



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



TIME: 7:00 PM,  
DATE: Thursday, May 9, 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

5. Approval of Minutes – April 11, 2024

a) Approval of Minutes - April 11, 2024 3 - 6

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

7. New Consent Applications:

a) PL-BDJ-2024-0011 (Wiley) (ZanderPlan) - Storrington 7 - 44

Subject Property Address: 848 Burnt Hills Road

Purpose & Effect of Application:

The applicant is seeking consent to sever for the purpose of creating two new rural residential lots. Severance 1 (PL-BDJ-2024-0011) would have 11.94Ac of area and 76m of frontage on Burnt Hills Road.

b) PL-BDJ-2024-0012 (Wiley) (ZanderPlan) - Storrington 45 - 79

Subject Property Address: 848 Burnt Hills Road

Purpose & Effect of Application:

The applicant is seeking consent to sever for the purpose of creating two new rural residential lots. Severance 2 (PL-BDJ-2024-0012) would have 8Ac of area and 76m of frontage on Burnt Hills Road. The retained parcel would have 120.98Ac of area with and 78.2m of frontage on Burnt Hills Road. The proposal would also involve the creation of a new easement over the severed parcel, to access the dwelling on the retained lands.

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

9. New Minor Variance / Permission Applications:

- a) PL-ZNA-2024-0030 (Bissonnette) (Jacobs) - Bedford 80 -  
103

Subject Property Address: 443 Shipton Lane

Purpose & Effect of the Application:

The applicant proposes to construct a 14.4sqm accessory building on the property. A minor variance is requested to allow the accessory building to be set back less than 30m from the highwater mark of Devil Lake. The accessory building is proposed to be set back 11m from Devil Lake.

10. Other Business

- a) Consent Granting Authority Report 104 -  
108

11. Adjournment

- a) Resolution.



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



**Meeting # 2024-03**

**Time:** 7:00 PM

**Location:** Council Chambers/Virtual Via Zoom

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

**Absent:** Doug Morey

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

- 1 Call to Order
- 2 Adoption of Agenda
  - a) Resolution.

Resolution No. 2024-03-02

Moved by: Kevin Fox

Seconded by: Norm Roberts

THAT the Committee of Adjustment hereby adopts the Agenda for the April 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.

4 Declaration of pecuniary interest

- a) There are none.

5 Approval of Minutes – March 14, 2024

- a) Resolution.

Resolution No. 2024-03-03

Moved by: Brett Moreland

Seconded by: Kevin Fox

THAT the Committee of Adjustment approves the minutes of the March 14, 2024 Committee of Adjustment meeting.

Carried

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

7 New Consent Applications:

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

9 New Minor Variance / Permission Applications:

a) PL-ZNA-2024-0015 (Deroche) - Loughborough District

Property Address: 1048 Shallow Lane

Purpose & Effect of the Application:

To request permission under Section 45(2) of the Planning Act to enlarge a legal non-conforming dwelling located within 30m of the highwater mark of Sydenham Lake. The applicant is proposing to renovate the existing seasonal dwelling with a gross floor area of 36sqm and height of 4m, setback 8.7m from Sydenham Lake. The renovation would occur within the existing building envelope and would include an addition to the rear of the structure. The proposed four-season dwelling would have a gross floor area of approximately 150sqm and height of 9.9m. The proposed four-season dwelling would maintain the same highwater mark setback as the existing (8.7m).

Noah Perron, Planner, delivered his presentation and report to the Committee with a staff recommendation that the application be deferred.

Randy Ruttan, Chair, inquired as to whether the applicant or their agent wished to address the Committee.

Ken Deroche, applicant spoke to the existing parking spaces on the property and that they have been there since the cottage was constructed.

Mr. Deroche claimed that the work was being done to relinquish the right-of-way and that someone was working on the scaled site plan and he hoped to have it completed by the following week. He expressed his desire for receiving an approval based on the condition that the final site plans and easement paperwork were received by week's end.

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

Committee Member Alan Revill asked Mr. Perron to clarify what parts on the image comprised the property in question. Mr. Perron clarified the various parts that comprised the property as a whole.

Carol Whyman, former owner of the property, stated that Part 2 on the image was a right-of-way that provides deeded access to the properties further down the lane. She inquired as to how many properties had deeded access to the water over Part 3.

Mr. Perron stated that it was up to the applicant's lawyer to confirm, but at the time of the meeting they were only aware of one property being served by Part 3.

Mr. Ruttan inquired as to whether there were any further questions from Committee Members.

Mr. Pegrum inquired as to whether the Committee can create or decide what conditions would be included in a conditional approval.

Mr. Perron responded that he understood that the applicant wants to get the proposal approved as quickly as possible, but that the scaled site plan needs to be received and reviewed by Planning staff before an approval could be given.

Mr. Ruttan stated that the Committee must move forward with the information that they have before them.

Kate Kaestner, Planning Clerk, read the resolution for deferral.

Mr. Ruttan inquired as to whether there was any comment from Committee members regarding the resolution (None heard).

Resolution No. 2024-03-04  
Moved by: Alan Revill

Seconded by: Mike Howe

THAT the Committee of Adjustment **defers** Minor Variance application PL-ZNA-2024-0015, for property municipally known as 1048 Shallow Lane, to allow the applicant or their agent time to provide the municipality with the following information:

- legal confirmation as to the possibility of separate conveyance of property identified by PIN # 36279-0804
- the status of any easements registered on the properties, including details of all dominant and servient lands
- and to provide a detailed survey sketch which demonstrates the location of the proposed dwelling, sewage system and parking spaces.

Carried

b) PL-ZNA-2024-0018 (Sleeth) - Storrington District

Property Address: 122 Osborne Lane

Purpose & Effect of the Application:

To request permission under Section 45(2) of the Planning Act to enlarge a legal non-conforming dwelling located within 30m of the highwater mark of Dog Lake. The existing 110sqm single storey dwelling is to be demolished and will be replaced with a single detached dwelling that has a ground floor area of 120sqm and a partial second storey of 50sqm. The new dwelling will maintain the same setback from the lake as the existing dwelling. The height of the dwelling will increase from 5.7m to approximately 8m.

Tom Fehr, Planner, delivered his presentation and report to the Committee with a staff recommendation that the application be conditionally approved by the Committee.

Chair Ruttan inquired (three times) as to whether the applicant, their agent or any members of the public wished to address the Committee (None heard).

Mr. Ruttan inquired as to whether there were any questions from the Committee members regarding the proposal (None heard).

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

Resolution No. 2024-03-05  
Moved by: Mike Howe

Seconded by: Alan Reville

THAT the Committee of Adjustment approves application PL-ZNA-2024-0018 for property municipally known as 122 Osborne Lane, granting permission under section 45(2) of the Planning Act to enlarge the legal non-conforming dwelling the property located within 30 metres of the highwater mark of Dog Lake, subject to conditions.

Carried

10 Other Business

a) Consent Granting Authority Report

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

11 Adjournment

a) Resolution.

Resolution No. 2024-03-06

Moved by: Mike Howe

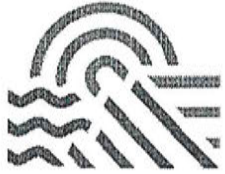
Seconded by: Norm Roberts

THAT the April 11, 2024 meeting of the Committee of Adjustment for the Township of South Frontenac is hereby adjourned at 7:26pm, to reconvene on Thursday, May 09, 2024 at 7:00pm or at the call of the chair.

Carried

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

Application Type:	Planning 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): Michael George Wiley

Full Mailing Address of Owner(s): 848 Burnt Hills Road

Seeley's Bay, ON K0H 2N0

Phone number of Owner(s): [REDACTED]

Email Address of Owner(s): [REDACTED]

2. If the applicant is NOT the owner of the subject land, the written authorization of the owner that the applicant is authorized to make the application, be provided below.

Name of Authorized Applicant/Agent: ZanderPlan Inc.

Full Mailing Address of Authorized Applicant/Agent: P.O. Box 20148

Perth, ON K7H 3M6

Phone number of Authorized Applicant/Agent: 613-264-9600

Email Address of Authorized Applicant/Agent: chris@zanderplan.com, tracy@zanderplan.com

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.

[REDACTED SIGNATURE]

(Signature of the property owner)

(Signature of the property owner)

Feb 08 / 24 (Date)

**TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION**

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

Yes

No

Date Fee Paid: To be Submitted with Apps

Name of Planner: Noah Perron

Date of Meeting: December 19, 2023

5. The description of the subject land:

District:  Bedford  Portland  Loughborough  Storrington

Civic Address: 848 Burnt Hills Road

Concession Number: 11 Lot Number: Part Lot 29

Reference Plan Number: 13R-9494 Part Number(s): Part of Part 1 (Easement)

Roll Number: 1029-070-060-31800

Property Identification Number (PIN): 36286-0102

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): \_\_\_\_\_ Frontage on road/lane (m): 230.6m

Name of Waterbody: \_\_\_\_\_ Name of Road/Lane: Burnt Hills Road

Depth(m): 1,845m Area(acres/ha): 160.93ac / 65.1ha

7. Select the type of consent being applied for:

Creation of a New Lot

Correction of Title

Easement (right of way)

Lease

Lot Addition

Other: \_\_\_\_\_

Charge/Discharge of Mortgage

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

\_\_\_\_\_  
To sever a new lot for residential purposes with 76m of road frontage and an area of 11.94ac  
\_\_\_\_\_  
\_\_\_\_\_

**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):	76.0m	78.2m
Name of Road/Lane:	Burnt Hills Road	Burnt Hills Road
Frontage on Water (m):	None	None
Name of Waterbody:	N/A	N/A
Depth (m):	425.2m	1,845m
Acres (acres or ha):	11.94ac / 4.83ha	140.98ac / 57.05ha

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

	<b>Severed Lot (Proposed new lot):</b>	<b>Retained Lot:</b>
Existing Use of Lot:	Vacant Land	Residential, PSW Wetlands
Existing Buildings/Structures:	None	Dwelling, Well, Septic
Proposed Use of Lot:	Residential	Same
Proposed Buildings/Structures:	Future Dwelling	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
<input type="checkbox"/> Municipal water system	<input type="checkbox"/> Municipal water system
<input checked="" type="checkbox"/> Privately owned and operated well	<input checked="" type="checkbox"/> Privately owned and operated well
<input type="checkbox"/> Lake water	<input type="checkbox"/> Lake water
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____

**TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION**

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

(NEW LOT) Severed Parcel	Retained Parcel
<input type="checkbox"/> Publicly owned and operated communal septic system	<input type="checkbox"/> Publicly owned and operated communal septic system
<input checked="" type="checkbox"/> Privately owned and operated individual septic system:	<input checked="" type="checkbox"/> Privately owned and operated individual septic system:
<input 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:

An easement for access over the retained parcel shown as Part 1 on Plan 13R-9494  
in favour of an abutting property

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

17. Name of road or lane which accesses:

The new lot (lot addition or Right of Way): Burnt Hills Road

The retained lot: Burnt Hills Road

Please indicate whether access to the land will be by:

- |  |  |
|--|--|
| <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))

Rural (RU) and Environmental Protection (EP)  
\_\_\_\_\_

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

Rural and Provincially Significant Wetlands  
\_\_\_\_\_

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.

Severances to permit residential uses are permitted in the Rural designation (Twp OP 5.7.4) and the lot will meet the minimum size and frontage of 76m / 2ac (Twp OP 5.7.4[iii]).

Pursuant to Section 7.1 of the Twp OP, the size of the parcel is appropriate to avoid wetlands with new development, the parcel is not prone to flooding, can achieve access, and complies with MDS.

Pursuant to Section 3.3 of the County OP low density residential is desirable, residential uses are permitted, rural lands character will be preserved, and a dwelling could be built on the severed lot with direct access to Burnt Hills Road, adequate site, room for servicing and landscaping (3.3.3).

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

Yes     No     Unknown

Please explain:

\_\_\_\_\_

In rural areas a mix of housing and conservation of existing housing stock is encouraged (1.1.4.1). On rural lands residential development including lot creation is permitted (1.1.5.2). Development will be compatible with the rural landscape (1.1.5.4). The proposed severance will comply with MDS (1.1.5.8) Natural heritage features will be protected for the long term (2.1.1).

\_\_\_\_\_

\_\_\_\_\_

## 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 checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
Application Type		Application Number	Date of Application
<input type="checkbox"/> Plan of Subdivision			Decision
<input checked="" type="checkbox"/> Consent		Not Known	All pre-date OP cut-off
<input type="checkbox"/> Minor Variance			All approved (1 easement, 3 lots)
<input type="checkbox"/> Site Plan Approval			
<input type="checkbox"/> Official Plan Amendment			
<input type="checkbox"/> Zoning By-law Amendment			
<input type="checkbox"/> Minister's Zoning Order			

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

Yes \_\_\_\_\_  No

\*\*The previous severances were registered July 17, 2000, this was confirmed through a registry search

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, Michael Wiley  
(Name of Owner / Agent)

of Seeley's Bay 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 8<sup>th</sup> day of February, 2024.  
(Day) (Month) Year

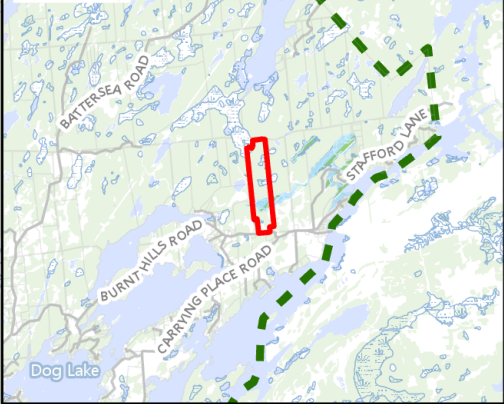
[Signature]  
Commissioner of Oaths Signature

[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.

**Inset Map**



**SOUTH  
FRONTENAC**

**PL-BDJ-2024-0011 &  
PL-BDJ-2024-0012  
(WILEY) (ZANDERPLAN)  
848 BURNT HILLS ROAD**

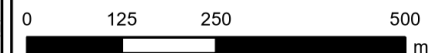
**Legend**

-  Subject Property
-  Proposed Severance #1
-  Proposed Severance #2
-  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: 1:10,000



UTM Zone 18 NAD 83

Date: 2024-02-14

**Retained  
Lands**

**Proposed  
Severance #2  
(PL-BDJ-2024-0012)**

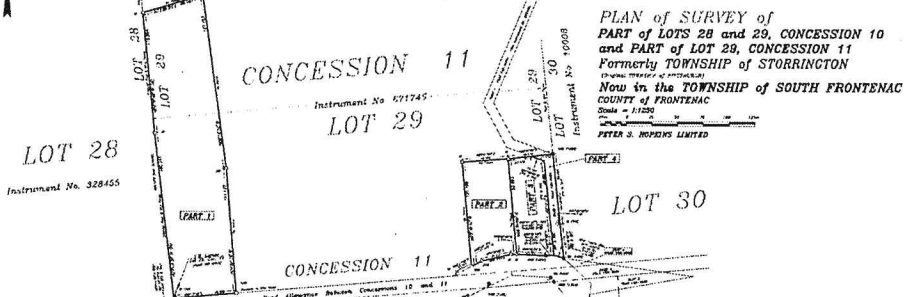
**Proposed  
Severance #1  
(PL-BDJ-2024-0011)**



**METRIC**  
 Dimensions shown on this Plan are in Metric and have been converted to Feet by dividing by 0.3048

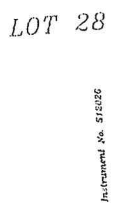
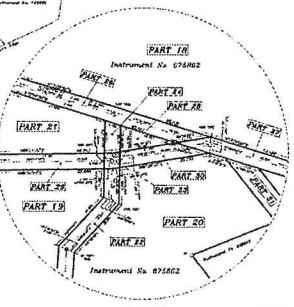
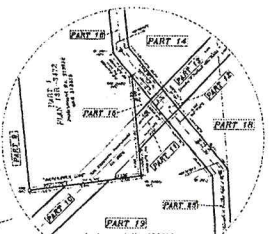
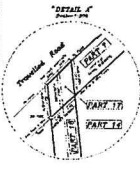
PLAN 13R-11233  
 APPROVED AND REGISTERED  
 2012/03/23  
 METRIC  
 A33 Registered and PLS  
 2012/03/23

REGISTERED PLAN No. 13R-11233  
 2012/03/23  
 METRIC  
 2012/03/23



PLAN	LOT	CONCESSION	AREA
28	28	10	41014
29	29	10	47262

NOTE: THIS PLAN IS A PART OF A SET OF INSTRUMENTS OF SURVEY. THE AREA OF THIS PLAN IS NOT TO BE USED AS A BASIS FOR ANY OTHER SURVEY OR AS A BASIS FOR ANY OTHER PURPOSE. THE AREA OF THIS PLAN IS NOT TO BE USED AS A BASIS FOR ANY OTHER PURPOSE. THE AREA OF THIS PLAN IS NOT TO BE USED AS A BASIS FOR ANY OTHER PURPOSE.



Instrument No.	Area
675062	41014
675062	47262

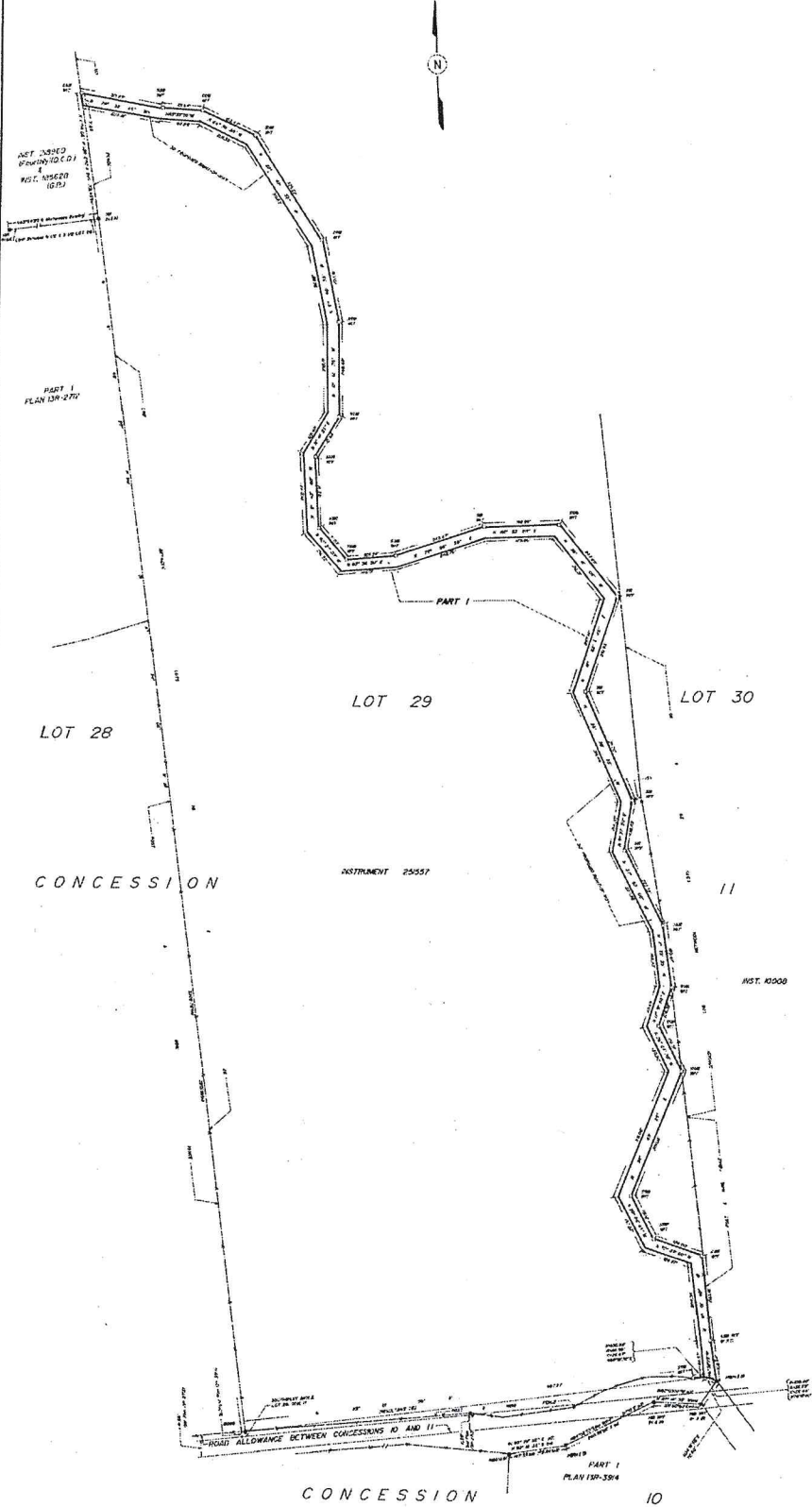
NOTE:  
 DIMENSIONS AND COORDINATES SHOWN ON THIS PLAN ARE IN METRIC UNITS. DIMENSIONS SHOWN IN FEET ARE FOR INFORMATION ONLY.

**LEGEND:**  
 --- Road  
 --- Fenced Area  
 --- Water  
 --- Boundary Line  
 --- Easement  
 --- Right of Way

**SURVEYING CERTIFICATE:**  
 I, PETER S. HOPKINS, a Professional Engineer in the Province of Ontario, do hereby certify that the above is a true and correct copy of the original plan as filed in my office on the 23rd day of March, 2012.

**PETER S. HOPKINS LIMITED**  
 Ontario Land Surveyors  
 1111 Bay Street, Suite 1000  
 Toronto, Ontario M5G 1A3  
 Tel: (416) 593-8888  
 Fax: (416) 593-8889  
 Email: info@pshl.com

I HEREBY CERTIFY THAT THIS PLAN IS A TRUE AND CORRECT COPY OF THE ORIGINAL AS SUBMITTED AND APPROVED BY ME.  
 DATE: 12.12.2017  
 PLAN 138-9090  
 BRIAN W. KERR  
 B.S. (S) 1987  
 P. ENG. (S) 1987  
 P. SURV. (S) 1987  
 P. CIVIL (S) 1987  
 P. MECH. (S) 1987



PART OF SURVEY OF  
 PART OF LOT 29  
 CONCESSION 11  
 TOWNSHIP OF STORRINGTON  
 (Formerly Pittsburgh Township)  
 COUNTY OF FRONTENAC

SCALE: 1" = 300'  
 BRIAN W. KERR, D.L.S.  
 1500

APPROVED BY THE REGISTRAR OF THE REGISTRY OF DEEDS ON 12.12.2017

I HEREBY CERTIFY THAT:  
 1. THE SURVEY WAS MADE IN ACCORDANCE WITH THE SURVEY ACT AND REGULATIONS;  
 2. THE SURVEY WAS COMPLETED BY JANUARY 1, 2018.  
 BRIAN W. KERR, D.L.S.  
 1500

LEGEND

---	BOUNDARY	AS SHOWN
---	BOUNDARY	AS SHOWN WITH 10% BUFFER
---	BOUNDARY	AS SHOWN WITH 20% BUFFER
---	BOUNDARY	AS SHOWN WITH 30% BUFFER
---	BOUNDARY	AS SHOWN WITH 40% BUFFER
---	BOUNDARY	AS SHOWN WITH 50% BUFFER
---	BOUNDARY	AS SHOWN WITH 60% BUFFER
---	BOUNDARY	AS SHOWN WITH 70% BUFFER
---	BOUNDARY	AS SHOWN WITH 80% BUFFER
---	BOUNDARY	AS SHOWN WITH 90% BUFFER
---	BOUNDARY	AS SHOWN WITH 100% BUFFER

THIS PLAN IS NOT A PART OF INSTRUMENT 25557  
 BUT IS A PART OF THE PLAN 138-9090

BRIAN W. KERR Surveying LIMITED  
 1500  
 1500

MDS 1

General information

Application date: Nov 30, 2023  
 Municipal file number:  
 Proposed application: Lot creation for a maximum of three non-agricultural use lots.

Applicant contact information: Michael Wiley, 848 Burnt Hills Road, Sealey's Bay, ON K0M 2V0  
 Location of subject lands: County of Frontenac, Township of South Frontenac, PITTSBURGH, Concession 11, Lot Part Lot 29, Roll number: 102907006031800

Calculations

702 Burnt Hills Road

Farm contact information: [Redacted]  
 Location of existing livestock facility or anaerobic digester: County of Frontenac, Township of South Frontenac, PITTSBURGH, Concession 11, Lot 30, Roll number: 102907006031900  
 Total lot size: 175.3 ac

Livestock/manure summary

Manure Form	Type of livestock/manure	Existing maximum number	Existing maximum number (NU)	Estimated livestock barn area
Solid	Beef, Cows, including calves to weaning (all breeds), Yard/Barn	20	20 NU	1000 ft <sup>2</sup>
Solid	Sheep, Ewes & rams (for meat lambs, includes unweaned offspring & replacements), Outside Access	10	1.3 NU	150 ft <sup>2</sup>

Setback summary

Existing manure storage	No storage required (manure is stored for less than 14 days)		
Design capacity	21.3 NU		
Potential design capacity	42.5 NU		
Factor A (odour potential)	0.7	Factor B (design capacity)	245
Factor D (manure type)	0.7	Factor E (encroaching land use)	1.1
Building base distance 'P' (A x B x D x E) (minimum distance from livestock barn)			133 m (436 ft)
Actual distance from livestock barn			469 m (1540 ft)
Storage base distance 'S' (minimum distance from manure storage)			No existing manure storage
Actual distance from manure storage			NA

878 Burnt Hills Road

Farm contact information



Location of existing livestock facility or anaerobic digester  
County of Frontenac  
Township of South Frontenac  
PITTSBURGH  
Concession 11, Lot Part Lot 28  
Roll number: 102907006031720

Total lot size  
61.1 ac

Livestock/manure summary

Manure Form	Type of livestock/manure	Existing maximum number	Existing maximum number (NU)	Estimated livestock barn area
Solid	Horses, Medium-framed, mature; 227 - 680 kg (including unweaned offspring)	1	1 NU	250 ft <sup>2</sup>

Setback summary

Existing manure storage No storage required (manure is stored for less than 14 days)

Design capacity 1 NU

Potential design capacity 1 NU

Factor A (odour potential) 0.7

Factor D (manure type) 0.7

Factor B (design capacity) 150

Factor E (encroaching land use) 1.1

Building base distance 'F' (A x B x D x E)  
(minimum distance from livestock barn) 81 m (266 ft)

Actual distance from livestock barn 105 m (345 ft)

Storage base distance 'S'  
(minimum distance from manure storage) No existing manure storage

Actual distance from manure storage NA

Preparer signoff & disclaimer

Preparer contact information

Chris Clarke  
ZanderPlan Inc.  
0  
Perth, ON  
K7H 3M6  
613-254-9660  
chris@zanderplan.com

Signature of preparer

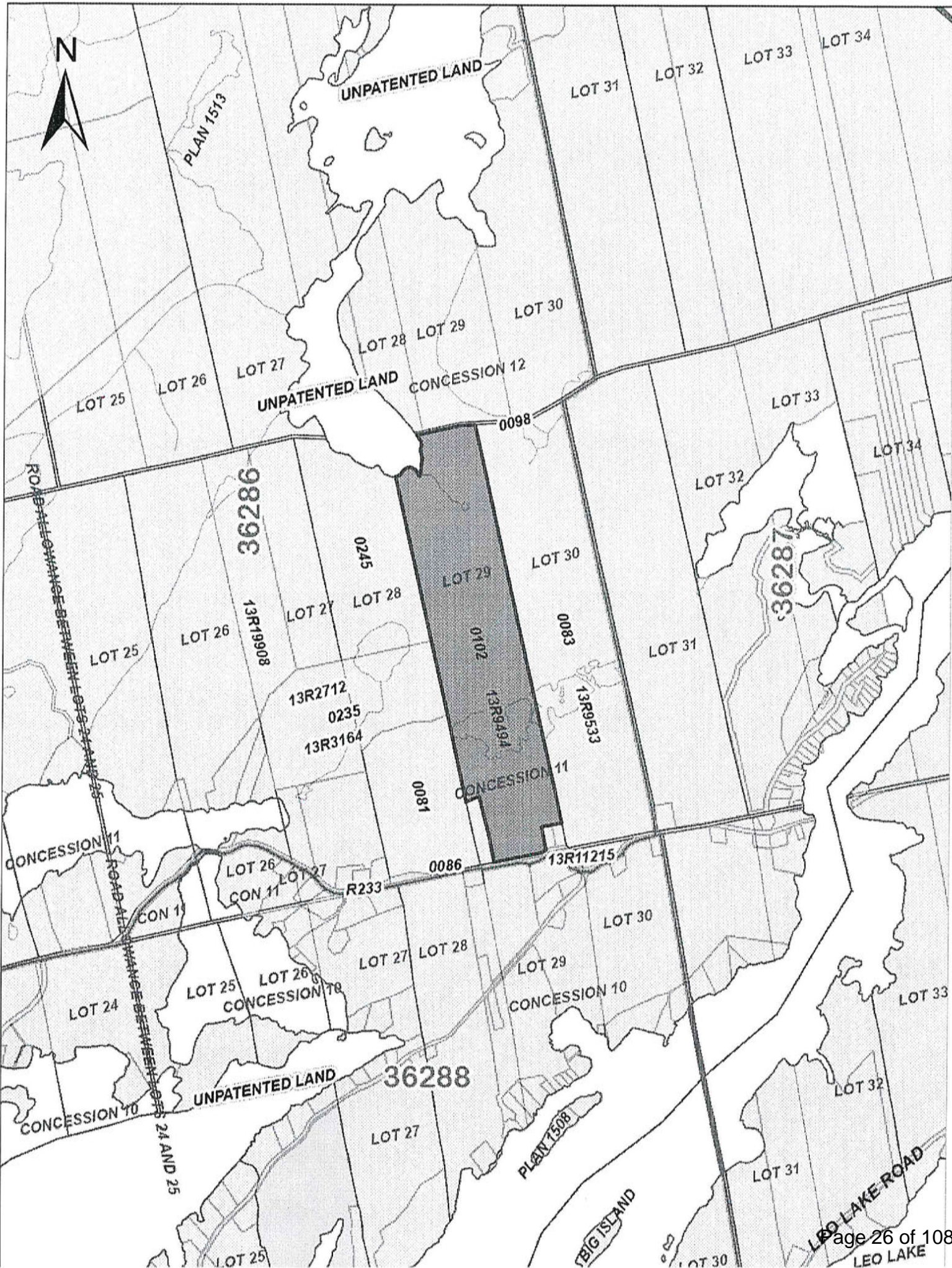
Chris Clarke

February 7 / 2024

Date (mm-dd-yyyy)

Note to the user

The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) has developed this software program for distribution and use with the Minimum Distance Separation (MDS) Formulae as a public service to assist farmers, consultants, and the general public. This version of the software distributed by OMAFRA will be considered to be the official version for purposes of calculating MDS. OMAFRA is not responsible for errors due to inaccurate or incorrect data or information; mistakes in calculation; errors arising out of modification of the software, or errors arising out of incorrect inputting of data. All data and calculations should be verified before acting on them.





Ontario ServiceOntario

LAND

REGISTRY  
OFFICE #13

36286-0102 (LT)

PARCEL REGISTER (ABBREVIATED) FOR PROPERTY IDENTIFIER

PAGE 1 OF 2  
PREPARED FOR ROSS  
ON 2023/09/30 AT 13:50:17

ONLAND

\* CERTIFIED IN ACCORDANCE WITH THE LAND TITLES ACT \* SUBJECT TO RESERVATIONS IN CROWN GRANT \*

PROPERTY DESCRIPTION: PT LT 29 CON 11 STORRINGTON AS IN FR671745, LYING N OF THE FORCED RD, AKA BURNT HILLS RD, EXCEPT PTS 1,2,3,4, 13R14233; S/T FR671745;; TOWNSHIP OF SOUTH FRONTENAC

PROPERTY REMARKS:

ESTATE/QUALIFIER:

FEE SIMPLE

LT CONVERSION QUALIFIED

OWNERS' NAMES

WILEY, MICHAEL GEORGE

RECENTLY:

RE-ENTRY FROM 36286-0212

CAPACITY SHARE

PIN CREATION DATE:  
2010/06/21

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/CHRD
** PRINTOUT		INCLUDES ALL DOCUMENT TYPES AND DELETED INSTRUMENTS SINCE 2010/06/18 **				
**SUBJECT,		ON FIRST REGISTRATION UNDER THE LAND TITLES ACT, TO:				
**		SUBSECTION 4(1) OF THE LAND TITLES ACT, EXCEPT PARAGRAPH 11, PARAGRAPH 14, PROVINCIAL SUCCESSION DUTIES *				
**		AND ESCHEATS OR FORFEITURE TO THE CROWN.				
**		THE RIGHTS OF ANY PERSON WHO WOULD, BUT FOR THE LAND TITLES ACT, BE ENTITLED TO THE LAND OR ANY PART OF				
**		IT THROUGH LENGTH OF ADVERSE POSSESSION, PRESCRIPTION, MISDESCRIPTION OR BOUNDARIES SETTLED BY				
**		CONVENTION.				
**		ANY LEASE TO WHICH THE SUBSECTION 70(2) OF THE REGISTRY ACT APPLIES.				
**DATE OF CONVERSION TO LAND TITLES: 2010/06/21 **						
1389494	1990/05/24	PLAN REFERENCE				
FR671745	1997/08/22	TRANSFER				
				*** DELETED AGAINST THIS PROPERTY ***		
FC215345	2016/02/26	TRANSFER			MALLEN, RICHARD PETER MALLEN, VALERIE JANETTE	
				*** COMPLETELY DELETED ***		
FC215347	2016/02/26	APL (GENERAL)			MALLEN, RICHARD PETER MALLEN, VALERIE JANETTE	
				*** COMPLETELY DELETED ***		
REMARKS: TO DELETE S/T BENEFICIARIES INTEREST IN FR671745						
FC215363	2016/02/26	TRANSFER	\$210,000	MALLEN, RICHARD PETER		
					WILEY, GAYLE LORRAINE WILEY, MICHAEL GEORGE	
REMARKS: PLANNING ACT STATEMENTS.						

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.  
NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.

36286-0102 (LT)

\* CERTIFIED IN ACCORDANCE WITH THE LAND TITLES ACT \* SUBJECT TO RESERVATIONS IN CROWN GRANT \*

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/ CHKD
FC241285	2017/06/09	TRANSFER REMARKS: PLANING ACT STATEMENTS.	\$2	WILEY, GAYLE LORRAINE	WILEY, MICHAEL GEORGE	C
FC250377	2017/10/23	CHARGE		*** COMPLETELY DELETED *** WILEY, MICHAEL GEORGE		
FC365697	2023/01/18	CHARGE	\$1,075,000	WILEY, MICHAEL GEORGE	KAWARTHA CREDIT UNION LIMITED	
FC366214	2023/01/31	DISCH OF CHARGE		*** COMPLETELY DELETED *** KAWARTHA CREDIT UNION LIMITED	KAWARTHA CREDIT UNION LIMITED	C
		REMARKS: FC250377.				

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.  
NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.

MDS 1

General information

Application date: Nov 30, 2023      Municipal file number:      Proposed application: Lot creation for a maximum of three non-agricultural use lots

Applicant contact information

Michael Wiley  
840 Burnt Hills Road  
Seeley's Bay, ON  
K0H 2V0

Location of subject lands

County of Frontenac  
Township of South Frontenac  
PITTSBURGH  
Concession 11, Lot Part Lot 29  
Roll number: 102907006031800

Calculations

702 Burnt Hills Road

Farm contact information

[Redacted contact information]

Location of existing livestock facility or anaerobic digester

County of Frontenac  
Township of South Frontenac  
PITTSBURGH  
Concession 11, Lot 30  
Roll number: 102907006031900

Total lot size  
175.3 ac

Livestock/manure summary

Manure Form	Type of livestock/manure	Existing maximum number	Existing maximum number (NU)	Estimated livestock barn area
Solid	Beef, Cows, including calves to weaning (all breeds), Yard/Barn	20	20 NU	1000 ft <sup>2</sup>
Solid	Sheep, Ewes & rams (for meat lambs, includes unweaned offspring & replacements), Outside Access	10	1.3 NU	150 ft <sup>2</sup>

Setback summary

Existing manure storage	No storage required (manure is stored for less than 14 days)		
Design capacity	21.3 NU		
Potential design capacity	42.5 NU		
Factor A (odour potential)	0.7	Factor B (design capacity)	245
Factor D (manure type)	0.7	Factor E (encroaching land use)	1.1
Building base distance 'F' (A x B x D x E) (minimum distance from livestock barn)			133 m (436 ft)
Actual distance from livestock barn			469 m (1540 ft)
Storage base distance 'S' (minimum distance from manure storage)			No existing manure storage
Actual distance from manure storage			NA

878 Burnt Hills Road

Farm contact information



Location of existing livestock facility or anaerobic digester  
County of Frontenac  
Township of South Frontenac  
PITTSBURGH  
Concession 11, Lot Part Lot 28  
Roll number: 102907006031720

Total lot size  
61.1 ac

Livestock/manure summary

Manure Form	Type of livestock/manure	Existing maximum number	Existing maximum number (NU)	Estimated livestock barn area
Solid	Horses, Medium-framed, mature; 227 - 680 kg (including unweaned offspring)	1	1 NU	250 ft <sup>2</sup>

Setback summary

Existing manure storage No storage required (manure is stored for less than 14 days)

Design capacity 1 NU

Potential design capacity 1 NU

Factor A (odour potential) 0.7

Factor D (manure type) 0.7

Factor B (design capacity) 150

Factor E (encroaching land use) 1.1

Building base distance 'F' (A x B x D x E)  
(minimum distance from livestock barn)

81 m (266 ft)

Actual distance from livestock barn

105 m (345 ft)

Storage base distance 'S'  
(minimum distance from manure storage)

No existing manure storage

Actual distance from manure storage

NA

Preparer signoff & disclaimer

Preparer contact information

Chris Clarke  
ZanderPlan Inc.  
0  
Perth, ON  
K7H 3M6  
613-254-9600  
chris@zanderplan.com

Signature of preparer

Chris Clarke

February 7 / 2024  
Date (mm-dd-yyyy)

Note to the user

The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) has developed this software program for distribution and use with the Minimum Distance Separation (MDS) Formulae as a public service to assist farmers, consultants, and the general public. This version of the software distributed by OMAFRA will be considered to be the official version for purposes of calculating MDS. OMAFRA is not responsible for errors due to inaccurate or incorrect data or information; mistakes in calculation; errors arising out of modification of the software, or errors arising out of incorrect inputting of data. All data and calculations should be verified before acting on them.

MDS 1

General information

Application date  
Nov 30, 2023

Municipal file number

Proposed application

Lot creation for a maximum of three non-agricultural use lots

Applicant contact information  
Michael Wiley  
848 Burnt Hills Road  
Seeley's Bay, ON  
K0M 2Y0

Location of subject lands  
County of Frontenac  
Township of South Frontenac  
PITTSBURGH  
Concession 11, Lot Part Lot 29  
Roll number: 102907006031800

Calculations

702 Burnt Hills Road

Farm contact information

Location of existing livestock facility or anaerobic digester  
County of Frontenac  
Township of South Frontenac  
PITTSBURGH  
Concession 11, Lot 38  
Roll number: 102907006031900

Total lot size  
176.3 ac

Livestock/manure summary

Manure Form	Type of livestock/manure	Existing maximum number	Existing maximum number (NU)	Estimated livestock barn area
Solid	Beef, Cows, including calves to weaning (all breeds), Yerd/Barn	20	20 NU	1000 ft <sup>2</sup>
Solid	Sheep, Ewes & rams (for meat lambs; includes unweaned offspring & replacements), Outside Access	10	1.3 NU	150 ft <sup>2</sup>

Setback summary

Existing manure storage No storage required (manure is stored for less than 14 days)

Design capacity 21.3 NU

Potential design capacity 42.5 NU

Factor A (odour potential) 0.7

Factor B (design capacity) 245

Factor D (manure type) 0.7

Factor E (encroaching land use) 1.1

Building base distance 'F' (A x B x D x E)  
(minimum distance from livestock barn)

133 m (436 ft)

Actual distance from livestock barn

469 m (1540 ft)

Storage base distance 'S'  
(minimum distance from manure storage)

No existing manure storage

Actual distance from manure storage

NA

878 Burnt Hills Road

Farm contact information



Location of existing livestock facility or anaerobic digester  
County of Frontenac  
Township of South Frontenac  
PITTSBURGH  
Concession 11, Lot Part Lot 28  
Roll number: 102907006031720

Total lot size  
61.1 ac

Livestock/manure summary

Manure Form	Type of livestock/manure	Existing maximum number	Existing maximum number (NU)	Estimated livestock barn area
Solid	Horses, Medium-framed, mature: 227 - 680 kg (including unweaned offspring)	1	1 NU	250 ft <sup>2</sup>

Setback summary

Existing manure storage No storage required (manure is stored for less than 14 days)

Design capacity 1 NU

Potential design capacity 1 NU

Factor A (odour potential) 0.7

Factor D (manure type) 0.7

Factor B (design capacity) 150

Factor E (encroaching land use) 1.1

Building base distance 'F' (A x B x D x E)  
(minimum distance from livestock barn) 81 m (266 ft)

Actual distance from livestock barn 105 m (345 ft)

Storage base distance 'S'  
(minimum distance from manure storage) No existing manure storage

Actual distance from manure storage NA

Preparer signoff & disclaimer

Preparer contact information

Chris Clarke  
ZenderPlan Inc.  
0  
Perth, ON  
K7H 3M6  
613-254-9500  
chris@zenderplan.com

Signature of preparer

Chris Clarke

February 7 / 2024

Date (mmm-dd-yyyy)

Note to the user

The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) has developed this software program for distribution and use with the Minimum Distance Separation (MDS) Formulae as a public service to assist farmers, consultants, and the general public. This version of the software distributed by OMAFRA will be considered to be the official version for purposes of calculating MDS. OMAFRA is not responsible for errors due to inaccurate or incorrect data or information; mistakes in calculation; errors arising out of modification of the software, or errors arising out of incorrect inputting of data. All data and calculations should be verified before acting on them.

April 30, 2024

File: SEV/FRS/85/2024  
SEV/FRS/86/2024

### 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 Consent to Sever PL-BDJ-2024-0011 & PL-BDJ-2024-0012  
Pt Lot 29, Concession 11; 848 Burnt Hills Road  
Storrington District, Township of South Frontenac  
Waterbody: Beacon Point Provincially Significant Wetland, Unnamed Watercourses,  
and Unevaluated Wetlands**

Staff of the Cataraqui Region Conservation Authority (CRCA) have reviewed the above-noted application for consent to sever and offer the following comments for the Land Division Committee's consideration, based on our role as a commenting agency responsible for natural hazards on *Planning Act* applications, and as administrator of Ontario Regulation 41/24: *Prohibited Activities, Exemptions and Permits* (formerly O. Reg. 148/06).

### Summary of the Proposal

#### *PL-BDJ-2024-0011*

This application involves the severance of an approximately 4.83 ha (11.94 acre) vacant parcel from a large residential property. The severed parcel is proposed to be used for new residential building purposes.

#### *PL-BDJ-2024-0012*

This application involves the severance of an approximately 3.24 ha (8 acre) vacant parcel from a large residential property. The retained vacant lot would be approximately 57 ha (141 acres) and will continue to be used for residential purposes. The severed lot will be used for future residential development. An easement is proposed over the existing driveway on the severed parcel in favour of the retained lot.

### Site Description

The subject lands are located on the north side of Burnt Hills Road and occupy Lot 29 in Concession 11 of Storrington District in South Frontenac Township. The severed lots are proposed in the southwestern portion of the subject lands, with both the retained and severed lots maintaining road

frontage on Burnt Hills Road. The subject lands consist of woodlands, cleared areas, and low-lying wetlands. The rolling topography of the severed parcels gradually slopes down to the northern woodlands, where the wetlands are located. There also appears to be a few small ponds / wetland cells in the centre of the severed parcels which are likely hydrologically connected to the PSW to the north by a network of watercourses. The eastern portion of the retained parcel which fronts on Burnt Hills Road consists of a relatively steep and high embankment, that rises towards Burnt Hills Road and the eastern property line.

The subject lands are designated 'Rural' and 'Provincially Significant Wetlands' per Schedule A of the Township's Official Plan and are zoned 'Rural' (RU) and 'Environmental Protection' in the implementing Zoning By-law. The boundary for the Environmental Protection zone coincides with the provincially significant wetland on site.

## **Discussion**

CRCA's scope of review with respect to this application is the avoidance of natural hazards (e.g. flooding and erosion) associated with the surface water features and the protection of the hydrologic function of the wetlands.

### Natural Hazards

#### *Surface Water Features*

As noted, the undulating topography on this property creates a series of low-lying ponds and wetlands that may be hydrologically connected to the Beacon Point Provincially Significant Wetland, and subject to O. Reg. 41/24. A suitable buffer area is necessary between any new development and the water features, as a buffer acts to protect the hydrologic function of these features and to avoid damaging flooding of property and erosion normally associated with these features.

Cataraqui Conservation does not have floodplain mapping in this area – consequently we require a minimum 30 metre buffer (setback) horizontal from the highwater mark of watercourses, waterbodies, and wetlands for any development. The 30 metre setback is consistent with the 30 metre setback in the Township's zoning by-law.

As proposed, both severed parcels will have sufficient area to accommodate new development outside of the 30 metre setbacks from the watercourses, waterbodies, and wetlands identified on the subject lands. The retained lot, which is already developed, will be sufficiently sized to accommodate future development well back from these features and 30 metre setbacks.

## **Recommendation**

Staff have no objection to the approval of applications PL-BDJ-2024-0011 and PL-BDJ-2024-0012 based on our consideration for natural hazard and regulatory policies.

## **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. Also, to ensure the protection of wetlands. **Current and future landowners are advised to contact CRCA before considering any work within 30 metres of the wetlands, waterbodies, and watercourses.**

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

Cc: ZanderPlan Inc., Agent, via e-mail

## 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**  
**Building Department**

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 Street, PO Box 100 Sydenham, Ontario K0H 2T0
<b>Application Number:</b>	PLBDJ20240012
<b>Type of Application or Proposal:</b>	Planning Sewage Review - Consent Application
<b>Applicant:</b> <b>(if applicable) Agent:</b>	WILEY MICHAEL GEORGE Zanderplan
<b>Location:</b>	102907006031800 848 BURNT HILLS ROAD CON 11 PT LOT 29
<b>Comments:</b>	No objection to the creation of the proposed severed parcel.  Two test holes, both between 1.2 and 1.5 metres deep and containing a clay material, were dug within the first 90 metres from the edge of Burnt Hills Road on the proposed severed parcel.
<b>Building Inspector:</b>	 Matthew Doyle
<b>Date:</b>	April 19, 2024

# Township of South Frontenac Staff Report

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**To:** Committee of Adjustment

**Prepared by:** Development Services Department

**Date of Meeting:** May 9, 2024

**Subject:** **Consent Application PL-BDJ-2024-0011, Wiley, 848 Burnt Hills Road, Storrington District**

## Summary

Two consent applications were submitted concurrently for the subject lands. One of the consent applications meets all the By-law 2020-27 criteria for an “undisputed” consent application. The other application does not meet the criteria. For this reason, the Committee of Adjustment is being asked to make decisions on both the consent applications. This report recommends approval for application PL-BDJ-2024-0011 (Lot 1).

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## Background

The purpose of the application is to create one new rural residential lot. The retained parcel will continue to be used for residential purposes.

## Related Applications

The lands are also subject to consent application PL-BDJ-2024-0012 (Lot 2).

## Application Details

The proposed severed parcel for application PL-BDJ-2024-0011 (Lot 1) would have an area of approximately 11.94Ac with 76m of frontage on Burnt Hills Road. The severed parcel would be located on the west side of the property between 870 Burnt Hills Road and the proposed Lot 2. If only application PL-BDJ-2024-0011 (Lot 1) were approved the retained parcel would have approximately 148.98Ac of area and 154m of frontage.

## Designation and Zoning

The subject property is designated Rural and Provincially Significant Wetland in Schedule A of the Township Official Plan. The property is zoned Rural (RU) and Environmental Protection (EP) in Zoning By-law No. 2003-75.

## Review

- ✓ Conforms to section 51 (24) of the *Planning Act*;
- ✓ Does not require a plan of subdivision for the proper and orderly development of the municipality (s. 53(1) *Planning Act*);
- ✓ Is consistent with the Provincial Policy Statement (s. 3(5) *Planning Act*)
- ✓ Conforms to the County of Frontenac Official Plan (s. 3.3 & 7.1)
- ✓ Conforms to the Township of South Frontenac Official Plan (s. 5.2, 5.7.4 & 7.1)
- ✓ Complies with Zoning By-law No. 2003-75 (or will comply subject to a standard condition of rezoning or minor variance); and
- ✓ Has no unresolved objections/concerns raised from agencies of the public.

## Property Description

The subject property is approximately 160.9 acres with frontage on Burnt Hills Road. Development is isolated to the eastern portion of the property and consists of a single dwelling. The subject property consists of woodlands, cleared areas, and low lying wetlands. The area immediately adjacent to Burnt Hills Road is mostly cleared of trees and features and unevaluated wetland feature and a small pond with hydrological connections to the Beacon Point Wetland Complex. The remainder of the property is mostly characterized by mixed forest and some scattered low-lying wetland areas. One of these wetland features (Beacon Point Wetland Complex), whose boundary is setback approximately 400m from Burnt Hills Road, is classified as Provincially Significant (PSW). The area of the proposed severance extends from Burnt Hills Road to the boundary of this PSW. Topography varies significantly across the extent of the subject property. The area adjacent to Burnt Hills Road are predominantly flat. However, the area of the proposed retained lot (excluding proposed Lot 2) adjacent to Burnt Hills Road features steeply sloping topography, rendering a majority of this frontage unusable. The surrounding area consists primarily of rural residential and agricultural uses.

## Department and Agency Comments

**Cataraqui Conservation** provided comment on April 30, 2024. CRCA Staff have no objection to the approval of the consent application based on consideration for natural hazard and regulatory policies. Staff note that portions of the subject lands are subject to Ontario Regulation 41/24. Current and future landowners are advised to contact the CRCA before considering any work within 30m of the wetlands, waterbodies, and watercourses.

**Public Services** provided comment on April 24, 2024. Public Services Staff have no concerns with the consent application. It was noted that there are adequate sight lines to

permit an entrance from Burnt Hills Road to Lot 1. Road Widening is to be determined by an Ontario Land Surveyor. Any shortfall of the 20m road allowance, measured 10m from the centreline of Burnt Hills Road, shall be dedicated for the severed lot.

**Building Services** provided comment on April 19, 2024. Building Services Staff have no concerns with the application. There is enough area on the proposed severed lot to accommodate the installation of a sewage system. The details and location of the system would be determined during the building permit phase.

## Public Comment

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

## Planning Analysis

### Minimum Distance Separation from Livestock Facilities

In conformity with the PPS, the Township Official Plan requires all division of land for non-farm uses to comply with the Minimum Distance Separation Formulae I (MDS I) (Section 7.1(I)). The Township Zoning By-law also requires residential development to comply with MDS I.

Township Planning Staff identified two livestock facility within 750m of the proposed severed lot which warranted further investigation. The applicant’s agent calculated MDS I setbacks for both facilities. The following table identifies the actual and required MDS I setback for the livestock facility and related manure storage.

<b>Location of Livestock Barn and Manure Storage</b>	<b>Actual Distance from Livestock Barn to Lot 1 (Metres)</b>	<b>Minimum Required MDS I Setback (Metres)</b>
702 Burnt Hills Road	600	133
878 Burnt Hills Road	105	81

The applicant’s agent also submitted a sketch confirming a development envelope on Lot 1 that would meet the minimum required MDS I setback from the surrounding barns, as well as all other required zoning setbacks.

### Environmental Protection Policies

The subject property contains a portion of the Beacon Point Wetland Complex, a provincially significant wetland. In accordance with Natural Heritage Reference Manual and the PPS, Section 5.2.5 of the Township Official Plan stipulates no new development or site alteration within 120 of a provincially significant wetland, unless no negative impacts have been

determined through an Environmental Impact Study. This 120m area surrounding the PSW on the subject property does extend into the area of the proposed severed lot. However, Planning Staff were able to identify a viable building envelope on the southern half of the severed lot, located more than 300m from the PSW. Therefore, in consultation with Cataraqui Conservation, Planning Staff determined an Environmental Impact Study would not be required in support of the application. To ensure the future protection of the PSW located on the subject property, Planning Staff are recommending that a holding symbol (H) be placed on the area within 120m of this feature. The condition for lifting this holding symbol will be the preparation of an Environmental Impact Study, prepared to the Township's satisfaction. The purpose of the holding symbol is to ensure a building permit could not be issued until it can be demonstrated that the development proposal would have no negative impact on the wetland, the adjacent lands, and their ecological functions.

The area of the proposed severed lot also contains a low-lying pond feature with hydrological connections to the Beacon Point Wetland Complex. This feature is regulated by the Cataraqui Conservation under O. Reg 41/24. Additionally, The Township Official Plan and Zoning By-law stipulate a minimum 30m development setback for such features. Township Planning Staff were satisfied that a viable building envelope exists outside of the 30m setback distance.

### **Rural Residential Development**

The PPS allows growth and development to be directed to rural lands, including lot creation that is locally appropriate. The County Official Plan and the Township Official Plan also permit residential development in the Rural Designation.

Section 5.7.4 of the Official Plan indicates that a maximum of three rural residential lots may be created by consent from landholdings provided that the new lots meet the General Consent Policies, as well as all other applicable policies. There have been no severances from the property since the adoption of the Township Official Plan. Therefore, the subject property is eligible for severance.

Section 5.7.4 requires the frontage, size and shape of any lot created for rural residential purposes through the severance process to be appropriate for the proposed use and to conform to the provisions of the Zoning By-law. Lot 1 would exceed the required minimum 0.8 hectares of area, and minimum 76m of frontage on a public road. The retained parcel from the subject application would also exceed the minimum lot size and frontage requirements.

The owner demonstrated to the satisfaction of Building Services that Lot 1 would have the ability to be serviced by a private sewage disposal system. The Township typically requires the ability to be serviced by private well to be demonstrated as a condition of consent approval.

### **Conclusion**

The severed and retained parcels would be consistent with the Provincial Policy Statement, in conformity with the land division policies (Section 7.1) of the Township of South Frontenac Official Plan, and in compliance with Zoning By-law No. 2003-75.

## Notice/Consultation

Notice of the Statutory Public Hearing was given pursuant to the requirements of the Planning Act, at least 14 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 on the Townships Current Planning Applications webpage
- 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-2024-0011 be approved for consent for the creation of one new rural residential lot from a property civically addressed as 848 Burnt Hills Road (ARN: 102907006031800), subject to the following conditions:

### Expiry Period

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

### Severed Lands

2. The lands to be severed by Consent Application PL-BDJ-2024-0011 shall be for the creation of one new residential lot approximately 11.9 acres in area with a minimum of 76 metres of frontage on Burnt Hills Road. The lot area, frontage and configuration of the proposed severed lot shall be consistent with sketch submitted by the applicant's agent (dated February 7, 2024), attached to the decision as "Schedule A".

### Survey/Reference Plan or Registerable Description

3. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], the deed or instrument conveying the severed lands, and the Certificate of Official shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of two years [Planning

Act, s. 53(41)] after the date that "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].

4. The surveyor or applicant shall submit the draft Reference Plan, including an area calculation and noting frontage along the road, electronically or in paper form for review and approval by planning staff prior to depositing the Reference Plan with the Land Registry Office.

#### Road Widening

5. The surveyor who prepares the reference plan referred to in Condition #3 and #4 shall also determine by survey the width of Burnt Hills 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 Burnt Hills 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

6. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. This includes all taxes levied as of the date of the issuance of the Certificate of Official.

7. The Township of South Frontenac shall receive 5% of the value of the severed parcel, in lieu of parkland [Planning Act, s. 51(1)].
8. The Owner shall submit a well driller's report demonstrating a potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test for the severed parcel.
9. In the event that there are abandoned wells located on the severed parcel or the retained property, they shall be sealed in accordance with the requirements of the Ministry of the Environment, Conservation and Parks and that this work shall be accomplished prior to the issuance of the Certificate of Official.
10. The applicant shall enter into a Development Agreement with the Township to be registered on title to the severed parcel to address the following matters and environmental standards of the Township:
  - a. Requirement for an entrance permit;
  - b. A lot grading and drainage plan to be submitted at the building permit stage;
  - c. Notice regarding compliance with the Endangered Species Act;
  - d. Notice regarding archeological resources and human remains.

### Zoning

11. The applicant is required to apply for a zoning by-law amendment to place a holding symbol (-H) on the Rural zone on the lands within 120m of the Provincially Significant Wetland feature on the severed parcel. The condition for lifting this holding symbol will be preparation of an Environmental Impact Study to the satisfaction of the Municipality.
12. Where a violation of Zoning By-law No. 2003-75 is evident, the appropriate minor variance or rezoning be obtained to the satisfaction of the Municipality.

**Report Prepared By:**

Noah Perron, Planner

**Report Reviewed By:**

Christine Woods, RPP, MCIP, Senior Planner



**Application Requirements**

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

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

Pre-consultation meeting fee	\$150.00
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- 2. One hard copy of this completed application form signed and commissioned.
- 3. A Sketch of your proposal (see Question 25 for details on what to include). The sketch must be drawn with accurate dimensions and measurements. It is recommended that you take your time to carefully assemble the data and create the sketch. You may wish to secure the assistance of a person who specializes in the drafting of sketches.
- 4. The applicable **non-refundable** application fee, payable to the Township of South Frontenac:

Application Type:	Planning 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): Michael George Wiley

Full Mailing Address of Owner(s): 848 Burnt Hills Road

Seeley's Bay, ON K0H 2N0

Phone number of Owner(s): [REDACTED]

Email Address of Owner(s): [REDACTED]

2. If the applicant is NOT the owner of the subject land, the written authorization of the owner that the applicant is authorized to make the application, be provided below.

Name of Authorized Applicant/Agent: ZanderPlan Inc.

Full Mailing Address of Authorized Applicant/Agent: P.O. Box 20148

Perth, ON K7H 3M6

Phone number of Authorized Applicant/Agent: 613-264-9600

Email Address of Authorized Applicant/Agent: chris@zanderplan.com, tracy@zanderplan.com

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 [REDACTED] purposes of making inspections associated with this application.

[REDACTED Signature]

(Signature of the property owner)

Feb 08/24 (Date)

**TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION**

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

Yes                       No

Date Fee Paid: To be Submitted with Apps

Name of Planner: Noah Perron

Date of Meeting: December 19, 2023

5. The description of the subject land:

District:                       Bedford                       Portland                       Loughborough                       Storrington

Civic Address: 848 Burnt Hills Road

Concession Number: 11                      Lot Number: Part Lot 29

Reference Plan Number: 13R-9494                      Part Number(s): Part of Part 1 (Easement)

Roll Number: 1029-070-060-31800

Property Identification Number (PIN): 36286-0102

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): \_\_\_\_\_                      Frontage on road/lane (m): 230.6m

Name of Waterbody: \_\_\_\_\_                      Name of Road/Lane: Burnt Hills Road

Depth(m): 1,845m                      Area(acres/ha): 160.93ac / 65.1ha

7. Select the type of consent being applied for:

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

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

\_\_\_\_\_  
To sever a new lot for residential purposes with 76m of road frontage and an area of 11.94ac.  
An easement will be included over the severed lot in favour of the retained to provide access over  
the existing driveway to be shared

**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):	76.0m	78.2m
Name of Road/Lane:	Burnt Hills Road	Burnt Hills Road
Frontage on Water (m):	None	None
Name of Waterbody:	N/A	N/A
Depth (m):	447.6m	1,845m
Acres (acres or ha):	8.00ac / 3.24ha	140.98ac / 57.05ha

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

	<b>Severed Lot (Proposed new lot):</b>	<b>Retained Lot:</b>
Existing Use of Lot:	Vacant Land	Residential, PSW Wetlands
Existing Buildings/Structures:	None	Dwelling, Well, Septic
Proposed Use of Lot:	Residential	Same
Proposed Buildings/Structures:	Future Dwelling	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: See Sketch    Depth: \_\_\_\_\_    Width: \_\_\_\_\_    Area: \_\_\_\_\_

Civic address of Benefitting lands: 848 Burnt Hills Road

Roll Number of Benefitting Lands: 1029-070-060-31800

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

The existing driveway cannot be shifted further east due to sight lines. Severance #2 and the retained lands must share the existing entrance. The easement will be over the portion of the existing driveway falling on the severed lot

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

(NEW LOT) Severed Parcel	Retained Parcel
<input type="checkbox"/> Municipal water system	<input type="checkbox"/> Municipal water system
<input checked="" type="checkbox"/> Privately owned and operated well	<input checked="" type="checkbox"/> Privately owned and operated well
<input type="checkbox"/> Lake water	<input type="checkbox"/> Lake water
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____

**TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION**

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

(NEW LOT) Severed Parcel

Retained Parcel

- |  |  |
|--|--|
| <input type="checkbox"/> Publicly owned and operated communal septic system                | <input type="checkbox"/> Publicly owned and operated communal septic system                |
| <input checked="" type="checkbox"/> Privately owned and operated individual septic system: | <input checked="" type="checkbox"/> Privately owned and operated individual septic system: |
| <input 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:

An easement for access over the retained parcel shown as Part 1 on Plan 13R-9494  
in favour of an abutting property

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

17. Name of road or lane which accesses:

The new lot (lot addition or Right of Way): Burnt Hills Road

The retained lot: Burnt Hills Road

Please indicate whether access to the land will be by:

- |  |  |
|--|--|
| <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))

Rural (RU) and Environmental Protection (EP)  
\_\_\_\_\_

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

Rural and Provincially Significant Wetlands  
\_\_\_\_\_

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.

Severances to permit residential uses are permitted in the Rural designation (Twp OP 5.7.4) and the lot will meet the minimum size and frontage of 76m / 2ac (Twp OP 5.7.4[ii]).

Pursuant to Section 7.1 of the Twp OP, the size of the parcel is appropriate to avoid wetlands with new development, the parcel is not prone to flooding, can achieve access, and complies with MDS.

Pursuant to Section 3.3 of the County OP low density residential is desirable, residential uses are permitted, rural lands character will be preserved, and a dwelling could be built on the severed lot with direct access to Burnt Hills Road, adequate site, room for servicing and landscaping (3.3.3).

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

Yes     No     Unknown

Please explain:

\_\_\_\_\_

In rural areas a mix of housing and conservation of existing housing stock is encouraged (1.1.4.1). On rural lands residential development including lot creation is permitted (1.1.5.2). Development will be compatible with the rural landscape (1.1.5.4). The proposed severance will comply with MDS (1.1.5.8) Natural heritage features will be protected for the long term (2.1.1).

\_\_\_\_\_

\_\_\_\_\_

## 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 checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
Application Type		Application Number	Date of Application
<input type="checkbox"/> Plan of Subdivision			Decision
<input checked="" type="checkbox"/> Consent		Not Known	All pre-date OP cut-off
<input type="checkbox"/> Minor Variance			All approved (1 easement, 3 lots)
<input type="checkbox"/> Site Plan Approval			
<input type="checkbox"/> Official Plan Amendment			
<input type="checkbox"/> Zoning By-law Amendment			
<input type="checkbox"/> Minister's Zoning Order			

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

Yes \_\_\_\_\_  No

\*\*The previous severances were registered July 17, 2000, this was confirmed through a registry search

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).

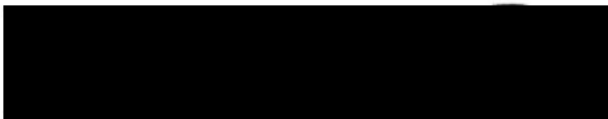
I/We, Michael Wiley  
(Name of Owner / Agent)

of Seeley's Bay 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 8<sup>th</sup> day of February, 2024.  
(Day) (Month) Year

  
Commissioner of Oaths Signature

  
Authorized Agent

Affix Commissioner of Oaths stamp below signatures

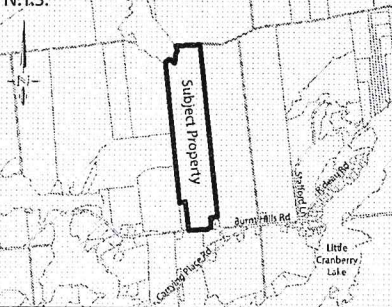
Katie Susan Kaestner, a Commissioner, etc., Province of Ontario, for the Corporation of the Township of South Frontenac. Expires August 14, 2024.



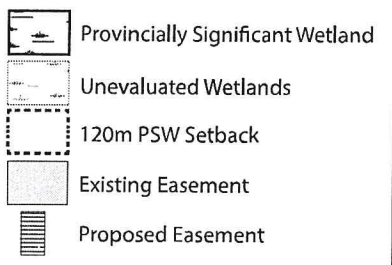
# Wiley Severance Sketch

848 Burnt Hills Road  
 Part Lot 29, Concession 11  
 Geographic Twp. of Pittsburgh  
 Township of South Frontenac  
**FRONTENAC COUNTY**

## Key Map



## Legend



## Notes:

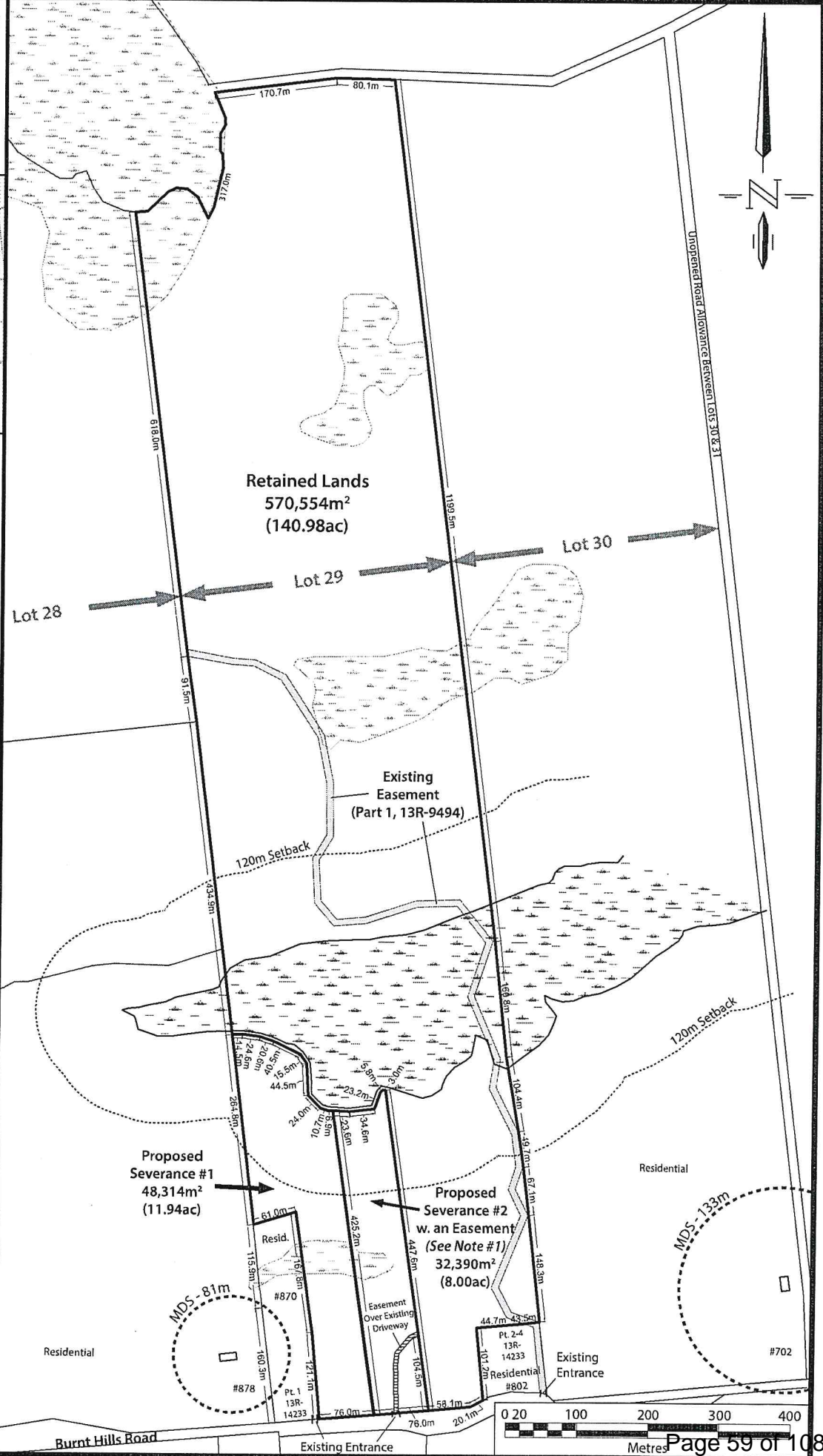
1. Proposed Severance #2 will include a new easement over the existing driveway in favour of the Retained Lands. The driveway will be shared between the two lots. Based on staff consultation a new entrance cannot be approved further east of the existing driveway due to sight lines along Burnt Hills Road.
2. The location of the Provincially Significant Wetland Area derived from mapping provided by the Cataraqui Region Conservation Authority showing the location of the wetland area.
3. The location of the Unevaluated Wetlands was derived from the County of Frontenac Interactive Mapping which has a Natural Features layer showing these wetlands.
4. Location of the existing Easement over the Retained Lands derived from Plan 13R-9494 completed by Brian Kerr Surveying Ltd. in May of 1990.
5. Boundary and dimensions of the previous severances, and part of the subject property, derived from Plan 13R-14233 completed by Peter S. Hopkins Ltd. in March of 1998. Part of the subject property not shown on available surveys derived using the GIS parcel mapping.

Version Date: February 7, 2024

File No. 23-209 Drawn By: CC

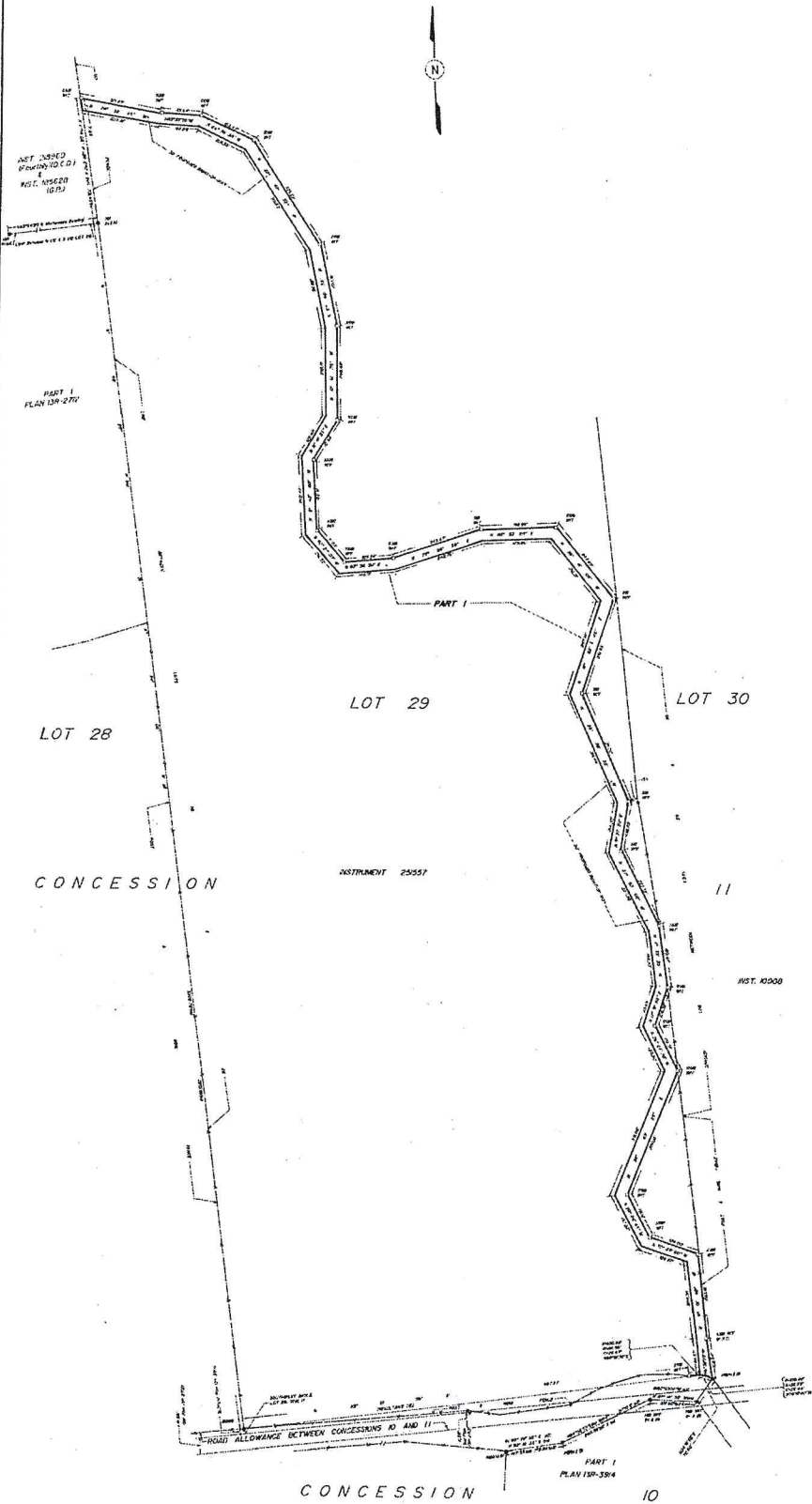
**ZANDERPLAN**  
 Your rural land planning experts

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





I HEREBY CERTIFY THAT THIS PLAN IS A TRUE AND CORRECT COPY OF THE ORIGINAL AS SUBMITTED AND APPROVED BY THE REGISTRAR.  
 DATE: 12.12.2019  
 REGISTERED: 12.12.2019  
 PLAN NO. 134-9990  
 PLAN TITLE: PART OF LOT 29  
 TOWNSHIP OF STORRINGTON  
 FORMERLY PITTSBURGH TOWNSHIP  
 COUNTY OF FRONTENAC



PLAN OF SURVEY OF  
 PART OF LOT 29  
 CONCESSION 11  
 TOWNSHIP OF STORRINGTON  
 (Formerly Pittsburgh Township)  
 COUNTY OF FRONTENAC

SCALE: 1" = 400'  
 BRIAN W. KERR, D.L.S.  
 1900

APPROVED BY REGISTRAR, 12.12.2019. THIS PLAN IS A TRUE AND CORRECT COPY OF THE ORIGINAL AS SUBMITTED AND APPROVED BY THE REGISTRAR.

I HEREBY CERTIFY THAT  
 1. THIS SURVEY WAS MADE IN ACCORDANCE WITH THE SURVEY ACT AND IS ACCORDING TO THE REGULATIONS AND REGULATIONS MADE THEREUNDER.  
 2. THE SURVEY WAS COMPLETED BY JANUARY 1, 2020.  
 BRIAN W. KERR, D.L.S.  
 1900

LEGEND

1	CONCESSION	10	ROAD
2	CONCESSION	11	ROAD
3	LOT 28	1	ROAD
4	LOT 29	1	ROAD
5	LOT 30	1	ROAD
6	CONCESSION	10	ROAD
7	CONCESSION	11	ROAD
8	LOT 28	1	ROAD
9	LOT 29	1	ROAD
10	LOT 30	1	ROAD
11	CONCESSION	10	ROAD
12	CONCESSION	11	ROAD
13	LOT 28	1	ROAD
14	LOT 29	1	ROAD
15	LOT 30	1	ROAD
16	CONCESSION	10	ROAD
17	CONCESSION	11	ROAD
18	LOT 28	1	ROAD
19	LOT 29	1	ROAD
20	LOT 30	1	ROAD
21	CONCESSION	10	ROAD
22	CONCESSION	11	ROAD
23	LOT 28	1	ROAD
24	LOT 29	1	ROAD
25	LOT 30	1	ROAD
26	CONCESSION	10	ROAD
27	CONCESSION	11	ROAD
28	LOT 28	1	ROAD
29	LOT 29	1	ROAD
30	LOT 30	1	ROAD
31	CONCESSION	10	ROAD
32	CONCESSION	11	ROAD
33	LOT 28	1	ROAD
34	LOT 29	1	ROAD
35	LOT 30	1	ROAD
36	CONCESSION	10	ROAD
37	CONCESSION	11	ROAD
38	LOT 28	1	ROAD
39	LOT 29	1	ROAD
40	LOT 30	1	ROAD
41	CONCESSION	10	ROAD
42	CONCESSION	11	ROAD
43	LOT 28	1	ROAD
44	LOT 29	1	ROAD
45	LOT 30	1	ROAD
46	CONCESSION	10	ROAD
47	CONCESSION	11	ROAD
48	LOT 28	1	ROAD
49	LOT 29	1	ROAD
50	LOT 30	1	ROAD
51	CONCESSION	10	ROAD
52	CONCESSION	11	ROAD
53	LOT 28	1	ROAD
54	LOT 29	1	ROAD
55	LOT 30	1	ROAD
56	CONCESSION	10	ROAD
57	CONCESSION	11	ROAD
58	LOT 28	1	ROAD
59	LOT 29	1	ROAD
60	LOT 30	1	ROAD
61	CONCESSION	10	ROAD
62	CONCESSION	11	ROAD
63	LOT 28	1	ROAD
64	LOT 29	1	ROAD
65	LOT 30	1	ROAD
66	CONCESSION	10	ROAD
67	CONCESSION	11	ROAD
68	LOT 28	1	ROAD
69	LOT 29	1	ROAD
70	LOT 30	1	ROAD
71	CONCESSION	10	ROAD
72	CONCESSION	11	ROAD
73	LOT 28	1	ROAD
74	LOT 29	1	ROAD
75	LOT 30	1	ROAD
76	CONCESSION	10	ROAD
77	CONCESSION	11	ROAD
78	LOT 28	1	ROAD
79	LOT 29	1	ROAD
80	LOT 30	1	ROAD
81	CONCESSION	10	ROAD
82	CONCESSION	11	ROAD
83	LOT 28	1	ROAD
84	LOT 29	1	ROAD
85	LOT 30	1	ROAD
86	CONCESSION	10	ROAD
87	CONCESSION	11	ROAD
88	LOT 28	1	ROAD
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92	CONCESSION	11	ROAD
93	LOT 28	1	ROAD
94	LOT 29	1	ROAD
95	LOT 30	1	ROAD
96	CONCESSION	10	ROAD
97	CONCESSION	11	ROAD
98	LOT 28	1	ROAD
99	LOT 29	1	ROAD
100	LOT 30	1	ROAD

THIS PLAN IS NOT A PART OF INSTRUMENT 25557  
 INSTRUMENT 25557

BRIAN W. KERR Surveying LIMITED  
 1900

MDS I

General information

Application date: Nov 30, 2023  
 Municipal file number:  
 Proposed application: Lot creation for a maximum of three non-agricultural use lots.

Applicant contact information: Michael Wiley, 848 Burnt Hills Road, Sealey's Bay, ON K0M 2V0  
 Location of subject lands: County of Frontenac, Township of South Frontenac, PITTSBURGH, Concession 11, Lot Part Lot 29, Roll number: 102907006031800

Calculations

702 Burnt Hills Road

Farm contact information: [Redacted]  
 Location of existing livestock facility or anaerobic digester: County of Frontenac, Township of South Frontenac, PITTSBURGH, Concession 11, Lot 30, Roll number: 102907006031900  
 Total lot size: 175.3 ac

Livestock/manure summary

Manure Form	Type of livestock/manure	Existing maximum number	Existing maximum number (NU)	Estimated livestock barn area
Solid	Beef, Cows, including calves to weaning (all breeds), Yard/Barn	20	20 NU	1000 ft <sup>2</sup>
Solid	Sheep, Ewes & rams (for meat lambs, includes unweaned offspring & replacements), Outside Access	10	1.3 NU	150 ft <sup>2</sup>

Setback summary

Existing manure storage	No storage required (manure is stored for less than 14 days)		
Design capacity	21.3 NU		
Potential design capacity	42.5 NU		
Factor A (odour potential)	0.7	Factor B (design capacity)	245
Factor D (manure type)	0.7	Factor E (encroaching land use)	1.1
Building base distance 'P' (A x B x D x E) (minimum distance from livestock barn)			133 m (436 ft)
Actual distance from livestock barn			469 m (1540 ft)
Storage base distance 'S' (minimum distance from manure storage)			No existing manure storage
Actual distance from manure storage			NA

878 Burnt Hills Road

Farm contact information



Location of existing livestock facility or anaerobic digester  
County of Frontenac  
Township of South Frontenac  
PITTSBURGH  
Concession 11, Lot Part Lot 28  
Roll number: 102907006031720

Total lot size  
61.1 ac

Livestock/manure summary

Manure Form	Type of livestock/manure	Existing maximum number	Existing maximum number (NU)	Estimated livestock barn area
Solid	Horses, Medium-framed, mature; 227 - 680 kg (including unweaned offspring)	1	1 NU	250 ft <sup>2</sup>

Setback summary

Existing manure storage No storage required (manure is stored for less than 14 days)

Design capacity 1 NU

Potential design capacity 1 NU

Factor A (odour potential) 0.7

Factor D (manure type) 0.7

Factor B (design capacity) 150

Factor E (encroaching land use) 1.1

Building base distance 'F' (A x B x D x E)  
(minimum distance from livestock barn) 81 m (266 ft)

Actual distance from livestock barn 105 m (345 ft)

Storage base distance 'S'  
(minimum distance from manure storage) No existing manure storage

Actual distance from manure storage NA

Preparer signoff & disclaimer

Preparer contact information

Chris Clarke  
ZanderPlan Inc.  
0  
Perth, ON  
K7H 3M6  
613-254-9660  
chris@zanderplan.com

Signature of preparer

Chris Clarke

February 7 / 2024

Date (mm-dd-yyyy)

Note to the user

The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) has developed this software program for distribution and use with the Minimum Distance Separation (MDS) Formulae as a public service to assist farmers, consultants, and the general public. This version of the software distributed by OMAFRA will be considered to be the official version for purposes of calculating MDS. OMAFRA is not responsible for errors due to inaccurate or incorrect data or information; mistakes in calculation; errors arising out of modification of the software, or errors arising out of incorrect inputting of data. All data and calculations should be verified before acting on them.



MDS 1

General information

Application date: Nov 30, 2023      Municipal file number:      Proposed application: Lot creation for a maximum of three non-agricultural use lots

Applicant contact information

Michael Wiley  
840 Burnt Hills Road  
Seeley's Bay, ON  
K0H 2V0

Location of subject lands

County of Frontenac  
Township of South Frontenac  
PITTSBURGH  
Concession 11, Lot Part Lot 29  
Roll number: 102907006031800

Calculations

702 Burnt Hills Road

Farm contact information

[Redacted contact information]

Location of existing livestock facility or anaerobic digester

County of Frontenac  
Township of South Frontenac  
PITTSBURGH  
Concession 11, Lot 30  
Roll number: 102907006031900

Total lot size  
175.3 ac

Livestock/manure summary

Manure Form	Type of livestock/manure	Existing maximum number	Existing maximum number (NU)	Estimated livestock barn area
Solid	Beef, Cows, including calves to weaning (all breeds), Yard/Barn	20	20 NU	1000 ft <sup>2</sup>
Solid	Sheep, Ewes & rams (for meat lambs, includes unweaned offspring & replacements), Outside Access	10	1.3 NU	150 ft <sup>2</sup>

Setback summary

Existing manure storage	No storage required (manure is stored for less than 14 days)		
Design capacity	21.3 NU		
Potential design capacity	42.5 NU		
Factor A (odour potential)	0.7	Factor B (design capacity)	245
Factor D (manure type)	0.7	Factor E (encroaching land use)	1.1
Building base distance 'F' (A x B x D x E) (minimum distance from livestock barn)	133 m (436 ft)		
Actual distance from livestock barn	469 m (1540 ft)		
Storage base distance 'S' (minimum distance from manure storage)	No existing manure storage		
Actual distance from manure storage	NA		

878 Burnt Hills Road

Farm contact information



Location of existing livestock facility or anaerobic digester  
County of Frontenac  
Township of South Frontenac  
PITTSBURGH  
Concession 11, Lot Part Lot 28  
Roll number: 102907006031720

Total lot size  
61.1 ac

Livestock/manure summary

Manure Form	Type of livestock/manure	Existing maximum number	Existing maximum number (NU)	Estimated livestock barn area
Solid	Horses, Medium-framed, mature; 227 - 680 kg (including unweaned offspring)	1	1 NU	250 ft <sup>2</sup>

Setback summary

Existing manure storage	No storage required (manure is stored for less than 14 days)		
Design capacity	1 NU		
Potential design capacity	1 NU		
Factor A (odour potential)	0.7	Factor B (design capacity)	150
Factor D (manure type)	0.7	Factor E (encroaching land use)	1.1

Building base distance 'F' (A x B x D x E) (minimum distance from livestock barn)	81 m (266 ft)
Actual distance from livestock barn	105 m (345 ft)
Storage base distance 'S' (minimum distance from manure storage)	No existing manure storage
Actual distance from manure storage	NA

Preparer signoff & disclaimer

Preparer contact information

Chris Clarke  
ZanderPlan Inc.  
0  
Perth, ON  
K7H 3M6  
613-254-9600  
chris@zanderplan.com

Signature of preparer

Chris Clarke

February 7 / 2024  
Date (mm-dd-yyyy)

Note to the user

The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) has developed this software program for distribution and use with the Minimum Distance Separation (MDS) Formulae as a public service to assist farmers, consultants, and the general public. This version of the software distributed by OMAFRA will be considered to be the official version for purposes of calculating MDS. OMAFRA is not responsible for errors due to inaccurate or incorrect data or information; mistakes in calculation; errors arising out of modification of the software, or errors arising out of incorrect inputting of data. All data and calculations should be verified before acting on them.

MDS 1

General information

Application date  
Nov 30, 2023

Municipal file number

Proposed application

Lot creation for a maximum of three non-agricultural use lots

Applicant contact information  
Michael Wiley  
848 Burnt Hills Road  
Seeley's Bay, ON  
K0M 2Y0

Location of subject lands  
County of Frontenac  
Township of South Frontenac  
PITTSBURGH  
Concession 11, Lot Part Lot 29  
Roll number: 102907006031800

Calculations

702 Burnt Hills Road

Farm contact information

Location of existing livestock facility or anaerobic digester  
County of Frontenac  
Township of South Frontenac  
PITTSBURGH  
Concession 11, Lot 30  
Roll number: 102907006031900

Total lot size  
176.3 ac

Livestock/manure summary

Manure Form	Type of livestock/manure	Existing maximum number	Existing maximum number (NU)	Estimated livestock barn area
Solid	Beef, Cows, including calves to weaning (all breeds), Yerd/Barn	20	20 NU	1000 ft <sup>2</sup>
Solid	Sheep, Ewes & rams (for meat lambs; includes unweaned offspring & replacements), Outside Access	10	1.3 NU	150 ft <sup>2</sup>

Setback summary

Existing manure storage No storage required (manure is stored for less than 14 days)

Design capacity 21.3 NU

Potential design capacity 42.5 NU

Factor A (odour potential) 0.7

Factor B (design capacity) 245

Factor D (manure type) 0.7

Factor E (encroaching land use) 1.1

Building base distance 'F' (A x B x D x E)  
(minimum distance from livestock barn)

133 m (436 ft)

Actual distance from livestock barn

469 m (1540 ft)

Storage base distance 'S'  
(minimum distance from manure storage)

No existing manure storage

Actual distance from manure storage

NA

878 Burnt Hills Road

Farm contact information



Location of existing livestock facility or anaerobic digester  
County of Frontenac  
Township of South Frontenac  
PITTSBURGH  
Concession 11, Lot Part Lot 28  
Roll number: 102907006031720

Total lot size  
61.1 ac

Livestock/manure summary

Manure Form	Type of livestock/manure	Existing maximum number	Existing maximum number (NU)	Estimated livestock barn area
Solid	Horses, Medium-framed, mature: 227 - 680 kg (including unweaned offspring)	1	1 NU	250 ft <sup>2</sup>

Setback summary

Existing manure storage	No storage required (manure is stored for less than 14 days)			
Design capacity	1 NU			
Potential design capacity	1 NU			
Factor A (odour potential)	0.7	Factor B (design capacity)	150	
Factor D (manure type)	0.7	Factor E (encroaching land use)	1.1	
Building base distance 'F' (A x B x D x E) (minimum distance from livestock barn)				81 m (266 ft)
Actual distance from livestock barn				105 m (345 ft)
Storage base distance 'S' (minimum distance from manure storage)				No existing manure storage
Actual distance from manure storage				NA

Preparer signoff & disclaimer

Preparer contact information

Chris Clarke  
ZenderPlan Inc.  
0  
Perth, ON  
K7H 3M6  
613-254-9500  
chris@zenderplan.com

Signature of preparer

Chris Clarke

February 7 / 2024  
Date (mmm-dd-yyyy)

Note to the user

The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) has developed this software program for distribution and use with the Minimum Distance Separation (MDS) Formulae as a public service to assist farmers, consultants, and the general public. This version of the software distributed by OMAFRA will be considered to be the official version for purposes of calculating MDS. OMAFRA is not responsible for errors due to inaccurate or incorrect data or information; mistakes in calculation; errors arising out of modification of the software, or errors arising out of incorrect inputting of data. All data and calculations should be verified before acting on them.

April 30, 2024

File: SEV/FRS/85/2024  
SEV/FRS/86/2024

### **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 Consent to Sever PL-BDJ-2024-0011 & PL-BDJ-2024-0012  
Pt Lot 29, Concession 11; 848 Burnt Hills Road  
Storrington District, Township of South Frontenac  
Waterbody: Beacon Point Provincially Significant Wetland, Unnamed Watercourses,  
and Unevaluated Wetlands**

Staff of the Cataraqui Region Conservation Authority (CRCA) have reviewed the above-noted application for consent to sever and offer the following comments for the Land Division Committee's consideration, based on our role as a commenting agency responsible for natural hazards on *Planning Act* applications, and as administrator of Ontario Regulation 41/24: *Prohibited Activities, Exemptions and Permits* (formerly O. Reg. 148/06).

### **Summary of the Proposal**

#### *PL-BDJ-2024-0011*

This application involves the severance of an approximately 4.83 ha (11.94 acre) vacant parcel from a large residential property. The severed parcel is proposed to be used for new residential building purposes.

#### *PL-BDJ-2024-0012*

This application involves the severance of an approximately 3.24 ha (8 acre) vacant parcel from a large residential property. The retained vacant lot would be approximately 57 ha (141 acres) and will continue to be used for residential purposes. The severed lot will be used for future residential development. An easement is proposed over the existing driveway on the severed parcel in favour of the retained lot.

### **Site Description**

The subject lands are located on the north side of Burnt Hills Road and occupy Lot 29 in Concession 11 of Storrington District in South Frontenac Township. The severed lots are proposed in the southwestern portion of the subject lands, with both the retained and severed lots maintaining road

frontage on Burnt Hills Road. The subject lands consist of woodlands, cleared areas, and low-lying wetlands. The rolling topography of the severed parcels gradually slopes down to the northern woodlands, where the wetlands are located. There also appears to be a few small ponds / wetland cells in the centre of the severed parcels which are likely hydrologically connected to the PSW to the north by a network of watercourses. The eastern portion of the retained parcel which fronts on Burnt Hills Road consists of a relatively steep and high embankment, that rises towards Burnt Hills Road and the eastern property line.

The subject lands are designated 'Rural' and 'Provincially Significant Wetlands' per Schedule A of the Township's Official Plan and are zoned 'Rural' (RU) and 'Environmental Protection' in the implementing Zoning By-law. The boundary for the Environmental Protection zone coincides with the provincially significant wetland on site.

## **Discussion**

CRCA's scope of review with respect to this application is the avoidance of natural hazards (e.g. flooding and erosion) associated with the surface water features and the protection of the hydrologic function of the wetlands.

### Natural Hazards

#### *Surface Water Features*

As noted, the undulating topography on this property creates a series of low-lying ponds and wetlands that may be hydrologically connected to the Beacon Point Provincially Significant Wetland, and subject to O. Reg. 41/24. A suitable buffer area is necessary between any new development and the water features, as a buffer acts to protect the hydrologic function of these features and to avoid damaging flooding of property and erosion normally associated with these features.

Cataraqui Conservation does not have floodplain mapping in this area – consequently we require a minimum 30 metre buffer (setback) horizontal from the highwater mark of watercourses, waterbodies, and wetlands for any development. The 30 metre setback is consistent with the 30 metre setback in the Township's zoning by-law.

As proposed, both severed parcels will have sufficient area to accommodate new development outside of the 30 metre setbacks from the watercourses, waterbodies, and wetlands identified on the subject lands. The retained lot, which is already developed, will be sufficiently sized to accommodate future development well back from these features and 30 metre setbacks.

## **Recommendation**

Staff have no objection to the approval of applications PL-BDJ-2024-0011 and PL-BDJ-2024-0012 based on our consideration for natural hazard and regulatory policies.

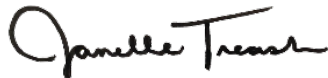
## **Ontario Regulation 41/24**

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. Also, to ensure the protection of wetlands. **Current and future landowners are advised to contact CRCA before considering any work within 30 metres of the wetlands, waterbodies, and watercourses.**

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

Cc: ZanderPlan Inc., Agent, via e-mail

## 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**  
**Building Department**

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 Street, PO Box 100 Sydenham, Ontario K0H 2T0
<b>Application Number:</b>	PLBDJ20240011
<b>Type of Application or Proposal:</b>	Planning Sewage Review - Consent Application
<b>Applicant:</b> <b>(if applicable) Agent:</b>	WILEY MICHAEL GEORGE Zanderplan
<b>Location:</b>	102907006031800 848 BURNT HILLS ROAD CON 11 PT LOT 29
<b>Comments:</b>	No objection to the creation of the proposed severed parcel.  Two test holes, both between 1.2 and 1.5 metres deep and containing a clay material, were dug within the first 90 metres from the edge of Burnt Hills Road on the proposed severed parcel.
<b>Building Inspector:</b>	 Matthew Doyle
<b>Date:</b>	April 19, 2024

# Township of South Frontenac Staff Report

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**To:** Committee of Adjustment

**Prepared by:** Development Services Department

**Date of Meeting:** May 9, 2024

**Subject:** **Consent Application PL-BDJ-2024-0012, Wiley, 848 Burnt Hills Road, Storrington District**

## Summary

Two consent applications were submitted concurrently for the subject lands. One of the consent applications meets all the By-law 2020-27 criteria for an “undisputed” consent application. The other application does not meet the criteria. For this reason, the Committee of Adjustment is being asked to make decisions on both the consent applications. This report recommends denial of application PL-BDJ-2024-0012 (Lot 2).

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## Background

The purpose of the application is to create one new rural residential lot. The retained parcel will continue to be used for residential purposes.

## Related Applications

The lands are also subject to consent application PL-BDJ-2024-0011 (Lot 1).

## Application Details

The proposed severed parcel for application PL-BDJ-2024-0012 (Lot 2) would have an area of approximately 8Ac with 76m of frontage on Burnt Hills Road. The retained parcel would be approximately 140.98Ac of area and 78.2m of frontage if both Lot 1 and Lot 2 were approved. The application also proposes to create a new right-of-way over the Lot 2 to allow access to the retained parcel.

## Designation and Zoning

The subject property is designated Rural and Provincially Significant Wetland in Schedule A of the Township Official Plan. The property is zoned Rural (RU) and Environmental Protection (EP) in Zoning By-law No. 2003-75.

## Review

- ✓ Conforms to section 51 (24) of the *Planning Act*;
- ✓ Does not require a plan of subdivision for the proper and orderly development of the municipality (s. 53(1) *Planning Act*);
- ✓ Is consistent with the Provincial Policy Statement (s. 3(5) *Planning Act*)
- ✓ Conforms to the County of Frontenac Official Plan (s. 3.3 & 7.1)
- X 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
- ✓ Has no unresolved objections/concerns raised from agencies of the public.

## Property Description

The subject property is approximately 160.9 acres with frontage on Burnt Hills Road. Development is isolated to the eastern portion of the property and consists of a single dwelling. The subject property consists of woodlands, cleared areas, and low lying wetlands. The area immediately adjacent to Burnt Hills Road is mostly cleared of trees and features and unevaluated wetland feature and a small pond with hydrological connections to the Beacon Point Wetland Complex. The remainder of the property is mostly characterized by mixed forest and some scattered low-lying wetland areas. One of these wetland features (Beacon Point Wetland Complex), whose boundary is setback approximately 400m from Burnt Hills Road, is classified as Provincially Significant (PSW). The area of the proposed severance extends from Burnt Hills Road to the boundary of this PSW. Topography varies significantly across the extent of the subject property. The area adjacent to Burnt Hills Road are predominantly flat. However, the area of the proposed retained lot adjacent to Burnt Hills Road features steeply sloping topography, rendering a majority of this frontage unusable. The surrounding area consists primarily of rural residential and agricultural uses.

## Department and Agency Comments

**Cataraqui Conservation** provided comment on April 30, 2024. CRCA Staff have no objection to the approval of the consent application based on consideration for natural hazard and regulatory policies. Staff note that portions of the subject lands are subject to Ontario Regulation 41/24. Current and future landowners are advised to contact the CRCA before considering any work within 30m of the wetlands, waterbodies, and watercourse

**Public Services** provided comment on April 24, 2024. It was noted that there are adequate sight lines to permit an entrance from Burnt Hills Road to Lot 2. However, the retained parcel would not be able to achieve safe access from within its frontage due to limited sight lines.

**Building Services** provided comment on April 19, 2024. Building Services Staff have no concerns with the application. There is enough area on the proposed severed lot to accommodate the installation of a sewage system. The details and location of the system would be determined during the building permit phase.

## Public Comment

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

## Planning Analysis

### Minimum Distance Separation from Livestock Facilities

In conformity with the PPS, the Township Official Plan requires all division of land for non-farm uses to comply with the Minimum Distance Separation Formulae I (MDS I) (Section 7.1(I)). The Township Zoning By-law also requires residential development to comply with MDS I.

Township Planning Staff identified two livestock facility within 750m of the proposed severed lot which warranted further investigation. The applicant's agent calculated MDS I setbacks for both facilities. The following table identifies the actual and required MDS I setback for the livestock facility and related manure storage.

<b>Location of Livestock Barn and Manure Storage</b>	<b>Actual Distance from Livestock Barn to Lot 2 (Metres)</b>	<b>Minimum Required MDS I Setback (Metres)</b>
702 Burnt Hills Road	525	133
878 Burnt Hills Road	181	81

The applicant's agent also submitted a sketch confirming a development envelope on the severed parcel that would meet the minimum required MDS I setback from the surrounding barns, as well as all other required zoning setbacks.

## Rural Residential Development

The PPS allows growth and development to be directed to rural lands, including lot creation that is locally appropriate. The County Official Plan and the Township Official Plan also permit residential development in the Rural Designation.

Section 5.7.4 of the Official Plan indicates that a maximum of three rural residential lots may be created by consent from landholdings provided that the new lots meet the General Consent Policies, as well as all other applicable policies. There have been no severances

from the property since the adoption of the Township Official Plan. Therefore, the subject property is eligible for severance.

The owner demonstrated to the satisfaction of Building Services that the severed parcel would have the ability to be serviced by a private sewage disposal system. The Township typically requires the ability to be serviced by private well to be demonstrated as a condition of consent approval.

Section 5.7.4 requires the frontage, size and shape of any lot created for rural residential purposes through the severance process to be appropriate for the proposed use and to conform to the provisions of the Zoning By-law. Lot 2 would exceed the minimum 0.8 hectares of area and satisfy the minimum 76m of frontage on a public road. The retained parcel would also exceed the minimum 0.8 hectares of area and appears to satisfy the minimum 76m of frontage. Should it be determined that the retained parcel had deficient frontage, a minor variance would be required.

Due to topographical constraints and road curvature along this portion of Burnt Hills Road, the frontage of the retained parcel is unusable and incapable of permitting safe access. For this reason, the applicant is proposing to use the existing entrance as a shared entrance for Lot 2 and the retained lands. The entrance would be located on Lot 2. The application requests consent for the creation of a right-of-way over the existing driveway that would be on the severed parcel to maintain access to the dwelling on the retained parcel. The proposed right-of-way would extend from the existing entrance northward through the middle of Lot 2, before crossing the shared lot line with the retained lands. The proposed right-of-way would have an approximate length of 100 metres.

The creation of this right-of-way could have implication for the development potential of Lot 2. For example, any future development on Lot 2 would require a minimum 5m setback from the right-of-way as well as a minimum 30m setback from the low-lying pond feature. This would limit the potential building envelope on the south half of Lot 2 and could push development to the North where environmentally sensitive features exist. These features include a Provincially significant wetland.

It is the opinion of Township Planning Staff that all new rural residential severances and their retained lands should be capable of having an entrance from within their frontage. This opinion is supported by the General Consent policies of the Official Plan (Section 7.1). Policy 7.1h) states that all new lots (excluding limited service residential lots) shall front onto and gain direct access from an existing public road. Additionally, policy 7.1i) states that consents should not be granted for lands where a traffic hazard could be created due to limited sightlines. Policy 7.1r) states that the Township will consider applications in light of the number of accesses being created on Township Road and may at their own discretion require the use of shared entrances with an abutting property. Planning Staff interpret policy 7.1r) as being reserved for circumstances where an entrance could be located (i.e., satisfies Public

Services sight line requirements), but due to a high concentration of existing entrances in close proximity, it would not be safe to allow another.

In reviewing this application, Township Staff also had consideration for the Township of South Frontenac Policy on Entrances onto County Roads (March 20, 1996). This document would have been considered during the preparation of the Township Official Plan and can be used to provide context on its intent. The document defines a shared entrance as situated in urban areas and serving more than one commercial or industrial building. Further, Policy 4.15 states that the Township of South Frontenac supports the use of shared entrances as a means of reducing the number of commercial and industrial entrances. Therefore, it is the opinion of Planning Staff that the Township Official Plan never intended for shared entrances to be used when creating new residential lots.

Permitting shared entrances for residential land uses may also have implications on civic addressing and emergency services. The standard when locating a new civic blade is that it be located at the beginning of the driveway serving the dwelling. In the case of a shared entrance for more than one dwelling, multiple civic blades must be placed in the same location. This can create confusion and delay when emergency services are attempting to enter a property. This issue is further compounded when dwellings have large separation distances, or in the case of additional dwelling units being built on either the severed or retained lands.

## **Conclusion**

It is the opinion of staff that the application does not conform to the Township of South Frontenac Official Plan, as it would result in a retained parcel with frontage that is unusable and unsafe for a road entrance due to topography and road curvature. It would not be desirable to allow the creation of a residential lot which result in a retained parcel that cannot be safely accessed from within its own frontage.

## **Notice/Consultation**

Notice of the Statutory Public Hearing was given pursuant to the requirements of the Planning Act, at least 14 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 on the Townships Current Planning Applications webpage
- 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-2024-0012 be denied.

**Report Prepared By:**

Noah Perron, Planner

**Report Reviewed By:**

Christine Woods, RPP, MCIP, Senior Planner

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

Date Received: ~~2024-04-05~~ April 10/2024 File No: \_\_\_\_\_

Pre-Consultation for this application  Yes  No

Planner: Tom Fehr Date of pre-consultation: 2024-02-29

1. Name of Owner(s): Ryan Bissonnette

Full Mailing Address of Owner(s): 1507-112 George Street, Toronto ON, M5A 2M5

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: Margot Jacobs

Full Mailing Address of Authorized Agent: 35 Duart Park Road, Toronto, ON, M4E 1J3

Phone number of Authorized Agent: [REDACTED]

Email Address of Authorized Agent: [REDACTED]

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

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

3. The description of the subject land:

District:  Bedford  Portland  Loughborough  Storrington

Concession Number: 12 Lot Number: 11

Street Number: 443 Name of Road/Street: Shipton Lane

Reference Plan Number: 13R356 Part Number(s): 6 to 8

Roll Number: 010-030-28100-0000

**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): 36.5m Frontage (on road/lane): 23.4m

Depth: 50.6m Area: 118.2m

5. The current zoning of the subject land:

Residential

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

Permission to build a structure less than the required set back from the high water mark

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

There is no available flat land that meets the set back of 30m

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

**OR** a privately maintained road?  Yes  No

Name of Road/Lane:

Shipton 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?

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:

<b>Type of Structure (E.g. residence)</b>	<b>(1)</b> Residence	<b>(2)</b> Bunkie	<b>(3)</b> Shed	<b>(4)</b>
<b>Setback from Front Lot Line</b>	3m	14m	12m	
<b>Setback from Rear Lot Line</b>	33m	20m	18m	
<b>Setback from Side Lot Line</b>	4m/3.5m	8m/1m	12m/4m	
<b>Height of Building (Also indicate if it is one story or two story)</b>	4.2m One story	3.6m	2.45m	
<b>Dimensions of Floor Area</b>	305m	13m	14.6m	
<b>Setback from High Water Mark (If applicable)</b>	3m	14m	5m	

13. The proposed uses of the subject land:

Adding a canoe and gear shed to an existing cottage property

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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)
<b>Type of Structure</b> (E.g. residence)	Shed			
<b>Setback from Front Lot Line</b>	11m			
<b>Setback from Rear Lot Line</b>	30m			
<b>Setback from Side Lot Line</b>	3m/12.5m			
<b>Height of Building</b> (Also indicate if it is one story or two story)	3.7m			
<b>Outside Dimensions of Building/Structure</b>	L: 4.8m W: 3m			
<b>Setback from High Water Mark</b> (If applicable)	11M			

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:

n/a

---

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:

July 2020

---

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

2015

---

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

2015 to current day

---

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:

Individually pumped lake water

---

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 is held in septic tanks

---

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

No

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**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

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

Yes       No

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

n/a

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

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

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

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

**AGREEMENT TO INDEMNIFY**

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

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

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

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

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

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

DATED AT THE TOWNSHIP OF SOUTH FRONTENAC

THIS 10 DAY OF April, 2024

I, Ryan Bissonette OF Toronto

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.

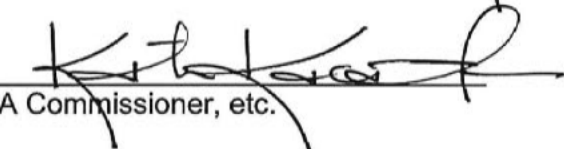


Agent

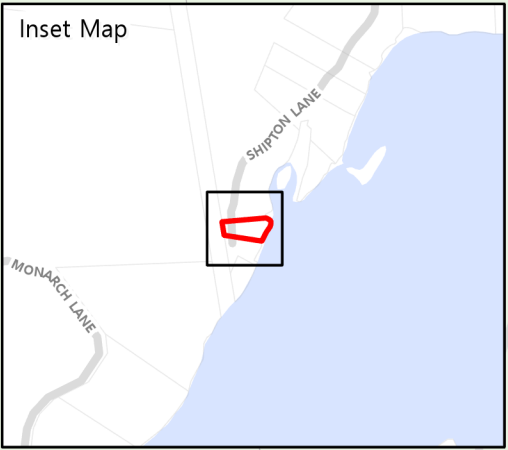
Signature of Applicant or Authorized Agent

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

THIS 10<sup>th</sup> DAY OF April, 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.













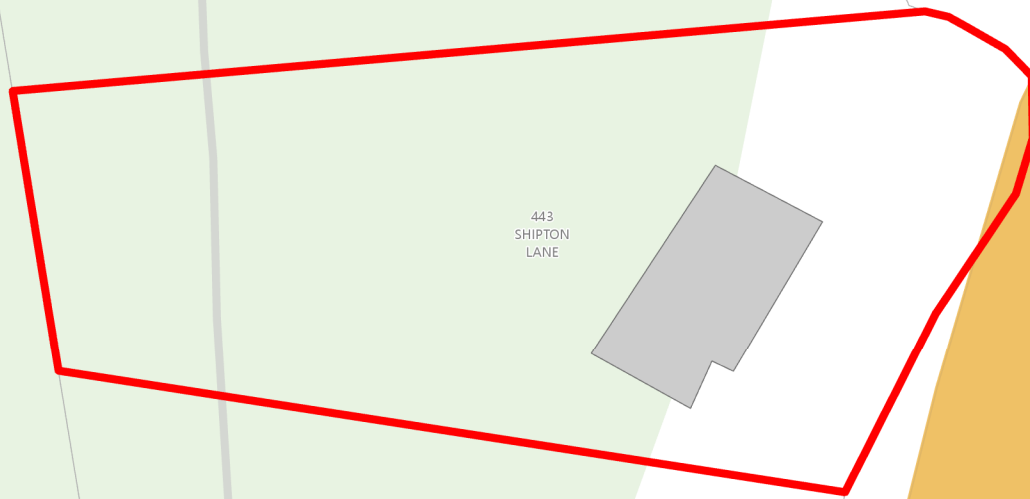
**SOUTH  
FRONTENAC**

**PL-ZNA-2024-0030**

**(BISSONNETTE)  
443 SHIPTON 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

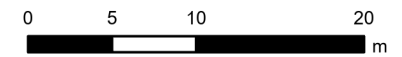


Devil Lake

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: 1:450



UTM Zone 18 NAD 83

Date: 2024-04-12

DEVIL LAKE RD

443 Shipton Lane, South Frontenac

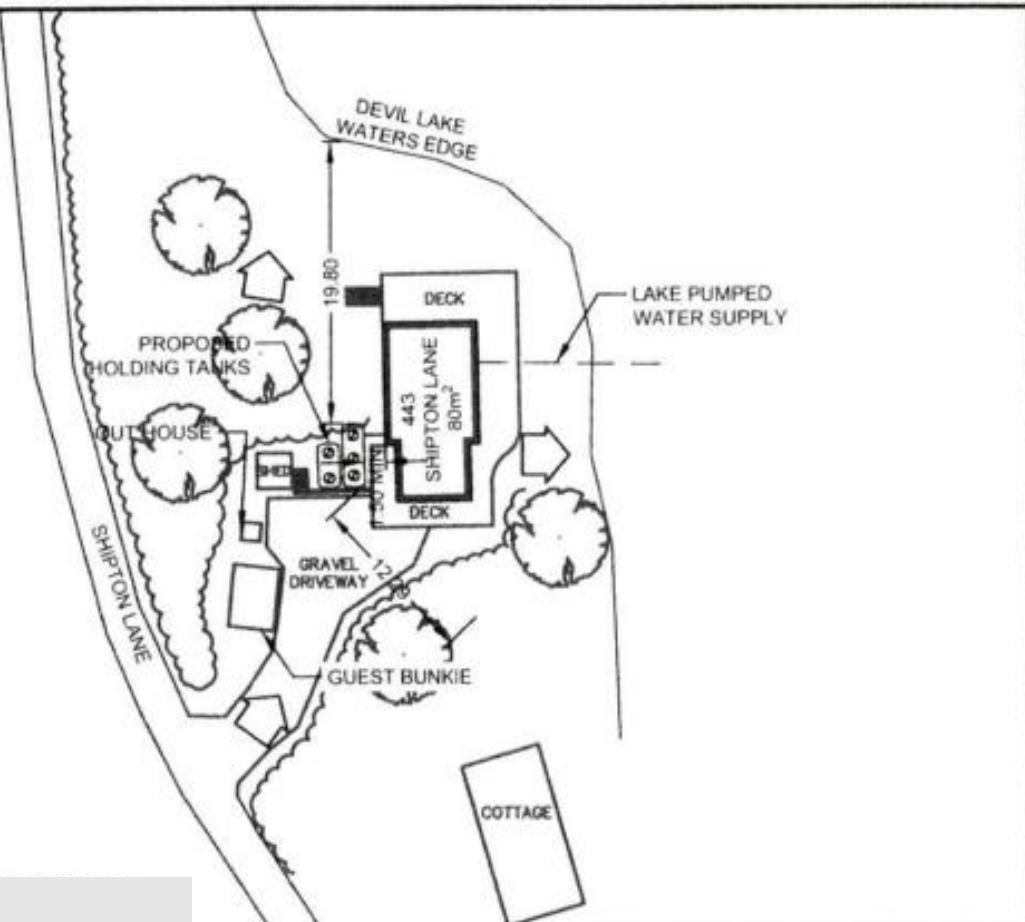
Setbacks: Dwelling – 3M, Water – 11M, Property Lines – 3M, 12.5M & 30M



Lot Size  
1273m

- Proposed Shed
- Holding Tanks
- Bunkie
- Existing Shed

Dwelling 3M | High Water Mark (11M) | Property Lines (3M, 12.5M, 30M) | Septic 2M



443 Shipton Lane

- LEGEND**
- WE WELL
  - TREE/VEGETATION OUTLINE
  - ➡ OVERLAND DRAINAGE PATH
  - ⊕ TP TEST HOLE LOCATION
  - HP EXISTING HYDRO POLE

**SEPTIC SYSTEM DETAILS**

HOLDING TANK

3 BR 2 BATH COTTAGE (80m<sup>2</sup>)

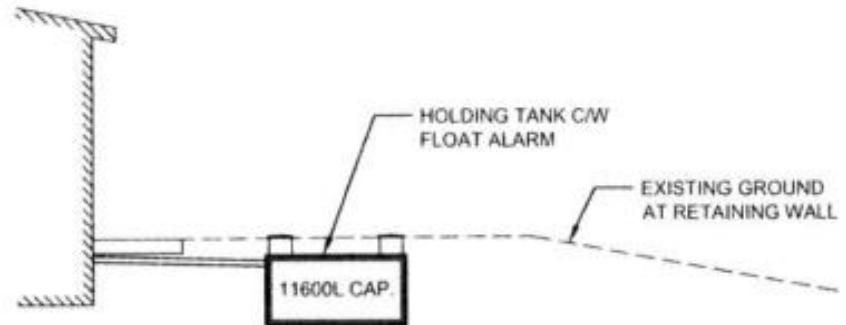
- DESIGN FLOW = 1600L/DAY
- 1600L/DAY x 7 DAY MIN. HOLDING CAPACITY = 11,200L

443 SHIPTON LANE  
 PROPOSED HOLDING TANK  
 SOUTH FRONTENAC

DATE	09-15-2020
SCALE	AS SHOWN
DWG. NO.	C100
FILE NO.	

**MINIMUM CLEARANCES FOR HOLDING TANKS**  
OBC TABLE 8.2.1.6. (C)

	MIN. CLEARANCE
STRUCTURE	1.5m
WELL WITH 6m CASING	15.0m
ALL OTHER WELLS	15.0m
SPRING	15.0m
PROPERTY LINE	3.0m

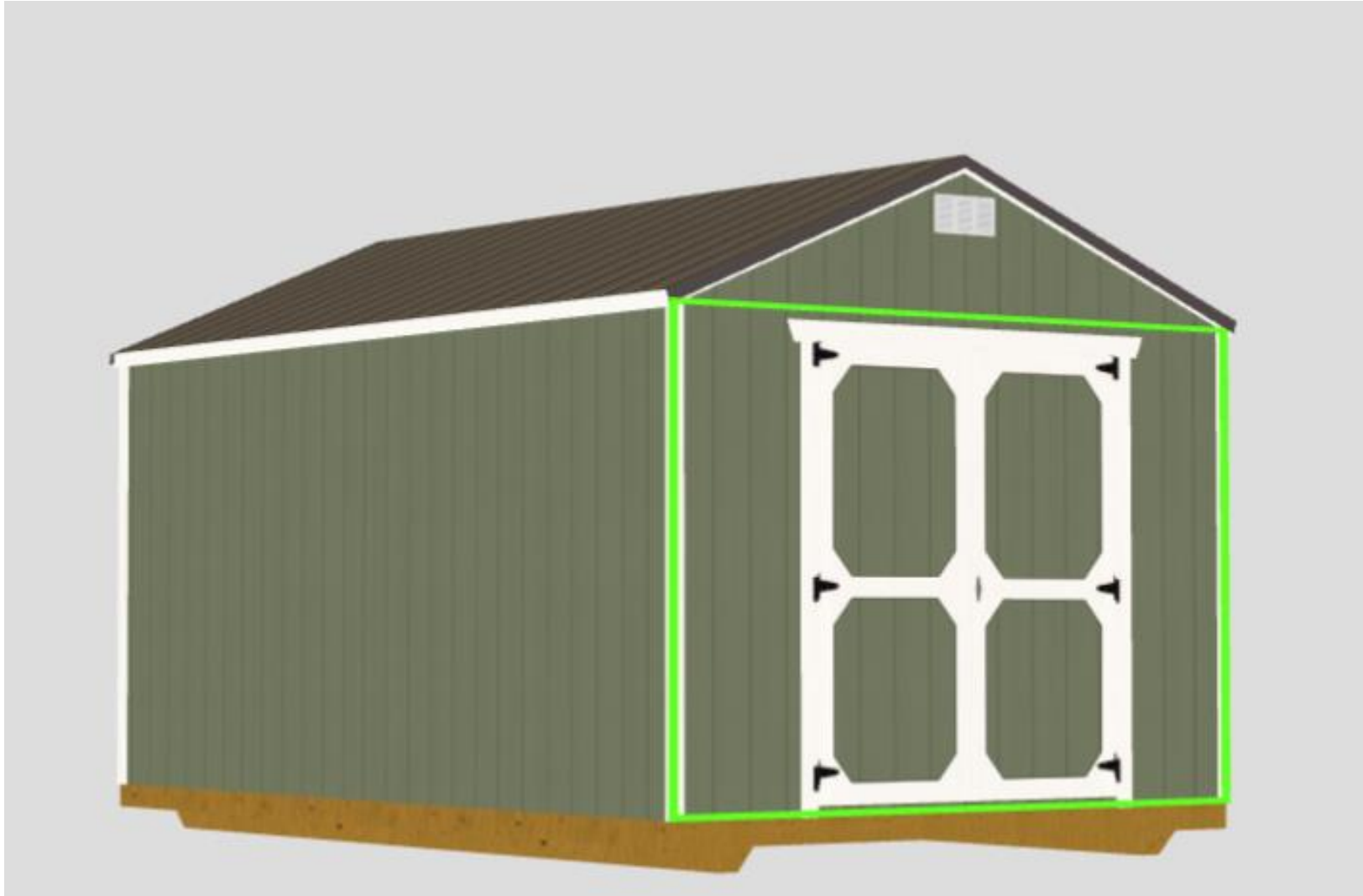


**SECTION**  
N.T.S.



Holding Tank  
 Site Plan  
 October 2020

443 Shipton Lane  
Shed Plan



Length 4.8m

Width 3m

Holding Tank  
Site Plan  
October 2020

443 SHIPTON LANE  
PROPOSED HOLDING TANK  
SOUTH FRONTENAC

DATE	09-15-2020
SCALE	AS SHOWN
DWG. NO.	C100
FILE NO.	

**Arde** Engineering Construction  
 Reg. 148/06-Appendix B2  
 Permit # F-54/24-Dev Lk  
 Page: 1 of 1  
 Date: March 13, 2024

**LEGEND**

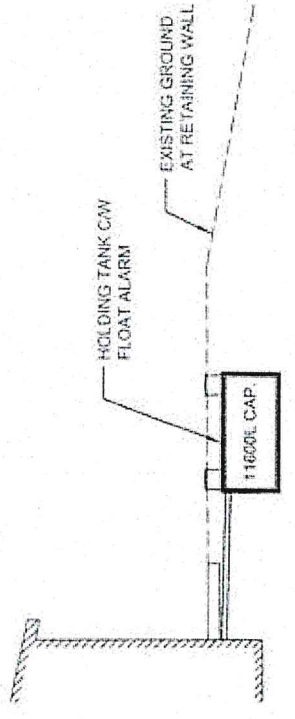
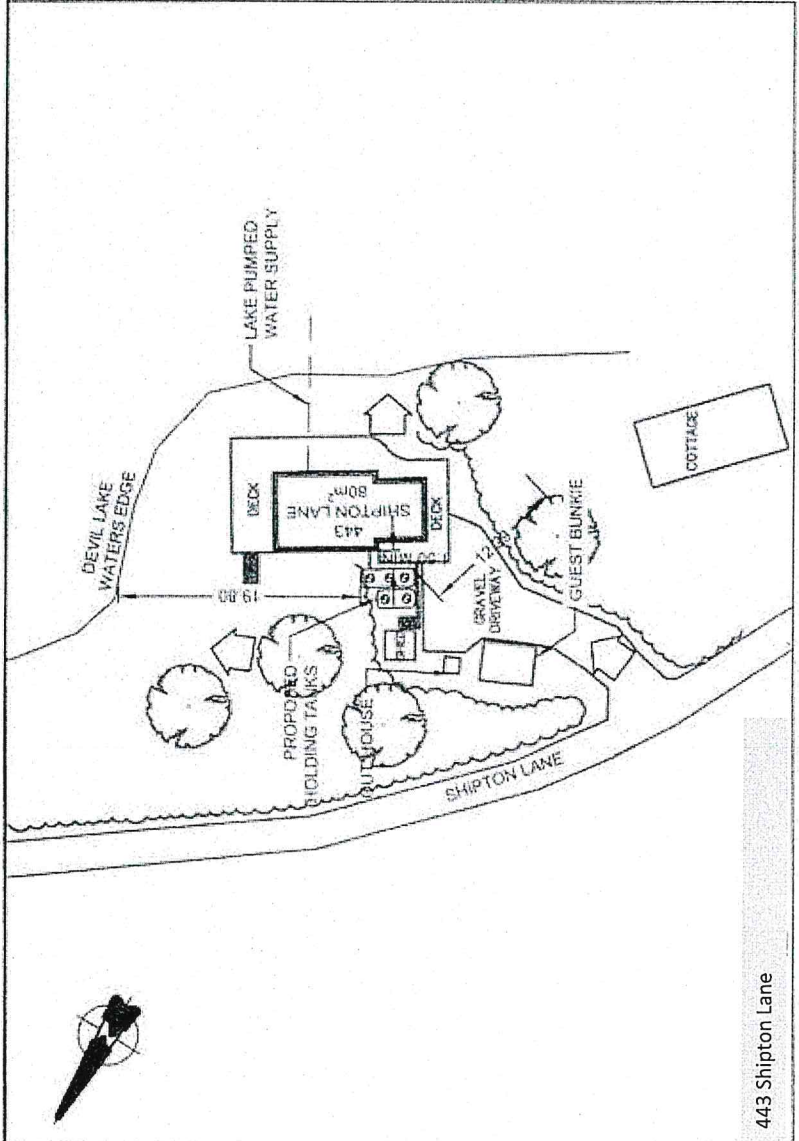
- PROPERTY LINE
- WELL
- TREE/VEGETATION OUTLINE
- OVERLAND DRAINAGE PATH
- TEST HOLE LOCATION
- EXISTING WOODS HOLE

**SEPTIC SYSTEM DETAILS**

**HOLDING TANK**  
 1. 2 BATH COTTAGE (R007)  
 DESIGN FLOW = 1500 L/DAY  
 1600 L/DAY & 7 DAY MIN. HOLDING CAPACITY & 11,200 L

**MINIMUM CLEARANCES FOR HOLDING TANKS OBC TABLE 8.2.1.6 (C)**

MIN. CLEARANCE	MIN. CLEARANCE
STRUCTURE	1.5m
WELL WITH 20" CASING	10.0m
ALL OTHER WELLS	15.0m
SPRING	15.0m
PROPERTY LINE	3.0m



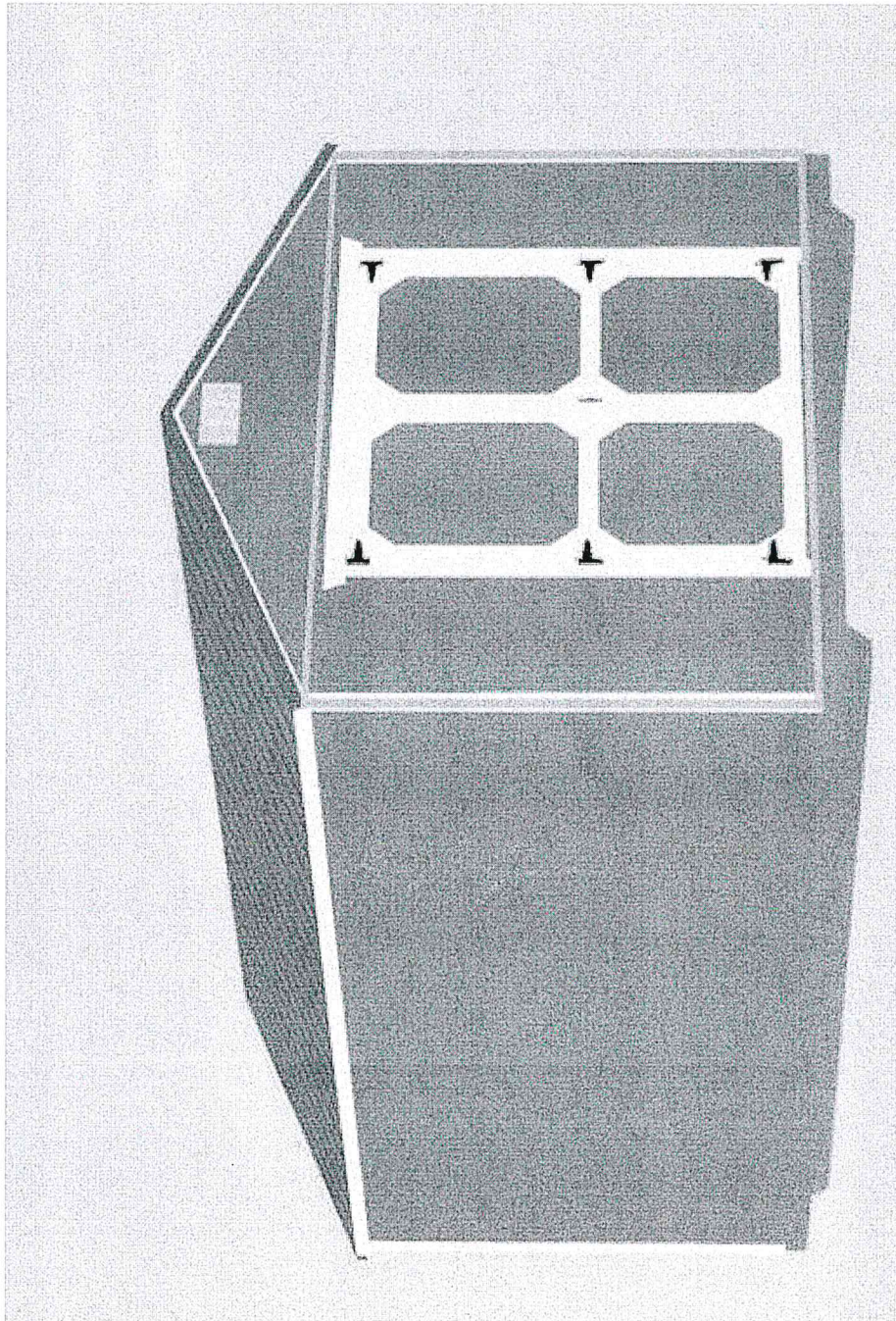
443 Shipton Lane

SECTION  
R115

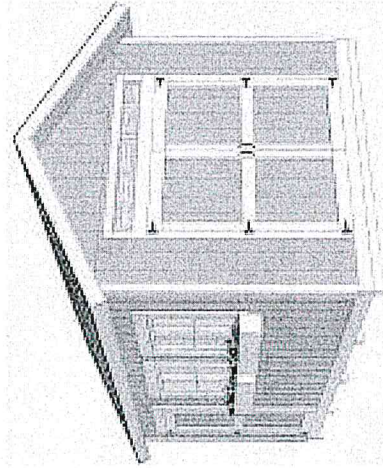
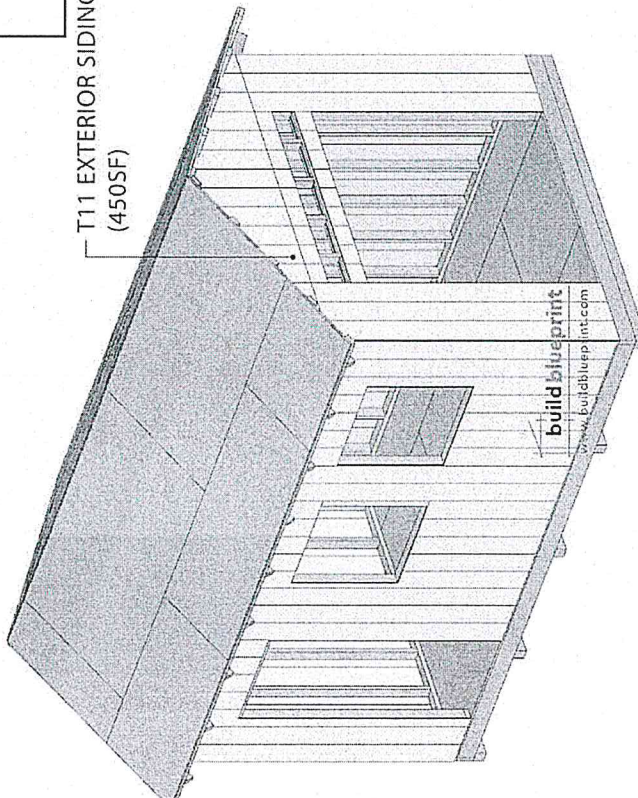
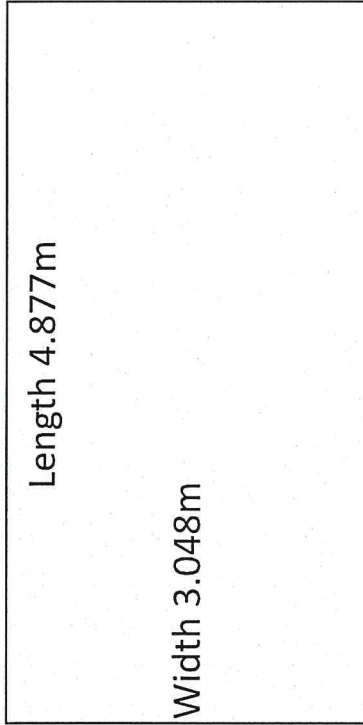
443 Shipton Lane  
Shed Plan

Length 4.8m

Width 3m



443 Shipton Lane  
Shed Plan



O.Reg.148/06-Appendix B3

To Permit # F-54/24-Dev Lk

Page: 1 of 1

Date: March 13, 2024



Cataraqui Region  
Conservation Authority

March 13, 2024

File: F-54/24-Dev Lk

**Sent Via Email**

Ryan Bissonnette  
112 George Street  
Toronto, Ontario  
M5A 2M5

Dear Ryan Bissonnette,

**RE: ROUTINE PERMIT - ONTARIO REGULATION 148/06  
APPLICATION F-54/24-DEV LK  
PT LOT 11, CON 12; 443 SHIPTON LANE, TOWNSHIP OF SOUTH FRONTENAC  
ARN: 10290100302810000000  
WATERBODY: DEVIL LAKE**

Staff of this Conservation Authority (Cataraqui Conservation) have reviewed the application that you submitted on February 27, 2024, for the works at the above-noted location. The proposed work involves development, with the construction of a 14.4 sq. m. shed and associated excavation, grading and placement of fill. The work will occur within a regulated area associated with Devil Lake.

In accordance with Ontario Regulation 148/06: *Development, Interference with Wetlands & Alterations to Shorelines & Watercourses* made pursuant to Section 28(1) of the Conservation Authorities Act, R.S.O. 1990, this Routine Permit Letter approves the proposed work provided that all works are completed in accordance with the approved application form dated February 26, 2024 and attached as Appendix A, and the approved plans dated March 13, 2024 and attached as Appendix B1-B3.

This permission is valid from **March 13, 2024 to March 13, 2026. Please advise this office when the work is completed.**

This permission does not relieve you from compliance of any other applicable federal, provincial or municipal statutes, regulations or by-laws. If you require any further information about the project do not hesitate to contact me.

Respectfully,

Janelle Treash,  
Resource Planner

Attachment: Routine Permit F-54/24-Dev Lk, and Appendices  
Cc: South Frontenac Township Building Department, via email

# Permit Application

For Development, Interference with Wetlands,  
and Alterations to Shorelines and Watercourses  
Ontario Regulation 148/06



**Catarraqui**  
conservation

<b>Office Use Only</b>	
File No.: F-54/24-Dev Lk	Date Received: February 27, 2024
Method of Payment: Online	Major / Minor / Routine: Routine
Amount Paid: \$ 200.00	EW / FW:
Date of Complete Application: February 29, 2024	

Please read, complete each section as required, date, and sign the application form.

<b>Owner Information</b>	
Ryan Bissonnette	
Property Owner Name(s)	Company Name (if applicable)
112 George Street	Toronto ON M5A 2M5
Mailing Address	City/Province Postal Code
416-821-1924	ryanbissonnette@gmail.com
Primary Phone Number	Email Address

<b>Contractor / Agent Information</b>	
n/a	
Name	Company Name (if applicable)
Mailing Address	City/Province Postal Code
Primary Phone Number	Email Address

<b>Property Information</b>	
Lot 11	Concession 12
Lot(s)	Concession(s)
South Frontenac	Bedford
Municipality (required)	Ward / Former Township
443 Shipton Lane	010-030-28100-0000
Civic Address	Assessment Roll # or Property Pin # (required)
Devil Lake	
Waterbody	Other Property Location Information

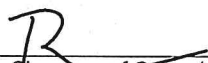
Description of Works (required - complete all applicable fields "see attached" is not sufficient)	
129.6	
Fill Volume (cu. m)	Area of Grading (sq. m)
4.8 x 3.0	158
Structure Dimensions (m)	Structure Size (sq. m)
n/a	n/a
Shoreline Length (m)	Channel Length (m)
May 1	June 1
Anticipated Start Date	Completion Date
<input checked="" type="checkbox"/> New building / Structure (> 10 sq. meters) <input type="checkbox"/> Addition to existing building / structure <input type="checkbox"/> New permanent dock / dock repair <input type="checkbox"/> Dredging <input type="checkbox"/> Drainage works and ditching <input type="checkbox"/> Landscaping	<input type="checkbox"/> New decking / decking repair with new footprint <input type="checkbox"/> Site grading / placement or removal of fill <input type="checkbox"/> Shoreline work / retaining walls / erosion control <input type="checkbox"/> Well (excavated, blasted or dug) <input type="checkbox"/> Septic (placement & grading of fill) <input type="checkbox"/> Other:
Description of proposed work: (Required - "see attached" is not sufficient, please include brief description)	
Construct a shed.  Please see attached document.	

Planning Details			
Does the proposal meet the applicable municipal zoning requirements?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
Is there a concurrent <i>Planning Act</i> application, or has there been a past application, for the proposed work?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	File #:

**Standard Conditions of Permit**

1. Consent is hereby given to Cataraqi Conservation, its employees, and designates to access the property for the purpose of obtaining information, monitoring any approved construction, and all other works or activities related to the permission.
2. Permits granted by Cataraqi Conservation do not exempt the applicant from obtaining permission from other agencies, boards, governments, or other approvals as may be required. It is the responsibility of the owner to ensure that a valid permit is in effect at the time the work is occurring.
3. Any false information or misleading statements made on this application will render any permission granted by Cataraqi Conservation null and void.

I declare that I have read and agree to the standard conditions of the permit application and that all the information provided is correct to the best of my knowledge.

  
 Signature of Owner(s)/Agent:

2024-02-26  
 Date:

May 2, 2024

File: MV/FRS/95/2024

**Sent by E-mail**

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

Dear Mr. Fehr:

**Re: Application for Minor Variance PL-ZNA-2024-0030  
Pt Lot 11, Concession 12; 443 Shipton Lane  
Bedford District, Township of South Frontenac  
Waterbody: Devil Lake**

Cataraqui 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 an accessory building and holding tank on the subject property. The 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 11 metres to permit the construction of the accessory building and septic tank.

**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 Devil Lake.

Natural Hazards

**Flooding:** The highest recorded water level for Devil Lake is 136.96 metres geodetic. For Devil Lake, the highest recorded water level is used in lieu of an engineered flood plain. CRCA planning and permitting policies require all development and site alteration to be set back a minimum of 6 metres from the regulatory floodplain of a waterbody. Based upon elevation mapping data and the site plan submitted with the application, the proposed development will be located outside of the regulatory floodplain and applicable setback.

**Erosion:** CRCA, in accordance with provincial technical standards, defines the extent of potential erosion hazards to be 6 metres from the stable top of bank. Based on the site plan submitted with the application, the proposed accessory structure and holding tank will be located outside the extent of the erosion hazard limit.

Staff have no concerns from a natural hazards or regulatory perspective.

## Recommendation

In summary, staff have no objection to the approval of application PL-ZNA-2024-0030 based on our consideration for natural hazard policies.

## 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, CRCA regulates development and site alteration within 15 metres of the floodplain and top of bank. Staff note that a CRCA permit has already been issued for the proposed development.

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  
Resource Planner, RPP, MCIP

# Township of South Frontenac Staff Report

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**To:** Committee of Adjustment

**Prepared by:** Development Services Department

**Date of Meeting:** May 9, 2024

**Subject:** **Minor Variance Application (S. 45(1) of Planning Act)**  
**PL-ZNA-2024-0030, Bissonnette, 443 Shipton Lane, Bedford District**

## Summary

This report recommends that the Committee of Adjustment grant approval of this application for zoning relief for an 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:** Limited Service Residential - Waterfront (RLSW)

### Zoning Relief Requested

Section 5.8.2(a) – to permit an accessory building to be a minimum of 11m from the highwater mark of Devil Lake, whereas a minimum 30m setback is required for all buildings and structures.

Section 10.3.2(a) to permit an accessory building to establish a minimum 11m front yard, whereas a 30m front yard is required for accessory buildings.

### Related Applications

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

## Discussion

### Property Description

The property is approximately 0.12ha in area and has 36m of frontage on Devil Lake and 19m of frontage on Shipton Lane. The property is approximately 50m in depth from the

shoreline to the rear lot line. Shipton Lane runs across the back of the property. There is a slope down to the waterfront from Shipton lane with a difference in elevation of 15m from the lane to the waterfront. The existing dwelling and accessory buildings are grouped together in a more level area that is in the eastern half of the property closer to the waterfront. The property, including the slope behind the dwelling, is primarily treed with the exception of developed areas. The property is located in an area of similar waterfront residential development.

### **Summary of Proposal**

The Owner proposes to construct a 14.4sqm accessory building on the property. A minor variance is requested to allow the accessory building to be set back less than 30m from the highwater mark of Devil Lake. The accessory building is proposed to be set back 11m from Devil Lake. The purpose of the accessory building is to have additional enclosed storage in proximity to the existing dwelling for items that are currently stored outside around the dwelling.

### **Agency Comments**

The CRCA provided comments stating they had no objection to approval of the application. A permit has been issued by the CRCA for the proposed accessory building.

The application was not circulated to Building Services as the structure will not require a permit, or Public Services as the property is located on a private lane.

### **Public Comments**

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

### **Planning Analysis**

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

#### [Does the variance maintain the general intent and purpose of the Official Plan?](#)

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

The variance would facilitate construction of an accessory building on lands that are designated Rural in the Official Plan on Schedule A. When measured from the shoreline the 30m setback extends roughly halfway up the slope behind the dwelling. Based on the

topography of the site, (i.e. slope from the area behind the dwelling up to Shipton Lane), the proposed location of the accessory building minimizes site alteration required and maximizes the setback of the accessory building from the highwater mark, as intended by section 5.2.7(b) of the Official Plan. Placing the accessory building at the 30m mark or elsewhere on the slope would result in significant tree clearing and site alteration which the proposed location avoids. The accessory building would be located further from the lake than the existing dwelling as the existing dwelling is located between the proposed accessory building and the lake.

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

The proposed accessory building is a permitted use in the RLSW zone. Meeting the 30m setback from the highwater mark is not possible as this would place the structure on a steep slope that extends up to the rear of the property. The location of the accessory building is at the base of the slope on a more level area in proximity to other existing buildings and structures on the property. The location of the accessory building was designed to maximize its setback from the highwater mark while avoiding significant vegetation removal or site alteration and to provide a practical area for enclosed storage in proximity to the existing dwelling.

The proposal will comply with all other zoning requirements including lot coverage. Existing accessory lot coverage is 2.2%, while proposed is 3.3%. This is within the maximum permitted accessory lot coverage of 5%.

With the recommended conditions the proposed variance maintains the general intent and purpose of the Zoning By-law.

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

The requested variance is desirable for the appropriate development of the land. The proposed accessory building which will be constructed on posts. The design of the accessory building and location on the property ensures that the development maximizes the setback from the water while minimizing site alteration and vegetation removal. The structure will be located in an appropriate and practical area where there are no impacts anticipated on the subject or abutting properties.

#### Is the variance minor?

The requested variances are minor as they maintain the general intent and purpose of the Official Plan and Zoning By-law, and are desirable for the appropriate development of the land. They are not anticipated to impact the existing or planned functionality of the property

and adjacent properties. The proposed accessory building would be 11m from the water at the closest point. Vegetation would be maintained to provide visual screening from the nearest neighbour and to provide visual screening and buffering to the lake.

## 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-2024-0030 for 443 Shipton Lane, subject to the following conditions.

1. The minor variances are for a single storey accessory building with a ground floor area of 14.4sqm. The accessory building is permitted to be set back 11m from the high water mark of Devil Lake. The location of the accessory building on the property must be consistent with the application sketch prepared by the applicant, received April 22, 2024 and attached to the decision as attachment 'A'.
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 shoreline of Devil Lake and neighbouring buildings and structures 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. That existing natural vegetation within 30 metres of the shoreline must be maintained.
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-2024-0030 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, MCIP RPP, Senior Planner

**To:** Committee of Adjustment

**Prepared by:** Development Services Department

**Date of Meeting:** May 9, 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-2023-0132 (Rivendell) – Portland

This undisputed consent was granted provisional consent on April 15, 2024.

The purpose of this consent application was for the creation of one new rural residential lot from property addressed as 7359 Road 38. The newly created parcel will be 0.8 hectares in area with 76.2 metres of frontage on Miller Road.

### b) PL-BDJ-2024-0010 (Promm) (Moore) – Portland

This undisputed consent was granted provisional consent on April 15, 2024.

The purpose of this consent application was for one rural residential lot addition, being 0.85 hectares in area to be conveyed to adjacent lands at 3567 Murvale Road.

### c) PL-BDJ-2024-0017 (Hagan) (ZanderPlan) – Bedford

This undisputed consent was granted provisional consent on April 15, 2024.

The purpose of this consent application was for the creation of one new rural residential lot from property addressed as 4815 Westport Road. The severed parcel, which is developed with a single detached dwelling, is approximately 1.5ha in area with 76m of frontage on Westport Road and 144m of frontage on Hanna Road. The retained lot will be approximately 27ha in area with 345m of frontage on Westport Road and 581m of frontage on Hanna Road.

**d) PL-BDJ-2023-0088 (Ball) – Portland**

This undisputed consent was granted provisional consent on April 19, 2024.

The purpose of this consent application was for the creation of one new limited service waterfront residential lot from property addressed as 4293 Miller Road. The newly created parcel will be accessed via a new private lane off of Miller Road. The severed parcel is approximately 1.37ha in lot area with 90m of frontage on the new private lane and 105m of frontage on Vanluven Lake.

**e) PL-BDJ-2023-0129 (Thake) – Loughborough**

This undisputed consent was granted provisional consent on April 25, 2024.

The purpose of this consent application was for the creation of one new rural residential lot from property addressed as 2015 Eel Bay Road. The severed parcel is to be 0.8 hectares in area with 95.5m of frontage on Eel Bay 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

