER APPLICABLE REGULATORY AUTHORITIES HAVING JURISDICTION PRIOR TO COMMENCING CONSTRUCTION.**
7. EXCAVATE AND DISPOSE OF ALL EXCESS EXCAVATED MATERIAL SUCH AS ASPHALT, CURBING AND DEBRIS, OFF SITE TO THE SATISFACTION OF THE ENGINEER AND THE COUNTY, MUNICIPALITY OR CONSERVATION AUTHORITY.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL TRAFFIC CONTROL AND SAFETY MEASURES DURING THE CONSTRUCTION PERIOD, INCLUDING THE SUPPLY, INSTALLATION, AND REMOVAL OF ALL NECESSARY SIGNAGE.
9. ALL DIMENSIONS AND INVERTS MUST BE VERIFIED BEFORE CONSTRUCTION, IF THERE IS ANY DISCREPANCY THE CONTRACTOR MUST NOTIFY THE ENGINEER.
10. GRANULAR 'A' AND GRANULAR 'B' TO BE COMPACTED TO 98% SPD UNLESS NOTED OTHERWISE.

ENVIRONMENTAL:

1. EROSION AND SEDIMENT CONTROLS SHALL BE INSTALLED PRIOR TO CONSTRUCTION AND MONITORED AND MAINTAINED BY THE CONTRACTOR UNTIL COMPLETION. THE TEMPORARY SEDIMENT AND EROSION CONTROL MEASURES MUST BE REMOVED ONCE THE SITE HAS BEEN STABILIZED AND SITE WORKS COMPLETED.
2. IN THE EVENT THAT HUMAN REMAINS ARE ENCOUNTERED DURING CONSTRUCTION, THE MINISTRY OF CITIZENSHIP, CULTURE AND RECREATION SHALL BE NOTIFIED IMMEDIATELY AND THE REGISTRAR OR DEPUTY REGISTRAR OF THE CEMETERIES REGULATION UNIT OF THE MINISTRY OF CONSUMER AND COMMERCIAL RELATIONS (416) 362-8392, SHALL BE NOTIFIED IMMEDIATELY.
3. IN THE EVENT THAT BURIED ARCHEOLOGICAL REMAINS ARE FOUND DURING CONSTRUCTION ACTIVITIES, THE MINISTRY OF CITIZENSHIP, CULTURE AND RECREATION SHALL BE NOTIFIED IMMEDIATELY.

LEACHING BED

1. ALL SEPTIC SYSTEM CONSTRUCTION TO BE CARRIED OUT IN ACCORDANCE WITH PART 8 OF THE MOST CURRENT VERSION OF THE ONTARIO BUILDING CODE (OBC).
2. THE TOPSOIL TO BE STRIPPED AND SUBGRADE TO BE SCARIFIED IN BED AREA PERPENDICULAR TO THE DIRECTION OF FLOW.
3. PROVIDE A 250mm THICK CLAY SEAL IF RAISED LEACHING BED IS TO BE INSTALLED ON BEDROCK.
4. PROVIDE NON-WOVEN GEOTEXTILE (FILTER CLOTH) ROOT GUARD TO THE FILTER BED, INSTALLED VERTICALLY TO PROTECT AGAINST TREE ROOTS FROM LARGE ADJACENT TREES TO THE FILTER BED WHERE NECESSARY.
5. WASHED SEPTIC STONE TO BE IN ACCORDANCE WITH OBC 8.7.5.3. (5).
6. FILTER MEDIA TO BE IN ACCORDANCE WITH OBC 8.7.5.3. (3).
7. DISTRIBUTION PIPING TO HAVE A SLOPE OF 0.3% MIN TO 0.5% MAX
8. DISTRIBUTION HEADERS AND PIPING WITHIN THE LEACHING BED TO BE LOCATABLE BY MEANS DESCRIBED IN OBC 8.7.2.2. (2).

SANITARY

1. SEWER TRENCHING AND BEDDING SHALL CONFORM TO OPSD 802.010 AND 802.013 UNLESS NOTED OTHERWISE.
2. ALL SEWER FEED PIPING TO HAVE A MINIMUM SLOPE OF 2%
3. EFFLUENT FILTER TO BE POLYLOK PL- 122 OR EQUIVALENT.
4. SEWER AND CONNECTIONS SHALL BE PVC. SOLVENT WELD PIPE AND FITTINGS TO CSA B182.1
5. INSULATE ALL SEWER SERVICE PIPE WITH LESS THAN 1.2m OF COVER

MINIMUM CLEARANCE DISTANCES OBC TABLE 8.2.1.6 A & B

	SEPTIC TANK	DIST. PIPING
FROM STRUCTURE	1.5m	5.0m
FROM CASED WELL	15.0m	15.0m
FROM ALL OTHER WELLS	15.0m	30.0m
FROM SURFACE WATER	15.0m	15.0m
FROM PROPERTY LINE	3.0m	3.0m

DRIVEWAY STRUCTURE FOR RESIDENTIAL WORKS

STRUCTURE TYPE	DEPTH(mm)	COMPACTION
HL3A PAVEMENT (OPTIONAL)	50	>92%
GRANULAR 'A'	150	>98%
GRANULAR 'B'	200	100%

TOWNSHIP OF SOUTH FRONTENAC
PORTLAND DISTRICT
ZONING BY-LAW 2003-75
ZONE (RU) RURAL

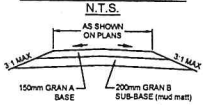
SINGLE DETACHED DWELLING	ZONING	PROPOSED	
LOT AREA (MIN)	8000 m²	8136 m²	✓
LOT FRONTAGE	76 m	76.20 m	✓
FRONT YARD (MIN)	20.0 m	15.24 m	☒
REAR YARD (MIN)	10 m	75+ m	✓
EXTERIOR SIDE (MIN)	10 m	NA	✓
INTERIOR SIDE (MIN)	3 m	9.16 m	✓
DWELLING UNIT AREA (MIN)	59 m²	271 m²	✓
LOT COVERAGE (MAX)	20.0 %	4.9 %	✓
BUILDING HEIGHT (MAX)	11 m	8.5 m	✓

ZONING LOT COVERAGE SCHEDULE

	AREA
DWELLING UNIT AREA	208 m²
ATTACHED GARAGE	130 m²
COVERED FRONT PORCH	14 m²
COVERED REAR DECK	44 m²
COMBINED FOOTPRINT	397 m²
LOT COVERAGE RATIO	4.9%

TYPICAL 'V' BOTTOM SWALE

N.T.S.



RESIDENTIAL RURAL ENTRANCE

N.T.S.

NO.	DATE	BY	REVISION
1	2022.03.17	S.R.	ISSUED FOR PERMIT APPLICATION

DESIGN	S.R.
DRAWN	M.C.
SCALE	AS SHOWN

THESE DESIGN DOCUMENTS ARE PREPARED SOLELY FOR THE USE BY THE PARTY WITH WHOM AVIDITY DESIGNS HAS ENTERED INTO A CONTRACT. THESE ARE NO REPRESENTATIONS OF ANY KIND TO ANY OTHER PARTY WITH WHOM AVIDITY DESIGNS HAS NOT ENTERED INTO A CONTRACT. REPRODUCTION OR USE FOR ANY PURPOSE OTHER THAN AUTHORIZED BY AVIDITY DESIGNS IS NOT PERMITTED

AVIDITY DESIGNS
TECHNICAL-CREATIVE-IMPASSIONED

ON POINT
DRAFTING & SURVEY

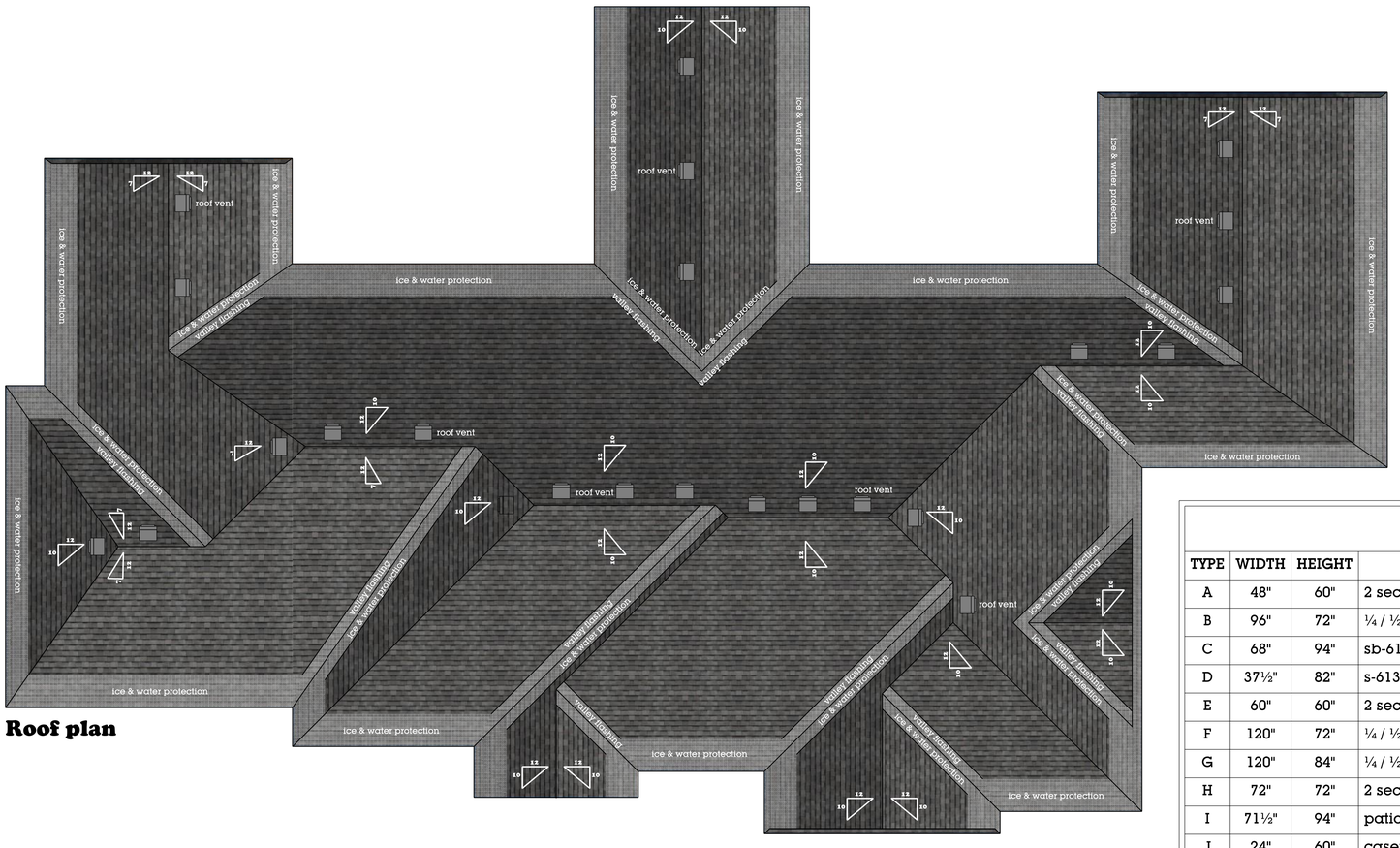
3327 WILTON ROAD, HARROWSMITH
LOT 11, PART 1, CONCESSION 1
DETAILED PLOT PLAN LAYOUT
FOR NEW CONSTRUCTION

FILE NO.

DRAWING NO.

SHEET 01 OF 01

CONTRACTOR/HOME OWNER TO CONFIRM ROOF PITCH & SPAN PRIOR TO ORDERING TRUSSES



Exterior window & door schedule ****openings are frame size, add 1½" for R.S.O.****						
TYPE	WIDTH	HEIGHT	COMMENT	OPENING AREA	GLAZING AREA	COUNT
A	48"	60"	2 section casement (including 12" transom)	20.0 sq ft.	79.8 sq ft.	6
B	96"	72"	¼ / ½ / ¼ casement (including 12" transom)	48.0 sq ft.	101.1 sq ft.	3
C	68"	94"	sb-613/s-01/sb-613 steel door (including 12" transom)	44.2 sq ft.	6.6 sq ft.	1
D	37½"	82"	s-613 steel door	22.1 sq ft.	5.9 sq ft.	1
E	60"	60"	2 section casement (including 12" transom)	25.0 sq ft.	69.6 sq ft.	4
F	120"	72"	¼ / ½ / ¼ casement (including 12" transom)	60.0 sq ft.	175.2 sq ft.	4
G	120"	84"	¼ / ½ / ¼ casement (including 12" transom)	70.0 sq ft.	105.0 sq ft.	2
H	72"	72"	2 section casement (including 12" transom) *check plan	36.0 sq ft.	80.1 sq ft.	3
I	71½"	94"	patio door (including 12" transom) *check plan	46.7 sq ft.	99.6 sq ft.	3
J	24"	60"	casement (including 12" transom)	10.0 sq ft.	12.6 sq ft.	2
K	60"	18"	fixed casement	7.5 sq ft.	4.7 sq ft.	1
M	37½"	82"	s-01 steel door w/self-closer *check plan	22.1 sq ft.	0.0 sq ft.	2

January 2021

ATKINSON Home hardware building centre
5276 Hinchinbrooke Road,
Hartington ON. K0H 1W0
Tel: (613) 372-2931

© COPYRIGHT ATKINSON Home Building Centre

BEAVER HOMES & CABINS

Client:
Norma & Ken Rombouts
Lot 11 Conc. 1
Wilton Rd.
Harrowsmith, ON.
K0H 1V0

Project:
Custom Home
Area = 2270
Date = August 23, 2021
Scale = 3/16" = 1' - 0"

Revisions:

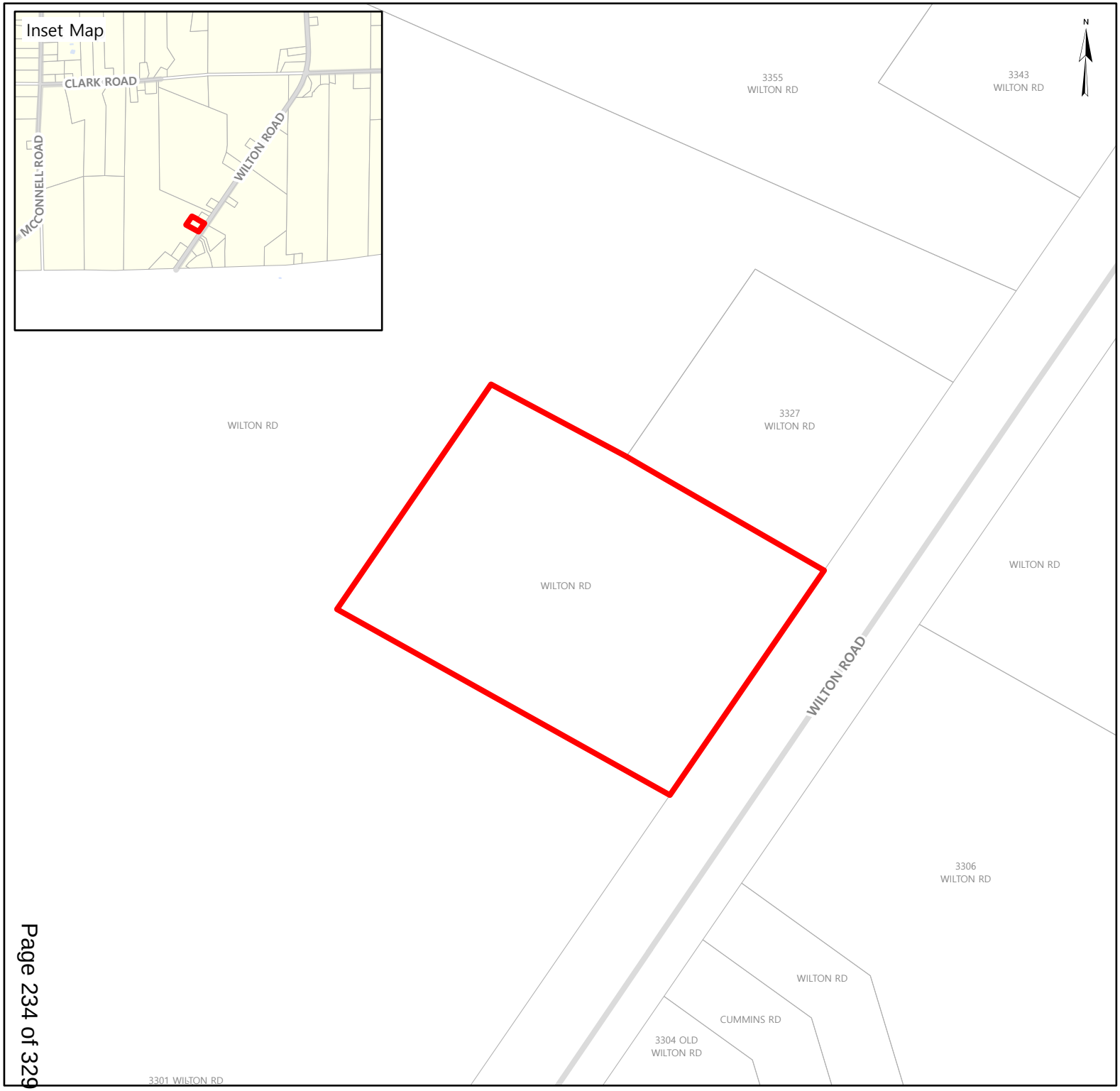
Designer:
Shawn Duce
B.C.I.N. # 19460
Firm B.C.I.N. # 30420
Province of Ontario B.C.I.N. Certification

General notes:
These plans were designed in accordance with the requirements of the Ontario Building Code. All dimensions are to be checked on site, prior to construction. All dimensions are structural (unless noted otherwise). Drawings must not be scaled. Contractor shall verify and be responsible for all dimensions and minimum code requirements and shall report any discrepancy to the Designer before proceeding with any work. Plans are copyrighted - unlawful for use without company's express written permission.

These plans form the basis for permit issuance & any deviation from these plans &details; including the ventilation system, heating system, woodstoves, fireplaces, decks, balconies & finished basements will require a revised drawing & clearance by the building department. In the event that any engineered details are required, in addition of these drawings, it will be the responsibility of the home owner/contractor to provide.

APPROVED BY:

DRAWING# 2 of 5



SOUTH FRONTENAC

PL-ZNA-2022-0041 (ROMBOUTS)

WILTON ROAD

Legend

- Subject Property
- Assessment Parcel
- Provincially Significant Wetlands
- Wetland
- Wooded Area
- Lake Trout Lake - At Capacity
- Lake Trout Lake - Not at Capacity
- Non-Lake Trout Lake - At Capacity
- Water
- Township Boundary
- Road
- Railway

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

0 12.5 25 50 m

UTM Zone 18 NAD 83

Date: 2022-03-31

Township of South Frontenac

Staff Report

To:	Committee of Adjustment
Prepared by:	Development Services Department
Date of Meeting:	May 12, 2022
Subject:	**Minor Variance Application (S. 45(1) of the Planning Act) PL-ZNA-2022-0041, Ken and Norma Rombouts, 0 Wilton Road (102908001004108), Portland District**

Summary

The subject application seeks zoning relief to permit a single detached dwelling to establish a reduced front yard. 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 7.3.2 – to permit a single detached dwelling to establish a minimum 15 metre front yard depth, whereas the RU zone requires a minimum 20 metre front yard.

Related Applications

The subject property is not subject to any other applications under the Planning Act.

Discussion/Analysis

Property Description

The 0.8 hectare (2 acre) property has frontage on Wilton Road. The lands consist of a high, steep slope near the road, and a level, low-lying field. A majority of trees were removed from the slope in preparation for construction.

Summary of Proposal

The owners propose to construct a 397 square metre (4273 square foot) single detached dwelling, including attached garage, covered deck and porch. The dwelling would be one storey with a walkout basement. The required sewage system would be located west of the dwelling at the bottom of the slope.

An application for minor variance was received to permit the dwelling to establish a minimum 15 metre front yard. The variance is being requested so that the dwelling can be founded entirely on the limestone stepped slope rather than requiring engineered fill in the low-lying field.

Department and Agency Comments

Public Services indicated on May 2, 2022, that they have no objection to the application. They noted that the Wilton Road allowance is 30 metres wide in this location.

Public Comments

The owner of 3327 Wilton Road, located to the north of the subject property, indicated to staff that he is not supportive of the application on the basis that the applicant knew that a 20 metre setback was required from the front lot line, and that site work was done before applying for a minor variance.

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, as the variance would facilitate construction of a single detached dwelling on lands that are designated Rural in the Official Plan on Schedule A.

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

The proposed dwelling is a permitted use in the Rural zone. The building was designed so that the attached garage would be setback a minimum of 15 metres from the front lot line,

and the living space of the dwelling would be stepped back another 2 metres. Land was taken along the road for a road allowance widening when the lot was created in 2013 so placing the dwelling at the reduced setback will not impact the Township's ability to undertake any future road improvements. The proposed 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 variance is desirable for the appropriate development of the land, as it would allow the dwelling to be founded entirely on the stepped limestone rather than requiring engineered fill in the low-lying field. It would also allow the elevation of the main floor of the dwelling to be higher than the road facilitating proper lot grading and drainage from the front to the rear of the property.

Is the variance minor?

The requested variance is minor as it maintains the general intent and purpose of the Official Plan and Zoning By-law, and is desirable for the appropriate development of the land. Although the dwelling would have a reduced front yard than required setback, at 15 metres, the proposed welling would have a greater setback than the front yards of other dwellings to the north and south on the same side of the road. No adverse impacts are anticipated to neighbouring properties and road works as a result of the variance.

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-2022-0041, subject to the following conditions.

1. The minor variance is for a single detached dwelling. The dwelling is permitted to establish a minimum 15.0 metre front yard. All as per the submitted application and sketch.

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-2022-0041 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

RECEIVED
MAR 2 9 2022
TOWNSHIP OF SOUTH FRONTENAC PLANNING DEPARTMENT

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-2022-0044

1. Name of Owner(s): Paulette Batson

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

Phone number of Owner(s): [redacted]

Email Address of Owner(s): [redacted]

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

Name of Authorized Agent: Scott Batson

Full Mailing Address of Authorized Agent: [redacted]

Phone number of Authorized Agent: [redacted]

Email Address of Authorized Agent: [redacted]

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

[redacted]

3. The description of the subject land:

District: ☐ Bedford ☐ Portland ☒ Loughborough ☐ Storrington

Concession Number: CONCESSION 6 Lot Number: LOT 8

Street Number: 4396 Name of Road/Street: Sills Bay Road

Reference Plan Number: 13R2344 Part Number(s): PART 16

Roll Number: 040-020-06116-0000

SOUTH FRONTENAC

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	$2,1055.00

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 *Minor Variance Only* *Minor Variance WITH Performance Review* *Minor Variance in combination with a new Class 2, 3, 4, or 5 sewage system other than a Class A system*	$463.00 $720.00 $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.

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).

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

Frontage (on water): 65.65 m Frontage (on road/lane): 60.96 m

Depth: 245 m Area: 14,973 sq m

5. The current zoning of the subject land:
RW (Residential Waterfront)

6. The nature and extent of the relief from the Zoning By-law:
Locating Accessory Structure in "Front Yard" (Section 5.24 - By Law)

7. The reason why the proposed use cannot comply with the provisions of the Zoning By-law:
New construction in "Front Yard". Front Yard defined in By Law.

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

Name of Road/Lane:
Sills Bay Road

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

10. What are the existing uses of the subject land?
Residential (Principle Residence)

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

[x] Yes [ ] No

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

Type of Structure (E.g. residence)	**(1)** House	**(2)** Garage	**(3)**	**(4)**
Setback from Front Lot Line	154 m	55 m		
Setback from Rear Lot Line	77 m	175 m		
Setback from Side Lot Line	14 m	15 m		
Height of Building **(Also indicate if it is one story or two story)**	15 m Walk Out Basement Bungalow	7 m One Storey		
Dimensions of Floor Area	355 sq m	166 sq m		
Setback from High Water Mark (If applicable)	89 m	183 m		

13. The proposed uses of the subject land:
Indoor Storage

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:

Type of Structure (E.g. residence)	**(1)** Accessory Structure (Storage)	**(2)**	**(3)**	**(4)**
Setback from Front Lot Line	91 m			
Setback from Rear Lot Line	144 m			
Setback from Side Lot Line	3 m			
Height of Building (Also indicate if it is one story or two story)	6.5 m			
Outside Dimensions of Building/Structure	7.6 x 15.25 m			
Setback from High Water Mark (If applicable)	156 m			

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

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

If yes, please provide details:
N/A

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:
December 17, 1993

---

20. The date the existing buildings and structures were constructed on the subject lands:
1989 (House) and 2007 (Garage)

---

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

---

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 drilled well on subject lands

---

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 individual Sewage System (Septic Tank and Field)

---

24. Is storm drainage provided by sewers, ditches, swales or by other means?
Storm drainage by natural topography and road ditch

---

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.
N/A

---

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.
N/A

---

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**

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).

9) Parking and Docking: This question is only relevant is 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.

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**

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

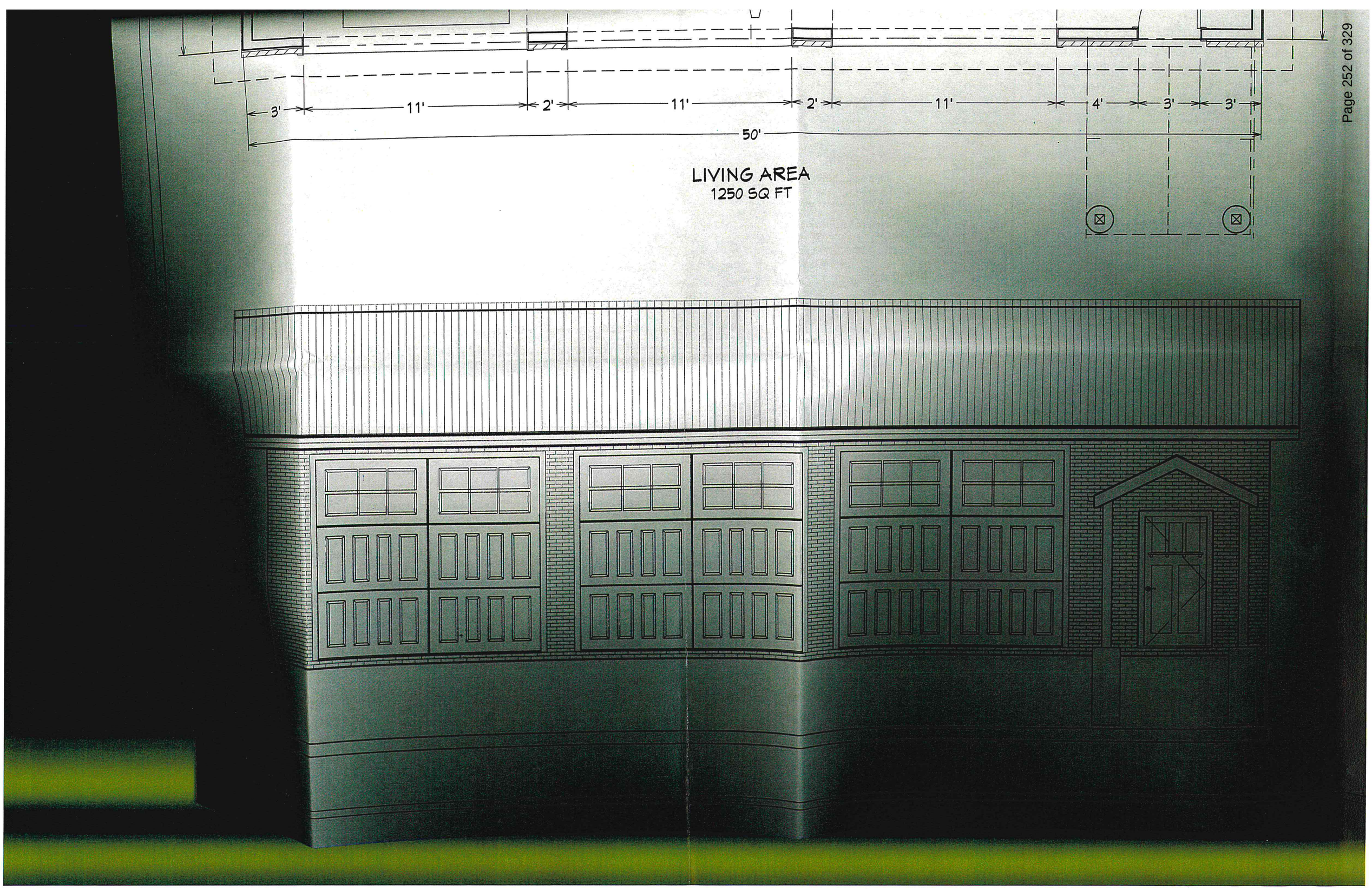
THIS 29 DAY OF March, 2022

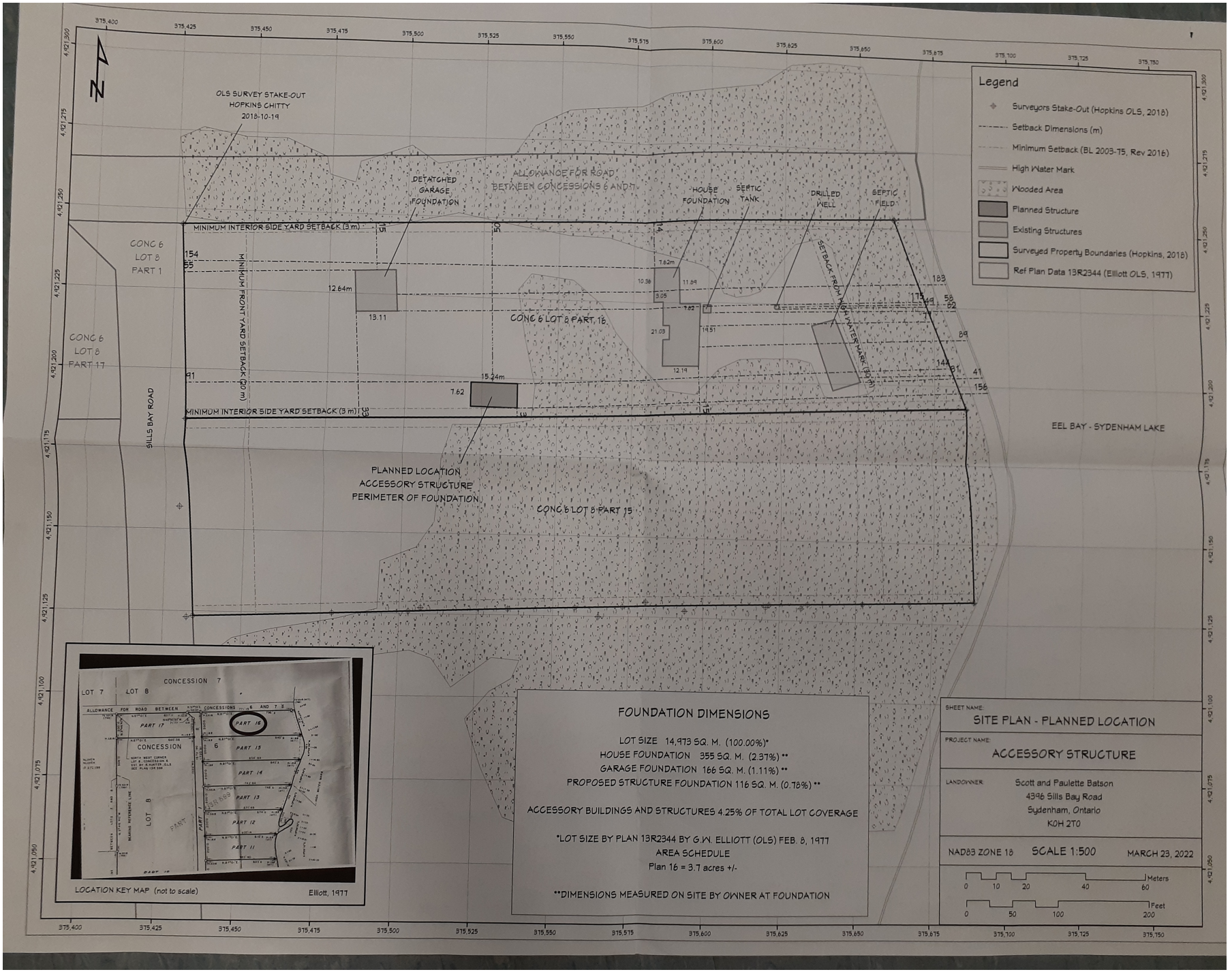
[redacted]

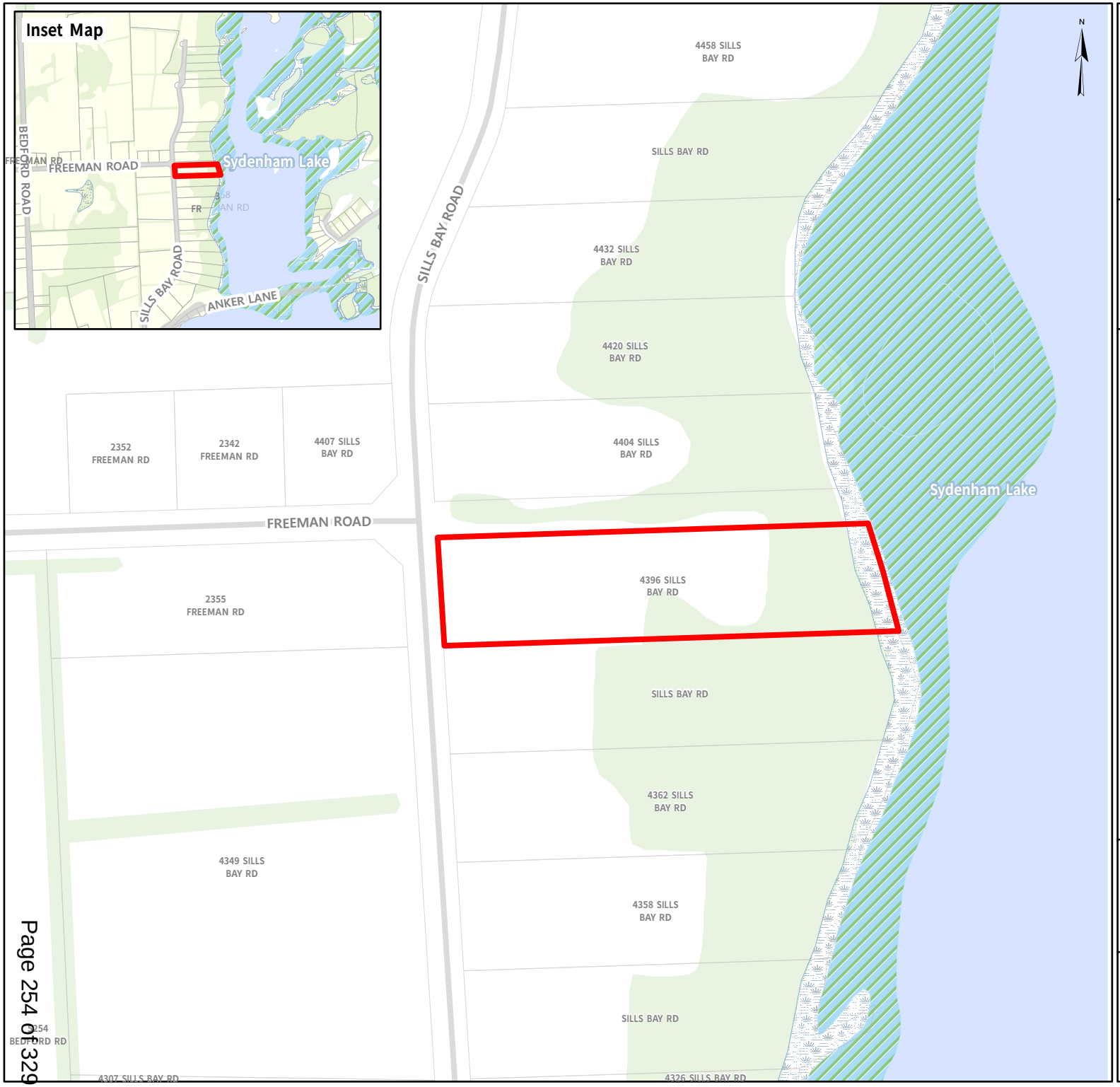
NO.	DESCRIPTION	BY	DATE

SHEET TITLE:

ROUGH DRAFT
BARN REV5


3'
11'
2'
11'
2'
11'
4'
3'
3'
50'
LIVING AREA
1250 SQ FT


OLS SURVEY STAKE-OUT
HOPKINS CHITTY
2018-10-19
DETATCHED GARAGE FOUNDATION
ALLOWANCE FOR ROAD BETWEEN CONCESSIONS 6 AND 7
HOUSE FOUNDATION
SEPTIC TANK
DRILLED WELL
SEPTIC FIELD
MINIMUM INTERIOR SIDE YARD SETBACK (3 m)
MINIMUM FRONT YARD SETBACK (20 m)
SETBACK FROM HIGH WATER MARK (30 m)
CONC 6 LOT 8 PART 1
CONC 6 LOT 8 PART 17
CONC 6 LOT 8 PART 16
CONC 6 LOT 8 PART 15
SILLS BAY ROAD
EEL BAY - SYDENHAM LAKE
PLANNED LOCATION
ACCESSORY STRUCTURE
PERIMETER OF FOUNDATION
12.64m
13.11
15.24m
7.62
Legend
Surveyors Stake-Out (Hopkins OLS, 2018)
Setback Dimensions (m)
Minimum Setback (BL 2003-75, Rev 2016)
High Water Mark
Wooded Area
Planned Structure
Existing Structures
Surveyed Property Boundaries (Hopkins, 2018)
Ref Plan Data 13R2344 (Elliott OLS, 1977)
CONCESSION 7
LOT 7
LOT 8
CONCESSION 6
PART 17
PART 16
PART 15
PART 14
PART 13
PART 12
PART 11
LOCATION KEY MAP (not to scale)
Elliott, 1977
FOUNDATION DIMENSIONS
LOT SIZE 14,973 SQ. M. (100.00%)*
HOUSE FOUNDATION 355 SQ. M. (2.37%) **
GARAGE FOUNDATION 166 SQ. M. (1.11%) **
PROPOSED STRUCTURE FOUNDATION 116 SQ. M. (0.78%) **
ACCESSORY BUILDINGS AND STRUCTURES 4.25% OF TOTAL LOT COVERAGE
*LOT SIZE BY PLAN 13R2344 BY G.W. ELLIOTT (OLS) FEB. 8, 1977
AREA SCHEDULE
Plan 16 = 3.7 acres +/-
**DIMENSIONS MEASURED ON SITE BY OWNER AT FOUNDATION
SHEET NAME:
SITE PLAN - PLANNED LOCATION
PROJECT NAME:
ACCESSORY STRUCTURE
LANDOWNER:
Scott and Paulette Batson
4396 Sills Bay Road
Sydenham, Ontario
K0H 2T0
NAD83 ZONE 18
SCALE 1:500
MARCH 23, 2022
Meters
0 10 20 40 60
Feet
0 50 100 200



SOUTH FRONTENAC

PL-ZNA-2022-0044 (BATSON)

4396 SILLS 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: 1:3,000

0 25 50 100 m

UTM Zone 18 NAD 83

Date: 2022-04-01

Township of South Frontenac

Staff Report

To:	Committee of Adjustment
Prepared by:	Development Services Department
Date of Meeting:	May 12, 2022
Subject:	**Minor Variance Application (S. 45(1) of the Planning Act) PLZNA-2022-0044 (Batson) – 4396 Sills Bay Road, District of Loughborough**

Summary

This application is a request for zoning relief for the height of two accessory structures (detached garages) and for them to be in the projected front yard of an existing 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 under section 45(1) of Planning Act.

Background

Official Plan Designation: Rural (RU)

Zoning: Residential Waterfront (RW)

Zoning Relief Requested

Section 5.24.2 – to permit two accessory structures (detached garages) to be 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.

Section 8.3.2 – to permit an accessory structure (detached garage) to have a height of 6.5 metres, and to permit the existing accessory structure (detached garage) to continue to have a height of 7 metres, whereas 6 metres is permitted for accessory structures in the Residential Waterfront zone.

Discussion/Analysis

Property Description

The subject property municipally known as 4396 Sills Bay Road is located on the east side of Sills Bay Road, at the end of Freeman Road. The subject property has waterfrontage on Sydenham Lake. It has an area of approximately 1.5 hectares (3.7 acres). The property is long and narrow, approximately 244 metres deep and 61 metres wide. The property slopes gradually from Sills Bay Road down to Sydenham Lake. The subject property contains a dwelling and a detached garage.

The dwelling has a footprint of 355 square metres (3821 square feet) and is located 89 meters from Sydenham Lake and 154 metres from Sills Bay Road. It is located at the end of the driveway.

The existing detached garage has a footprint of 166 square metres (1787 square feet) and is located 183 metres from Sydenham Lake and 55 metres from Sills Bay Road. It is located on the south side of the driveway and to the west of the dwelling.

The sewage system is located to the east of the single detached dwelling between the dwelling and Sydenham Lake. The surrounding lots are developed with similar residential uses.

Summary of Proposal

The application is requesting permission to locate an accessory building (detached garage) in the front yard of the dwelling.

The proposed detached garage is 7.6 metres by 15.25 metres (25 feet by 50 feet). It will have a total footprint of 116 square metres (1250 square feet). It will be single storey with a height of 6.5 metres (21.5 feet). It will be located between the dwelling and the existing garage on the south side of the property.

Through the review of this application, it was discovered that while a building permit was obtained in 2007 for the existing garage, no minor variance was obtained. As part of this application, permission is also being requested to formally allow the existing garage to be located in the front yard and to acknowledge its height of 7 metres.

Department and Agency Comments

Public Services has no objections to the application. They noted that the proposed garage will have no impacts on municipal road operations.

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. 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 proposed and existing detached garages are accessory uses consistent with the permitted residential use of a property in the Rural designation. Both detached garages are setback more than 30 metres from Sydenham Lake.

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 proposed detached garage and the existing detached garage are permitted uses on the subject property. Together, they do not exceed lot coverage for accessory buildings, and they are not larger than the principal building.

They are located a suitable distance from property lines. The proposed detached garage is located 91 metres from the public road. The existing garage is located 55 metres from the public road. These locations are more than double the minimum 20 metres required for the principal building. Both garages also exceed the required minimum side yard for an accessory building in the RW zone and the minimum setback from the highwater mark.

The proposed garage will be located between the existing garage and the dwelling. There are trees along the south side of the property which will screen the garage from the

neighbouring property to the south. The property is relatively flat and then drops quickly to where the dwelling is located and to Sydenham Lake. The proposed garage is going to be in a dip in the property, right before it quickly drops down. The proposed garage will have a height of 6.5 metres, which is 0.5 metres higher than what is permitted. It will be 0.5 metres lower in height than the existing garage which has a height of 7 metres. Given the large setback from the road, the location of where the proposed garage is to be constructed, and the topography of the property, the proposed increase in height is minimal.

The existing garage is also located a suitable distance from property lines, exceeding the setback requirements for an accessory structure in the Waterfront Residential zone. The height of the existing garage is greater than what is permitted. Given the large setback from property lines, and the trees located between the dwelling and the public road which provide screening, the increased building height is minimal.The 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?

As a waterfront property, it is preferable to have the garages in the front yard rather than between the dwelling and the lake in order to maintain the more than 60 metres deep natural vegetated buffer, and to avoid impacts to lake water quality.

The existing and proposed detached garages will be located between the road and the dwelling. The proposed garage will be located on an existing gravel pad, off the existing driveway, in an area that has previously been cleared.

Allowing the garages to be in the front yard on this property is convenient as it facilitates access to the garage and provides safe storage of materials near the garage and safe site circulation by avoiding the steep drop in topography.

A building height greater than 6 metres is appropriate for the development of the land as it will complement the existing development on the property and will allow for more storage 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 and purpose of the Official Plan and Zoning By-law, and is desirable for the appropriate development of the land. The size and scale of the garage will be smaller than the existing house. The proposed garage is proposed to complement the dwelling in design and finish of the house and the existing garage. The garages are screened from the road and from the neighbouring property to the south by trees and distance. This screening also makes the greater building height less noticeable.

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** minor variance application PL-ZNA-2022-0044 for 4396 Sills Bay Road, District of Loughborough, subject to the following conditions:

1. The Minor Variance is for a new detached garage and to acknowledge the existing detached garage. Both detached garages are permitted to be located in the front yard of the dwelling, and to be setback a minimum of 50 metres from Sills Bay Road. The existing garage is permitted to have a height of 7 metres and the proposed garage is permitted to have a height of 6.5 metres, all as per the drawing submitted and received on March 30, 2022 with PL-ZNA-2022-0044, attached to the Decision as Schedule "A".

2. A building permit is required for ALL construction and demolition 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.

3. Minor variance PLZNA-2022-0044 is applicable only to Zoning By-law No. 2003-75 and not to any subsequent zoning by-laws.

Report Prepared By:

Anne Geladi, MCIP, RPP, Planner

Reviewed By:

Christine Woods, MCIP RPP, Senior Planner

SOUTH FRONTENAC

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	$2,1055.00

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 *Minor Variance Only* *Minor Variance WITH Performance Review* *Minor Variance in combination with a new Class 2, 3, 4, or 5 sewage system other than a Class A system*	$463.00 $720.00 $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.

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 PL-ZNA-2022-0045

1. Name of Owner(s): Frank + Wendy Milligan

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

Phone number of Owner(s): [redacted]

Email Address of Owner(s): [redacted]

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

Name of Authorized Agent: _____

Full Mailing Address of Authorized Agent: _____

Phone number of Authorized Agent: _____

Email Address of Authorized Agent: _____

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

_____
Signature(s) of Owner(s)

3. The description of the subject land:

District: ☐ Bedford ☐ Portland ☑ Loughborough ☐ Storrington

Concession Number: 13 Lot Number: 25

Street Number: 1037 Name of Road/Street: Roost Lane

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

Roll Number: 040-040-11600-0000

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

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

Frontage (on water): 200' Frontage (on road/lane): 262.5'

Depth: 325.9' Area: 1,127.2'

5. The current zoning of the subject land:

Res. water front (RLSW)

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

Relief of height Restrictions.

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

New Garage exceeding the height of existing Structure.

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

Name of Road/Lane:

Roost Ln

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

N/A

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

RLSW

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

☑ Yes ☐ No

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

Type of Structure (E.g. residence)	**(1)** Residence	**(2)** Boat house	**(3)**	**(4)**
Setback from Front Lot Line	13.39 ft	33.96 ft		
Setback from Rear Lot Line	43.70 ft	N/A		
Setback from Side Lot Line	E-129.87 ft W-333.26 ft	E-N/A W-474.15 ft		
Height of Building (Also indicate if it is one story or two story)	18 ft 1½ Storey	14 ft 1 Story		
Dimensions of Floor Area	1,127 2ft	N/A		
Setback from High Water Mark (If applicable)	72.36 ft	N/A		

13. The proposed uses of the subject land:

RLSW

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:

	(1)	(2)	(3)	(4)
Type of Structure (E.g. residence)	Garage			
Setback from Front Lot Line	35ft			
Setback from Rear Lot Line	35ft			
Setback from Side Lot Line	E - 216.53ft W - 253.82ft			
Height of Building (Also indicate if it is one story or two story)	23ft 10 inches 1½ Story			
Outside Dimensions of Building/Structure	28ft x 40ft			
Setback from High Water Mark (If applicable)	100ft			

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

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

If yes, please provide details:

_____

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

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:

September 30th, 2018

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

1940

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

82 years

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

lake

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:

Holding Tank

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.

☐ 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 29th DAY OF MARCH, 2022

I, Frank Millisan OF Kingston

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

[redacted]

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).

9) Parking and Docking: This question is only relevant is 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.

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.

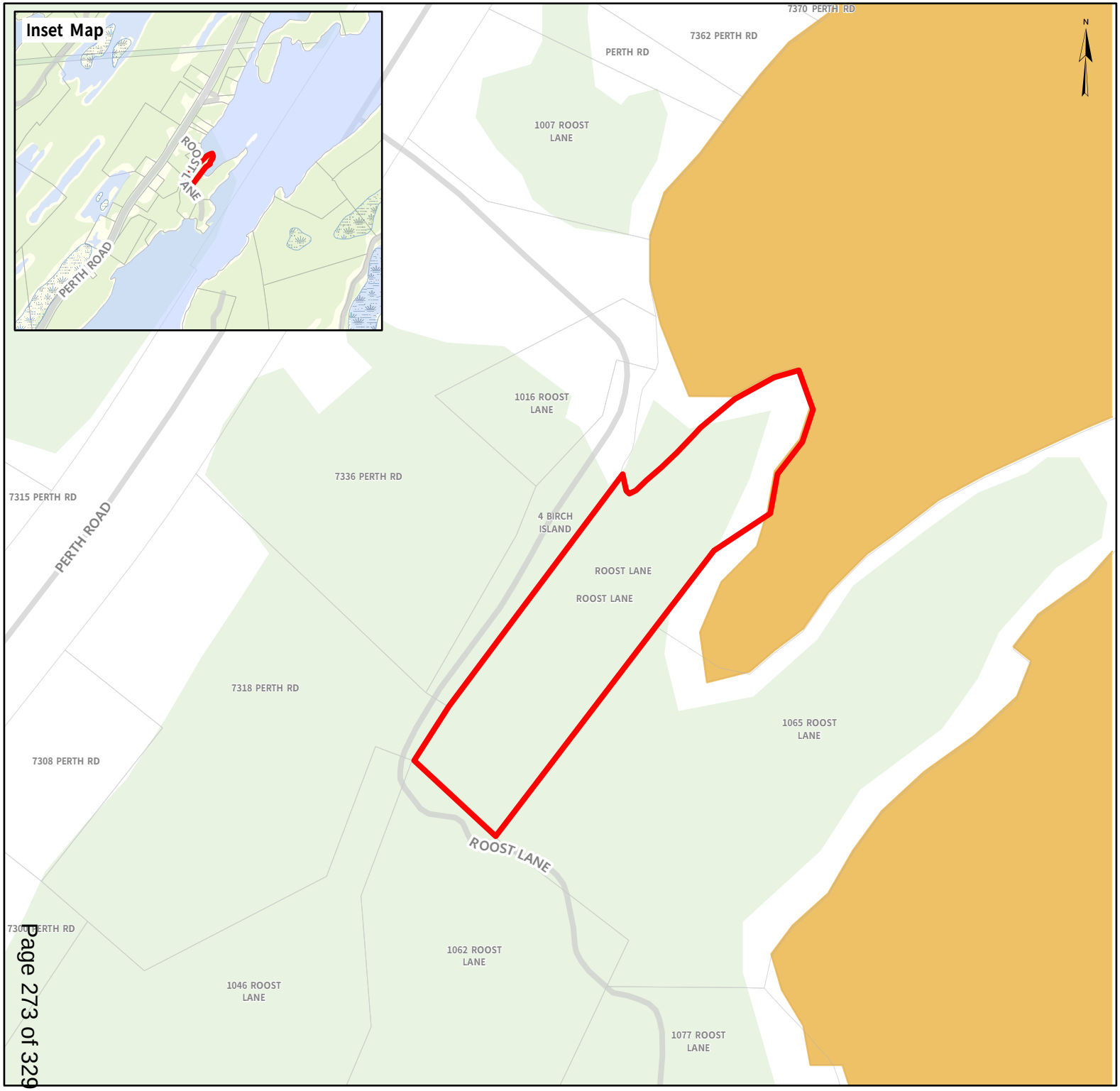
29) **SKETCH: We cannot stress enough the importance of a detailed, accurate, and complete sketch. You do not necessarily need to contract with a professional to draw the sketch, but sketches that are not drawn to scale, do not show dimensions and distances, or are not drawn neatly (PLEASE USE A RULER), 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.

HIGH WATER MARK AND
LOT LINES INDICATED
BY PEN.

ELEVATION LEVELS INDICATED
BY PENCIL.

ELEVATION LEVELS CONCEAL
LINE OF SIGHT FROM LANE
AND OTHER DWELLINGS.



SOUTH FRONTENAC

PL-ZNA-2022-0045 (MILLIGAN)

1037 ROOST LANE

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

0 12.5 25 50 m

UTM Zone 18 NAD 83

Date: 2022-04-01

April 21, 2022 File: MV/FRS/89/2022

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-2022-0042 (Milligan)
Part Lot 25, Concession 13; 1037 Roost Lane
Loughborough District, Township of South Frontenac
Waterbody: Buck Lake

Cataraqui Conservation staff have reviewed the above-noted application for minor variance and provide the following comments for the Committee of Adjustment's consideration. The property was visited by staff on April 20, 2022.

Summary of Proposal

The proposal involves the construction of a garage on the subject property. The variance is requested to:

- Seek relief from the height restriction to permit the construction of a garage.

Site Description

The property is located on the west side of the south basin of Buck Lake, east of Perth Road. The topography of the site can be characterized as a high ridge / peninsula of land extending into the lake. The garage is proposed to be constructed on the southern end of the property that is approximately 5 metres above the flood plain of the lake.

The property is currently designated 'Rural' in the Official Plan and 'Limited Service Residential – Waterfront Zone' (RLSW) in the Zoning By-law for South Frontenac Township. Buck Lake has been designated as a highly sensitive Lake Trout Lake in the Official Plan for South Frontenac Township.

Discussion

The main interests of Cataraqui Conservation in this proposal are the avoidance of natural hazards (e.g. flooding and erosion) associated with the shoreline of Buck Lake, and the protection of the water quality of the lake.

Natural Hazards

Flooding: Cataraqui Conservation does not have floodplain mapping for Buck Lake. The maximum recorded water level for Buck Lake is 133.16 metres geodetic. For Buck Lake, the maximum recorded water level is used in lieu of an engineered flood plain. 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 site observations and elevation mapping data, the proposed development will be located outside of the setback from the regulatory flood plain.

Erosion: Cataraqui Conservation defines the extent of potential erosion hazards to include an allowance for toe erosion, a stable slope allowance of 1 (vertical):1 (horizontal) for rock, plus an erosion access allowance of 6 metres, or 6 metres from the stable top of valley. Based upon measurements take n at the site, the proposed development will be located greater than 6 metres from the stable top of valley.

Staff have no concerns with the proposal from a natural hazard perspective.

Water Quality

Section 2.2 of the Provincial Policy Statement (PPS) suggests that planning authorities should seek to protect, improve or restore the quality and quantity of water. Accordingly, the Official Plan and Zoning By-law for the Township of South Frontenac provide guidance with respect to how development should occur in consideration of protecting, improving and restoring water quality within the municipality. Similarly, Cataraqui Conservation's Environmental Planning Policy (EPP, 2021) contains provisions that seek to support these objectives.

Also, as noted above, Buck Lake is identified as a highly sensitive Lake Trout Lake, and as such, the waterbody is afforded additional protection to ensure development does not negatively impact the water quality of the lake. Section 5.2.8 of the Official Plan suggests all development or site alterations proposed within 30 metres of the highwater mark of a designated Lake Trout Lake requires the submission of an Environmental

Impact Assessment (EIA) and that a Lake Impact Assessment may also be required. However, in this instance the proposed development is greater than 30 metres from the highwater mark so in the opinion of staff, these assessments are not required. *If approved, staff recommend that roof runoff be directed away from the lake.*

Recommendation

Staff have no objection to the approval of application PL-ZNA-2022-0042 based on our consideration for natural hazards, natural heritage, and water quality policies.

Ontario Regulation 148/06

Cataraqui Conservation, under Ontario Regulation 148/06: *Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses,* regulates development (construction, filling, and site alteration) within 15 metres of a valley land. The purpose of the regulation is to ensure that proposed changes (e.g. development and site alteration) to a property are not affected by natural hazards, such as flooding and erosion, and that the changes do not put other properties at greater risk from these hazards. The proposed development and associated filling and grading is located within the 15 metre adjacent lands to the top of valley. Therefore, a permit will be required for the proposed development. The applicant will be required to contact Rhonda Roantree, Resource Planning Clerk at rroantree@crca.ca 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 the undersigned 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)
Rhonda Roantree, Resource Planning Clerk, Cataraqui Conservation (via e-mail)

Township of South Frontenac

Staff Report

To:	Committee of Adjustment
Prepared by:	Development Services Department
Date of Meeting:	May 12, 2022
Subject:	**Minor Variance Application (S. 45(1) of the Planning Act) – PL-ZNA-2022-0045 – Milligan – 1037 Roost Lane, Loughborough District**

Summary

This application is a request for zoning relief for building height to allow a detached garage to be 7.3 metres in height whereas 6 metres is otherwise permitted. 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: Limited Service Residential – Waterfront (RLSW)

Zoning Relief Requested

Section 10.3.2 – Relief for an increase of 1.3 metres from the 6 metre maximum building height for accessory buildings to permit an 7.3 metre height for a detached garage.

Discussion/Analysis

Property Description

The subject property, located at 1037 Roost Lane, has an area of approximately 0.46 hectares (1.14 acres) and water frontage on Buck Lake. Buck Lake is an at-capacity (Highly Sensitive) Lake Trout Lake. The property is developed with a single detached dwelling and a boat house. The property drops quickly from the relatively flat area where the house is located, to the lake. The property is long and narrow, being 141 metres long and 32 metres wide at its widest point. There is an indentation of the shoreline on the northwest and the southeast portions of the property creating a small peninsula. The topography of the site can be characterized as a high ridge / peninsula of land extending into the lake. The existing dwelling and boat house are located on the peninsula.

The dwelling has a footprint of 105 square metres (1127 square feet) and is located 21 metres from the highwater mark. It is one and a half storeys with a height of 5.5 metres (18 feet). The property is serviced by a holding tank which is located to the rear of the dwelling. The south end of the property is treed. The surrounding lots are developed with similar residential uses.

Summary of Proposal

The owner is proposing to construct an 8.5 metres x 12 metres (28 feet x 40 feet) detached garage with a height of 7.3 metres (23.10 feet). It will be one and a half storeys and setback a minimum of 30 metres from the highwater mark of Buck Lake.

The garage would be located to the south of the dwelling on an existing gravel pad at the start of the existing driveway. It will be located at the opposite end of the property than the dwelling. The additional height is requested to have additional space for storage.

Department and Agency Comments

Cataraqui Conservation – Comments were received from Cataraqui Conservation on April 21, 2022. Cataraqui Conservation visited the site on April 20, 2022 and noted that the southern end of the property, where the garage is proposed to be built, is approximately 5 metres above the flood plain of the lake. Based upon their site observations and elevation mapping data, Conservation Staff confirmed that the proposed development will be located outside of the setback from the regulated flood plain and will also be located greater than 6 metres from the stable top of bank. Staff have no concerns from a natural hazard perspective, however recommend that roof run-off be directed away from the lake.

Cataraqui Conservation has no objections to the application. A permit under O. Reg 148/06 will be required for future development on the lot. The applicant or future owner of the property must contact Cataraqui Conservation at the building permit stage.

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. 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 detached garage is an accessory use consistent with the permitted residential use of the property within the Rural designation.

The proposed detached garage will be setback a minimum of 30 metres from the highwater mark of Buck Lake, compliant with section 5.2.7(b)(i) of the Official Plan. The variance is consistent with 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 proposed detached garage is a permitted use on the subject property. The detached garage is located a suitable distance from property lines, exceeding the setback requirements for an accessory structure in the RLSW zone, including the setback from the highwater mark. The garage will not exceed the maximum 5% lot coverage permitted for accessory buildings. The proposed detached garage is not larger than the dwelling. The increase in height is reasonable for the proposed building.

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. 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 proposed location for the detached garage is to the south of the dwelling. It will be located on an existing gravel pad, at the start of an existing driveway, in an area on the property that is currently used for parking. Locating the garage in this area will continue to allow for the safe ingress and egress of the property and will also allow vehicles to turn around on the narrow property. Locating the garage in this area is desirable since it will also provide screening from the additional building height requested in the variance. Furthermore, allowing a second storey for storage of items on the property can help minimize the building footprint and reduce the potential need for additional accessory buildings.

The property is higher in elevation than the lane and the lake. There are large trees that surround the location of the garage. The trees and the elevation change will conceal the additional height of the garage from the lane, from neighbouring properties and from the lake. The height of the garage would be below the height of the mature treeline. The dwelling will also screen views of the detached garage from the water. The proposed location and orientation of the garage is practical given the physical characteristics of the property. With these considerations, the increase in building height is appropriate.

Is the variance minor?

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.

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** minor variance application PL-ZNA-2022-0045 for 1037 Roost Lane, subject to the following conditions.

1. The Minor Variance is for one detached garage. The garage is permitted to have a maximum building height of 7.3 metres as per the drawings received on April 5, 2022 and submitted with PL-ZNA-2022-0045, attached to the Decision as Schedule "A".

2. A building permit is required for ALL construction and demolition 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.

3. The applicant is required to enter into a development agreement to be registered on title that incorporates the Townships current environmental policies and Cataraqui Conservation's recommendations outlined in their letter dated April 21, 2022.

4. Minor variance PL-ZNA-2022-0045 is applicable only to Zoning By-law No. 2003-75 and not to any subsequent zoning by-laws.

Report Prepared By:
Anne Geladi, MCIP, RPP, Planner

Reviewed By:
Christine Woods, MCIP RPP, Senior Planner

SOUTH FRONTENAC

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	$2,1055.00

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 *Minor Variance Only* *Minor Variance WITH Performance Review* *Minor Variance in combination with a new Class 2, 3, 4, or 5 sewage system other than a Class A system*	$463.00 - bldg permit $720.00 $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.

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): CLINTON BARKER, JANICE BARKER

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

Phone number of Owner(s): [redacted]

Email Address of Owner(s): [redacted]

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

Name of Authorized Agent: N/A

Full Mailing Address of Authorized Agent: N/A

Phone number of Authorized Agent: N/A

Email Address of Authorized Agent: N/A

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

N/A
Signature(s) of Owner(s)

3. The description of the subject land:

District: ☐ Bedford ☑ Portland ☐ Loughborough ☐ Storrington

Concession Number: 11 Lot Number: 19

Street Number: 6066 Name of Road/Street: First Lake Road

Reference Plan Number: 13R17781 Part Number(s): 1

Roll Number: 0806-060-02405-0000

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): _____ Frontage (on road/lane): _____

Depth: _____ Area: 0.9 ACRE.

5. The current zoning of the subject land:

R W.

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

Wish to build accessory building (Garage) detached from principal building and closer to front lot line

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

The only valid location to build; other 'spare' locations would impose on Septic or water

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

Name of Road/Lane:

First Lake Road

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

N/A

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

Residential.

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

☑ Yes ☐ No

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

Type of Structure (E.g. residence)	(1) Residence	(2) Shed	(3) Deck	(4)
Setback from Front Lot Line	165 ft	194 ft	204 ft.	
Setback from Rear Lot Line	55 ft	81 ft	61 ft	
Setback from Side Lot Line	52 ft (N) 75 ft (S)	30 ft (N) 132 ft (S)	67 ft (N) 101 ft (S)	
Height of Building (Also indicate if it is one story or two story)	23 ft from Grade to Ridge.	10 ft 1 Storey	4.5 ft High. N/A	
Dimensions of Floor Area	outermost 43' 8¾" x 54' 4½"	12 ft x 10 ft	14' x 26'	
Setback from High Water Mark (If applicable)	60 ft	86 ft	66 ft.	

13. The proposed uses of the subject land:

Residential

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

☑ Yes ☐ No

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

	(1)	(2)	(3)	(4)
Type of Structure (E.g. residence)	GARAGE			
Setback from Front Lot Line	40 Ft			
Setback from Rear Lot Line	52 Ft			
Setback from Side Lot Line	55 Ft (North) 65 Ft (South) *95 ft (South)			
Height of Building (Also indicate if it is one story or two story)	maximum 23 Ft 2 Storey.			
Outside Dimensions of Building/Structure	26 Ft x 24 Ft			
Setback from High Water Mark (If applicable)	108 Ft			

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

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

If yes, please provide details:

N/A

* Extent of side lot line not shown on current South Frontenac mapping.

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

If yes, please provide details:

N/A

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:

May 1ST 2019.

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

11 years

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

15 years (minimum)

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

Private Well.

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

Private Sewage System

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

Ditches / Conduit

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.

N/A

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:

[redacted]

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).

9) Parking and Docking: This question is only relevant is 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.

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.

Building Services
4432 George St, Box 100
Sydenham, ON K0H 2T0

Date: April 2022

Mr Clint Barker
6060 First Lake Road
Bellrock, ON K0H 2W0

6060 FIRST LAKE ROAD – GARAGE BUILDING APPLICATION, SUPPLEMENTARY NOTES

Reference:

A. E-mail Geladi/Barker dated 8th April 2022.

Aim

1. The aim of this document is to provide a statement in line with the recommendation of Reference A; namely that I "*include a letter stating your intentions; what it is you are applying for and why you want it / why it makes the most sense to you*". This document is included as part of a 'package' supporting my 'Township of SOUTH FRONTENAC Application for Minor Variance or Permission (updated January, 2022)' application paperwork. The package includes 'other' diagrams, documents pertaining to the application and is designed to add clarity.

Rationale for application/building of Garage

2. Having moved to the property in May 2019, one of my first questions was 'where could a garage be built'; I was surprised to find that the residence had not been built with a garage but subsequently found out from the previous owners that it had always been their intent but a 'future project'.
3. For the last 30 months this requirement to build a garage has been reinforced, with a need to provide not only a safe, secure, winterised and year round 'parking' for my vehicles, but also additional storage for both recreational and 'maintenance' tools e.g. lawnmower, snow blower, kayaks, soft furnishing (contained in totes).
4. This requirement was fully reinforced when in October of 2019 (Halloween) the 'temporary' garage that I had erected was blown over and destroyed resulting in one car (my daughters) being written off and causing in excess of $15,000 worth of repairs to the family car.

Rationale for Garage Location

5. Since moving to the property great consideration has been given to the location; and the proposed location, in my opinion, is not only the most logical, but represents the only really viable option. The proposed location will utilise an area of 'hard standing' (5/8 crushed gravel) that has been used as the temporary garage location for the last 30 months – this location

originally having x 2 'shelterlogic' temporary garage erected – now has one (rather tatty) as a result of the storm mentioned. The location adjoins the gravel driveway for easy access and the building of the garage in this location will cause the least 'disturbance' to the property. Although this application calls for x 2 minor variances to be applied, the location chosen is by far the least disruptive of other potential locations (of which there is only one). The proposed location will also be the most aesthetically pleasing by presenting a lot less of a 'blockage of view' from the front of the property, is further away from any body of water and remains the location requiring (from my knowledge) the least amount of variances to be applied.

Minor Variance – Building closer to the front of the lot than existing residence

6. As mentioned, the proposed location will require a minor variance of building closer to the front of the lot than existing residence; this request for a minor variance would also exist if the only other conceivable location were to be chosen. The garage is still a 'good' distance from the front of the lot (supported by included sketch and diagrams), however due to 'other' features such as natural water, property line ownership, well location, septic location, this is the best and most logical location and the request for this variance is unavoidable. As described in para 5, this is the most logical location and is the site of the present 'temporary' garage.

Minor Variance – Building greater than 6 M in height.

7. As mentioned in para 3, this application seeks to permit the building of a structure of a garage with additional storage area above. For this reason, and having spoken to my intended builder, the height of the building will exceed 6M (estimated to be maximum of 23 feet or 7M). I do not consider this request unreasonable; the storage will be used to provide safe, secure, winterised storage; in particular the 'overhead' storage area will be used for soft furnishings/outdoor furniture when not in use in the Winter and recreational items e.g. kayaks. The space will not be used for 'living' or 'recreational use' e.g. Hobby area, it is purely for additional storage, which my main residence is severely lacking.

Summary

8. This letter has outlined my 'what' and 'why' building a garage on my property. In addition, I have outlined why I believe the reason and the location make the most sense and incur unavoidable variances being applied; I have included supplementary diagrams which I hope assist in the consideration of this application. When viewing the supplementary diagrams I hope the board agrees that not only is the application 'valid' but it really is the most viable option in terms of location and explains why the request for variances be applied.

For the boards consideration:

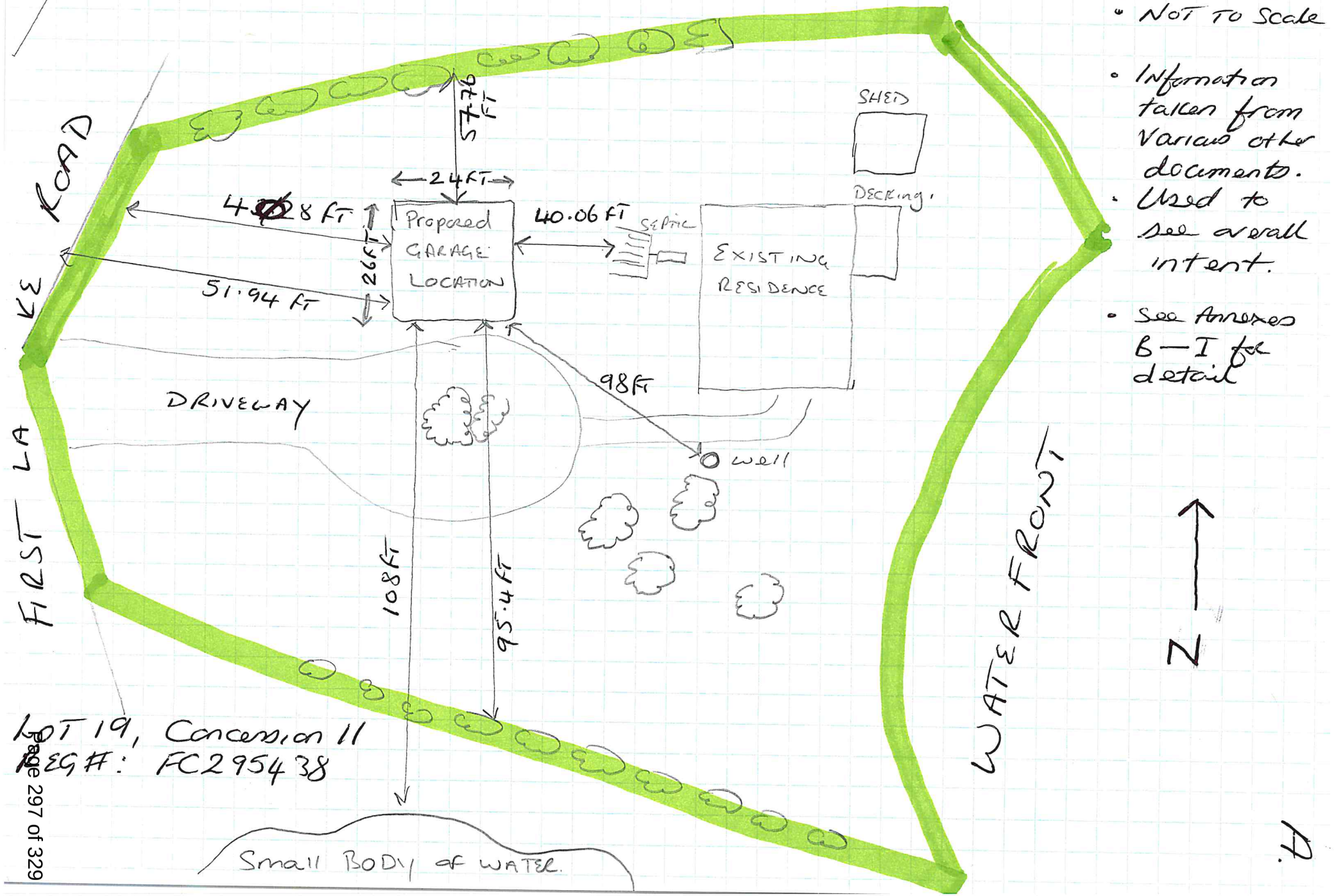
Yours,

C J Barker

Supplementary Information/Diagrams:

A. Consolidated Plan/Sketch (using a variety of information this is a simple sketch compiling details from other relevant documentation e.g. septic install, South Frontenac Map planning tool.
B. 'Zoomed out' e-sketch using South Frontenac Map Planning Tool – used to get measurement to complete section 15 of Application.
C. 'Zoomed in' e-sketch using South Frontenac Map Planning Tool – used to get measurement to complete section 15 of Application.
D. Copy of original sketch of Septic System (2004) – first Draft – Used to ascertain distance away from proposed garage.
E. Copy of original sketch of Septic System (2008) – final Draft. – Used to ascertain distance away from proposed garage.
F. Copy of original main residence first floor diagram – used to get measurements to complete section 12 of Application.
G. Copy of first draft of intended garage design – note space for storage only and height of garage.
H. Copy of Lot diagram showing new 'consolidated' Parts.
I. Copy of Service Ontario confirmation of Lot Part Consolidation

Conceptual Plan Sketch for the application of a building Permit for a garage at 6060 First Lake Road.



- NOT TO Scale
- Information taken from Various other documents.
- Used to see overall intent.
- See Annexes B—I for detail

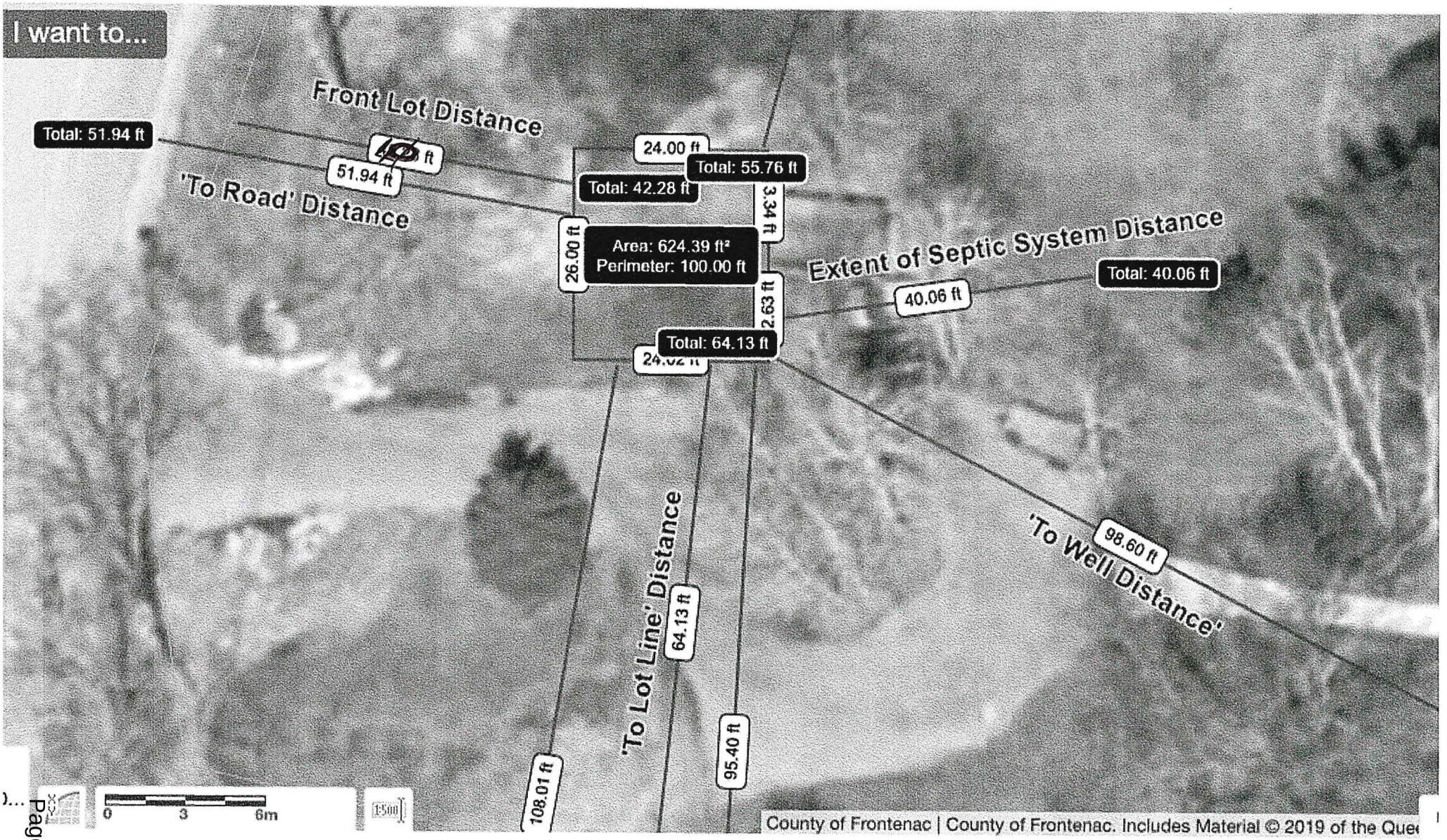
LOT 19, Concession 11
REG#: FC295438

A.

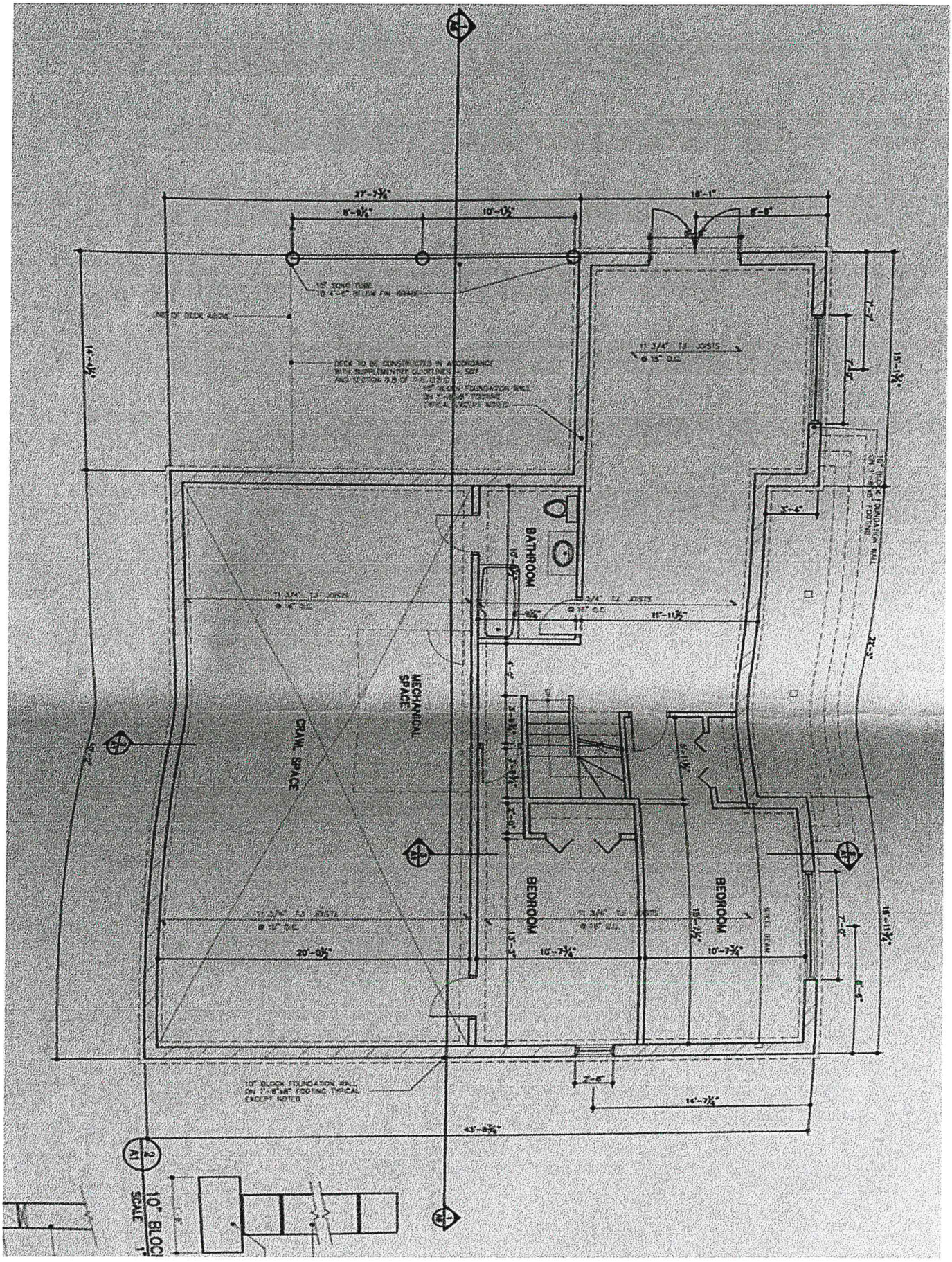
B

Composed aw sketch.

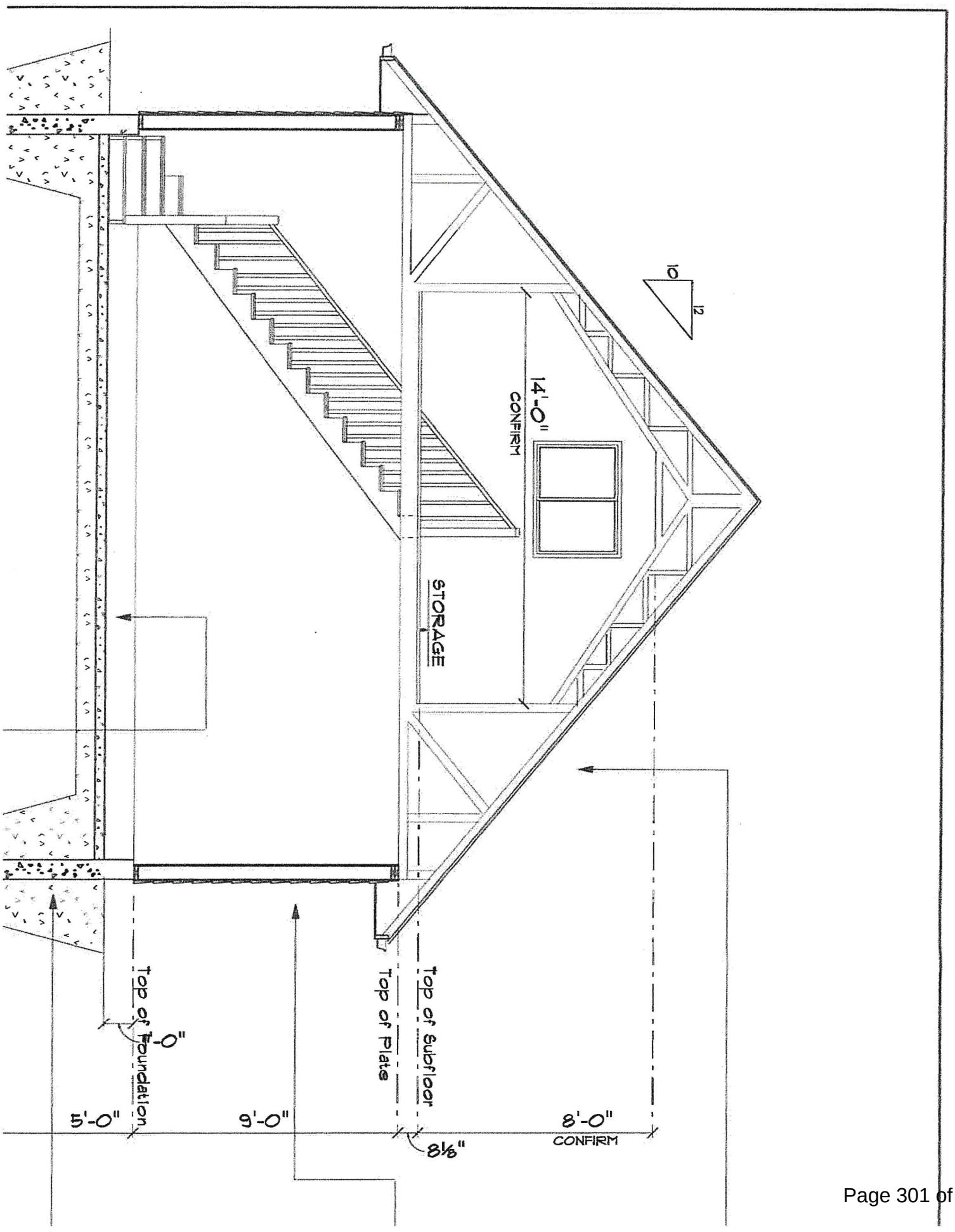
Zoomed in E-Sketch



F



Sent from Clint Barker's RATT Det.... On.....On.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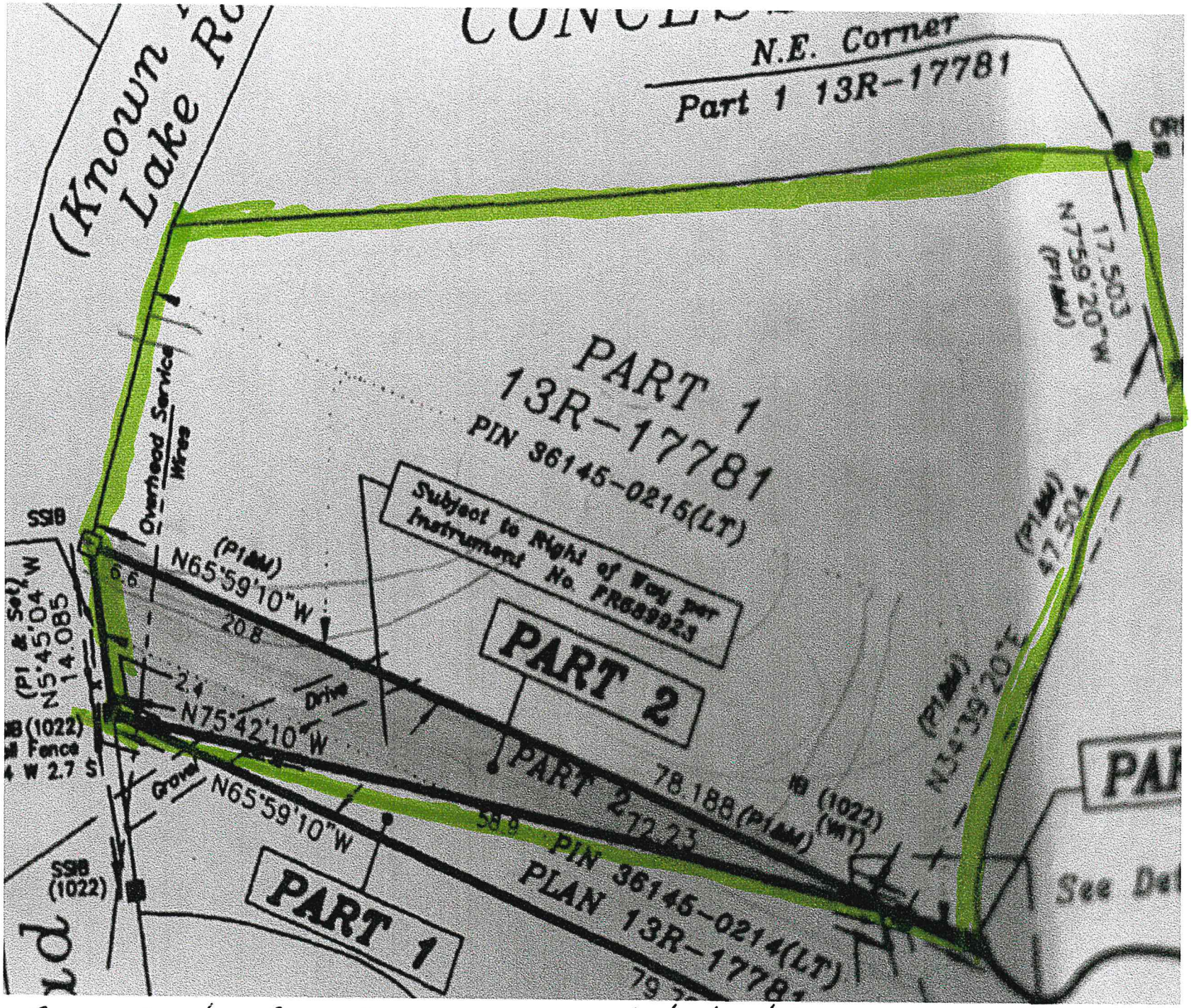
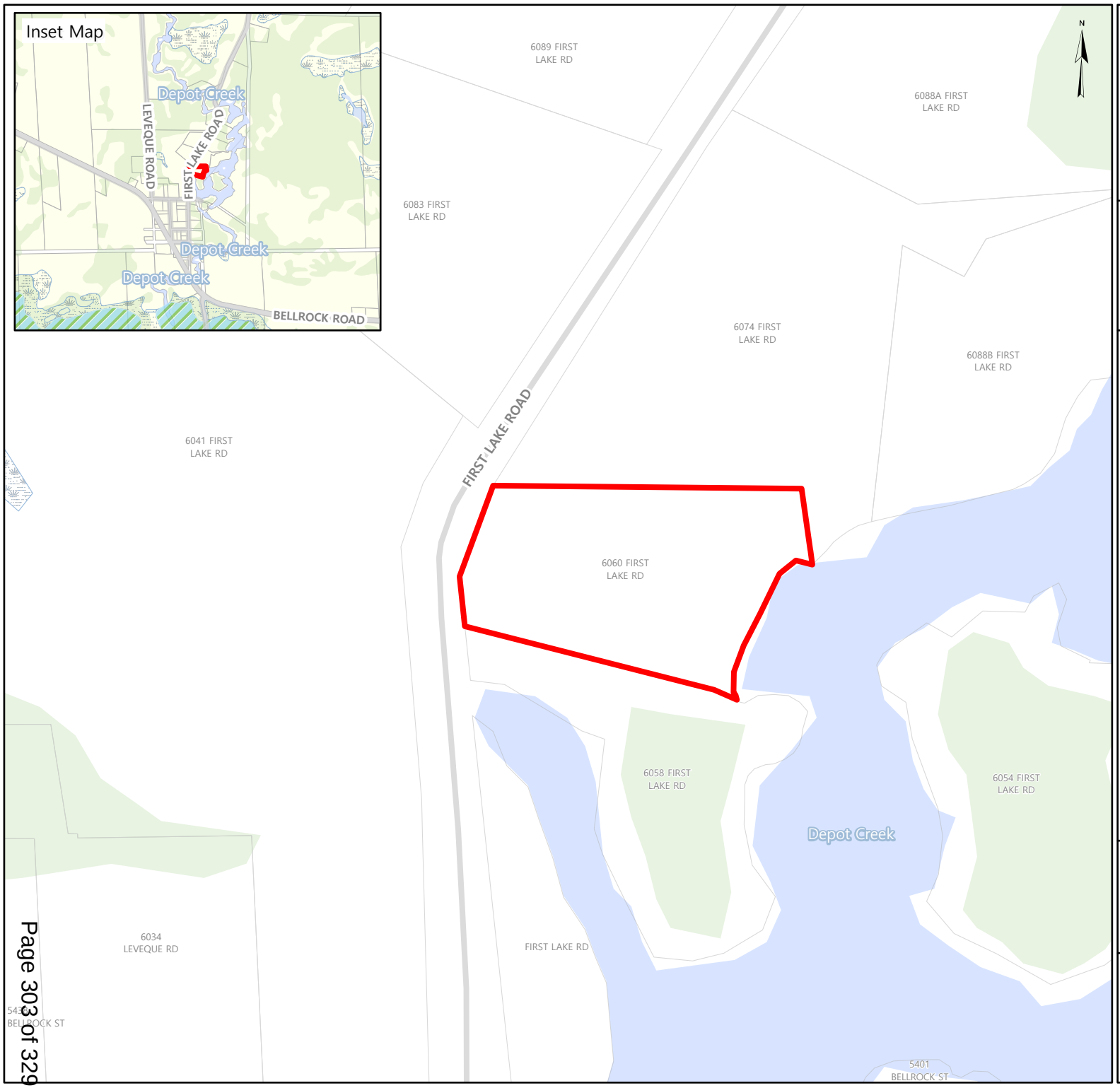


PART 1 & PART 2 now consolidated :-

REG N°:- 95438 PIN N°:- 36145-0714 - 27 Dec 2019 ✗



SOUTH FRONTENAC

PL-ZNA-2022-0047 (BARKER)

6060 FIRST LAKE 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

0 12.5 25 50 m

UTM Zone 18 NAD 83

Date: 2022-04-25

Report from Roads to Committee of Adjustment

Application Number: PL-ZNA-2022-0047

Applicant's Name: Clinton & Janice Barker

Concession: 11 **Lot:** 19 **District:** Portland

Road: 6060 First Lake Road

Road Maintenance: Year-round ☑ Seasonal ☐

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

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

Concerns or comments:

The proposed structure location will have no implications in regard to the operations of the roadway.

Approved by Public Services:

Yes ☑ No ☐ Yes, with conditions ☐

Conditions proposed:

Signature

2022-04-22

Date

Township of South Frontenac

Staff Report

To:	Committee of Adjustment
Prepared by:	Development Services Department
Date of Meeting:	May 12, 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 dwelling with an attached garage.

This report recommends that the Committee of Adjustment defer this application.

Deferral is recommended for the reasons below:

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.

Background

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 9.2 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 structure is 6.3%.

The shed is located to the south of the dwelling, 21 metres (70 feet) from the highwater mark of Bob’s Lake. It has a footprint of 8 square metres (90 square feet).

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 accessible dwelling with an attached garage on the same general footprint.

The new dwelling with detached 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. the dwelling will be setback 30 metres from the highwater mark of Bob’s Lake and 9.2 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 5.7% 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 new sewage system is 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.

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).

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.

Development Services

The proposed dwelling with attached garage would almost double lot coverage, from 6.3% to 12%. The application suggests that this is similar to the maximum 5% lot coverage

permitted for the principal building in the RLSW zone plus the 5% lot coverage permitted for accessory buildings and structures in the General Provisions.

The intent of the lot coverage provision on a waterfront property, is to regulate the scale and density of development relative to the local landscape to avoid an overdeveloped appearance of the lot, the shoreline and the neighbourhood, and to maintain appropriate green space (e.g. natural vegetation buffers). In addition, when considering lot coverage, it is important to consider the reasonable use of the property without creating a negative impact on safety. Upon reviewing this application, concerns with lot coverage were identified.

Development Services Staff encourage the applicant to revisit their application to reduce the lot coverage proposed to be more in keeping with the average lot coverage in the neighbourhood (approx. 6% not including decks).

Public Comments

One comment was received from the neighbours located at 67 Mill Bay Lane in support of the application.

Conclusion

Township Staff recommend deferral of the application:

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.

Report Prepared By:

Anne Geladi, MCIP, RPP, Planner

Reviewed By:

Christine Woods, MCIP RPP, Senior Planner

Township of South Frontenac

Staff Report

To:	Committee of Adjustment
Prepared by:	Development Services Department
Date of Meeting:	May 12, 2022
Subject:	**Minor Variance Application (S. 45(1) of the Planning Act) PL-ZNA-2022-0047 (Barker) – 6060 First Lake Road, District of Portland**

Summary

This application is a request for zoning relief for building height for an accessory structure and to allow that accessory structure (detached garage) to be located in the projected front yard of an existing dwelling.

This report recommends that the Committee of Adjustment defer this application to provide the applicant time to revise the drawing and application to ensure the proposal for a garage would be of a size and in a location that is compliant with required setbacks from the sewage system and hydro lines.

Background

Official Plan Designation: Rural

Zoning: Residential Waterfront (RW)

Zoning Relief Requested

Section 5.24.2 – to permit an accessory structure (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.

Section 8.3.2 – Relief for an increase of 1 metre from the 6 metre maximum building height for accessory buildings to permit a 7 metre height for a detached garage.

Discussion/Analysis

Property Description

The subject property municipally known as 6060 First Lake Road is located on the west side of First Lake Road and has an area of approximately 0.43 hectares (1.07 acres). The property has waterfront on Depot Creek on the east and south sides. The subject property contains a dwelling and two temporary sheds as well as an associated sewage system.

The sewage system is located to the west of the single detached dwelling between the dwelling and First Lake Road. The surrounding lots are developed with similar residential uses.

Summary of Proposal

The application is requesting permission to permit a detached garage to have a height of 7 metres and to be located in the front yard of the dwelling.

The proposed detached garage is 7.9 metres by 7.3 metres (26 feet by 24 feet). It will have a total footprint of 58 square metres (624 square feet). It will be two storeys with a height of 7 metres (23 feet).

The proposed detached garage will be located 12 metres (40 feet) from the front lot line adjacent to First Lake Road. The garage would be located to the west of the dwelling, between the sewage system and the road. It will be located off the existing driveway. It will be setback more than 30 metres from Depot Creek.

The additional height is requested to have additional space for storage.

Department and Agency Comments

Public Services provided comments on April 22, 2022 noting that the proposed structure will have no implications in regard to the operations of the roadway. They have no objections to the application.

Building Services (Sewage System Review) provided spoke with Township Planning Staff on May 5, 2022 and noted that they went out to the property on May 4, 2022 to determine compliance with the setback of the sewage system. While on site, it was discovered that the proposal will need to be shifted closer to the road and the hydro line to meet the required setbacks from the mantle of the sewage system.

Quinte Conservation provided comments on April 28, 2022. They note that the proposed development is consistent with section 3.1 of the Provincial Policy Statement as the proposal is located outside of hazards lands. They note that a permit will be required from Quinte Conservation prior to the construction of the garage at the building permit stage,

since the garage will be located within the 45 metres area that is regulated by Quinte Conservation from the seasonal highwater mark of Depot Creek.

Quinte Conservation has no objections to the application.

Public Comments

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

Conclusion

It is recommended that the Committee of Adjustment defer this application to provide the applicant time to revise the drawing and application to ensure the proposal would be of a size and in a location that is compliant with required setbacks from the sewage system and hydro lines.

Report Prepared 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**

1. Name of Owner(s): JOHN JEWITT KAREN FLEMING

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

Phone number of Owner(s): [redacted]

Email Address of Owner(s): [redacted]

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

Name of Authorized Agent: BOBS LAKE CO-OP

Full Mailing Address of Authorized Agent: LEE FRETTS (FOR BOBS LAKE CO-OP INC.)

Phone number of Authorized Agent: [redacted]

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

[redacted]

3. The description of the subject land:

District: ☑ Bedford ☐ Portland ☐ Loughborough ☐ Storrington

Concession Number: _____ Lot Number: 40A

Street Number: 40A Name of Road/Street: DONALDS LANE

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

Roll Number: _____

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

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

Frontage (on water): _____ Frontage (on road/lane): _____

Depth: _____ Area: _____

5. The current zoning of the subject land:

RECREATIONAL. RLSW-3

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

TO INSTALL NEW TRAILER

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

LOCATION OF NEW TRAILER TO REAR PROPERTY LINE.

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

Name of Road/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?

RECREATIONAL.

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

☑ Yes ☐ No

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

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

	Type of Structure (E.g. residence)	(1)	(2)	(3)	(4)
ECK		OUT HOUSE	SLEEPING CABIN	STEEL SHED	EXISTING TRAILER 30'
105'	Setback from Front Lot Line		130'	19'	138'
26½'	Setback from Rear Lot Line		10'	125'	4'
79'	Setback from Side Lot Line		10'	32'	18'6"
N/A	Height of Building (Also indicate if it is one story or two story)	8' ONE STORY	8' ONE STOREY	6' ONE STOREY	8' ONE STOREY
264'	Dimensions of Floor Area	32 SQ FT. ~~96 SQ FT.~~	960 SQ FT	365 SQ FT.	30' X 8'
105'	Setback from High Water Mark (If applicable)		130'	19'	138'

13. The proposed uses of the subject land:

RECREATION

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**

	(1) NEW TRAILER	(2)	(3)	(4)
Type of Structure (E.g. residence)	38 X 14'			
Setback from Front Lot Line	126'			
Setback from Rear Lot Line	10'			
Setback from Side Lot Line	27'			
Height of Building (Also indicate if it is one story or two story)	ONE STOREY 8'			
Outside Dimensions of Building/Structure	14'x38'			
Setback from High Water Mark (If applicable)	126'			

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 complet

Section 15
Add new ~~F~~ trailer
- dimensions
- setbacks

16. Do your plans include any **DEMOLITION** o o

If yes, please provide details:

17. Do your plans include the **RAISING** of an ☑ 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:

2017

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

2018

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

45 YRS

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

YES COMMUNAL 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:

NO (OUTHOUSE)

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.

☐ 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.

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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.

REZONING
APPLICATION PENDING

---

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

i) THE SKETCH **MUST** HAVE A NORTH ARROW AT THE TOP OF THE PAGE.

ii) The boundaries and dimensions of the subject land including the location of any existing and proposed buildings.

iii) The location of a reference point……i.e. distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing.

iv) The location of all abutting (neighbours') lands.

v) The approximate location of all natural and artificial features on the subject land and on the land that is adjacent to the subject land. Examples include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, barns, wetlands, wooded areas, wells and septic tanks. Show distance of these features from the applicant's property lines.

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

AGREEMENT TO INDEMNIFY

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

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

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

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

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

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

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

1) The names of **all** owners must appear in this section, even if they live in separate residences, and the address(es) should be the **full mailing address, complete with postal code**.

2) You may wish to appoint someone to act on your behalf during the variance process. If so, that person's name, address and phone number should appear here All owner's must sign the authorization.

3) Description of the Subject Land:
   a. District: The Districts are the same as the former Townships. If you are not sure, check the roll number (the long number beginning with 1029) on your tax bill. If the numbers are 010, 020 or 030, your district is Bedford; if the numbers are 040-050, your district is Loughborough; if the numbers are 060 or 070, your district is Storrington; and if the numbers are 080, your district is Portland.
   b. Concession and Lot Numbers: if you are not sure, check your tax bill
   c. Street Number: Your civic address – if a civic number has not been assigned, leave this space blank.
   d. Name of Road/Street: This question applies whether or not you are on a private lane or a public road.
   e. Reference Plan No: If your property has been surveyed, it will have a plan number, and one or more parts on that plan. If your property has not been surveyed, leave this space blank.
   f. Roll No: This is the number beginning with '1029' which appears on your tax bill. Please take time to look it up before submitting the application.

4) Frontage, depth, area, acres: All parts of this question must be completed.

5) Current zoning: You may not be aware of the zoning on your property and this can be determined when you come in for pre-consultation with planning staff.

6) Nature and Extent of Relief: This question is asking what you are asking to do that requires the variance – for example, it could be that you are asking to be 25 m rather than 30 m from the high water mark, or that you are asking to increase the height of a structure within 30 m of the high water mark, or that you are seeking a variance to construct an accessory building closer to the front lot line than the principal building.

7) Reason why you can't comply: In other words, why can you not meet the required setbacks. It could be, for example, because you are seeking a variance to add on to an existing structure that is already too close to the water, or that developing further from the water would be impossible because of a steep embankment.

8) Roads: Municipally maintained roads are looked after by the Township; private roads are lanes that residents maintain themselves (not private driveways, but lanes that provide access to your property and that are generally shared with others).

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

10) Existing Uses: e.g. residential, retail business, vacant recreational land

11) Buildings: If there are **ANY** buildings or structures on the property now, the answer to this question is "yes".

12) Description of buildings and structures: You must complete all sections of this question for each structure on your property. **If there is a deck on your dwelling, please describe it separately from the residence.**

13) Proposed Uses: Generally, the answer to this question will be the same as the answer to #10, but if, for example, the land is currently vacant, and you are planning to construct a dwelling, then the use to be described in section 10 would be "vacant recreational land", and the use described in section 13 would be "residential"

14) Proposed structures: If you are planning to build **ANYTHING** on the property, the answer to this question is "yes" – This includes additions, decks, garages, septic systems.

15) Description of new construction: **ALL** proposed new development must be described here. If you are proposing to construct an addition to a dwelling, and to add a deck, please show this information in separate columns.

16) **Demolition: All demolition requires a permit from the building department.** In some instances, a proposed addition or increase in height cannot be accomplished without the removal of existing walls. If this is not made clear to the Committee at the beginning of the process, you may find that, although you are granted permission to add on to your residence, you can't actually do it because you have not made it clear that there is demolition involved.

17)Raising of Structure: In other words, are you proposing to raise the building in order to construct a basement under it.

18)Uses of Development: Please answer each part of this question. An increase in living space would include anything with walls – e.g. a screened porch would involve an increase in living space.

19)Date land acquired: When did you take possession of the property?

20)Date of existing buildings: If you are not sure, provide your best estimate.

21) Length of existing uses: For example, has the land been used for residential purposes for 30 years, or 18 months?

22) Water supply: in most cases the answer will be private well, but some waterfront properties take their water from a lake.

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

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?

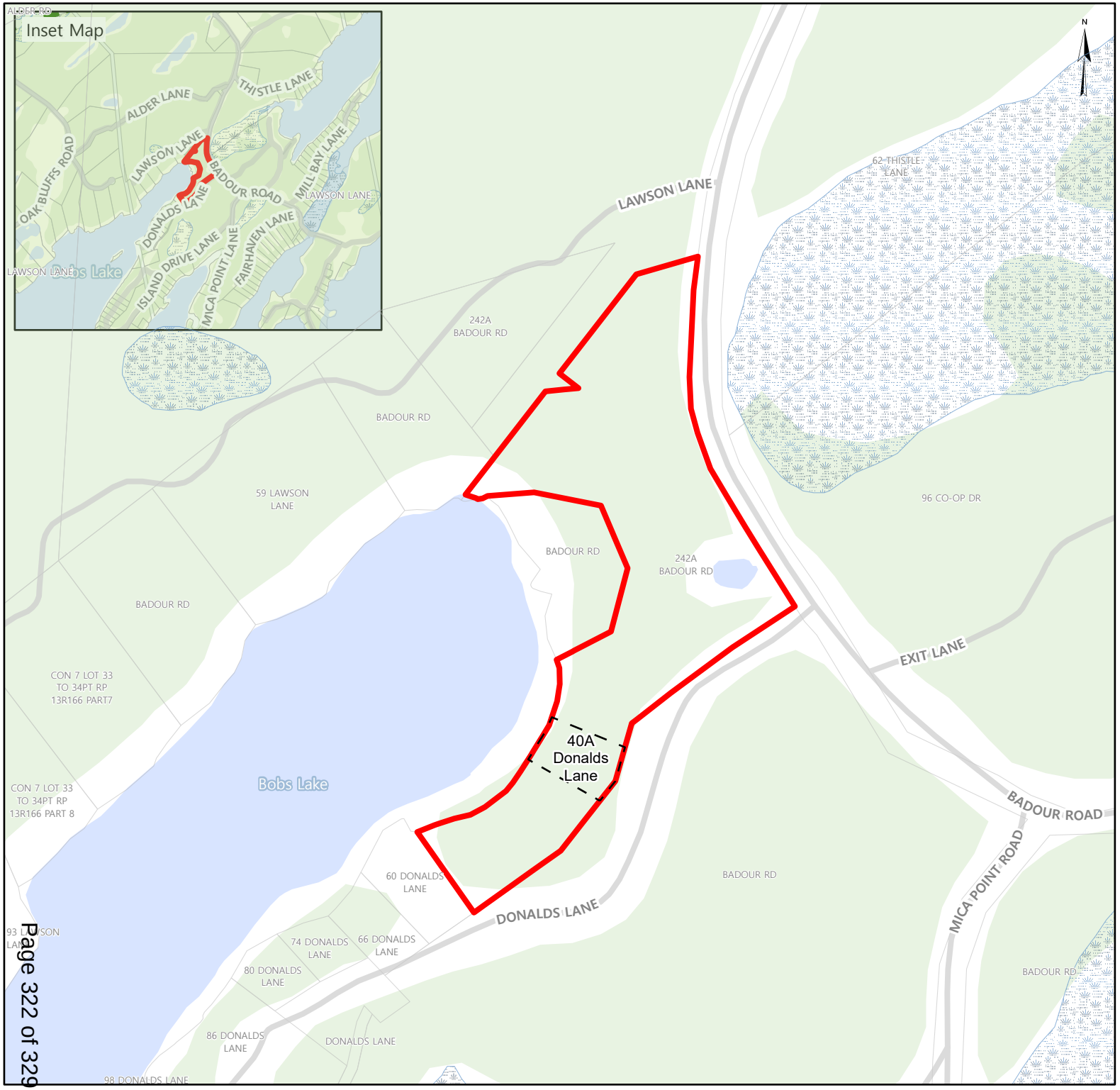
26) If yes: If there is a current application for severance or subdivision on the property, please indicate the file number. (Staff can help provide this information)

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-2022-0059 (JEWITT & FLEMING) (FRETTS) (BOBS LAKE CO-OP) 40A DONALDS LANE

Legend

- 40A Donalds Lane
- 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.

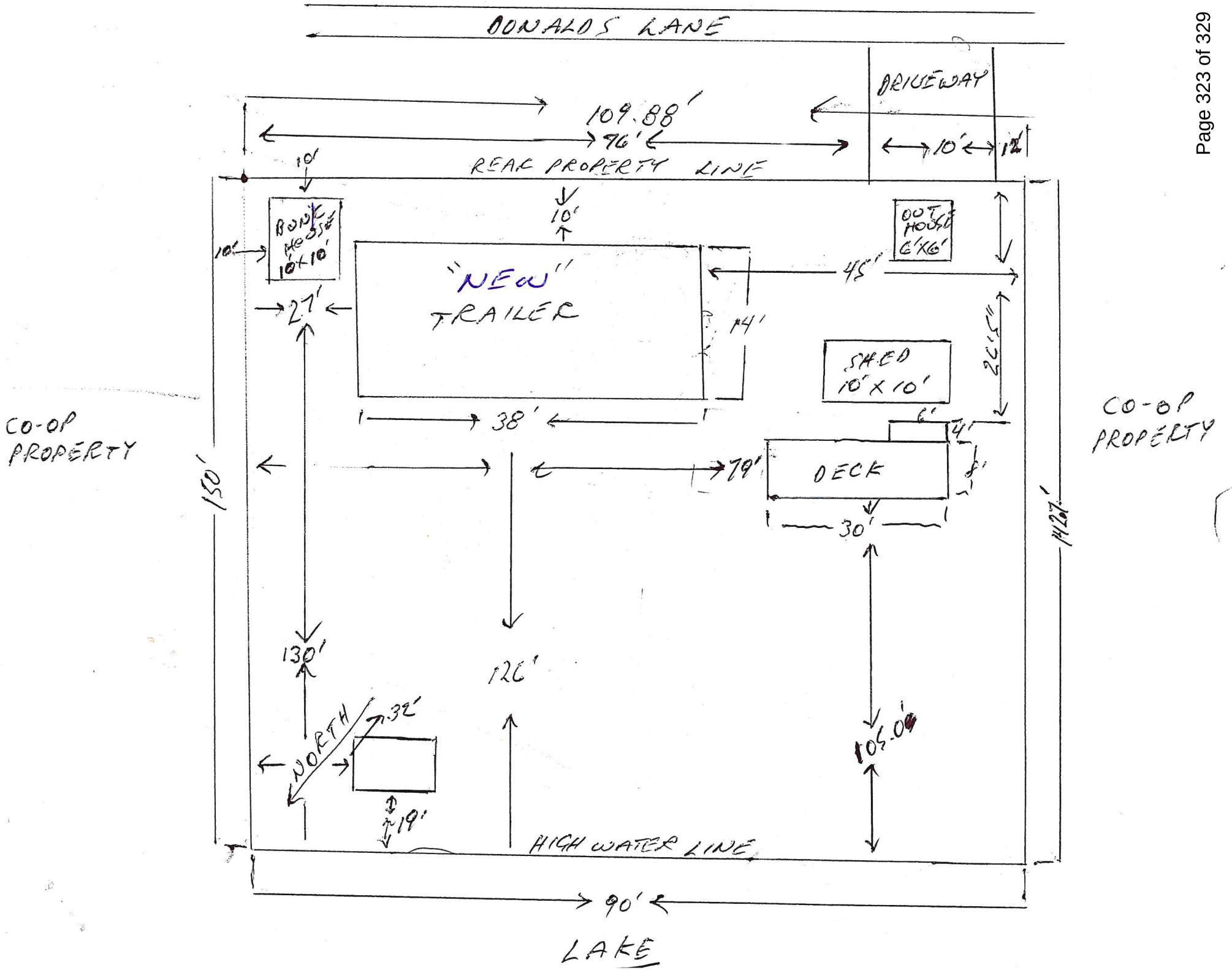
While the Township makes every effort to insure that the information presented is accurate for the intended uses of this map, there is an inherent error in all mapping products, and accuracy of the mapping cannot be guaranteed for all possible uses. This map displays basic topographic features only.

Scale: 1:3,000

0 25 50 100 m

UTM Zone 18 NAD 83

Date: 2022-04-26


DONALDS LANE
DRIVEWAY
109.88'
96'
10'
12'
REAR PROPERTY LINE
10'
10'
BOAT HOUSE 10'x10'
"NEW" TRAILER
27'
14'
38'
OUT HOUSE 6'x6'
45'
SHED 10'x10'
27'5"
6'
4'
DECK
8'
30'
79'
CO-OP PROPERTY
150'
CO-OP PROPERTY
142.7'
130'
126'
NORTH
32'
19'
105.04'
HIGH WATER LINE
90'
LAKE

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT :
1. This survey and plan are correct and in accordance with the Surveys Act and the Regulating Act and the regulations made thereunder.
2. The survey was completed on the
PARTS 18 and 20 are 66' in perpendicular width.
PARTS 21 and 22 are 20' in perpendicular width.
BEARINGS are Astronomic derived from Solar Observation and refer to the Meridian 76° 34' 30"W.
fences shown thus
5/8" x 24" iron bars shown thus
1/2" x 24" iron bars shown thus
CONC. B.M.
LOT 33
LOT 34
ROAD
TOWNFIELD
TRAVELLED
BOB'S LAKE
MUD BAY
PART 1
PART 2
PART 3
PART 4
PART 5
PART 6
PART 7
PART 8
PART 9
PART 10
PART 11
PART 12
PART 13
PART 14
PART 15
PART 16
PART 17
PART 18
PART 19
PART 20
PART 21
PART 22
PART 23
SCALE: 1"=100'

Township of South Frontenac

Staff Report

To:	Committee of Adjustment
Prepared by:	Development Services Department
Date of Meeting:	May 12, 2022
Subject:	**Minor Variance Application (S. 45(1) of the Planning Act) PL-ZNA-2022-0059, John Jewitt and Karen Fleming (Bob's Lake Co-operative), 40A Donalds Lane, Bedford District**

Summary

The subject application seeks zoning relief to permit a replacement trailer on the site to have a reduced rear yard. 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: Limited Service Residential – Waterfront – Special Provision (RLSW-3)

Zoning Relief Requested

Section 10.3.1 – to permit a replacement trailer to be established with a minimum 3 metre rear yard depth, whereas the RLSW zone requires a minimum 10 metre rear yard for the principal building/structure.

Related Applications

The subject property is not subject to any other applications under the Planning Act.

Discussion/Analysis

Background

40A Donalds Lane is a campsite on one of several properties owned by the Bob's Lake Co-Operative. The subject property is zoned RLSW-3, which permits a maximum of 10 of campsites for recreational vehicles on this specific property. The RLSW-3 zone requires that the replacement of any existing trailers on the property be subject to a minor variance

application to determine the appropriateness of the size and location of the replacement trailer.

Property Description

40A Donalds Lane is located in the middle of the subject property on Bob's Lake. In addition to an existing trailer, the campsite contains an outhouse, a sleeping cabin, and a detached deck.

The lands within approximately 20 metres of Bob's Lake are generally level and low-lying. The land then rises steeply by approximately 5 metres. All of the accessory buildings and structures on the campsite are located beyond the top of the ridge, at least 32 metres from the highwater mark. The land also slopes behind the trailer toward the lane.

Summary of Proposal

An application for minor variance was received for the campsite (civic address 40A Donalds Lane) to replace the existing 30 foot by 8 foot trailer with a 38 foot by 14 foot trailer. The replacement trailer would be placed in the same general location as the existing trailer. However, the replacement trailer would be setback 38 metres from the highwater mark, whereas the existing trailer is setback 42 metres. Also, the replacement trailer would be setback a minimum of 3 metres from the rear lot line, whereas the existing trailer is setback 1.2 metres.

Department and Agency Comments

Public Services did not provide comments on the application as the property is accessed from a private lane. Rideau Valley Conservation Authority was not circulated the application given the distance of the existing trailer from the lake and the nature of the application.

Building Services was asked to clarify the sewage system requirements for site. The site is currently serviced by a privy. A replacement trailer would need to be connected to a sewage system, or have its plumbing removed. Although a building permit is not required to place a trailer on the property, a permit would be required for a 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 subject lands are designated Rural in the Official Plan on Schedule A. The type and amount of development on Rural lands must maintain the rural character, natural heritage, and cultural landscape in the Township. The proposed variance maintains the general intent and purpose of the Official Plan related to development adjacent to environmentally sensitive areas.

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

The proposed variance for the replacement trailer maintains the general intent and purpose of the Zoning By-law. The trailer is on one of ten campsites permitted on the subject property by the RLSW-3 zone.

The RLSW-3 zone only permits the replacement of existing trailers through a minor variance application in order to determine the appropriateness of the size and location of the replacement trailer. The trailer would be located within the 10 metre rear yard. However, the proposed rear yard will be double that of the existing trailer (3 metres instead of 1.2 metres). The reduced rear yard is not anticipated to impact the abutting property. The abutting property is large, vacant rural landholding. Donalds Lane runs through the large landholding, approximately 15 metres south of the campsite. The trailer would be setback 38 metres from the highwater mark. Planning staff have determined that the size and placement of the trailer is appropriate.

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

The variance is desirable for the appropriate development of the land, as it would allow the existing trailer to be replaced with a similar sized trailer, in the same general location on the property. The variance is not anticipated to result in any land use incompatibilities between the campsite and the abutting property.

Is the variance minor?

The requested variance is minor as it maintains the general intent and purpose of the Official Plan and Zoning By-law, and is desirable for the appropriate development of the land. The replacement trailer will not cause any negative impacts as a result of its size and location 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. 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-2022-0059, subject to the following conditions.

1. The minor variance is for a 38 foot by 14 foot travel trailer. The travel trailer is permitted to establish a minimum 3.0 metre rear yard. All as per the submitted application and sketch.

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. The applicant shall apply for and obtain a permit for a sewage system under the Ontario Building Code, or remove the plumbing from the trailer to the satisfaction of the Township.

4. Minor variance PL-ZNA-2022-0059 is applicable only to Zoning By-law No. 2003-75 and not to any subsequent zoning by-laws.

Report Prepared By:
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Reviewed By:

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