



**TOWNSHIP OF SOUTH FRONTENAC  
Committee Of Adjustment Meeting  
Agenda**



TIME: 7:00 PM,  
DATE: Thursday, August 8, 2024  
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.

4. Declaration of pecuniary interest

- a) There are none.

5. Approval of Minutes – July 11, 2024

- a) Resolution. 4 - 10

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

7. New Consent Applications:

- a) PL-BDJ-2024-0040 (Asselstine) - Portland District 11 - 52

Property Address: 4659 Holleford Road

Purpose & Effect of the Application:

The application is requesting consent to create a new lot within the settlement area of Hartington. The severed parcel is approximately 6.8ha in area with 85m of frontage on Holleford Road. The severed lands are farm fields and contain a barn. The retained lot is located outside the settlement area and will be approximately 9.5ha in area with 250m of frontage on Road 38. The retained lands are farm fields and contain a solar panel. The severed lands are designated Settlement Area and zoned RU. The retained lands are designated

Agricultural and zoned AG.

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

9. New Minor Variance / Permission Applications:

- a) PL-ZNA-2024-0026 (Kubes) - Storrington District 53 - 84

Property Address: 4725 Noble Lane

Purpose & Effect of the Application:

To request permission under Section 45(2) of the Planning Act to enlarge the legal non-conforming dwelling located within 30m of the highwater mark of Loughborough Lake. The existing 1-storey seasonal dwelling with attached deck covers a ground area of 176sqm. The applicant is proposing to demolish the existing dwelling and build a new 2-storey dwelling with walkout basement, partially within the existing footprint. The proposed dwelling (153.9sqm) with attached garage (62.2sqm) and deck (33.3sqm) would have a ground area of 250sqm and a gross floor area of 331sqm. The proposed structure would improve upon the highwater mark setback of the existing (14.1m vs. 10.6m). Dwelling height would increase from 4m to 10.7m. The proposed dwelling would have a 9m rear yard setback whereas the zoning by-law requires a minimum 10m. Finally, the proposal would facilitate the installation of a new septic system, setback a minimum 15m from the highwater mark.

- b) PL-ZNA-2024-0083 (Dickinson) - Bedford District 85 - 150

Property Address: 158 Coyote Lane

Purpose & Effect of the Application:

The Owner proposes to construct a single detached dwelling on the property. The dwelling would be set back 10 metres from the top of bank. A minor variance is being requested to allow the dwelling to be set back less than 15 metres from the top of bank as required by the Zoning By-law.

- c) PL-ZNA-2024-0087 (Adrain) - Bedford District 151 - 177

Property Address: 11 Doc's Point Lane

Purpose & Effect of the Application:

The application seeks relief from Zoning By-law 2003-75 for the purpose of permitting a detached garage on the subject property. The applicant is proposing to build a 90.5sqm detached garage. The garage would be setback 8m from the front lot line, whereas the zoning by-law requires 20m. Further, the proposed garage would have a lot coverage value of 6%, whereas the zoning by-law stipulates a maximum lot coverage value of 5% for a detached accessory structures.

- d) PL-ZNA-2024-0089 (Preston & Clayton) - Loughborough District 178 - 205

Property Address: 4652 North Shore Road

Purpose & Effect of the Application:

The owners intend to demolish all the existing buildings on the property, and to build a two-storey house, a sleeping cabin and a cabana. The house would be setback 25.4m from the highwater mark of Loughborough Lake. The sleeping cabin would be 11.4m from the lake and 6m from the top of bank. The cabana would be 12.6m from the lake and 6m from the top of bank. The sleeping cabin and cabana would be in the footprint of the old cottage. Minor variances are being requested (1) to allow the three buildings to be setback less than 30m from the highwater mark of the lake, and (2) to allow the sleeping cabin and cabana to be less than 15m from the top of bank.

- e) PL-ZNA-2024-0095 (Donaldson) (Spellman) - Loughborough District 206 -  
222  
Property Address: Hinterland Lane (Johnston Point - Unit 2)

Purpose & Effect of the Application:

The owners propose to construct a house and sewage system on Unit 2 of the Johnston Point Vacant Land Condominium. The RLSW-104 zone requires the house to be setback a minimum of 40m from the highwater mark or floodline of Loughborough Lake. It was determined during the review process that a small bay comes into the property making it impossible to achieve this setback. The house would be 9.5m from the floodline in the small bay. The plot plan suggests that points of the house may also intrude into the setback by 0.1m to 0.8m. A minor variance is being requested to allow the house to be setback less than 40m from the highwater mark or floodline of the lake.

10. Other Business

- a) Delegated Authority Report 223 -  
224

11. Adjournment

- a) Resolution.



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



**Meeting # 06**

**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:** Tom Fehr, Planner; Noah Perron, Planner; Kate Kaestner, Secretary-Treasurer

1 Call to Order

a) Resolution.

Resolution No. 2024-06-01

Moved by: Norm Roberts

Seconded by: Kevin Fox

THAT the July 11, 2024 meeting of the Committee of Adjustment for the Township of South Frontenac is hereby called to order at 7:00pm

Carried

2 Adoption of Agenda

a) Resolution.

Resolution No. 2024-06-02

Moved by: Kevin Fox

Seconded by: Norm Roberts

THAT the Committee of Adjustment adopts the Agenda for the July 11, 2024 Committee of Adjustment meeting.

Carried

3 Electronic Meeting Information

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

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

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

4 Declaration of pecuniary interest

- a) Deemed Personal Conflict declared by Committee member Brett Moreland regarding Agenda items 7. a) and 9. a) as the applicants are family members.

5 Approval of Minutes – June 13, 2024

- a) Resolution.

Resolution No. 2024-06-03

Moved by: Steve Pegrum

Seconded by: Mike Howe

THAT the Committee of Adjustment hereby approves the minutes of the June 13, 2024 Committee of Adjustment meeting.

Carried

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

7 New Consent Applications:

- a) PL-BDJ-2024-0047 (Smith) - Storrington District

Property Address: 3395 Moreland Dixon Road

Purpose & Effect of the Application:

Consent to sever for the purpose of creating one rural residential lot. The proposed severed lot would have 2 acres of area and approximately 84 metres of frontage on Princess Road. The retained parcel would have an approximate area of 89 acres with frontage on Princess Road and Moreland-Dixon Road. The severed lot is located within the influence area of an existing quarry operation. For this reason, an application for a minor variance (PL-ZNA-2024-0048) has also been submitted to permit residential land uses within 300-500m of the quarry operation.

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

Randy Ruttan, Chair of the Committee inquired as to whether the applicant or their agent wished to address the Committee (None heard).

Chair Ruttan gave members of the public the opportunity to speak to the application (None heard).

Chair Ruttan asked Committee members whether they had any questions for staff or the applicant regarding the proposal. (None heard).

Kate Kaestner, Secretary-Treasurer read the resolution for conditional approval of the consent application.

Chair Ruttan asked the Committee if they had any comments regarding the resolution (None heard).

Resolution No. 2024-06-04

Moved by: Mike Howe

Seconded by: Steve Pegrum

THAT the Committee of Adjustment hereby approves consent application PL-BDJ-2024-0047 for property municipally known as 3395 Moreland Dixon Road, to allow the creation of one new rural residential lot, being 2 acres in area and having 84 metres of frontage on Princess Road, subject to conditions.

Carried

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

9 New Minor Variance / Permission Applications:

a) PL-ZNA-2024-0048 (Smith) - Storrington District

Property Address: 3395 Moreland Dixon Road

Purpose & Effect of the Application:

This minor variance application was submitted with Consent application PL-BDJ-2024-0047 in order to permit residential land uses within 300-500m of the quarry operation. The proposed severed lot is approximately 380m from the licensed quarry area.

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

Randy Ruttan, Chair of the Committee inquired as to whether the applicant or their agent wished to address the Committee (None heard).

Chair Ruttan gave members of the public the opportunity to speak to the application (None heard).

Chair Ruttan asked Committee members whether they had any questions for staff or the applicant regarding the proposal. (None heard).

Kate Kaestner, Secretary-Treasurer read the resolution for conditional approval of the minor variance application.

Chair Ruttan asked the Committee if they had any comments regarding the resolution (None heard).

Resolution No. 2024-06-05

Moved by: Mike Howe

Seconded by: Steve Pegrum

THAT the Committee of Adjustment hereby approves minor variance application PL-ZNA-2024-0048 for property municipally known as 3395 Moreland Dixon Road, to allow for the creation of one new rural residential lot, being located approximately 380 metres from a licensed quarry operation, subject to conditions.

Carried

b) PL-ZNA-2024-0061 (Szewerda) (Stokes) - Bedford District

Property Address: 100 Maple Grove Crescent

Purpose & Effect of the Application:

To request permission under Section 45(2) of the Planning Act to enlarge a legal non-conforming dwelling and attached deck located within 30m of the highwater mark of Bobs Lake. The existing single storey dwelling has a ground floor area of 66.8sqm and an attached deck with an area of 35.8sqm. The ground floor area of the proposed dwelling will be 80.3sqm plus a 15.7sqm covered deck and 8sqm open deck. The gross floor area of the proposed dwelling includes a full basement and partial second storey and will be 192.7sqm. The overall footprint of development will be increasing from 102.7sqm to 104.2sqm. The height of the dwelling will be increasing from 5m to 8.9m. The proposed dwelling will maintain the existing 22.9m setback from the highwater mark of Bobs Lake

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

Chair Ruttan inquired as to whether the applicant or their agent wished to speak to the application.

Rod Stokes, agent on the application, stated that he was available to answer any questions raised by the public or the Committee.

Chair Ruttan inquired (3 times) as to whether there were any questions or comments from members of the public regarding this application. (None heard).

Chair Ruttan asked Committee members whether they had any questions for staff or the agent regarding the proposal. (None heard).

Ms. Kaestner read the resolution for approval of the application, subject to conditions.

Chair Ruttan inquired as to whether there were any comments from Committee members regarding the resolution. (None heard).

Resolution No. 2024-06-06

Moved by: Brett Moreland

Seconded by: Kevin Fox

THAT the Committee of Adjustment hereby approves application PL-ZNA-2024-0061 for property municipally known as 100 Maple Grove Crescent, to permit the enlargement of the existing legal non-conforming dwelling located within 30 metres of the highwater mark of Bobs Lake, subject to conditions.

Carried

c) PL-ZNA-2024-0064 (Fraser) - Portland District

Property Address: 3535 Desert Lake Road

Purpose & Effect of the Application:

The applicant seeks relief from Zoning By-law 2003-75 for the purpose of permitting a detached garage on the subject property. The applicant is proposing to build a 24ft x 20ft (480sqft) detached garage. The garage would be setback 10m from the front lot line, whereas the Zoning By-law requires 20m.

Minutes of Committee Of Adjustment  
July, 11, 2024

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

Chair Ruttan inquired as to whether the applicant or their agent wished to address the Committee (None heard).

Chair Ruttan inquired (3 times) if there were any members of the public who wished to speak to the application (None heard).

Chair Ruttan asked Committee members whether they had any questions for staff or the applicant regarding the proposal. (None heard).

Kate Kaestner, Secretary-Treasurer read the resolution for conditional approval of the minor variance application.

Chair Ruttan asked the Committee if they had any comments regarding the resolution (None heard).

Resolution No. 2024-06-07

Moved by: Brett Moreland

Seconded by: Kevin Fox

THAT the Committee of Adjustment hereby approves minor variance application PL-ZNA-2024-0064, for property municipally known as 3535 Desert Lake Road, to allow an accessory structure, being a 480 square foot detached garage, to be setback 10 metres from the front lot line, subject to conditions.

Carried

d) PL-ZNA-2024-0072 (Burt) (Goodberry) - Portland District

Property Address: 6079 Short Street

Purpose & Effect of the Application:

The Owner proposes to construct an additional dwelling unit in an addition which is to be attached to the existing single detached dwelling on the property. The proposed addition would be a two storey addition with a garage on the lower level and the additional dwelling unit on the upper level. The Township Zoning By-law requires that additional dwelling units shall be less than or equal to the gross floor area of the principal dwelling. The gross floor area of the existing dwelling is 69sqm and the gross floor area of the proposed additional dwelling unit is 148sqm. A minor variance is requested to permit the additional dwelling unit to exceed the gross floor area of the existing principal dwelling.

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

Chair Ruttan inquired as to whether the applicant or their agent wished to address the Committee (None heard).

Chair Ruttan gave members of the public the opportunity to speak to the application (None heard).

Chair Ruttan asked Committee members whether they had any questions for staff or the applicant regarding the proposal. (None heard).

Kate Kaestner, Secretary-Treasurer read the resolution for conditional approval of the application.

Chair Ruttan asked the Committee if they had any comments regarding the resolution (None heard).

Resolution No. 2024-06-08

Moved by: Mike Howe

Seconded by: Steve Pegrum

THAT the Committee of Adjustment hereby approves minor variance application PL-ZNA-2024-0072 for property municipally known as 6079 Short Street, to allow the gross floor area of the proposed Additional Dwelling Unit to exceed the gross floor area of the existing principal dwelling, subject to conditions.

Carried

e) PL-ZNA-2024-0074 (Franche) - Loughborough District

Property Address: 1112 Old Mine Lane

Purpose & Effect of the Application:

To request permission under Section 45(2) of the Planning Act to enlarge a legal non-conforming dwelling and attached deck located within 30m of the highwater mark of Sigsworth Lake. The existing dwelling has a ground floor area of 89.2sqm and an attached deck with an area of 17.9sqm. The dwelling will be expanded with a 26.8sqm sunroom attached to the west side of the existing dwelling. The deck will be extended by 6.8sqm with an area of new decking proposed in front of the sunroom. The height of the dwelling will not be increased as a result of the development. The existing dwelling and attached deck are set back 20.4m and 18m from the highwater mark of Sigsworth Lake. The proposed sunroom and deck extension will maintain these setbacks and not encroach closer to the water.

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

Chair Ruttan inquired as to whether the applicant or their agent wished to address the Committee (None heard).

Chair Ruttan inquired (3 times) as to whether members of the public wished to speak to the application (None heard).

Chair Ruttan asked Committee members whether they had any questions for staff or the applicant regarding the proposal. (None heard).

Kate Kaestner, Secretary-Treasurer read the resolution for conditional approval of the application.

Chair Ruttan asked the Committee if they had any comments regarding the resolution (None heard).

Resolution No. 2024-06-09

Moved by: Steve Pegrum

Seconded by: Mike Howe

Minutes of Committee Of Adjustment  
July, 11, 2024

THAT the Committee of Adjustment hereby approves application PL-ZNA-2024-0074, for property municipally known as 1112 Old Mine Lane, to permit the enlargement of the existing legal non-conforming dwelling located within 30 metres of the highwater mark of Sigsworth Lake, subject to conditions.

Carried

10 Other Business

a) Delegated Authority Report

Kate Kaestner, Planning Clerk, delivered her report to the Committee.

11 Adjournment

a) Resolution.

Resolution No. 2024-06-10

Moved by: Kevin Fox

Seconded by: Norm Roberts

THAT the July 11, 2024 meeting of the Committee of Adjustment for the Township of South Frontenac is hereby adjourned at 7:41pm to reconvene on Thursday, August 08, 2024 at 7:00 pm or at the call of the Chair.

Carried

---

Randy Ruttan, Chair



**Application Requirements**

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

- 1. A pre-consultation meeting is a requirement prior to submission of the application.

Pre-consultation meeting fee	\$150.00
------------------------------	----------

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

Application Type:	Planning Application Fee:	TOTAL:
Consent Application	\$1,347.00	\$1,347.00
Change of conditions	\$320.00	\$320.00
Change of conditions requiring re-circulation	\$560.00	\$560.00

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

Agency:	TOTAL:
Township of South Frontenac onsite sewage disposal review (per new lot)	\$515
Cataraqui Conservation (per new lot or lot addition)	\$445
Quinte Conservation (per new lot or lot addition)	\$450
Rideau Valley Conservation Authority (per new lot or lot addition)	\$500

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

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

## TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION

### Collection of Personal Information:

Personal information requested on the application form is required under the *Planning Act*. This information will be used by the Township for the purpose of reviewing the application. It may be made available to those boards, Commissions, Authorities, Agencies and Persons having an interest in this matter. Any questions regarding the collection of this information should be directed to the Secretary Treasurer of the Committee of Adjustment (P.O. Box 100, Sydenham, Ont., K0H 2T0, Phone 613-376-3027 ext. 2224).

### What is considered when reviewing an application?

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

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

TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION


For Office Use Only

Date Received: \_\_\_\_\_ File Number: \_\_\_\_\_

1. Name of Owner(s): Scott Asselstine

Full Mailing Address of Owner(s): 4659 Holleford Road, Hartington  
Ontario K0H 1W0

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, be provided below.

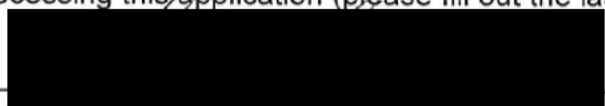
Name of Authorized Applicant/Agent: \_\_\_\_\_

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

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

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


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



Signature(s) of Owner(s)

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

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

  
(Signature of the property owner)

\_\_\_\_\_  
(Signature of the property owner)

April 11/24  
(Date)

TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION

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

Yes  No

Date Fee Paid: \_\_\_\_\_

Name of Planner: Christine Woods

Date of Meeting: March 26/24

5. The description of the subject land:

District:  Bedford  Portland  Loughborough  Storrington

Civic Address: \_\_\_\_\_

Concession Number: 7 Lot Number: 6

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

Roll Number: 080-040-02400-0000

Property Identification Number (PIN): \_\_\_\_\_

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

Frontage on water (m): N/A Frontage on road/lane (m): (280') 85.3 m

Name of Waterbody: N/A Name of Road/Lane: Holleford Rd

Depth(m): \_\_\_\_\_ Area(acres/ha): 40 acres

7. Select the type of consent being applied for:

- Creation of a New Lot
- Easement (right of way)
- Lot Addition
- Charge/Discharge of Mortgage
- Correction of Title
- Lease
- Other: \_\_\_\_\_

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

To create a lot as we no longer need it for our farm operation. I am requesting that the requirements for a well be waived for the following reasons: this property is a large parcel of land, approximately 20 acres with a barn, that is set back a long distance from the road.

This property may continue to be used for farming for many years with nothing being built that would require water. If at some point in the future someone wanted to build a house they may want it located near the road or they may want it closer to the barn which is a distance away. Drilling a well now may be nowhere near the location where someone would want it.

**TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION**

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

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

	<b>Severed Lot (Proposed new lot):</b>	<b>Retained Lot:</b>
Frontage on Road/Lane (m):	85.3 metres	249.9 metres
Name of Road/Lane:	Holleford Road	Road 38
Frontage on Water (m):	N/A	N/A
Name of Waterbody:	N/A	N/A
Depth (m):		243.8 metres
Acres (acres or ha):	20 acres	20 acres

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

	<b>Severed Lot (Proposed new lot):</b>	<b>Retained Lot:</b>
Existing Use of Lot:	farm fields	farm fields
Existing Buildings/Structures:	barn	<del>none</del> SOLAR
Proposed Use of Lot:	N/A	farm
Proposed Buildings/Structures:	N/A	none

**TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION**

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

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

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

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

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

**TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION**

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

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

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

Length: \_\_\_\_\_ Depth: \_\_\_\_\_ Width: \_\_\_\_\_ Area: \_\_\_\_\_

Civic address of Benefitting lands: \_\_\_\_\_

Roll Number of Benefitting Lands: \_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

(NEW LOT) Severed Parcel

Retained Parcel

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

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

TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION

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

(NEW LOT) Severed Parcel

Retained Parcel

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

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

\_\_\_\_\_

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

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

\_\_\_\_\_

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

17. Name of road or lane which accesses:

The new lot (lot addition or Right of Way): Holleford Rd

The retained lot: Road 38

Please indicate whether access to the land will be by:

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

**TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION**

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

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

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

18. What is the zoning of the subject lands? (Check [www.frontenacmaps.ca](http://www.frontenacmaps.ca))

\_\_\_\_\_ agriculture and residential (within hamlet) \_\_\_\_\_

19. What is the current [Official Plan Designation](#) of the subject lands?

\_\_\_\_\_ Same as above \_\_\_\_\_

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

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

21. Is the application consistent with the 2020 [Provincial Policy Statement](#)?

Yes     No     Unknown

Please explain:

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

## TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION

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

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

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

Yes 2006 (car wash) 2010 (residential)       No

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

25. Is the applicant requesting a Certificate of Official for the retained land?  Yes       No

\*\* If yes – the applicant must provide a lawyer's statement that there is no land abutting the subject lands that are owned by the owner of the subject land, other than the land that could be conveyed without contravening section 50 of the *Planning Act*.

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

## TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION

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

### The sketch must include the following:

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

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

- Please include any information on natural and artificial features (as listed above) that in the applicant's opinion may affect the application
- Please indicate the current uses of land that is surrounding the property, such as residential, agricultural and commercial uses (if agricultural, please indicate the approximate distance of any barn structure from the proposed new lot).
- The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way.

## TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION

- If access to the subject land is by water only, please show the location of the parking and boat docking facilities to be used, and the title documents to demonstrate legal deeded use of these facilities
- The location and nature of any easement affecting the subject land.
- The location of any abandoned wells on the property

### PERMISSION, ACKNOWLEDGEMENT, AGREEMENT AND DECLARATION OF APPLICATION

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

### ACKNOWLEDGEMENT OF ADDITIONAL REQUIREMENTS

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

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

### AGREEMENT TO INDEMNIFY

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

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

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

**TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION**

The applicant/owner acknowledges and agrees that if any amount owing to the Municipality in respect of the application is not paid when due, the Municipality will not appear before the Ontario Land Tribunal in in connection with the application until the invoice has been paid in full.

**DECLARATION FOR THE PRESCRIBED INFORMATION**

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

I/We, SCOTT ASSELSTINE  
(Name of Owner / Agent)

of HARTINGTON, ONTARIO  
(Municipality, Town, City name)

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

Sworn (or declared) before me in the Township of South Frontenac  
(Municipality name)

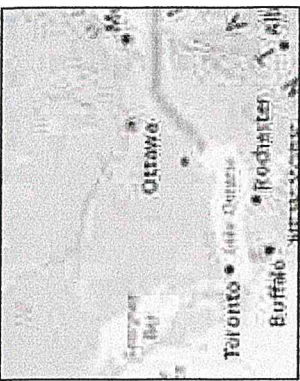
On this 11<sup>th</sup> day of April, 2024.  
(Day) (Month) Year

[Signature]  
Commissioner of Oaths Signature

[Redacted Signature]  
Signature of Owner (s) or  
Authorized Agent

Affix Commissioner of Oaths stamp below signatures

Katie Susan Kaestner, a Commissioner,  
etc., Province of Ontario, for the  
Corporation of the Township of South  
Frontenac. Expires August 14, 2024.



- Legend**
- Assessment Parcels
  - Settlement Area
  - Citations

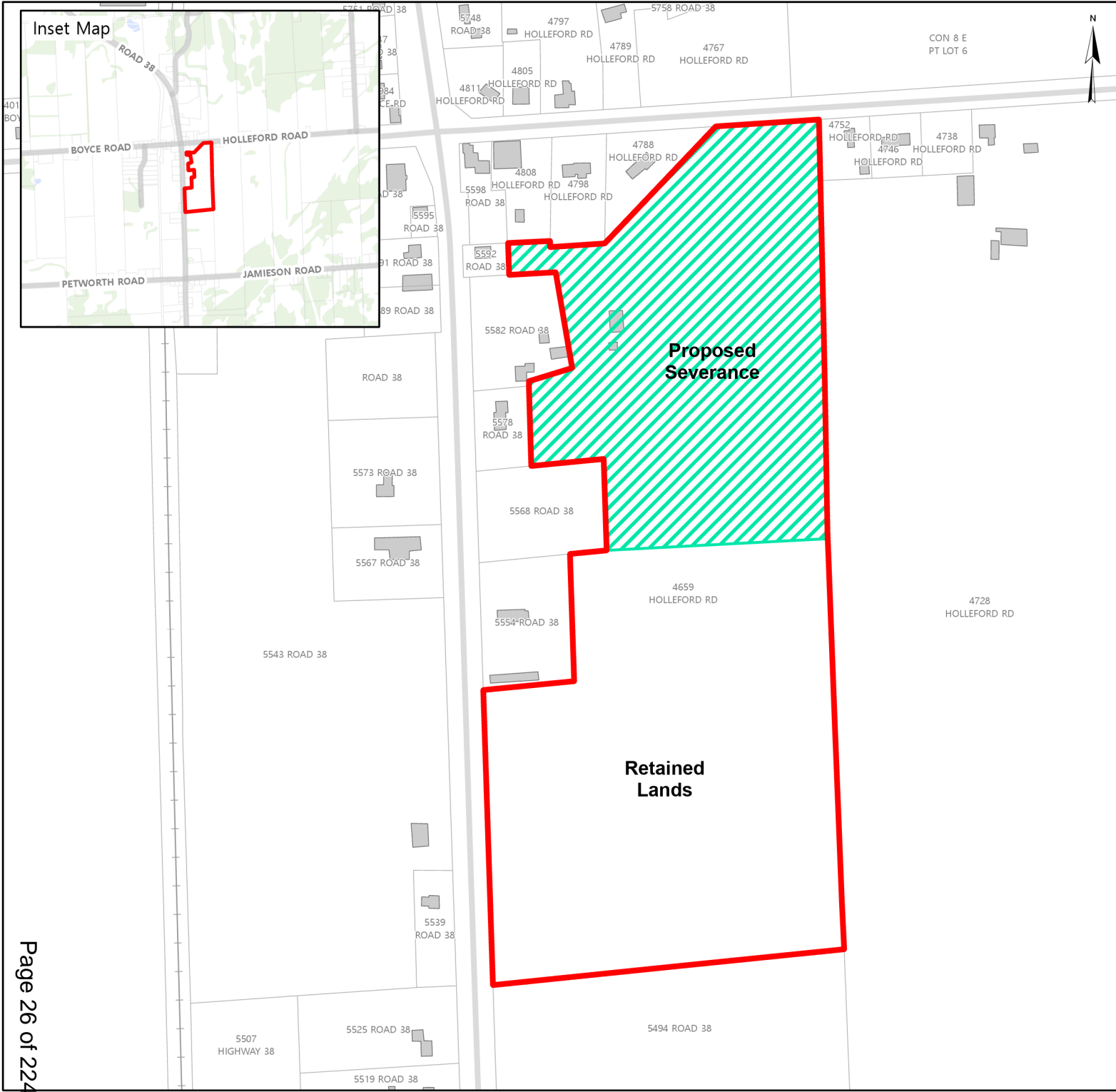
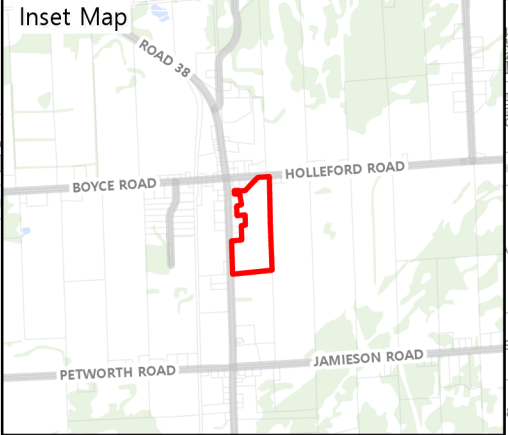
Notes



1:9,028

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














# SOUTH FRONTENAC

**PL-BDJ-2024-0040  
(ASSELSTINE)**

**4659 HOLLEFORD ROAD**

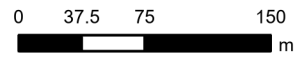
**Legend**

-  Subject Property
-  Proposed Severance (Lot 1)
-  Provincially Significant Wetland
-  Wetland
-  Wooded Area
-  Lake Trout Lake - At Capacity
-  Lake Trout Lake - Not at Capacity
-  Non-Lake Trout Lake - At Capacity
-  Waterbody
-  Road
-  Township Boundary

Produced by the County of Frontenac under license with the Ontario Ministry of Natural Resources © King's Printer for Ontario, 2024.

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: 1:4,500



UTM Zone 18 NAD 83

Date: 2024-04-17

5539 Road 38  
Hartington, ON [REDACTED]  
[REDACTED]

May 14, 2024

Kate Kaestner,  
Secretary-Treasurer, Committee of Adjustment  
Township of South Frontenac  
P.O. Box 100  
4332 George Street,  
Sydenham, ON K0H 2T0

Dear Madam:

RE: PL-BDJ-2024-0040  
Asselstine Consent Application  
Notice of Objection

I am responding to the above-mentioned consent application and wish to raise my concerns.

First, the notice was deficient as it does not state the intended use of the new lot. Is it to be sold? Does he wish to build on it? Should severance be granted, its intended use must be provided according to Sections 8 & 9 of the Consent Application. After visiting the Township office and reviewing the application, I discovered that the applicant is asking that the requirements for a well and water testing be waived. Why would a person sever off land they own except to sell land? If the Township waives the requirement for a well, it sets a precedent that water quantity and quality does not have to be proven in order to sever or sell land; rules exist for a reason and should apply to everyone.

I have concerns about the ongoing water issues in the Hartington area. The Township is aware, and these issues have all been documented: the construction of the car wash, the subdivision application by Terry Grant on the west side of Road 38, and contamination from the former gas station located on the corner of Road 38 and Holleford Road have all raised water quality issues, many of which are unresolved.

The Township has a variety of reports that review the issues in further detail. Please see the MOECP report dated 2/09/10 written by Mr. Frank Crossley which outlines the historic water issues in the area. The former gas station created BTEX (hydrocarbon) contamination in the groundwater. See your reports from SOS dated 9/28/2015, 9/23/2016, 9/23/2017 & 11/20/2023. These reports speak to the continued flow, the direction, and state of monitoring for BTEX. According to that report, monitoring is still required. I assume it is still on-going.

According to the application, the north-west point of a proposed new lot is right at the starting point of BTEX contamination. Does this play into the applicant's desire to waive the well requirements? On the application the reason stated for waiving the well requirement is that that should someone build, the well required for severance may not be in the location where someone would necessarily build a home. On the surface, this seems logical, but it also reveals a hope to sever and sell the land, disregarding the historic water issues.

In summary, the ongoing quality and quantity water issues in Hartington are too serious to allow a severance, the use of which could affect the water in our community. To waive the well requirements, knowing about these issues, would be irresponsible and sets a dangerous precedent.

I do wish to be notified of any changes in the application and the outcome of the severance application.

Regards,



Linda Stewart

## Tom Fehr

---

**From:** planning  
**Sent:** May 14, 2024 11:35 AM  
**To:** Tom Fehr  
**Subject:** FW: PLBDJ20240040 objection 2



### Kate Kaestner

#### Planning Clerk

Development Services Department  
Township of South Frontenac

p: +613-376-3027

e: [kkaestner@southfrontenac.net](mailto:kkaestner@southfrontenac.net)

a: 4432 George St., Box 100, Sydenham, ON, K0H 2T0

[www.southfrontenac.net](http://www.southfrontenac.net)



---

South Frontenac is a welcoming and thriving rural community

---



Please consider the environment before printing this email

---

**From:** Doug Booth [REDACTED]  
**Sent:** May 13, 2024 6:10 PM  
**To:** planning <[planning@southfrontenac.net](mailto:planning@southfrontenac.net)>  
**Subject:** Fwd: PLBDJ20240040 objection 2

The applicant is asking for a waiver to not drill a well. This is unacceptable and contrary to township policy

Sent from my iPhone

Doug Booth

Vessel Support Systems

Hartington, Ontario

[REDACTED]

Begin forwarded message:

**From:** Doug Booth [REDACTED]  
**Date:** May 13, 2024 at 2:53:44 PM EDT  
**To:** [planning@southfrontenac.net](mailto:planning@southfrontenac.net)  
**Subject:** PLBDJ20240040 objection

I object to this severance for the following reasons

The contamination from the old gas station on the corner.

We run out of water here now. A housing project or addition stress on the already limited water supply is not feasible.

I believe that the severance is for something more to happen like multiple building lots in the future.

I am at 5582 CR38

Sent from my iPhone

Doug Booth

Vessel Support Systems

Hartington, [REDACTED]  
[REDACTED]

## Tom Fehr

---

**From:** Kate Kaestner  
**Sent:** May 17, 2024 1:17 PM  
**To:** Tom Fehr  
**Subject:** FW: PL-BDJ-2024-0040, Asselstine



### Kate Kaestner

#### Planning Clerk

Development Services Department  
Township of South Frontenac

p: +613-376-3027

e: [kkaestner@southfrontenac.net](mailto:kkaestner@southfrontenac.net)

a: 4432 George St., Box 100, Sydenham, ON, K0H 2T0

[www.southfrontenac.net](http://www.southfrontenac.net)



---

South Frontenac is a welcoming and thriving rural community

---



Please consider the environment before printing this email

---

**From:** [REDACTED]  
**Sent:** May 17, 2024 1:09 PM  
**To:** Kate Kaestner <[kkaestner@southfrontenac.net](mailto:kkaestner@southfrontenac.net)>  
**Subject:** PL-BDJ-2024-0040, Asselstine

Kate Kaestner

Secretary-Treasurer, Committee of Adjustment

Township of South Frontenac

PO Box 100

4432 George Street

Sydenham, ON

K0H 2T0

Dear Ms. Kaestner:

Today I learned of an application to create a new lot in Hartington. (PL-BDJ2024-0040 (Asselstine)). Although I did not receive notification from the Township since I do not live adjacent to the affected property, I have a number of concerns about this application. Most of my concern is about ground water, ie; water quantity and quality.

Hartington is recognized to be in a highly sensitive groundwater area, a fact of which the Township is aware. Additional stress to the groundwater is, I believe, cause for concern. Additionally, the property in question is adjacent to the former gas station site at the corner of Holleford Road and Highway 38, which was found to have BTEX contamination in the groundwater in and around the site. Contamination from this site has been detected in test wells at a distance from the site, and monitoring of these wells is ongoing. Aquifers do not recognize property boundaries.

I am also concerned by the request to waive drilling a test well. Although the applicant says no development is planned, what else would explain the desire to sever. There is no guarantee development will not take place, and agreeing to waive this requirement would seem to set a dangerous precedent.

This land is prime farm land, and as such, according to the Official Plan, is to be protected. Prime farm land is disappearing at an alarming rate, and once gone, cannot be recovered. According to the Ontario Federation of Agriculture census data from 2020 revealed that Ontario is losing 319 acres of farmland to non-agricultural use every single day. We must make every effort to retain prime farm land to safeguard our food supply.

I hope these concerns will be considered in the decision-making process. I would like to be notified, if possible, if any changes are made to the application, and whether the application is approved.

Regards,

Dennis Saunders

4034 Boyce Road

Hartington

[REDACTED]

## Tom Fehr

---

**From:** Kate Kaestner  
**Sent:** May 17, 2024 8:26 AM  
**To:** Tom Fehr  
**Subject:** FW: HCA objection to Consent Application PL-BDJ-2024-0040  
**Attachments:** Vol 1 - Trow - Western CR groundwaterExecutiveSummary.pdf; Vol 2 - Trow - Western CR groundwaterExecutiveSummary.pdf; 10-02-09 - Report from MOE (Crossley).pdf; 23-11-20 - Groundwater Assessment\_ Township of South Frontenac - Final as issued.pdf; 16-05-10 - Initial Independent Review of Hartington Development Proposal.pdf; 16-07-28 - Memo from Ruland re PHC Contamination in Hartington.pdf; 16-10-05 - SF Council letter to OMAFRA.pdf; CELA Letter to South Frontenac Twp re severance (May 2024).pdf



### Kate Kaestner

#### Planning Clerk

Development Services Department  
Township of South Frontenac

p: +613-376-3027

e: [kkaestner@southfrontenac.net](mailto:kkaestner@southfrontenac.net)

a: 4432 George St., Box 100, Sydenham, ON, K0H 2T0

[www.southfrontenac.net](http://www.southfrontenac.net)



---

South Frontenac is a welcoming and thriving rural community

---



Please consider the environment before printing this email

---

**From:** planning <[planning@southfrontenac.net](mailto:planning@southfrontenac.net)>  
**Sent:** May 17, 2024 8:24 AM  
**To:** Kate Kaestner <[kkaestner@southfrontenac.net](mailto:kkaestner@southfrontenac.net)>  
**Subject:** FW: HCA objection to Consent Application PL-BDJ-2024-0040



**Kamila Seitkhanova**  
**Planning Coordinator**  
Township of South Frontenac

p: +613-376-3027

c: +343-809-6998

e: [kseitkhanova@southfrontenac.net](mailto:kseitkhanova@southfrontenac.net)

a: 4432 George St., Box 100, Sydenham, ON, K0H 2T0

[www.southfrontenac.net](http://www.southfrontenac.net)



---

South Frontenac is a welcoming and thriving rural community

---

 Please consider the environment before printing this email

---

**From:** r.lindgren r.lindgren [REDACTED]  
**Sent:** May 16, 2024 4:30 PM  
**To:** planning <[planning@southfrontenac.net](mailto:planning@southfrontenac.net)>  
**Subject:** HCA objection to Consent Application PL-BDJ-2024-0040

Attention: Kate Kaestner, Secretary-Treasurer, Committee of Adjustment, Township of South Frontenac

On behalf of the Hartington Community Association (HCA), please find enclosed a letter of objection (and several attachments) regarding the above-noted consent application.

Please contact the undersigned if you or the Committee have any questions or require further information regarding the HCA's objection.

Regards,

RL

Richard D. Lindgren  
Counsel  
Canadian Environmental Law Association  
55 University Avenue, 15th Floor  
Toronto, ON [REDACTED]  
[REDACTED]

Website: [www.cela.ca](http://www.cela.ca)

Twitter: @EcoLawyer\_RDL

Facebook: [www.facebook.com/CanadianEnvironmentalLawAssociation](http://www.facebook.com/CanadianEnvironmentalLawAssociation)

CONFIDENTIALITY NOTE: This email may contain communications or attachments which are subject to solicitor-client privilege. If you have received this email in error, please contact the sender and immediately delete this email (including attachments) without saving, forwarding or distributing any copies.

May 16, 2024

By Email to: [planning@southfrontenac.net](mailto:planning@southfrontenac.net)

Kate Kaestner  
Secretary-Treasurer, Committee of Adjustment  
Township of South Frontenac  
PO Box 100  
4432 George Street  
Sydenham, ON  
K0H 2T0

Dear Ms. Kaestner:

**Re: PL-BDJ-2024-0040 -- Asselstine Consent Application  
Notice of Objection**

I am writing on behalf of the Hartington Community Association (HCA) concerning the above-noted planning application and would request that the comments herein be placed before the Committee of Adjustment at the upcoming public hearing.

The HCA understands that the applicant is proposing to create a new 20 acre lot from an existing 40 acre agricultural property. Please be advised that the HCA objects to the proposed consent application on the grounds of significant concerns for: (a) the quantity and quality of water in the hamlet of Hartington and surrounding area; (b) the preservation of agricultural lands; (c) the failure of the application to comply with the South Frontenac Township Official Plan and the provincial planning framework, as described below in more detail.

Quantity and Quality of Water

As the Township is aware, the hamlet of Hartington is in a highly sensitive groundwater area per the attached Western Cataraqui Region Groundwater Study by TROW Associates Inc. completed in April 2007, Volumes 1 and 2. Contamination from agricultural activity, sewage systems as well as commercial uses in the area are therefore a concern.

Attached is correspondence from Frank Crossley of the then Ministry of the Environment dated February 9, 2010, which outlines such a contamination incident. As Mr. Crossley details in his correspondence, several residential wells located just south of Hartington and south of an agricultural use just to the south of Hartington were contaminated with e-coli. Mr. Crossley comments on page 7 as to the environmentally sensitive nature of the area, and it is the HCA's understanding that the Township was urged to consider same when reviewing further development.

A further incident of contamination is discussed in the attached recent report from SOS On-site Services to the Township of South Frontenac dated November 20, 2023, which sets out the ongoing monitoring of the former Hartington gas station site at the corner of Hwy 38 and Holleford Road,

**Canadian Environmental Law Association**

T 416 960-2284 • 1-844-755-1420 • F 416 960-9392 • 55 University Avenue, Suite 1500 Toronto, Ontario M5J 2H7 • [cela.ca](http://cela.ca)

which abuts the subject proposed severance parcel. BTEX (hydrocarbon) contamination was identified in the shallow groundwater around this site and the test wells to the west of this site continue to be monitored on a semi-annual basis as indicated in the said report. It further appears the Ministry of the Environment, Conservation and Parks (MECP) continues to review the situation.

Information was also brought to the Township's attention regarding the sensitive nature of the area and the risk to both quantity and quality of groundwater in the Hartington area by hydrogeologist Wilf Ruland in his attached May 10, 2016 report concerning the then proposed subdivision on Boyce Road in Hartington. Mr. Ruland identified concerns including nitrate-nitrite and e-coli contamination risks due to agricultural activity as well as existing septic systems and the potential for the change in flow direction of contaminated areas due to increases in draw from development.

Following Mr. Ruland's initial report information regarding contamination at the former Hartington gas station site was brought to his attention and he provided follow up correspondence dated July 28, 2016, which was forwarded to the Township of South Frontenac and is also attached hereto. This document also discusses the potential for flow direction changes and the inherent risks to the community from a sensitive groundwater area.

The above and attached information all points to the need for any new lot creation or development in the Hartington area to be scrutinized to the utmost degree for water quality and quantity, including the above-referenced severance application, and not only for any proposed development, but also as to the impact said development could have on existing residents. Water testing that monitors existing resident wells within a 300m radius, as proposed in Mr. Ruland's July 28, 2016 correspondence, for both quantity and quality changes should be mandatory in order to protect the health and safety of the residents of the surrounding area.

In the above-noted consent application, the applicant requests the waiving of the requirement for the installation and testing of a well on the proposed severed parcel on the basis that no development is presently being proposed. The HCA strenuously objects to the proposed severance proceeding on this basis for the reasons stated above and given the applicable provincial planning policies (see below). While the applicant claims that no development is being contemplated on the severed parcel at this time, there is no assurance or guarantee that the new parcel will not be subsequently conveyed for development if the severance is allowed.

#### Preservation of Agricultural Lands

The HCA also objects to the proposed severance on the basis that the applicant acknowledges the proposed severed lot contains a barn and may continue to be used for farming for many years. As the retained lands are zoned Agricultural, there appears to be no compelling reason for the lands, which in totality are used for agricultural purposes, to be broken up at this time.

Furthermore, as noted below, provincial planning policies highlight the importance of ensuring the continued production and viability of agricultural land, which should be protected for the purpose of food security. On this point, the HCA notes that Township of South Frontenac also passed the attached motion on October 5, 2016, requesting OMAFRA reclassify Rural lands west of

Hartington as prime agriculture. This signifies a concern for the area's farmland that is inconsistent with permitting the subject parcel to be separated when its indicated intended use remains agricultural and is not for the purpose of residential development within the hamlet. It goes without saying that any residential development would require the increased scrutiny set out above regarding water quality and quantity concerns.

The HCA further notes that the South Frontenac Township Official Plan (OP) emphasizes the protection of agricultural lands, and the Zoning By-law stipulates minimum distance separation requirements to prevent incompatible land uses, which help in reducing land fragmentation. In the HCA's view, the proposed severance would lead to further fragmentation of these vital agricultural lands, which contradicts the goals set forth in the township's planning documents. Given the current zoning and the applicant's intention to continue agricultural activities on the lot, the severance appears unnecessary and premature.

### South Frontenac Township Official Plan

The "Agricultural and Rural Goal" of the current OP "is to preserve the Township's established rural character and agricultural industry" (Policy 4.3). This Goal is to be achieved through various objectives, including the maintenance of "agriculturally productive lands in economically viable units by preventing the fragmentation of such land" (Policy 4.3(a)(ii), emphasis added).

Under the current OP, the subject property is designated as Rural and Agricultural. As per Policy 5.1, the Agricultural designation is applicable to high quality agricultural lands:

The Agricultural designation means that the predominant use of land in the areas so designated shall be for agricultural purposes and compatible uses which enhance the Township's agricultural industry. The Agricultural designation has been applied to those lands that are considered to be provincially significant, that have a high capability to produce food and are generally large blocks of Class 1, 2 and 3 soils as identified in the Canada Land Inventory (CLI) for agriculture. The Agricultural designation may also include areas which exhibit established agricultural activity.

Policy 5.1.5 of the OP goes on to establish prescriptive policies for three types of consents involving farms:

#### *Agricultural Consents*

Consents in the Agricultural designation shall conform with this section and the General Consent Policies of Section 7 of this Plan. Within the Agricultural designation, the following three (3) types of consents are permitted:

- (a) farm consents;
- (b) farm and infill related residential consents;
- (c) farm related industrial and commercial consents;

The following consent policies shall apply.

(a) Farm Consents

Farm consents shall only be considered where the municipality is satisfied that:

- (i) both the retained and severed lot are large enough to support a farm operation. The minimum lot size shall be established in the implementing Zoning By-law;
- (ii) the proposed consent does not create or promote inappropriate agricultural land fragmentation; and (iii) the farm buildings either existing or proposed will be sufficiently separated from buildings on adjacent lots to comply with the Minimum Distance Separation formulae as amended from time to time

(b) Farm and Consents for Infilling Purposes

Limited farm and infill residential consents may be permitted in the Agricultural designation. The property may be eligible for one (1) residential consent provided it relates to a farm operation of at least 35 hectares (86.5 acres) and complies with the Minimum Distance Separation I Criteria as amended from time to time. For the purpose of this Plan, a farm operation will include the total land holding (owned, leased or rented) of a farmer. However, only one parcel from within a farm operation will be eligible for a residential consent in accordance with the policies of this Plan. A residential consent may be for either a farm related or infill residential use in accordance with the policies of this Plan. Consents for lot adjustments which do not create new lots shall not make a lot ineligible for a residential consent so long as the intent of the Plan is maintained. New farm or non-farm residential consents shall be a minimum of 0.8 hectares (2 acres) with a minimum of 76 metres (250 feet) of public road frontage, except for waterfront lots which shall be a minimum of 1 hectare (2.5 acres) with a minimum of 91 metres (300 feet) of waterfrontage.

(i) Farm Related Residential Consents

Consents for farm related residential use may be permitted for an existing residence considered to be surplus as a result of a farm consolidation where the consolidation results in a farm operation of at least 35 ha (86.5 acres) or where the lot is to be used for a retirement lot for a farmer. A farm retirement lot shall mean one lot from a farm operation for a full time farmer of retirement age who is retiring from active working life, was farming on or before January 1, 1994 and has owned and operated the farm operation for a substantial number of years.

(ii) Infill Residential Consents

Consents for infill residential uses may be permitted in the Agricultural designation. The consent may be from any property existing as of the day of adoption of the Plan. In the Agricultural designation, infilling shall refer to situations where the lands under consideration front upon a public road, are between two existing non-farm residential lots (side lot lines form the boundaries of the area subject to infilling) separated by not more than approximately 100 metres (328 feet) and located on the same side of the road.

(c) Farm Related Industrial and Commercial Consents

Non-residential uses specifically referred to under Section 5.1.1 of this Plan may be permitted within the Agricultural designation. In granting consents related to such uses, regard shall be had for the following:

- (i) a consent to a land severance may be considered by the Committee of Adjustment to allow the establishment of agricultural service and supply industries and other such uses as may be permitted provided such use does not jeopardize the viability of an adjacent farming operation and that the proposed use will comply with the Minimum Distance Separation Formulae I as amended from time to time and is compatible with adjacent land uses;
- (ii) where possible, a lot created for farm related industrial or commercial purposes shall be encouraged to be located within areas of poorer quality soils; and
- (iii) a lot created under the provisions of this Section shall be conditional on the approval of an amendment to the implementing Zoning By-law rezoning the lands within an appropriate zone classification.

Given the paucity of detail contained within the above-noted consent application, it appears to the HCA that none of the foregoing consent criteria have been satisfied.

Moreover, there is a significant internal inconsistency within the application. For example, with respect to previous severances, the Application at Question 22 asks “Has the subject land ever been, or is currently, the subject of an application for approval of a plan of subdivision under section 51 of the Planning Act, for a consent under section 53 of the Planning Act, for a minor variance, for approval of a site plan, or for an amendment to an official plan, an amendment to the zoning by-law or a Minister’s zoning order?” The applicant answered “No” for all.

However, at Question 23 the Application asks “Has land been previously severed from the subject property, since September 5, 2000? If yes, please provide date of transfer; name of transferee and uses of the land.” The applicant answered “Yes 2006 (car wash) 2010 (residential). The applicant goes on to say at Question 24 that they acquired the subject land as a result of a consent.

## The Provincial Planning Framework

When deciding the consent application, the Committee must have regard to the matters of provincial interest listed in section 2 of the *Planning Act*, including the following:

2 The Minister, the council of a municipality, a local board, a planning board, and the Tribunal, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as...

- (b) the protection of the agricultural resources of the Province...
- (e) the supply, efficient use and conservation of energy and water...
- (h) the orderly development of safe and healthy communities...
- (o) the protection of public health and safety (emphasis added).

In addition, section 3(5) of the *Planning Act* stipulates that the Committee's decision "shall be consistent" with the policies set out in the Provincial Policy Statement (PPS):

**3(5)** A decision of the council of a municipality, a local board, a planning board, a minister of the Crown and a ministry, board, commission or agency of the government, including the Tribunal, in respect of the exercise of any authority that affects a planning matter,

- (a) subject to a regulation made under subsection (6.1), shall be consistent with the policy statements issued under subsection (1) that are in effect on the date of the decision

The PPS 2020 is currently in effect and applies to the Committee's forthcoming decision on the consent application. Among other things, PPS 2020 contains various environmental and water-related policies, such as:

1.1.1 Healthy, liveable and safe communities are sustained by...

- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns...

2.1.2 The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.

2.2.1 Planning authorities shall protect, improve, or restore the quality and quantity of water by...

- d) identifying water resource systems consisting of ground water features, hydrologic functions, natural heritage features and areas, and surface water features including

shoreline areas, which are necessary for the ecological and hydrological integrity of the watershed;

e) maintaining linkages and related functions among ground water features, hydrologic functions, natural heritage features and areas, and surface water features including shoreline areas;

f) implementing necessary restrictions on development and site alteration to:

1. protect all municipal drinking water supplies and designated vulnerable areas; and
2. protect, improve or restore vulnerable surface and ground water, sensitive surface water features and sensitive ground water features, and their hydrologic functions;

2.2.2 Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their related hydrologic functions will be protected, improved or restored. Mitigative measures and/or alternative development approaches may be required in order to protect, improve or restore sensitive surface water features, sensitive ground water features, and their hydrologic functions (emphasis added).

The PPS also contains several stringent policies aimed at preserving productive agricultural lands, areas, and systems, including the following provincial directions:

2.3.1 Prime agricultural areas shall be protected for long-term use for agriculture. Prime agricultural areas are areas where prime agricultural lands predominate. Specialty crop areas shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through 7 lands within the prime agricultural area, in this order of priority.

2.3.2 Planning authorities shall designate prime agricultural areas and specialty crop areas in accordance with guidelines developed by the Province, as amended from time to time. Planning authorities are encouraged to use an agricultural system approach to maintain and enhance the geographic continuity of the agricultural land base and the functional and economic connections to the agri-food network...

2.3.3.3 New land uses in prime agricultural areas, including the creation of lots and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.

2.3.4.1 Lot creation in prime agricultural areas is discouraged and may only be permitted for:

- a) agricultural uses, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;

b) agriculture-related uses, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services;

c) a residence surplus to a farming operation as a result of farm consolidation, provided that:

1. the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and

2. the planning authority ensures that new residential dwellings are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new residential dwellings are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches which achieve the same objective; and

d) infrastructure, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way...

2.3.4.3 The creation of new residential lots in prime agricultural areas shall not be permitted, except in accordance with policy 2.3.4.1(c) (emphasis added).

### Conclusion

For the foregoing reasons, HCA objects to the consent application for the subject property. In HCA's view, the proposed severance is unjustified, does not consider known water quantity and quality concerns in the Hartington area, fails to have regard for matters of provincial interest, is inconsistent with the PPS 2020, does not conform with the Township OP, does not represent good planning, and is otherwise not in the public interest.

If the Committee has any questions arising from the HCA's comments or the attached materials, please feel free to contact the undersigned at your earliest convenience.

Yours truly,

**CANADIAN ENVIRONMENTAL LAW ASSOCIATION**



Richard D. Lindgren  
Counsel

Encl.

## Tom Fehr

---

**From:** Kate Kaestner  
**Sent:** May 21, 2024 9:44 AM  
**To:** Tom Fehr  
**Subject:** FW: Re:PL-BDJ-2024-0040



### Kate Kaestner

#### Planning Clerk

Development Services Department  
Township of South Frontenac

p: +613-376-3027

e: [kkaestner@southfrontenac.net](mailto:kkaestner@southfrontenac.net)

a: 4432 George St., Box 100, Sydenham, ON, K0H 2T0

[www.southfrontenac.net](http://www.southfrontenac.net)



---

South Frontenac is a welcoming and thriving rural community

---

 Please consider the environment before printing this email

---

**From:** Building Department <[building@southfrontenac.net](mailto:building@southfrontenac.net)>  
**Sent:** May 21, 2024 8:36 AM  
**To:** Kate Kaestner <[kkaestner@southfrontenac.net](mailto:kkaestner@southfrontenac.net)>  
**Subject:** FW: Re:PL-BDJ-2024-0040

Thank you,



### Peggy Spafford

#### Permit Intake Coordinator

Building Services  
Township of South Frontenac

613-376-3027

[pspafford@southfrontenac.net](mailto:pspafford@southfrontenac.net)

4432 George St., Box 100, Sydenham, ON, K0H 2T0

[www.southfrontenac.net](http://www.southfrontenac.net)



---

South Frontenac is a welcoming and thriving rural community

---



Please consider the environment before printing this email

---

**From:** Sandy Bell [REDACTED]  
**Sent:** Monday, May 20, 2024 8:53 PM  
**To:** Building Department <[building@southfrontenac.net](mailto:building@southfrontenac.net)>  
**Subject:** Re:PL-BDJ-2024-0040

3995 Boyce Road  
Hartington, ON [REDACTED]  
[REDACTED]  
May 20, 2024

Kate Kaestner,  
Secretary-Treasurer, Committee of Adjustment  
Township of South Frontenac  
P.O. Box 100  
4332 George Street,  
Sydenham, ON K0H 2T0

Dear Madam:  
RE: PL-BDJ-2024-0040  
Asselstine Consent Application  
Notice of Objection

We are responding to the above-mentioned consent application and wish to raise our concerns.  
4332 George Street,  
Sydenham, ON K0H 2T0

The notice was vague as it does not state the intended use of the new lot. Should severance be granted, its intended use must be provided according to Sections 8 & 9 of the Consent Application. Apparently the applicant is requesting the requirements for a well and water testing be waived. Why?

If the Township waives the requirement for a well, it sets a precedent that water quantity and quality does not have to be proven in order to sever or sell land; rules exist for a reason to protect, buyers, sellers and residents of South Frontenac Township.

We reside near this area. Noting a recent visit to the adjacent car wash on the 18th of this month (May) there was unpleasant smell while using the water sprayer. It was unexpectedly off-putting and alarming. We must not disregard the historic and ongoing water issues in Hartington.

The Township has a variety of reports that review the water issues in further detail. Please see the MOECC report dated 2/09/10 written by Frank Crosley which outlines the historic water issues in the area. The former gas station created BTEX contamination in the groundwater. See your reports from SOS dated 9/28/2015, 9/23/2016, 9/23/2017 & 11/20/2023. These reports speak to the continued flow, the direction, and state of monitoring for BTEX. According to that report, monitoring is still required.

According to the application, the north-west point of a proposed new lot is right at the starting point of BTEX contamination. On the application the reason stated for waiving the well requirement is that that should someone build, the well required for severance may not be in the location where someone would necessarily build a home. On the surface, this seems logical, but it also reveals a hope to sever and sell the land, disregarding the rules.

To waive the water and well requirements, knowing about these issues, is very concerning.

Regards,

Sandra and Dan Bell

## Report from Public Services

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

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

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

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

**Road Maintenance:**      Year-round       Seasonal

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

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

**Road Conditions:**

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

Yes       No

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

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

Yes       No

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

**Road Widening Required?**

Yes       No       To be determined by an Ontario Land Surveyor

Any specific requirement?

**Approved by the Public Services?**

Yes       Yes, with conditions       No

If yes, with conditions, please describe conditions below.

\_\_\_\_\_  
*Evan Bancroft*  
Signature on behalf of Public Services

\_\_\_\_\_  
Date

# Township of South Frontenac Staff Report

---



**To:** Committee of Adjustment

**From:** Tom Fehr, Planner

**Report Date:** August 8, 2024

**Subject:** Consent Application PL-BDJ-2024-0040, Asselstine, 4659 Holleford Road, Portland District

---

## Summary

This application is for the creation of a new lot. This report recommends approval of the application. The Committee of Adjustment is being asked to make a decision on this application, as it is a disputed consent per By-law 2020-27 because there are unresolved issues or concerns from the public regarding the overall development proposal for the property.

## Background

The application is requesting consent to create a new lot within the settlement area of Hartington. The purpose of the application is to separate the property into two with the new lot line corresponding to the Hartington settlement area boundary. The severed lands are within the settlement area and the retained lands are outside the settlement area. The retained lands contain a solar panel which the owner wishes to have on a separate parcel from the lands within the settlement area. The owner states in the application that the severed lands are no longer required for their farming operation. There is no development currently proposed on the severed parcel. Accordingly, the owner is requesting that the condition required to drill a well be waived.

## Related Applications

The lands are not subject to any additional applications

## Application Details

The severed parcel is approximately 6.8ha in area with 85m of frontage on Holleford Road. The severed lands are farm fields and contain a barn. No development is currently proposed on the severed lands. The retained lot is located outside the settlement area and will be approximately 9.5ha in area with 250m of frontage on Road 38. The retained lands are farm fields and contain a solar panel. The agricultural use of the retained lands is proposed to continue.

## Designation and Zoning

The severed lands are designated Settlement Area and zoned RU. The retained lands are designated Agricultural and zoned AG in Zoning By-law No. 2003-75.

## Review

This application:

- ✓ Conforms to section 51(24) of the *Planning Act*;
- ✓ Does not require a plan of subdivision for the proper and orderly development of the municipality (s. 53(1) *Planning Act*);
- ✓ Is consistent with the Provincial Policy Statement (s. 3(5) *Planning Act*);
- ✓ Conforms to the County of Frontenac Official Plan (s. 3.3);
- ✓ Conforms to the Township of South Frontenac Official Plan (s. 5.7.4 & 7.1);
- ✓ Complies with Zoning By-law No. 2003-75 (or will comply subject to a standard condition of rezoning or minor variance); and
- X Has no unresolved objections/concerns raised from agencies or the public.

## Property Description

The subject property is an agricultural property comprised of fields located in the southeast quadrant of Hartington. The property is 14 hectares in area with 85m of frontage on Holleford Road and 240m of frontage on Road 38. To the north and west of the property are a mix of residential and commercial uses within the settlement area. To the east and south are other agricultural properties.

## Department and Agency Comments

Public Services reviewed the application and noted that there are adequate sight lines for an entrance for the severed and retained parcels. There are no special drainage/ditching concerns and the overall road condition is adequate to serve increased development.

Road widening will be required to be deeded to the Township if the surveyor determined that the road allowance is less than 20 metres (65.6 feet) wide adjacent to the property. The owner will be required to dedicate the lands to obtain 10 metres as measured from the centre of the roadway.

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

Cataraqui Conservation advised they had no comments on the application.

## Public Comments

A number of letters of concern have been received from members of the public residing in Hartington. The comments raised concerns about the availability of water in the area and concerns about the impact additional development would have on the availability of water. Concerns were also raised with the request to not have a well drilled. There were also concerns with what the property might be used for as the application did not identify a proposed use for the severed parcel. Concerns were also raised about site contamination

from the property at the corner of Road 38 and Holleford Road which was a former gas station.

Wells are typically required to be drilled for new lot creations in order to meet the servicing policies of the Official Plan. The owner is requesting that this requirement is waived as they are not proposing to develop the property, and if they are required to drill a well now as a condition of consent, the well may not be in the location of where development on the property is to occur. Staff are recommending that a holding symbol be placed on the property that would require the demonstration of an adequate water supply prior to the property being developed. This recommendation is intended to address the concerns about the availability of water and the requirement for drilling a well.

Regarding concerns about the site contamination at 5598 County Road 38, this is a brownfield site that had a former gas station that is now owned by the Township. Public Services confirmed that there is a water monitoring program of the site being carried out under the direction of the MECP. As the Township is actively monitoring the site, and staff are recommending that a holding symbol be placed on the severed lands to require demonstration of adequate water supply prior to development occurring on the property, staff are satisfied that this addresses concerns regarding site contamination of the adjacent property.

Regarding the potential use of the property, no use was identified in the application. The property is currently zoned RU, staff are recommending the severed lands are rezoned by placing a holding symbol on the severed lands for demonstration of adequate water supply for the lot. The RU zone with a holding symbol will maintain flexibility in how the property is used once demonstration of water is addressed.

### **Planning Analysis**

The Provincial Policy Statement 2020 and the County of Frontenac Official Plan (Section 3.3) direct the majority of development in the Township to Settlement Areas. The subject lands are designated Settlement Area and Agricultural in the Township of South Frontenac Official Plan.

There has been two previous lot created (2006 and 2010) from the subject property since the adoption of the Township Official Plan in September of 2000. In accordance with Section 5.6.6 of the Official Plan, the subject application is eligible as an additional severance.

The subject application is splitting the property along the Settlement Area boundary. The proposed severed lands contain the entire area of the property currently within the Settlement Area and the retained lands contain the entire area of the property currently designated Agricultural.

The OP states that it is the municipality's intention that new lot development in Settlement Areas will generally occur by plan of subdivision. However, a maximum of three (3) severances may be permitted from a lot of record existing on the day of adoption of this Plan by Council where it is demonstrated that a plan of subdivision is not necessary for the orderly development of the land and will not limit such development by plan of subdivision.

The subject application does not create a lot in the settlement area so much as simply dividing the lot into the Settlement Area portion and Agricultural lands portion. The application would not impact the ability of the severed land to be developed in the future. While no development is proposed for severed lands, the lot meets minimum area requirements for any residential or non-residential use permitted in the Settlement Area.

Regarding the retained lands, agricultural consents are discussed in Section 5.1.5. The intent of the agricultural consent policies is to prevent fragmentation of agricultural land. The proposed consent does not result in the further division of any agricultural lands, only the separation of the agricultural lands from the settlement area lands.

The severed and retained parcels have frontage on a public road.

Section 7.1 of the Township Official Plan requires the ability of lots to be serviced by a private sewage disposal system and private well. Per the Building Services review, the severed parcel is large enough that servicing by a private sewage disposal system is not a concern. The applicant is requesting that the condition to drill a well not be required as condition of consent approval. As noted above, as no development is being proposed staff are instead recommending that rather than drill a well now that a holding symbol be placed on the property that requires adequate demonstration of water supply prior to the lot being developed.

An existing livestock barn is located on the severed lands. However, as the lot is in the Settlement Area, minimum distance separation (MDS) is not applicable. Under the recommended UR-1 zoning existing agricultural use of the property is permitted to continue.

The property is not subject to any designated natural heritage features. The proposed severance is not anticipated to have any adverse environmental impacts.

With the recommended conditions the severed parcel complies with the land division policies, Settlement Areas and Agricultural land development policies of the Township of South Frontenac Official Plan and any new development will need to comply with Zoning By-law No. 2003-75.

### **Notice/Consultation**

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

- by mail to every owner of land within 60 metres of the subject lands
- by posting notice signs on the subject lands
- by e-mail to prescribed persons and public bodies

### **Recommendation**

It is recommended that application PL-BDJ-2024-0040 be approved for consent for a new lot from 4659 Holleford Road, Township of South Frontenac subject to the following conditions:

### Expiry Period

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

### Severed Lands

1. The lands to be severed by Consent Application PL-BDJ-2024-0040 shall be for the creation of one new lot approximately 6.8 hectares in area with a minimum of 85 metres of frontage on Holleford Road. The lot area, frontage and configuration of the proposed severed lot shall be consistent with sketch submitted by the applicant attached to the decision as "Schedule A".

### Survey/Reference Plan or Registerable Description

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

### Road Widening

4. The surveyor who prepares the reference plan referred to in Condition #3 and #4 shall also determine by survey the width of Holleford Road to be 20m. If such a width is less than 20m, the owner shall dedicate to the Township land along the frontage of the severed lands in the following manner as required:
  - a. The land to be dedicated shall be the width required to provide 10m from the centre of the existing travelled road for Holleford Road;
  - b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the issuance of the Certificate of Official;

- c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the of “The Corporation of the Township of South Frontenac”, and shall include the following attached to the Transfer/Deed as a Schedule:

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

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

### Municipal Requirements

5. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. This includes all taxes levied as of the date of the issuance of the Certificate of Official.
6. The Township of South Frontenac shall receive 5% of the value of the severed parcel, in lieu of parkland [Planning Act, s. 51(1)].
7. In the event that there are abandoned wells located on the severed parcel or the retained property, the wells shall be sealed in accordance with the requirements of the Ministry of the Environment, Conservation and Parks and that this work shall be accomplished prior to the issuance of the Certificate of Official.

### Zoning

8. The applicant is required to apply for a zoning by-law amendment to rezone the severed parcel from Rural (RU) to Rural - H (RU-H). The holding symbol shall required the demonstration of an adequate water supply prior to development of the property. Please contact the Township Planning Department to begin this process.
9. Where a violation of Zoning By-law No. 2003-75 is evident, the appropriate minor variance or rezoning be obtained to the satisfaction of the Township.

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

**RECEIVED**

**MAR 04 2024**

TOWNSHIP OF  
SOUTH FRONTENAC  
PLANNING DEPARTMENT

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.

<b>Application Type:</b>	<b>Planning Application Fee:</b>
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: Noah Perron Date of pre-consultation: Aug 25 2023- Feb 2nd 2024 (multiple consultations)

1. Name of Owner(s): Paul Kubes

**Full Mailing Address** of Owner(s): 39 Montenaro Bay Cochrane Alberta T4C0A5

Phone number of Owner(s): [REDACTED]

Email Address of Owner(s): [REDACTED]

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

Name of Authorized Agent: Fotenn/David Nanton, Senior Planner, MCIP RPP

**Full Mailing Address** of Authorized Agent: The Woolen Mill 4 Catarauqui St, Suite 315  
Kingston, ON K7K1Z7

Phone number of Authorized Agent: [REDACTED]

Email Address of Authorized Agent: [REDACTED]

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

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

3. The description of the subject land:

District:  Bedford  Portland  Loughborough  Storrington

Concession Number: 9 Lot Number: PART LOT 7

Street Number: 4725 Name of Road/Street: Noble Lane

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

Roll Number: 102906005005500

**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): 33.53 m                      Frontage (on road/lane): 29.50m  
Depth: 40.68m/56.03m                      Area: 1578 squared meters

5. The current zoning of the subject land:

Limited Service Waterfront Residential (RLSW)

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

Permission to enlarge the existing dwelling on the property.

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

Existing dwelling already located within 30m of the shoreline.

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

OR a privately maintained road?     Yes     No

Name of Road/Lane:

Noble 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?

Recreational three season 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) Three Seasonal Cottage	(2) Shed	(3) Deck#1 (Large)	(4) Deck #2 (Small)
<b>Setback from Front Lot Line</b>	11m (water front)	22m	11.96m	10.0m
<b>Setback from Rear Lot Line</b>	18.7m (Noble Lane)	12m	25m	25m
<b>Setback from Side Lot Line</b>	6m	5m	10m	27m
<b>Height of Building</b> (Also indicate if it is one story or two story)	4m	2.5m	2m	1m
<b>Dimensions of Floor Area</b>	133 square meters	15 square meters	30 square meters	3 square meters
<b>Setback from High Water Mark</b> (If applicable)	7.5m	19m	7.64m	7.5m

13. The proposed uses of the subject land:

Permenant Residence

---

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

Yes       No

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

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

Type of Structure (E.g. residence)	(1)	(2)	(3)	(4)
House	House	Garage	Deck	
Setback from Front Lot Line	15.72 m	28.43 m	14.12 m	
Setback from Rear Lot Line	16.54 m	9.00 m	27.10 m	
Setback from Side Lot Line	5.58 m & 9.00 m	5.88 m & 15.91 m	5.58 m & 15.14 m	
Height of Building (Also indicate if it is one story or two story)	9.398m 30'-10" - Roadside 12.039m 39'-6" - Waterside	7.823m 25'-8"	3.048m 10'-0"	Average Height 10.706m - 35'-1½"
Outside Dimensions of Building/Structure	153.87 m <sup>2</sup> 14.427m x 10.947m 47'-4" x 35'-11"	62.15 m <sup>2</sup> 7.848m x 8.331m 25'-9" x 27'-4"	33.26 m <sup>2</sup> 14.427m x 3.632m 47'-4" x 11'-11"	Overall: 15.659m x 22.237m 51'-4½" x 72'-11½"
Setback from High Water Mark (If applicable)	15.72 m	28.43 m	14.12 m	

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

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

If yes, please provide details:

The three season cottage will be demolished, along with the sheds.

**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 checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            |
| (c) | Increase in living space   | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            |
| (d) | Will the addition or structure encroach on the existing septic system? | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |

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

Nov 16, 2004

---

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

1950's

---

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

Since the 50's

---

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

Privately owned Well on property.

---

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

Privately owned Septic system on property.

---

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

Other means

---

**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.

n/a

---

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

Yes       No

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

MV-28-18-S - Approved and Completed.

---

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

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

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

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

**AGREEMENT TO INDEMNIFY**

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

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

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

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

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

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

DATED AT THE TOWNSHIP OF SOUTH FRONTENAC

THIS 26<sup>th</sup> DAY OF February, 2024

I, PAUL KUBES OF COCHRANE

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

\_\_\_\_\_  
Signature of Applicant or Authorized Agent

\_\_\_\_\_  
Signature of Applicant or Authorized Agent

DECLARED before me at the ~~TOWNSHIP OF SOUTH FRONTENAC (IN THE COUNTY OF FRONTENAC)~~

THIS 26<sup>th</sup> DAY OF February, 2024

\_\_\_\_\_  
A Commissioner, etc.

**David Reese**  
Barrister and Solicitor

**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-2024-0026**

**(KUBES)  
4725 NOBLE LANE**

**Legend**

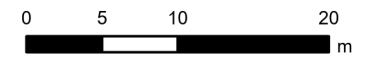
-  Subject Property
-  Provincially Significant Wetland
-  Wetland
-  Wooded Area
-  Lake Trout Lake - At Capacity
-  Lake Trout Lake - Not at Capacity
-  Non-Lake Trout Lake - At Capacity
-  Waterbody
-  Township Boundary
-  Road



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

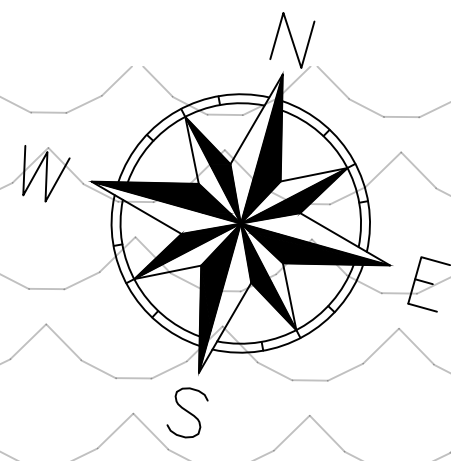
While the County makes every effort to insure that the information presented is accurate for the intended uses of this map, there is an inherent error in all mapping products, and accuracy of the mapping cannot be guaranteed for all possible uses. This map displays basic topographic features only.

Scale: 1:500

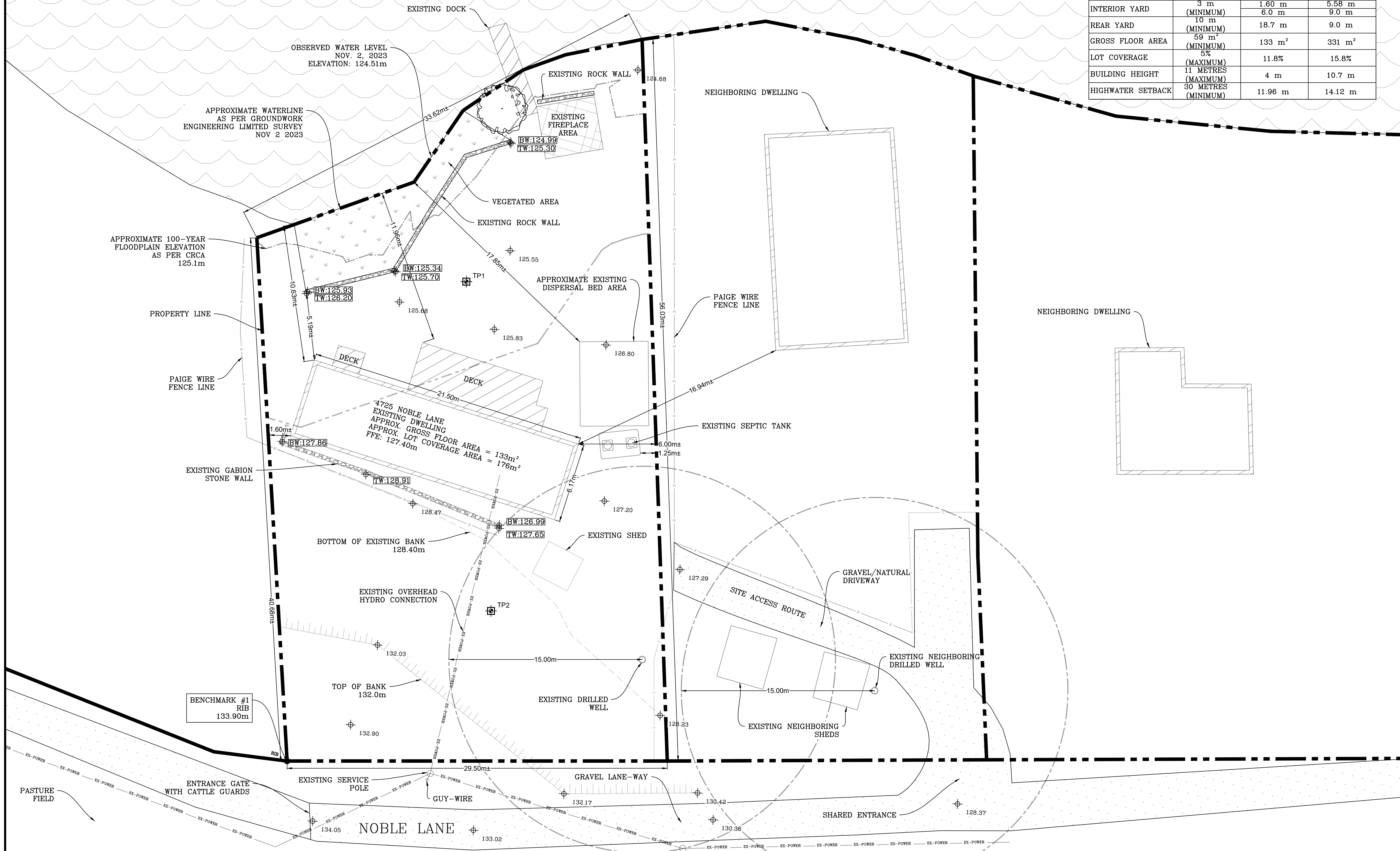


UTM Zone 18 NAD 83

Date: 2024-03-07



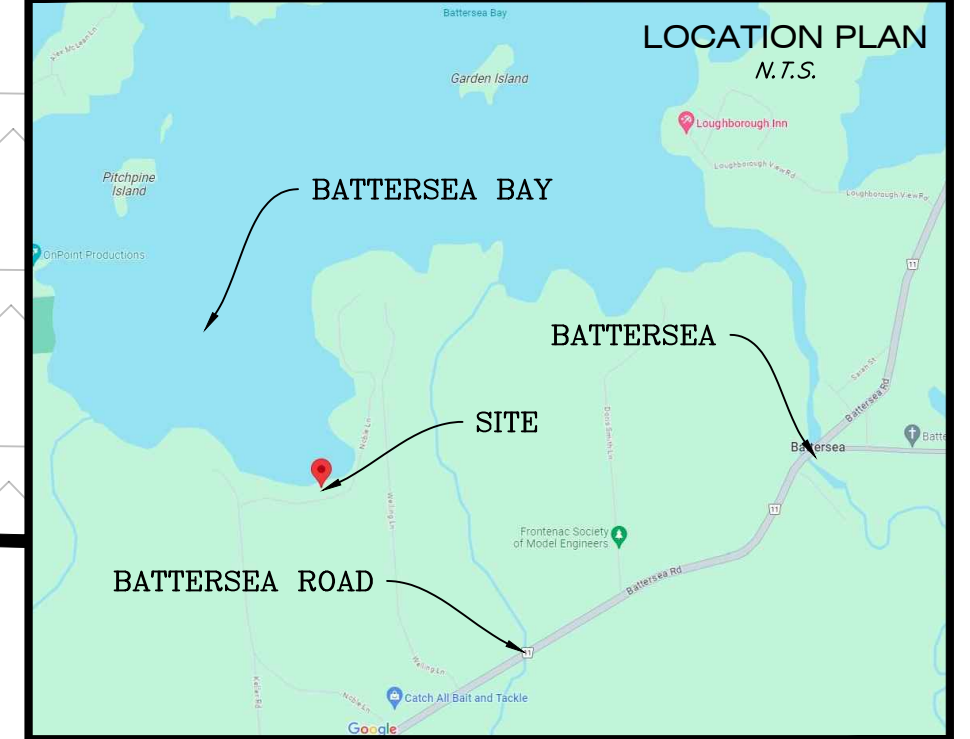
# BATTERSEA BAY



RLSW ZONING REQUIREMENTS FOR PRINCIPAL BUILDING			
	REQUIRED	EXISTING	PROPOSED
LOT AREA	10,000 m <sup>2</sup> (MINIMUM)	1578 m <sup>2</sup>	1578 m <sup>2</sup>
WATER FRONTAGE	91 m (MINIMUM)	33.53 m	33.53 m
FRONT YARD	30 m (MINIMUM)	11.0 m	14.12 m
INTERIOR YARD	3 m (MINIMUM)	1.60 m	5.58 m
REAR YARD	10 m (MINIMUM)	6.0 m	9.0 m
GROSS FLOOR AREA	59 m <sup>2</sup> (MINIMUM)	133 m <sup>2</sup>	331 m <sup>2</sup>
LOT COVERAGE	5% (MAXIMUM)	11.8%	15.8%
BUILDING HEIGHT	11 METRES (MAXIMUM)	4 m	10.7 m
HIGHWATER SETBACK	30 METRES (MINIMUM)	11.96 m	14.12 m



**UNIT 640 - 654 NORRIS COURT  
KINGSTON ONTARIO  
OFFICE (613) 634-1789  
www.groundengineer.ca**



## LEGEND

- PROPERTY LINE
- FENCING
- EXISTING - POWER SUPPLY
- EDGE OF SLOPE/TOP OF BANK
- BOTTOM OF BANK
- WATERLINE SETBACK
- 100-YEAR FLOODPLAIN

NOTE:  
PROPERTY LINES TAKEN FROM FRONTENAC GIS MAPPING.

REVISIONS		
No.	Description	Date
1.	ISSUED FOR REVIEW	2024/01/18
2.	REVISED AS PER TOWNSHIP COMMENTS	2024/05/28

BENCHMARK: LOCAL		
No.	DESCRIPTION	ELEVATION
1.	RIB AT SOUTHWEST CORNER OF PROPERTY	133.90m

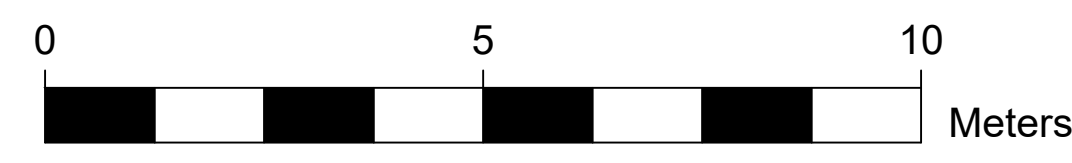
Client / Land Owner:  
**JESSIE & PAUL KUBES**

Project:  
**4725 NOBLE LANE**  
BATTERSEA ONTARIO  
Drawing Title:  
**EXISTING SITE PLAN**

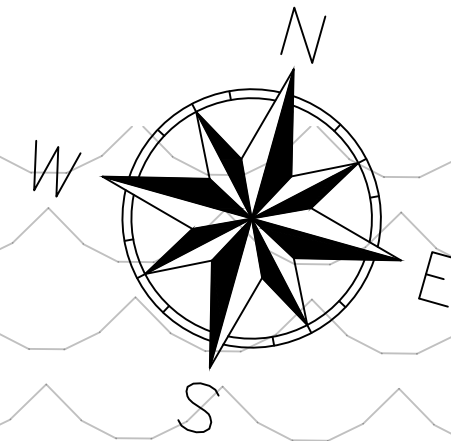
Drawn by: AD  
Checked By: MB  
Scale: 24"x36" AS NOTED  
Date: MAY 28, 2024

Project Number:  
**GW-23046**  
Drawing Number:  
**C-101**  
SHEET 1 of 2

**1 EXISTING SITE PLAN**  
SCALE: 1:150

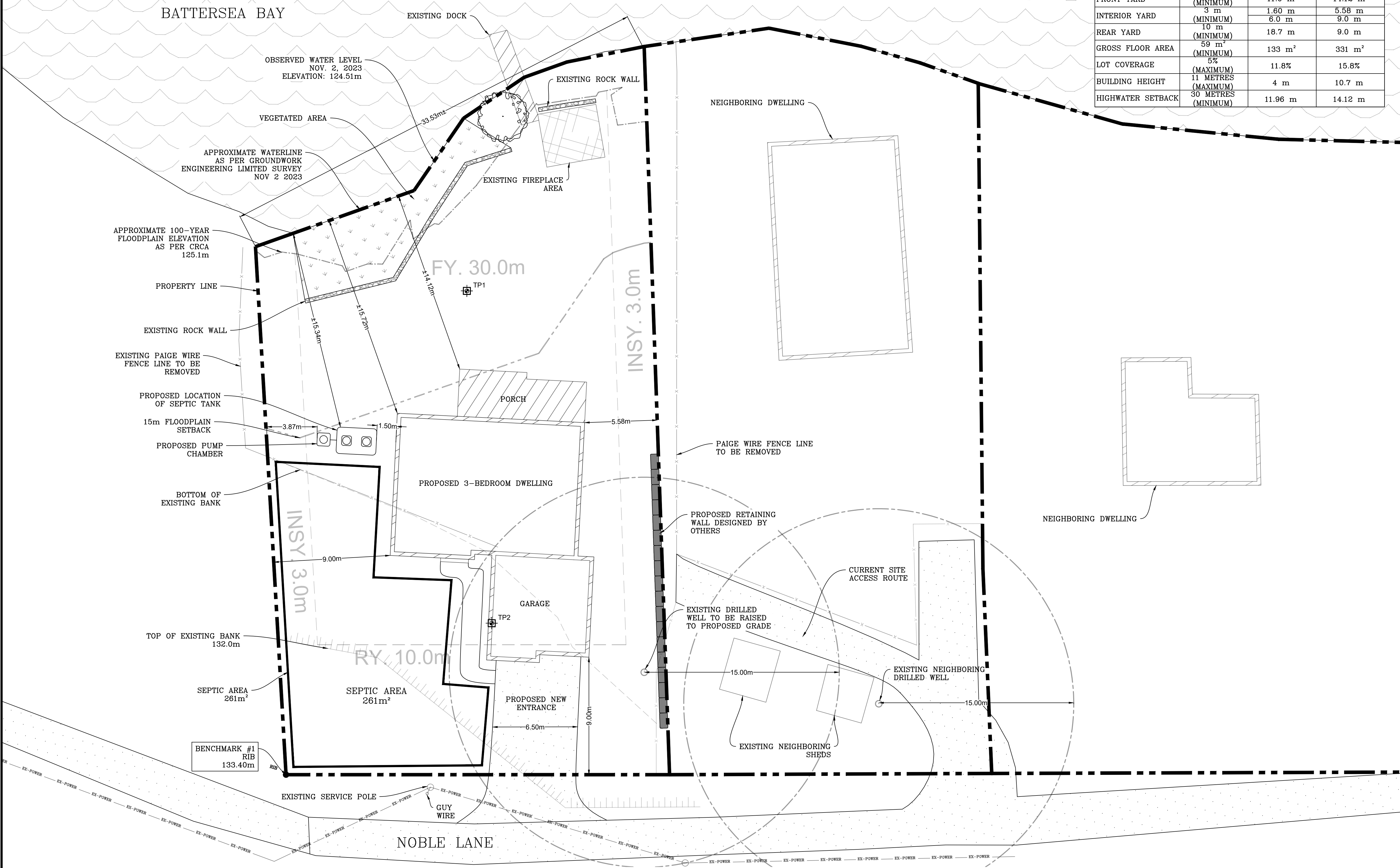


DRAFT



**UNIT 640 - 654 NORRIS COURT  
KINGSTON ONTARIO  
OFFICE (613) 634-1789  
www.groundengineer.ca**

RLSW ZONING REQUIREMENTS FOR PRINCIPAL BUILDING			
	REQUIRED	EXISTING	PROPOSED
LOT AREA	10,000 m <sup>2</sup> (MINIMUM)	1578 m <sup>2</sup>	1578 m <sup>2</sup>
WATER FRONTAGE	91 m (MINIMUM)	33.53 m	33.53 m
FRONT YARD	30 m (MINIMUM)	11.0 m	14.12 m
INTERIOR YARD	3 m (MINIMUM)	1.60 m	5.58 m
REAR YARD	10 m (MINIMUM)	18.7 m	9.0 m
GROSS FLOOR AREA	59 m <sup>2</sup> (MINIMUM)	133 m <sup>2</sup>	331 m <sup>2</sup>
LOT COVERAGE	5% (MAXIMUM)	11.8%	15.8%
BUILDING HEIGHT	11 METRES (MAXIMUM)	4 m	10.7 m
HIGHWATER SETBACK	30 METRES (MINIMUM)	11.96 m	14.12 m



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

- 3 BEDROOMS = 1,600 L/D
- FIXTURES NUMBER 29.5 > 20 = 475 L/D
- TOTAL FLOOR AREA = 240m<sup>2</sup> > 200m<sup>2</sup> = 400 L/D
- USE LARGER OF 2 NUMBERS FOR FIXTURES/FLOOR AREA**

TOTAL (Q) = 2,075 L/DAY

**SEPTIC TANK SIZING**

- RESIDENTIAL 2075 L/DAY x 2 = 4150 L
- MINIMUM SEPTIC TANK VOLUME = 4,150 L**

**LOADING**

EXISTING SOIL:  
T-TIME = 50 (CLAY OVER BEDROCK)

**TYPE A BED CALCULATIONS**  
FLOW RATE ≤ 3000L/DAY

**STONE AREA** = 30m<sup>2</sup> → Q/75 →  $\frac{2075}{75} = 27.67m^2$  (REQ'D)

**SAND AREA** = 261m<sup>2</sup> → QT/400 →  $\frac{2075 \times 50}{400} = 259.38m^2$  (REQ'D)

**REVISIONS**

No.	Description	Date
1.	ISSUED FOR DISCUSSION	2024/01/18
2.	REVISED AS PER TOWNSHIP COMMENTS	2024/05/28

**BENCHMARK:**

No.	DESCRIPTION	ELEVATION
1.	RIB IN SOUTHWEST CORNER OF PROPERTY	133.40m

Client / Land Owner:  
**JESSIE & PAUL KUBES**

Project:  
**4725 NOBLE LANE**  
BATTERSEA ONTARIO

Drawing Title:  
**PROPOSED SITE PLAN**

Drawn by: AD Project Number:  
Checked By: MB **GW-23046**  
Scale: 24"x36" AS NOTED Drawing Number:  
Date: MAY 28, 2024 **C-102**  
SHEET 2 of 2

**1 PROPOSED SITE PLAN**  
SCALE: 1:150  
C-102

**3D**

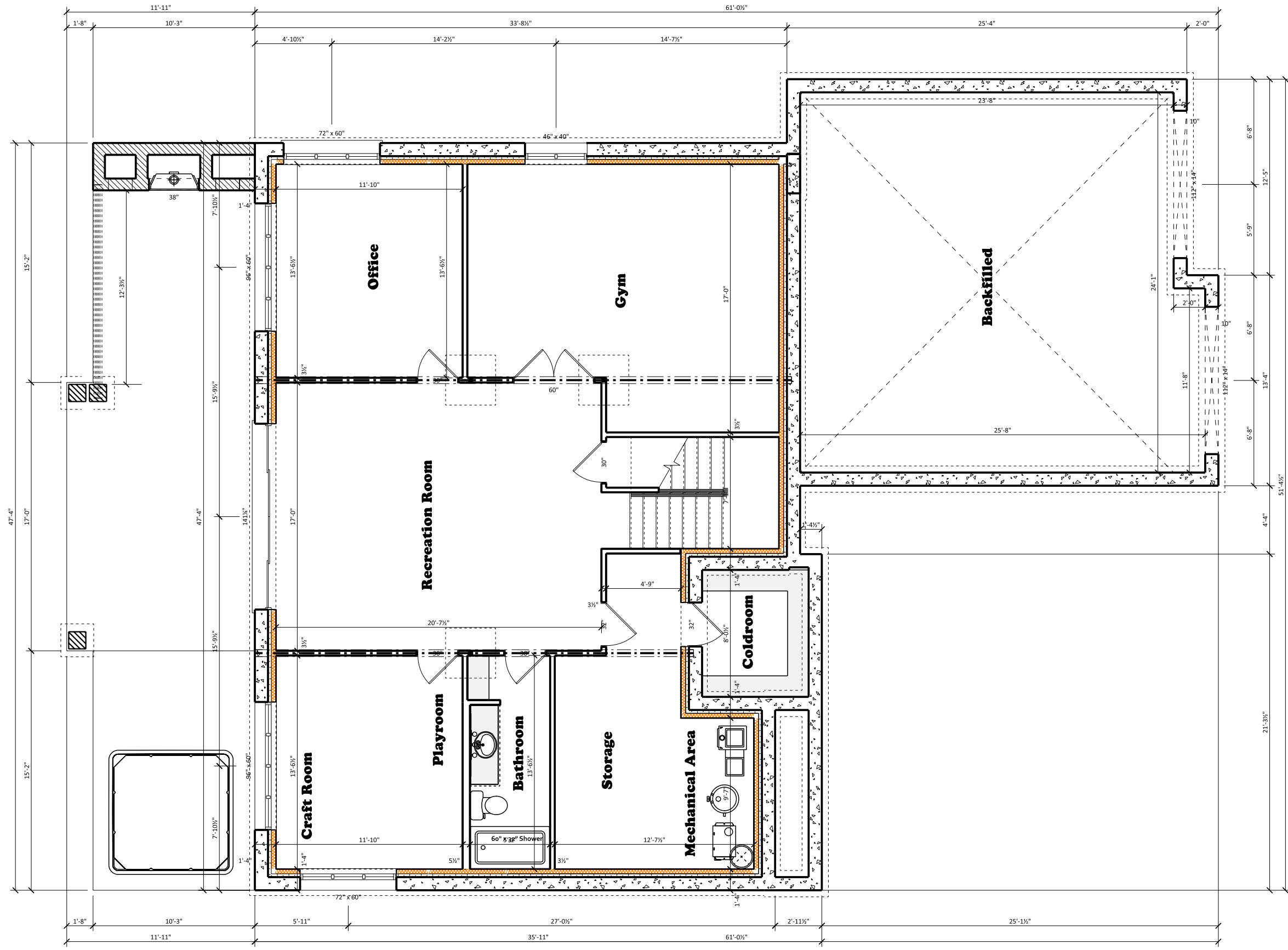


**Proposed Custom Home  
For: Jessie & Paul Kubes**

**4725 Noble Lane  
Battersea  
K0H 1H0**

**May 27, 2024**





**Basement Plan**



5276 Hinchinbrooke Road  
 Hartington, Ontario, K0H 1W0  
 Phone: 613-372-2931  
 keith@homehardwarekingston.ca  
 © Copyright ATKINSON Home Building Centre

Proposed Custom Home  
 4725 Noble Lane  
 Battersea  
 K0H 1H0  
 For: Jessie & Paul Kubes



DESIGNER  
**Keith Almond**

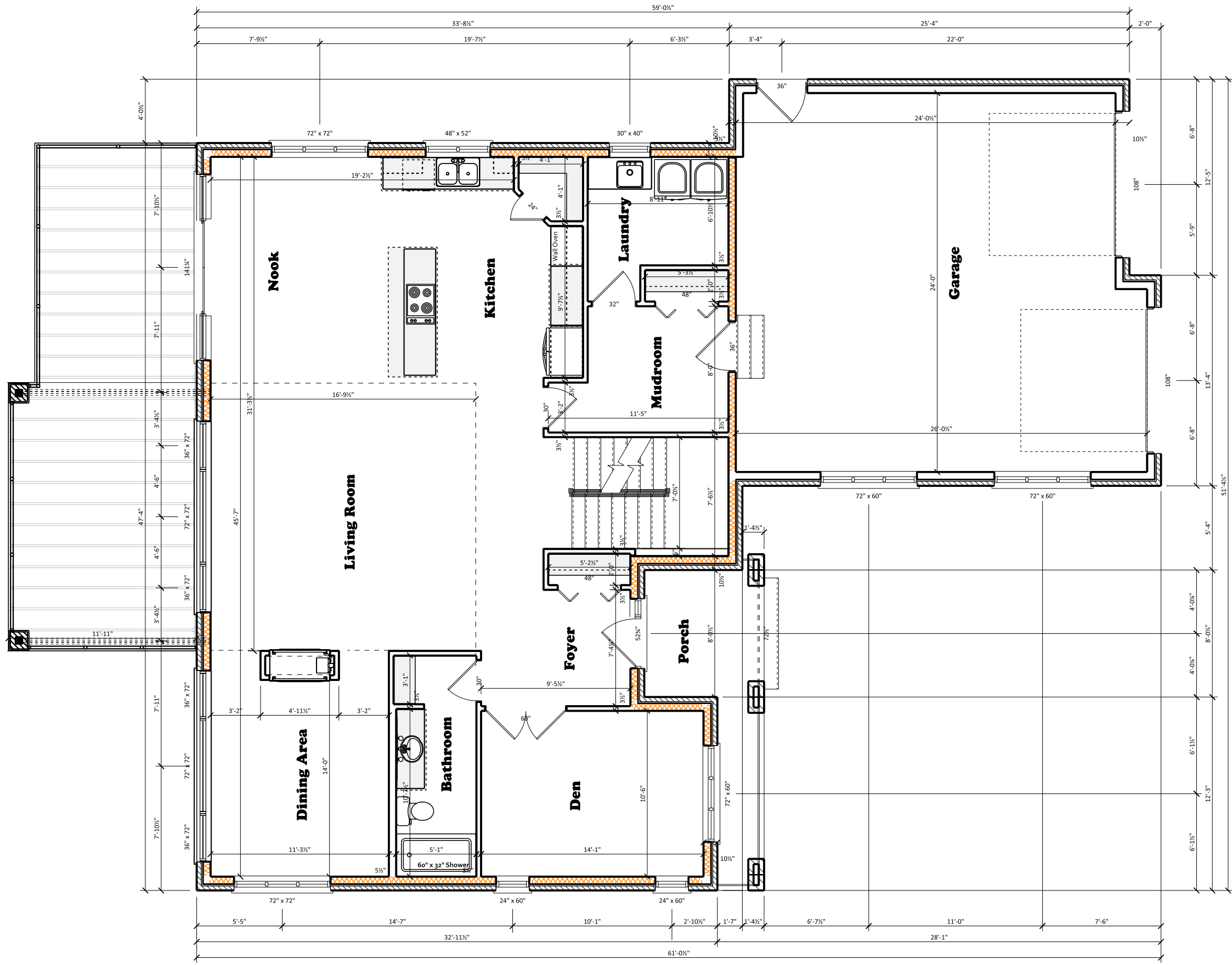
SCALE  
**0.1500" = 1'-0"**

DATE  
**May 27, 2024**

DRAWING TITLE  
**Basement**

DRAWING #  
**1 of 7**

AREA



Main Floor Plan



5276 Hinchinbrooke Road  
 Hartington, Ontario, K0H 1W0  
 Phone: 613-372-2931  
 keith@homehardwarekingston.ca  
 © Copyright ATKINSON Home Building Centre

Proposed Custom Home  
 4725 Noble Lane  
 Battersea  
 K0H 1H0  
 For: Jessie & Paul Kubes



DESIGNER  
**Keith Almond**

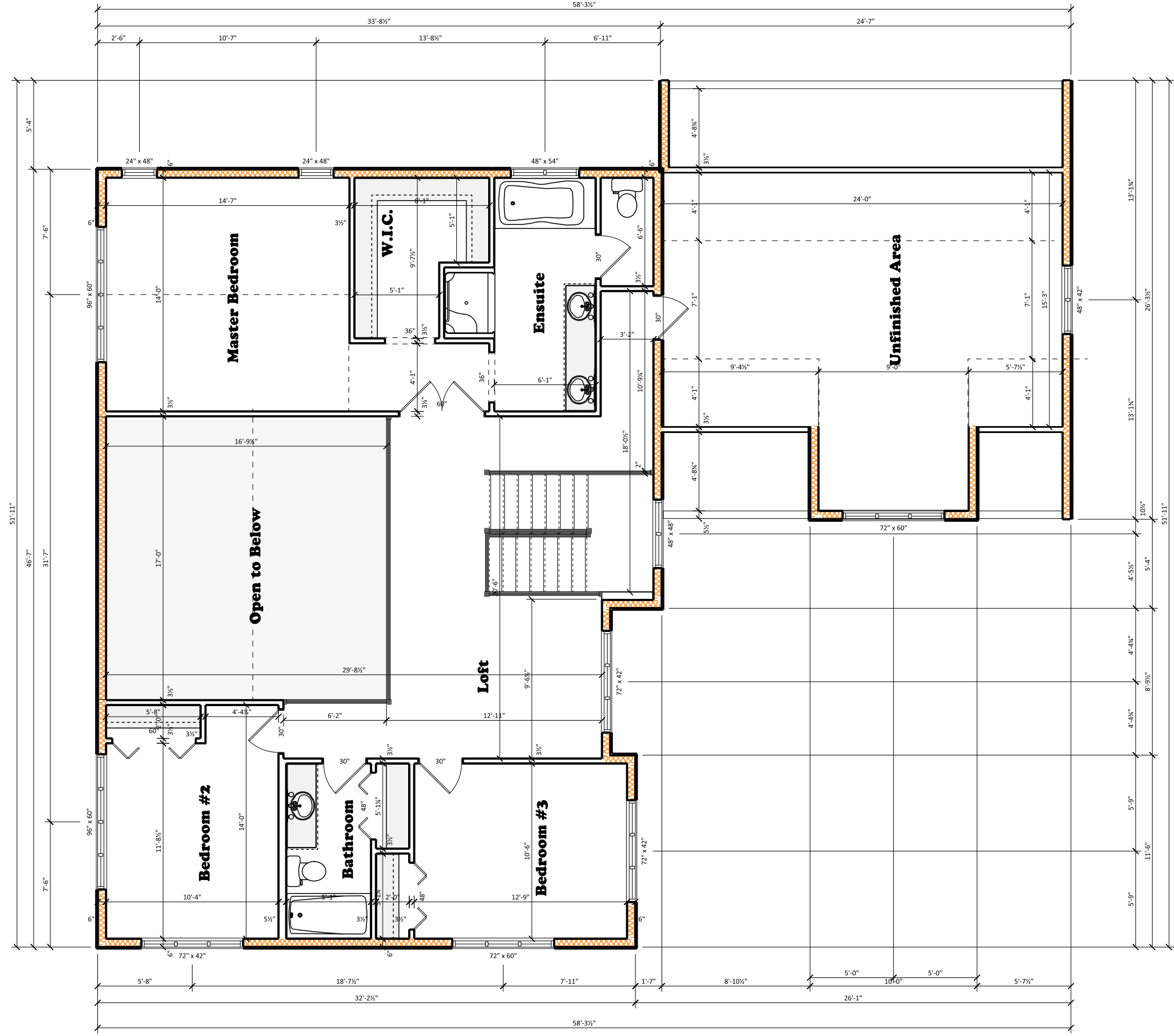
SCALE  
**0.1500" = 1'-0"**

DATE  
**May 27, 2024**

DRAWING TITLE  
**Main Floor**

DRAWING #  
**2 of 7**

AREA



**Second Floor Plan**



5276 Hinchinbrooke Road  
 Hartington, Ontario, K0H 1W0  
 Phone: 613-372-2931  
 keith@homehardwarekingston.ca  
 © Copyright ATKINSON Home Building Centre

Proposed Custom Home  
 4725 Noble Lane  
 Battersea  
 K0H 1H0  
 For: Jessie & Paul Kubes



DESIGNER  
**Keith Almond**

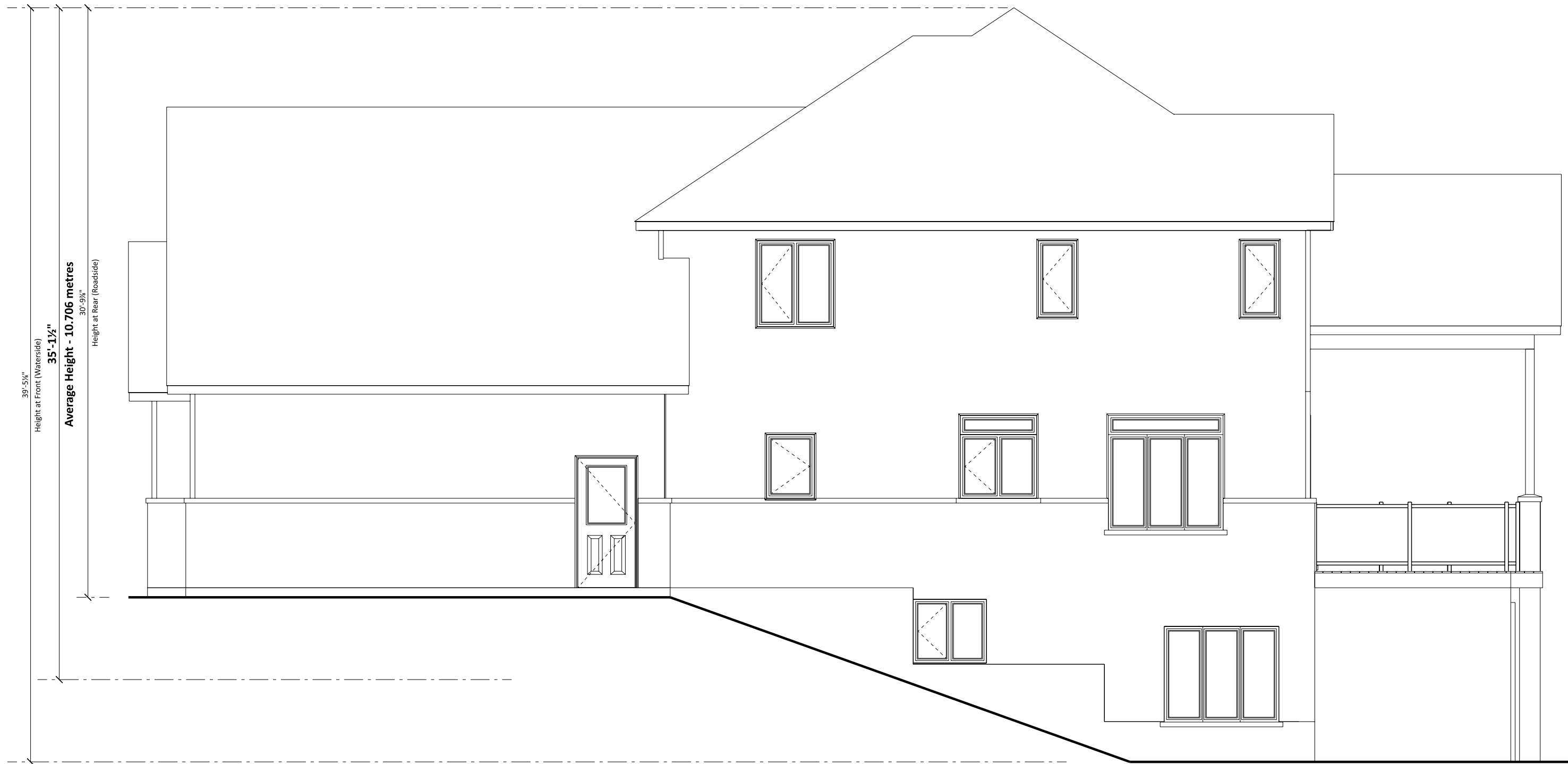
SCALE  
**0.1500" = 1'-0"**

DATE  
**May 27, 2024**

DRAWING TITLE  
**Second Floor**

DRAWING #  
**3 of 7**

AREA



**Right Side Elevation**



5276 Hinchinbrooke Road  
 Hartington, Ontario. K0H 1W0  
 Phone: 613-372-2931  
 keith@homehardwarekingston.ca  
 © Copyright ATKINSON Home Building Centre

**Proposed Custom Home**  
**4725 Noble Lane**  
**Battersea**  
**K0H 1H0**  
**For: Jessie & Paul Kubes**

AREA



DESIGNER  
**Keith Almond**

SCALE  
**3/16" = 1'-0"**

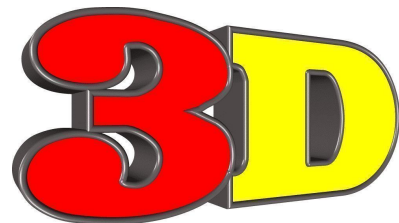
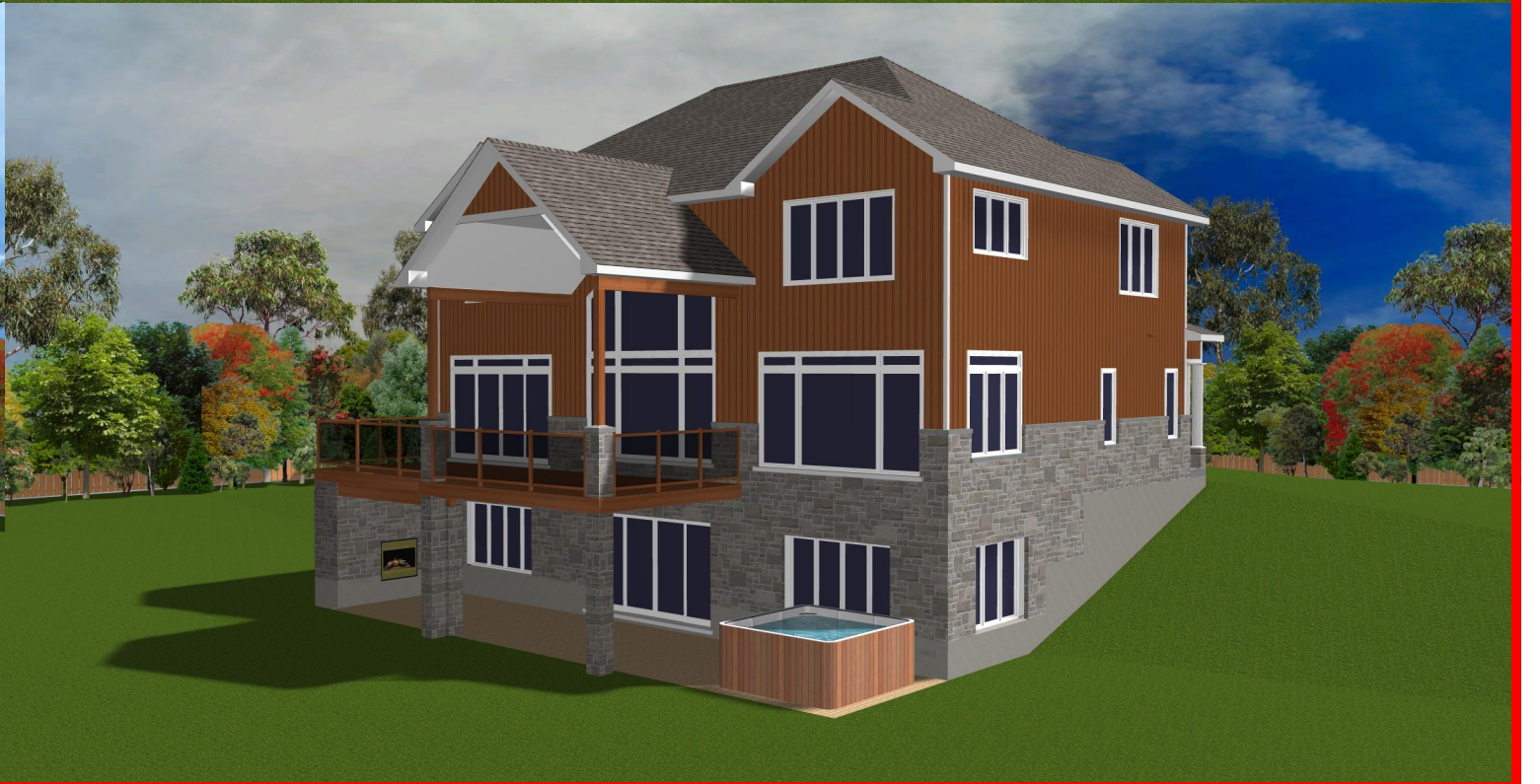
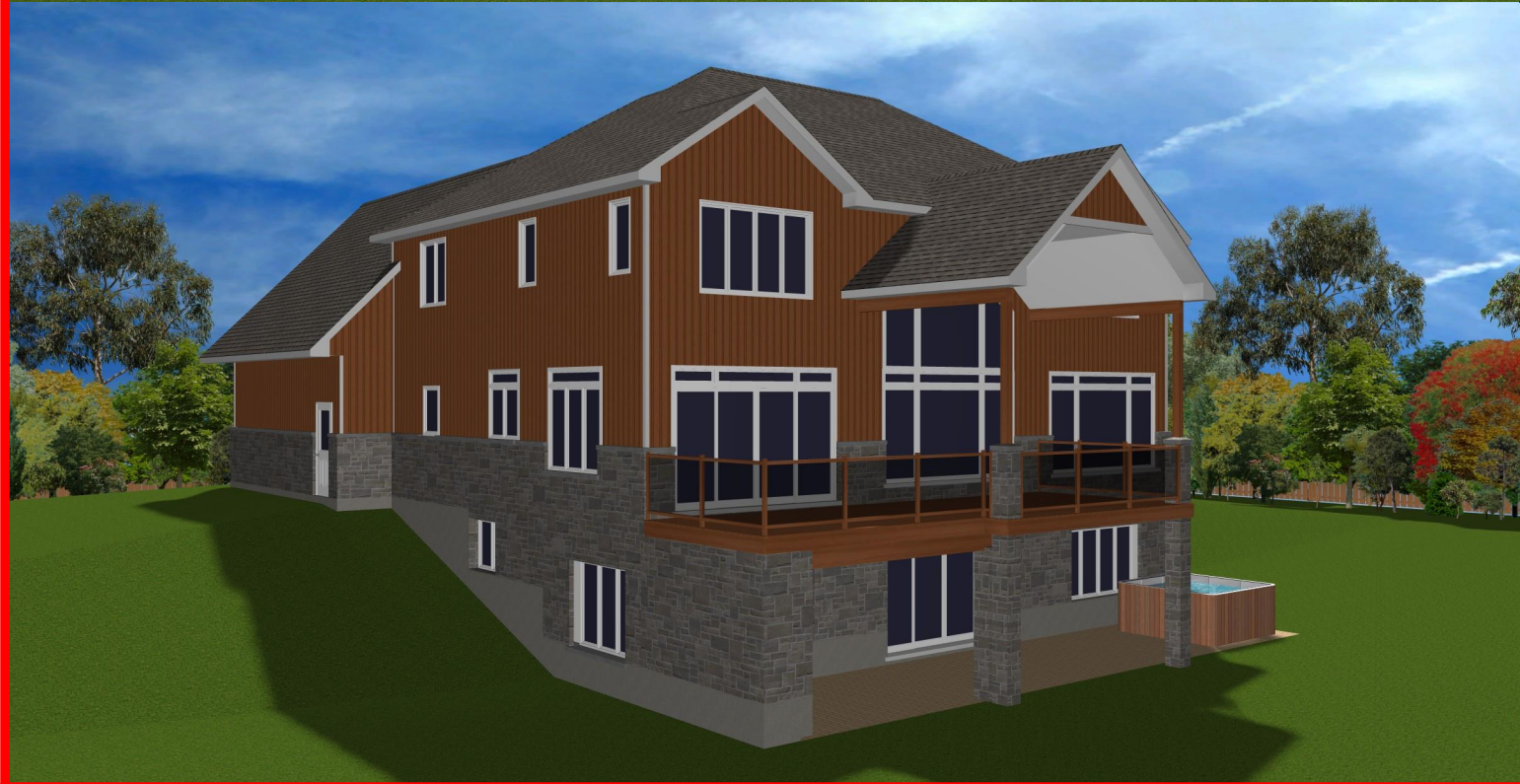
DATE  
**May 27, 2024**

DRAWING TITLE  
**Right Side Elevation**

DRAWING #  
**4 of 7**

AREA SCHEDULE	
NAME	AREA
Backfilled Garage	660.9 sq ft.
Backfilled Porch	33.8 sq ft.
Basement	1565.7 sq ft.
Coldroom	64.8 sq ft.
Deck	358.0 sq ft.
Footprint	2683.2 sq ft.
Front Porch	98.6 sq ft.
Garage	669.0 sq ft.
Main Floor	1558.3 sq ft.
Rear Patio	358.0 sq ft.
Second Floor	1230.2 sq ft.
Unfinished Second Floor	445.5 sq ft.

	5276 Hinchinbrooke Road Hartington, Ontario. K0H 1W0 Phone: 613-372-2931 keith@homehardwarekingston.ca <small>© Copyright ATKINSON Home Building Centre</small>	<b>Proposed Custom Home</b> <b>4725 Noble Lane</b> <b>Battersea</b> <b>K0H 1H0</b> <b>For: Jessie &amp; Paul Kubes</b>	AREA	
	 DESIGNER <b>Keith Almond</b>	SCALE <b>1/2" = 1'-0"</b>	DATE <b>May 27, 2024</b>	DRAWING TITLE <b>Area Schedule</b>



**ATKINSON**  
**Home**  
 hardware  
 building centre

5276 Hinchinbrooke Road  
 Hartington, Ontario. K0H 1W0  
 Phone: 613-372-2931  
 keith@homehardwarekingston.ca  
 © Copyright ATKINSON Home Building Centre

**Proposed Custom Home**  
**4725 Noble Lane**  
**Battersea**  
**K0H 1H0**  
**For: Jessie & Paul Kubes**

**3D** DESIGNER  
 Keith Almond

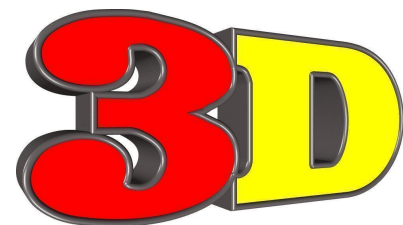
SCALE  
 As Noted

DATE  
 May 27, 2024

DRAWING TITLE  
 3D Views 1

DRAWING #  
 6 of 7

AREA



**ATKINSON**  
**Home**  
 hardware  
 building centre

5276 Hinchinbrooke Road  
 Hartington, Ontario. K0H 1W0  
 Phone: 613-372-2931  
 keith@homehardwarekingston.ca  
 © Copyright ATKINSON Home Building Centre

**Proposed Custom Home**  
**4725 Noble Lane**  
**Battersea**  
**K0H 1H0**  
**For: Jessie & Paul Kubes**

**3D** DESIGNER  
 Keith Almond

SCALE  
 As Noted

DATE  
 May 27, 2024

DRAWING TITLE  
 3D Views 2

DRAWING #  
 7 of 7

AREA

July 30, 2024

File: MV/FRS/184/2024

**Sent by E-mail**

Mr. Noah Perron, Planner  
Township of South Frontenac  
P.O. Box 100  
Sydenham, Ontario  
K0H 2T0

Dear Mr. Perron:

**Re: Application for S. 45(2) Permission PL-ZNA-2024-0026 (Kubes)  
Pt Lot 7, Concession 9; 4725 Noble Lane  
Storrington District, Township of South Frontenac  
Waterbody: Loughborough Lake**

Cataraqui Conservation staff have reviewed the above-noted application for permission and provide the following comments for the Committee of Adjustment.

**Proposal**

The proposal involves the expansion of a single detached dwelling on the subject property, which is currently set back 10.6 m from the highwater mark of Loughborough Lake. The existing 176 sq. m. seasonal dwelling with an attached deck is proposed to be demolished and replaced with a 250 sq. m. dwelling with an attached garage and deck. Permission is requested to reduce the required setback from the highwater mark from 30 metres, as required by Section 5.8.2.a) of the South Frontenac Zoning By-law to 14.1 metres to permit the enlarged building. Relief is also requested to allow the dwelling to be located 9 metres from the rear yard and to allow the new septic system to be located 15 m from the highwater mark.

**Site Description**

The property is located on the south shore of the east basin of Loughborough Lake. The topography of the property can be described as having a low bank at the shoreline that levels out into a relatively flat area where the existing dwelling is located, then rising more steeply behind the dwelling toward Noble Lane to the south.

The property is designated 'Settlement Area' in the Official Plan and is zoned 'Limited Service Residential -Waterfront' (RLSW) in the implementing Zoning By-law.

**Discussion**

Cataraqui Conservation's scope of review for this proposal includes the avoidance of natural hazards (e.g. flooding and erosion) associated with the shoreline of Loughborough Lake.

Natural Hazards / Ontario Regulation 41/24

**Flooding:** The maximum recorded water level for Loughborough Lake is 125.1 metres geodetic. For Loughborough Lake, the maximum recorded water level is used in lieu of an engineered flood plain. Cataraqui Conservation's Guidelines for Implementing Ontario Regulation 41/24

(see description below) requires that all development be set back a minimum of 6 metres from the regulatory floodplain of a waterbody. Based on topographic mapping and the site plan submitted with the application, staff are satisfied that the proposed development will be located outside of the flooding hazard and applicable setback.

**Erosion:** Cataraqui Conservation, in accordance with provincial technical standards, defines the extent of potential erosion hazards to include an allowance for toe erosion (3 m), a stable slope allowance of 3:1 for till shorelines, plus an erosion access allowance of 6 metres. Topographic mapping suggests that the shoreline embankment is roughly 0.5 m in this location, therefore staff have determined the total erosion hazard to be 10.5 metres measured inland from the stable toe of slope. Based on the site plan submitted with the application, staff are satisfied that the proposed development will be located outside of the erosion hazard limit.

Staff have no concerns from a natural hazards perspective.

**If approved, staff recommend that proper sediment and erosion controls be incorporated into construction plans. We also recommend the maintenance and enhancement of a healthy buffer of native vegetation between all buildings/structures and the water, to help stabilize soils into the long-term.**

#### Recommendation

In summary, staff have no objection to the approval of application PL-ZNA-2024-0026 based on our review of natural hazard and regulatory policies.

We also recommend implementation of the above-noted best practice measures (in bold text) and advise the applicant that a CRCA permit will be required at the building permit stage.

#### *Ontario Regulation 41/24*

Please note that portions of the subject lands are subject to Ontario Regulation 41/24: *Prohibited Activities, Exemptions and Permits* (formerly O. Reg. 148/06), which is administered by the CRCA. The purpose of the regulation is to ensure that proposed changes (e.g. development and site alteration) to a property are not affected by natural hazards, such as flooding and erosion, and that the changes do not put other properties at greater risk from these hazards. For this property, any development (buildings and structures) and site alteration (excavation, grading, placement of fill) within 15 metres of the floodplain and within 19 metres of the toe of slope is subject to O. Reg. 41/24. **Therefore, a CRCA permit will be required for the development. The landowner(s) should contact CRCA's office at the building permit stage for more information about permitting requirements under O. Reg. 41/24.**

Please inform this office of any decision made by the Committee with regard to this application. If you have any questions, please contact the undersigned at 613-546-4228 ext. 239, or by e-mail at [jtreash@crca.ca](mailto:jtreash@crca.ca).

Yours truly,



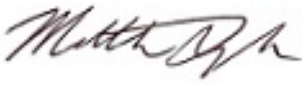
Janelle Treash, RPP, MCIP  
Resource Planner

**Township of South Frontenac**  
**Building Services**

4432 George Street, Box 100  
 Sydenham, ON K0H 2T0  
 613-376-3027  
[www.southfrontenac.net](http://www.southfrontenac.net)



**Sewage System Review Comments**

<b>To:</b>	Secretary-Treasurer, Committee of Adjustment Township of South Frontenac 4432 George St, Box 100 Sydenham, ON K0H 2T0
<b>Application Number:</b>	PLZNA20240026
<b>Type of Application or Proposal:</b>	Planning Sewage Review - Minor Variance
<b>Applicant:</b>  <b>(if applicable) Agent:</b>	KUBES PAUL
<b>Location:</b>	102906005005500 4725 NOBLE LANE CON 9 PT LOT 7 LOUGHBOROUGH;LAKE
<b>Comments:</b>	No objections to proposed sewage system location. The system location and type are both an improvement over the existing sewage system.
<b>Building Inspector:</b>	 Matthew Doyle
<b>Date:</b>	July 24, 2024

# Township of South Frontenac Staff Report

---



**To:** Committee of Adjustment

**From:** Development Services Department

**Date of Meeting:** August 8, 2024

**Subject:** Permission Application (S. 45(2) of Planning Act)  
PL-ZNA-2024-0026, Kubes, 4725 Noble 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 dwelling under section 45(2) of the Planning Act, subject to conditions.

## Background

The Committee of Adjustment granted a minor variance to construct a small addition to the existing cottage in 2018. The current application is being reviewed as a permit to enlarge a legal non-conforming use because the original cottage (pre-addition) pre-dates the Zoning By-law and is less than 30 metres from the highwater mark of Loughborough Lake.

The current application was originally submitted in March of 2024. Planning Staff outlined concerns to the applicants related to the scale of the proposed development and its impact on the functionality of the property. In response to these concerns, the applicants submitted a revised proposal in June of 2024. Revisions included re-orienting the proposed dwelling and removing a portion of the deck, thus improving the highwater mark setback distance. The location of the sewage tank was also moved to the west of the proposed dwelling to be on the same side as the leaching area, improving its overall functionality.

**Official Plan Designation:** Settlement Area

**Zoning:** Limited Service Residential – Waterfront

## Relief Requested

The applicant seeks permission under section 45(2) of the Planning Act to enlarge the legal non-conforming dwelling on the property within 30m of the highwater mark of Loughborough Lake. Relief is also sought from the 10m rear yard required in the RLSW zone.

## Related Applications

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

## Property Description

The subject property is an undersized parcel of land (1578sqm) with approximately 29.5m of frontage on Noble Lane, and 33.6m of frontage on the south shore of Loughborough Lake. Access to the subject property is via Noble Lane, which extends directly from Battersea Road to the south. Existing development is located in approximately the middle of the property and consists of a seasonal dwelling with attached deck, and a shed. Vegetation coverage varies slightly across the property. For example, the area adjacent to Noble Lane is well treed, the developed portion around the existing dwelling is mostly cleared, and the shoreline area features minimal mature tree and vegetation growth. Regarding topography, the shoreline area and developed portion near the dwelling are mostly flat. The area to the rear of the dwelling slopes upwards considerably towards Noble Lane. Finally, the surrounding area consists of similar style limited service residential development, in addition to some existing agricultural uses.

## Proposal

The subject property is currently developed with a 133sqm one storey seasonal dwelling with 43sqm attached deck, setback approximately 10.6m from the highwater mark of Loughborough Lake. The applicant is proposing to demolish the existing dwelling and a shed. They propose to build a four-season 2-storey dwelling with walkout basement. The proposed dwelling would be built partially within the existing footprint, with additional area being added to the south away from shoreline. The proposed dwelling (153.9sqm) with attached covered deck (33sqm) and attached garage (62.2sqm) would have a ground floor area of 250sqm and a gross floor area of 331sqm. The building would be setback a minimum of 14.1m from the highwater mark of Loughborough Lake. Building height would increase from 4m to 10.7m. The proposed dwelling would have a 9m rear yard setback.

The existing sewage system would be replaced with a new system that would be farther from the lake.

## Department and Agency Comments

**Cataraqui Conservation** provided comment on July 30, 2024. CRCA Staff have no objection to the approval of the permission application based on consideration for natural hazards and regulatory policies. Staff note that the proposal is located in an area subject to Ontario Regulation 41/24 under the *Conservation Authority Act*. Therefore, a CRCA development permit will be required for the proposed development.

**Building Services** provided comment on July 24, 2024. Staff have no objection to the proposed sewage location. Further, it was noted that the system location and type are both an improvement over the existing sewage system.

**Public Services** did not provide comment on the application, as the subject property is located on a private lane.

## Public Comments

No public comments were received at the time of writing this report.

## Planning Analysis

The Township Official Plan Schedule designates the subject property as Settlement Area and the property is zoned RLSW by Zoning By-law No. 2003-75. The dwelling is a permitted use.

Section 5.10.2 of the Zoning By-law states that existing buildings with less than the minimum 30m setback from the highwater mark of a waterbody may be repaired, renovated, or strengthened to a safe condition provided there is no enlargement of the gross floor area or increase in height. This provision prohibits the enlargement of these existing buildings, without seeking permission from the Committee of Adjustment. The Zoning By-law considers the existing seasonal dwelling as a legal non-conforming building because it was constructed prior to the current Zoning By-law and is setback 10.6m from the highwater mark of Loughborough Lake.

Through its powers under section 45(2) of the *Planning Act*, the Committee of Adjustment may grant permission to enlarge the dwelling. The criteria for considering an application under Section 45(2) are:

- Whether the application is desirable for the appropriate development of the subject property; and
- Whether the application will result in undue adverse impacts on the surrounding properties and neighbourhood.

The existing seasonal dwelling on the subject property is setback approximately 10.6m from the highwater mark of Loughborough Lake. Comparatively, the proposed four-season dwelling would have a highwater mark setback of 15.7m, with the attached covered deck being setback approximately 14.1m. Therefore, the proposed dwelling would improve upon the highwater mark setback of the existing.

The existing dwelling is one-storey and has a gross floor area of 133sqm, whereas the proposed dwelling is two-storeys and would have a gross floor area of 331sqm. The building height of the dwelling would increase from 4m to 10.7m. In a latter section of this report, Township Staff will outline proposed mitigative measures to address potential visual impacts as a result of the proposed scale of development.

The existing dwelling and attached deck have a footprint of approximately 176sqm, a lot coverage value of approximately 11.8%. The proposed dwelling with attached covered deck and attached garage would have a footprint of 250sqm, a lot coverage value of approximately 15.8%. The footprint of only the dwelling component of the building (i.e., no attached structures) would be increasing from 133sqm to 154sqm. A portion of the new dwelling would be built within the footprint of the existing, an overlap of approximately 90sqm.

The proposed covered deck would be a similar size as the existing deck and would exist in a similar location with approximately 10sqm of overlap. The remaining area, including the attached garage, would be on the south side of the proposed dwelling, away from the shoreline. The proposed garage would have an approximately 62.2sqm footprint but would mostly be located outside of the 30m setback from the highwater mark. The proposed garage

would facilitate the removal of the existing storage shed. Finally, there would no longer be sufficient space on the property for any future accessory buildings or additions in the future.

The proposed attached garage on the south half of the property is to be setback 9m from the rear lot line, whereas the Zoning By-law requires a minimum of 10m. The reduced rear yard setback is proposed in an effort to increase the setback distance from the shoreline. Setback 9m from the rear lot line, there would still be sufficient space for a vehicle to safely stop or park on the driveway between the garage and Noble Lane. Therefore, Planning Staff interpret this reduction as appropriate.

The proposed dwelling would be serviced by a new sewage disposal system. The existing system is located on the east side of the property, with the treatment area being setback 17.8m from the highwater mark. The main treatment component of the replacement system would be located in the southwest corner of the property, setback 30m from the highwater mark. The improved location and treatment level of the replacement system should mitigate nutrient loading into the lake associated with the increased living space and transition in use from seasonal to year-round occupancy. In association with the replacement system, the recommended shoreline remediation plan will assist in filtering and slowing water down as it travels towards the lake.

It is the opinion of Planning Staff that the proposed dwelling is large relative to the area of the property, as is evident from the increase in lot coverage. However, current zoning regulations cannot be considered when reviewing application to enlarge a legal non-conforming structure. Rather, Planning Staff must review the proposal in the context of appropriateness and the possibility for negative impacts. When assessing appropriateness, Planning Staff have regard for the existing pattern of development in the surrounding area. Historically, the surrounding area consisted primarily of seasonal residences. More recently, there has been a shift towards larger, year-round homes. For example, there are several properties in the surrounding area with year-round dwellings of comparable size. It should be noted that these comparable dwellings typically exist on larger properties but are also typically closer to the shoreline. Additionally, many properties in the area lack sufficient vegetative buffers along the shoreline. As such, the proposed development would not necessarily conflict with existing patterns of development in the surrounding area. However, it is the opinion of Planning Staff that the proposal should be used as an opportunity to promote more responsible shoreline development practices, and to improve the existing conditions of the subject property, where feasible.

Planning Staff do have concerns related to the proposed development. Specifically, the increased scale of development, the loss of trees and vegetation and the existing substandard shoreline buffer area. To address these concerns, Staff feel that it is appropriate for the Committee of Adjustment to require the subject property to be placed under Site Plan Control. The required Site Plan Control agreement would address matters, including but not limited to, lot grading and drainage and shoreline remediation. A lot grading and drainage plan would ensure that the increased runoff associated with the proposed development is appropriately managed. The shoreline remediation plan should consist of a variety of native vegetation species, including low growing plants, shrubs and trees. The shoreline remediation plan would work in tandem with the lot grading and drainage planning, acting as

a filtering mechanism and reducing infiltration into the lake. Further, once the planted trees and vegetation have an opportunity to grow, they will act as a visual buffer from the lake. The shoreline remediation plan could facilitate the removal of existing impervious surface in the shoreline area (i.e., fireplace and rock wall) in favour of native vegetation. The agreement could also address lighting.

The subject property is considerably undersized, and the proposed dwelling is large compared to the existing dwelling. However, there are components of the proposed development which would facilitate an improvement over the existing conditions of the subject property. For example, the highwater mark setback is being improved and a new sewage system would be installed. Additionally, Site Plan Control would facilitate the remediation of the shoreline area and ensure appropriate runoff control. The re-vegetated shoreline should mitigate negative impacts associated with the development and promote more responsible shoreline development practices. For these reasons, Planning Staff interpret the proposal as desirable for appropriate development of the subject property, and unlikely to result in undue adverse impacts on surrounding properties, the neighbourhood or Loughborough Lake.

## **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 dwelling 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**

It is recommended that the Committee of Adjustment receive comments from the public and, pending comments received, **approve** application PL-ZNA-2024-0026 for 4725 Noble Lane, subject to the following conditions.

1. Permission is granted to enlarge the legal non-conforming dwelling on the subject property. The location, area and height of the replacement dwelling shall be consistent with the Proposed Site Plan (Groundwork Engineering Inc, revision 2, dated May 28, 2024) and building plans (Keith Almond, dated May 27, 2024) that will be attached to the Decision as Schedule "A".
2. The applicant is required to submit an application for site plan control and enter into a Site Plan Agreement to be registered on the title of the property to the satisfaction of

the Township to address the following matters and environmental standards of the Township prior to the issuance of a building permit:

- a. Preparation of a lot grading and drainage plan.
  - b. Preparation of a shoreline remediation plan. The purpose of the plan is to create and enhance the natural vegetative buffer within at least 5 metres of the highwater mark of Loughborough Lake. The plan shall be reviewed by the Township prior to the issuance of an occupancy permit under the Ontario Building Code. The plan shall be implemented within 6 months of an occupancy permit being issued for the dwelling approved through application PL-ZNA-2024-0026.
  - c. The use of dark-sky compliant lighting.
  - d. The use of appropriate erosion control measures (e.g. silt fence, straw bales) during construction and until the site is stable and revegetated.
  - e. The removal of any excavated materials from the site so that it is not used as fill downgradient from the building envelope.
  - f. Roof runoff will be discharged into infiltration trenches or onto coarse rock rubble splash pads.
  - g. Proper decommissioning of the existing sewage system.
3. A building permit is required for ALL proposed demolition and construction on the property. There shall be no additional development on the property without the approval from the Township of South Frontenac.

**Report Prepared By:**

Noah Perron, Planner

**Report Reviewed By:**

Christine Woods RPP, MCIP, Manager of Planning



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.

<b>Application Type:</b>	<b>Planning Application Fee:</b>
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: \_\_\_\_\_

1. Name of Owner(s): Graham Dickinson, Mary Dickinson

**Full Mailing Address** of Owner(s): 27 Blue Ribbon Way, Binbrook, Ontario, L0R1C0

Phone number of Owner(s): [REDACTED]

Email Address of Owner(s): [REDACTED]

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

Name of Authorized Agent: N/A

**Full Mailing Address** of Authorized Agent: N/A

Phone number of Authorized Agent: N/A

Email Address of Authorized Agent: N/A

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

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

3. The description of the subject land:

District:  Bedford  Portland  Loughborough  Storrington

Concession Number: 2 Lot Number: PT LT 23

Street Number: 158 Name of Road/Street: Coyote Lane

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

Roll Number: 010-020-15390-0000

**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): 110 m                      Frontage (on road/lane): 96 m

Depth: 209 m                                      Area: 4.18 acres (1.69 hectares)

5. The current zoning of the subject land:

RLSW - Limited Service Residential - Waterfront Zone

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

Requesting to locate a single detached dwelling 10 meters horizontal from the top of bank of an embankment compared to the 15 meter requirement as per Section 5.82 of South Frontenac Zoning By-law

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

1) Require access north of the dwelling for crane equipment to raise prefabricated wall sections and roof trusses while avoiding hydro power line (Passive house walls arriving on flatbed and craned into place). 2) Provides the opportunity to service the well (located to the west of the dwelling), the septic bed / tank (located to the east of the dwelling) and the hydro pole (located to the north-west of the dwelling) with appropriate vehicles in the event of an incident. Without the variance approval, the dwelling is 0.6 meter from the hydro corridor setback.

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

OR a privately maintained road?     Yes     No

Name of Road/Lane:

Coyote 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?

Personal recreation

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

Yes     No

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

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

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

13. The proposed uses of the subject land:

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:

<b>Type of Structure (E.g. residence)</b>	(1) Residential Cottage	(2)	(3)	(4)
<b>Setback from Front Lot Line</b>	Lakefront (South) 30 m			
<b>Setback from Rear Lot Line</b>	Coyote Lane (North) 125 m			
<b>Setback from Side Lot Line</b>	(East)18 m (West) 57 m			
<b>Height of Building</b> (Also indicate if it is one story or two story)	Two Storey. 9.11m from top of slab foundation. 9.31m from grade			
<b>Outside Dimensions of Building/Structure</b>	15.3 m x 10.24 m			
<b>Setback from High Water Mark (If applicable)</b>	Lakefront (South) >30 m			

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

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

If yes, please provide details:

N/A

---

**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:

N/A

---

18. What are the uses of the proposed development?

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

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

2019-01-31

---

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

N/A. Construction date spring 2025

---

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

5 years, 5 months

---

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

Private well

---

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

Private sewage system to be installed spring 2025

---

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

Natural drainage

---

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

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

Yes       No

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

N/A

---

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

Yes       No

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

N/A

---

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

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

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

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

**AGREEMENT TO INDEMNIFY**

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

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

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

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


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

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

DATED AT THE TOWNSHIP OF SOUTH FRONTENAC

THIS 4<sup>th</sup> DAY OF July, 2024

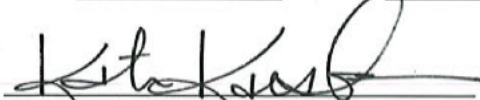
I, Graham Dickinson OF Binbrook  
solemnly declare that all the statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

  
\_\_\_\_\_  
Signature of Applicant or Authorized Agent

\_\_\_\_\_  
Signature of Applicant or Authorized Agent

DECLARED before me at the TOWNSHIP OF SOUTH FRONTENAC (IN THE COUNTY OF FRONTENAC)

THIS 4<sup>th</sup> DAY OF July, 2024

  
\_\_\_\_\_  
A Commissioner, etc.

**Katie Susan Kaestner, a Commissioner,  
etc., Province of Ontario, for the  
Corporation of the Township of South  
Frontenac. Expires August 14, 2024.**

**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-2024-0083  
(DICKINSON)**

**158 COYOTE 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
-  Waterbody
-  Township Boundary
-  Road

Produced by the County of Frontenac under license with the Ontario Ministry of Natural Resources © King's Printer for Ontario, 2024.

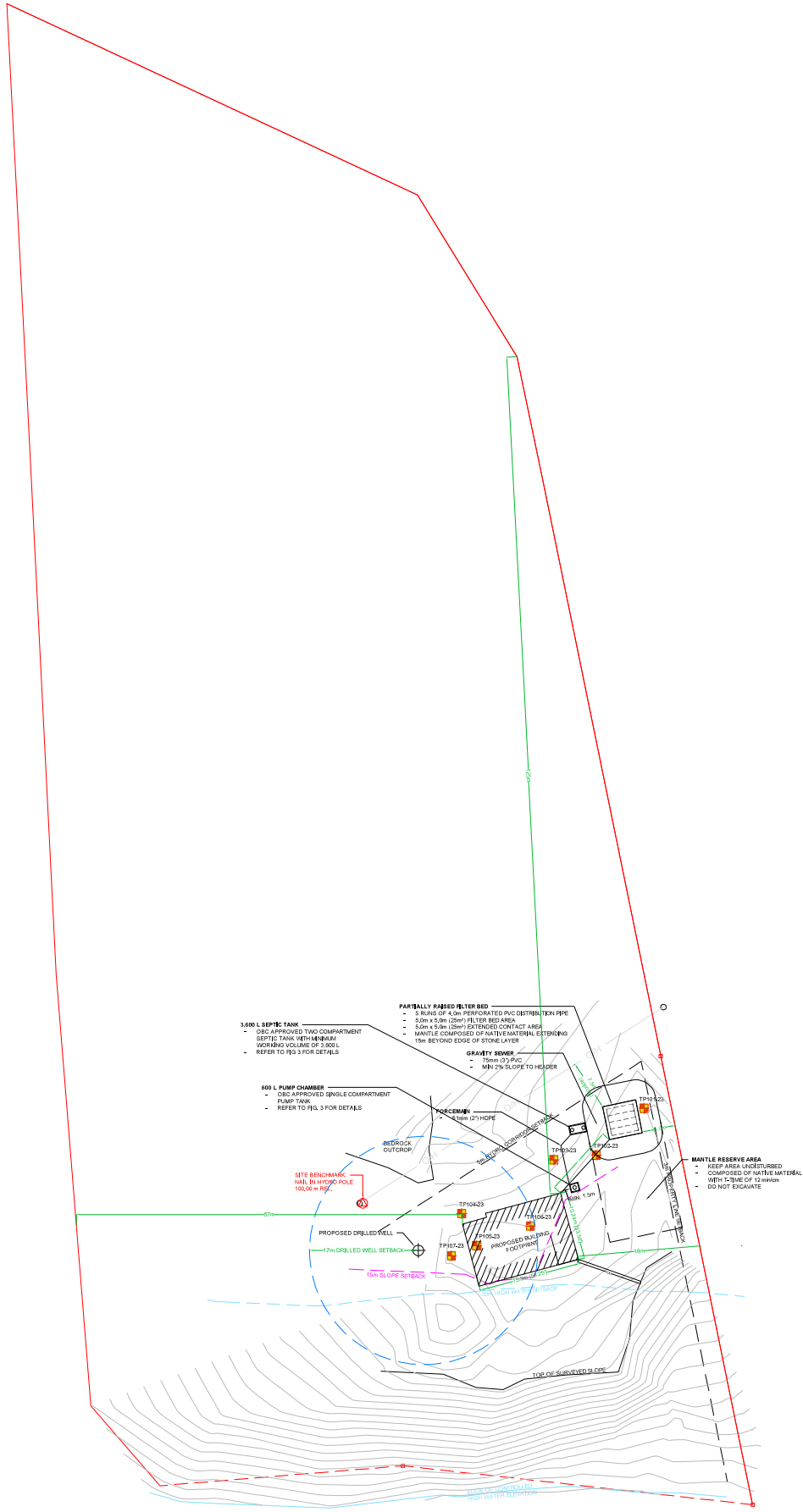
While the County makes every effort to insure that the information presented is accurate for the intended uses of this map, there is an inherent error in all mapping products, and accuracy of the mapping cannot be guaranteed for all possible uses. This map displays basic topographic features only.

Scale: 1:1,500



UTM Zone 18 NAD 83

Date: 2024-07-10



- 3,600 L SEPTIC TANK**
  - OBC APPROVED TWO COMPARTMENT SEPTIC TANK WITH MEMBRANE WORKING VOLUME OF 3,600 L
  - REFER TO FIG. 3 FOR DETAILS
- 600 L PUMP CHAMBER**
  - OBC APPROVED SINGLE COMPARTMENT PUMP TANK
  - REFER TO FIG. 3 FOR DETAILS
- PARTIALLY RAISED FILTER BED**
  - 8 RINGS OF 4.0m PERFORATED PVC DISTRIBUTION PIPE
  - 5.0m x 5.0m (25m<sup>2</sup>) FILTER BED AREA
  - 5.0m x 8.0m (20m<sup>2</sup>) EXTENDED CONTACT AREA
  - MANTLE COMPOSED OF NATIVE MATERIAL ESTIMATED 15m BEYOND EDGE OF STONE LAYER
- GRAVITY SEWER**
  - 75mm Ø 2 PVC
  - MIN 2% SLOPE TO HEADER
- MANTLE RESERVE AREA**
  - KEEP AREA UNDISTURBED
  - COMPOSED OF NATIVE MATERIAL
  - WITH 1% GRADE OF 12m MIN
  - DO NOT EXCAVATE

# Geotechnical Investigation Report

## 158 Coyote Lane



May 28, 2024

Prepared for:  
Graham Dickinson

Cambium Reference: 18758-001

CAMBIUM INC.

866.217.7900

[cambium-inc.com](http://cambium-inc.com)



**Table of Contents**

**1.0 Introduction..... 1**

1.1 Reviewed Documents ..... 1

**2.0 Site & Project Description ..... 2**

2.1 Site Description ..... 2

2.2 Project Description ..... 2

**3.0 Methodology ..... 4**

3.1 Test Pit Investigation ..... 4

3.2 Site Survey ..... 4

3.3 Physical Laboratory Testing ..... 5

**4.0 Subsurface Conditions ..... 6**

4.1 Surface Soils ..... 6

4.2 Sand to Silty Sand..... 7

4.3 Excavator Refusal ..... 8

4.4 Groundwater..... 9

**5.0 Slope Stability Assessment ..... 10**

5.1 Assessment and Observations..... 10

5.2 Existing Slope Rating ..... 11

5.3 Opinions on Potential for Instability ..... 11

5.4 Opinions on Setback Requirements ..... 11

5.5 Construction Recommendations for Slope Stability..... 12

**6.0 Geotechnical Design Considerations..... 14**

6.1 Site Preparation..... 14

6.2 Frost Penetration ..... 15

6.3 Excavations ..... 15

6.4 Dewatering ..... 16

6.5 Foundation Design ..... 17



---

6.5.1	Reinforced Slab on Grade .....	17
6.5.2	Strip and Isolated Foundations.....	17
6.5.2.1	Slab on Grade .....	18
6.6	Backfill and Compaction.....	19
6.6.1	Engineered Fill .....	19
6.7	Buried Utilities .....	20
6.8	Design Review and Inspections .....	20
<b>7.0</b>	<b>Closing .....</b>	<b>21</b>
<b>8.0</b>	<b>Standard Limitations.....</b>	<b>22</b>



## List of Tables

Table 1	Existing Surface Material Thicknesses and Types.....	7
Table 2	Particle Size Distribution Analysis – Sand to Silty Sand .....	8
Table 3	Depth of Excavator Refusal and Bedrock Elevations.....	8

## List of Appended Figures

Figure 1	Site Location Plan
Figure 2	Test Pit Location Plan

## List of Appendices

Appendix A	Test Pit Logs
Appendix B	Physical Laboratory Results
Appendix C	Slope Stability Rating Chart



## 1.0 Introduction

Cambium Inc. (Cambium) was retained by Graham Dickinson (Client) to complete a geotechnical investigation in support of the proposed developments located at 158 Coyote Lane in South Frontenac, Ontario (Site). The approximate site location is shown in Figure 1.

This report presents the methodology and findings of the investigation at the Site and addresses requirements and constraints for the design and construction of the development.

### 1.1 Reviewed Documents

The following project documents were received and reviewed during the drafting of this report:

[1] Quantum Passivhaus. – 8 Peck Street, Minden, ON (K0M 2K0)

PROGRESS SET – Project Name: Bob's Lake, Project #: 23002, Sheet #: A-000 – E1.1,  
Dated: August 9<sup>th</sup>, 2023.

[2] Quantum Passivhaus. – 8 Peck Street, Minden, ON (K0M 2K0)

SITE PLAN – Project Name: Bob's Lake, Project #: 23002, Sheet #: A-002, Dated:  
September 25<sup>th</sup>, 2023.



## **2.0 Site & Project Description**

### **2.1 Site Description**

The proposed development property is located at 158 Coyote Lane in South Frontenac, Ontario. The property contains a steep slope towards the south side and is currently unoccupied and undeveloped with the exception of the existing driveway, hydro poles, and temporary structures in proximity to the shoreline. The property is bound to the immediate north, east, and west by forested lands and to the south by Bobs Lake. The surface of the Site consists of gravel within the driveway area while grass or topsoil is generally present at the surface throughout the remainder of the property. The immediate investigation limits are variable between test pit locations but were generally flat within the areas of investigation.

### **2.2 Project Description**

It is Cambium's understanding that the proposed developments include the addition of a new two-storey residential building addition to be located within the tableland at the top of the slope. In addition to the building, it is understood that a septic system is proposed to be located east of the proposed building.

The geotechnical investigation was required to confirm the existing subsurface conditions, groundwater conditions, and soil bearing capacity as input into the design and construction of the proposed developments. Geotechnical recommendations such as the potential re-use of soils, frost penetration, groundwater elevation, and dewatering are provided along with Site Plans, including test pit locations, in Figure 2 of this report.

A wastewater investigation and septic system design was requested and completed in conjunction with the geotechnical investigation. Results and analysis from the wastewater investigation are to be presented under a separate cover to be issued by Cambium. This report should be read in conjunction with the wastewater report to obtain a comprehensive understanding of the existing site conditions and recommendations for the proposed developments.



It is understood that the Client is considering a minor variance application to allow the proposed building to be constructed approximately 10 meters from the existing top of slope and within the 15-meter top of slope setback. To support the variance application, it is understood that the Rideau Valley Conservation Authority has requested a slope stability analysis. As such, this report has been updated to include findings and analysis from the visual slope stability assessment, completed simultaneously with the geotechnical investigation, and opinions on the feasibility of the proposed developments with relevant construction recommendations.



### **3.0 Methodology**

The geotechnical investigation and slope stability assessment were conducted at the Site by Cambium on September 26, 2023. Test pits were advanced nearby the proposed development footprints as shown in Figure 2.

#### **3.1 Test Pit Investigation**

A total of seven test pits, designated as TP101-23 through TP107-23 were strategically placed and advanced throughout the site at locations approved by the Client to depths between approximately 0.3 to 1.2 meters below ground surface (mbgs). Test pits were terminated after excavator refusal was encountered.

Excavating and sampling of the test pits was completed using an excavator operating under the supervision of a Cambium technician. Soil samples were collected whenever a change in soil type occurred, starting directly from the surface material. The encountered soil units were logged in the field using visual and tactile methods, and samples were placed in labelled plastic bags for transport, future reference, possible laboratory testing, and storage. Open test pits were checked for groundwater and general stability prior to backfilling. All test pits were backfilled, and the property was reinstated to pre-existing conditions.

Test pit logs are provided in Appendix A. Site soil and groundwater conditions are described, and geotechnical recommendations are discussed in the following sections of this report.

#### **3.2 Site Survey**

Test pit locations are shown in Figure 2. The location of each test pit was referenced locally by a Cambium technician using a Total Station surveying unit. UTM coordinates and relative elevations are included on the test pit logs provided in Appendix A. A nail installed within an existing hydro pole was used as a benchmark for the survey. The benchmark is depicted as 'BM' on Figure 2 and was assigned an elevation of 100.00 m.REL.

A 15 m top of slope setback and a 30 m high water mark setback were surveyed and staked out in the field, as requested by the Client. All relevant setbacks are depicted on Figure 2.



### **3.3 Physical Laboratory Testing**

Physical laboratory testing, consisting of three sieve analysis (LS-702) was completed on selected soil samples to confirm textural classification and to assess geotechnical parameters. Moisture content testing was completed on all soil samples. Results are presented in Appendix B and are discussed in Section 4.0.



## 4.0 Subsurface Conditions

The stratigraphy encountered in the test pits is indicated on the attached test pit logs in Appendix A. It is noted that the conditions indicated on the test pit logs are for specific locations only and can vary between and beyond the test pit locations. The soil boundaries indicated on the test pit logs are inferred from non-continuous sampling and observations during excavations. These boundaries are intended to reflect approximate transition zones and should not be interpreted as exact planes of geological change. In addition, the descriptions provided in the test pit logs are inferred from a variety of factors, including visual observations of the soil samples retrieved, laboratory testing, measurements prior to and after excavating, and the excavating process itself.

The subsurface conditions at the Site generally consisted of a gravel or topsoil surface material underlain by sand to silty sand soils that extended to test pit termination depths. Excavator refusal was encountered in all test pits advanced. The various soil strata are described in detail below and are identified on the test pit logs included in Appendix A.

### 4.1 Surface Soils

Test pits TP103-23, TP104-23, and TP107-23 were advanced through the existing gravel surface material while the remaining test pits were advanced within grassed areas through organic materials. The encountered surface material thicknesses are summarized in Table 1 below.



**Table 1 Existing Surface Material Thicknesses and Types**

Test Pit	Thickness (mm)	Surface Material
TP101-23	200	Topsoil
TP102-23	200	Topsoil
TP103-23	150	Gravel
TP104-23	150	Gravel
TP105-23	125	Topsoil
TP106-23	100	Topsoil
TP107-23	400	Gravel/Topsoil

Analysis of the organic content within the topsoil materials was beyond the scope of this investigation.

## 4.2 Sand to Silty Sand

Underlying the surficial gravel or topsoil, sand to silty sand soils were encountered in all test pits advanced. The sand to silty sand soils generally contained trace to some gravel content in addition to trace amounts of clay content and extended to termination depths in all test pits.

The sand to silty sand soils were light brown to reddish-brown in colour and were moist at the time of the investigation with natural moisture content ranging between 5.2 to 16.5% based on laboratory testing.

Laboratory particle size distribution analysis was completed for three samples of the sand to silty sand soils, taken from the test pits and depths indicated below. The analysis results, based on the Unified Soil Classification System (USCS) scale, are summarized in Table 2 with full results provided in Appendix B.



**Table 2 Particle Size Distribution Analysis – Sand to Silty Sand**

Sample	Depth (mbgs)	Soil	Gravel (%)	Sand (%)	Silt (%) Clay (%)	Moisture (%)
TP102-23, GB1	0.2 – 0.5	Sand some Gravel some Silt	7	81	12	12.7
TP105-23, GB1	0.1 – 0.8	Silty Sand trace Gravel	5	74	21	11.6
TP107-23, GB1	0.4 – 1.1	Silty Sand some Gravel	7	79	14	7.5

### 4.3 Excavator Refusal

Excavator refusal was encountered in all the test pits advanced. Excavator refusal was caused by granitic bedrock. Table 3 shows the depths of excavator refusal and associated bedrock elevations for each test pit.

**Table 3 Depth of Excavator Refusal and Bedrock Elevations**

Test Pit ID	Test Pit Elevation (mREL)	Practical Refusal Depth (mbgs)	Practical Refusal Elevation (mREL)
TP101-23	98.08	1.22	96.86
TP102-23	98.37	0.76	97.61
TP103-23	99.17	0.51	98.66
TP104-23	98.78	0.30	98.48
TP105-23	98.12	0.76	97.36
TP106-23	98.49	0.41	98.08
TP107-23	98.22	1.07	97.15



#### **4.4 Groundwater**

At the time of the investigation, groundwater seepage was not encountered within any test pit advanced during the investigation. Based on these results, it is inferred that the stable groundwater level is located within the bedrock.

It should be noted that groundwater levels at the Site may fluctuate seasonally and in response to climatic events.



## 5.0 Slope Stability Assessment

A visual slope stability assessment was completed at the Site where Cambium observed the existing slope conditions and determined the slope stability rating as per the Ontario Ministry of Natural Resources (MNR) Technical Guide - River and Stream Systems: Erosion Hazard Limit (henceforth referred to as the MNR Technical Guide) guidelines.

For the purposes of this report, the slope evaluated extends from south of the existing tableland (top of slope) to the Bobs Lake shoreline or north of the shoreline (toe of slope), as shown in Figure 2. It should be noted that the locations of the evaluated top and bottom of slope are approximate and were determined based on visual observations and measurements made during the assessment.

General information pertaining to the existing slope features such as slope profile, slope drainage, vegetation cover, structures on or in the vicinity of the slopes, erosion features, and potential slope slide features were noted during the inspections. A summary is provided in the sections below.

### 5.1 Assessment and Observations

The existing slope contains a maximum height of approximately 6.5 m with the maximum gradient of the slope measuring approximately 20° (1V:2.8H).

The tableland within the vicinity of the existing and proposed structures was relatively flat with minor changes in elevation. The surface of the tableland contained grass, bush, and occasional trees along the perimeter. The tableland was devoid of structures with the exception of existing hydro poles and a gravel driveway. No permanent structures were observed along the slope face or at the toe of slope. A seasonal dock was observed at the shoreline of Bobs Lake. Gentle landscaping features such as a natural walking path were observed along the slope crest, face, or toe during the field investigation.

Assessment of the soil stratigraphy at the property was based on visual observations and test pits excavated within the proposed development footprints at the tableland. Based on the observations made during the investigation, the soil cover on the slope consists of a thin layer



of organic topsoil (generally less than 0.3 m) overlying bedrock. In some locations, exposed bedrock was observed directly at the surface along the slope face.

The slope face was noted to be heavily vegetated with a mixture of mature trees and undergrowth that has resulted in a healthy root system across the entire face of the slope. Weathered bedrock outcrops were frequently observed throughout the tableland, face, and toe of slope.

No active erosion was noted along the slope toe, face, or crest. No evidence of drainage or seepage associated with instability was noted throughout the slope toe, face, or crest at the time of inspection. Water course features were not observed. There are no previous signs of landslide activity.

## **5.2 Existing Slope Rating**

Based on Section 4.3.2. in the MNR Technical Guide, the existing slope has a rating of 18. Overall, the slope is considered to have a low risk of global instability. A copy of the completed rating chart is provided in Appendix C.

## **5.3 Opinions on Potential for Instability**

Based on the results of our site inspections and measurements, it is anticipated that the factor of safety of the subject slope in its existing configuration significantly exceeds the 1.5 minimum required to allow for active land use near the slope crest, as per Section 4.3.3.1. in the MNR Technical Guide. Further analysis using accepted software technologies is not considered necessary for the slope in question given the composition of the slope face. Further construction recommendations are provided in the following sections.

## **5.4 Opinions on Setback Requirements**

As per Section 3.0 in the MNR Technical Guide, the system observed within the proposed development property can be classified as a confined system. As such, the Erosion Hazard Limit, or Limit of Hazardous Lands, can generally be determined as the sum of the Toe Erosion Allowance, Stable Slope Allowance, and Erosion Access Allowance.



As per Table 3 in Section 3.1 of the MNR Technical Guide, the Toe Erosion Allowance can conservatively be taken as 1 m from the toe of the bank.

As per Section 3.2 of the MNR Technical Guide, the Stable Slope Allowance can be used to determine the long-term stable slope crest (LTSSC). Based on the overburden material consisting of a thin layer of organic material overlying bedrock along the slope face, Cambium considers the Stable Slope Allowance or LTSSC as an invisible line extending from the existing slope toe at a 1H:1V angle to the top of the slope or the existing top of slope, whichever is greater. As the grades of the slope in question are flatter than 1H:1V, the existing slope crest or top of slope can be considered the LTSSC.

As per Section 3.3 in the MNR Technical Guide the Erosion Access Allowance can generally be taken as 6 m behind the Stable Slope Allowance or LTSSC. As such, given that the LTSSC is considered the existing slope crest or top of slope for this Site, the Erosion Access Allowance can be taken as 6 m landward from the existing slope crest or top of slope.

Based on the allowances described above and considering that the Stable Slope Allowance and LTSSC were determined using Cambium's engineering judgement and experience, the Erosion Hazard Limit or Limit of Hazardous Lands for this Site can be taken as approximately 6 m landward from the existing slope crest or top of slope.

As such, provided the proposed building is constructed a minimum of 6 m from the existing top of slope, the existing slope should remain stable in its current condition. It is Cambium's understanding that the proposed building is to be constructed a minimum of 10 meters from the existing slope crest or top of slope. Therefore, it is Cambium's opinion that the proposed developments will not impact the stability of the existing slope in its current configuration and a reduced setback requirement of 10 m from the existing top of slope is suitable for the proposed developments.

## **5.5 Construction Recommendations for Slope Stability**

Based on the results of the investigations, it is Cambium's opinion that the proposed building will not impact the stability of the slope or result in the introduction of active erosion. However,



construction operations should consider the following recommendations to maximize the long-term stability and integrity of the existing slope:

- No trees are to be removed from the existing slope face and the existing slope may not be steepened in any way with fill material. Where fill material is placed to level out the grades around the proposed building, it should be placed to maintain the existing slope gradient or provide a shallower gradient. Fill placed on top of bedrock should be secured by utilizing a retaining structure dowelled or keyed into the bedrock surface.
- Construction activities should be conducted in a manner which do not result in surface erosion of the thin layer of overlying soils on the slope. Site grading and drainage should be designed to prevent direct concentrate or channelized surface runoff from flowing directly over the slope.
- Upon completion of the construction of the proposed building, vegetation cover is to be provided for all new or disturbed surface material at the top of the slope.
- Water drainage from down-spouts, rain gutters, sumps, and the like should not be permitted to directly flow over the slope crest as channelized runoff.



## 6.0 Geotechnical Design Considerations

This section of the report provides engineering information on, and recommendations for, the geotechnical design aspects of the project based on our interpretation of the test pit information, the laboratory test data, and our understanding of the project requirements. The information in this portion of the report is provided for planning and design purposes for the guidance of the design engineers and architects. Where comments are made on construction, they are provided only to highlight aspects of construction which could affect the design of the project. Contractors bidding on or undertaking any work at the Site should examine the factual results of the investigation, satisfy themselves as to the adequacy of the information for construction and make their own independent interpretation of the factual data as it affects their proposed construction techniques, schedule, equipment capabilities, costs, sequencing, and the like. Cambium will not assume any responsibility for construction-related decisions made by contractors based on this report.

### 6.1 Site Preparation

Any topsoil, organic fill, and any other disturbed material or native soils encountered should be excavated and removed beneath the proposed development footprints; additionally, this material should be excavated and removed to a minimum distance of 1 meter around the proposed footprint. Any topsoil and materials with significant quantities of organics and deleterious materials (i.e., construction debris, asphalt etc.) are not appropriate for use as fill. Utility trench subgrades should be inspected by a qualified geotechnical engineer prior to construction of the proposed developments.

Any exposed subgrades should be proof-rolled and inspected by a qualified geotechnical engineer prior to placement of any granular fill. Any loose/soft soils identified at the time of proof-rolling that are unable to uniformly be compacted should be sub-excavated and removed. The excavations created through the removal of these materials should be backfilled with approved engineered fill consistent with the recommendations provided below.



The encountered sand to silty sand soils can be unstable if they are wet or saturated. Such conditions are common in the spring and late fall. Under these conditions, temporary use of granular fill, and possible reinforcing geotextiles, may be required to prevent severe rutting on construction access routes. Where possible, any existing roadways should be used for construction access routes.

## 6.2 Frost Penetration

Based on climate data and design charts, the maximum frost penetration depth below the surface at the site is estimated at 1.6 mbgs given the building type and subsurface conditions encountered. Utilities should be founded at or below a depth of 1.6 mbgs, upon free-draining granular fill extending to below 1.6 mbgs or be adequately insulated.

Intensely fractured and weathered bedrock is considered frost susceptible. If encountered at footing subgrades, the material should be excavated to moderately fractured bedrock to ensure footings are placed on non-frost susceptible, clean, sound bedrock which is not frost susceptible.

Any services should be located below this depth or be appropriately insulated.

## 6.3 Excavations

All excavations must be carried out in accordance with the latest edition of the Occupational Health and Safety Act (OHSA) and Ontario Regulation 213/91 (as amended).

Soils above the groundwater table can be considered Type 3 soils and as such, excavation side slopes should be no steeper than 1H:1V. Soils below the groundwater table should be treated as Type 4 soils and therefore excavation side slopes should be decreased to 3H:1V in these areas. Given that groundwater was not encountered within the investigation and is unlikely to be encountered during construction operations depending on the proposed depth, all soils can be considered Type 3 soils.

Where the side slopes consist of more than one soil type, the soil shall be classified as the type with the highest number among the soil types present. Please note that the soil type



classifications indicated above are provisional and are subject to change based on field observations of the actual conditions at the time of exposure.

Excavation slopes should be protected during construction from precipitation, runoff, or snow/ice melt and should be inspected regularly for signs of instability. If localized instability is noted during excavation or if wet conditions are encountered, the side slopes should be flattened as required to maintain safe working conditions or the excavation sidewalls must be fully supported (shored).

Stockpiles of excavated materials should be kept at least at the same distance as the excavation depth from the top edge of the excavation to prevent slope instability. Care should also be taken to avoid overloading of any existing underground services/structures by stockpiles.

#### **6.4 Dewatering**

Based on the results of the investigation, groundwater seepage is unlikely to be encountered during excavations and the installation of underground services or foundations depending on the proposed design.

Groundwater was not encountered within any test pit advanced during the investigation. Standing water was not observed within any open test pit. Given this, it is inferred that the stable groundwater table is embedded within the underlying bedrock. Unless excavations extend into the bedrock, it is unlikely that groundwater will be encountered during construction operations. If groundwater is encountered during excavations due to surficial run off, it should be manageable with filtered sumps and pumps and a Permit to Take Water (PTTW) from the Ministry of the Environment, Conservation, and Parks (MECP) is not anticipated to be required based on the assumed typical excavation depths.

Any patterns of groundwater flow trends were not recognized based on the test pit observations and a hydrogeological study would be required to understand groundwater patterns and specific dewatering requirements throughout the site.



It is noted that the elevation of the groundwater table will vary due to seasonal conditions and in response to heavy precipitation events.

## **6.5 Foundation Design**

### **6.5.1 Reinforced Slab on Grade**

It is understood that the Client is proposing to utilize a reinforced slab on grade overlying approximately 12 inches of EPS product. Based on the provided drawings, the EPS product is to be underlain by engineered fill which will extend to native material or bedrock. Based on the bedrock depths encountered throughout the building footprint, Cambium recommends excavations for the slab extend to bedrock. A minimum of 300 mm of engineered fill shall be placed and compacted as outlined in Section 6.6.1 directly on a clean, sound bedrock surface. A reinforced slab on grade designed as outlined above may be designed using a bearing capacity of 125 kPa (SLS) and 150 kPa (ULS).

A reinforced slab on grade bearing on engineered fill overlying bedrock and designed using the bearing capacities noted above will have a settlement potential at the above-noted SLS loadings of less than 25 mm.

### **6.5.2 Strip and Isolated Foundations**

Should the proposed design be altered, from a geotechnical perspective, the proposed building can generally be supported on standard strip and/or spread footings founded on competent bedrock, depending on the proposed design.

Foundations bearing on competent bedrock may be designed for an allowable bearing capacity of 500 kPa at ultimate limit state (ULS). Considering bedrock is non-yielding the load required for 25 mm of compression would exceed the capacity of the founding element. Therefore, the geotechnical reaction at SLS should be assumed equal to the factored geotechnical resistance at ULS for design purposes.



Under no circumstances will the foundations be placed directly on organic materials, loose, frozen subgrade, construction debris, or within ponded water. Footings and walls exposed to frost action shall be backfilled with OPSS 1010 Granular B Type I.

The quality of the subgrade should be inspected by Cambium during construction, prior to constructing the footings, to confirm bearing capacity estimates.

#### 6.5.2.1 Slab on Grade

If a conventional strip and isolated foundation system is utilized and slab on grades are required between foundations, all organic material and deleterious material must be removed prior to constructing the slab on grade. It is recommended that the slab be provided with a capillary moisture barrier. This is made by placing the slab on a minimum 200 mm layer of clear stone and nominally compacted by vibration to a dense state. Alternatively, the capillary moisture barrier can be composed of a 200 mm thick layer of OPSS.MUNI 1010 Granular A, compacted to a minimum 98% of the SPMDD. Under slab drainage is not required beyond the capillary moisture barrier provided the floor slab elevation is set at 300 mm or higher than the exterior grade.

The modulus of subgrade reaction appropriate for slab on grade design on the soils at the site is as follows:

Subgrade Material	Underlying Material	Subgrade Reaction
Granular A / Clearstone	Engineered Fill Over Bedrock	30 mPa/m

The subgrade for the slab must be inspected and approved by Cambium, prior to the placement of an aggregate base. If there are areas containing excessive amounts of deleterious/organic material or moisture, they must be locally sub-excavated and backfilled with approved clean earth fill or Engineered Fill such as OPSS Granular B (Type I or II) and compacted to a minimum of 98% SPMDD.



## 6.6 Backfill and Compaction

Excavated native soil not containing organics or significant deposits of silt may be appropriate for use as fill below grading areas, provided that the actual or adjusted moisture content at the time of construction is within a range that permits compaction to required densities. Some moisture content adjustments may be required depending upon seasonal conditions.

Geotechnical inspections and testing of engineered fill are required to confirm acceptable quality. Onsite materials containing significant deposits of silt and clay may be re-used for landscaping purposes at the discretion of a landscape architect.

Foundation wall backfill, if any, should consist of free-draining imported granular material as required. If onsite soils are not sufficiently free draining, this should be accomplished using well graded Granular B Type I or II material complying with OPSS 1010. If a drainage layer membrane is used against the foundation, then Granular B material may not be required, but the proposed backfill material should be inspected and approved by a geotechnical engineer prior to placement. Backfill should be placed in lifts not exceeding 200 mm in thickness and compacted to 98% of SPMDD. Placement of engineered fill should be verified by onsite compaction testing during construction.

### 6.6.1 Engineered Fill

When the fill is treated as an engineered fill to support structural elements such as foundations and or floor slabs, the following is recommended for the construction of engineered fill:

- I. Remove any and all existing vegetation, surficial topsoil/ organics, organic fills or fills and any loose soils to a competent subgrade for a suitable envelope;
- II. As a minimum, the area of the engineered fill should extend horizontally 1 meter beyond the outside edge of the foundations then extend downward at a 1:1 slope to the competent native soil;
- III. The subgrade or base of the engineered fill area must be approved by Cambium prior to placement of any new fill, to ensure that suitability of subgrade conditions;



- IV. Place approved OPSS 1010 SSM or Granular 'B' Type I material at a moisture content at or near optimum moisture in suitable maximum 200 mm thick lifts, compacted to 100% of SPMDD. Any frost penetration into the fill material must be removed prior to placement of subsequent lifts of fill and reviewed by Cambium;
- V. Full time testing and inspection of the engineered fill will be required for it to be used as a founding material, as outlined in Section 4.2.2.2 of the Ontario Building Code.

## 6.7 Buried Utilities

Trench excavations above the groundwater table should generally consider Type 3 soil conditions, which require side slopes no steeper than 1H:1V, otherwise shoring would be required. Any excavations below the water table should generally consider Type 4 soil conditions which require side slopes of 3H:1V or flatter or shoring.

Bedding and cover material for any services should consist of OPSS 1010 Granular A or B Type II, placed in accordance with pertinent Ontario Provincial Standard Drawings (OPSD 802.013). The bedding and cover material shall be placed in maximum 200 mm thick lifts and should be compacted to at least 98% of SPMDD. The cover material shall be a minimum of 300 mm over the top of the pipe and compacted to 98% of SPMDD, taking care not to damage the utility pipes during compaction. If bedding is being placed in wet conditions consideration should be given to using 19 mm crushed clear stone underlain by a geotextile (Terrafix 270R or similar).

## 6.8 Design Review and Inspections

Testing and inspections should be carried out during construction operations to examine and approve subgrade conditions, fill material, compaction of pipe bedding, trench backfill, granular base courses, and asphaltic concrete.

We should be contacted to review and approve design drawings to ensure that all pertinent geotechnical-related factors have been addressed. It is important that onsite geotechnical supervision be provided at this site for excavation and backfill procedures, deleterious soil removal, subgrade inspections and compaction testing.




## 7.0 Closing


Please note that this work program and report are governed by the attached Qualifications and Limitations. If you have questions or comments regarding this document, please do not hesitate to contact the undersigned at (613) 389-2323.

Respectfully submitted,


### Cambium Inc.

DocuSigned by:  
  
82DA9E6BA74B41F...

Farhan Imtiaz, E.I.T.  
Geotechnical Engineer-in-Training, Project  
Coordinator

DocuSigned by:  
  
40D3C213F112455...

Mackenzie Garrison, M.Eng., P.Eng.  
Geotechnical Engineer, Senior Project  
Manager – Team Lead

DocuSigned by:  
  
0B68D45279A94B7...

Stuart Baird, M.Eng., P.Eng.  
Director of Technical Operations, Services

MG/sb



## 8.0 Standard Limitations

### Limited Warranty

In performing work on behalf of a client, Cambium relies on its client to provide instructions on the scope of its retainer, and, on that basis, Cambium determines the precise nature of the work to be performed. Cambium undertakes all work in accordance with applicable accepted industry practices and standards. Unless required under local laws, other than as expressly stated herein, no other warranties or conditions, either expressed or implied, are made regarding the services, work or reports provided.

### Reliance on Materials and Information

The findings and results presented in reports prepared by Cambium are based on the materials and information provided by the client to Cambium and on the facts, conditions and circumstances encountered by Cambium during the performance of the work requested by the client. In formulating its findings and results into a report, Cambium assumes that the information and materials provided by the client or obtained by Cambium from the client or otherwise are factual, accurate and represent a true depiction of the circumstances that exist. Cambium relies on its client to inform Cambium if there are changes to any such information and materials. Cambium does not review, analyze, or attempt to verify the accuracy or completeness of the information or materials provided, or circumstances encountered, other than in accordance with applicable accepted industry practice. Cambium will not be responsible for matters arising from incomplete, incorrect, or misleading information or from facts or circumstances that are not fully disclosed to or that are concealed from Cambium during the provision of services, work, or reports.

Facts, conditions, information, and circumstances may vary with time and locations and Cambium's work is based on a review of such matters as they existed at the particular time and location indicated in its reports. No assurance is made by Cambium that the facts, conditions, information, circumstances, or any underlying assumptions made by Cambium in connection with the work performed will not change after the work is completed and a report is submitted. If any such changes occur or additional information is obtained, Cambium should be advised and requested to consider if the changes or additional information affect its findings or results.

When preparing reports, Cambium considers applicable legislation, regulations, governmental guidelines, and policies to the extent they are within its knowledge, but Cambium is not qualified to advise with respect to legal matters. The presentation of information regarding applicable legislation, regulations, governmental guidelines, and policies is for information only and is not intended to and should not be interpreted as constituting a legal opinion concerning the work completed or conditions outlined in a report. All legal matters should be reviewed and considered by an appropriately qualified legal practitioner.

### Site Assessments

A site assessment is created using data and information collected during the investigation of a site and based on conditions encountered at the time and particular locations at which fieldwork is conducted. The information, sample results and data collected represent the conditions only at the specific times at which and at those specific locations from which the information, samples and data were obtained and the information, sample results and data may vary at other locations and times. To the extent that Cambium's work or report considers any locations or times other than those from which information, sample results and data was specifically received, the work or report is based on a reasonable extrapolation from such information, sample results and data but the actual conditions encountered may vary from those extrapolations.

Only conditions at the site and locations chosen for study by the client are evaluated; no adjacent or other properties are evaluated unless specifically requested by the client. Any physical or other aspects of the site chosen for study by the client, or any other matter not specifically addressed in a report prepared by Cambium, are beyond the scope of the work performed by Cambium and such matters have not been investigated or addressed.

### Reliance

Cambium's services, work and reports may be relied on by the client and its corporate directors and officers, employees, and professional advisors. Cambium is not responsible for the use of its work or reports by any other party, or for the reliance on, or for any decision which is made by any party using the services or work performed by or a report prepared by Cambium without Cambium's express written consent. Any party that relies on services or work performed by Cambium or a report prepared by Cambium without Cambium's express written consent, does so at its own risk. No report of Cambium may be disclosed or referred to in any public document without Cambium's express prior written consent. Cambium specifically disclaims any liability or responsibility to any such party for any loss, damage, expense, fine, penalty or other such thing which may arise or result from the use of any information, recommendation or other matter arising from the services, work or reports provided by Cambium.

### Limitation of Liability

Potential liability to the client arising out of the report is limited to the amount of Cambium's professional liability insurance coverage. Cambium shall only be liable for direct damages to the extent caused by Cambium's negligence and/or breach of contract. Cambium shall not be liable for consequential damages.

### Personal Liability

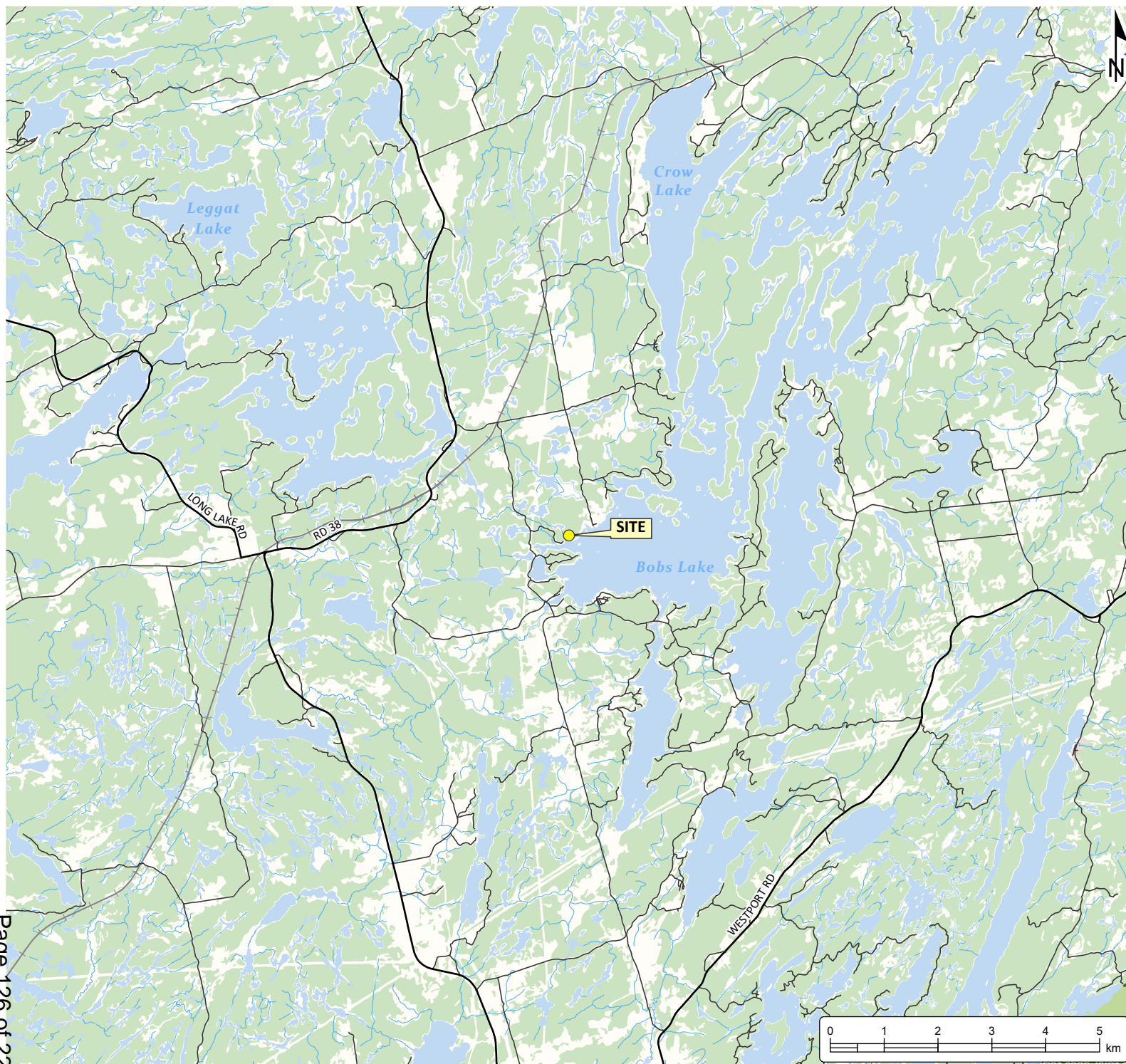
The client expressly agrees that Cambium employees shall have no personal liability to the client with respect to a claim, whether in contract, tort and/or other cause of action in law. Furthermore, the client agrees that it will bring no proceedings nor take any action in any court of law against Cambium employees in their personal capacity.



---

## Appended Figures

---



**GEOTECHNICAL INVESTIGATION**  
**GRAHAM DICKINSON**  
 158 Coyote Lane  
 Frontenac, Ontario

**LEGEND**

-  Major Road
-  Minor Road
-  Railway
-  Watercourse
-  Provincial Park
-  Water Area
-  Wooded Area
-  Built Up Area

**Notes:**  
 - Features on map are Produced under License with the Ontario Ministry of Natural Resources and Forestry @King's Printer for Ontario, 2022  
 - Distances on this plan are in metres and can be converted to feet by dividing by 0.3048.  
 - Cambium Inc. makes every effort to ensure this map is free from errors but cannot be held responsible for any damages due to error or omissions. This map should not be used for navigation or legal purposes. It is intended for general reference use only.



194 Sophia Street  
 Peterborough, Ontario, K9H 1E5  
 Tel: (705) 742.7900 Fax: (705) 742.7907  
 www.cambium-inc.com

**SITE LOCATION PLAN**

Project No.:	18758-001	Date:	November 2023
Scale:	1:100,000	Rev.:	
Created by:	MAT	Projection:	NAD 1983 UTM Zone 17N
Checked by:	MG	Figure:	<b>1</b>

**GEOTECHNICAL INVESTIGATION**  
**GRAHAM DICKINSON**  
 158 Coyote Lane,  
 South Frontenac, Ontario



**LEGEND**

- Benchmark
- Test Pit
- Iron Bar/Property Boundary Marker
- Drilled Well (proposed)
- Contour Line (0.5m intervals)
- Overhead Hydro Lines
- Property Line
- Edge of High Water

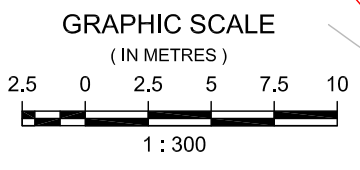
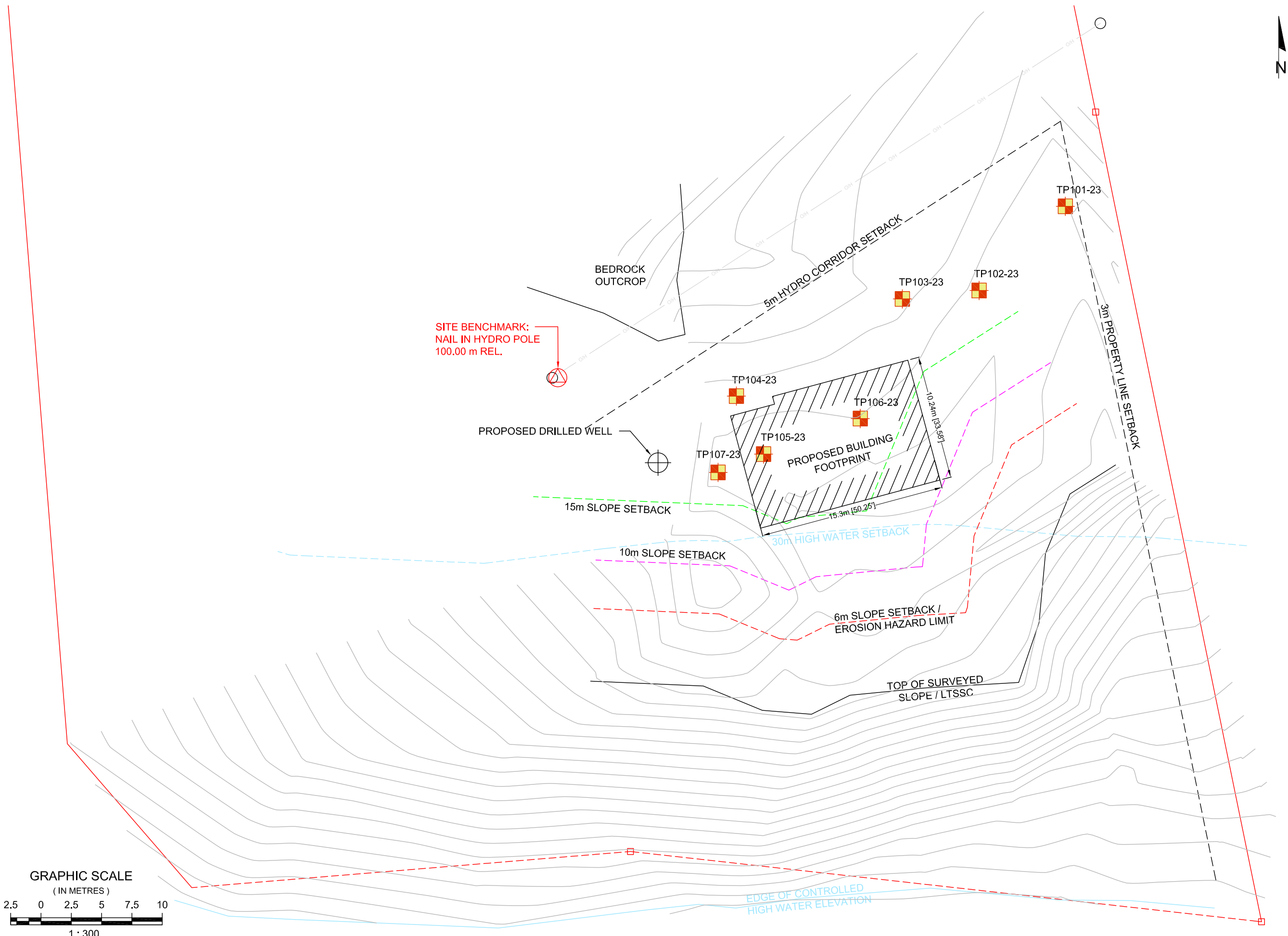
- Notes:
1. Survey completed by Cambium Inc. September 26, 2023.
  2. Distances on this plan are in metres and can be converted to feet by dividing by 0.3048.
  3. This plan is for illustrative purposes only.

REVISION	REVISED BY	DATE



**EXISTING SITE PLAN**

Project No.: 18758-001	Date: May 2024	Rev.: N/A
Horizontal Scale: 1:300	Vertical Scale: N/A	
Drawn By: MAT	Checked By: MG	Figure: <b>2</b>





---

**Appendix A**  
**Test Pit Logs**

---



**Client:** Graham Dickinson  
**Contractor:** Canadian Environmental Drilling  
**Project No.:** 18758-001  
**Location:** 158 Coyote Lane

**Project Name:** 158 Coyote Lane  
**Method:** Test Pit  
**Elevation:** 98.08 mREL  
**UTM:** 18T N: 4953953 E: 845303

**Log of Borehole:** TP101-23  
**Page:** 1 of 1  
**Date Completed:** Sept. 26, 2023

SUBSURFACE PROFILE				SAMPLE								Well Installation	Log Notes		
Elevation (m)	Depth	Lithology	Description	Elevation Depth	Number	Type	% Recovery	SPT (N)	Atterberg Limits (%)					Shear Strength Cu, kPa	
									25	50	75	20	40	60	80
98.1	0		TOPSOIL: 200 mm Topsoil	97.88											
			(SM) SILTY SAND: light brown, moist, trace gravel, trace clay	0.2	1	GB				5.2%					
97.6	0.5		increase in gravel content		2	GB				5.5%					
97.1	1		Borehole terminated @ 1.2 mbgs due to excavator refusal.	96.86											
96.6	1.5			1.22											
96.1	2														
95.6	2.5														
95.1	3														
94.6	3.5														
94.1	4														

Test pit terminated on bedrock. Test pit caving not observed. Groundwater not encountered. Standing water not observed.

GRAINSIZE DISTRIBUTION [SAMPLE] GRAVEL SAND SILT CLAY

1m = 45 units

Logged By: FI

Input By: FI

Peterborough, Barrie, Oshawa, Kingston, Ottawa



**Client:** Graham Dickinson  
**Contractor:** Canadian Environmental Drilling  
**Project No.:** 18758-001  
**Location:** 158 Coyote Lane

**Project Name:** 158 Coyote Lane  
**Method:** Test Pit  
**Elevation:** 98.37 mREL  
**UTM:** 18T N: 4953945 E: 845296

**Log of Borehole:** TP102-23  
**Page:** 1 of 1  
**Date Completed:** Sept. 26, 2023

SUBSURFACE PROFILE				SAMPLE								Well Installation	Log Notes			
Elevation (m)	Depth	Lithology	Description	Elevation Depth	Number	Type	% Recovery	SPT (N)	Atterberg Limits (%)					Shear Strength Cu, kPa		
									LL	PL	PI			nat V.	rem V.	
98.4	0		TOPSOIL: 200 mm Topsoil	98.17												
			(SM) SILTY SAND: reddish-brown, moist, trace gravel, trace clay	0.2												
97.9	0.5				1	GB				5.1%						
			Borehole terminated @ 0.8 mbgs due to excavator refusal.	0.76												
97.4	1															
96.9	1.5															
96.4	2															
95.9	2.5															
95.4	3															
94.9	3.5															
94.4	4															

GRAINSIZE DISTRIBUTION	SAMPLE	GRAVEL	SAND	SILT	CLAY
	GB1	3	78	16	3

Test pit terminated on bedrock. Test pit caving not observed. Groundwater not encountered. Standing water not observed.



**Client:** Graham Dickinson      **Project Name:** 158 Coyote Lane  
**Contractor:** Canadian Environmental Drilling      **Method:** Test Pit  
**Project No.:** 18758-001      **Elevation:** 99.17 mREL  
**Location:** 158 Coyote Lane      **UTM:** 18T    **N:** 4953944    **E:** 845290

**Log of Borehole:** TP103-23  
**Page:** 1 of 1  
**Date Completed:** Sept. 26, 2023

SUBSURFACE PROFILE				SAMPLE								Well Installation	Log Notes			
Elevation (m)	Depth	Lithology	Description	Elevation Depth	Number	Type	% Recovery	SPT (N)	Atterberg Limits (%)					Shear Strength Cu, kPa		
									25	50	75			20	40	60
99.2	0		(GP) GRAVEL: 150 mm Gravel	99.02												
			(SP) SAND: reddish-brown, moist, some gravel, some silt	0.15	1	GB			12.7%							
98.7	0.5		Borehole terminated @ 0.5 mbgs due to excavator refusal.	0.51												
98.2	1															
97.7	1.5															
97.2	2															
96.7	2.5															
96.2	3															
95.7	3.5															
95.2	4															

GRAINSIZE DISTRIBUTION	SAMPLE	GRAVEL	SAND	SILT	CLAY
	GB1	7	81	12	

Test pit terminated on bedrock. Test pit caving not observed. Groundwater not encountered. Standing water not observed.

Logged By: FI

Input By: FI

Peterborough, Barrie, Oshawa, Kingston, Ottawa



**Client:** Graham Dickinson  
**Contractor:** Canadian Environmental Drilling  
**Project No.:** 18758-001  
**Location:** 158 Coyote Lane

**Project Name:** 158 Coyote Lane  
**Method:** Test Pit  
**Elevation:** 98.78 mREL  
**UTM:** 18T **N:** 4953936 **E:** 845276

**Log of Borehole:** TP104-23  
**Page:** 1 of 1  
**Date Completed:** Sept. 26, 2023

SUBSURFACE PROFILE				SAMPLE								Well Installation	Log Notes			
Elevation (m)	Depth	Lithology	Description	Elevation Depth	Number	Type	% Recovery	SPT (N)	Atterberg Limits (%)					Shear Strength Cu, kPa		
									25	50	75			20	40	60
98.8	0		(GP) GRAVEL: 150 mm Gravel	98.63												
			(SP) SAND: reddish-brown, moist, some gravel, some silt	98.48	1	GB				10.1%						
98.3	0.5		Borehole terminated @ 0.3 mbgs due to excavator refusal.	0.3												
97.8	1															
97.3	1.5															
96.8	2															
96.3	2.5															
95.8	3															
95.3	3.5															
94.8	4															

Test pit terminated on bedrock. Test pit caving not observed. Groundwater not encountered. Standing water not observed.

GRAINSIZE DISTRIBUTION [SAMPLE] GRAVEL SAND SILT CLAY

1m = 45 units

Logged By: FI

Input By: FI

Peterborough, Barrie, Oshawa, Kingston, Ottawa



**Client:** Graham Dickinson  
**Contractor:** Canadian Environmental Drilling  
**Project No.:** 18758-001  
**Location:** 158 Coyote Lane

**Project Name:** 158 Coyote Lane  
**Method:** Test Pit  
**Elevation:** 98.12 mREL  
**UTM:** 18T N: 4953931 E: 845279

**Log of Borehole:** TP105-23  
**Page:** 1 of 1  
**Date Completed:** Sept. 26, 2023

SUBSURFACE PROFILE				SAMPLE								Well Installation	Log Notes			
Elevation (m)	Depth	Lithology	Description	Elevation Depth	Number	Type	% Recovery	SPT (N)	Atterberg Limits (%)					Shear Strength Cu, kPa		
									LL	PL	PI			nat V.	rem V.	
98.1	0		TOPSOIL: 125 mm Topsoil	97.99												
			(SM) SILTY SAND: light brown, moist, trace gravel	0.13												
97.6	0.5				1	GB				11.6%						
				97.36												
97.1	1		Borehole terminated @ 0.8 mbgs due to excavator refusal.	0.76												
96.6	1.5															
96.1	2															
95.6	2.5															
95.1	3															
94.6	3.5															
94.1	4															

GRAINSIZE DISTRIBUTION	SAMPLE	GRAVEL	SAND	SILT	CLAY
	GB1	5	74	21	

Test pit terminated on bedrock. Test pit caving not observed. Groundwater not encountered. Standing water not observed.



**Client:** Graham Dickinson  
**Contractor:** Canadian Environmental Drilling  
**Project No.:** 18758-001  
**Location:** 158 Coyote Lane

**Project Name:** 158 Coyote Lane  
**Method:** Test Pit  
**Elevation:** 98.49 mREL  
**UTM:** 18T **N:** 4953934 **E:** 845286

**Log of Borehole:** TP106-23  
**Page:** 1 of 1  
**Date Completed:** Sept. 26, 2023

SUBSURFACE PROFILE				SAMPLE								Well Installation	Log Notes		
Elevation (m)	Depth	Lithology	Description	Elevation Depth	Number	Type	% Recovery	SPT (N)	Atterberg Limits (%)					Shear Strength Cu, kPa	
									25	50	75			20	40
98.5	0		TOPSOIL: 100 mm Topsoil	98.39											
			(SM) SILTY SAND: reddish-brown, moist, trace gravel	0.1	1	GB				16.5%					
98	0.5		Borehole terminated @ 0.4 mbgs due to excavator refusal.	0.41											
97.5	1														
97	1.5														
96.5	2														
96	2.5														
95.5	3														
95	3.5														
94.5	4														

Test pit terminated.  
 Test pit caving not observed.  
 Groundwater not encountered.  
 Standing water not observed.

GRAINSIZE DISTRIBUTION [SAMPLE] GRAVEL SAND SILT CLAY



**Client:** Graham Dickinson  
**Contractor:** Canadian Environmental Drilling  
**Project No.:** 18758-001  
**Location:** 158 Coyote Lane

**Project Name:** 158 Coyote Lane  
**Method:** Test Pit  
**Elevation:** 98.22 mREL  
**UTM:** 18T N: 4953929 E: 845275

**Log of Borehole:** TP107-23  
**Page:** 1 of 1  
**Date Completed:** Sept. 26, 2023

SUBSURFACE PROFILE				SAMPLE								Well Installation	Log Notes			
Elevation (m)	Depth	Lithology	Description	Elevation Depth	Number	Type	% Recovery	SPT (N)	Atterberg Limits (%)					Shear Strength Cu, kPa		
									25	50	75			20	40	60
98.2	0		(GP) GRAVEL: 150 mm Gravel	98.07												
			TOPSOIL: 300 mm Topsoil	0.15												
				97.81												
97.7	0.5		(SM) SILTY SAND: light brown, moist, some gravel	0.41												
					1	GB				7.5%						
				97.15												
97.2	1		Borehole terminated @ 1.1 mbgs due to excavator refusal.	1.07												
96.7	1.5															
96.2	2															
95.7	2.5															
95.2	3															
94.7	3.5															
94.2	4															

Test pit terminated.  
 Test pit caving not observed.  
 Groundwater not encountered.  
 Standing water not observed.

GRAINSIZE DISTRIBUTION	SAMPLE	GRAVEL	SAND	SILT	CLAY
	GB1	7	79	14	

1m = 45 units

Logged By: FI

Input By: FI

Peterborough, Barrie, Oshawa, Kingston, Ottawa



---

## **Appendix B**

### **Physical Laboratory Results**

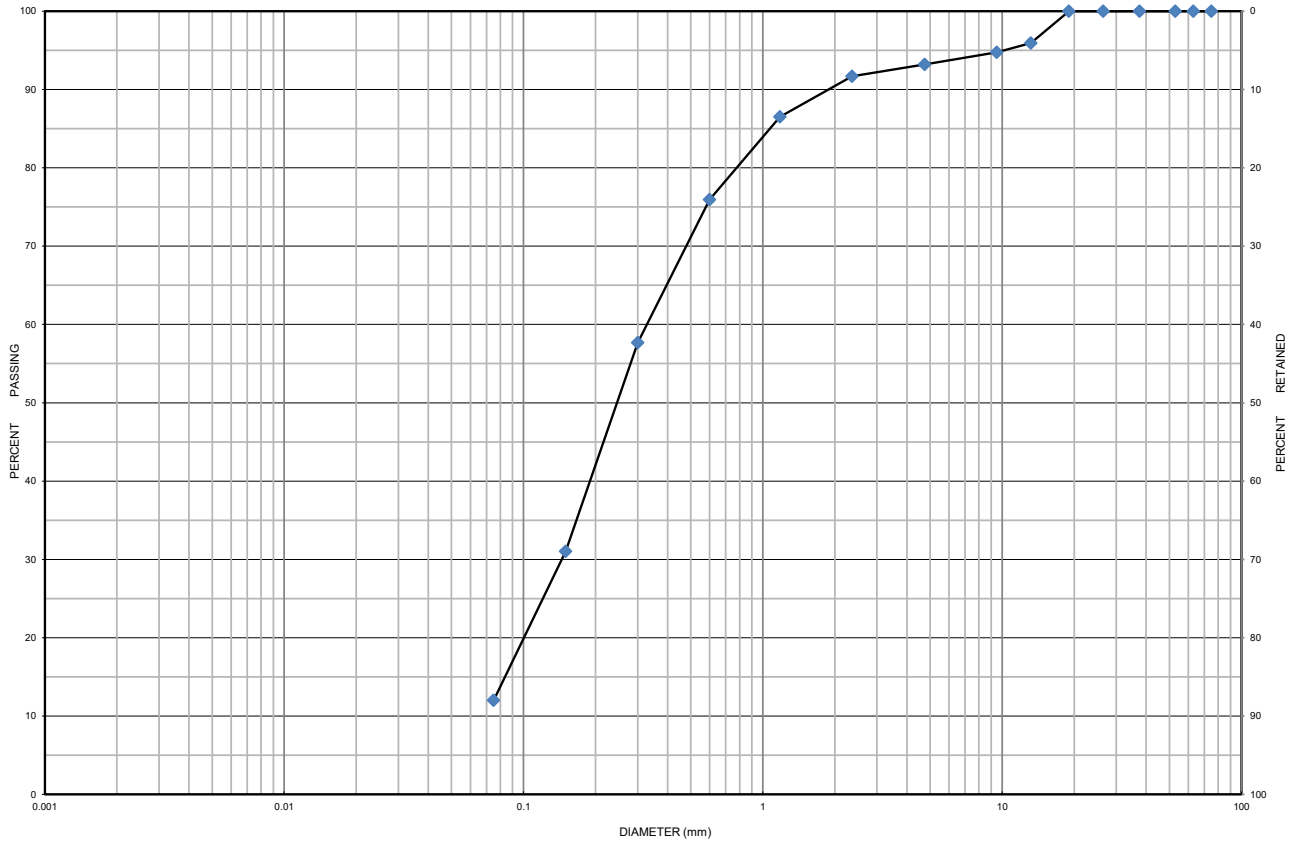
---



# Grain Size Distribution Chart

**Project Number:** 18758-001      **Client:** Graham Dickinson  
**Project Name:** GEO - 158 Coyote Lane  
**Sample Date:** September 26, 2023      **Sampled By:** Farhan Imtiaz - Cambium Inc.  
**Location:** TP 103-23 GB 1      **Depth:** 0.2 m to 0.5 m      **Lab Sample No:** S-23-1635

UNIFIED SOIL CLASSIFICATION SYSTEM					
CLAY & SILT (<0.075 mm)	SAND (<4.75 mm to 0.075 mm)			GRAVEL (>4.75 mm)	
	FINE	MEDIUM	COARSE	FINE	COARSE



MIT SOIL CLASSIFICATION SYSTEM								
CLAY	SILT	FINE	MEDIUM	COARSE	FINE	MEDIUM	COARSE	BOULDERS
		SAND			GRAVEL			

Borehole No.	Sample No.	Depth	Gravel	Sand	Silt	Clay	Moisture
TP 103-23	GB 1	0.2 m to 0.5 m	7	81	12		12.7
Description		Classification	D <sub>60</sub>	D <sub>30</sub>	D <sub>10</sub>	C <sub>u</sub>	C <sub>c</sub>
Sand some Silt trace Gravel		SP	0.330	0.150	-	-	-

Additional information available upon request

**Issued By:** *John Baird*  
 (Senior Project Manager)

**Date Issued:** October 5, 2023







## Moisture Content



**Project Number:** 18758-001

**Project Name:** 158 Coyote Lane

**Client:** Graham Dickinson

**Date Taken:** 2023-09-26

**Lab Number:** S-23-1634

**Date Tested:** 2023-10-02

**Tested By:** K. Dickson

Borehole Number	Sample Number	Sample Depth (m)	Water Weight (g)	Water Content (%)	Additional Observations
101	1	0.20-0.71	8.9	5.2	
101	2	0.71-1.24	7.7	5.5	
103	1	0.15-0.51	39.2	12.7	NR
104	1	0.15-0.30	12.8	10.1	
105	1	0.13-0.76	67.3	11.6	NR
106	1	0.10-0.41	15.3	16.5	
107	1	0.41-1.07	53.8	7.5	NR

1 – Contains organics

2 – Contains rubble

3 – Hydrocarbon Odour

4 – Unknown Chemical Odour

5 – Saturated – free water visible

6 – Very moist – near optimum moisture content

7 – Moist – below optimum moisture

8 – Dry – dry texture – powdery

9 – Very small – caution may not be representative

10 – Hold sample for gradation analysis



---

**Appendix C**  
**Slope Stability Rating Chart**

---

**TABLE 4.2 - SLOPE STABILITY RATING CHART**

Site Location: 158 Coyote Lane

File No. 18758-001

Property Owner: Graham Dickinson

Inspection Date: September 26, 2023

Inspected By: Farhan Imtiaz

Weather: Sunny, Clear

**1. SLOPE INCLINATION****degrees****horiz. : vert.**

a) 18 or less	3 : 1 or flatter	0
b) 18 - 26	2 : 1 to more than 3 : 1	6
c) more than 26	steeper than 2 : 1	16

**2. SOIL STRATIGRAPHY**

a) Shale, Limestone, Granite (Bedrock)	0
b) Sand, Gravel	6
c) Glacial Till	9
d) Clay, Silt	12
e) Fill	16
f) Leda Clay	24

**3. SEEPAGE FROM SLOPE FACE**

a) None or Near bottom only	0
b) Near mid-slope only	6
c) Near crest only or, From several levels	12

**4. SLOPE HEIGHT**

a) 2 m or less	0
b) 2.1 to 5 m	2
c) 5.1 to 10 m	4
d) more than 10 m	8

**5. VEGETATION COVER ON SLOPE FACE**

a) Well vegetated; heavy shrubs or forested with mature trees	0
b) Light vegetation; Mostly grass, weeds, occasional trees, shrubs	4
c) No vegetation, bare	8

**6. TABLE LAND DRAINAGE**

a) Table land flat, no apparent drainage over slope	0
b) Minor drainage over slope, no active erosion	2
c) Drainage over slope, active erosion, gullies	4

**7. PROXIMITY OF WATERCOURSE TO SLOPE TOE**

a) 15 metres or more from slope toe	0
b) Less than 15 metres from slope toe	6

**8. PREVIOUS LANDSLIDE ACTIVITY**

a) No	0
b) Yes	6

**SLOPE INSTABILITY RATING VALUES INVESTIGATION RATING SUMMARY****TOTAL 18**



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

August 6, 2024

24-SFR-MVA (BEDFORD)  
PL-ZNA-2024-0083

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

Attention: Tom Fehr

Subject: Graham & Mary Dickinson (Owners)  
Application for Minor Variance – PL-ZNA-2024-0083  
Concession 2 Lot 23 Former Township of Bedford, Now the Township of South  
Frontenac  
Civic Address: 158 Coyote Lane

Dear Mr. Fehr,

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

- Section 3.1 Natural Hazards of the Provincial Policy Statement under Section 3 of the Planning Act,
- The Rideau Valley Conservation Authority O. Regulation 41/24 under Section 28 of the Conservation Authorities Act),
- The Mississippi-Rideau Source Protection Plan.

## THE PROPOSAL

The Rideau Valley Conservation Authority understands the subject application is seeking a minor variance to allow a dwelling to be setback less than the 15 metres for the top of bank as required by the zoning by-law. The dwelling would be set back 10 metres from the top of bank.

## RVCA COMMENTS AND RECOMMENDATIONS

### Review Comments

#### Provincial Policy Statement

Regarding 3.1 of the PPS, there are no natural hazards that would preclude this application. The site has steep slopes and a report titled, "*Geotechnical Investigation Report – 158 Coyote*

*Lane, dated May 28, 2024 and prepared for Graham Dickinson, by Cambium Inc, Reference: 18758-001*” was produced to assess the slope hazard. Based on the report, “Overall the slope is considered to have low risk of global instability”. Based on Cambium’s research, using MNR Technical Guide; “As such, provided that the proposed building is constructed a minimum of 6 m from the existing top of slope, the existing slope should remain stable in its current condition. It is Cambium’s understanding that the proposed building will be constructed a minimum of 10 metres from the existing slope crest or top of slope. Therefore, it is Cambium’s opinion that the proposed developments will not impact the stability of the existing slope in its current configuration and a reduced setback requirement of 10 m from the existing top of slope is suitable for the proposed developments.”

#### Ontario Regulation 41/24

The shoreline of Bobs Lake and 15m inland is regulated under Ontario Regulation 41/24. As such, should any alterations or modifications to the shoreline be proposed, prior written permission is required in accordance with our regulation *the Prohibited Activities, Exemptions and Permits Regulation* made pursuant to the *Conservation Authorities Act, R.S.O., 1990, chapter 27*, as amended. For this application there is no approval under the aforementioned regulation required.

#### Mississippi Rideau Source Water Protection Plan

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

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

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

#### **Discussion & Recommendations**

From a natural hazard perspective, the reduced setback for the proposed development is supported by a report that is authored by accredited professional engineers with an accredited engineering consulting firm.

#### **Conclusion**

*In conclusion, the RVCA does not object to the approval of the minor variance as presented.*

Thank you for the opportunity to comment. Please do not hesitate to contact the undersigned should you have any questions.

Please advise the RVCA on the committee's decision regarding this application or of any changes in its status.

Yours truly,

A handwritten signature in blue ink that reads "Michael Yee". The signature is fluid and cursive, with the first name "Michael" being larger and more prominent than the last name "Yee".

Michael Yee  
Environmental Planner & Biologist, RVCA  
613-692-3571 X 1176

Cc: Graham & Mary Dickinson (Owners)  
Emma Bennett - RVCA

# Township of South Frontenac Staff Report

---



**To:** Committee of Adjustment

**From:** Development Services Department

**Date of Meeting:** August 8, 2024

**Subject:** Minor Variance Application (S. 45(1) of Planning Act)  
PL-ZNA-2024-0083, Graham and Mary Dickenson, 158 Coyote Lane,  
District of Bedford

---

## Summary

This report recommends that the Committee of Adjustment grant approval of the subject application for zoning relief for a single detached dwelling, subject to conditions, as this application meets the four tests of a minor variance outlined in section 45(1) of the Planning Act.

## Background

**Official Plan Designation:** Rural

**Zoning:** RLSW

## Proposal

The Owner proposes to construct a single detached dwelling on the property. The dwelling would be set back 10 metres from the top of bank. A minor variance is being requested to allow the dwelling to be set back less than 15 metres from the top of bank as required by the Zoning By-law.

## Zoning Relief Requested

Section 5.8.2(b) – to permit a single detached dwelling to be setback a minimum of 10 metres from the top of bank, whereas a minimum 15 metre setback is required for all buildings and structures.

## Related Applications

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

## Property Description

The subject property is vacant and is 1.7 hectare in area and has 107 metres of frontage on Bobs Lake. The property is accessed by Coyote Lane which abuts the property along the north property line. The property rises up from Coyote Lane to a high point roughly in the

middle of the property, after which the property slopes down steeply to the shoreline of the lake. The property contains mature tree cover and is located in an area of similar waterfront residential development.

### **Department and Agency Comments**

The application has been circulated to Rideau Valley Conservation Authority, no comments have been received at the time of writing this report.

### **Public Comments**

No public comments have been received at the time of writing this report.

### **Supporting Documentation**

A Geotechnical Investigation and Slope and Erosion Assessment (Cambium, May 28, 2024) was submitted in support of the application. The consultant assessed the shoreline slope for type of bedrock, angle, and stability which found that the slope is composed of 0.3 m of overburden topsoil and fill overlying bedrock extending down to the slope toe and beyond. Based on these conditions and the existing slope configuration, the slope is currently stable. The report concluded that the proposed development will not impact the stability of the existing slope in its current configuration and a reduced setback requirement of 10 m from the existing top of slope is suitable for the proposed developments. The report recommended the following construction practices be implemented to further protect the slope from instability:

- No trees are to be removed from the existing slope face and the existing slope may not be steepened in any way with fill material. Where fill material is placed to level out the grades around the proposed building, it should be placed to maintain the existing slope gradient or provide a shallower gradient. Fill placed on top of bedrock should be secured by utilizing a retaining structure dowelled or keyed into the bedrock surface.
- Construction activities should be conducted in a manner which do not result in surface erosion of the thin layer of overlying soils on the slope. Site grading and drainage should be designed to prevent direct concentrate or channelized surface runoff from flowing directly over the slope.
- Upon completion of the construction of the proposed building, vegetation cover is to be provided for all new or disturbed surface material at the top of the slope.
- Water drainage from down-spouts, rain gutters, sumps, and the like should not be permitted to directly flow over the slope crest as channelized runoff.

### **Planning Analysis**

The proposal needs to be assessed against the four tests of a minor variance outlined in Section 45(1) of the Planning Act. It is the opinion of Planning staff that the proposal meets the four tests as explained below.

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

The proposed variances maintain the general intent and purpose of the Official Plan related to waterfront residential development, and development adjacent to environmentally sensitive areas.

The variances would facilitate construction of a dwelling on lands that are designated Rural in the Official Plan on Schedule A.

The topography of the proposed lot is challenging and characterized by a number of changes in elevation. The proposed dwelling is located in the only relatively level area on the property – this location is close to the top of bank of a steep slope. Section 5.2.4 of the Official Plan states that the Township will direct development or site alterations away from lands identified by the municipality which may be subject to shoreline erosion hazards. This is typically done through the implementation of a 15 metre setback from the top of bank, as required by the Zoning By-law. A Slope and Erosion Assessment was completed that determined that it would be safe for the proposed dwelling to be setback only 10 metres from the top of bank.

The proposed location of the building envelope, and the size of the dwelling, minimizes site alteration required and the development complies with the setback from highwater mark, as intended by section 5.2.7(b) of the Official Plan.

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

The proposed dwelling is a permitted use in the RLSW zone. The dwelling was designed to comply with the setback from both the highwater mark and all other applicable setbacks. Also, the setback of the sewage system complies with the setback from the highwater mark. The reduced setback from the top of bank is supported by a Slope and Erosion Assessment. The proposed variances maintain the general intent and purpose of the Zoning By-law.

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

The requested variances are desirable for the appropriate development of the land. The proposed dwelling and sewage system locations are located in a relatively level area of the property that will minimize site alteration and vegetation removal required (e.g. maintain topography, soil mantle and existing vegetation), and ensure the development is located more than 30 metres from the highwater mark.

Is the variance minor?

The requested variance is minor as it maintain the general intent and purpose of the Official Plan and Zoning By-law, and are desirable for the appropriate development of the land. They are not anticipated to impact the existing or planned functionality of the property and adjacent properties. Trees and vegetation maintained along the shoreline and top of bank

would provide visual screening and buffering to the lake. The requested variances are minor in nature.

### **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-2024-083 for 158 Coyote Lane, subject to the following conditions.

1. The minor variance is for a single detached dwelling. The dwelling is permitted to establish a minimum 10 metre setback a minimum from the top of bank. The location of the dwelling on the property must be consistent with the application sketch provided with the application.
2. The Owner is required to enter into a Development Agreement to be registered on the title of the property to the satisfaction of the Township to address the following matters and environmental standards of the Township:
  - a. Appropriate erosion control measures (e.g. silt fence, straw bales) must be used during construction and until the site is stable and revegetated.
  - b. Roof runoff will be directed away from the lake and discharged to natural or constructed leaching pits/areas to maximize infiltration or onto coarse rock rubble splash pads to reduce the velocity of runoff.
  - c. A natural vegetated buffer must be maintained in its natural state within 30 metres of the lake and along the steep slope, except in the immediate area of the building envelope.
3. A building permit is required for ALL proposed demolition and construction on the property. There shall be no additional development on the property without the approval from the Township of South Frontenac.
4. Minor variance PL-ZNA-2024-0083 is applicable only to Zoning By-law No. 2003-75 and not to any subsequent zoning by-laws.

**Report Prepared By:**

Tom Fehr, 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.

*Pre-consultation*                      \$150.00

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: NOAH PERRON Date of pre-consultation: \_\_\_\_\_

1. Name of Owner(s): BRAD & VICKI ADRAIN

Full Mailing Address of Owner(s): 219 MacPHERSON WAY

PERTH, ON. K7H 3C9 CANADA

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: N/A

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

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

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

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

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

3. The description of the subject land:

District:  Bedford  Portland  Loughborough  Storrington

Concession Number: 6 Lot Number: 31

Street Number: 11 Name of Road/Street: DOC'S POINT LANE

Reference Plan Number: RP 13R160 Part Number(s): 6

Roll Number: 1029-030-020-82700-0000

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): N/A Frontage (on road/lane): 43m  
Depth: 60m Area: 0.4 acres

5. The current zoning of the subject land:

SEASONAL

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

PROPOSED DETACHED GARAGE WOULD NOT COMPLY WITH THE  
REQUIREMENTS OF THE ZONING BY-LAW (LOT COVERAGE: FRONT YARD SET BACK)

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

COMBINATION OF LOT SIZE: HYDRO/TELEPHONE LINES  
RUNNING THROUGH THE PROPERTY

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

OR a privately maintained road?  Yes  No

Name of Road/Lane:

DOC'S POINT 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?

COTTAGE - SEASONAL

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)
	COTTAGE	SHED		
Setback from Front Lot Line	25m	16m		
Setback from Rear Lot Line	16.9m	39.3m		
Setback from Side Lot Line	8.3m	8.9m		
Height of Building (Also indicate if it is one story or two story)	two story 7.5m	one story 4m		
Dimensions of Floor Area	98.1 sq.m.	9 sq.m		
Setback from High Water Mark (If applicable)	NIA	NIA		

13. The proposed uses of the subject land:

DETACHED GARAGE

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

Yes       No

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

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

	(1)	(2)	(3)	(4)
Type of Structure (E.g. residence)	DETACHED GARAGE			
Setback from Front Lot Line	8m			
Setback from Rear Lot Line	36m			
Setback from Side Lot Line	6.8m			
Height of Building (Also indicate if it is one story or two story)	7.53m two story			
Outside Dimensions of Building/Structure	90.5m (W) <del>9.14m x</del> <del>9.15m x 85.5m</del>			
Setback from High Water Mark (If applicable)	NIA			

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

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

If yes, please provide details:

REMOVAL OLD SHED STRUCTURE

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

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

If yes, please provide details:

---

18. What are the uses of the proposed development?

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

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

MARCH 2006

---

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

2007

---

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

18 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:

DRILLED WELL

---

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

SEWAGE SYSTEM - PRIVATELY OWNED

---

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

N/A.

---

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

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

Yes       No

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

---

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

Yes       No

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

---

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

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

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

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

**AGREEMENT TO INDEMNIFY**

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

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

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

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

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

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

DATED AT THE TOWNSHIP OF SOUTH FRONTENAC

THIS 15<sup>TH</sup> DAY OF JULY, 2024

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

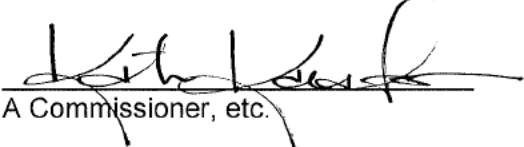


Signature of Applicant or Authorized Agent

\_\_\_\_\_  
Signature of Applicant or Authorized Agent

DECLARED before me at the TOWNSHIP OF SOUTH FRONTENAC (IN THE COUNTY OF FRONTENAC)

THIS 15<sup>th</sup> DAY OF July, 2024

  
A Commissioner, etc.

Katie Susan Kaestner, a Commissioner,  
etc., Province of Ontario, for the  
Corporation of the Township of South  
Frontenac. Expires August 14, 2024.

**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**

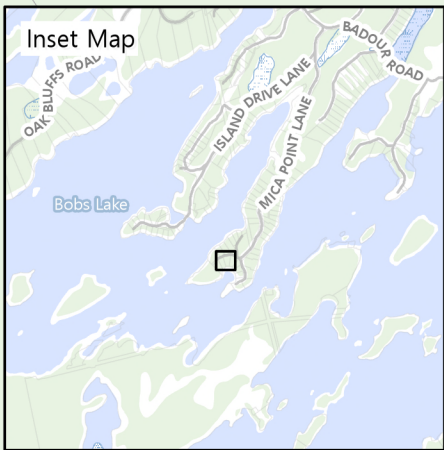
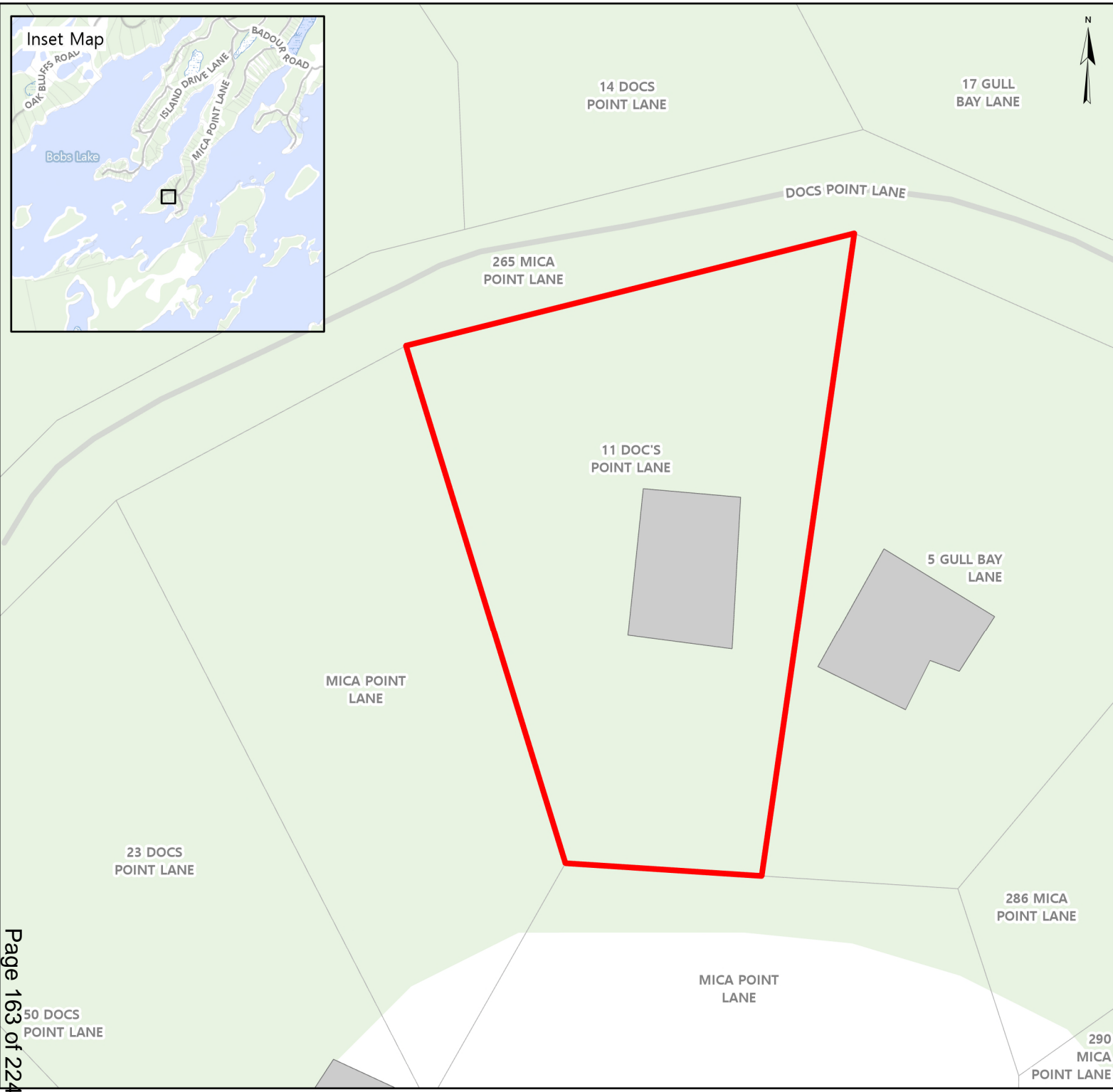
- 1) The names of **all** owners must appear in this section, even if they live in separate residences, and the address(es) should be the **full mailing address, complete with postal code**.
- 2) You may wish to appoint someone to act on your behalf during the variance process. If so, that person's name, 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-2024-0087  
(ADRIAN)**

**11 DOC'S POINT LANE**

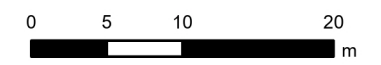
**Legend**

-  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
-  Waterbody
-  Township Boundary
-  Road

Produced by the County of Frontenac under license with the Ontario Ministry of Natural Resources © King's Printer for Ontario, 2024.

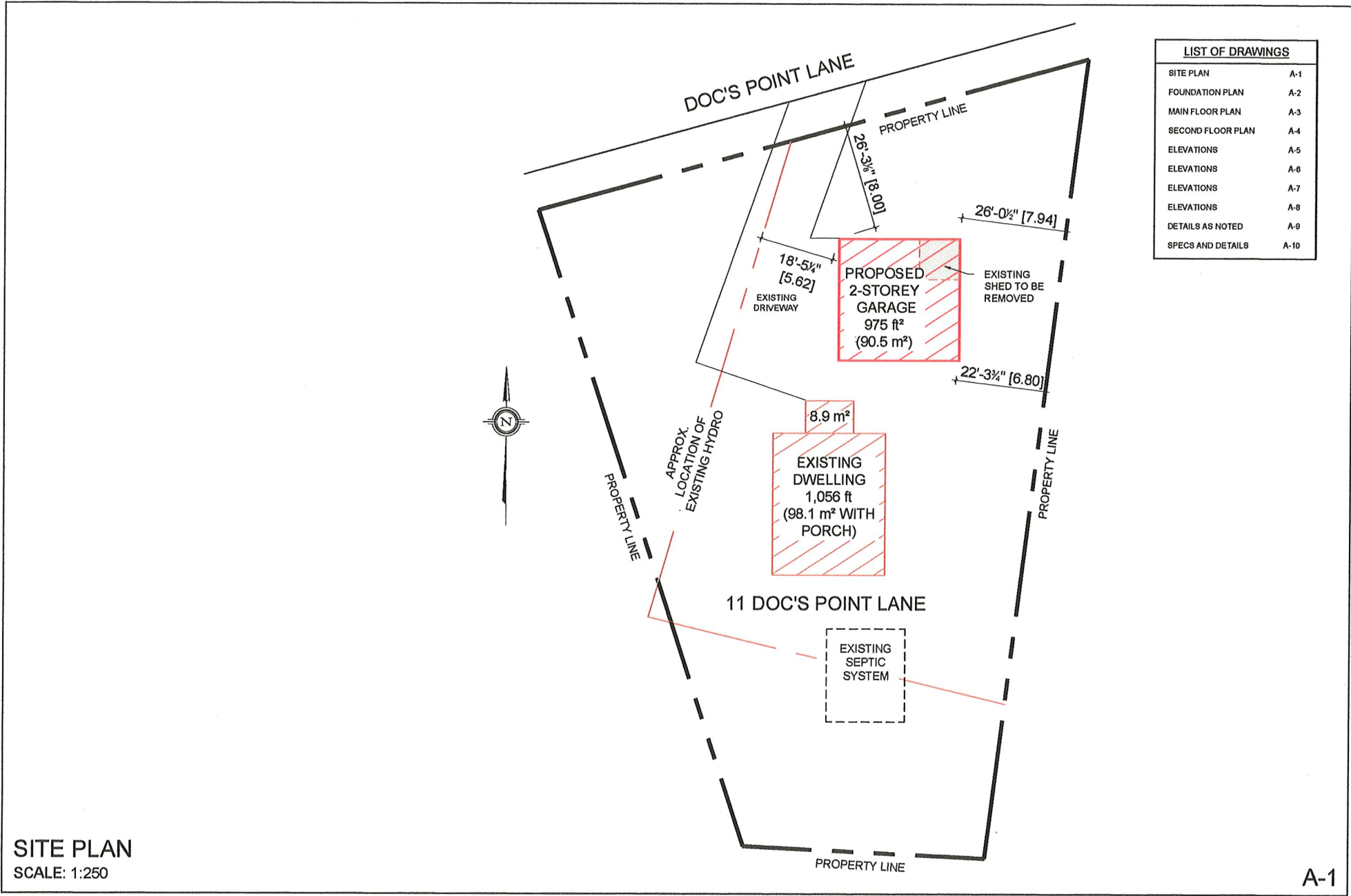
While the County makes every effort to insure that the information presented is accurate for the intended uses of this map, there is an inherent error in all mapping products, and accuracy of the mapping cannot be guaranteed for all possible uses. This map displays basic topographic features only.

Scale: 1:500

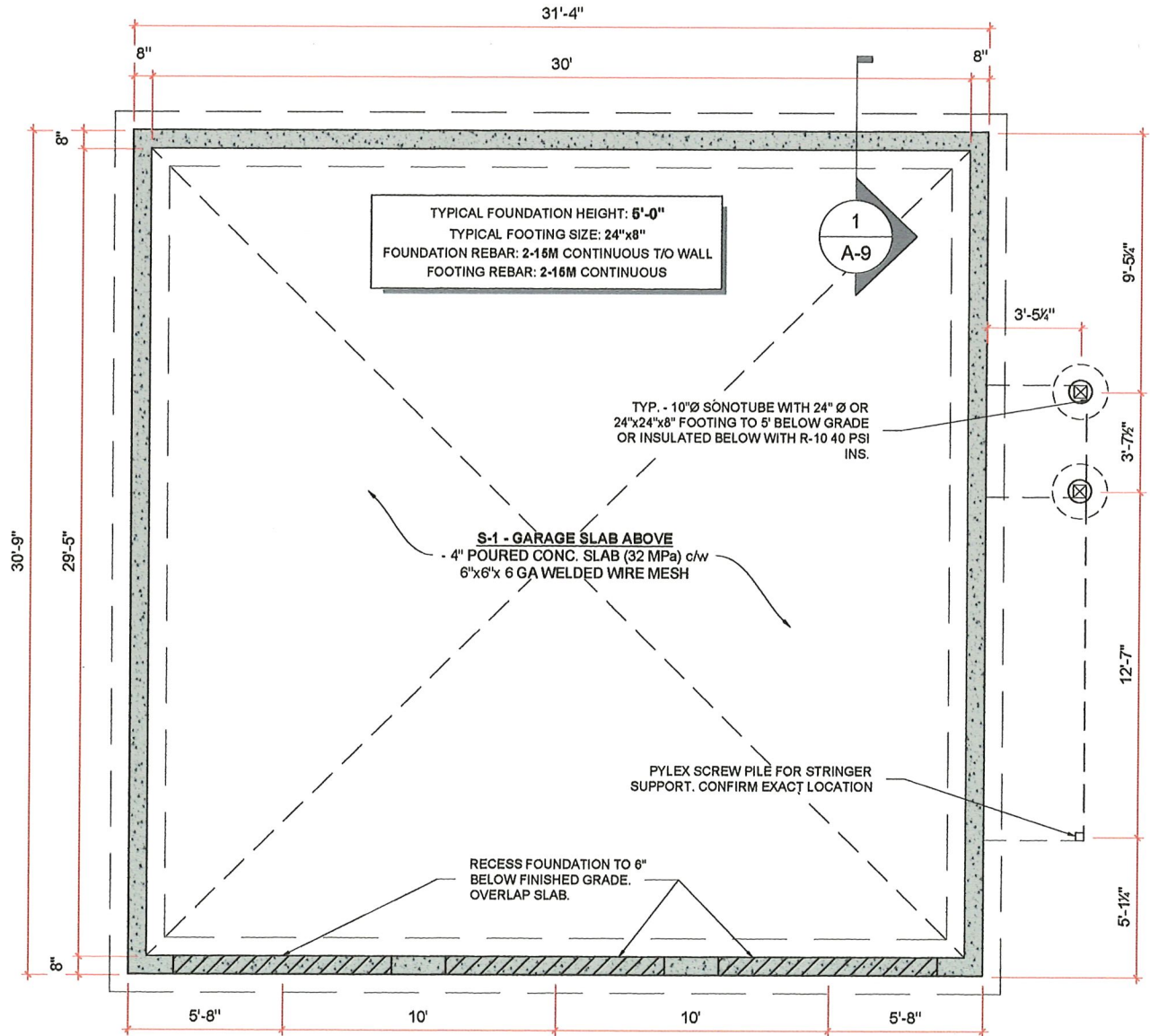


UTM Zone 18 NAD 83

Date: 2024-07-16

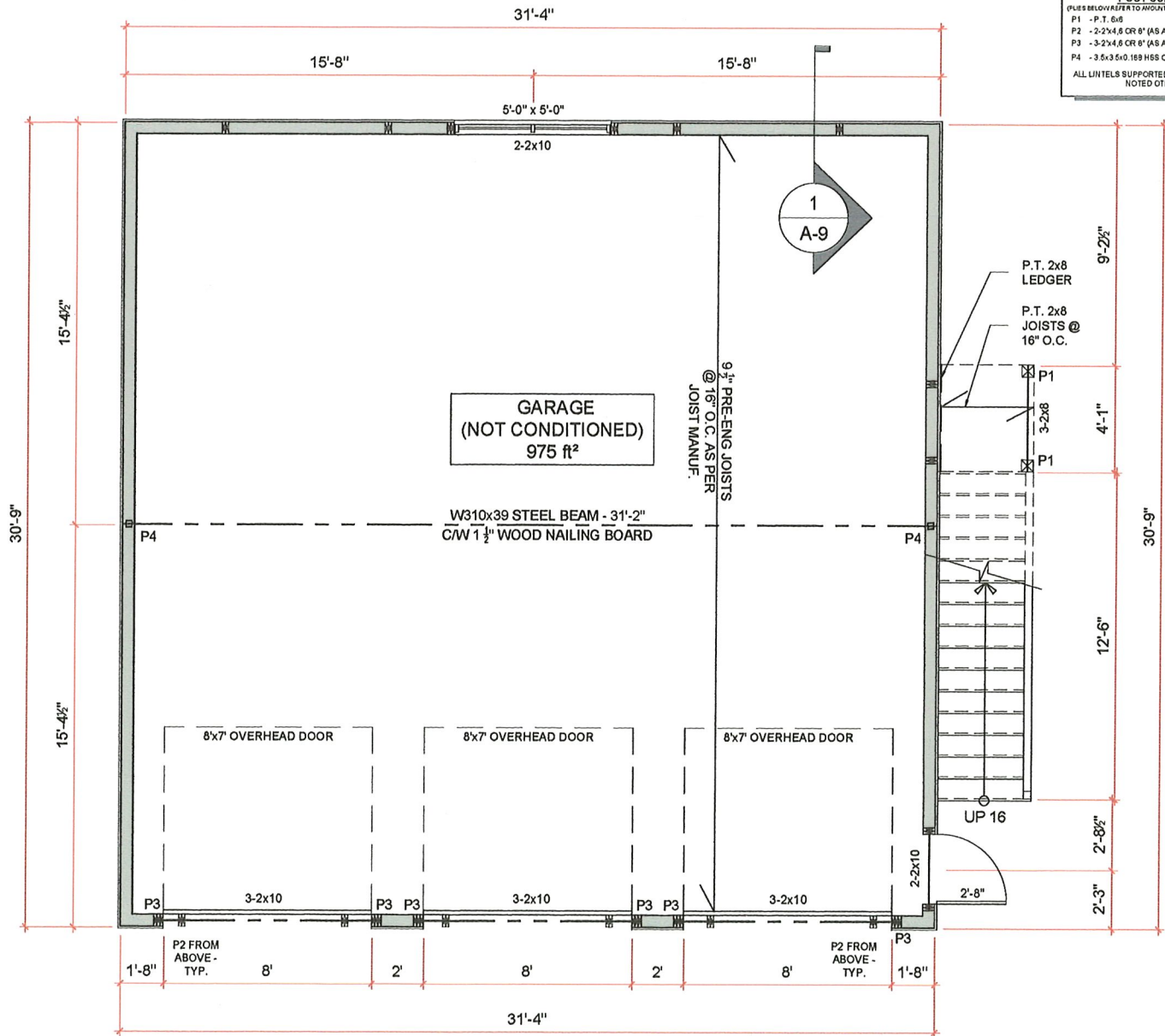


LIST OF DRAWINGS	
SITE PLAN	A-1
FOUNDATION PLAN	A-2
MAIN FLOOR PLAN	A-3
SECOND FLOOR PLAN	A-4
ELEVATIONS	A-5
ELEVATIONS	A-6
ELEVATIONS	A-7
ELEVATIONS	A-8
DETAILS AS NOTED	A-9
SPECS AND DETAILS	A-10



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

POST SCHEDULE:	
(PLUS BELOW REFER TO AMOUNT OF JACKS, EXCLUDING KINGS)	
P1	- P.T. 6x6
P2	- 2-2x4, 6 OR 8" (AS APPLICABLE)
P3	- 3-2x4, 6 OR 8" (AS APPLICABLE)
P4	- 3-5x5x10.189 HSS C/W 6.5x1/2" T&B PLATES
ALL LINTELS SUPPORTED BY P2 POSTS UNLESS NOTED OTHERWISE	

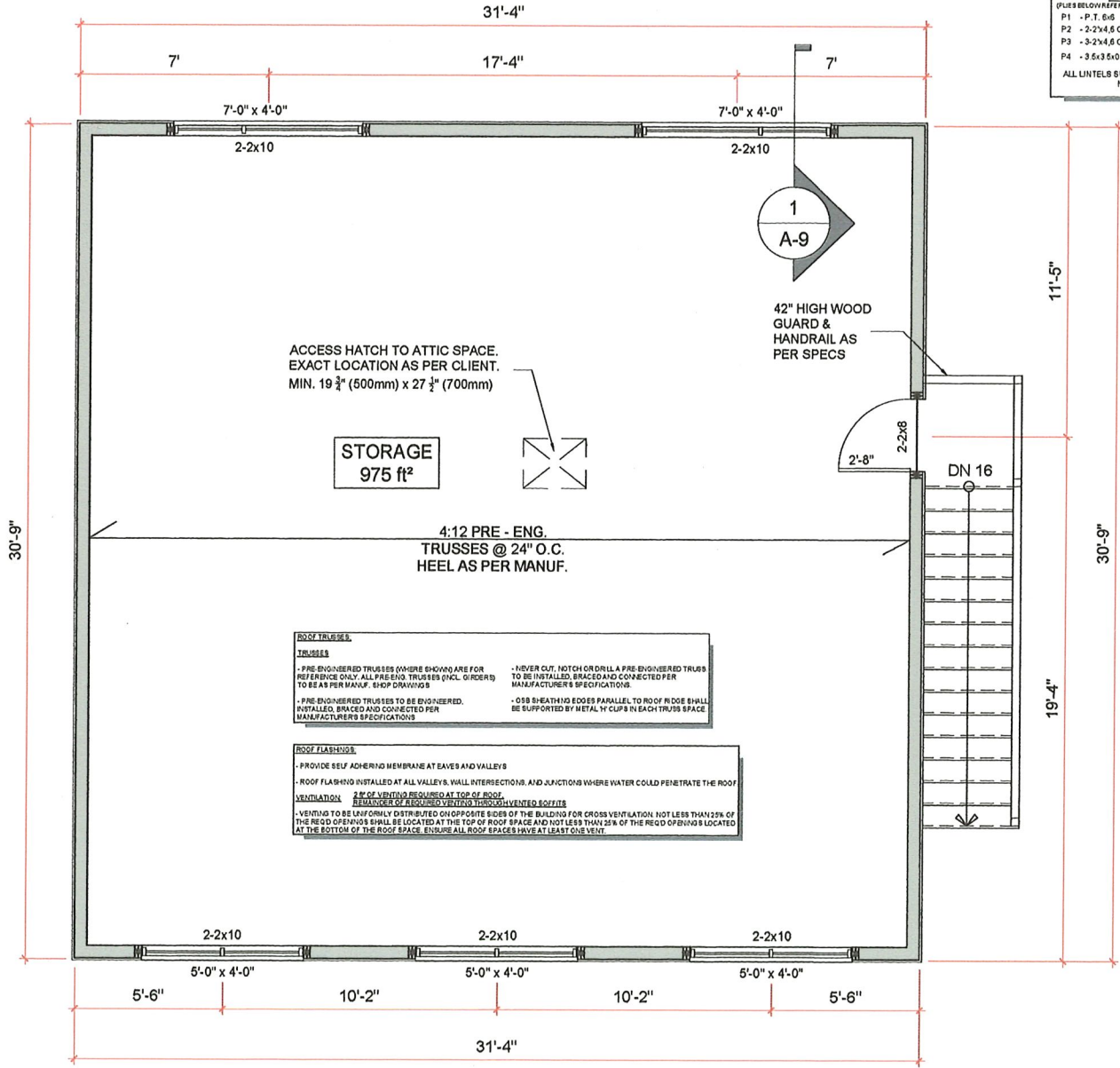


MAIN FLOOR PLAN  
SCALE: 1/4"=1'-0"

**POST SCHEDULE:**  
 (PLUS BELOW REFER TO AMOUNT OF JACKS, EXCLUDING KINGS)

P1	- P.T. 6x6
P2	- 2-2x4 @ CR 8" (AS APPLICABLE)
P3	- 3-2x4 @ CR 8" (AS APPLICABLE)
P4	- 3-5x3 @ 0.188 HSS CW/ 6.5x1/2" T&B PLATES

ALL LINTELS SUPPORTED BY P2 POSTS UNLESS NOTED OTHERWISE



**ROOF TRUSSES**

**TRUSSES**

- PRE-ENGINEERED TRUSSES (WHERE SHOWN) ARE FOR REFERENCE ONLY. ALL PRE-ENG. TRUSSES (INCL. GIRDERS) TO BE AS PER MANUF. SHOP DRAWINGS
- NEVER CUT, NOTCH OR DRILL A PRE-ENGINEERED TRUSS TO BE INSTALLED, BRACED AND CONNECTED PER MANUFACTURER'S SPECIFICATIONS.
- PRE-ENGINEERED TRUSSES TO BE ENGINEERED, INSTALLED, BRACED AND CONNECTED PER MANUFACTURER'S SPECIFICATIONS
- OSB SHEATHING EDGES PARALLEL TO ROOF RISE SHALL BE SUPPORTED BY METAL 'N' CLIPS IN EACH TRUSS SPACE

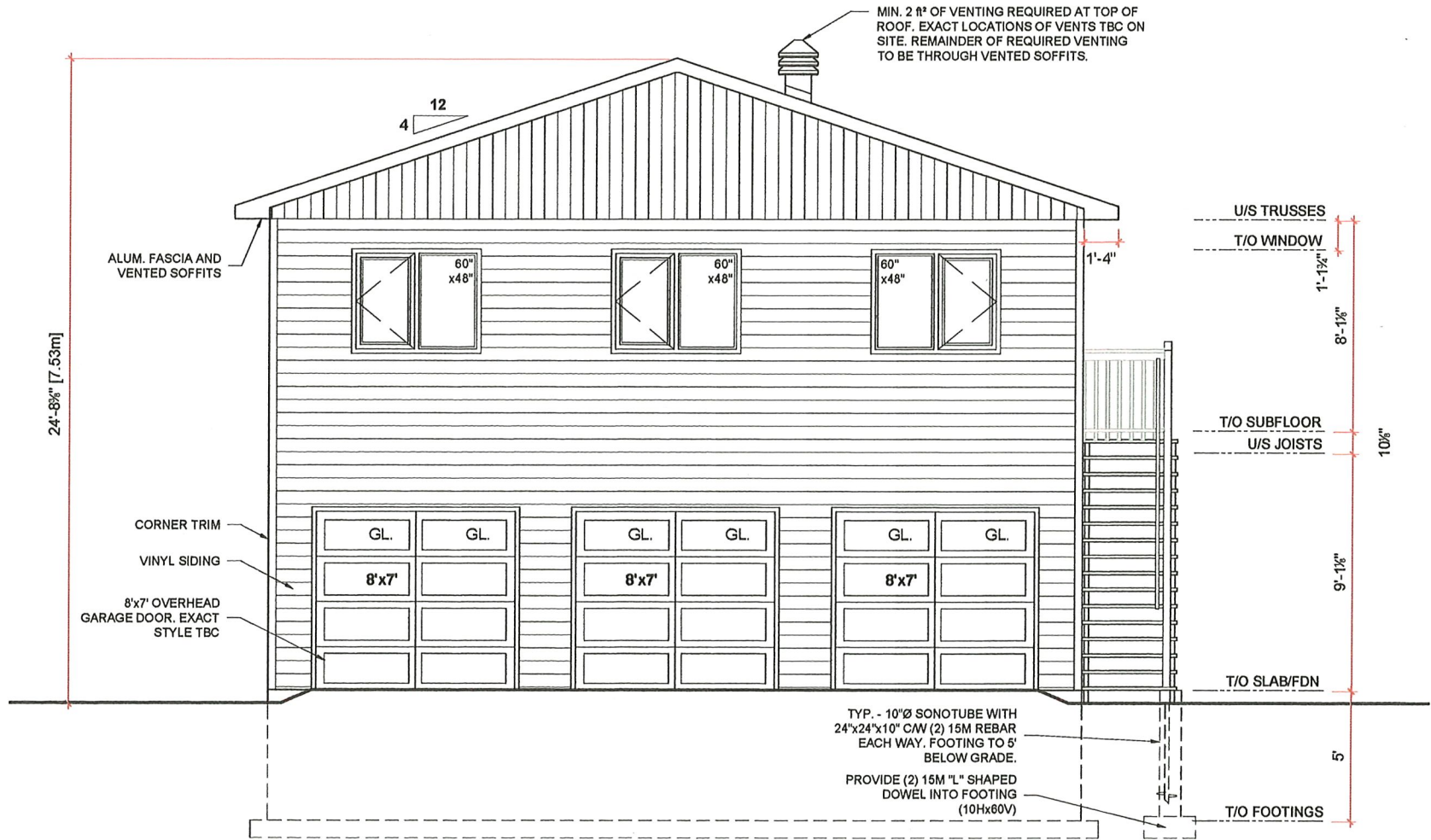
**ROOF FLASHING**

- PROVIDE SELF ADHERING MEMBRANE AT EAVES AND VALLEYS
- ROOF FLASHING INSTALLED AT ALL VALLEYS, HALL INTERSECTIONS, AND JUNCTIONS WHERE WATER COULD PENETRATE THE ROOF

**VENTILATION**

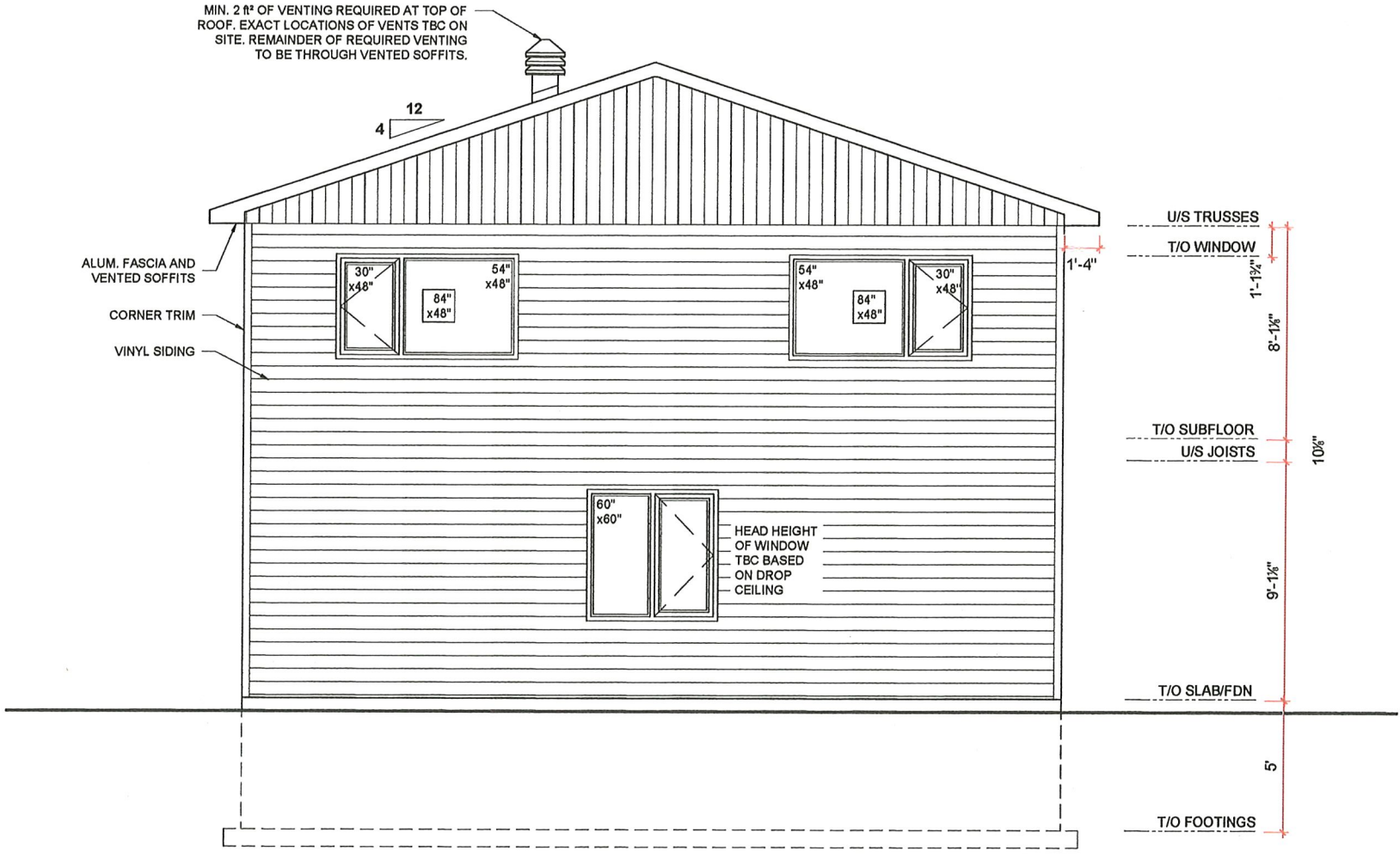
- 2% OF VENTING REQUIRED AT TOP OF ROOF
- REMAINDER OF REQUIRED VENTING THROUGH VENTED SOFFITS
- VENTING TO BE UNIFORMLY DISTRIBUTED ON OPPOSITE SIDES OF THE BUILDING FOR CROSS VENTILATION. NOT LESS THAN 25% OF THE REQ'D OPENING SHALL BE LOCATED AT THE TOP OF ROOF SPACE AND NOT LESS THAN 25% OF THE REQ'D OPENING BE LOCATED AT THE BOTTOM OF THE ROOF SPACE. ENSURE ALL ROOF SPACES HAVE AT LEAST ONE VENT.

**SECOND FLOOR PLAN**  
 SCALE: 1/4"=1'-0"

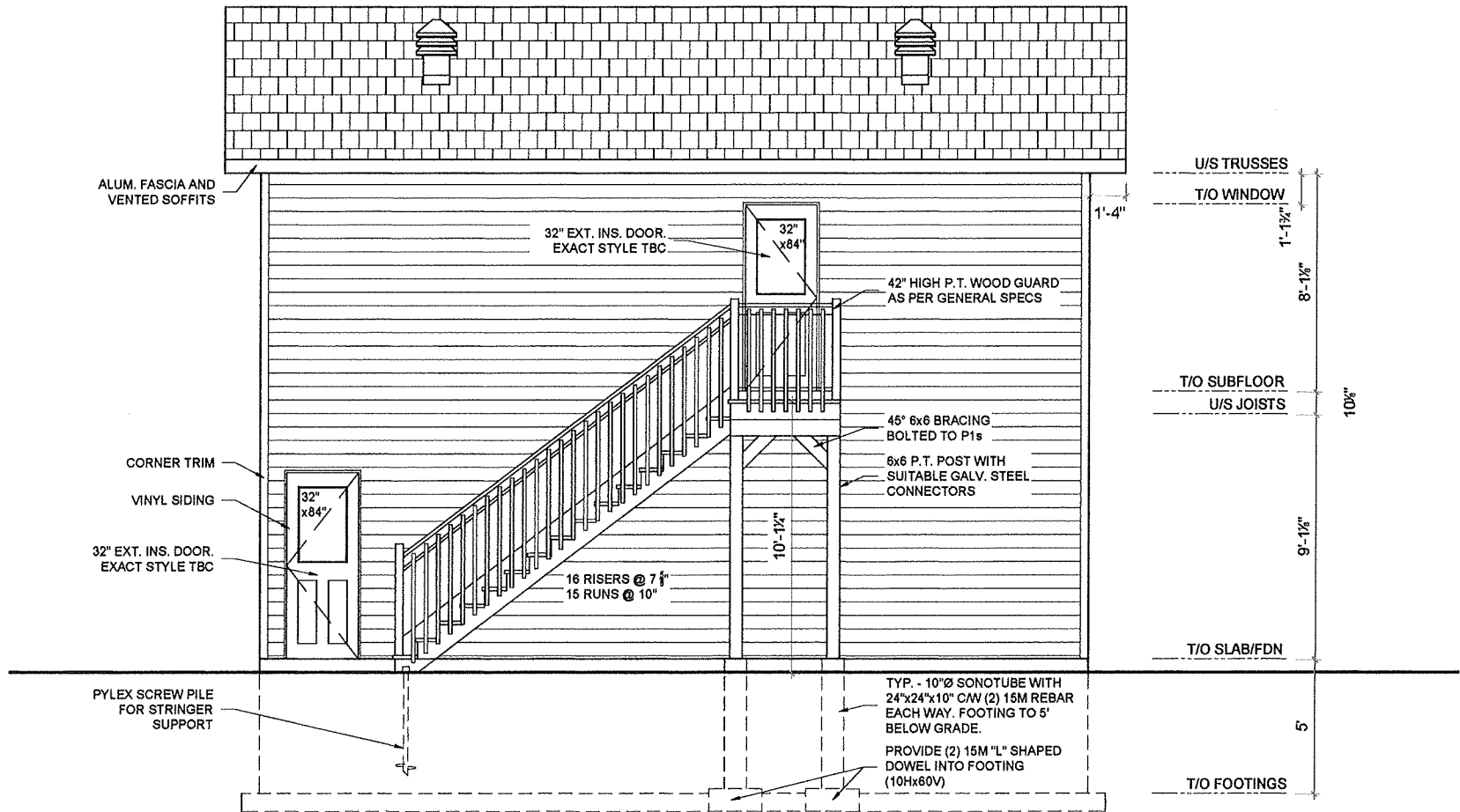


WEST ELEVATION  
SCALE: 1/4"=1'-0"

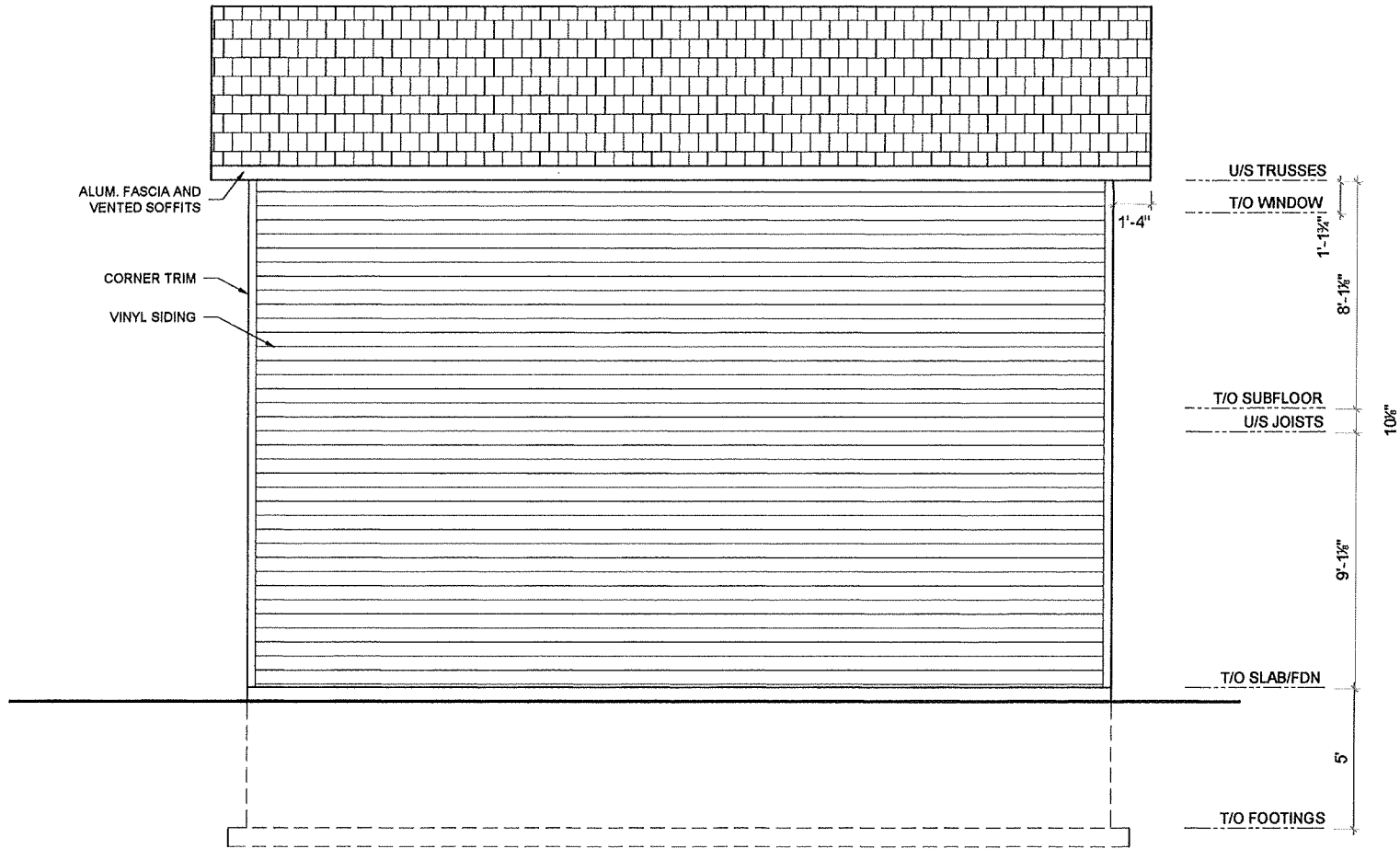
MIN. 2 ft<sup>2</sup> OF VENTING REQUIRED AT TOP OF ROOF. EXACT LOCATIONS OF VENTS TBC ON SITE. REMAINDER OF REQUIRED VENTING TO BE THROUGH VENTED SOFFITS.



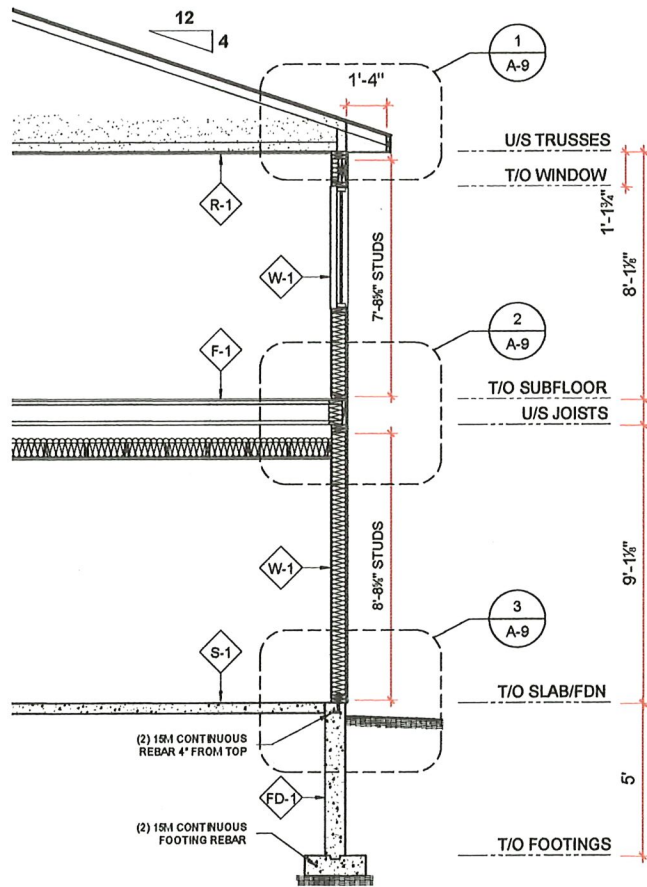
**EAST ELEVATION**  
SCALE: 1/4"=1'-0"



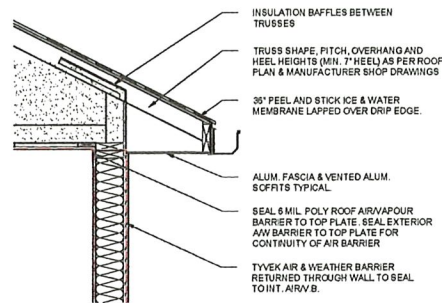
**SOUTH ELEVATION**  
 SCALE: 1/4"=1'-0"



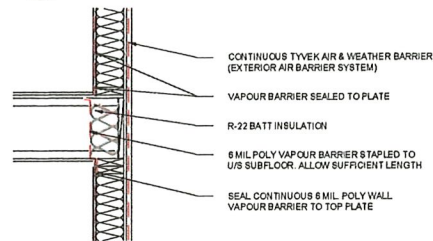
NORTH ELEVATION  
SCALE: 1/4"=1'-0"



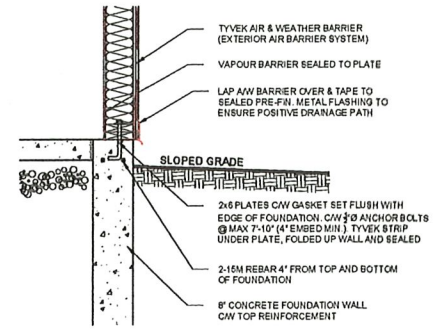
1 TYPICAL WALL SECTION  
Scale: 1/4" = 1'-0"



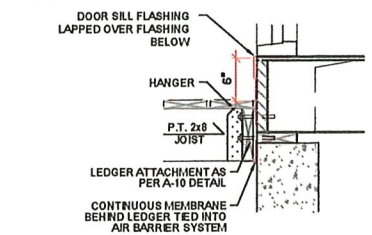
2 TYPICAL DETAIL @ EAVES  
Scale: 1/2" = 1'-0"



3 TYPICAL DETAIL @ FLOOR  
Scale: 1/2" = 1'-0"



4 TYPICAL DETAIL @ FOUNDATION  
Scale: 1/2" = 1'-0"



5 TYPICAL LEDGER DETAIL  
Scale: 3/4" = 1'-0"

**ASSEMBLY TYPES**

<p><b>W-1 - SIDING EXTERIOR WALL (R-22)</b></p> <ul style="list-style-type: none"> <li>- SIDING AS PER ELEVATIONS</li> <li>- 1x4 STRAPPING @ 16" O.C. AS REQ'D</li> <li>- AIRWEATHER BARRIER</li> <li>- 2x6 STUDS @ 16" O.C. &amp; P.T. 2x6 PLATE C/W SILL GASKET &amp; 3/4" Ø ANCHOR BOLTS @ MAX 7'-10" O.C.</li> <li>- R-22 BATT INSULATION</li> <li>- 6 MIL POLY. VAPOUR BARRIER</li> <li>- 1/2" GYPSUM BOARD</li> </ul>	<p><b>F-1 - TYPICAL FLOOR</b></p> <ul style="list-style-type: none"> <li>- FINISHED FLOORING</li> <li>- 5/8" SUBFLOOR</li> <li>- 9 1/2" TJI JOISTS @ 16" O.C. W/ R-22 INS. AT RIM BOARDS</li> <li>- 2x6 DROPPED JOISTS AS REQ'D</li> <li>- R-31 BATT INSULATION</li> <li>- 1x4 STRAPPING @ 16" O.C.</li> <li>- 6 MIL POLY. VAPOUR BARRIER</li> <li>- 1/2" GYPSUM BOARD</li> </ul>	<p><b>R-1 - STANDARD TRUSS ROOF (R-80)</b></p> <ul style="list-style-type: none"> <li>- ROOFING AS PER CLIENT</li> <li>- 36" ICE &amp; WATER SHIELD @ EAVES</li> <li>- ROOF LINER</li> <li>- 1/2" E.G. PLY OR 7/16" OSB C/W ROOF H-CLIPS</li> <li>- PRE ENG. TRUSSES @ 24" O.C. C/W R-80 BLOWN-IN CELLULOSE INSULATION</li> <li>- 6 MIL POLY. VAPOUR BARRIER</li> <li>- 1x4 STRAPPING @ 16" O.C.</li> <li>- 1/2" GYPSUM BOARD</li> </ul>
<p><b>FD-1 - 8" FOUNDATION WALL</b></p> <ul style="list-style-type: none"> <li>- PARING ON EXPOSED CONC. TO BELOW GRADE</li> <li>- 8" CONC. FOUNDATION C/W (2) 15M CONTINUOUS REBAR 4" FROM TOP</li> <li>- 24"x8" STRIP FOOTING C/W (2) 15M CONTINUOUS FOOTING REBAR</li> </ul>	<p><b>F-2 - TYPICAL DECK</b></p> <ul style="list-style-type: none"> <li>- P.T. 5/4 DECKING</li> <li>- P.T. 2x8 JOISTS @ 16" O.C. ATTACHED TO 2x8 LEDGER AS PER DETAIL</li> </ul>	<p><b>S-2 - GARAGE SLAB</b></p> <ul style="list-style-type: none"> <li>- 4" POURED CONC. SLAB c/w 6"x6"x6 GA WELDED WIRE MESH</li> </ul>

## SPECIFICATIONS

### FRAMING:

- ALL FRAMING LUMBER (TRUSS, JOISTS, LINTELS) TO BE #1 OR #2 SPF (OR DRIED) UNLESS OTHERWISE SPECIFIED
- ALL CONNECTIONS ARE TO BE MADE FROM THE END OF THE STUD OR END OF FACE OF CONCRETE (UNLESS OTHERWISE NOTED)
- PROVIDE DOUBLE HEADER OR SOLID BLOCKING @ 16" O.C. AT THE OUTSIDE WALL WHERE FLOOR FRAMING RUNS PARALLEL TO THE OUTSIDE WALL
- ALL EXTERIOR WALLS OVER 10' TO 15' TO HAVE CONTINUOUS VERTICAL BLOCKING U.N.G. AT MID POINT. ALL LOAD BEARING WALLS OVER 12'-0" TO HAVE CONTINUOUS HORIZONTAL BLOCKING AT TOP
- PROVIDE SEMI RIGID GASKET BETWEEN ALL FRAMING AND CONCRETE
- ALL BEAM JOISTED INTO CONCRETE AT MIN. 7" BEARING. INSTALL WOODEN BASKET BETWEEN LOAD BEARING WALLS AND DOUBLE STEEL
- CONSTRUCTION LUMBER FOR ANY EXTERIOR DECK, JOIST, BEAM, FENCE, POSTS AND FRAMING MEMBERS SHALL BE PRESSURE TREATED LUMBER COMPLETE WITH ALL END CUTS TREATED, OR CEDAR (UNLESS OTHERWISE NOTED)
- FIELD CUTS IN PRESSURE TREATED WOOD SHALL BE PROTECTED WITH A FIELD USE PRESERVATIVE, BRUSHED OR DIPPED ON EXPOSED END
- ALL FASTENERS USED IN CONTACT WITH PRESSURE TREATED WOOD SHALL BE EITHER HOT-DIPPED GALVANIZED, STAINLESS STEEL, OR MANUFACTURER EQUIVALENT
- PROVIDE 5/8" SPAN STRONG FACE MOUNT JOIST HANGERS FOR DIMENSIONAL LUMBER OF SINGLE, DOUBLE AND TRIPLE PLY FLUSH JOISTS
- PROVIDE SOLID BLOCKING THE FULL WIDTH OF THE SUPPORTED MEMBER UNDER ALL CONCENTRATED LOADS
- DECKING TO BE AT LEAST 1/4" APART
- DECK FRAMING IS NOT DESIGNED FOR THE SUPPORT OF HOT TUBS. LOADS AND DECK STRUCTURE WOULD NEED TO BE VERIFIED BY A QUALIFIED PROFESSIONAL ENGINEER
- ALL LOAD BEARING PARTITIONS TO HAVE A DOUBLE TOP PLATE
- ALL PLATES TO BE ANCHORED TO THE FOUNDATION WITH HOT LESS THAN 8 ANCHOR BOLTS SPACED NOT MORE THAN 7'-0" O.C.
- CONSTRUCTION AND INSTALLATION OF WOOD GUARDS SHALL CONFORM TO OBC 8.8 AND SUPPLEMENTARY STANDARD SS-7. METAL GUARDS TO BE PRE-ENGINEERED BY MANUFACTURER AND TO BE PROVIDED WITH STAFFED SHOP DRAWINGS
- NOISY BARRIER SHALL BE PROVIDED FOR ALL AREAS WHERE WOOD IS IN CONTACT WITH CONCRETE OR LIGHT MASONRY
- 1/2" 4x10x10 SHEETS TO BE PLACED BETWEEN BASEMENT FRAMING & CONC. SLAB
- 4x10x10 TO BE PLACED BETWEEN INTERIOR PARTITIONS AND EXTERIOR WALL FRAMING

### WOOD ROOF FRAMING:

- ROOF TRUSS MANUFACTURER TO DESIGN TRUSSES
- ALL TRUSSES AND JOISTS ARE TO BE DESIGNED IN ACCORDANCE WITH THE PROVISIONS OF THE 2011 OBC
- TRUSS SHOP DRAWINGS SHALL BEAR THE STAMP OF A PROFESSIONAL ENGINEER LICENSED IN THE PROVINCE OF ONTARIO
- TRUSS SUPPLIER TO SUPPLY SHOP DRAWINGS TO THE CONTRACTOR FOR REVIEW. SHOULD THE TRUSS SUPPLIER REQUIRE AND SITE DIMENSIONS, THE CONTRACTOR WILL BE RESPONSIBLE FOR PROVIDING THEM TO THE TRUSS FABRICATOR
- TRUSS LOADS ARE TO BE IN ACCORDANCE WITH THE ONTARIO BUILDING CODE PART 4 TRUSS FABRICATION SHALL NOT PROCEED UNTIL THE DRAWINGS HAVE BEEN CHECKED AND APPROVED BY THE CONTRACTOR
- TRUSSES TO BE DESIGNED FOR THE SPECIFIED WIND UP/LIFT. REFER TO NCC 1055 STRUCTURAL COMMENTARIES, PAR 8-10
- FINAL ROOF ORDER TRUSS LAYOUT BY SUPPLIER MAY REQUIRE MODIFICATIONS TO FRAMING INDICATED IN PLAN
- PROVIDE 1/2" 4x10x10 SHEETS BETWEEN TRUSS AND WOOD BEAMS

### ABOVE GRADE MASONRY VENEER: (WHERE APPLICABLE)

- STEEL LANTERN SUPPORTING MASONRY VENEER ABOVE OPENINGS SHALL HAVE A MINIMUM END BEARING OF 6" AND BEARING ON MASONRY, CONCRETE OR STEEL
- STEEL LANTERN SUPPORTING MASONRY SHALL BE PRIME FINISH PAINT TO PROTECT FROM CORROSION
- MASONRY VENEERS AND FASTENERS TO BE CORROSION RESISTANT, AND NOT LESS THAN 0.75" MIN THICK AND 32mm MIN WIDE. THIS SHALL BE PARTED TO WALL STUDS
- VENEER HOLES SHALL BE PROVIDED AT THE BOTTOM COURSE OF THE CAVITY AND OVER WINDOWS AND DOORS, NOT MORE THAN 3" APART
- TIES TO BE FASTENED WITH CORROSION RESISTANT 3/16" DIA. SCREWS OR SPRAL NAILS HAVING A WOOD PENETRATION OF NOT LESS THAN 30mm
- VENEER HOLES OVER DOORS AND WINDOWS SHALL BE PROVIDED AT THE BOTTOM COURSE OF THE CAVITY AND OVER WINDOWS AND DOORS, NOT MORE THAN 3" APART
- FLASHING SHALL BE INSTALLED BENEATH VENEER HOLES. WATER RESISTIVE BARRIER (AIR/WEATHER BARRIER) TO BE LAPPED OVER FLASHING AND TAPED TO ENSURE POSITIVE DRAINAGE

### MECHANICAL & ELECTRICAL SERVICES: (WHERE APPLICABLE)

- ALL ELECTRICAL INSTALLATIONS, INCLUDING ALL DISTRIBUTION PANELS, FUTURE AND OUTLETS SHALL CONFORM TO THE REQUIREMENTS OF THE APPROPRIATE PROVINCIAL AND MUNICIPAL STATUTES, THE CANADIAN ELECTRICAL CODE, OBC (O. REG. 4130 AND AMENDED 15593 AND 15592) AND ONTARIO HYDRO
- ALL STANDING ELECTRICAL WORK TO BE COVERED
- PLUMBING SYSTEM SHALL CONFORM TO THE PROVINCE OF ONTARIO REGULATIONS, THE CANADIAN PLUMBING CODE AND OBC (O. REG. 41350 AND AMENDED 15593 AND 15592) PART 8
- DRAIN WATER HEAT RECOVERY UNITS TO BE INSTALLED AT MAX. 2800W DRAINS
- MECHANICAL AND ELECTRICAL SERVICES SHALL BE LOCATED ON SITE BY OTHERS. CLEARANCES AND INSTALLATION SHALL BE AS PER LOCAL CODE REQUIREMENTS
- FLOOR DRAIN SHALL BE PROVIDED IN BASEMENT (WHERE SHOWN) CONFORMANCE PER LOCAL BY-LAWS
- FOUNDATION WALL DRAINAGE TO BE AS PER OBC 14. TO BE 6" Ø BRASS/STAINLESS STEEL COVER OF CLEAR 3/4" ABOVE GRADE. PROVIDE A COVERED SUMP WITH AN AUTOMATIC PUMP FOR DEWATERING WATER INTO SEWER. DRAINAGE DITCH OR DIRT WELL WHERE GRAVITY DRAINAGE IS NOT PRACTICAL. SUMP PITS SHALL HAVE CHLOR PROOF LID
- INSTALL FANS AND VENTS FOR ALL BATHROOMS AS PER OBC 32
- NEW ELECTRICAL WIRING SHALL BE TOTALLY ENCLOSED IN NON-COMBUSTIBLE RECELVAYS
- INSULATED CONDUCTOR METALS HEATED CABLES WITH COMBUSTIBLE JACKETING THAT ARE MORE THAN 1" ARE PERMITTED, PROVIDED THE CABLES ARE NOT GROUPED AND ARE SPACED A MINIMUM OF 12" APART
- ELECTRICAL WIRES OR CABLES SHALL BE GROUPED OR BUNDLED WITH COMBUSTIBLE INSULATION OR JACKETING THAT IS NOT TOTALLY ENCLOSED IN RECELVAYS OF NON-COMBUSTIBLE MATERIALS IS PERMITTED IF THE OVERALL DIAMETER IS LESS THAN 1"
- EXISTING ELECTRICAL MUST BE STOPPED AT THE PENETRATION
- ALL COMBUSTIBLE PENETRATION THROUGH FIRE SEPARATIONS TO BE SEALED AT THE PENETRATION BY A FIRE STOP THAT HAS AN RATING NOT LESS THAN THE FIRE RESISTANCE RATING REQUIRED FOR THE FIRE SEPARATION
- FIRE STOP AS PER CANULOC 111. FIRE TESTS OF FIRESTOP SYSTEMS TO BE SEALED AT THE PENETRATION WITH A FIRE STOP WITH A DIFFERENTIAL OF 50 PA BETWEEN THE EXPOSED AND UNEXPOSED SIDES, WITH THE HIGHER PRESSURE ON THE EXPOSED SIDE
- COMBUSTIBLE WATER DISTRIBUTION PIPING TO BE SEALED AT THE PENETRATION WITH A FIRE STOP IN CONFORMANCE WITH REFERENCE 1.9.4 (1)
- A DUCT THAT PENETRATES AN ASSEMBLY REQUIRED TO BE A FIRE SEPARATION SHALL BE EQUIPPED WITH A FIRE DAMPER IN CONFORMANCE WITH OBC ARTICLES 3.1.8.4 AND 3.1.8.5
- OUTDOOR INTAKE/EXHAUST VENTS SHALL CONFORM OBC 9.3.3.3.1.2

### VENTILATION:

- VENTING TO BE UNIFORMLY DISTRIBUTED ON OPPOSITE SIDES OF THE ROOF FOR CROSS VENTILATION WITH MINIMUM 25% OF TOTAL REQUIRED VENTING FROM THE TOP OF THE ROOF (ROOF VENTS) AND MINIMUM 25% FROM THE BOTTOM OF THE ROOF SPACE (VENTED SOFFIT)
- VENT ATTIC SPACE TO MIN. 100% OF CEILING AREA OF THE 212 AND GREATER TRUSS 1100 OR ROOF IS LESS THAN 12' HIGH
- VENTS SHALL BE DESIGNED TO PREVENT THE ENTRY OF SNOW, RAIN AND INSECTS
- SEE ROOF PLAN FOR VENT LOCATION REQUIREMENTS. EXACT VENT LOCATIONS TO BE ON SITE UNLESS NOTED OTHERWISE
- ROOF BATTLES TO BE INSTALLED BETWEEN ROOF TRUSSES TO ALLOW PROPER VENTILATION

### BATHROOM:

- WATER RESISTANT FLOORING IN BATHROOM AS PER 9.2.1.2 (1)
- PROVIDE WATER RESISTANT MEMBRANE TO THE INTERIOR BATHROOM WALLS AND CEILING
- PROVIDE 2x BLOCKING IN BATHROOM WALLS TO PERMIT FUTURE INSTALLATION OF GRAB BARS FOR TOILET & SHOWER

### MISC. NOTES:

- ALL SEALANTS (CONSTRUCTION OR ACoustical) TO BE LOW VOC
- ALL PAINTS TO BE LOW VOC
- RUN FLASHING UP WALL W/ MINIMUM AT BACKSIDE OF TYVEK TAPE JOINT
- PRE-FINISHED WALL EXHAUST VENTS (WALL OR OFF IT MOUNTED) WHERE APPLICABLE
- EVERY ATTIC SPACE TO HAVE AN ACCESS HATCH OF MIN. SIZE 200mm x 200mm CONFORM WITH MANUF.
- MANUFACTURED CELL PAN TO BE INSTALLED WITH EVERY EXTERIOR DOOR
- INSTALL CONTINUOUS DRAIN FLASHING STARTER STRIP EXTENDING FLASHING AT BASE OF FRAMING AT END LAP IN BARRIER & TAPE TO FLASHING TO ENSURE PROPER DRAINAGE PATH
- WINDOW AND DOOR OPENINGS TO BE FLASHED AS PER TYVEK INSTALLATION GUIDE

### FIRE & SAFETY:

- SUFFICIENT SMOKE ALARMS SHALL BE INSTALLED SO THAT THERE IS AT LEAST ONE SMOKE ALARM ON EACH FLOOR LEVEL, INCLUDING BASEMENTS, AND EACH FLOOR LEVEL THAT IS 2'-11" (ROOF) OR MORE ABOVE OR BELOW AN ADJACENT FLOOR LEVEL
- A SMOKE ALARM WITH VISUAL SIGNALING COMPONENT SHALL BE INSTALLED IN EVERY BEDROOM (SLEEPING ROOM) AND IN A LOCATION BETWEEN SLEEPING ROOMS AND THE REMAINDER OF THE STOREY, AND IN THE SLEEPING ROOMS ARE SERVED BY A HALLWAY, A SMOKE ALARM SHALL BE LOCATED IN THE HALLWAY
- A CARBON MONOXIDE DETECTOR SHALL BE INSTALLED IN EACH SLEEPING AREA AND IN EACH LEVEL THAT CONTAINS A SLEEPING AREA
- ALARMS AND DETECTORS SHALL BE PERMANENTLY CONNECTED TO AN ELECTRICAL CIRCUIT AND BE INTERCONNECTED SO THAT THE ACTIVATION OF ONE ALARM OR DETECTOR WILL CAUSE ALL ALARMS OR DETECTORS WITHIN THE DWELLING TO SOUND
- THE CONTINUITY OF A FIRE SEPARATION SHALL BE MAINTAINED WHERE IT ADOPTS ANOTHER FIRE SEPARATION, A FLOOR, A CEILING, A ROOF OR AN EXTERIOR WALL ASSEMBLY. OPENINGS IN FIRE SEPARATIONS SHALL BE PROTECTED WITH COLLURES CONFORM TO SUBSECTION 9.13.11 OF THE 2012 OBC
- AN AIR BARRIER CONFORMING TO SUBSECTION 9.25.3. SHALL BE INSTALLED BETWEEN THE GARAGE AND LIVING SPACE TO PROVIDE AN EFFECTIVE BARRIER TO GAS AND EXHAUST FUELS
- WHERE THE AIR BARRIER CONSISTS OF AN AIR-IMPERMEABLE PANEL-TYPE MATERIAL, ALL JOINTS SHALL BE SEALED TO MINIMIZE AIR LEAKAGE
- WHERE THE AIR BARRIER CONSISTS OF FLEXIBLE SHEET MATERIAL, ALL JOINTS SHALL BE SEALED WITH COMPATIBLE MATERIAL SUCH AS TAPE OR FLEXIBLE SEALANT, OR LAPPED NOT LESS THAN 100 mm AND CLAMPED, SUCH AS BETWEEN FRAMING MEMBERS, FURRING OR BLOCKING AND ROOF PANELS

### RADON GAS MITIGATION:

- OBC 55.9 - OPTION 1
- 1. A 100MM DIAMETER PVC PIPE THROUGH THE FLOOR SLAB ADJACENT AN EXTERIOR WALL CONNECTED TO A CORRUGATED PLASTIC GAS PIPE EXTENDING UNDER THE SLAB AND TERMINATING AT OR NEAR THE CENTER IN CONFORMANCE WITH SUBSECTION 13.2, SENTENCE (1) THROUGH (5) OF 55.9.
- 2. A MINIMUM 10CM GRANULAR MATERIAL FOR A RADON NOT LESS THAN 30CM CENTERED ON THE PIPE, WITH THE BOTTOM OF THE PIPE OPEN TO THE GRAVILLAR AND
- 3. THE UPPER END OF THE PIPE SHALL BE PROVIDED WITH A REMOVABLE SEAL AND LABELED TO INDICATE FOR 'GAS REMOVAL ONLY'
- 2. MANDATORY RADON GAS TESTING IN CONFORMANCE WITH SUBSECTION 13.2, SENTENCE (2) OF 55.9
- 3. CONTINUOUS 4% POLY AIR VAPOR BARRIER BELOW SLAB CONPLYING TO CANCS 55-113-14 TO BE LAPPED MINIMUM 12" AT JOINTS
- 4. RETURN VAPOR BARRIER UP FOUNDATION? AND SEAL TO CONCRETE IN PREPARATION FOR SLAB POUR
- 5. ALL PENETRATIONS THROUGH THE SLAB TO BE SEALED

### SITEWORK AND DRAINAGE:

- DRAINAGE MAINTAIN EXISTING OVERLAP DRAINAGE AWAY FROM PERIMETER OF NEW FOUNDATION WALLS
- FOUNDATION DRAINAGE LAYER TO BE FLATION OR EQUIV. INSTALLED AS PER MANUFACTURER'S RECOMMENDATIONS/DETAILS
- WINDOW WELL DRAINAGE TO BE AS PER OBC 9.14.3 AND 9.14.6

### STAIRS, GUARDS & HANDRAILS:

#### STAIRS:

- ALL NEW STAIRS (INTERIOR AND EXTERIOR) TO COMPLY WITH RESPECTIVE PART 8 OR PART 3 OBC SECTION
- EXTERIOR STEPS AS REQUIRED BY GRADE (SITE CONDITION, SEE PLANS FOR MATERIALS)

#### PRIVATE DWELLING STAIRS:

- MAX RISE 7.75" (200mm), MIN. RISE 4.75"
- MAX RUN 14" (350mm), MIN. RUN 12"
- MIN. NOSING 1"
- MIN. HEADROOM: 6'-8"
- MIN. HANDRAIL HEIGHTS: 3'-0"

#### HANDRAILS:

- REQUIRED WHEN EXTERIOR STAIRS HAVE MORE THAN 3 RISERS
- REQUIRED WHEN INTERIOR STAIRS HAVE MORE THAN 3 RISERS
- 1 1/2" Ø DIA. ALLOW RAILS OR EQUIV.
- TO BE 30" IN HEIGHT
- PROVIDE 2" CLEARANCE AT WALL & 2" IF THE WALL SURFACE BEHIND IS ABRAVE
- EXTEND BY 1" AT TOP AND BOTTOM FOR PUBLIC STAIRS

#### GUARDS:

- GUARDS SHALL BE PROVIDED WHEN THE DIFFERENCE IN ELEVATION IS MORE THAN 30" BETWEEN THE WALKING SURFACE AND THE ADJACENT SURFACE, ALL INTERIOR STAIRS MORE THAN 3 RISERS, LANDINGS OR FLOOR LEVELS AROUND THE STAIRWELL THAT IS NOT PROTECTED BY A WALL
- ALL GUARDS TO BE A MINIMUM 12" HIGH EXCEPT FOR WHERE THE EXTERIOR WALKING SURFACE AND THE ADJACENT GROUND LEVEL IS NOT GREATER THAN 1'-0"
- OPENINGS BETWEEN GUARD PICKETS MUST BE SPACED LESS THAN 4"
- NO CLIMBABLE ELEMENTS BETWEEN 4" AND 3'-0" ABOVE FINISHED SURFACE
- HANDRAILS TO COMPLY WITH 2012 OBC 9.8.6 PROVIDED BY OTHERS

## STRUCTURAL NOTES:

### POURED CONCRETE: (WHERE APPLICABLE)

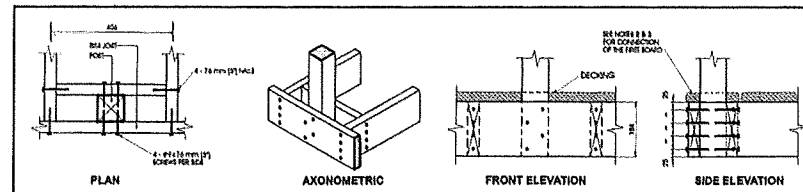
- CONCRETE SHALL BE DESIGNED, MIXED, PLACED, CURED AND TESTED IN ACCORDANCE WITH CAN/CSA A438-00, 'CONCRETE CONSTRUCTION PRACTICE' AND CAN/CSA A430-00, 'CONCRETE TESTING METHODS'
- THE COMPRESSIVE STRENGTH OF VIBRATED CONCRETE AFTER 28 DAYS SHALL NOT BE LESS THAN:
  - 1. 3320 MPa (4850 PSI) FOR GARAGE FLOORS AND ALL EXTERIOR SLABWORK
  - 2. 3200 MPa (4600 PSI) FOR INTERIOR FLOORS (OTHER THAN GARAGE AND CARPORT) WHERE DAMPROOFING IS NOT PROVIDED
  - 3. 3200 MPa (4600 PSI) FOR FOUNDATION WALLS, COLUMNS, FOOTINGS, GRADE BEAMS, AND BEAMS
- SLUMP AT DISCHARGE TO BE 20MM
- MAXIMUM SIZE OF COARSE AGGREGATE TO BE 20MM
- A BOND BREAKING MATERIAL MUST BE PROVIDED BETWEEN SLAB AND ALL OTHER CONCRETE

### CONCRETE BLOCK: (WHERE APPLICABLE)

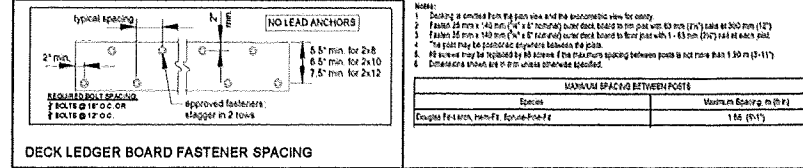
- BLOCKS SHALL CONFORM TO CAN/CSA A161.1, 'CONCRETE MASONRY UNITS' AND SHALL HAVE A COMPRESSIVE STRENGTH OVER THE NET AREA OF THE BLOCK OF NOT LESS THAN 15 MPa (2200 PSI)

### GENERAL STRUCTURAL NOTES: (WHERE APPLICABLE)

- TYPICAL FOUNDATION WALL TO HAVE 2-15mm BARS 4" FROM TOP & BOTTOM OF FOUNDATION, UNLESS NOTED OTHERWISE (SEE DRAWING FOR TYPE AND THICKNESS)
- FOUNDATION WALLS TO EXTEND A MINIMUM 1" ABOVE FINISHED GRADE
- GRADE LINES SHOWN ON THESE ASSUMED MINIMUM BACKFILL HEIGHT SHALL NOT EXCEED 7'-7" FOR THE SPECIFIED LATERALLY SUPPORTED, UNREINFORCED POURED CONCRETE FOUNDATION WALL UNLESS NOTED OTHERWISE
- CONFORM BLOCK OPENINGS WITH WINDOW MANUFACTURER'S ROUGH OPENING SIZES PRIOR TO CONSTRUCTION (WHERE WINDOW AND DOOR OPENINGS ARE SHOWN IN CONCRETE FOUNDATION WALLS)
- WHERE EXTERIOR GRADE IS HIGHER THAN THE GROUND LEVEL, INSIDE THE EXTERIOR SURFACE OF FOUNDATION WALLS BELOW GRADE SHALL BE DAMPROOFED, WHERE HYDROSTATIC PRESSURE OCCURS, THE WALLS SHALL BE WATERPROOFED
- REINFORCING STEEL SHALL CONFORM TO CSA C30 (A207M), GRADE 400, IF REBAR IS TO BE WELDED IT IS TO BE GRADE 400W, WELDED WIRE REEF SHALL CONFORM TO CSA G30.6 (M53R19)88
- ALL HORIZONTAL REINFORCING STEEL SHALL BE CONTINUOUS WITH CORNER BARS AND MINIMUM LAPS OF 24". NO BARS ARE TO END WITHIN 4" OF THE CORNERS OF THE FOUNDATION WALLS
- PROVIDE NOT LESS THAN 4" COARSE, CLEAN GRANULAR MATERIAL UNDER ALL FLOOR SLABS. GRANULARS NEED NOT BE COMPACTED WHERE THE MATERIAL IS CLEAN COARSE AGGREGATE CONTAINING NOT MORE THAN 10% OF MATERIAL THAT WILL PASS A #10 sieve
- PROVIDE LEVELING LAYER OF COMPACTED GRANULARS A BENEATH THE INSULATION (IF REQUIRED)
- ALL CONCRETE WORK SHALL CONFORM TO CSA A23.1-14 AND CSA A23.4-14 FOR MATERIALS AND WORKMANSHIP
- HOLES IN CONCRETE SLAB AND WALLS FOR THE PIPES TO THE EXTERIOR TO BE COORDINATED ON SITE PRIOR TO POURING THE CONCRETE
- FOUNDATION WALLS ARE TO BE EVENLY BACKFILLED ON BOTH SIDES
- THIS FOUNDATION HAS BEEN DESIGNED BASED ON AN ASSUMED BEARING CAPACITY OF 75 KPA (5.16 KLS, 150 KPA LBS CONTACT) AT THE TIME OF EXCAVATION TO VERIFY THE ASSUMED BEARING CAPACITY
- ALL GRANULAR FILL MATERIAL BENEATH FOOTINGS TO MEET ONTARIO PROVINCIAL STANDARD SPECIFICATION (O.P.S.S.) FOR GRANULAR A OR GRANULAR B TYPE (OR WITH MAX SIZE OF 2") COMPACTED TO 100% STANDARD PROCTOR MAXIMUM DRY DENSITY (85%)
- GEOTECHNICAL ENGINEER TO INSPECT AND APPROVE SUB-GRADE PRIOR TO LAYING ANY FILL OR INSULATION. COMPLETELY REMOVE THE TOP SOIL AND ANY OTHER ORGANIC MATERIAL TO THE NATIVE SOIL SUB-GRADE ENSURING ALL LOOSE AND DISTURBED MATERIAL IS REMOVED FROM THE FOUNDATION FOOTING
- ALL GRANULAR LOADS TO BE CARRIED TO FOUNDATION THROUGH SOIL BLOCKING
- RAFTER & FLOOR DESIGN IS BY OTHERS
- FLOOR JOIST DESIGN, FLUSH LVL BEAMS WITH THE FLOOR SYSTEM ARE BY THE MANUFACTURER
- ALL DIMENSION LUMBER, EXCEPT NON-LOAD BEARING 8 FT STUDS TO BE 102 GRADE SPF OR BETTER. NON-LOAD BEARING 8 FT STUDS TO BE 103 OR STUD GRADE SPF OR BETTER
- PROVIDE MIN. 3" BEARING AND SET ALL MEMBRANE PROTECTION FOR ALL BEAMS REQUIRING POCKETS INTO FOUNDATION
- ENSURE 2" GROUND COVER ABOVE US OF FOOTINGS. INSTALL R-10 INSULATION UNDER FOOTINGS EXTENDING OUT WHERE LESS THAN 1' GROUND COVER ABOVE TOP OF FOOTINGS
- PROTECT SUB-GRADES FROM WATER AND FREEZING ADJACENT TO AND BELOW ALL FOOTINGS AT ALL TIMES DURING CONSTRUCTION
- ALL REQUIRED BUILT UP POSTS TO HAVE A PLUMB TO MATCH SUPPORTED BEAM TO ENSURE ADEQUATE BEARING. I.E. 3 PLY POST FOR 3 PLY BEAM
- STEEL, TIMBER AND BUILT-UP TIMBER COLUMNS FROM ALL LEVELS SHALL BE CARRIED DOWN TO THE FOUNDATION OR TO SUPPORTING BEAMS, PROVIDE BLOCKING WHERE REQUIRED. STEEL COLUMN PLATES TO BE ANCHORED TO FOOTING AND BEAM FLANGES
- SLAB IS TO BE SAWCUT INTO PANELS, NOT EXCEEDING 12' x 12' (OR AS CONFIRMED ON SITE), 48 HOURS AFTER POUR



GUARD POST ATTACHMENT, OBC SB-7 DETAIL EB-2 (WHERE REQUIRED)



Notes:

1. Spacing a center from the post via a and the approximate view for clarity
2. Fasten 25 mm x 45 mm (1" x 1 7/8") square end beam to floor post with 1 - 45 mm (1 7/8") nail at each post
3. Fasten 25 mm x 45 mm (1" x 1 7/8") square end beam to floor post with 1 - 45 mm (1 7/8") nail at each post
4. The post may be fastened to the beam between the posts
5. All beams may be replaced by 85 mm (3 1/4") square spacing between posts is not more than 150 mm (6-11")
6. Consider a 25 mm x 45 mm (1" x 1 7/8") square end beam

MAXIMUM SPACING BETWEEN POSTS	
Beam	Minimum Spacing, m (ft)
Depth 45 mm (1 7/8") Square End Beam	1.68 (5'-7")

# Township of South Frontenac Staff Report

---



**To:** Committee of Adjustment

**From:** Development Services Department

**Date of Meeting:** August 8, 2024

**Subject:** Minor Variance Application (S. 45(1) of Planning Act)  
PL-ZNA-2024-0087, Adrain, 11 Doc's Point Lane, Bedford District

---

## Summary

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

## Background

**Official Plan Designation:** Rural

**Zoning:** Limited Service Residential (RLS)

## Proposal

The applicant proposes to construct a 90.5 square metre detached garage, with a second floor storage area. The garage would be setback 8m from the front lot line and would have a lot coverage value of 6%. The variances are being requested to accommodate the proposed structure on the property.

## Zoning Relief Requested

Section 5.24.1 – To permit a detached accessory building to have a lot coverage value of 6%, whereas the Zoning By-law permits a maximum lot coverage value of 5% for all detached accessory buildings and structures.

Section 9.3.2 – To permit a detached accessory building to have a front yard setback of 8 metres, whereas the Zoning By-law requires a minimum 20 metres setback from the front lot line.

## Related Applications

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

## Property Description

The subject property is a small parcel of land (~0.4 Ac) with approximately 43 metres of frontage on Doc's Point Lane. Existing development consists of a seasonal dwelling with attached front porch and rear deck and detached storage structure. A hydro line cuts through the subject property, extending along the western and southern boundary of the seasonal dwelling, forming an "L" shape. The area of the driveway, seasonal dwelling and hydro line are cleared of trees and vegetation. The remainder of the property, particularly along the existing lot lines, is well vegetated and features many mature trees. The area to the west of the seasonal dwelling is slightly elevated from the remainder of the property. The subject property exists in an area characterized by both limited service residential waterfront and non-waterfront uses.

## Department and Agency Comments

**Rideau Valley Conservation** did not provide comments for this application as the proposed detached garage is not located in close proximity to Bob's Lake.

**Building Services and Public Services** did not provide comments for this application due to the nature of the proposal. Specifically, the proposed garage would not encroach within the area of the existing septic system and the subject property is located on a private lane.

## Public Comments

No public comments were received at the time of preparing 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 facilitate the construction of a detached garage 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 of the Township. The proposed detached garage is accessory to the permitted residential use of the subject property.

It is the opinion of Township Planning Staff that the proposed variances maintain 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 within the RLS zone. The proposed detached garage complies with all requirements of the Zoning By-law except maximum lot coverage for a detached accessory building and minimum setback from the front lot line.

Section 5.24.1 establishes a maximum lot coverage value of 5% for all detached accessory structures, whereas the proposed garage would have lot coverage value of 6%. The maximum lot coverage value is intended to control the scale and density of development and avoid an overdeveloped appearance. The proposed garage is large relative to the size of the subject property. However, the proposed garage would facilitate the removal of an existing storage structure and the addition of a second floor storage area. Therefore, there would be no need for additional storage building on the subject property. Additionally, this scale of development would not conflict with the existing patterns of development in the neighbourhood. For example, several surrounding properties with similar lot areas are developed with cottages near the shoreline with similar sized detached garages adjacent to the travelled laneway. The subject property differentiates from these properties, as it does not contain waterfrontage. The Zoning By-law permits the principal structure to have a larger lot coverage value in the RLS Zone (10%) compared to the RLSW Zone (5%). The Zoning By-law also permits an additional 5% lot coverage for detached accessory structures in all zones. Therefore, it is the intent of the Zoning By-law to permit all buildings and structures on a property zoned RLS to have a maximum lot coverage value of 15%. The existing dwelling with all attached structures has a lot coverage value of approximately 8%. With the additional lot coverage provided by the detached garage (6%), there would be a total lot coverage value of 14%. Therefore, the larger garage can be permitted while still maintaining the general intent of the RLS Zone.

Section 9.3.2 requires all structures to be setback a minimum of 20m from the front lot line of a property. The purpose of this setback is intended to control development adjacent to private laneways and avoid an overdeveloped appearance in rural areas. The proposed detached garage would have an 8 metre setback from the front lot line. Due to the location of the existing driveway, to the west of the proposed location, the garage would be accessed from the side, as opposed to directly from the laneway. The subject property features physical constraints which would limit the ability to build a detached garage in a compliant location. The proposed location is likely the only feasible location on the subject property where the garage could be built. This is due to the locations of the existing dwelling, sewage system and hydro line, combined with the property's narrow width. There is existing mature tree and vegetation growth along the frontage on the subject property. Setback 8m from the front lot line, there would be an opportunity to maintain some of the existing tree coverage to visually screen the garage from Doc's Point Lane.

It is the opinion of planning staff that the proposed variances maintain the general intent and purpose of the Zoning By-law.

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

The requested variances are desirable for the appropriate development or use of the land. The increase in lot coverage is modest and would not impact the functionality of the property or impact the surrounding area. The location of the proposed garage is likely the only feasible location on the subject property and would connect directly to the existing driveway from Doc's Point Lane. When considering the 8m setback and location of the driveway relative to the garage, there would be enough space for a vehicle to safely stop or park in the area between the garage and the lane. Finally, existing tree coverage along the frontage and

eastern side lot line should mitigate any visual impacts associated with the size and location of the proposed garage.

Is the variance minor?

The requested variances are minor as they maintain the general intent and purpose of the Official Plan and Zoning By-law. The requested variances are also desirable for the appropriate development of the land. It is anticipated that there will be no negative impacts on surrounding properties or the private lane as a result of the proposed garage.

### **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-2024-0087 for 11 Doc's Point Lane, subject to the following conditions.

1. The minor variance is for a 90.5 square metre detached garage. The detached garage is permitted to have a maximum lot coverage value of 6%, and to establish a minimum 8 metre front yard setback. The location of the detached garage should be consistent with the sketch submitted by the applicant.
2. A building permit is required for ALL proposed demolition and construction on the property. There shall be no additional development on the property without the approval from the Township of South Frontenac.
3. Minor variance PL-ZNA-2024-0087 is applicable only to Zoning By-law No. 2003-75 and not to any subsequent zoning by-laws.

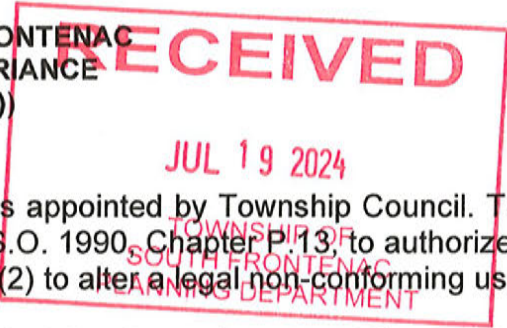
### **Report Prepared By:**

Noah Perron, Planner

### **Report Reviewed By:**

Christine Woods, RPP, MCIP, Manager of Planning

**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.

<b>Application Type:</b>	<b>Planning Application Fee:</b>
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: Christine Woods Date of pre-consultation: May, 2024

1. Name of Owner(s): Michael Preston and Aaron Clayton and Kathleen Harrison

Full Mailing Address of Owner(s): 74 Gore Street, Kingston, Ontario, K7L 2L5

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: Michael Preston

Full Mailing Address of Authorized Agent: same as above

Phone number of Authorized Agent: see above

Email Address of Authorized Agent: see above

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

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

3. The description of the subject land:

District:  Bedford  Portland  Loughborough  Storrington

Concession Number: 5 Lot Number: Part Lot 20 and Lot 21

Street Number: 4652 Name of Road/Street: North Shore Road

Reference Plan Number: 13R-10790 Part Number(s): Parts 1 to 4

Roll Number: 102904003011700

**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): 794.48'                      Frontage (on road/lane): 0'

Depth: 273'    Area: 3.17 acres

5. The current zoning of the subject land:

RW

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

See attached cover letter.

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

There are many topographical constraints on the property.

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

OR a privately maintained road?     Yes             No

Name of Road/Lane:

North Shore Road

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

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

Seasonal Dwelling

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)	(5)
	All existing buildings to be demolished	Bunkie	Boathouse	Shed	Garage
Setback from Front Lot Line	30'-3 1/2"	30'-3"	0'-0"	52'-2"	211'
Setback from Rear Lot Line	N/A	N/A	N/A	N/A	N/A
Setback from Side Lot Line	227'-10" (north) 47'-6" (west)	214'-10" (north) 127'-3" (west)	189'-3" (north) 216' (west)	210' (n) 110'-6" (w)	54'-8" (n) 70'-3" (w)
Height of Building (Also indicate if it is one story or two story)	24' - 1.5 storey	12' - 1 storey	12' - 1 storey	9'	11'
Dimensions of Floor Area	773 sq. ft.	150 sq. ft.	404 sq. ft.	52 sq. ft.	253 sq. ft.
Setback from High Water Mark (If applicable)	30'-3 1/2"	30'-3"	0'-0"	52'-2"	211'

13. The proposed uses of the subject land:

Single Family Residential

---

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

Yes       No

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

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

Type of Structure (E.g. residence)	(1) Dwelling	(2) Bunkie	(3) Cabana	(4)
<b>Setback from Front Lot Line</b>	83'-6"	37'-6"	41'-5"	
<b>Setback from Rear Lot Line</b>	N/A	N/A	N/A	
<b>Setback from Side Lot Line</b>	103'-7 1/2" (north) 69'-5" (west)	234'-3 1/2" (north) 51'-2" (west)	225'-2" (north) 70'-6" (west)	
<b>Height of Building</b> (Also indicate if it is one story or two story)	10m - 2 storey	14'-10" - 1 storey	14'-10" - 1 storey	
<b>Outside Dimensions of Building/Structure</b>	110'-1" x 43'-11"	19' x 14'-4"	19' x 14'-4"	
<b>Setback from High Water Mark</b> (If applicable)	83'-6"	37'-6"	41'-5"	

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:

All existing buildings to be demolished

---

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

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

If yes, please provide details:

---

18. What are the uses of the proposed development?

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

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

July 2023

---

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

1960s?

---

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

Since being built

---

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:

Currently from the lake - new well proposed

---

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:

Currently holding tank - new septic system proposed

---

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

Natural topography

---

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

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

Yes       No

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

---

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

Yes       No

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

---

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

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

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

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

AGREEMENT TO INDEMNIFY

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

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

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

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

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

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

DATED AT THE TOWNSHIP OF SOUTH FRONTENAC

THIS 19th DAY OF July, 2024

I, MICHAEL PRESTON OF KINGSTON

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

\_\_\_\_\_  
Signature of Applicant or Authorized Agent

\_\_\_\_\_  
Signature of Applicant or Authorized Agent

DECLARED before me at the TOWNSHIP OF SOUTH FRONTENAC (IN THE COUNTY OF FRONTENAC)

THIS 19 DAY OF July, 2024

Margaret Spafford  
A Commissioner, etc.

Margaret Estelle Spafford, a Commissioner,  
etc., Province of Ontario, for the Corporation  
of the Township of South Frontenac.  
Expires January 30, 2027.

**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.

July 20, 2024

RE 4652 North Shore Road – Committee of Adjustment

4652 North Shore Road is a 3.17 acre property on the east basin of Loughborough Lake. The property has approximately 795' of shoreline on the lake.

Currently, there are several buildings on the property, most of which are in disrepair. There is a cottage with deck, a boathouse, a bunkie, 2 sheds and a garage. All of these buildings (minus the garage) are built within the 30 meter water setback and are therefore non-conforming to the current by-law.

Our plan is to remove all of the existing buildings and to construct a new main dwelling, a bunkie and a cabana.

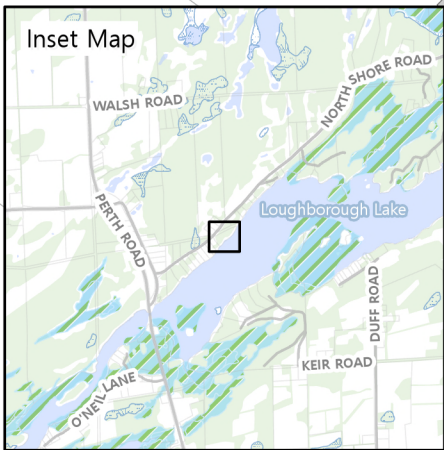
We are proposing to construct the main dwelling further back on the property so that it mostly conforms with the water setback. We will be asking for a variance from the 'high water mark setback' for a small part of the dwelling – a screened porch which protrudes from the building.

We would also like to construct a bunkie and a cabana in the same location as the existing cottage. The combined area of these two buildings will be less than the footprint of the existing cottage, and they will be 1 story in height (as opposed to 1.5). These buildings will also require a variance for 'high water mark setback', as well as for 'accessory building in a front yard' and 'setback from top of bank'.

The extreme topography of this property dictated a lot of our design decisions. Even though it is a large property, there are not many locations on which to build. The full eastern half of the property is essentially inaccessible, so it made sense to keep the construction to the areas we are proposing.

All told, we will be eliminating 1694 square feet of non-conforming structure and replacing this with two small buildings – each at 272 square feet.











Thank you for your consideration of this proposal.



# SOUTH FRONTENAC

**PL-ZNA-2024-0089  
(PRESTON) (CLAYTON)  
4652 NORTH SHORE ROAD**

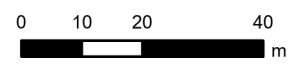
**Legend**

-  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
-  Waterbody
-  Township Boundary
-  Road

Produced by the County of Frontenac under license with the Ontario Ministry of Natural Resources © King's Printer for Ontario, 2024.

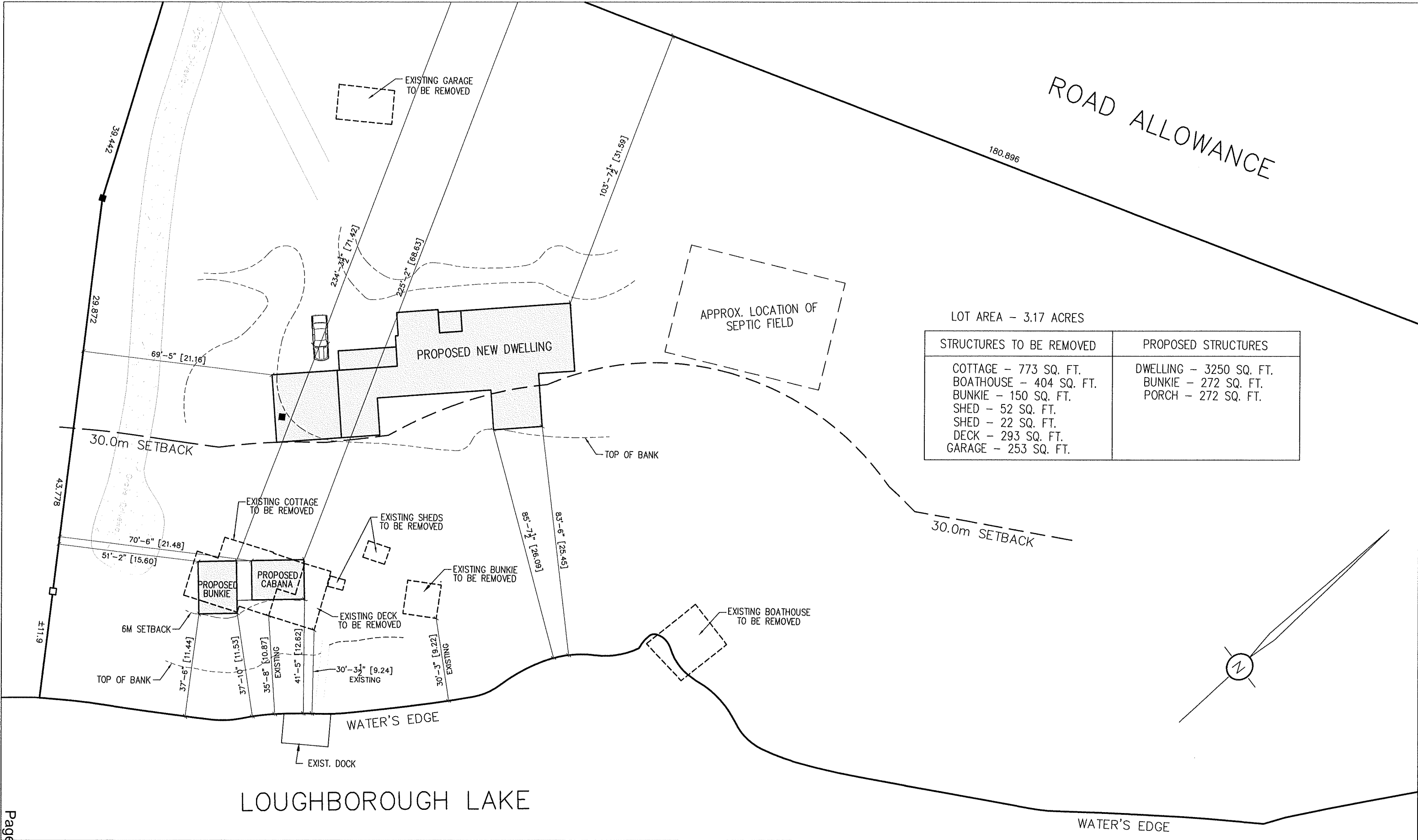
While the County makes every effort to insure that the information presented is accurate for the intended uses of this map, there is an inherent error in all mapping products, and accuracy of the mapping cannot be guaranteed for all possible uses. This map displays basic topographic features only.

Scale: 1:1,250

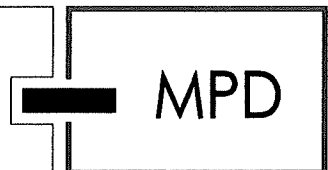


UTM Zone 18 NAD 83

Date: 2024-07-22



STRUCTURES TO BE REMOVED	PROPOSED STRUCTURES
COTTAGE - 773 SQ. FT.	DWELLING - 3250 SQ. FT.
BOATHOUSE - 404 SQ. FT.	BUNKIE - 272 SQ. FT.
BUNKIE - 150 SQ. FT.	PORCH - 272 SQ. FT.
SHED - 52 SQ. FT.	
SHED - 22 SQ. FT.	
DECK - 293 SQ. FT.	
GARAGE - 253 SQ. FT.	

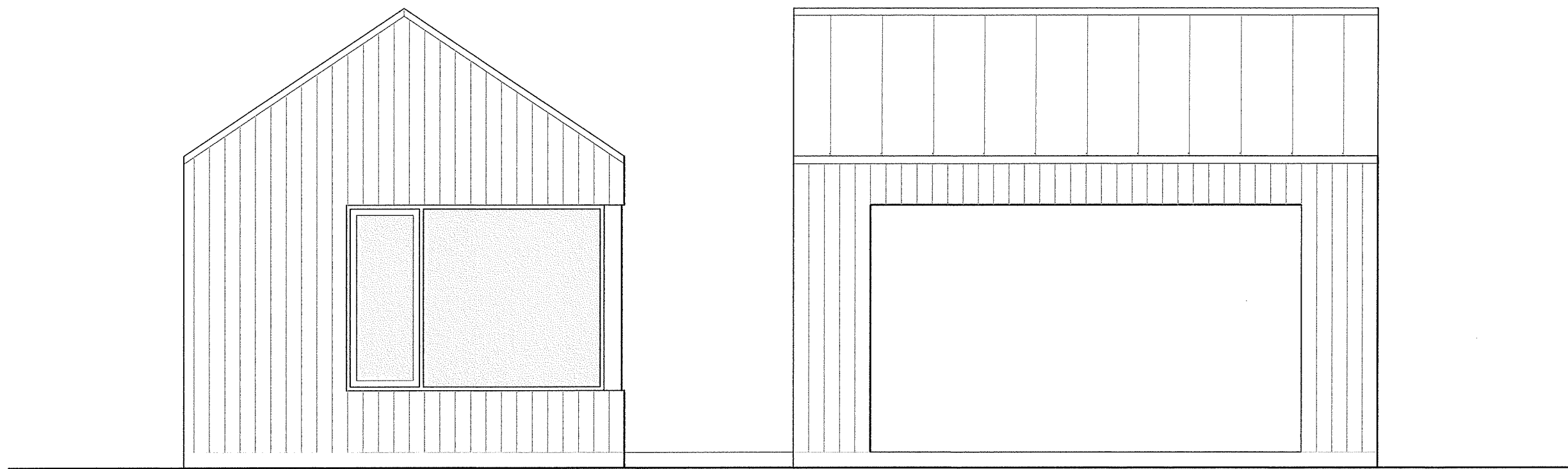




FRONT (WATER) ELEVATION

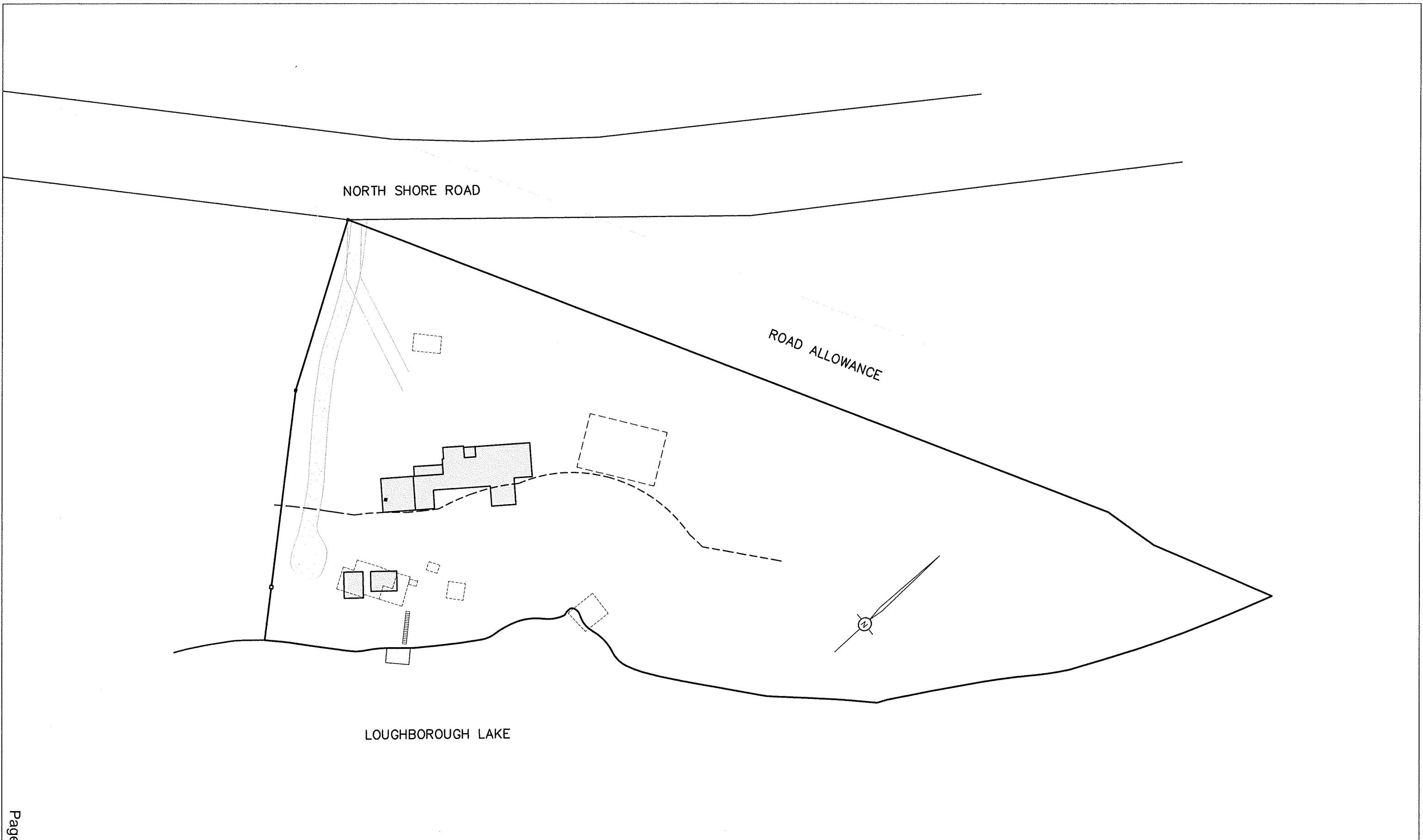


REAR ELEVATION



BUNKIE

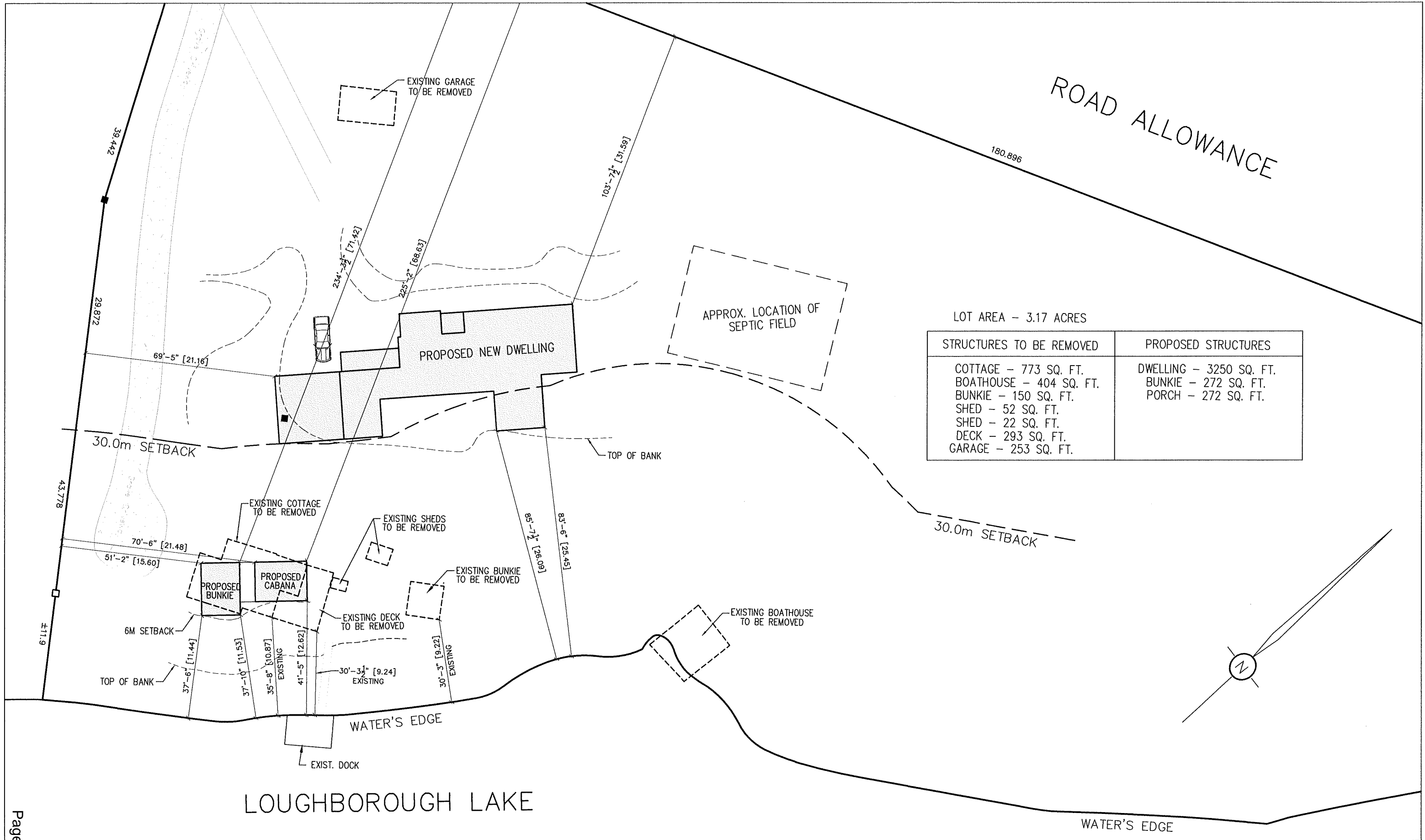
CABANA



NORTH SHORE ROAD

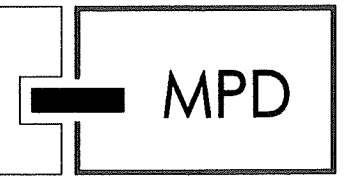
ROAD ALLOWANCE

LOUGHBOROUGH LAKE



LOT AREA - 3.17 ACRES

STRUCTURES TO BE REMOVED	PROPOSED STRUCTURES
COTTAGE - 773 SQ. FT.	DWELLING - 3250 SQ. FT.
BOATHOUSE - 404 SQ. FT.	BUNKIE - 272 SQ. FT.
BUNKIE - 150 SQ. FT.	PORCH - 272 SQ. FT.
SHED - 52 SQ. FT.	
SHED - 22 SQ. FT.	
DECK - 293 SQ. FT.	
GARAGE - 253 SQ. FT.	

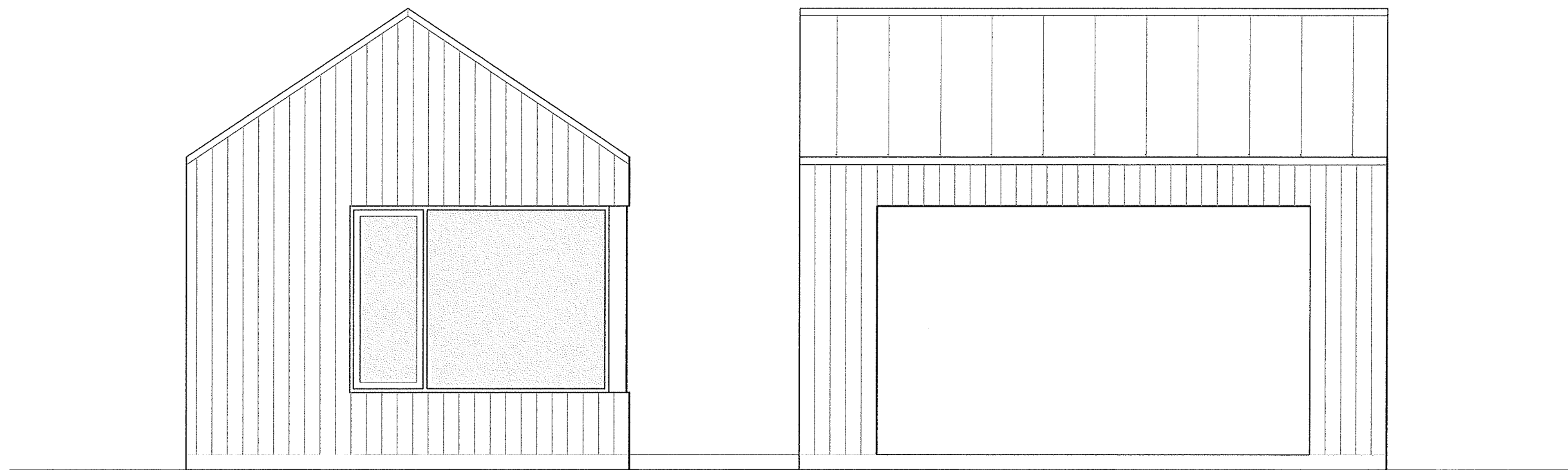




FRONT (WATER) ELEVATION



REAR ELEVATION



BUNKIE

CABANA

August 7, 2024

File: MV/FRS/192/2024

**Sent by E-mail**

Ms. Christine Woods, Senior Planner  
Township of South Frontenac  
P.O. Box 100  
Sydenham, Ontario  
K0H 2T0

Dear Ms. Woods:

**Re: Application for Minor Variance PL-ZNA-2024-0089 (Preston & Clayton)  
Pt Lot 20, Concession 5; 4652 North Shore Road  
Loughborough District, Township of South Frontenac  
Waterbody: Loughborough Lake**

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

**Proposal**

The proposal involves the demolition of all the existing buildings on the subject property, and the construction of a new residential dwelling, a sleeping cabin, and a cabana. Permission is requested to reduce the required setback from the highwater mark from 30 metres, as required by Section 5.8.2.a) of the South Frontenac Zoning By-law, to 25.4 metres to permit the construction of the dwelling, 11.4 metres to permit the construction of the cabin, and 12.6 metres to permit the construction of the cabana. Permission is also requested to reduce the setback from the top of bank from 15 metres, as required by Section 5.8.2.b) of the South Frontenac Zoning By-law, to 6 metres, to permit the sleeping cabin and cabana.

**Site Description**

The property is located on the north shore of the east basin of Loughborough Lake. The topography of the property can be described as having a high and steep bedrock embankment, that rises quickly from the shoreline, levels out around the area where the existing buildings are located, and rises again up towards North Shore Road. Staff visited the site on July 23, 2024.

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

**Discussion**

Cataraqi Conservation's scope of review for this proposal includes the avoidance of natural hazards (e.g. flooding and erosion) associated with the shoreline of Loughborough Lake.

Natural Hazards / Ontario Regulation 41/24

**Flooding:** The maximum recorded water level for Loughborough Lake is 125.1 metres geodetic. For Loughborough Lake, the maximum recorded water level is used in lieu of an engineered flood plain. Cataraqi Conservation's Guidelines for Implementing Ontario Regulation 41/24 (see description below) requires that all development be set back a minimum of 6 metres from

the regulatory floodplain of a waterbody. Based on topographic mapping and the site plan submitted with the application, staff are satisfied that the proposed development will be located outside of the flooding hazard and applicable setback.

**Erosion:** Section 5.8.2.b) of the South Frontenac Zoning By-law requires that all buildings and structures be set back at least 15 metres horizontal from the top of bank of any embankment, the slope of which is greater than 30% from horizontal. Due to the bedrock embankment, and in accordance with provincial technical standards, the slope is considered stable, and Cataraqui Conservation defines the extent of potential erosion hazards to be 6 metres from the stable top of bank, to provide an allowance for access between new buildings and the shoreline. Based on the site plan submitted with the application and observations taken on site, staff are satisfied that the proposed dwelling, sleeping cabin, and cabana will be located outside of the erosion hazard limit.

Staff have no concerns from a natural hazards perspective.

**If approved, staff recommend that proper sediment and erosion controls be incorporated into construction plans. We also recommend the maintenance and enhancement of a healthy buffer of native vegetation between all buildings/structures and the water, to help stabilize soils into the long-term.**

#### Recommendation

In summary, staff have no objection to the approval of application PL-ZNA-2024-0089 based on our review of natural hazard and regulatory policies.

We also recommend implementation of the above-noted best practice measures (in bold text) and advise the applicant that a CRCA permit will be required at the building permit stage.

#### *Ontario Regulation 41/24*

Please note that portions of the subject lands are subject to Ontario Regulation 41/24: *Prohibited Activities, Exemptions and Permits* (formerly O. Reg. 148/06), which is administered by the CRCA. The purpose of the regulation is to ensure that proposed changes (e.g. development and site alteration) to a property are not affected by natural hazards, such as flooding and erosion, and that the changes do not put other properties at greater risk from these hazards. For this property, any development (buildings and structures) and site alteration (excavation, grading, placement of fill) within 15 metres of the floodplain and within 15 metres of the top of bank is subject to O. Reg. 41/24. **Therefore, a CRCA permit will be required for the development. The landowner(s) should contact CRCA's office at the building permit stage for more information about permitting requirements under O. Reg. 41/24.**

Please inform this office of any decision made by the Committee with regard to this application. If you have any questions, please contact the undersigned at 613-546-4228 ext. 239, or by e-mail at [jtreash@crca.ca](mailto:jtreash@crca.ca).

Yours truly,



Janelle Treash, RPP, MCIP  
Resource Planner

# Township of South Frontenac Staff Report

---



**To:** Committee of Adjustment

**From:** Development Services Department

**Date of Meeting:** August 8, 2024

**Subject:** Minor Variance Application (S. 45(1) of Planning Act)  
PL-ZNA-2024-0089, Preston and Clayton, 4652 North Shore Rd,  
Storrington District

---

## Summary

This report recommends that the Committee of Adjustment grant approval of the subject application for zoning relief for a single detached dwelling, sleeping cabin, and accessory building, subject to conditions, as this application meets the four tests of a minor variance outlined in section 45(1) of the Planning Act.

## Background

**Official Plan Designation:** Rural

**Zoning:** Waterfront Residential (RW)

## Proposal

The owners intend to demolish all the existing buildings on the property, and to build a house with attached garage, a sleeping cabin and a cabana.

The two-storey house would have a 3,256 square foot footprint. The house would be setback 30m from the highwater mark of Loughborough Lake, with the exception of a porch that would be setback 25.4m.

The 272 square foot sleeping cabin would be 11.4m from the lake and 6m from the top of bank. The 272 square foot cabana would be 12.6m from the lake and 6m from the top of bank. The sleeping cabin and cabana would be in the footprint of the old cottage. Two separate buildings are proposed because the footprint of the sleeping cabin is limited by the Zoning By-law definition for sleeping cabin.

The proposed sewage system would be setback at least 30m from the lake. The main components of the system would be setback at least 30m from a watercourse, however, the mantle may be closer to the watercourse.

Variations are being requested to allow the three buildings to be setback less than 30m from the highwater mark of the lake, and to allow the sleeping cabin and cabana to be less than 15m from the top of bank.

### **Zoning Relief Requested**

Section 5.8.2(a) and 8.3.3 – to permit a single detached dwelling, sleeping cabin and accessory building (cabana) to be setback a minimum of 25.4m, 11.4m and 12.6m respectively from the highwater mark of a waterbody, whereas a minimum 30 metre setback is required for all buildings and structures.

Section 5.8.2(b) – to permit a sleeping cabin and accessory building (cabana) to be setback a minimum of 6m from the top of bank of the shoreline, whereas a minimum 15m setback is required for all buildings and structures.

### **Related Applications**

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

### **Property Description**

The property is located on the north shore of the East Basin of Loughborough Lake, and is accessed off North Shore Road. It is a triangular shape, 3 acres in area and with about 220 metres frontage on the lake. Frontage on the road is limited to the driveway entrance. It is bordered to the west by a waterfront residential property and to the north by an unopened road allowance.

The entire property is forested. The east half of the property is not accessible due to a deep valley and the unopened road allowance. The valley contains an intermittent watercourse. The topography on the west half of the property is stepped. There are three plateaus each separated by slopes downward from the road to the lake.

There is an old garage on the top plateau near the road. The existing cottage, sleeping cabin and storage shed are located on the lower plateau near the lake. There is reportedly a sewage holding tank on the property.

### **Department and Agency Comments**

The owner consulted with Cataraqui Conservation before submitting the application, in order to determine their regulatory requirements. Cataraqui Conservation requires a minimum 6m setback from the top of bank. The proposed sleeping cabin and cabana would meet this requirement. Formal comments will be received prior to the public hearing.

### **Public Comments**

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

## Planning Analysis

The proposal needs to be assessed against the four tests of a minor variance outlined in Section 45(1) of the Planning Act. It is the opinion of Planning staff that the proposal meets the four tests as explained below.

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

The proposed variances maintain the general intent and purpose of the Official Plan related to waterfront residential development, and development adjacent to environmentally sensitive areas.

The variances would facilitate construction of a dwelling and related sewage system, as well as permitted accessory buildings, on lands that are designated Rural in the Official Plan on Schedule A.

The proposed dwelling would be located on the middle plateau. It would be pushed close to the upper slope, so that it would comply with the minimum 30m setback from the highwater mark of Loughborough Lake, with the exception of a porch that would be setback 25.4m. The setback would be maximized as intended by section 5.2.7(b) of the Official Plan.

The associated sewage system would be setback at least 30m from the lake from the watercourse that is in deep valley to the east. This represents an improvement over the existing reported holding tank that is close to the lake.

All the existing buildings on the property would be demolished. The proposed sleeping cabin and cabana would be located within the footprint of the existing cottage, and outside the shoreline erosion hazard. The combined area of these two buildings would be less than that of the existing cottage. Staff consider this a positive change on the property.

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

The proposed single detached dwelling, sleeping cabin and cabana (accessory building) are permitted uses in the RW zone.

The dwelling was designed to fit on the middle plateau between two slopes so that it could maximize the setback from the highwater mark. It also takes advantage of the plateau and slope to the east for a new sewage system that would be at least 30m from the lake and the watercourse, and which could be gravity fed.

The proposed cabin and cabana would maintain or exceed the setback of the existing cottage from the highwater mark. The buildings would be setback at least 6m from the top of bank, as required by Catarauqui Conservation, and meeting the intent of the Zoning By-law for new development to avoid natural hazards.

Lot coverage associated with the dwelling would be 2.4%, which is less than the 5% permitted in the RW zone. The total lot coverage of all buildings would be 2.8%.

The proposed variances maintain the general intent and purpose of the Zoning By-law.

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

The requested variances are desirable for the appropriate development of the land. The design and location of the proposed dwelling on the property ensures that the required setback from the highwater mark would be maximized. All the existing buildings (including a boathouse) within 30m of the highwater mark will be demolished and replaced with two smaller accessory buildings, resulting in a positive change on the property. If the sleeping cabin includes a washroom, the sewage would be pumped to the new sewage system that would be at least 30m from the lake.

Is the variance minor?

The requested variances are minor as they maintain the general intent and purpose of the Official Plan and Zoning By-law and are desirable for the appropriate development of the land. The existing natural vegetation on the property, and particularly along the shoreline, should be maintained to help mitigate visual impacts when viewed from the lake. The buildings will be located in appropriate areas where there are no impacts anticipated on the subject or abutting properties.

### **Notice/Consultation**

Notice of the Statutory Public Hearing was given pursuant to the requirements of the Planning Act, at least 10 days in advance of the Public Hearing. This included notice given:

- by mail to every owner of land within 60 metres of the subject lands
- by posting notice signs on the subject lands
- by 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-2024-0089 for 4652 North Shore Road, subject to the following conditions.

1. The minor variance is for a single detached dwelling, a sleeping cabin and a cabana (accessory building). The porch on the dwelling is permitted to establish a minimum 25.4m front yard and setback from the highwater mark of Loughborough Lake. The sleeping cabin and cabana are permitted to be setback 11.4m and 12.6m from the highwater mark of Loughborough Lake, respectively. The sleeping cabin and cabana are also permitted to be setback a minimum of 6m from the top of bank. The location and size of the buildings must be consistent with the submitted application and site plan.

2. The Owner is required to enter into a Development Agreement to be registered on the title of the property to the satisfaction of the Township to address the following matters and environmental standards of the Township:
  - a. Appropriate erosion control measures (e.g. silt fence, straw bales) must be used during construction and until the site is stable and revegetated.
  - b. Roof runoff will be directed away from Loughborough Lake and/or discharged to natural or constructed leaching pits/areas to maximize infiltration or onto coarse rock rubble splash pads to reduce the velocity of runoff before it enters the lake.
  - c. A natural vegetated buffer must be maintained in its natural state within 30 metres of Loughborough Lake, except in the immediate area of the building envelopes.
3. A building permit is required for ALL proposed demolition and construction on the property. There shall be no additional development on the property without the approval from the Township of South Frontenac.
4. Minor variance PL-ZNA-2024-0089 is applicable only to Zoning By-law No. 2003-75 and not to any subsequent zoning by-laws.

**Report Prepared By:**

Christine Woods, RPP, MCIP, Manager of Planning

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: \_\_\_\_\_

1. Name of Owner(s): Jeff and Allyson Donaldson

Full Mailing Address of Owner(s): 398 Barrie Street, Kingston Ontario K7K 3T7

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: Rod Spellman of Valleylane Construction

Full Mailing Address of Authorized Agent: 2315 McCarey Road, Joyceville Ontario K0H 1Y0

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

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

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

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

3. The description of the subject land:

District:  Bedford  Portland  Loughborough  Storrington

Concession Number: \_\_\_\_\_ Lot Number: Lot 2

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

Reference Plan Number: FVLC85 Level Unit 2 Part Number(s): \_\_\_\_\_

Roll Number: 040-030-12617-0000

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): 945ft Frontage (on road/lane): 164 ft  
Depth: \_\_\_\_\_ Area: 4.03 acres

5. The current zoning of the subject land:

RLSW-104

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

requesting to have a 9.5 m setback relief from the small wet area (i.e. the 125.1m contour)

Also to address the 3 locations that are +/- 0,1m from the 40m setback that include the garage, one corner of the deck and a rear corner of the house. Also the corner of the Porch that extends +/-0.8m.

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

Due to the 40m setback required and adhered to placed a very limited footprint option of house positioning

This new requirement will not allow for a home to be built within the new parameters

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

OR a privately maintained road?  Yes  No

Name of Road/Lane:

Hinterland Lane

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

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

currently vacant residential

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

Yes  No

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

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

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

13. The proposed uses of the subject land:

Residential

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

Yes       No

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

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

Type of Structure (E.g. residence)	(1)	(2)	(3)	(4)
	Residence			
Setback from Front Lot Line	40m			
Setback from Rear Lot Line	40m			
Setback from Side Lot Line	24.9m			
Height of Building (Also indicate if it is one story or two story)	+/- 8m 2 story			
Outside Dimensions of Building/Structure	332.8 sq m			
Setback from High Water Mark (If applicable)	9.5 m			

NOTES: 1) If the subject property is on waterfront, and on a private lane, the setback from the front lot line and the setback from the high water mark will be the same.

2) The dimensions required in this question relate to the **NEW CONSTRUCTION ONLY**, and **NOT** to the total size of the completed building.

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

If yes, please provide details:

---

**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:

August 23, 2021

---

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

Not Applicable

---

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 septic

---

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

yes, design to be finalized but ditches and swales will be utilized

---

**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.

RVCP 85

---

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

Yes       No

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

---

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

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

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

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

**AGREEMENT TO INDEMNIFY**

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

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

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

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

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


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

DATED AT THE TOWNSHIP OF SOUTH FRONTENAC

THIS 25 DAY OF July, 2024

I, Allyson Lee-Donaldson + Jeff Donaldson OF Kingston Cnd.

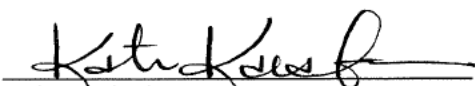
solemnly declare that all the statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

  
Signature of Applicant or Authorized Agent

  
Signature of Applicant or Authorized Agent

DECLARED before me at the TOWNSHIP OF SOUTH FRONTENAC (IN THE COUNTY OF FRONTENAC)

THIS 25<sup>th</sup> DAY OF July, 2024

  
A Commissioner, etc.











Katie Susan Kaestner, a Commissioner,  
etc., Province of Ontario, for the  
Corporation of the Township of South  
Frontenac. Expires August 14, 2024.



# SOUTH FRONTENAC

**PL-ZNA-2024-0095  
(DONALDSON)  
(SPELLMAN)  
HINTERLAND LANE UNIT 2**

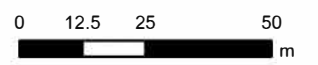
**Legend**

-  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
-  Waterbody
-  Township Boundary
-  Road

Produced by the County of Frontenac under license with the Ontario Ministry of Natural Resources © King's Printer for Ontario, 2024.

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: 1:1,500



UTM Zone 18 NAD 83

Date: 2024-07-26



August 1, 2024

File: MV/FRS/196/2024

**Sent by E-mail**

Ms. Christine Woods, Senior Planner  
Township of South Frontenac  
P.O. Box 100  
Sydenham, Ontario  
K0H 2T0

Dear Ms. Woods:

**Re: Application for Minor Variance PL-ZNA-2024-0095 (Donaldson)(Spellman)  
Pt Lot 23, Concession 6; Unit 2, Johnston Point Condominium  
Hinterland Lane, Township of South Frontenac  
Waterbody: Loughborough Lake and Loughborough Lake Provincially Significant  
Wetland Complex**

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

**Proposal**

The proposal involves the construction of a single detached dwelling and septic system on Unit 2 of the Johnston Point Vacant Land Condominium. The RLSW-104 zone requires the house to be set back a minimum of 40 metres from the highwater mark or floodline of Loughborough Lake. A small bay comes into the property along the southern shoreline, causing the highwater mark and floodline to extend inland significantly. Relief from the zoning by-law is requested to allow the dwelling to be located 9.5 metres from the floodline of Loughborough Lake. The plot plan also suggests that the house will encroach into the 40 metre setback, on the northern side of the house, by 0.8 metres.

**Site Description**

The property is located on the southern end of the Johnston Point plan of condominium development on the west side of the peninsula. The topography can be characterized as being relatively flat, gradually rising towards the interior of the property. Staff visited the site on July 23, 2024, and observed some preliminary grading work has already occurred in the area of the proposed dwelling. There are mature trees and vegetation growth along the riparian areas, and wetland habitat in the bay connected to the lake.

**Discussion**

Cataraqi Conservation's scope of review for this proposal includes the avoidance of natural hazards (e.g. flooding and erosion) associated with the shoreline of Loughborough Lake and the protection of the provincially significant wetland.

Natural Hazards / Ontario Regulation 41/24

**Flooding:** The maximum recorded water level for Loughborough Lake is 125.1 metres geodetic. For Loughborough Lake, the maximum recorded water level is used in lieu of an engineered

flood plain. Cataraqui Conservation's Guidelines for Implementing Ontario Regulation 41/24 (see description below) requires that all development be set back a minimum of 6 metres from the regulatory floodplain of a waterbody. Based on the site plan submitted with the application, staff are satisfied that the proposed development will be located outside of the flooding hazard and applicable setback.

**Erosion:** Along the bay area, Cataraqui Conservation, in accordance with provincial technical standards, defines the extent of potential erosion hazards to include an allowance for toe erosion (0 m), a stable slope allowance of 3:1 for till shorelines, plus an erosion access allowance of 6 metres. Topographic mapping and observations taken on site suggest that the shoreline embankment is roughly 1 metre high in this location, therefore staff have determined the total erosion hazard to be 9 metres measured inland from the stable toe of slope. Based on the site plan submitted with the application, staff are satisfied that the proposed development will be located outside of the erosion hazard limit.

**Loughborough Lake Provincially Significant Wetland Complex:** The northern shoreline on this property contains portions of the Loughborough Lake Provincially Significant Wetland Complex. CRCA's Guidelines for Implementing Ontario Regulation 41/24 require new development and site alteration to be set back a minimum of 30 metres from the limit of a provincially significant wetland, to protect the hydrologic function of wetland. Based on the site plan submitted with the application, the proposed dwelling will be located outside the minimum 30 metre setback from the PSW. Staff do not anticipate any negative impacts to the hydrologic function of the wetland on the lot as a result of the proposal.

Staff have no concerns from a natural hazards / regulatory perspective. **If approved, staff recommend that proper sediment and erosion controls be incorporated into construction plans. We also recommend that the 9.5 metre buffer between the dwelling and the bay should be maintained as a healthy riparian area of native vegetation. Site alteration (i.e. excavation, grading, placement of fill) will be required to meet the applicable regulatory setbacks noted above, so any fill currently within this setback will need to be removed, and the buffer remediated.**

#### Recommendation

In summary, staff have no objection to the approval of application PL-ZNA-2024-0095 based on our review of natural hazard and regulatory policies.

We also recommend implementation of the above-noted best practice measures (in bold text) and advise the applicant that a CRCA permit will be required at the building permit stage.

#### *Ontario Regulation 41/24*

Please note that portions of the subject lands are subject to Ontario Regulation 41/24: *Prohibited Activities, Exemptions and Permits* (formerly O. Reg. 148/06), which is administered by the CRCA. The purpose of the regulation is to ensure that proposed changes (e.g. development and site alteration) to a property are not affected by natural hazards, such as flooding and erosion, and that the changes do not put other properties at greater risk from these hazards. For this property, any development (buildings and structures) and site alteration (excavation, grading, placement of fill) within 15 metres of the floodplain, within 18 metres of the toe of slope, and within 30 metres of the provincially significant wetland is subject to O. Reg. 41/24. **Therefore, a CRCA permit will be required for the development. The landowner(s)**

**should contact CRCA's office at the building permit stage for more information about permitting requirements under O. Reg. 41/24.**

Please inform this office of any decision made by the Committee with regard to this application. If you have any questions, please contact the undersigned at 613-546-4228 ext. 239, or by e-mail at [jtreash@crca.ca](mailto:jtreash@crca.ca).

Yours truly,

A handwritten signature in black ink that reads "Janelle Treash". The signature is written in a cursive style with a large initial 'J'.

Janelle Treash, RPP, MCIP  
Resource Planner

# Township of South Frontenac Staff Report

---



**To:** Committee of Adjustment

**From:** Development Services Department

**Date of Meeting:** August 8, 2024

**Subject:** Minor Variance Application (S. 45(1) of Planning Act)  
PL-ZNA-2024-0095, Donaldson (Spellman), Hinterland Lane, Unit 2,  
Loughborough District

---

## Summary

This report recommends that the Committee of Adjustment grant approval of the subject application for zoning relief for a single detached dwelling, 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 subject lands are Unit 2 in the Johnston Point Vacant Land Condominium. This condominium is highly regulated through an Environmental Benefit Permit under the Endangered Species Act, a condominium agreement and a master site plan agreement. The master site plan agreement requires individual agreement for each unit. These tools specify the maximum amount of construction, site alteration and vegetation clearing that is permitted on each unit, and where it can occur on each unit.

The approved master site plan agreement includes a conceptual site plan for Unit 2 (attached). The proposed development is consistent with the conceptual plan. However, the conceptual plan failed to recognize that there is a small bay and floodplain that comes onto the property. This bay and floodplain makes it impossible for the dwelling to achieve the minimum 40m setback from the highwater mark or floodline required on Unit 2 without zoning relief.

**Official Plan Designation:** Rural

**Zoning:** Special Limited Service Residential – Waterfront (RLSW-104)

## Proposal

The owners propose to construct a house and sewage system on Unit 2 of the Johnston Point Vacant Land Condominium. The RLSW-104 zone requires the house to be setback a minimum of 40m from the highwater mark or floodline of Loughborough Lake. It was determined during the site plan review process that a small bay comes into the property making it impossible to achieve this setback. While the house would be 40m from the

highwater mark of the lake along most of the shoreline, it would be 9.5m from the floodline in the small bay. The plot plan suggests that points of the house may also intrude into the setback by 0.1m to 0.8m. A minor variance is being requested to allow the house to be setback less than 40m from the highwater mark or floodline of the lake.

### **Zoning Relief Requested**

Section 10, RLSW-104 – to permit a single detached dwelling to be setback a minimum of 39.2m from the highwater mark of Loughborough Lake and 9.5m from the floodline, whereas the Zoning By-law requires buildings to be setback a minimum 40m from the highwater mark or floodline of a waterbody.

### **Related Applications**

The lands are subject to Site Plan Control Application PL-SPR-2024-0081.

### **Property Description**

The property is located on the north shore of the East Basin of Loughborough Lake. It is at the end of Hinterland Lane, which is off North Shore Road.

The property is on a peninsula, so it has a long shoreline. There is a small bay that comes into the south end of the property. The entire property is forested, with the exception of the driveway and the area that has been cleared and prepared for development.

### **Department and Agency Comments**

The owner consulted with Cataraqui Conservation before submitting the application, in order to determine their regulatory requirements. Cataraqui Conservation requires a minimum 6m setback from the floodline. The proposed house would exceed this requirement. Formal comments will be received prior to the public hearing.

### **Public Comments**

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

### **Planning Analysis**

The proposal needs to be assessed against the four tests of a minor variance outlined in Section 45(1) of the Planning Act. It is the opinion of Planning staff that the proposal meets the four tests as explained below.

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

The subject lands are designated 'Rural' in the Official Plan on Schedule A. The type and amount of development on 'Rural' lands must maintain the rural character, natural heritage, and cultural landscape in the Township. The proposed dwelling and related sewage system are a permitted use on the property.

Section 5.2.7(b) of the Official Plan requires buildings and structures to be setback a minimum of 30m from the highwater mark of lakes and rivers. Vegetation within this area should be disturbed as little as possible and the soil mantle is also not to be altered. The site-specific zone for Unit 2 requires a minimum 40m setback for buildings and a 50m setback for sewage systems. The purpose of these measures is to minimize environmental and visual lake impacts by reducing phosphorus inputs, preventing erosion and by maintaining a natural appearance of shorelines. Also, Section 5.7.7(ii)(e) requires limited service residential development to be designed to preserve as much as possible a site's physical attributes, such as tree coverage, varying topography, scenic views, etc. for the benefit of future residents. There is a condominium agreement and master site plan agreement registered on the title of the property that address these requirements and in addition to other protections.

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

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

The proposed single detached dwelling is a permitted use in the RLSW-104 zone. This zone requires buildings to be setback a minimum of 40m from the highwater mark or floodline of a waterbody, and septic systems to be setback a minimum of 50m from the highwater mark or floodline of a waterbody. Where a zone says "highwater mark or floodline", the more restrictive of the two is applied. This provision did not account for the small bay and floodplain on Unit 2, which Frontenac Maps suggests encroaches onto the property at least 30m.

The dwelling was designed and located to achieve the minimum 40m setback from the highwater mark when measured from the main shoreline. An Ontario Land Surveyor verified the staked building location as required by the master site plan agreement. They determined that one corner of the dwelling, one corner of the attached deck, and one corner of the garage would encroach on the required setback by +/- 0.1m. This is within an acceptable margin of error. They also determined that a corner of the porch would encroach +/- 0.8m. It is the opinion of staff that a 0.8m variance for the corner of the porch would maintain the general intent and purpose of the Zoning By-law.

The Ontario Land Surveyor located the 125.1m elevation which corresponds with the floodline for Loughborough Lake, and determined that the dwelling would be setback 9.5m from the floodline. Cataraqui Conservation indicated that this setback would be sufficient to maintain access around the building in the event of flooding. It is the opinion of staff that the requested variance from the floodline would maintain the general intent and purpose of the Zoning By-law.

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

The requested variances are desirable for the appropriate development of the land. The proposed development is consistent with the conceptual plan of the approved master site plan agreement. The development will be subject to individual site plan control, which would require re-establishment and maintenance of a vegetated buffer between the dwelling and the floodline, and consideration for managing roof runoff.

Is the variance minor?

The requested variances are minor as they maintain the general intent and purpose of the Official Plan and Zoning By-law and are desirable for the appropriate development of the land. It is anticipated that there will be no negative impacts as a result of the proposed development.

### **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-2024-0095 for Unit 2 in Johnston Point Vacant Land Condominium, subject to the following conditions.

1. The minor variance is for a single detached dwelling. The porch on northeast corner of the dwelling is permitted to be setback a minimum of 39.2m from the highwater mark of Loughborough Lake. The dwelling is permitted to be setback a minimum of 9.5m from the floodline around the small bay. The location and size of the building must be consistent with the submitted application and site plan.
2. A building permit is required for ALL proposed demolition and construction on the property. There shall be no additional development on the property without the approval from the Township of South Frontenac.
3. Minor variance PL-ZNA-2024-0095 is applicable only to Zoning By-law No. 2003-75 and not to any subsequent zoning by-laws.

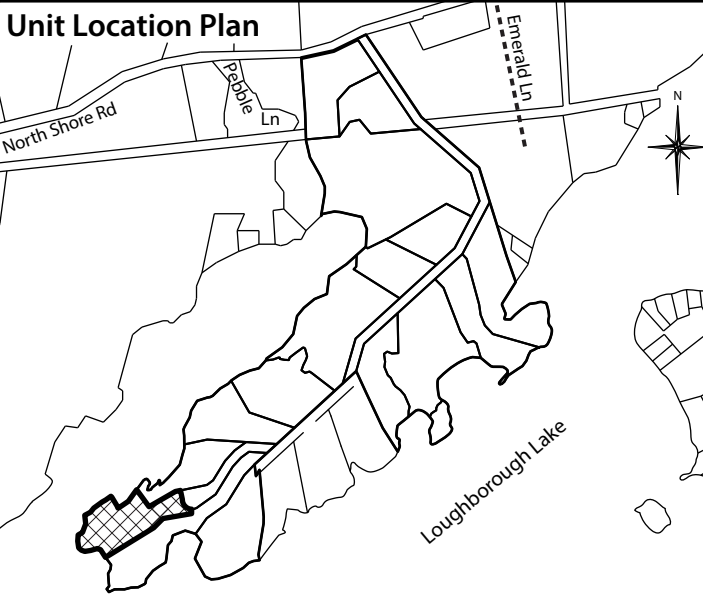
**Attachment:** Johnston Point Master Site Plan - Conceptual Site Plan Unit 2

### **Report Prepared By:**

Christine Woods, RPP, MCIP, Manager of Planning

# Johnston Point Conceptual Site Plan - Unit 2 (Two Septics)

Part Lot 23, Concession 6  
 Geographic Township of Loughborough  
 Township of South Frontenac  
 COUNTY OF FRONTENAC



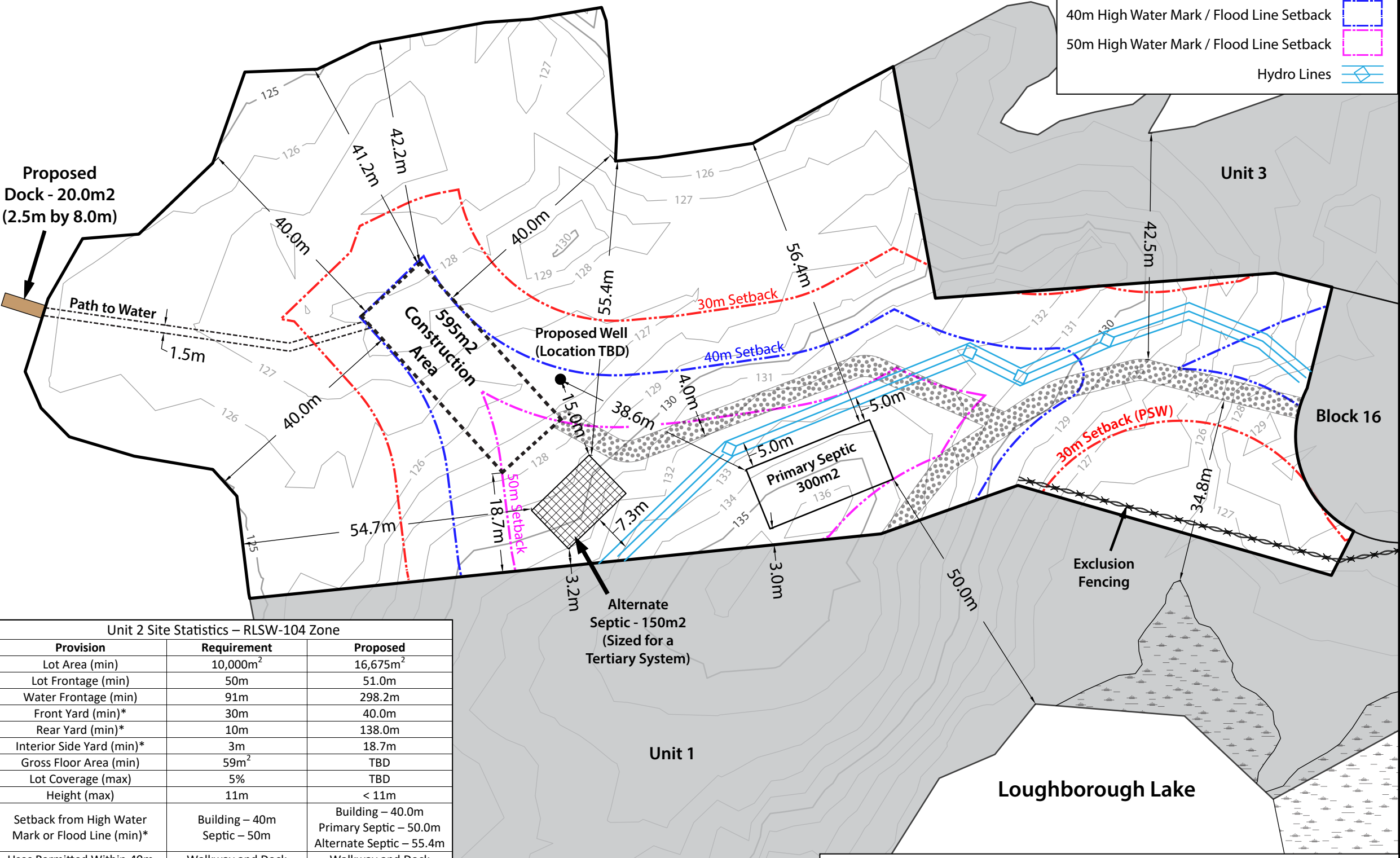
**Notes:**

- Final dwelling size & location, septic size & location, dock location, and the pathway to the water will be determined through a future site plan control application for the unit. All site improvements shown in the conceptual master plans, including but not limited to driveway locations, have been placed without regard to topography or feasibility of design or construction of such features in locations shown and may change or be relocated subject to all restrictions in the zoning, condominium agreement, declaration and master site plan agreement.
- The driveway on-site will also be used by Unit 1 for access.
- Per the Overall Benefit Permit exclusion fencing has been shown along the PSW area to deter wildlife from crossing onto the road.
- Lands within the 30 metre setback from the High Water Mark / Flood Line for the lot will comprise a shoreline protection area / no cut zone. All vegetation with the exception of invasive species shall be retained and maintained in a natural state.
- Lands within the 40 metre setback from the High Water Mark / Flood Line of the lot will comprise a Tree Protection Area to ensure all living trees greater than four inches in diameter at breast height shall be maintained unless approved for removal. Vegetation clearing for development including driveways, building and septic fields shall not occur between April 1st and October 30th. Clearing may only occur during this period if a qualified professional is present on-site.
- The proposed dock must only be a pole dock or floating dock. Removal of aquatic vegetation is not permitted.
- Prior to the submission of the individual site plan confirmation of the voltage of the hydro line needs to be confirmed in order to determine the appropriate septic setback from the hydro line under the Ontario Building Code.

Revision Date: December 16, 2021 | File No. 19-005

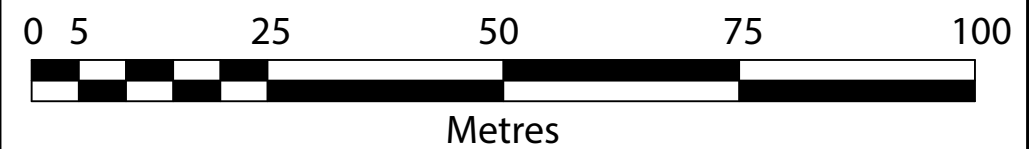
Unit specific plans included with the Master Site Plan are for conceptual purposes only and have not been tested or verified by consultants as will be required in the case of individual site plan applications. ZanderPlan assumes no responsibility for the accuracy or viability of the conceptual unit site plans that are subject to all municipal requirements, engineering studies, the requirements of the benefit permit, the requirements of the condominium agreement, and the requirements of the declaration.

The co-ordinates used for the preparation of the Master Plan are reproduced from the draft plan of condominium and accuracy of that plan is verified by an Ontario Land Surveyor.



Unit 2 Site Statistics – RLSW-104 Zone		
Provision	Requirement	Proposed
Lot Area (min)	10,000m <sup>2</sup>	16,675m <sup>2</sup>
Lot Frontage (min)	50m	51.0m
Water Frontage (min)	91m	298.2m
Front Yard (min)*	30m	40.0m
Rear Yard (min)*	10m	138.0m
Interior Side Yard (min)*	3m	18.7m
Gross Floor Area (min)	59m <sup>2</sup>	TBD
Lot Coverage (max)	5%	TBD
Height (max)	11m	< 11m
Setback from High Water Mark or Flood Line (min)*	Building – 40m Septic – 50m	Building – 40.0m Primary Septic – 50.0m Alternate Septic – 55.4m
Uses Permitted Within 40m	Walkway and Dock	Walkway and Dock
Number of Docks (max)	1	1
Dock Area (max)	20m <sup>2</sup>	20m <sup>2</sup>
Dock Length (max)	8m	8m
Walkway Width (max)	1.5m	1.5m

\* - Yard Setbacks Measured to 595m<sup>2</sup> Construction Area on Plan



# Township of South Frontenac Staff Report

---



**To:** Committee of Adjustment  
**From:** Development Services Department  
**Report Date:** August 8, 2024  
**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-2024-0041 (Snetsinger) (Mills) – Loughborough District

This undisputed consent was granted provisional consent on July 30, 2024.

The purpose of this consent application was for the creation of one new rural residential lot from property addressed as 3803 Sydenham Road. The newly created parcel will be 3.5 hectares in area with 155 metres of frontage on Railton Road.

## Attachments

Appendix A – Mapping of application(s)

### Report Prepared By:

Kate Kaestner, Planning Clerk

### Report Approved By:

Brad Wright, Director of Development Services

**APPENDIX A**

