



## TOWNSHIP OF SOUTH FRONTENAC Committee Of Adjustment Meeting Agenda



TIME: 7:00 PM,  
DATE: Thursday, April 11, 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. 3 - 37

4. Declaration of pecuniary interest

a) There are none.

5. Approval of Minutes – March 14, 2024

a) Resolution. 38 - 43

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 44 - 60

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).

- b) PL-ZNA-2024-0018 (Sleeth) - Storrington District 61 - 90

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.

10. Other Business

- a) Consent Granting Authority Report 91 - 92

11. Adjournment

- a) Resolution.



**SOUTH  
FRONTENAC**

# Committee of Adjustment Meeting

Thursday, April 11, 2024  
7:00 p.m. Council Chambers  
4432 George Street, Sydenham, ON  
and Virtual on Zoom



**SOUTH  
FRONTENAC**

# Welcome to the Virtual Meeting for the Committee of Adjustment

This is a hearing of the Committee of Adjustment for the Township of South Frontenac. All members of the public joining on Zoom are muted on our end and your cameras will not be turned on.

## Committee Members

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

## Township Staff

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

# Agenda

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

# Format for Each Hearing

1. Chair introduces application
2. Planner presents application
3. Applicant/agent permitted to address Committee
4. Members of the public permitted to address Committee (maximum 5 minutes per individual)
5. Staff and/or applicant to provide response to public comments / questions
6. Questions from Committee members (no comments or debate)
7. Secretary-Treasurer reads the resolution
8. Committee discussion and vote

# After the Meeting

- Township staff will be in contact with the applicant following the meeting. Where a decision has been made, it will be forwarded to the applicant and anyone who has requested to be notified within 15 days.
- The applicant, the Minister or a specified person or public body in as defined by the *Planning Act* subsection 1(1) may appeal the decision to the Ontario Land Tribunal. The appeal must be filed with the Secretary-Treasurer of the Committee of Adjustment within 20 days of the notice of decision. The notice of appeal must set out the reasons for the appeal and be accompanied by the fee required by the Tribunal.
- If you have any questions after the meeting, please reach out to staff.

# How to Speak to an Application

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

# In Case of Technical Difficulties

- If a Committee member joining virtually disconnects from the meeting, the meeting will proceed if there is still quorum. The Committee member will attempt to reconnect.
- If quorum cannot be met within 15 minutes, the meeting will be postponed.
- Staff will be in touch with applicants.
- A notice will also be posted on the Township's social media if the meeting is postponed.

# Notice of Collection

- Personal information, as defined by the *Municipal Freedom of Information and protection of Privacy Act (MFIPPA)*, including (but not limited to names, addresses, opinions and comments, is collected under the authority of the *Municipal Act, 2001, Planning Act* and in accordance with *MFIPPA*.
- All personal information may form part of the meeting agendas and minutes, and therefore will be made available to members of the public at the meetings, through requests, and through the website of the Corporation of the Township of South Frontenac.
- Meetings are broadcast live over the internet for the public to view. Your voice will be heard in the broadcast if you speak at the meeting. Broadcasts are archived and continue to be publicly available.
- Questions regarding the collection, use and disclosure of this personal information may be directed to the Township Clerk.

# Agenda

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

# Consent Applications

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

# Application PL-ZNA-2024-0015

Permission to Enlarge

Applicants: Ken Deroche

Property: 1048 Shallow Lane

# Background

- Subject to Consent Application PL-BDJ-2023-0103 – Approved November 9, 2023
- Subject to Zoning By-law Amendment Application PL-ZBA-2024-0014
- For the purpose of this presentation, the property in question is the retained parcel from the Consent Application

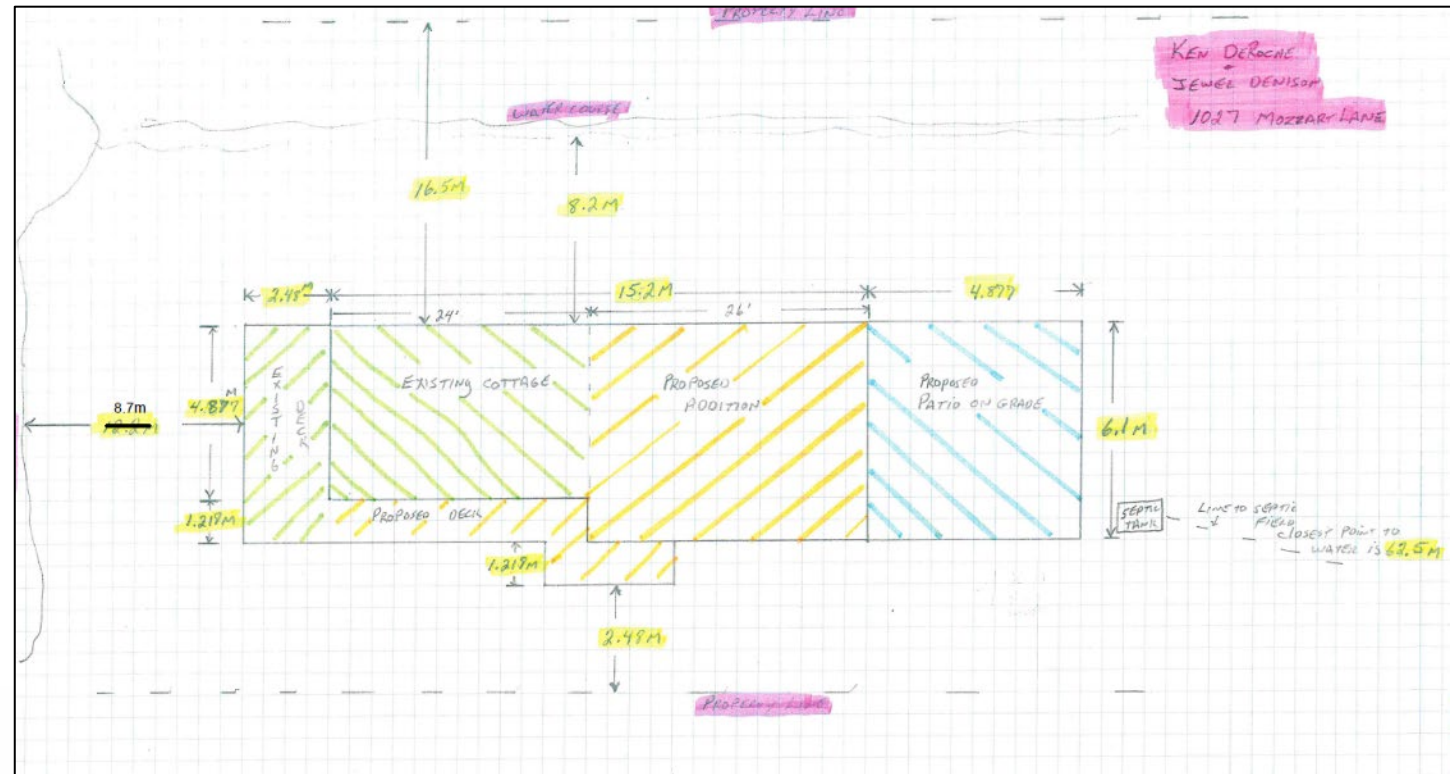
# Property Description

- 2.5Ac in area north of Rutledge Rd. on the south shore of Sydenham Lake
- Access from Rutledge Road via Sailors Cove Lane and Mozart Lane
- Existing legal non-conforming Seasonal Dwelling near shoreline
- Existing watercourse to the east of seasonal dwelling
- Designated Rural
- Zoned RLSW



# Proposal

- Permission to enlarge legal non-conforming seasonal dwelling
- Proposed rebuild to occur within existing envelope and a rear addition & covered patio
- Increase in gross floor to ~150sqm
- Increase in height to 9.9m
- Same setback from Sydenham Lake (8.7m) and watercourse to the east (8.2m)



Proposed Site Plan



**Existing seasonal dwelling (front view)**



**Approach to seasonal dwelling from Mozart Lane**

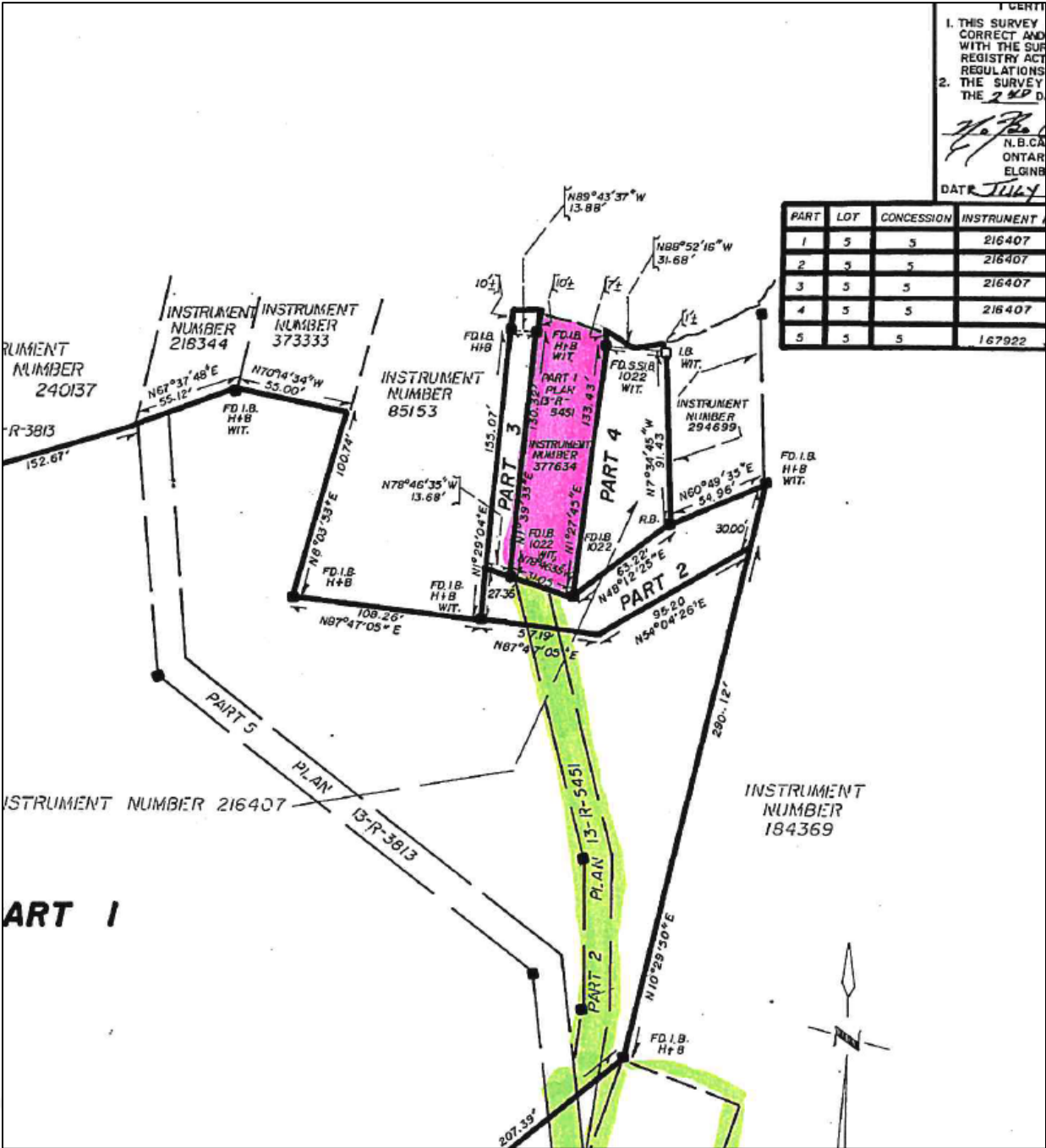
# Preliminary Discussion

- Through the review of the application, the following was determined by staff:
  - The ability to convey the subject property as a single parcel
  - An existing water-access right-of-way to the west of the cottage
- Both fundamentally impact the redevelopment of the parcel
- If separately conveyable, it appears that the proposed building and sewage system wouldn't fit on the smaller parcel.
- There are also concerns with potential encroachment into the right-of-way west of the cottage

I CERTIFY  
 1. THIS SURVEY IS  
 CORRECT AND  
 WITH THE SURVEY  
 REGISTRY ACT  
 REGULATIONS  
 2. THE SURVEY IS  
 THE 2ND D.

*[Signature]*  
 N.B. CA  
 ONTAR  
 ELGIN  
 DATE July

| PART | LOT | CONCESSION | INSTRUMENT |
|------|-----|------------|------------|
| 1    | 5   | 5          | 216407     |
| 2    | 5   | 5          | 216407     |
| 3    | 5   | 5          | 216407     |
| 4    | 5   | 5          | 216407     |
| 5    | 5   | 5          | 167922     |



**PART 1**



# Recommendation

- Deferral
- Until the following information is provided:
  - Legal confirmation as to the possibility of separate conveyance of property identified as PIN # 36279-0804
  - The status of any easements registered on the property, 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

# Questions & Comments

1. Applicant/Agent
2. Members of the Public
3. Committee Member questions

# PL-ZNA-2024-0015

## Committee Deliberation and Vote

# Application PL-ZNA-2024-0018

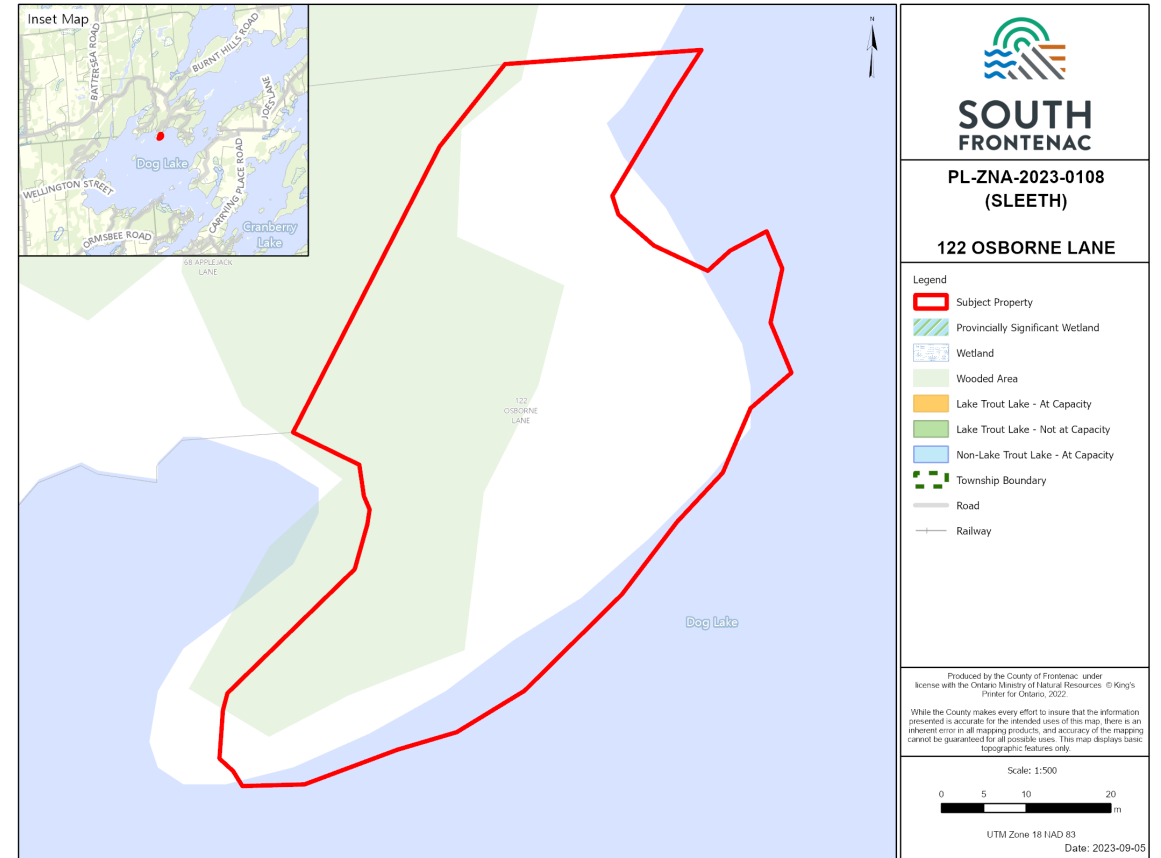
Permission to Enlarge Legal Non-Conforming Use

Applicant: Jefferey Sleeth and Jennifer Spronck

Property: 122 Osborne Lane

# Property Description

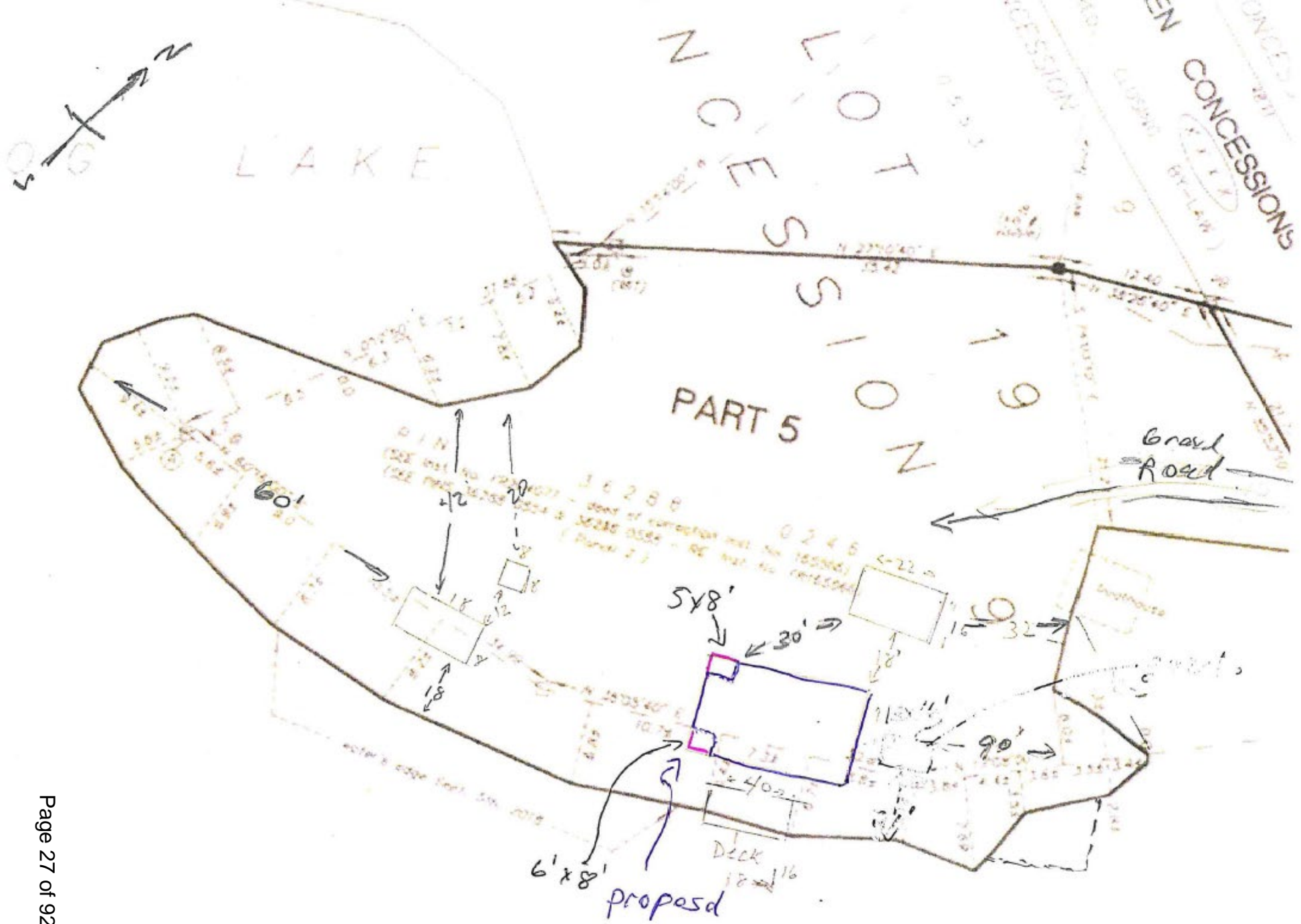
- 0.3ha lot area
- 200m frontage on Dog Lake
- Property is a peninsula that is primarily flat with a hill towards the southern end. Primarily treed.
- Contains dwelling, boathouse, and accessory buildings
- Rural
- RLSW zone



# Proposal

- Permission under section 45(2) of the Planning Act to enlarge a legal non-conforming dwelling.
- Existing dwelling is 110sqm, single storey
- Proposed dwelling is 120sqm ground floor, 50sqm partial second storey
- Height increasing from 5.7m to 8m
- Maintaining setback to lake







North side of dwelling



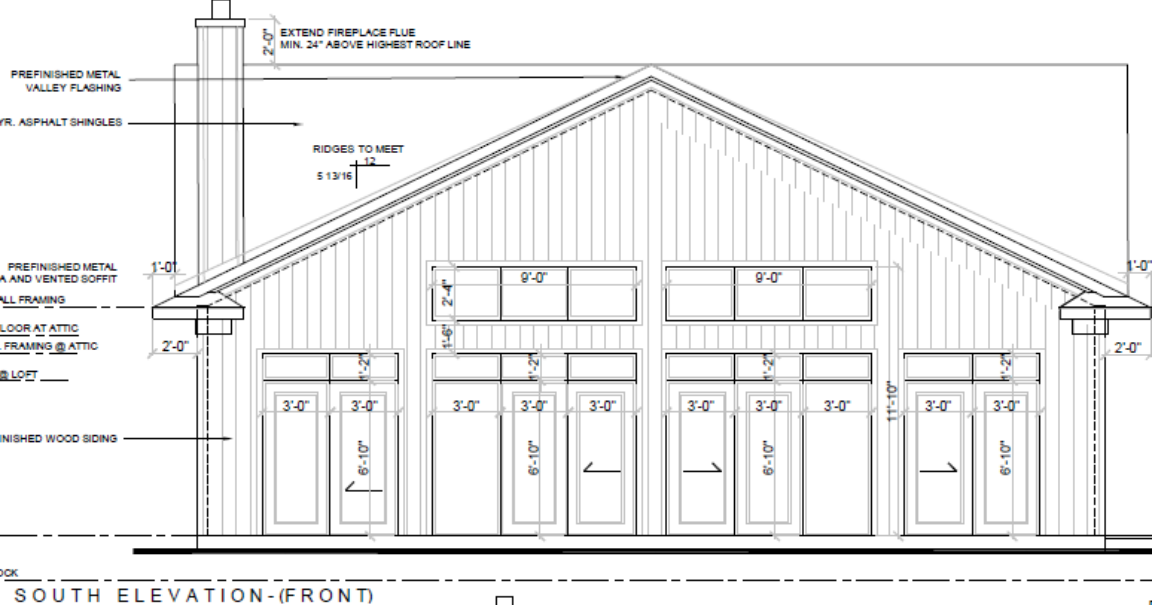
West side of dwelling and area of expansion



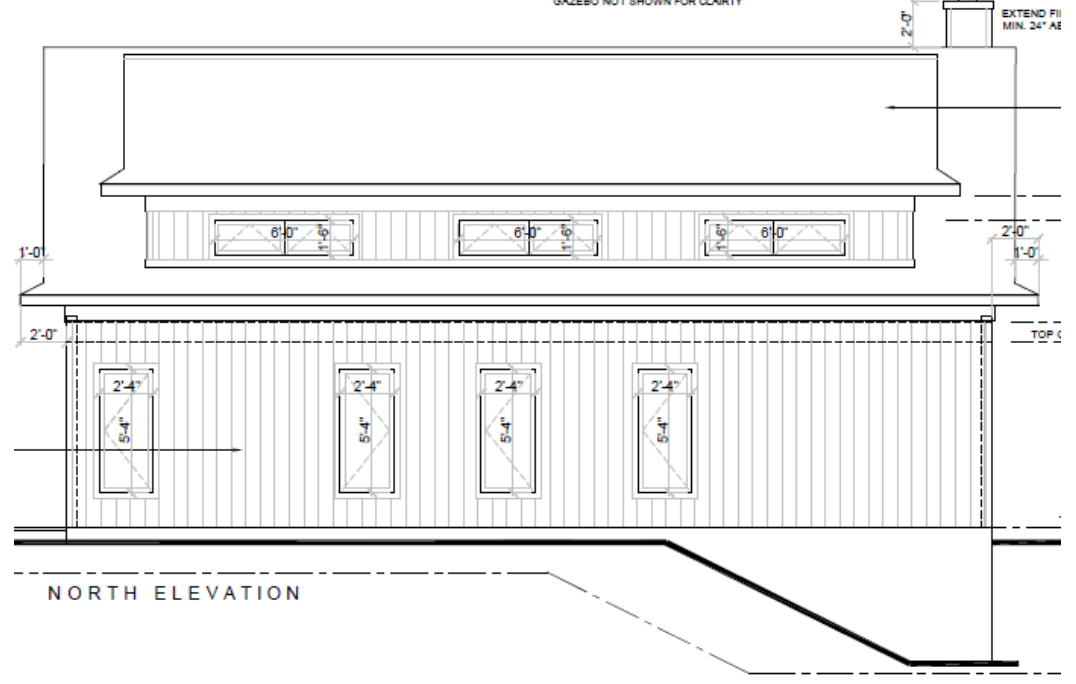
Front of dwelling and shoreline area



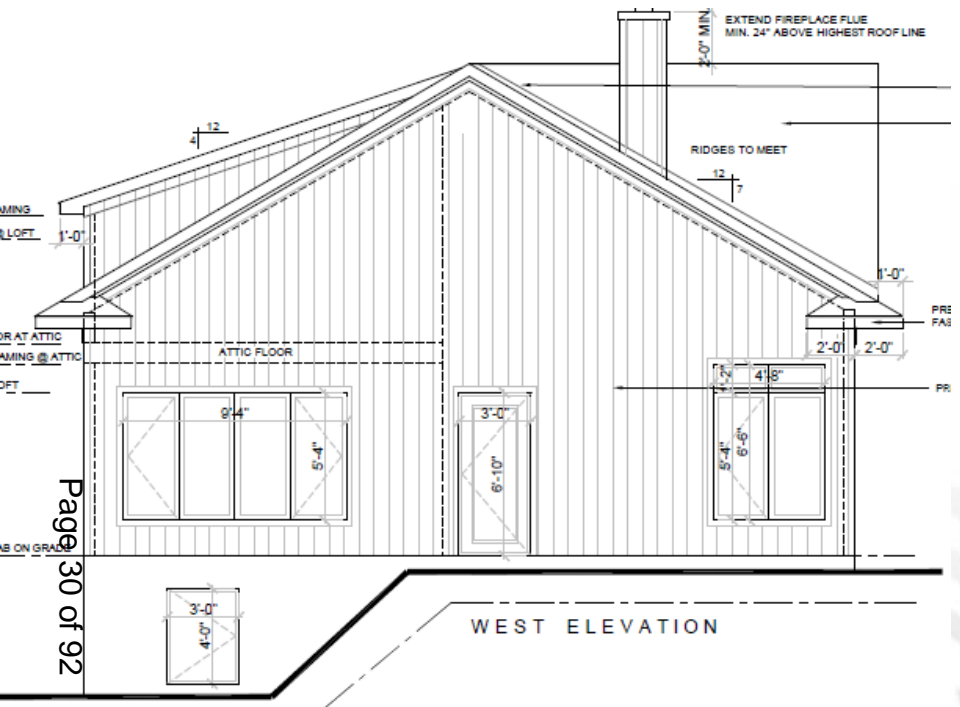
East side of dwelling



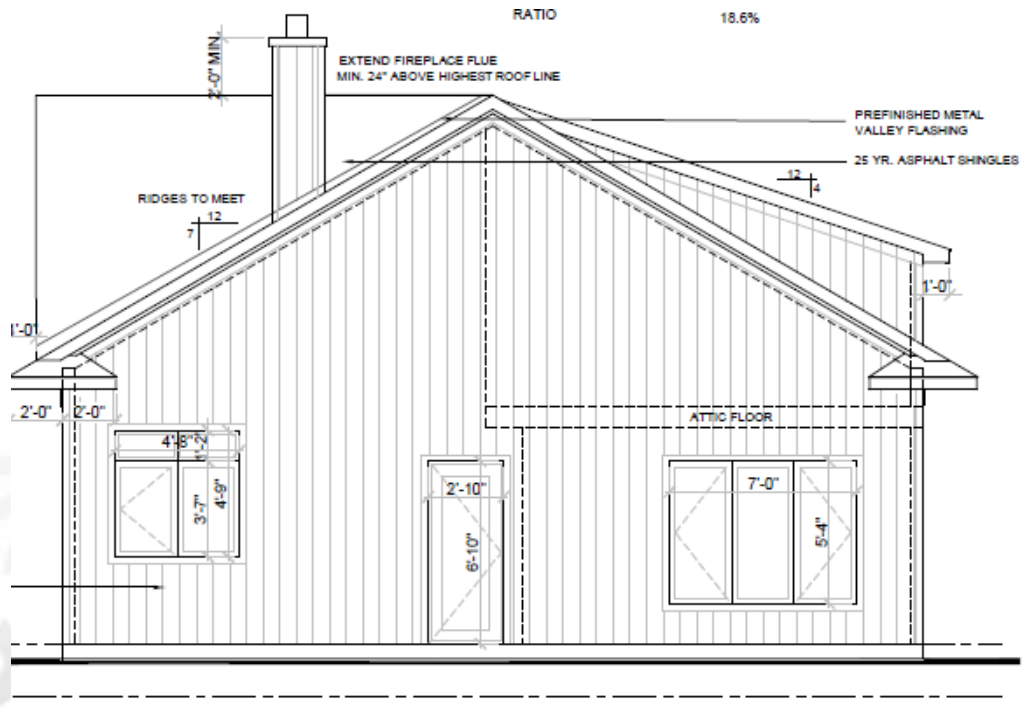
SOUTH ELEVATION-(FRONT)



NORTH ELEVATION



WEST ELEVATION



EAST ELEVATION

RATIO 18.6%



# Department, Agency and Public Comments

- **Cataraqui Conservation** – No objections. They note the construction will need to comply with the 6m setback from the floodplain, which the current location achieves.
- **Building Services** – The applicant will need to apply for a performance review of the existing septic system to determine whether there is sufficient capacity for the expanded dwelling or if a new/enlarged septic system will be required.
- **Public Comments** – None received

# Planning Analysis

- Minimal footprint compared to existing = 40sqm increase
  - Lot coverage increasing from 3.6% to 3.9%
- Setback of dwelling from lake will be maintained
- Proposed dwelling constructed in same location as existing – minimize site disturbance/vegetation removal
- No visual impacts anticipated from height increase
- Conditions recommended related to controlling runoff, vegetation retention/removal, sediment erosion controls.

# Recommendation

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

# Public Questions and Comments

If you would like to speak:

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

# PL-ZNA-2024-0018

## Committee Deliberation and Vote

# Consent Granting Authority Report

- **PL-BDJ-2024-0007 (Dowker) (Sutton) – Portland**
  - This undisputed consent was granted provisional consent on March 12, 2024.
  - The purpose of this consent application was for one residential lot addition from property located at 6105 McMahan Drive. The lot addition is to be 0.30 acres in area, and to be conveyed to adjacent lands at 6057 McMahan Drive.

# Adjournment



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



**Meeting #** 2024-02

**Time:** 7:00 PM

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

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

**Absent:** Randy Ruttan, Doug Morey

**Staff:** Christine Woods, Senior Planner, Tom Fehr, Planner, Michelle Hannah, Secretary-Treasurer

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

Resolution No. 2024-02-02  
Moved by: Kevin Fox

Seconded by: Norm Roberts

THAT the Committee of Adjustment hereby adopts the agenda for the March 14, 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) Staff prepared a PowerPoint Presentation that was displayed on the screen of the meeting.
- 4 Declaration of pecuniary interest
  - a) Personal Conflict of Interest Declared

Personal Conflict of Interest declared by Brett Moreland for Agenda Item 9. b)

- 5 Approval of Minutes – February 08, 2024
  - a) Resolution.

Resolution No. 2024-02-03

Moved by: Norm Roberts

Seconded by: Kevin Fox

THAT the Committee of Adjustment hereby approves the minutes of the February 8, 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-2024-0004 (Huehn & Kuske) (Stokes) - Loughborough District

Property Address: 38 Phoebe Lane

Purpose & Effect of the Application:

The application seeks zoning relief for the purpose of permitting a new single dwelling on the subject property. The existing 150sqm single storey cottage is to be replaced with a 202.4sqm two-storey dwelling with covered front porch and attached deck. The proposed dwelling requires zoning relief to permit a 15.6m setback from the highwater mark of Desert Lake, a 12.5m setback from the wetland feature to the west, a 2.5m setback from the right-of-way over Phoebe Lane, and a 6m setback from the top of bank.

Noah Perron, Planner, delivered his report to the Committee with a staff recommendation of conditional approval of the application.

Alan Revill, Deputy Chairperson, asked whether the applicant or their agent wished to speak to the application.

Rod Stokes, Agent for the application, thanked the Committee for hearing the application. He stated that the septic system that was recently installed on the property was designed specifically for the proposed dwelling.

Mr. Revill inquired as to whether any members of the public wished to speak to the application.

Brian Cumming, neighbouring landowner, expressed his concerns regarding the potential impacts of the proposed construction on Desert Lake.

Mr. Stokes responded that the owner has the right to rebuild the dwelling on the existing footprint but that the site was not suitable. The proposed construction increases the setback to the waterbody and the Development Agreement condition will help to mitigate impacts of construction on the waterbody.

Mr. Revill asked whether there any other members of the public who wished to speak to the application (none heard).

Mr. Revill inquired as to whether there were any questions from Committee Members regarding the application.

Mike Howe, Committee Member, expressed his desire for the Committee to remain fair to applicants while also understanding the need to be mindful of the water quality.

Steve Pegrum, Committee Member, asked Mr. Perron about the portion of the property that would be in compliance with all setbacks outlined in the Zoning By-Law, and whether it would be large enough to build on.

Mr. Perron replied that the owner would be very limited as to what could be built there and that any dwelling would undoubtedly encroach, so a minor variance would still be required.

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

Mr. Revill inquired as to whether there was any comment from the Committee on the resolution (none heard).

Resolution No. 2024-02-04

Moved by: Brett Moreland

Seconded by: Kevin Fox

THAT the Committee of Adjustment approves Minor Variance application PL-ZNA-2024-0004 for property municipally known as 38 Phoebe Lane, to permit the construction of a 202.4 square metre two-storey dwelling to be located 15.6 metres from the highwater mark of Desert Lake, 12.5 metres from a wetland, 6 metres from top of bank and 2.5 metres from the right-of-way known as Phoebe Lane; subject to conditions.

Carried

- b) PL-ZNA-2024-0008 (Larmon) (Ireland-Frasso & Larouche) - Loughborough District

Property Address: 5407 Opinicon Road

Purpose & Effect of the Application:

The proposal is for a 1,015 square foot house and a sewage system. The house would be setback 25m from a wetland on the property, and 12.5m from the front lot line. Minor variances are being requested to allow the house to be setback less than the 30m from the wetland and less than 20m from the front lot line required by the Zoning By-law.

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

Mr. Revill inquired as to whether the applicant or agent wished to speak to the matter.

Tyler Larouche, Agent on the file, stated that he is hoping to be able to construct his small dwelling on the property and he appreciated the application being heard by the Committee. He spoke to his desire to minimize the impact of construction on the wetland and property as a whole.

Mr. Revill inquired, three times, as to whether any members of the application wished to speak to the application (none heard).

Mr. Revill inquired as to whether there were any questions from Committee members regarding the application.

Steve Pegrum inquired as to whether the entrance to the property had been inspected for adequate sight lines and safe access.

Mr. Perron stated that because the property has a civic address assigned by the municipality, the entrance would have been inspected by the Township prior to the address being assigned but he was unsure of when the inspection took place.

Mr. Howe expressed his concern around sediment and erosion control, given the steep slope on the property.

Mr. Revill expressed his concern over the entrance to the property. There was continued discussion on the matter, between the applicant and Committee members, and with the relocation of the driveway not being feasible, Mr. Revill suggested that the property owner reach out to Public Services to request a hidden driveway sign be posted near the property.

Ms. Kaestner read the resolution for conditional approval of the application.

Mr. Revill inquired as to whether Committee members had any further comment on the matter (none heard).

Resolution No. 2024-02-05

Moved by: Steve Pegrum

Seconded by: Mike Howe

THAT the Committee of Adjustment approves Minor Variance application PL-ZNA-2024-0008, for property municipally known as 5407 Opinicon Road, to permit the construction of a 1,015 square foot dwelling to be located 25 metres from a wetland and 12.5 metres from the front lot line; subject to conditions.

Carried

c) PL-ZNA-2024-0019 (Loureiro & Mason) - Bedford District

Property Address: 325 Spruce 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 Desert Lake. The existing 72sqm 1.5 storey dwelling is to be demolished and replaced with a 275sqm single storey dwelling. An area of approximately 170sqm of the proposed dwelling is to be located outside the 30m setback from Desert Lake. An existing 18.3sqm porch and 62sqm deck that were attached to the existing dwelling are to remain and are to be attached to the proposed dwelling. The height of the proposed dwelling will not be increasing from the current dwelling height of 7m.

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

Mr. Revill inquired as to whether the applicant or agent wished to speak to the application.

Tony Loureiro, applicant stated that he didn't have anything to add but that he was present to answer any questions, should they arise.

Mr. Revill inquired as to whether any members of the public wished to speak to the application (none heard).

Mr. Revill asked if Committee members had any questions regarding the application (none heard).

Ms. Kaestner read the resolution for conditional approval of the application.

Mr. Revill inquired as to whether there was any comment from Committee members.

Norm Roberts, Committee member, stated that he had visited the site and agrees with the staff recommendation.

Resolution No. 2024-02-06

Moved by: Mike Howe

Seconded by: Steve Pegrum

THAT the Committee of Adjustment approves application PL-ZNA-2024-0019, for property municipally known as 325 Spruce Lane, to grant permission under section 45(2) of the Planning Act to enlarge a legal non-conforming dwelling and attached deck within 30 metres of the highwater mark of Desert Lake; subject to conditions.

Carried

d) PL-ZNA-2024-0020 (Solenka & Cossa) - Bedford District

Property Address: 32 Dogwood Lane

Purpose & Effect of the Application:

To request permission under Section 45(2) of the Planning Act to enlarge an existing accessory building. The existing accessory building is non-complying due to being located within 30m of the highwater mark of Kingsford Lake. The area of the structure will be decreasing slightly from 24sqm to 23.7sqm and the height of the structure will be increasing from 3.6m to 3.8m. The existing structure is located underneath a hydro line. In order to achieve compliance with the minimum clearance required from the hydro line the new structure will be moving closer to the water. The existing structure is set back 17.8m from the south shoreline and the new structure will be set back 13.7m from the shoreline.

Tom Fehr, Planner, delivered his report to the Committee with a staff recommendation of approval of the application, subject to conditions.

Mr. Revill inquired as to whether there were any comments from the applicant or their agent regarding the application.

Stephen Solenka, applicant, thanked the Committee for hearing the application and stated that he was happy to answer any questions.

Mr. Revill asked whether there were any members of the public who wished to speak to the application (none heard).

Mr. Revill inquired as to whether there were any questions from members of the Committee (none heard).

Ms. Kaestner read the resolution for conditional approval of the application.

Mr. Revill asked whether there were any comments from Committee members regarding the application (none heard).

Resolution No. 2024-02-07

Moved by: Mike Howe

Seconded by: Steve Pegrum

THAT the Committee of Adjustment approves application PL-ZNA-2024-0020 for property municipally known as 32 Dogwood Lane, to grant permission under section 45(2) of the Planning Act to enlarge a legal non-conforming accessory building on the property within 30 metres of the highwater mark of Kingsford Lake; subject to conditions.

Carried

10 Other Business

- a) Consent Granting Authority Report.

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

11 Adjournment

- a) Resolution.

Resolution No. 2024-02-08

Moved by: Steve Pegrum

Seconded by: Mike Howe

THAT the March 14, 2024 meeting of the Committee of Adjustment for the Township of South Frontenac is hereby adjourned at 7:53pm, to reconvene on Thursday, April 11, 2024 at 7:00pm or at the call of the Chair.

Carried

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Randy Ruttan, Chair

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

Date Received: \_\_\_\_\_

File No: \_\_\_\_\_

Pre-Consultation for this application  Yes  No

Planner: \_\_\_\_\_ Date of pre-consultation: \_\_\_\_\_

1. Name of Owner(s): KEN DEROCHE / SEWEL DENISON

Full Mailing Address of Owner(s): \_\_\_\_\_

\_\_\_\_\_

Phone number of Owner(s): \_\_\_\_\_

Email Address of Owner(s): \_\_\_\_\_

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

Name of Authorized Agent: \_\_\_\_\_

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

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

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

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

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

3. The description of the subject land:

District:  Bedford  Portland  Loughborough  Storrington

Concession Number: 5 Lot Number: 5

Street Number: 1027 Name of Road/Street: MOZZART LANE

Reference Plan Number: 13R18464 Part Number(s): \_\_\_\_\_

Roll Number: 040-010-14400-000

**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): 24 M                      Frontage (on road/lane): \_\_\_\_\_

Depth: 22.5 M                                      Area: \_\_\_\_\_

5. The current zoning of the subject land:

RSLW

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

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

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

RENOVATION TO EXSTING COTTAGE IS WITHIN 30m OF WATER

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

OR a privately maintained road?     Yes     No

Name of Road/Lane:

MOZZART

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

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

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

SEASONAL COTTAGE

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

Yes                       No

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

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

| Type of Structure<br>(E.g. residence)                                 | (1) Existing<br>Cottage        | (2)<br>STORAGE SHED | (3) | (4) |
|---|--------------------------------|---------------------|-----|-----|
| Setback from Front Lot Line   | 8.7 M                          |                     |     |     |
| Setback from Rear Lot Line  | ≈ 200 M.                       |                     |     |     |
| Setback from Side Lot Line  | 3.6 M. (WEST)<br>14.8 M (EAST) |                     |     |     |
| Height of Building<br>(Also indicate if it is one story or two story) | SINGLE STOREY<br>3.96 M.       |                     |     |     |
| Dimensions of Floor Area  | 16' X 24'                      |                     |     |     |
| Setback from High Water Mark<br>(If applicable)                       | 8.7 M.                         |                     |     |     |

13. The proposed uses of the subject land:

CREATE YEAR ROUND HOME.

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

↑ RENEWAL

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

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

|  |                                   |     |     |     |
|--|-----------------------------------|-----|-----|-----|
| <b>Type of Structure</b><br>(E.g. residence)                                 | (1) Proposed Dwelling             | (2) | (3) | (4) |
| <b>Setback from Front Lot Line</b>   | 8.7 M.                            |     |     |     |
| <b>Setback from Rear Lot Line</b>  | 19.5 m.                           |     |     |     |
| <b>Setback from Side Lot Line</b>  | 3.6 M (WEST)<br>14.8 M (EAST)     |     |     |     |
| <b>Height of Building</b><br>(Also indicate if it is one story or two story) | 2 STOREY<br>BACK SPLIT<br>8.915 M |     |     |     |
| <b>Outside Dimensions of Building/Structure</b>                              | 20' x 30'                         |     |     |     |
| <b>Setback from High Water Mark</b><br>(If applicable)                       | 8.7 M.                            |     |     |     |

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

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

If yes, please provide details:

WE WILL BE REMOVING THE WOOD FRAMED STRUCTURE FROM THE FOUNDATION.

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

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

If yes, please provide details:

---

18. What are the uses of the proposed development?

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

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

May 4, 2020

---

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

≈ 1970

---

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

50+ YEARS.

---

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

LAKE 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:

NEW PRIVATE SEPTIC SYSTEM TO BE INSTALLED

---

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

DITCHES AND NATURAL SLOPE

---

**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.

PL-BDS-2023-0103

---

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

Yes       No

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

---

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

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

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

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

**AGREEMENT TO INDEMNIFY**

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

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

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

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

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

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

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

**A Guide to Completing the Minor Variance Form**

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

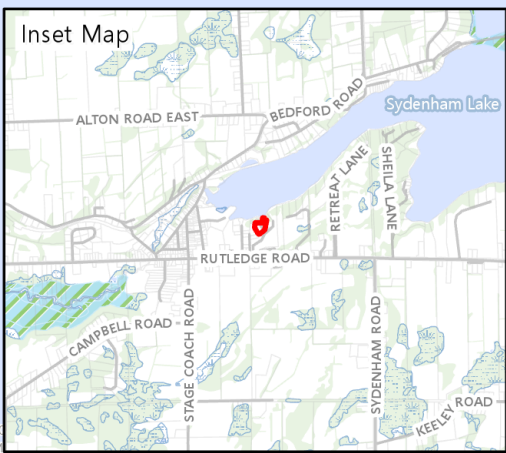
**TOWNSHIP OF SOUTH FRONTENAC APPLICATION FOR MINOR VARIANCE**  
*Planning Act, R.S.O. 1990, c. P.13 as amended*

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

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

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

Inset Map













# SOUTH FRONTENAC

**PL-ZNA-2024-0015  
(DEROCHE)**

**1048 SHALLOW LANE**

**Legend**

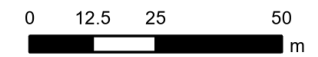
-  Subject Property
-  Provincially Significant Wetland
-  Wetland
-  Wooded Area
-  Lake Trout Lake - At Capacity
-  Lake Trout Lake - Not at Capacity
-  Non-Lake Trout Lake - At Capacity
-  Waterbody
-  Township Boundary
-  Road



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

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

Scale: 1:1,500



UTM Zone 18 NAD 83

Date: 2024-02-14

PROPERTY LINE

KEN DEROCHE  
+  
JEWEL DENISON  
1027 MOZZART LANE

WATER COURSE

16.5M

8.2M

2.48M

15.2M

4.87M

24'

26'

EXISTING DECK

EXISTING COTTAGE

PROPOSED ADDITION

PROPOSED PATIO ON GRADE

8.7m

4.87M

6.1M

1.219M

PROPOSED DECK

1.219M

2.48M

SEPTIC TANK

LINE TO SEPTIC FIELD  
CLOSEST POINT TO  
WATER IS 62.5M

PROPERTY LINE

March 25, 2024

File: MV/FRS/57/2024

### **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 Permission (S. 45(2)) PL-ZNA-2024-0015 (Deroche)  
Pt Lot 5, Concession 5; 1027 Mozart Lane  
Loughborough District, Township of South Frontenac  
Waterbody: Sydenham Lake and Unnamed Watercourse**

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

### **Proposal**

The proposal involves the expansion of an existing legal non-confirming dwelling and attached deck 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 8.7 metres to permit the construction of the proposed addition and deck.

### **Site Description**

The subject lands are located to the north of Rutledge Road and Shallow Lane along the southern shore of Sydenham Lake in South Frontenac Township. The shoreline bordering the subject lands consists of gradually sloping lands that rise to the south towards Dusty Lane. To the east of the cottage is a small gulley with a watercourse that conveys water from the wetlands to the southeast into Sydenham Lake. Staff visited the site on February 8<sup>th</sup>, 2024.

The property is designated Rural on Schedule A of the Township of South Frontenac Official Plan and is zoned Limited Service Residential – Waterfront Zone (RLSW) and Waterfront Residential (RW) in the implementing Zoning By-law.

### **Discussion**

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

#### Sydenham Lake / Unnamed Watercourse

**Flooding:** The regulatory flood plain of Sydenham Lake is defined as an elevation of 131.6 m GSC. Cataraqui Conservation does not have floodplain mapping for the unnamed watercourse. However, due to the difference in elevation between the top of bank and the watercourse, the watercourse's floodplain is not expected to exceed the top of bank of the gulley.

Cataraqui Conservation's Guidelines for Implementing Ontario Regulation 148/06 (see description below) require all buildings and structures to be set back a minimum of 6 metres from a flood plain. Based on observations taken on site, the proposed addition will be roughly 3.6 metres from the top of bank of the slope adjacent to the watercourse channel. The addition is therefore located within the 6 metre access setback from the watercourse's floodplain. However, CRCA can permit additions to existing buildings located within the 6 metre access allowance provided the addition is not encroaching further into the setback from the regulatory floodplain than the existing dwelling. In this case, based on the site plan submitted with the application, the addition is not encroaching further into the setback from the floodplain than the existing dwelling, and is therefore not exacerbating the hazard.

**Erosion:** CRCA, in accordance with provincial technical standards, defines the extent of potential erosion hazards to include an allowance for toe erosion (2 metres), a stable slope allowance for till shorelines of 3(h):1(v), plus an erosion access allowance of 6 metres. Based on an estimated 1 metre high shoreline embankment for Sydenham Lake, the total erosion hazard allowance is 11 metres measured horizontally inland from the toe of slope.

For the unnamed watercourse, the water flows through the channel in the bottom of the gulley, then the adjacent slope rises to a height of roughly 2 metres, before levelling out where the existing dwelling is located. Based on a 1 metre allowance for toe erosion, a stable slope allowance of 3(h):1(v) for till slopes, and a 6 metre access allowance, the total erosion hazard allowance extends 13 metres inland from the toe of slope of the watercourse.

Staff note that the proposed development is located outside the main erosion hazards (i.e. the toe erosion allowance and stable slope allowance) associated with both Sydenham Lake and the unnamed watercourse, but the development is located within the 6 metre access allowance setback from the erosion hazards. CRCA's regulatory guidelines can permit a reduction of the access setback for additions onto existing buildings provided that the addition does not encroach further into the setback and access is not further restricted. In this case, based on the site plan and observations taken on site, staff note that the proposed development will not be encroaching further into the setback from the watercourse or Sydenham Lake, and are therefore not exacerbating the hazard.

If approved, **staff recommend that proper sediment and erosion controls be incorporated into construction plans.**

#### **Recommendation**

In summary, staff have no objection to the approval of application PL-ZNA-2024-0015 based on our consideration for natural hazard policies.

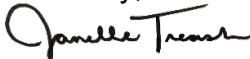
We also recommend implementation of the above-noted environmental mitigation measures (in bold text) and advise the applicant that a CRCA permit is required for the proposed development under O. Reg. 148/06.

### **Ontario Regulation 148/06**

Please note that portions of the subject lands are subject to Ontario Regulation 148/06: *Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses*, which is administered by the CRCA. The purpose of the regulation is to ensure that proposed changes (e.g. development and site alteration) to a property are not affected by natural hazards, such as flooding and erosion, and that the changes do not put other properties at greater risk from these hazards. For this property, any development (buildings and structures) and site alteration (excavation, grading, placement of fill) within 15 metres from the floodplain of Sydenham Lake (the elevation 136.6 m GSC), within 20 metres of the toe of slope, and within 30 metres of the unnamed watercourse is subject to O. Reg. 148/06. Therefore, a permit will be required from our office should the application be approved.

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

# Township of South Frontenac Staff Report

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**To:** Committee of Adjustment

**Prepared by:** Development Services Department

**Date of Meeting:** April 11, 2024

**Subject: Permission Application (S. 45(2) of Planning Act)  
PL-ZNA-2024-0015, Deroche, 1048 Shallow Lane/1027 Mozart  
Lane, Loughborough District**

## Recommendation

It is recommended that the Committee of Adjustment receive comments from the public and that the Committee defer making a decision on application PL-ZNA-2024-0015 until such time that the applicant provides planning staff additional information needed to better evaluate the proposal.

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## Proposal

The application is to request permission under Section 45(2) of the Planning Act to enlarge the legal non-conforming seasonal dwelling located within 30m of the highwater mark of Sydenham Lake. The applicant is proposing to renovate and enlarge the existing legal non-conforming seasonal dwelling on the property. The proposed rebuild would occur with the existing building envelope and would include an addition to the rear of the structure. The existing 36sqm seasonal dwelling with 15.13sqm attached deck is to be converted to a 150sqm four season dwelling with attached 30sqm covered patio and 12.5sqm deck/walkway. Further the proposed dwelling would facilitate an increase in building height from 4m to 9.9m. The proposed dwelling would encroach no further towards the highwater mark of Sydenham Lake (8.7m) and the watercourse to the east (8.2m), then the existing. A new septic system is proposed to service the development and will be located outside the 30m setback.

## Related Applications

The property is subject to Consent Application PL-BDJ-2023-103, to divide the land so that the severed parcel contains an existing house, and the retained parcel contains an existing cottage. This application was granted approval subject to conditions by the Committee of Adjustment on November 9, 2023. The property is also subject to Zoning By-law Amendment Application PL-ZBA-2024-0014. This application is required as a condition of the consent to bring the severed parcel and retained parcel into compliance with the Zoning By-law with respect to lot frontage.

## Property Description

For the purpose of this report, the subject property refers to the retained parcel from the consent application.

The subject property located north of Rutledge Road near Sydenham Lake in an area with several waterfront and non-waterfront residential properties. It is 2.5Ac in area and has approximately 23m frontage on Sydenham Lake. Mozart Lane and Dusty Lane run through the middle of the subject property. The existing cottage on the property is accessed off Mozart Lane. The cottage is setback 8.6 metres from the highwater mark of the lake, and approximately 8.2 metres from a watercourse to the east.

## Preliminary Discussion

Through the review of the subject application, it was called into question whether the overall property (subject to the consent application) consisted of two separately conveyable parcels or if they had merged under common ownership because the property has two PINs. It was also discovered that there is a right-of-way directly adjacent to the cottage parcel.

Both items described above fundamentally impact the redevelopment potential of the parcel if it is indeed separately conveyable. With the information currently available, it appears that the proposed building and sewage system would not physically fit on the smaller parcel. Staff would be unable to support the application in this situation. Therefore, we recommend that the Committee of Adjustment defer making a decision on the application until the following information is provided so that staff and the Committee can properly evaluate the proposal:

1. Confirmation of whether the two parcels have merged or are separately conveyable, and confirmation on the applicants' desire to consolidate PINs should the parcels be separately conveyable, and
2. Confirmation that the right-of-way (Part 3 of Plan 13R-5772) has been relinquished, or
3. Provision of a survey sketch/scaled drawing that demonstrates that the proposed cottage and sewage system will not encroach onto the right-of-way, and
4. Regardless of the outcome of #1, 2 and 3, a survey sketch/scaled drawing must be provided that demonstrates that the proposed cottage and sewage system, and two parking spaces will be wholly on the parcel (if separately conveyable), and that they will not encroach on any right-of-way (e.g. Part 2 of Plan 13R-5772). The sketch/drawing must also provide measurements to rights-of-way, lot lines, the highwater mark, and the watercourse.

### Report Prepared By:

Noah Perron, Planner

### Report Reviewed By:

Christine Woods, RPP, MCIP, Senior Planner

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

The Committee of Adjustment is a Committee of eight persons appointed by Township Council. The Committee is formed under Section 45 of the *Planning Act* R.S.O. 1990, Chapter P.13, to authorize a minor variance from a zoning by-law or permission under s. 45(2) to alter a legal non-conforming use.

**The Committee may vary Zoning By-law provisions provided the Committee is of the opinion that the variance:**

- Is desirable for the appropriate development or use of the land, building or structure
- Maintains the general intent and purpose of the Official Plan.
- Maintains the general intent and purpose of the Zoning By-law.
- Is minor in nature

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

**Application Requirements**

1. It is required that one (1) copy of this application be filed with the Secretary-Treasurer of the Committee of Adjustment, together with the **sketch**, accompanied by a **non-refundable fee** in accordance with the chart below in cash, or by debit card, credit card or cheque made payable to the Township of South Frontenac.

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

2. It is required that a Fee be provided for the Township to review onsite sewage disposal and Conservation Authority (where applicable) when submitting an application (Separate **cheques**, payable to the applicable Conservation Authority, are to be submitted with the application).

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

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

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

**3. PLEASE READ THIS ITEM CAREFULLY**

Each applicant shall provide a sketch showing the dimensions of the subject land and of all abutting lands as outlined in Question 29 of the application. The sketch should be accurately dimensioned and scaled in either Imperial or Metric measures. This sketch, in conjunction with the Application Form, is the basis for the analysis of the Minor Variance Application by the Committee of Adjustment. It is strongly recommended that the applicant spend the necessary time to carefully and thoroughly assemble the data and transfer the data to the sketch. It is important that the sketch be drawn with accurate dimensions and measurements. Any application which does not include the above required information may not be accepted. In this regard, the applicant may wish to secure the assistance of a person who specializes in the drafting of such sketches. A guide to answering the application questions is attached.

**4. Collection of Personal Information**

Personal information requested herein is required under the *Planning Act*, 1990 as amended. This information will be used by the Committee of Adjustment/Land Division Committee for the purpose of reviewing the above referenced application, and may be made available to those boards, Commissions, Authorities, Agencies and Persons having an interest in this matter. Any questions regarding the collection of this information should be directed to the Secretary Treasurer of the Committee of Adjustment (P.O. Box 100, Sydenham, Ont., K0H 2T0, Phone 376-3027 ext.2224).

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

Date Received: Feb 13 / 2024

File No: \_\_\_\_\_

Pre-Consultation for this application  Yes  No

Planner: Tom Fehr Date of pre-consultation: \_\_\_\_\_

1. Name of Owner(s): Jeff Sleeth & Jennifer Sporek

Full Mailing Address of Owner(s): \_\_\_\_\_

Phone number of Owner(s): \_\_\_\_\_

Email Address of Owner(s): \_\_\_\_\_

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

Name of Authorized Agent: \_\_\_\_\_

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

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

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

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

Signature(s) of Owner(s)

3. The description of the subject land:

District:  Bedford  Portland  Loughborough  Storrington

Concession Number: 9 Lot Number: 19

Street Number: 122 Name of Road/Street: Osborne

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

Roll Number: 1029 060 060 17400

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): ≈ 850'

Frontage (on road/lane): private lane

Depth: avg 120'

Area: \_\_\_\_\_

5. The current zoning of the subject land:

residential

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

existing structure is 430m from water  
propose to increase elevation + footprint

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

peaks of roof too high  
expand footprint with 2 additions on west side

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

OR a privately maintained road?  Yes  No

Name of Road/Lane:

Osborne

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

N/A

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

cottage

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

Yes  No

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

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

| Type of Structure<br>(E.g. residence)                                 | (1)                 | (2)                | (3)              | (4)              |               |
|---|---------------------|--------------------|------------------|------------------|---------------|
|   | residence           | Bunkie             | Ice House        | Garage           | 5/ Boat house |
| Setback from Front Lot Line   | 14'                 | 18'                | 38'              | 64'              |               |
| Setback from Rear Lot Line  | 67'                 | 42'                | 20'              | 30'              |               |
| Setback from Side Lot Line  | 90'                 | 60'                |                  | 32'              | n/a           |
| Height of Building<br>(Also indicate if it is one story or two story) | 1 story<br>≈ 16.20' | <del>18'</del> 12' | 1 story<br>≈ 14' | 1 story<br>≈ 12' | 16'           |
| Dimensions of Floor Area  | 32x40               | ≈ 140sq<br>(8x18)  | 8x8              | 22x16'           |               |
| Setback from High Water Mark<br>(If applicable)                       | 14'                 | 18'                | 38'              | 64'              | n/a           |

13. The proposed uses of the subject land:

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

replace existing residence  
 → reason for committee of adjustment

Baathouse → yet to be rebuilt  
 will go on same spot as old one in water

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

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

| Type of Structure<br>(E.g. residence)                                 | (1)                  | (2) | (3) | (4) |
|---|----------------------|-----|-----|-----|
| Setback from Front Lot Line   | Rebuild House<br>14' |     |     |     |
| Setback from Rear Lot Line  | 67'                  |     |     |     |
| Setback from Side Lot Line  | 90'                  |     |     |     |
| Height of Building<br>(Also indicate if it is one story or two story) | 18' 6" to floor      |     |     |     |
| Outside Dimensions of Building/Structure                              | 32x40'               |     |     |     |
| Setback from High Water Mark<br>(If applicable)                       | 14'                  |     |     |     |

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:

Demo existing residence to rebuild

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

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

If yes, please provide details:

\_\_\_\_\_

18. What are the uses of the proposed development?

- (a) Increase in number of bedrooms  Yes  No → increase elevation
- (b) Increase in plumbing fixtures  Yes  No
- (c) Increase in living space  Yes  No → add 2 small addition to sewer living space on west end
- (d) Will the addition or structure encroach on the existing septic system?  Yes  No

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

\_\_\_\_\_ April 2019 \_\_\_\_\_

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

\_\_\_\_\_ approximately 1940s \_\_\_\_\_

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

\_\_\_\_\_ since 1940s \_\_\_\_\_

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

\_\_\_\_\_ Private well \_\_\_\_\_

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

\_\_\_\_\_ 2 holding tanks \_\_\_\_\_

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

\_\_\_\_\_

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

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

Yes       No

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

---

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.

---

*application last October for bathhouse*

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 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 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



Dr. James Watson, Director  
The University of Chicago  
Chicago, Illinois

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

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

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

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

Jeff Sleeth and Jennifer Spronck

994 highway 2

Kingston On

K7L4V1

Dear Sirs/Madams

Please accept this as an addition to our application to the committee of Adjustments, for our property located at 122 Osborne lane, Battersea. You previously dealt with this property for the boathouse last fall.

Background:

We applied last spring to renovate this cottage since the north and south walls are only approx. 5'11 inches interior height. At this time Tom, chief building inspector from SF visited to look and suggested that we could not do what we wished since SF bylaw states that interior ceiling height cannot be elevated. As such he suggested that if we applied to CRCA to rebuild it, pending approval we could make it taller.

Considering this, it seemed easier and cheaper to do a full rebuild so we had plans prepared for a rebuild to increase the view of the lake while keeping a low profile to the building.

Enclosed is a survey of the property (technically it is 2 parcels)

3 different plot plans with various markings and measurements

Application

You should have a copy of the engineered drawings on hand

2 The new design proposes a vaulted ceiling and taller south wall, as such we request to square the corners off on the west side of the building. The west side had an addition added approximately 40 years ago for an entrance, small deck and bathroom.

Enclosing these corners would ideally make significantly more functional living space and allow for the side to side vaulted appearance. This adjustment would add approximately 120 sq ft.



The area on the left of the picture is approx. 8x5 and to the right of the steps is approx. 8x8

3 we would like to add a small 3 season gazebo on the east side of the building. The plans call for a wooden floor and deck but in fact we would like to CHANGE that. Eliminate all wooden decking and build gazebo at grade level either on concrete or if I can fix/repair the old existing flagstone. (There used to be a patio of some sort and cover over a large picnic table that we removed when we purchased, since it was rotten. The embedded stones in centre of lower picture)



You can see the original flagstone (rest are mine for another project)

Cement pad on bottom right hosts a built in very old wood fired barbeque

Notes: since the building will be on same footprint the existing deck will not be moved or altered

Please let me know if you would like anything else provided

Regards

Jeff sleeth and Jennifer Spronck













# SOUTH FRONTENAC

**PL-ZNA-2024-0018  
(SLEETH)**

**122 OSBORNE LANE**

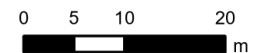
**Legend**

-  Subject Property
-  Provincially Significant Wetland
-  Wetland
-  Wooded Area
-  Lake Trout Lake - At Capacity
-  Lake Trout Lake - Not at Capacity
-  Non-Lake Trout Lake - At Capacity
-  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.

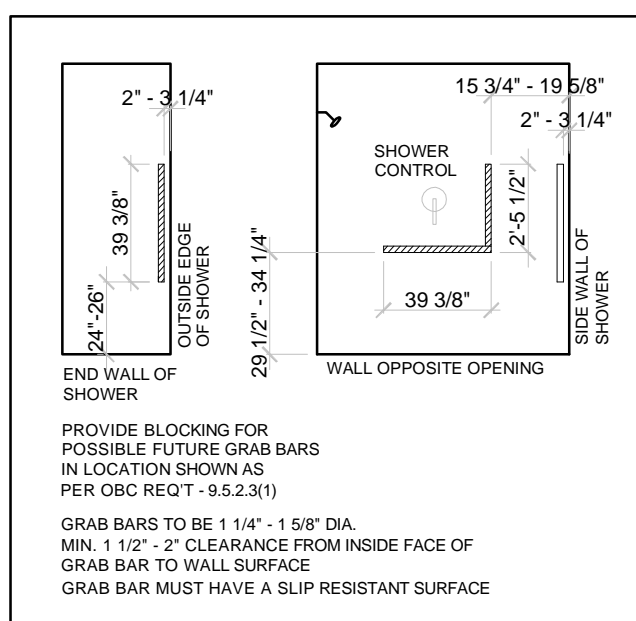
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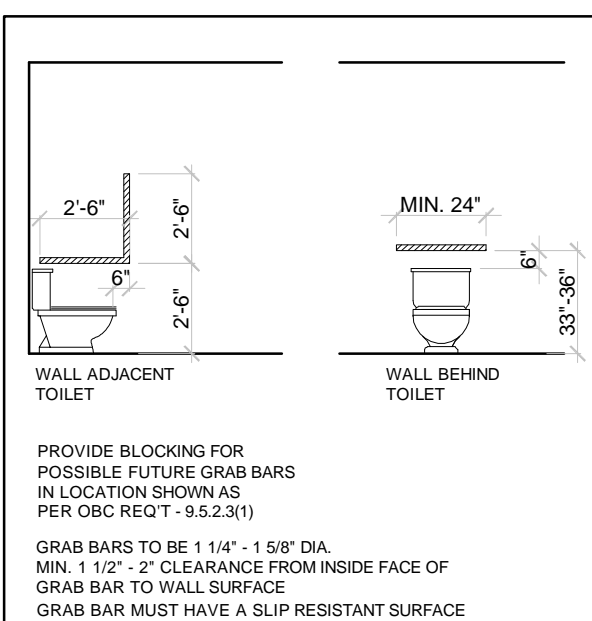
UTM Zone 18 NAD 83

Date: 2024-02-15

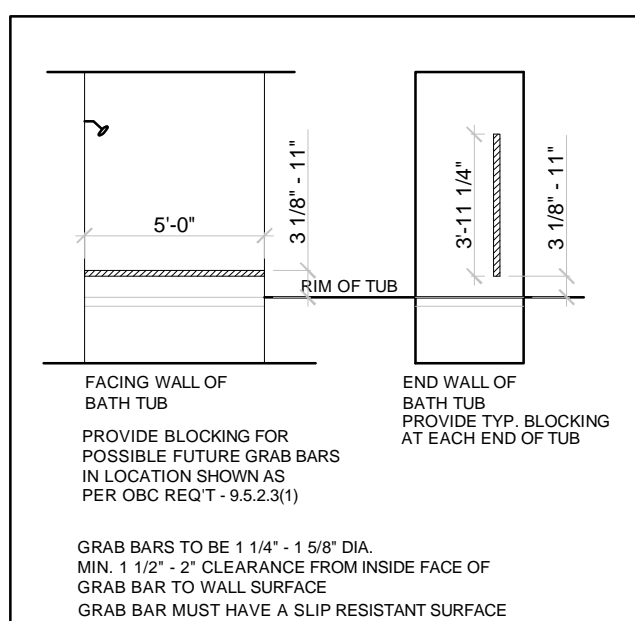




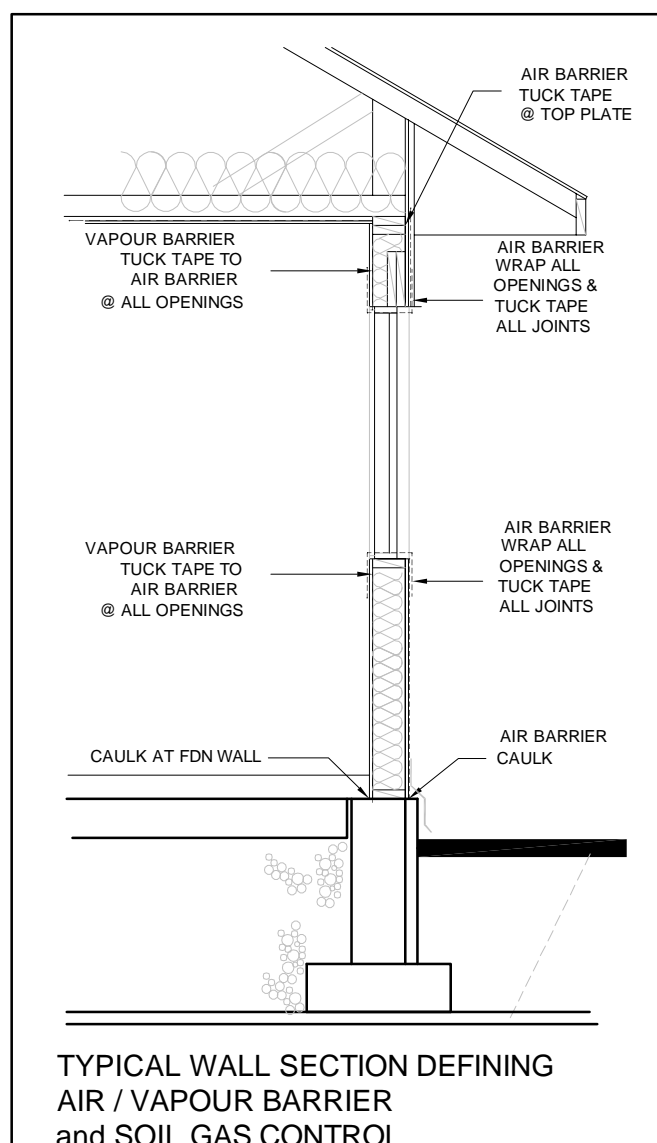
REQ'D BLOCKING AT ALL SHOWERS



REQ'D BLOCKING AT ALL WATER CLOSETS

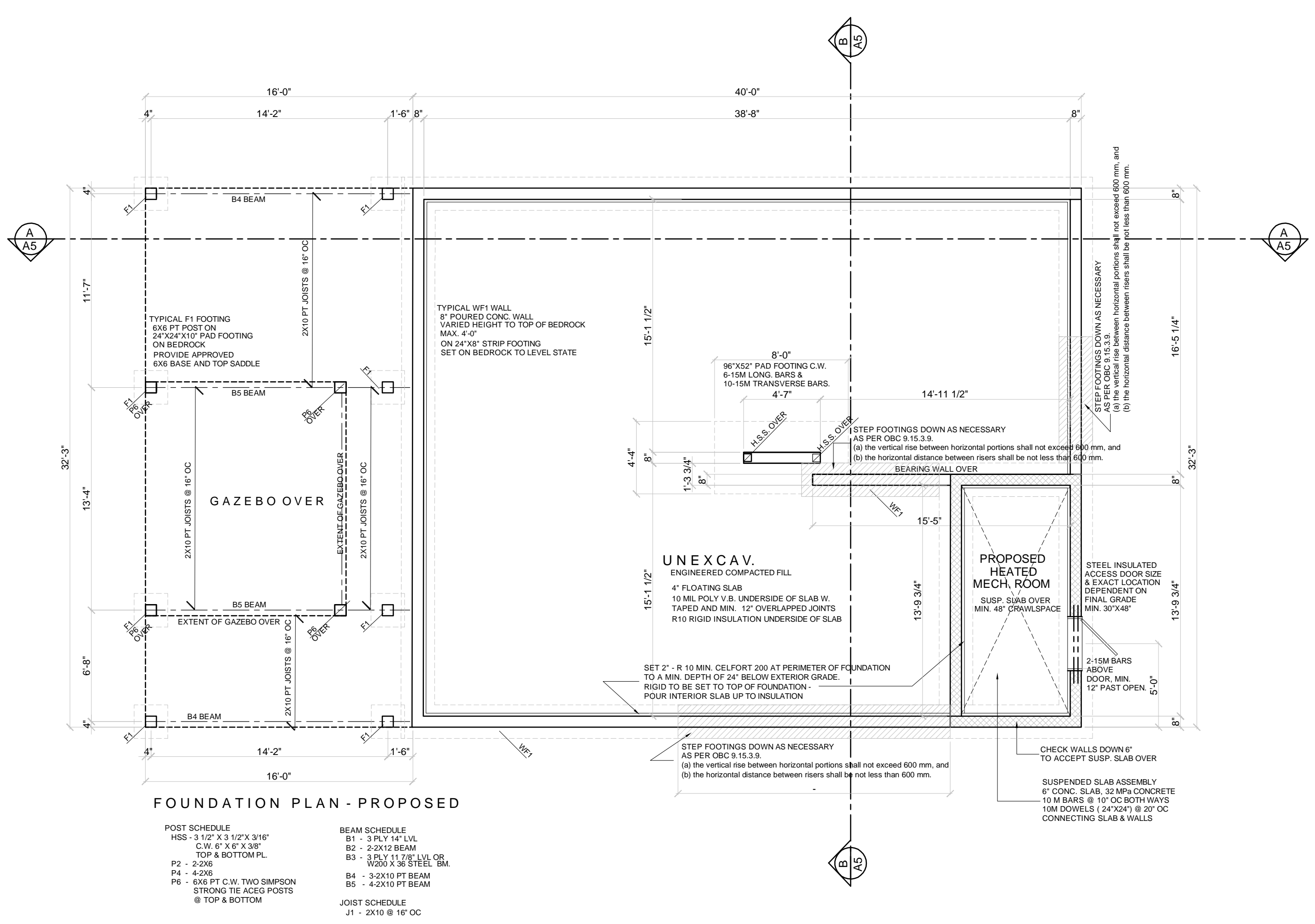


REQ'D BLOCKING AT ALL TUBS



TYPICAL WALL SECTION DEFINING AIR / VAPOUR BARRIER and SOIL GAS CONTROL

PROPOSED



FOUNDATION PLAN - PROPOSED

|   |  |                     |  |
|---|--|---------------------|--|
| POST SCHEDULE   |  | BEAM SCHEDULE       |  |
| H3S - 3 1/2\"/>   |  | B1 - 3-PL 14\"/>    |  |
| C.V. - 6\"/>  |  | B2 - 2-2X12 BEAM    |  |
| P1 - 4-2X6  |  | B3 - 3-PL 11\"/>    |  |
| P2 - 2-2X6  |  | B4 - 3-2X10 PT BEAM |  |
| P4 - 4-2X6  |  | B5 - 4-2X10 PT BEAM |  |
| P6 - 6X6 PT C.W. TWO SIMPSON STRONG TIE ACEG POSTS @ TOP & BOTTOM |  | JOIST SCHEDULE      |  |
|   |  | J1 - 2X10 @ 16\"/>  |  |

# 122 OSBORNE LANE BATTERSEA, SOUTH FRONTENAC PERMIT SET

**DECLARATION OF DESIGNER**  
I, CHARLENE ZANDBELT, DECLARE THAT:  
I REVIEW AND TAKE RESPONSIBILITY FOR THE DESIGN WORK ON BEHALF OF A FIRM REGISTERED UNDER SUBSECTION 3.2.4 OF THE BUILDING CODE. I AM QUALIFIED AND THE FIRM IS REGISTERED, IN THE APPROPRIATE CLASSES / CATEGORIES.  
INDIVIDUAL BCIN: 22189 FIRM BCIN: 27278  
I CERTIFY THAT:  
THE INFORMATION CONTAINED IN THIS SCHEDULE IS TRUE TO THE BEST OF MY KNOWLEDGE.  
09.07.2023  
FLATP

*Charlene Zandbelt*  
SIGNATURE OF DESIGNER

**TUCKER**  
DESIGN COMPANY LTD.  
COMPLETE DESIGN & DRAFTING SERVICE  
WORKING DRAWINGS

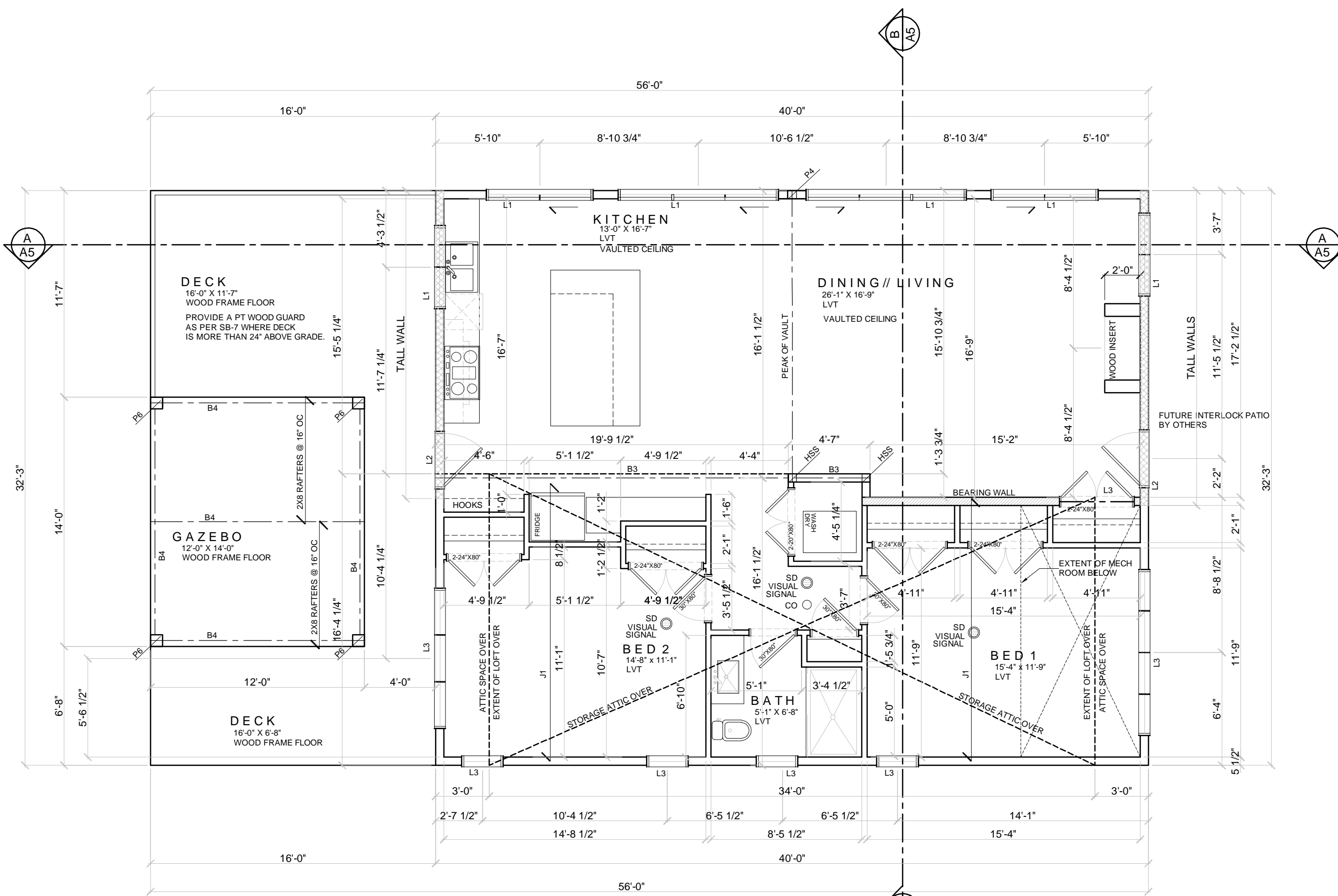
CHARLENE ZANDBELT, MATO  
ARCHITECTURAL TECHNOLOGIST (613)229-5237

PROJECT: **SLEETH / SPRONCK COTTAGE RENOVATION TO EXISTING COTTAGE**  
122 OSBORNE LANE, BATTERSEA, S. FRONTENAC  
DRAWING NAME: **FOUNDATION PLAN**  
SCALE: 3/16" = 1'  
DATE: 09.2023  
DWN BY: C. ZANDBELT  
FILE NAME: SPRONCK COTTAGE

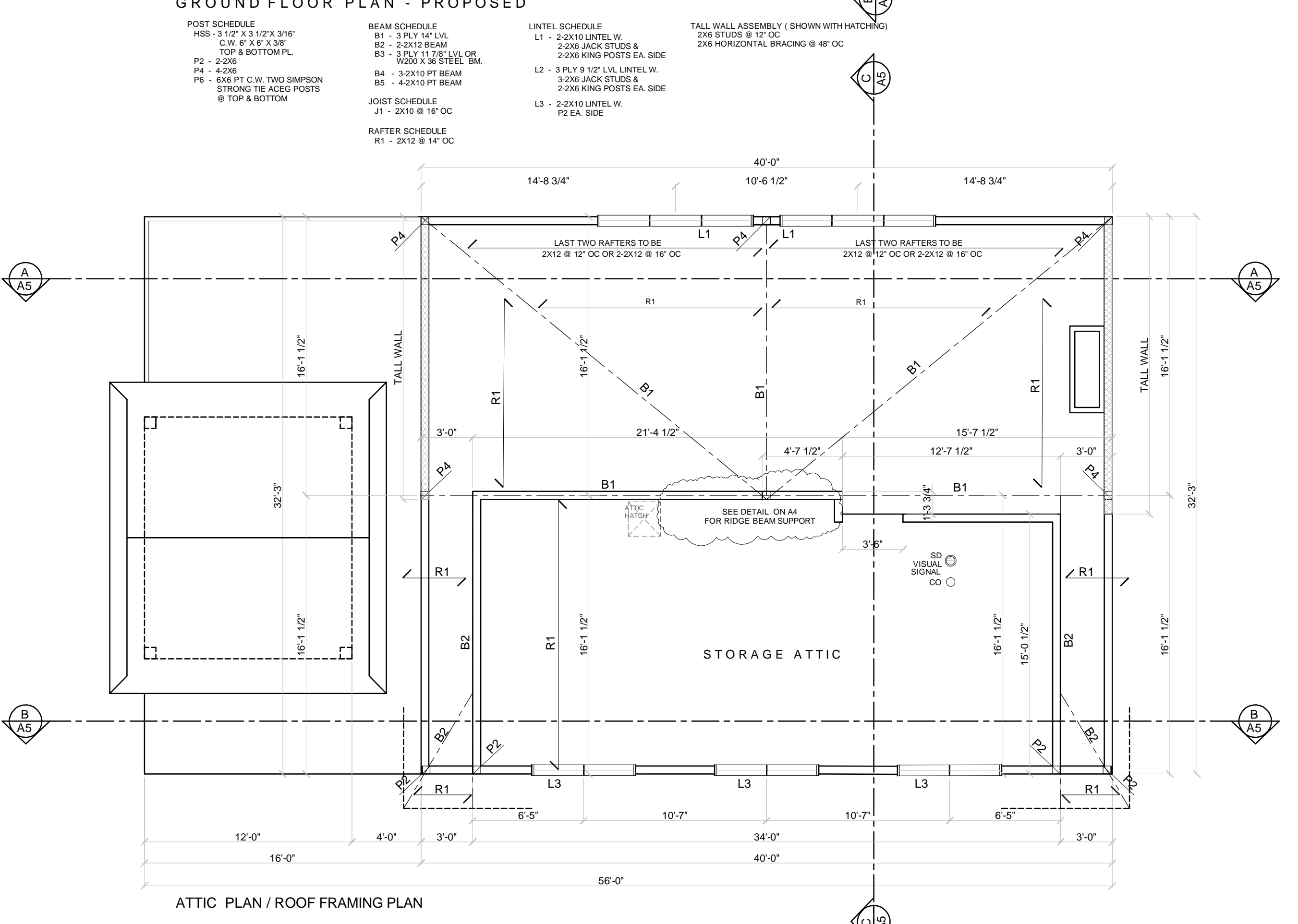
DWG. NO.: **A1**

|            |                                  |     |
|------------|----------------------------------|-----|
| 09.25.2023 | STRUCT NOTES ADDED / PERMIT APP. | C2  |
| 09.07.2023 | STRUCTURAL REVIEW                | C2  |
| DATE       | REVISION                         | INT |

GROUND FLOOR SPACE



ATTIC SPACE



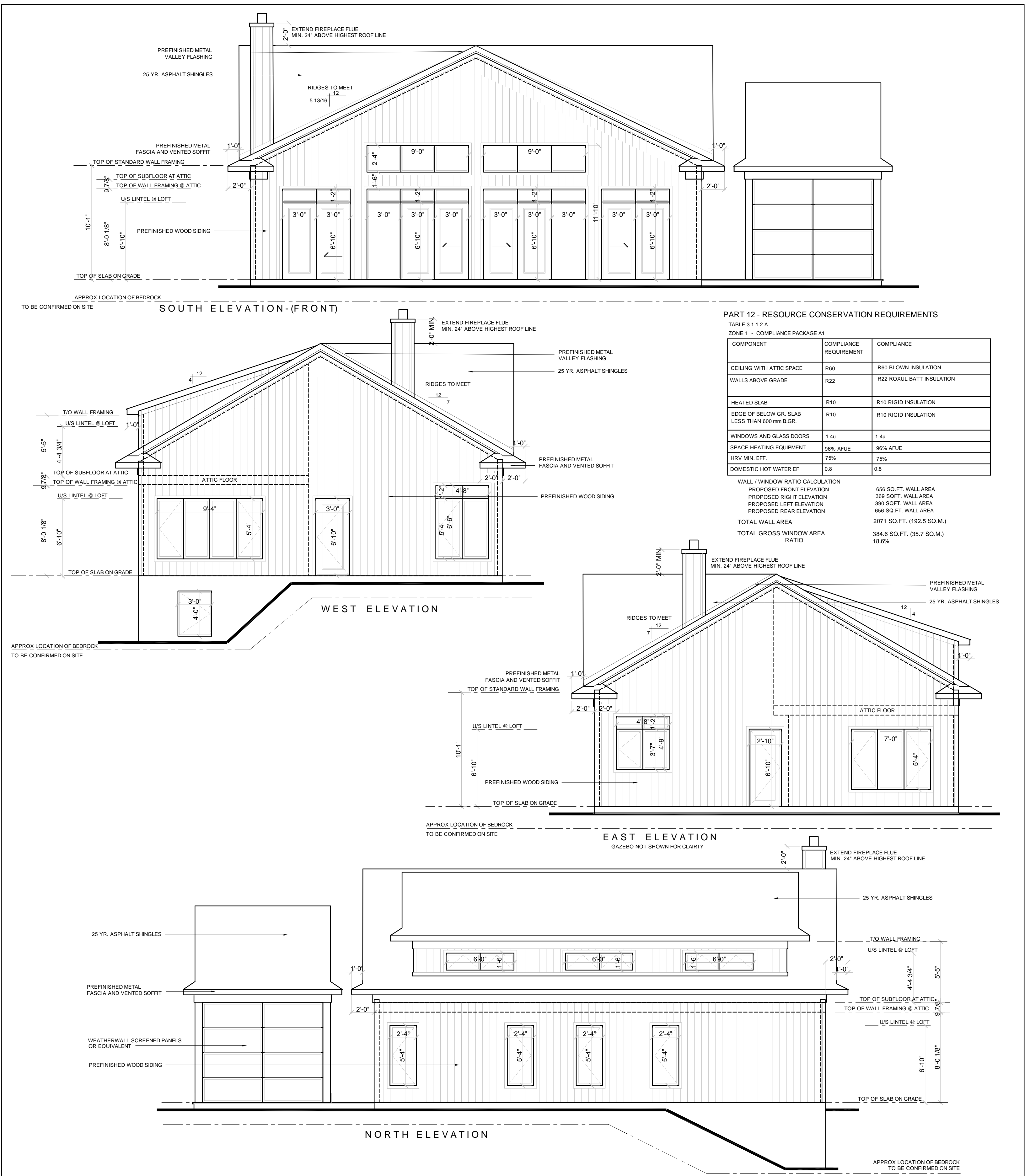
**122 OSBORNE LANE  
 BATTERSEA, SOUTH FRONTENAC  
 PERMIT SET**

DECLARATION OF DESIGNER  
 I, CHARLENE ZANDBELT, DECLARE THAT:  
 I REVIEW AND TAKE RESPONSIBILITY FOR THE DESIGN WORK  
 ON BEHALF OF A FIRM REGISTERED UNDER SUBSECTION 3.2.4  
 OF THE BUILDING CODE. I AM QUALIFIED, AND THE FIRM IS  
 REGISTERED, IN THE APPROPRIATE CLASSES / CATEGORIES.  
 INDIVIDUAL BCIN: 22189 FIRM BCIN: 27278  
 I CERTIFY THAT:  
 THE INFORMATION CONTAINED IN THIS SCHEDULE IS TRUE TO  
 THE BEST OF MY KNOWLEDGE.  
 09.07.2023  
 DATE SIGNATURE OF DESIGNER  
*Charlene Zandbelt*

**TUCKER**  
 DESIGN COMPANY LTD.  
 COMPLETE DESIGN & DRAFTING SERVICE  
 WORKING DRAWINGS  
 CHARLENE ZANDBELT, M.A.T.O  
 ARCHITECTURAL TECHNOLOGIST (613)229-5237

PROJECT:  
**SLEETH / SPRONCK COTTAGE  
 RENOVATION TO EXISTING COTTAGE**  
 122 OSBORNE LANE, BATTERSEA, S. FRONTENAC  
 DRAWING NAME:  
**FLOOR PLANS**  
 SCALE: 3/16" = 1"  
 DATE: 09.2023  
 DWN BY: C. ZANDBELT  
 FILE NAME:  
 SPRONCK  
 COTTAGE  
 DWG. NO.:  
**A2**

|            |                                  |     |
|------------|----------------------------------|-----|
| 09.25.2023 | STRUCT NOTES ADDED / PERMIT APP. | C2  |
| 09.07.2023 | STRUCTURAL REVIEW                | C2  |
| DATE       | REVISION                         | INT |



**PART 12 - RESOURCE CONSERVATION REQUIREMENTS**

TABLE 3.1.1.2.A  
ZONE 1 - COMPLIANCE PACKAGE A1

| COMPONENT                                      | COMPLIANCE REQUIREMENT | COMPLIANCE                |
|--|------------------------|---------------------------|
| CEILING WITH ATTIC SPACE                       | R60                    | R60 BLOWN INSULATION      |
| WALLS ABOVE GRADE                              | R22                    | R22 ROXUL BATT INSULATION |
| HEATED SLAB                                    | R10                    | R10 RIGID INSULATION      |
| EDGE OF BELOW GR. SLAB LESS THAN 600 mm B.G.R. | R10                    | R10 RIGID INSULATION      |
| WINDOWS AND GLASS DOORS                        | 1.4u                   | 1.4u                      |
| SPACE HEATING EQUIPMENT                        | 96% AFUE               | 96% AFUE                  |
| HRV MIN. EFF.                                  | 75%                    | 75%                       |
| DOMESTIC HOT WATER EF                          | 0.8                    | 0.8                       |

WALL / WINDOW RATIO CALCULATION  
 PROPOSED FRONT ELEVATION 656 SQ. FT. WALL AREA  
 PROPOSED RIGHT ELEVATION 369 SQ. FT. WALL AREA  
 PROPOSED LEFT ELEVATION 390 SQ. FT. WALL AREA  
 PROPOSED REAR ELEVATION 656 SQ. FT. WALL AREA  
 TOTAL WALL AREA 2071 SQ. FT. (192.5 SQ.M.)  
 TOTAL GROSS WINDOW AREA 384.6 SQ. FT. (35.7 SQ.M.)  
 RATIO 18.6%

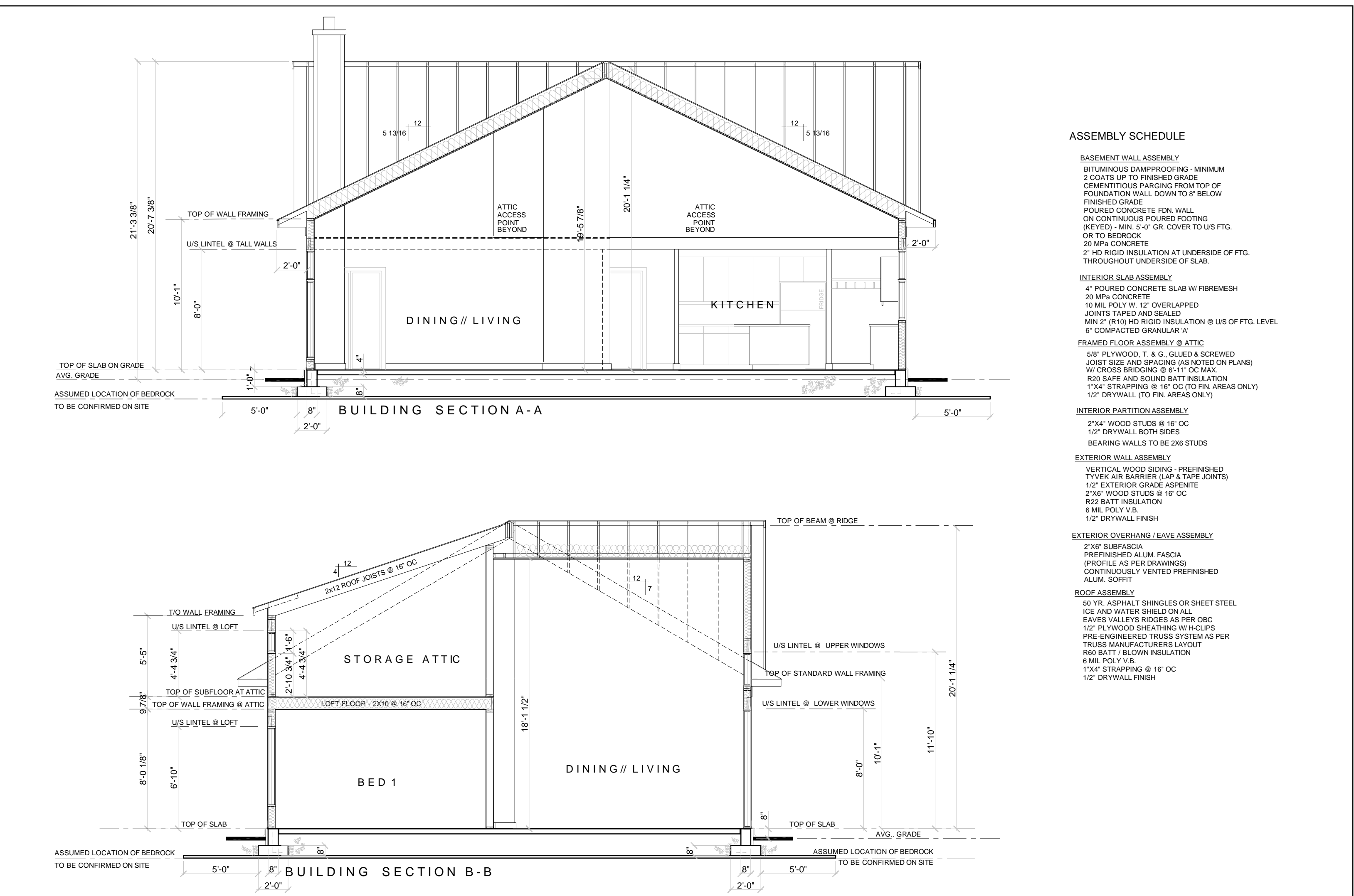
| DATE       | REVISION                         | INT. |
|------------|----------------------------------|------|
| 09.25.2023 | STRUCT NOTES ADDED / PERMIT APP. | C2   |
| 09.07.2023 | STRUCTURAL REVIEW                | C2   |

**122 OSBORNE LANE  
BATTERSEA, SOUTH FRONTENAC  
PERMIT SET**

DECLARATION OF DESIGNER  
 I, CHARLENE ZANDBELT, DECLARE THAT:  
 I REVIEW AND TAKE RESPONSIBILITY FOR THE DESIGN WORK  
 ON BEHALF OF A FIRM REGISTERED UNDER SUBSECTION 3.2.4  
 OF THE BUILDING CODE. I AM QUALIFIED AND THE FIRM IS  
 REGISTERED, IN THE APPROPRIATE CLASSES / CATEGORIES.  
 INDIVIDUAL BCIN: 22189 FIRM BCIN: 27278  
 I CERTIFY THAT:  
 THE INFORMATION CONTAINED IN THIS SCHEDULE IS TRUE TO  
 THE BEST OF MY KNOWLEDGE  
 09.07.2023  
 DATE  
*Charlene Zandbelt*  
 SIGNATURE OF DESIGNER

**TUCKER**  
 DESIGN COMPANY LTD.  
 COMPLETE DESIGN & DRAFTING SERVICE  
 WORKING DRAWINGS

PROJECT: SLEETH / SPRONCK COTTAGE  
 RENOVATION TO EXISTING COTTAGE  
 122 OSBORNE LANE, BATTERSEA, S. FRONTENAC  
 DRAWING NAME: ELEVATIONS  
 SCALE: 3/16" = 1'-0"  
 DATE: 09.2023  
 DWN BY: C. ZANDBELT  
 FILE NAME: SPRONCK COTTAGE  
 DWG. NO.: **A3**



- ASSEMBLY SCHEDULE**
- BASEMENT WALL ASSEMBLY**  
 BITUMINOUS DAMPPROOFING - MINIMUM  
 2 COATS UP TO FINISHED GRADE  
 CEMENTITIOUS PARAPET FROM TOP OF  
 FOUNDATION WALL DOWN TO 8" BELOW  
 FINISHED GRADE  
 POURED CONCRETE FDN. WALL  
 ON CONTINUOUS POURED FOOTING  
 (KEYED) - MIN. 5'-0" GR. COVER TO US FTG.  
 OR TO BEDROCK  
 20 MPa CONCRETE  
 2" HD RIGID INSULATION AT UNDERSIDE OF FTG.  
 THROUGHOUT UNDERSIDE OF SLAB.
- INTERIOR SLAB ASSEMBLY**  
 4" FPOURED CONCRETE SLAB W/ FIBREMESH  
 20 MPa CONCRETE  
 10 MIL POLY W. 12" OVERLAPPED  
 JOINTS TAPED AND SEALED  
 MIN 2" (R10) HD RIGID INSULATION @ US OF FTG. LEVEL  
 5" COMPACTED GRANULAR A  
**FRAMED FLOOR ASSEMBLY @ ATTIC**  
 5/8" PLYWOOD, T. & G. GLUED & SCREWED  
 JOIST SIZE AND SPACING (AS NOTED ON PLANS)  
 W/ CROSS BRIDGING @ 6'-11" OC MAX.  
 R20 SAFE AND SOUND BATT INSULATION  
 1"X4" STRAPPING @ 16" OC TO FIN. AREAS ONLY  
 1/2" DRYWALL (TO FIN. AREAS ONLY)
- INTERIOR PARTITION ASSEMBLY**  
 2"X4" WOOD STUDS @ 16" OC  
 1/2" DRYWALL BOTH SIDES  
 BEARING WALLS TO BE 2X6 STUDS
- EXTERIOR WALL ASSEMBLY**  
 VERTICAL WOOD SIDING - PREFINISHED  
 TYVEK AIR BARRIER (LAP & TAPE JOINTS)  
 1/2" EXTERIOR GRADE ASPENITE  
 2"X6" WOOD STUDS @ 16" OC  
 R22 BATT INSULATION  
 6 MIL POLY V.B.  
 1/2" DRYWALL FINISH
- EXTERIOR OVERHANG / EAVE ASSEMBLY**  
 2"X6" SUBFASCIA  
 PREFINISHED ALUM. CASING  
 (PROFILE AS PER DRAWINGS)  
 CONTINUOUSLY VENTED PREFINISHED  
 ALUM. SOFFIT
- ROOF ASSEMBLY**  
 50 YR. ASPHALT SHINGLES OR SHEET STEEL  
 ICE AND WATER SHIELD ON ALL  
 EAVES VALLEYS RIDGES AS PER OBC  
 1/2" PLYWOOD SHEATHING W/ HCLIPS  
 PRE-ENGINEERED TRUSS SYSTEM AS PER  
 TRUSS MANUFACTURERS LAYOUT  
 R20 BATT / BLOWN INSULATION  
 6 MIL POLY V.B.  
 1"X4" STRAPPING @ 16" OC  
 1/2" DRYWALL FINISH

**CONSTRUCTION SPECIFICATIONS**

**GENERAL NOTES:**  
 ALL CONSTRUCTION METHODS AND MATERIALS SHALL CONFORM TO AND SHALL NOT BE LESS THAN THE STANDARDS SET OUT IN THE 2012 ONTARIO BUILDING CODE AND ANY LOCAL OR OTHER AUTHORITIES HAVING JURISDICTION OVER THE WORK IN WHOLE OR IN PART.

THE CONTRACTOR AND / OR HIS SUBTRADEES SHALL CHECK AND VERIFY ALL DIMENSIONS AND INSTALLATIONS PRIOR TO CONSTRUCTION OF THAT PORTION OF THE WORK. DISCREPANCIES, ERRORS, OMISSIONS OR CONFLICTS SHALL BE VERIFIED WITH THE DESIGNER AND CONTRACTOR IMMEDIATELY.

**EXCAVATION AND BACKFILL:**  
 EXCAVATION FOR FOUNDATIONS SHALL EXTEND TO UNDISTURBED SOIL OR SOUND ROCK.  
 REFER TO ONTARIO BUILDING CODE FOR MINIMUM SOIL BEARING CAPACITY.  
 EXTERIOR BACKFILL AGAINST EXTERIOR WALL SHALL BE EXCAVATED MATERIALS, CLASS IF AVAILABLE OR GRANULAR B' UNLESS OTHERWISE SHOWN.  
 INTERIOR BACKFILL BELOW SLAB ON GRADE TO BE GRANULAR B' P11 RUN COMPACTED TO 95% STANDARD PROCTOR DENSITY, UNLESS OTHERWISE STATED.

**FOOTINGS, FOUNDATIONS & SLAB ON GRADE**  
 SOIL BEARING CAPACITY TO BE CONFIRMED TO MINIMUM OF 100kPa PRIOR TO START OF CONSTRUCTION.  
 CONCRETE FOR FOUNDATION WALLS, AND FOOTINGS SHALL HAVE A MINIMUM STRENGTH OF 20 MPa (2900 psi) AT 28 DAYS.

**FRAMING:**  
 CONSTRUCTION LUMBER FOR ANY EXTERIOR DECKS, BEAMS, FENCE BOARDS, JOISTS AND FRAMING MEMBERS AND POSTS SHALL BE WESTERN RED CEDAR OR PRESERVED WOOD.  
 LVL BEAMS TO BE WEST FRAMER LVL 3000PSI HAVING A BENDING STRESS OF 5544 PSI, OR APPROVED EQUAL.  
 ALL OPENINGS ARE FOR ROUGH OPENING SIZE UNLESS OTHERWISE NOTED.  
 ALL DIMENSIONS ARE MEASURED FROM FACE OF STUD TO FACE OF STUD OR FACE OF CONCRETE TO FACE OF CONCRETE UNLESS OTHERWISE NOTED.

**FIREPLACES**  
 INSTALL CHIMNEYS, FLUES, AND PREMANUFACTURED FIREPLACES IN ACCORDANCE WITH PART 9 OF THE LATEST EDITION OF THE ONTARIO BUILDING CODE.  
 FIREPLACES TO BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S PRINTED INSTRUCTION AND IS TO BE INSPECTED BY THE OWNER AND ANY AUTHORITIES HAVING JURISDICTION.  
 \*\*FRAMER TO CONFIRM R.S.O. OF FIREPLACE PRIOR TO CONSTRUCTION.  
 ULC RATED CLASS B' VENTS  
 2'-0" MIN. ABOVE POINT OF CONTACT W/ ROOF.  
 TOP OF FIREPLACE CHIMNEY SHALL BE A MIN. OF 3'-0" ABOVE HIGHEST POINT AT WHICH IT COMES IN CONTACT W/ ROOF AND 2'-0" ABOVE ROOF SURFACE WITHIN A HORIZONTAL DISTANCE OF 10'-0" FROM THE CHIMNEY.

**HEATING**  
 THE DESIGN AND INSTALLATION OF THE HEATING SYSTEM IS TO CONFORM TO THE LATEST EDITION OF THE ONTARIO BUILDING CODE AND ALL AUTHORITIES HAVING JURISDICTION.

**ELECTRICAL**  
 ELECTRICAL INSTALLATIONS INCLUDING THE NUMBER OF DISTRIBUTION PANELS, ELECTRICAL FIXTURES AND OUTLETS, SHALL MEET THE REQUIREMENTS OF THE APPROPRIATE PROVINCIAL AND / OR MUNICIPAL STATUTES, THE CANADIAN ELECTRICAL CODE AND THE LATEST EDITION OF THE ONTARIO BUILDING CODE.

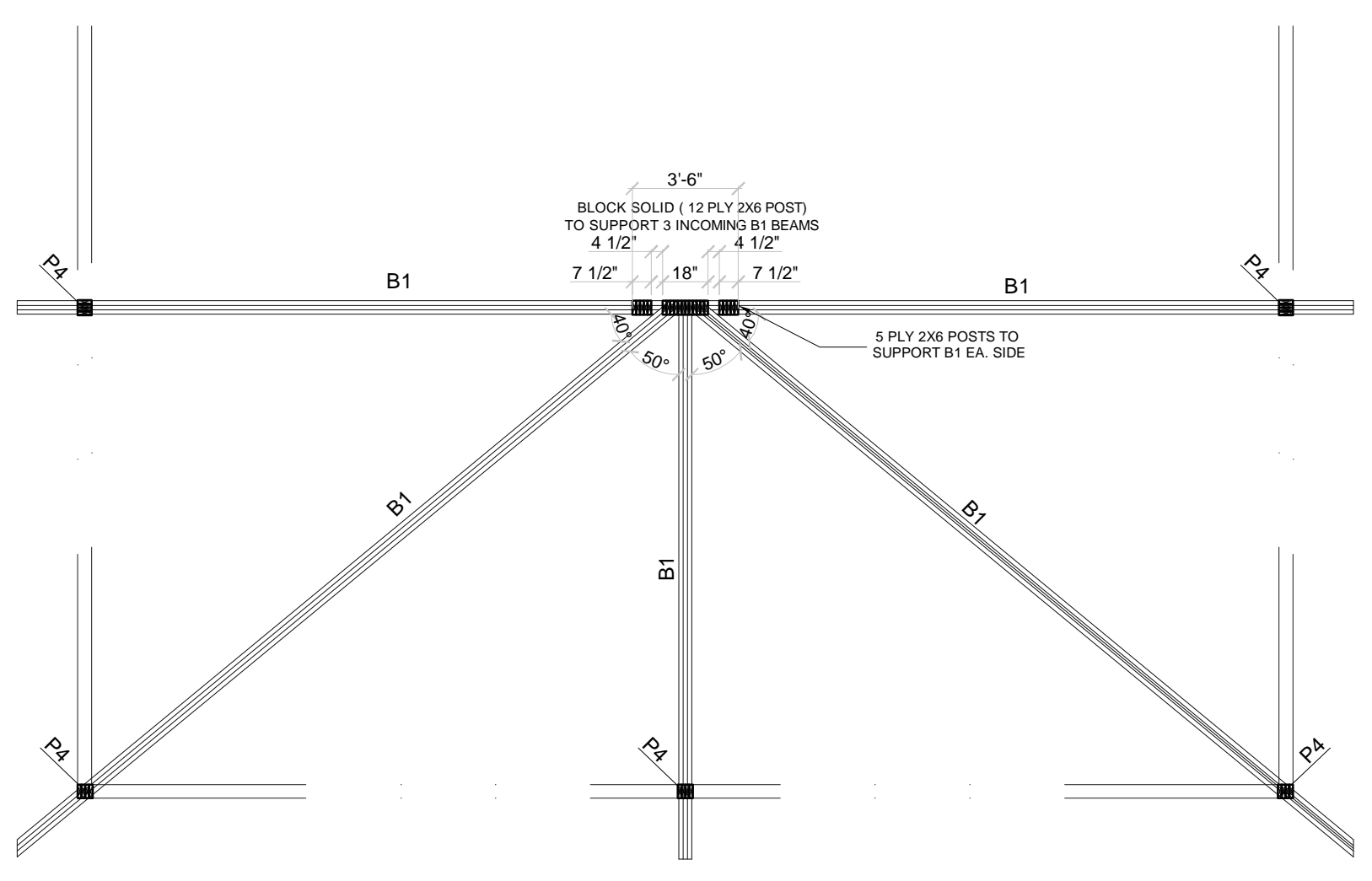
**PLUMBING**  
 PLUMBING SYSTEM SHALL CONFORM TO PROVINCE OF ONTARIO REGULATIONS, THE ACHBC CANADIAN PLUMBING CODE AND THE LATEST EDITION OF THE ONTARIO BUILDING CODE.

**INSULATED ATTIC ACCESS HATCHES**  
 TO BE PROVIDED TO EACH SEPARATE ATTIC SPACE  
 22"X30" W/ WEATHERSTRIPPING  
 WOOD STEPS TO BE CONSTRUCTED AS PER SITE REQ'TS.

**PREFINISHED CAPPED EXHAUST VENTS**  
 WALL OR SOFFIT MOUNTED WHERE APPLICABLE  
 NO ARMOURGLASS OR EQUAL  
 ICE AND WATER SHIELD TO BE APPLIED TO ALL RIDGES, VALLEYS, EAVES, RAKES, EDGES AND AROUND ALL VENTS AND PERFORATIONS IN ROOF.

**LINTEL SCHEDULE**  
 UNLESS NOTED OTHERWISE,  
 ALL LINTELS TO BE 2"X10"  
 BUILT UP BEAM OR EQUIV.  
 ALL POSTS TO BE BLOCKED SOLID TO FOUNDATION.  
 ALL LINTELS TO HAVE MIN. 3" BEARING EACH SIDE.

**POST SCHEDULE**  
 ALL LINTELS TO BEAR ON MN. P2 UNLESS NOTED OTHERWISE.  
 ALL POSTS TO BE BLOCKED SOLID TO FOUNDATION WALL.  
 P1 - 3" DIA TELEPOST  
 MIN. BEARING CAPACITY 8000 LBS.  
 P2 - 2"X6"  
 P3 - 3-2"X6"  
 P4 - 4-2"X6"  
 P5 - 5-2"X6"  
 P6 - 6"X6" CEDAR CLAD W/ 1"X8" CEDAR



**RIDGE BEAM SUPPORT DETAIL**

**122 OSBORNE LANE  
 BATTERSEA, SOUTH FRONTENAC  
 PERMIT SET**

**DECLARATION OF DESIGNER**  
 I, CHARLENE ZANDBELT, DECLARE THAT:  
 I REVIEW AND TAKE RESPONSIBILITY FOR THE DESIGN WORK ON BEHALF OF A FIRM REGISTERED UNDER SUBSECTION 3.2.4 OF THE BUILDING CODE. I AM QUALIFIED AND THE FIRM IS REGISTERED, IN THE APPROPRIATE CLASSES / CATEGORIES.

INDIVIDUAL BCIN: 22188 FIRM BCIN: 27278

I CERTIFY THAT:  
 THE INFORMATION CONTAINED IN THIS SCHEDULE IS TRUE TO THE BEST OF MY KNOWLEDGE.

09.07.2023  
 DATE

*Charlene Zandbelt*  
 SIGNATURE OF DESIGNER

**TUCKER**  
 DESIGN COMPANY LTD.  
 COMPLETE DESIGN & DRAFTING SERVICE  
 WORKING DRAWINGS

|   |                               |
|---|-------------------------------|
| PROJECT:<br>SLEETH / SPRONCK COTTAGE<br>RENOVATION TO EXISTING COTTAGE<br>122 OSBORNE LANE, BATTERSEA, S. FRONTENAC |                               |
| DRAWING NAME:<br>BUILDING SECTIONS / SPECS  |                               |
| SCALE:<br>3/16" = 1"  | DATE:<br>09.2023              |
| DWN BY:<br>C. ZANDBELT  | FILE NAME:<br>SPRONCK COTTAGE |
| DWG. NO.:<br><b>A4</b>  |                               |

|            |                                   |      |
|------------|-----------------------------------|------|
| 09.25.2023 | STRUCT. NOTES ADDED / PERMIT APP. | C2   |
| 09.07.2023 | STRUCTURAL REVIEW                 | C2   |
| DATE       | REVISION                          | INT. |

March 14, 2024

File: MV/FRS/39/2024

**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 S. 45(2) Permission PL-ZNA-2024-0018 (Sleeth)  
Pt Lot 19, Concession 9; 122 Osborne Lane  
Storrington District, Township of South Frontenac  
Waterbody: Dog Lake**

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

**Proposal**

The proposal involves the reconstruction and expansion of a single detached dwelling on the subject property. The height of the dwelling will increase from 5.7 m to approximately 6.7 m and the dwelling will maintain the same setback from the lake as the existing dwelling. 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 4.3 metres to permit the reconstruction of the dwelling.

**Site Description**

The property is located on the north shore of Dog Lake. The topography of the property where the development is proposed can be described as having a relatively low bedrock bank along the shoreline, then levelling out into a plateau in the centre of the lot. Mature trees are scattered throughout the property.

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

**Discussion**

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

Natural Hazards

**Flooding:** The maximum recorded water level for Dog Lake is 98.95 metres geodetic. For Dog Lake, the highest recorded water level is used in lieu of an engineered flood plain. Cataraqui Conservation's Guidelines for Implementing Ontario Regulation 148/06 (see description below) requires that all development be set back a minimum of 6 metres from the regulatory floodplain of a waterbody. Staff note that while the application indicates that the proposed dwelling will be set back 4.3 metres from the highwater mark, CRCA's aerial mapping suggests that the existing dwelling is located more than 6 metres from the highwater mark. In this location, the regulatory floodplain and highwater mark should be roughly coincident. The applicant should be aware that at the building permit stage, the reconstructed dwelling will need to meet the 6 metre setback from the regulatory floodplain. Provided the proposed dwelling is not going closer towards the shoreline than the existing dwelling, staff are satisfied that the development will meet the applicable floodplain setback.

**Erosion:** Section 5.8.2.b) of the Zoning by-law requires that no building or structure or septic tank installation shall be located within 15 metres horizontal of the top of bank of any embankment, the slope of which is greater than 30% from horizontal. For constrained lots with a low bank, CRCA, in accordance with provincial technical standards, defines the extent of the erosion hazard to include an allowance for toe erosion (estimated to be 1 metre), a stable slope allowance of 1(h):1(v) (estimated to be 1 metre), plus an erosion access allowance of 4 metres. Therefore, the total erosion hazard is defined as 6 metres inland from the toe of slope. Based on the aerial imagery and topographic mapping, the proposed dwelling will be located outside the extent of the erosion hazard limit.

Staff have no concerns from a natural hazards perspective.

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

#### Recommendation

In summary, staff have no objection to the approval of application PL-ZNA-2024-0018 based on our review of natural hazard policies.

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

#### Regulatory Requirements

Please note that portions of the subject lands are subject to Ontario Regulation 148/06: *Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses*, which is administered by the CRCA. The purpose of the regulation is to ensure that proposed changes (e.g. development and site alteration) to a property are not affected by natural hazards, such as flooding and erosion, and that the changes do not put other properties at greater risk from these hazards. For this property, any development (buildings and structures) and site alteration (excavation, grading, placement of fill) within 15 metres of the floodplain of Dog Lake, or within 17 metres of the toe of slope of the shoreline is subject to O. Reg. 148/06. **Therefore, a CRCA permit will be required for the development. The landowner(s) should contact CRCA's office at the building permit stage for more information about permitting requirements under O. Reg. 148/06.**

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

Yours truly,

A handwritten signature in black ink that reads "Janelle Treash". The signature is written in a cursive style with a large initial "J" and a long horizontal stroke extending from the end of the name.

Janelle Treash  
Resource Planner

cc: Applicant, via email

# 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)



**SOUTH  
FRONTENAC**

## Sewage System Review Comments

|   |  |
|---|--|
| <b>To:</b>  | Secretary-Treasurer, Committee of Adjustment<br>Township of South Frontenac<br>4432 George Street, PO Box 100<br>Sydenham, Ontario K0H 2T0   |
| <b>Application Number:</b>                        | PLZNA20240018  |
| <b>Type of Application<br/>or Proposal:</b>       | Planning Sewage Review - Minor Variance  |
| <b>Applicant:<br/><br/>(if applicable) Agent:</b> | SLEETH JEFFREY CHARLES   |
| <b>Location:</b>                                  | 102906006017400<br>122 OSBORNE LANE, SOUTH FRONTENAC<br>STORRINGTON CON 10 PT LOT 19;RP 13R22003 PARTS 1<br>TO 4 AND;5   |
| <b>Comments:</b>                                  | Unable to locate a sewage system permit in historical KFL&A<br>Public Health records.<br><br>If the minor variance is approved, the applicants will need to<br>apply for a review of performance level for the existing sewage<br>system. This review will determine if the existing system(s) have<br>enough capacity to support the proposed construction. |
| <b>Building Inspector:</b>                        | <br>Matthew Doyle  |
| <b>Date:</b>                                      | March 11, 2024   |

# Township of South Frontenac Staff Report

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**To:** Committee of Adjustment

**Prepared by:** Development Services Department

**Date of Meeting:** April 11, 2024

**Subject: Permission Application (S. 45(2) of the Planning Act)  
PL-ZNA-2024-0018, Sleeth and Spronck, 122 Osborne Lane,  
Storrington District**

## Summary

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

---

## Background

**Official Plan Designation:** Rural

**Zoning:** Limited Service Residential – Waterfront (RLSW)

## Relief Requested

The applicant seeks permission under section 45(2) of the Planning Act to enlarge the legal non-conforming dwelling on the property 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 which is approximately 6m. The height of the dwelling will increase from 5.7m to approximately 8m.

## Related Applications

The lands are not subject to any current additional applications under the Planning Act. The property was previously subject an application (PL-ZNA-2023-0108, approved October 12, 2023) to rebuild and expand the existing legal non-conforming boathouse on the property.

## Discussion/Analysis

### Property Description

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

### Agency Comments

Cataraqui Conservation submitted comments stating that they have no objection to approval of the application. They state that while the application indicates that the proposed dwelling will be set back 4.3 metres from the highwater mark, CRCA's aerial mapping suggests that the existing dwelling is located more than 6 metres from the highwater mark. The regulatory floodplain and highwater mark should be roughly coincident. They note that the reconstructed dwelling will need to meet the 6m setback from the regulatory floodplain. Provided the proposed dwelling is not going closer towards the shoreline than the existing dwelling, Cataraqui Conservation are satisfied that the development will meet the applicable floodplain setback. They recommend that sediment and erosion controls be incorporated into construction plans and that a buffer of native vegetation is maintained and enhanced between all buildings and the water to help stabilize soils long term. They note that a permit under their regulation will be required for the development.

Comments were received from the Building Department stating they were unable to locate a sewage system permit in historical KFL&A Public Health records. They note that if the application is approved the applicants will need to apply for a review of the performance level for the existing sewage system. This review will determine if the existing system(s) have enough capacity to support the proposed construction.

### Public Comments

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

### Planning Analysis

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

Section 5.10.2 of the Zoning By-law states that existing buildings with less than the minimum 30 metre setback from the highwater mark of a waterbody may be repaired, renovated or strengthened to a safe condition provided there is no enlargement of the gross

floor area or increase in height. This provision prohibits the enlargement of these existing buildings, without seeking permission from the Committee of Adjustment. The existing dwelling is a legal non-conforming building because it was constructed prior to the current Zoning By-law and is setback approximately 6 metres from the highwater mark. The owner identified the setback to the water as 4.3m in the application, CRCA measurements indicated that the dwelling is approximately 6m from the water. Ultimately the expanded dwelling will not be any closer to the water than the existing dwelling.

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

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

The proposed dwelling will be located no closer to the water than the existing dwelling which is set back 6 metres from the highwater mark. There is no opportunity to increase the set back further as the property is a peninsula with water on both sides. The location minimizes the amount of site disturbance and the amount of vegetation removal that would be required as the dwelling is being rebuilt on the same footprint.

The gross floor area of the dwelling will be increasing from 110sqm to 170sqm that includes a 50sqm partial second storey that is to be used as a storage attic. The partial second story is incorporated into the roof via a dormer and will not significantly alter the massing of the structure. Regarding lot coverage, the proposed dwelling footprint is slightly larger than the existing dwelling and lot coverage will be increasing from 3.6% to 3.9% as a result of the development. This is within the maximum permitted lot coverage of 5% for the RLSW zone.

The building height will slightly increase from 5.7 metres to 8 metres which is within the maximum permitted height of the RLSW zone. The walls of the dwelling will be increased to standard wall height. The current walls of the dwelling are less than 1.8m in height and the current owner cannot stand straight up along the existing walls. Maintaining existing vegetation will assist in screening the development from adjacent properties and help mitigate any visual impacts.

## Conclusion

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

## Notice/Consultation

Notice of the Statutory Public Hearing was given pursuant to the requirements of the Planning Act, at least 10 days in advance of the Public Hearing. This included notice given:

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

## Recommendation

That the Committee of Adjustment receive comments from the public and, pending comments received, **approve** for application PL-ZNA-2024-0018 for 122 Osborne Lane, subject to the following conditions.

1. Permission is granted to enlarge the legal non-conforming dwelling on the subject property. The replacement dwelling is permitted to have a 120 square metre ground floor area, a partial second storey of 50 square metres, a maximum building height of 8 metres, and to maintain the highwater mark setback of the existing dwelling, consistent with the submitted plans that will be attached to the Decision as Schedule "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 Dog 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. A natural vegetated buffer must be maintained in its natural state within 30 metres of the shoreline with the exception of the existing areas of development.

3. A building permit is required for ALL demolition and construction on the property. There shall be no additional development, or demolition of existing structures, on the property without the approval from the Township of South Frontenac.

**Report Prepared By:**

Tom Fehr, Planner

**Report Reviewed By:**

Christine Woods, RPP MCIP, Senior Planner

**To:** Committee of Adjustment

**Prepared by:** Development Services Department

**Date of Meeting:** April 11, 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.

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## Background

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

Committee of Adjustment is notified for information.

## Discussion/Analysis

### a) PL-BDJ-2024-0007 (Dowker) (Sutton) – Portland

This undisputed consent was granted provisional consent on March 12, 2024.

The purpose of this consent application was for one residential lot addition from property located at 6105 McMahon Drive. The lot addition is to be 0.3 acres in area, and to be conveyed to adjacent lands at 6057 McMahon Drive.

## 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**

