



TOWNSHIP OF SOUTH FRONTENAC
Committee Of Adjustment Meeting
Agenda



TIME: 7:00 PM,
DATE: Thursday, October 12, 2023
PLACE: Council Chambers/Virtual Via Zoom .

1. Call to Order
 - a) Resolution.
2. Adoption of Agenda
 - a) Resolution.
3. Electronic Meeting Information
 - a) The meeting will be live streamed at the following link:
<http://www.facebook.com/SouthFrontenacTwp/>

Please visit the Virtual Committee of Adjustment Meetings page on the Township website for the link to register to be a participant in this meeting:
<https://www.southfrontenac.net/en/open-for-business/virtual-committee-of-adjustment-meetings.aspx>

Instructions about participating via Computer, Laptop, Smartphone, Tablet and Telephone can be found at the above noted link as well.
- b) PowerPoint Presentation Staff has prepared a PowerPoint Presentation that will be displayed on the screen of the meeting, you can also follow along with the PDF version that is in the attachment of this agenda item. 3 - 40
4. Declaration of pecuniary interest
 - a) None declared.
5. Approval of Minutes – September 14, 2023
 - a) Resolution. 41 - 50
6. Consent Applications from a Previous Meetings: (if applicable)
 - a) There are none.
7. New Consent Applications:
 - a) There are none.
8. Minor Variance / Permission Applications from a Previous Meetings: (if applicable)
 - a) There are none.
9. New Minor Variance / Permission Applications:
 - a) PL-ZNA-2023-0104 (Asselstine) - Loughborough 51 - 72

Property Address: 3572 Holleford Road

Purpose and Effect of the Application:

The applicant seeks relief from section 7.3.2 of Zoning By-Law 2003-75 to permit a 66.8 square metre storage shed to be setback 6.5 metres from the front lot line, and a 12.2 square metre storage shed to be setback 5 metres from the front lot line.

- b) PL-ZNA-2023-0108 (Sleeth) - Storrington 73 -
111

Property Address: 122 Osborne Lane

Purpose and Effect of the Application:

The applicant seeks to enlarge a legal non-conforming boathouse located on Dog Lake. Zoning By-law 2003-75 classifies boathouses as a prohibited use. The existing boathouse was 44.5 square metres in area and the proposed boathouse is to be 62.4 square metres in area.

10. Other Business

- a) Consent Granting Authority Report 112 -
113

11. Adjournment

- a) Resolution.



**SOUTH
FRONTENAC**

Committee of Adjustment Meeting

Thursday, October 12, 2023
7:00 p.m. Council Chambers
4432 George Street, Sydenham, ON
and Virtual on Zoom



**SOUTH
FRONTENAC**

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 joining on Zoom are muted on our end and your cameras will not be turned on.

Committee Members

- Alan Revill
- Brett Moreland
- Doug Morey
- Kevin Fox
- Mike Howe
- Norm Roberts
- Randy Ruttan
- Steven Pegrum

Township Staff

- Kate Kaestner (Planning Clerk/Secretary-Treasurer)
- Christine Woods (Senior Planner)
- Noah Perron (Planner)
- Tom Fehr (Planner)

Call to Order

Adoption of Agenda

- Call to Order
- Adoption of Agenda
- Electronic Meeting Information
- Declaration of Pecuniary Interests
- Approval of Minutes of Previous Meeting
- Hearings for Applications
- Consent Granting Authority Report
- Other Business
- Adjournment

Meeting Information

Format for Each Hearing

1. The Chair will introduce the file
2. The Planner will provide an overview of the application
3. The Planner will make a recommendation on the application
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

After the Meeting

- 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.
- The applicant, the Minister or a specified person or public body in as defined by the *Planning Act* subsection 1(1) may appeal the decision to the Ontario Land Tribunal. The appeal must be filed with the Secretary-Treasurer of the Committee of Adjustment within 20 days of the notice of decision. The notice of appeal must set out the reasons for the appeal and be accompanied by the fee required by the Tribunal.
- If you have any questions after the meeting, please reach out to staff.

How to Speak to an Application

- The Chair of the meeting will open the floor to public comments
- Click “Raise Hand” button to request to speak or dial *9 (star nine) when participating by telephone
- The Chair will recognize a member of the public, and the Meeting Host will unmute the member of the public
- Once the member of the public is done speaking or the Committee has no further questions, the Meeting Host will mute their microphone
- If a member of the public attending in person wishes to speak, we ask that they raise their hand, wait to be called on and clearly state their name for the record.

In Case of Technical Difficulties

- If a Committee member joining virtually disconnects from the meeting, the meeting will proceed if there is still quorum. The Committee member will attempt to reconnect.
- If quorum cannot be met 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 if the meeting is postponed.

Declaration of Pecuniary Interests

Approval of Minutes of Previous Meeting

Consent Applications from Previous Meetings

New Consent Applications

Minor Variance / Permission to Enlarge Legal Non-Conforming Use Applications Carried Over from Previous Meeting

New Minor Variance / Permission to Enlarge Legal Non-Conforming Use Applications

Application PL-ZNA-2023-0104

Minor Variance

Applicants: Debbie & Peter Asselstine

Property: 3572 Holleford Road

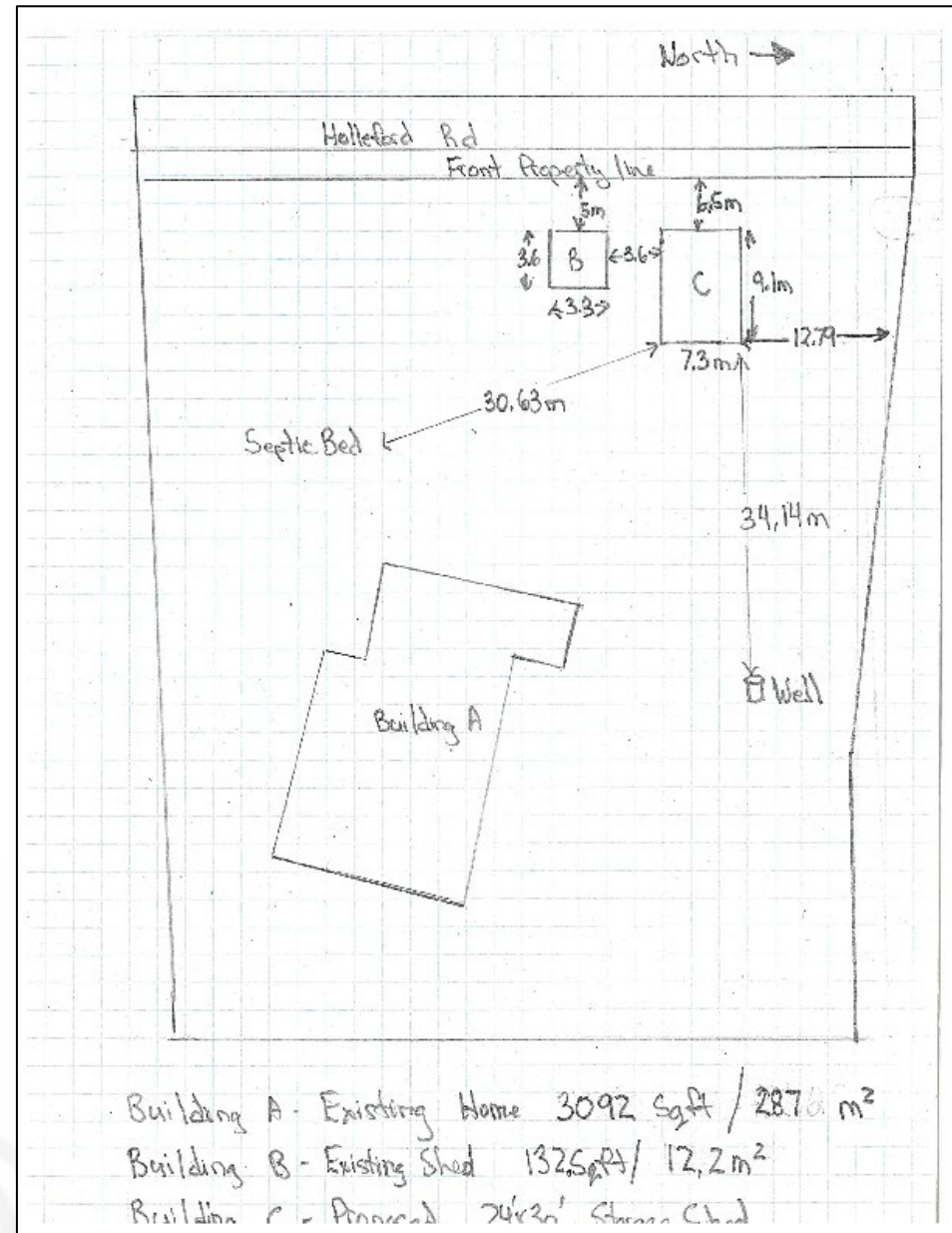
Property Description

- Lot area of 2Ac – With frontage on Holleford Road
- Existing dwelling (400sqm) w/ attached garage, swimming pool, detached accessory structure
- Property elevated from Holleford Road
- Tree buffer along northern lot line
- Rural Designation
- RU Zone



Proposal

- Recognize existing 12.2sqm (132sqft) Storage Shed
- Proposed 66.8sqm (720sqft) Storage Building
- Seeking relief from Zoning By-law to permit:
 - A 6.5m setback from the front lot line for both structures
- Proposal complies with all other requirements of the Zoning By-law



Proposed Site Plan



Location of existing & proposed structures (Facing east towards Holleford Road)



Location viewable from Holleford Road (Facing Northwest)

Department, Agency and Public Comments

- **Public Services** – No Objection
- **Conservation Authority & Building Services** – Not circulated due to the nature of the application
- **Public Comment** – None received at the time of preparing this presentation

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

- Approval
- Pending any comments received
- Subject to condition:
 - Variance permits a 12.2sqm & 66.8sqm to be setback 6.5m from the front lot line. Location must be consistent with sketch submitted by applicant
 - Building permit for the proposed structure
 - Only application to Zoning By-law 2003-75

Public Questions and Comments

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.

PL-ZNA-2023-0104

Committee Deliberation and Vote

Application PL-ZNA-2023-0108

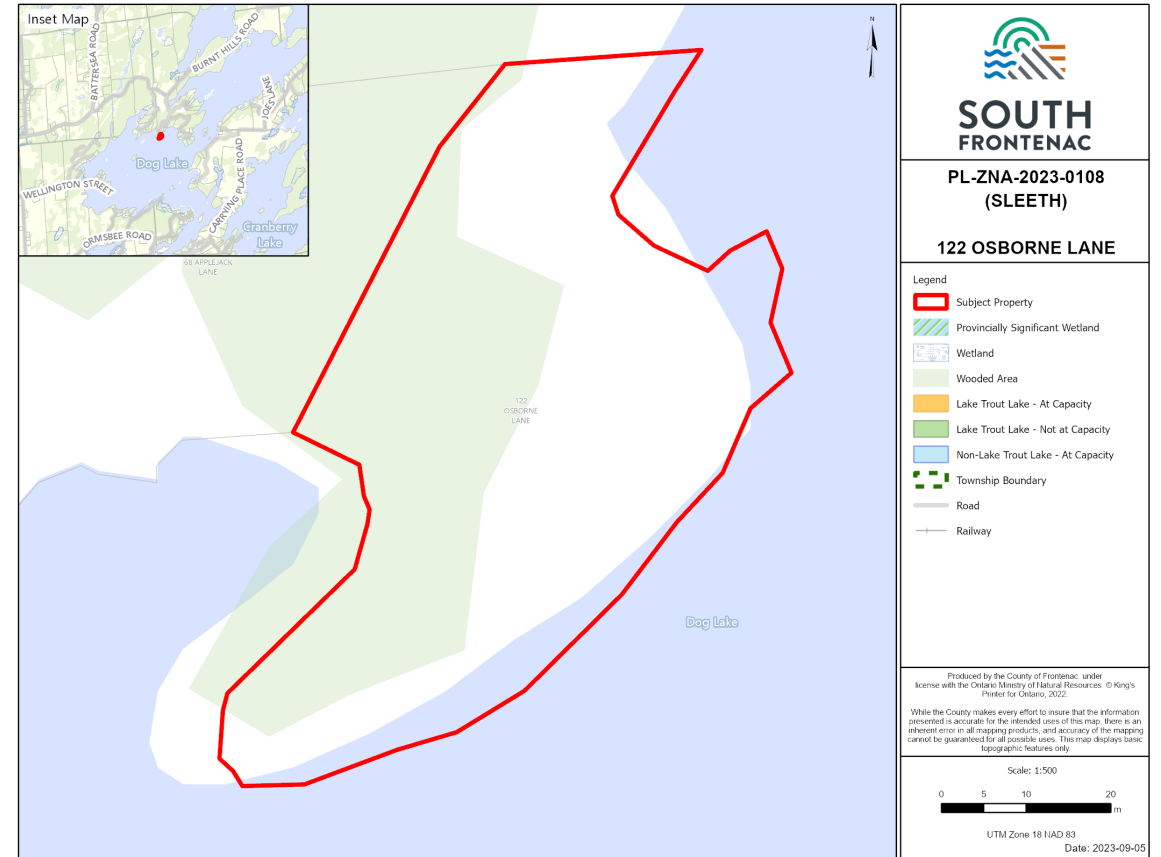
Permission to Enlarge Legal Non-Conforming Use

Applicant: Jefferey Sleeth and Jennifer Spronck

Property: 122 Osborne Lane

Property Description

- 0.3ha lot area
- 200m frontage on Dog Lake
- Property is a peninsula that is primarily flat with a hill towards the southern end. Primarily treed.
- Contains dwelling, boathouse, and accessory buildings
- Rural
- RLSW zone



Proposal

- Permission under section 45(2) of the Planning Act to enlarge a legal non-conforming boathouse.
- Existing boathouse was 44.5sqm
- Proposed boathouse is 62.4sqm





View of boathouse
from across bay



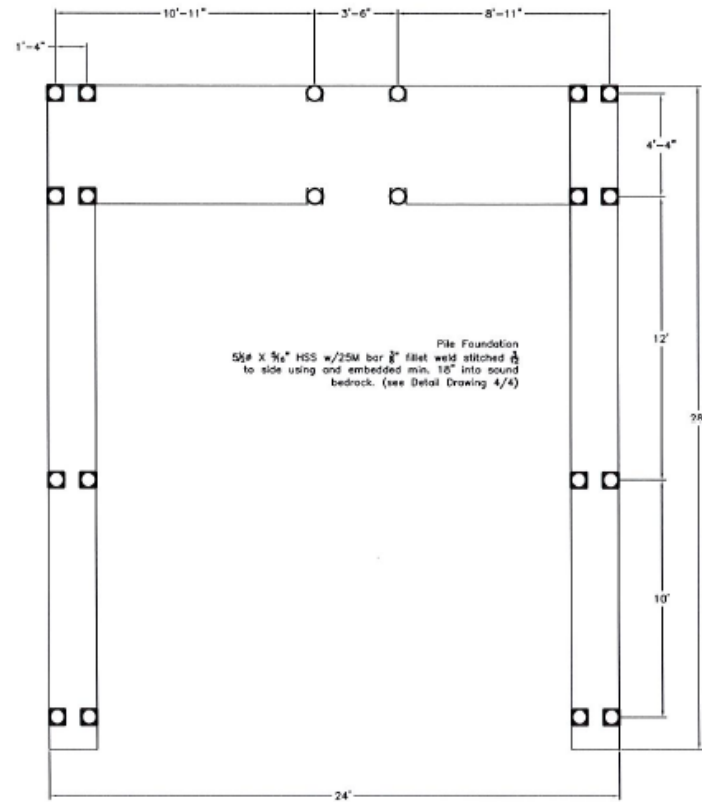
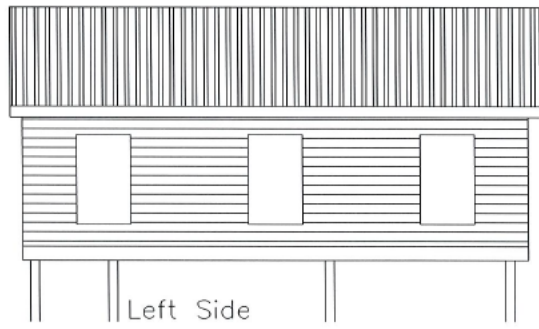
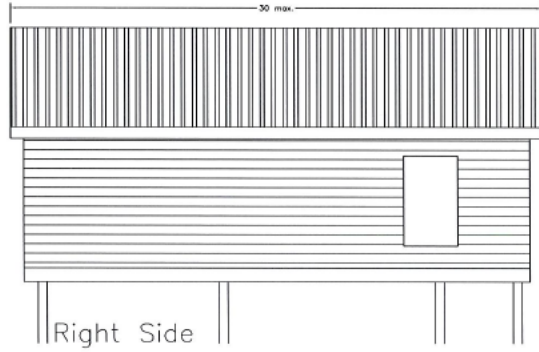
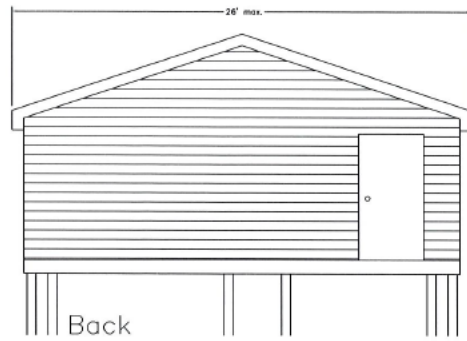
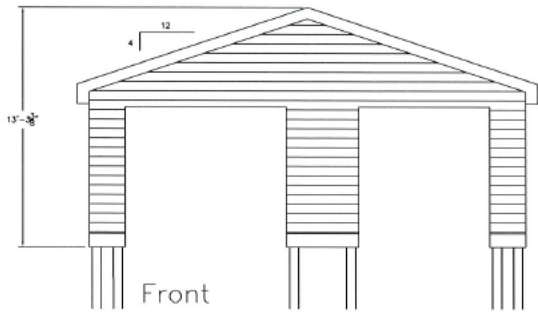
Side view of boathouse



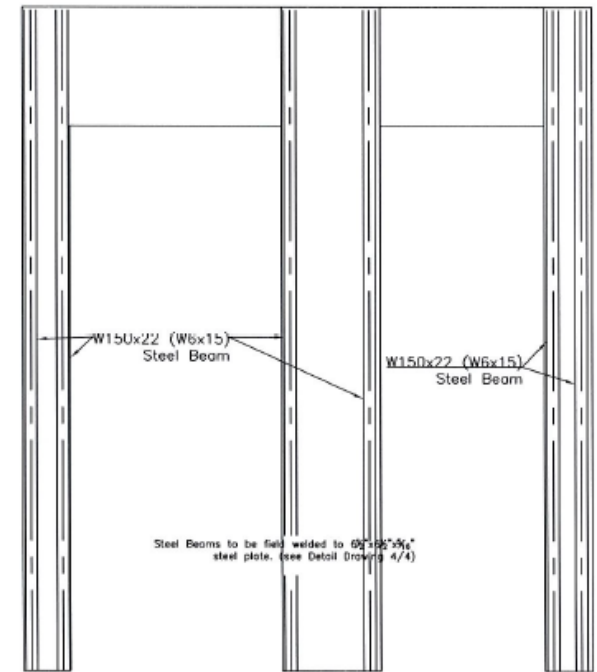
Along west side



Along east side



Foundation Layout



Beam Layout



Area of proposed boathouse



Area of proposed boathouse



Area of proposed boathouse



Area of proposed boathouse from across bay

Department, Agency and Public Comments

- **Cataraqui Conservation** – No comments as it is under Parks Canada jurisdiction
- **Parks Canada** – Has issued a permit for proposed boathouse
- **Public Comments** – None received

Planning Analysis

- A boathouse is a prohibited use under the Township's Zoning By-law
- However, the structure was built prior to current Zoning By-law, therefore is legal non-conforming use
- Minimal expansion compared to existing = 17.9sqm increase
- Proposed boathouse constructed in same location as existing boathouse – minimize site disturbance/vegetation removal
- No visual impacts anticipated
- Parks Canada permit will address items related to construction timing, vegetation removal, sediment erosion controls.

Recommendation

- Approval
- Pending any comments received
- Subject to conditions
 - The application is approved in accordance with submitted drawings
 - Building permit is required for ALL demolition and construction on the property

Public Questions and Comments

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.

PL-ZNA-2023-0108

Committee Deliberation and Vote

Consent Granting Authority Report

- **PL-BDJ-2023-0090 (Oullette) (Beach) - Storrington**
 - Creation of one new residential lot
 - 3.5 acres in area, contains an existing dwelling
 - Fronting on Sands Road
- **PL-BDJ-2023-0097 (Rosnak) - Bedford**
 - Creation of Right-of Way connecting to Crow Lake Road
- **PL-BDJ-2023-0093 (Way) - Loughborough**
 - Creation of one new waterfront residential lot
 - 9.9 acres in area
 - 127m frontage on Sheila Lane, 131m frontage on Sydenham Lake
- **PL-BDJ-2023-0096 (Asselstine) - Portland**
 - Creation of one new residential lot
 - 5.8 acres in area
 - Fronting on County Road 38

Other Business

Adjournment



**Township of South Frontenac
Committee of Adjustment Meeting
Minutes**



Meeting #

Time: 7:00 PM

Location: Council Chambers/Virtual Via Zoom

Present: Norm Roberts, Doug Morey, Steve Pegrum, Randy Ruttan, Alan Revill, Brett Moreland, Kevin Fox, Mike Howe

Absent:

Staff: Christine Woods, Senior Planner; Tom Fehr, Planner; Noah Perron, Planner; Kate Kaestner, Planning Clerk & Secretary-Treasurer

1 Call to Order

Resolution No. 2023-08-01

Moved by: Norm Roberts

Seconded by: Kevin Fox

THAT the September 14th, 2023 meeting of the Committee of Adjustment for the Township of South Frontenac is hereby called to order at 7:00 p.m.

2 Adoption of Agenda

a) Resolution.

Resolution No. 2023-08-02

Moved by: Kevin Fox

Seconded by: Norm Roberts

THAT the Committee of Adjustment adopts the Agenda for the September 14th, 2023 meeting.

Carried

3 Electronic Meeting Information

a) The meeting was live streamed at the following link:

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

b) Staff prepared a PowerPoint Presentation that was displayed on the screen of the meeting.

4 Declaration of pecuniary interest

a)

Randy Ruttan declared a Conflict of Interest for Agenda Item #6 a) as he and the applicant are close acquaintances.

5 Approval of Minutes – August 10, 2023

- a) Resolution.

Resolution No. 2023-08-03

Moved by: Steve Pegrum

Seconded by: Mike Howe

THAT the Committee of Adjustment approves the Minutes of the August 08, 2023 Committee of Adjustment meeting.

Carried

6 Consent Applications from a Previous Meetings: (if applicable)

- a) PL-BDJ-2022-0155 (Snider) - Loughborough

Property Address: 4617 Bedford Road

Purpose and Effect of the Application:

The applicant is requesting consent for the creation of a new lot on Bedford Road. The proposed severed lot will be 1.7 acres (0.7 hectares) with a frontage of 146 metres (479 feet) along Bedford Road. The retained lot will be 2 acres (0.8 hectares) with 94 metres (310 feet) of frontage on Bedford Road. The proposed use for the severed lot is residential.

Christine Woods, Senior Planner, delivered her presentation to the Committee with a staff recommendation that the application be denied.

Deputy Chair Revill asked whether the applicant, agent or member of the public who wished to speak to the application.

Mr. Richard Lobb, neighbouring property owner expressed his concerns over safe access to the property.

Deputy Chair Revill asked a second time whether the applicant, agent or member of the public who wished to speak to the application.

Lynn Snider, Applicant, stated that the Roads department had already visited the property and approved a suitable location for entrance to the property.

Deputy Chair Revill asked for a 3rd time whether the applicant, agent or member of the public who wished to speak to the application. None heard.

Deputy Chair Revill inquired as to whether any members of the Committee wished to speak to the application.

Committee member Steve Pegrum inquired as to whether, if the application was to be approved, a condition could be included that the survey stakes remain visible in perpetuity so that there is no confusion surrounding property boundaries. Mr. Pegrum also stated that the property is adjacent to the hamlet area, where development is to be directed.

Ms. Woods responded that it is illegal to remove iron survey bars, however over time they sink into the ground and get covered by grass. Regarding the settlement areas, Ms. Woods responded that increasing development and density in these areas is desired, however, in situations where there are private wells and septic systems, increasing density can increase the risk of contaminating the groundwater. Development in settlement areas needs to be orderly, and meet the criteria that are set.

Mr. Pegrum stated that he believed the building department indicated there was adequate separation between a proposed sewage system and well on the property.

Ms. Woods responded that the building department only spoke to the adequate soil conditions and area on the property to install a sewage system, and did not speak to separation between septic and well. She also stated there was not yet a well drilled on the severed parcel, and that it would be a condition of the consent if it were to be approved.

Deputy Charis Revill asked if there were any further questions or comments from members of the committee.

Committee member Doug Morey inquired as to the total lot size of the subject property.

Ms. Woods responded that the property was 1.5 hectares or 3.78 acres in size.

Mr. Morey stated that there seemed to be a missed opportunity to split the property in a more desirable way, that being straight across, to create more a suitable lot shape and inquired as to whether that was ever considered by the applicant.

Ms. Woods stated that she understands the applicant was advised at the pre-application stage that this proposal would not be supported by staff and the applicant was advised to not apply or to change their proposal.

Applicant Lynn Snider responded that the reason for the current proposal was to try to keep the retained portion at 2 acres, as they are trying to create a smaller piece of property, that being the severed parcel, to retire to.

Mr. Morey again inquired as to whether the applicant ever considered just dividing the property with a straight line and then re-orienting the existing driveway, he would then not have to move the existing sewage system on the property.

Mr. Snider responded that he had not considered that.

Mr. Morey responded that as it is presented, the application is close enough to the hamlet, but to deal with the irregular shape, he inquired as to whether there be a condition added to erect a fence along the property line.

Ms. Woods responded that she would have to look at the Planning Act to see whether that could be included as a condition, and that when the property was originally created and developed, the dwelling was placed directly in the centre of the property which makes it undesirable for severance, and that other options for severance were presented to the applicant and that this was the proposal that they submitted.

Deputy Chair Revill stated that the proposal satisfies most of his concerns, and as such there is merit in seeing the application move forward.

Deputy Chair Revill inquired as to whether there were any further comments from the Committee members.

Committee member Mike Howe stated that he had been struggling with the application for a while, and spoke to the applicants being outstanding members of the community. He stated that when he visited the site he was concerned about the septic system and the angle of the property and as such, he felt

comfortable deferring the application when it was originally presented to see if there was a more desirable way to divide the property.

Mr. Howe stated that seeing that the proposal was the same caused him to feel conflicted in wanting to support the Planning Department while also supporting the community members.

Committee Member Roberts stated that he is not able to speak to or vote on the application as he was absent at the Committee of Adjustment meeting at which the application was originally presented.

Resolution No. 2023-08-04

Moved by: Kevin Fox

Seconded by: Doug Morey

THAT the Committee of Adjustment denies Consent Application PL-BDJ-2022-0155 for property located at 4617 Bedford Road.

DEFEATED

Resolution No. 2023-08-05

Moved by: Steve Pegrum

Seconded by: Doug Morey

THAT the Committee of Adjustment approves Consent Application PL-BDJ-2022-0155 for property located at 4617 Bedford Road, to permit the creation of one new residential lot, being 0.7 hectares in size and fronting on Bedford Road, subject to conditions.

Carried

7 New Consent Applications:

- a) PL-BDJ-2023-0075 (Morin) (Rodriguez) - Portland

Property Address: 3361 Scanlan Road

Purpose and Effect of the Application:

The application seeks to create one new rural residential lot. The severed parcel is approximately 2.4ha (6 acres) with 56.7m (186ft) of frontage on Scanlan Road. The retained lot is approximately 0.9ha (2.2 acres) with 56.7m (186ft) of frontage on Scanlan Road. The severed lands contain a storage building and the retained lands contain a single detached dwelling and accessory buildings.

Tom Fehr, Planner, delivered his report to the Committee with a staff recommendation that the application be deferred to address the location of the sewage system on the subject property and its relation to the proposed property boundary.

Chair Ruttan inquired as to whether there were any comments from the applicant, agent or members of the public on the application.

The agent, Joshua Rodriguez, stated that he had met with the septic inspector earlier in the day and has since submitted a revised proposal to the Planning department.

Chair Ruttan inquired, 2 more times, as to whether there were any further comments from the applicant, agent or public. None heard.

Chair Ruttan inquired as to whether there were any comments from Committee members regarding the application.

Committee Member Pegrum asked whether the change in the proposed property lines would require the application to be brought back to the Committee at a later date.

Mr. Fehr confirmed that the revised application needs to be reviewed by planning staff and then brought back to the Committee for decision.

Chair Ruttan asked whether there were any further comments from Committee members.

Committee Member Revill acknowledged the time constraint with the revision being submitted earlier in the day and commended planning staff on providing the applicant with various options for moving forward with the application.

Chair Ruttan asked for a 3rd time whether there were any further comments from Committee members.

Chair Ruttan echoed Mr. Revill's comments, commending staff for working with the applicant to move the application forward.

Resolution No. 2023-08-06
Moved by: Mike Howe

Seconded by: Steve Pegrum

THAT the Committee of Adjustment **defers** Consent application PL-BDJ-2023-0075 to allow the applicant and agent time to address the location of the existing sewage system on the retained parcel, and it's relation to the proposed property boundary.

Carried

8 Minor Variance / Permission Applications from a Previous Meetings: (if applicable)

a) There are none.

9 New Minor Variance / Permission Applications:

a) PL-ZNA-2023-0076 (Morin) (Roriguez) - Portland

Property Address: 3361 Scanlan Road

Purpose and Effect of the Application:

The minor variance application is related to consent application PL-BDJ-2022-0075. The application is requesting minor variances to recognize the reduced lot frontage of the severed and retained lots which are both to be 56.7m whereas 76m is required in the RU zone. The application is also requesting a minor variance to permit the 3m setback of the existing storage building on the severed lot from the new interior lot line.

This application was presented in conjunction with Agenda item # 7. a), consent application PL-BDJ-2023-0075.

Tom Fehr, Planner, delivered his report to the Committee with a staff recommendation that the application be deferred to address the location of the

sewage system on the subject property and it's relation to the proposed property boundary.

Chair Ruttan inquired as to whether there were any comments from the applicant, agent or members of the public on the application.

The agent, Joshua Rodriguez, stated that he had met with the septic inspector earlier in the day and has since submitted a revised proposal to the Planning department.

Chair Ruttan inquired, 2 more times, as to whether there were any further comments from the applicant, agent or public. None heard.

Chair Ruttan inquired as to whether there were any comments from Committee members regarding the application.

Committee Member Pegrum asked whether the change in the proposed property lines would require the application to be brought back to the Committee at a later date.

Mr. Fehr confirmed that the revised application needs to be reviewed by planning staff and then brought back to the Committee for decision.

Chair Ruttan asked whether there were any further comments from Committee members.

Committee Member Revill acknowledged the time constraint with the revision being submitted earlier in the day and commended planning staff on providing the applicant with various options for moving forward with the application.

Chair Ruttan asked for a 3rd time whether there were any further comments from Committee members.

Chair Ruttan echoed Mr. Revill's comments, commending staff for working with the applicant to move the application forward.

Resolution No. 2023-08-07
Moved by: Steve Pegrum

Seconded by: Mike Howe

THAT the Committee of Adjustment **defers** Minor Variance application PL-ZNA-2023-0076 to allow the applicant and agent time to address the location of the existing sewage system on the retained parcel, and it's relation to the proposed property boundary.

Carried

b) PL-ZNA-2022-0161 (Wilson) - Portland

Property Address: 2073 Hambly Lane

Purpose & Effect of the Application:

The applicant seeks to construct a two storey single detached dwelling and a septic system on the property. The dwelling will have a ground floor area of 90.4sqm and a gross floor area of 180.8sqm. No deck is proposed with the application. Minor variances are being requested to allow the dwelling and septic system to be set back less than 30m from the highwater mark. The single detached dwelling will be set back 22.5m from the highwater mark and the septic system will be set back 27m from the high water mark.

Tom Fehr, Planner, delivered his presentation to the Committee with a staff recommendation that the application be approved with conditions.

Chair Ruttan inquired, 3 times, as to whether there were any comments from the applicant, agent or member of the public regarding the application. None heard.

Chair Ruttan inquired, 3 times as to whether there were any comments from members of the Committee on the application. None heard.

Resolution No. 2023-08-08

Moved by: Mike Howe

Seconded by: Steve Pegrum

THAT the Committee of Adjustment approves Minor Variance application PL-ZNA-2022-0161 for property municipally known as 2073 Hambly Lane to permit the construction of a two-story single detached dwelling to establish a 22 metre front yard setback from the highwater mark of Hambly Lake and to permit a septic system to be located 27 metres from the highwater mark of Hambly Lake, subject to conditions.

Carried

c) PL-ZNA-2023-0084 (Burns) - Storrington

Property Address: 1367B Burnt Hills Road

Purpose and Effect of the Application:

The applicant is proposing to construct a 273sqm (2938.5sqft) single detached dwelling and sewage system. The proposed single detached dwelling requires zoning relief in order to be located 6m from the top of bank and 15m from the highwater mark of Dog Lake. Relief is also required to permit up to 6% lot coverage. Finally, the proposed sewage system requires zoning relief to be setback 27m from the highwater mark of Dog Lake.

Noah Perron, Planner, delivered his presentation to the Committee with the staff recommendation that the application be denied.

Chair Ruttan asked, 3 times, as to whether there were any comments from the applicant, their agent or member of the public. None heard.

Chair Ruttan inquired as to whether any Committee members wished to speak to the application.

Committee member Revill inquired as to the level of detail that the Planning department requires on a plot plan as part of a planning application submission.

Mr. Perron responded that the application form includes a list of requirements for the sketch in order for it to be accepted, but that Planning staff always advises the applicant to be as accurate as possible in their rendering. Mr. Perron stated that the applicant was given opportunities to revise their sketch to include more information, but the Department does not currently require the sketch to be prepared by a Land Surveyor and as such, the application is being presented with what information the department has been provided.

Chair Ruttan asked for a second time as to whether there were any comments from Committee Members.

Committee Member Pegrum inquired as to what other options would be available to the applicant other than rotating the dwelling on the property.

Mr. Perron responded that in addition to rotating the proposed dwelling, the building plans could be revised to propose a dwelling that would be better suited for the subject lot.

Mr. Pegrum asked for clarification regarding the potential negative impacts to Dog Lake when the Conservation Authority had no objections to the proposal.

Mr. Perron reminded Mr. Pegrum that the Conservation Authorities review of Planning applications has been greatly reduced following changes in provincial legislation and as such they are only able to comment on floodplan and erosion hazards.

Chair Ruttan asked for a third time whether there were any further comments from Committee Members.

Committee member Doug Morey commented that he would be most comfortable deferring the application.

Committee Member Revill inquired as to how much redesign work would be required in submitting a more satisfiable design to staff.

Burt Burns, applicant, replied that having new designs created would be costly, and that rotating the dwelling on the property would create problems with the configuration of the driveway and the location of the septic system, as well as the neighbour's access to their property.

Doug Morey inquired as to whether the applicant had considered forgoing the attached garage to increase the setback from Dog Lake.

Mr. Burns replied that the garage is the larger part of the proposed structure and he would prefer to have it for storage.

Committee member Norm Roberts stated that rotating the dwelling as was suggested would cause the bedroom window to be facing the granite outcropping instead of the lake, and that he would much prefer to see the lake, and that he would support the approval of the application.

Brett Moreland, Committee member, stated that he had visited the site and he saw that constraints of the property, but that he felt there were some positives with the proposed location of the dwelling and septic system, as they would not require the removal of the granite outcropping. As such, he stated his support for approving the application.

Resolution No. 2023-08-09

Moved by: Norm Roberts

Seconded by: Steve Pegrum

THAT the Committee of Adjustment approves Minor Variance application PL-ZNA-2023-0084 for property municipally known as 1367B Burnt Hills Road, to permit a 273 square metre single detached dwelling to be located 6 metres from

the top of bank and 15 metres from the highwater mark of Dog Lake, and to permit a sewage system to be located 27 metres from the highwater mark of Dog Lake, subject to conditions.

Carried

d) PL-ZNA-2023-0085 (Wheeler) - Loughborough

Property Address: 1006 Mini Lane

Purpose and Effect of the Application:

The applicant is proposing to construct a 53.5sqm (576sqft) detached garage on the subject property. The proposed detached garage will be 6.5m (21.33ft) in height and will occupy space off the existing driveway, near the rear lot line of the subject property. The proposed detached garage requires zoning relief to be located 26.2m (86ft) from the highwater mark of Buck Lake, 10m (33ft) from the top of bank, and 2m (6.5) from the rear lot line.

Noah Perron, Planner, delivered his presentation to the Committee with the staff recommendation that the application be approved with conditions.

Chair Ruttan inquired, 3 times, as to whether there were any comments from the applicant, agent or member of the public regarding the application. None heard.

Chair Ruttan inquired, 3 times as to whether there were any comments from members of the Committee on the application. None heard.

Resolution No. 2023-08-10

Moved by: Kevin Fox

Seconded by: Norm Roberts

THAT the Committee of Adjustment approves Minor Variance application PL-ZNA-2023-0085 for property municipally known as 1006 Mini Lane to permit an accessory structure, being a 53.5 square metre detached garage, to be located 26.2 metres from the highwater mark of Buck Lake, 10 metres from the top of bank and 2 metres from the rear lot line, subject to conditions.

Carried

e) PL-ZNA-2023-0094 (Morgan) - Storrington

Property Address: 2735 Round Lake Road

Purpose and Effect of the Application:

The applicant is proposing to construct a 26sqm (280sqft) shed on the subject property. The proposal would result in the lot coverage of all accessory structures (0.19%) to be above that of the principal building (0.11%).

Noah Perron, Planner, delivered his presentation to the Committee with the staff recommendation that the application be approved with conditions.

Chair Ruttan inquired, 3 times, as to whether there were any comments from the applicant, agent or member of the public regarding the application. None heard.

Chair Ruttan inquired, 3 times as to whether there were any comments from members of the Committee on the application. None heard.

Resolution No. 2023-08-11

Moved by: Norm Roberts

Seconded by: Kevin Fox

THAT the Committee of Adjustment **approves** Minor Variance application PL-ZNA-2023-0094 for property municipally known as 2735 Round Lake Road, to permit an accessory structure, being a 26 square metre storage shed, to establish an overall lot coverage for accessory buildings of 0.19%; subject to conditions.

Carried

10 Other Business

a) Consent Granting Authority Report

Kate Kaestner delivered the report to the Committee.

11 Adjournment

a) Resolution.

Resolution No. 2023-08-12

Moved by: Kevin Fox

Seconded by: Norm Roberts

THAT the September 14th, 2023 meeting of the Committee of Adjustment for the Township of South Frontenac is hereby adjourned at 8:22 p.m. to reconvene on Thursday, October 12th, 2023 at 7:00 pm, or at the call of the Chair.

Carried

Randy Ruttan, Chair

**TOWNSHIP OF SOUTH FRONTENAC
APPLICATION FOR MINOR VARIANCE
OR PERMISSION (s. 45(2))
Updated January, 2023**

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 or permission under s. 45(2) to alter a legal non-conforming use.

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

The Committee may grant permission to enlarge or extend a structure or alter the use of the lands where any land, building or structure, on the day the by-law was passed, was lawfully used for a purpose prohibited by the by-law.

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**, accompanied by a **non-refundable fee** in accordance with the chart below in cash, or by debit card, credit card or cheque made payable to the Township of South Frontenac.

Application Type:	Planning Fee:	Building Admin Fee:	TOTAL:
1-3 Variances	\$999.00	\$97.00	\$1,096.00
4+ Variances	\$1,370.00	\$97.00	\$1,467.00
After building without a permit	\$2,082.00	\$97.00	\$2,179.00

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 with the application).

Township of South Frontenac <i>Minor Variance Only</i>	\$463.00
<i>Minor Variance WITH Performance Review</i>	\$720.00
<i>Minor Variance in combination with a new Class 2, 3, 4, or 5 sewage system other than a Class A system</i>	\$1,183.00
Cataraqui Region Conservation Authority	\$445.00
Quinte Conservation Authority	\$450.00
Rideau Valley Conservation Authority	\$410.00

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

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: _____

Pre-Consultation for this application Yes No

Planner: Christine Date of pre-consultation: Aug 4 2023

1. Name of Owner(s): Debbie and Peter Accelstine

Full Mailing Address of Owner(s): _____

Phone number of Owner(s): _____

Email Address of Owner(s): _____

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

Name of Authorized Agent: _____

Full Mailing Address of Authorized Agent: _____

Phone number of Authorized Agent: _____

Email Address of Authorized Agent: _____

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

Signature(s) of Owner(s)

3. The description of the subject land:

District: Bedford Portland Loughborough Storrington

Concession Number: 9 Lot Number: 1

Street Number: 3572 Name of Road/Street: Holleford Rd

Reference Plan Number: 13R17767 Part Number(s): 1

Roll Number: 040-020-15490-0000

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): 76.2m
Depth: 120m Area: 2 acres / 9144 m²

5. The current zoning of the subject land:

Rural RTEP

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

We are requesting to build 6m from the front lot line as opposed to the 20m set back.

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

Any other area would require building on unsettled ground. Inquiries

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

OR a privately maintained road? Yes No

Name of Road/Lane:

Holleford Ad

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 use

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

Yes No

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

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

Type of Structure (E.g. residence)	(1) B	(2)	(3)	(4)
Setback from Front Lot Line	Shed 5m			
Setback from Rear Lot Line	111.4m			
Setback from Side Lot Line	23.69m			
Height of Building (Also indicate if it is one story or two story)	3.35m			
Dimensions of Floor Area	12.2m ²			
Setback from High Water Mark (If applicable)				

13. The proposed uses of the subject land:

We are proposing a 24'x30' Storage Shed

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

Yes No

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

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

Type of Structure (E.g. residence)	(1) <i>c</i>	(2)	(3)	(4)
	<i>Storage Shed</i>			
Setback from Front Lot Line	<i>6.5m</i>			
Setback from Rear Lot Line	<i>104.4m</i>			
Setback from Side Lot Line	<i>12.79m</i>			
Height of Building (Also indicate if it is one story or two story)	<i>1 story 5m</i>			
Outside Dimensions of Building/Structure	<i>9.1m x 7.3m</i>			
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

If yes, please provide details:

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

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

If yes, please provide details:

18. What are the uses of the proposed development?

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

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

March 2006

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

Summer 2006

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

17 yrs

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

Private well

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

Private Septic System

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

No

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

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

Yes No

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

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

Yes No

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

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

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

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

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

AGREEMENT TO INDEMNIFY

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

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

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

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

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

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

DATED AT THE TOWNSHIP OF SOUTH FRONTENAC



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

A Guide to Completing the Minor Variance Form

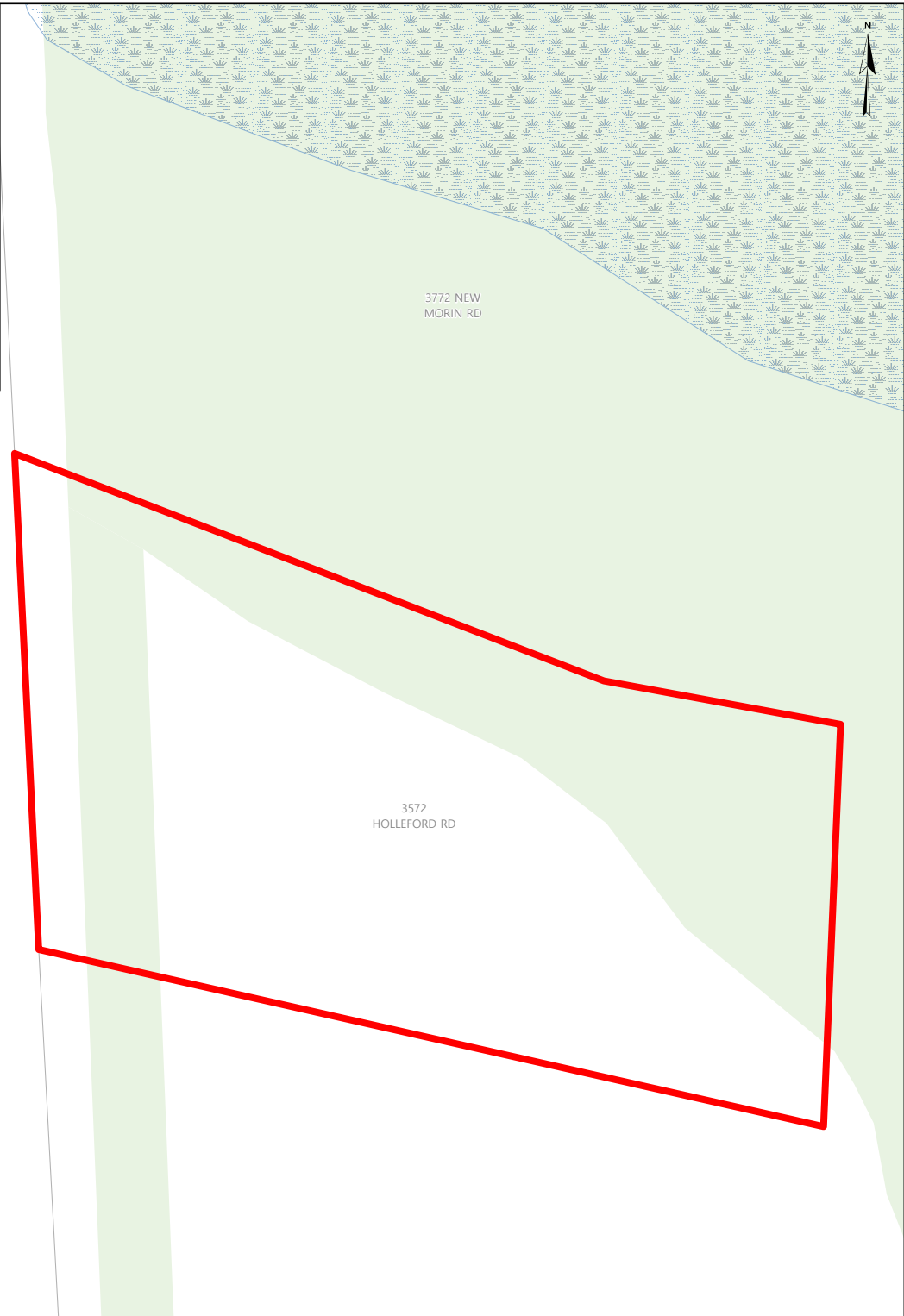
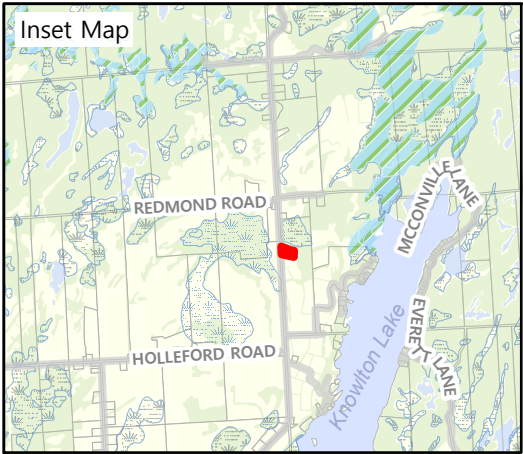
- 1) The names of **all** owners must appear in this section, even if they live in separate residences, and the address(es) should be the **full mailing address, complete with postal code**.
- 2) You may wish to appoint someone to act on your behalf during the variance process. If so, that person's name,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

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

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

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

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













SOUTH FRONTENAC

**PL-ZNA-2023-0104
(ASSELSTINE)**

3572 HOLLEFORD ROAD

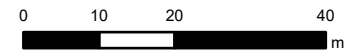
Legend

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

Produced by the County of Frontenac under license with the Ontario Ministry of Natural Resources © King's Printer for Ontario, 2022.

While the County 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.

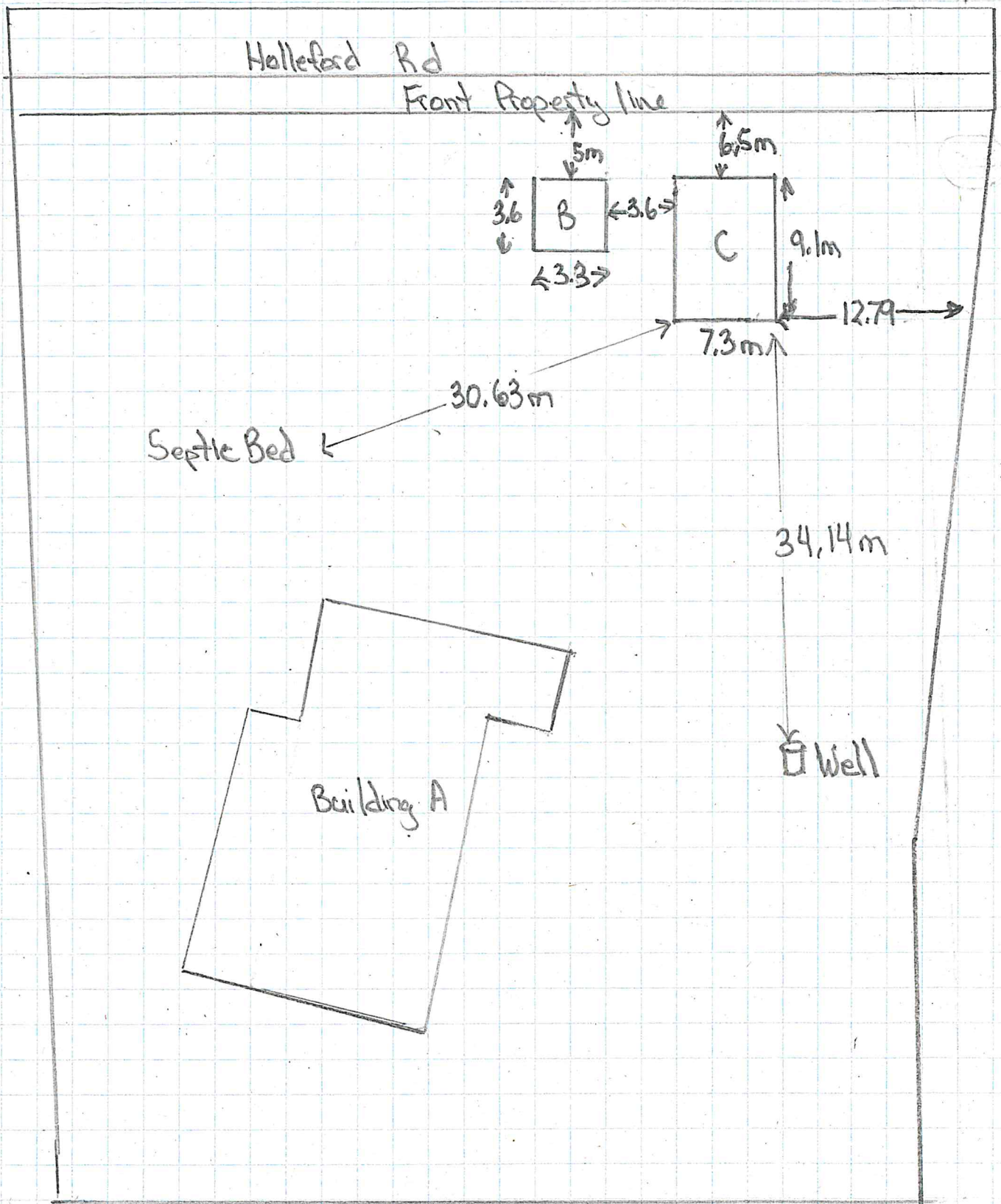
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UTM Zone 18 NAD 83

Date: 2023-08-21

North →



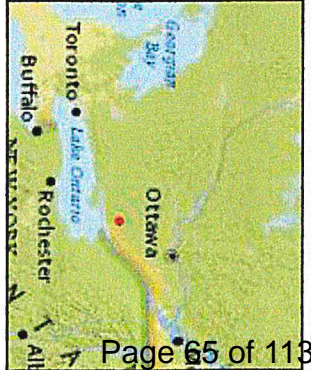
- Building A - Existing Home 3092 Sqft / 287.6 m²
- Building B - Existing Shed 132.5 Sqft / 12.2 m²
- Building C - Proposed 24'x30' Storage Shed



1:1,128

0.1
0
0.03
0.1 Kilometers
WGS_1984_Web_Mercator_Auxiliary_Sphere
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This map is a user-generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

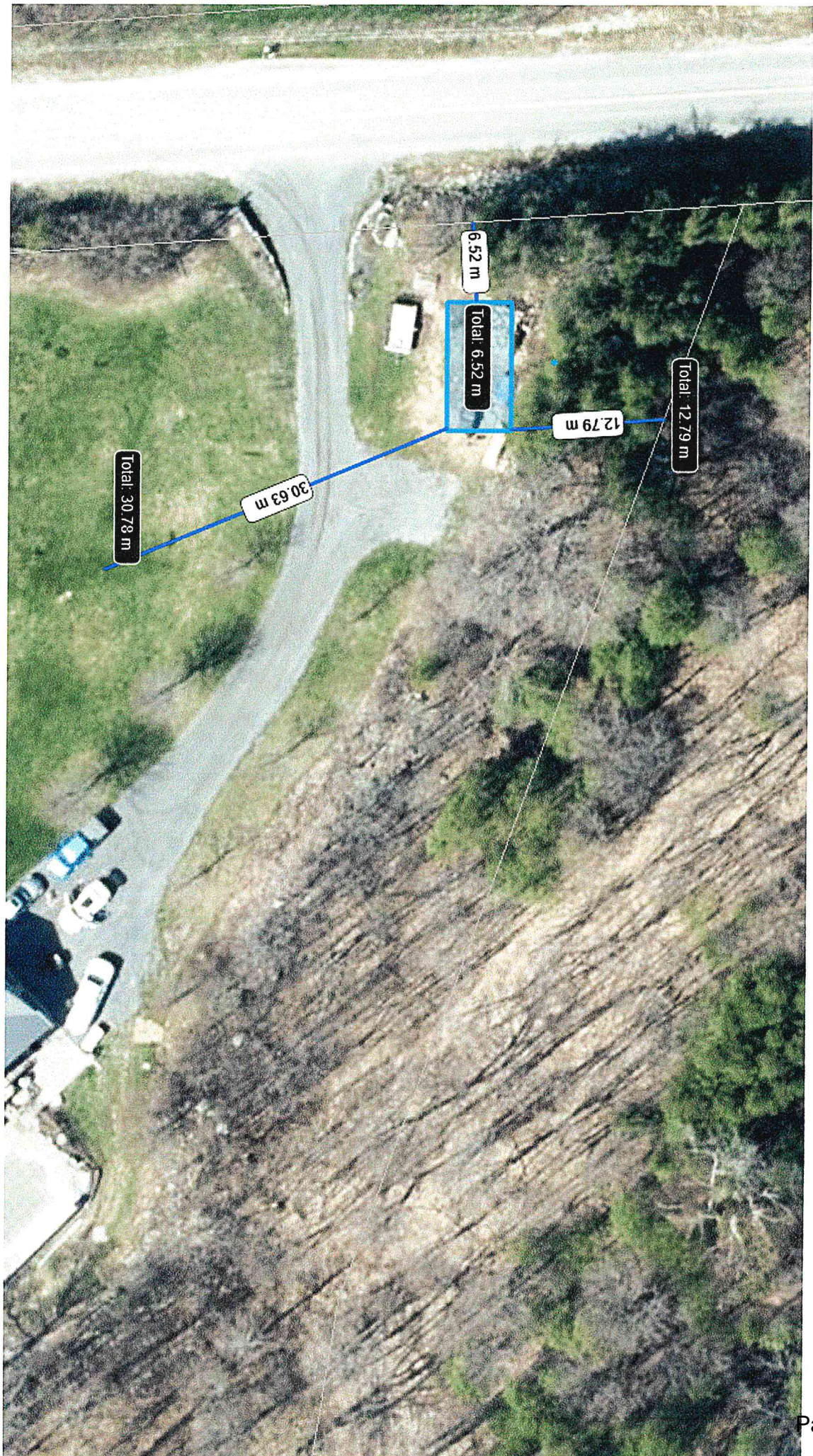


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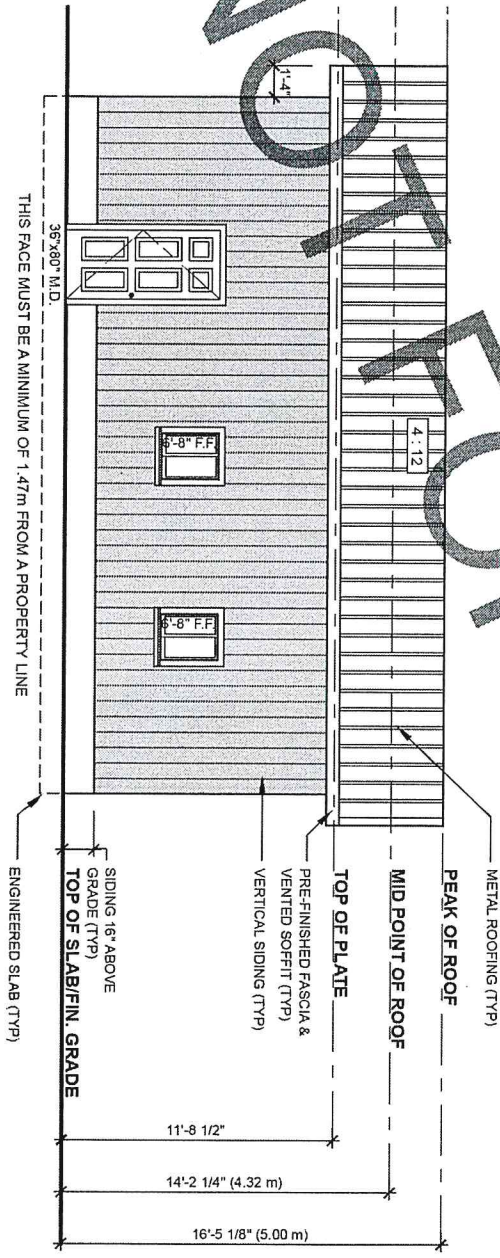
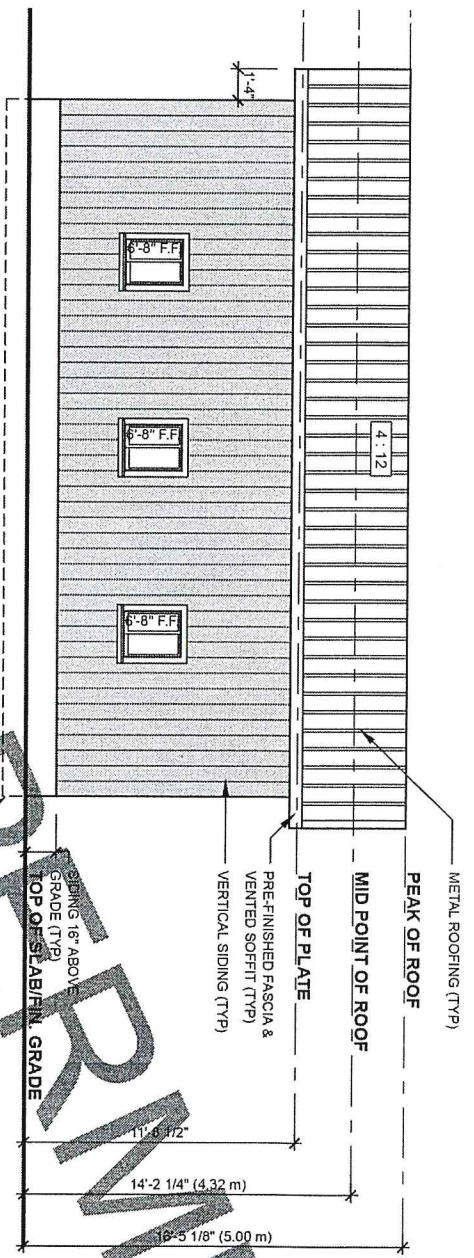
- Parcels
- Citations

-Proposed Storage Sheds is on top of hill, water would naturally run away.
Closest neighbours is .5 Kms North on Holleford Rd.

Notes



NOT FOR PERMIT



GENERAL NOTE: These drawings are to be scaled. All dimensions must be verified by contractor prior to commencement of any work. Any discrepancies must be reported directly to the designer.

Trousdale Home Hardware
(613) 376 6555

IBD remains in possession of the original drawing as purchased. It is a criminal offence to electronically scan our permit design. Issuing the permit and/or providing the permit for review purposes please contact: brian@ibdwbc.ca

Inch 24x30
None
None, Ontario

Date of Issue: July 14, 2023
Scale: 3/16" = 1'-0"

LEFT & RIGHT ELEVATIONS

Report No.: GRS-23-36089
Drawing No.: A-6

Township of South Frontenac Staff Report



To: Committee of Adjustment

Prepared by: Development Services Department

Date of Meeting: October 12, 2023

**Subject: Minor Variance Application (S. 45(1) of Planning Act)
PL-ZNA-2023-0104, Asselstine, 3572 Holleford Road,
Loughborough District**

Summary

This report recommends that the Committee of Adjustment grant approval of this application for zoning relief for two storage sheds, subject to conditions, as this application meets the four tests of a minor variance outlined in Section 45(1) of the *Planning Act*.

Background

The applications seek zoning relief for one proposed accessory structure and one existing accessory structure built without the necessary planning approvals. The proposed zoning relief would permit both structures to be setback 6.5m from the front lot line.

Official Plan Designation: Rural

Zoning: Rural

Zoning Relief Requested

Section 7.3.2 – To permit two accessory structures to be setback 6.5m from the front lot line, whereas the Zoning By-law requires a minimum of 20m.

Related Applications

The lands are not subject to any additional applications under the Planning Act.

Discussion

Property Description

The subject property is a lot of record measuring approximately 2Ac with 76m of frontage on Holleford Road. The property contains an existing 400sqm single dwelling, a swimming pool and detached accessory structure (12.2sqm storage shed). Existing development is

concentrated to two areas – the middle portion where the dwelling is situated, and the northwest corner where the accessory structure is situated. Regarding topography, the property is relatively flat and is elevated several meters from the travelled portion of Holleford Road. A majority of the subject property is cleared of trees, with the exception of the area adjacent to the northern lot line, which is well vegetated. Finally, the surrounding area is sparsely developed, and is characterized by similar rural residential developments and some rural agricultural uses.

Summary of Proposal

The proposal seeks relief from Zoning By-law No. 2003-75 to permit reduced setbacks for two accessory structures. The proposal would recognize the existing 12.2sqm (132sqft) storage shed, which is setback 6.5m from the front lot line. Additionally, the applicant is proposing to construct a 66.8sqm (720sqft) detached storage building that would be setback 6.5m from the front lot line. Both accessory structures would occupy space in the northwest corner of the property and will extend from the existing driveway. With the exception of the minimum front yard setback, both structures would comply with the requirements of the Zoning By-law.

Agency Comments

Public Services staff reviewed the proposal in light of the reduced front yard setback and its potential effect on Holleford Road. They had no objection to the approval of the application.

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 variance would recognize an existing non-compliant storage shed and facilitate the construction of a new storage building on lands designated Rural on Schedule A of the Township Official Plan. The type and amount of development on rural lands must maintain the rural character, natural heritage, and cultural landscape in the Township. The proposed storage shed is accessory to the permitted residential use of the property.

It is the opinion of Township Planning staff that the proposed variance maintains the general intent and purpose of the Official Plan, specifically the policies related to rural residential development.

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

An accessory structure is a permitted use with the RU zone. The proposed storage shed, and building comply with all requirements of the Zoning By-law except the minimum setback from the front lot line.

Section 7.3.2 of the Zoning By-law requires accessory structures be setback a minimum 20m from the front lot line, whereas the proposed accessory structures are to be setback 6.5m. The purpose of this setback is to avoid an overdeveloped appearance near roadways and to ensure the rural character of the area is maintained. 20m is also the minimum distance that a principal building (like a house) must be from the front lot line. Setback 6.5m from the front lot line, the accessory structures are unlikely to negatively impact the rural character of the surrounding area for the following reasons. The proposed location has been selected to maximize the functionality of each structure. For example, the proposed location is a natural extension from the existing driveway and features compacted soil to accommodate the construction of a slab-on-grade floor. Additionally, the proposed location has the benefit of being screened from the road by tree cover and a change in elevation.

As such, it is the opinion of Township Planning Staff that 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 requested variance is desirable for the appropriate development of the land. The proposed location is desirable because it extends naturally from the existing driveway, is located on compact soil, and will provide natural run-off as a localized highpoint. The proposed location is also well screened from Holleford Road by existing trees and a change in elevation. Therefore, Township Planning staff interpret the proposed 6.5m setback as appropriate.

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. Further, the requested variance is desirable for the appropriate development of the lands. When considering the minimal size of both structures and their use as storage sheds, it is unlikely that a 6.5m front yard setback would result in negative impacts or alter the rural character of the surrounding area.

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 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-2023-0104 for 3572 Holleford Road, subject to the following conditions.

1. The minor variance is for two storage sheds with area values of 12.2sqm (132sqft) and 66.8sqm (720sqft). The minimum front yard setback for both structures is permitted to be 6.5m. The location of both accessory structures must be generally consistent with the sketch submitted by the applicant.
2. A building permit is required for the proposed 66.8sqm (720sqft) storage shed. There shall be no additional development on the property without the approval from the Township of South Frontenac.
3. Minor variance PL-ZNA-2023-0104 is applicable only to Zoning By-law No. 2003-75 and not to any subsequent zoning by-laws.

Report Prepared By:

Noah Perron, Planner

Report Reviewed By:

Christine Woods, RPP, MCIP, Senior Planner

**TOWNSHIP OF SOUTH FRONTENAC
APPLICATION FOR MINOR VARIANCE
OR PERMISSION (s. 45(2))
Updated June, 2023**

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 or permission under s. 45(2) to alter a legal non-conforming use.

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

The Committee may grant permission to enlarge or extend a structure or alter the use of the lands where any land, building or structure, on the day the by-law was passed, was lawfully used for a purpose prohibited by the by-law.

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**, accompanied by a **non-refundable fee** in accordance with the chart below in cash, or by debit card, credit card or cheque made payable to the Township of South Frontenac.

Application Type:	Planning Application Fee:
1-3 Variances	\$1,230.00
4+ Variances	\$1,445.00
After building without a permit	\$2,206.00

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 with the application).

Township of South Frontenac <i>Minor Variance Only</i>	\$463.00
<i>Minor Variance WITH Performance Review</i>	\$720.00
<i>Minor Variance in combination with a new Class 2, 3, 4, or 5 sewage system other than a Class A system</i>	\$1,183.00
Cataraqui Region Conservation Authority	\$445.00
Quinte Conservation Authority	\$450.00
Rideau Valley Conservation Authority	\$410.00

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

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: _____

Pre-Consultation for this application Yes No

Planner: _____ Date of pre-consultation: Aug. 29/23

1. Name of Owner(s): Jeffrey Sleeth, Jennifer Spronck

Full Mailing Address of Owner(s): _____

Phone number of Owner(s): _____

Email Address of Owner(s): _____

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

Name of Authorized Agent: _____

Full Mailing Address of Authorized Agent: _____

Phone number of Authorized Agent: _____

Email Address of Authorized Agent: _____

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

Signature(s) of Owner(s) _____

3. The description of the subject land:

District: Bedford Portland Loughborough Storrington

Concession Number: 9 Lot Number: Part lot 19

Street Number: 122 Name of Road/Street: Osborne Lane

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

Roll Number: _____

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): 227' 1300' Frontage (on road/lane): Ø

Depth: _____ Area: _____

5. The current zoning of the subject land:

Resident.1

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

repta. see reference letter pls.

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

boathouses are not permitted in SF.
This is a rebuild

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

OR a privately maintained road? Yes No

Name of Road/Lane:

Osborne Lane

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

N/A

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

Seasonal property - cottage

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

Yes No

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

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

Type of Structure (E.g. residence)	(1)	(2)	(3)	(4)
	Residence	Garage	Ice house	Bathhouse/Bunkhouse
Setback from Front Lot Line	(23 feet) ≈ 7.2 metres	(45') ≈ 13.5 m	(40') 11 m	(18') 6 m
Setback from Rear Lot Line	(105') ≈ 32 metres	(75') 23 metres	(45') 12 m	(40') 13 m
Setback from Side Lot Line	(89') ≈ 27.5 metres	(33') 10 metres	(110') 33 m	(90') 30 m
Height of Building (Also indicate if it is one story or two story)	(20) 6.5 m	(14) 5 m	(21) 7 m	12 4 m
Dimensions of Floor Area	(32 x 40) 390 m ²	(22 x 16) 107'	(8 x 8) 9 m ²	(18 x 8) 12 m ²
Setback from High Water Mark (If applicable)				

* There is also an add ≈ 18 x 16 deck on front of house

13. The proposed uses of the subject land:

Seasonal Property - cottage

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

Yes No

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

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

Type of Structure (E.g. residence)	(1)	(2)	(3)	(4)
Boathouse				
Setback from Front Lot Line	(55') 18m			
Setback from Rear Lot Line	(71') 23			
Setback from Side Lot Line	Ø N/A?			
Height of Building (Also indicate if it is one story or two story)	(15') 4.5m			
Outside Dimensions of Building/Structure	(32x24) 9.7 x 7.3m			
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:

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

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

If yes, please provide details:

18. What are the uses of the proposed development?

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

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

2019

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:

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 Holding Tank

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

No

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

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

Yes

No

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

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

Yes

No

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

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

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

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

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

AGREEMENT TO INDEMNIFY

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

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

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

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

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

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



To whom it may concern:

Please accept this as a formal request for adjustment to our construction of the boathouse.

Scope of project:

Demolished the boathouse in fall 2022, since it was falling into the lake (parks Canada permit)

Proposal to rebuild the boathouse on same location as the old one but would like to expand the size to accommodate 2 modern sized boats.

We applied to parks Canada for a building permit and was granted a permit in June (attached). Parks Canada has clear regulations on maximum size, elevation and aesthetics for their permitting process which we received. Further, Parks Canada requested a letter from our neighbour that they did not object to its reconstruction.

CRCA also signed off on this reconstruction (email attached)

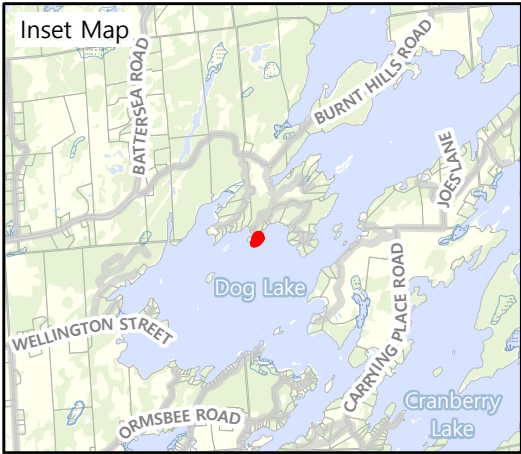
We ran into difficulties with the following. The original boathouse was approximately 20x24. It also has an overhang above the water covering the back end of the boat (east side) that effectively lengthened the boathouse to account for bigger boats. Secondly there was an exterior walkway on the south side along its length. *I misinterpreted the definition of "footprint", as such the real interpretation for south Frontenac is the area under the roof, so effectively 20x24 and my assumption was 24+ overhang and 20+walkway.*

Modern day boats are much bigger than in years past, as such we would like to enlarge the building to accommodate 2 normal sized boats, by building a 2-slip boathouse. A average 17 foot boat is approximately 20 feet end to end including the engine and about 7 feet at its widest, plus room for a door and bumpers on the sides. Also needed is an entrance area and walkway either between boats or around. Engineers drawings are attached to Parks Canada permit and I would be happy to give you more copies.

Included will be pictures of the old boathouse before it was demolished.

Please contact us with any questions

Jeff sleeth and Jennifer Spronck



68 APPLEJACK LANE













SOUTH FRONTENAC

**PL-ZNA-2023-0108
(SLEETH)**

122 OSBORNE LANE

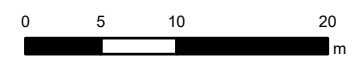
Legend

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

Produced by the County of Frontenac under license with the Ontario Ministry of Natural Resources © King's Printer for Ontario, 2022.

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

Scale: 1:500



UTM Zone 18 NAD 83

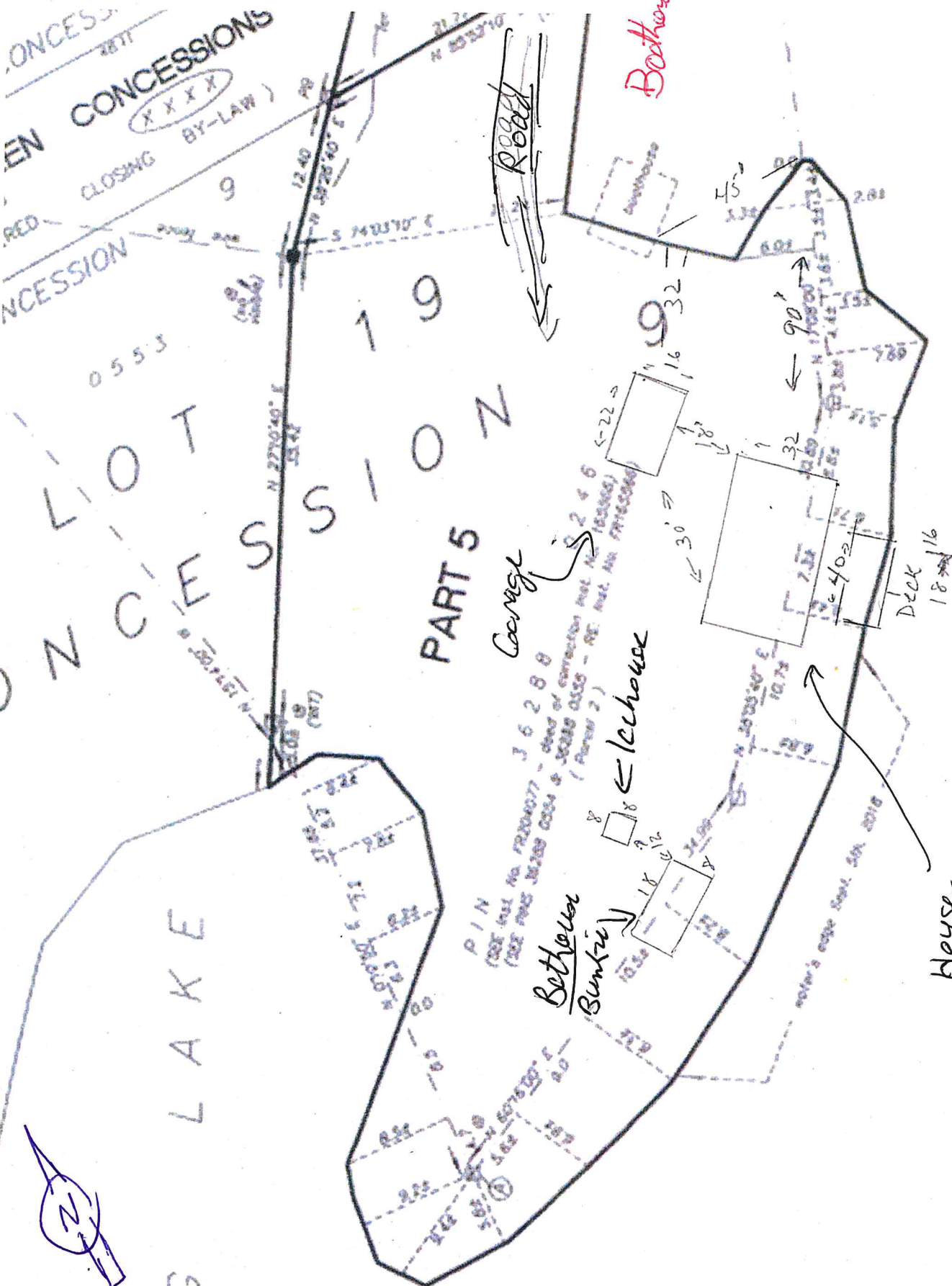
Date: 2023-09-05

CONCESSIONS
RED CLOSING BY-LAW
CONCESSION

LOT
CONCESSION
PART 5

DOG LAKE

DOG LAKE



Garage

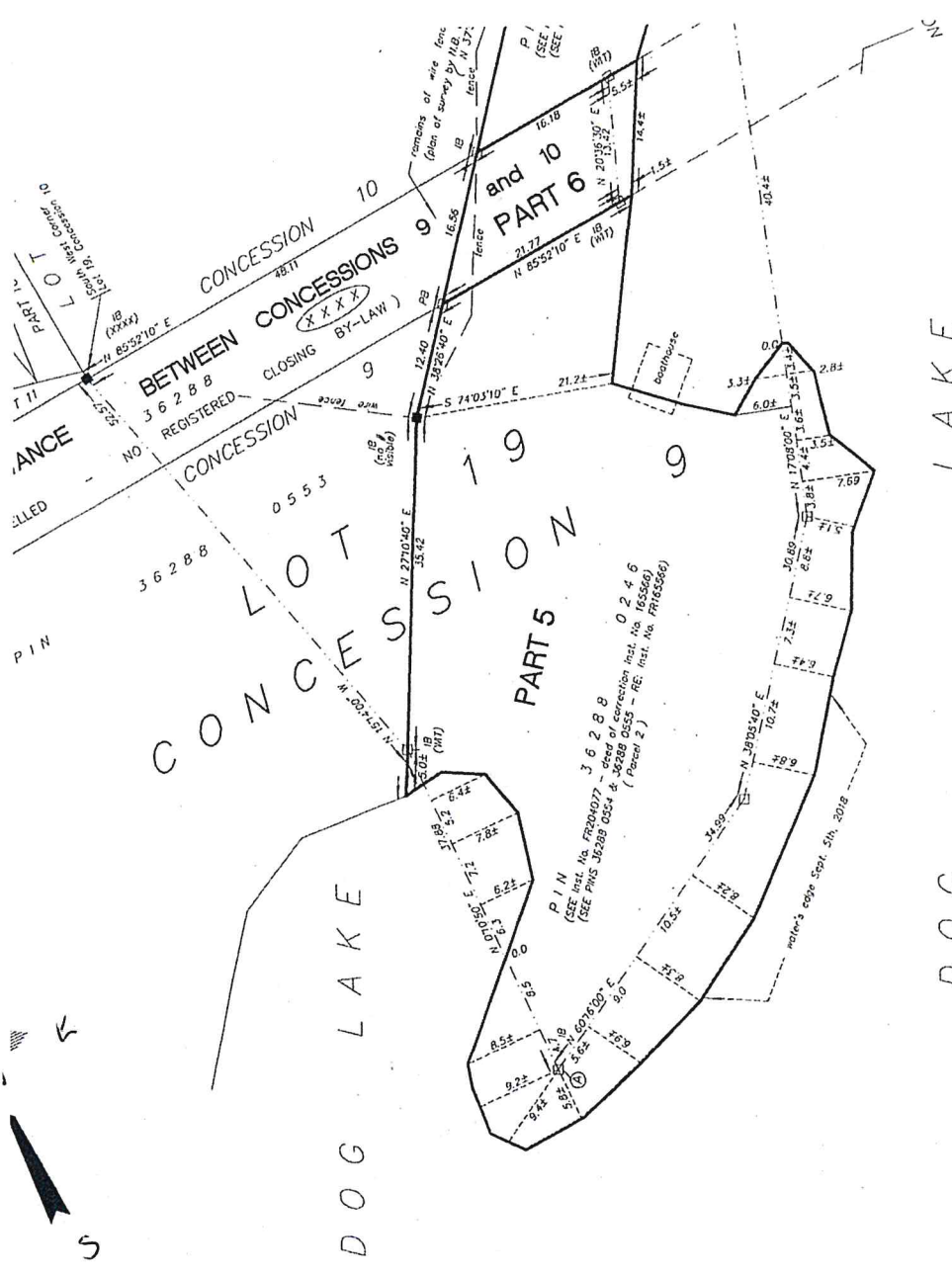
Bathroom

Bathroom
Bunkie

Deck

House

P.I.N.
3 6 2 8 8
done of correction that has been
J 6 2 8 8
RE: Mut. No. 171200077
RE: Mut. No. 172000004 & 172000035 - RE: Mut. No. 171200004
(Part 2)

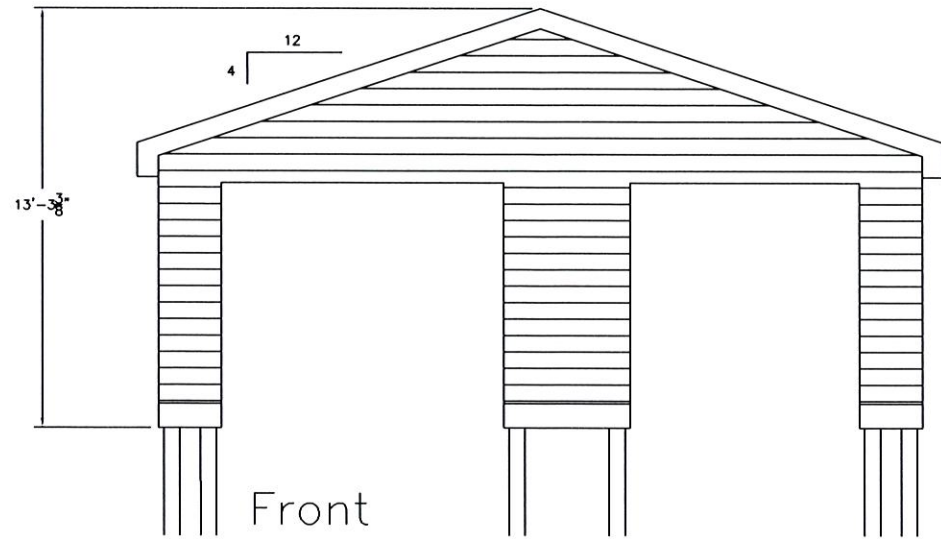


BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A and B BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 18, NAD83(CSRS)(1997.0) FOR BEARING COMPARISON, A ROTATION OF 0°56'20" COUNTER-CLOCKWISE MUST BE APPLIED TO CONVERT BEARINGS FROM GRID TO ASTRONOMIC. DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999722

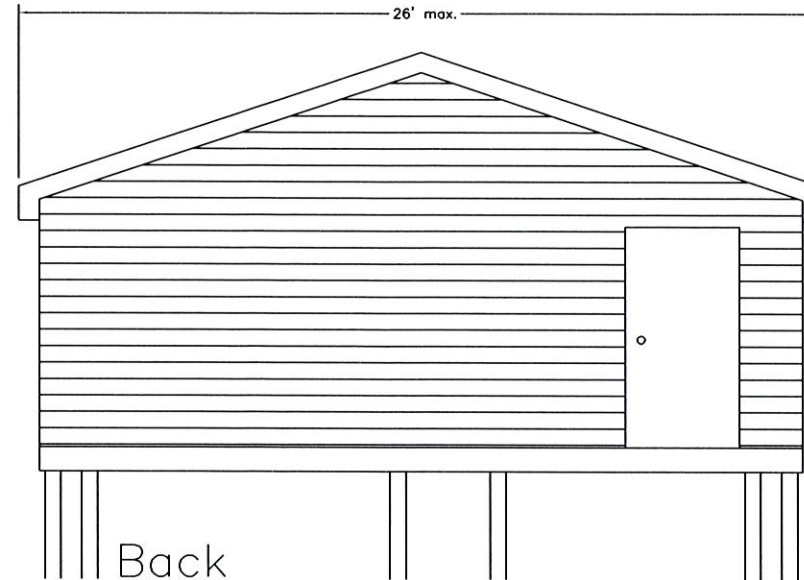
OBSERVED REFERENCE POINTS (ORP'S), UTM ZONE 18, NAD83 (CSRS) (1997.0) COORDINATES TO URBAN ACCURACY PER SEC. 14 (2) OF OREG. 216/10

POINT ID	NORTHING	EASTING
ORP A	4 921 657.03	393 090.41
ORP B	4 921 959.92	393 255.83

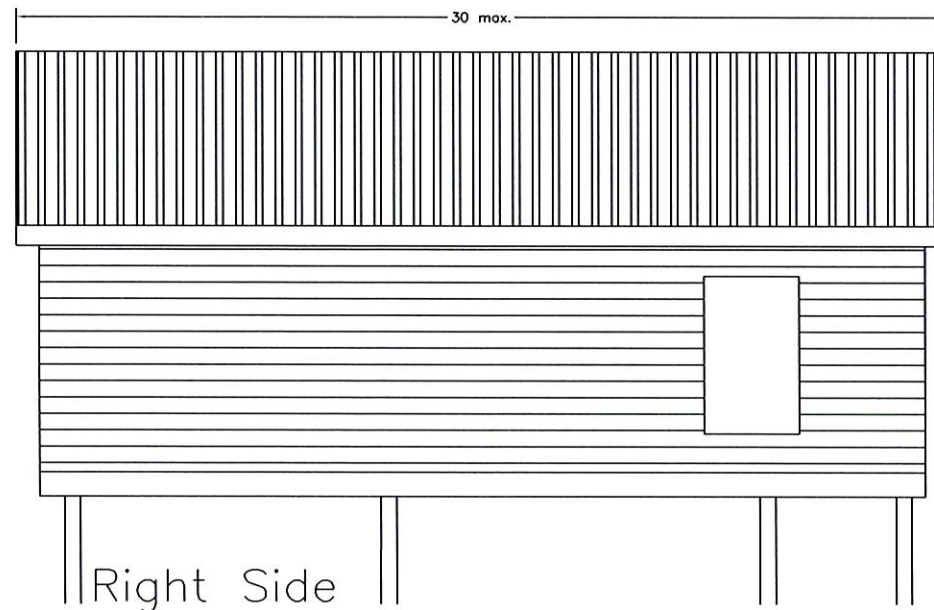
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.



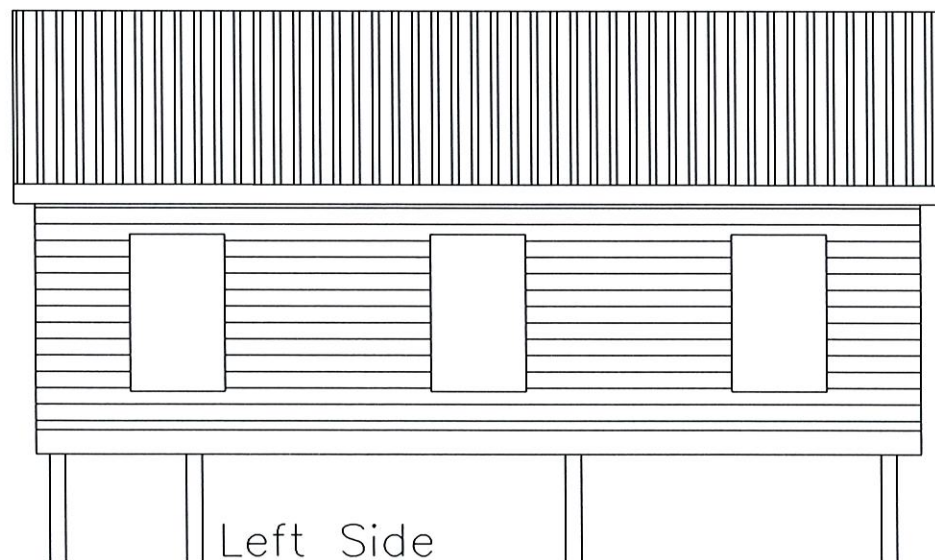
Front



Back



Right Side



Left Side

Notes:

Secure premises at all times.
 All work as per O.B.C. 2012 as amended.
 Obtain all necessary permits, lockouts etc..
 Shore as necessary.
 Contractor to confirm all measurements.

Structural steel CSA G40.21 44W
 Welding to CSA W58
 Electrodes CSA W48 -E70, <H17
 Bolts shall conform to ASTM A325 or A490
 Lumber grade S.P.F No. 1/2
 Plywood to CSA 0151
 Adhesive LePage PL Premium or approved equivalent.

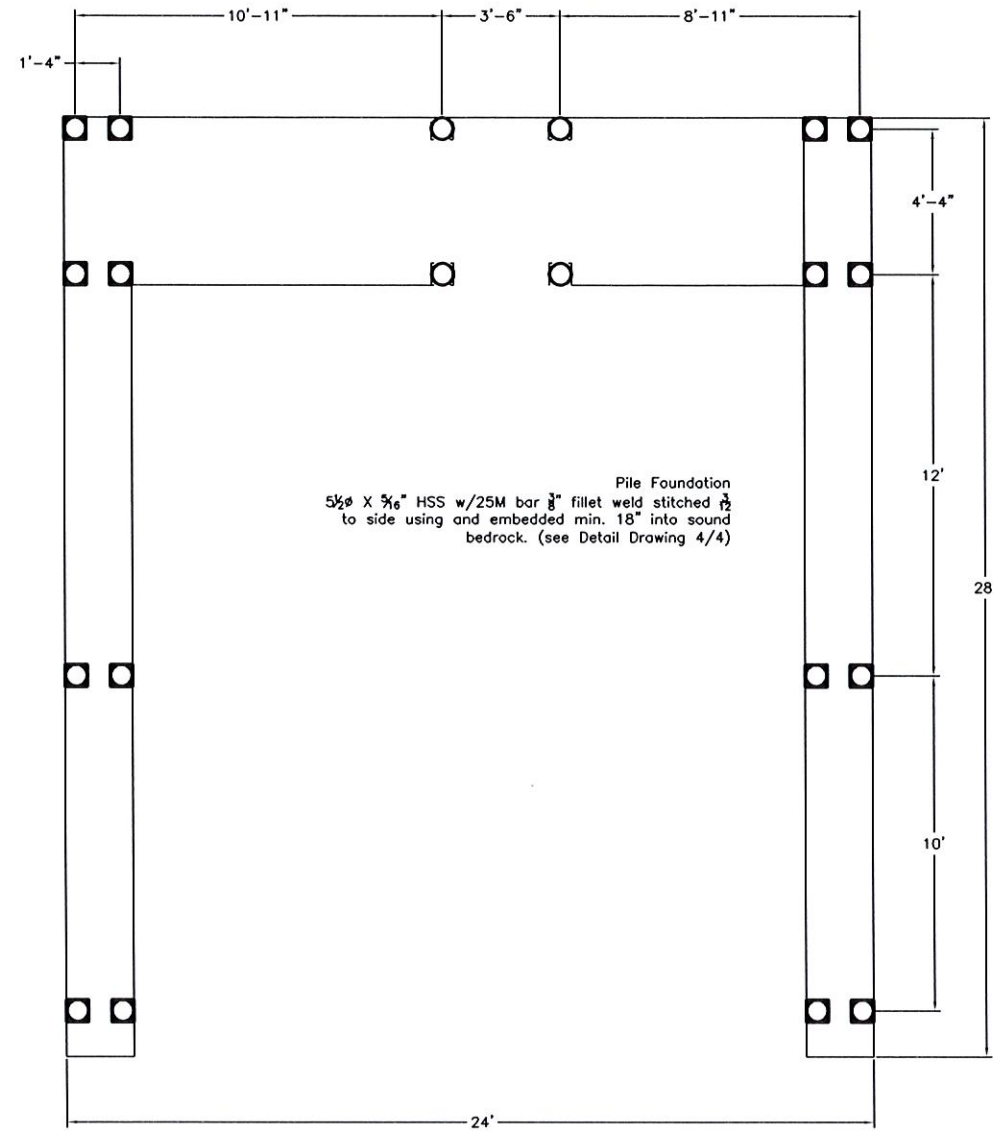
Flashing and roofing details per
 Canadian Roofing Contractors Association
 Roofing Specifications Manual

Make good all areas affected by work.

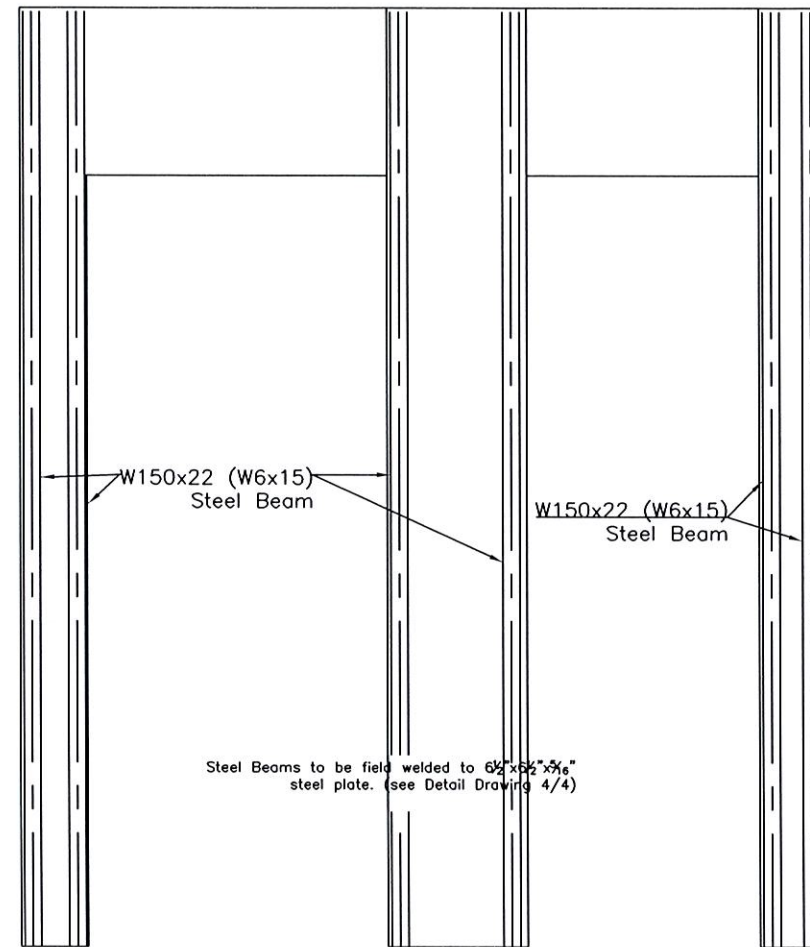


CONCORD
 ENGINEERING
 764 Baker Crescent, 2nd Floor
 Kingston, Ontario K7M 6P6
 Tel: (613) 634-4357
 Fax: (613) 634-4353
 E-mail: concorde@kos.net

Project: Boathouse Design			
122 Osbourne Lane			
Battersea, Ontario			
Drawing: Elevations			
Client: Mr. Jeff Sleeth			
Designer:	Dwn by: RDO	Chd by:	Date: 14-Aug-23



Foundation Layout



Beam Layout

CONCORD
ENGINEERING

764 Baker Crescent, 2nd Floor
Kingston, Ontario K7M 6P6

Tel: (613) 634-4357
Fax: (613) 634-4353
E-mail: concorde@kos.net

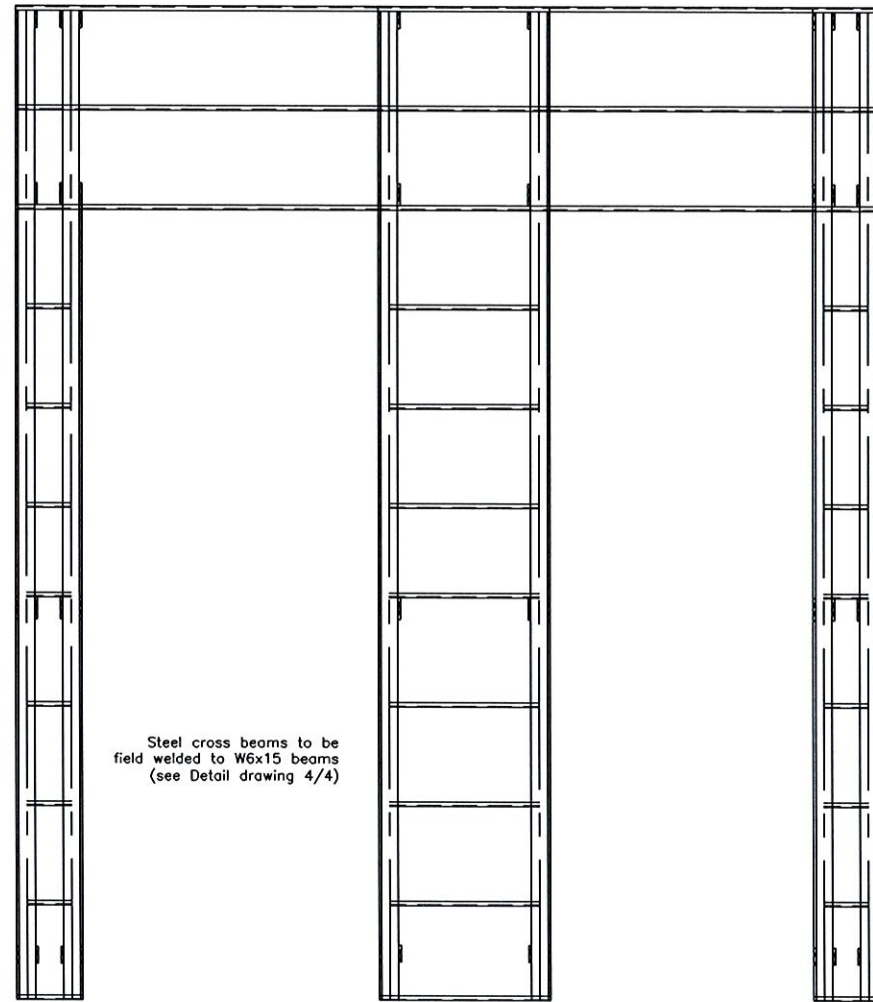
Project: Boathouse Design
122 Osbourne Lane
Battersea, Ontario

Drawing: Foundation and Beam Layout

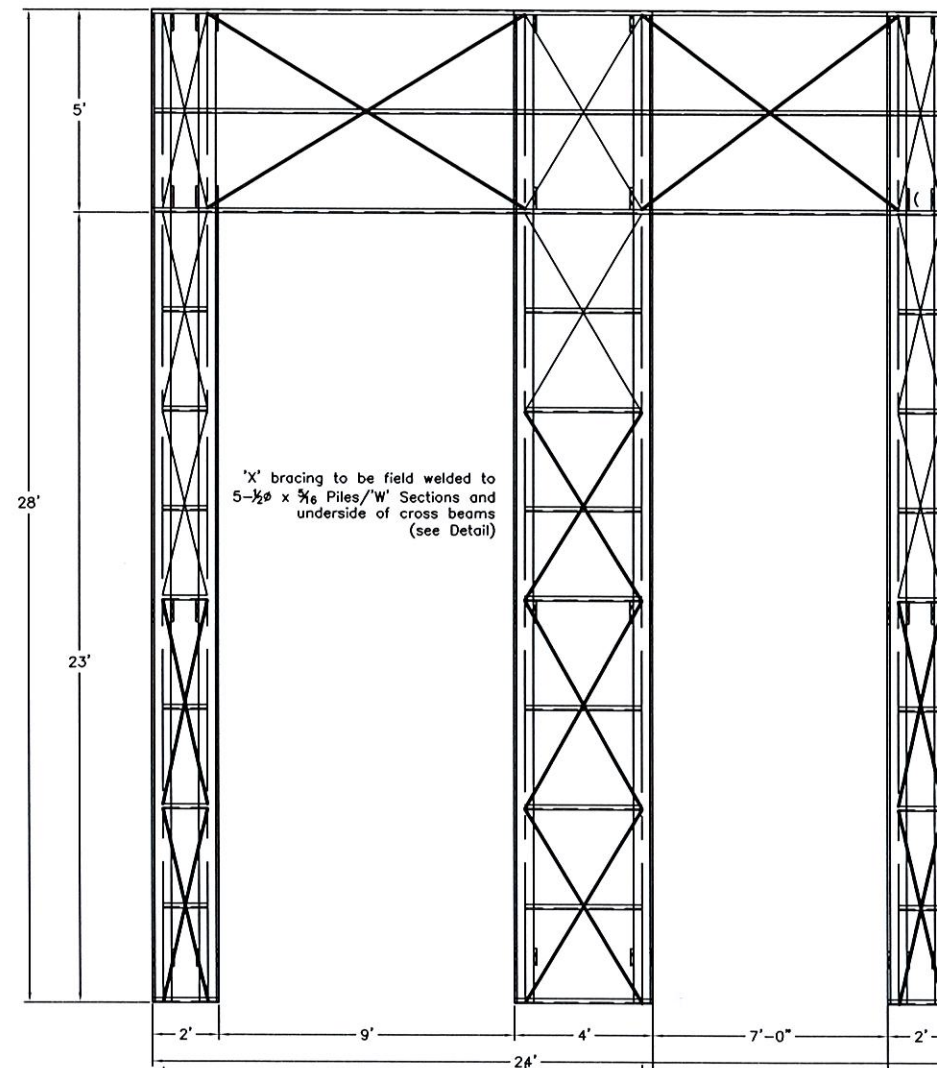
Client: Mr. Jeff Sleeth

Designer: Dwn by: RDO Chd by: Date: 14-Aug-23

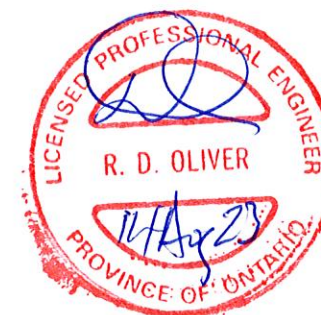


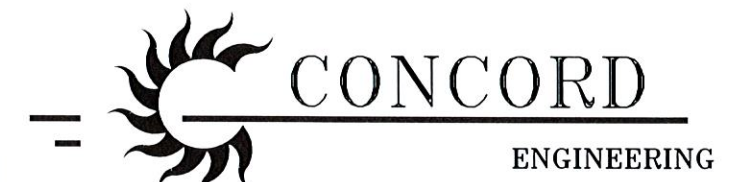


Cross Beam Layout

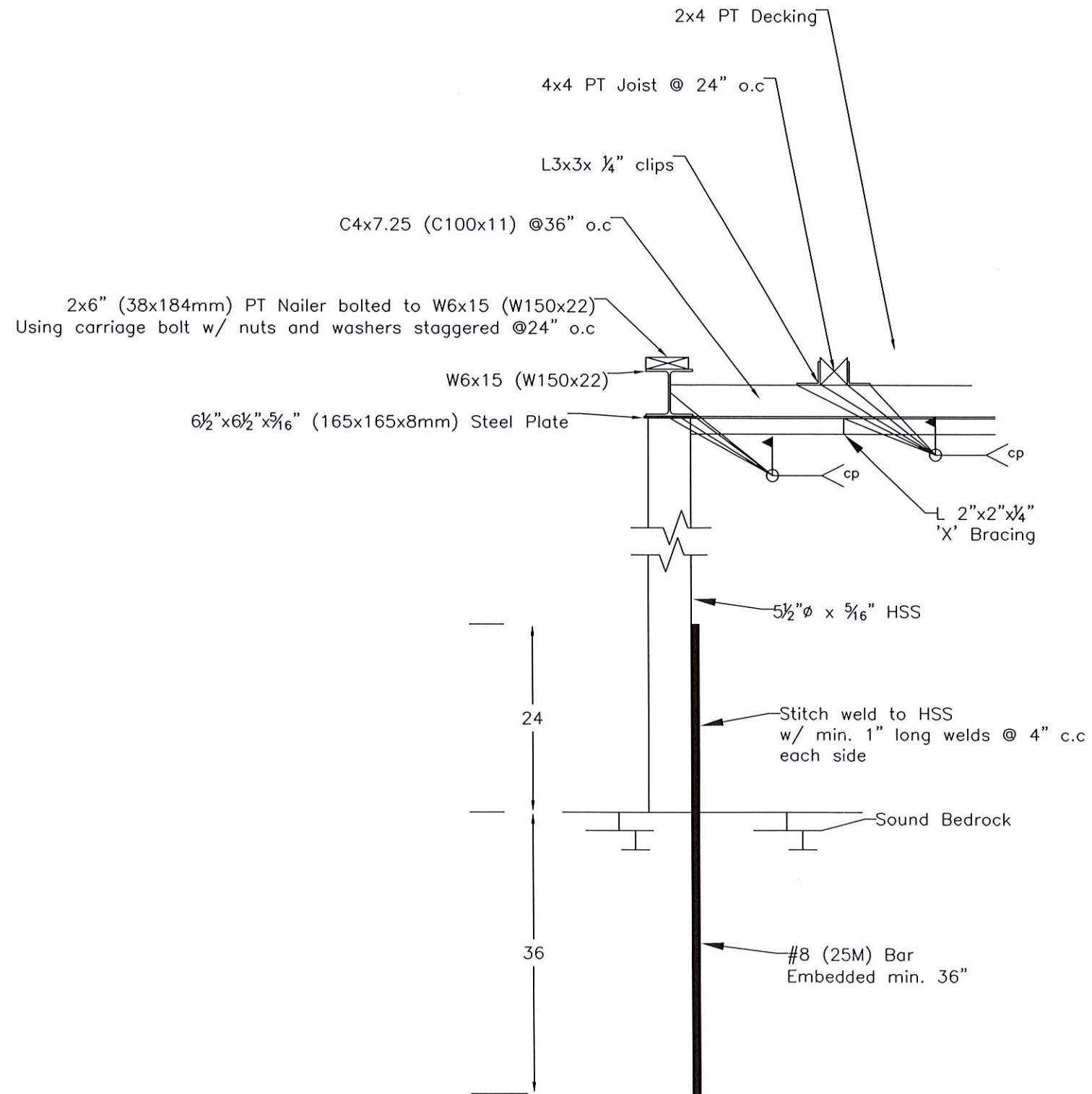


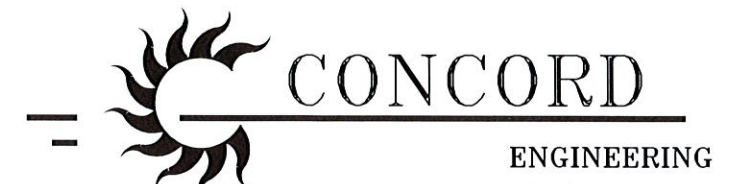
Bracing Layout




CONCORD
 ENGINEERING
 764 Baker Crescent, 2nd Floor
 Kingston, Ontario K7M 6P6
 Tel: (613) 634-4357
 Fax: (613) 634-4353
 E-mail: concorde@kos.net

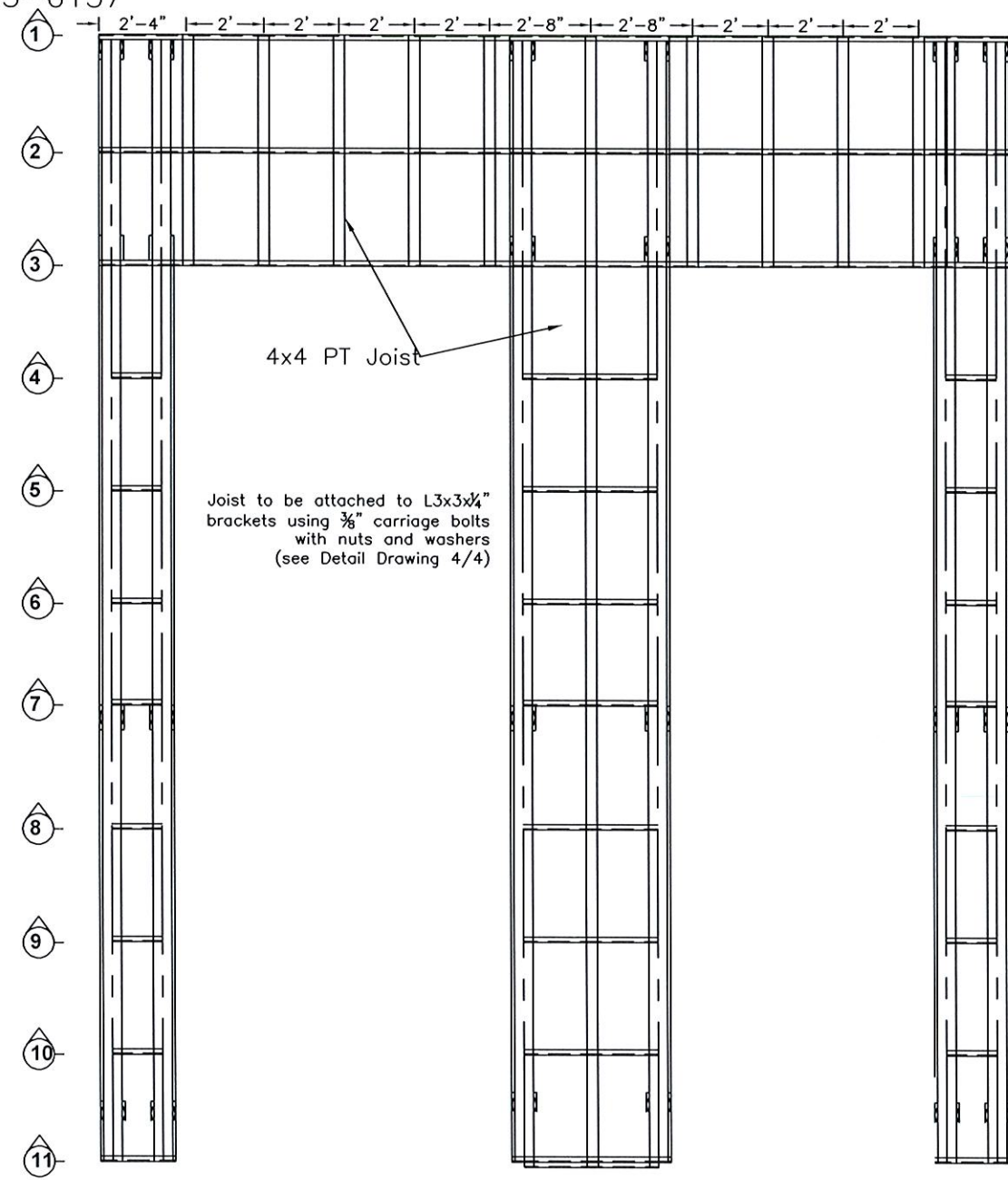
Project: Boathouse Design			
122 Osbourne Lane			
Battersea, Ontario			
Drawing: Cross Beam & 'X' Bracing Layout			
Client: Mr. Jeff Sleeth			
Designer:	Dwn by: RDO	Chd by:	Date: 14-Aug-23



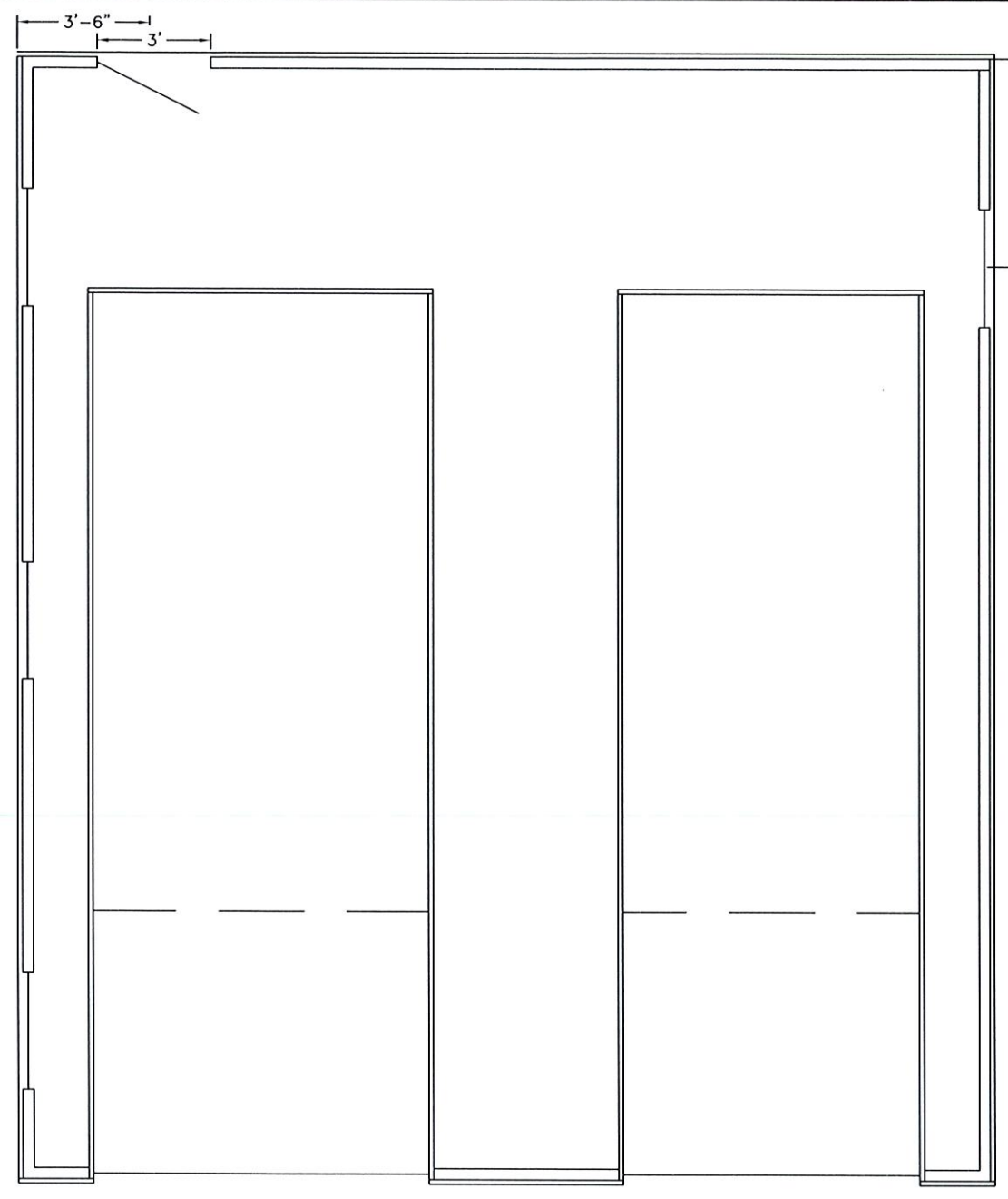

CONCORD
 ENGINEERING
 Tel: (613) 634-4357
 Fax: (613) 634-4353
 E-mail: concorde@kos.net
 764 Baker Crescent, 2nd Floor
 Kingston, Ontario K7M 6P6

Project: Boathouse Design			
122 Osbourne Lane			
Battersea, Ontario			
Drawing: Section			
Client: Mr. Jeff Sleeth			
Designer:	Dwn by: RDO	Chd by:	Date: 17-Feb-23

Foundation Detail



Floor Framing Layout



Wall Framing Layout

CONCORD
ENGINEERING

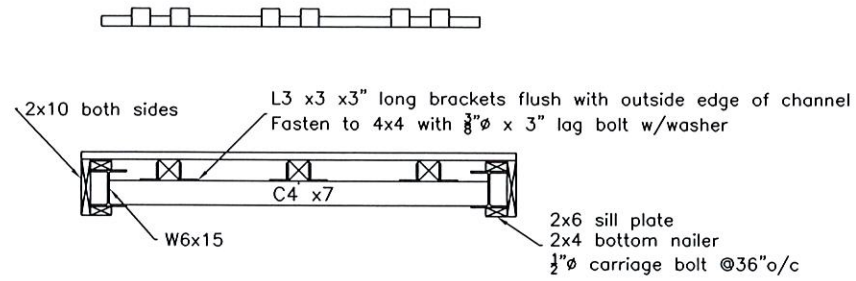
764 Baker Crescent, 2nd Floor
Kingston, Ontario K7M 6P6

Tel: (613) 634-4357
Fax: (613) 634-4353
E-mail: concorde@kos.net

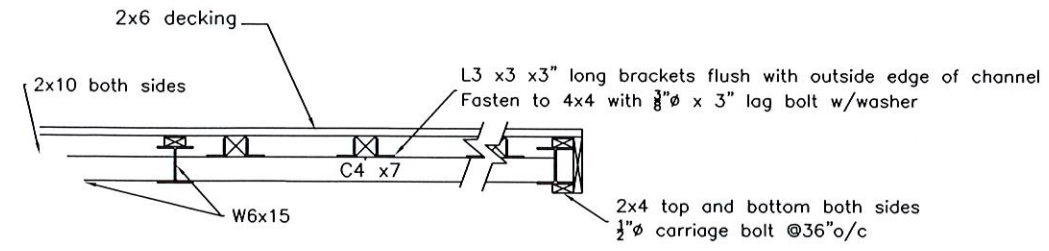


Project: Bathhouse Design			
122 Osbourne Lane			
Battersea, Ontario			
Drawing: Framing Layout			
Client: Mr. Jeff Sleeth			
Designer:	Dwn by: RDO	Chd by:	Date: 14-Aug-23

Shore End Bracket Arrangement in Plan

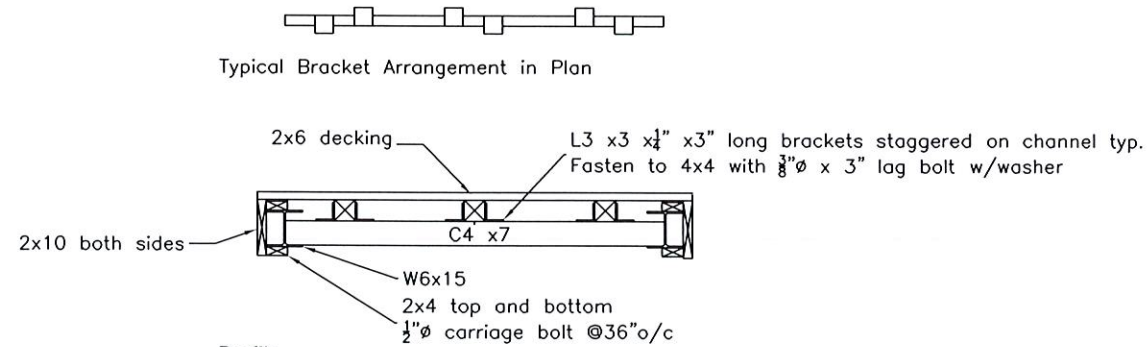


Profile
 Crossbeam Details
 1, 3 & 12 - End beams



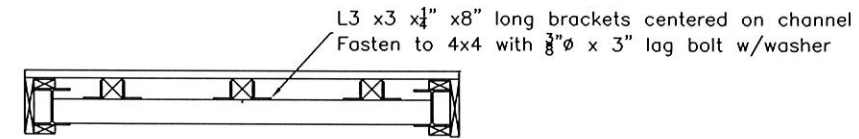
Crossbeam Details
 2 - center cross beams

Typical Bracket Arrangement in Plan



Profile
 Crossbeam Details
 4, 6 through 8, 10 and 11

Splice Bracket Arrangement in Plan



Profile
 Crossbeam Details
 5 & 9- Stringer Splice Location

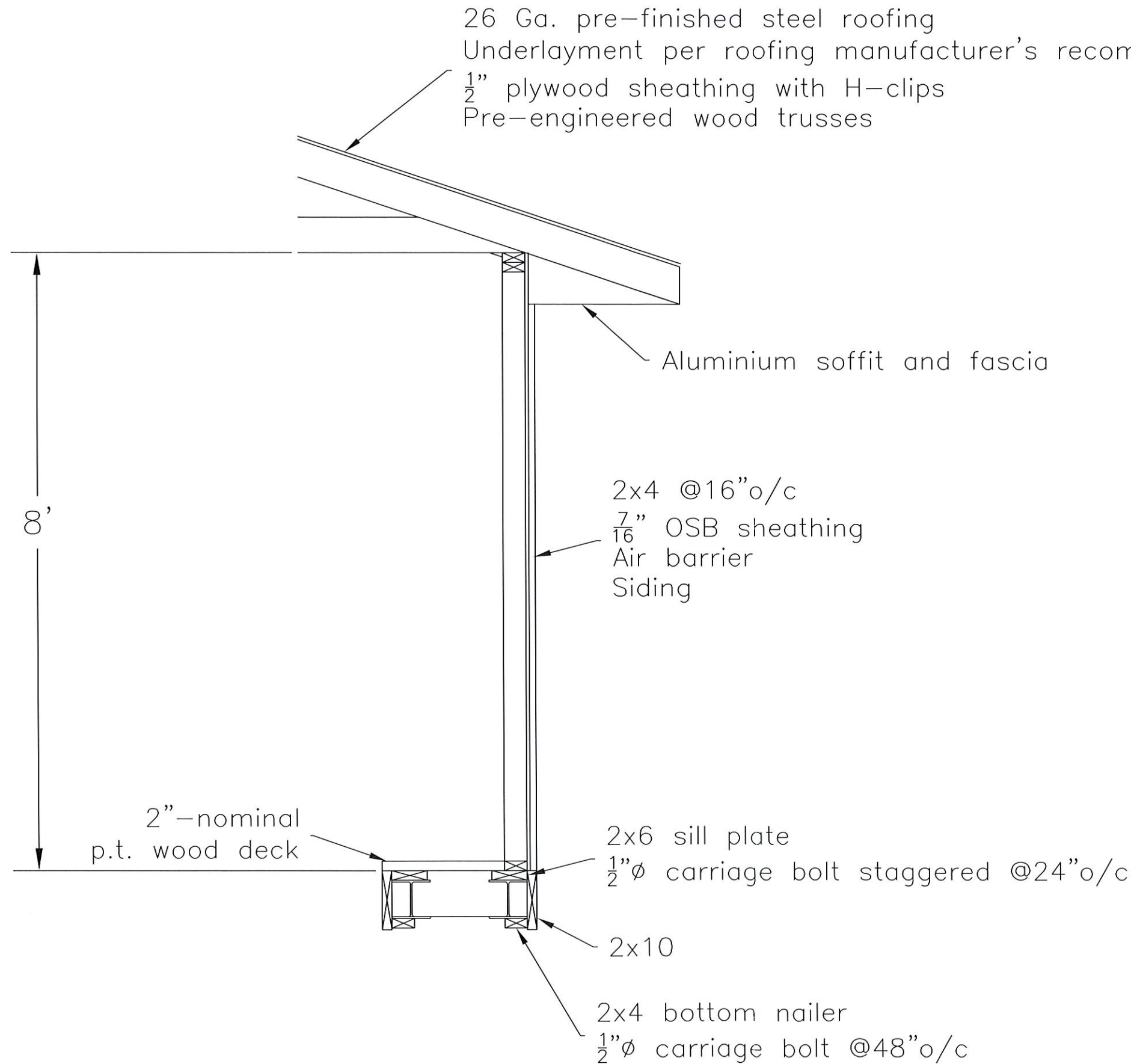



CONCORD
 ENGINEERING

764 Baker Crescent, 2nd Floor
 Kingston, Ontario K7M 6P6

Tel: (613) 634-4357
 Fax: (613) 634-4353
 E-mail: concord@kos.net

Project: Boathouse Design			
122 Osbourne Lane			
Battersea, Ontario			
Drawing: Middle Stringer Framing Details			
Client: Mr. Jeff Sleeth			
Designer:	Dwn by: RDO	Chd by:	Date: 17-Feb-23



 **CONCORD**
ENGINEERING

764 Baker Crescent, 2nd Floor
Kingston, Ontario K7M 6P6

Tel: (613) 634-4357
Fax: (613) 634-4353
E-mail: concorde@kos.net

Project: Boathouse Design			
122 Osbourne Lane			
Battersea, Ontario			
Drawing: Building Section			
Client: Mr. Jeff Sleeth			
Designer:	Dwn by: RDO	Chd by:	Date: 21-Feb-23





Exterior Walkway



North Foundation



Side View with Overhang



Rideau Canal National
Historic Site
parkscanada.gc.ca

Lieu Historique National
du Canal-Rideau
parcscanada.gc.ca

PERMIT NO. 8520-06017400

Approved June 28, 2023

Jeff Sleeth


OWNER: Jeff Sleeth and Jennifer Spronck

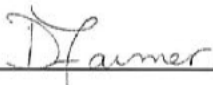
LOCATION OF WORK: Fronting Part Lot 19, Concession 9, Township of Rideau Lakes (Geographic Township of Pittsburgh), County of Frontenac and locally known 122 Osborne Lane

PERMISSION IS GRANTED TO:

- 1) Install boathouse over the bed

Subject to the project specific special conditions listed in Appendix A attached.

Fronting the above stated property on the Dog Lake, this permit is valid until June 28, 2024. **Be advised that no In-Water or Shoreline Works are permitted from October 1 to June 30 (inclusive) of any year.** Only projects for which permission has been granted may be undertaken.

Approved by 

RIDEAU CANAL
NATIONAL HISTORIC SITE OF CANADA
34 Beckwith Street South
Smiths Falls ON K7A 2A8
613-283-7199
on-rc-cr.permits-permis@pc.gc.ca





Appendix A

- This permit does not come into full force and effect until it is returned to the Rideau Canal Office in Smiths Falls signed and dated. Once returned it shall be taken as indicating acceptance of the conditions of this approval and acknowledgment that the details of the proposal as described in this permit are a fair and accurate representation of the proposed undertaking.
- Notice 2 days in advance to the Rideau Canal is required regarding the commencement of work.
- The applicant agrees that Rideau Canal staff may visit the site before, during and after construction for the purpose of determining compliance with any conditions set out in this permit.
- It is acknowledged that it is the responsibility of the proponent's project management team which includes the property owner(s), authorized agent and contractors to implement the conditions of this permit.
- A copy of this permit must be on site at all times during the duration of the project.
- The last page of this permit shall be posted in a visible location at the properties entrance and waterfront for the duration of the project.

Print Name: _____ Date: _____

Signed: _____ Date: _____

NOTE: Dog Lake has a coldwater fish timing window which applies to it in addition to the warmwater fish timing window. This coldwater timing window, restricts in-water and shoreline work from occurring between October 1 and June 30 each year.

If either of the following conditions are met the work contained within Appendix A may proceed within the coldwater fish timing window. Documentation of site conditions shall be forwarded to Parks Canada Staff to confirm site conditions prior to the start of any work.

- The water level is below the area being worked on and the work area is dry.
- The ice is solid to the bottom and any ice removal required does not create open water and or does not allow water into the work area.

Regardless of the above conditions, no work shall take place between March 15 and June 30 (inclusive) of any year.

At any time during the work if the above conditions are not met all work shall stop immediately and this office shall be contacted and notified of the situation.

This timing window exemption is only for this project and does not extend to other potential projects that front this property or other potential projects fronting other properties on the Rideau Canal.





NOTE: Parks Canada's records indicate the potential presence of Species at Risk (SAR) in the terrestrial areas of your application, outside of lands and waters under Parks Canada's jurisdiction. Portions of the project site (or areas potentially impacted by the project), located on non-federal lands are subject to applicable provincial and municipal legislation. Furthermore, for project components located on non-federal lands, the requirement for SAR permitting under the Endangered Species Act must be determined through consultation with the Ontario Ministry of Environment, Conservation and Parks. Please check with your local office for further direction or visit: <https://www.ontario.ca/page/how-get-endangered-species-act-permit-or-authorization>.

CONDITIONS – BOATHOUSE OVER THE LAKEBED

The boathouse shall be installed in the location and dimensions identified on the drawings and sketches submitted with the permit application and shown on pages three to eight of this permit.

The outside dimensions of the structure including any cribs, the roof eaves, attached walkway or dock over the lakebed (lake ward from the upper controlled navigation level) must fit within a 26 ft. x 32 ft. rectangular area immediately adjacent to the shoreline. Attached walkways or docks must be installed at or immediately above the waterline. Attached walkways or docks shall not exceed 8 ft. in total width and 6 ft. in width from the outside of the boathouse wall. No decks are permitted. The roofline, being the peak of double pitched or hipped roofs shall be no more than 15 ft. above the upper controlled navigation level. Flat roofs are not allowed. No services other than electricity are permitted. Exterior illumination will be designed to minimize light pollution. Materials and colours that blend in with the surrounding landscape will be used. A boathouse may have up to two openings towards the water. Parks Canada suggests that materials other than asphalt shingles (e.g., cedar shingles or steel) be used, where possible, as a roofing material to reduce the potential for asphalt contaminant to enter into the water body. A maximum of one boathouse or boat port is permitted per lot.

A minimum of 50% of the total length of any supporting structures that extend out from the shoreline (lake ward of the upper controlled navigation level) shall be clear, unobstructed open spans. The maximum footprint of supporting structures on the lakebed is 161.5 sq. ft.

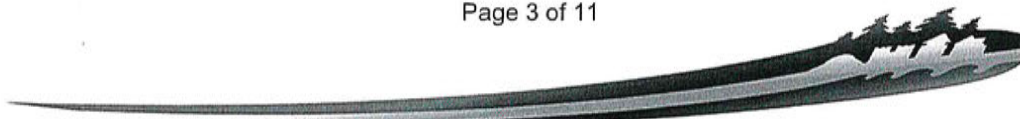
If cribs are to be used for supporting the portion of the structure over the lakebed or any attached docks, the cribs shall be constructed of untreated wood in an open fashion. The openings shall not be less than the width of the wooden members. Rock for filling the cribs shall be clean (free of silts and debris) and shall not be obtained from the shoreline or lakebed. While the structure is to be built as close as possible to the natural shoreline, a 3 m open span along the shore is required to allow for along-shore current movement. As such there shall be no cribs constructed in this 3 m area.

All parts of the boathouse over the lakebed shall be set back a minimum of 15 ft. from the nearest side yard property boundary and its projection over the lakebed.

Any and all material excavated in the near shore area (upland of the upper controlled navigation level) must be placed upland at least 50 ft. from any watercourse, or in accordance with requirements of another agency, whichever is greater, and must be stabilized to prevent the dredged material from entering or re-entering the water.

For projects involving the installation of piles, it is the applicant's responsibility to facilitate the removal those piles in the future in cases of compliance notifications or structure modification requirements.

It is the applicant's responsibility to ensure that the approved work meets the requirements of all other Federal and Provincial agencies including the local Township/Municipality.



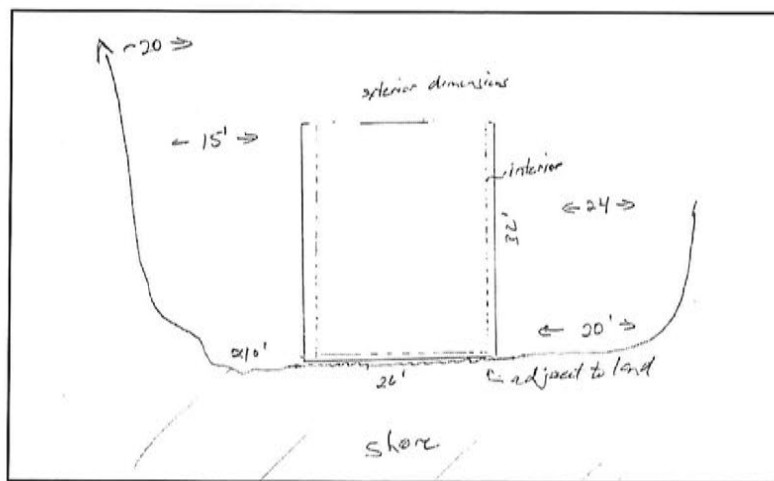
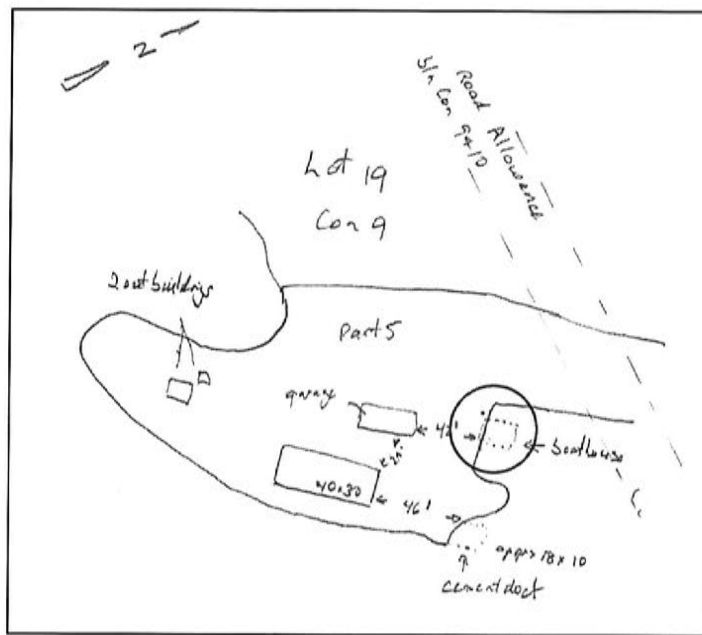


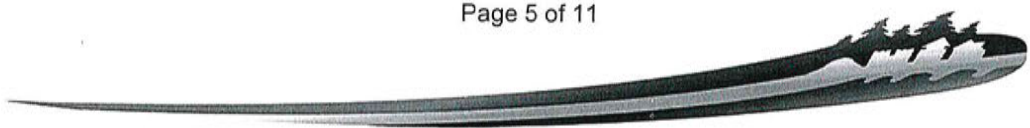
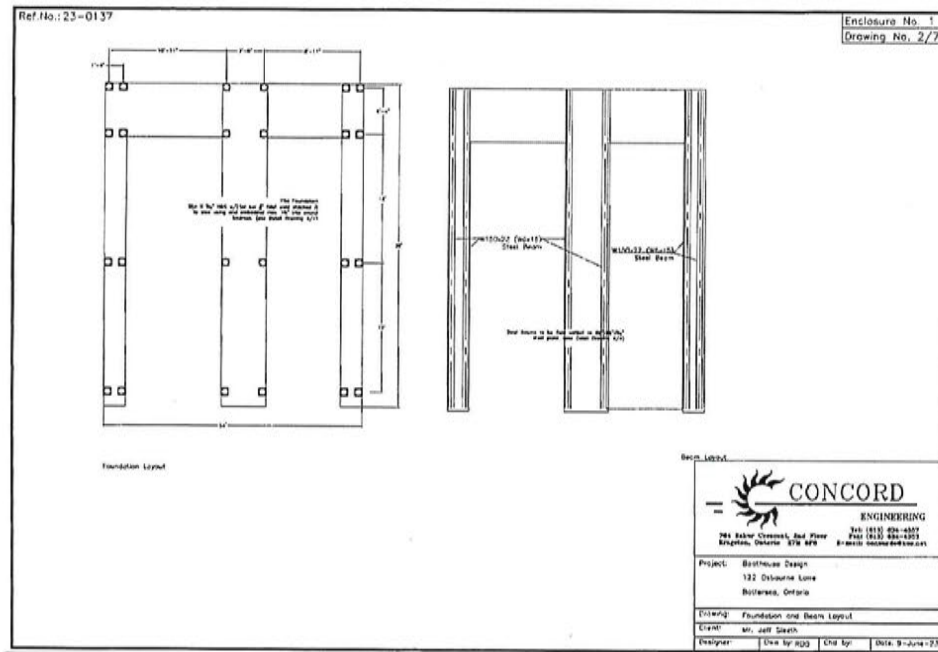
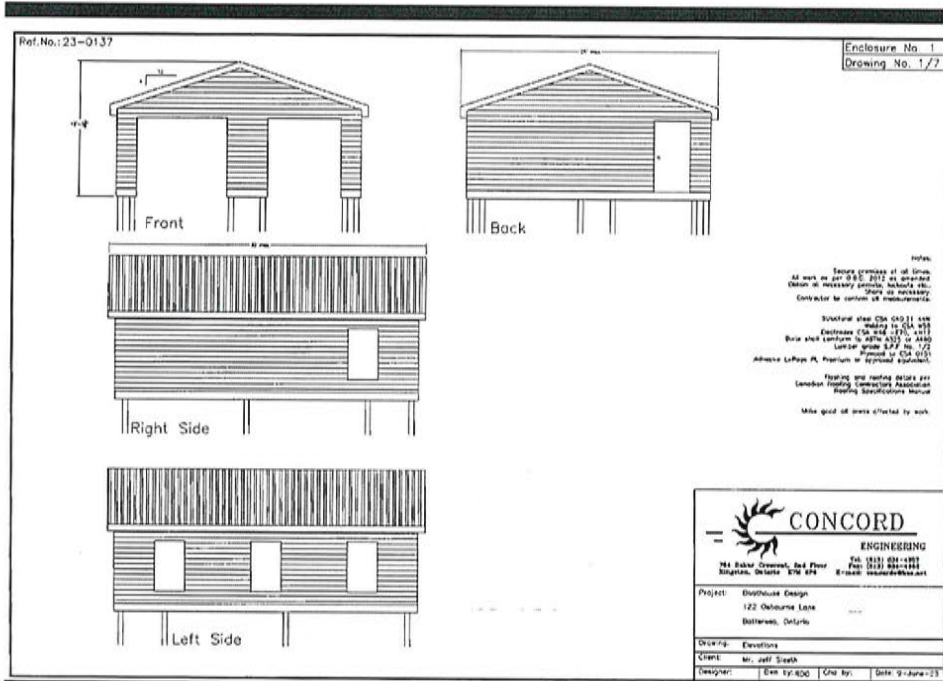
The applicant will obtain a permit under the Ontario Building Code if required. Contact your local Township/Municipality for more information.

All municipal building permits obtained for this structure as well as inspections reports shall be provided to this office no later than the date this permit expires.

The site is to be left in a neat and tidy condition upon completion of the work and all debris or waste, both organic and inorganic in the water and on the land, is to be removed from the site. Turbidity is to be kept to a practical minimum.

Sediment control measures shall be implemented during any work to control turbidity levels if required. Turbidity curtains, or other appropriate measures, shall be implemented during any in-water work that may result in sedimentation. These shall remain in place until all suspended sediments have settled.







Rideau Canal National
Historic Site
parkscanada.gc.ca

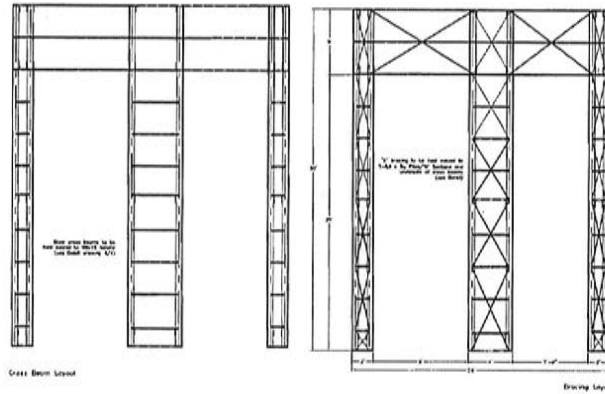
Lieu Historique National
du Canal-Rideau
parcsCanada.gc.ca

PERMIT NO. 8520-06017400

Approved June 28, 2023

Ref.No.: 23-0137

Enclosure No. 1
Drawing No. 3/7

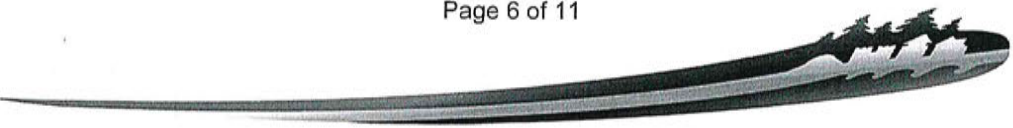
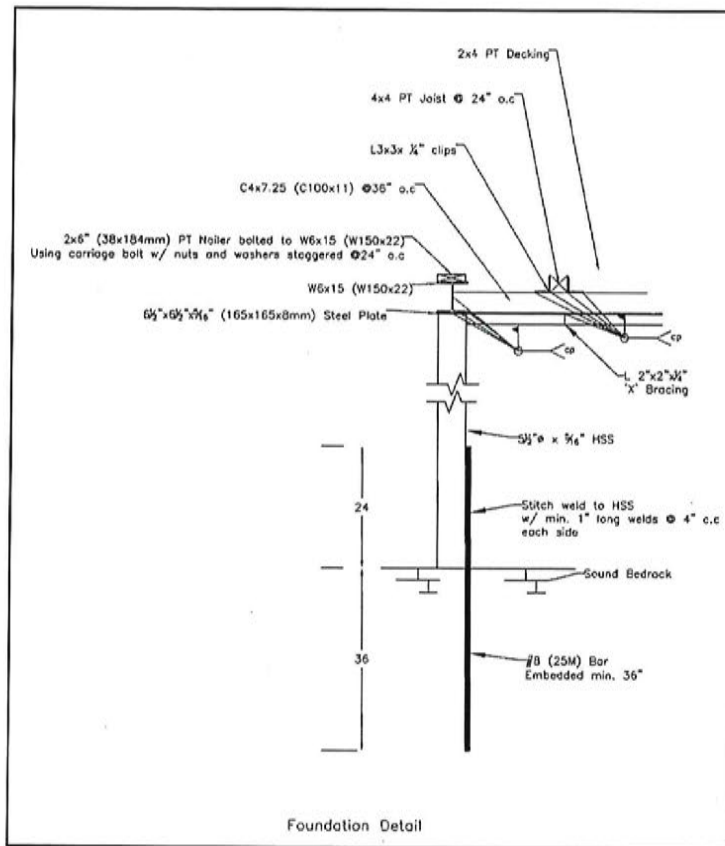


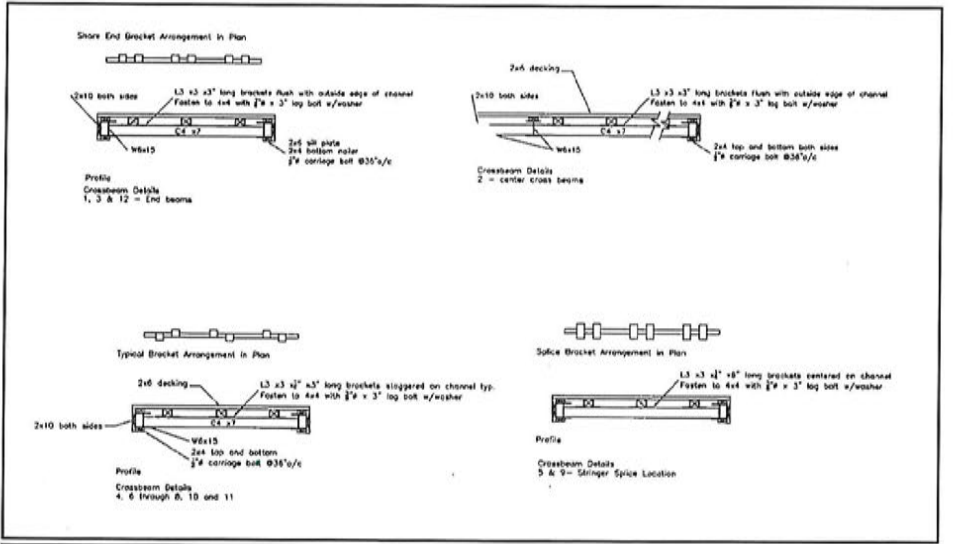
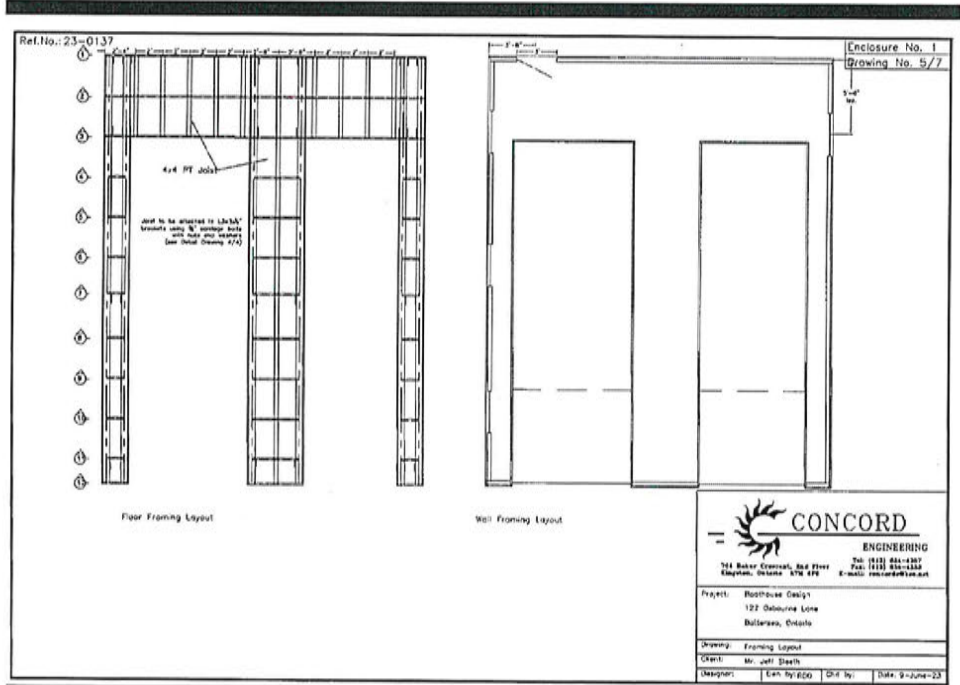
CONCORD
ENGINEERING

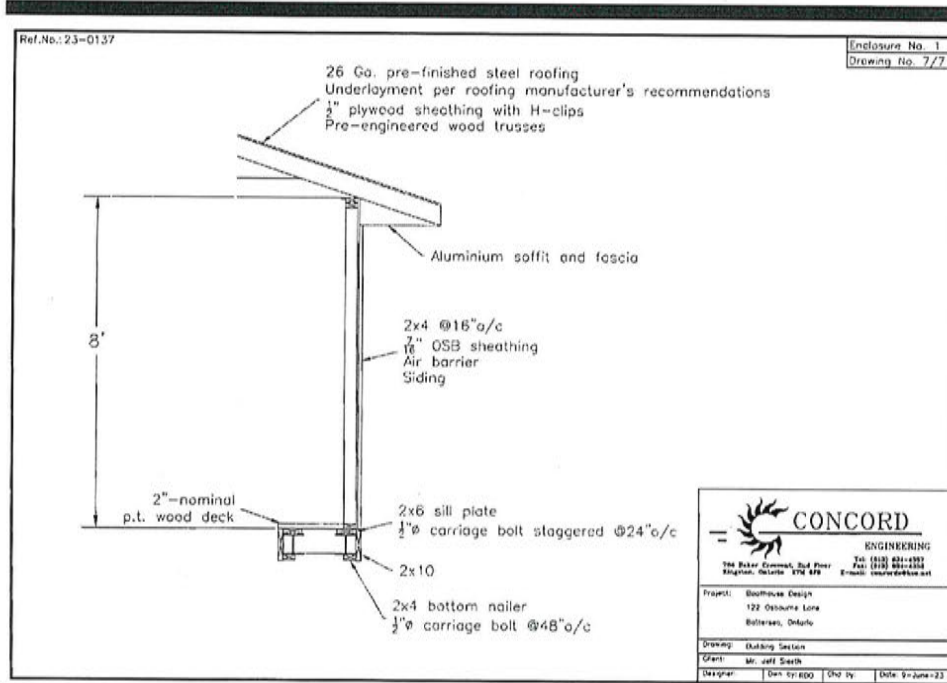
194 Baker Crescent, 2nd Floor
Burlington, Ontario N7R 4P8
Tel: (416) 684-1305
Fax: (416) 684-1305
E-mail: concord@concord.net

Project: Boutique Design
122 Osbourne Lane
Burlington, Ontario

Drawn: Cross Beam & 1" Bracing Layout
Client: Mr. Jeff Smith
Engineer: [Signature] Date: 06-28-23







CONDITIONS – GENERAL (APPLIES TO ALL PROJECTS)

1. Failure to comply with these conditions or limits may be considered a violation of the Historic Canals Regulations, Species at Risk Act and/or the Fisheries Act and may lead to prosecution.
2. The approval is granted based on the information submitted with your application. Any information included with your application found to be falsified, intentionally misleading or incorrect, will result in the immediate cancellation of your approval. Charges under the Historic Canals Regulations or Fisheries Act may result.
3. Applications and approvals to perform work on shorelines and in the waters of the Rideau Canal are not transferable from one upland property owner to another.
4. Blasting shall not be conducted between March 15th and September 10th.
5. No filling or 'made land' is to take place on the bed of the water body. Made land (fill) placed on the beds of lakes, rivers and streams comprising the Rideau Canal beyond the upland property owner's deeded property frontage boundary automatically becomes Federal Crown land under the jurisdiction and administration of the Parks Canada Agency. Permanent structures such as boathouses, decks, etc. are considered 'made land'. Care should be taken to ensure that waterfront facilities are constructed on the applicant's upland private property so as not to jeopardize ownership of the facilities.
6. Treated wood will not be allowed where it has contact with the water. Treated wood that meets provincial and federal guidelines will be allowed where it is not in direct contact with water provided the wood is pre-treated and dry. Creosote preservative and wood treated with creosote shall not be used.
7. It is the applicant's responsibility to ensure that the approved work meets the requirements of all other Federal and Provincial agencies and the local municipality. It is the applicant's responsibility to ensure that all federal, provincial, municipal or other agency approvals or permits are obtained prior to commencement of any work.



8. Construction of in-water and shoreline works and related activities may only proceed once all required federal, provincial, municipal or other agency approvals are issued. The work must conform to all required and issued permits. Parks Canada may inspect the work to ensure compliance.
9. The Crown is not responsible for the maintenance or repair of this project or any other work done before or after the period of construction.
10. The Crown is not responsible for any damage, including damage caused by ice or high water.
11. The site is to be left in a neat and tidy condition upon completion of the work and all debris or waste, both organic and inorganic in the water and on the land, is to be removed from the site. Turbidity is to be kept to a practical minimum.
12. The applicant and/or contractor shall not allow any deleterious material as defined in the Fisheries Act (such as silt), caused by the work to enter or re-enter the water body.
13. Sediment and erosion control measures shall be implemented prior to any shoreline work to prevent entry of sediment into the water. These must be inspected regularly and remain intact and maintained until all disturbed areas have been stabilized following completion of the work.
14. Sediment control measures shall be implemented during any in-water work to control turbidity levels. Silt curtains, or other appropriate measures, shall be implemented during any in-water work that may result in sedimentation. These shall remain in place until all suspended sediments have settled.
15. The Department of Fisheries and Oceans has advised that the use of limestone screenings for coffer dams is not an acceptable practice and is therefore not permitted by Parks Canada – Rideau Canal. Please contact the Department of Fisheries and Oceans directly for advice on appropriate materials to be used for coffer dams, where required.
16. All activities, including maintenance procedures, shall be controlled to prevent the entry of petroleum products, debris, rubble, concrete or other deleterious substances into the water. Vehicular refueling and maintenance shall be conducted away from the water.
17. For project involving the use of concrete, concrete leachate is alkaline and highly toxic to fish and aquatic life. Measures must be taken to prevent any incidence of concrete or concrete leachate from entering the watercourse. All cast in place concrete, grout, mortars etc. should be totally isolated from water and precipitation for a minimum 48 hour period or until significantly cured to allow the pH to reach neutral levels.
18. A copy of this approval must be on site at all times during the duration of the project.
19. The Rideau Canal retains the right to request that proposed or any on-going shoreline or in-water work be altered or ceased immediately.
20. Should cultural features or artifacts be discovered on the shoreline, the bed of the lake or river or on Federal property, the owner/contractor/agent shall cease work immediately and notify the Rideau Canal.
21. Unless a written variance has been obtained from the Rideau Canal and local municipality where applicable (policy 3.1.2), structures that project into the open water from an upland property must be set back a minimum of 4.6 metres (15 ft.) from the nearest side yard property boundary and its projection over the lake or river bed. If the municipal setback in your area is greater, then the municipal setback will apply.





22. Works must not be undertaken fronting municipal shore road allowances and right-of-ways without prior written permission from the Municipality. A copy of any required written consent must accompany the Application for In-Water and Shoreline Works.
23. Shoreline and in-water works fronting right-of-ways require prior written consent from the legal deeded owner(s) of the property. A copy of any required written consent must accompany the Application for In-Water and Shoreline Works.
24. Should the permit time period expire prior to the commencement or completion of in-water or shoreline work, the property owner will be responsible for contacting the Rideau Canal to request an extension to the work period. Failure to obtain an extension to the work period once a permit has expired is a violation under the Historic Canals Regulations.
25. Disturbance to aquatic and riparian vegetation shall be minimized. There shall be no disturbance to emergent wetland habitat (i.e. cattails and bulrushes). The applicant is responsible for fully restoring any emergent wetland habitat or other habitat inadvertently damaged during construction.
26. Rock rubble, tree stumps and logs on the lake bottom constitute valuable fish habitat. Rock rubble, stumps and logs on the lake bottom shall not be removed and disturbance shall be minimized.
27. It is important to replant trees and shrubs along the shoreline to help stabilize the shoreline and to provide cover for near shore fish habitat.





Rideau Canal National
Historic Site
parkscanada.gc.ca

Lieu Historique National
du Canal-Rideau
parcscanada.gc.ca

PERMIT NO. 8520-06017400

Approved June 28, 2023

Post at property entrance in a visible location

PERMIT FOR SHORELINE AND IN-WATER WORK

**PERMIT NO. 8520-06017400
LOCATION: 122 OSBORNE
WATERBODY: DOG LAKE**

PERMIT VALID: June 28, 2023 to June 28, 2024

For More Information, Please Contact

**RIDEAU CANAL
NATIONAL HISTORIC SITE OF CANADA
34 Beckwith Street South
Smiths Falls ON K7A 2A8
Phone: 613-283-7199
Email: on-rc-cr.permits-permis@pc.gc.ca**

Post at waterfront in a visible location

PERMIT FOR SHORELINE AND IN-WATER WORK

**PERMIT NO. 8520-06017400
LOCATION: 122 OSBORNE
WATERBODY: DOG LAKE**

PERMIT VALID: June 28, 2023 to June 28, 2024

For More Information, Please Contact

**RIDEAU CANAL
NATIONAL HISTORIC SITE OF CANADA
34 Beckwith Street South
Smiths Falls ON K7A 2A8
Phone: 613-283-7199
Email: on-rc-cr.permits-permis@pc.gc.ca**



Township of South Frontenac Staff Report



To: Committee of Adjustment

Prepared by: Development Services Department

Date of Meeting: October 12, 2023

Subject: **Permission Application (S. 45(2) of the Planning Act)**
PL-ZNA-2023-0108, Sleeth and Spronck, 122 Osborne Lane,
Storrington District

Summary

This report recommends that the Committee of Adjustment grant approval of this application for permission to enlarge a legal non-conforming boathouse under section 45(2) of the Planning Act, subject to conditions.

Background

Official Plan Designation: Rural

Zoning: Limited Service Residential – Waterfront (RLSW)

Relief Requested

The applicant seeks permission under section 45(2) of the Planning Act to enlarge the legal non-conforming boathouse on the property.

Related Applications

The lands are not subject to any additional applications under the Planning Act.

Discussion/Analysis

Property Description

The 0.3ha property is located on Osborne Lane and has approximately 200m of frontage on Dog Lake. The property contains an existing single detached dwelling, two accessory buildings, and a boathouse. The property is located at the end of a peninsula projecting out into Dog Lake. The property is treed and is characterized by undulating topography. The property is located in an area of similar waterfront residential development.

Summary of Proposal

To request permission under Section 45(2) of the Planning Act to enlarge a legal non-conforming boathouse located on Dog Lake. The Township Zoning By-law classifies boathouses as a prohibited use. The existing boathouse was removed with a demolition permit this summer with the intention to construct a new boathouse. It was identified during the review of the building permit application for the new boathouse that planning approval was required for the enlarged structure. The existing boathouse was 44.5sqm in area and the proposed boathouse is to be 62.4sqm in area. The reason for proposing a larger boathouse is to accommodate larger boats within the structure.

Agency Comments

No comments were received from the Rideau Waterway Development Review Team at the time of writing this report. It is noted that Parks Canada has issued a permit for the proposed boathouse.

Public Comments

No comments were received from the public at the time this report was written.

Planning Analysis

The Township Official Plan Schedule designates the subject property as Rural and the property is zoned RLSW in Zoning By-law No. 2003-75. As the Zoning By-law identifies boathouses as a prohibited use, new boathouses are not permitted in the Township. Based on MPAC information the original boathouse appears to have been constructed in 1942, therefore the structure was established prior to the current Zoning By-law and would be considered a legal non-conforming use.

As the boathouse is a legal non-conforming use the owner has the legal right to repair and replace the structure. Any proposed expansion of the boathouse would require permission from the Committee of Adjustment under Section 45.2 of the Planning Act which may permit the Committee to grant enlargements of existing legal non-conforming structures.

The proposed boathouse will be constructed in the same location as the existing boathouse which will minimize the amount of site disturbance and vegetation removal that would be required. The structure is located in a small bay that faces northeast and is not visible from the main body of the lake. There are also mature trees along the shoreline which will assist in screening the boathouse. Ultimately the increase in size of the new boathouse compared

to the existing boathouse is small at 17.9sqm and will not result in a significantly different structure that what was existing.

The Parks Canada permit has conditions that speak to the manner of construction, construction timing, vegetation removal, and sediment and erosion controls, that the development would be subject to and would serve to mitigate any impacts of the development.

Conclusion

It is the opinion of staff that it is appropriate for the Committee of Adjustment to grant permission to expand the legal non-conforming boathouse on the property, as described in this report.

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 e-mail to prescribed persons and public bodies

Recommendation

That the Committee of Adjustment receive comments from the public and, pending comments received, **approve** for application PL-ZNA-2023-0108 for 112 Osborne Lane, subject to the following conditions.

1. Permission is granted to enlarge the legal non-conforming boathouse on the subject property. The replacement boathouse is permitted to have a 62.4 square metre floor area consistent with the submitted plans (Concord Engineering, dated August 14, 2023) that will be attached to the Decision as Schedule "A".
2. A building permit is required for ALL demolition and construction on the property. There shall be no additional development, or demolition of existing structures, on the property without the approval from the Township of South Frontenac.

Report Prepared By:

Tom Fehr, Planner

Township of South Frontenac

Staff Report - Permission Application (S. 45(2) of the Planning Act)

PL-ZNA-2023-0108, Sleeth and Spronck, 122 Osborne Lane, Storrington District

Report 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: October 12, 2023

Subject: Decisions on Delegated Consents

Summary

This report is an information report to the Committee of Adjustment summarizing the Consents that have been approved by Delegated Authority since the last Committee of Adjustment Meeting.

Background

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

Committee of Adjustment is notified for information.

Discussion/Analysis

a) PL-BDJ-2023-0090 (Oullette) (Beach) - Storrington

This undisputed consent was granted provisional consent on September 14, 2023.

The purpose of this consent application was to create one new residential lot, being 3.5 acres in area, fronting on Sands Road. The severed parcel contains an existing dwelling.

b) PL-BDJ-2023-0097 (Rosnak) - Bedford

This undisputed consent was granted provisional consent on September 25, 2023.

The purpose of this consent application was to create a Right-of-Way to the subject property from Crow Lake Road.

c) PL-BDJ-2023-0093 (Way) - Loughborough

This undisputed consent was granted provisional consent on September 25, 2023.

The purpose of this consent application was to create one new waterfront residential lot, being 9.9 acres in area, with 127 metres of frontage on Sheila Lane, and 131 metres of frontage on Sydenham Lake.

d) PL-BDJ-2023-0096 (Asselstine) - Portland

This undisputed consent was granted provisional consent on September 25, 2023.

The purpose of this consent application was to create one new rural residential lot, being 5.8 acres in area, with 76 metres of frontage on County Road 38.

Attachments

None.

Report Prepared By:

Kate Kaestner, Planning Clerk

Report Approved By:

Brad Wright, Director of Development Services