TOWNSHIP OF SOUTH FRONTENAC
Committee Of Adjustment Meeting
Agenda

TIME: 7:00 PM,
DATE: Thursday, April 10, 2025
PLACE: Storrington Centre/Virtual Via Zoom .

1. *Call to Order*

a) Resolution.

2. *Adoption of Agenda*

a) Resolution.

3. *Electronic Meeting Information*

a) The meeting will be live streamed at the following link: http://www.facebook.com/SouthFrontenacTwp/

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

Instructions about participating via Computer, Laptop, Smartphone, Tablet and Telephone can be found at the above noted link as well.

b) PowerPoint Presentation Staff has prepared a PowerPoint Presentation that will be displayed on the screen of the meeting, you can also follow along with the PDF version that is in the attachment of this agenda item. 4 - 77

4. *Declaration of pecuniary interest*

a) There are none.

5. *Approval of Minutes – March 13, 2025*

a) Resolution. 78 - 81

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

7. *New Consent Applications:*

a) PL-BDJ-2024-0136 (Doornekamp) - Bedford District 82 - 111

Property Address: 1146 Devil Lake Road

Purpose & Effect of the Application:

The applicant seeks consent to sever for the purpose of creating two new rural residential lots. Severance 1 (PL-BDJ-2024-0136) would have approximately 22Ac of area and 130m of frontage on Devil Lake Road. The retained parcel would have approximately 32Ac of area with 182m of frontage on Devil Lake Road, and would contain the existing dwelling on the subject property.

b) PL-BDJ-2024-0137 (Doornekamp) - Bedford District 112 - 141

Property Address: 1146 Devil Lake Road

Purpose & Effect of the Application:

The applicant seeks consent to sever for the purpose of creating two new rural residential lots. Severance 2 (PL-BDJ-2024-0137) would have approximately 28Ac of area and 172m of frontage on Devil Lake Road. The retained parcel would have approximately 32Ac of area with 182m of frontage on Devil Lake Road, and would contain the existing dwelling on the subject property.

c) PL-BDJ-2025-0003 (Orser) - Loughborough District 142 - 254

Property Address: Intersection of Cottage Road and Everett Lane

Purpose & Effect of the Application:

Consent to sever a rural residential lot. The severed parcel would be 6 acres in area with 120m frontage on Cottage Road. The retained parcel would be approximately 95 acres in area with 300m frontage on Cottage Road, and more than 1000m frontage on Everett Lane.

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

9. *New Minor Variance / Permission Applications:*

a) PL-ZNA-2025-0025 (McNeice) - Bedford District 255 - 280

Property Address: 103 Grouse Lane

Purpose & Effect of the Application:

To request permission under section 45(2) of the Planning Act to enlarge the legal non-conforming dwelling within 30m of the highwater mark of Kingsford Lake. The applicant proposes to rebuild the existing 68.5sqm cottage and 27sqm deck within their same footprint. The proposal also seeks to build a ~23.3sqm deck on the west side of the cottage and a ~3.7sqm deck on the rear of the cottage. Building height would increase from ~3.5m to 5.6m. The highwater mark setback of the existing cottage (25m) and deck (21.5m) would be maintained. The top of bank setback of the existing cottage (~3m) and deck (~0m) would be maintained.

b) PL-ZNA-2025-0029 (Tucker) (Green) - Bedford District 281 - 306

Property Address: 60 McColl Lane

Purpose & Effect of the Application:

A variance is being requested to allow a 12.6m by 1.5m deck, attached to the waterside of the cottage, to be setback 4m from the highwater mark of Thirty Island Lake. The deck was constructed without the necessary approvals.

c) PL-ZNA-2025-0033 (Knott) - Storrington District 307 - 327

Property Address: 3968 Hideaway Lane

Purpose & Effect of the Application:

To request permission under section 45(2) of the Planning Act to enlarge the legal non-conforming dwelling within 30m of the highwater mark of dog lake. The applicant proposes to construct a 343sqft (32sqm) addition on the southern side of the existing dwelling. The proposed addition would increase gross floor area to 1313sqft (122sqm) and building height to 14ft (4.3m). The proposed addition would be setback approximately 76ft (23m) from the highwater mark of Dog Lake.

10. *Other Business*

a) Delegated Authority Consent Report 328 - 331

11. *Adjournment*

a) Resolution.

Committee of Adjustment Meeting

Thursday, April 10, 2025
7:00 p.m. Storrington Centre
3910 Battersea Road, Sunbury, ON
and Virtual on Zoom

Joining us on Zoom? Your camera won't be turned on, and your microphone will stay muted unless you ask to speak during a comment period.

Roll Call

Committee Members

- Norm Roberts
- Scott Trueman
- Ray Leonard
- Steve Pegrum
- Alan Revill
- Brett Moreland
- Kevin Fox
- Mike Howe

Staff

- Christine Woods, Manager of Planning
- Noah Perron, Planner
- Kate Kaestner, Planning Clerk/ Secretary-Treasurer

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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

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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

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After the Meeting

- Township staff will contact the applicant following the meeting. Where a decision is made, it will be forwarded to the applicant and anyone who requested to be notified within 15 days.

- The applicant, the Minister or a specified person or public body 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.

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How to Speak to an Application

- The Chair of the meeting will open the floor to public comments
- On Zoom
  - Click “Raise Hand” button to request to speak or dial *9 (star nine) when participating by telephone
  - The Chair will acknowledge you, and the Meeting Host will unmute you
  - Once you are done speaking or the Committee has no further questions, the Meeting Host will mute your microphone
- In person
  - Raise your hand and wait for the Chair to acknowledge you
  - Move to the table and clearly state your name for the record

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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.

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Notice of Collection

- Personal information is collected to gather feedback and communicate with interested parties about applications.
- This information is collected under the authority of the *Planning Act* and in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*.
- With the exception of e-mail addresses and telephone numbers, all information and comments will become part of the public record and will appear on the Township's website.
- 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 should be directed to the Township Clerk.

SOUTH FRONTENAC

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

Applications PL-BDJ-2024-0136 & 0137

Consent Application

Applicant: Arie & Katherine Doornekamp

Property: 1146 Devil Lake Road

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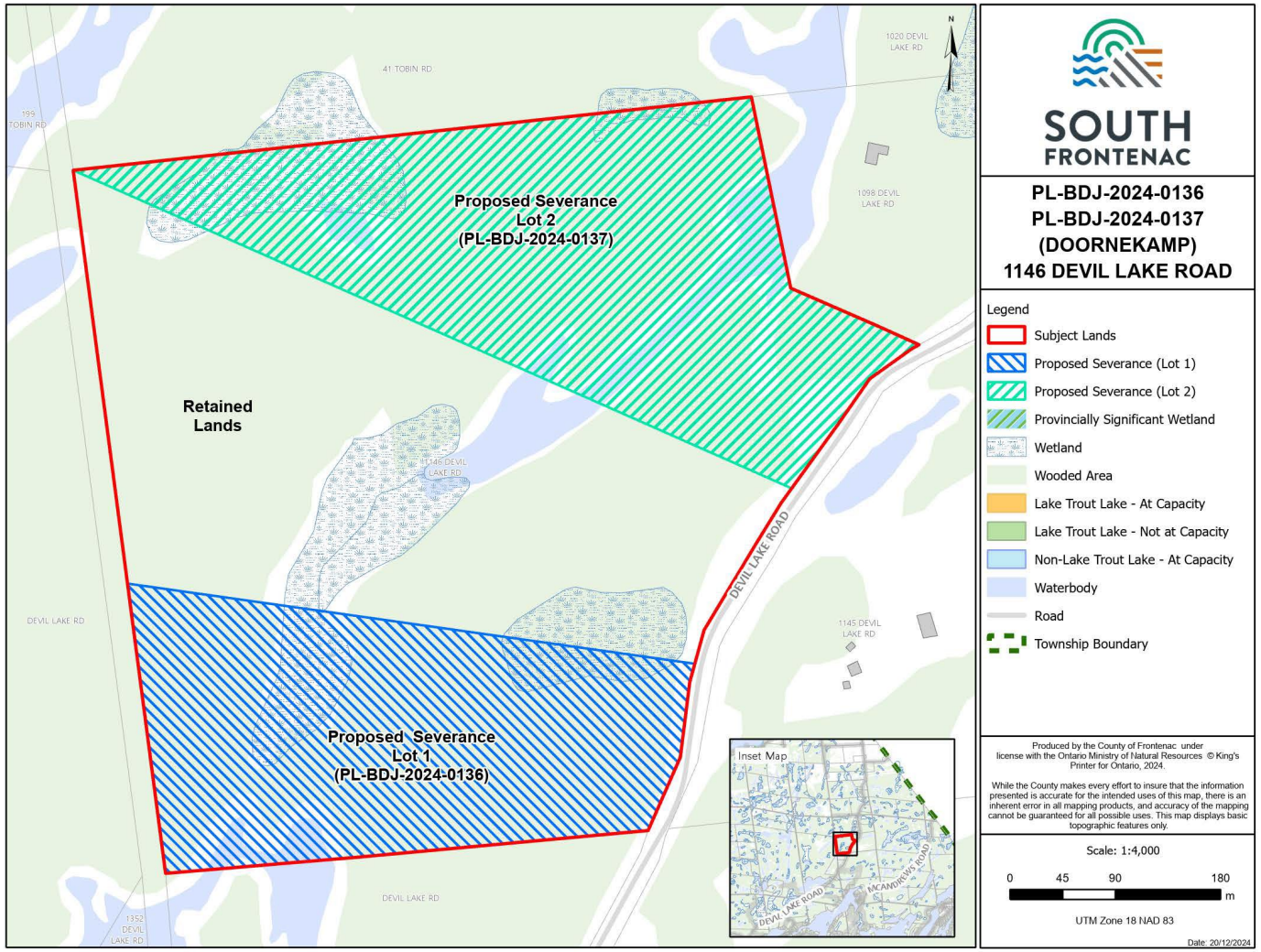
Background

Two consent applications submitted concurrently:

- PL-BDJ-2024-0136 (Lot 1) & PL-BDJ0-2024-0137 (Lot 2)
- The CoA is being asked to make a decision on both applications.



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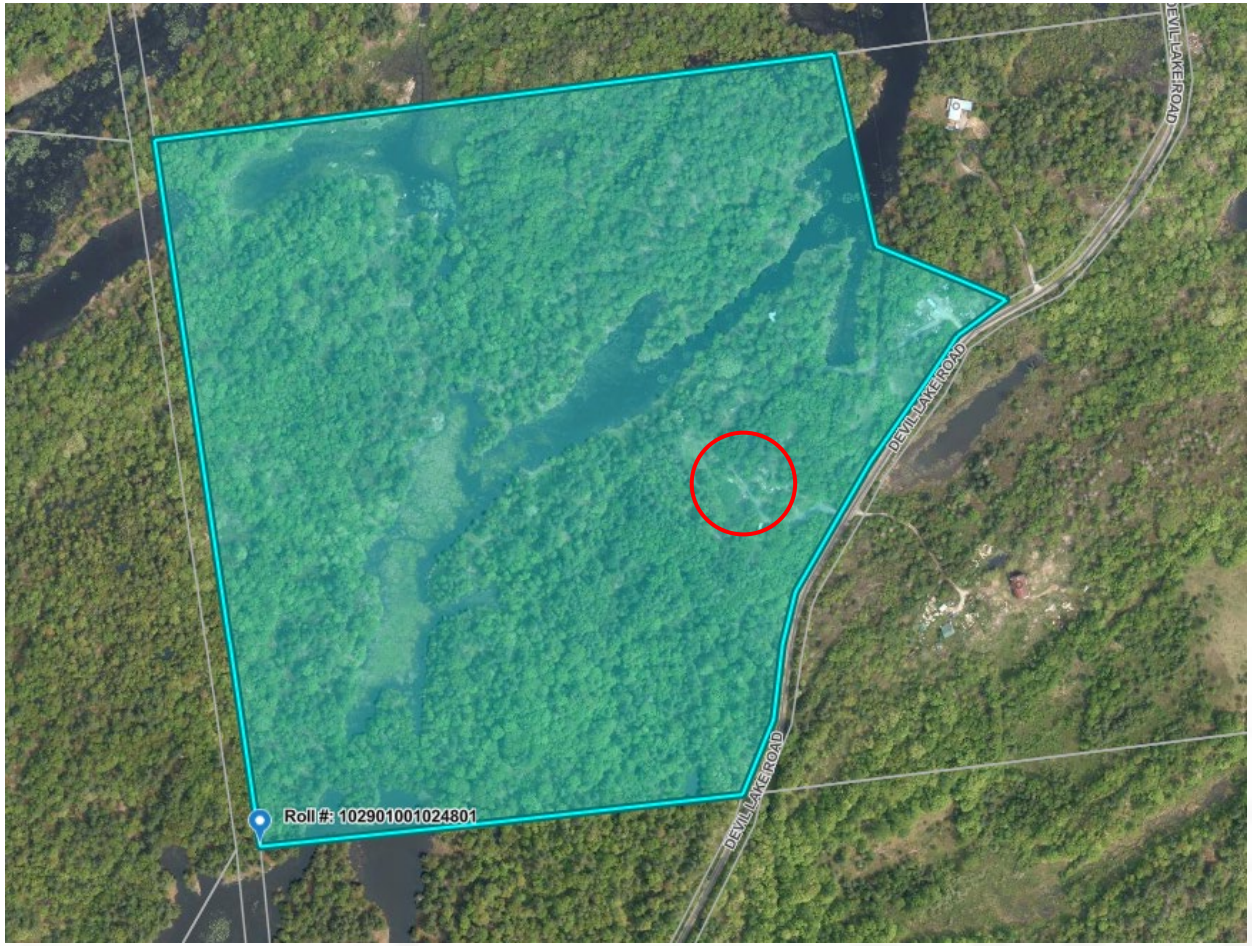
Property Description

- Lot area of ~82Ac w/ frontage on Devil Lake Road
- Existing Dwelling w/ attached garage(Red)
- Watercourse and unevaluated wetland running in north-south direction
- Rural Designation (Watercourse & Wetland designated EP)
- RU Zone



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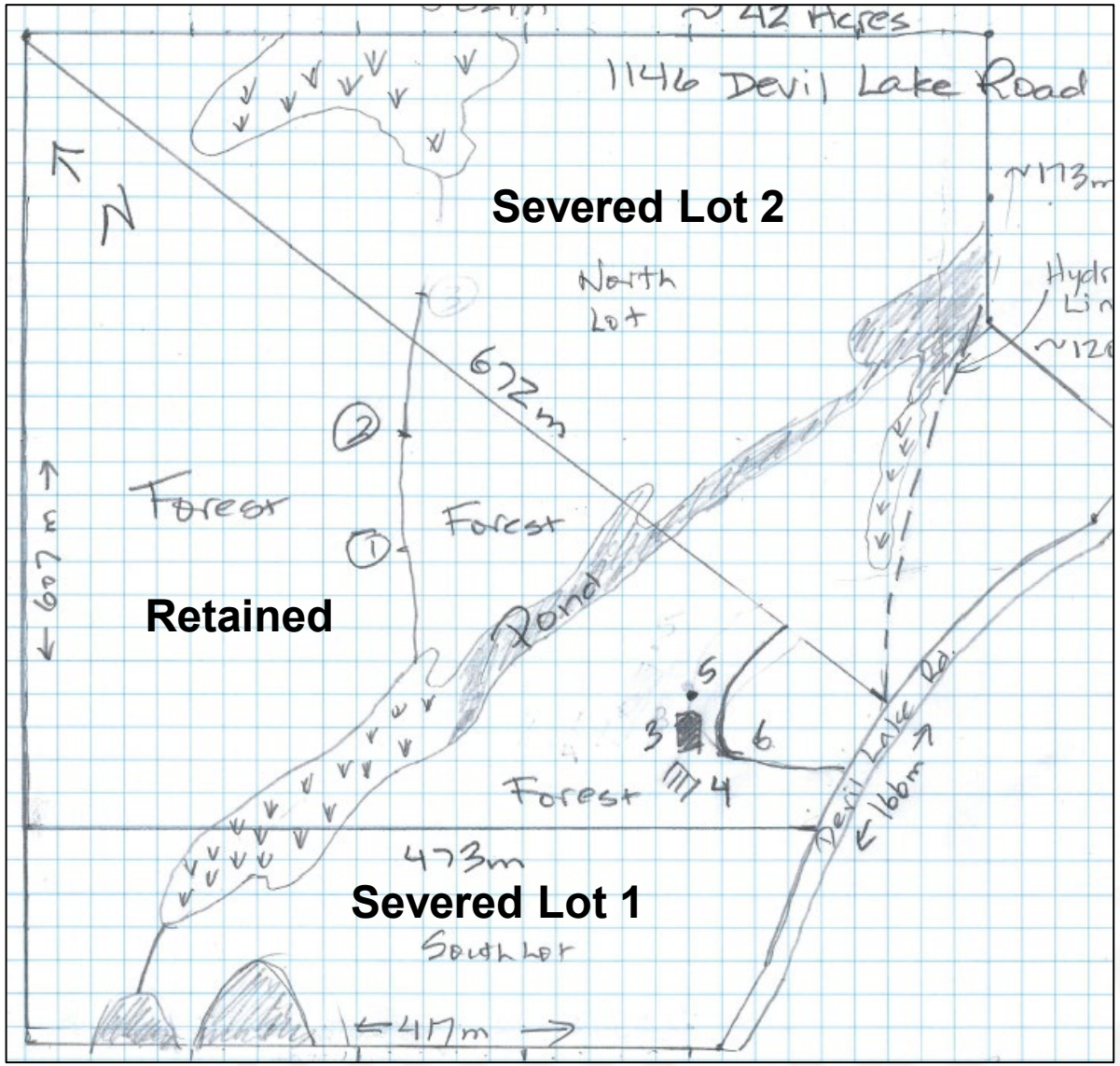
Proposal

- 2 new rural residential lots
- Severed Lot 1 (2024-0136)
  - ~22Ac; 130m of frontage
- Severed Lot 2 (2024-0137
  - ~28Ac; 172m of frontage
- Retained:
  - ~32Ac in area; 182m of frontage



Frontage of severed lot 1 (left side)

Frontage of retained lands and severed lot 2 further in the distance (left side)

Department & Agency Comments

- **Cataraqui Conservation** – No objection
- **Public Services** –
  - PL-BDJ-2024-0136 (Lot 1) – Adequate sightlines for new entrance
  - PL-BDJ-2024-0137 (Lot 2) – Adequate sightlines for new entrance
- **Building Services –**
  - PL-BDJ-2024-0136 (Lot 1) – May require additional layer of clay loam soil to ensure future sewage system is above bedrock
  - PL-BDJ-2024-0137 (Lot 2) – Will require additional granular soil

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Public Comment

- Planning Staff received one letter of support and one letter of objection regarding the consent applications.
- Concerns included:
  - Environmental impacts on nearby pond;
  - Unsustainable density on Devil Lake Road; and
  - Unsustainable demand on water resources.

Planning Analysis

- The PPS (2024) & County OP (S. 3.3) permit residential development on rural lands. Township OP permits residential development in the Rural designation.
- Subject property is eligible for severance (S. 5.7.4) – 1 previous severance since the adoption of the Official Plan
- Both severed parcels and the retained parcel would satisfy minimum lot size and frontage requirements.
- A 162m MDS setback was calculated for the livestock barn across the street (1145 Devil Lake Road) – an adequate building envelope exists on both lots outside of this setback.
- Both severed parcels have adequate building areas outside the 30m setback from the watercourse and wetland. No EIA was required to be submitted with the applications.
- Proof of water availability to be demonstrated as a condition of approval
- Both severed parcel and the retained would be in conformity with the general consent policies (Section 7.1) of the Official Plan

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Recommendation

PL-BDJ-2024-0136 (Lot 1)

- Approval
- Pending any comments received
- Subject to the conditions outlined in the staff planning report, including but not limited to:
  - New well & well drillers report
  - Development Agreement

Recommendation

PL-BDJ-2024-0137 (Lot 2)

- Approval
- Pending any comments received
- Subject to the conditions outlined in the staff planning report, including but not limited to:
  - New well & well drillers report
  - Development Agreement

Questions & Comments

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

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PL-BDJ-2024-0136 (-0137)
Committee Deliberation and Vote

Application PL-BDJ-2025-0003

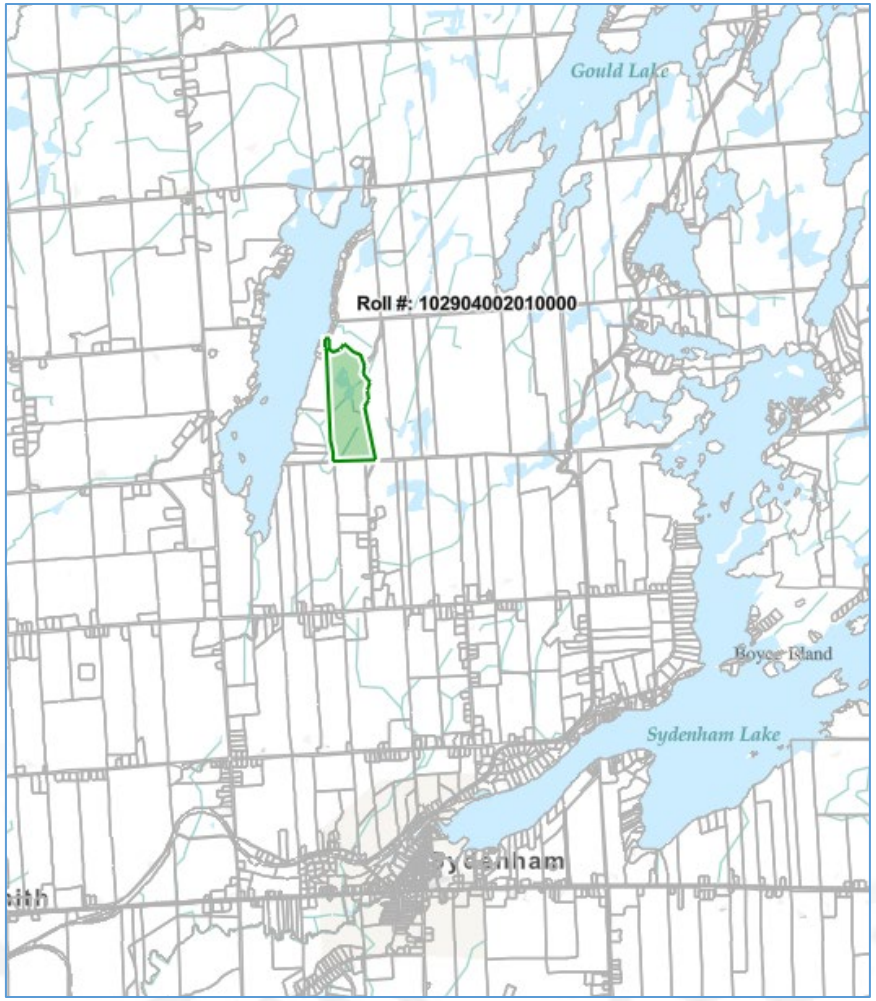
Consent to Sever

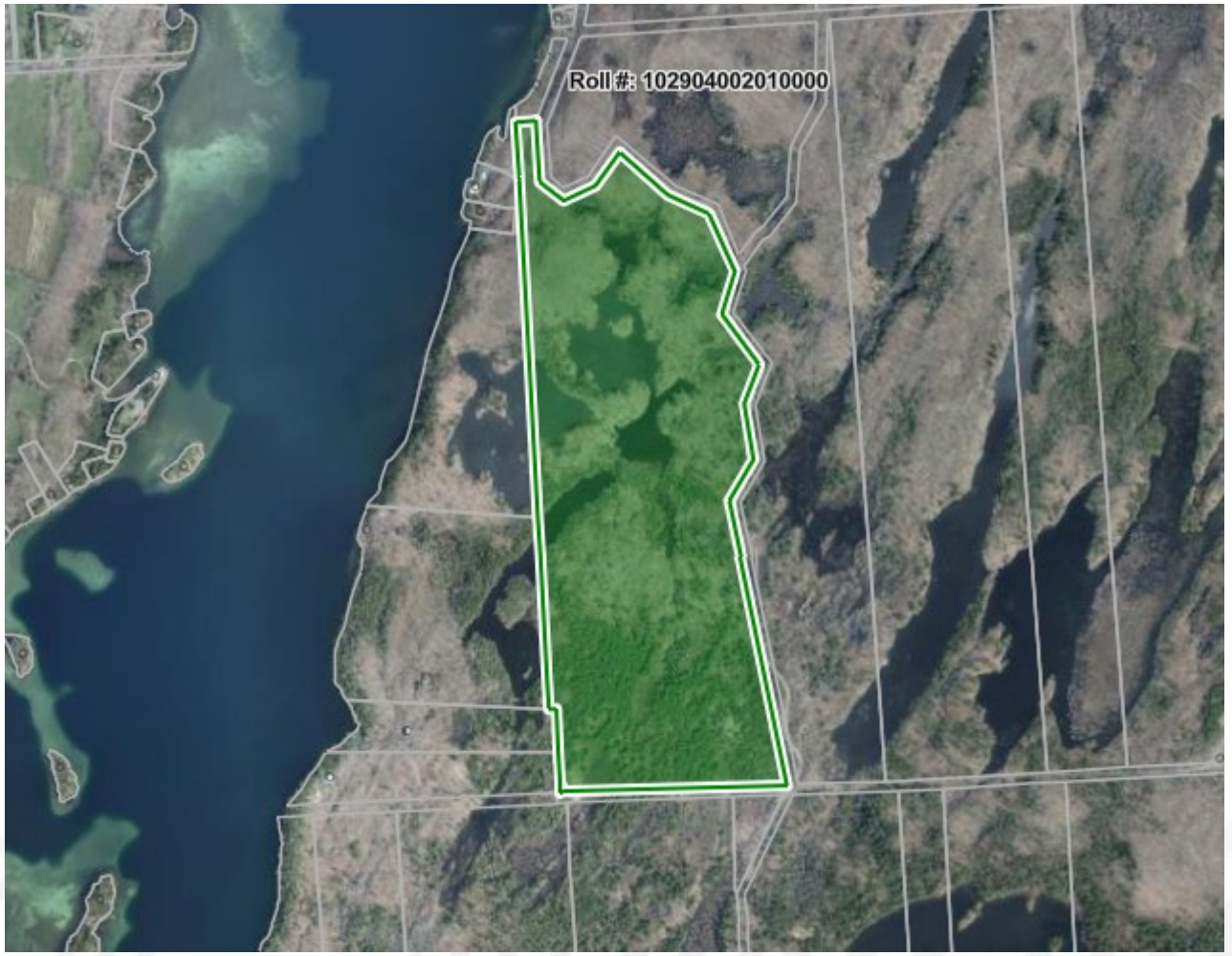
Applicant: Keith Orser and Edward Orser

Roll Number: 102904002010000

Location: Corner of Cottage Road and Everett Lane

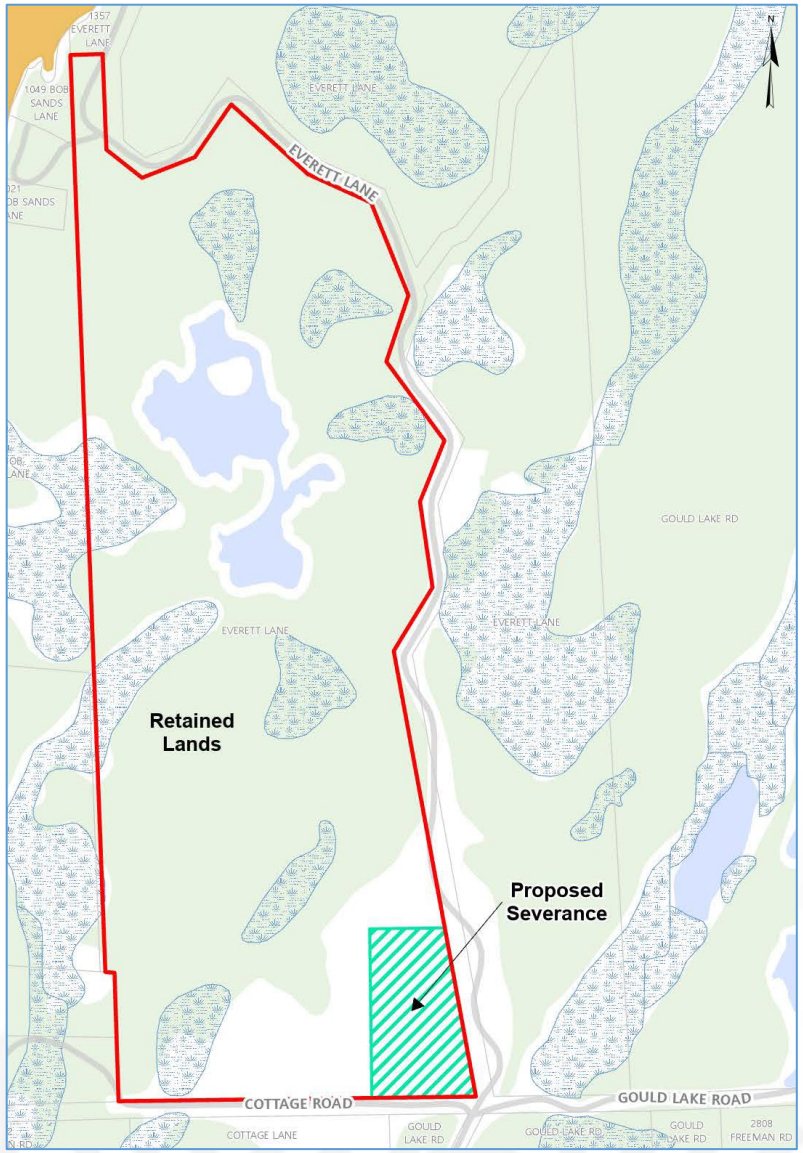
Location


Gould Lake
Roll #: 102904002010000
Boyce Island
Sydenham Lake

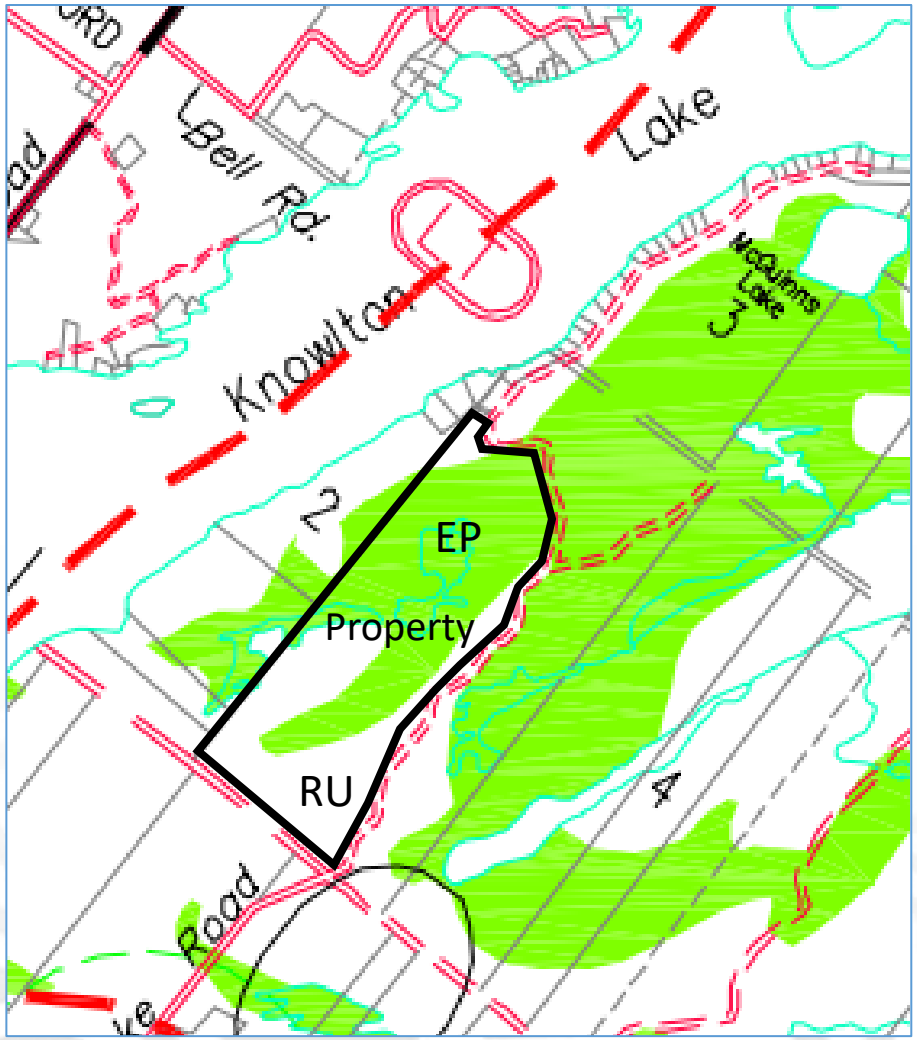

Roll #: 102904002010000

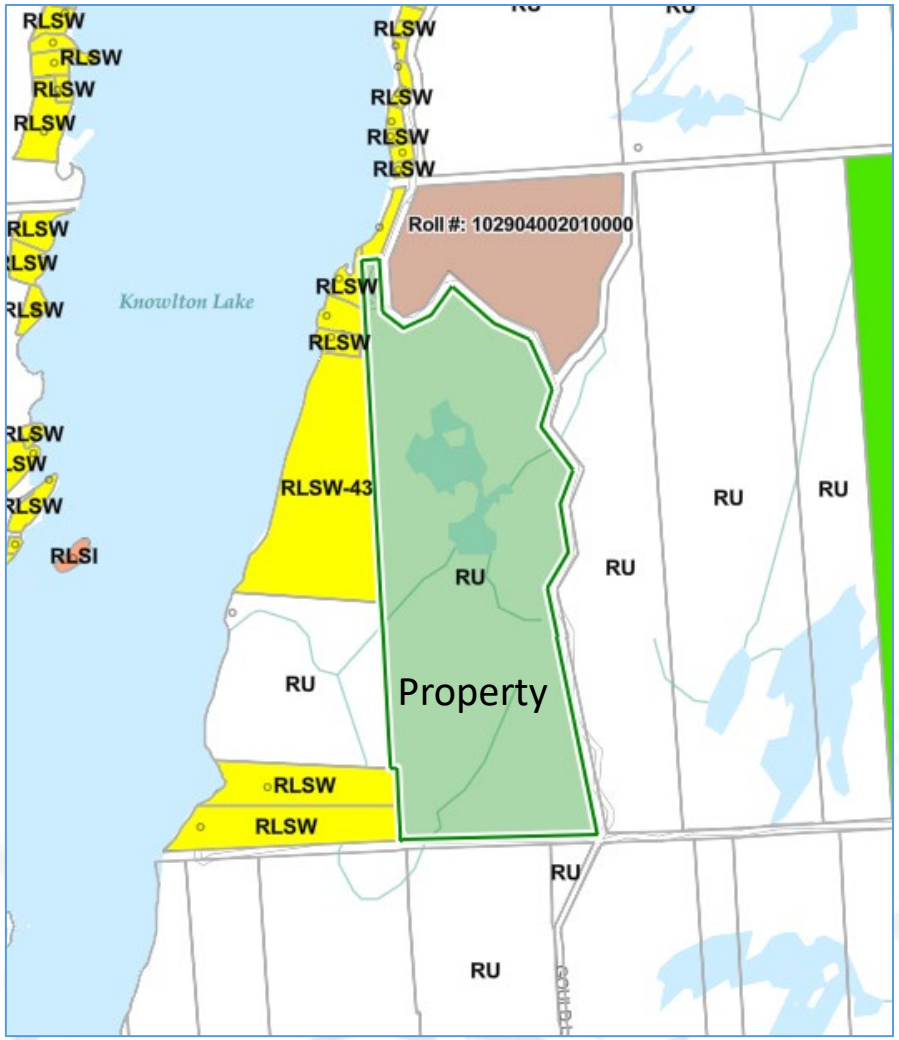
Proposal

- Severed parcel
  - New residential lot
  - 6 acres
  - 120m frontage on Cottage Rd
- Retained parcel
  - Woodlot and hunting
  - 95 acres
  - 300m frontage on Cottage Rd
  - 1000m frontage on Everett Lane



Designation and Zoning





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Environmental Protection Policies

- Natural features and areas to be protected long term
- Environmental Protection Area – wetlands, watercourses, forest
- Environmental Impact Statement (GEMTEC, 2021)
- Identified and evaluated natural features
  - Wetland, significant woodland, fish habitat, other species habitats, butternut tree
- Assessed there would be minimal impact from development
  - Minor loss of forest habitat, minor increase in impervious surface and stormwater, sedimentation, noise generation
- Recommended mitigation measures
  - 0.2ha development envelopes, 30m wetland setback, tree removal timing, sediment and erosion control measures

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Lake Trout Lake Policies

- Property is partially within 300m of Knowlton Lake
- Ponds, wetlands and watercourses have direct connection to lake
- No new lot creation within 300m of at-capacity lake trout lake
- Exception – where drainage of new lot flows to a different non-sensitive watershed
- Severed parcel would be entirely in Gould Lake watershed
- Retained parcel could be developed the same as a lot of record

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Rural Development Policies

- Rural designation allows resource management and use, resource-based recreational uses, agricultural uses, and residential uses
- Residential lot creation is allowed
- Property qualifies for a new lot because there have been no other severances
- New lot would be 6 acres (2 acre minimum is required)
- New lot would have 120m road frontage (76m minimum is required)
- New lot has site conditions suitable for a sewage system
- Adequate water services to be demonstrated after approval

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Department and Agency Comments

- **Public Services**
  - No objection
  - Adequate sight lines for driveway entrances on Cottage Road
  - Road allowance widening may be required
- **Cataraqui Conservation**
  - No objection
  - The EIS methodologies and findings were generally accepted
  - Require EIS recommendations to be implemented through development agreement

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Public Comments

- **Richard Delve (adjacent landowner on Cottage Road)**
  - Not in favour
  - Impact of more housing on the nature dynamic of the area
  - Encroachment on hunting

Recommendation

- Approval subject to conditions
  - Reference plan (survey)
  - Road allowance widening
  - Drilled well
  - Cash-in-lieu of parkland
  - Development agreement

Questions & Comments

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

SOUTH FRONTENAC

PL-BDJ-2025-0003
Committee Deliberation and Vote

SOUTH FRONTENAC

Minor Variance / Permission Applications

Application PL-ZNA-2025-0025

Permission to Enlarge Legal Non Conforming Use

Applicant: Gary & Kelly McNeice

Property: 103 Grouse Lane

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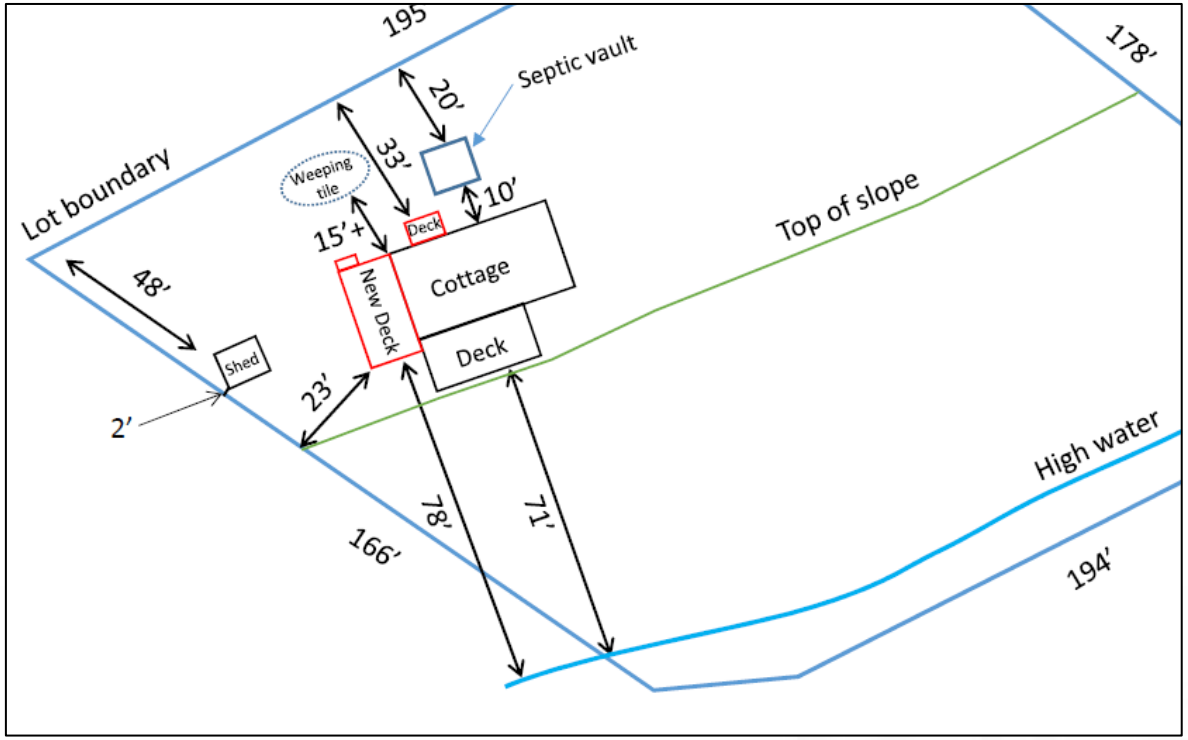
Property Description

- ~0.7Ac with frontage on Kingsford Lake & Grouse Lane
- Existing development: Seasonal dwelling w/ attached deck, detached storage structure
- Well vegetated
- Downward slope towards shoreline
- Rural Designation & RLSW Zone

SOUTH FRONTENAC

Proposal

- Renovate existing 68.5sqm (737sqft) cottage and 27sqm (288sqft) attached deck within existing footprint
  - Gross floor area would remain the same
  - Building height to increase from 4.5m to 5.5m
  - HWM setback to remain the same (Dwelling: 25m; Deck:21.5m)
  - TOB setback to remain the same (Dwelling: ~3m; Deck ~0m)
- Construct a 23.3sqm (250sqft) deck on west side of cottage
  - Setback 23.5m from the HWM & 2m from the TOB
- Construct a 3.7sqm (40sqft) deck on north side of cottage



Proposed Site Plan

SOUTH FRONTENAC

Rear view

Rear and Side view (Location of proposed attached decks)

Front view

Shoreline area

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Conceptual drawing of proposed cottage

Department, Agency and Public Comments

- **Cataraqui Conservation –** No Objection. A CRCA development permit will be required.
- **Building Services –** Noted that the location of the septic bed would need to be confirmed during the building permit stage to ensure the proposed decks would be setback a minimum of 5m
- **Public Services** – Not Circulated (Property fronts on private lane)
- **Public Comment** – None Received

Planning Analysis

- The criteria for considering an application under section 45(2) are:
  - Whether the application is desirable for the appropriate development of the subject property; and
  - Whether the application will result in undue adverse impacts on the surrounding properties and neighborhood.
- Existing footprint and gross floor area would remain the same. Building to increase from 4.5m (14.7ft) to 5.5m(18.3ft).
- The proposal would not facilitate further encroachment towards the HWM or TOB
- Building footprint to increase from 95.5sqm to 122.5sqm (1% increase in lot coverage)
- The proposal is appropriate and is not anticipated to result in negative impacts on surrounding properties or the lake
- Planning Staff recommend a development agreement to ensure appropriate shoreline development practices

SOUTH FRONTENAC

Recommendation

- Approval
- Pending any comments received
- Subject to conditions
  - The application is approved in accordance with submitted plot plans and building plans
  - Development agreements to address runoff, erosion controls, and maintenance of a healthy shoreline buffer
  - Building Permit

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Questions & Comments

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

SOUTH FRONTENAC

PL-ZNA-2025-0025
Committee Deliberation and Vote

SOUTH FRONTENAC

Application PL-ZNA-2025-0029

Minor Variance

Applicant: Tracy Tucker

Agent: Shannon Green

Property: 60 McColl Lane

Property Description

- Thirty Island Lake
- McColl Lane
- 0.9 acres
- Existing buildings and structures
  - Cottage
  - Decks
  - Dock
  - Two sheds
  - Sewage system

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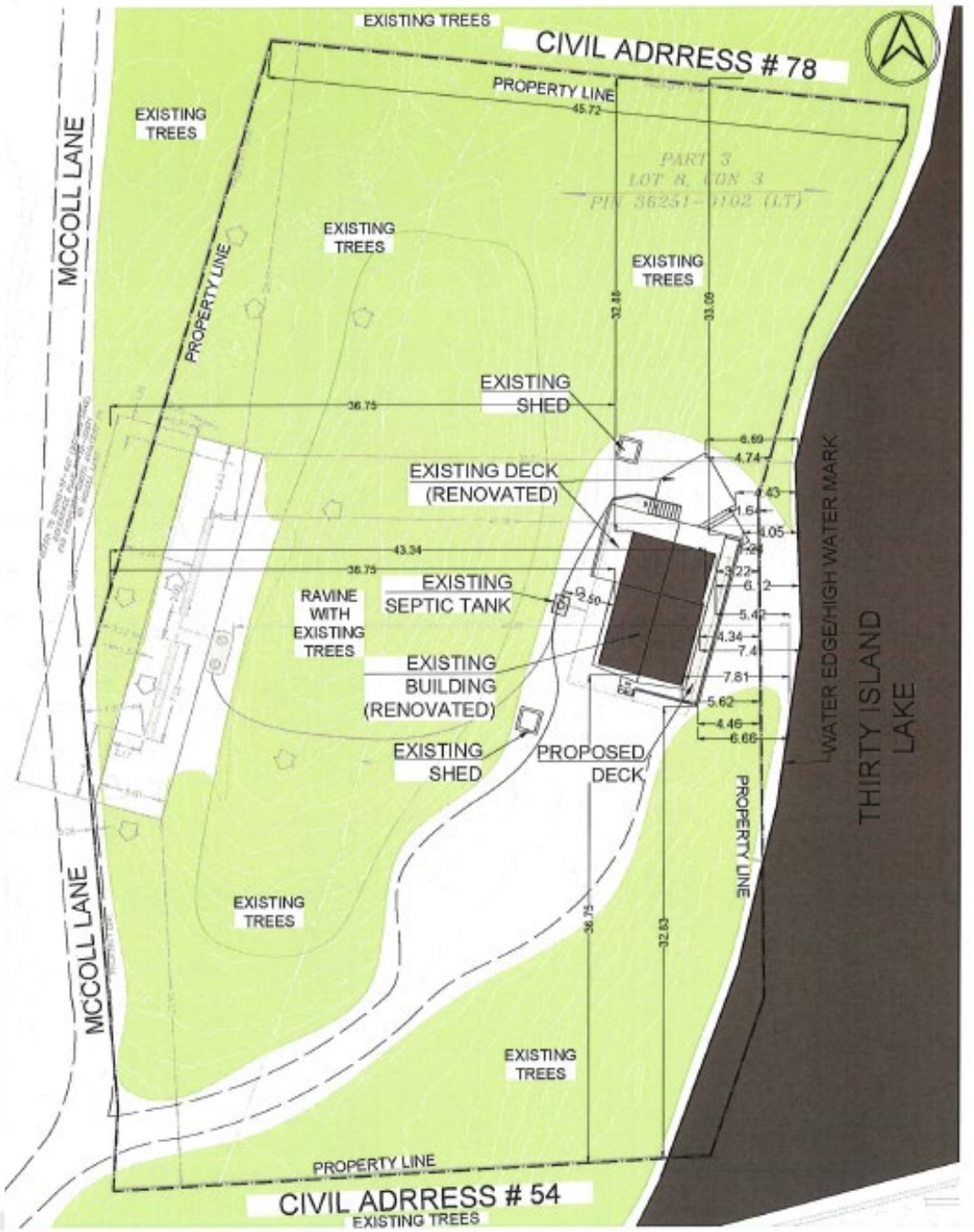
Background

- Building permit issued for cottage reconstructed without approvals
  - Same size (62.29sq.m. or 670.5sq.ft.)
  - Same height (~4.1m)
  - Same location
  - 3.2m highwater mark setback
- Minor variance needed for new deck constructed without approvals
  - 12.6m by 1.5m
  - 1.5m front lot line setback
  - 1.5m highwater mark setback
  - 0.5m top of bank setback



Source: Drawing AR-02 by Asterisk

South and west side of original cottage
(Source: from agent, building permit file)

North side of original cottage
(Source: from agent, building permit file)

East side of new cottage before deck
(Source: from agent, building permit file)

New deck on east side of new cottage

New deck relative to shoreline

Department, Agency and Public Comments

- **Quinte Conservation**
  - No objection
  - Slope stability analysis (Groundwork Engineering Ltd, 2024)
  - Deck footings in shoreline erosion hazard
  - Deck needs to be supported by cottage footings with cross-braces
  - O. Reg. 41/24 permit issued
- **Public** – no comments received

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Four Tests of a Minor Variance

1. Does not maintain the general intent and purpose of the Township of South Frontenac Official Plan
   - The deck would be accessory to the permitted residential use
   - In no case shall an already encroaching structure be permitted to encroach further on the setback from the highwater mark
   - Setback reduced from 3.2m to 1.5m
   - In the shoreline erosion hazard, but there are engineered plans to address
2. Does not maintain the general intent and purpose of Zoning By-law No. 2003-75
   - No opportunity for a deck to comply because of cottage location
   - A deck could be located so there is no further encroachment

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Four Tests (continued)

3. Is not desirable for the appropriate development of the lands in question
   - Very close proximity to highwater mark and deck
   - Existing, large deck on north side of cottage
4. Is not minor

Recommendation

- Denial

Questions & Comments

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

PL-ZNA-2025-0029
Committee Deliberation and Vote

Application PL-ZNA-2025-0033

Permission to Enlarge Legal Non Conforming Use

Applicant: Andrew & Cathy Knott

Property:3968 Hideaway Lane

Property Description

- ~0.86Ac; Frontage on Hideaway Lane & Dog Lake
- Existing development: Dwelling w/ attached decks, detached garage & storage structure
- Downward slope towards shoreline (levels near existing dwelling)
- Rural Designation & RLSW Zone

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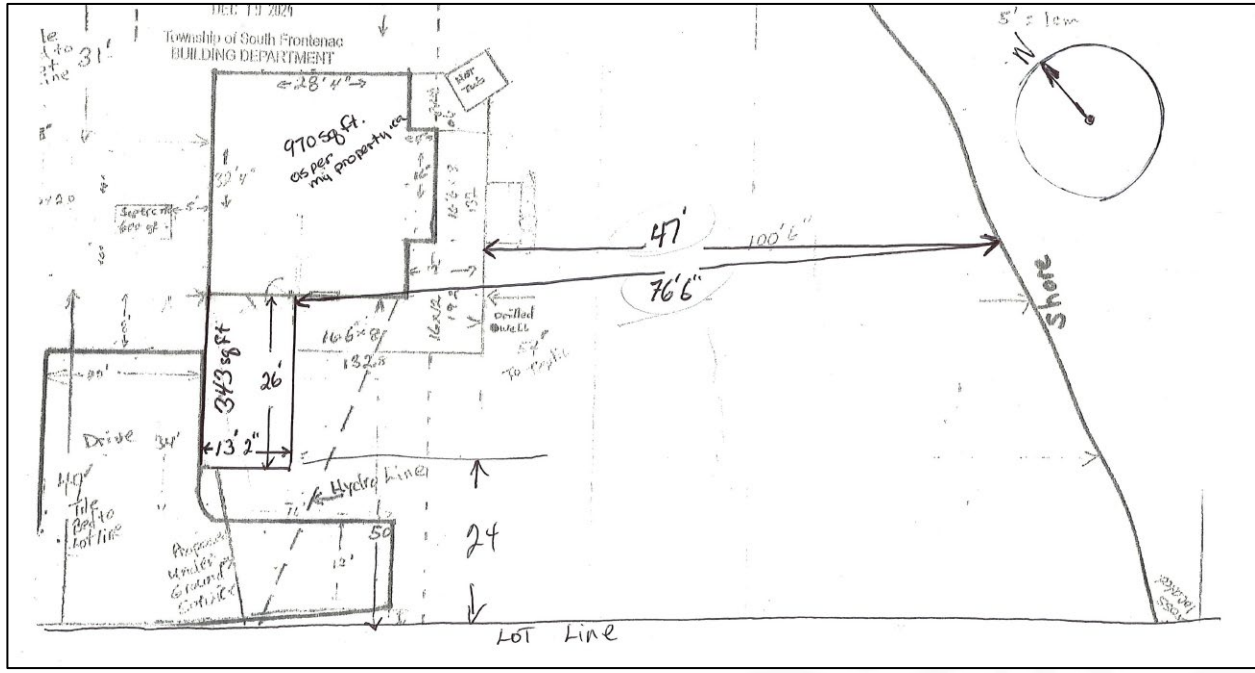
Proposal

- Construct a 32sqm (343sqft) addition
  - Increase gross floor area to 122sqm (1313sqft)
  - Increase building height to 14ft (4.3m)
  - ~23m from the HWM of Dog Lake
- Construct 6.2sqm (66sqft) covered entrance deck on non-water side
  - ~27m from HWM



Proposed Site Plan

Side view (location of proposed addition)

Rear view (Covered entrance deck location – right side of existing)

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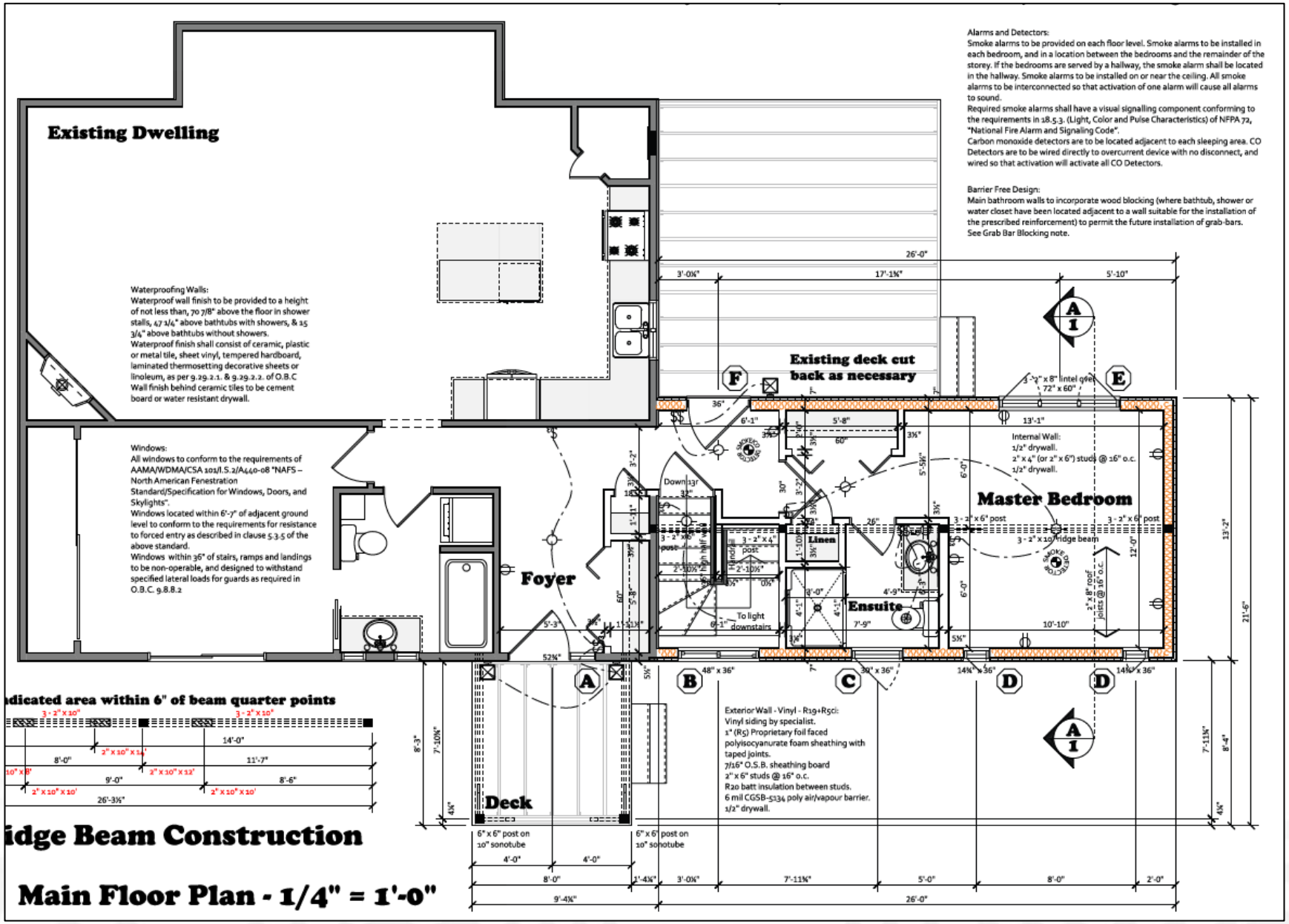
Front View

Shoreline area



Building Plans

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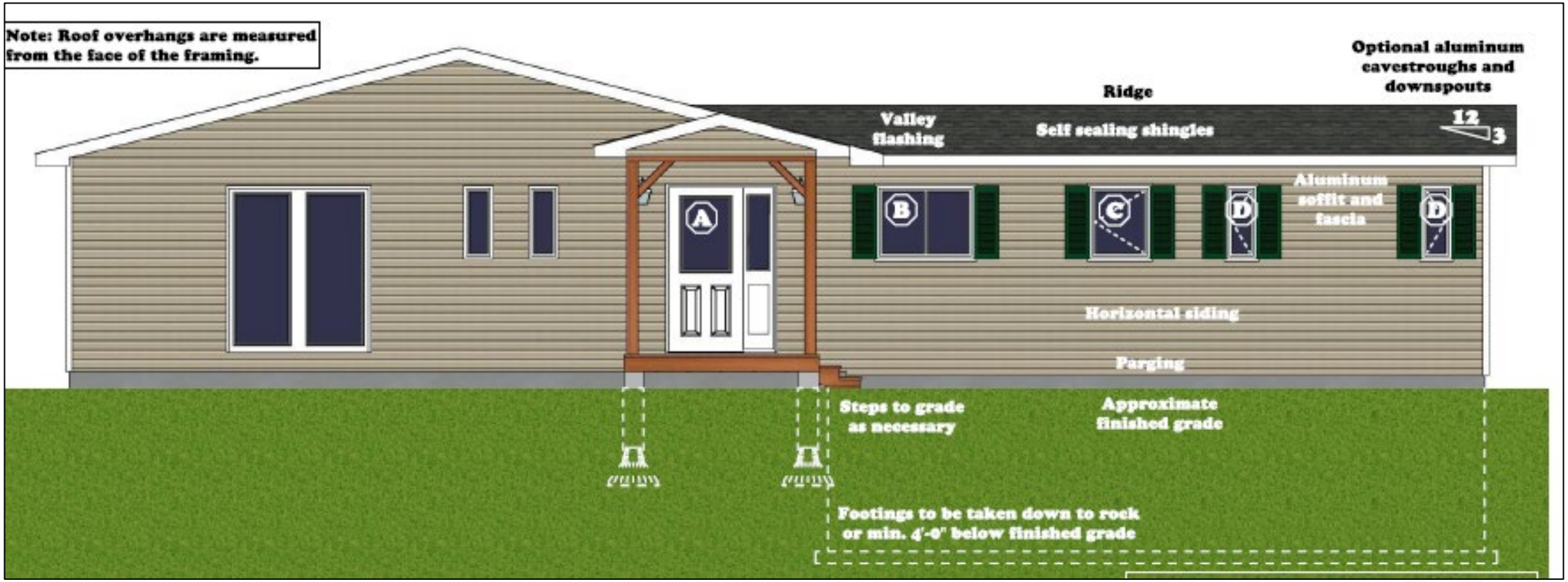

Conceptual drawing of dwelling w/ proposed addition

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Department, Agency and Public Comments

- **Cataraqui Conservation –** No Objection. CRCA permit required for proposed development
- **Building Services –** Did not formally review the application. Performance level review of existing system already conducted.
- **Public Services** – Not Circulated (Property fronts on private lane)
- **Public Comment** – None Received

Planning Analysis

- The criteria for considering an application under section 45(2) are:
  - Whether the application is desirable for the appropriate development of the subject property; and
  - Whether the application will result in undue adverse impacts on the surrounding properties and neighborhood.
- Dwelling setback ~16.5m from HWM, attached deck setback 14.3m. Proposed addition would be ~23m from the HWM, covered entrance deck ~27m. Proposal wouldn't result in further encroachment towards the water.
- Increase in gross floor area from 90.2sqm to 122sqm. Increase in ground floor area from 147sqm to ~185sqm (1% lot coverage increase). Increase in building height from 4m to 4.5m.
- The proposal is appropriate and is not anticipated to result in negative impacts on abutting properties or the lake.
- Planning Staff recommend a development agreement to ensure appropriate shoreline development practices.

SOUTH FRONTENAC

Recommendation

- Approval
- Pending any comments received
- Subject to conditions
  - The application is approved in accordance with submitted plot plans and building plans
  - Development agreements to address runoff, erosion controls, and maintenance of a healthy shoreline buffer
  - Building Permit

SOUTH FRONTENAC

Questions & Comments

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

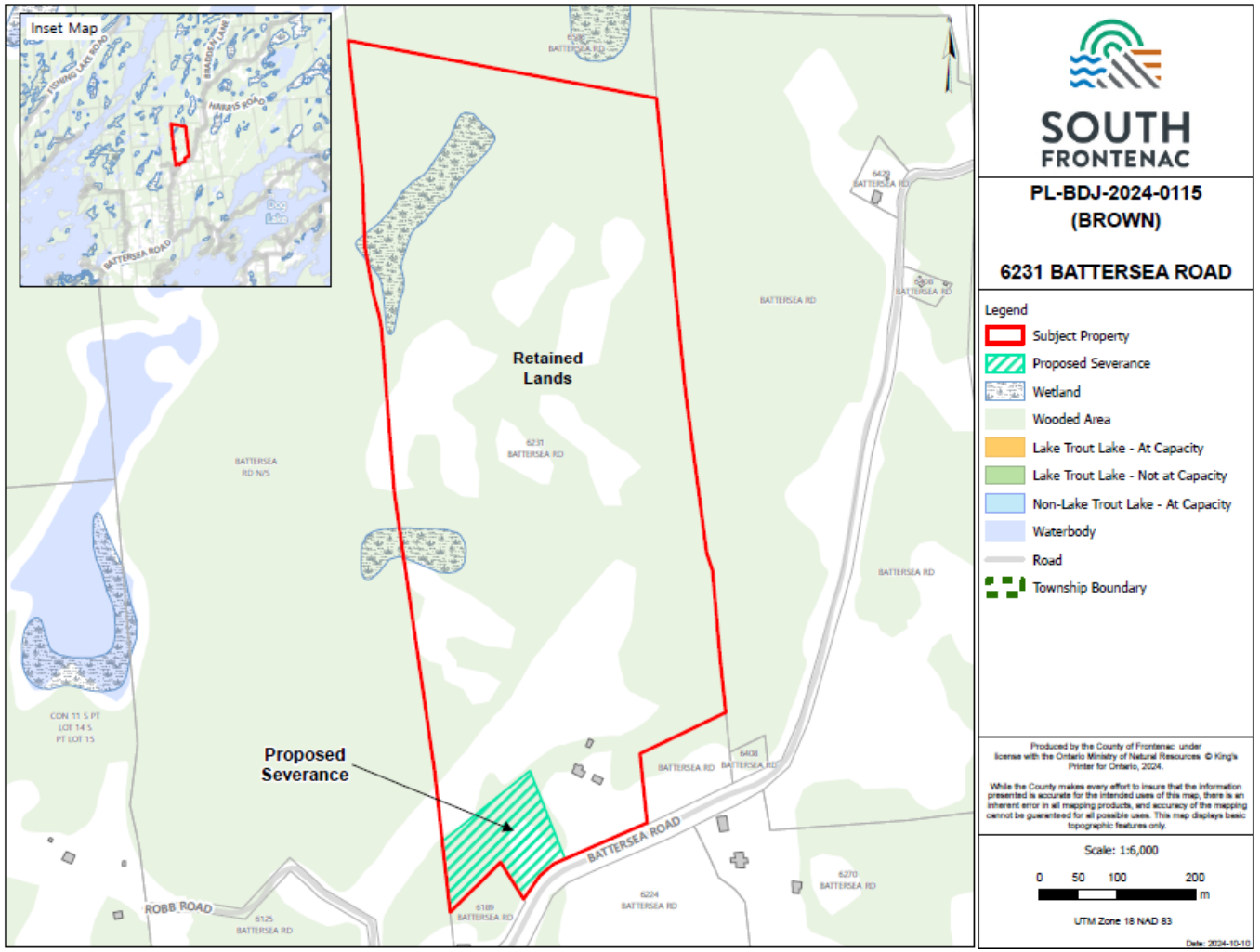
SOUTH FRONTENAC

PL-ZNA-2025-0033
Committee Deliberation and Vote

Delegated Consent Authority Report

PL-BDJ-2024-0115 – Storrington District

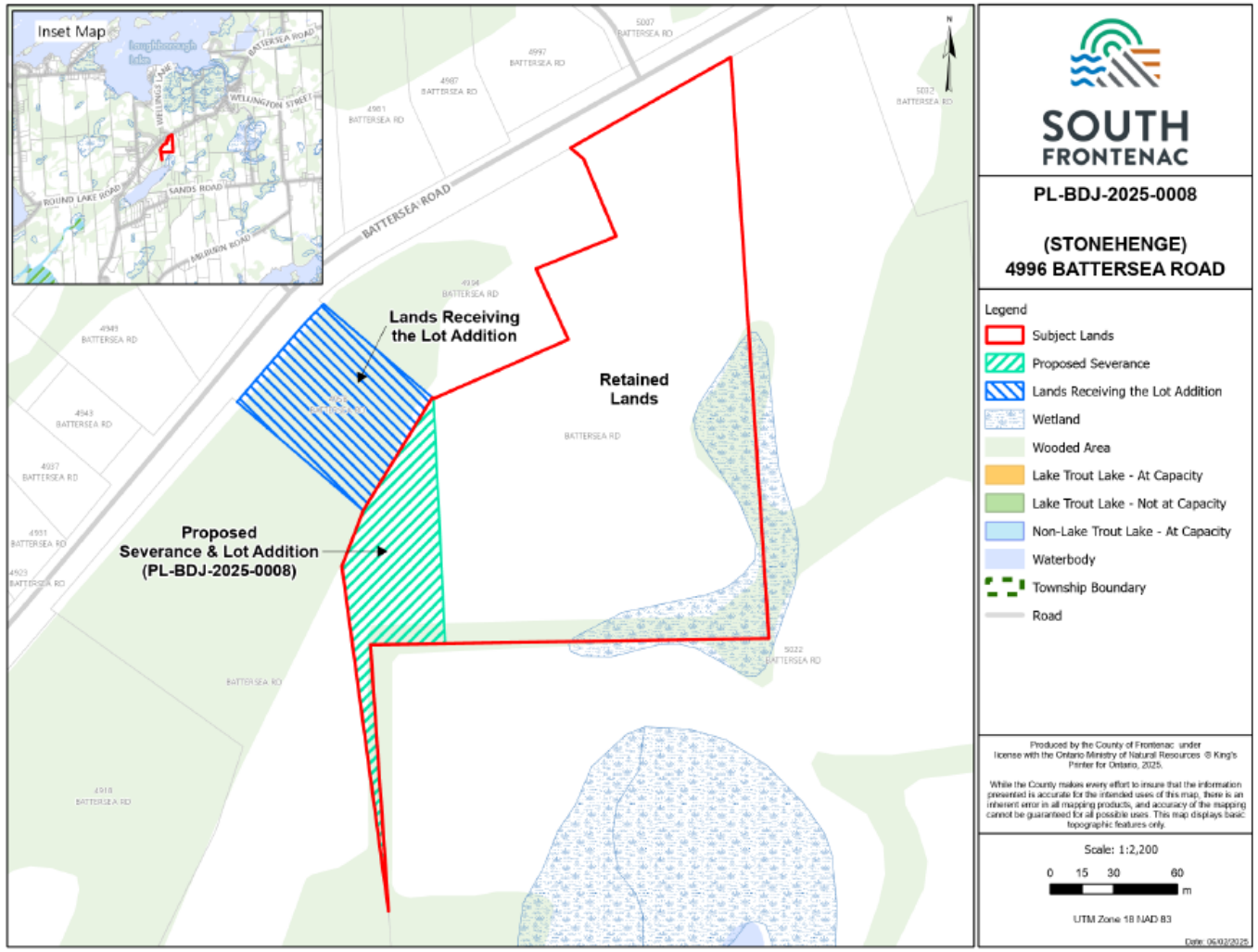
- Granted March 18, 2025
- 6231 Battersea Road
- Create one new rural residential lot
- Severed parcel
  - 3.7 acres in area
  - 76m of frontage on Battersea Road
  - Vacant
- Retained lands
  - 107 acres in area
  - 109m frontage on Battersea Road
  - Developed (dwelling, barn, garage, sheds)



Delegated Consent Authority Report

PL-BDJ-2025-0008 – Storrington District

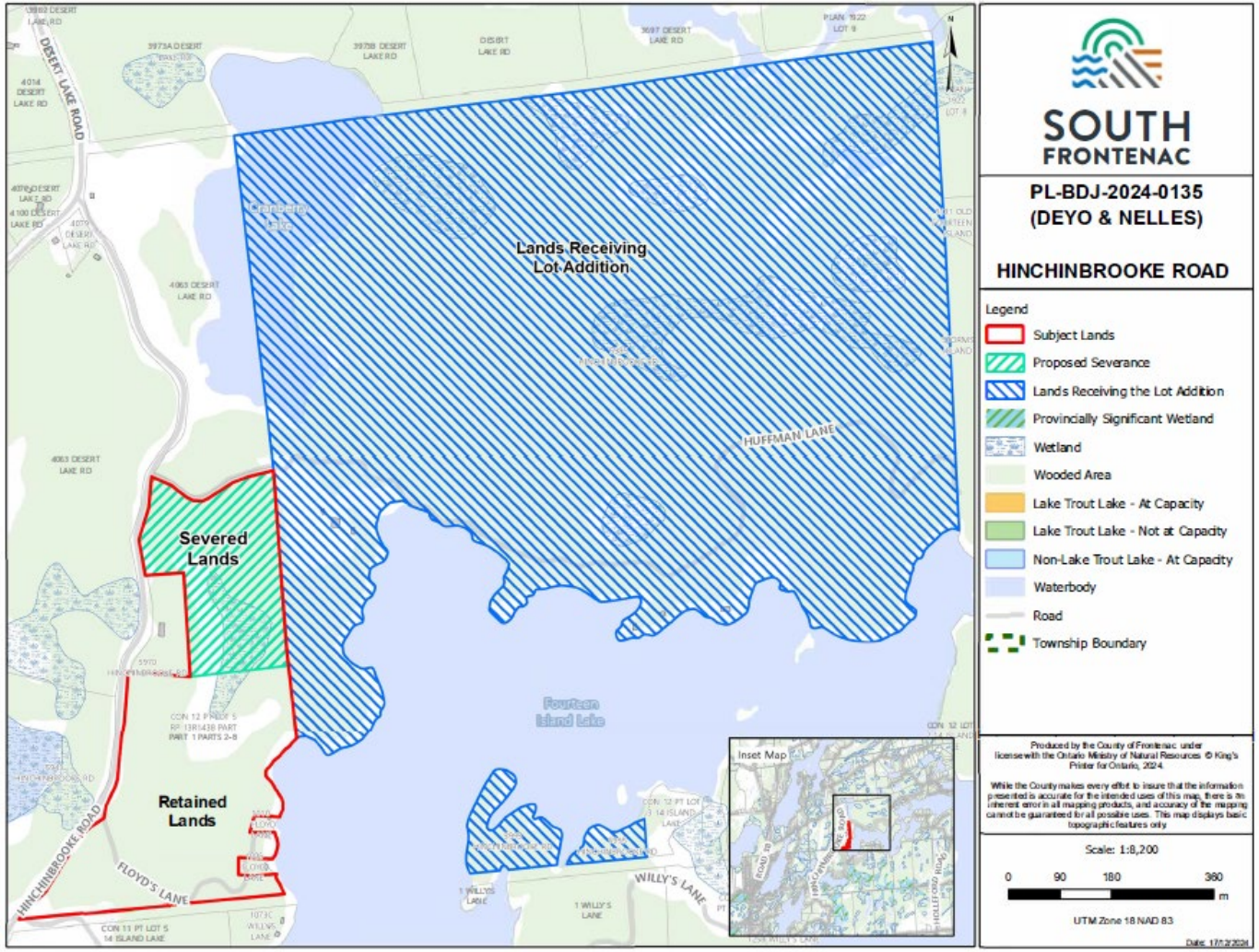
- Granted March 20, 2025
- 4996 Battersea Rd
- Rural Residential Lot Addition
- 1 acre in area
- To be conveyed to 4958 Battersea Road
- Retained Lands: 4 acres in area, 88m frontage



Delegated Consent Authority Report

PL-BDJ-2024-0135 – Storrington District

- Granted March 20, 2025
- Unaddressed lands on Hinchinbrooke Road
- Rural Residential Lot Addition
- 16 acres in area
- To be conveyed to 5995 Hinchinbrooke Road
- Retained lands: 30 acres in area, 504m frontage



Adjournment

Township of South Frontenac
Committee of Adjustment Meeting
Minutes

Meeting # 2025-02

Time: 7:00 PM
Location: Storrington Centre/Virtual Via Zoom

Present: Norm Roberts, Ray Leonard, Steve Pegrum, Scott Trueman, Alan Revill, Brett Moreland, Kevin Fox, Mike Howe

Absent:

Staff: Christine Woods, Manager of Planning, Noah Perron, Planner, Colin Herrewynen, Planner, Kate Kaestner, Planning Clerk & Secretary-Treasurer

1 Call to Order

a) Resolution.

Resolution No. 2025-02-01
Moved by: Kevin Fox
Seconded by: Norm Roberts

THAT the March 13, 2025 meeting of the Committee of Adjustment for the Township of South Frontenac is hereby called to order at 7:00 PM.

2 Adoption of Agenda

a) Resolution.

Resolution No. 2025-02-02
Moved by: Ray Leonard
Seconded by: Brett Moreland

THAT the Committee hereby adopts the Agenda for the March 13, 2025 Committee of Adjustment meeting.

Carried

3 Electronic Meeting Information

a) The meeting was live streamed at the following link: http://www.facebook.com/SouthFrontenacTwp/

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

4 Declaration of pecuniary interest

a) There were none.

5 Approval of Minutes – February 13, 2025

a) Resolution.

Resolution No. 2025-02-03
Moved by: Alan Revill
Seconded by: Mike Howe

THAT the Committee hereby approves the minutes of the February 13, 2025 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-2023-0004 (Vowles) - Storrington District

Property Address: 4938 Alex McLean Lane

Purpose & Effect of the Application:

The applicant proposes to demolish the house and garage on the property and to construct a new house and detached garage. The house would be 26m from the highwater mark of Loughborough Lake to the south and 17m from the highwater mark to the east. A minor variance is being requested to allow the house to be setback less than the 30m from the highwater mark required by the Zoning By-law.

Christine Woods, Manager of Planning, delivered her report to the Committee with a staff recommendation that the application be approved, subject to conditions.

Steve Pegrum, Chair of the Committee, asked whether the applicant or their agent wished to address the Committee.

Scott Vowles, applicant, thanked Ms. Woods for her presentation. He stated that the proposed location of the dwelling is the only possible location that would be outside of the floodplain. He stated that by moving the dwelling further from the lake, it will improve the overall condition of the property and protect the lake.

Mr. Pegrum inquired (3 times) as to whether there were any members of the public who wished to comment or ask questions regarding the application. None heard.

The Chair asked the Committee if they had any questions regarding the proposal. None heard.

Kate Kaestner, Planning Clerk & Secretary-Treasurer, read the resolution for approval of the application, subject to conditions.

Mr. Pegrum inquired as to whether there were any comments from Committee members regarding the resolution. None heard.

Resolution No. 2025-02-04
Moved by: Brett Moreland
Seconded by: Ray Leonard

THAT the Committee of Adjustment hereby approves minor variance application PL-ZNA-2023-0004, for property municipally addressed as 4938 Alex McLean Lane, permitting a 325 square metre single detached dwelling to be constructed 26 metres and 17m from the highwater mark of Loughborough Lake, and to establish a 5.8% lot coverage for the principal building, subject to conditions.

Carried

b) PL-ZNA-2025-0010 (Widrow) - Bedford District

Property Address: 1125 James Wilson Road

Purpose & Effect of the Application:

To request permission under section 45(2) of the *Planning Act* to enlarge the legal non-conforming dwelling within 30m of the highwater mark of Canoe Lake. The applicant proposes to enlarge the existing 142sqm dwelling with attached deck. The proposed enlargement would involve renovating and adding area to the existing main floor (primarily the eastern side), adding a partial second storey above the renovated eastern side, and screening in a portion of the renovated attached deck on the western side. The enlarged dwelling would have a gross floor area of ~272sqm, a building height of 10m, and would be setback ~24.8m from the highwater mark, with the attached deck being setback ~19.1m from the highwater mark.

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

Mr. Pegrum inquired as to whether the applicant or their agent wished to address the Committee.

Martin Mack (Concord Homes), agent for the applicant, commended Mr. Perron's presentation of their proposal. Mr. Mack stated that there was a large granite outcrop on the subject property, which really limits the development envelope. He stated that they intended on installing anew septic system on the property which will be located outside of the 30 metre setback, and stated that he was happy to answer any questions that may arise.

Mr. Pegrum inquired (3 times) as to whether there were any members of the public who wished to comment or ask questions regarding the application. None heard.

The Chair asked the Committee if they had any questions regarding the proposal. None heard.

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

Mr. Pegrum inquired as to whether there were any comments from Committee members regarding the resolution. None heard.

Resolution No. 2025-02-05
Moved by: Norm Roberts
Seconded by: Kevin Fox

THAT the Committee hereby approves application PL-ZNA-2025-0010, for property municipally addressed as 1125 James Wilson Road, granting permission to enlarge the existing legal non-conforming dwelling within 30 metres of the highwater mark of Canoe Lake, subject to conditions.

Carried

10 Other Business

a) Delegated Consent Authority Report

Kate Kaestner delivered her report to the Committee.

There were no questions brought forth by Committee members.

11 Adjournment

a) Resolution.

Resolution No. 2025-02-06
Moved by: Mike Howe
Seconded by: Alan Revill

THAT the March 13, 2025 meeting of the Committee of Adjustment for the Township of South Frontenac is hereby adjourned at 7:24 PM, to reconvene on Thursday, April 10, 2025 at 7:00 PM or at the call of the Chair.

Carried

_____
Steve Pegrum, Chair

TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION

For Office Use Only

Date Received: _____ File Number: _____

1. Name of Owner(s): Arie and Katherine Doorne Kamp

Full Mailing Address of Owner(s): 1146 Devil Lake Road
Westport ON K0G 1X0

Phone number of Owner(s): [redacted]

Email Address of Owner(s): [redacted]

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

Name of Authorized Applicant/Agent: _____

Full Mailing Address of Authorized Applicant/Agent: _____

_____

Phone number of Authorized Applicant/Agent: _____

Email Address of Authorized Applicant/Agent: _____

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

_____
Signature(s) of Owner(s)

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

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

[redacted]wner) _____ (Signature of the property owner) Aug 16/24 (Date)

TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION

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

☑ Yes ☐ No Date Fee Paid: _____

Name of Planner: Noah Perrin Date of Meeting: _____

5. The description of the subject land:

District: ☑ Bedford ☐ Portland ☐ Loughborough ☐ Storrington

Civic Address: 1146 Devil Lake Road, Westport ON

Concession Number: 12 Lot Number: 14 BP

Reference Plan Number: 13R 16106 Part Number(s): Part 1

Roll Number: 010 010 24801 0000

Property Identification Number (PIN): _____

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

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

Name of Waterbody: _____ Name of Road/Lane: _____

Depth(m): _____ Area(acres/ha): _____

7. Select the type of consent being applied for:

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

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

Creation of a lot for sale to a potential buyer.

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

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

	Severed Lot (Proposed new lot):	Retained Lot:
Frontage on Road/Lane (m):	~~[illegible]~~ 130 m	182 m
Name of Road/Lane:	Devil Lake Rd	Devil Lake Rd
Frontage on Water (m):	N/A	N/A
Name of Waterbody:	Pond - no name	Pond - no name
Depth (m):	473 m	473 m
Acres (acres or ha):	22 ~~[illegible]~~ acres	324 ~~[illegible]~~ acres

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

	Severed Lot (Proposed new lot):	Retained Lot:
Existing Use of Lot:	Sale	Residential
Existing Buildings/Structures:	none	House
Proposed Use of Lot:	Unknown	residence
Proposed Buildings/Structures:	none	N/A

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

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

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

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

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

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

	Lot Addition:	Retained Lands:	Benefitting Lands:
Existing Use of Lot:		Owner's Residence	Recreational
Existing Buildings/Structures:		Residence	None
Proposed Use of Lot:		Sale to new owner	Sale
Proposed Buildings/Structures:		none	none

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

Length:_____ Depth: _____ Width: _____ Area: _____

Civic address of Benefitting lands:_____

Roll Number of Benefitting Lands: _____

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

_____

_____

_____

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

(NEW LOT) Severed Parcel	Retained Parcel
☐ Municipal water system	☐ Municipal water system
☐ Privately owned and operated well	☑ Privately owned and operated well
☐ Lake water	☐ Lake water
☑ Other: Drilled well	☐ Other: _____

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

(NEW LOT) Severed Parcel	Retained Parcel
☐ Publicly owned and operated communal septic system	☐ Publicly owned and operated communal septic system
☐ Privately owned and operated individual septic system:	☑ Privately owned and operated individual septic system:
☐ Leaching Bed (Class 4)	☐ Leaching bed (Class 4)
☐ Holding Tank (Class 5)	☐ Holding Tank (Class 5)
☐ Greywater Pit (Class 2)	☐ Greywater Pit (Class 2)
☐ Privy/Outhouse (Class 1)	☐ Privy/Outhouse (Class 1)
Unknown	

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

Unknown

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

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

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

17. Name of road or lane which accesses:

The new lot (lot addition or Right of Way): Devil Lake Rd.

The retained lot: Devil Lake Rd.

Please indicate whether access to the land will be by:

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

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

The New Lot: N/A

The Retained Lot: N/A

18. What is the zoning of the subject lands? (Check www.frontenacmaps.ca)

Rural

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

Rural

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

Do not Know

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

☐ Yes ☐ No ☑ Unknown

Please explain:

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

☐ Yes ☒ No ☐ Unknown			
Application Type	Application Number	Date of Application	Decision
☐ Plan of Subdivision			
☐ Consent			
☐ Minor Variance			
☐ Site Plan Approval			
☐ Official Plan Amendment			
☐ Zoning By-law Amendment			
☐ Minister's Zoning Order			

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

☑ Yes Perry McBain ☐ No 06/2019

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

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

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

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

TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION

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

DECLARATION FOR THE PRESCRIBED INFORMATION

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

I/We, Katherine Doornekamp + Aric Doornekamp,
(Name of Owner / Agent)

of Westport ON
(Municipality, Town, City name)

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

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

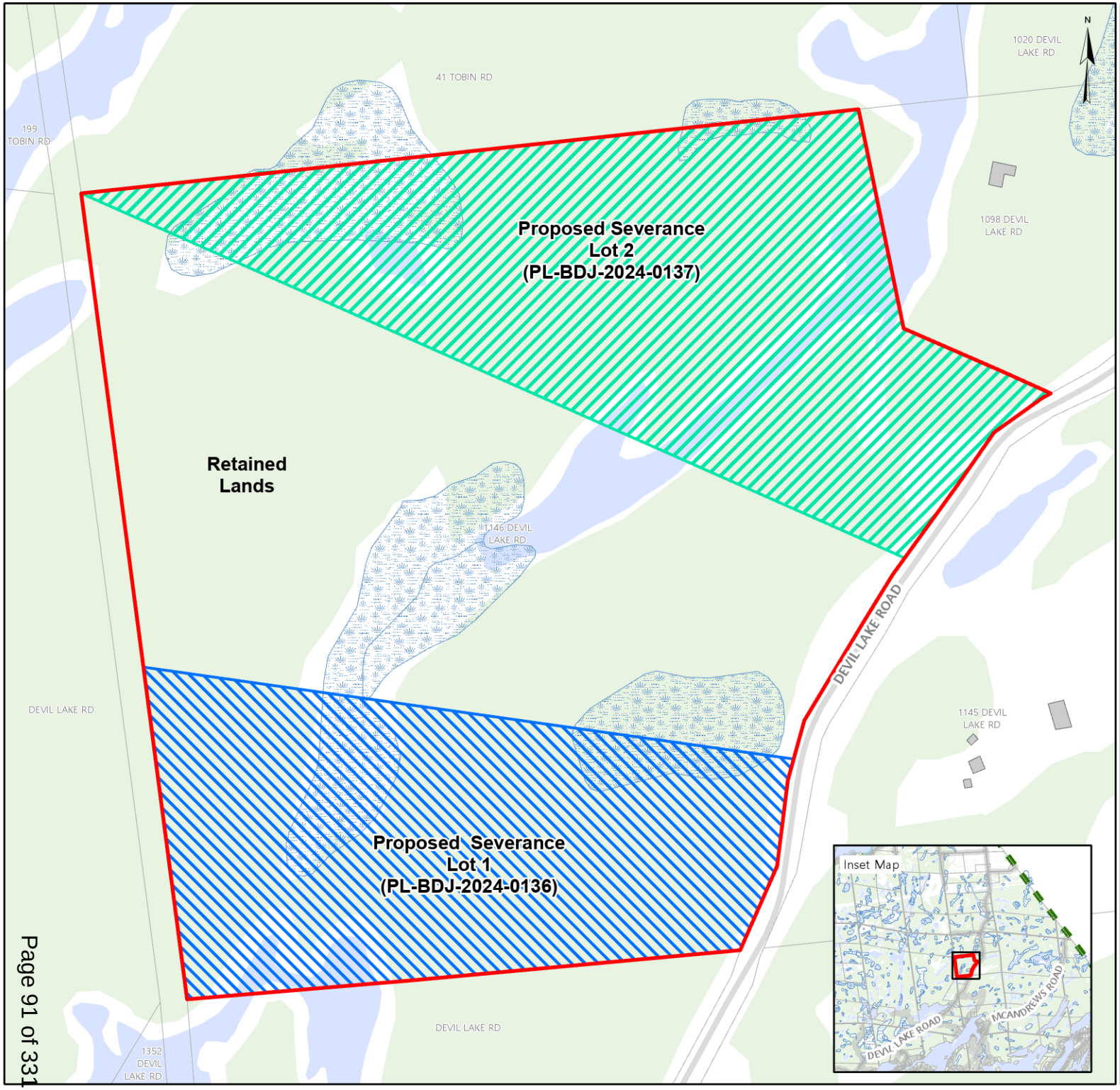
On this 19th day of November, 2024.
(Day) (Month) Year)

Kamila Seitkhanova
Commissioner of Oaths Signature

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

Affix Commissioner of Oaths stamp below signatures

Kamila Seitkhanova, a Commissioner, etc.,
Province of Ontario, for the Corporation of
the Township of South Frontenac.
Expires August 14, 2027.



SOUTH FRONTENAC

PL-BDJ-2024-0136
PL-BDJ-2024-0137
(DOORNEKAMP)
1146 DEVIL LAKE ROAD

Legend

- Subject Lands
- Proposed Severance (Lot 1)
- Proposed Severance (Lot 2)
- Provincially Significant Wetland
- Wetland
- Wooded Area
- Lake Trout Lake - At Capacity
- Lake Trout Lake - Not at Capacity
- Non-Lake Trout Lake - At Capacity
- Waterbody
- Road
- Township Boundary

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

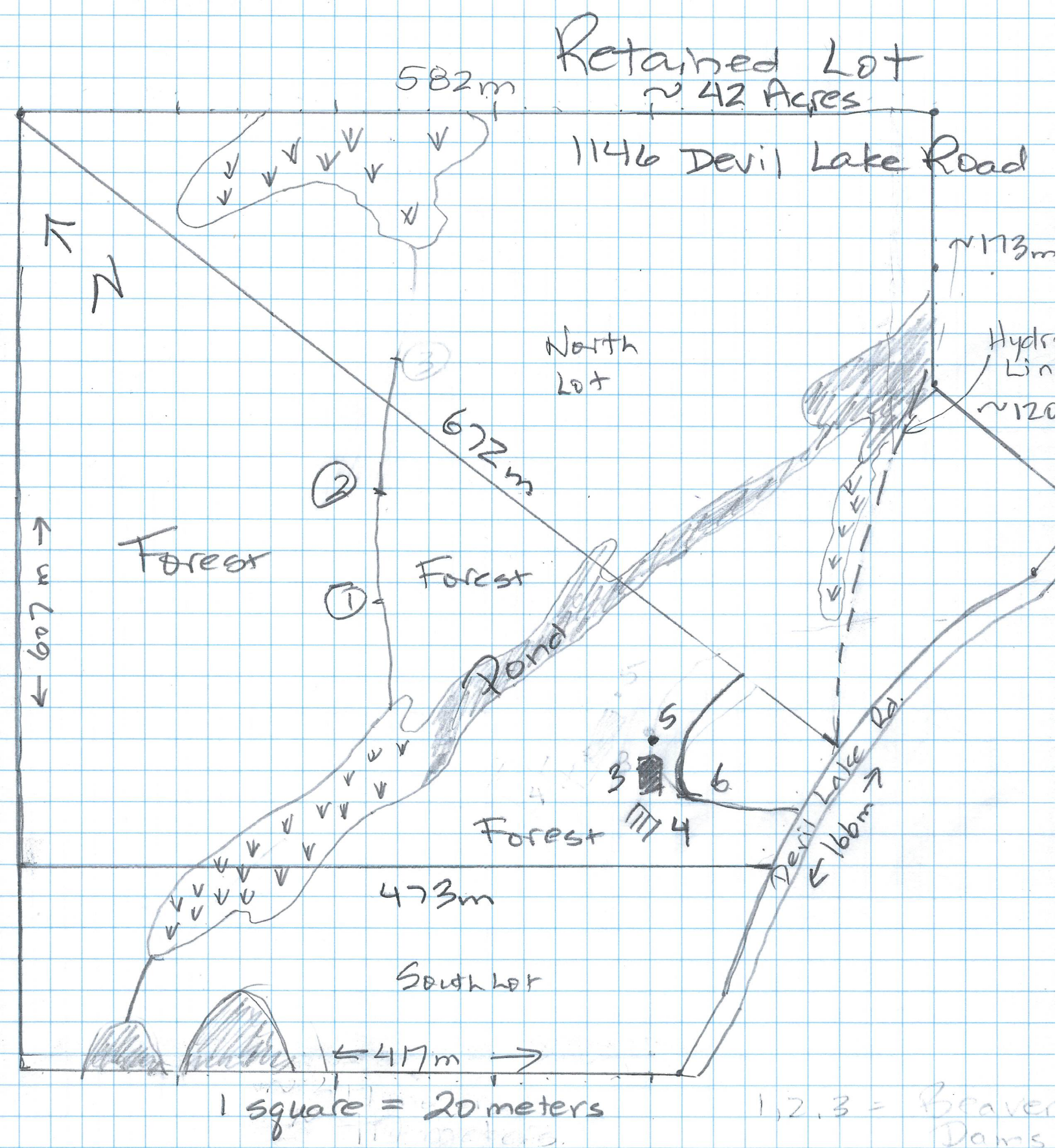
While the County makes every effort to insure that the information presented is accurate for the intended uses of this map, there is an inherent error in all mapping products, and accuracy of the mapping cannot be guaranteed for all possible uses. This map displays basic topographic features only.

Scale: 1:4,000

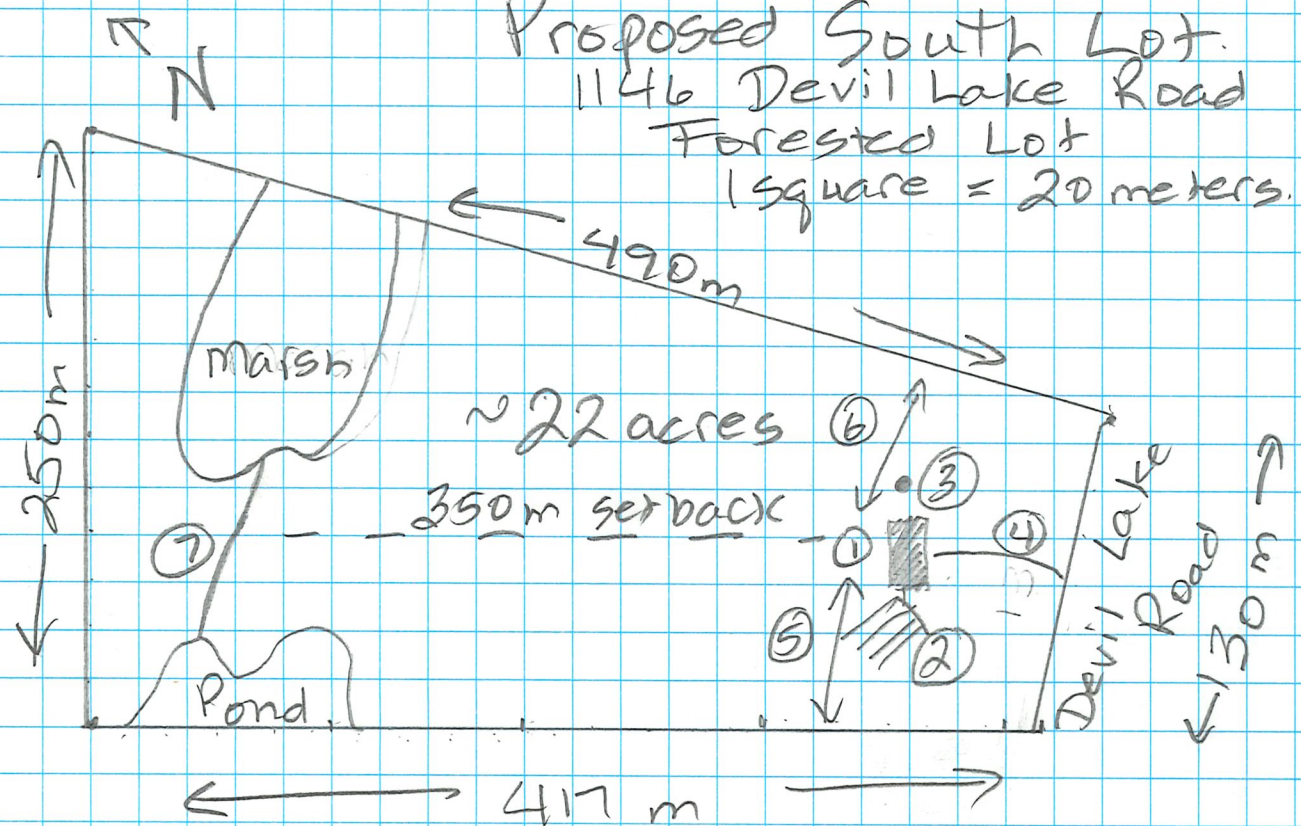
0 45 90 180 m

UTM Zone 18 NAD 83

Date: 20/12/2024


Retained Lot
~42 Acres
582m
1146 Devil Lake Road
~173m
North Lot
Hydro Line
~120
672m
Forest
Forest
Forest
Road
Devil Lake Rd.
~166m
473m
South Lot
417m
1 square = 20 meters
1,2,3 = Beaver Dams
1+2 = Beaver Dams
3 = Building Envelope (Existing)
4 = Sephic Field
5 = Well
6 = Driveway

Proposed South Lot.
1146 Devil Lake Road
Forested Lot
1 square = 20 meters.



1 = House Envelope
2 = Septic
3 = Well
4 = Driveway ~ 50 meters.
5 = 55 meters to lot line
6 = 70 meters to lot line
7 = Beaver Dam

To whom it may concern.

We are in receipt of Notice of Consent Applications PLBDJ20240136 and PLBDJ20240137

1146 Devil Lake Road.

We object to the further severance of the property aforementioned due to the fact that it will

- lead to further applications to build once the severances are approved.
- leading to further silting up of the pond at the road on our property
- leading to an unsustainable density of human occupation in a short stretch of Devil Lake Road
- leading to an unsustainable demand on water resources and the water table

Background

We have been in residence in the original log cabin for the past twenty plus years and have a very modest impact on the water table. For one thing, we don't have conventional baths, showers, laundry facilities, dishwashers and you name it, yet we know the table has lowered around us, as we experience the shifts in climate, patterns of rainfall and drying winds. We know the new homes that will be coming will have substantially more demand on water.

The applicant likely has several previous applications to sever on file, since anecdotally we have seen development on all the land the owner has on that side of Devil Lake Road, for a considerable stretch, already. Enough is enough we feel. This area is zoned low density residential in our understanding. The land is better conserved for habitat for other living things besides human occupation.

We will appreciate being notified of decisions in respect of the proposed consent.

Thank you for considering our concerns

We are,

Jayne Walker and Leigh Manierka

1145 Devil Lake Road

Box 145, Westport, Ontario

K0G 1X0

[redacted]

Ryan P. Bissonnette
443 Shipton Lane | South Frontenac, ON |K0G 1X0
[redacted] | [redacted]

Kate Kaestner
Planning Clerk
Development Services Department
Township of South Frontenac
P.O. Box 100, Sydenham, ON
K0H 2T0

2025-02-12

Re: Notice of Consent Applications PLBDJ20240136 & PLBDJ20240137

Ms. Kaestner,

Please accept this letter of support for the above noted consent to sever applications. The creation of two new rural lots with the potential for additional homes on Devil Lake Road would be beneficial to the general area. New housing also supports the Official Plan of the Township and the additional housing goals of the Province of Ontario.

Thank you,

Ryan Bissonnette

Report from Public Services

Application Number: PL-BDJ-2024-0136

Applicant's Name: Arie and Katherine Doornekamp

Concession: 12 **Lot:** PT Lot 14 **District:** Bedford

Road: Devil Lake Road

Road Maintenance: Year-round ☑ Seasonal ☐

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

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

RETAINED PARCEL: ADEQUATE ENTRANCE SIGHT LINES.

SEVERED PARCEL: ADEQUATE ENTRANCE SIGHT LINES

Road Conditions:

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

   Yes ☐ No ☑

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

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

   Yes ☑ No ☐

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

Road Widening Required?

Yes ☐ No ☐ To be determined by an Ontario Land Surveyor ☑

Any specific requirement?

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

Approved by the Public Services?

Yes ☑ Yes, with conditions ☐ No ☐

If yes, with conditions, please describe conditions below.

Evan Bancroft

Signature on behalf of Public Services

2025-02-04

Date

Township of South Frontenac
Building Services
4432 George Street, Box 100
Sydenham, ON K0H 2T0
613-376-3027
www.southfrontenac.net

Sewage System Review Comments

To:	Secretary-Treasurer, Committee of Adjustment Township of South Frontenac 4432 George St, Box 100 Sydenham, ON K0H 2T0
Application Number:	PLBDJ20240136
Type of Application or Proposal:	Planning Sewage Review - Consent Application
Applicant: **(if applicable) Agent:**	Arie & Katherine Doornekamp
Location:	102901001024801 1146 DEVIL LAKE ROAD BEDFORD CON 12 PT LOT 14 RP;13R16106 PT PART 1
Comments:	Test holes dug on site by mechanical excavation, approximately 0.25m deep. The area is predominantly undulating terrain, well treed with granite outcrops and low-lying swampy areas. Soil is a mix of organics and clay loam. Unless a more ideal location is found prior to construction, any future on-site sewage system may need an additional layer of imported clay loam soil, approximately 0.10 to 0.15m thick, to ensure that the entire future sewage system footprint is above bedrock.
Building Inspector:	Matthew Doyle
Date:	March 21, 2025

February 6, 2025

File: SEV/FRS/15/2025
SEV/FRS/16/2025

Sent by E-mail

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

Dear Mr. Perron:

Re: Consent Applications PL-BDJ-2024-0136 & 0137 (Lot Creation)
1146 Devil Lake Road; Concession 12, Lot 14 RPLAN 13R16106
Township of South Frontenac (Bedford)
Waterbody: Un-named Tributaries / Unevaluated Wetlands

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

Summary of the Proposal

The applicant has requested two severances that seek to divide the property into three parcels. The proposed severance would result in the creation of two new lots for residential development. Severed Parcel 1 will have an area of 8.9 ha (22 acres) with 130 m of frontage on Devil Lake Road. Severed Parcel 2 will have an area of 11.3 ha (28 acres) with 127 m of frontage on Devil Lake Road. The retained parcel will have an area of 12.9 ha (32 acres) with 182 m of frontage on Devil Lake Road. The retained parcel is developed with an existing single detached dwelling and associated well and septic system.

Site Description

The subject lands are located on the west side of Devil Lake Road, south of Tobin Road and north of Shipton Lane. The lands contain an un-named watercourse and unevaluated wetland features that drain to Dead Creek and Loon Lake and are within the Great Cataraqui River watershed. The watercourse and wetland features run from south to north and bisect the property. There is an existing dwelling and associated well and septic system in the approximate middle of the property adjacent to Devil Lake Road. The remainder property is treed, and the topography can be described as undulating.

Discussion

CRCA's scope of review with respect to this application is the avoidance of natural hazards (e.g. flooding and erosion) associated with the un-named watercourse and unevaluated wetlands on the property.

Natural Hazards / Ontario Regulation 41/24

Surface Water Features

There is an unnamed watercourse running through the subject lands that flows into Dead Creek eventually draining into Loon Lake. There are also unevaluated wetland features on the subject lands. A suitable buffer area is necessary between any new development and the watercourse, as a buffer acts to protect the functions of these features and to avoid damaging flooding of property and erosion normally associated with these features.

Flooding: CRCA does not have floodplain mapping for these watercourses. Consequentially, our regulatory policies under O.Reg. 41/24 require any new development to be set back at least 30 metres from the top of bank of the watercourse. The 30 metre setback is consistent with the 30 metre setback as required by Section 5.8.2(a) of the Township's Zoning By-law.

Based on elevation mapping and the sketch submitted with the application, the existing development on the retained lot is located outside of this setback and the proposed severed lots will have sufficient area to accommodate future development outside of the applicable 30 metre setback from the watercourse and wetlands.

Erosion: Section 5.8.2(b) of the Zoning By-law specifies that no building or structure or septic system installation shall be located within a minimum of 15 metres horizontal of the top of bank of any embankment, the slope of which is greater than 30% from horizontal. CRCA regulates the erosion hazard including stream valley extending to the stable top of slope and an allowance of 15 metres from the stable top of slope.

Based on elevation data and the sketches submitted with the applications, CRCA staff are satisfied that the existing development is located outside of areas susceptible to erosion and that there are suitable building envelopes on the proposed severed lots outside of the erosion hazard limit.

Wetlands

As noted, there are areas of wetland on the subject lands. CRCA's Guidelines for Implementing Ontario Regulation 41/24 typically require new development and site alteration to be set back a minimum of 30 metres from wetlands, to protect the hydrologic function of wetland.

Based on the site plan submitted with the application, the existing development on the retained lands is located outside of the 30 metre setback from wetlands. Additionally, the proposed severed lots will have sufficient area to accommodate future development outside the applicable 30 metre setback from the wetlands.

Staff have no concerns from a natural hazards and regulatory perspective. We recommend that native vegetation (trees, shrubs, native plants) within 30 metres of watercourse and wetlands on the lots be kept in place, to help stabilize soils and protect the hydrologic function of the wetland in the long-term.

Recommendation

Staff have no objection to the approval of applications PL-BDJ-2024-0136 & PL-BDJ-2024-0137 based on our consideration for natural hazards and regulatory policies. We also recommend the above-noted environmental measures (in bold).

Ontario Regulation 41/24

Please note that portions of the subject lands are subject to Ontario Regulation 41/24: *Prohibited Activities, Exemptions and Permits* (formerly O. Reg. 148/06), which is administered by the CRCA. The purpose of the regulation is to ensure that proposed changes (e.g. development and site alteration) to a property are not affected by natural hazards, such as flooding and erosion, and that the changes do not put other properties at greater risk from these hazards. Also, to ensure the protection of wetlands. **Current and future landowners are advised to contact CRCA before considering any work within 30 metres of the watercourses and wetlands on the subject lands. The regulation also applies to any proposed alterations (including new crossings) to watercourses and wetlands. We note that construction of new crossings (i.e. new roads or trails) through the wetland area on the south lot and retained lot would not be permitted by CRCA.**

Please inform this office of any decision made by the Committee with regard to these applications. If you have any questions, please contact the undersigned at 613-546-4228 ext. 239, or by e-mail at estucke@crca.ca

Sincerely,

Emma Stucke

Emma Stucke, RPP, MCIP
Resource Planner

cc. Applicant, via email

Township of South Frontenac

Staff Report

To: **Committee of Adjustment**

From: **Development Services Department**

Report Date: **April 10, 2025**

Subject: **Consent Applications PL-BDJ-2025-0136 & PL-BDJ-2025-0137, Doornekamp, 1146 Devil Lake Road, Bedford District**

Summary

These applications are for the creation of two residential lots. This report recommends approval of these applications. The Committee of Adjustment is being asked to make a decision on these applications, as they are disputed consent per By-law 2020-27 because there are unresolved issues or concerns from the public regarding the overall development proposal for the property.

Background

The purpose of the applications is to create two new rural residential lots. The retained parcel will continue to be used for residential purposes.

Related Applications

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

Application Details

The proposed severed parcel for application PL-BDJ-2024-0136 (Lot 1) would have an area of approximately 22Ac and 130m of frontage on Devil Lake Road. The proposed severed parcel from application PL-BDJ-2024-0137 (Lot 2) would have an area of approximately 28Ac and 172m of frontage on Devil Lake Road. The retained parcel would have approximately 32Ac of area and 182m of frontage on Devil Lake Road and would contain the existing dwelling on the subject property.

Designation and Zoning

The subject property is predominantly designated Rural, with a watercourse and unevaluated wetland being designated Environmental Protection, in Schedule A of the Township Official Plan. The property is zoned Rural (RU) in Zoning By-law No. 2003-75.

Review

These applications:

✓ Conform to section 51(24) of the *Planning Act*;

- ✓ Do not require a plan of subdivision for the proper and orderly development of the municipality (s. 53(1) *Planning Act*);
- ✓ Are consistent with the Provincial Planning Statement (s. 3(5) *Planning Act*);
- ✓ Conform to the County of Frontenac Official Plan (s. 3.3);
- ✓ Conform to the Township of South Frontenac Official Plan (s. 5.2, 5.7.4 & 7.1);
- ✓ Comply with Zoning By-law No. 2003-75 (or will comply subject to a standard condition of rezoning or minor variance); and
- X Have unresolved objections/concerns raised from the public.

Property Description

The subject property is roughly 82Ac in area and fronts on the west side of Devil Lake Road. Existing development consists of a single detached dwelling with attached garage, located roughly in the middle of the subject property. The property contains a watercourse and an unevaluated wetland that run in a north-south direction, bisecting the property. The remainder of the property is forested and features undulating topography. The surrounding area consists of rural and residential land uses.

Department and Agency Comments

Cataraqui Conservation provided comment on February 6, 2025. Their staff have no objection to the approval of both consent applications based on consideration for natural hazards and Ontario Regulation 41/24 implementation policies. Additionally, they noted that the watercourse and unevaluated wetland on the subject property are regulated under Ontario Regulation 41/24. Therefore, it is recommended that current and future landowners contact Cataraqui Conservation before considering any work within 30m of the watercourse and wetland.

Public Services provided comment on February 4, 2025. Public Services Staff have no objection to the approval of both consent applications. It was noted that there are adequate sight lines to permit an entrance from Devil Lake Road to each of the severed parcels. The retained parcel would continue to be accessed from its existing entrance. The width of the road allowance is to be determined by an Ontario Land Surveyor. Any shortfall of the 20m road allowance, measured 10m from the centreline of Devil Lake Road, in front of the severed lots shall be dedicated to the Township.

Building Services conducted on-site sewage review for both consent applications. Staff indicated that the severed parcel created through application PL-BDJ-2024-0136 may require an additional layer of imported clay loam soil to ensure that the future sewage system footprint is entirely above bedrock. Additionally, the severed parcel created through consent application PL-BDJ-2024-0137 will require additional granular soil to be imported, which will be addressed when the site is developed.

Public Comments

The consent applications were circulated for public comment on January 31, 2025. Township Planning Staff received one letter of support and one letter of objection. The primary concerns outlined within the letter of objection included environmental impact on a nearby pond, unsustainable development density on Devil Lake Road and unsustainable demand on water resources. Planning Staff discussed these concerns during a phone call with the adjacent property owner who submitted the letter of objection. Following the discussion, the adjacent property owners still expressed concerns over the proposed development. No further correspondence was received.

Planning Analysis

Rural Residential Policies

The Provincial Planning Statement (2024) allows residential lot creation on Rural Lands where site conditions are suitable for the provision of appropriate sewage and water services. The County Official Plan and the Township Official Plan also permit residential development in the Rural designation.

Section 5.7.4 of the Township Official Plan indicates that a maximum of three rural residential lots may be created by consent from a landholding provided that the new lots meet the General Consent Policies, as well as all other applicable policies. The subject property is eligible for two severances under section 5.7.4, as there has been one previous severance from the subject property since the adoption of the Township Official Plan.

Section 5.7.4 requires the frontage, size and shape of any lot created for rural residential purposes to be appropriate for the proposed use and to conform to the provisions of the Zoning By-law. Both severed parcels and the retained parcel would satisfy the minimum lot size and frontage requirements.

The retained parcel is developed with a dwelling and attached garage. These buildings will comply with the required setbacks from the new common property lines. Further, the creation of the severed parcels would not impact the functionality or use of the retained parcel. The retained parcel will continue to function as a rural residential property. Any future development on the retained parcel could be compliant with the requirements of the Zoning By-law.

Minimum Distance Separation from Livestock Facilities

In conformity with the PPS (2024), the Township Official Plan requires all division for non-farm uses to comply with the Minimum Distance Separation Formulae (MDS I) (Section 7.1(l)). The Township Zoning By-law also requires residential development to comply with MDS I.

Township Staff identified one livestock facility within 750m of the proposed severed lot which warranted further investigation. The identified livestock facility is located across Devil Lake Road on the property civically addressed as 1145 Devil Lake Road. The owner of 1145 Devil Lake Road provided planning staff a copy of the MDS Farm Data Sheet so MDS I setbacks

for the facility could be calculated. The required MDS I setback from this livestock facility is 162m. The actual setback of the livestock facility to severed lot 1 is roughly 200m. The MDS I setback partially encroaches into the frontage on severed lot 2.

Planning Staff prepared a sketch that confirmed that there is a development envelope on severed lot 2 that would meet the minimum required MDS I setback from the barn on 1145 Devil Lake Road, as well as all other required zoning setbacks.

Environmental Protection Policies

The watercourse and unevaluated wetland are designated Environmental Protection in the Township Official Plan. Section 5.2.7 of the Official Plan establishes a minimum 30m setback from the highwater mark of all waterbodies and watercourse, including wetlands. Within the 30m setback, vegetation should be disturbed as little as possible, and the soil mantle should not be altered. In consultation with Cataraqui Conservation Staff, it was determined that a building envelope outside of the required 30m setback appears to exist on both severed parcels. For this reason, an environmental impact assessment was not required to be submitted with these applications. All future development proposed on the severed and retained parcels would need to be in compliance with the environmental protections policies of the Official Plan.

General Consent Policies

Section 7.1o) enables the Township to impose certain conditions to the approval of a severance. A standard conditions of consent approval is a development agreement, addressing matters, including but not limited to, lot grading and drainage. Such a requirement ensures that runoff, because of site alteration, is appropriately directed and does not result in flooding. As such, it is recommended that a development agreement be registered on the title of the two severed parcels to address measures related to lot grading and drainage. The recommended lot grading and drainage plan is to address existing and proposed grades and drainage patterns within and adjacent to the development envelope, entrance, well and septic locations.

Section 7.1s) speaks to the applicant providing sufficient information to substantiate that all lots created have a source of potable water and appropriate sanitary sewage disposal facilities. In consultation with Building Services, it was determined that both severed parcels are capable of having sewage disposal facilities. Further, the Township typically requires the ability to be serviced by a private well be demonstrated as a condition of consent approval.

Conclusion

The lands to be severed and the lands to be retained would be consistent with the Provincial Planning Statement (2024), in conformity with the land division policies (Section 7.1) of the Township of South Frontenac Official Plan, and in compliance with Zoning By-law No. 2003-75.

Notice/Consultation

Notice of the Application was given pursuant to the requirements of the Planning Act, at least 14 days in advance of the Public Hearing. This included notice given:

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

Recommendation

It is recommended that applications PL-BDJ-2024-0136 and PL-BDJ-2024-0137 be approved for consent for the creation of two rural residential lots from 1146 Devil Lake Road, PT LOT 14, Concession 12, District of Bedfored, Township of South Frontenac, subject to the conditions for each application listed in the attachments.

Attachments

1. Conditions for Consent Application PL-BDJ-2024-0136
2. Conditions for Consent Application PL-BDJ-2024-0137

Report Prepared By:
Noah Perron, Planner

Report Reviewed By:
Christine Woods, RPP, MCIP, Manager of Planning

Attachment 1. Recommended Conditions for Consent Application PL-BDJ-2024-0136

Expiry Period

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

Severed Lands

2. The lands to be severed by Consent Application PL-BDJ-2024-0136 shall be for the creation of one new residential lot approximately 22 acres in area with approximately 130 metres of frontage on Devil Lake Road. The lot area, frontage and configuration of the proposed severed lot shall be consistent with sketch submitted by the applicant, attached to the decision as “Schedule A”.

Survey/Reference Plan or Registerable Description

3. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], the deed or instrument conveying the severed lands, and the Certificate of Official shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of two years [Planning Act, s. 53(41)] after the date that "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].

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

Road Allowance Widening

5. The surveyor who prepares the reference plan referred to in Condition #3 and #4 shall also determine by survey the width of Devil Lake Road to be 20m. If such a width is less than 20m, the owner shall dedicate to the Township land along the frontage of the severed lands in the following manner as required:

    a. The land to be dedicated shall be the width required to provide 10m from the centre of the existing travelled road for Devil Lake Road;

    b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner’s expense and filed with the Secretary-Treasurer prior to the issuance of the Certificate of Official;

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

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

d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;

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

Municipal Requirements

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

7. The Township of South Frontenac shall receive 5% of the value of the severed parcel, in lieu of parkland [Planning Act, s. 51(1), By-law 2023-104].

8. The Owner shall submit a well driller's report demonstrating a potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test for the severed parcel created through Consent Application PL-BDJ-2024-0136.

9. In the event that there are abandoned wells located on the severed parcel or the retained property, the wells shall be sealed in accordance with the requirements of the Ministry of the Environment, Conservation and Parks and that this work shall be accomplished prior to the issuance of the Certificate of Official.

10. The applicant shall enter into a Development Agreement with the Township to be registered on title to the severed parcel to address the following matters and environmental standards of the Township:

    a. Requirement for an entrance permit;

    b. Requirement for a lot grading and drainage plan to be submitted at the building permit stage to address existing and proposed grades and drainage patterns within and adjacent to the development envelope, entrance, well and septic locations;

c. Appropriate erosion control measures (e.g. silt fence, straw bales) must be used during future construction and until the site is stable and revegetated;

d. Any roof runoff will be directed away from the unnamed watercourse and unevaluated wetland 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;

e. A natural vegetated buffer must be maintained in its natural state within 30 metres of the unnamed watercourse and unevaluated wetland;

f. Current and future land owners are encouraged to limit forest clearance to the area required for a development envelope;

g. Notice regarding compliance with the Endangered Species Act;

h. Notice regarding archeological resources and human remains.

Zoning

11. Where a violation of Zoning By-law No. 2003-75 is evident, the appropriate minor variance or rezoning be obtained to the satisfaction of the Township.

Attachment 2. Recommended Conditions for Consent Application PL-BDJ-2024-0137

Expiry Period

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

Severed Lands

2. The lands to be severed by Consent Application PL-BDJ-2024-0137 shall be for the creation of one new residential lot approximately 28 acres in area with approximately 172 metres of frontage on Devil Lake Road. The lot area, frontage and configuration of the proposed severed lot shall be consistent with sketch submitted by the applicant, attached to the decision as “Schedule A”.

Survey/Reference Plan or Registerable Description

3. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], the deed or instrument conveying the severed lands, and the Certificate of Official shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of two years [Planning Act, s. 53(41)] after the date that "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].

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

Road Allowance Widening

5. The surveyor who prepares the reference plan referred to in Condition #3 and #4 shall also determine by survey the width of Devil Lake Road to be 20m. If such a width is less than 20m, the owner shall dedicate to the Township land along the frontage of the severed lands in the following manner as required:

    a. The land to be dedicated shall be the width required to provide 10m from the centre of the existing travelled road for Devil Lake Road;

    b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner’s expense and filed with the Secretary-Treasurer prior to the issuance of the Certificate of Official;

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

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

d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;

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

Municipal Requirements

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

7. The Township of South Frontenac shall receive 5% of the value of the severed parcel, in lieu of parkland [Planning Act, s. 51(1), By-law 2023-104].

8. The Owner shall submit a well driller's report demonstrating a potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test for the severed parcel created through Consent Application PL-BDJ-2024-0137.

9. In the event that there are abandoned wells located on the severed parcel or the retained property, the wells shall be sealed in accordance with the requirements of the Ministry of the Environment, Conservation and Parks and that this work shall be accomplished prior to the issuance of the Certificate of Official.

10. The applicant shall enter into a Development Agreement with the Township to be registered on title to the severed parcel to address the following matters and environmental standards of the Township:

    a. Requirement for an entrance permit;

    b. Requirement for a lot grading and drainage plan to be submitted at the building permit stage to address existing and proposed grades and drainage patterns within and adjacent to the development envelope, entrance, well and septic locations;

c. Appropriate erosion control measures (e.g. silt fence, straw bales) must be used during future construction and until the site is stable and revegetated;

d. Any roof runoff will be directed away from the unnamed watercourse and unevaluated wetland 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;

e. A natural vegetated buffer must be maintained in its natural state within 30 metres of the unnamed watercourse and unevaluated wetland;

f. Current and future land owners are encouraged to limit forest clearance to the area required for a development envelope;

g. Notice regarding compliance with the Endangered Species Act;

h. Notice regarding archeological resources and human remains.

Zoning

11. Where a violation of Zoning By-law No. 2003-75 is evident, the appropriate minor variance or rezoning be obtained to the satisfaction of the Township.

TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION

For Office Use Only

Date Received: _____ File Number: _____

1. Name of Owner(s): Arie and Katherine Doornekamp

Full Mailing Address of Owner(s): 1146 Devil Lake Road Westport ON K0G 1X0

Phone number of Owner(s): [redacted]

Email Address of Owner(s): [redacted]

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

Name of Authorized Applicant/Agent: _____

Full Mailing Address of Authorized Applicant/Agent: _____

_____

Phone number of Authorized Applicant/Agent: _____

Email Address of Authorized Applicant/Agent: _____

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

_____

Signature(s) of Owner(s)

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

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

[redacted] _____ Aug 16/24

(Signature of the property owner) (Signature of the property owner) (Date)

TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION

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

☑ Yes ☐ No Date Fee Paid: _____

Name of Planner: Noah Perrin Date of Meeting: _____

5. The description of the subject land:

District: ☑ Bedford ☐ Portland ☐ Loughborough ☐ Storrington

Civic Address: 1146 Devil Lake Road, Westport ON

Concession Number: 12 Lot Number: 14 RP

Reference Plan Number: 13R16106 Part Number(s): Part 1

Roll Number: 010 010 24801 0000

Property Identification Number (PIN): _____

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

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

Name of Waterbody: _____ Name of Road/Lane: _____

Depth(m): _____ Area(acres/ha): _____

7. Select the type of consent being applied for:

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

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

Creation of a new lot for building of a new principle residence for owner.

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

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

	Severed Lot (Proposed new lot):	Retained Lot:
Frontage on Road/Lane (m):	~~195~~ 172m	182 ~~166~~ m
Name of Road/Lane:	Devil Lake Rd	Devil Lake Rd
Frontage on Water (m):	N/A	N/A
Name of Waterbody:	Pond-no name	Pond-no name
Depth (m):	581 m	473 m
Acres (acres or ha):	28 acres	32 ~~43~~ acres

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

	Severed Lot (Proposed new lot):	Retained Lot:
Existing Use of Lot:	Recreational	Residential
Existing Buildings/Structures:	None	House
Proposed Use of Lot:	Residential	residence
Proposed Buildings/Structures:	New Home Construction	n/A

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

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

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

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

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

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

	Lot Addition:	Retained Lands:	Benefitting Lands:
Existing Use of Lot:		Owner's Residence	Recreational
Existing Buildings/Structures:	N/A	Residence	None
Proposed Use of Lot:		Sale to new owner	Build new home
Proposed Buildings/Structures:		none	new home construction

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

Length:_____ Depth: _____ Width: _____ Area: _____

Civic address of Benefitting lands:_____

Roll Number of Benefitting Lands: _____

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

_____

_____

_____

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

(NEW LOT) Severed Parcel	Retained Parcel
☐ Municipal water system	☐ Municipal water system
☐ Privately owned and operated well	☑ Privately owned and operated well
☐ Lake water	☐ Lake water
☑ Other: drilled well	☐ Other: _____

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

(NEW LOT) Severed Parcel	Retained Parcel
☐ Publicly owned and operated communal septic system	☐ Publicly owned and operated communal septic system
☐ Privately owned and operated individual septic system:	☑ Privately owned and operated individual septic system:
☐ Leaching Bed (Class 4)	☐ Leaching bed (Class 4)
☐ Holding Tank (Class 5)	☐ Holding Tank (Class 5)
☐ Greywater Pit (Class 2)	☐ Greywater Pit (Class 2)
☐ Privy/Outhouse (Class 1)	☐ Privy/Outhouse (Class 1)

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

Owner

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

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

Hydro Right of Way.

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

17. Name of road or lane which accesses:

The new lot (lot addition or Right of Way): Devil Lake Rd.

The retained lot: Devil Lake Rd.

Please indicate whether access to the land will be by:

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

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

The New Lot: N/A

The Retained Lot: N/A

18. What is the zoning of the subject lands? (Check www.frontenacmaps.ca)

Rural

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

Rural

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

Do not know

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

☐ Yes ☐ No ☑ Unknown

Please explain:

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

☐ Yes ☒ No ☐ Unknown			
Application Type	Application Number	Date of Application	Decision
☐ Plan of Subdivision			
☐ Consent			
☐ Minor Variance			
☐ Site Plan Approval			
☐ Official Plan Amendment			
☐ Zoning By-law Amendment			
☐ Minister's Zoning Order			

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

☑ Yes Perry mc Bain ☐ No 06/2019

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

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

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

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

TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION

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

DECLARATION FOR THE PRESCRIBED INFORMATION

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

I/We, Katherine Doornekamp + Arie Doornekamp,
(Name of Owner / Agent)

of Westport ON
(Municipality, Town, City name)

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

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

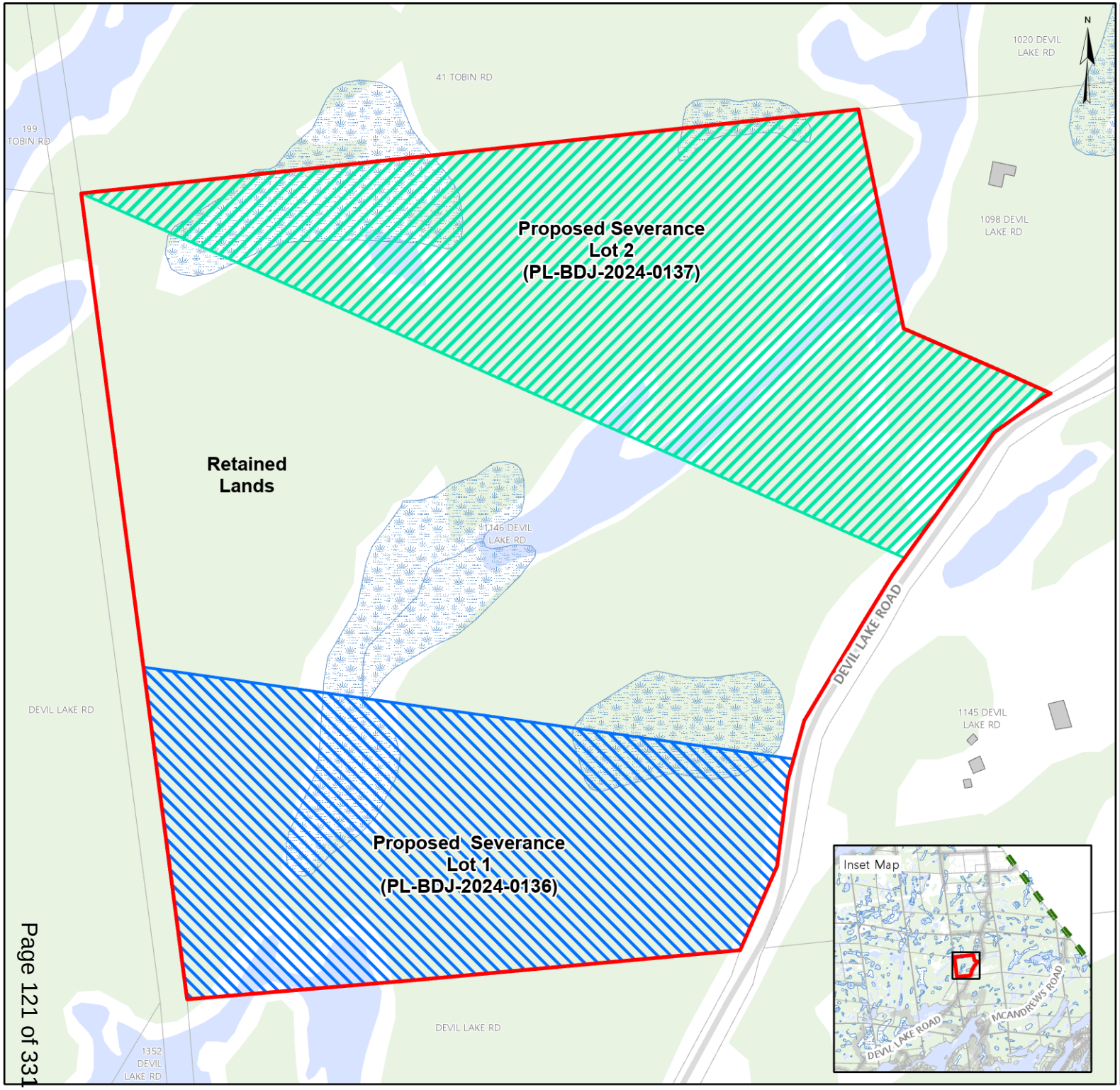
On this 19th day of November, 2024.
(Day) (Month) Year)

Kamila Seitkhanova
Commissioner of Oaths Signature

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

Affix Commissioner of Oaths stamp below signatures

Kamila Seitkhanova, a Commissioner, etc.,
Province of Ontario, for the Corporation of
the Township of South Frontenac.
Expires August 14, 2027.



SOUTH FRONTENAC

PL-BDJ-2024-0136
PL-BDJ-2024-0137
(DOORNEKAMP)
1146 DEVIL LAKE ROAD

Legend

- Subject Lands
- Proposed Severance (Lot 1)
- Proposed Severance (Lot 2)
- Provincially Significant Wetland
- Wetland
- Wooded Area
- Lake Trout Lake - At Capacity
- Lake Trout Lake - Not at Capacity
- Non-Lake Trout Lake - At Capacity
- Waterbody
- Road
- Township Boundary

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

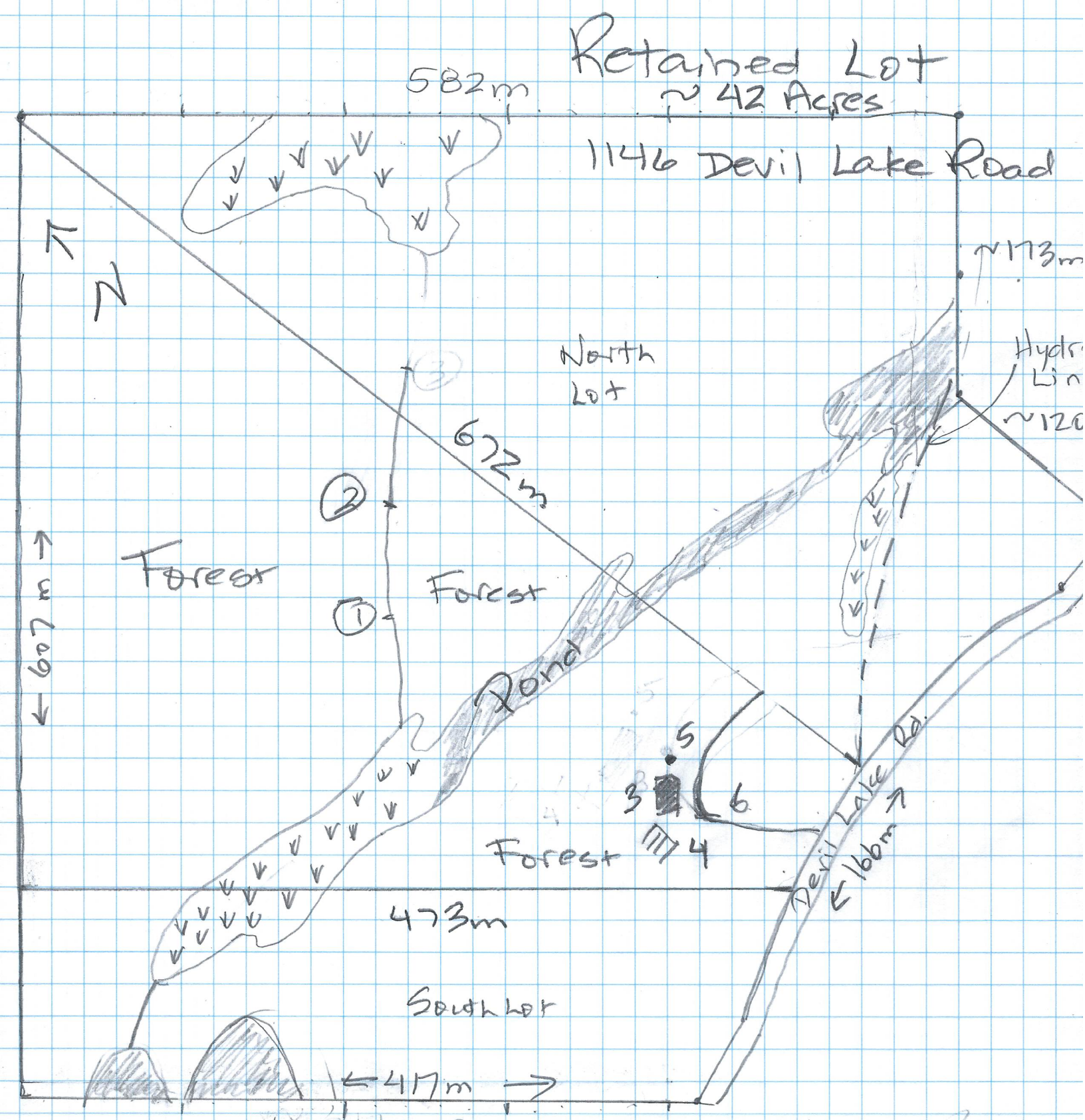
While the County makes every effort to insure that the information presented is accurate for the intended uses of this map, there is an inherent error in all mapping products, and accuracy of the mapping cannot be guaranteed for all possible uses. This map displays basic topographic features only.

Scale: 1:4,000

0 45 90 180 m

UTM Zone 18 NAD 83

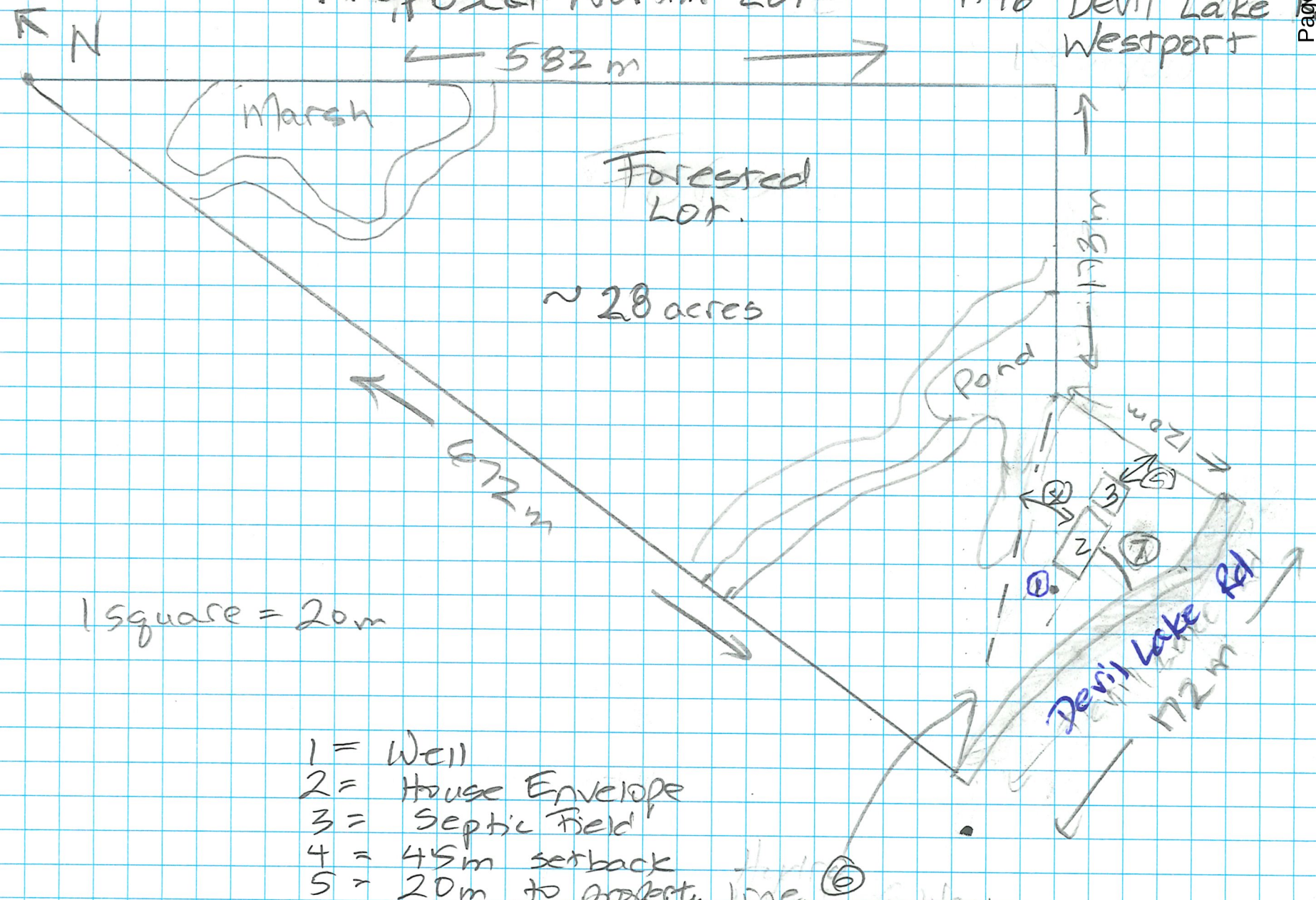
Date: 20/12/2024



1+2 = Beaver Dams
3 = Building Envelope (Existing)
4 = Sepha Field
5 = Well
6 = Driveway

Proposed North Lot

1146 Devil Lake Rd.
Westport



1 = Well
2 = House Envelope
3 = Septic Field
4 = 45m setback
5 = 20m to property line
6 = Hydro Right of Way
7 = Drive way ~ 15 meters

To whom it may concern.

We are in receipt of Notice of Consent Applications PLBDJ20240136 and PLBDJ20240137

1146 Devil Lake Road.

We object to the further severance of the property aforementioned due to the fact that it will

- lead to further applications to build once the severances are approved.
- leading to further silting up of the pond at the road on our property
- leading to an unsustainable density of human occupation in a short stretch of Devil Lake Road
- leading to an unsustainable demand on water resources and the water table

Background

We have been in residence in the original log cabin for the past twenty plus years and have a very modest impact on the water table. For one thing, we don't have conventional baths, showers, laundry facilities, dishwashers and you name it, yet we know the table has lowered around us, as we experience the shifts in climate, patterns of rainfall and drying winds. We know the new homes that will be coming will have substantially more demand on water.

The applicant likely has several previous applications to sever on file, since anecdotally we have seen development on all the land the owner has on that side of Devil Lake Road, for a considerable stretch, already. Enough is enough we feel. This area is zoned low density residential in our understanding. The land is better conserved for habitat for other living things besides human occupation.

We will appreciate being notified of decisions in respect of the proposed consent.

Thank you for considering our concerns

We are,

Jayne Walker and Leigh Manierka

1145 Devil Lake Road

Box 145, Westport, Ontario

K0G 1X0

[redacted]

Ryan P. Bissonnette
443 Shipton Lane | South Frontenac, ON |K0G 1X0
[redacted] | [redacted]

Kate Kaestner
Planning Clerk
Development Services Department
Township of South Frontenac
P.O. Box 100, Sydenham, ON
K0H 2T0

2025-02-12

Re: Notice of Consent Applications PLBDJ20240136 & PLBDJ20240137

Ms. Kaestner,

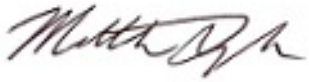
Please accept this letter of support for the above noted consent to sever applications. The creation of two new rural lots with the potential for additional homes on Devil Lake Road would be beneficial to the general area. New housing also supports the Official Plan of the Township and the additional housing goals of the Province of Ontario.

Thank you,

Ryan Bissonnette

Township of South Frontenac
Building Services
4432 George Street, Box 100
Sydenham, ON K0H 2T0
613-376-3027
www.southfrontenac.net

Sewage System Review Comments

To:	Secretary-Treasurer, Committee of Adjustment Township of South Frontenac 4432 George St, Box 100 Sydenham, ON K0H 2T0
Application Number:	PLBDJ20240137
Type of Application or Proposal:	Planning Sewage Review - Consent Application
Applicant: **(if applicable) Agent:**	Arie & Katherine Doornekamp
Location:	102901001024801 1146 DEVIL LAKE ROAD BEDFORD CON 12 PT LOT 14 RP;13R16106 PT PART 1
Comments:	Test holes dug on site by mechanical excavation, approximately 0.45 to 0.60 m deep. The area is predominantly undulating terrain, well treed with granite outcrops and low-lying swampy areas. Soil is a mix of organics and clay loam. Soil conditions found on the lot will require that additional suitable granular soil is imported; specific requirements for additional soil will be addressed when the site is developed.
Building Inspector:	 Matthew Doyle
Date:	March 21, 2025

Report from Public Services

Application Number: PL-BDJ-2024-0137

Applicant's Name: Arie and Katherine Doornekamp

Concession: 12 **Lot:** PT Lot 14 **District:** Bedford

Road: Devil Lake Road

Road Maintenance: Year-round ☑ Seasonal ☐

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

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

RETAINED PARCEL: ADEQUATE ENTRANCE SIGHT LINES.

SEVERED PARCEL: ADEQUATE ENTRANCE SIGHT LINES

Road Conditions:

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

   Yes ☐ No ☑

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

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

   Yes ☑ No ☐

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

Road Widening Required?

Yes ☐ No ☐ To be determined by an Ontario Land Surveyor ☑

Any specific requirement?

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

Approved by the Public Services?

Yes ☑ Yes, with conditions ☐ No ☐

If yes, with conditions, please describe conditions below.

Evan Bancroft

Signature on behalf of Public Services

2025-02-04

Date

February 6, 2025

File: SEV/FRS/15/2025
SEV/FRS/16/2025

Sent by E-mail

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

Dear Mr. Perron:

Re: Consent Applications PL-BDJ-2024-0136 & 0137 (Lot Creation)
1146 Devil Lake Road; Concession 12, Lot 14 RPLAN 13R16106
Township of South Frontenac (Bedford)
Waterbody: Un-named Tributaries / Unevaluated Wetlands

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

Summary of the Proposal

The applicant has requested two severances that seek to divide the property into three parcels. The proposed severance would result in the creation of two new lots for residential development. Severed Parcel 1 will have an area of 8.9 ha (22 acres) with 130 m of frontage on Devil Lake Road. Severed Parcel 2 will have an area of 11.3 ha (28 acres) with 127 m of frontage on Devil Lake Road. The retained parcel will have an area of 12.9 ha (32 acres) with 182 m of frontage on Devil Lake Road. The retained parcel is developed with an existing single detached dwelling and associated well and septic system.

Site Description

The subject lands are located on the west side of Devil Lake Road, south of Tobin Road and north of Shipton Lane. The lands contain an un-named watercourse and unevaluated wetland features that drain to Dead Creek and Loon Lake and are within the Great Cataraqui River watershed. The watercourse and wetland features run from south to north and bisect the property. There is an existing dwelling and associated well and septic system in the approximate middle of the property adjacent to Devil Lake Road. The remainder property is treed, and the topography can be described as undulating.

Discussion

CRCA's scope of review with respect to this application is the avoidance of natural hazards (e.g. flooding and erosion) associated with the un-named watercourse and unevaluated wetlands on the property.

Natural Hazards / Ontario Regulation 41/24

Surface Water Features

There is an unnamed watercourse running through the subject lands that flows into Dead Creek eventually draining into Loon Lake. There are also unevaluated wetland features on the subject lands. A suitable buffer area is necessary between any new development and the watercourse, as a buffer acts to protect the functions of these features and to avoid damaging flooding of property and erosion normally associated with these features.

Flooding: CRCA does not have floodplain mapping for these watercourses. Consequentially, our regulatory policies under O.Reg. 41/24 require any new development to be set back at least 30 metres from the top of bank of the watercourse. The 30 metre setback is consistent with the 30 metre setback as required by Section 5.8.2(a) of the Township's Zoning By-law.

Based on elevation mapping and the sketch submitted with the application, the existing development on the retained lot is located outside of this setback and the proposed severed lots will have sufficient area to accommodate future development outside of the applicable 30 metre setback from the watercourse and wetlands.

Erosion: Section 5.8.2(b) of the Zoning By-law specifies that no building or structure or septic system installation shall be located within a minimum of 15 metres horizontal of the top of bank of any embankment, the slope of which is greater than 30% from horizontal. CRCA regulates the erosion hazard including stream valley extending to the stable top of slope and an allowance of 15 metres from the stable top of slope.

Based on elevation data and the sketches submitted with the applications, CRCA staff are satisfied that the existing development is located outside of areas susceptible to erosion and that there are suitable building envelopes on the proposed severed lots outside of the erosion hazard limit.

Wetlands

As noted, there are areas of wetland on the subject lands. CRCA's Guidelines for Implementing Ontario Regulation 41/24 typically require new development and site alteration to be set back a minimum of 30 metres from wetlands, to protect the hydrologic function of wetland.

Based on the site plan submitted with the application, the existing development on the retained lands is located outside of the 30 metre setback from wetlands. Additionally, the proposed severed lots will have sufficient area to accommodate future development outside the applicable 30 metre setback from the wetlands.

Staff have no concerns from a natural hazards and regulatory perspective. We recommend that native vegetation (trees, shrubs, native plants) within 30 metres of watercourse and wetlands on the lots be kept in place, to help stabilize soils and protect the hydrologic function of the wetland in the long-term.

Recommendation

Staff have no objection to the approval of applications PL-BDJ-2024-0136 & PL-BDJ-2024-0137 based on our consideration for natural hazards and regulatory policies. We also recommend the above-noted environmental measures (in bold).

Ontario Regulation 41/24

Please note that portions of the subject lands are subject to Ontario Regulation 41/24: *Prohibited Activities, Exemptions and Permits* (formerly O. Reg. 148/06), which is administered by the CRCA. The purpose of the regulation is to ensure that proposed changes (e.g. development and site alteration) to a property are not affected by natural hazards, such as flooding and erosion, and that the changes do not put other properties at greater risk from these hazards. Also, to ensure the protection of wetlands. **Current and future landowners are advised to contact CRCA before considering any work within 30 metres of the watercourses and wetlands on the subject lands. The regulation also applies to any proposed alterations (including new crossings) to watercourses and wetlands. We note that construction of new crossings (i.e. new roads or trails) through the wetland area on the south lot and retained lot would not be permitted by CRCA.**

Please inform this office of any decision made by the Committee with regard to these applications. If you have any questions, please contact the undersigned at 613-546-4228 ext. 239, or by e-mail at estucke@crca.ca

Sincerely,

Emma Stucke

Emma Stucke, RPP, MCIP
Resource Planner

cc. Applicant, via email

To:	**Committee of Adjustment**
From:	**Development Services Department**
Report Date:	**April 10, 2025**
Subject:	**Consent Applications PL-BDJ-2025-0136 & PL-BDJ-2025-0137, Doornekamp, 1146 Devil Lake Road, Bedford District**

Summary

These applications are for the creation of two residential lots. This report recommends approval of these applications. The Committee of Adjustment is being asked to make a decision on these applications, as they are disputed consent per By-law 2020-27 because there are unresolved issues or concerns from the public regarding the overall development proposal for the property.

Background

The purpose of the applications is to create two new rural residential lots. The retained parcel will continue to be used for residential purposes.

Related Applications

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

Application Details

The proposed severed parcel for application PL-BDJ-2024-0136 (Lot 1) would have an area of approximately 22Ac and 130m of frontage on Devil Lake Road. The proposed severed parcel from application PL-BDJ-2024-0137 (Lot 2) would have an area of approximately 28Ac and 172m of frontage on Devil Lake Road. The retained parcel would have approximately 32Ac of area and 182m of frontage on Devil Lake Road and would contain the existing dwelling on the subject property.

Designation and Zoning

The subject property is predominantly designated Rural, with a watercourse and unevaluated wetland being designated Environmental Protection, in Schedule A of the Township Official Plan. The property is zoned Rural (RU) in Zoning By-law No. 2003-75.

Review

These applications:

✓ Conform to section 51(24) of the *Planning Act*;

- ✓ Do not require a plan of subdivision for the proper and orderly development of the municipality (s. 53(1) *Planning Act*);
- ✓ Are consistent with the Provincial Planning Statement (s. 3(5) *Planning Act*);
- ✓ Conform to the County of Frontenac Official Plan (s. 3.3);
- ✓ Conform to the Township of South Frontenac Official Plan (s. 5.2, 5.7.4 & 7.1);
- ✓ Comply with Zoning By-law No. 2003-75 (or will comply subject to a standard condition of rezoning or minor variance); and
- X Have unresolved objections/concerns raised from the public.

Property Description

The subject property is roughly 82Ac in area and fronts on the west side of Devil Lake Road. Existing development consists of a single detached dwelling with attached garage, located roughly in the middle of the subject property. The property contains a watercourse and an unevaluated wetland that run in a north-south direction, bisecting the property. The remainder of the property is forested and features undulating topography. The surrounding area consists of rural and residential land uses.

Department and Agency Comments

Cataraqui Conservation provided comment on February 6, 2025. Their staff have no objection to the approval of both consent applications based on consideration for natural hazards and Ontario Regulation 41/24 implementation policies. Additionally, they noted that the watercourse and unevaluated wetland on the subject property are regulated under Ontario Regulation 41/24. Therefore, it is recommended that current and future landowners contact Cataraqui Conservation before considering any work within 30m of the watercourse and wetland.

Public Services provided comment on February 4, 2025. Public Services Staff have no objection to the approval of both consent applications. It was noted that there are adequate sight lines to permit an entrance from Devil Lake Road to each of the severed parcels. The retained parcel would continue to be accessed from its existing entrance. The width of the road allowance is to be determined by an Ontario Land Surveyor. Any shortfall of the 20m road allowance, measured 10m from the centreline of Devil Lake Road, in front of the severed lots shall be dedicated to the Township.

Building Services conducted on-site sewage review for both consent applications. Staff indicated that the severed parcel created through application PL-BDJ-2024-0136 may require an additional layer of imported clay loam soil to ensure that the future sewage system footprint is entirely above bedrock. Additionally, the severed parcel created through consent application PL-BDJ-2024-0137 will require additional granular soil to be imported, which will be addressed when the site is developed.

Public Comments

The consent applications were circulated for public comment on January 31, 2025. Township Planning Staff received one letter of support and one letter of objection. The primary concerns outlined within the letter of objection included environmental impact on a nearby pond, unsustainable development density on Devil Lake Road and unsustainable demand on water resources. Planning Staff discussed these concerns during a phone call with the adjacent property owner who submitted the letter of objection. Following the discussion, the adjacent property owners still expressed concerns over the proposed development. No further correspondence was received.

Planning Analysis

Rural Residential Policies

The Provincial Planning Statement (2024) allows residential lot creation on Rural Lands where site conditions are suitable for the provision of appropriate sewage and water services. The County Official Plan and the Township Official Plan also permit residential development in the Rural designation.

Section 5.7.4 of the Township Official Plan indicates that a maximum of three rural residential lots may be created by consent from a landholding provided that the new lots meet the General Consent Policies, as well as all other applicable policies. The subject property is eligible for two severances under section 5.7.4, as there has been one previous severance from the subject property since the adoption of the Township Official Plan.

Section 5.7.4 requires the frontage, size and shape of any lot created for rural residential purposes to be appropriate for the proposed use and to conform to the provisions of the Zoning By-law. Both severed parcels and the retained parcel would satisfy the minimum lot size and frontage requirements.

The retained parcel is developed with a dwelling and attached garage. These buildings will comply with the required setbacks from the new common property lines. Further, the creation of the severed parcels would not impact the functionality or use of the retained parcel. The retained parcel will continue to function as a rural residential property. Any future development on the retained parcel could be compliant with the requirements of the Zoning By-law.

Minimum Distance Separation from Livestock Facilities

In conformity with the PPS (2024), the Township Official Plan requires all division for non-farm uses to comply with the Minimum Distance Separation Formulae (MDS I) (Section 7.1(l)). The Township Zoning By-law also requires residential development to comply with MDS I.

Township Staff identified one livestock facility within 750m of the proposed severed lot which warranted further investigation. The identified livestock facility is located across Devil Lake Road on the property civically addressed as 1145 Devil Lake Road. The owner of 1145 Devil Lake Road provided planning staff a copy of the MDS Farm Data Sheet so MDS I setbacks

for the facility could be calculated. The required MDS I setback from this livestock facility is 162m. The actual setback of the livestock facility to severed lot 1 is roughly 200m. The MDS I setback partially encroaches into the frontage on severed lot 2.

Planning Staff prepared a sketch that confirmed that there is a development envelope on severed lot 2 that would meet the minimum required MDS I setback from the barn on 1145 Devil Lake Road, as well as all other required zoning setbacks.

Environmental Protection Policies

The watercourse and unevaluated wetland are designated Environmental Protection in the Township Official Plan. Section 5.2.7 of the Official Plan establishes a minimum 30m setback from the highwater mark of all waterbodies and watercourse, including wetlands. Within the 30m setback, vegetation should be disturbed as little as possible, and the soil mantle should not be altered. In consultation with Cataraqui Conservation Staff, it was determined that a building envelope outside of the required 30m setback appears to exist on both severed parcels. For this reason, an environmental impact assessment was not required to be submitted with these applications. All future development proposed on the severed and retained parcels would need to be in compliance with the environmental protections policies of the Official Plan.

General Consent Policies

Section 7.1o) enables the Township to impose certain conditions to the approval of a severance. A standard conditions of consent approval is a development agreement, addressing matters, including but not limited to, lot grading and drainage. Such a requirement ensures that runoff, because of site alteration, is appropriately directed and does not result in flooding. As such, it is recommended that a development agreement be registered on the title of the two severed parcels to address measures related to lot grading and drainage. The recommended lot grading and drainage plan is to address existing and proposed grades and drainage patterns within and adjacent to the development envelope, entrance, well and septic locations.

Section 7.1s) speaks to the applicant providing sufficient information to substantiate that all lots created have a source of potable water and appropriate sanitary sewage disposal facilities. In consultation with Building Services, it was determined that both severed parcels are capable of having sewage disposal facilities. Further, the Township typically requires the ability to be serviced by a private well be demonstrated as a condition of consent approval.

Conclusion

The lands to be severed and the lands to be retained would be consistent with the Provincial Planning Statement (2024), in conformity with the land division policies (Section 7.1) of the Township of South Frontenac Official Plan, and in compliance with Zoning By-law No. 2003-75.

Notice/Consultation

Notice of the Application was given pursuant to the requirements of the Planning Act, at least 14 days in advance of the Public Hearing. This included notice given:

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

Recommendation

It is recommended that applications PL-BDJ-2024-0136 and PL-BDJ-2024-0137 be approved for consent for the creation of two rural residential lots from 1146 Devil Lake Road, PT LOT 14, Concession 12, District of Bedfored, Township of South Frontenac, subject to the conditions for each application listed in the attachments.

Attachments

1. Conditions for Consent Application PL-BDJ-2024-0136
2. Conditions for Consent Application PL-BDJ-2024-0137

Report Prepared By:
Noah Perron, Planner

Report Reviewed By:
Christine Woods, RPP, MCIP, Manager of Planning

Attachment 1. Recommended Conditions for Consent Application PL-BDJ-2024-0136

Expiry Period

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

Severed Lands

2. The lands to be severed by Consent Application PL-BDJ-2024-0136 shall be for the creation of one new residential lot approximately 22 acres in area with approximately 130 metres of frontage on Devil Lake Road. The lot area, frontage and configuration of the proposed severed lot shall be consistent with sketch submitted by the applicant, attached to the decision as “Schedule A”.

Survey/Reference Plan or Registerable Description

3. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], the deed or instrument conveying the severed lands, and the Certificate of Official shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of two years [Planning Act, s. 53(41)] after the date that "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].

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

Road Allowance Widening

5. The surveyor who prepares the reference plan referred to in Condition #3 and #4 shall also determine by survey the width of Devil Lake Road to be 20m. If such a width is less than 20m, the owner shall dedicate to the Township land along the frontage of the severed lands in the following manner as required:

    a. The land to be dedicated shall be the width required to provide 10m from the centre of the existing travelled road for Devil Lake Road;

    b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner’s expense and filed with the Secretary-Treasurer prior to the issuance of the Certificate of Official;

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

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

d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;

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

Municipal Requirements

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

7. The Township of South Frontenac shall receive 5% of the value of the severed parcel, in lieu of parkland [Planning Act, s. 51(1), By-law 2023-104].

8. The Owner shall submit a well driller's report demonstrating a potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test for the severed parcel created through Consent Application PL-BDJ-2024-0136.

9. In the event that there are abandoned wells located on the severed parcel or the retained property, the wells shall be sealed in accordance with the requirements of the Ministry of the Environment, Conservation and Parks and that this work shall be accomplished prior to the issuance of the Certificate of Official.

10. The applicant shall enter into a Development Agreement with the Township to be registered on title to the severed parcel to address the following matters and environmental standards of the Township:

    a. Requirement for an entrance permit;

    b. Requirement for a lot grading and drainage plan to be submitted at the building permit stage to address existing and proposed grades and drainage patterns within and adjacent to the development envelope, entrance, well and septic locations;

c. Appropriate erosion control measures (e.g. silt fence, straw bales) must be used during future construction and until the site is stable and revegetated;

d. Any roof runoff will be directed away from the unnamed watercourse and unevaluated wetland 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;

e. A natural vegetated buffer must be maintained in its natural state within 30 metres of the unnamed watercourse and unevaluated wetland;

f. Current and future land owners are encouraged to limit forest clearance to the area required for a development envelope;

g. Notice regarding compliance with the Endangered Species Act;

h. Notice regarding archeological resources and human remains.

Zoning

11. Where a violation of Zoning By-law No. 2003-75 is evident, the appropriate minor variance or rezoning be obtained to the satisfaction of the Township.

Attachment 2. Recommended Conditions for Consent Application PL-BDJ-2024-0137

Expiry Period

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

Severed Lands

2. The lands to be severed by Consent Application PL-BDJ-2024-0137 shall be for the creation of one new residential lot approximately 28 acres in area with approximately 172 metres of frontage on Devil Lake Road. The lot area, frontage and configuration of the proposed severed lot shall be consistent with sketch submitted by the applicant, attached to the decision as “Schedule A”.

Survey/Reference Plan or Registerable Description

3. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], the deed or instrument conveying the severed lands, and the Certificate of Official shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of two years [Planning Act, s. 53(41)] after the date that "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].

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

Road Allowance Widening

5. The surveyor who prepares the reference plan referred to in Condition #3 and #4 shall also determine by survey the width of Devil Lake Road to be 20m. If such a width is less than 20m, the owner shall dedicate to the Township land along the frontage of the severed lands in the following manner as required:

    a. The land to be dedicated shall be the width required to provide 10m from the centre of the existing travelled road for Devil Lake Road;

    b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner’s expense and filed with the Secretary-Treasurer prior to the issuance of the Certificate of Official;

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

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

d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;

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

Municipal Requirements

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

7. The Township of South Frontenac shall receive 5% of the value of the severed parcel, in lieu of parkland [Planning Act, s. 51(1), By-law 2023-104].

8. The Owner shall submit a well driller's report demonstrating a potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test for the severed parcel created through Consent Application PL-BDJ-2024-0137.

9. In the event that there are abandoned wells located on the severed parcel or the retained property, the wells shall be sealed in accordance with the requirements of the Ministry of the Environment, Conservation and Parks and that this work shall be accomplished prior to the issuance of the Certificate of Official.

10. The applicant shall enter into a Development Agreement with the Township to be registered on title to the severed parcel to address the following matters and environmental standards of the Township:

    a. Requirement for an entrance permit;

    b. Requirement for a lot grading and drainage plan to be submitted at the building permit stage to address existing and proposed grades and drainage patterns within and adjacent to the development envelope, entrance, well and septic locations;

c. Appropriate erosion control measures (e.g. silt fence, straw bales) must be used during future construction and until the site is stable and revegetated;

d. Any roof runoff will be directed away from the unnamed watercourse and unevaluated wetland 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;

e. A natural vegetated buffer must be maintained in its natural state within 30 metres of the unnamed watercourse and unevaluated wetland;

f. Current and future land owners are encouraged to limit forest clearance to the area required for a development envelope;

g. Notice regarding compliance with the Endangered Species Act;

h. Notice regarding archeological resources and human remains.

Zoning

11. Where a violation of Zoning By-law No. 2003-75 is evident, the appropriate minor variance or rezoning be obtained to the satisfaction of the Township.

4.2.10000

SOUTH FRONTENAC

Consent Application

Application Requirements

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

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

Pre-consultation meeting fee	$150.00 ✓

☐ 2. One hard copy of this completed application form signed and commissioned

☐ 3. A Sketch of your proposal (see Question 25 for details on what to include). The sketch must be drawn with accurate dimensions and measurements. It is recommended that you take your time to carefully assemble the data and crate the sketch. You may wish to secure the assistance of a person who specializes in the drafting of sketches

☐ 4. The applicable non-refundable application fee, payable to the Township of South Frontenac

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

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

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

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

☐ 6. Required studies & Supporting Information identified at pre-consultation (if applicable)

☐ 7. Deed or transfer, or authorization for Township Staff to acquire title documents (if applicable)

TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION

Collection of Personal Information:

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

What is considered when reviewing an application?

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

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

TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION

For Office Use Only

Date Received: 20. Jan. 2025 File Number: PL.BDJ.2025.0003

1. Name of Owner(s): Keith Orser & Edward Orser

Full Mailing Address of Owner(s): 4646 Bellrock Road, Verona ON K0H 2W0

Phone number of Owner(s): [redacted]

Email Address of Owner(s): [redacted]

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

Name of Authorized Applicant/Agent: _____

Full Mailing Address of Authorized Applicant/Agent: _____

_____

Phone number of Authorized Applicant/Agent: _____

Email Address of Authorized Applicant/Agent: _____

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

_____

Signature(s) of Owner(s)

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

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

[redacted] _____ Jan 16/25

(Signature of the property owner) (Signature of the property owner) (Date)

TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION

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

☑ Yes ☐ No Date Fee Paid: _____

Name of Planner: Christine Woods Date of Meeting: _____

5. The description of the subject land:

District: ☐ Bedford ☐ Portland ☑ Loughborough ☐ Storrington

Civic Address: _____

Concession Number: 3 Lot Number: Part of lot 8

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

Roll Number: 1029-040-020-10000 101.15 Acres

Property Identification Number (PIN): 36274-0087 36274-0425 36274-0426

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

Frontage on water (m): _____ Frontage on road/lane (m): 122 (400')

Name of Waterbody: _____ Name of Road/Lane: Cottage Lane

Depth(m): 199 (650') Area(acres/ha): aprox. 101.5 acres

7. Select the type of consent being applied for:

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

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

To create a new building lot

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

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

	Severed Lot (Proposed new lot):	Retained Lot:
Frontage on Road/Lane (m):	400 feet 122m	aprox. 800 feet 244m
Name of Road/Lane:	Cottage (Lane) Road	Cottage (Lane) Road
Frontage on Water (m):		
Name of Waterbody:		
Depth (m):	650 feet 198.12m	
Acres (acres or ha):	aprox. 6 Acres	aprox. 95 acres

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

	Severed Lot (Proposed new lot):	Retained Lot:
Existing Use of Lot:	woodlot and hunting	woodlot and hunting
Existing Buildings/Structures:		
Proposed Use of Lot:	residential	
Proposed Buildings/Structures:	house with garage	

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

	Lot Addition:	**Retained Lands:**	**Benefitting Lands:**
Existing Use of Lot:			
Existing Buildings/Structures:			
Proposed Use of Lot:			
Proposed Buildings/Structures:			

11. EASEMENTS & RIGHT OF WAY – Complete this section if you ONLY are applying for an

Civic address of Benefitting lands:_____

Roll Number of Benefitting Lands: _____

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

_____

_____

_____

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

(NEW LOT) Severed Parcel		Retained Parcel	
☐	Municipal water system	☐	Municipal water system
☑	Privately owned and operated well	☐	Privately owned and operated well
☐	Lake water	☐	Lake water
☐	Other: _____	☐	Other: _____

TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION

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

(NEW LOT) Severed Parcel	Retained Parcel
☐ Publicly owned and operated communal septic system	☐ Publicly owned and operated communal septic system
☑ Privately owned and operated individual septic system:	☐ Privately owned and operated individual septic system:
☑ Leaching Bed (Class 4)	☐ Leaching bed (Class 4)
☐ Holding Tank (Class 5)	☐ Holding Tank (Class 5)
☐ Greywater Pit (Class 2)	☐ Greywater Pit (Class 2)
☐ Privy/Outhouse (Class 1)	☐ Privy/Outhouse (Class 1)

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

---

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

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

---

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

17. Name of road or lane which accesses:

The new lot (lot addition or Right of Way): Cottage (Road/Lane) & Everett Lane

The retained lot: Cottage (Road/Lane) & Everett Lane

Please indicate whether access to the land will be by:

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

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

The New Lot: _____

The Retained Lot: _____

18. What is the zoning of the subject lands? (Check www.frontenacmaps.ca)

Rural

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

Rural & Environmental Protection

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

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

☐ Yes ☐ No ☐ Unknown

Please explain:

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

☐ Yes	☑ No	☐ Unknown	
Application Type	Application Number	Date of Application	Decision
☐ Plan of Subdivision			
☐ Consent			
☐ Minor Variance			
☐ Site Plan Approval			
☐ Official Plan Amendment			
☐ Zoning By-law Amendment			
☐ Minister's Zoning Order			

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

☐ Yes _____ ☑ No

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

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

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

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

TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION

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

The sketch must include the following:

☐ A directional arrow with North at the top of the page.

☐ The boundaries and dimensions of the whole property. LABEL the part that is to be severed and the part that is to be retained, including the total area (acres or hectares), road frontages on all roads/lanes for each and waterbodies.

☐ Indicate if the owner of the subject property also owns other lands near the proposal.

☐ The distance between the subject land and the nearest road, bridge or railway crossing

☐ The location of all land previously severed from the parcel (if applicable) originally acquired by the current owner of the subject land.

☐ All natural and artificial features that are located on the subject property and on land beside the subject property. Please label and show the approximate location of:

a. Existing Buildings, wells and septic systems, bridges, railways, roads, hydro lines

b. Waterbodies, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas

c. Landfills, propane facility, quarry's and pits

d. Barns

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

☐ Please include any information on natural and artificial features (as listed above) that in the applicant's opinion may affect the application

☐ Please indicate the current uses of land that is surrounding the property, such as residential, agricultural and commercial uses (if agricultural, please indicate the approximate distance of any barn structure from the proposed new lot).

☐ The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way.

☐ If access to the subject land is by water only, please show the location of the parking and boat docking facilities to be used, and the title documents to demonstrate legal deeded use of these facilities

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

☐ The location of any abandoned wells on the property

PERMISSION, ACKNOWLEDGEMENT, AGREEMENT AND DECLARATION OF APPLICATION

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

ACKNOWLEDGEMENT OF ADDITIONAL REQUIREMENTS

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

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

AGREEMENT TO INDEMNIFY

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

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

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

TOWNSHIP OF SOUTH FRONTENAC CONSENT APPLICATION

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

DECLARATION FOR THE PRESCRIBED INFORMATION

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

I/We, Keith Orser,
(Name of Owner / Agent)

of Verona ON
(Municipality, Town, City name)

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

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

On this 20th day of January, 2025.
(Day) (Month) Year)

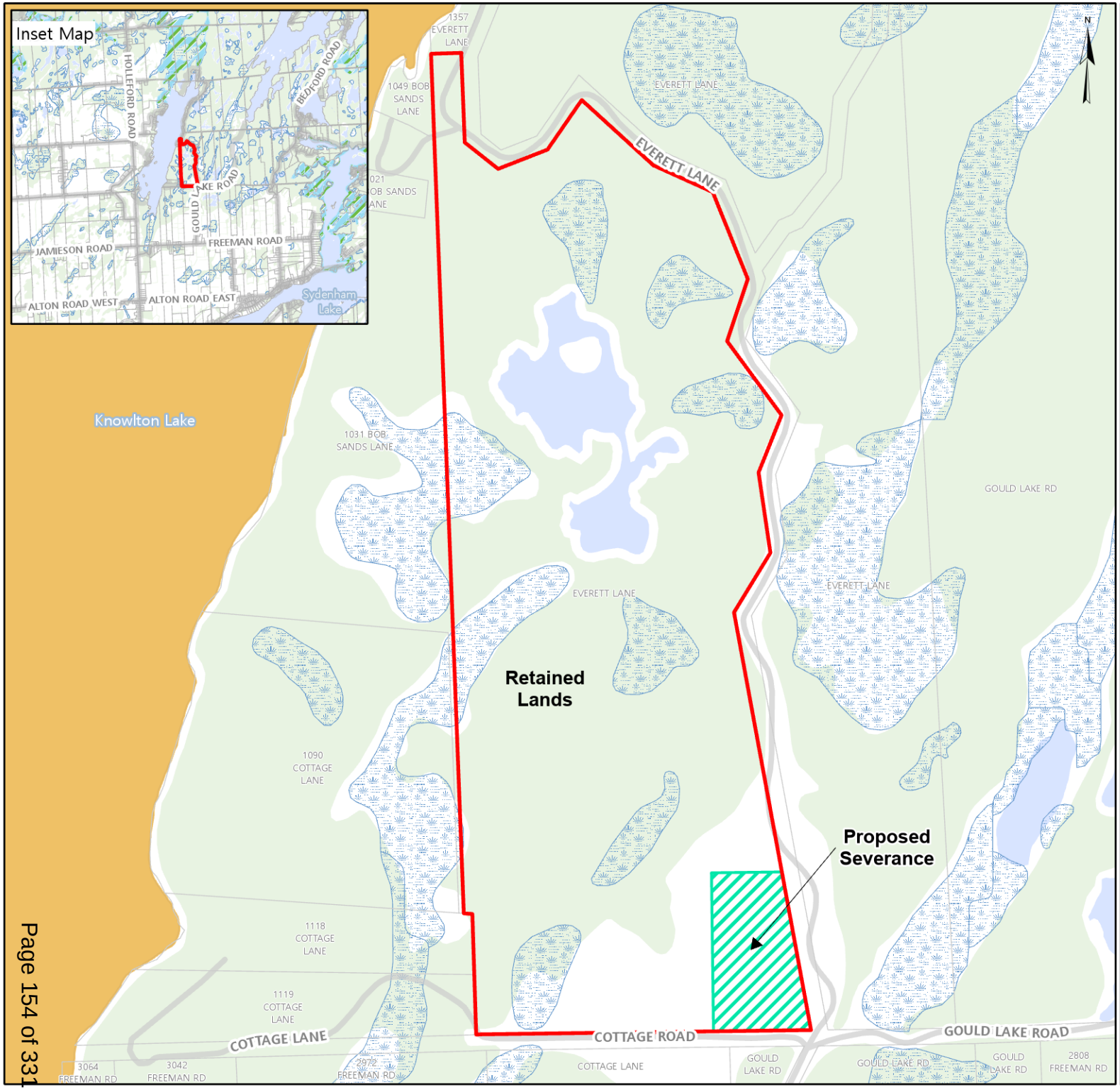
Commissioner of Oaths Signature

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

Affix Commissioner of Oaths stamp below signatures

Katie Susan Kaestner, a Commissioner, etc.,
Province of Ontario, for the Corporation of
the Township of South Frontenac.
Expires August 14, 2027.

13



SOUTH FRONTENAC

PL-BDJ-2025-0003

(ORSER)
EVERETT LANE

Legend

- Subject Lands
- Proposed Severance
- 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, 2025.

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: 1:6,700

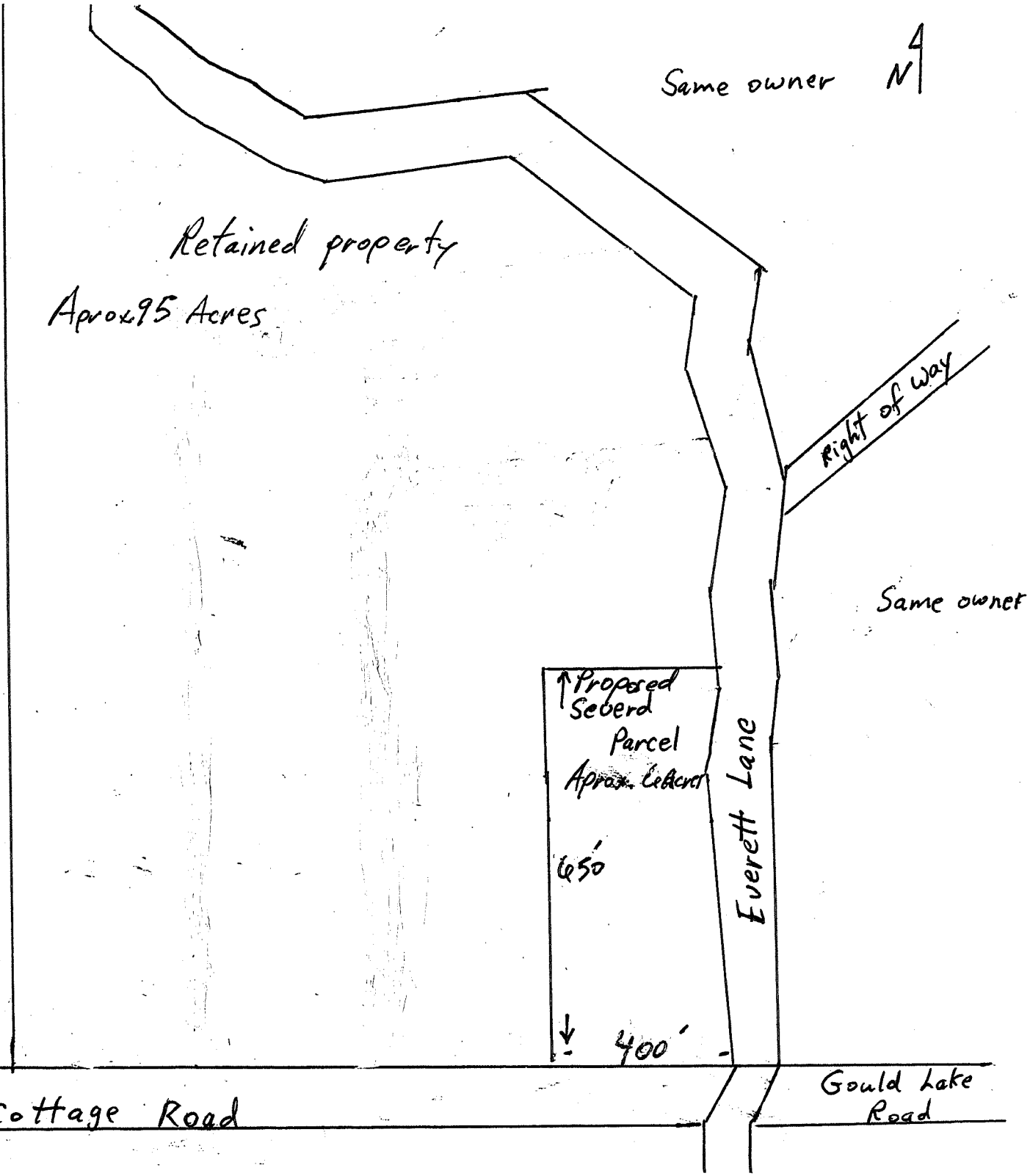
0 50 100 200 m

UTM Zone 18 NAD 83

Date: 23/01/2025

South Frontenac
Loughborough District
Roll# 1029-040-020-10000
Pin 36274-0087
Pin 36274-0425
Pin 36274-0426
Owners:
Keith Dale Orser
Edward Orser
TRAPL Inst# FC294492

101.15 Acres
Part Lot 3 Con 8



Keith Orser 613-541-9963
keithorser@live.ca
Edward Orser 613-374-2145

GEMTEC
www.gemtec.ca

Environmental Impact Statement
Proposed Land Severance
Part of Lot 3, Concession 8
Geographic Township of South Frontenac
Frontenac County, Ontario

GEMTEC
www.gemtec.ca

Submitted to:

ASC Environmental
1305 Princess Street
Kingston, Ontario
K7M 3E3

Environmental Impact Statement
Proposed Land Severance
Part of Lot 3, Concession 8
Geographic Township of South Frontenac
Frontenac County, Ontario

December 15, 2021
Project: 100573.007 - Rev 0

EXECUTIVE SUMMARY

GEMTEC Consulting Engineers and Scientists Limited (GEMTEC) was retained by ASC Environmental to complete an Environmental Impact Statement (EIS) for the property located on Part of Lot 3, Concession 8, in the Geographic Township of South Frontenac, Frontenac County, Ontario. This EIS has been completed in support of a proposed land severance for an approximately 42 hectare (ha) property for future residential development and was completed in accordance with all federal, provincial and municipal policies and guidelines, as applicable.

In support of this EIS a desktop review and a single field investigation were completed to identify the presence or absence of natural heritage features and species at risk (SAR) on-site. The field investigation was completed in August 2021. The focus of the site investigations was to describe, in general, the natural and physical setting of the subject property with a focus on confirming the presence or absence of natural heritage features and potential SAR or their habitat as identified in the desktop review.

Following completion of the desktop review and site investigations the following natural heritage features were identified on-site or within the study area: local evaluated wetlands, significant woodlands, significant wildlife habitat for turtle wintering habitat (*candidate),* reptile hibernaculum (*candidate*), woodland amphibian breeding habitat (*candidate*), special concern and rare wildlife habitat for eastern wood-pewee (*confirmed)*, special concern and rare wildlife habitat for eastern musk turtle, snapping turtle, eastern ribbonsnake and wood thrush (*candidate*), and fish habitat. The following SAR and their habitat were identified as having a potential to occur on-site: eastern small-foot myotis, little brown myotis, tri-colored bat, Blanding's turtle and gray ratsnake. Category 2 and 3 habitat for Blanding's turtle has been confirmed for the site. A single butternut tree (tree SAR) was observed on-site. No other SAR species were identified during site investigations.

As no in-water work is proposed as part of the development, potential impacts to natural heritage features on-site are anticipated to be indirect in nature and are primarily associated with alterations to water quality through nutrient and sediment loading.

Potential impacts to the natural heritage features were primarily associated with the loss of woodland and forest habitat, encroachment of local wetlands, encroachment of category 2 and 3 habitat for Blanding's turtle, and indirect impacts to significant wildlife habitat and fish habitat. Indirect impacts are associated with alterations to water quality through increased nutrient and sediment loading, and encroachment onto local wetlands.

Potential impacts to natural heritage features on-site are likely to be mitigated through the implementation of development envelopes and setbacks from natural heritage features. Impacts to wetland and fish habitat can be mitigated through a 30 m setback from all local wetlands and

watercourses. Impacts to significant wildlife habitat and SAR habitat can be mitigated through the use of development envelopes for the proposed lots.

Due to the potential for multiple SAR to occur on-site, the Ministry of Environment, Conservation and Parks (MECP) should be consulted prior to any site alteration, disturbance or construction. While the proposed land severances are not anticipated to negatively impact any SAR or potential SAR habitat on-site, once detailed development plans are known an Information Gathering Form (IGF) should be submitted to the MECP for review and comment.

Additionally, to provide protection to potential SAR and their habitat on-site, reptile and amphibian exclusion fencing should be installed around all future construction areas prior to any development or site alteration, to prevent the immigration of SAR turtles and other wildlife into the construction area. Should any SAR be discovered throughout the course of any development on-site, operations should stop and the species at risk biologist with the local MECP district should be contacted immediately for further direction. Furthermore, to ensure compliance with applicable legislation, all best management practices and adherence to vegetation clearing for birds and bats, outlined in Section 7 should be followed to ensure no negative impacts occur to natural heritage features on-site.

The proposed plan for land severance complies with the natural heritage policies of the Provincial Policy Statement and the Frontenac County Official Plan. No negative impacts to identified natural heritage features or their ecological functions are anticipated as a result of the proposed development as long as all mitigation measures in Section 7 are enacted and best management practices followed.

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1.0 INTRODUCTION

GEMTEC Consulting Engineers and Scientists Limited (GEMTEC) was retained by ASC Environmental to complete an Environmental Impact Statement (EIS) for the property located on Part of Lot 3, Concession 8, in the Geographic Township of South Frontenac, Frontenac County, Ontario (hereafter referred to as “the subject property”). The general location of the subject property is illustrated on Figure A.1 in Appendix A.

1.1 Purpose

The proponent is seeking a land severance application for an approximately 42 hectare (ha) property for future residential development. Based on Section 7 – Environmental Sustainability policies of the County of Frontenac Official Plan (2016) an EIS is required showing that the proposed development will not negatively impact any potential natural heritage features, which may be present within the study area. The study area is defined as the property boundary and the adjacent lands encompassing an area of 120 m beyond the property boundary. The subject project and the extents of the study area are illustrated on Figure A.2 in Appendix A.

1.2 Objective

The 2020 Provincial Policy Statement (MMAH, 2020) issued under Section 3 of the Planning Act states that “development and site alteration shall not be permitted in: habitats of species at risk, significant wetlands, significant areas of natural and scientific interest and significant wildlife habitat in Ecoregion 6E unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.” Similarly, the 2020 Provincial Policy Statement dictates that ‘development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.”

The objective of the work presented herein is twofold; 1) to identify and evaluate the significance of any natural heritage features, as defined in the Provincial Policy Statement (MMAH, 2020), on the subject property and within the broader study area and; 2) to assess the potential impacts from the proposed development on any natural heritage features identified and to recommend appropriate and defensible mitigation measures to ensure the long-term protection of any natural heritage features identified.

To meet these objectives, the EIS presented herein has been completed in accordance with the following provincial and municipal regulations, policies and guidelines:

- Provincial Policy Statement (MMAH, 2020);
- Endangered Species Act (Ontario, 2007);
- Conservation Authorities Act (Ontario, 1990);
- Natural Heritage Reference Manual (OMNR, 2010); and
- County of Frontenac Official Plan (County of Frontenac Official Plan, 2016).

1.3 Physical Setting

The subject property is located on Part of Lot 3, Concession 8, in the Geographic Township of Loughborough, Frontenac County, Ontario and is comprised of coniferous and deciduous forests, marsh wetlands, open water wetlands and open rock barrens.

The subject property is bound to the north and east by Everett Lane, and by Cottage Lane to the south. To the west the site is bound by the property located on Part of Lot 2, Concession 8.

1.4 Land Use Context

Zoning for the site from the South Frontenac Township is rural zone (RU) and environmental protection.

2.0 METHODOLOGY

2.1 Desktop Review

A desktop information gathering exercise was completed to aid in the scoping of field investigations and to gather information relating to natural heritage features which may be present on the subject project or within 1 km of the subject property. An additional component of the desktop review was to assess the potential presence of SAR to occur on the subject property or within the study boundary based on a review of publicly accessible occurrence records and a review of SAR habitat requirements and range maps.

Information regarding the potential presence of natural heritage features and SAR within the vicinity of the site was obtained from the following sources:

- Make a Map: Natural Heritage Areas (OMNRF, 2014a)
- Land Information Ontario (OMNRF, 2011);
- Ontario Geological Survey (OGS, 2019);
- Fisheries and Oceans Canada SAR Maps (DFO, 2019);
- Natural Heritage Information Centre Biodiversity Explorer (OMNRF, 2013);
- Breeding Bird Atlas of Ontario (Cadman et al., 2007)
- Ontario Herpetofaunal Atlas (Oldham and Weller, 2000);
- Wildlife Values Area (OMNRF, 2020a);
- Wildlife Values Site (OMNRF, 2020b);
- Ontario Reptile and Amphibian Atlas (Ontario Nature, 2019);
- Cataraqui Region Conservation Authority (CRCA Portal, Undated);
- County of Frontenac Official Plan (County of Frontenac Official Plan, 2016); and
- County of Frontenac GeoPortal (GeoPortal, Undated).

2.2 Field Investigations

A single field investigation was undertaken to describe in general, the natural and physical setting of the subject property with a focus on natural heritage features and to identify any potential SAR or their habitat that may exist at the subject property.

Field investigations completed in support of this EIS are outlined in Table 2.2 below. Photographs of site features taken during field investigations are provided in Appendix B.

Table 2.1 Summary of Field Investigations

Date	Time	Weather	Purpose
August 16, 2021	09:00-13:15	20°C, ~50% cloud cover, Beaufort 1, no precipitation	Preliminary constraints, Ecological Land Classification

2.2.1 Ecological Land Classification

Vegetation communities on the subject property were delineated during the desktop review stage of this EIS using publicly available air photos and confirmed in the field on August 16, 2021, following the Ecological Land Classification System for Southern Ontario (Lee et al., 2008). Vegetation communities were confirmed in the field by employing the random meander methodology while documenting dominant vegetation species within the various vegetation community forms.

2.3 Data Analysis

An evaluation of the significance of natural heritage features, the sensitivity of identified flora and fauna and the potential impacts posed by the proposed development was undertaken through an analysis of desktop and field investigation data using the approaches and criteria outlined in the following documents:

- Natural Heritage Reference Manual (OMNR, 2010);
- Significant Wildlife Habitat Technical Guide (OMNR, 2000);
- Significant Wildlife Habitat Ecoregion Criterion Schedules (OMNRF, 2015); and
- Significant Wildlife Habitat Mitigation Support Tool (OMNRF, 2014b).

3.0 EXISTING ENVIRONMENT

3.1 Ecoregion

The site is situated Ecoregion 6E-10 (Lake Simcoe-Rideau), which extends from Lake Huron in the west to the Ottawa River in the east. The climate of Ecoregion 6E is categorized as humid, high to moderate temperate ecoclimate with a mean annual temperature range between 4.9°C to 7.8°C and an annual precipitation ranging between 759 mm to 1,087 mm (Crins et al., 2009).

The eastern portion of the Ecoregion, which the subject property is located, is underlain by glaciomarine deposits as a result of the brief post-glacial incursion of salt water from the Champlain Sean along the St. Lawrence Valley. This Ecoregion falls with Rowe's (1972) Great Lakes-St. Lawrence Forest Region, including its Huron-Ontario and Upper St. Lawrence sections, and a small part of the Middle Ottawa Forest section (Crins et al., 2009).

3.2 Landforms, Soils and Bedrock Geology

The topography of the site is fairly complex with multiple undulations, and elevation changes throughout. The site has a topographical high of 180 mASL and a topographical low of 153 mASL. The high occurs in the northernmost area of the subject property and is represented by a steep rock outcrop. The topographical low is represented by the wetlands and watercourses that are more prominent in the central area of the subject property. The general trend in elevation is a downward slope across the property in an east to west fashion, from Everett Lane sloping downwards to Knowlton Lake.

A single topographical landform, as mapped by Chapman and Putnam (1984) is described on-site: shallow till and rock ridges of the Algonquin Highlands physiographic region.

The Ontario Geological Survey (OGS, 2019) identifies two surficial soil units on-site: organic deposits and Precambrian bedrock. Organic deposits composed of peat, muck, and marl comprise a single section towards the northern area of the subject property. Precambrian bedrock, the larger of the two soil units, occupies the remainder of the property in its entirety.

Bedrock at the site, as described by OGS (2019) consists of late felsic plutonic rocks, granodiorite, granite, syenite, pegmatite, alkalic granite, and migmatitic gneisses.

3.3 Surface Water, Groundwater and Fish Habitat

Surface water on the subject property and surrounding study area consists of a series local wetlands, unnamed watercourse and vernal pools.

Based on aerial imagery and the field investigation, a total of 22 local wetlands have been identified based on NHIC mapping; nine within the subject property and 13 within the study area. Although not all wetlands were directly evaluated, water depths varied among the wetlands from minimal surficial water with saturated soils to depths of greater than 1 m.

A series of watercourses were identified to be present on the subject property flowing between and hydrologically connecting the identified wetlands, which continue to flow off-site where it eventually discharges into Knowlton Lake, approximately 230 m west of the subject property. Watercourses and wetlands on-site are illustrated in Appendix A Figure A.2.

A total of three vernal pools were identified on-site which are further described below in Table 3.1, relative to their location within their respective vegetation communities. Vernal pools are illustrated in Appendix A Figure A.4.

A fisheries assessment was not conducted as part of this EIS; however, based on field observations and connectivity to Knowlton Lake, the wetlands and unnamed watercourses are likely to provide direct fish habitat for small bodied, warm water fish species. On-site vernal pools are assumed not to provide fish habitat.

Groundwater investigations were not completed in support of this EIS.

3.4 Vegetation Communities

Vegetation communities on-site were confirmed by GEMTEC in 2021, following protocols utilized in the Ecological Land Classification System for Southern Ontario (Lee et al., 2008). Vegetation at the site consists of coniferous and deciduous forests, marsh wetlands, shallow open water wetlands and open rock barrens.

Table 3.1 below provides a summary of the various vegetation communities identified on-site while Figure A.3 in Appendix A provides an illustration of the various vegetation communities.

Table 3.1 – Vegetation Communities

ELC Community Type	Description	Size (ha)
Dry – Fresh Sugar Maple Deciduous Forest Ecosite (FODM5)	This community was located throughout most of the subject property, representing the dominant terrestrial community within the northern and central areas of the subject property. Sugar maple (*Acer saccharum*) was dominant throughout with a variety of other deciduous species displaying second order dominance dotted throughout. Other deciduous species included: ironwood (*Ostrya virginiana*), shagbark hickory (*Carya ovata*), white ash (*Fraxinus americana*), red oak (*Quercus rubra*), basswood (*Tilia americana*), red maple (*Acer rubrum*), bitternut hickory (*Carya cordiformis),* butternut (*Juglans cinera*), white birch (*Betula papyrifera*), and American beech (*Fagus grandifolia*). Shrub vegetation was minimal, consisting mostly of saplings of the main tree species.	13.2

	Ground cover vegetation included ferns (*Polypodiophyta sp.),* grasses (*Poaceae sp*.), and false Solomon's seal (*Maianthemum racemosum*). The most northern of the on-site vernal pools is located within this deciduous community, near the northwestern extent of the subject property. This vernal pool was characterized by saturated soils, approximately 0.007 ha in size, and with standing water depths up to approximately 10 cm. Vegetative species included: sensitive fern (*Onoclea sensibilis*), jewelweed (*Impatiens capensis*), stinging nettle (*Urtica dioica*), sedges, speckled alder, willow, button bush, red osier dogwood, European frogbit (*Hydrocharis morsus-ranae*), red maple, silver maple (*Acer saccharinum*), and black ash (*Fraxinus nigra*).	
Dry – Fresh White Pine – Hardwood Mixed Forest Ecosite (FOMM2)	Found adjacent to Everett Lane along the east central area of the subject property, vegetation within this community was dominated by eastern white pine (Pinus strobus) and muscle wood (Carpinus caroliniana). Understory and shrub vegetation was comprised of dense scrubby thickets of European buckthorn (Rhamnus cathartica), eastern white cedar (Thuja occidentalis), and common juniper (Juniperus communis). A vernal pool was identified within this mix wood forest community, characterized by saturated soils, approximately 0.15 ha in size, with standing water depths up to approximately 10 cm. Vegetative species include: sensitive fern, jewelweed, stinging nettle, sedges, speckled alder, willow, button bush, red osier dogwood, European frogbit, red maple, silver maple, and black ash.	3.29
Dry Pine Non-Calcareous Shallow Coniferous Forest (FOCS2)	Vegetation within this community represented most of the southern half of the subject property, with smaller sections in the norther half of the subject property. Vegetation within this community was dominated by eastern white pine. Other coniferous species included eastern white cedar, eastern hemlock (*Tsuga canadensis*), red pine (*Pinus resinosa*), Jack pine (*Pinus banksiana*) and Scots pine (*Pinus sylvestris*). Some sugar maple and red oak were present dotted throughout. European buckthorn was present as the main shrub vegetation. A vernal pool was identified within this vegetation community, situated towards the southeastern corner of the subject property. This vernal pool is bounded by coniferous forest and open rock barren, and is approximately 0.1 ha in size. This vernal pool was observed to dry during the site investigation, but the presence of a variety of obligate and facultative wetland vegetation suggests the	14.5

	presence of seasonal water fluctuations. Vegetation within the vernal pool was dominated by very dense growth of reed canary grass (*Phalaris arundinacea*).	
Dry Bur Oak – Shagbark Hickory Tallgrass Woodland Type (WODM1-2)	This community was present within the south central area of the subject property. Vegetation within this community was noted as being open, dry and scrubby, dominated by bur oak (*Quercus macrocarpa*) and shagbark hickory. Some juniper and eastern white cedar were present, mostly as scrub and ground cover. Tall dense grasses were found throughout within this community.	0.50
Graminoid Mineral Meadow Marsh Ecosite (MAMM1)	Located within the southwestern corner of the subject property, this vegetation community was comprised by a variety of herbaceous and gramminoid obligate and facultative species including sedges (*Cyperaceae sp*.), rushes (*Juncaceae sp*.), cattails (*Typha sp.*), willow (*Salix sp.*), speckled alder (*Alnus incana*), and buttonbush (*Cephalanthus occidentalis*). Ground cover was dominated by moss (*Bryophyta sp*.).	0.52
Forb Mineral Shallow Marsh Ecosite (MASM2)	This wetland community was found throughout site, mostly within the central and eastern areas, spanning from the northern to the southern extents of the subject property. Though occurring in separate areas, individual areas of this community were noted as being hydrologically connected. Vegetation within this community consisted mostly of arrowhead (*Sagittaria latifolia*), and other dense forbes. Shrub layer along the periphery of the community consisted of button bush, speckled alder, red osier dogwood (*Cornus sericea*), and willow.	2.02
Water Lily – Bullhead Lily Mixed Shallow Aquatic Type (SAM_1-8)	Located in the central area of the northern half of the subject property, this community was characterized by shallow open water dominated by lily pads (*Nymphaeaceae sp.).* Dense growths of emergent forbes were observed along the banks and periphery of the open water.	5.51
Willow Mineral Deciduous Thicket Swamp Ecosite (SWTM3)	This community was located adjacent to Everett Lane, within the central area of the eastern property line. This community was mostly characterized as a dense willow thicket. Other constituents included speckled alder and red osier dogwood.	0.67

3.5 Wildlife

Wildlife observed on-site and within the study area during field investigations completed in 2021 are summarized in Table C.1 in Appendix C.

4.0 NATURAL HERITAGE FEATURES

Natural heritage features are defined in the PPS as “features and area, including *significant wetlands, significant coastal wetlands, fish habitat, significant woodlands* south and east of the Canadian Shield, *significant valleylands* south and east of the Canadian shield, *significant habitats of endangered species and threatened species, significant wildlife habitat* and *significant areas of natural and scientific interest*, which are important for their environmental and social values as a legacy of the natural landscape of an area”.

4.1 Significant Wetlands

As described in the Natural Heritage Reference Manual (OMNR, 2010), wetlands “mean lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface.” While *significant* in regards to wetlands means “an area identified as provincially significant by the Ontario Ministry of Natural Resources and Forestry using evaluation procedures established by the Province, as amended from time to time.”

Based on a review of NHIC mapping, a total of 22 wetlands have been identified to be present within the study area; nine on-site and 13 with the broader study area. Wetland communities within the subject property were identified to be mostly swamps with some marsh and shallow open water wetlands. Though not directly investigated during the site visit, aerial imagery suggests that the wetlands within the study area also represent the same mixture of wetland form.

All the wetlands on-site are hydrologically connected to each other either directly or indirectly through a series of connecting watercourses. Additionally, many of the off-site wetlands are hydrologically connected to the on-site wetlands in the same manner.

All wetlands on-site and within the study area have been classified as ‘evaluated - other’ as per the Cataraqui Region Conservation Authority (CRCA). As such, these wetlands are afforded the same protections as a local, unevaluated wetlands as they have been assessed as per the Ontario Wetland Evaluation System (OWES) and demonstrated not to be provincially significant. All local wetlands are illustrated on Figure A.4.

None of the wetlands identified on-site or within the study are classified as a Provincially Significant Wetland (PSW). As such, PSWs are not present on-site and are not discussed or evaluated further in this EIS.

Potential impacts to local wetlands from the proposed development are discussed in Section 6 below.

4.2 Significant Woodlands

Significant woodlands are defined in the natural heritage reference manual (OMNR, 2010) as “an area which is ecologically important in terms of features such as species composition, age of trees

and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history."

At the local scale, significant woodlands are defined and designated by the local planning authority. Generally, most planning authorities have defined significant woodlands as any woodland that contains any of the four criteria listed in Section 7.2 of the natural heritage reference manual (OMNR, 2010), including: woodland size, ecological functions, uncommon characteristics and economic and social functional values.

Table C.2 in Appendix C, presents the screening rationale for significant woodlands applied in this EIS. For comparison of woodland criteria used in Table C.2, the woodland coverage within the planning area is between less than about 30-60% of the land area, therefore the minimum woodland size for determining significance is 50 ha or greater, based on the guidance outlined in the natural heritage reference manual (OMNR, 2010).

Based on the results of the significant woodland screening presented in Table C.2, significant woodlands are present on-site due to their size and ecological function; interior, proximity to fish habitat, linkages and water protection. Significant woodlands are illustrated on Figure A.4 in relation to other site features.

Impacts to significant woodlands from the proposed development are discussed in Section 6.

4.3 Significant Valleylands

Valleylands are defined in the natural heritage reference manual (OMNR, 2010) as 'a natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of time". The identification and evaluation of significant valleys lands in Ontario is based on the recommended criteria from the MNRF and is the responsibility of local planning authorities.

In Southern Ontario, conservation authorities have identified valleylands as part of their regulation mapping (i.e., floodplain mapping); however, where valleys lands have not been defined, their physical boundaries are generally determined as the 'top-of-bank' or 'top-of-slope' associated with a watercourse. For less well-defined valleys, the physical boundary may be defined by riparian vegetation, flooding hazard limits, ordinary high water marks or the width of the stream meander belt (OMNR, 2010).

As discussed in Section 3.2, the topography of the site is fairly complex with multiple undulations and elevation changes throughout. While surficial water is present within some of the topographical depressions, significant valleylands have not been identified within the study area by either the MNRF or the CRCA. As such, significant valleylands are not present on-site and are not discussed or evaluated further in this EIS.

4.4 Significant Areas of Natural and Scientific Interest

The MNRF identifies two types of areas of natural and scientific interest (ANSI) in Ontario: life sciences ANSIs typically represent significant segments of Ontario's biodiversity and natural landscapes, while earth science ANSIs typically represent significant examples of bedrock, fossils or landforms in Ontario (OMNR, 2010).

No ANSI have been identified on-site or adjacent to the site during the desktop review or during site investigations. Therefore, ANSI are not discussed or evaluated further in this EIS.

4.5 Significant Wildlife Habitat

The natural heritage reference manual (OMNR, 2010), in combination with the significant wildlife habitat technical guide (OMNR, 2000) and the significant wildlife habitat ecoregion criterion schedules (OMNRF, 2015) were used to identify and evaluated potential significant wildlife habitat on-site. The significant wildlife habitat is broadly categorized as habitats of seasonal concentration of animals, rare vegetation communities, specialized habitats for wildlife, habitats of species of conservation concern and animal movement corridors. With the exception of rare vegetation communities, Tables C.3, C.4, C.5 and C.6 in Appendix C, provide the screening rationale for each category of significant wildlife habitat, respectively.

4.5.1 Habitats of Seasonal Concentrations of Animals

Seasonal concentration areas are habitats where large numbers of species congregate at one particular time of the year. The significant wildlife habitat technical guides (OMNR, 2000) and significant wildlife habitat ecoregion criterion schedules (OMNRF, 2015) identify 12 types of seasonal concentration habitats that may be considered significant wildlife habitat. These 12 types of seasonal habitat are presented in Table C.3 in Appendix C, including a brief description of the rationale as to why or why they are not assessed further in this EIS.

Following review of Table C.3 in Appendix C, three *candidate* habitats of seasonal concentration of animals is present on-site; waterfowl stopover and staging areas (aquatic), turtle wintering area and reptile hibernaculum. The *candidate* SWH are discussed in detail in the subsections below.

4.5.1.1 *Candidate* Waterfowl Stopover and Staging Areas (Aquatic)

Candidate waterfowl stopover and staging areas SWH was identified on-site within the shallow open water aquatic habitat (ELC Code: SAM_1-8), to the north central area of the property and along the western central property line. A larger portion of this shallow open water wetland extends westwards beyond the subject property boundary lines and into the western adjacent property.

Waterfowl stopover and staging areas SWH may be identified as ponds, marshes, lakes, bays, coastal inlets, and watercourses used during migration, which possess an abundant food supply (mostly aquatic invertebrates and vegetation in shallow water) (OMNRF, 2015).

Twenty-seven waterfowl species are listed as indicator species for waterfowl aquatic stopover and staging areas: Canada goose, cackling goose, snow goose, American black duck, northern pintail, northern shoveler, American wigeon, gadwell, green-winged teal, blue-winged teal, hooded merganser, common merganser, lesser scaup, greater scaup, long-tailed duck, surf scoter, ring-necked duck, common goldeneye, bufflehead, redhead, ruddy duck, red-breasted merganser, brant, canvasback and ruddy duck.

The defining use criteria for confirmed waterfowl stopover and staging area (aquatic) is aggregations of 100 or more of listed species for 7 days (i.e. greater than 700 waterfowl use days) or areas with annual staging of ruddy ducks, canvasbacks, and redheads. Based on observations from breeding bird surveys, none of the listed species were observed on-site. Additionally, no waterfowl staging or stopover areas have been identified by the MNRF on the Wildlife Values Area mapping from Land Information Ontario GeoHub (OMNRF, 2020a). Furthermore, the presence of Knowlton Lake nearby would likely provide more significant staging opportunities compared to the wetlands identified on-site.

As such, waterfowl stopover and staging areas (aquatic) SWH is not present on-site and is not discussed or evaluated further in this EIS.

4.5.1.2 *Candidate* Turtle Wintering Area

Candidate turtle wintering areas SWH was identified on-site within the shallow open water aquatic habitat (ELC Code: SAM_1-8), to the north central area of the property and along the western central property line. A larger portion of this shallow open water wetland extends westwards beyond the subject property boundary lines and into the western adjacent property.

Targeted turtle wintering surveys were outside of the scope of this EIS. As such the presence or absence of *confirmed* turtle wintering area SWH was not determined.

Turtle wintering area SWH may be identified as permanent water bodies, large wetlands and bogs or fens with adequate dissolved oxygen, water deep enough to avoid freezing and have soft mud substrates (OMNRF, 2015).

Three turtle species are listed as indicator species for turtle wintering area: midland painted turtle, northern map turtle and snapping turtle.

The defining use criteria for confirmed turtle wintering area SWH is the presence of 5 or more over-wintering midland painted turtles or one or more over-wintering snapping turtle or northern map turtle. While targeted turtle basking surveys were outside of the scope of this EIS, one indicator species, midland painted turtle was observed on-site within the shallow open water aquatic habitat (SAM_1-8) during site survey completed in mid-August, outside of the timeframe for assessing over-wintering habitat.

The presence of the single midland painted turtle does not qualify the associated wetland as overwintering habitat. However, NHIC data occurrences show snapping turtle to be present within both of the 1 km^2 grids that encompass the site. As such, it is likely that the shallow open water wetland (SAM_1-8) provides over wintering turtle habitat.

Impacts to *candidate* turtle wintering areas SWH from the proposed development are discussed in Section 6.

4.5.1.3 *Candidate* Reptile Hibernaculum

Candidate reptile hibernacula SWH was identified on-site within the large rock piles, exposed bedrock outcrops to the north of the property, and within fissured rock identified throughout the subject property. Targeted reptile hibernaculum surveys were outside of the scope of this EIS. As such the presence or absence of *confirmed* reptile hibernaculum was not determined.

The defining use criteria for confirmed reptile hibernaculum SWH is the presence of snake hibernacula used by or congregations of a minimum of five individuals of a snake species or; individuals of two or more snake species near potential hibernacula (eg. foundation or rocky slope) on sunny warm days in Spring (Apr/May) and Fall (Sept/Oct) (OMNRF, 2015). One indicator species, eastern gartersnake, was observed on-site during site investigations, outside of key emerging periods. Two separate gartersnakes were observed, both of which were young of the year specimens.

Impacts to *candidate* reptile hibernacula habitat from the proposed development are discussed in Section 6.

4.5.2 Rare Vegetation Communities

Rare vegetation communities in the province are described generally as those with an S1 to S3 ranking by the NHIC, and typically include communities such as sand barrens, alvars, old growth forests, savannahs and tallgrass prairies.

The vegetation communities identified on-site and described in Section 3.4 of this report are not ranked by the NHIC as S1, S2 or S3 and are therefore not considered to be rare vegetation communities. As such, rare vegetation communities are not discussed or evaluated further in this EIS.

4.5.3 Specialized Habitats for Wildlife

Specialized wildlife habitats are microhabitats that provide a critical resource to some groups of wildlife. The significant wildlife habitat technical guide (OMNR, 2000), defines eight specialized habitats that may constitute significant wildlife habitat, these eight types of specialized wild habitat are evaluated in Table C.4 in Appendix C.

Following review of Table C.4 in Appendix C, three *candidate* specialized habitat for wildlife is present on-site: woodland nesting raptor habitat, woodland amphibian breeding habitat, and wetland amphibian breeding habitat. The *candidate* SWH are discussed in detail in the subsection below.

4.5.3.1 *Candidate* Woodland Nesting Raptor Habitat

Woodland nesting raptor habitat provides critically important breeding habitat for the following wildlife species: northern goshawk, Cooper's hawk, sharp-shinned hawk, red-shouldered hawk, barred owl, and broad-winged hawk. Habitats are often used annually by these species with nests sites being rarely identified. The presence of one or more active nests from species list is considered significant under the defining use criteria (OMNRF, 2015).

The subject property meets the defining use criteria in that *candidate* woodland nesting raptor habitat may be found in all natural or conifer plantation woodland/forest stands. While a single broad-winged hawk was observed foraging on-site, no stick nests have been observed on-site. As such woodland nesting raptor habitat is not present on-site and is not discussed or evaluated further in this EIS.

4.5.3.2 *Candidate* Woodland Amphibian Breeding Habitat

Candidate woodland amphibian breeding habitat was identified on-site within the forested communities (ELC Codes: FODM5, FOMM2 and FOCS2), which are situated adjacent to and/or contain wetland habitat within them. Targeted woodland amphibian breeding habitat surveys were outside of the scope of this EIS. As such the presence or absence of *confirmed* woodland amphibian breeding habitat SWH was not determined.

Candidate woodland amphibian breeding habitat provides critically important breeding habitat for the following wildlife species: eastern newt, blue-spotted salamander, spotted salamander, gray treefrog, spring peeper, western chorus frog and wood frog. Woodland amphibian breeding habitat can be located in all forested ecosites.

Based on the habitat description outlined in the Significant Wildlife Habitat Criteria Schedule (OMNRF, 2015) habitat for wetland breeding amphibians is the presence of a wetland, pond or woodland pool (including vernal pools) >500 m^2 (about 25 m diameter) within or adjacent (within 120 m) to a woodland (no minimum size). Non-woodland habitat adjacent to the wetlands is not considered SWH. Woodlands with permanent ponds or those containing water in most years until mid-July are more likely to be used as breeding habitat.

The defining use criteria for confirmed woodland amphibian breeding SWH is the presence of breeding populations of one or more listed newt/salamander species, two or more of the listed frog/toad species with at least 20 individuals, or two or more of the listed frog/toad species with a call level code 3.

While targeted woodland amphibian breeding surveys were outside of the scope of this EIS, two indicator species, spring peeper and wood frog, were observed on-site mostly within the deciduous forest (FODM5) adjacent to either the vernal pools or marsh habitats (MASM2) during site survey completed in mid-August, outside of the timeframe for assessing breeding habitat. All three vernal pools were located either within or adjacent to suitable woodland habitats, with two of them still containing standing water in August, which suggests that woodland amphibian species are likely to be utilizing these vernal pools during key breeding periods.

The presence of the two identified frog species does not qualify the associated forest community as breeding habitat. However, it is worth noting that many of the observed specimens were young of the year and found within close proximity to either a vernal pool or other wetland. As such, it is likely that the forested communities adjacent to the on-site wetlands and vernal pools provides woodland amphibian breeding habitat.

Impacts to *candidate* woodland amphibian breeding SWH from the proposed development are discussed in Section 6.

4.5.3.3 *Candidate* Wetland Amphibian Breeding Habitat

Candidate wetland amphibian breeding habitat was identified on-site within the shallow open water aquatic community (ELC Code: SAM_1-8), which is situated to the north central area of the property and along the western central property line. A larger portion of this shallow open water wetland extends westwards beyond the subject property boundary lines and into the western adjacent property.

Targeted wetland amphibian breeding habitat surveys were outside of the scope of this EIS. As such the presence or absence of *confirmed* wetland amphibian breeding habitat SWH was not determined.

Candidate wetland amphibian breeding habitat provides critically important breeding habitat for the following wildlife species: eastern newt, American toad, spotted salamander, four-toed salamander, blue-spotted salamander, gray treefrog, western chorus frog, northern leopard frog, pickerel frog, green frog, mink frog, and bullfrog.

Wetland amphibian breeding habitat can be located in all ecosites associated with swamps, marshes, fens, bogs, open water and shallow water. Typically these wetland ecosites will be isolated (greater than 120m) from woodland ecosites, however larger wetlands containing predominantly aquatic species (e.g. bull frog) may be adjacent to woodlands.

The defining use criteria for confirmed wetland amphibian breeding SWH is the presence of breeding populations of one or more listed newt/salamander species, two or more of the listed frog/toad species with at least 20 individuals, or two or more of the listed frog/toad species with a call level code 3, or with confirmed breeding bullfrogs.

While targeted wetland amphibian breeding surveys were outside of the scope of this EIS, a single indicator species, green frog, was observed on-site within close proximity to the shallow open water (SAM_1-8) during site survey completed in mid-August, outside of the timeframe for assessing breeding habitat.

The presence of the single identified frog species does not qualify the open shallow water community as breeding habitat. However given the amount of available habitat and these habitats are fairly rare within central Ontario (OMNRF, 2015a), it would be expected that more indicator species would be present utilizing the shallow open water community during key breeding times. As such, it is likely that the open shallow water wetland provides wetland amphibian breeding habitat.

Impacts to *candidate* wetland amphibian breeding SWH from the proposed development are discussed in Section 6.

4.5.4 Habitats of Species of Conservation Concern

Provincial rankings are used by the Natural Heritage Information Centre to set protection priorities for rare species, similar to those described in Section 4.5.2 above for vegetation communities. Provincial rankings (S-ranks), are not legal designations such as those used to define the various protection statuses of species at risk, they are only intended to consider factors within the political boundaries of Ontario that might influence a particular species abundance, distribution or population trend.

Based on the guidance provided in the Significant Wildlife Habitat Ecoregion Criterion Schedules (MNRF, 2015), when a plant or animal element occurrence is recorded for any species with an S-rank of S1 (extremely rare), S2 (very rare), S3 (rare to uncommon) or SH (historically present), the corresponding vegetation ecosite is considered to provide *candidate* habitat for species of conservation concern and further consideration within the EIS is warranted.

The Significant Wildlife Habitat Ecoregion Criterion Schedules (OMNRF, 2015), provides five general habitat types known to support a wide range of species of conservation concern in Ontario. The five general habitat types for Ecoregion 6E-10 are provided in Table C.5 in Appendix C, including a brief rationale as to why they are or are not considered further in this EIS. Following review of Table C.5 in Appendix C, one habitat of species of conservation concern has been *confirmed* on-site, habitat for special concern and rare wildlife species for eastern wood-pewee. Additionally, one *candidate* habitat of species of conservation concern has been identified on-site; habitat for special concern and rare wildlife species for eastern musk turtle, snapping turtle, eastern ribbon snake and wood thrush.

The *candidate* and *confirmed* SWH are discussed in detail in the subsections below.

4.5.4.1 Special Concern and Rare Wildlife Species SWH

Based on observation data from the field investigations, one species of special concern has been identified on-site or within the broader study area; eastern wood-pewee. Based on research from the desktop search as discussed in Section 2.1, five species of special concern have been identified on-site or within the broader study area; eastern musk turtle, snapping turtle, eastern ribbon snake and wood thrush. No other species of special concern or rare wildlife species were identified on-site or within the broader study area. Potential impacts to all *candidate* and *confirmed* species at risk from the proposed development are discussed in Section 6.

The eastern wood-pewee is a small flycatcher bird with an S-rank of S4 (uncommon but not rare) and is listed as a species of special concern in Ontario. Eastern wood-pewee was identified on-site during the site investigations. Eastern wood-pewee is a woodland species that is often found near clearings and edges and they were observed calling on-site during the site investigations. Given the mosaic of mixed woodlands for eastern wood-pewee on-site, there is a high potential for eastern wood-pewee and their habitat to occur on-site. Impacts to *confirmed* eastern wood-pewee habitat from the proposed development are discussed in Section 6.

Eastern musk turtle is a highly aquatic turtle species with an S-rank of S3 (rare to uncommon) and is listed as a species of special concern in Ontario. The NHIC identified eastern musk turtle as having occurred within both 1km^2 grids that encompass the site as well as within 1 km west and north of site. Species was not observed during field investigations. Eastern must turtle prefer permanent ponds, lake, marshes and rivers. Given the availability of potentially suitable aquatic on-site, there is a high potential for eastern musk turtle and its habitat to occur on-site. Impacts to *candidate* eastern musk turtle habitat from the proposed development are discussed in Section 6.

The snapping turtle is a highly aquatic turtle species with an S-rank of S3 (rare to uncommon) and is listed as a species of special concern in Ontario. Snapping turtles are aquatic generalists, found in a variety of wetlands, water bodies and watercourses. Snapping turtles were not observed during field investigations. The NHIC identified snapping turtle to have occurred within both 1km^2 grids that encompass the site as well as within 1 km north, west and east of site. Given the availability of potentially suitable aquatic habitat on-site, there is a high potential for snapping turtle and its habitat to occur on-site. Potential impacts to snapping turtle from the proposed development are discussed in Section 6.

The eastern ribbonsnake is a slender, black snake with three yellow stripes running down its back, with an S-rank of S4 (uncommon but not rare) and is listed as a species of special concern in Ontario. Data occurrence from the Ontario Herp and Reptile Atlas indicates the species occurring within the 10km^2 that encompasses the site. However, NHIC does not provide any occurrence records of eastern ribbonsnake occurring within 1 km of site. Eastern ribbonsnake were not observed during the field investigation. Eastern ribbonsnakes are found close to water, typically marshes, where its prey of frogs and small fish are abundant. This species overwinters in

underground burrows or rock crevices. Given the availability of suitable aquatic habitat and rock crevices on-site, there is a moderate chance of eastern ribbonsnake occurring on-site. Potential impacts to *candidate* eastern ribbonsnake habitat from the proposed development are discussed in Section 6.

The wood thrush is a medium-sized songbird with an S-rank of S4 (uncommon but not rare) in Ontario; the most recent Ontario Breeding Bird Atlas indicated that the wood thrush populations in Ontario have shown a significant annual increase of 4.4% between the first and second atlas (Cadman et al., 2007). Wood thrush is a woodland species often found in moist, deciduous hardwood or mixed forests stands, with dense deciduous undergrowth and tall trees. Wood thrush were not observed calling on-site during the site investigation. The NHIC identified wood thrush to have occurred within both 1km^2 grids that encompass the site as well as within 1 km east of site. Given the woodlands within the study area which may provide suitable habitat, there is a high chance of suitable wood thrush habitat occurring on-site. Impacts to *candidate* wood thrush habitat from the proposed development are discussed in Section 6.

4.5.5 Animal Movement Corridors

Animal movement corridors are elongated areas used by wildlife to move from one habitat to another and allow for the seasonal migration of animals (OMNRF, 2015). The Significant Wildlife Habitat Ecoregion Criterion Schedules for Ecoregion 6E-10 (OMNRF, 2015), identifies two types of animal movement corridor: amphibian movement corridors and deer movement corridors. As per guidance presented in MNRF, 2015, animal movement corridors should only be identified as significant wildlife habitat when a *confirmed or candidate* significant wildlife habitat has been identified by the MNRF district office or by the regional planning authority.

Following review of Table C.6 in Appendix C, no animal movement corridors have been identified on-site. Furthermore, the MNRF has not identified any animal movement corridors on the publicly available data sets for wildlife values area (OMNRF, 2020a) or wildlife values site (OMNRF, 2020b). As such, animal movement corridors are not discussed or evaluated further in this EIS.

4.6 Fish Habitat

The protection of fish and fish habitat is a federal responsibility and is administered by the Department of Fisheries and Oceans Canada (DFO). Fish habitat as defined in the Fisheries Act (Canada, 1985) means, “spawning grounds and nursery, rearing food supply and migration areas on which fish depend directly or indirectly in order to carry out their life processes.”

When development is unable to avoid resulting in the harmful alteration, disturbance or destruction of fish habitat from typical project impacts such as temperature change, sedimentation, infilling, reduction of nutrient and food supply, etc., an authorization under the Fisheries Act is required for the project to proceed.

As discussed in Section 3.4, surface water features on-site consists of the local wetlands and unnamed watercourses. A fisheries assessment was not conducted as part of this EIS, until such time that a fisheries assessment is completed, all surface water features on-site are assumed to provide fish habitat for small bodied fish species.

Impacts to fish habitat from the proposed development is discussed in Section 6.

4.7 Species at Risk

The probability of occurrence for species at risk to occur on-site and within the broader study area was determined through the desktop review stage of this EIS, as described in Section 2.1, and through the site specific surveys conducted as part of this EIS, outlined in Section 2.2.

Table C.7 in Appendix C, provides a summary of all species at risk which were determined to have the potential to occur on-site or within the broader study area, their protection status under the provincial Endangered Species Act (Ontario, 2007), their probability of occurrence and a brief rationale of that probability. Impacts to endangered or threatened SAR determined to have a moderate or high potential to occur on-site or within the broader study area are discussed further in Section 6.

5.0 PROPOSED PROJECT

The proposed project assessed for potential impacts on the natural heritage features determined to be present within the broader study area includes the severance of three parcels of approximately 12 ha, 9.7 ha, and 5.8 ha from and existing 42 ha property for future residential development. The land severances and retained land are proposed to occur spanning the length of the entire subject property from north to south, with road frontage Cottage Lane and Everett Road, as illustrated on Figure A.2.

The act of severing three lots from the existing property parcel is not expected to result in any physical alteration to the subject property. However, future development activities anticipated to occur on each of the proposed severance parcels will include vegetation removal, fill placement and/or elevation grading, excavation of building foundations, construction of single family dwellings with detached garage, drilling of a drinking water well, installation of septic system and general landscaping.

6.0 IMPACT ASSESSMENT

Potential impacts to natural heritage features on-site and within the broader study area are assessed for direct, indirect and cumulative effects based on the proposed project outlined in Section 5. Natural heritage features identified in Section 4 of this report as present or likely to be present are discussed in the subsections below.

Potential effects to the environment of the site from the proposed development outlined in Section 5 include: a minor loss of road front woodlands, a minor increase in impervious surface, minor increase in stormwater generation, short-term increases in sedimentation and/or erosion and increased noise generation.

6.1 Local Wetlands

No in-water work is anticipated as part of the proposed development; therefore impacts to local wetlands are anticipated to be indirect in nature.

As no in-water work will occur within the local wetlands on-site, potential indirect impacts to wetlands on-site are primarily associated with changes to the surface water and groundwater water balance through increased storm water runoff resulting from an increase in the impervious surface area and encroachment resulting in compaction of soils and vegetation loss. Other potential impacts include short duration construction impacts, including: heavy machinery encroachment, fill placement and long term human disturbance such as noise generation, dumping or refuse and yard waste and trampling.

However, given the nature of the proposed development, a single family-residential dwelling, impacts from increased human presence and disturbance are anticipated to be minimal.

Avoidance and mitigation measures intended to protect local wetlands are provided in Section 7.

6.2 Significant Woodlands

As discussed in Section 4.2, the woodlands on-site are considered significant due to their size and ecological functions. Potential impacts to significant woodlands on-site are anticipated to include the loss of 0.8 ha (four development envelopes of 0.2 ha) of roadside forest habitat to accommodate future development envelopes on each severance parcel and the retained land, and the corresponding reduction of available interior forest habitat. Based on the position of the proposed severances and the proposed development envelopes, the proposed development is not anticipated to result in increased fragmentation or increased human disturbance.

Avoidance and mitigation measures to reduce impacts to significant woodlands are outlined in Section 7.

6.3 Significant Wildlife Habitat

The potential presence of *candidate* and *confirmed* significant wildlife habitat on-site and within the study area was evaluated in Section 4.5. As a result of this assessment five types of significant wildlife habitat was determined to be present on-site or within the study area; *candidate* turtle wintering area*, candidate* reptile hibernaculum, *candidate* woodland amphibian breeding habitat, *candidate* wetland amphibian breeding habitat, special concern and rare wildlife species SWH for eastern wood-pewee (*confirmed)*, eastern musk turtle, snapping turtle, eastern ribbon snake and wood thrush (*candidate).*

Potential impacts to each type of SWH are discussed in greater detail in the following subsections, while mitigation measures intended to prevent such impacts are presented in Section 7.

6.3.1 *Candidate* Turtle Wintering Area

Candidate turtle wintering area has been identified in association with the shallow open water (ELC Code: SAM_1-8). No in-water work is anticipated as part of the proposed development; therefore impacts to *candidate* turtle wintering area wetlands are anticipated to be indirect in nature.

As no in-water work will occur within wetlands on-site, potential indirect impacts to wetlands on-site are primarily associated with changes to the surface water and groundwater water balance through increased storm water runoff resulting from an increase in the impervious surface area and encroachment resulting in compaction of soils and vegetation loss. Other potential impacts include short duration construction impacts, including: heavy machinery encroachment, fill placement and long term human disturbance such as noise generation, dumping or refuse and yard waste and trampling.

However, given the nature of the proposed development, three single family-residential dwellings, and the distance of approximately 530 m between the wetlands and development envelopes, impacts from increased human presence and disturbance are anticipated to be minimal.

Mitigation measures to protect *candidate* turtle overwintering areas within the on-site local wetlands are provided in Section 7.

6.3.2 *Candidate* Reptile Hibernaculum

Candidate reptile hibernaculum habitat can be found along the exposed bedrock outcrops, rock piles and fissured rock identified throughout the property, as well as the large rock ridge to the north of the property, as illustrated on Figure A.4.

Potential direct impacts to *candidate* reptile hibernaculum habitat are associated with direct loss of habitat structures, and habitat disturbances resulting in changes to the thermal regime and microclimates. Potential indirect impacts to *candidate* reptile hibernaculum include habitat

fragmentation, disruption to interior forest habitat, increase human presence, increased human and wildlife interaction and disturbances, and increased noise levels.

Given the nature of the proposed project considering the distance between the identified rock structures and the proposed severances, greater than 90 m at the closest point, and that no reptile hibernaculum were confirmed through the NHIC database or field visits, the impacts to *candidate* reptile hibernaculum habitat are not anticipated.

As such direct mitigation measures to protect *candidate* reptile hibernaculum are not provided in Section 7, however, mitigation measures for the protection of reptile species during construction are provided in Section 7.

6.3.3 *Candidate* Woodland Amphibian Breeding Habitat

Candidate woodland amphibian breeding habitat was identified on-site within the forested communities (ELC Codes: FODM5, FOMM2 and FOCS2), which are situated adjacent to and/or contain wetland habitats within them.

As no in-water work is proposed as part of the development, and as some woodlands are anticipated to be removed during the construction process, potential impacts to *candidate* wetland amphibian breeding SWH are anticipated to be both indirect and direct in nature. Distance from the proposed developments to their nearest respective wetland ranges from approximately 44 m to 225 m. If total buildout of the development envelopes were to occur, a total of 0.8 ha (2.7%) of on-site woodlands would be removed. However, when considering the amount of suitable woodland habitat available within closer proximity to the wetlands compared to the development envelopes, impacts to *candidate* woodland amphibian SWH are anticipated to be minimal.

Potential impacts to *candidate* woodland amphibian breeding SWH are anticipated to be primarily associated with seasonal migration and dispersion to and from breeding wetland habitats. Impacts to migrating amphibians due to the proposed development may include a loss of forest habitat, increased fragmentation, encroachment and increased human-wildlife interactions.

Indirect impacts to wetland breeding habitats may include alterations to water quality due to nutrient and sediment loading as well as alterations to the hydrologic regime due increases in impermeable surfaces and increases in storm water runoff.

Other potential impacts include short duration construction impacts, including: heavy machinery encroachment, fill placement, and long-term human disturbance such as noise generation, dumping of refuse and trampling.

Mitigation measures to reduce impacts to *candidate* woodland amphibian breeding habitat SWH are provided in Section 7.

6.3.4 *Candidate* Wetland Amphibian Breeding Habitat

Candidate wetland amphibian breeding habitat was identified on-site within the shallow open water community (ELC Code: SAM_1-8), which is situated within the general central area of the subject property.

As no in-water work is proposed as part of the development, potential impacts to *candidate* wetland amphibian breeding SWH are anticipated to be indirect in nature. Furthermore, the open water community is situated approximately 420 m from the nearest development envelope.

As such, when considering the distance separating the development envelopes and the wetland, as well as the dense vegetation between them, impacts to *candidate* wetland amphibian SWH as a result of the proposed developments are not anticipated.

As such no mitigation measures are provided in Section 7 for the protection of *candidate* wetland amphibian breeding SWH and it is not discussed or evaluated further in this EIS.

6.3.5 Habitats of Special Concern and Rare Wildlife Species SWH

6.3.5.1 *Confirmed* - Eastern Wood Pewee

Eastern wood-pewee (*Contupus virens*) is a small, avian insectivore that lives in a variety of deciduous, mixed and to a lesser extent, coniferous woodland habitat (COSEWIC, 2012c). Adult eastern wood-pewee are gray-olive with pale wing-bars, the breast and sides are slightly darker green than the wings. It is best identified by its three-phrased song, often paraphrased as a whistled ‘pee-ah-wee’ (COSEWIC, 2012c). In Ontario, the eastern wood-pewee is listed as a species of special concern.

Threats to eastern wood-pewee are not well understood, however, loss of suitable forest habitat does not appear to be a significant issue across their Canadian breeding range (COSEWIC, 2012c). Furthermore, research indicates that the species is not very sensitive to forest fragmentation effects or forest size (COSEWIC, 2012c). Eastern wood-pewee may be sensitive to human habitation, in Ontario they occur less frequently in woods with surrounding development than those without houses (COSEWIC, 2012c). Other threats to eastern wood-pewee may include changes in the availability of aerial insects, mortality during migration and/or wintering, nest predation and habitat changes due to white-tailed deer browsing (COSEWIC, 2012c).

Eastern wood-pewee were identified to be present on-site through the single site investigation.

Potential impacts to eastern wood-pewee and their habitat on-site from the proposed development is limited to the coniferous forest ecosite FOCS2, which may provide nesting and foraging habitat. Impacts to woodlands outside of the proposed severance areas are not anticipated to occur. Impacts to eastern wood-pewee habitat within the proposed severance area may include loss of forest habitat, increased fragmentation, and increased human presence.

The proposed development may result in the loss of suitable forested habitat on-site however, suitable habitat is readily available within the retained lands of the site, areas within the severances beyond the development envelopes, as well as the broader study area. Research also indicates that eastern wood-pewee are not negatively impacted by the loss of forest habitat, increased fragmentation or smaller woodlot size (COSEWIC, 2012c). Impacts from increased human presence are anticipated to be negligible given the existing rural development surrounding the subject property and availability of suitable habitat within the greater study area.

Mitigation measures intended to prevent negative impacts to nesting and foraging eastern wood-pewee are presented in Section 7.

6.3.5.2 *Candidate* - Eastern Musk Turtle

Eastern musk turtle is a small freshwater turtle with a narrow, domed carapace, and a large head with a pointed snout (COSEWIC, 2012a). Two yellow/white stripes extend from the nose, above and below the eyes, and along the sides of the head and neck. These stripes are not always apparent on older individuals (COSEWIC, 2012a). The plastron is small and cross-shaped. There are two or more pointed barbels present on the chin and throat. Individuals may strike defensively when handled and are often called 'Stinkpots' because of the musky odour they exude (COSEWIC, 2012a). In Ontario the eastern musk turtle is listed as a species of special concern.

Eastern musk turtle typical inhabit littoral zones and shallow waterways such as rivers, lakes, bays, streams, ponds, canals and swamps with slow currents and soft bottoms. They prefer shallow water with abundant floating and submerged vegetation (COSEWIC, 2012a).

In Canada, the two major threats to eastern musk turtle are fisheries by-catch and habitat destruction and alteration. Additional threats to eastern musk turtle are primarily related to their life-history; their low recruitment, late maturity, long lifespan and reliance on low adult mortality, make them vulnerable to a variety of anthropogenic impacts. Cool and relatively short active seasons in Canada also limit reproductive success (COSEWIC, 2012a).

Species was not observed during the single site investigation.

Impacts to eastern musk turtle and their habitat from the proposed development are limited to aquatic habitat on-site, including the watercourses, local wetlands, as well as off-site aquatic habitat (illustrated on Figure A.3), which may provide suitable foraging, basking and overwintering habitat. No in-water work is anticipated as part of the proposed development; therefore impacts to the aquatic habitat are anticipated to be indirect in nature.

As no in-water work will occur within wetlands or watercourses on-site, potential indirect impacts to wetlands and watercourses on-site are primarily associated with changes to the surface water and groundwater water balance through increased storm water runoff resulting from an increase in the impervious surface area and encroachment resulting in compaction of soils and vegetation

loss. Other potential impacts include short duration construction impacts, including: heavy machinery encroachment, fill placement and long term human disturbance such as noise generation, dumping or refuse and yard waste and trampling and increased road mortality, particularly during nesting season, when turtles are more transient.

However, given the nature of the proposed development, single family-residential dwellings, impacts from increased human presence and disturbance are anticipated to be minimal.

Mitigation measures to protect eastern musk turtle and their habitat are provided in Section 7.

6.3.5.3 *Candidate* - Snapping Turtle

Snapping turtle is the largest freshwater turtle found in Canada; in central Ontario males average 32 cm in carapace length and have an average mass of 9.3 kg (COSEWIC, 2008). The carapace is keeled, and can be brown, black or olive in colour (COSEWIC, 2008). The plastron is cross-shaped and is small, leaving the limbs and sides of the body exposed (COSEWIC, 2008). The head of a snapping turtle is large with a hooked upper jaw, relatively long neck, and tail that can be as long as the carapace (COSEWIC, 2008). In Ontario the snapping turtle is listed as a species of special concern.

Threats to snapping turtle are primarily related to their life-history, their low fecundity, late maturity, long lifespan and low adult survival make them vulnerable to a variety anthropogenic impacts (COSEWIC, 2008). In Canada, snapping turtles are mostly impacted by events that increase adult mortality, such as harvesting of adults, persecution and road mortality. Other threats include loss of habitat, environmental contamination, and nest predation (COSEWIC, 2008).

Species was not observed during the single site investigation.

Impacts to snapping turtle and their habitat from the proposed development are limited to aquatic habitat on-site, including the watercourses, local wetlands, as well as off-site aquatic habitat (illustrated on Figure A.3), which may provide suitable foraging, basking and overwintering habitat. No in-water work is anticipated as part of the proposed development; therefore impacts to the aquatic habitat are anticipated to be indirect in nature.

As no in-water work will occur within wetlands or watercourses on-site, potential indirect impacts to wetlands and watercourses on-site are primarily associated with changes to the surface water and groundwater water balance through increased storm water runoff resulting from an increase in the impervious surface area and encroachment resulting in compaction of soils and vegetation loss. Other potential impacts include short duration construction impacts, including: heavy machinery encroachment, fill placement and long term human disturbance such as noise generation, dumping or refuse and yard waste and trampling and increased road mortality, particularly during nesting season, when turtles are more transient.

However, given the nature of the proposed development, single family-residential dwellings, impacts from increased human presence and disturbance are anticipated to be minimal.

Mitigation measures to protect snapping turtle and their habitat are provided in Section 7.

6.3.5.4 *Candidate* - Eastern Ribbonsnake

Eastern ribbonsnake is a long and narrow snake that is black with three yellow stripes down its back and side. It has a distinct white crescent in front of the eye with a white chin and whitish yellow belly (Ontario Nature, 2020). As a semi-aquatic species, eastern ribbonsnake are typically found in habitats close to water such as wetlands and shorelines of lakes and rivers (Ontario Nature, 2020). In Ontario, the eastern ribbonsnake is listed as species of special concern.

Threats to eastern ribbonsnake are primarily associated with the loss of wetland and adjacent forest habitat. Additional threats to the species includes pollution that impacts local amphibian populations which may also adversely affect eastern ribbonsnake as frogs are a primary food source, road mortality and illegal collection (Ontario Nature, 2020).

Species was not observed during the single site investigation.

Impacts to eastern ribbonsnake and their habitat on-site from the proposed development may include loss of potentially suitable upland forest habitat, and as no in-water work is proposed as part of the development, indirect impacts to adjacent aquatic and semi-aquatic habitat, including alterations to water quality due to nutrient and sediment loading.

Furthermore, rock structures that have been identified throughout the site which may provide potential overwintering habitat are not anticipated to be impacted by the development as the nearest identified rock structure is located at least 90 m away from the nearest development envelope.

Potential impacts to *candidate* eastern ribbonsnake SWH are anticipated to be primarily associated with seasonal migration and dispersion from breeding hibernacula to wetland and forested foraging habitats. Impacts to migrating reptiles due to the proposed development may include a loss of forest habitat, increased fragmentation, encroachment and increased human-wildlife interactions.

Indirect impacts to wetland foraging habitats may include alterations to water quality due to nutrient and sediment loading as well as alterations to the hydrologic regime due increases in impermeable surfaces and increases in storm water runoff.

Other potential impacts include short duration construction impacts, including: heavy machinery encroachment, fill placement, and long-term human disturbance such as noise generation, dumping of refuse and trampling.

However, given the nature of the proposed development, single family-residential dwellings, impacts from increased human presence and disturbance are anticipated to be minimal.

Mitigation measures to protect eastern ribbonsnake and their habitat on-site are discussed in Section 7.

6.3.5.5 Candidate - Wood Thrush

The wood thrush (*Hylocichla mustelina*) is a medium-sized songbird, similar in shape to an American robin, but slightly smaller. Generally wood thrush plumage is distinct from other thrush species, with rusty-brown upper parts, white underparts and large blackish spots on the breast and sides.

In Ontario, the wood thrush breeding range extends from southern Ontario north to northern Georgian Bay and eastern Lake Superior (COSEWIC, 2012d). While wood thrush populations have declined over most of its North American range, between 1981 and 2005, breeding bird data indicates populations in Ontario have increased by 4%, likely due to increases in woodland cover south of the Canadian Shield (Cadman et al., 2007). The probability of occurrence in Ontario however, has decreased by 15% between the first and second breeding bird atlas (Cadman et al., 2007). The wood thrush is listed as a species of special concern in Ontario.

During the breeding season, the wood thrush is found in moist, deciduous hardwood or mixed forest stands, often in previously disturbed sites with dense, deciduous undergrowth and tall trees that are used as singing perches (COSEWIC, 2012d). For wood thrush, habitat selection is based more on the structure of the forest, preferring sites with lower elevations, trees taller than 16 m, closed canopy (>70%), with a high variety of deciduous species, moist soil and decaying leaf litter (COSEWIC, 2012d).

Wood thrush were not detected to be present on-site during the single site survey.

Potential impacts to wood thrush and their habitat on-site from the proposed development is limited to the coniferous forest ecosite FOCS2, which may only provide suitable foraging habitat as the species has an affinity for deciduous forest communities. As the development envelopes are situated outside of deciduous forest habitats, suitable nesting habitat is not anticipated to be impacted. Impacts to woodlands outside of the proposed severance area are not anticipated to occur. Impacts to wood thrush habitat may include the loss of forest habitat, increased fragmentation and increased human interaction.

While the proposed development will result in the loss of suitable forest habitat on-site, suitable habitat is readily available within the remainder of the subject property, within the proposed severances outside of the development envelope, and within the broader study area. Impacts from increased human presence are anticipated to be negligible given the existing rural

development surrounding the subject property and availability of suitable habitat within the greater study area.

Mitigation measures intended to prevent negative impacts to nesting and foraging wood thrush are presented in Section 7.

6.4 Fish Habitat

According to the Provincial Policy Statement (MMAH, 2020), “development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.” Fish habitat as defined in the Fisheries Act (Canada, 1985) means “spawning grounds and nursery, rearing, food supply and migration areas on which fish depend directly or indirectly in order to carry out their life processes.”

In 2019, changes were made to the Fisheries Act, broadening the protection for fish and fish habitat. Under the new Fisheries Act, protection is afforded to all fish and fish habitat, not just those that support either a recreational, commercial or Aboriginal fishery. Under the Fisheries Act, work that is conducted in or near waterbodies must avoid “the death of fish, other than by fishing” (Canada, 1985). Furthermore, the new Fisheries Act states that work must avoid “the harmful alteration, disruption or destruction (HADD) of fish habitat” (Canada, 1985).

When activities are unable to avoid or mitigate harm to fish or fish habitat from typical project impacts such as temperature change, sedimentation, infilling, reduction of nutrient and food supply, etc., an authorization under Subsection 35 (2) of the Fisheries Act is required for the project to proceed without contravening the Act.

As no in-water work will occur within wetlands or watercourses on-site, potential indirect impacts to wetlands and watercourses on-site are primarily associated with changes to the surface water and groundwater water balance through increased storm water runoff resulting from an increase in the impervious surface area and encroachment resulting in compaction of soils and vegetation loss. Other indirect impacts to fish and fish habitats may include alterations to water quality due to nutrient and sediment loading. Other potential impacts include short duration construction impacts, including: heavy machinery encroachment, fill placement and long term human disturbance such as noise generation, dumping or refuse and yard waste and trampling.

However, given the nature of the proposed development, single family-residential dwellings, impacts from increased human presence and disturbance are anticipated to be minimal.

Mitigation measures to protect fish habitat are provided in Section 7.

6.5 Species at Risk

As outlined in the Endangered Species Act (Ontario, 2007), only species listed as threatened or endangered and their general habitat receive automatic protection. When a species-specific recovery strategy is developed, a specific habitat regulation will be established, which eventually replaces the automatic habitat protection. Species of special concern and their habitat do not receive protection under the ESA.

Potential impacts associated with the proposed project to threatened or endangered species identified as having a moderate or high potential to occur on-site in Section 4.7, are discussed on a species-by-species basis in subsections below.

6.5.1 Eastern Small-footed Myotis

Eastern small-footed Myotis (*Myotis leibii*) is the smallest (typically 3-5 g), insectivorous bat found in Ontario. The fur of an eastern small-footed Myotis is golden-brown in colour, with a distinct black mask across the face. The eastern small-footed Myotis is very similar in appearance to the little brown Myotis, and is distinguishable by their small foot and keeled calcar (Fraser, MacKenzie & Davy, 2007).

The eastern small-footed Myotis is found throughout eastern North America. In Ontario the species has been observed in the areas sough of Lake Superior across to the Ontario-Quebec border (Humphrey, 2017).

Eastern small-footed Myotis overwinter primarily in caves and abandoned mines with low humidity and temperatures and stable microclimates (Humphrey, 2017). In comparison to other Ontario bat species, they are able to tolerate much colder temperatures, drier conditions and draftier locations for hibernating (Humphrey, 2017). During the spring and summer months, they utilize a variety of habitats for roosting, including under rocks or rock outcrops, in buildings, under bridges, or in caves, mines or hollow trees (Ontario, 2021a).

Although the forest habitat on-site does not meet the requirements to support bat maternity colonies, given the availability of available potential habitat within the surrounding study area and the presence of potentially suitable anthropogenic structures, there is a potential for eastern small-footed Myotis to occur on the property, primarily for foraging or non-maternal roosting. Impacts to eastern small-footed Myotis are primarily associated with habitat loss, encroachment and increased wildlife-human interaction. Mitigation measures intended to protect eastern small-footed Myotis from impacts of the proposed development are discussed in Section 7.

6.5.2 Little Brown Myotis

Little brown Myotis (*Myotis lucifugus*) is a small (typically 4-11 g), insectivorous bat. The fur of a little brown Myotis is bi-coloured; fur is a glossy brown with a darker coloured base. The tragus of the Little Brown Myotis is long and thin, with a rounded tip (Fraser, MacKenzie & Davy, 2007).

In Canada, little brown Myotis' occur throughout all of the provinces and territories (except Nunavut), with its range extending south through the majority of the United States as well. In Ontario, the little brown Myotis is widespread in southern Ontario and has been found as far north as Moose Factory and Favourable Lake (Ontario, 2021b).

Little brown Myotis overwinter in caves and abandoned mines, they require highly humid conditions and temperatures that remain above the freezing mark (Ontario, 2021b). During the summer months, maternity colonies are often located in buildings or large-diameter trees. Little brown Myotis roost in trees and buildings. Foraging occurs over water and along waterways, forest edges and in gaps in the forest. Open fields and clear-cuts are not typically utilized for foraging (COSEWIC, 2013).

Although the forest habitat on-site does not meet the requirements to support bat maternity colonies, given the availability of available potential habitat within the surrounding study area and the presence of potentially suitable anthropogenic structures, there is a potential for little brown Myotis to occur on the property, primarily for foraging or non-maternal roosting. Impacts to little brown Myotis are primarily associated with habitat loss, encroachment and increased wildlife-human interaction. Mitigation measures intended to protect little brown Myotis from impacts of the proposed development are discussed in Section 7.

6.5.3 Tri-Colored Bat

Tri-colored bat (*Perimyotis subflavos*) is a small (typically 5-7 g), insectivorous bat. The fur is uniformly coloured on the ventral and dorsal sides, however when parted fur shows three distinct colour bands. The base of the hair is blackish, with a blonde middle and brownish tip. The snout of the tri-coloured bat is also distinct, with swollen bulbous glands present (Fraser, MacKenzie & Davy, 2007).

In Canada, the tri-colored bat has only been recorded in southern parts of Nova Scotia, New Brunswick, Quebec and central Ontario. In Ontario it occurs primarily from the southern edge of Lake Superior across to the Ontario-Quebec border and south (COSEWIC, 2013).

Tri-colored bat overwinter in in caves or mines, and have very rigid habitat requirements; they typically roosting the deepest parts where temperatures are the least variable, and have the strongest correlation with humidity levels and warmer temperatures (COSEWIC, 2013). In the spring and summer, tri-colored bat utilize trees, rock crevices and buildings for maternity colonies. Foraging is mainly done over watercourses and streamside vegetation (COSEWIC, 2013).

Although the forest habitat on-site does not meet the requirements to support bat maternity colonies, given the availability of available potential habitat within the surrounding study area and the presence of potentially suitable anthropogenic structures, there is a potential for tri-colored bat to occur on the property, primarily for foraging or non-maternal roosting. Impacts to tri-colored bat are primarily associated with habitat loss, encroachment and increased wildlife-human

interaction. Mitigation measures intended to protect tri-colored bat from impacts of the proposed development are discussed in Section 7.

6.5.4 Blanding's Turtle

Blanding's turtles (*Emydoidea blandingii*) have a highly domed, smooth black carapace with small, irregular tan or yellow flecking. The most distinctive characteristic of this species is the bright yellow chin and throat. Their hinged plastron is yellow with a large dark blotch in the corner of each scute, but may also be entirely black (Oldham and Weller, 2000).

In Canada, Blanding's turtles are found throughout southern and south-central Ontario from south of Manitoulin Island to western Quebec. In Ontario, Blanding's turtles are often observed utilizing eutrophic habitats with clear water (COSEWIC, 2005). This turtle species occurs primarily in shallow water; adults are generally found in open or partially vegetated sites, where as juveniles prefer areas that contain thick aquatic vegetation. Blanding's turtles are known to make large overland journeys between connected lakes, rivers, streams, marshes or ponds, upwards of 6 km in a single active season. Overwintering occurs in permanent pools that average about one metre in depth, or slow flowing streams (COSEWIC, 2005).

While targeted basking turtle surveys were not completed in support of this EIS, the site is located within a greater area of known Blanding's turtle occurrences, review of NHIC occurrence data indicates the species has been observed within 1 km of the site. Blanding's turtle was not identified on-site during the site investigation.

As outlined in the MNRF general habitat description for Blanding's turtle, Category 1 habitat is defined as "the nest and the area within 30 m of the nest or overwintering sites and the area within 30 m of the site", Category 2 habitat is defined as "the wetland complex (i.e. all suitable wetlands or waterbodies within 500 m of each other) that extends up to km from an occurrence and the area within 30 m around those suitable wetlands or waterbodies" and Category 3 habitat is defined as "the area between 30 m and 250 m around suitable wetlands and waterbodies identified as Category 2, within 2 km of an occurrence." The MNRF general habitat description for Blanding's turtle is provided in Appendix E.

As regulated Blanding's turtle habitat extends up to 2 km from on observation, based conservatively on the NHIC observation data, all wetlands and watercourses on-site are assumed to provide Category 2 and 3 habitat. As discussed in Section 4.5.1.2, the shallow open water community (ELC Code: SAM_1-8) has the potential to provide suitable conditions for overwintering habitat, however no Category 1 habitat has been confirmed for the site.

No in-water work is anticipated as part of the proposed development; therefore impacts to Blanding's turtle are anticipated to be associated with indirect wetland impacts and the potential loss of Category 2 and 3 habitat.

As no in-water work will occur within the local wetlands on-site, potential indirect impacts to wetlands on-site are primarily associated with changes to the surface water and groundwater water balance through increased storm water runoff resulting from an increase in the impervious surface area and encroachment resulting in compaction of soils and vegetation loss. Other potential impacts include short duration construction impacts, including: heavy machinery encroachment, fill placement and long term human disturbance such as noise generation, dumping or refuse and yard waste and trampling and increased road mortality, particularly during nesting season, when turtles are more transient.

Potential direct impacts to Blanding's turtles are anticipated to be associated with the potential loss of Category 2 and 3 habitat and increased interactions with transient Blanding's turtles. Impacts to transient Blanding's turtles will be more likely during migratory and nesting periods. Migration and dispersal take place after the start of the active season, following ice-off, and in September when turtles return to their overwintering habitat. Nesting typically take place between late May to early July.

Avoidance and mitigation measures intended to prevent harm to Blanding's turtles who have the potential to occur on-site are presented in Section 7.

6.5.5 Gray Ratsnake

The gray ratsnake (Pantherophis spiloides) is the largest snake in Ontario, reaching an average length of 105 cm, with the longest individual recorded at 185 cm (OMNR, 2014). The gray ratsnake has keeled scales and a variable colouration and pattern that is age dependent; young have a pattern of dark gray or black blotches and spots over a background of light gray, while adults typically have a faded pattern and are predominantly black with a white underside of the chin (OMNR, 2013).

The Canadian range for gray ratsnake is restricted to Ontario, where two distinct populations are found: the Carolinian forest region and the Frontenac Axis. The species has been observed to have declined in population over the past 100 years (OMNR, 2013).

Gray ratsnakes are typically associated with deciduous forests, but have been shown to use a broader range of habitats. The species prefers edge-habitats, where open habitats such as, old fields, meadows, rocky outcrops or marshes, and deciduous forest vegetation communities meet (OMNR, 2013). Egg laying typically occurs in the rotten interior cavities of large deciduous trees and stumps or within compost piles. Ratsnakes overwinter in communal hibernacula within subterranean structures (e.g. rock fissures) which must extend below the frost line to prevent freezing (OMNR, 2013).

Targeted surveys for gray ratsnake were not conducted for this EIS. However, during site investigations, the site was inspected for potential hibernacula areas. Gray ratsnake was not observed during the site investigation. Multiple rock outcrops and formations were observed on-

site to have fissures which may provide suitable hibernacula and provide protection from the winter elements. Based on occurrence data from NHIC, ratsnake have been documented to occur within 1 km west, north and east of the site. The Ontario Herp Atlas indicates that gray ratsnakes have been observed 158 times between 1977-2019 within the 10 km^2 grid that encompasses the site. Furthermore, the site provides potentially suitable habitat to support gray ratsnake foraging and movement. As such there is a potential for gray ratsnake to occur on-site, with habitat to support all lifecycles including overwinter, nesting, foraging, and transience between other habitat components. No oviposition sites were observed on-site. Potential suitable hibernacula structures were observed on-site, as indicated on Figure A.4.

Potential impacts to *candidate* gray ratsnake and their habitat are anticipated to be primarily associated with seasonal migration and dispersion from breeding hibernacula to forested foraging and nesting habitats. Impacts to migrating reptiles due to the proposed development may include a loss of forest habitat, vegetation clearing, increased fragmentation, encroachment and increased human-wildlife interactions.

Furthermore, rock structures that have been identified throughout the site which may provide potential overwintering habitat are not anticipated to be impacted by the development as the nearest identified rock structure is located at least 90 m away from the nearest development envelope.

Other potential impacts include short duration construction impacts, including: heavy machinery encroachment, fill placement, and long-term human disturbance such as noise generation, dumping of refuse and trampling.

However, given the nature of the proposed development, single family-residential dwellings, impacts from increased human presence and disturbance are anticipated to be minimal. While the proposed development will result in the loss of suitable forest habitat on-site, suitable habitat is readily available within the remainder of the subject property, within the proposed severances outside of the development envelope, and within the broader study area.

Avoidance and mitigation measures to protect gray ratsnake and their habitat on-site are discussed in Section 7.

6.5.6 Butternut

Butternut (*Juglans cinerea*) is a relatively short lived, medium-sized tree that can reach heights of up to 30 m. It is easily distinguished by its compound leaves, made up of 11 to 17 leaflets, arranged in a feather-like patter. Each leaflet is 9 to 15 centimetres in length. The bark is gray and smooth on young trees, becoming more ridged with age. Butternut is a member of the walnut family and produces edible nuts in the fall.

The Canadian range for Butternut extends through southern Ontario into southern Quebec, and New Brunswick (COSEWIC, 2003). Butternut is a shade intolerant tree that is commonly found in riparian habitats, and sites in a regenerative state. Butternut can also be found on rich, moist, well-drained gravels, favouring those of limestone origin. Common associates of Butternut trees include: basswood, black cherry, beech, black walnut, elm, hickory, oak, red maple, sugar maple, yellow poplar, white ash and yellow birch.

A single butternut tree was identified on-site, approximately 230 m north of the proposed developments. The location of the butternut is illustrated on Figure A.5. A Butternut Health Assessment (BHA) for the property was not conducted. Impacts to the butternut observed on-site may include encroachment and increased disturbance during construction. However, as the butternut is far removed from the proposed development area, impacts to butternut are not anticipated. Regardless, mitigation measures intended to prevent harm to butternut trees on-site are presented in Section 7.

6.6 Cumulative Impacts

Potential cumulative impacts associated with the proposed project include an increase in storm water generation, increases in nutrient loading to aquatic features, and the loss of road front forest habitat, primarily for avian, amphibian and reptilian species.

Cumulative impacts to the natural environment at the site due to increased human presence, increased wildlife and human interaction and increased noise, are expected to be negligible given the nature of the project and amount of natural habitat in the immediate and surrounding area.

Cumulative impacts such as those listed above can be mitigated by implementing the proposed setbacks and recommended mitigation measures outlined in Section 7 below.

7.0 RECOMMENDED AVOIDANCE AND MITIGATION MEASURES

The following avoidance and mitigation measures have been recommended by GEMTEC in order to minimize or eliminate potential environmental impacts identified in Section 6.

For the purpose of this report, a setback is defined as the minimum required distance between any structure, development or disturbance and a specified line. A buffer, for the purpose of this report, is defined as the area located between a natural heritage feature and the prescribed setback. For the purpose of the following subsections, buffers should be located between natural heritage features and lands subject to development or alteration, be permanently vegetated by native or non-invasive, self-sustaining vegetation and protect the natural heritage feature against the impact of the adjacent land use.

Vegetated buffers, particularly buffers that are vegetated with a mix of grassy herbaceous vegetation and shrubby or woody vegetation are most effective in mitigating impacts associated with anthropogenic activities in adjacent lands (Beacon, 2012). Buffers recommended in the following subsections and illustrated on Figure A.5, are done so within the context of the existing environmental disturbances but also to promote reasonable natural rehabilitation. In the subsections below, where possible, literature references for studies used as the basis of the recommended buffer widths are provided.

Beacon Environmental Review of Ecological Buffers (2012), provides a range for buffer widths to protect various natural heritage features based on the current science. The buffers are presented in a way that determines the risk of not achieving the desired buffer function (i.e. high, moderate and low). The functions analysed include water quantity, water quality, screening or human disturbance/changes in land use, hazard mitigation zone and core habitat protection.

7.1 Local Wetlands

No negative impacts on the integrity of the local wetlands are anticipated as a result of the proposed development if all mitigation measures recommended below area enacted and best management practices followed. Wetlands on-site can be protected against potential impacts of the proposed development through the implementation of a construction setback.

Impacts to the local wetlands on and off-site were identified to include potential impacts to water quality, human disturbance and core habitat protection (*candidate* turtle overwintering SWH, *candidate* woodland amphibian breeding SWH, *candidate* eastern musk turtle and snapping turtle SWH, and *candidate* habitat for Blanding's turtle).

Wetland buffer widths have a moderate risk of not providing adequate mitigation for water quality impacts at widths between 11 m and 50 m. Wetland buffer widths have a moderate risk of not providing adequate mitigation for human disturbance/land use change impacts at widths between 11 m and 30 m and low risk at widths of 31 m to 50 m. Wetland buffer widths have a moderate

risk of not providing adequate mitigation for core habitat protection at widths between 21 m and 60 m. In consideration of the local wetlands on-site and the nature of the proposed development, a minimum 30 m setback from the local wetlands is recommended.

No negative impacts on the ecological function of the local wetlands are anticipated as a result of this project if the development envelopes proposed above are registered on land title and all mitigation measures and best management practices recommended below are adhered to.

General mitigation measures recommended for the protection of water quality and wetland habitat include:

- Buffers should be comprised of a mixture of native, self-sustaining trees, shrubs and tall grasses.
- All future development and construction activities within the study area, including ditching, culvert installation, erosion and sediment control and storm water management should be completed in accordance with Ontario Provincial Standard Specification 182 and OPSS 805.
- No in-water work should occur between March 15 and June 30 of any year to protect spawning fish habitat adjacent to the development area. All in-water habitat features, including aquatic vegetation, natural woody debris and boulders should be left in their current locations in the near shore area.
- When native soil is exposed, sediment and erosion control work in the form of heavy-duty sediment fencing shall be positioned along the down gradient edge of any construction envelopes adjacent to waterbodies.
- In order to protect fish habitat from contamination, it is recommended that all machinery be maintained in good working condition and that all machinery be fueled a minimum of 30 m from the high water mark.
- Any temporary storage of aggregate material shall be set back from the water's edge by no less than 40 m and be contained by heavy-duty silt fencing.
- Septic systems shall be installed no closer than 30 m from the high water mark of any surface water feature and not located in areas of exposed bedrock.

7.2 Significant Woodlands

Development within the proposed severance lots has the potential to result in the loss of 0.60 ha of woodland present on-site, while development within the retained lands has the potential to result in the loss of an additional 0.2 ha. To prohibit development within significant woodlands to the extent possible to accommodate a single a single family dwelling, septic field, drinking water well and garage, site control by way of prescribed development envelopes for each severance parcel is recommended.

Figure A.5 illustrates the proposed development envelopes on each parcel and Table 7.2 below provides a summary of the various development envelope sizes on each parcel. The development envelopes are positioned on each parcel in such a manner as to reduce impacts on the integrity of the significant woodlands by developing each lot as close to Cottage Lane and Everett Lane as possible.

Table 7.1 Recommended Development Envelopes

Severance Parcel	Area (ha)
A	0.2
B	0.2
C	0.2
Retained	0.2

By registering the proposed development envelopes on land title for the proposed severances, the maximum loss of significant woodlands is only 0.8 ha of the 30.9 ha (2.6%) of significant woodlands on-site. Furthermore, siting of development envelopes abutting to Cottage Lane and Everett Lane ensures that the size and ecological functions of the woodlands are not negatively impacted; the on-site woodlands in conjunction with contiguous off-site woodlands continue to meet the criteria provided in the NHRM, that were discussed in Section 4.2.

No negative impacts on the ecological function of the significant woodlands are anticipated as a result of this project if the development envelopes proposed above are registered on land title and all mitigation measures and best management practices recommended below are adhered to.

7.3 Significant Wildlife Habitat

7.3.1 *Candidate* Turtle Wintering Area, *Candidate* Woodland Amphibian Breeding Habitat, and *Candidate* Habitats of Special Concern and Rare Wildlife Species (Eastern Musk Turtle and Snapping Turtle)

The 30 m setback for local wetlands is sufficient to protect *candidate* turtle winter area SWH, *candidate* woodland amphibian breeding habitat, and *candidate* habitats of special concern and rare wildlife species (eastern musk turtle and snapping turtle). Furthermore, the development envelopes ensure that forest cover and surrounding summer habitat is maintained, which is important for woodland amphibians and reptiles moving between habitats throughout the year.

7.3.2 *Confirmed* Habitats of Special Concern and Rare Wildlife Species (Eastern Wood-Pewee) and *Candidate* Habitats of Special Concern and Rare Wildlife Species (Wood Thrush)

If the full build-out potential of the proposed severances was realized it could potentially result in the loss of a large portion of the on-site woodland habitat and significant wildlife habitat on-site associated with eastern wood-pewee and wood thrush. To ensure that only the area required to accommodate a single family dwelling is cleared, site control, by way of prescribed development envelopes for the subject property is recommended.

Figure A.5 illustrates the proposed development envelopes on each parcel and each development envelope is approximately 0.2 ha in size. The development envelopes are positioned on each parcel in such a manner as to reduce impacts on the integrity of significant wildlife habitat by developing each lot as close to Cottage Land and Everett Lane as possible. Additionally, the development envelopes further protect wetlands and associated SWH on-site by ensuring development occurs outside of the various setbacks discussed in Section 7.1 above.

By registering the proposed development envelopes on land title for the proposed severances, maximum habitat loss for proposed and retained parcels is 0.8 ha of land. This minimal loss of treed habitat is not anticipated to negatively impact eastern wood-pewee or wood thrush, and ensures that the size and ecological functions of the remaining forest habitats on-site are not negatively impacted.

7.3.3 *Candidate Reptile Hibernaculum and Candidate* Habitats of Special Concern and Rare Wildlife Species (Eastern Ribbonsnake)

The development envelope proposed above to protect significant woodlands is sufficient to protect *candidate* reptile hibernaculum as it ensures that the potential hibernaculum will not be destroy through lot development. Furthermore, the 30 m setback as prescribed above for the protection of local wetlands and aquatic habitats is sufficient to protect eastern ribbonsnake that may be utilizing aquatic and semi-aquatic habitats for foraging and basking.

7.4 Fish Habitat

Mitigation measures as prescribe above for the protection of the local on-site wetlands is sufficient to protect fish habitat on-site. In consideration of the watercourses on-site a 30 m setback is proposed for the protection of fish habitat.

General mitigation measures recommended for the protection of water quality and fish habitat include:

- Buffers should be comprised of a mixture of native, self-sustaining trees, shrubs and tall grasses.

- All future development and construction activities within the study area, including ditching, culvert installation, erosion and sediment control and storm water management should be completed in accordance with Ontario Provincial Standard Specification 182 and OPSS 805.
- Silt fencing should be installed along all setbacks to provide visual demarcation of the setbacks to prevent machinery encroachment and sediment transport.
- Install and maintain effective sediment and erosion control measures before starting work.
- Schedule work to avoid wet, windy and rainy periods.
- When native soil is exposed, sediment and erosion control work in the form of heavy-duty sediment fencing shall be positioned along the down gradient edge of any construction envelopes adjacent to waterbodies.
- Downspouts should be directed towards lot-side swales that are in turn directed to road side ditches and not adjacent surface water features. Rain gardens or infiltration trenches should be utilized in areas of difficult topography.
- In order to protect fish habitat from contamination, it is recommended that all machinery be maintained in good working condition and that all machinery be fueled a minimum of 30 m from the high water mark.
- Any temporary storage of aggregate material shall be set back from the water's edge by no less than 40 m and be contained by heavy-duty silt fencing.
- Maintain as much permeable surface area as possible in future development plans to limit the generation of stormwater runoff.
- Best practices for siting of septic systems should be adhered to and be installed by a licences septic system contractor ensuring all applicable regulations are met and required permits obtained.

7.5 Species at Risk

Due to the potential for multiple SAR to occur on-site, the MECP should be consulted prior to any site alteration, disturbance or construction. While the proposed land severance application is not anticipated to negatively impact SAR or potential SAR habitat on-site, once detailed development plans are known, an Information Gathering Form (IGF) is recommended to prepared and be submitted to the MECP for review prior to issuance of building permits to avoid contravention of the *Endangered Species Act, 2007*. An IGF outlines the proposed development details and planned avoidance and mitigation measures to be enacted to ensure no adverse effects occur to SAR or their regulated habitat. The IGF is required to be prepared by a qualified professional with experience in SAR management.

7.5.1 Eastern Small-footed Myotis, Little Brown Myotis, and Tri-Colored Bat

To protect roosting and foraging bats, tree removal where required should take place outside of the spring and summer active season (typically April 1 to September 1, extended to October 15 is swarming is observed), when bats are more likely to be using forest habitat. If vegetation clearing must be conducted during the spring and summer timing window than a roost/acoustic monitoring survey should be conducted be a qualified professional.

7.5.2 Blanding's Turtle

Impacts to Blanding's turtle can be minimized through the implementation of the development envelopes discussed above for the protection of significant wildlife habitat.

Prior to the issuance of a building permit for either the retained or severance parcels, an IGF should be prepared and submitted to the MECP, in order to avoid contravention of the Endangered Species Act (ESA).

The following mitigation measures are expected to be implemented to avoid contravention of the ESA:

- All development on the proposed severances should occur within the proposed development envelope areas. This is to ensure that all development occurs outside of Category 2 habitat on-site and outside of the prescribed wetland setbacks, and is intended to minimize impacts on Category 3 habitat on-site. The development envelopes are intended to provide relief from encroachment, minimize human-wildlife interaction and disturbance, protect Category 2 habitat, as well as maintain a vegetated buffer for on-site wetlands. The maintenance of a vegetated buffer will provide mitigation for impacts associated with sediment and nutrient loading to the wetlands.
- Prior to any site work, reptile and amphibian exclusion fencing should be installed around the entire perimeter of both development envelope areas to prevent the migration of Blanding's turtles and other wildlife into the construction zone. The temporary exclusion fencing will also provide a visual demarcation of the development envelope for workers during construction. Exclusion fencing should follow the protocols outlined in the Species at Risk Branch: Best Practices Technical Note: Reptile and Amphibian Exclusion Fencing Version 1.1 (MNRF, July 2013).
- Each day of construction a daily pre-work sweep of the construction area should occur to ensure no SAR are present and to remove any wildlife from inside the construction area.
- All staff working on-site should be provided Species at Risk training to identify species at risk which a potential to occur on-site including: Blanding's turtle. Training will also outline the stop work procedures and MECP reporting/consultation prior to resuming work.
- During construction if any SAR is identified on-site all work should stop and a qualified professional and the MECP should be contacted for next steps. SAR sightings should be reported to the MECP and the NHIC.

- Septic system installation should follow best practices to avoid impacts to water quality.
- Heavy-duty silt fencing should be installed and maintained during construction and whenever soil is exposed; the incorporation of lot-side swales and gravel laneways are intended to promote infiltration and direct stormwater runoff to road side ditches instead of towards adjacent waterbodies.
- Cover all stockpiled material with a geotextile to prevent turtles from nesting in the material between May 1 and August 1 of any year.
- To protect aquatic habitat for Blanding's turtles, machinery should be maintained in good working condition and all machinery should be fueled a minimum of 30 m from the high water mark.
- Following construction completion, homeowners will be provided with information and awareness packages for SAR that have the potential to occur on their property. Information and awareness packages will include information on species identification, life-history, and habitat use for all species at risk with a potential to occur on-site, including Blanding's turtle. Information packages will also include contact/reporting options to the MECP and NHIC is species are encountered.

7.5.3 Gray Ratsnake

Impacts to gray ratsnake can be minimized through the implementation of the development envelopes discussed above for the protection of significant woodlands and significant wildlife habitat. Through the use of the proposed development envelopes, *candidate* reptile hibernaculum are protected as it ensures that the potential hibernaculum will not be destroyed through lot development. Furthermore, the prescribed development envelopes are positioned on each parcel in such a manner as to reduce impacts on the integrity of the significant woodlands and associated SWH.

The following mitigation measures provided are to be implemented *before* issuance of a building permit in order to avoid contravention of the Endangered Species Act (ESA):

- Prior to issuance of a building permit for either the retained or severance parcels, an IGF should be submitted to the MECP.
- Additionally, exposed rock outcrops, rock piles and fissures should be not be altered or destroyed during the construction stages of the residential dwellings. The development can avoid impacts to gray ratsnake habitat by avoiding exposed rock features and forest openings, which ensures no contravention of Section 10 of the ESA.

The following mitigation measures are expected to be implemented to avoid contravention of the ESA:

- To protect foraging, nesting and transient gray ratsnakes on-site, removal of logs, brush, ground cover, piles of organic litter and trees (standing, fallen, dead, or alive) should be inspected prior to removal for presence of gray ratsnake and/or gray ratsnake eggs.
- Areas of potential reptile hibernaculum such as exposed rock outcrops, rock piles and fissures should be not be altered or destroyed during the construction stages.
- Development areas and structures should be constructed well away from potential reptile habitat or hibernacula.
- Prior to any site work, exclusion fencing should be installed around the entire development envelope on each lot to prohibit the potential migration of gray ratsnake and other wildlife into the construction area. The exclusion fencing will also provide a visual demarcation of the development envelope for workers during construction. Exclusion fencing should follow the protocols outlined in the Species at Risk Branch: Best Practices Technical Note: Reptile and Amphibian Exclusion Fencing Version 1.1 (MNRF, July 2013).

7.5.4 Butternut

- If the minimum setback distance of 50 m around each butternut tree on the property cannot be met, then a Butternut Health Assessment (BHA) must be submitted to the MECP. Following the BHA submission there is a 30-day period where no butternut trees can be removed, harmed or taken.
- Following the 30-day period, unless otherwise directed by MECP staff, all Category 1 trees may be harmed, removed or taken, if required.

7.6 Wildlife

The following avoidance and mitigation measures are provided in effort to minimize impacts to on-site and off-site wildlife:

- Vegetation removal should occur outside of April 1 to September 1 (extended to October 15 is swarming is observed) to avoid the key breeding bird period and bat summer active season. The timing windows provides protection of migratory birds, roosting bats and avoids contravention of the Migratory Bird Convention Act and Endangered Species Act. If vegetation clearing activities must take place during the aforementioned timing window than a nest and roost survey shall be conducted by a qualified professional.
- Installation of silt fence barriers around the entire construction envelope to prohibit the emigration of wildlife into the construction area, silt fencing should be checked daily and following each precipitation event.
- Cover all stock piled material with a geotextile to prevent turtles from nesting in the material between May 1 and August 1 of any year.
- Perform daily pre-work sweeps of the construction area to ensure no species at risk are present and to remove any wildlife from inside the construction area.

- Should any species at risk be discovered throughout the course of the proposed works, the species at risk biologist with the local MECP district shall be contacted immediately and operations ceased to avoid any negative impacts to species at risk or their habitat until further direction is provided by the MECP.

7.7 Best Practice Measures for Mitigation of Cumulative Impacts

The following best management practice measures are provided for the mitigation of cumulative impacts resulting from general construction and development activities;

- To protect trees identified to be retained during construction, the Critical Root Zone (CRZ) should be identified and fenced. The CRZ is defined as 10 cm from the base of the tree for every centimetre in diameter of the tree trunk measured at breast height.
- Maintain as much permeable surface as possible in future development plans to minimize the generation of storm water runoff.
- Silt fencing should be installed along all setbacks to provide visual demarcation of the setbacks and to prevent machinery encroachment and sediment transport.
- Erosion and sediment control measures should be maintained until all disturbed ground has been permanently stabilized.
- In effort to offset the effect of vegetation clearing, consideration should be given to landscape planting with native tree species indicative of the Great Lakes – St. Lawrence Forest Region, such as white cedar, white spruce, red maple and red oak.

8.0 CONCLUSIONS

The proposed project supported by this EIS is the severance of three new lots of approximately 12 ha, 9.7 ha, and 5.8 ha, from an approximately 42-hectare existing property.

Based on the results of the impact analysis, impacts to the natural environment are anticipated to be minimal. Provided that mitigation measures recommended in Section 7 are implemented as proposed, no significant residual impacts are anticipated from the proposed development.

Following review of the information pertaining to the natural heritage features of the site, the following general conclusions are provided by GEMTEC in regards to the Environmental Impact Statement.

- No significant impacts to natural heritage features identified on-site, including fish habitat, significant wildlife habitat or habitats of species at risk are anticipated as a result of future residential development.
- The proposed project complies with the natural heritage policies of the Provincial Policy Statement.
- The proposed development complies with the natural heritage policies of the Frontenac County Official Plan.

9.0 LIMITATION OF LIABILITY

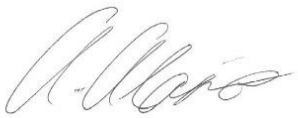
This report and the work referred to within it have been undertaken by GEMTEC Consulting Engineers and Scientists Ltd (GEMTEC), and prepared for ASC Environmental and is intended for the exclusive use of ASC Environmental. This report may not be relied upon by any other person or entity without the express written consent of GEMTEC and ASC Environmental. Nothing in this report is intended to provide a legal opinion.

The investigation undertaken by GEMTEC with respect to this report and any conclusions or recommendations made in this report reflect the best judgements of GEMTEC based on the site conditions observed during the investigations undertaken at the date(s) identified in the report and on the information available at the time the report was prepared.

This report has been prepared for the application noted and it is based, in part, on visual observations made at the site, all as described in the report. Unless otherwise stated, the findings contained in this report cannot be extrapolated or extended to previous or future site conditions, or portions of the site that were unavailable for direct investigation.

Should new information become available during future work, including excavations, borings or other studies, GEMTEC should be requested to review the information and, if necessary, re-assess the conclusions presented herein.

We trust this report provides sufficient information for your present purposes. If you have any questions concerning this report, please do not hesitate to contact our office.



Adam Alaimo, B.Sc.
Biologist

Drew Paulusse, B.Sc.
Senior Biologist

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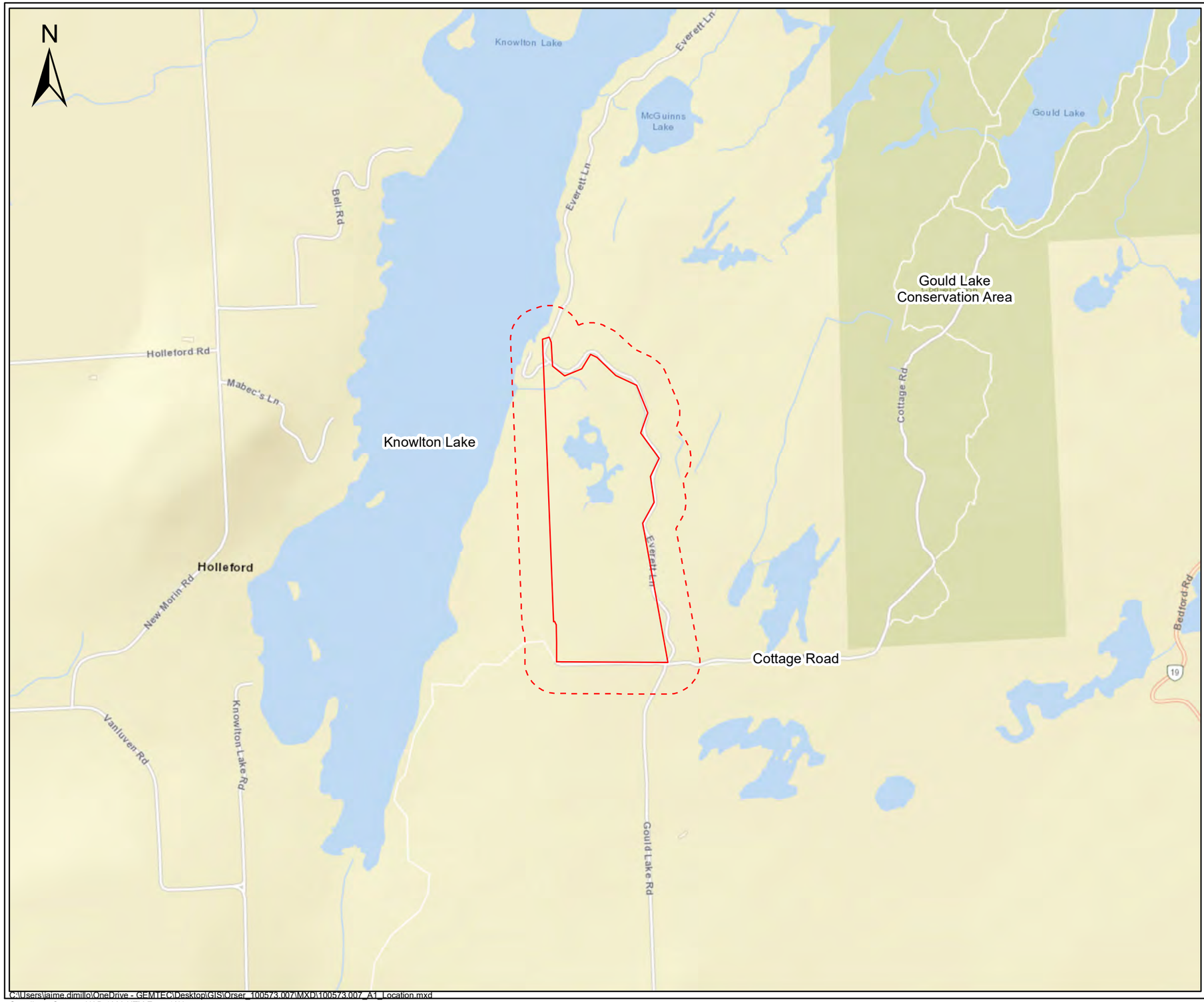
APPENDIX A

Report Figures

Figure A.1 – Site Location
Figure A.2 – Site Layout
Figure A.3 – Vegetation Communities
Figure A.4 – Natural Heritage Features
Figure A.5 – Mitigation Measures



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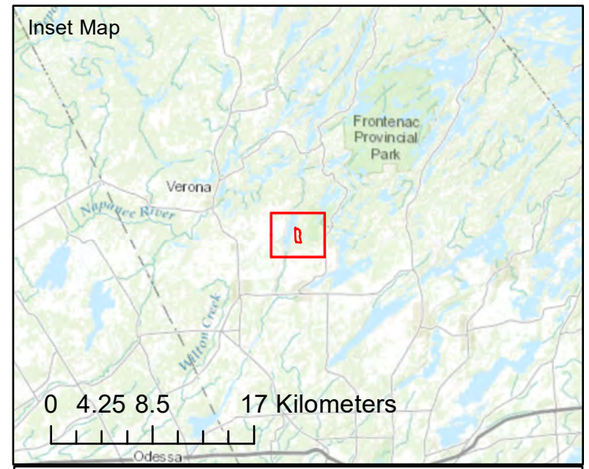

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Client:	Project:
ASC Environmental Inc.	100573.007

Location: Orser Part 3, Concession 8
South Frontenac Township,
Ontario

Drwn By:	Chkd By:	
JD	DP	Site Location

Date: November 2021	Rev.	
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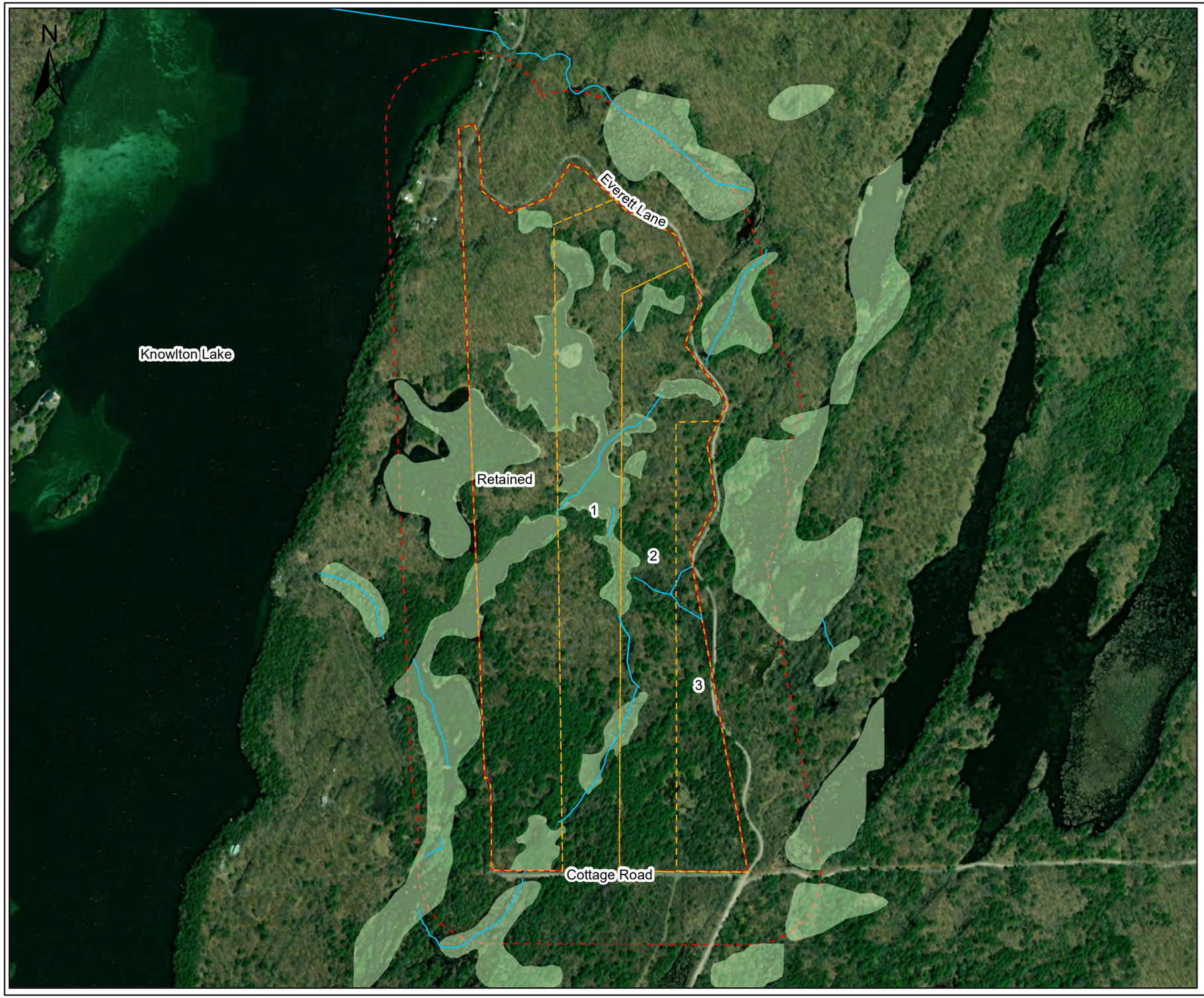

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- Property Boundary
- Study Area
- A B Proposed Severance
- Local Wetland
- Watercourse

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Client: ASC Environmental Inc.	Project: 100573.007
Location: Orser Part 3, Concession 8 South Frontenac Township, Ontario	
Drwn By: JD / Chkd By: DP	Site Layout
Date: November 2021	Rev. 0
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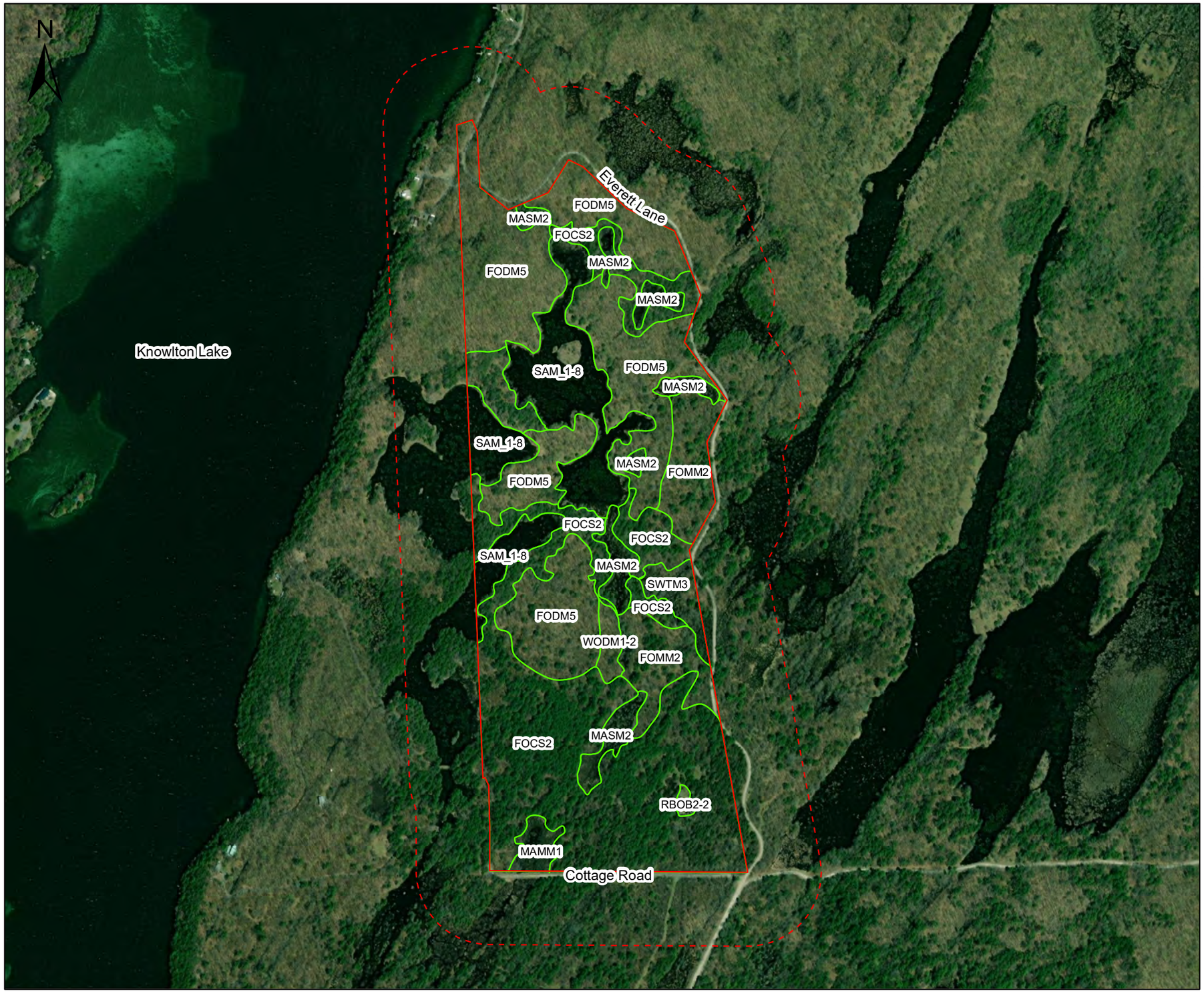

Legend

- Property Boundary
- Study Area
- Vegetation Community

FODM5 = Dry – Fresh Sugar Maple Deciduous Forest
MASM2 = Forb Mineral Shallow Marsh
SAM_1-8 = Water Lily – Bullhead Lily Mixed Shallow Aquatic
FOCS2 = Dry Pine Non-Calcareous Shallow Coniferous Forest
FOMM2 = Dry – Fresh White Pine – Hardwood Mixed Forest
MAMM1 = Graminoid Mineral Meadow Marsh
RBOB2-2 = Non-Calcareous Open Rock Barren Meadow
SWTM3 = Willow Mineral Deciduous Thicket Swamp
WODM1-2 = Dry Bur Oak–Shagbark Hickory Tallgrass Woodland

Scale
1:6,500
0 45 90 180 270 360 Meters

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Client: ASC Environmental Inc.	Project: 100573.007
Location: Orser Part 3, Concession 8 South Frontenac Township, Ontario	
Drwn By: JD / Chkd By: DP	Vegetation Communities
Date: November 2021	Rev. 0
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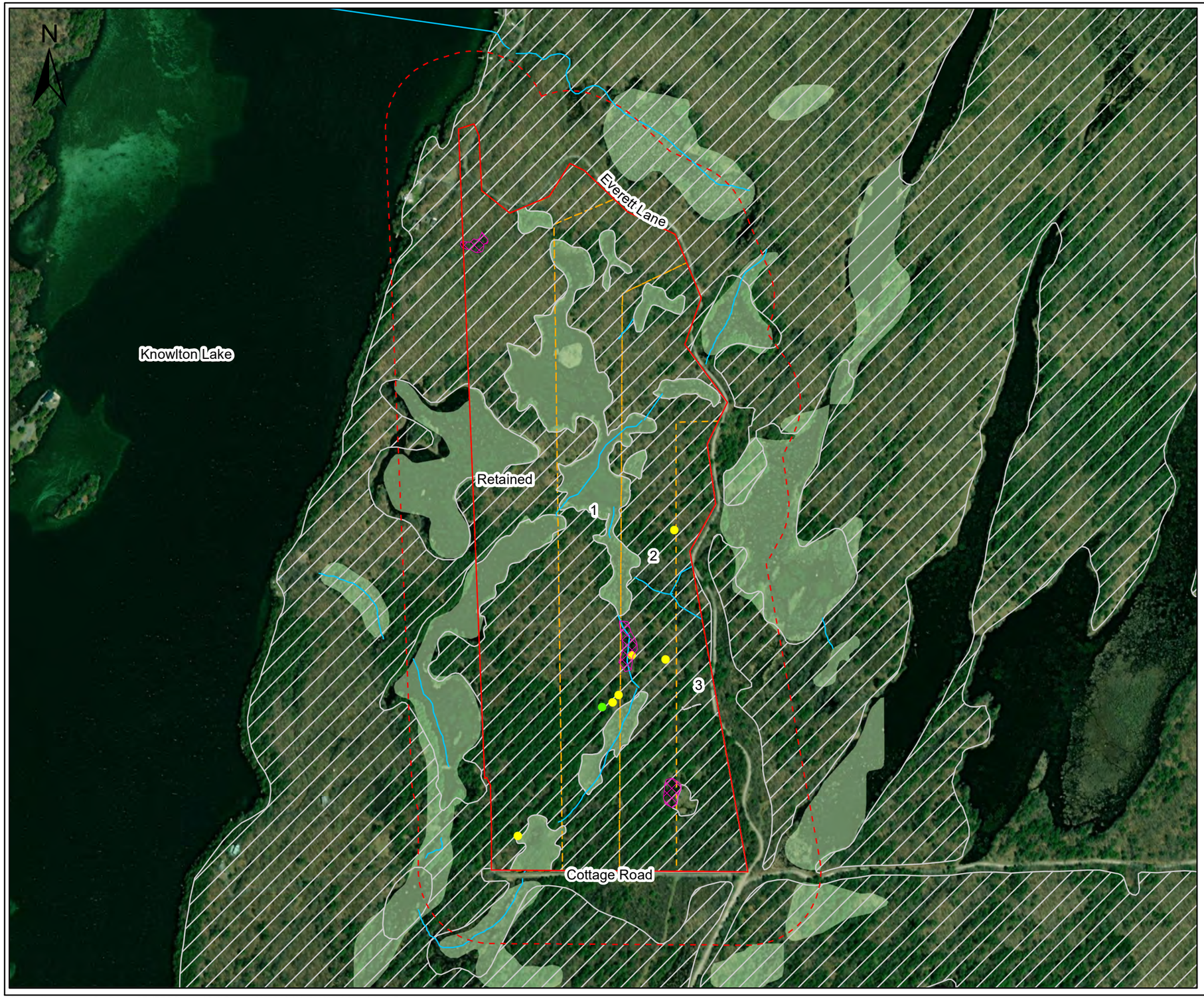

Legend

- Property Boundary
- Study Area
- 1 Proposed Severance
- Local Wetland
- Watercourse
- Significant Woodlands
- Vernal Pools
- Candidate Snake Hibernaculum
- Butternut

Scale 1:6,500

0 45 90 180 270 360 Meters

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Client: ASC Environmental Inc.	Project: 100573.007
Location: Orser Part 3, Concession 8 South Frontenac Township, Ontario	
Drwn By: JD / Chkd By: DP	Natural Heritage Features
Date: November 2021	Rev. 0
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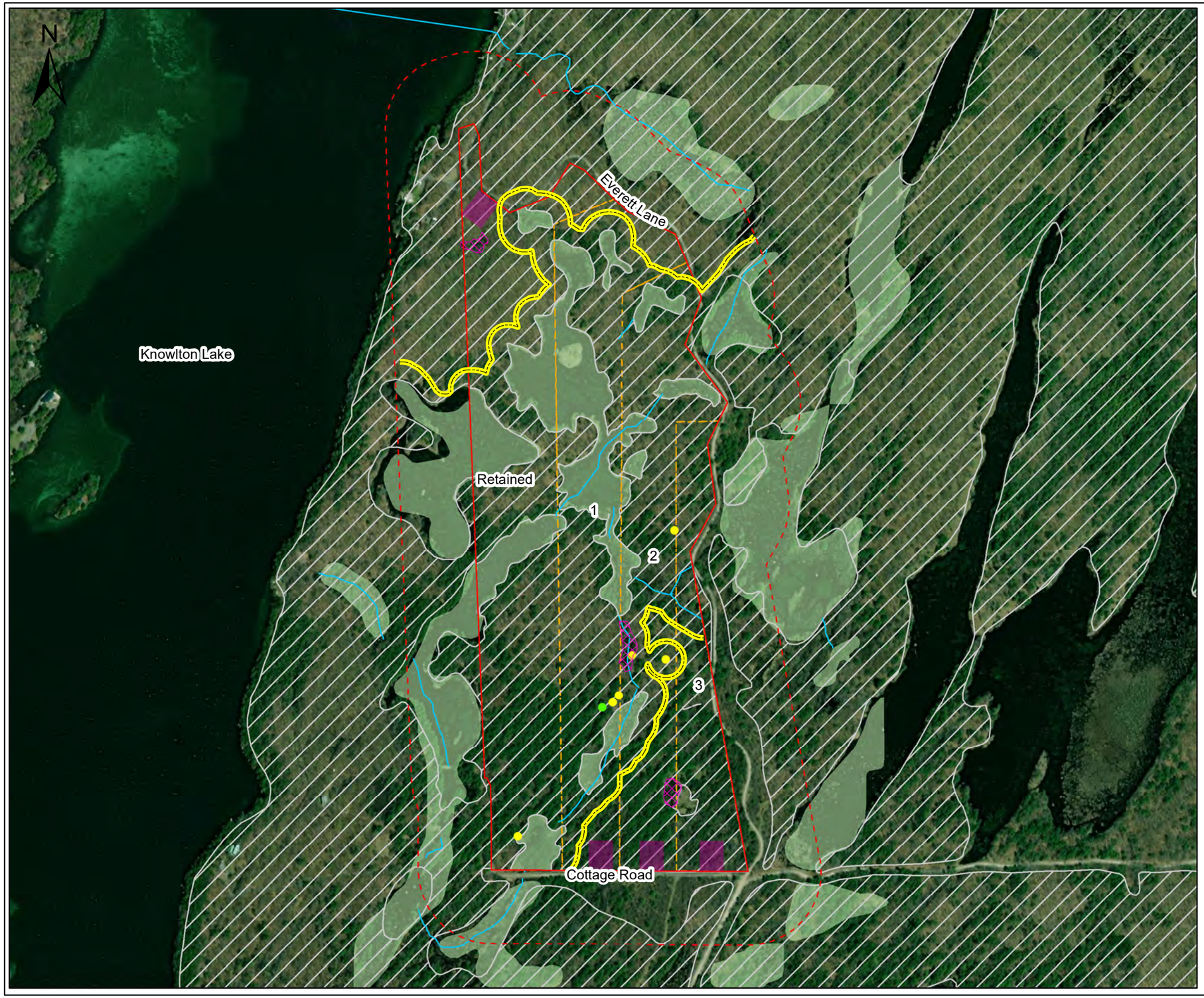

Legend

- Property Boundary
- Study Area
- 1 — Proposed Severance
- Local Wetland
- Watercourse
- Significant Woodlands
- Vernal Pools
- Candidate Snake Hibernaculum
- Butternut
- Proposed Development Envelope
- 30 m Setback

Scale
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Client:	Project:
ASC Environmental Inc.	100573.007

Location: Orser Part 3, Concession 8
South Frontenac Township,
Ontario

Drwn By:	Chkd By:	
JD	DP	Mitigation Measures

Date: November 2021	Rev.	
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APPENDIX B

Site Photographs

Site Photograph 1 − Example of forb shallow marsh (MASM2).

Site Photograph 2 − Example of graminoid meadow marsh (MAMM1).

Site Photograph 3 − Example of coniferous forest (FOCS2).

Site Photograph 4 − Watercourse at southern property line, flowing off site.

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Project
Environmental Impact Statement
Part of Lot 3, Concession 8
Frontenac County, Ontario

APPENDIX B

File No.
100573.007

Site Photographs

Site Photograph 5 − Example of vernal pool with saturated soils.

Site Photograph 6 − Example of water course connecting on-site wetlands.

Site Photograph 7 − Example of shallow open water (SAM_1-8).

Site Photograph 8 − Bur Oak – Shagbark Hickory Tallgrass Woodland (WODM1-2).

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Project Environmental Impact Statement Part of Lot 3, Concession 8 Frontenac County, Ontario	**APPENDIX B**	**Site Photographs**
	File No. 100573.007	

Site Photograph 9 − Dry vernal pool, southern area of subject property.

Site Photograph 10 − Example of deciduous forest found throughout site (FODM5).

Site Photograph 11 − Large rock ridge with fissured rock, northern extent of property.

Site Photograph 12 −Vernal pool with standing water, northern area of site.

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Project Environmental Impact Statement Part of Lot 3, Concession 8 Frontenac County, Ontario	**APPENDIX B**	**Site Photographs**
	File No. 100573.007	

APPENDIX C

Report Summary Tables

TABLE C.1
SUMMARY OF WILDLIFE OBSERVED ON-SITE AND ADJACENT TO SITE

Common Name	Scientific Name	S-Rank	Evidence
Avian Species			
American goldfinch	*Spinu tristis*	S5B	Heard calling
American robin	*Turdus migratorius*	S5B	Heard calling, observed foraging
Belted kingfisher	*Megaceryle alcyon*	S4B	Pair observed on-site
Black-capped chickadee	*Poecile atricapillus*	S5	Heard calling
Black-and-white warbler	*Mniotilta varia*	S5B	Heard calling
Blue jay	*Cyanocitta cristata*	S5	Heard calling
Broad-winged hawk	*Buteo platypterus*	S5B	Observed on-site
Downy woodpecker	*Picoides pubescens*	S5	Heard calling
Eastern wood-pewee	*Contopus virens*	S4B	Heard calling
Great creaster flycatcher	*Myiarchus crinitus*	S4B	Heard Calling
Red-eyed Vireo	*Vireo olivaceus*	S5B	Heard calling
Veery	*Catharus fuscescens*	S4B	Heard calling
Mammalian Species			
Eastern cottontail	*Sylvilagus floridanus*	S5	Observed on-site
Gray squirrel	*Sciurus carolinensis*	S5	Observed on-site
Porcupine	*Erethizon dorsatum*	S5	Observed on-site
White-tailed deer	*Odocoileus virginianus*	S5	Observed on-site
Amphibian Species			
Green frog	*Lithobates clamitans*	S5	Heard calling
Spring peeper	*Pseudacris crucifer*	S5	Young of year observed on-site
Wood frog	*Lithobates sylvaticus*	S5	Young of year observed on-site
Reptilian Species			
Eastern gartersnake	*Thamnophis sirtalis sirtalis*	S5	Young of year observed on-site
Midland painted turtle	*Chrysemys picta marginata*	S4	Observed on-site

Notes:

Subnational Conservation Status Ranks:

S1 - Critically Imperilled, at very high risk of extirpation, very few populations or occurrences or very steep population decline

S2 - Imperiled, at high risk of extirpation, few populations or occurrences or steep population decline

S3 - Vulnerable, at moderate risk of extirpation, relatively few populations or occurrences, recent and widespread population decline

S4 - Apparently Secure, at a family low risk of extirpation, many populations or occurrences, some concern for local population decline

S5 - Secure, at very low or no risk of extirpation, abundant populations or occurrences, little to no concern for population decline

Qualifiers:

S#B - Conservation status refers to the breeding population of the species

S#N -Conservation status refers to the non-breeding population of the species

TABLE C.2
SCREENING RATIONALE FOR SIGNIFICANT WOODLANDS

Woodland Criteria	Further Considered in EIS	Rationale
Woodland Size	Yes	Contiguous woodlands on-site meet the minimum size requirement for the planning area (> 50 ha).
Ecological Functions		
a) Woodland Interior	Yes	Interior woodlands on-site meet the minimum size requirement for the planning area (> 8 ha).
b) Proximity	Yes	Woodlands on-site are proximal to fish habitat or other identified significant natural features (Gould Lake Conservation Area and Frontenac Arch Biosphere Reserve).
c) Linkages	Yes	Woodlands on-site do not provide linkages to other natural heritage features.
d) Water Protection	Yes	Woodlands on-site are proximal to fish habitat.
e) Diversity	No	Species composition within the on-site woodland is well represented on the landscape and no rare species communities were observed on-site.
Uncommon Characteristics	No	The woodlands on-site do not have a unique species composition, vegetation communities with a ranking of S1, S2 or S3, or a mature size structure.
Economical and Social Functional Values	No	The woodlands on-site do not contain high productivity in terms of economically valuable products, high social value such as recreational use, identified historical cultural or educational values.

TABLE C.3
SCREENING RATIONALE FOR HABITATS OF SEASONAL CONCENTRATION AREAS

Wildlife Habitat	Further Considered in EIS	Rationale
Winter Deer Yard	No	While there are stands of coniferous woodlands on-site, as outlined in the the Signficant Wildlife Habitat Criteria Schedules (OMNRF, 2015) winter deer yards and deer managment are an MNRF responsibility. Based on review of publically available data from the OMNRF on Land Information Ontario Geo-hub, no Stratum I deer yards, Stratum II deer yards, or winter congregation areas have been identified on-site or within the broader study area. The closest deer yard to site is a patch of Stratum I and Stratum II deer yard located approximately 14 km northwest of site.
Colonial Bird Nesting Habitat	No	No suitable habitat located on-site or within the study area to support colonial bird nesting.
Waterfowl Stopover and Staging Areas	Yes	Suitable wetland habitat may be present on-site with the open aqautic type (ELC code: SAM_1-8), which may support waterfowl stopover and staging area (aquatic) SWH. No indicator species were observed. SWH defining criteria was not met as 100 or more individuals of were not observed.
Shorebird Migratory Stopover Area	No	Shorebird stopover sites are typically well-known and have a long history of use. The site does not contain suitable shoreline habitat for shorebird foraging.
Raptor Wintering Area	No	While the site contains both forest and upland habitat, it does not meet the candidate habitat criteria as the forest and upland habitat on-site does not meet the minimimum size criteria of greater than 20 ha.
Bat Hibernacula	No	Cave and crevice habitat is not present on-site or within the study area.
Bat Maternity Colonies	No	Woodlands on-site do not meet minimum snag density (>10 snags/hectare) requirement to be considered SWH for bat maternity colonies.
Turtle Wintering Area	Yes	Open aquatic type (SAM_1-8) on-site may provide suitable open water with sufficient depths to provide turtle wintering habtiat.
Reptile Hibernaculum	Yes	Structures such as large rock piles, bedrock outcrops, and cervices have been identified on-site.
Migratory Butterfly Stopover Area	No	The site is not located within 5 km of Lake Ontario and therefore does not meet the defining criteria.
Landbird Migratory Stopver Area	No	The site is not located within 5 km of Lake Ontario and therefore does not meet the defining criteria.

TABLE C.4
SCREENING RATIONALE FOR SPECIALIZED WILDLIFE HABITATS

Specialized Wildlife Habitat	Further Considered in EIS	Rationale
Waterfowl Nesting Area	No	Upland habitat is not present adjacent to suitable wetland habitats.
Bald Eagle and Osprey Nesting, Foraging and Perching Habitat	No	Suitable forest habitat on-site FOD, FOC, and FOM are not located directly adjacent to the open water which may support foraging bald eagles or osprey. No nests were observed on-site, and neither species were observed during investigations. Nesting sites for these species are uncommon in Ecoregion 6E (MNRF, 2012).
Woodland Nesting Raptor Habitat	Yes	Nesting may occur in any forested ecosites, with species preference towards mature forest stands >30 ha with >10 ha of interior habitat with a 200 m buffer. Contiguous forest stands on-site meets the minimum size criteria. No sticks nests were observed on-site.
Turtle Nesting Habitat	No	No suitable habitat (exposed mineral soil with minimal vegetation conver) was observed on-site.
Seeps and Springs	No	Neither seeps nor springs were identified on-site.
Woodland Amphibian Breeding Habitat	Yes	Suitable habitat within the woodlands; vernal pools and marsh wetlands may present to support woodland amphibian breeding SWH.
Wetland Amphibian Breeding Habitat	Yes	Suitable wetland habitat on-site open water wetland (SAM_1-8), is located on-site directly adjacent to woodlands and may support wetland amphibian breeding habitat.
Woodland Area-Sensitive Bird Breeding Habitat	No	Woodland area-senstive birds require interior forest habitat located >200 m from the forest edge in large (>30 ha) forest stands. While woodlands on-site meet the minimum size defining criteria of >30 ha, no interior forest habitat >200 m from a forest edge is present on-site. A single defining criteriea wildlife species, veery, was observed on-site.

TABLE C.5
SCREENING RATIONALE FOR HABITAT FOR SPECIES OF CONSERVATION CONCERN

General Habitats of Species of Conservation Concern	Further Considered in EIS	Rationale
Marsh Breeding Bird Habitat	No	Potentially suitable marsh habitat is not present on-site to support marsh breeding bird habitat.
Open Country Breeding Bird Habitat	No	No suitable meadow habitat on-site to support open country bird breeding due to recent (< 5 years) agricultural disturbances.
Shrub/Early Successional Breeding Bird Habitat	No	Candidate early successional breeding bird habitat typically includes fallow fields transitioning to early successional forest habitats that are > 10 ha but have not been actively used for farming. The cultural thickets on-site are not considered SWH due to recent (< 5 years) agricultural disturbances.
Terrestrial Crayfish Habitat	No	Terrestrial crayfish are only found within southwestern Ontario (MNRF, 2012).
Special Concern and Rare Wildlife Species	Yes	The following species of special concern were identified on-site during the site investigation: eastern wood-pewee. Occurrence data for the NHIC also indactes the following species of special concern to have occurred on-site and/or the surorunding area: eastern musk turtle, northern map turtle, snapping turtle, eastern ribbon snake and wood thrush.

TABLE C.6
SCREENING RATIONALE FOR ANIMAL MOVEMENT CORRIDORS

General Habitats of Species of Conservation Concern	Further Considered in EIS	Rationale
Amphibian Movement Corridor	No	No *confirmed* wetland amphibian breeding habitat has been identified on-site.
Deer Movement Corridor	No	No winter deer yards have been identified on-site by the OMNRF.

TABLE C.7
SCREENING RATIONALE FOR POTENTIAL SPECIES AT RISK ON-SITE OR WITHIN STUDY AREA

Species	ESA Status	Habitat Use	Probability of Occurrence On-Site or Within Study Area	Rationale
Avian				
Barn Swallow	Threatened	Nests in barns and other semi-open structures. Forages over open fields and meadows.	Low	Species not observed on-site. Site lacks suitable habitat to support species.
Black Tern	Special Concern	Breeds in loose colonies in shallow marshes, particularly cattails.	Low	Species not observed on-site. Site lacks suitable habtiat to support species.
Bobolink	Threatened	Nests in dense tall grass fields and meadows, low tolerance for woody vegetation.	Low	Suitable grassland habitat not available on-site or within study area. NHIC indicates species within 1km of site, likely associated with agricultural fields south of site.
Cerulean Warbler	Threatened	Prefers mature, deciduous forests	Low	Woodlands on-site do not provide preferred habitat.
Chimney Swift	Threatened	Nests in traditional-style open brick chimneys.	Low	No suitable nesting structures on-site or within the broader study area.
Eastern Meadowlark	Threatened	Nests and forages in dense tall grass fields and meadows, higher tolerance to woody vegetation.	Low	Suitable grassland habitat not available on-site or within study area. NHIC indicates species within 1km of site, likely associated with agricultural fields south of site.
Eastern Whip-poor-will	Threatened	Nests on the ground in open deciduous or mixed woodlands with little underbrush, and bedrock outcrops.	Low	Suitbale habitat may exist on-site within the open rock barrens and outcrops. Species not observed on-site. No historical occurance records for species on-site or within the study area.
Eastern Wood-pewee	Special Concern	Woodland species, often found near clearings and edges.	High	Eastern wood-pewee was observed on-site during site investigation.
Henslow's Sparrow	Endangered	Prefers open, moist tallgrass fields.	Low	No suitable grassland habitat to support Henslow's sparrow nesting on-site.
Red-headed Woodpecker	Special Concern	Open woodland and woodland edges, and is often found in parks, golf courses and cemeteries. These areas typically have many dead trees, which the bird uses for nesting and perching.	Low	Species not observed on-site. Site lacks suitable habitat to support species.
Wood Thrush	Special Concern	Prefers deciduous or mixed woodlands	High	Site may provide suitable habitat to support species. NHIC indicates presence of species within both of the 1km2 grids that encompass the site. Wood Thrush was not observed on-site during site investigations.
Mammalian				
Eastern Small-footed Myotis	Endangered	Roosts in rock crevices, barns and sheds. Overwinters in abandoned mines. Summer habitats are poorly understood in Ontario, elsewhere prefers to roost in open, sunny rocky habitat and occasionally in buildings (Humphrey, 2017).	Moderate	Potentially suitable anthropogenic structures adjacent to site. Available habitat on-site does not meet bat maternity colony requirements however the site and surrounding area may provide foraging and non-maternal roost habitat.
Little Brown Myotis	Endangered	Maternal colonies known to use buildings, may also roost in trees during summer. Affinity towards anthropogenic structures for summer roosting habitat and exhibit high site fidelity (Environment Canada, 2015).	Moderate	Potentially suitable anthropogenic structures adjacent to site. Available habitat on-site does not meet bat maternity colony requirements however the site and surrounding area may provide foraging and non-maternal roost habitat.
Northern myotis (Northern Long-eared Bat)	Endangered	Occurs throughout eastern North America in associated with Boreal forests. Roosts mainly in trees, occasionally anthropogenic structures during summer (Environment Canada, 2015). Overwinters in caves and abandoned mines.	Low	Species affinity is for Boreal forests and rarely roosts in anthropogenic structures.
Tri-colored Bat	Endangered	Roosts in trees, rock crevices and occasionally buildings during summer. Overwinters in caves and mines.	Moderate	Potentially suitable anthropogenic structures adjacent to site. Available habitat on-site does not meet bat maternity colony requirements however the site and surrounding area may provide foraging and non-maternal roost habitat.
Reptilian				
Blanding's Turtle	Threatened	Inhabits quiet lakes, streams and wetlands with abundant emergent vegetation. Frequently occurs in adjacent upland forests.	Moderate	Based on data obtained from the Herp Atlas (Ontario Nature, 2019), Blanding's turtle have been observed 15 times between 1983 and 2019 within the 10 km2 grid square that encompass the site. NHIC data indicates known occurrences for Blanding's turtles within 1km south of site. Wetlands on-site and proximity to Knowlton Lake may provide potentially suitable aquatic habitat for Blanding's turtle. Species not observed during field investigation.
Eastern Musk Turtle	Special Concern	Permanent ponds, lakes, marshes and rivers.	High	Based on data obtained from the Herp Atlas (Ontario Nature, 2019), eastern musk turtle have been observed 12 times between 1989 and 2018 within the 10 km2 grid square that encompass the site. NHIC data indicates species observed within both of the 1km2 grids that encompass the site. Species was not observed during field investigations. Wetlands on-site may provide potentially suitable aquatic habitat for eastern musk turtle.
Eastern Ribbonsnake	Special Concern	Usuall found close to water, especially marshes. At onset of cold weather species will congregate in underground burrows or rock crevices to hibernate together.	Moderate	Based on data obtained from the Herp Atlas (Ontario Nature, 2019), eastern ribbonsnake has been observed 11 times between 1989 - 2018 within the 10km2 grid that encompasses the site. However, data from the NHIC does not mention species on-site or within the study area. Wetland habitat and exposed rock formations may provide suitable foraging and hibernating habtiats on-site. Species was not observed during field investigation.
Gray Ratsnake	Threatened	On the Frontenac Axis, preference to a mosaic of forest and open habitats (fields; bedrock outcrops) with a high amount of edge habitat. In summer, seeks shelter in standing snags, hollow logs, and rock crevices. Nesting occurs inside standing snags, logs, stumps, compost piles. Overwinters in below ground hibernacula.	Moderate	Based on data obtained from the Herp Atlas (Ontario Nature, 2019), gray ratsnake have been observed 158 times between 1977 and 2019 within the 10 km2 grid square that encompass the site. NHIC data indicates known occurrences for gray ratsnake within 1km east and west of the site. Species not observed during field investigation. Woodland and rock crevices on-site may provide suitable habitat for gray ratsnake. Subject property located within the Frontenac Axis, one of two areas within Ontario of known species populations.
Northern Map Turtle	Special Concern	Highly aquatic species found only in lakes and large rivers.	Low	Based on data obtained from the Herp Atlas (Ontario Nature, 2019), northern map turtle have been observed 3 times in 2018 within the 10 km2 grid square that encompass the site. However NHIC data does not indicate any known occurrences for northern map turtles on-site. Observation data likely associated with the Knowlton Lake and not the aquatic habitats on-site. The site does provide potentially suitable aquatic habitat for northern map turtle.
Snapping Turtle	Special Concern	Highly aquatic species, found in a wide variety of permanent ponds, lakes, marshes and rivers.	High	Based on data obtained from the Herp Atlas (Ontario Nature, 2019), snapping turtle have been observed 15 times between 1986 and 2018 within the 10 km2 grid square that encompass the site. However NHIC data indicates known occurrences for snapping turtles within the two 1km2 grid sqaures that encompass the site, as well as within 1km north, east and west of site. The site does provide potentially suitable aquatic habitat for snapping turtle. Species not observed during field investigation.

TABLE C.7
SCREENING RATIONALE FOR POTENTIAL SPECIES AT RISK ON-SITE OR WITHIN STUDY AREA

Plants				
American Ginseng	Endangered	Grows in rich, moist but well-drained and relatively mature, deciduous woodlands dominated by sugar maple, white ash and American basswood.	Low	Woodlands on-site may provide suitable habitat to support species. Species was not observed during field investigation. No occurrence record for species on-site or within borader study area.
Butternut	Endangered	Inhabits a wide range of habitats including upland and lowland deciduous and mixed forests.	High	Some portions of the site are open and in a regenerative state. Species was observed on-site during the site investigation.
Insects				
Bogbean Buckmoth	Endangered	Preferred food plant is bog bean, present in a variety of wetlands including bogs, swamps and fens.	Low	Preferred wetland habitat is not present on-site.
Gypsy Cuckoo Bumble Bee	Endangered	Inhabits a wide range of habitats: open meadows, agricultural and urban areas, boreal forests and woodlands.	Low	Currently the only known Ontario population occurs in Pinery Provincial Park.
Monarch Butterfly	Special Concern	Caterpillars required milkweed plants that are confined to meadows and open areas. Adult butterflies use more diverse habitats with a variety of wildflowers.	Moderate	Potentially suitable foraging vegetation available for Monarch on-site.
Mottled Duskywing	Endangered	Larval food plant, New Jersey Tea, is found in sandy areas and alvars.	Low	Preferred habitat of sandy areas and alvars not present in the study area.
Nine-spotted Lady Beetle	Endangered	Habitat generalist	Low	No recent occurrence reports in the area, thought to be locally extirpated.
Rapids Clubtail	Endangered	Distribution in Ottawa not know. Occurs along Mississippi River in Blakeney/Pakenham area upstream of City. One of two extant populations in Ontario (and Canada).	Low	Site lacks suitable habitat for species.
Rusty-patched Bumble Bee	Endangered	Habitat generalist	Low	Currently the only known Ontario population occurs in Pinery Provincial Park.
Traverse Lady Beetle	Endangered	Habitat generalist	Low	No new records in Ontario, species thought to be absent in former habitats.
West Virginia White Butterfly	Special Concern	Requires mature moist, deciduous woods, with larval host plant, toothwort.	Low	Necessary vegetation and toothwort plant are not present on-site or within study area.
Yellow-banded Bumble Bee	Special Concern	Habitat generalist: mixed woodlands, variety of open habitat.	Moderate	Potentially suitable foraging habitat available for yellow-banded bumble bee on-site.

APPENDIX D

General Habitat Descriptions

i. Blanding's Turtle (MECP)

General Habitat Description for the Blanding's Turtle (*Emydoidea blandingii*)

A general habitat description is a technical document that provides greater clarity on the area of habitat protected for a species based on the general habitat definition found in the Endangered Species Act, 2007. General habitat protection does not include an area where the species formerly occurred or has the potential to be reintroduced unless existing members of the species depend on that area to carry out their life processes. A general habitat description also indicates how the species' habitat has been categorized, as per the policy "Categorizing and Protecting Habitat Under the Endangered Species Act", and is based on the best scientific information available.

HABITAT CATEGORIZATION

1	Nest and the area within 30 m or Overwintering sites and the area within 30 m
2	The wetland complex (i.e. all suitable wetlands or waterbodies within 500 m of each other) that extends up to 2 km from an occurrence, and the area within 30 m around those suitable wetlands or waterbodies
3	Area between 30 m and 250 m around suitable wetlands/waterbodies identified in Category 2, within 2 km of an occurrence

Category 1

Nest sites and overwintering sites are essential features and along with the 30 m area surrounding them are considered to have the lowest tolerance to alteration. Blanding's Turtles depend on these areas for sensitive life processes including egg-laying, incubation, hatching of young, and hibernation. A 30 m radius (average tree height) buffer around nesting and overwintering sites is important to maintain the microclimate conditions (e.g., thermal, vegetative and lighting features). These areas are habitually used and may support concentrations of individuals.

Nesting Sites

Blanding's Turtle nests are created in open habitats with low vegetation cover and high sun exposure such as in forest clearings, meadows, shorelines, beaches, rock outcrops, cornfields, gravel roads, road shoulders, ploughed fields, gardens, powerline rights-of-ways, yards and abandoned railroad beds (Linck *et al*. 1989, Ross and Anderson 1990, Kiviat 1997, Standing *et al*. 1999, Joyal *et al*. 2001, Congdon *et al*. 2008, Downing *et al*. 2010, Refsnider and Linck 2012). Females often show high fidelity to the same general nesting areas (Congdon *et al*. 1983, McNeil 2002, Congdon *et al*. 2011).

Overwintering Sites

Overwintering sites are typically occupied for at least six months during the overwintering period in Ontario (Edge *et al*. 2009, Edge *et al*. 2010, Davy 2011 unpublished data, Paterson unpublished data 2013, NHIC 2013). Blanding's Turtles display overwintering site fidelity, using some sites year after year (Power 1989, McNeil 2002, Caverhill 2006 in Newton and Herman 2009, Edge *et al*. 2009). Many individuals may aggregate at one site while overwintering (Anderson 1990, St-Hilaire 2003 in COSEWIC 2005, Ross and, Congdon *et al*. 2008, Edge *et al*. 2009).

Suitable Blanding's Turtle overwintering habitat typically includes permanent bogs, fens, marshes, ponds, channels or other habitats with free (unfrozen) shallow water (Joyal *et al*. 2001, Edge 2010, Seburn 2010). Blanding's Turtles studied in Algonquin Provincial park overwintered in wetlands with free water depths of 7 cm - 50 cm (Edge *et al*. 2009).This species may also hibernate within graminoid shallow marsh areas of larger marsh complexes by burying into substrates in areas of pooled water (Gillingwater unpublished data 2013). Blanding's Turtle's may also overwinter in seasonal pools or small excavated areas with standing water (Joyal *et al*. 2001, Rouse unpublished data 2012).

Category 2

The wetland complex that extends up to 2 km from an occurrence and 30 m around these suitable wetlands/waterbodies (Category 2) will be considered to have a moderate level of tolerance to alteration before their function is compromised. For the purpose of general habitat protection for Blanding's Turtle, a wetland complex is defined as all wetlands that are within 500 m of each other. This definition is based on the biology of the species and its documents movement patterns between adjacent suitable wetlands/waterbodies. In cases where an occurrence is not within suitable aquatic habitat, the nearest wetland should be considered the starting point for delineating the wetland complex.

Blanding's Turtles depend on these wetlands and the surrounding habitat throughout their home range for life processes including feeding, mating, thermoregulation, movement, and protection from predators.

Blanding's Turtle home range sizes and lengths in Ontario vary significantly between individuals within the same population and between different populations. In Algonquin Provincial Park, the average range length of radio-tracked Blanding's Turtles was 1.8 km (1.2 standard deviation), with a maximum of 4.3 km (Edge 2013 unpublished data). Recent Ontario studies documented a 90th percentile home range length of radio-tracked Blanding's Turtles in Parry Sound District and Bancroft District of 2.0 and 2.3 km, respectively (Rouse unpublished data 2013, Cameron unpublished data 2013). Average range length of a population on Grenadier Island, Ontario, was 813 m, with a maximum range length just over 2 km. In a Minnesota population, average range length was just over 1.6 km, with a maximum range length just over 5 km (Pappas *et al*. 2000).

Blanding's Turtles regularly move between wetlands or other aquatic areas in order to access mates, overwintering sites, nesting sites, other seasonally required resources and thermoregulation sites (Congdon *et al*. 2008, Edge *et al*. 2010). In a study from Algonquin Provincial Park, Blanding's Turtles made an average of four movements between wetlands each year with an average movement distance of 231 m for males and 497 m for females (Edge *et al*. 2010). Average interwetland movement distances of a population in Maine was 680 ± 550 m (Joyal *et al*. 2001). Rouse and Cameron (unpublished data 2013) found that Blanding's Turtles primarily moved through wetlands and other water and were rarely located more than 200 m from water. Since interwetland movements tend to average about 500 m, wetlands that are separated by more than 500 m from other suitable wetlands have a lower likelihood of being occupied.

A 30 m radius (average tree height) buffer around suitable wetlands helps to maintain microclimate conditions. Buffers of 30 m are widely recognized as providing a range of functional benefits to aquatic features and wetlands such as maintaining water quality by filtering sediment and nutrients, input of woody debris, and cooling water temperatures by shading and infiltrating surface runoff (OMNR 2010). Blanding's Turtles have also been shown to generally bask within 30 m of wetlands (Joyal *et al*. 2001).

Suitable habitat for Blanding's Turtles during the active season includes a variety of wetlands such as marsh, swamps, ponds, fens, bogs, slow-flowing streams, shallow bays of lakes or rivers, as well as graminoid shallow marsh and slough forest habitats that are adjacent to larger marsh complexes (Joyal *et al*. 2001, Gillingwater 2001, Gillingwater and Piraino 2004, 2007, Congdon *et al.* 2008, Edge *et al*. 2010; Seburn 2010). Suitable wetlands used during the active season are typically eutrophic (mineral or organic nutrient-rich), shallow with a soft substrate composed of decomposing materials, and often have emergent vegetation, such as water lilies and cattails (COSEWIC 2005, Congdon *et al*. 2008).

Category 3

The area between 30 m and 250 m around suitable Category 2 wetlands/waterbodies will be considered to have the highest tolerance to alteration. Blanding's Turtles depend on these areas as movement corridors between wetlands, which are essential for carrying out life processes associated with Category 1 and 2 habitats.

Blanding's Turtle nests are typically close to permanent wetlands and reported average distances between nests and the nearest wetland range from 99.5 to 242 m, with maximum distances of 256 m to just over 400 m (Joyal *et al*. 2001, Beaudry *et al*. 2010, Congdon *et al*. 2011, Paterson *et al*. 2012, Refsnider and Linck 2012). Consequently, the area within 250 m of suitable aquatic habitat provides critical movement corridors through with hatchling Blanding's Turtles access wetlands after hatching. This habitat is also used by some hatchlings as overwintering habitat in their first year (Paterson *et al*. 2012).

Although Blanding's Turtles nest close to water, they often travel considerable distances from their wetland of origin during nesting migrations, with movements of 6 km being documented in some Ontario populations (Edge *et al*. 2010). Although wetlands and ponds are used as movement corridors when available, females make extensive movements through upland habitat to access nesting sites (Congdon *et al*. 2008). As mentioned in the previous section (see Category 2), Blanding's Turtles also make regular overland movements between wetlands throughout the active season in order to access Category 1 and 2 habitats within their home range. Category 3 habitat provides essential movement corridors of up to 500 m between wetlands, which will encompass the areas that are most likely to be used for overland movement.

Activities in Blanding's Turtle habitat

Activities in general habitat can continue as long as the *function of these areas for the species is maintained and individuals of the species are not killed, harmed, or harassed.*

Generally compatible:

- Recreational use of the water such as swimming, boating, and fishing.
- Small-scale alterations to land cover that do not impede overland movements or impair nesting sites.

Generally not compatible:*

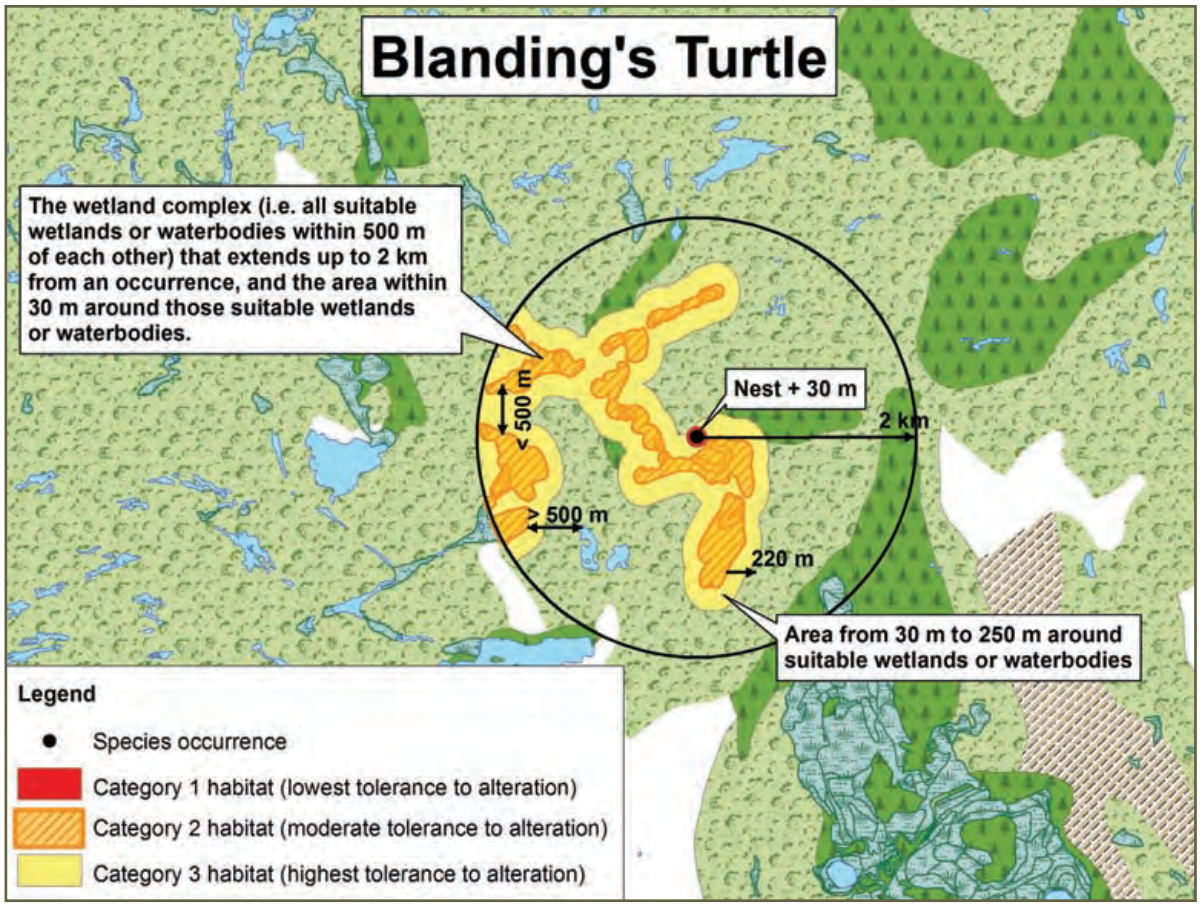
- Significant draining, infilling, dredging, or other significant alteration of wetlands or other suitable waterbodies.
- Significant alteration of shorelines, especially hardening (e.g. the use of gabion baskets, rip-rap, and rock armour).

* If you are considering an activity that may not be compatible with general habitat, please contact your local MNR office for more information.

Key terms:

- **Thermoregulation:** Some animals, such as turtles, use thermoregulation to alter their internal body temperature through behavioural patterns, such as basking in the sun to increase body temperature or seeking out cool areas to lower body temperature.

Sample application of the general habitat protection for Blanding's Turtle



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civil	civil
geotechnical	géotechnique
environmental	environnementale
field services	surveillance de chantier
materials testing	service de laboratoire des matériaux

From: [redacted]
To: Planning Services – South Frontenac
Subject: Notice of Consent Application PLBDJ20250003
Date: February 21, 2025 11:09:17 PM

To Whom It May Concern;

Dear Sir/Madame,

I received the notice to sever off a portion of land at the corner of Cottage Road and Everett Lane. This does concern my property, across Cottage Road, and I am NOT in favour of this at all.

This area is woodlands/outdoors/recreational property, and adding more residential housing will throw off the nature dynamic that is down there. This attracts more people and more sverered properties - where does it end? It's a nice quiet spot and we don't need any more intrusion into it.

Also, there is a lot of hunting that takes place all down there.. More housing would encroach on the sport. Also, as it happens all too frequently, some person from the city comes in (who doesn't recognize hunting) and complains about all the noise. No matter that people have hunted there for decades before they came along, it always seems to result in the curtailing or cessation of hunting. That is not acceptable.

So, again, I DO NOT favour this application.

Thank you. Cheers...

Richard Delve

9 Ainsley Place,
Kingston, ON K7K 7A5
[redacted]

Please help with our lawsuit against the Liberal OIC ban of firearms
http://fightthegunban.ca/
You can donate to the GoFundMe set up by the OLA here:
https://www.gofundme.com/f/93sve-gun-ban-court-challenge-judicial-review

March 4, 2025 File: SEV/FRS/21/2025

Sent by E-mail

Ms. Christine Woods, Manager of Planning Services
Township of South Frontenac
P.O. Box 100
Sydenham, Ontario
K0H 2T0

Dear Ms. Woods:

Re: Consent Applications PL-BDJ-2025-0003 (Lot Creation)
Cottage Road; Concession 3, Pt Lt 8
Township of South Frontenac
Waterbody: Unnamed Tributaries of Knowlton Lake & Wetlands

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

Summary of the Proposal

The applicant has requested to sever an approximately 2.4 ha (6 ac) parcel of land to create a residential building lot. The severance will result in an approximately 38.4 ha (95 ac) retained parcel. Future single family residential development has been considered by the applicant for the retained lands but it is understood that no development is proposed through this application.

Site Description

The subject lands are located on the north side of Cottage Road, immediately west of Everett Lane. The northern portion of the lands has frontage on Everett Lane. The subject lands are undeveloped and heavily treed with wetlands and areas of exposed bedrock. The terrain of the lands is varied.

The subject lands are zoned Rural (RU) in the Township of South Frontenac Zoning By-law and are designated Rural and Environmental Protection in the Township of South Frontenac Official Plan.

Discussion

CRCA's scope of review with respect to this application is the avoidance of natural hazards (e.g. flooding and erosion) associated with the un-named watercourse and unevaluated wetlands on the property.

Natural Hazards / Ontario Regulation 41/24

Cataraqui Conservation, through implementation of Ontario Regulation 41/24: *Prohibited Activities, Exemptions and Permits* requires development (building and structures) and site alteration (excavation, grading, placement of fill) to be located outside of natural hazard areas and set back a minimum of 30 m from surface water features including watercourses (creeks, streams) and wetlands (swamps, marsh, bogs/fens). The intent is to protect development from potential flooding and erosion hazards and to preserve the hydrologic function of these features.

Surface Water Features
The subject lands are occupied by several watercourses which are tributaries of Knowlton Lake. The watercourses identified on the subject lands are regulated features under O.Reg 41/24

Flooding: Cataraqui Conservation does not have floodplain mapping for these watercourses. Consequentially, our regulatory policies under O.Reg. 41/24 require any new development be setback at least 30 m from the top of bank of the watercourse. The 30 m setback is consistent with the 30 m setback required by the Township's Zoning By-law.

The Environmental Impact Study (EIS) identifies the watercourses on the proposed severed lot and surrounding area. Staff have generally accepted the methodologies used in the EIS and are accepting of its findings. Based on the EIS, the proposed severed and retained lots have a suitable building envelope outside of the applicable 30 metre setback from the watercourses and wetlands (illustrated in Figure A.5 of the EIS).

Erosion: Cataraqui Conservation regulates the erosion hazard including stream valleys extending to the stable top of slope and an allowance of 15 metres from the stable top of slope. Based on elevation data, CRCA staff are satisfied that there is a suitable building envelope on the proposed severed lot and retained lands outside of the erosion hazard limit.

Hydrologic Function of Wetlands

The wetland areas that have been identified on the subject lands are regulated features under O. Reg. 41/24. As such, all new development and site alteration must take place outside a minimum 30 metre setback from the boundary of the wetland to protect the wetlands hydrologic function as it relates to maintaining the control of flooding and erosion downstream and upstream of the wetland.

Staff have accepted the methodologies used in the accompanying EIS report. As illustrated in Figure A.5 of the EIS, the proposed severed and retained lots will have sufficient area to accommodate future development outside the applicable 30 metre setback from the wetlands and watercourses.

Recommendation

Staff have no objection to the approval of applications PL-BDJ-2025-0003 based on our consideration for natural hazard and regulatory policies. We recommend that the findings from the EIS identifying the features regulated under Ontario Regulation 41/24 as well as the applicable setbacks be implemented into a Development Agreement registered on title to identify the development envelope on the severed and retained lands for current and future landowners.

Ontario Regulation 41/24

Please note that portions of the retained lands are subject to Ontario Regulation 41/24: *Prohibited Activities, Exemptions and Permits* (formerly O. Reg. 148/06), which is administered by the CRCA. The purpose of the regulation is to ensure that proposed changes (e.g. development and site alteration) to a property are not affected by natural hazards, such as flooding and erosion, and that the changes do not put other properties at greater risk from these hazards. Also, to ensure the protection of wetlands. **Current and future landowners are advised to contact CRCA before considering any work within 30 metres of the watercourses or wetlands on the subject lands. The regulation also applies to any proposed site alterations (including new crossings) to watercourses and wetlands. We note that construction of new crossings (i.e. new roads or trails) through the wetland area and watercourses on the lot may not be permitted by CRCA.**

Please inform this office of any decision made by the Committee with regard to these applications. If you have any questions, please contact the undersigned at 613-546-4228 ext. 239, or by e-mail at estucke@crca.ca

Sincerely,

Emma Stucke

Emma Stucke, RPP, MCIP
Resource Planner

cc. Applicant by email

Report from Public Services

Application Number: PL-BDJ-2025-0003

Applicant's Name: Keith Orser and Edward Orser

Concession: 8 **Lot:** PT Lot 3 **District:** Loughborough

Road: Cottage Road

Road Maintenance: Year-round ☑ Seasonal ☐

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

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

RETAINED PARCEL: ADEQUATE ENTRANCE SIGHT LINES.

SEVERED PARCEL: ADEQUATE ENTRANCE SIGHT LINES

Road Conditions:

1. Are there any special drainage/ditching concerns related to creation of new lot(s)?
   Yes ☐ No ☑
   If yes, what action is the applicant required to take?

2. Is the overall road condition adequate to serve increased development/traffic?
   Yes ☑ No ☐
   If no, please explain, and indicate if there are any measures that could be taken to correct the inadequacies.

Road Widening Required?

Yes ☐ No ☐ To be determined by an Ontario Land Surveyor ☑

Any specific requirement?

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

Approved by the Public Services?

Yes ☐ Yes, with conditions ☑ No ☐

If yes, with conditions, please describe conditions below.

Safe access shall be achieved from Cottage road.

Evan Bancroft
Signature on behalf of Public Services

2025-02-10
Date

To: **Committee of Adjustment**

From: **Christine Woods, Manager of Planning**

Report Date: **April 10, 2025**

Subject: **Consent Application PL-BDJ-2025-0003, Orser, 102904002010000 (Cottage Road), Loughborough District**

Summary

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

Background

The subject property is located north of Sydenham near Knowlton Lake. It is in an area with many large, rural landholdings and conservation lands. The property has frontage on Cottage Road and Everett Lane. These vacant lands consist of forest and wetlands.

The purpose of the application is to create one new rural residential lot. The severed parcel would be 6 acres in area with 120 metres frontage on Cottage Road. The retained parcel would be approximately 95 acres in area with 300 metres frontage on Cottage Road, and more than 1000 metre frontage on Everett Lane.

An Environmental Impact Statement (EIS) (Gemtec, December 15, 2021) was submitted in support of the application. Staff note that the EIS was prepared for an earlier proposal to sever three lots from the property. The current proposal to sever one lot is based on feedback provided by the Ministry of the Environment, Conservation and Parks (MECP) in 2022. MECP staff indicated that they would not support any severances from the property unless the lots are on land in the Gould Lake watershed, and that any house and sewage system on the lots would be in this watershed. In 2022, Cataraqui Conservation reviewed the EIS and indicated that they generally accepted the methodologies used in the EIS and were accepting of its findings.

Review

This application:

- ✓ Conforms to section 51(24) of the *Planning Act*;
- ✓ Does not require a plan of subdivision for the proper and orderly development of the municipality (s. 53(1) *Planning Act*);

- ✓ Is consistent with the Provincial Policy Statement (s. 3(5) *Planning Act*);
- ✓ Conforms to the County of Frontenac Official Plan (s. 3.3);
- ✓ Conforms to the Township of South Frontenac Official Plan (s. 5.2, 5.7.4 & 7.1);
- ✓ Complies with Zoning By-law No. 2003-75 (or will comply subject to a standard condition of rezoning or minor variance); and
- X Has unresolved objections/concerns raised from the public.

Department and Agency Comments

Public Services advised that they have no objection to approval of the application as both the severed and retained parcels have adequate sight lines for driveway entrances on Cottage Road. The need for road allowance widening should be confirmed by the surveyor as a condition of approval.

Building Services had no concern with the ability of the severed parcel to accommodate a sewage system.

Cataraqui Conservation indicated in a letter dated March 4, 2025, that they have no objection to the approval of the application based on their consideration for natural hazard policies and their O. Reg. 41/24 regulatory policies. The proposed severed and retained parcels will have sufficient area to accommodate future development outside the required 30m setback from the wetlands and watercourses on the property. They recommend that the findings of the EIS be implemented through a development agreement registered on title.

Public Comments

Richard Delve, owner of a large property south of Cottage Road, was not in favour of this application. His reasoning is that more housing would throw off the nature dynamic of this area that consists of woodland/outdoors/recreational properties. More housing would also encroach on the sport of hunting and would result in noise complaints.

Planning Analysis

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

Natural Heritage

The Provincial Planning Statement (2024) states that natural features and areas shall be protected for the long term. The County Official Plan and the Township Official Plan, in accordance with the PPS, do not permit development and site alteration in and adjacent to several types of significant natural features and areas unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

The Township Official Plan Schedule A shows an Environmental Protection (EP) designation covering a large area between Knowlton Lake, Holleford Lake and Gould Lake, including the Holleford Lake Provincially Significant Wetland. The EP designation includes a large portion of the subject property. It covers a series of wetlands, ponds and watercourses, as well as the lands in between them.

The boundaries of the EP designation serve as the basis for the implementing Zoning By-law. The original Schedules of Zoning By-law No. 2003-75 identify an Environmental Sensitive Lands overlay that corresponds to the EP designation. Section 5.37.1 of the Zoning By-law indicates that development and site alteration may take place in these areas subject to an environmental impact assessment and in accordance with the underlying zone requirements.

An Environmental Impact Statement (EIS) (Gemtec, December 15, 2021) was submitted in support of the application. The purpose of the EIS was to identify and evaluate the significance of any natural heritage features on the subject property and within the broader study area, as well as to assess the potential impacts from the proposed development, and to recommend appropriate mitigation measures.

The EIS identified local evaluated wetland, significant woodland and fish habitat. Also, candidate significant wildlife habitat for turtle wintering habitat, reptile hibernaculum, woodland amphibian breeding habitat, and special concern and rare wildlife habitat for several species. The following species at risk and their habitat were identified as having a potential to occur on-site: eastern small-foot myotis, little brown myotis, tri-colored bat, Blanding's turtle and gray ratsnake. Category 2 and 3 habitats for Blanding's turtle was confirmed for the site. A single butternut tree was observed on-site.

The majority of the identified features and habitats are located on the retained parcel. Only the significant woodland is present on the severed parcel.

The EIS concluded that there would be no significant impacts to natural heritage features identified on-site due to the distance of the potential development envelopes from the identified features. The following potential impacts were identified with development of the parcels: a minor loss of roadside forest habitat, a minor increase in impervious surface, a minor increase in stormwater generation, short-term increases in sedimentation and/or erosion and increased noise generation.

The EIS identified 0.2 hectare development envelopes on the severed parcel near Cottage Road, and on the retained parcel. The development envelopes are intended to provide relief from encroachment, minimize human-wildlife interaction and disturbance, protect habitat, as well as maintain a vegetated buffer for wetlands.

The EIS recommended that a minimum 30 metre setback be maintained from the wetlands, consistent with the Official Plan and Zoning By-law. It also recommended that the identified development envelopes be registered on title. It also recommended implementation of best management practices such as no in-water works during fish spawning season, no tree removal during bird and bat active season, and use of appropriate sediment and erosion control measures.

As with any property that contains natural features such as wetlands and forest, there is the potential for wildlife habitat, including habitat of species at risk (e.g. grey ratsnake). Landowners are responsible to comply with the provisions of the *Endangered Species Act, 2007*, including those that provide protection for individual members of a species and their habitat if that species is listed on the Species at Risk in Ontario list as extirpated, endangered or threatened. If an activity may cause adverse impacts to a species at risk and/or their habitat, authorization under the Act may be required prior to conducting the activity.

Future owners of the severed and retained parcels would be notified of the need to implement the EIS recommendations through a development agreement registered on title, as a condition of application approval.

Lake Trout Lake

The northwest portion of the subject lands is within 300 metres of Knowlton Lake, which is an at-capacity lake trout lake. The ponds, wetlands and watercourses on the property are partially within 300 metres of the lake and have a direct connection to the lake.

Section 5.2.8(a)(ii) of the Township Official Plan generally prohibits new lot creation within 300 metres of an at-capacity (highly sensitive) lake trout lake. Subsection (iii) lists exceptions to this policy. One of the exceptions is a condition where the drainage of the proposed lot flows to a separate, non-sensitive, watershed as a result of existing topographical or physical features. The severed parcel satisfies this exception because it would be entirely located within the Gould Lake watershed. Gould Lake is not an at-capacity lake trout lake.

MECP staff indicated in 2022 that the retained parcel could continue to be considered a lot of record for the purpose of section 5.2.8(a)(i) of the Official Plan. This policy permits new development on a lot of record subject to a minimum 30 metre setback from the highwater mark of Knowlton Lake. The EIS (Figure A.5) identified a development envelope off Everett Lane that would be at least 100 metres from the lake and a minimum of 30 metres from the nearest wetland. Other development envelopes on Cottage Road were identified that would be more than 500 metres from the lake and a minimum of 30 metres from the nearest wetland. Therefore, the Lake Trout Lake policies have been addressed.

Rural Development

The Provincial Planning Statement (2024) permits a variety of land uses on Rural lands including resource management and use, resource-based recreational uses, agricultural uses, and residential uses. The PPS allows residential lot creation on Rural lands where site conditions are suitable for the provision of appropriate sewage and water services. The County Official Plan and the Township Official Plan also permit residential development in the Rural designation.

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

Section 5.7.4 requires the frontage, size and shape of any lot created for rural residential purposes through the severance approval process to be appropriate for the proposed use and to conform to the provisions of the zoning by-law. The proposed new lot would exceed the requirements for a minimum lot area of 0.8 hectare and minimum of 76 metres of frontage on a public road.

Building Services had no concern with the suitability of the severed parcel to accommodate a sewage system. The Township typically requires the ability to be serviced by a private well to be demonstrated as a condition of consent approval.

Conclusion

The severed parcels and the retained parcel would comply with the land division policies (section 7.1) of the Township of South Frontenac Official Plan.

Notice/Consultation

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

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

Recommendation

It is recommended that application PL-BDJ-2025-0003 be approved for consent for a new residential lot from the property will roll number 102904002010000, Part of Lot 8, Concession 3, former Loughborough Township, Township of South Frontenac subject to the following conditions:

<u>Expiry Period</u>

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

<u>Severed Lands</u>

2. The lands to be severed by Consent Application PL-BDJ-2025-0003 shall be for the creation of one new residential lot approximately 6 acres in area with 120 metres frontage on Cottage Road, at the corner of Cottage Road and Everett Lane, per the map to be attached to the decision as “Schedule A”.

Survey/Reference Plan or Registerable Description

3. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], the deed or instrument conveying the severed lands, and the Certificate of Official shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of two years [Planning Act, s. 53(41)] after the date that "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].

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

Road Allowance Widening

5. The surveyor who prepares the reference plan referred to in Condition #3 and #4 shall also determine by survey the width of Cottage Road to be 20 metres. If such a width is less than 20 metres, the owner shall dedicate to the Township land along the frontage of the severed lands in the following manner as required:

    a. The land to be dedicated shall be the width required to provide 10 metres from the centre of the existing travelled road for Cottage Road;

    b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the issuance of the Certificate of Official;

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

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

    d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;

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

Municipal Requirements

6. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. This includes all taxes levied as of the date of the issuance of the Certificate of Official.
7. The Township of South Frontenac shall receive 5% of the value of the severed parcel, in lieu of parkland [Planning Act, s. 51(1), By-law 2023-104].
8. The Owner shall submit a well driller's report demonstrating a potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test for the severed parcel. The well must be drilled within the general area of the Proposed Development Envelope identified for "Lot 3" on Figure A.5 of the Environmental Impact Statement (Gemtec, December 15, 2021, Project: 100573.007 - Rev 0).
9. In the event that there are abandoned wells located on the severed parcel or the retained property, the wells shall be sealed in accordance with the requirements of the Ministry of the Environment, Conservation and Parks and that this work shall be accomplished prior to the issuance of the Certificate of Official.
10. The applicant shall enter into a Development Agreement with the Township to be registered on title to the severed parcel and the retained parcel to address the following matters and environmental standards of the Township:
    a. Requirement for an entrance permit (for the severed parcel).
    b. Notice regarding the need to comply with the Recommended Avoidance and Mitigation Measures of the Environmental Impact Statement (Gemtec, December 15, 2021, Project: 100573.007 - Rev 0), including the Proposed Development Envelopes identified on Figure A.5.
    c. Notice regarding compliance with the Endangered Species Act.
    d. Notice regarding archeological resources and human remains.

Zoning

11. Where a violation of Zoning By-law No. 2003-75 is evident, the appropriate minor variance or rezoning be obtained to the satisfaction of the Township.

TOWNSHIP OF SOUTH FRONTENAC
APPLICATION FOR MINOR VARIANCE
OR PERMISSION (s. 45(2))
Updated January 2025

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

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

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

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

Application Requirements

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

Application Type:	**Planning Application Fee:**
1-3 Variances	$1,249.00
4+ Variances	$1,468.00
After building without a permit	$2,241.00

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 *Minor Variance Only* *Minor Variance WITH Performance Review* *Minor Variance in combination with a new Class 2, 3, 4, or 5 sewage system other than a Class A system*	$463.00 $720.00 $1,183.00
Cataraqui Region Conservation Authority	$445.00
Quinte Conservation Authority	$450.00
Rideau Valley Conservation Authority	$410.00

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

3. **PLEASE READ THIS ITEM CAREFULLY**

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

4. **Collection of Personal Information**

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

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

Date Received: February 25, 2025 File No: _____

Pre-Consultation for this application ☒ Yes ☐ No

Planner: Noah Perron Date of pre-consultation: December 6, 2024

1. Name of Owner(s): Gary and Kelly McNeice

   Full Mailing Address of Owner(s): 11 Butternut Lane, Maberly, Ontario K0H 2B0

   Phone number of Owner(s): [redacted]

   Email Address of Owner(s): [redacted]

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

   Name of Authorized Agent: _____

   Full Mailing Address of Authorized Agent: _____

   Phone number of Authorized Agent: _____

   Email Address of Authorized Agent: _____

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

   _____
   Signature(s) of Owner(s)

3. The description of the subject land:

   District: ☒ Bedford ☐ Portland ☐ Loughborough ☐ Storrington

   Concession Number: 7 Lot Number: 6

   Street Number: 103 Name of Road/Street: Grouse Lane

   Reference Plan Number: 13 R 4082 Part Number(s): 17

   Roll Number: 1029010055019800

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

Frontage (on water): 194.36 ft Frontage (on road/lane): 0

Depth: 166.37 ft Area: 0.742 arces

5. The current zoning of the subject land:

RSLW

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

Increase the height of an existing building within 30m of the waterfront and add two decks to an existing building within 30m of the waterfront.

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

Seeking permission to alter an existing structure within 30m of waterfront.

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

OR a privately maintained road? ☐ Yes ☒ No

Name of Road/Lane:

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

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

Recreational cottage

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

☒ Yes ☐ No

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

Type of Structure (E.g. residence)	**(1)** Cottage	**(2)** Deck	**(3)** Shed	**(4)**
Setback from Front Lot Line	101'	89'	111'	
Setback from Rear Lot Line	37'	54'	48'	
Setback from Side Lot Line	35'	28'	2'	
Height of Building (Also indicate if it is one story or two story)	14' 8" One story	44"	8'	
Dimensions of Floor Area	20'x 36'	12' x 24'	8' x 10'	
Setback from High Water Mark (If applicable)	83'	71'	93'	

13. The proposed uses of the subject land:

Recreational cottage

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

☒ Yes ☐ No

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

Type of Structure (E.g. residence)	**(1)** Cottage renovation	**(2)** Side deck	**(3)** Rear deck	**(4)**
Setback from Front Lot Line	101'	96'	121'	
Setback from Rear Lot Line	37'	33'	33'	
Setback from Side Lot Line	30'	23'	40'	
Height of Building (Also indicate if it is one story or two story)	18' 2 5/8" One story	44"	30"	
Outside Dimensions of Building/Structure	20' x 36'	10' x 25' plus steps	5' x 8' plus steps	
Setback from High Water Mark (If applicable)	83'	78'	103'	

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:

Remove and replace cottage roof rafters and rebuild existing deck.

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

If yes, please provide details:

18. What are the uses of the proposed development?

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

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

May 10, 2023

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

June 1971

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

54 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:

Private septic system

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

No

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

☐ Yes ☒ No

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

---

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

☐ Yes ☒ No

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

---

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

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

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

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

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

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

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

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

AGREEMENT TO INDEMNIFY

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

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

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

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

The Owner/Applicant/Agent further agrees to provide the municipality, upon request and in cases where an application has been appealed to the Ontario 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

THIS 25th DAY OF February, 20 25

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

[redacted] [redacted]

Signature of Applicant or Authorized Agent Signature of Applicant or Authorized Agent

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

THIS 25th DAY OF February, 20 25

Kamila Seitkhanova
A Commissioner, etc.

Kamila Seitkhanova, a Commissioner, etc.,
Province of Ontario, for the Corporation of
the Township of South Frontenac.
Expires August 14, 2027.

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

A Guide to Completing the Minor Variance Form

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24) Drainage: Are there specific ditches that have been constructed to deal with drainage; is there natural drainage, etc.?

25) Application for consent: Is there currently an application for consent (severance) being proposed for the property?

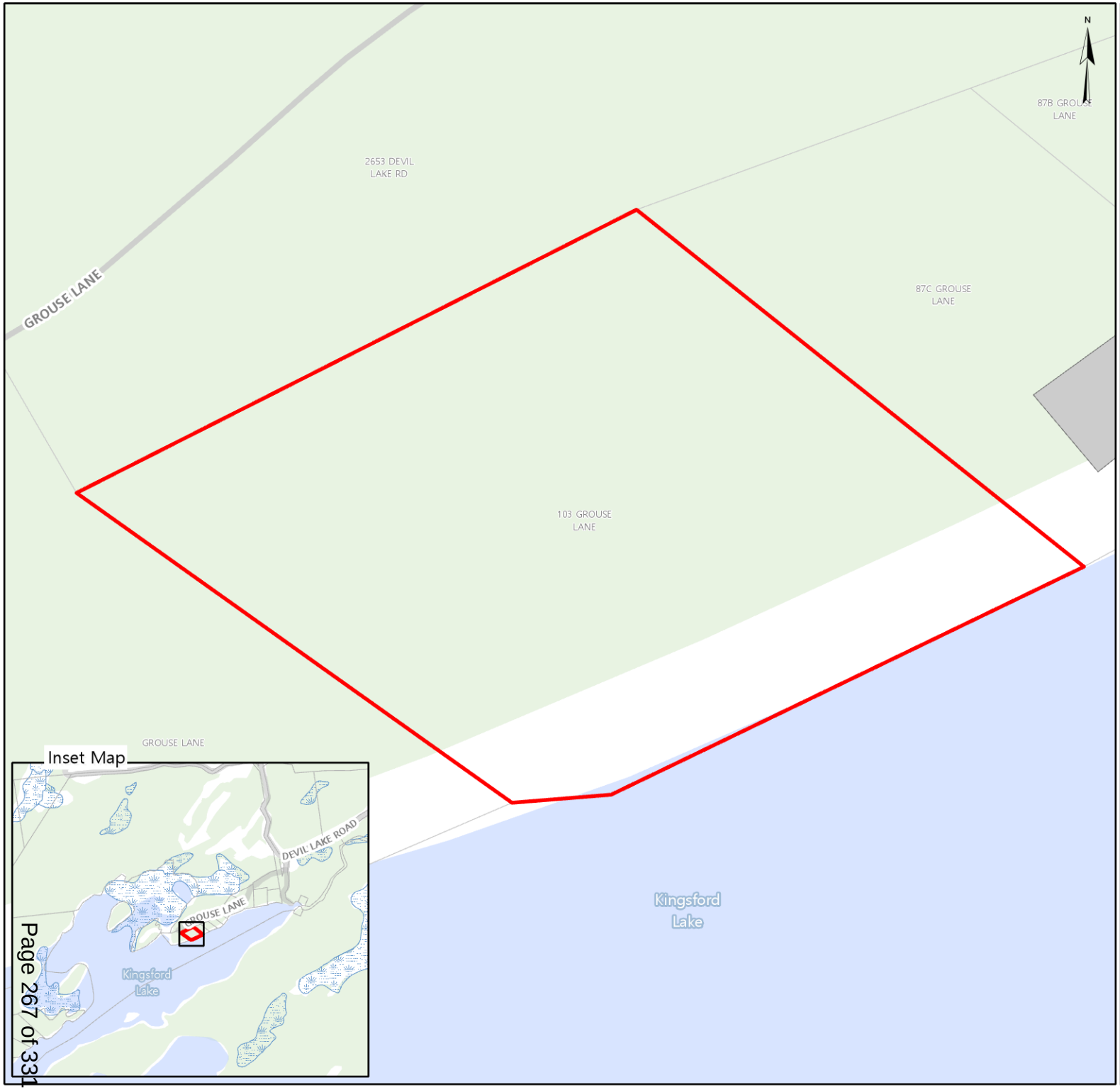
26) If yes: If there is a current application for severance or subdivision on the property, please indicate the file number. (Staff can help provide this information)

27) Minor variance: Has there ever been a minor variance granted on the property? If you are long-time owner of the property, you will probably be aware of any other special permission granted for a variance to the zoning by-law. If you are a new owner, the seller will probably have made you aware of this.

28) If yes: If there has been a previous variance granted on the property, please indicate the application number if known, and what the details of the variance were.

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

30) **Agreement to Indemnify**: Must be signed in front of a commissioner of oaths – you may have this done before submitting the application, or sign the application in front of staff who can sign as commissioners. All owners must sign the application, or it can be signed by an agent if one has been appointed.



SOUTH FRONTENAC

PL-ZNA-2025-0025

(McNEICE)
103 GROUSE LANE

Legend

- Subject Lands
- 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, 2025.

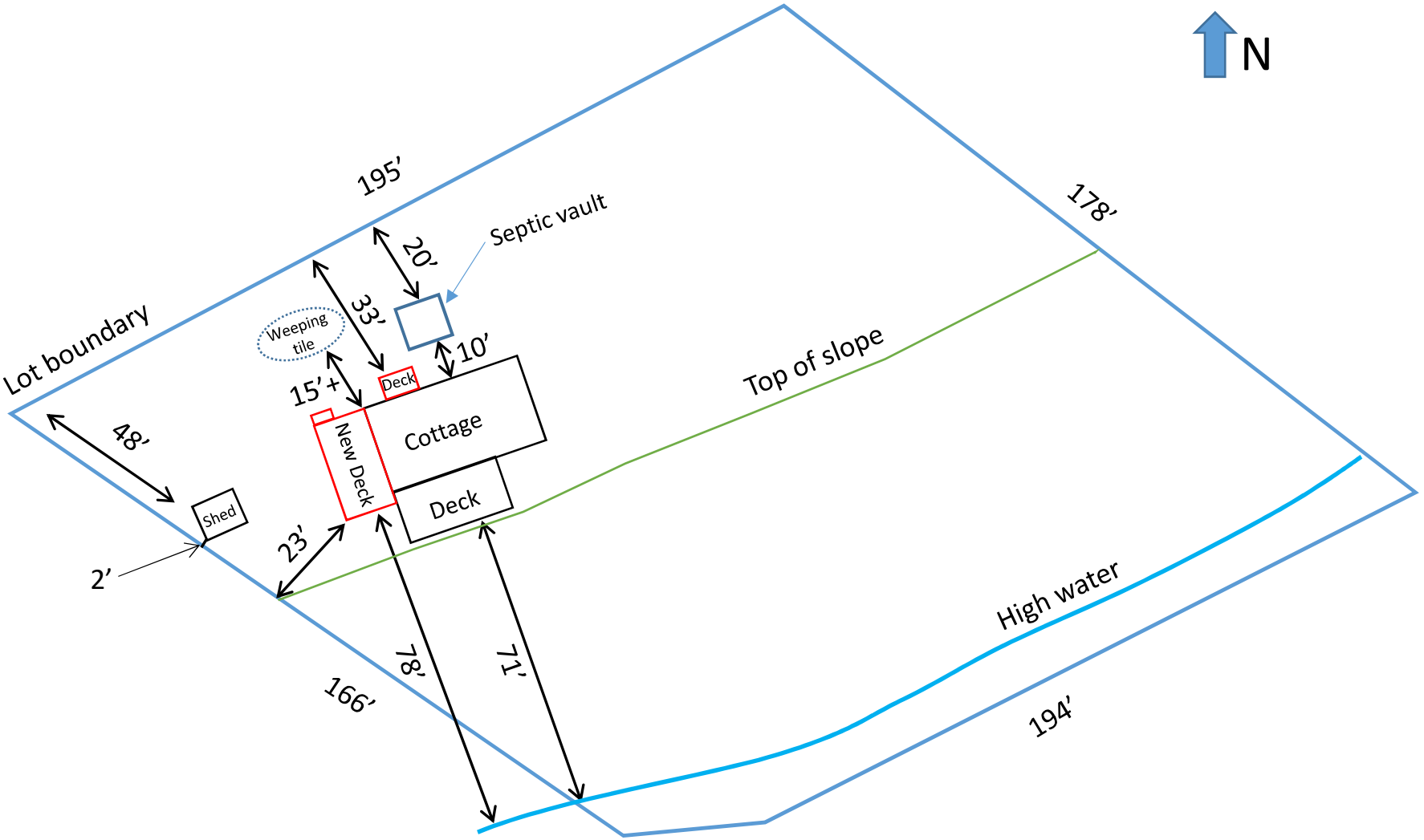
While the County makes every effort to insure that the information presented is accurate for the intended uses of this map, there is an inherent error in all mapping products, and accuracy of the mapping cannot be guaranteed for all possible uses. This map displays basic topographic features only.

Scale: 1:509

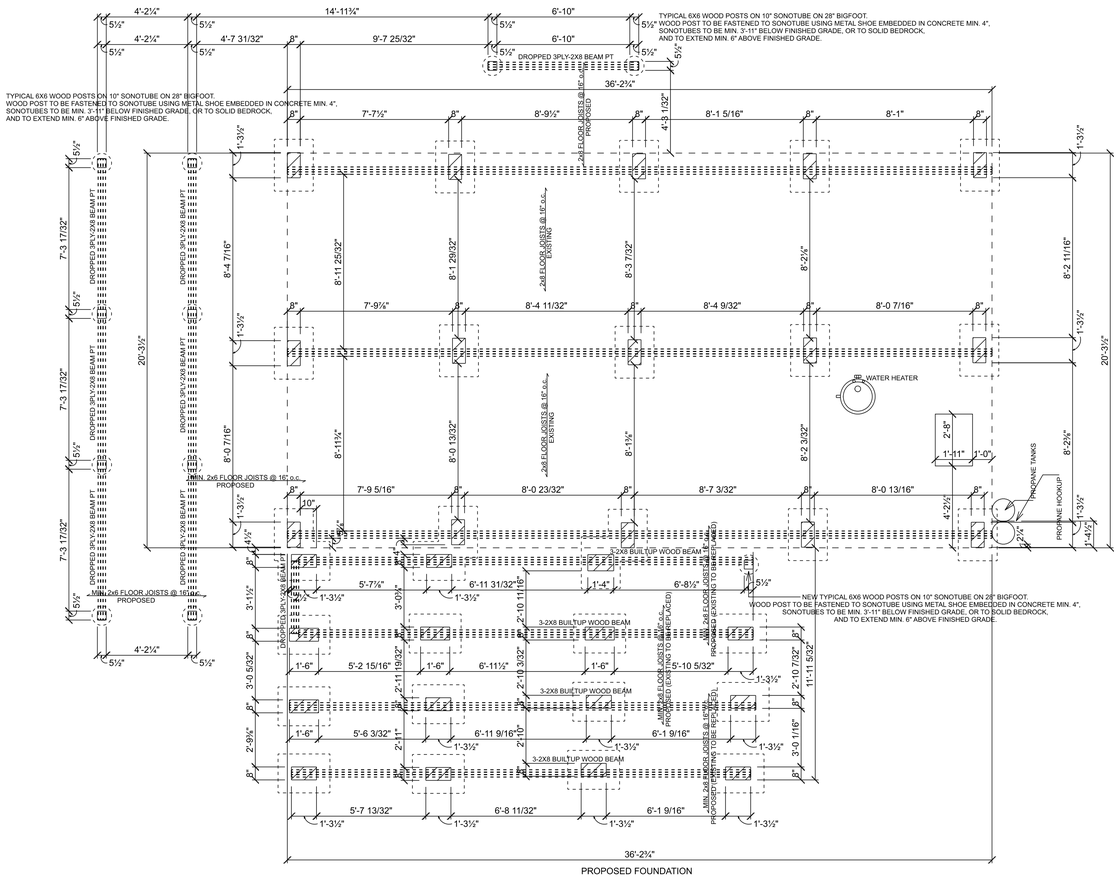
0 5 10 20 m

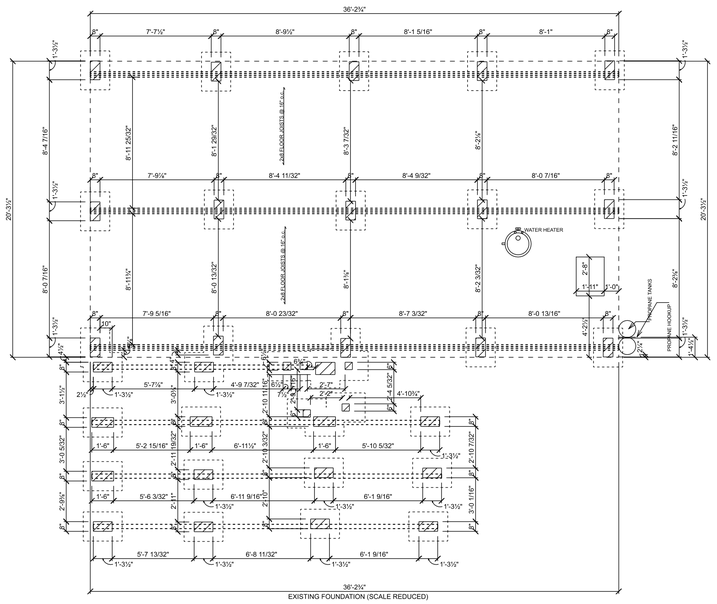
UTM Zone 18 NAD 83

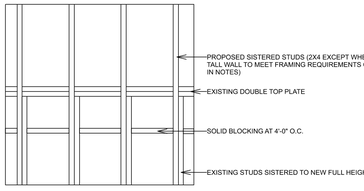
Date: 28/02/2025


N
195'
178'
Lot boundary
Septic vault
20'
33'
Weeping tile
10'
15' +
Deck
Cottage
New Deck
Deck
Top of slope
48'
Shed
2'
23'
78'
71'
166'
High water
194'

Entrance lane 450m from intersection of
Grouse Lane and Kingsford Lake Dam Rd.
Grouse Lane
Right of way
Right of way
Vacant land
Septic
system
25'
Cottage
Cottage
Parking
Septic vault
Cottage
Vacant lot
N
103 GROUSE LANE
102901005019800







WALL EXTENSION DETAIL

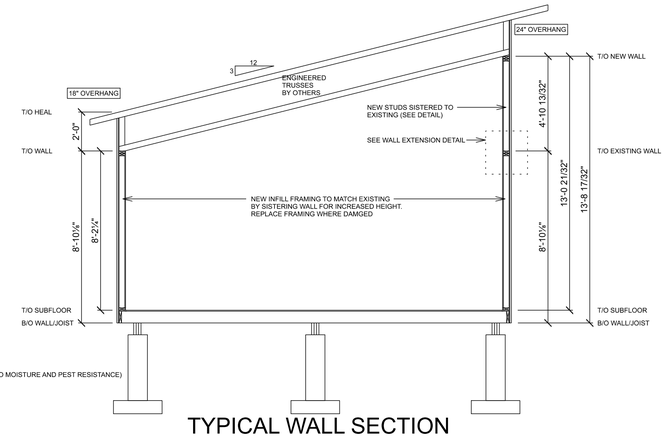
NEW ROOF:
STEEL ROOFING TO BE INSTALLED AS PER MANUFACTUERS' INSTRUCTIONS.
STRAPPING.
1/2" PLYWOOD WITH H-CLIPS.
ROOF VENTS TO BE INSTALLED 1/300 OF ROOF AREA.
PRE-ENGINEERED ROOF TRUSSES 24" (610MM) O.C.
OPTIONAL R31 BATT INSULATION WITH
6 MIL POLY ON INTERIOR SIDE.
1/2" (13MM) GYPSUM WALLBOARD FASTENED TO
RESILIENT CHANNEL AT CEILING.

REVISED EXTERIOR WALL (STANDARD HEIGHT):
NEW SIDING INSTALLED AS PER MANUFACTURERS INFORMATION ON
NEW AIR BARRIER (TYVEK) SEALED A MINIMUM OF 6" OR OVERLAPPED AT ALL JOINTS ON
EXISTING/ NEW 7/16" OSB OR EQUIVELANT ON
EXISTING/ NEW INFILL/ SISTER 2X4 STUDS @ 16" O.C.
EXISTING DOUBLE TOP PLATE
OPTIONAL R12 INSULATION TO FILL 2X4 STUD CAVITY (ROCKWOOL RECOMMENDED DUE TO MOISTURE AND PEST RESISTANCE)
NEW 6 MIL POLY TO BE INSTALLED ON INTERIOR SIDE OF WALL
JOINTS OF POLY TO BE SEALED OR OVERLAPPED A MIN. OF 6" (150MM) ON
NEW 1/2" (13MM) GYPSUM WALLBOARD INSTALLED ON THE INTERIOR SIDE

*SEE TALL WALL FRAMING NOTES FOR TALL WALL

FLOOR:
EXISTING TO REMAIN, REPLACE WHERE DAMAGED

FOUNDATION:
EXISTING TO REMAIN, REPLACE WHERE DAMAGED



TYPICAL WALL SECTION

GENERAL NOTES:
BUILDING IS GREATER THAN 5 YEARS OLD. PART 11 OF THE BUILDING CODE APPLIES AS PER OBC DIV. A 1.1.2.6.

CONTRACTOR TO CONFIRM ALL MEASUREMENTS PRIOR TO THE ORDERING OF MATERIALS OR COMMENCING ANY CONSTRUCTION.

CONFIRM LOCATIONS OF ELECTRICAL RECEPTACLES, SWITCHES, AND LIGHTS WITH CLIENTS AND BUILDER.

GRADING NOTES:
TOPSOIL & VEGETABLE MATTER IN ALL UNEXCAVATED AREAS UNDER A BUILDING SHALL BE REMOVED.

EXCAVATIONS SHALL BE KEPT FREE OF STANDING WATER AND SHALL BE KEPT FROM FREEZING THROUGHOUT THE ENTIRE CONSTRUCTION PERIOD.

EVERY EXCAVATION SHALL BE UNDERTAKEN IN SUCH A MANNER TO PREVENT DAMAGE TO ADJACENT PROPERTY, EXISTING STRUCTURES, UTILITIES, ROADS, AND SIDEWALKS AT ALL STAGES OF CONSTRUCTION.

FOUNDATION NOTES:
EXISTING FOUNDATION TO REMAIN, PEPAIR WHERE NECESSARY

ALL NEW FOUNDATIONS TO EXTEND A MINIMUM OF 3'-11" BELOW FINISHED GRADE, OR TO SOLID BEDROCK.

UTILITY NOTES:
EXCAVATIONS SHALL BE KEPT FREE OF STANDING WATER AND SHALL BE KEPT FROM FREEZING THROUGHOUT THE ENTIRE CONSTRUCTION PERIOD.

TANK TYPE WATER HEATER TO BE EQUIPPED WITH A MIXING VALVE SET SO THE OUTLET TEMPERATURE DOES NOT EXCEED 49 DEG. CELCIUS.

FRAMING NOTES:
BEARING FOR ALL WOOD LINTELS IS 76MM (3").

ALL FRAMING TO BE NAILED IN ACCORDACE WITH OBC 9.23.3.4.

BLOCKING UNDER WALLS PARALLELL TO FLOOR JOISTS EVERY 3'-11"

ANY WOOD EXPOSED TO THE ELEMENTS TO BE PRESSURE TREATED SPF NO. 1 & 2

BEAM TO BEAR MIN. 3 ½" ON FOUNDATION WALL

ALL LUMBER TO BE SPF NO. 1 OR 2

TYPICAL NEW DECK NOTES:
TYPICAL 6X6 WOOD POSTS ON 10" SONOTUBE ON 28" BIGFOOT. WOOD POST TO BE FASTENED TO SONOTUBE USING METAL SHOE EMBEDDED IN CONCRETE MIN. 4",
SONOTUBES TO BE MIN. 3'-11" BELOW FINISHED GRADE, OR TO SOLID BEDROCK, AND TO EXTEND MIN. 6" ABOVE FINISHED GRADE.

FLOOR JOISTS WITH BLOCKING AT MIDSPAN

BUILT UP WOOD BEAM TO BE NAILED 5 ROWS EVERY 18" O.C. WITH MIN. 3 1/2" NAILS

2X8 LEDGER BOARD TO BE FASTENED TO EXISTING RIM BOARD WITH 1/2" CARRIAGE BOLT EVERY 24" O.C. (SEE DETAIL)

FLOOR JOISTS TO BE FASTENED AT HOUSE END USING JOIST HANGERS. FLOOR JOISTS TO BE FASTENED AT OPEN END TO RIM JOIST WITH 5 NAILS, MIN. 3" LONG, EVERY 18" O.C.

PRESSURE TREATED SPF LUMBER TO BE USED FOR ALL DECK FRAMING

MIN. 2X8 RIM JOIST

SEE GUARD DETAIL FOR SPECS

STAIRS TO SUIT FINISHED GRADE

STAIRS TO BE FASTENED TO PATIO SLABS

STAIRS TO MEET THE FOLLOWING REQUIREMENTS:
ALL TREADS TO BE MIN. 10 1/16", MAX. 14", ALL RISERS TO BE MIN. 4 15/16", MAX. 7 7/8"
MAX. 3/8" DIFFERENCE BETWEEN THE LARGEST & SMALLEST TREADS/RISERS IN THE RUN, MAX. 3/16" DIFFERENCE BETWEEN ADJACENT TREADS/RISERS IN THE RUN
STRINGERS TO BE CLOSED TYPE ON EACH SIDE TO MINIMIZE OPENING BELOW GUARD.
GUARDS ON STAIRS TO BE MIN. 35", MAX. 38" IN HEIGHT WHEN MEASURED FROM NOSING.

House of Three blueprints

HOUSE OF THREE
LISA HENDERSON, MAATO, CBCO
3800 HOLMES RD.
INVERARY, ON K0H 1X0
PHONE: 613-876-2488
EMAIL: lisa@houseofthree.ca
WEB: www.houseofthree.ca
FIRM BCIN: 125768
INDIVIDUAL BCIN: 19244

I REVIEW AND TAKE RESPONSIBILITY FOR THE DESIGN WORK ON BEHALF OF THE FIRM REGISTERED UNDER SUBSECTION 3.2.4. OF DIVISION C, OF THE ONTARIO BUILDING CODE. I AM QUALIFIED, AND THE FIRM IS REGISTERED IN THE APPROPRIATE CLASSES/CATEGORIES
INDIVIDUAL BCIN: 19244
FIRM BCIN: 125768

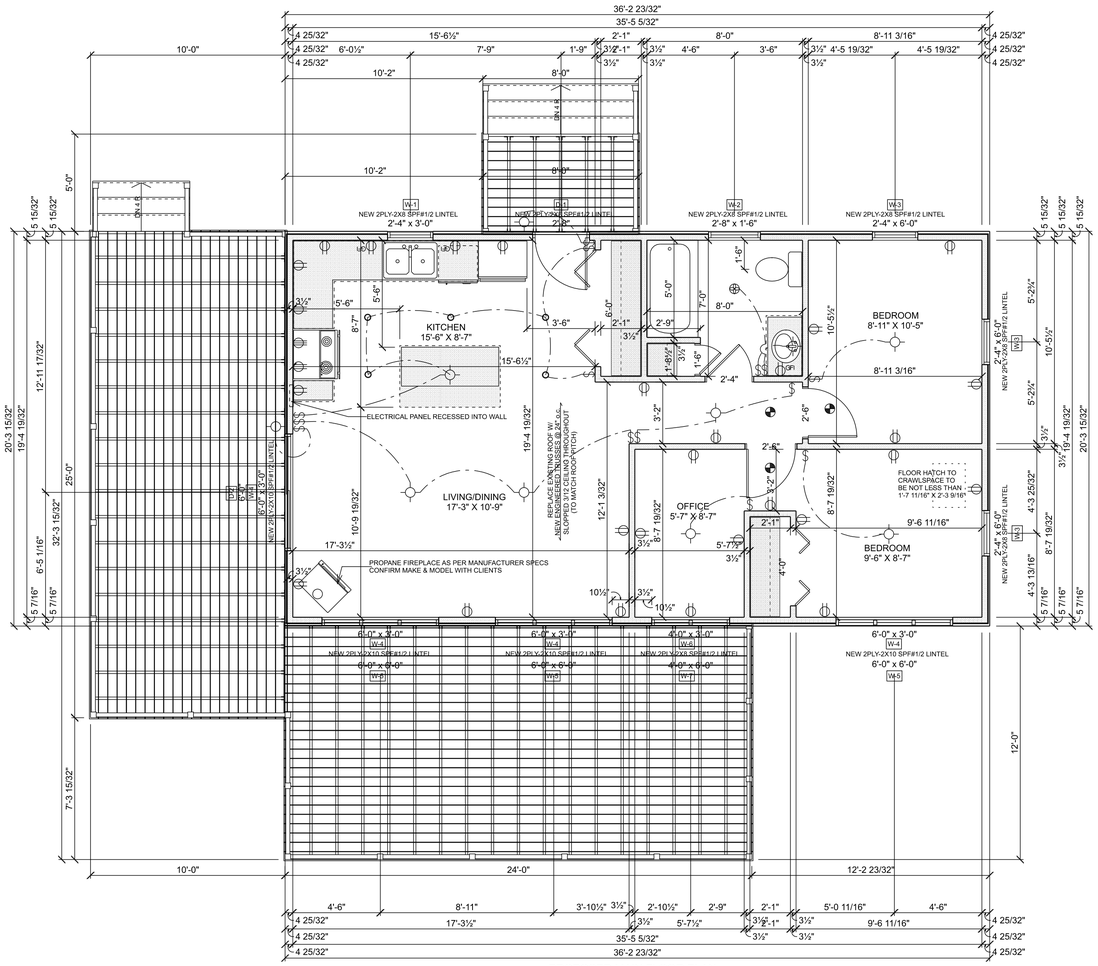
LISA HENDERSON, M.A.A.T.O., CBCO

DESIGNER:	L. HENDERSON
BCIN:	19244
DWG. NAME:	103 GROUSE LANE, SOUTH FRONTENAC, ONTARIO
SCALE:	1/4" = 1'-0"
DATE:	September 4, 2023
AREA:	LIVING SPACE: 720SQFT. DECK: 578SQFT.

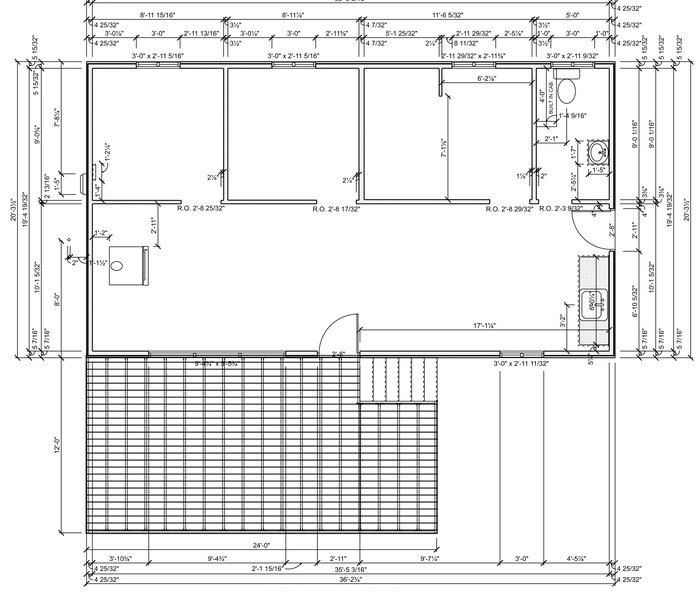
ELECTRICAL LEGEND	
SYMBOL	ELECTRICAL
	220V OUTLET
	FAN
	LIGHT
	OUTLET
	SMOKE ALARM/CARBON MONOXIDE DETECTOR COMBO
	SWITCH

WINDOW / DOOR #	SIZE	TYPE	COUNT
W-1	28" x 36"	SINGLE CASEMENT	1
W-2	32" x 18"	SINGLE CASEMENT	1
W-3	28" x 72"	SINGLE CASEMENT	3
W-4	72" x 36"	DOUBLE FIXED	4
W-5	72" x 72"	DOUBLE CASEMENT	3
W-6	48" x 36"	DOUBLE FIXED	1
W-7	48" x 72"	DOUBLE CASEMENT	1
D-1	32" x 80"	GLASS ENTRY SINGLE DOOR	1
D-2	72" x 80"	DOUBLE PATIO DOOR	1

- ALL WINDOW & DOOR SIZES ARE IN INCHES.
- EXTERIOR WINDOWS AND DOORS AS PER WINDOW MANUFACTURERS STANDARD SIZES.
- SEE ROUGH STUD OPENING SIZES PROVIDED BY WINDOW/DOOR SUPPLIER.
- BUILDER TO CONFIRM ALL SIZES AND COUNT PRIOR TO ORDERING.



PROPOSED MAIN FLOOR PLAN



EXISTING MAIN FLOOR (SCALE REDUCED)

GENERAL NOTES:
BUILDING IS GREATER THAN 5 YEARS OLD. PART 11 OF THE BUILDING CODE APPLIES AS PER OBC DIV. A 1.1.2.6.

CONTRACTOR TO CONFIRM ALL MEASUREMENTS PRIOR TO THE ORDERING OF MATERIALS OR COMMENCING ANY CONSTRUCTION.

FRAMING NOTES:
ALL FRAMING TO BE NAILED IN ACCORDACE WITH OBC 9.23.3.4.

ALL LUMBER TO BE SPF NO. 1 OR 2

ALL GIRDER TRUSSES ABOVE OPENINGS TO BE SUPPORTED ON PRE-ENGINEERED LVL HEADERS TO BE DESIGNED BY OTHERS. ALL GIRDER TRUSSES TO BE SUPPORTED ON MIN. 4-2X6 BUILT-UP POSTS

INTERIOR NON-LOAD BEARING WALLS TO BE 2X4 STUDS AT 16" O.C. WITH ½" GYPSUM WALLBOARD EACH SIDE

BEARING FOR ALL WOOD LINTELS IS 76MM (3"). BEARING FOR LVL HEADERS OR HEADERS WITH POINT LOADS TO FOLLOW THE ENGINEERS DESIGN.

TALL WALLS (WALLS OVER 11'-9 ¼") -2-2X6@16" O.C. STUDS TO BE CLAD WITH NOT LESS THAN 3/8" THICK PLYWOOD, OSB, OR WAFERBOARD SHEATHING ON THE EXTERIOR FACE AND NOT LESS THAN ½" DRYWALL ON THE INTERIOR FACE, SOLID BRIDGING IS PROVIDED AT NOT MORE THAN 3'-11 ¼" O.C., STUDS ARE FASTENED TO THE TOP AND BOTTOM PLATES WITH NO FEWER THAN THREE 3 ¼" TOE-NAILS, THE DOUBLE TOP PLATES ARE FASTENED TOGETHER IN WITH NOT LESS THAN 3" NAILS SPACED NOT MORE THAN 7 7/8" O.C., ROOF FRAMING MEMBERS SPACED NOT MORE THAN 24" O.C. FASTENED TO THE TOP PLATES WITH NO FEWER THAN FOUR 3 ¼" TOE-NAILS AND THE BOTTOM PLATE IS FASTNED TO THE FLOOR JOISTS, BLOCKING OR RIM JOIST WITH NOT LESS THAN 3 ¼" NAILS SPACED NOT MORE THAN 7 7/8" O.C.

WINDOW/ DOOR NOTES:
ALL EXTERIOR SWING TYPE DOORS TO BE EQUIPPED WITH DEADBOLTS IN ACCORDANCE WITH OBC 9.7.5.2.

ELECTRICAL NOTES:
CONFIRM LOCATIONS OF ELECTRICAL RECEPTACLES, SWITCHES, AND LIGHTS WITH CLIENTS AND BUILDER.

SMOKE ALARMS TO BE INTERCONNECTED SO THAT WHEN ONE ALARM SOUNDS, ALL ALARMS SOUND. ALL ALARMS TO BE HARDWIRED, EQUIPPED WITH BATTERY BACKUP AND VISUAL SIGNALLING COMPONENT IN ACCORDANCE WITH OBC 9.10.19.1. PHOTOELECTRIC SMOKE ALARMS RECOMMENDED TO REDUCE THE INCIDENCE OF FALSE ALARMS

SMOKE ALARM AND CARBON MONOXIDE DETECTOR COMBO

BATHROOM NOTES:
ALL TANK TYPE TOILETS TO BE MAX. 4.8LPF OR BE PROVIDED WITH A DUAL FLUSH OPTION OF 4.1LPF OR LESS AND 6.0LPF. ALL LAVATORY FAUCETS TO BE MAX. 5.7L/MIN.,
KITCHEN FAUCETS TO BE MAX. 8.35L/MIN., SHOWER FAUCETS TO BE MAX. 7.6L/MIN. AND BE PRESSURE BALANCED.

DRAINWATER HEAT RECOVERY SHALL BE INSTALLED TO EACH DWELLING UNIT TO RECEIVE DRAINWATER FROM ALL SHOWERS OR FROM AT LEAST TWO SHOWERS WHERE THERE ARE TWO OR MORE SHOWERS IN THE DWELLING UNIT.

MAIN BATHROOM TO BE REINFORCED FOR FUTURE GRAB BARS BEHIND TUB WALLS AND ABOVE TOILET IN ACCCORDANCE WITH OBC 9.5.2.3. & 3.8.3. (SEE DETAIL)

CONFIRM TUB DIMENSIONS WITH CLIENT/BUILDER (ADJUST WALLS ACCORDINGLY)

HVAC NOTES:
EXHAUST DUCTS OR VENTS CONNECTED TO LAUNDRY-DRYING EQUIPMENT SHALL DISCHARGE DIRECTLY TO THE OUTDOORS, BE INDEPENDENT OF OTHER EXHAUST DUCTS,
ACCESSIBLE FOR CLEANING AND CONSTRUCTED OF A SMOOTH CORROSION-RESISTANT MATERIAL

KITCHEN NOTES:
A MINIMUM CLEARANCE OF 18" HIGH IS REQUIRED WITHIN 18" OF EITHER SIDE OF COOKTOP OR STOVE. A RANGEHOOD IS TO BE INSTALLED ABOVE COOKTOP OR STOVE FOR PROTECTION OF CABINETRY ABOVE.

TYPICAL DECK NOTES:
FLOOR JOISTS WITH BLOCKING AT MIDSPAN

BUILT UP WOOD BEAM TO BE NAILED 5 ROWS EVERY 18" O.C. WITH MIN. 3 1/2" NAILS

2X8 LEDGER BOARD TO BE FASTENED TO EXISTING RIM BOARD WITH 1/2" CARRIAGE BOLT EVERY 24" O.C. (SEE DETAIL)

FLOOR JOISTS TO BE FASTENED AT HOUSE END USING JOIST HANGERS. FLOOR JOISTS TO BE FASTENED AT OPEN END TO RIM JOIST WITH 5 NAILS, MIN. 3" LONG, EVERY 18" O.C.

PRESSURE TREATED SPF LUMBER TO BE USED FOR ALL DECK FRAMING

MIN. 2X8 RIM JOIST

SEE GUARD DETAIL FOR SPECS

STAIRS TO SUIT FINISHED GRADE

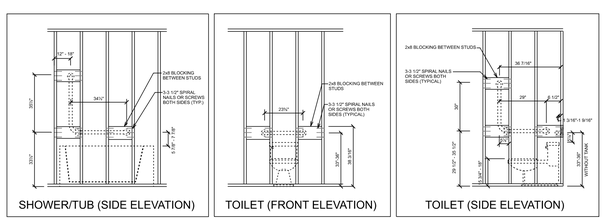
STAIRS TO BE FASTENED TO PATIO SLABS

STAIRS TO MEET THE FOLLOWING REQUIREMENTS:
ALL TREADS TO BE MIN. 10 1/16", MAX. 14"
ALL RISERS TO BE MIN. 4 15/16", MAX. 7 7/8"
MAX. 3/8" DIFFERENCE BETWEEN THE LARGEST & SMALLEST TREADS/RISERS IN THE RUN
MAX. 3/16" DIFFERENCE BETWEEN ADJACENT TREADS/RISERS IN THE RUN
STRINGERS TO BE CLOSED TYPE ON EACH SIDE TO MINIMIZE OPENING BELOW GUARD.
GUARDS ON STAIRS TO BE MIN. 35", MAX. 38" IN HEIGHT WHEN MEASURED FROM NOSING.

HOUSE OF THREE
LISA HENDERSON, MAATO, CBCO
3800 HOLMES RD.
INVERARY, ON K0H 1X0
PHONE: 613-876-2488
EMAIL: lisa@houseofthree.ca
WEB: www.houseofthree.ca
FIRM BCIN: 125768
INDIVIDUAL BCIN: 19244

I REVIEW AND TAKE RESPONSIBILITY FOR THE DESIGN WORK ON BEHALF OF THE FIRM REGISTERED UNDER SUBSECTION 3.2.4. OF DIVISION C, OF THE ONTARIO BUILDING CODE. I AM QUALIFIED, AND THE FIRM IS REGISTERED IN THE APPROPRIATE CLASSES/CATEGORIES
INDIVIDUAL BCIN: 19244
FIRM BCIN: 125768

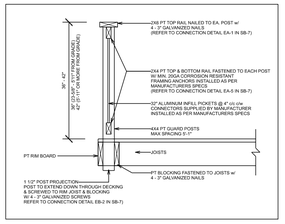
LISA HENDERSON, M.A.A.T.O., CBCO



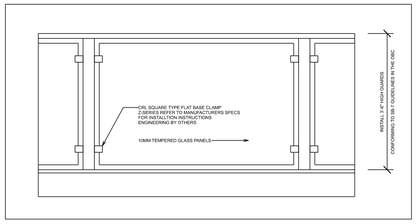
GRAB BAR BLOCKING DETAIL

CODE REFERENCE:
1. STRUCTURAL REINFORCEMENT- 9.5.2.3
2. WATER CLOSET - 3.8.3.8.(1)(a) AND 3.8.3.8.(3)(c)
3. SHOWER- 3.8.3.13.(2)(f)
4. BATHTUB- 3.8.3.13.(4)(c)

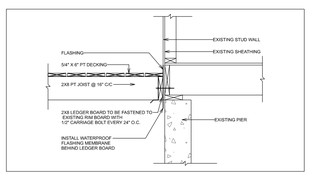
GRAB BAR NOTES: 3.8.3.8.(7)(a)(b)(c)(d)(i)
GRAB BARS SHALL BE CAPABLE OF RESISTING A LOAD OF AT LEAST 1.3kN APPLIED VERTICALLY AND HORIZONTALLY. THE BAR SHALL BE NOT LESS THAN 1 3/8" AND NOT MORE THAN 1 1/2" IN DIAMETER AND HAVE A CLEARANCE OF 2" FROM THE WALL AND HAVE A SLIP RESISTANCE SURFACE.



GUARD DETAIL
CONDITION: ALUMINUM PICKETS, WOODEN POST



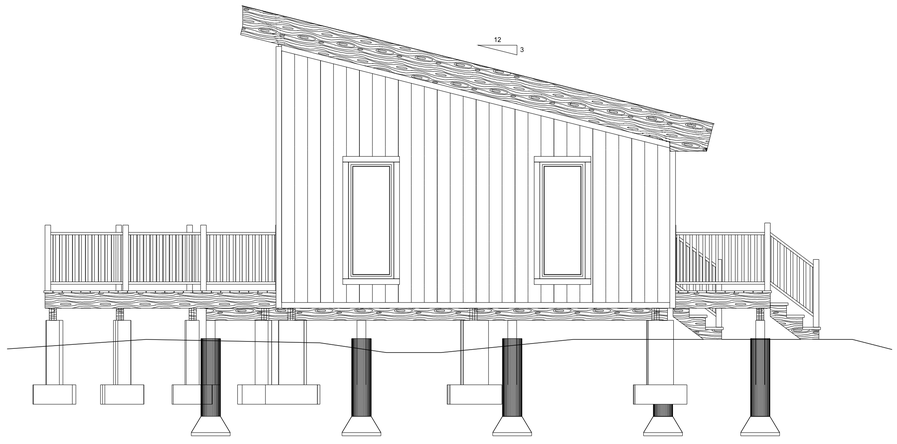
GUARD DETAIL (OPTION)
CONDITION: GLASS INFILL, ALUMINUM POST/ RAILING



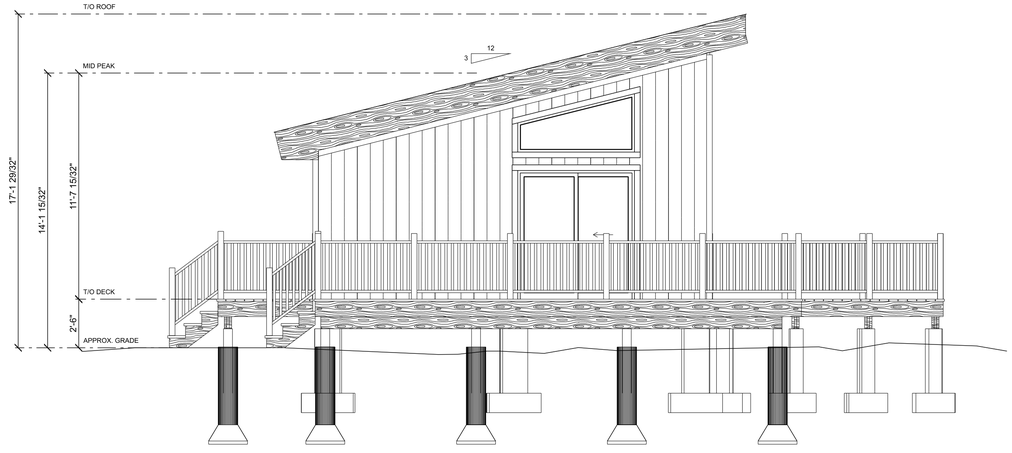
DECK CONNECTION DETAIL
CONDITION: RIGID INSULTATION, MAIN FLOOR

DESIGNER:	L. HENDERSON
BCIN:	19244
DWG. NAME:	103 GROUSE LANE, SOUTH FRONTENAC, ONTARIO
SCALE:	1/4" = 1'-0"
DATE:	September 4, 2023
AREA:	LIVING SPACE: 720SQFT. DECK: 578SQFT.

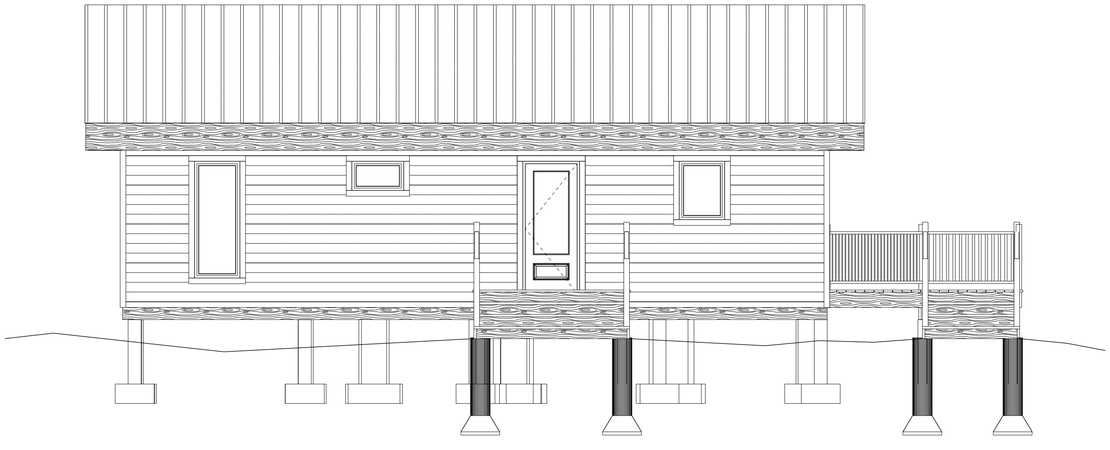
FRONT ELEVATION



RIGHT ELEVATION



LEFT ELEVATION



REAR ELEVATION

HOUSE OF THREE
LISA HENDERSON, MAATO, CBCO
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INVERARY, ON K0H 1X0
PHONE: 613-876-2488
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I REVIEW AND TAKE RESPONSIBILITY FOR THE DESIGN WORK ON BEHALF OF THE FIRM REGISTERED UNDER SUBSECTION 3.2.4. OF DIVISION C, OF THE ONTARIO BUILDING CODE. I AM QUALIFIED, AND THE FIRM IS REGISTERED IN THE APPROPRIATE CLASSES/CATEGORIES
INDIVIDUAL BCIN: 19244
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LISA HENDERSON, M.A.A.T.O., CBCO

DESIGNER:	L. HENDERSON
BCIN:	19244
DWG. NAME:	103 GROUSE LANE, SOUTH FRONTENAC, ONTARIO
SCALE:	1/4" = 1'-0"
DATE:	September 4, 2023
AREA:	LIVING SPACE: 720SQFT. DECK: 578SQFT.

April 3, 2025 File: MV/FRS/53/2025

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 PL-ZNA- 2025-0025
103 Grouse Lane; Pt Lot 6, Concession 7, Parts 17&18 Plan 13R4082
Bedford District, Township of South Frontenac
Waterbody: Kingsford Lake

Cataraqui Conservation staff have reviewed the above-noted application for permission and provide the following comments for the Committee of Adjustment's consideration based on our role as commenting agency responsible for natural hazards on *Planning Act* applications, and as administrator of Ontario Regulation 41/24: *Prohibited Activities, Exemptions and Permits*.

Proposal

The proposed development involves rebuilding the existing 68.5 sq. m cottage and 27 sq. m attached deck on their same footprints as well as the construction of a new 23.3 sq. m deck on the west side of the dwelling and 3.7 sq. m deck on the north side of the dwelling. The existing shed and septic system are proposed to remain.

Site Description

The subject lands are located along the northern shore of Kingsford Lake. Access to the property is provided by Grouse Lane at the rear of the property. The lands are developed with an existing seasonal dwelling with an attached deck, associated septic system and shed. The existing dwelling is setback approximately 25 m from the water and attached deck is setback approximately 21 m (71 ft.) from the water. The shoreline is moderately steep and the property is treed and vegetated.

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.

<u>Natural Hazards / Ontario Regulation 41/24</u>

Flooding: The regulatory (1:100 year) floodplain of Kingsford Lake is defined as the highest recorded water level of the lake (131.6 m GSC). Cataraqui Conservation's Guidelines for

Implementing Ontario Regulation 148/06 (now O. Reg. 41/24) require that all new development be set back a minimum of 6 m from the regulatory floodplain of a waterbody.

Based on our review, the existing dwelling and deck and proposed replacement dwelling and deck are set back over 6 m from the floodplain and as such will be located outside of the area subject to potential flood risk. The existing septic system, which is proposed to be maintained and improved, also complies with the floodplain setback.

Erosion: Cataraqui Conservation directs development away from lands subject to long term erosion hazards and defines the extent of potential erosion hazards for bedrock shorelines to be a stable slope allowance of 1(h):1(h) plus an allowance for toe erosion and an additional 6 m allowance to account for safe access.

The shoreline slope was observed to be stable due to the presence of bedrock. Cataraqui Conservation generally requires a minimum setback of 6 metres for all structures from the top of the slope for access. The existing dwelling and attached deck are located within the 6 m access setback from the top of the slope. During pre-consultation it was recommended that the setback from the top of bank be maximized to achieve the minimum 6 m setback from the top of the slope. However, it is understood that due to site constraints (septic location and lot size) achieving the 6 m setback is not feasible. As the proposed replacement development and new decks do not encroach closer to the water/slope than the existing structures and as such, staff are satisfied with the proposal from an erosion hazard perspective.

To ensure long-term erosion avoidance and slope stability, staff recommend the maintenance and enhancement of a healthy buffer of native vegetation between buildings/structures and the water, to help stabilize soils into the long-term. Runoff from buildings and structures and other hardened surfaces should also be directed away from the shoreline to a naturally vegetated location where infiltration can occur.

It is also recommended that the footings for the replacement dwelling and all decks be pinned/anchored to bedrock for additional protection from long-term hazards.

Recommendation

Cataraqui Conservation staff have no objection to the approval of application PLZNA 2025-0025 based on our consideration for natural hazard and regulatory policies.

Staff recommend implementation of the above-noted best practice measures (in bold text) and advise the applicant that if the proposed development is approved, Cataraqui Conservation permit approval will be required.

Ontario Regulation 41/24

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 Cataraqui Conservation. 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. **If approved, the dwelling reconstruction and construction of the**

attached decks will require Cataraqui Conservation permit approval. The landowner(s) should contact Cataraqui Conservation's office at the building permit stage for more information regarding permitting requirements under O. Reg. 41/24.

Please inform this office of any decision made by the Committee with regard to these applications. If you have any questions, please contact the undersigned at 613-546-4228 ext. 239, or by e-mail at estucke@crca.ca

Sincerely,

Emma Stucke

Emma Stucke, MCIP, RPP
Resource Planner

Cc: property owner, via email

To:	**Committee of Adjustment**
From:	**Development Services Department**
Date of Meeting:	**April 10, 2025**
Subject:	**Permission Application (S. 45(2) of Planning Act)** **PL-ZNA-2024-0025, McNeice, 103 Grouse Lane, Bedford 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

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 30 metres of the highwater mark of Kingsford Lake.

Related Applications

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

Property Description

The subject property is 0.7Ac (~2830sqm) in area with frontage on the north shore of Kingsford Lake. The property fronts on and is accessed from Grouse Lane. Existing development consists of a seasonal dwelling with attached deck and a detached storage structure. Except in the immediate area of existing development, the property features an abundance of mature tree and vegetation growth, including along the shoreline area. The area of the existing dwelling is mostly flat, before sloping down significantly towards the shoreline. The surrounding area consists of residential development.

Proposal

The subject property is presently developed with a ~737sqft (68.5sqm) seasonal dwelling with ~288sqft (27sqm) attached deck. There is a sewage system on the north side of the dwelling. The applicants are proposing to renovate the existing cottage and attached deck within their current footprint. Gross floor area of the seasonal dwelling would remain the same (737sqft) and building height would increase from 14.7ft (4.5m) to 18.3ft (5.5m). The renovated seasonal dwelling and attached deck would maintain there existing setbacks from the highwater mark of Kingsford Lake, 25m and 21.5m respectively. Additionally, the top of bank setbacks of the seasonal dwelling (~3m) and attached deck (~0m) would remain the same.

The applicants are also proposing to construct a new 250sqft (23.3sqm) attached deck on the west side of the seasonal dwelling and a 40sqft (3.7sqm) attached deck on the north side of the dwelling (i.e., the lane facing side). The proposed west side deck would be setback approximately 23.5m from the highwater mark and approximately 2m from the top of bank.

Department and Agency Comments

Cataraqui Conservation comments were not received at the time of writing this report. CRCA comments will be shared with the Committee at the public meeting.

Building Services noted that the location of the septic bed would need to be confirmed during the building permit stage to ensure that the proposed decks would be setback a minimum of 5m, per the requirements of the Ontario Building Code.

Public Comments

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

Planning Analysis

The Township Official Plan Schedule designates the subject property as Rural and the property is zoned RLSW by Zoning By-law 2003-75. The dwelling is a permitted use.

Section 5.10.2 of the Zoning By-law states that existing buildings with less than the minimum 30m setback from the highwater mark of waterbody may be repaired, renovated, or strengthened to a safe condition provided there is no enlargement of the gross floor area or increase in height. This provision prohibits the enlargement of these existing buildings, without seeking permission from the Committee of Adjustment. The Zoning By-law considers the existing seasonal dwelling as a legal non-conforming building because it was constructed prior to the current Zoning By-law and is setback 25m from the highwater mark of Kingsford Lake.

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

- Whether the application is desirable for the appropriate development of the subject property; and

- Whether the application will result in undue adverse impacts on surrounding properties and the neighbourhood.

The seasonal dwelling will undergo an extensive renovation, wherein the applicants intend to utilize the existing foundation. Therefore, the footprint and gross floor area of the existing building would remain the same. Additionally, the applicants intend to demolish the existing roof and construct a new roof at a greater building height. The height of the building will increase from 14.7ft (4.5m) to 18.3ft (5.5m) due to a change in the roof line.

The seasonal dwelling is setback 25m from the highwater mark of Kingsford Lake with the attached deck being setback 21.5m. The proposed west side deck would be setback approximately 23.5m. Finally, the proposed north side deck would be located outside of the 30m setback from the highwater mark. As such, the proposed decks would not encroachment towards the highwater mark.

The seasonal dwelling is setback approximately 3m from the top of bank with the attached deck being directly adjacent (~0m) to the top of bank. The proposed west side deck would be approximately 2m from the top of bank. As such, the proposed decks would not encroachment towards the top of bank.

Additionally, the proposed attached decks would increase overall building footprint from 95.5sqm to 122.5sqm, an increase in lot coverage to 4.3%.

It is the opinion of Planning Staff, that the application is desirable for the appropriate development of the subject property. The renovated cottage and rebuilt front deck will occupy the same footprint. The proposed decks will contribute to the accessibility of the cottage, allowing the renovated structure to be accessed from the new doors on the north and western facing sides. The proposed decks would also be built atop areas that are already cleared of trees, reducing the amount of tree clearance needed within 30m of the lake.

The proposal is not anticipated to result in any negative or intrusive impacts on surrounding properties or the lake. Existing tree coverage along the shoreline area would mitigate against any intrusive impacts created by the proposed increase in building height. Additionally, any intrusive impacts created by the proposed western deck would be mitigated by the 7m side yard setback and existing tree coverage along the side yard. It is the opinion of Planning Staff, that the application is unlikely to result in undue adverse impacts on surrounding properties of the neighbourhood.

Planning Staff recommend that a development agreement be registered on the title of the subject property as a condition of approval. The development agreement will address matters related to erosion control, runoff management and the maintenance of a healthy shoreline buffer. This will ensure that appropriate shoreline development practices are being implemented to not impact the environmental quality of Kingsford Lake.

Conclusion

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

Notice/Consultation

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

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

Recommendation

It is recommended that the Committee of Adjustment receive comments from the public and, pending comments received, **approve** application PL-ZNA-2025-0025 for 103 Grouse Lane, subject to the following conditions.

1. Permission is granted to enlarge the legal non-conforming dwelling on the subject property by increasing its height to 5.5m (18.3ft). Permission is also granted for a 23.3sqm (250sqft) deck to be attached to the west side of the dwelling, to be setback a minimum 23.5m setback from the highwater mark of Kingsford Lake and a minimum 2m setback from the top of bank. Permission is also granted for a 3.7sqm (40sqft) deck to be attached to the north side of the dwelling. The proposal must be consistent with the submitted plot plans and building plans submitted by the applicant, 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 Kingsford Lake and discharged to natural or constructed leaching pits/areas to maximize infiltration or onto coarse rock rubble splash pads to reduce the velocity of runoff.

    c. A natural vegetated buffer must be maintained in its natural state within 30 metres of Kingsford Lake and along the steep slope, except in the immediate area of the building envelope.

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

Report Prepared By:

Noah Perron, Planner

Report Reviewed By:

Christine Woods RPP, MCIP, Manager of Planning

Docusign Envelope ID: B9CDA118-C759-4434-8A0A-52799F95851B

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

Date Received: 13. Mar. 2025 File No: PL.2NA.2025.0029

Pre-Consultation for this application ☑ Yes ☐ No

Planner: C. Woods Date of pre-consultation: _____

1. Name of Owner(s): Tracy Tucker

Full Mailing Address of Owner(s): 60 Mccoll lane, Godfrey, Ont K0H 1T0

Phone number of Owner(s): [redacted]

Email Address of Owner(s): [redacted]

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

Name of Authorized Agent: Shannon Green

Full Mailing Address of Authorized Agent: 1630 Burbrook Rd, Glenburnie Ont, K0H 1S0

Phone number of Authorized Agent: [redacted]

Email Address of Authorized Agent: [redacted]

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

DocuSigned by:
Tracy Tucker 3/13/2025 | 12:27 PM EDT
F0592068B1254 7D
Signature(s) of Owner(s)

3. The description of the subject land:

District: ☑ Bedford ☐ Portland ☐ Loughborough ☐ Storrington

Concession Number: 3 Lot Number: Lot 8

Street Number: 60 Name of Road/Street: Mccoll lane

Reference Plan Number: FR643185 Part Number(s): PT LT 8

Roll Number: 102902004015700

Docusign Envelope ID: B9CDA118-C759-4434-8A0A-52799F95851B

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): 255.39' Frontage (on road/lane): 280.95

Depth: 150' Area: 39,213 ft²

5. The current zoning of the subject land:

RLSW

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

less than 30m from high water mark

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

It is less than 30m fom the high water mark

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

OR a privately maintained road? ☑ Yes ☐ No

Name of Road/Lane:

Mccoll lane

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

none

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

Recreational use

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

☑ Yes ☐ No

Existing cottage

Docusign Envelope ID: B9CDA118-C759-4434-8A0A-52799F95851B

SOUTH FRONTENAC

TOWNSHIP OF SOUTH FRONTENAC
APPLICATION FOR MINOR VARIANCE OR PERMISSION (s. 45(2))

Updated January 2025

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

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

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

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

Application Requirements

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

Application Type:	**Planning Application Fee:**
1-3 Variances	$1,249.00
4+ Variances	$1,468.00
After building without a permit	$2,241.00 *

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 *Minor Variance Only* *Minor Variance WITH Performance Review* *Minor Variance in combination with a new Class 2, 3, 4, or 5 sewage system other than a Class A system*	$463.00 $720.00 $1,183.00
Cataraqui Region Conservation Authority	$445.00
Quinte Conservation Authority	$450.00
Rideau Valley Conservation Authority	$410.00

Docusign Envelope ID: B9CDA118-C759-4434-8A0A-52799F95851B

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).

Docusign Envelope ID: B9CDA118-C759-4434-8A0A-52799F95851B

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

Type of Structure (E.g. residence)	(1) Waterfront 1 story dwelling - (M)	(2)	(3)	(4)
Setback from Front Lot Line	5.62 m or 3.22 m			
Setback from Rear Lot Line	36.75 m			
Setback from Side Lot Line	32.88 m or 35.13 m			
Height of Building (Also indicate if it is one story or two story)	Grade = 4.67 m Water line 6.6 m			
Dimensions of Floor Area	62.29 m^2			
Setback from High Water Mark (If applicable)	7.81 m or 3.22 m			

13. The proposed uses of the subject land:

Recreational use / cottage / residential

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

☑ Yes

Docusign Envelope ID: B9CDA118-C759-4434-8A0A-52799F95851B

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

	(1)	(2)	(3)	(4)
Type of Structure (E.g. residence)	Front Deck			
Setback from Front Lot Line	4.46 m or 1.24 m			
Setback from Rear Lot Line	43.34 m			
Setback from Side Lot Line	32.83 m or 33.09 m			
Height of Building (Also indicate if it is one story or two story)	Grade = 1.43 m Water line = 3.37 m			
Outside Dimensions of Building/Structure	47.86 m^2			
Setback from High Water Mark (If applicable)	6.66 m or 4.05 m			

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

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

If yes, please provide details:

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

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

If yes, please provide details:

18. What are the uses of the proposed development?

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

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

August 12 /2024

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

1963

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

62 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 intake

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:

Individual septic system

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

None

Docusign Envelope ID: B9CDA118-C759-4434-8A0A-52799F95851B

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

☐ Yes ☒ No

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

---

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

☐ Yes ☒ No

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

---

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

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

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

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

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

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

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

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

AGREEMENT TO INDEMNIFY

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

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

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

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

The Owner/Applicant/Agent further agrees to provide the municipality, upon request and in cases where an application has been appealed to the Ontario 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

THIS 13th DAY OF March, 20 25

I, Shannon Green OF Kingston, Ontario
solemnly declare that all the statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made [redacted] ce Act.

[redacted]

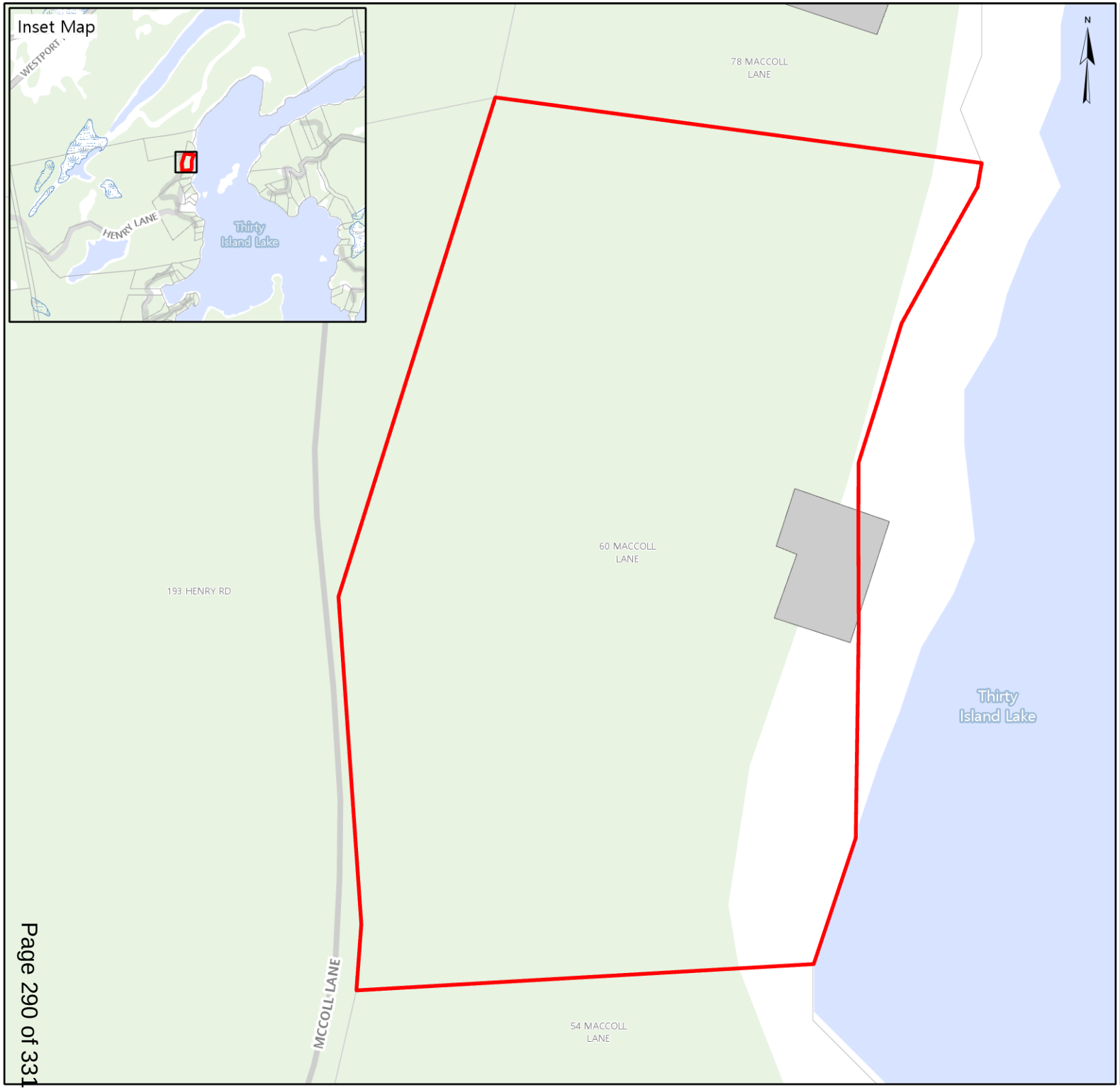
Signature of Applicant or Authorized Agent

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

THIS 13th DAY OF March, 20 25

A Commissioner, etc.

Katie Susan Kaestner, a Commissioner, etc., Province of Ontario, for the Corporation of the Township of South Frontenac. Expires August 14, 2027.



SOUTH FRONTENAC

PL-ZNA-2025-0029

(TUCKER) (GREEN)
60 MCCOLL LANE

Legend

- Subject Lands
- 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, 2025.

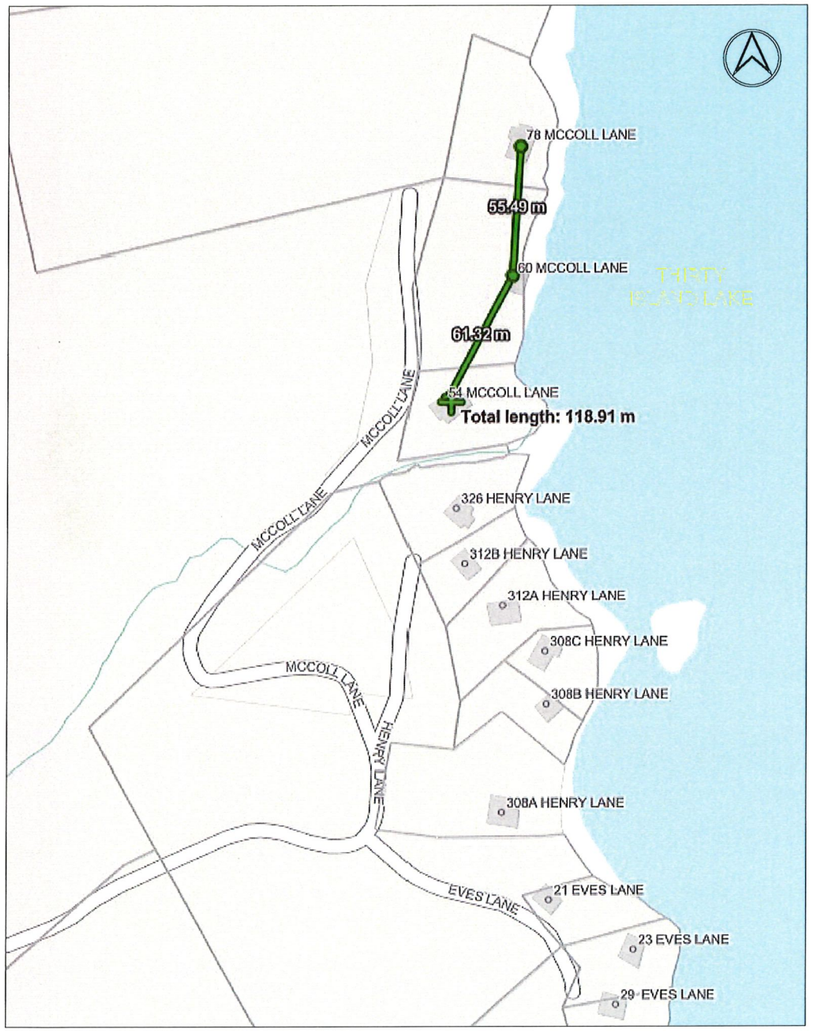
While the County makes every effort to insure that the information presented is accurate for the intended uses of this map, there is an inherent error in all mapping products, and accuracy of the mapping cannot be guaranteed for all possible uses. This map displays basic topographic features only.

Scale: 1:500

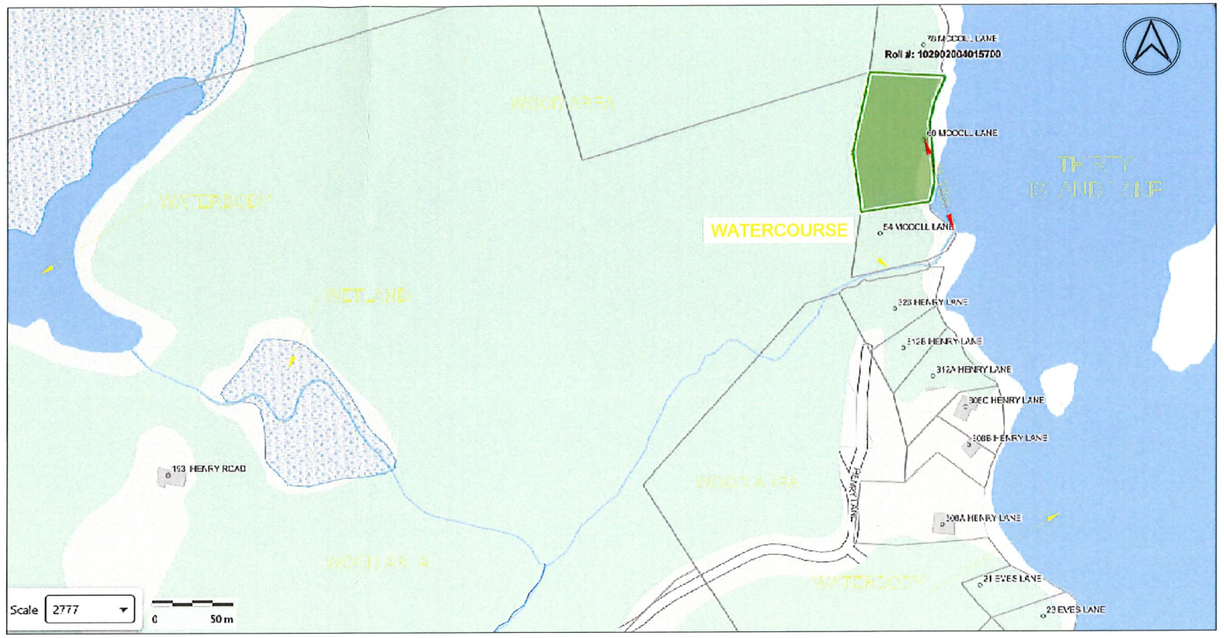
0 5 10 20 m

UTM Zone 18 NAD 83

Date: 24/03/2025



2 AR-01 REFERENCE POINT PLAN
SCALE: N.T.S.



3 AR-01 NATURAL/ARTIFICIAL FEATURES
SCALE: N.T.S.

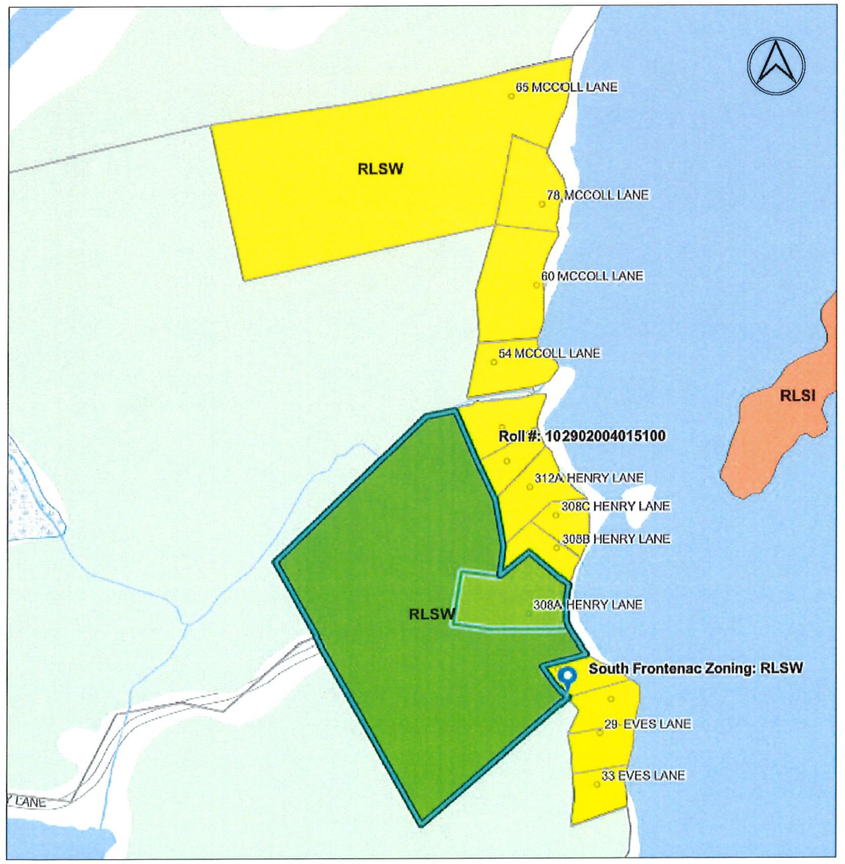
Location:	78 MACCOLL LANE
ARN:	102902004015900
Legal Description:	CON 3 PT LOT 8
MPAC_Frontage:	195.00
MPAC_Depth:	120.00

Location:	60 MACCOLL LANE
ARN:	102902004015700
Legal Description:	CON 3 PT LOT 8
MPAC_Frontage:	280.95
MPAC_Depth:	150.00
Zone_Label:	RLSW
Z_Comment:	By-law No. 2010-76

Location:	54 MACCOLL LANE
ARN:	102902004015600
Legal Description:	CON 3 PT LOT 8 PCL 7
MPAC_Frontage:	130.00
MPAC_Depth:	109.50

1 AR-01 EXISTING KEY PLAN
SCALE: N.T.S.

Directions to Property: Hwy 38 North Right on Westport Road to Henry Road Follow to 60 Maccoll Lane



4 AR-01 ZONING PLAN
SCALE: N.T.S.

HOME RENOVATION

60 Mc Cool Lane,
Godfrey - Ontario
K0H 1T0

CLIENT:
TRACY TUCKER

ASTERISK
ENGINEERING CORPORATION
1480 Bath Rd. Suite 201
Kingston-On, K7M 4X6
Phone: (613) 542-2040
www.asteriskengineering.com

ISSUED FOR	REV	DATE
APPROVAL	0	AUG 30, 2024
ADD SETBACKS	1	MAR 07, 2025

LEGENDS/NOTES:

Do not scale drawings. Refer to Architectural drawings for dimensions. All elevations /dimensions shall be verified with Architectural drawings and any discrepancy shall be reported inmediately to consultant. Read this drawing in conjunction with ALL applicable Architectural, Structural, Mechanical, Electrical and other disciplines involved.
This drawings are "design drawings" only and are not intended to be used as shop drawings.

STAMP:
LICENCED PROFESSIONAL ENGINEER
T. AVILAR PEREIRA-CLUDE
100074114
MAR 07, 2025
PROVINCE OF ONTARIO

SHEET SIZE 24"X36"

DRAWING TITLE:

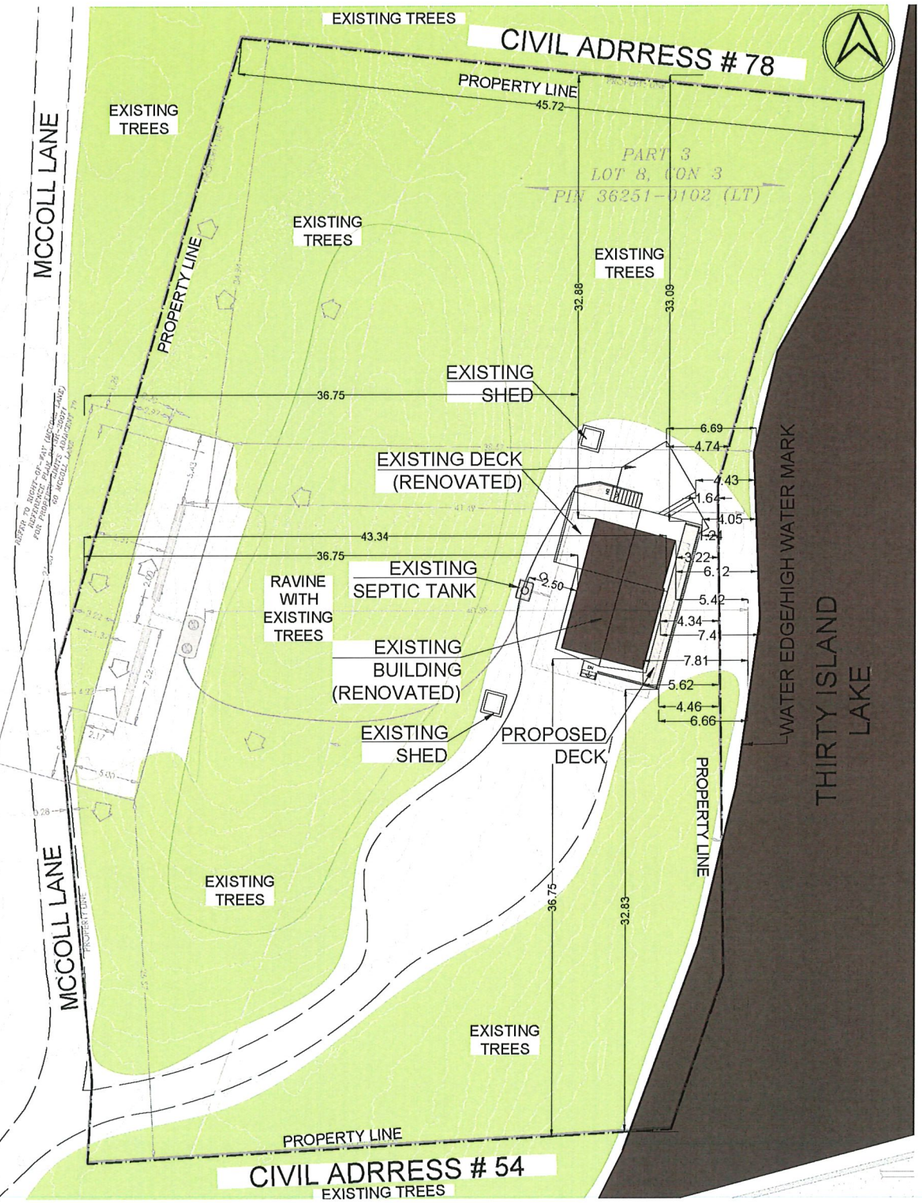
EXISTING KEY SITE PLAN,
ZONNING &
NATURAL/ARTIFICIAL FEATURES

SCALE:	UNITS:
N.T.S	mm, UNO

DESIGN:	CHECKED:	DRAWN:
TC	TC	AC

DATES:
AUGUST 30, 2024

PROJ. No.:	DWG No.:
24-121	AR-01



1 AR-02 PROPOSED SITE PLAN
SCALE: 1:200

IMAGE 1 - LAKE VIEW 1
SCALE: N.T.S.

IMAGE 2 - EXISTING BUILDING (RENOVATED)
SCALE: N.T.S.

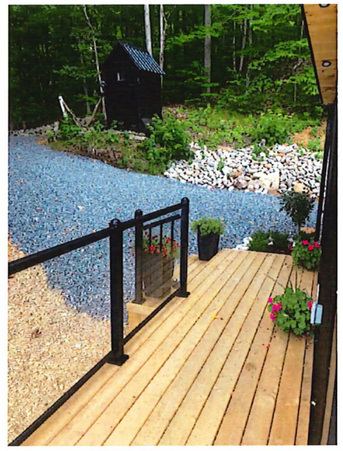


IMAGE 3 - DRIVEWAY
SCALE: N.T.S.

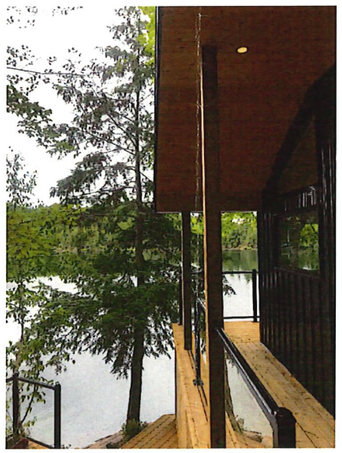


IMAGE4 - LAKE VIEW 2
SCALE: N.T.S.

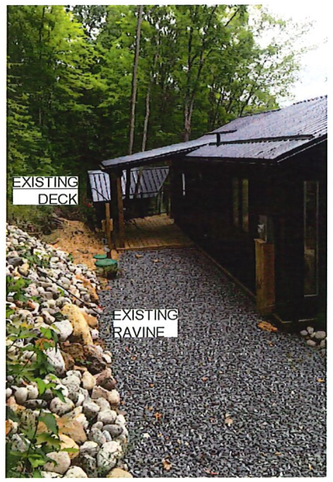


IMAGE 5 - EXISTING SEPTIC TANKS
SCALE: N.T.S.

IMAGE 6 - EXISTING SEPTIC TANKS
SCALE: N.T.S.

ZONING SUMMARY (RLSW – Limited Service Residential-Waterfront)
TOWNSHIP OF SOUTH FRONTENAC - ZONING BY-LAW 2003-75
60 MACCOLL LANE - GODFREY, ON (Seasonal Dwelling)

DESCRIPTION	EXISTING	PROPOSED	REQUIRED
Lot Area (Minimum) - sq. m	3,643.00	3,643.00	10,000.00
Lot Frontage, Private Lane (Minimum) - m	85.63	85.63	76.00
Water Frontage (Minimum) - m	77.84	77.84	91.00
Front Yard (Minimum) - m	85.63	85.63	30.00
Rear Yard (Minimum) - m	45.72	45.72	10.00
Interior Side Yard (Minimum) - m	36.75	36.75	3.00
Exterior Side Yard (Minimum) - m	32.88	32.88	10.00
Gross Floor Area (Minimum) - m	62.29	110.15	59.00
Lot Coverage (Maximum) - %	2%	3%	5%
Building Height (Maximum) - m	4.67	4.67	11.00
Setback from highwater mark (Minimum) - m	4.05	3.22	30.00

HOME RENOVATION
60 Mc Cool Lane,
Godfrey - Ontario
K0H 1T0

CLIENT:
TRACY TUCKER

ASTERISK ENGINEERING CORPORATION
1480 Bath Rd. Suite 201
Kingston-On, K7M 4X6
Phone: (613) 542-2040
www.asteriskengineering.com

ISSUED FOR	REV	DATE
APPROVAL	0	AUG 30, 2024
ADD SETBACKS	1	MAR 07, 2025

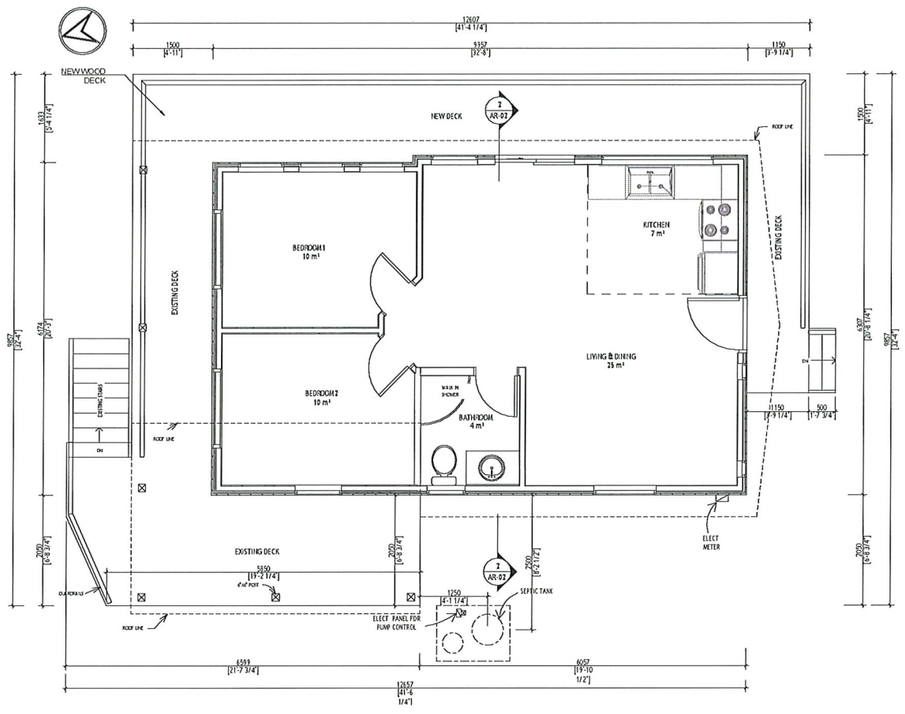
LEGENDS/NOTES:
Do not scale drawings. Refer to Architectural drawings for dimensions. All elevations /dimensions shall be verified with Architectural drawings and any discrepancy shall be reported immediately to consultant. Read this drawing in conjunction with ALL applicable Architectural, Structural, Mechanical, Electrical and other disciplines involved.
This drawings are "design drawings" only and are not intended to be used as shop drawings.

STAMP:
LICENCED PROFESSIONAL ENGINEER
T. AVILAR PEREIRA-CALDAS
100074114
MAR 07, 2025
PROVINCE OF ONTARIO

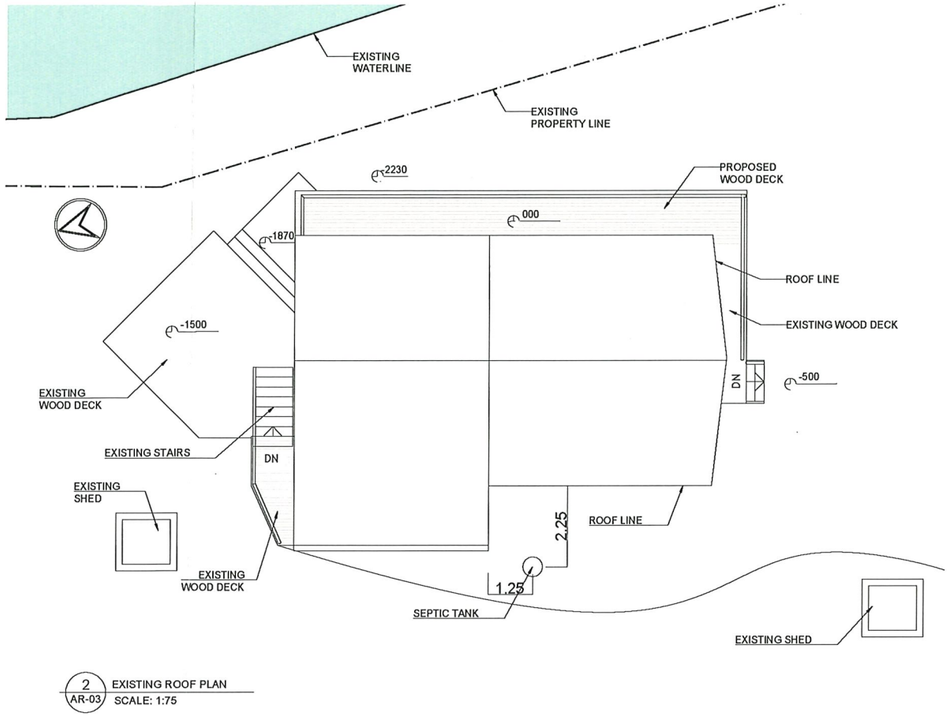
SHEET SIZE 24"X36"

DRAWING TITLE:
PROPOSED SITE PLAN & EXISTING IMAGES

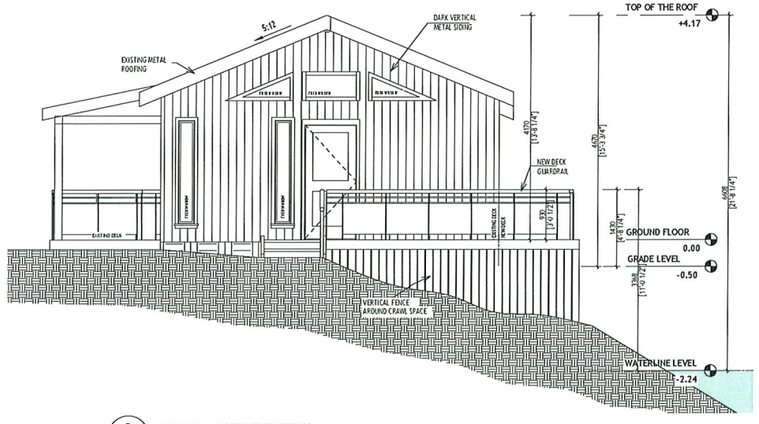
SCALE:		UNITS:
N.T.S		mm, UNO
DESIGN: TC	CHECKED: TC	DRAWN: AC
DATES: AUGUST 30, 2024		
PROJ. No.: 24-121	DWG No.: AR-02	



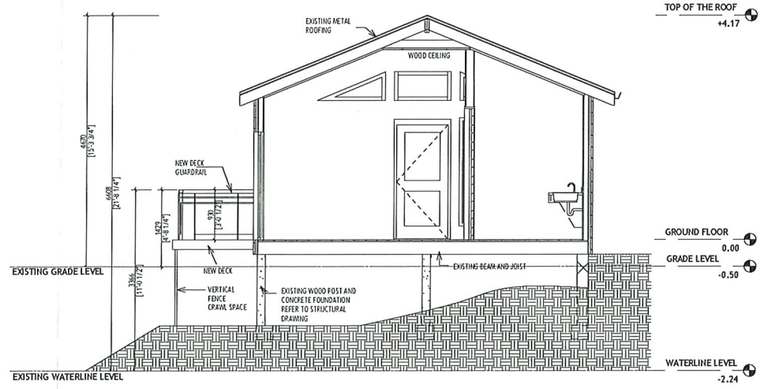
1 AR-03 EXISTING GROUND FLOOR PLAN
SCALE: 1:50



2 AR-03 EXISTING ROOF PLAN
SCALE: 1:75



3 AR-03 EXISTING SOUTH ELEVATION
SCALE: 1:50



4 AR-03 EXISTING BUILDING SECTION 2
SCALE: 1:50

HOME RENOVATION

60 Mc Cool Lane,
Godfrey - Ontario
K0H 1T0

CLIENT:
TRACY TUCKER

ASTERISK ENGINEERING CORPORATION
1480 Bath Rd. Suite 201
Kingston-On, K7M 4X6
Phone: (613) 542-2040
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ISSUED FOR	REV	DATE
APPROVAL	0	AUG 30, 2024
ADD SETBACKS	1	MAR 07, 2025

LEGENDS/NOTES:

Do not scale drawings. Refer to Architectural drawings for dimensions. All elevations /dimensions shall be verified with Architectural drawings and any discrepancy shall be reported inmediately to consultant. Read this drawing in conjunction with ALL applicable Architectural, Structural, Mechanical, Electrical and other disciplines involved.
This drawings are "design drawings" only and are not intended to be used as shop drawings.

STAMP:

LICENCED PROFESSIONAL ENGINEER
T. AVILAR PEREIRA CALDAS
100074114
MAR 07, 2025
PROVINCE OF ONTARIO

SHEET SIZE 24"X36"

DRAWING TITLE:

EXISTING FLOOR & ROOF PLANS, SECTION & ELEVATIONS

SCALE:		UNITS:
N.T.S		mm, UNO
DESIGN:	CHECKED:	DRAWN:
TC	TC	AC
DATES:		
AUGUST 30, 2024		
PROJ. No.:	DWG No.:	
24-121	AR-03	

Quinte CONSERVATION

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

PROHIBITED ACTIVITIES, EXEMPTIONS & PERMITS
ONTARIO REGULATION 41/24

PERMIT # REG0336-2024 AMENDED
ISSUED TO: Tracy Tucker
CIVIC ADDRESS: 60 McColl Lane
GEOGRAPHIC DESCRIPTION: Lot 8, Concession 3, Bedford
WATER FEATURE: Thirty Island Lake

THIS PERMIT IS BEING ISSUED AS THE RESULT OF A VIOLATON OF O. REG 41/24

Works to be Undertaken Include:

This permit is being issued to bring the cottage into compliance. It is understood that the construction activities have already been completed. It is understood that the roof of the existing cottage caved-in which led to a reconstruction of the cottage on the same footprint as per the drawings by Asterisk Engineering, Dwg. No. AR-01-AR-03, S-01S-07 dated August 30, 2024.

Notes:

Please be reminded that any development activities within 30m of the top of the bank adjacent to the lake requires a permit from this office. Development activities include any construction, importing and/or removing fill, site grading and a change of use to an existing structure (i.e. converting a garage to living space). Shoreline and/or in-water works are also regulated by this office and permits, from this office, are required for these activities as well. Proposed work below the seasonal high water mark may also require permits the Ministry of Natural Resources (MNR) and the federal Department of Fisheries and Oceans (DFO).

In accordance with the Prohibited Activities, Exemptions & Permits made pursuant to Section 28 of the Conservation Authorities Act, R.S.O. 1990, this permit is granted provided that all works are completed in accordance with the specifications and plans set out in the application.

Any departure from the submitted documentation without prior written approval from Quinte Conservation will constitute a violation of this permit and may result in legal action in accordance with Section 28 of the Conservation Authorities Act. Should your plans change regarding the specifications and location of the projects described, please contact this office so an amendment can be issued accordingly.

You are reminded that the granting of this permit does not remove your responsibility to obtain any necessary additional permits from other agencies or government bodies. It is also important to note that this permit does not override any other permit or setback requirements from other agencies. In the case of a conflict between setback requirements the most restrictive will apply.

AMENDMENT ON FEBRUARY 5, 2025:
Reconstruct deck as per Dwg. No.C-101 & C-102 (attached) from Groundwork Engineering dated February 4, 2025. It is my understanding that the existing supports for the deck will be removed and the new deck will be supported by the footings for the cottage with a cross-brace. It is understood that the deck will be skirted. The deck cannot be covered and/or screened-in.

All aforementioned conditions still apply.

c.c. Peggy Spafford, Permit In-take Coordinator, Township of South Frontenac
Christopher Beeg, Building Inspector, Township of South Frontenac
Shannon Green, Agent for Owner
Tiago Caldas, Asterisk Engineering

This permit is not transferable/renewable.

PERMIT MUST BE PROMINENTLY DISPLAYED AT THE WORK SITE

CSinclair
Catherine Sinclair
Regulations Officer

Issuance Date: Amended February 6, 2025 Expiry Date: December 22, 2025

RECEIVED
FEB 06 2025
Township of South Frontenac
BUILDING DEPARTMENT

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

QUINTE CONSERVATION - PLANNING ACT REVIEW

QC File No. PL0075-2025

Municipality:	**Township of South Frontenac**		
Landowner:	**Tracy Tucker / Shannon Green**		
Location:	**60 Mccoll Lane**	**Part Lot 8, Concession 3**	**Bedford**
Roll #:	**1029020040157000000**		
Application Description:	**Minor Variance Appl'n File No. PLZNA 2025 0029**	**Relief requested to allow a 12.6 metre y 1.5 metre deck, attached to the waterside of the cottage, to be setback 4 metres from the high-water mark of Thirty Island Lake.**	
Regulated Feature:	**Thirty Island Lake**		

Comments:

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

Conservation Authorities have Provincially delegated responsibilities to represent Provincial interests regarding natural hazards under Section 5.2 of the Provincial Policy Statement (PPS) (2024). Natural hazards include areas subject to flooding, prone to erosion, dynamic beaches, and unstable bedrock. Generally, the policies of the PPS direct development to areas outside of hazard lands.

The *Slope Stability Analysis* prepared by Groundwork Engineering Limited, dated October 2024 indicated that the original deck footings were located within an area that may be prone to failure, and where the deck posts were supported by concrete footings bearing on sandy soil overburden, which is not considered a stable bearing surface. By the deck structure being cantilevered and supported by the cottage's footings as illustrated within Drawing C-101 and C-102 revised February 4, 2025, by Groundwork Engineering (enclosed as reference), the deck will no longer be located within the erosion hazard (measured 3.14 metres from the toe of slope). Further, the cottage's footings which support the cantilevered deck are also located above the 1:100-year flood plain of Thirty Island Lake. As the deck is located above the 1:100-year flood plain, and cantilevered above the erosion hazard of the lake, staff are satisfied that the application as presented is consistent with Section 5.2 of the PPS.

Ontario Regulation #41/24 (Regulation of Prohibited Activities, Exemptions and Permits)

The subject lands lie within the regulated area of Thirty Island Lake (by virtue of Ontario Regulation #41/24 – Regulation of Prohibited Activities, Exemptions and Permits). Quinte Conservation Permit No. REG0336-2024 was issued for the reconstruction of the deck per Drawing No. C-101 & C-102 (attached) revised February 4, 2025, by Groundwork Engineering Ltd.

The landowner is advised that any *future* development activity (including construction / filling/ excavation/ site grading/ change of use) on the subject property that is not covered by permit REG0336-2024 will require a permit from this office.

Quinte Region Source Protection Plan

Quinte Conservation provides Risk Management services as prescribed by the *Clean Water Act*, 2006 on behalf of member municipalities. Part of this is reviewing building and planning applications to ensure no new significant drinking water threats as outlined in the Quinte Region Source Protection Plan are created. Policies for significant threats in the Quinte Region Source Protection Plan are not applicable as the subject property lies outside of an intake protection zone or wellhead protection area for a municipal drinking water system. As such no Section 59 Clearance Notice is required.

	Other Potential Township Studies As per Sections 21.1.1 and 21.1.2 of Ontario Regulation 596/22 (amendments made under the Conservation Authorities Act) as a result of the More Homes Built Faster Act, 2022, conservation authorities are no longer able to review or provide comment on Natural Heritage and Hydrogeology, nor is this office able to peer-review technical reports related to these matters. If the Township requests a hydrogeological assessment or Environmental Impact Study (EIS) it should be peer-reviewed by a qualified consultant.
Final Comments:	Quinte Conservation has no objection to the minor variance application as presented. Staff request that a copy of the decision on the application be forwarded to this office, when available.

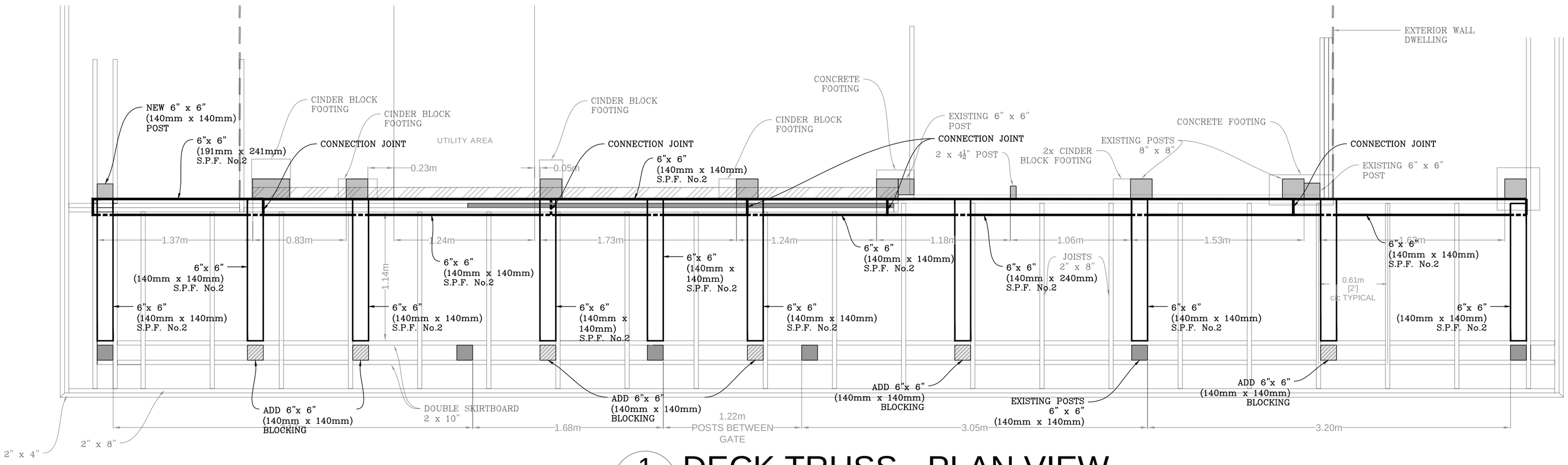
Sam Carney
Planning Technician

April 2, 2025
Date

And:
Catherine Sinclair,
Regulations Officer

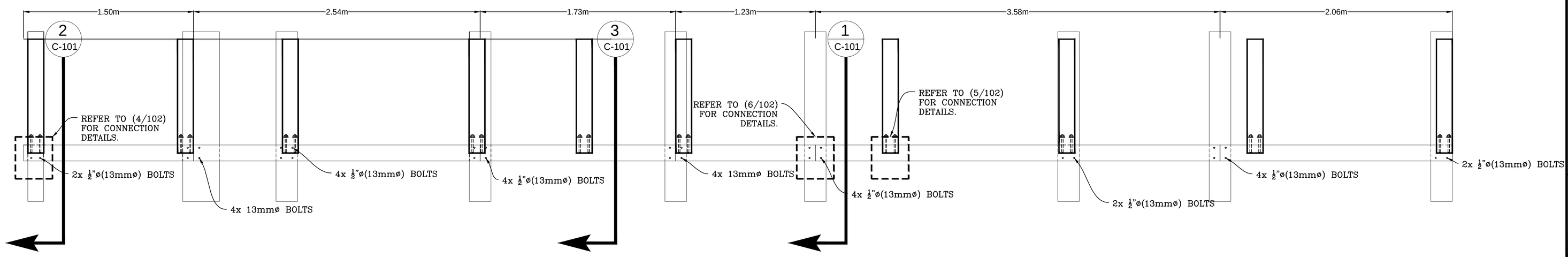
NOTES:

- DECK ADDITION FOOTINGS FOUNDED ON NATIVE SANDY SOIL WITH A MINIMUM FACTORED BEARING RESISTANCE AT ULS OF 100kPA & AT SLS OF 75kPA.
- STRUCTURAL FRAMING DEPICTED ON THESE DRAWINGS HAS BEEN DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ONTARIO BUILDING CODE.
- ALL WORK SHALL COMPLY WITH THE CURRENT EDITION OF THE BUILDING CODE & ALL GOVERNING STANDARDS & REGULATIONS.
- CONCRETE TO HAVE A MINIMUM 28 DAY COMPRESSIVE STRENGTH OF 20MPa & A MINIMUM SLUMP OF 100mm. THE CONTRACTOR SHALL ENSURE THAT CONCRETE BE MIXED, PLACED & CURED IN ACCORDANCE WITH CSA STANDARD A23.1 "CONCRETE MATERIALS & METHODS OF CONCRETE CONSTRUCTION"
- THE MAXIMUM NOMINAL AGGREGATE SIZE FOR CONCRETE SHALL BE 20mm.
- STRUCTURAL WOOD ELEMENTS HAVE BEEN DESIGNED IN ACCORDANCE WITH CSA STANDARD 086 "ENGINEERING DESIGN IN WOOD".
- THE CONSTRUCTION OF THE STRUCTURAL WOOD FRAMING SHALL COMPLY WITH THE REQUIREMENTS OF THE ONTARIO BUILDING CODE STRUCTURAL LUMBER No.1 S-P-F PT & No.2 S-P-F PT
- BOLTS & STEEL PLATE SHALL CONFORM TO MANUFACTURER'S SPECIFICATIONS.



1 / C-101 DECK TRUSS - PLAN VIEW

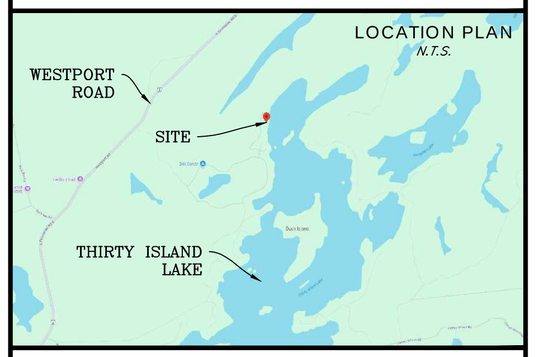
SCALE: 1:20



2 / C-101 DECK TRUSS - ELEVATION VIEW

SCALE: 1:20

GROUNDWORK ENGINEERING LIMITED
GEOTECHNICAL • CIVIL • STORMWATER • ONSITE WASTEWATER
UNIT 640 - 654 NORRIS COURT
KINGSTON ONTARIO
OFFICE (613) 634-1789
www.groundengineer.ca



REVISIONS

No.	Description	Date
01	AS-BUILT DESIGN	2024/11/07
02	DECK TRUSS DESIGN	2025/02/04

BENCHMARK:

No.	DESCRIPTION	ELEVATION
##.	XXX	XXX.XX

LICENSED PROFESSIONAL ENGINEER 4 Feb 2025 M. H. BURGER PROVINCE OF ONTARIO

Client / Land Owner:
SHANNON GREEN

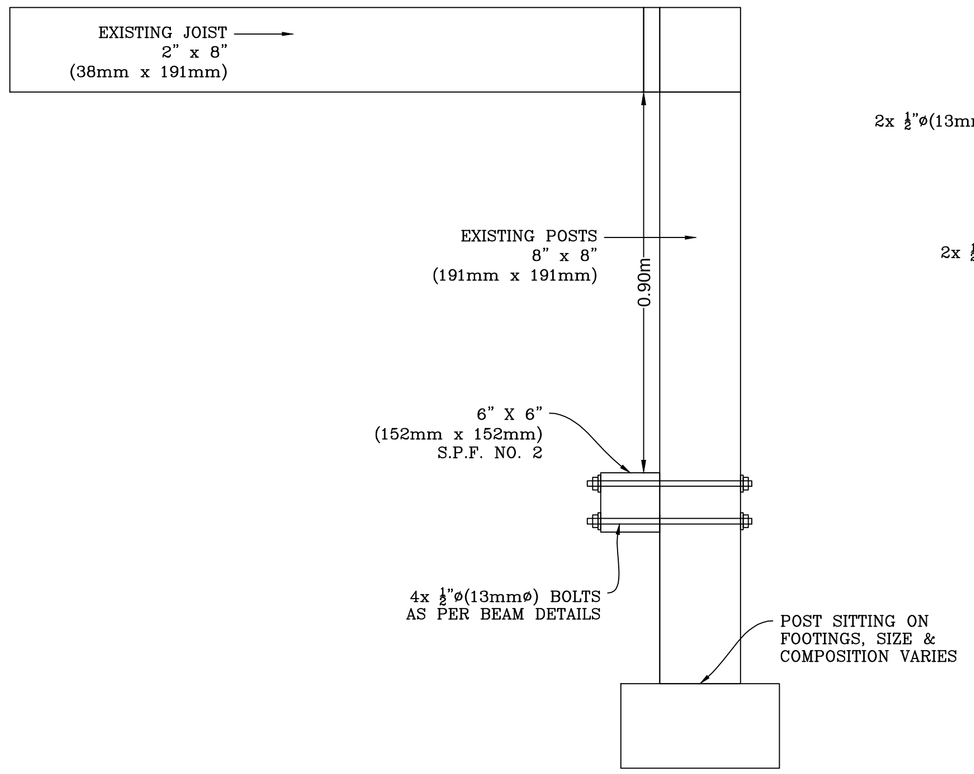
Project:
60 MCCOLL LANE
KINGSTON ONTARIO

Drawing Title:
LAKE FRONT DECK ADDITION

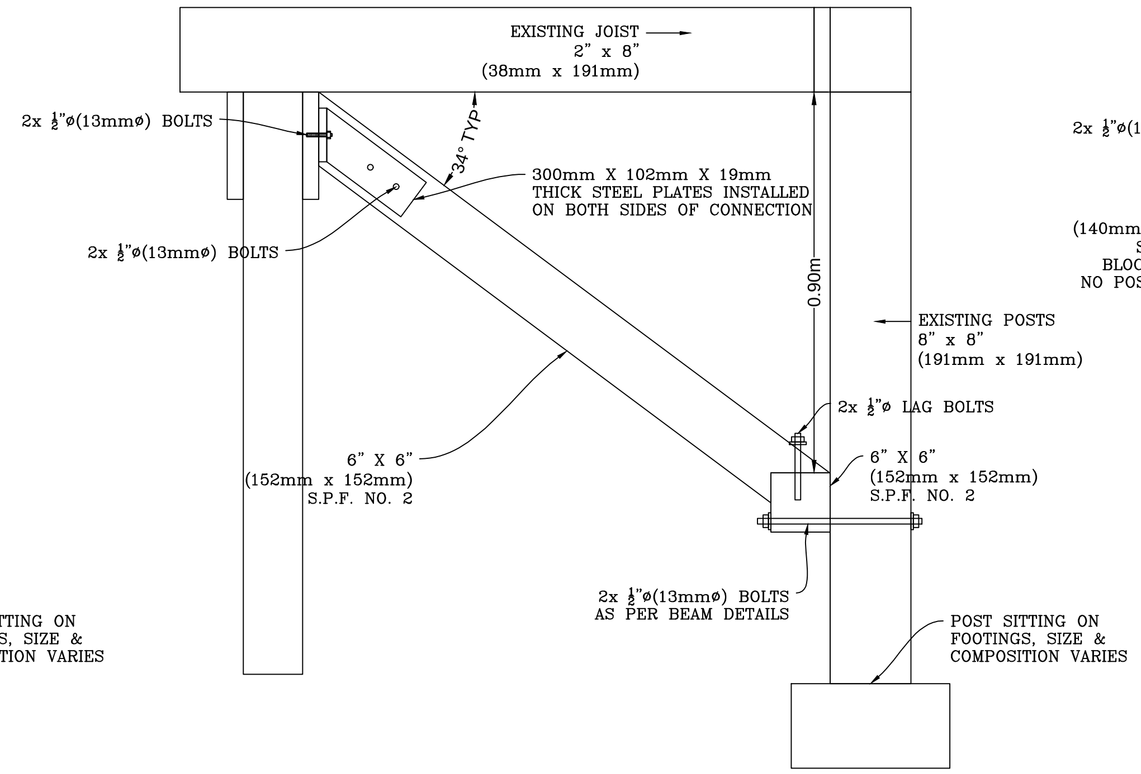
Drawn by: DR
Checked By: MB
Scale: 24"x36" AS NOTED
Date: FEB 04, 2025

Project Number: GW-24003-21
Drawing Number: C-101
SHEET 1 of 2

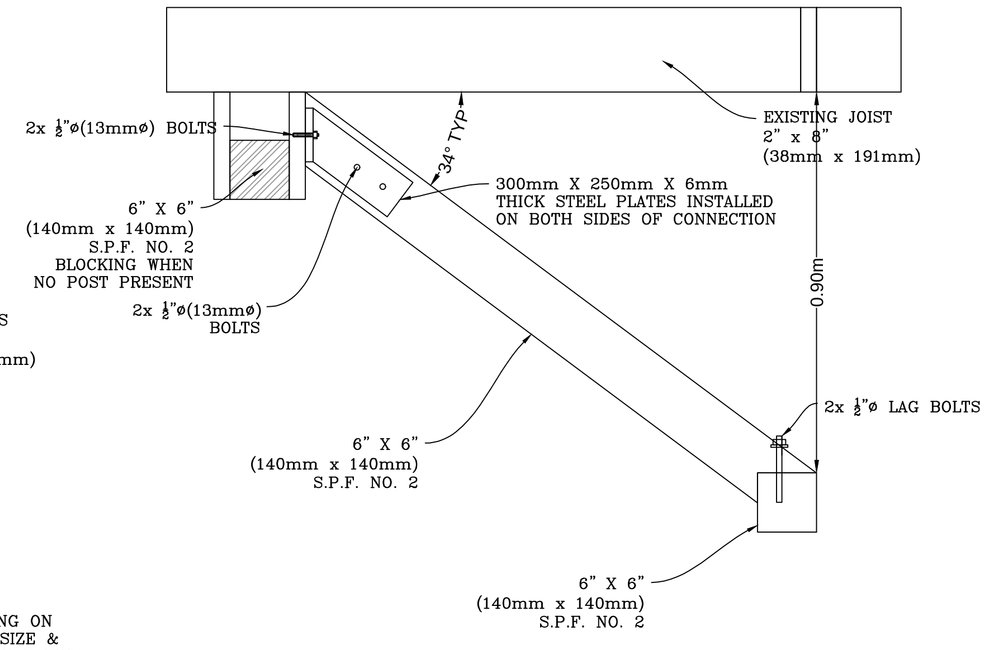
P:\Projects\24000\24003 - Geotechnical Investigations and Inspections\24003-21 - 60 MacColl Lane\02 - Design\03 - Drawings\01 - Preliminary Design (Pre-Submission)\60 McColl Lane - GW-24003-21 [FEB 2025] - DeckTruss Design (REV#1).dwg
2/4/2025 3:21 PM



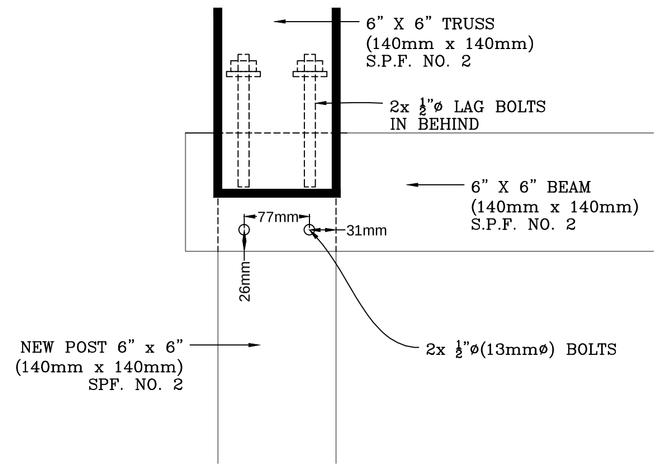
1 BEAM TO POST CONNECTION DETAIL
C-101 SCALE: 1:20



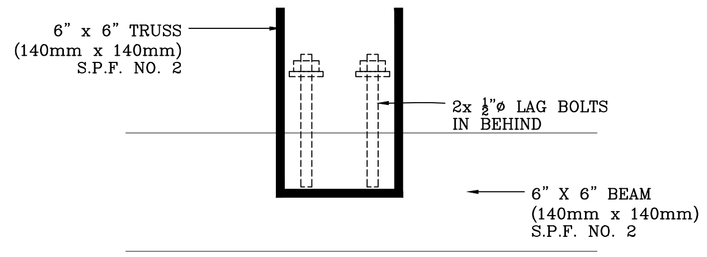
2 DECK TRUSS - SECTION
C-101 SCALE: 1:20



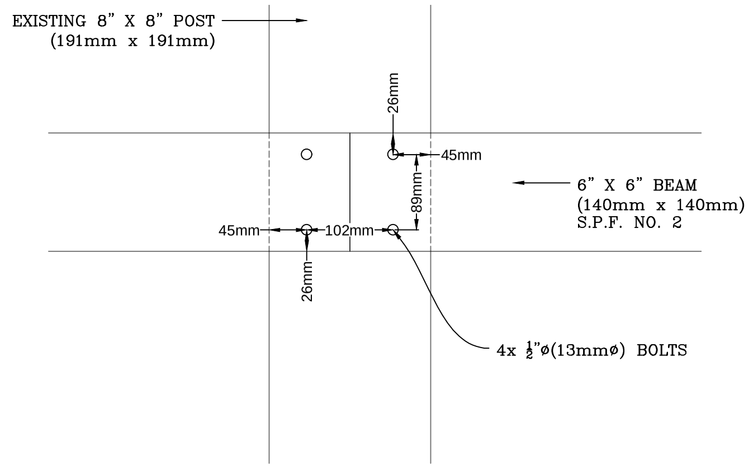
3 DECK TRUSS - SECTION
C-101 SCALE: 1:20



4 TRUSS CONNECTION DETAIL
C-102 SCALE: 1:5



5 TRUSS CONNECTION DETAIL
C-102 SCALE: 1:5



6 BEAM JOINT CONNECTION DETAIL
C-102 SCALE: 1:5

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

REVISIONS

No.	Description	Date
01	AS-BUILT DESIGN	2024/11/07
02	DECK TRUSS DESIGN	2025/02/04

BENCHMARK:

No.	DESCRIPTION	ELEVATION
##.	XXX	XXX.XX

LICENSED PROFESSIONAL ENGINEER
4 Feb 2025
M. H. BURGER
PROVINCE OF ONTARIO

Client / Land Owner:
SHANNON GREEN

Project:
60 MCCOLL LANE
KINGSTON ONTARIO

Drawing Title:
TRUSS SECTIONS & CONNECTION DETAILS

Drawn by: DR
Checked By: MB
Scale: 24"x36" AS NOTED
Date: FEB 04, 2025

Project Number: GW-24003-21
Drawing Number: C-102
SHEET 2 of 2

Gmail Shannon Green <613sold@gmail.com>

Tracey and Davis' cottage

1 message

Ann Amos [redacted] Tue, Apr 8, 2025 at 12:48 PM
To: [redacted]

To Whom It May Concern

Our family has owned the property at 54 McColl Lane, next door to the former owner Diane Woods and the current owners Tracey and Davis since 2017.

We are ecstatic at the beautiful cottage that Tracey and Davis have built. The five foot deck is of no problem or concern to us. It enhances the beauty and appeal of their cottage and extends their living area.

The former owners, the Woods family let their cottage and property deteriorate [redacted].

In comparison the current owners Tracey and Davis have beautifully cleaned up the property and built a cozy, charming, appealing home. [redacted]

Tracey and Davis' ownership has been nothing but a most welcome, positive development in every way possible. It has raised the value of our property and has tremendously increased our enjoyment, pleasure and feeling of well being when we are at our cottage. Having Tracey and Davis buy this property has been a much longed for and prayed for resolution to returning this depressing, unsafe junkyard to its original beauty. It is the most positive development we could have hoped for. We have won the lottery having Tracey and Davis so beautifully clean up and landscape this property. We hope they enjoy their cozy, charming, dream home for many years to come.

Sincerely
Ann and Charlie Amos

Gmail Shannon Green <613sold@gmail.com>

Deck next door on Thirty Island Lake

Chris Steeves [redacted] > Tue, Apr 8, 2025 at 3:27 PM
To: [redacted]

To whom it may concern,

Before the house was renovated, the property and the house was an eye sore from every angle especially looking at the house from the water .

Shannon and his crew did an awesome job on the house next-door to us from every angle.
We cannot see the deck from our dock, and when we do it is relatively low to the high water mark and does not stick out and it's non-intrusive to the eye .

We are perfectly happy with the balcony.

Chris Steeves & Jennifer Richards

78 McColl lane

Gmail Shannon Green <613sold@gmail.com>

Support for the minor variance at 60 McColl Lane

1 message

Kathryn Parker [redacted] > Wed, Apr 9, 2025 at 10:27 AM
To: Shannon Green [redacted] >

To the South Frontenac Committee of Adjustment:

We are Kathryn Parker and Gilles Dignard, owners of the property at 65 McColl Lane since 2018, and we are writing in support of the application for a minor variance at 60 McColl Lane.

For the first five years of our residency here, we were saddened to see the state of 60 McColl Lane, which sits two doors away from us. The property was neglected, dirty and derelict. [redacted]

We are fully support of the granting of the minor variance for the small waterfront deck structure. The deck is attractive and creates no hindrance or impedance to our view whatsoever. The renovated cottage is charming and fits into the landscape perfectly. We are delighted to see the property at 60 McColl Lane brought to a state of order and beauty.

Sincerely,

Kathryn Parker and Gilles Dignard

Gmail Shannon Green <613sold@gmail.com>

Support for Tracy and Davis' Property

1 message

Laura Kotowski [redacted] > Tue, Apr 8, 2025 at 11:42 AM
To: [redacted] >

Hi Shannon,

My Dad is Charlie Amos at 54 Mccoll Lane and he shared your text with me. I co-own our property with my parents and my brother. I'm sending you this email to add another vote of support for Tracy and Davis' property.

I would like to confirm that my husband, Mario, and I both feel that the changes made to the property next to ours have been a huge improvement and have had a positive impact on us and the surrounding area. We don't have any concerns with what has been done and in fact quite the opposite as there was previously a lot of old debris and dilapidated materials in and along the waterfront of that property which have now been removed. The size of the structure and deck are very much in keeping with what was there originally and we didn't even notice any difference in size at all. We support the request for the 5' deck to stay. The old deck was a hazard [redacted]

Please let me know if this is okay or if you need me to provide any more detail.

Laura Kotowski
[redacted]

Township of South Frontenac

Staff Report

To: **Committee of Adjustment**

From: **Development Services Department**

Date of Meeting: **April 10, 2025**

Subject: **Minor Variance Application (S. 45(1) of Planning Act)**
PL-ZNA-2025-0029, Tucker (Green), 60 McColl Lane, Portland District

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Summary

This report recommends that the Committee of Adjustment deny the subject application for zoning relief for a deck attached to a cottage, as this application does not meet the four tests of a minor variance outlined in section 45(1) of the Planning Act.

Background

Official Plan Designation: Rural

Zoning: Limited Service Residential – Waterfront (RLSW)

Proposal

A building permit was recently issued for a cottage that was constructed without the necessary approvals. The cottage was constructed on the footprint of an older cottage, including covered decks on the west and north sides of the building. This building complies with the Zoning By-law as there was no increase in building footprint or gross floor area, and the setback to the highwater mark of Thirty Island Lake was maintained. The cottage is 62.29 square metres (670.5 square feet) in area. According to the application, the cottage is set back 3.2 metres from the highwater mark and from the front lot line.

A new 12.6 metre by 1.5 metre deck was constructed onto the waterside of the cottage. The owners are requesting a variance to allow the attached deck to remain where it was constructed. According to the application, the deck is set back 4 metres from the highwater mark. Staff measured the setback to be 1.5 metres on March 26, 2025. This lesser setback is more consistent with the setback of the cottage.

Zoning Relief Requested

Section 5.8.2(a) – to permit a deck that attached to a seasonal dwelling to be set back a minimum of 1.5 metres from the highwater mark of a waterbody, whereas a minimum 30 metre setback is required for all buildings and structures.

Section 5.8.2(b) – to permit a deck that is attached to a seasonal dwelling to be set back a minimum of 0.5 metres from the top of bank, whereas a minimum 15 metre setback is required for all buildings and structures.

Section 10.3.1 – to permit a deck that is attached to a seasonal dwelling to be set back a minimum of 1.5 metres from the front lot line and from the highwater mark of a waterbody, whereas a minimum 30 metre setback is required.

Property Description

The property is located on the west shore of Thirty Island Lake, and is accessed off McColl Lane. It is 0.9 acres in area, and has approximately 35 metres frontage on the lane and 75 metres frontage on the lake. It is bordered to the north and south by waterfront residential properties and to the west by a large rural property.

The actively developed portion of the property, near the shoreline is relatively flat. There is a treed rock ridge between the buildings and the lane. A new sewage system was constructed on the lane-side of the ridge.

Department and Agency Comments

Quinte Conservation indicated in a letter dated April 2, 2025, that a slope stability analysis prepared by Groundwork Engineering Limited, dated October 2024, determined that the deck footings are located within an area that may be prone to failure, and where the deck posts are supported by concrete footings bearing on sandy soil overburden, which is not considered a stable bearing surface (i.e. in the shoreline erosion hazard). Also, the deck is located above the 1:100 year floodplain. Quinte Conservation issued a permit under O. Reg. 41/24 for the cottage reconstruction. The permit was amended to include the attached deck in February 2025. The permit notes that the deck must be supported by the footings of the cottage with a cross-brace so that the deck would not be located within the erosion hazard.

Building Services is in receipt of a building permit application for the attached deck. A building permit cannot be issued unless the deck is granted a variance from the Zoning By-law provisions that it does not comply with.

Public Comments

No public comments were received before this report was finalized.

Planning Analysis

The proposal needs to be assessed against the four tests of a minor variance outlined in Section 45(1) of the Planning Act. A variance should only be granted if all four of the tests are met. It is the opinion of Planning staff that not all of the tests are met as explained below.

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

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

Section 5.2 of the Official Plan identifies an Environmentally Sensitive Area overlay on lands within 90 metres of a lake because of the potential impact development may have on water quality and fish habitat. Development must have regard to the policies of the Plan, including section 5.2.7.

Section 5.2.7(b) requires buildings and structures to be setback a minimum of 30 metres from the highwater mark of lakes and rivers. Vegetation within this area should be disturbed as little as possible and the soil mantle is also not to be altered. The purpose of these measures is to minimize environmental and visual lake impacts by reducing phosphorus inputs, preventing erosion and by maintaining a natural appearance of shorelines.

Section 5.2.7(b)(ii)(3) speaks to situations involving existing dwellings within the setback area. This policy suggests that a proposal for an addition must be evaluated on the merits of the proposal and the following considerations:

a) the ultimate total gross floor area, building footprint and lot coverage being proposed;
b) the closeness of the existing dwelling to the high watermark; and
c) the capacity of the lot to accommodate new development at a greater setback from the high watermark.

The policy states that in no case shall an already encroaching structure be permitted to encroach further on the setback from the highwater mark.

The existing cottage is setback only 3.2 metres from the highwater mark of Thirty Island Lake. This means that the subject deck, although narrow at only 1.5 metres deep, results in a significant reduction in the width of the riparian buffer along the shoreline.

Section 5.2.4 states that the Township will direct development or site alterations away from lands which may be subject to shoreline erosion hazards. The deck is within the shoreline erosion hazard. According to Quinte Conservation, engineered plans were prepared to redesign the supports for the deck so that they would not be in the hazard.

It is the opinion of staff that the proposed variances do not maintain the general intent and purpose of the Official Plan.

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

The Zoning By-law (sections 5.8.2(a) and 10.3.1) requires buildings and structures to be setback a minimum of 30 metres from the highwater mark, consistent with the Official Plan. The existing cottage is located on 3.2 metres from the highwater mark, so there is no opportunity for a deck to comply with the setback. However, a deck could be located in such a way to not encroach further on the setback than the cottage.

The Zoning By-law (section 5.8.2(b)) also requires buildings and structures to be setback a minimum of 15 metres from the top of bank. The subject deck would be setback approximately 0.5 metres from the top of bank. Quinte Conservation is satisfied that the deck can be altered to make it safe from the erosion hazard.

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

Locating the subject deck on the waterside of the cottage is not appropriate development or use of the land, particularly given its proximity to the highwater mark and top of bank. There is an existing, large, functional deck on the north side of the cottage.

Is the variance minor?

The floor plan of the original cottage had a door on the south side and a door on the west side according to materials submitted with the building permit application. The floor plan of the cottage was changed when it was reconstructed such that the door on the west side was moved to the east side (i.e. waterside) of the building. An attached deck or landing and stairs would be required to make the door functional.

Notice/Consultation

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

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

Recommendation

It is recommended that the Committee of Adjustment deny minor variance application PL-ZNA-2025-0029 for 60 McColl Lane.

Report Prepared By:

Christine Woods, RPP, MCIP, Manager of Planning

SOUTH FRONTENAC

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

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

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

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

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

Application Requirements

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

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

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

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

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

3. PLEASE READ THIS ITEM CAREFULLY

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

4. Collection of Personal Information

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

)

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

Date Received: _____ File No: AD20240759

Pre-Consultation for this application ☐ Yes ☐ No

Planner: Noah Date of pre-consultation: _____

1. Name of Owner(s): Andrew + Catherine Knott

Full Mailing Address of Owner(s): 3968 Hideaway Lane
Battersea, Ont K0H1H0

Phone number of Owner(s): [redacted]

Email Address of Owner(s): [redacted]

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

Name of Authorized Agent: _____

Full Mailing Address of Authorized Agent: _____

_____

Phone number of Authorized Agent: _____

Email Address of Authorized Agent: _____

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

_____
Signature(s) of Owner(s)

3. The description of the subject land:

District: ☐ Bedford ☐ Portland ☐ Loughborough ☑ Storrington

Concession Number: _____ Lot Number: 3

Street Number: 3968 Name of Road/Street: Hideaway Lane.

Reference Plan Number: 1588 Part Number(s): _____

Roll Number: 060-060-01760-0000

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

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

Frontage (on water): 112.0ft Frontage (on road/lane): 100.55 ft.

Depth: 374' as per my property.ca. Area: 41888 sq. ft. or .86 acres

5. The current zoning of the subject land:

Zone 1

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

To allow an addition to exsisting residence addition is 76'6" to high water

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

Current residence is 47' to high 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:

Hideaway Lane

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

/

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

Living Residence

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

☑ Yes ☐ No

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

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

Type of Structure (E.g. residence)	(1) Residence	(2) Garage	(3) Shed	(4) Shed
Setback from Front Lot Line (lake)	47'	154'	130'	266'
Setback from Rear Lot Line	274'	188'	219'	84'
Setback from Side Lot Line	18'2" north 50' south	45' 27'	27' 65'	42' 40'
Height of Building (Also indicate if it is one story or two story)	one story 13'	19'6" 2 story	10'6" one story	10'6" one story
Dimensions of Floor Area	970 sqft	27.5' x 20'	10' x 10'	10' x 10'
Setback from High Water Mark (If applicable)	47'	154'	130'	266'

13. The proposed uses of the subject land:

Residential

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

☑ Yes ☐ No

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

	(1)	(2)	(3)	(4)
Type of Structure (E.g. residence)	Residence addition			
Setback from Front Lot Line	76'6"			
Setback from Rear Lot Line	274'			
Setback from Side Lot Line	24' south			
Height of Building (Also indicate if it is one story or two story)	One story 14'			
Outside Dimensions of Building/Structure	26' x 13.2			
Setback from High Water Mark (If applicable)	76'6"			

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

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

If yes, please provide details:

_____

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

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

If yes, please provide details:

18. What are the uses of the proposed development?

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

19. The date the subject land was acquired by the current owner:
June 2007

20. The date the existing buildings and structures were constructed on the subject lands:
Original cottage 19

21. The length of time that the existing uses of the subject land have continued:
Permanent residence since 2009 NOV

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

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

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

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

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

☐ Yes ☑ No

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

---

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

☐ Yes ☑ No

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

---

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

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

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

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

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

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

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

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

A Guide to Completing the Minor Variance Form

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24) Drainage: Are there specific ditches that have been constructed to deal with drainage; is there natural drainage, etc.?

25) Application for consent: Is there currently an application for consent (severance) being proposed for the property?

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

27) Minor variance: Has there ever been a minor variance granted on the property? If you are long-time owner of the property, you will probably be aware of any other special permission granted for a variance to the zoning by-law. If you are a new owner, the seller will probably have made you aware of this.

28) If yes: If there has been a previous variance granted on the property, please indicate the application number if known, and what the details of the variance were.

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

30) **Agreement to Indemnify**: Must be signed in front of a commissioner of oaths – you may have this done before submitting the application, or sign the application in front of staff who can sign as commissioners. All owners must sign the application, or it can be signed by an agent if one has been appointed.

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

AGREEMENT TO INDEMNIFY

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

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

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

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

The Owner/Applicant/Agent further agrees to provide the municipality, upon request and in cases where an application has been appealed to the Ontario 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

THIS 6 DAY OF March, 20 25

I, Andy Knoth OF 3968 Highway 2 N Bath Ont solemnly declare that all the statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

[redacted]

Signature of Applicant or Authorized Agent

Signature of Applicant or Authorized Agent

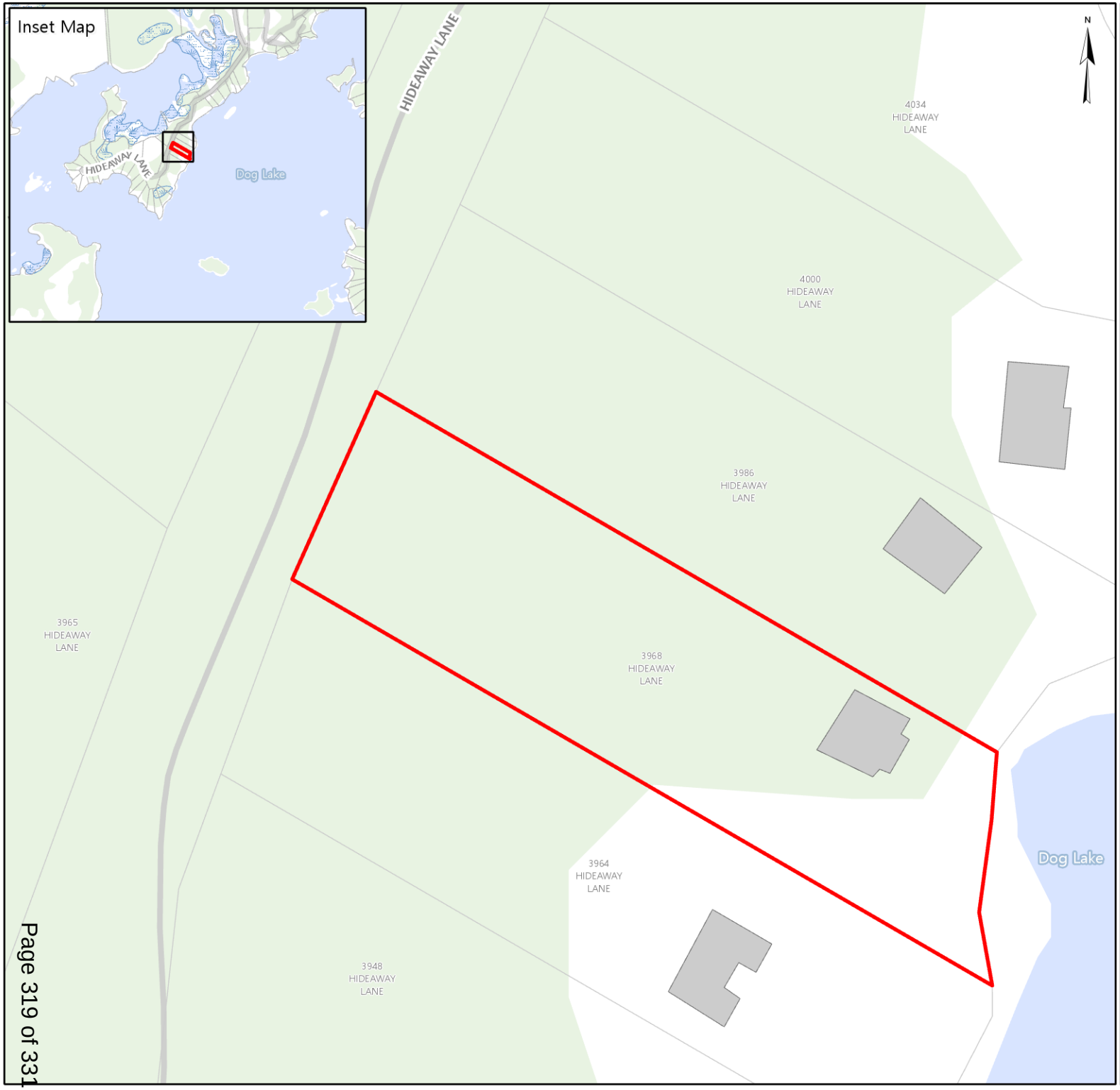
DECLARED before me at the TOWNSHIP OF SOUTH FRONTENAC (IN THE COUNTY OF FRONTENAC)

THIS 6th DAY OF March, 20 25

Kamila Seitkhanova

A Commissioner, etc.

Kamila Seitkhanova, a Commissioner, etc.,
Province of Ontario, for the Corporation of
the Township of South Frontenac.
Expires August 14, 2027.



SOUTH FRONTENAC

PL-ZNA-2025-0033

(KNOTT)
3968 HIDEAWAY LANE

Legend

- Subject Lands
- 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, 2025.

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.

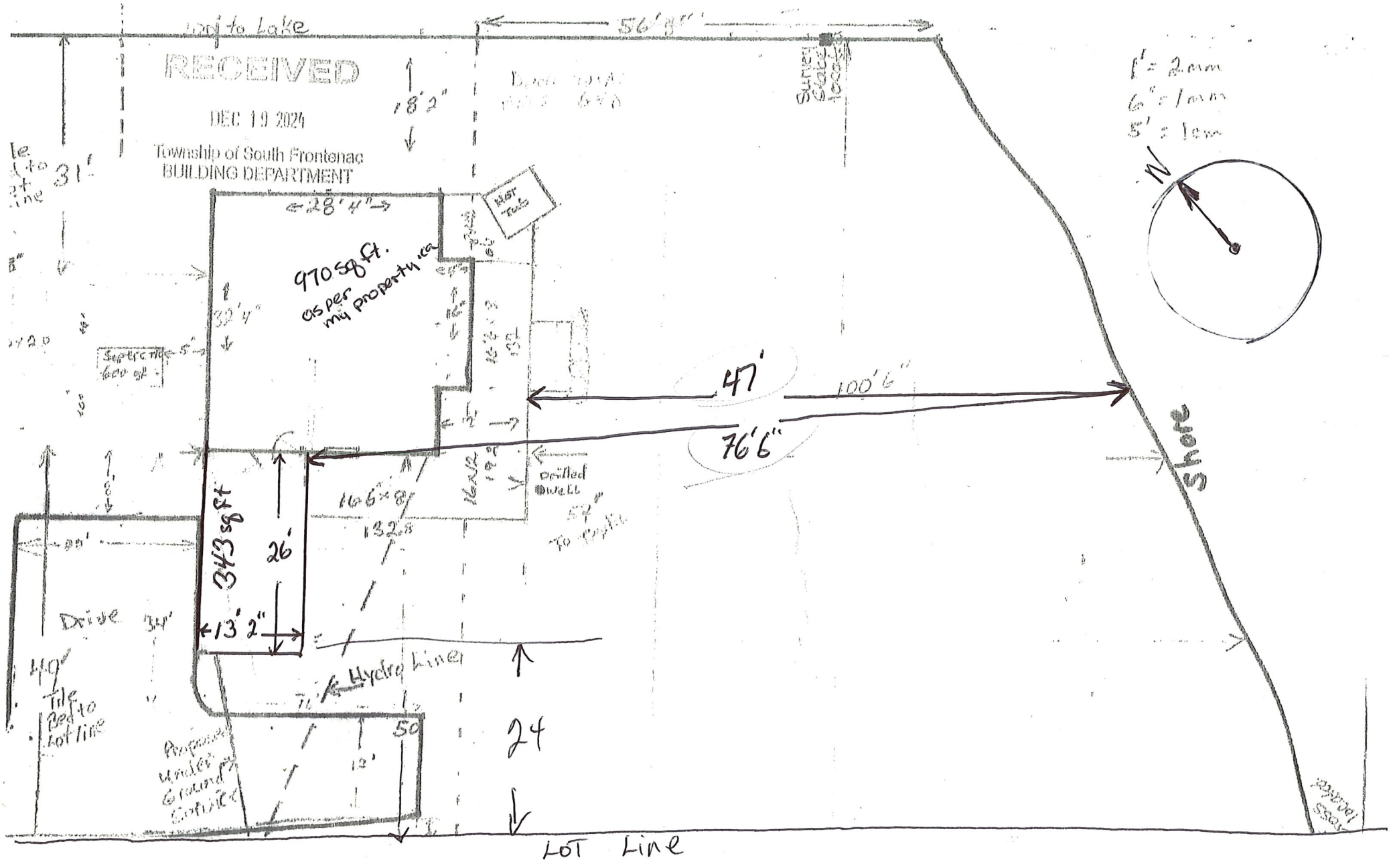
Scale: 1:800

0 5 10 20 m

UTM Zone 18 NAD 83

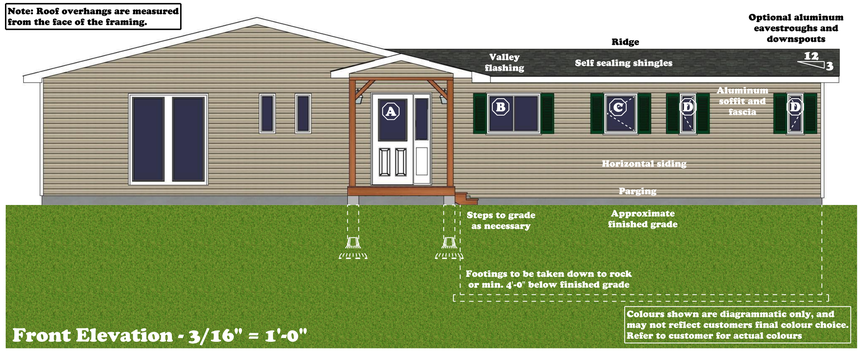
Date: 20/03/2025

AD20240759
3968 Hideaway Ln.



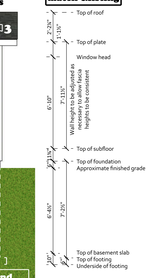
Contractor to verify all roof pitches and dimensions prior to ordering of trusses.

Note: Roof overhangs are measured from the face of the framing.



Front Elevation - 3/16" = 1'-0"

Colours shown are diagrammatic only, and may not reflect customers final colour choice. Refer to customer for actual colours



Overhang to match existing

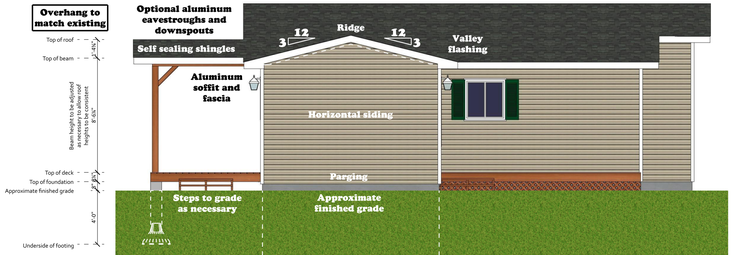
Grab Bar Blocking:
Where wood wall studs enclose the main bathroom in a dwelling unit, reinforcement shall be installed to permit the future installation of grab bars as follows:

Water Closet:
Where a water closet is located adjacent to a side wall, a grab bar shall be continuous L-shaped with 30" long horizontal and vertical components, and be wall mounted with the horizontal component 30" above the finished floor and the vertical component 6" in front of the water closet.
A fold-down grab bar shall be mounted on the wall behind the water closet on the side opposite the side wall , with the horizontal component 30" above the finished floor, and not less than 15" and not more than 16" from the centre line of the water closet.
Where a water closet is not located adjacent to a side wall, a fold-down grab bar shall be shall be provided on each side of the water closet, with the horizontal component 30" above the finished floor, and not less than 15" and not more than 16" from the centre line of the water closet.
A grab bar at least 24" in length,wall mounted horizontally from 33" to 36" above the finished floor and, where the water closet has a water tank, be wall mounted 6" above the tank.

Shower:
A shower shall have two grab bars, that do not obstruct the use of the shower controls, one of which is 40" long vertically located on the side wall between 2" and 3" from the adjacent clear floor area, and with the lower end between 24" and 26" above the finished floor, and one of which is L-shaped, located on the wall opposite the entrance to the shower, with a 40" long horizontal component mounted between 30" and 34" above the finished floor and a 30" long vertical component mounted between 16" and 20" from the side wall on which the vertical grab bar is mounted.

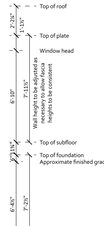
Bathtub:
Bathtubs shall, have three grab bars, that are not less than 48" long, two of which are located vertically at each end of the bathtub, mounted between 3" and 11" above the bathtub rim, and one of which is located horizontally along the full length of the bathtub, mounted between 3" and 11" above the bathtub rim.

Note: Roof overhangs are measured from the face of the framing.



Right Side Elevation - 3/16" = 1'-0"

Colours shown are diagrammatic only, and may not reflect customers final colour choice. Refer to customer for actual colours



Energy Efficiency Table HEATING TYPE - Assumed Propane WATER SUPPLY - Hot Water Storage Tank	
Compliance Package Component	3.1.1.11 (IP) Zone 1
Ceiling with Attic Space	60
Ceiling Without Attic Space	31
Exposed Floor	31
Walls Above Grade	19+5 ci
Basement Walls	20 ci
Below Grade Slab > 24" Below Grade	-
Heated Slab or < 24" Below Grade	10
Edge of Slab < 24" Below Grade	10
Windows & Sliding Doors (ER)	25
Windows & Sliding Doors (Max. "U")	1.6
Skylights (Max. "U")	
Space Heating Equipment (Min. AFUE)	-
HRV (Min. SRE)	-
Domestic Hot Water (Min. EF)	-

Note:
In the case of basement wall assemblies, where R20ci is required R12+10ci is permitted.
Glazing:
Where the ratio of gross area of windows etc. to the gross area of peripheral walls is greater than 17% but not more than 22%, U value to be upgraded to: 1.6 (25) where 1.8 (21) is required - 1.4 (29)where 1.6 (25) is required - 1.2 (34) where 1.4 (29) is required - 1.0 (38) where 1.2 (34) is required. Where area exceeds 22%, window U-value to be in accordance with specialists calculations Refer to Glazing/Unprotected Area Table.

Glazing Schedule					
	Front	Right	Rear	Left	Total
Wall Area	245.6	135.6	245.6		626.8
Glazed Area	29.0	0.0	36.7		65.7
Glazed Percentage					10.5%
Permitted Distance from Boundary					

Refer to Energy Efficiency Table for "U" value required for glazing.

Resistance to Forced Entry:
Insulated doors with deadbolts and blocking.
Hinges fastened to door frame with at least 2 screws per hinge that are at least 3 3/16" into solid wood.
Hinges fastened to doors with screws not less than 1"
Strikeplate fastened with not less than 1 3/16" screws.
Dead bolt with not less than 1" throw.
Solid blocking at lock height on both sides of jamb so that the jambs will resist spreading by force.
Unglazed doors without sidelights are to be provided with a door viewer.
Doors between garage and dwelling to be fitted with a self closer.

Built-up Wood Beams:
Where individual members of a built-up beam are butted together to form a joint, the joint shall occur over a support.
Where a beam is continuous over more than 1 span, individual members are permitted to be butted together to form a joint at or within 6" of the end quarter points of the clear spans, provided the quarter points are not those closest to the ends of the beam.
Members joined at quarter points shall be continuous over adjacent supports.
Joints in individual members of a beam that are located at or near the end quarter points shall not occur in adjacent members at the same quarter point and shall not reduce the effective beam width by more than half.
Not more than 1 butt joint shall occur in any individual member of a built-up beam within any one span.
Members shall be either nailed together with a double row of nails not less than 3½" in length, spaced not more than 18" apart (end nails located 4" to 6" from the end of each piece) or bolted together with not less than ½" diameter bolts equipped with washers and spaced not more than 4'-0" o.c., with the end bolts located not more than 2'-0" from the ends of the members.

Flashings:
All flashings in accordance with O.B.C. 9.20.13.
Flashings are required over the top of window and door openings that are not within 1/4 of the distance of the eaves overhang to the underside of the eaves.
Flashings to roof/wall junctions to extend min. 3" horizontally and min. 3" vertically behind sheathing paper for siding walls.
Min. 3" headlap to all flashings.
All joints in flashings shall be made watertight.

Exterior Opening Schedule - Actual Sizes & Rough Openings to be confirmed by Supplier.							
Item	R.O. Size	Size	Description	Count	Area	Glazing	R.O. Area
A	R.O. 54" x 83"	52¼" x 82¼"	Assumed B-02 Steel Door - 368oL and SB-02 Sidelight Actual style to be confirmed prior to ordering.	1	30.0 sq ft.	7.1 sq ft.	31.1 sq ft.
B	R.O. 49¾" x 37¼"	48" x 36"	Slider - 2 Section - 4836	1	12.0 sq ft.	8.3 sq ft.	12.7 sq ft.
C	R.O. 31¼" x 37¼"	30" x 36"	Casement - 1 Section - 3036	1	7.5 sq ft.	5.0 sq ft.	8.1 sq ft.
D	R.O. 16" x 37¼"	14¼" x 36"	Casement - 1 Section - 1536	2	3.7 sq ft.	1.8 sq ft.	4.1 sq ft.
E	R.O. 73¼" x 61¼"	72" x 60"	Casement - 3 Section - 7260	1	30.0 sq ft.	21.4 sq ft.	31.2 sq ft.
F	R.O. 38½" x 83"	37½"x 82¼"	B-02 Steel Door - 3680	1	21.4 sq ft.	5.5 sq ft.	22.2 sq ft.

Lintels:
2 - 2" x 8" headers over all openings throughout, except where shown otherwise.
Where lintels carry point loads from girders or similar, lintel sizes to be confirmed by specialist. 2 ply lintels up to 9'-8" span require min 1-1/2" end bearing - 3 ply beams with supported lengths of greater than 13'-9" require min. 4-1/2" end bearing - All other lintels/beams to have min 3" end bearing.

Eaves:
Aluminum vented soffits.
2" x 6" fascia backing.
Aluminum fascia with optional aluminum eavestroughs and downspouts.

Ground Clearance:
Min. 6" between top of foundation and finished grade. Except a clearance of not less than 8" shall be provided between finished ground and cladding that is adversely affected by moisture, such as untreated wood, plywood, O.S.B., waferboard and hardboard.

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

Foundation Drainage Layer:
Where foundation is damp-proofed in lieu of waterproofing a foundation drainage layer is to be provided, consisting of one of the following methods;
Not less than 3/4" mineral fibre insulation with a density of not less than 3.56 lb/ft³ (57 kg/m³), or Not less than 4" of free draining granular material, or a proprietary system that provides equivalent performance to those shown above.

Radon - Soil Gas Control:
Masonry walls shall incorporate one course of solid blocks at the level of the adjacent floor or ground covering.
6 mil CGSB-51.34 poly air/vapour barrier with joints lapped not less than 12", to be installed under concrete floor slab.
Concrete floor slab to be sealed around its perimeter to the inner surfaces of adjacent walls with flexible sealant.
All floor drains penetrating the concrete slab shall be sealed and incorporate trap seal primer.

Top Plates:
Double top plates to be provided in all loadbearing walls.
All joints in top plates shall be staggered, not less than one stud spacing.
All top plates shall be lapped at corners or intersecting walls.

Roofing Underlay:
Underlay to be #15 plain or perforated asphalt-saturated felt.
Underlay shall be installed parallel to the eaves with head and end lap of min 2", and overlap the eave protection by not less than 4".

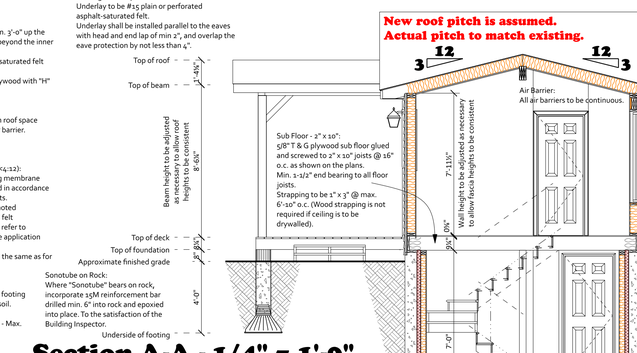
Roof Construction - Rafters:
Self sealing shingles.
Eaves protection - extending min. 3'-0" up the slope of the roof and min. 1'-0" beyond the inner face of the exterior wall.
#35 plain or perforated asphalt-saturated felt underlay
7/16" O.S.B. sheathing or 1/2" plywood with "H" clips - min. 4 per board.
2" x 8" rafters @ 24" o.c.
3 - 2" x 10" ridge beam.
Min. R31 spray foam insulation in roof space
6 mil CGSB-51.34 poly air/vapour barrier.
Resilient channel.
1/2" drywall.

Roof Construction - Low Slope (<4:12):
Proprietary self adhesive roofing membrane over the entire roof deck, lapped in accordance with manufacturers requirements.
Standard felt underlayment as noted elsewhere. It is possible that the felt underlayment may be omitted - refer to manufacturers low-slope shingle application specification.
Shingle installation procedure is the same as for standard slopes (1:3 and over).

Backfill:
Min. 4'-0" from underside of the footing to grade where on undisturbed soil.
8" 20MPa poured concrete:
Foundation wall up to 9'-0" high - Max. 7'-6" backfill.

Sonotube on Rock:
Where "Sonotube" bears on rock, incorporate 15M reinforcement bar drilled min. 6" into rock and epoxied into place. To the satisfaction of the Building Inspector.

Underside of footing

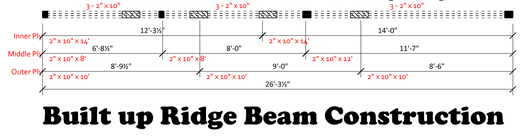


Section A-A - 1/4" = 1'-0"

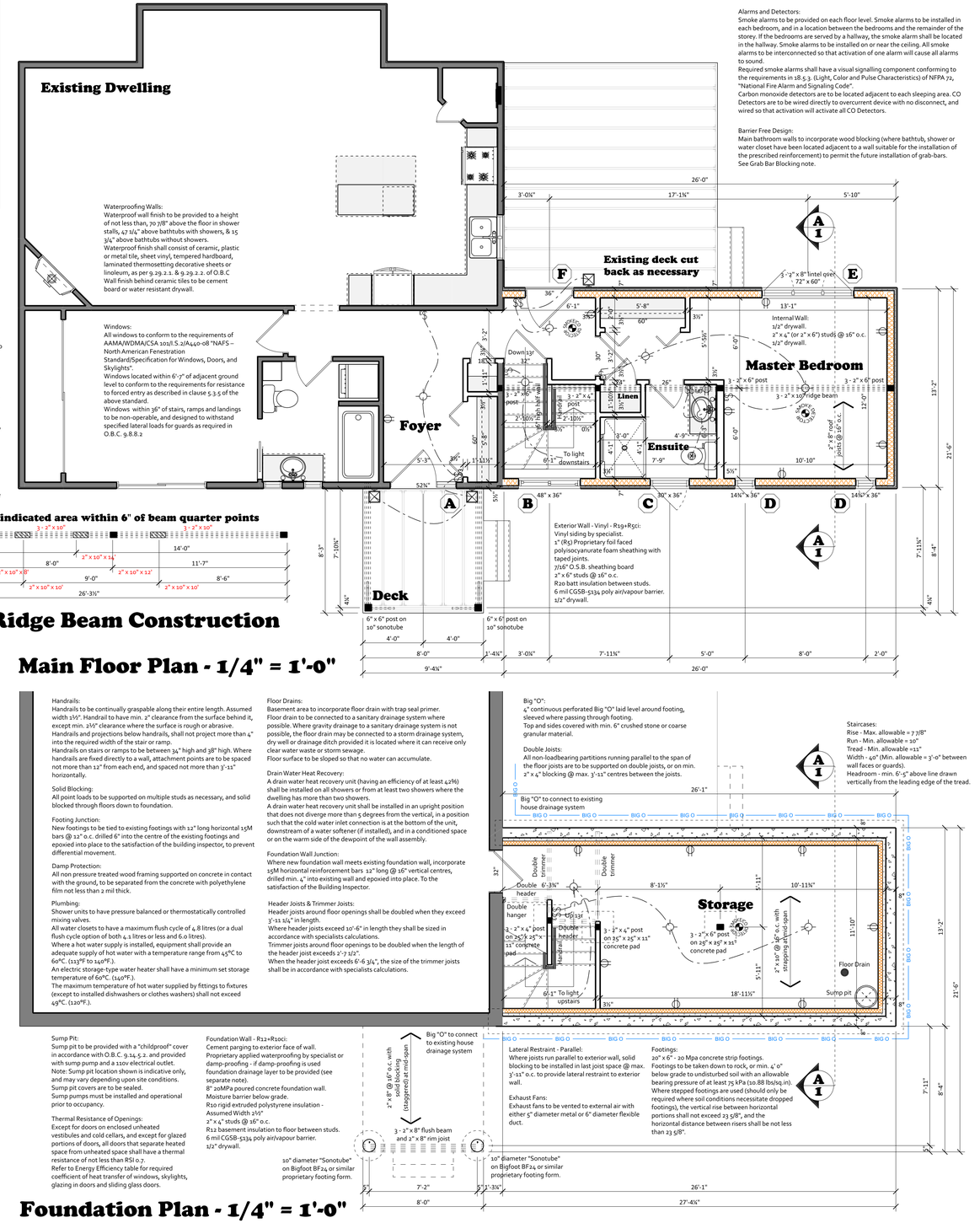
Sonotubes:
"Sonotube" on Bigfoot or similar proprietary footing forms (See plans for sizes), min. 4'-0" below adjacent grade. "Sonotube" to be min. 6" above grade.
Sonotubes adjacent to house to be taken down to level of existing footing or not any higher than a 45° line from the front of any existing footing. To be determined on site.

Basement Floor Slab:
4" 25 Mpa concrete basement floor slab.
6 mil CGSB-51.34 poly air/vapour barrier with joints lapped not less than 12", to be installed under concrete floor slab.
Min. 4" coarse clean granular fill beneath basement floor slab.

Stone:
Min 4" of coarse clean granular material containing not more than 10% of material that will pass a 4 mm sieve shall be placed beneath floors-on-ground.



Built up Ridge Beam Construction



Main Floor Plan - 1/4" = 1'-0"

Handrails:
Handrails to be continually graspable along their entire length. Assumed width 1½". Handrail to have min. 2" clearance from the surface behind it, except min. 2½" clearance where the surface is rough or abrasive.
Handrails and projections below handrails, shall not project more than 4" into the required width of the stair or ramp.
Handrails on stairs or ramps to be between 34" high and 38" high. Where handrails are fixed directly to a wall, attachment points are to be spaced not more than 12" from each end, and spaced not more than 3'-11" horizontally.

Solid Blocking:
All point loads to be supported on multiple studs as necessary, and solid blocked through floors down to foundation.

Footing Junction:
New footings to be tied to existing footings with 12" long horizontal 15M bars @ 12" o.c. drilled 6" into the centre of the existing footings and epoxied into place to the satisfaction of the building inspector, to prevent differential movement.

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

Plumbing:
Shower units to have pressure balanced or thermostatically controlled mixing valves.
All water closets to have a maximum flush cycle of 4.8 litres (or a dual flush cycle option of both 4.1 litres or less and 6.0 litres).
Where a hot water supply is installed, equipment shall provide an adequate supply of hot water with a temperature range from 45°C to 60°C. (113°F to 140°F.).
An electric storage-type water heater shall have a minimum set storage temperature of 60°C. (140°F.).
The maximum temperature of hot water supplied by fittings to fixtures (except to installed dishwashers or clothes washers) shall not exceed 49°C. (120°F.).

Floor Drains:
Basement area to incorporate floor drain with trap seal primer.
Floor drain to be connected to a sanitary drainage system where possible. Where gravity drainage to a sanitary drainage system is not possible, the floor drain may be connected to a storm drainage system, dry well or drainage ditch provided it is located where it can receive only clear water waste or storm sewage.
Floor surface to be sloped so that no water can accumulate.

Drain Water Heat Recovery:
A drain water heat recovery unit (having an efficiency of at least 42%) shall be installed on all showers or from at least two showers where the dwelling has more than two showers.
A drain water heat recovery unit shall be installed in an upright position that does not diverge more than 5 degrees from the vertical, in a position such that the cold water inlet connection is at the bottom of the unit, downstream of a water softener (if installed), and in a conditioned space or on the warm side of the dewpoint of the wall assembly.

Foundation Wall Junction:
Where new foundation wall meets existing foundation wall, incorporate 15M horizontal reinforcement bars 12" long @ 16" vertical centres, drilled min. 4" into existing wall and epoxied into place. To the satisfaction of the Building Inspector.

Header Joists & Trimmer Joists:
Header joists around floor openings shall be doubled when they exceed 3'-11 1/4" in length.
Where header joists exceed 10'-6" in length they shall be sized in accordance with specialists calculations.
Trimmer joists around floor openings to be doubled when the length of the header joist exceeds 2'-7 1/2".
When the header joist exceeds 6'-6 3/4", the size of the trimmer joists shall be in accordance with specialists calculations.

Big "O":
4" continuous perforated Big "O" laid level around footing, sleeved where passing through footing.
Top and sides covered with min. 6" crushed stone or coarse granular material.

Double Joists:
All non-loadbearing partitions running parallel to the span of the floor joists are to be supported on double joists, or on min. 2" x 4" blocking @ max. 3'-11" centres between the joists.

Big "O" to connect to existing house drainage system

Staircases:
Rise - Max. allowable = 7 7/8"
Run - Min. allowable = 10"
Tread - Min. allowable =11"
Width - 40" (Min. allowable = 3'-0" between wall faces or guards).
Headroom - min. 6'-4" above line drawn vertically from the leading edge of the tread.

Sump Pit:
Sump pit to be provided with a "childproof" cover in accordance with O.B.C. 9.14.5.2. and provided with sump pump and a 110v electrical outlet.
Note: Sump pit location shown is indicative only, and may vary depending upon site conditions.
Sump pit covers are to be sealed.
Sump pumps must be installed and operational prior to occupancy.

Thermal Resistance of Openings:
Except for doors on enclosed unheated vestibules and cold cellars, and except for glazed portions of doors, all doors that separate heated space from unheated space shall have a thermal resistance of not less than RSI 0.7.
Refer to Energy Efficiency table for required coefficient of heat transfer of windows, skylights, glazing in doors and sliding glass doors.

Foundation Wall - R12+R10ci:
Cement parging to exterior face of wall.
Proprietary applied waterproofing by specialist or damp-proofing - if damp-proofing is used foundation drainage layer to be provided (see separate note).
8" 20MPa poured concrete foundation wall.
Moisture barrier below grade.
R10 rigid extruded polystyrene insulation - Assumed Width 2½"
2" x 4" studs @ 16" o.c.
R12 basement insulation to floor between studs.
6 mil CGSB-51.34 poly air/vapour barrier.
1/2" drywall.

10" diameter "Sonotube" on Bigfoot BF24 or similar proprietary footing form.

Lateral Restraint - Parallel:
Where joists run parallel to exterior wall, solid blocking to be installed in last joist space @ max. 3'-11" o.c. to provide lateral restraint to exterior wall.

Exhaust Fans:
Exhaust fans to be vented to external air with either 5" diameter metal or 6" diameter flexible duct.

Footings:
20" x 6" - 20 Mpa concrete strip footings.
Footings to be taken down to rock, or min. 4'-0" below grade to undisturbed soil with an allowable bearing pressure of at least 75 kPa (10.88 lbs/sq.in). Where stepped footings are used (should only be required where soil conditions necessitate dropped footings), the vertical rise between horizontal portions shall not exceed 23 5/8", and the horizontal distance between risers shall be not less than 23 5/8".

Foundation Plan - 1/4" = 1'-0"

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

"These plans form the basis for permit issuance and any deviation from these plans and details; including the ventilation system, heating system, woodstoves, fireplaces, decks, balconies and finished basements, will require a revised drawing and clearance by the building inspection department".
The mechanical and electrical layout is only schematic. If items in plan cannot be placed exactly as shown, inform the Designer prior to installation.
All mechanical, electrical and plumbing shall conform to the O.B.C. and all applicable codes.

Engineered Details:
In the event that any engineered details are required, in addition of these drawings, it will be the responsibility of the home owner or contractor to provide.

If this stamp is not in red then these drawings have been duplicated unlawfully. Any other colour indicates infringement of copyright laws. Plans are provided for the sole purpose of application for a building permit.

I REVIEW AND TAKE RESPONSIBILITY FOR THE DESIGN WORK ON BEHALF OF A FIRM REGISTERED UNDER SUBSECTION 3.2.4 OF DIVISION C OF THE BUILDING CODE
Keith Almond
#18913
PROVINCE OF ONTARIO
REGISTRATION INFORMATION
QUALIFICATION INFORMATION

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

Proposed Addition
3968 Hideaway Lane
Battersea
K0H 1H0
For: Andy & Cathy Knott

AREA 342 ft²

DESIGNER	SCALE	DATE	DRAWING TITLE	DRAWING #
Keith Almond	As Noted	December 17, 2024	Plans	1 of 1

April 8, 2025 File: MV/FRS/64/2025

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 PL-ZNA- 2025-0033
3968 Hideaway Lane; Lot 3, Plan 1588, Dog Lake
Storrington District, Township of South Frontenac
Waterbody: Dog Lake

Cataraqui Conservation staff have reviewed the above-noted application for permission and provide the following comments for the Committee of Adjustment's consideration based on our role as commenting agency responsible for natural hazards on *Planning Act* applications, and as administrator of Ontario Regulation 41/24: *Prohibited Activities, Exemptions and Permits*.

Proposal

The proposed development involves the construction of a 32 sq. m (343 sq. ft.) addition to the southern side of the dwelling. The existing septic system and accessory structures are proposed to remain.

Site Description

The subject lands are located along the western shore of Dog Lake. Access to the property is provided by Hideaway Lane at the rear of the property. The lands are developed with an existing dwelling with an attached deck, associated septic system, garage and two sheds. The existing dwelling is setback approximately 14.3 m (47 ft.) from the shoreline. The subject lands are relatively flat and slope gradually towards the shoreline.

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 Dog Lake.

Natural Hazards / Ontario Regulation 41/24

Flooding: The regulatory (1:100 year) floodplain of Dog Lake is defined as the highest recorded water level of the lake (98.95 m GSC). Cataraqui Conservation's Guidelines for Implementing Ontario Regulation 41/24 require that all new development be set back a minimum of 6 m from the regulatory floodplain of a waterbody.

Based on our review of elevation mapping, the existing dwelling and deck are set back over 6 m from the floodplain and the proposed addition will be set back over 15 m from the floodplain. As the existing development and proposed addition meet or exceed the minimum 6 m setback, Cataraqui Conservation has no concerns from a flooding perspective.

Erosion: Cataraqui Conservation directs development away from lands subject to long term erosion hazards and defines the extent of potential erosion hazards for bedrock shorelines to be a stable slope allowance of 1(h):1(h) plus an allowance for toe erosion and an additional 6 m allowance to account for safe access. The proposed addition is setback approximately 23 m (76.5 ft.) from the top of bank and as such, staff are satisfied with the proposal from an erosion hazard perspective.

To ensure long-term erosion avoidance and slope stability, staff recommend the maintenance and enhancement of a healthy buffer of native vegetation between buildings/structures and the water, to help stabilize soils into the long-term. Runoff from buildings and structures and other hardened surfaces should also be directed away from the shoreline to a naturally vegetated location where infiltration can occur.

Recommendation

Cataraqui Conservation staff have no objection to the approval of application PLZNA 2025-0033 based on our consideration for natural hazard and regulatory policies.

Staff recommend implementation of the above-noted best practice measures (in bold text) and advise the applicant that if the proposed development is approved, Cataraqui Conservation permit approval will be required.

Ontario Regulation 41/24

Please note that portions of the subject lands within 15 m of the regulatory floodplain are subject to Ontario Regulation 148/06: *Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses*, which is administered by the Cataraqui Conservation. 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. **If approved, the proposed addition and associated site alteration will require Cataraqui Conservation permit approval. The landowner(s) should contact Cataraqui Conservation's office at the building permit stage for more information regarding permitting requirements under O. Reg. 41/24.**

Please inform this office of any decision made by the Committee with regard to these applications. If you have any questions, please contact the undersigned at 613-546-4228 ext. 239, or by e-mail at estucke@crca.ca

Sincerely,

Emma Stucke

Emma Stucke, MCIP, RPP
Resource Planner

Cc: property owner, via email

Township of South Frontenac

Staff Report

To: **Committee of Adjustment**

From: **Development Services Department**

Date of Meeting: **April 10, 2025**

Subject: **Permission Application (S. 45(2) of Planning Act)**
PL-ZNA-2025-0033, Knott, 3968 Hideaway 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

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.

Related Applications

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

Property Description

The subject property is 0.86Ac (~3480sqm) in area with frontage on Dog Lake and Hideaway Lane. Existing development consists of a dwelling, a detached garage and two detached storage structures. The dwelling has an attached deck wrapping around it southern and eastern (waterfront) facing sides. There is also a small, attached entrance deck on the western facing (non-waterfront) of the dwelling. There is mature tree and vegetation growth scattered across the property's extent, including along the shoreline area. There is a gradual downward slope extending from the entrance into the property to the location of the existing dwelling, adjacent to the shoreline area. The shoreline area, including the existing building envelope, it relatively flat. The surrounding area consists of residential development.

Proposal

The subject property is presently developed with a 90.2sqm (970sqft) dwelling with ~51.4sqm (553sqft) attached deck. The existing dwelling is one-storey with a building height of approximately 4m (13ft). The applicant is proposing to construct a 32sqm (343sqft) one-storey addition along the south facing wall. The proposal would facilitate an increase in gross floor area to approximately 122sqm (1313sqft) and building height to approximately 14ft (4.3m). The proposed addition would be setback approximately 23m from the highwater mark of Dog Lake. To accommodate the proposed addition, a small portion of the attached deck along the south facing wall will need to be removed.

The applicants also propose to construct a 66sqft (~6.2sqm) covered entrance deck on the western facing (non-waterfront) side of the dwelling to align with the new entrance. The new covered entrance deck would be setback approximately 27m from the highwater mark of Dog Lake.

Department and Agency Comments

Rideau Waterway Development Review Team comments were not received at the time of writing this report. RWDRT comments will be shared with the Committee at the public meeting.

Building Services did not conduct a formal review of the application. A performance level review of the existing sewage system has already been undertaken. The review concluded that the proposal would not reduce the performance level of the existing sewage system.

Public Services were not circulated the application due to the subject property not having frontage on a public road.

Public Comments

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

Planning Analysis

The Township Official Plan Schedule designates the subject property as Rural and the property is zoned RLSW by Zoning By-law 2003-75. The dwelling is a permitted use.

Section 5.10.2 of the Zoning By-law states that existing buildings with less than the minimum 30m setback from the highwater mark of waterbody may be repaired, renovated, or strengthened to a safe condition provided there is no enlargement of the gross floor area or increase in height. This provision prohibits the enlargement of these existing buildings, without seeking permission from the Committee of Adjustment. The Zoning By-law considers the existing seasonal dwelling as a legal non-conforming building because it was constructed prior to the current Zoning By-law and is setback 16.5m from the highwater mark of Dog Lake.

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

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

The existing dwelling is presently setback approximately 16.5m (55ft) from the highwater mark of Dog Lake, with the attached deck being setback approximately 14.3m (47ft). The proposed addition would be setback approximately 23m (76ft) from the highwater mark of Dog Lake, with the covered entrance deck being setback approximately 27m (89ft). As such, the proposal would not facilitate further encroachment towards the lake.

The proposal would facilitate an increase in gross floor area from approximately 90.2sqm (970sqft) to 122sqm (1313sqft). The proposed addition would also increase the footprint of all building and attached structures from approximately 147sqm to 185sqm, a lot coverage increase of roughly 1%. The proposed addition would also be slightly taller than the existing dwelling, increasing overall building height from 4m (13ft) to 4.5m (14ft).

The proposal would ultimately contribute additional living space to the existing dwelling. The proximity of the existing dwelling to the lot line to the north and the septic system to the west limits where the addition could be located. Additionally, the proposed area is presently maintained as a lawn and wouldn't require excessive tree clearance to accommodate construction. It is the opinion of Planning Staff, that the application is desirable for the appropriate development of the subject property.

The proposed enlarged dwelling is not anticipated to result in any negative or intrusive impacts on surrounding properties or the lake. Any potential intrusion would be mitigated by existing tree coverage along the shoreline. It is the opinion of Planning Staff, that the application is unlikely to result in undue adverse impacts on surrounding properties of the neighbourhood.

Planning Staff recommend that a development agreement be registered on the title of the subject property as a condition of approval. The development agreement will address matters related to erosion control, runoff management and the maintenance of a healthy shoreline buffer. This will ensure that appropriate shoreline development practices are being implemented to not impact the environment quality of Dog Lake.

Conclusion

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

Notice/Consultation

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

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

Recommendation

It is recommended that the Committee of Adjustment receive comments from the public and, pending comments received, **approve** application PL-ZNA-2025-0033 for 3968 Hideaway Lane, subject to the following conditions.

1. The dwelling may be enlarged by an addition with a maximum area of 32sqm (343sqft), and a maximum building height of 4.5m (14ft). The addition shall be located approximately 23m from the highwater mark of Dog Lake. Permission is also granted for a 6.2sqm (66sqft) covered entrance deck to be attached to the west (non-waterfront) side of the dwelling. The proposal must be generally consistent with the submitted plot plan and building plans submitted by the applicant that will be attached to this decision as Schedule “A”.

1. 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 Dog Lake and discharged to natural or constructed leaching pits/areas to maximize infiltration or onto coarse rock rubble splash pads to reduce the velocity of runoff.

    c. A natural vegetated buffer must be maintained in its natural state within 30 metres of Dog Lake, except in the immediate area of the building envelope.

2. A building permit is required for ALL proposed demolition and construction on the property. There shall be no additional development on the property without the approval from the Township of South Frontenac.

Report Prepared By:

Noah Perron, Planner

Report Reviewed By:

Christine Woods RPP, MCIP, Manager of Planning

Township of South Frontenac

Staff Report

To: **Committee of Adjustment**

From: **Kate Kaestner, Planning Clerk**

Report Date: **April 10, 2025**

Subject: **Decisions on Delegated Consents, March to April 2025**

Summary

This report summarizes the Consent applications that have been approved by Brad Wright, Director of Development Services, between March 14, 2025 and April 10, 2025.

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 undisputed consents and have received provisional consent approval.

Discussion

a) PL-BDJ-2024-0115 – Storrington District

Approved on March 18, 2025

The application is for the creation of one new rural residential lot from property at 6231 Battersea Road. The severed parcel will be 3.7 acres in area with 76 metres frontage on Battersea Road. The retained parcel will be 107 acres in area with 109 metres frontage. The retained lands are developed with a house, a garage, a barn and several small sheds.

b) PL-BDJ-2025-0008 – Storrington District

Approved on March 20, 2025.

The application is for a 1-acre rural residential lot addition to be conveyed from 4996 Battersea Road to 4958 Battersea Road.

c) PL-BDJ-2024-0135 – Portland District

Approved on March 20, 2025.

The application is for one rural residential lot addition from unaddressed lands on Hinchinbrooke Road. The lot addition will be 16 acres in area and will be conveyed to 5995 Hinchinbrooke Road. The retained lands will be approximately 30 acres in area with 504 metres frontage.

Appendix A – Mapping of application(s)

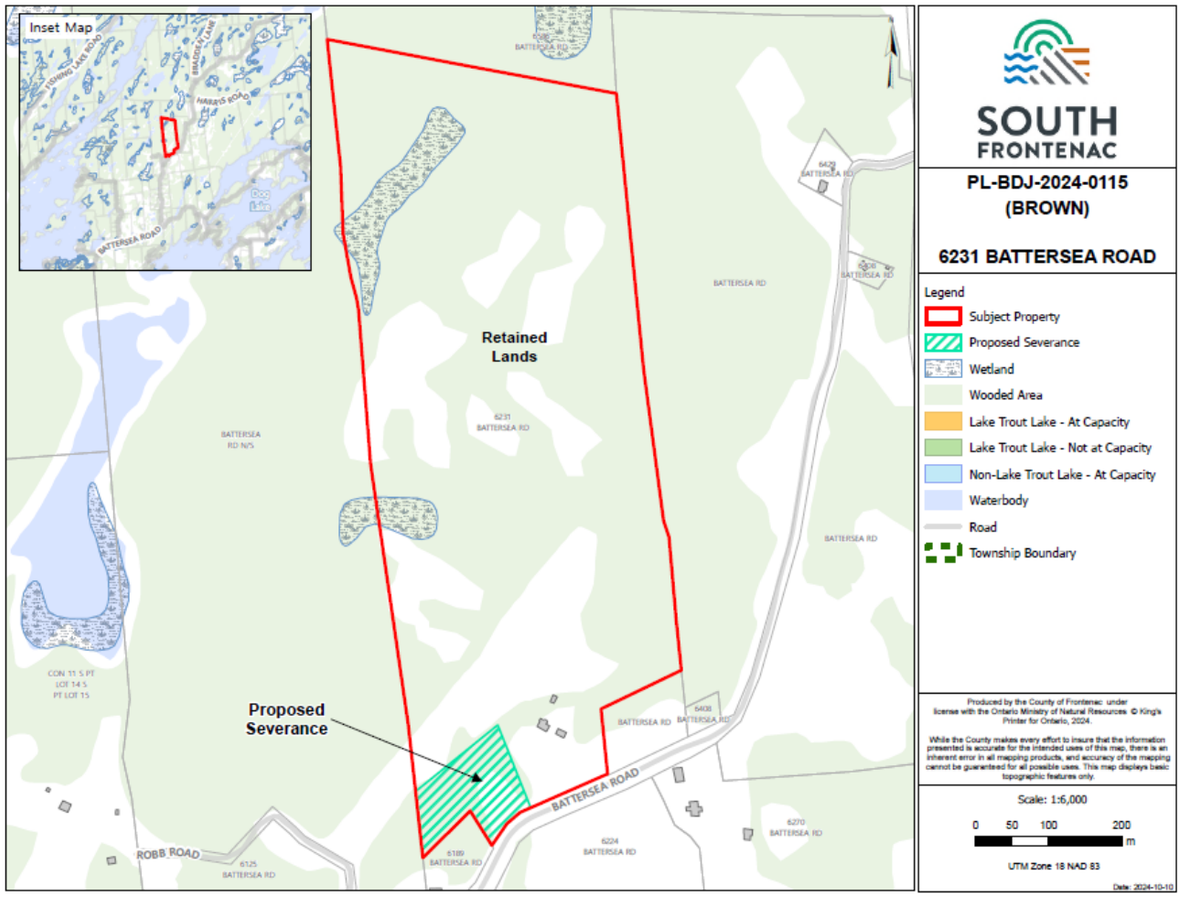
Report Prepared By:

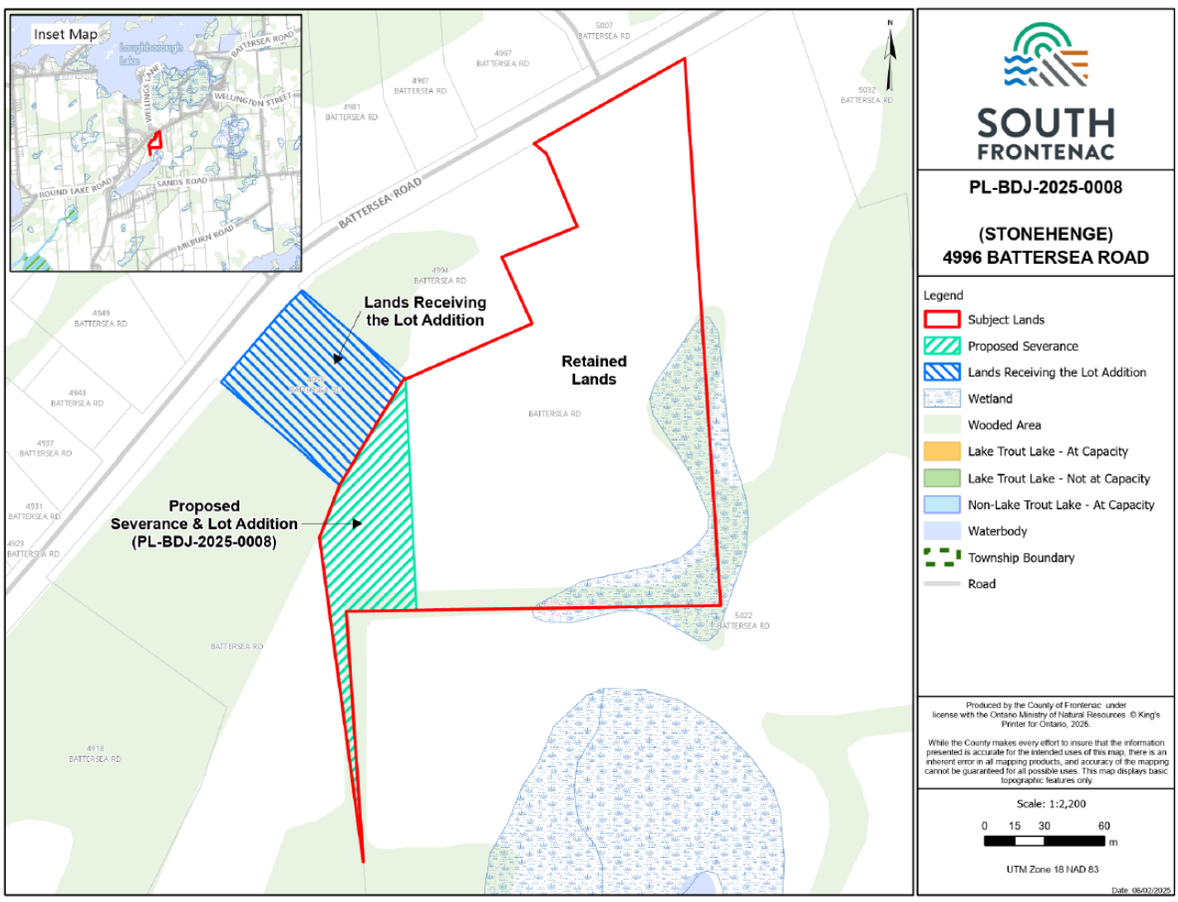
Kate Kaestner, Planning Clerk

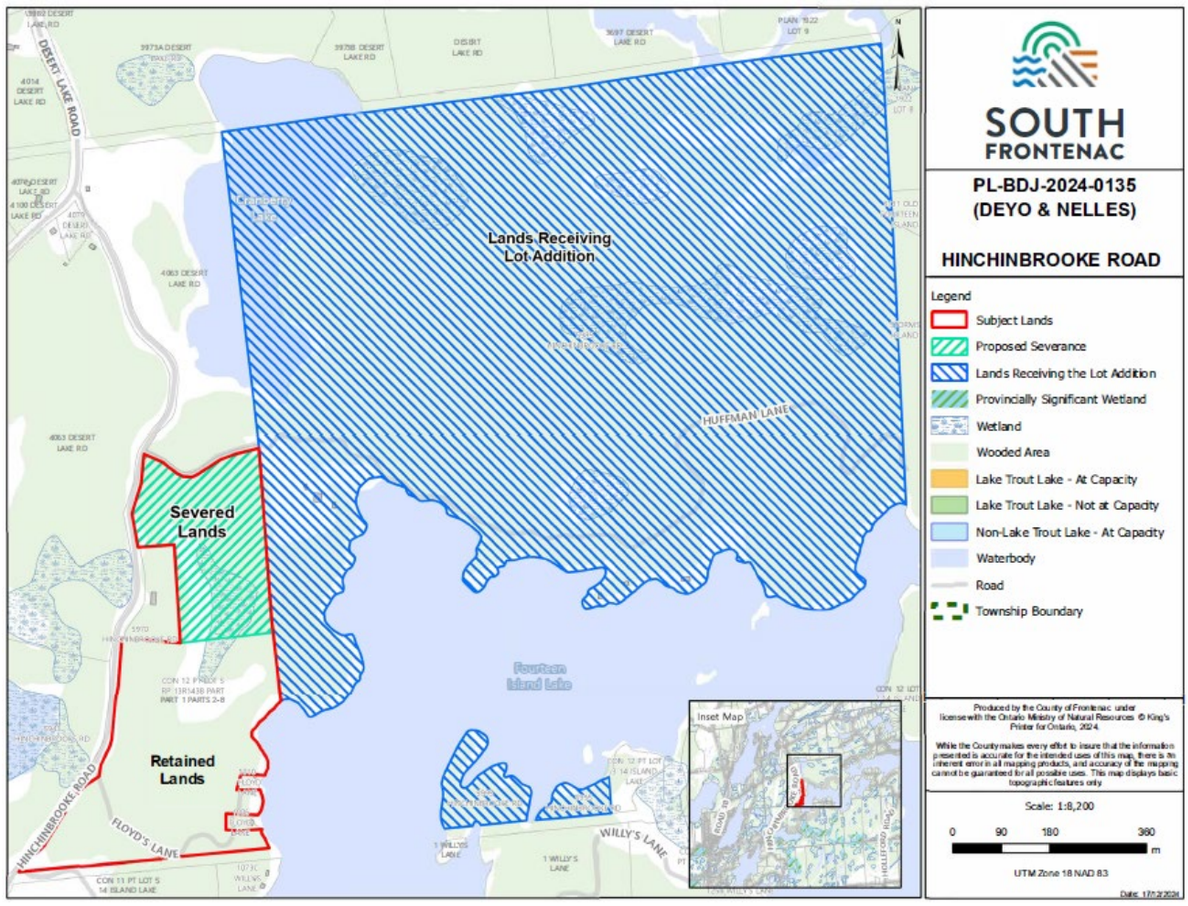
Report Approved By:

Christine Woods, Manager of Planning

APPENDIX A


Inset Map
Retained Lands
Proposed Severance
BATTERSEA ROAD
ROBB ROAD
SOUTH FRONTENAC
PL-BDJ-2024-0115
(BROWN)
6231 BATTERSEA ROAD
Legend
Subject Property
Proposed Severance
Wetland
Wooded Area
Lake Trout Lake - At Capacity
Lake Trout Lake - Not at Capacity
Non-Lake Trout Lake - At Capacity
Waterbody
Road
Township Boundary
Scale: 1:6,000
0 50 100 200
m
UTM Zone 18 NAD 83


Inset Map
Lands Receiving the Lot Addition
Retained Lands
Proposed Severance & Lot Addition (PL-BDJ-2025-0008)
BATTERSEA ROAD
SOUTH FRONTENAC
PL-BDJ-2025-0008
(STONEHENGE)
4996 BATTERSEA ROAD
Legend
Subject Lands
Proposed Severance
Lands Receiving the Lot Addition
Wetland
Wooded Area
Lake Trout Lake - At Capacity
Lake Trout Lake - Not at Capacity
Non-Lake Trout Lake - At Capacity
Waterbody
Township Boundary
Road
Scale: 1:2,200
0 15 30 60
m
UTM Zone 18 NAD 83


Lands Receiving Lot Addition
Severed Lands
Retained Lands
HUFFMAN LANE
HINCHINBROOKE ROAD
FLOYD'S LANE
WILLY'S LANE
DESERT LAKE ROAD
Fourteen Island Lake
Inset Map
SOUTH FRONTENAC
PL-BDJ-2024-0135
(DEYO & NELLES)
HINCHINBROOKE ROAD
Legend
Subject Lands
Proposed Severance
Lands Receiving the Lot Addition
Provincially Significant Wetland
Wetland
Wooded Area
Lake Trout Lake - At Capacity
Lake Trout Lake - Not at Capacity
Non-Lake Trout Lake - At Capacity
Waterbody
Road
Township Boundary
Scale: 1:8,200
0 90 180 360
m
UTM Zone 18 NAD 83