

**TOWNSHIP OF SOUTH FRONTENAC
COMMITTEE OF ADJUSTMENT**



**MINUTES 16:05
June 9, 2016**

LOCATION: South Frontenac Municipal Offices, Sydenham

IN ATTENDANCE: Ken Gee (Storrington District)
Ron Sleeth (Storrington District-C)
Alan Reville (Bedford District-C)
David Hahn (Bedford District)
Larry Redden (Portland District)
John McDougall (Portland District-C)
Mark Schjerning (Loughborough District-C)
John Sherbino (Loughborough District)

STAFF: Lindsay Mills – Secretary-Treasurer/Planner
Jennie Kapusta – Deputy Secretary Treasurer

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Item # 1: Call to Order

RESOLUTION: C of A: 16:05:01

Moved by: M. Schjerning

Seconded by: J. Sherbino

THAT the May 12, 2016 meeting of the South Frontenac Township Committee of Adjustment is hereby called to order at 7:05 p.m. with Larry Redden in the Chair.

Carried

Item # 2: Adoption of Agenda

Approved as circulated

Item # 3: Declaration of Pecuniary Interest

None declared

Item # 4: Approval of Minutes

RESOLUTION: C of A: 16:05:02

Moved by: K. Gee

Seconded by: R. Sleeth

THAT the South Frontenac Township Committee of Adjustment hereby approves the minutes of the May 12, 2016 meeting of the Committee, as circulated.

Carried

Item # 5: MV-16-16-B (Leonard)
Speaking to the Application: None

Discussion:

The subject land consists of a 1.15 +/- acres with frontage on Bobs Lake. The lot is currently developed with a 750 square foot single-story dwelling. The proposal is for the demolition of the existing structure and the construction of an 850 square foot seasonal dwelling on the same location, located a minimum of 50 feet from the high water mark of Bobs Lake.

The by-law does not permit the construction of any structures within 30 m of the HWM for the reasons of reducing adverse effects on the environment, maintaining a natural vegetative buffer and aiding in the preservation of the rural character of the Township. The shape and topography of the existing lot and the approved location of new septic system limit the ability of the applicant to meet the required setbacks.

Rideau Valley Conservation Authority initially recommended denial of the application as submitted. However, after several conversations with the applicants, an agreement was reached with regards to specific structure location and finished size of the proposed structure. It was determined that the applicants were to meet a minimum of a 50 foot setback from water on all sides of the proposed structure and they were to work with RVCA to determine appropriate vegetative groundcover to ensure naturalisation of the waterfront.

Public health had no objections to the application as a permit to install a new septic system had already been received.

A. Revill visited the site and is in support of the application. He supports the recommendations of the RVCA.

D. Hahn is in support if the RVCA is in support.

RESOLUTION: C of A: 16:05:03

Moved by: A. Revill

Seconded by: D. Hahn

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-16-16-B by LeRoy Harry Leonard, to permit construction within the 30m setback from water, in Concession 3, Part Lot 20, Round Island Lane, District of Bedford, subject to conditions.

Carried

- Application No:** MV-16-16-B
- Owner:** LeRoy Harry Leonard
- Location of Property:** Concession 3, Part Lot 20, 112B Round Island Lane, District of Bedford, Township of South Frontenac
- Purpose of Application:** To vary Section 10.3.1 of the Comprehensive Zoning By-law to permit construction within 30m of the HWM
- Date of Hearing:** June 9, 2016
- Date of Decision:** June 9, 2016

DECISION: VARIANCE APPROVED, subject to conditions

CONDITIONS:

- 1. This minor variance is for the demolition of the existing 750 square foot structure and the construction of an 850 square foot seasonal dwelling to be located a minimum of 50 feet from the high water mark of Bobs Lake.**
- 2. No other construction shall be permitted within the 30m setback from the high water mark of Bobs Lake.**
- 3. Minor variance MV-16-16-B is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.**
- 4. A building permit is required for all demolition and construction on the property. There shall be no additional development, or demolition of existing structures, on the property without approval from the Township of South Frontenac.**

5. The applicant shall enter into a site plan agreement with the Township to be registered on title, which sets out the Township's environmental and limited service policies, and which specifies that a permit may be required from the Rideau Valley Conservation Authority for the proposed development, and for any shoreline or in-water works.

Item # 6: S-19-16-P (Rines)

Speaking to the Application: None

Discussion:

This application was originally brought to the May, 2016 meeting. It was deferred at the request of the applicant, in order to evaluate alternative options.

The subject lands consist of 27.1 +/- hectares with frontage on Mary Moore Road. The land is currently developed with a single detached dwelling. The application is for the creation of a 380m long right-of-way from Mary Moore Road to access a 160 hectare undeveloped parcel of land. While the undeveloped parcel does have road frontage on Mary Moore Road along the northwest corner, the topography of the land, including several bodies of water, make it challenging to access from this road frontage. Currently both the parcel of land over which the right-of-way will cross and that which it will access are owned by the same family. The proposed location/route for the right-of-way has been used for this purpose for a number of years.

Quinte Conservation has no objections to the proposal as submitted. They have indicated that the applicant will need a permit prior to any construction along the proposed right-of-way.

RESOLUTION: C of A: 16:05:04

Moved by: D. Hahn

Seconded by: J. McDougall

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-19-16-P by Scott Rines, to create a right-of-way, in Concession 14, Part Lot 25/26, Mary Moore Road, District of Portland, subject to conditions.

Carried

Application No: S-19-16-P
Owner: Scott Rines
Location of Property: Concession 14, Pt. Lot 25/26, Mary Moore Road, District of Portland, Township of South Frontenac
Purpose of Application: Creation of a right-of-way
Date of Hearing: May 12, 2016
Date of Decision: June 9, 2016

DECISION: PROVISIONAL CONSENT BE GRANTED, subject to conditions

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands in duplicate [*Registry Act*, s.81, *Land Titles Act*, s. 150], and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year [*Planning Act*, s. 53(41)] after the "Notice of Decision" is given [*Planning Act*, ss. 53(17) and 53(24)].
2. The land to be severed by Consent Application S-19-16-P shall be for a 380m long right-of-way, surveyed to a minimum width of 20m as per the Township of South Frontenac lane standards.
3. 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 stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.

5. The Township of South Frontenac shall receive \$100 in lieu of parkland [Planning Act, s. 51(1)].
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
 - a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled 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 stamping of the deeds;
 - c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name 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 stamping of Deeds.
7. The right-of-way shall be surveyed and constructed according to the Township's standards for new private lanes. The right-of-way access shall be recognized on the deed of the lot to be accessed and the property over which it passes.

Item # 7: S-23-16-L (Ilan)

Speaking to the Application: Brian Ilan

Discussion:

The subject lands consist of 22 +/- acres with frontage on Wilmer Road and Ritchie Road. The land is currently developed with one single detached dwelling. The application is for the creation of a 11.6+/- acre lot with a minimum 666 metres of frontage along Wilmer Road only, and a depth of 112 metres. Neither public health nor the roads department have any objections. Comments were not required from conservation.

RESOLUTION: C of A: 16:05:05

Moved by: J. Sherbino

Seconded by: M. Schjerning

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-23-16-L by Wesley Ilan, to create a new lot, in Concession 8, Part Lot 16, Wilmer Road, District of Loughborough, subject to conditions.

Carried

Application No: S-23-16-L
Owner: B. Wesley Ilan
Location of Property: Concession 8, Pt. Lot 16, 5492 Wilmer Road, District of Loughborough, Township of South Frontenac
Purpose of Application: Creation of a new lot
Date of Hearing: June 9, 2016
Date of Decision: June 9, 2016

DECISION: PROVISIONAL CONSENT BE GRANTED, subject to conditions

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands in duplicate [*Registry Act*, s.81, *Land Titles Act*, s. 150], and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year [*Planning Act*, s. 53(41)] after the "Notice of Decision" is given [*Planning Act*, ss. 53(17) and 53(24)].
2. The land to be severed by Consent Application S-23-16-L shall be for a 11.6 +/- acre lot with a minimum of 666 metres frontage on Wilmer Road.
3. 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 stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive 5% of the value of the severed parcel in lieu of parkland [*Planning Act*, s. 51(1)].
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
 - f. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - g. 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 stamping of the deeds;
 - h. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name 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.
 - i. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
 - j. 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 stamping of Deeds.

Item # 8: S-22-16-B (Robinson)

Speaking to the Application: Patrick Severin

Discussion:

The subject lands consist of 35.3 +/- hectares with frontage on Old Thirteen Island Lake Road. The land is currently developed with two (2) single detached dwellings and multiple agricultural outbuildings. The application is for the creation of a 17.3 +/- hectare lot with a minimum 295m of frontage along Old Thirteen Island Lake Road and a minimum 285m of frontage along Cranberry Lake. The proposed lot will include the existing southern dwelling and the retained parcel will include the existing northern dwelling and associated agricultural buildings.

Comments were not required from conservation, public health or roads.

RESOLUTION: C of A: 16:05:06

Moved by: D. Hahn

Seconded by: A. Revill

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-22-16-B by William and Denise Robinson, to create a new lot, in Concession 1, Part Lot 3, Old Thirteen Island Lake Road, District of Bedford, subject to conditions.

Carried

Application No: S-22-16-B
Owner: William Robinson & Denise Robinson
Location of Property: Concession 1, Pt. Lot 3, Old Thirteen Island Lake Road, District of Bedford, Township of South Frontenac
Purpose of Application: Creation of a new lot
Date of Hearing: June 9, 2016
Date of Decision: June 9, 2016

DECISION: PROVISIONAL CONSENT BE GRANTED, subject to conditions

CONDITIONS

1. An acceptable reference plan or legal description of the severed lands in duplicate [*Registry Act*, s.81, *Land Titles Act*, s. 150], and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year [*Planning Act*, s. 53(41)] after the "Notice of Decision" is given [*Planning Act*, ss. 53(17) and 53(24)].
2. The land to be severed by Consent Application S-22-16-B shall be for a 17.3 +/- hectare lot with a minimum of 295m frontage on Old Thirteen Island Lake Road.
3. 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 stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive 5% of the value of the severed parcel in lieu of parkland [*Planning Act*, s. 51(1)].
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
 - k. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - l. 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 stamping of the deeds;
 - m. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name 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.
 - n. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
 - o. 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 stamping of Deeds.

Item # 9: MV-20-16-B (Kane)

Speaking to the Application: Joe Bilow, Norm Kane

Discussion:

The subject land consists of a 3.2 +/- acres with frontage on Potspoon Lake. Potspoon Lake is a highly sensitive lake trout lake. The lot is currently developed with a single detached dwelling. The proposal is for the construction of a swimming pool to be located a minimum of 35 feet from the high water mark of Postspoon Lake.

The by-law does not permit the construction of any structures within 30 m of the HWM for the reasons of reducing adverse effects on the environment, maintaining a natural vegetative buffer and aiding in the preservation of the rural character of the Township.

Quinte Conservation Authority had no objections to the application as submitted.

Comments were not required from public health.

Planner L. Mills was unable to visit the site but wanted the proposed pool to be located farther from the HWM if at all possible. At 35 feet he was unable to support the proposal.

A. Revill questioned the size of the proposed pool. It was determined to be approximately 670 square feet.

D. Hahn agreed that 35 feet was too close to the HWM, and wanted to verify the setback distance.

N. Kane said that the actual distance to the HWM was more than 35 feet but he had measured from where Quinte Conservation told him to. He stated the actual distance was closer to 65 feet, as well as being separated by a significant elevation from the height of the water.

There were some discussions regarding the filling and draining of the pool and where the water runoff from this would go and how that could affect the lake.

M. Schjering stated it appeared there was sufficient space to not infringe on the 30m setback. N. Kane and J. Bilow responded that given the slope of the front yard and bylaws prohibiting structures in front of the house this was not possible.

RESOLUTION: C of A: 16:05:07

Moved by: D. Hahn

Seconded by: J. McDougall

THAT the South Frontenac Township Committee of Adjustment hereby DEFERS minor variance application MV-20-16-B by Norm & Donna Kane, to permit construction within the 30m setback from water, in Concession 4, Part Lot 12, Westport Road, District of Bedford, until actual setback could be verified.

Carried

Item # 10: MV-21-16-S (deWolde)

Speaking to the Application: Mark deWolde

Discussion:

The subject land consists of 1.0 +/- acres with frontage on Northshore Road and Loughborough Lake. The lot is currently developed with a single detached dwelling. The proposal is for the construction of a swimming pool to be located a minimum of 10m from the top of a defined steep slope.

The by-law does not permit the construction of any structures within 15 m from the top of any embankment, for the purpose of reducing adverse effects on the environment and ensuring the stability of the slope and proposed structure.

Cataraqui Region Conservation Authority has no objections as the proposal is outside their regulated area.

The applicants were instructed to complete a slope stability study but have yet to provide the report.

RESOLUTION: C of A: 16:05:08

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby DEFERS minor variance application MV-13-16-S by Rick Smith, to permit construction within the 15m setback

from top of bank, in Concession 6, Part Lot 21, North Shore Drive, District of Storrington, subject to the receipt of a slope stability study.

Carried

Item # 11: MV-19-16-P (Callaghan)

Speaking to the Application: Maximillian Callaghan

Discussion:

The subject land consists of a 3.5 +/- acres with frontage on Hambly Lake. The lot is currently developed with a single detached dwelling. The proposal is for the construction of an accessory building to be located a minimum of 19m from the high-water mark of Hambly Lake. At this distance from the water the front face of the proposed structure will be in front of the front face of the existing dwelling. The by-law does not permit the construction of accessory buildings in the front yard. To meet this setback, the setback from the HWM would have to be reduced. The by-law does not permit the construction of any structures within 30 m of the HWM for the reasons of reducing adverse effects on the environment, maintaining a natural vegetative buffer and aiding in the preservation of the rural character of the Township.

Quinte Conservation had no objections to the proposal as submitted.

Comments were not required from public health.

RESOLUTION: C of A: 16:05:09

Moved by: J. McDougall

Seconded by: D. Hahn

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-19-16-P by Maximillian & Diann Callaghan, to permit construction within the 30m setback from water, in Concession 10, Part Lot 9, Valleyview Drive, District of Portland, subject to conditions.

Carried

Application No: MV-19-16-B
Owner: Maximilian and Diann Callaghan
Location of Property: Concession 10, Part Lot 9, 2059 Valleyview Drive, District of Portland, Township of South Frontenac
Purpose of Application: To vary Section 10.3.1 of the Comprehensive Zoning By-law to permit construction within 30m of the HWM
Date of Hearing: June 9, 2016
Date of Decision: June 9, 2016

DECISION: VARIANCE GRANTED, subject to conditions

CONDITIONS:

1. This minor variance is for the construction of an accessory building to be located a minimum of 19m from the high-water mark of Hambly Lake and in the front yard.
2. No other construction shall be permitted within the 30m setback from the high water mark of Crow Lake.
3. Minor variance MV-19-16-B is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.
4. A building permit is required for all demolition and construction on the property. There shall be no additional development, or demolition of existing structures, on the property without approval from the Township of South Frontenac.
5. The applicant shall enter into a site plan agreement with the Township to be registered on title, which sets out the Township's environmental and limited service policies, and which specifies that a permit may be required from the Rideau Valley Conservation Authority for the proposed development, and for any shoreline or in-water works.

Item # 12: MV-18-16-S (MacKay)

Speaking to the Application: None

Discussion:

The subject land consists of a 1.55 +/- acre lot on Dog Lake. The lot is currently developed with an unused seasonal dwelling. The proposal is for the demolition of the existing dwelling and the construction of a new dwelling and detached accessory building to be located a minimum of 15m from the high water mark of Cranberry Lake. The by-law does not permit the construction of any structures within 30 m of the HWM for the reasons of reducing adverse effects on the environment, maintaining a natural vegetative buffer and aiding in the preservation of the rural character of the Township. The lot size and shape poses limitations for meeting the setback. The proposed building will be further back from the water than the existing dwelling.

The Rideau Waterway Development Review Team has no objections to the application as submitted. Comments from Public Health have yet to be received.

K. Gee visited the site and appreciated how well mapped the site was, which made it very easy to understand the proposal; he had no objections.

R. Sleeth also visited the site and had no objections.

RESOLUTION: C of A: 16:05:10

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby DEFERS minor variance application MV-18-16-S by Derek & Kerry MacKay, to permit construction within the 30m setback from water, in Concession 10, Part Lot 24, Joes Lane, District of Storrington, subject to public health approval.

Carried

Item # 13: MV-17-16-P (Dean)

Speaking to the Application: Sharron Dean

Discussion:

The subject land consists of a 0.6 +/- acres with frontage on Crow Lake. The lot is currently developed with a single detached dwelling and several small accessory buildings. The proposal is for the demolition/removal of all the existing structures and the construction of a new 1470 square foot footprint single detached dwelling and 700 square foot footprint detached accessory building a minimum of 20m (65 feet) from the high-water mark of Crow Lake. In order to achieve this increased setback from the water, the setback from a right-of-way (private lane) is also proposed to be varied from 5m down to 2m for both proposed structures.

The by-law does not permit the construction of any structures within 30 m of the HWM for the reasons of reducing adverse effects on the environment, maintaining a natural vegetative buffer and aiding in the preservation of the rural character of the Township. This is a lot of record and in undersized compared with current minimums, as such, it is challenging to meet all required setbacks.

Public health has set conditions that waste disposal system be installed in accordance with the Ontario Building Code.

Rideau Valley Conservation Authority has no objections to the application as submitted. They have indicated some best management environmental practices to be followed during and after the proposed development. These will be addressed in the Site Plan Agreement.

D. Hahn agrees with RVCA recommendations and additionally wants to ensure removal of existing accessory structures prior to new construction.

L. Mills read two emails from interested public parties out at the meeting for the committee to hear. There had been another eight emails from the public circulated ahead of the meeting for the committee's consideration.

RESOLUTION: C of A: 16:05:11

Moved by: A. Revill

Seconded by: D. Hahn

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-17-16-B by Sharron Dean, to permit construction within the 30m setback from water, in Concession 4, Part Lot 32, Sandpit Lane, District of Bedford, subject to conditions.

Carried

Application No: MV-17-16-B

Owner: Sharon Dean
Location of Property: Concession 4, Part Lot 32, 72 Sandpit Lane, District of Bedford, Township of South Frontenac
Purpose of Application: To vary Section 10.3.1 of the Comprehensive Zoning By-law to permit construction within 30m of the HWM
Date of Hearing: June 9, 2016
Date of Decision: June 9, 2016

DECISION: **VARIANCE GRANTED, subject to conditions**

CONDITIONS:

1. This minor variance is for the demolition/removal of all the existing structures and the construction of a maximum 1470 square foot footprint single detached dwelling and maximum 700 square foot footprint detached accessory building a minimum of 20m (65 feet) from the high-water mark of Crow Lake and a minimum of 2m from the travelled portion of Sandpit Lane.
2. No other construction shall be permitted within the 30m setback from the high water mark of Crow Lake.
3. Minor variance MV-17-16-B is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.
4. A building permit is required for all demolition and construction on the property. There shall be no additional development, or demolition of existing structures, on the property without approval from the Township of South Frontenac.
5. The applicant shall enter into a site plan agreement with the Township to be registered on title, which sets out the Township’s environmental and limited service policies, and which specifies that a permit may be required from the Rideau Valley Conservation Authority for the proposed development, and for any shoreline or in-water works.

Item # 14: MV-15-16-P (Beam)

Speaking to the Application: Lloyd Lee

Discussion:

The subject land consists of a 1.09 +/- acre lot on Bobs Lake. The lot is currently developed with multiple accessory buildings but no primary dwelling. The proposal is for the construction of a 28 foot by 36 foot 1.5 storey dwelling that is a minimum of 70 feet from the high water mark of Bobs Lake. The by-law does not permit the construction of any structures within 30 m of the HWM for the reasons of reducing adverse effects on the environment, maintaining a natural vegetative buffer and aiding in the preservation of the rural character of the Township. The topographical constraints of the property make it challenging for the applicant to meet the setbacks in the by-law. The new building is proposed to be constructed on the lake side of a ridge of rock but on the downslope from the top of bank closest to the waterfront, which will aid in preventing adverse effects.

Rideau Valley Conservation Authority stated they felt the applicant should move the proposed structure farther from the water.

- L. Mills was ok with supporting the application at 70ft as it was on the downslope of the top of bank.
- A. Revill visited the site; not surprised by RVCA comments, however has no objections to the application.
- D. Hahn agrees that if 70 feet is sufficient to meet the back slope then he has no objections.

RESOLUTION: **C of A: 16:05:12**

Moved by: J. McDougall

Seconded by: D. Hahn

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-15-16-B by Harold Beam, to permit construction within the 30m setback from water, in Concession 3, Part Lot 17, Sneddon Lane, District of Bedford, subject to conditions.

Carried

Application No: MV-15-16-B

Owner: Harold W. Beam
Location of Property: Concession 3, Part Lot 17, 52 Sneddon Lane, District of Bedford, Township of South Frontenac
Purpose of Application: To vary section 10.3.1 of the Comprehensive Zoning By-law to permit development within 30 m of the HWM
Date of Hearing: June 9, 2016
Date of Decision: June 9, 2016

DECISION: **VARIANCE GRANTED, subject to conditions**

CONDITIONS:

1. The variance is for the construction of a 28 foot by 36 foot dwelling to be located a minimum of 70 feet from the high water mark of Bobs Lake.
2. No other structures shall be permitted within the 30m setback from the high water mark of Bobs Lake.
3. Minor variance MV-15-16-B is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.
4. A building permit is required for all demolition and construction on the property. There shall be no additional development, or demolition of existing structures, on the property without approval from the Township of South Frontenac.
5. The applicant shall enter into a site plan agreement with the Township to be registered on title, which sets out the Township’s environmental and limited service policies, and which specifies that a permit may be required from the Rideau Valley Conservation Authority for the proposed development, and for any shoreline or in-water works.

Item # 15: Other Business

J. Sherbino wanted to consider whether the front yard of a waterfront property should always be the water side regardless of whether or not the property is on a public road or private lane. This way we would be working towards keeping all structures farther from the lake.
 R. Sleeth noted that Council passed a resolution to approve the purchase of iPads for Committee of Adjustment public appointees, along with transitioning Committee of Adjustment agendas, reports etc. to the CivicWeb platform.

Item # 16: Adjournment

RESOLUTION: **C of A: 16:05:13**

Moved by: M. Schjerning

Seconded by: J. Sherbino

THAT the June 9, 2016 meeting of the South Frontenac Township Committee of Adjustment is hereby adjourned at 8:15 p.m. to reconvene at 7:00 p.m. on Thursday, July 14, 2016 or at the call of the Chair.

Carried

 Larry Redden
 Chair

 Lindsay Mills
 Secretary-Treasurer