

**TOWNSHIP OF SOUTH FRONTENAC
COMMITTEE OF ADJUSTMENT**



**MINUTES 16:10
November 10, 2016**

LOCATION: South Frontenac Municipal Offices, Sydenham

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

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

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Item # 1: Call to Order

RESOLUTION: C of A: 16:10:01

Moved by: M. Schjerning

Seconded by: J. Sherbino

THAT the November 10, 2016 meeting of the South Frontenac Township Committee of Adjustment is hereby called to order at 7:02 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: 16:10:02

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby approves the minutes of the October 13, 2016 meeting of the Committee, as circulated.

Carried

Item # 5: S-45-16-S, S-46-16-S (Coleman)

Speaking to the Application: None

Discussion:

This application was originally brought to the Committee in October, 2016 but was deferred pending receipt of a report from Cataraqui Region Conservation Authority.

The subject lands consist of a total of 77.3 +/- hectares with frontage on Lake Road, Kauffman Lane and Loughborough Lake. The land is currently developed with a single detached dwelling and two detached accessory buildings and a seasonal dwelling. The proposal for Lot 1 is for the creation of a 4.8 +/- hectare residential lot with 213m of frontage on Loughborough Lake and 76m of frontage along Kauffman Lane. This lot would encompass the existing dwelling and two detached accessory buildings. The proposal for Lot 2 is for a 4.0 +/- hectare lot with 91m of frontage on Loughborough Lake and frontage on both Lake Road and Kauffman Lane. While Lot 2 has frontage on Lake Road the applicant's plan is the gain access for this lot from Kauffman Lane. Lot 2 will encompass the existing seasonal dwelling.

As both proposed lots already have existing septic systems and no new entrance is needed from Lake Road, comments from Public Health and Roads were not required.

Cataraqui Region Conservation Authority does not have concerns with regards to natural hazards (flooding, erosion) and has noted that all future development must be outside the 30m setback for reasons of water quality and setback from wetlands. They are concerned that the only access to the existing structure on Lot 2 is via a footpath from Lot 1 and that there is insufficient space between the inland wetland area and Loughborough Lake to create an access from Kauffman Lane directly to the existing structure. They are recommending deferral until such space can be determined, lot lines adjusted or a right-of-way over Lot 1 can be established to accommodate this access.

Planner Lindsay Mills recommended to the Committee a joint approach of a special Waterfront Residential zone for Lot 2, coupled with a site plan agreement which would limit development, including adding fill or constructing driveways, within 30m of either the lake or the unevaluated wetland area. Additionally, providing deeded access and parking spaces on Lot 1 for Lot 2 will aid in reducing potential impact within the 30m setback while facilitating access to the existing dwelling.

RESOLUTION: C of A: 16:10:03

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-45-16-S by Ellen Hamilton, Christopher Coleman & Kristin Colwell, to create a new lot, in Concession 5, Part Lot 25/26, Kauffman Lane, District of Storrington, subject to conditions.

Carried

RESOLUTION: C of A: 16:10:04

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-46-16-S by Ellen Hamilton, Christopher Coleman & Kristin Colwell, to create a new lot, in Concession 5, Part Lot 25/26, Kauffman Lane, District of Storrington, subject to conditions.

Carried

Application No: S-45-16-S, S-46-16-S
Owner: Ellen Hamilton, Christopher Coleman & Kristin Colwell
Location of Property: Concession 5, Pt. Lot 25/26, Lake Road/Kauffman Lane, District of Storrington, Township of South Frontenac
Purpose of Application: Consent to create two new lots together with a right-of-way
Date of Hearing: October 13, 2016
Date of Decision: November 10, 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-45-16-S shall be for a 4.8 +/- hectare lot with 213m of frontage on Loughborough Lake and a minimum of 76m of frontage along Kauffman Lane.
3. The land to be severed by Consent Application S-46-16-S shall be for a 4.0 +/- hectare lot with a minimum of 91m of frontage on Loughborough Lake and frontage on both Lake Road and Kauffman Lane.
4. 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.)
5. 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.
6. The Township of South Frontenac shall receive 5% of the value of each of the severed parcels in lieu of parkland [*Planning Act*, s. 51(1)].
7. 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.

8. The right-of-way (Kauffman Lane) shall be surveyed and constructed according to the Township's standards for new private lanes. The right-of-way for the land to be severed by Consent Application S-46-16-S shall include two (2) parking spaces as defined in the Township of South Frontenac's comprehensive zoning by-law. The right-of-way access shall be recognized on the deeds of the lots to be accessed and the properties over which it passes.
9. The applicant shall rezone the parcel to be created through consent application S-45-16-S from Rural to Limited Service Residential Waterfront. Please see Planner Lindsay Mills to begin this process.

Item # 6: S-47-16-P (Fraser)

Speaking to the Application: None

Discussion:

This application was originally brought to the Committee in October, 2016 but was deferred pending receipt of a report from K.F.L.&A. Public Health.

The subject lands consist of a total of 7.2 +/- acres with frontage on Snider Road. The land is currently developed with an agricultural outbuilding. The proposal is for the creation of a 3.5 +/- acre residential lot with a minimum of 76 m of frontage on Snider Road. There is a barn located on the abutting property to the north. An MDS calculation has been completed and it was determined that there is the 2 acres required outside the area of influence on the retained parcel to allow for the creation of this lot.

The roads department has no objections to the application and is flexible on entrance location.

Public health has no objections to the proposal. They have indicated that given the limited soil cover on the lots there is a specific location on each lot that will accommodate a septic system. For the southern lot this location is at the east side of the lot (farthest section parallel to the road); for the northern lot (retained parcel) the location is the low lying area near the road & western side of the lot.

RESOLUTION: C of A: 16:10:05

Moved by: J. McDougall

Seconded by: A. Revill

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-47-16-P by Richard & Gina Fraser, to create a new lot, in Concession 14, Part Lot 16, Snider Road, District of Portland, subject to conditions.

Carried

Application No: S-47-16-P
Owner: Richard & Gina Fraser
Location of Property: Concession 14, Pt. Lot 16, Snider Road, District of Portland, Township of South Frontenac
Purpose of Application: Consent to create of a new lot
Date of Hearing: October 13, 2016
Date of Decision: November 10, 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-47-16-P shall be for a 3.5 +/- acre lot with a minimum of 76m of frontage along Snider 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:
 - 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 applicant 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 parcel severed through consent application S-47-16-P.

Item # 7: MV-30-15-L (Noreau)

Speaking to the Application: Lee Noreau

Discussion:

This application was originally brought to the Committee in December, 2015 but was deferred until further site visits and a preliminary Environmental Impact Study could be completed.

The subject land consists of a 1.5 +/- acre island in Sydenham Lake. The land is currently vacant. The proposal involves the construction of a 24ft. by 30ft. off-grid seasonal dwelling a minimum of 15 m from the high water mark of Sydenham Lake. The applicant has indicated that there is to be no plumbing in the dwelling, only a composting toilet.

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.

Public health has no objections to the proposal as submitted. Should the applicant wish to retrofit the seasonal dwelling to include plumbing at a future date they will re-evaluate the property. The CBO has no objections to the application.

The conservation authority is recommending deferral until the applicant can satisfy several conditions including having a qualified surveyor prepare a detailed plot plan that demonstrates the proposed dwelling can be 6m from the flood plain, along with undertaking a preliminary Environmental Impact Assessment to ensure no impact to the water or nearby Provincially Significant Wetland.

UPDATE: The applicant has submitted an EIA completed by Ecological Services which addresses the concerns raised by the CRCA. The EIA was submitted to the CRCA for evaluation and they have stated that should the variance application be approved that it be subject to site plan control so the recommendations of the EIA can be incorporated and that the applicant must obtain a permit from the CRCA prior to any development taking place on site.

RESOLUTION:

C of A: 16:10:06

Moved by: A. Revill

Seconded by: D. Hahn

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-30-15-L by Lee Noreau to permit construction within the 30m setback from water, in Concession 6, Part Lot 12, District of Loughborough, subject to conditions.

Carried

Application No: MV-30-15-L
Owner: Lee Noreau
Location of Property: Concession 6, Part Lot 12, Island in Sydenham Lake, District of Loughborough, 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: December 10, 2015
Date of Decision: November 10, 2016

DECISION: VARIANCE APPROVED, subject to conditions

CONDITIONS

1. The variance is for the construction of a 24 ft. by 30 ft. seasonal dwelling to be located a minimum of 15 metres from the high water mark of Sydenham Lake. This dwelling is to have no plumbing.
2. Minor variance MV-30-15-L is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.
3. A building permit is required for all demolition and construction on the property. There shall be no additional development, or demolition of existing structures, on the property without approval from the Township of South Frontenac.
4. 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 Cataraqui Conservation Authority for the proposed development, and for any shoreline or in-water works.

Item # 8: S-49-16-L (Alward)

Speaking to the Application: None

Discussion:

The subject lands consist of a total of 119.3 +/- hectares (295 acres) with frontage on Leland Road. The land is currently developed with a single detached dwelling and an agricultural outbuilding. The proposal is for the creation of a 2.0 acre lot with a minimum of 76m frontage on Leland Road. The roads department has no objections. Public health comments were, site flexible and satisfactory for septic. Comments from conservation were not required.

RESOLUTION: C of A: 16:10:07

Moved by: J. Sherbino

Seconded by: M. Schjerning

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-49-16-L by Ann Alward, to create a new lot, in Concession 7, Part Lot 24, Leland Road, District of Loughborough, subject to conditions.

Carried

Application No: S-49-16-L
Owner: Ann Alward
Location of Property: Concession 7, Pt. Lot 24, Leland Road, District of Loughborough, Township of South Frontenac
Purpose of Application: Consent to create a new lot
Date of Hearing: November 10, 2016

Date of Decision: November 10, 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-49-16-L shall be for a minimum 2.0 acre lot with a minimum of 76m frontage on Leland 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 new 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:
 - 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 applicant 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 parcel severed through consent application S-49-16-L.

Item # 9: S-50-16-S (Clement)

Speaking to the Application: Darlene Clement

Discussion:

The subject lands consist of a total of 46.7 +/- hectares (115.5 acres) with frontage on Davidson Road. The land is currently vacant. The proposal is for the creation of a 2.0 acre lot with a minimum of 76m frontage on Davidson Road. The applicant has already drilled a well on the proposed lot as

there were concerns over water in the area. The well meets the minimum requirements of 3.5 gallons per minute over a 6 hour pump test.

Comments from conservation were not required.

Roads department has no objections.

Public health has no objections.

RESOLUTION: C of A: 16:10:08

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-50-16-S by Darlene Clement & Gerald Gordon, to create a new lot, in Concession 1, Part Lot 17, Davidson Road, District of Storrington, subject to conditions.

Carried

Application No: S-50-16-S
Owner: Darlene Clement, Gerald Gordon
Location of Property: Concession 1, Pt. Lot 17, Davidson Road, District of Storrington, Township of South Frontenac
Purpose of Application: Consent to create a new lot
Date of Hearing: November 10, 2016
Date of Decision: November 10, 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-50-16-S shall be for a minimum 2.0 acre lot with a minimum of 76m frontage on Davidson 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 new 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:
 - 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 applicant 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 parcel severed through consent application S-50-16-S.

Item # 10: S-51-16-B (Mohnkern)

Speaking to the Application: None

Discussion:

The subject lands consist of a total of 4.5 acres with frontage on Guthrie Lane and Opinicon Lake. The land is currently developed with two cottages. The proposal is for the creation of a 0.17 +/- acre lot addition only to the property located at 54 Guthrie Lane (ARN 102901003045400).

Comments from roads were not required.

Conservation has no objections.

Comments from public health have yet to be received.

RESOLUTION: C of A: 16:10:09

Moved by: D. Hahn

Seconded by: A. Revill

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-51-16-B by Ruel & Donald Mohnkern, to create a lot addition, in Concession 16, Part Lot 1, Guthrie Lane, District of Bedford.

Carried

Application No: S-50-16-S
Owner: Darlene Clement, Gerald Gordon
Location of Property: Concession 1, Pt. Lot 17, Davidson Road, District of Storrington, Township of South Frontenac
Purpose of Application: Consent to create a new lot
Date of Hearing: November 10, 2016
Date of Decision: November 10, 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-51-16-B shall be for a 0.17 +/- acre lot addition only to a property located at 54 Guthrie Lane (ARN 102901003045400).
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)].

Item # 11: S-52-16-S (William & Deborah Mosier)

Speaking to the Application: None

Discussion:

The subject lands consist of a total of 1.86 +/- acres with frontage on Burnt Hills Road. The land is currently developed with a single detached dwelling. The proposal is for the creation of a 3m wide easement for Bell Canada to access their existing aerial service lines.

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

RESOLUTION: C of A: 16:10:10

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-52-16-S by William & Deborah Mosier, to create an easement, in Concession 10, Part Lot 32, Burnt Hills Road, District of Storrington, subject to conditions.

Carried

Application No: S-52-16-S
Owner: William Mosier, Deborah Mosier
Location of Property: Concession 10, Pt. Lot 32, Burnt Hills Road, District of Storrington, Township of South Frontenac
Purpose of Application: Consent to create an easement
Date of Hearing: November 10, 2016
Date of Decision: November 10, 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-52-16-B shall be for a 3m wide easement for Bell Canada to access existing aerial service lines.
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)].

Item # 12: S-53-16-S (Bell)

Speaking to the Application: None

Discussion:

The subject lands consist of a total of 0.98 +/- acres with frontage on Burnt Hills Road. The land is currently developed with a single detached dwelling. The proposal is for the creation of a 3m wide easement for Bell Canada to access their existing aerial service lines.

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

RESOLUTION: C of A: 16:10:11

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-53-16-S by John & Denise Bell, to create an easement, in Concession 10, Part Lot 32, Burnt Hills Road, District of Storrington, subject to conditions.

Carried

Application No: S-53-16-S
Owner: John Bell, Denise Bell
Location of Property: Concession 10, Pt. Lot 32, Burnt Hills Road, District of Storrington, Township of South Frontenac
Purpose of Application: Consent to create an easement
Date of Hearing: November 10, 2016
Date of Decision: November 10, 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-53-16-B shall be for a 3m wide easement for Bell Canada to access existing aerial service lines.
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)].

Item # 13: S-54-16-B (Neumann)

Speaking to the Application: Donna Brown

Discussion:

The subject lands consist of a total of 14 +/- hectares (34.6 acres) with frontage on Bradshaw Road, Browns Lane, Stinson Lane and Crow Lake. The land is split zoned Rural and Recreational Resort Commercial-Special Zone 42 (RRC-42) Brown's Lakeview Camp. It is currently developed as a tourist camp and is permitted to have 40 tourist camp sites, 3 tourist cabins and one trailer; one single detached dwelling with a camp administration office/retail convenience store; and accessory buildings and structures to the above uses. The proposal is for the creation of a 5.0 +/- acre lot addition to a vacant parcel of land (ARN 102903002065500) with frontage on Brown's Lane and Crow Lake. This lot addition parcel is entirely on the west side of Bradshaw Road/Browns Lane, so while triangular in shape the edge of the proposed lot addition follows the existing roadway, an easily identifiable boundary line.

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

RESOLUTION: **C of A: 16:10:12**

Moved by: D. Hahn

Seconded by: A. Revill

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-54-16-B by Dana & Angela Neumann, to create a lot addition, in Concession 4, Part Lot 28, Stinson Lane, District of Bedford, subject to conditions.

Carried

Application No: S-54-16-B
Owner: J. Dana Neumann, Angela Neumann
Location of Property: Concession 4, Pt. Lot 28, Stinson Lane, District of Bedford, Township of South Frontenac
Purpose of Application: Consent to create a lot addition
Date of Hearing: November 10, 2016
Date of Decision: November 10, 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-54-16-B shall be for the creation of a 5.0 +/- acre lot addition only to a vacant parcel of land (ARN 102903002065500) with frontage on Brown's Lane and Crow Lake.
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.

Item # 14: S-55-16-B (Brown)

Speaking to the Application: Donna Brown

Discussion:

The subject lands consist of a total of 52.5 +/- hectares (129.75 acres) with frontage on Browns Lane and Crow Lake. The land is currently vacant. The proposal is for the creation of a 13.0 +/- acre lot addition to 60C Stinson Lane (ARN 102903002065000) known as Brown's Lakeview Cottages and Campground. This lot addition parcel is entirely on the east side of Browns Lane, so while triangular in shape the edge of the proposed lot addition follows the existing roadway, an easily identifiable boundary line. The lot addition is currently zoned Rural and is to continue to be zoned Rural; as such this lot addition will not increase the size of the existing RRC-42 zone.

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

RESOLUTION: C of A: 16:10:13

Moved by: A. Revill

Seconded by: D. Hahn

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-55-16-B by Earl Brown, to create a lot addition, in Concession 4, Part Lot 28/29, Stinson Lane, District of Bedford, subject to conditions.

Carried

Application No: S-55-16-B
Owner: Earl Brown
Location of Property: Concession 4, Pt. Lot 28/29, Browns Lane, District of Bedford, Township of South Frontenac
Purpose of Application: Consent to create a lot addition
Date of Hearing: November 10, 2016
Date of Decision: November 10, 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-55-16-B shall be for the creation of a 13.0 +/- acre lot addition only to 60C Stinson Lane (ARN 102903002065000) known as Brown's Lakeview Cottages and Campground.
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)].

Item # 15: S-56-16-B (Brown)

Speaking to the Application: Donna Brown

Discussion:

The subject lands consist of a total of 47.2 +/- hectares (116 acres) with frontage on Browns Lane and Crow Lake. The land is currently vacant. The proposal is for the creation of a 6.6 +/- acre lot with 83m of frontage on Crow Lake and a minimum of 76m of frontage along Browns Lane. This proposed lot would remove all the waterfrontage from the existing parcel, leaving the retained as an inland Rural zoned lot. As the inland parcel will be receiving a lot addition from the abutting property with frontage on Bradshaw Road, this will allow the retained parcel to continue to meet the requirement of frontage on a fully maintained public road for a non-waterfront lot. The new lot is currently zoned

Rural and will need to be rezoned to a special Limited Service Residential Waterfront (RLSW) zone to reflect its access from Browns Lane and its deficient (83m vs 91m) waterfrontage.

Rideau Valley Conservation Authority has indicated they will support the application, but will require a minimum 50m setback from the high water mark for ALL development, including septic systems. This increased setback follows the provincial guidelines for highly sensitive trout lakes, which Crow Lake has been upgraded to since 2007. They recognise that development could occur in proximity to the water at any point as the lot is currently vacant and as such this severance does not increase the development potential for Crow Lake.

Comments were not required from roads.

Public health has no objections.

RESOLUTION: C of A: 16:10:14

Moved by: A. Revill

Seconded by: D. Hahn

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-56-16-B by Earl Brown, to create a new lot, in Concession 4, Part Lot 28/29, Stinson Lane, District of Bedford, subject to conditions.

Carried

Application No: S-56-16-B
Owner: Earl Brown
Location of Property: Concession 4, Pt. Lot 28/29, Browns Lane, District of Bedford, Township of South Frontenac
Purpose of Application: Consent to create a new waterfront lot
Date of Hearing: November 10, 2016
Date of Decision: November 10, 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-56-16-B shall be for the creation of a new 6.6 +/- acre waterfront lot with 83m of frontage on Crow Lake and a minimum of 76m of frontage along Browns Lane.
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 lot addition created through consent application S-54-16-B must be finalised and registered, prior to the stamping of the deeds for consent application S-56-16-B.
7. Prior to the stamping of the deeds, the applicant is required to rezone the parcel created through consent application S-56-16-B from Rural to a Special Limited Service Residential Waterfront zone to reflect both the deficient water frontage (83m) and the increased setback requirements (>50m) as per RVCA report. Please see Planner Lindsay Mills to begin this process.

8. The applicant shall enter into a development agreement to be registered on title to the severed and retained parcels which deals with the Township's environmental policies, as well as the requirement for the owner to contact the Rideau Valley Conservation Authority prior to any development on the property, to determine the need for a permit.

Item # 16: S-57-16-B (MacIntyre)

Speaking to the Application: Paul Snelgrove

Discussion:

The subject lands consist of a total of 41.8 +/- hectares (103 acres) with frontage on Frye Road, Roushorn Road and Perth Road. The land is currently developed with a single detached dwelling and multiple accessory buildings. The proposal is for the creation of a 0.4 +/- acre lot addition with 51m of frontage on Frye Road to 204 Frye Lane (ARN 102901003005201)

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

RESOLUTION: C of A: 16:10:15

Moved by: D. Hahn

Seconded by: A. Revill

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-57-16-B by Crawford MacIntyre, to create a lot addition, in Concession 12, Part Lot 2, Frye Road, District of Bedford, subject to conditions.

Carried

Application No: S-57-16-B
Owner: Crawford MacIntyre
Location of Property: Concession 12, Pt. Lot 2, Frye Road, District of Bedford, Township of South Frontenac
Purpose of Application: Consent to create a lot addition
Date of Hearing: November 10, 2016
Date of Decision: November 10, 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-57-16-B shall be for the creation of a 0.4 +/- acre lot addition only to 204 Frye Lane (ARN 102901003005201).
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)].

Item # 17: S-58-16-B (Snelgrove)

Speaking to the Application: Paul Snelgrove

Discussion:

The subject lands consist of a total of 32.2 +/- hectares (80 acres) with frontage on Frye Lane and Lele Lane. The land is currently developed with a single detached dwelling. The proposal is for the creation of a 3.8 +/- acre lot residential lot which will encompass the existing dwelling and have a

minimum of 76m of frontage along Frye Road. The property does not have waterfrontage and currently does not have sufficient frontage on a fully maintained public road; however this application will be considered in conjunction with application S-57-16-B by Crawford MacIntyre to create a lot addition to Mr. Snelgrove's property. Once finalised the lot addition will provide the required frontage along a public road for the proposed severance.

As no new entrance was required, and there is an existing septic system, comments were not required from roads, conservation or public health.

RESOLUTION: C of A: 16:10:16

Moved by: A. Revill

Seconded by: D. Hahn

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-58-16-B by Paul Snelgrove, to create a new lot, in Concession 11/12, Part Lot 2, Frye Road, District of Bedford, subject to conditions.

Carried

Application No: S-58-16-B
Owner: Paul Snelgrove
Location of Property: Concession 11, Pt. Lot 2, Frye Lane, District of Bedford, Township of South Frontenac
Purpose of Application: Consent to create a new lot
Date of Hearing: November 10, 2016
Date of Decision: November 10, 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-58-16-B shall be for the creation of a 3.8 +/- acre residential lot with a minimum of 76m of frontage along Frye 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 new 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:
 - 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.

Item # 18: S-60-16-P (Middleton)

Speaking to the Application: Ross McDonald

Discussion:

The subject lands consist of a total of 6.5 +/- hectares (16.2 acres) with frontage on Howes Lake Lane, First Point Lane, Parsons Point Lane and Howes Lake. The land is currently developed with a seasonal dwelling and accessory building. The proposal is for the creation of a 1.387 acre lot addition, identified as Part 3 on Reference Plan 13R3690, to 1261 Howes Lake Lane (ARN 102908005015400). This parcel is already surveyed as a distinct part on a reference plan as it is naturally separated from the larger parcel by Howes Lake Lane. Additionally, the proposed lot addition parcel is already zoned RLSW so no rezoning will be needed.

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

RESOLUTION: C of A: 16:10:17

Moved by: J. McDougall

Seconded by: A. Revill

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-60-16-P by Winston & Joann Middleton, to create a lot addition, in Concession 13, Part Lot 6, Howes Lake Lane, District of Portland, subject to conditions.

Carried

Application No: S-60-16-P
Owner: Winston Middleton, Joann Middleton
Location of Property: Concession 13, Pt. Lot 6, Howes Lake Lane, District of Portland, Township of South Frontenac
Purpose of Application: Consent to create a lot addition
Date of Hearing: November 10, 2016
Date of Decision: November 10, 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-60-16-P shall be for the creation of a 1.387 acre lot addition only, identified as Part 3 on Reference Plan 13R3690, to 1261 Howes Lake Lane (ARN 102908005015400).
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)].

Item # 19: S-61-16-S (Dixon)

Speaking to the Application: None

Discussion:

The subject lands consist of a total of 61.5 +/- hectares (152 acres) with frontage on Washburn Road. The land is currently developed with a single detached dwelling and agricultural outbuildings. The proposal is for the creation of a 0.9 +/- acre lot addition, to 2453 Washburn Road (ARN 102906003008720). This lot addition will serve to regularise an irregular parcel, as well as contain the driveway on the same parcel as the dwelling for 2453 Washburn Road, which currently crosses over the abutting parcel between the road and the dwelling.

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

RESOLUTION: C of A: 16:10:18

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-61-16-S by Paul Dixon, to create a lot addition, in Concession 6, Part Lot 8/9, Washburn Road, District of Storrington, subject to conditions.

Carried

Application No: S-61-16-S
Owner: Paul Dixon
Location of Property: Concession 6, Pt. Lot 8/9, Washburn Road, District of Storrington, Township of South Frontenac
Purpose of Application: Consent to create a lot addition
Date of Hearing: November 10, 2016
Date of Decision: November 10, 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-61-16-S shall be for the creation of a 0.9 +/- acre lot addition only, to 2453 Washburn Road (ARN 102906003008720).
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)].

Item # 20: MV-36-16-B (Roy)

Speaking to the Application: Zachary Roy

Discussion:

The subject land consists of a 0.5 +/- acre lot with frontage on Riders Lane and Bobs Lake. The lot is currently developed with a seasonal dwelling and two detached accessory buildings. The proposal is for the construction of a 10 ft. by 16 ft. (160 square ft.) addition to an existing accessory building located 63 feet from the high water mark of Bobs Lake. This addition would reduce the setback of the accessory building from the HWM to a minimum of 50 ft. (15m).

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.

Rideau Valley Conservation Authority has no objections to the proposal and have stated that no permit form them will be needed for the proposed construction should it be approved. They have indicated several Best Management Practices they would like to see incorporated into the decision should it be approved however, and these will be placed into the required Site Plan Agreement if approved.

Comments from roads and public health were not required.

RESOLUTION: C of A: 16:10:19

Moved by: D. Hahn

Seconded by: A. Revill

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-36-16-B by Zachary Roy, to permit construction within the 30 metre setback from water, in Concession 22, Part Lot 21, Riders Lane, District of Bedford, subject to conditions.

Carried

Application No: MV-36-16-B
Owner: Zachary Roy
Location of Property: Concession 2, Part Lot 21, Riders Lane, District of Bedford, Township of South Frontenac
Purpose of Application: To vary Section 5.8.2 & 10.3.2 of the Comprehensive Zoning By-law to permit construction within the 30m setback from HWM
Date of Hearing: November 10, 2016
Date of Decision: November 10, 2016

DECISION: VARIANCE APPROVED, subject to conditions

CONDITIONS

1. **This minor variance is for the construction of a 160 square foot addition to an existing accessory building currently located 63 ft. from the high water mark of Bobs Lake. This addition will reduce the setback of the accessory building to a minimum of 50 ft. from the high water mark of Bobs Lake.**
2. **Minor variance MV-36-16-B is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.**
3. **A building permit is required for ALL demolition and construction on the property. There shall be no additional development, or demolition of existing structures, on the property without approval from the Township of South Frontenac.**
4. **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 # 21: MV-37-16-B (Snelgrove)
 Speaking to the Application: Paul Snelgrove

Discussion:

The subject land consists of a 10 +/- acre lot with frontage on Lele Lane and Big Clear Lake. The lot is currently developed with a seasonal dwelling, located a minimum of 18 feet from the high water mark of Clear Lake. The proposal is for the removal of the existing dwelling and the construction of a

new dwelling with attached garage (1780 square foot total footprint) to be located a minimum of 34 feet from the HWM of Clear Lake. The applicant has submitted a preliminary Environmental Impact Assessment which was completed by Ontario Lake Assessments. The conclusion of this report is that with the increased setback from the water and the addition of a new fully functioning septic system (to be located greater than 30m from the HWM), coupled with the topographical constraints of the lot and the new building having the same size footprint as the existing, that there would be no adverse effects to Big Clear 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.

Public health has no objections. Comments from roads were not required.

Comments from conservation have yet to be received.

Several emails from concerned neighbours and area residents were submitted and circulated to the Committee members and raised numerous concerns regarding the application including: the size of existing structure vs. the proposed structure, are they really equal (Rob Kennedy); some of the square footage being claimed as existing were additions constructed without building permits and he felt the proposal was a significant size increase (Bruce Curtis).

Committee members had questions of the size of the proposed structure, one (1) story vs. two (2) stories; why the structure was being moved at all if only such a small distance.

A. Revill visited the site with the applicant and stated he was proactive with regards to obtaining an EIA, that there were definitely some topographical challenges on the site but wondered if this really was the best location option on the site.

P. Snelgrove said the current foundation is in bad shape and needs to be replaced so he is going to move the existing structure to a new lot and build new on the same square foot footprint but farther from the lake than the existing to help reduce environmental impact. He said that any and all additions on the property were all legally constructed and he had proof of this. He said of the Committee was unwilling to support this application he would happily remove the large rock outcropping and build the new cottage there but felt that would have a greater environmental impact.

D. Hahn wanted to have the Committee consider the aspect of footprint vs. volume, interior vs. exterior living space, seasonal vs. year-round structure when comparing existing to proposed dwellings.

Molly Higginson stated she was in support of D. Hahn's recommendations on finding out more detailed information regarding the proposal and was ok with a reconstruction if the same size footprint but not if any larger.

RESOLUTION: C of A: 16:10:20

Moved by: A. Revill

Seconded by: D. Hahn

THAT the South Frontenac Township Committee of Adjustment hereby DEFERS minor variance application MV-37-16-B by Paul Snelgrove, to permit construction within the 30 metre setback from water, in Concession 11, Part Lot 2/3, Lele Lane, District of Bedford, subject to receipt of CRCA report and size confirmation.

Carried

Item # 22: MV-38-16-B (Snelgrove)

Speaking to the Application: Paul Snelgrove

Discussion:

The subject land consists of a 7.8 +/- hectare (19.2 acres) lot with frontage on Frye Lane and Milk Lake. The lot is currently vacant. The proposal is for the construction of a new dwelling with attached garage (1560 square foot total footprint) to be located a minimum of 43 feet from the high water mark of Milk Lake. The applicant has submitted a preliminary Environmental Impact Assessment which was completed by Ontario Lake Assessments. This report stated that based on the challenging topography of the lot this is the only suitable building envelope. Additionally, the proposed septic bed can be located at a minimum of 30m from the HWM and Milk Lake is not a sensitive trout lake. The report suggested restricting water access to a footpath only, should the variance be approved. The applicant has also submitted a slope stability report completed by SNC-Lavalin which addresses the proximity of the proposed dwelling to the top of bank leading to Milk Lake. The conclusion of this evaluation was that provided appropriate construction techniques were used that the proposed dwelling would not impact the stability of the existing slope. 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.

Public health has no objections. Comments from roads were not required.

Comments from conservation have yet to be received.

A. Revill visited the site and agrees it is very challenging topography given the slope and multiple areas of environmental concern.

Several letters from concerned neighbours were submitted and circulated to the Committee members for consideration and raised numerous concerns regarding the application including: environmental impact on both Milk Lake and inland wetland area, suitability of building envelope given size of property, access to the proposed dwelling, the need for a minor variance if a building envelope had been identified that met setbacks when the lot was created, concerns over narrow waterbody and lot frontage.

A. Revill and L. Mills addressed the building envelope question agreeing that while an envelope had been identified the applicant was more than able to apply for a variance if desired as there were no site specific restrictions applied at the time of lot creation.

P. Snelgrove said this was really the only flat spot that required the minimum amount of lot grading and alteration to be able to install a septic system and construct a dwelling. He would move the proposed structure farther back if he could but that would require flattening larger parts of the lot.

RESOLUTION: C of A: 16:10:21

Moved by: A. Revill

Seconded by: D. Hahn

THAT the South Frontenac Township Committee of Adjustment hereby DEFERS minor variance application MV-38-16-B by Paul Snelgrove, to permit construction within the 30 metre setback from water, in Concession 11, Part Lot 1, Frye Lane, District of Bedford, subject to receipt of CRCA report.

Carried

Item # 23: MV-40-16-S (1324789 Ontario Inc.)

Speaking to the Application: Gary Beach

Discussion:

The subject land consists of a 2.62 +/- acre lot with frontage on Pine Point Lane and Dog Lake. The lot is currently developed with a 576 square foot seasonal dwelling, located 10 feet (3m) from the high water mark of Dog Lake, and a boathouse. The proposal is for the demolition of the existing dwelling and construction of a new 1600 square foot footprint dwelling to be located a minimum of 70 feet (21m) from the high water mark of Dog Lake. The dwelling is proposed to be a two storey building with no basement.

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 Rideau Waterway Development Team has evaluated the proposal and visited the site. They do not have any objections to the proposal based on consideration for natural hazards, water quality/quantity protection or natural and cultural heritage.

Public health has no objections.

Comments from roads were not required.

Committee had some questions as to why if the applicant was able to increase the setback this much, given the lot size why not move farther and comply with 30m. Gary Beach stated that any farther back would infringe on the approved area for the new septic system, sandstone ridges on the property make it challenging to locate septic any other place and the septic serves both the cottage and boathouse apartment so it was in the best environmental impact to upgrade the entire system.

RESOLUTION: C of A: 16:10:22

Moved by: K. Gee

Seconded by: R. Sleeth

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-40-16-S by 1324789 Ontario Inc., to permit construction within the 30 metre setback from, in Concession 8, Part Lot 18, Pine Point Lane, District of Storrington, subject to conditions.

Carried

Application No: MV-40-16-S
Owner: 1324789 Ontario Inc.

Location of Property: Concession 8, Part Lot 18, Pine Point Lane, District of Storrington, Township of South Frontenac

Purpose of Application: To vary Section 5.8.2 of the Comprehensive Zoning By-law to permit construction within the 30m setback from HWM

Date of Hearing: November 10, 2016

Date of Decision: November 10, 2016

DECISION: **VARAINCE APPROVED, subject to conditions**

CONDITIONS

1. **This minor variance is for the construction of a 1600 square foot footprint, including any decks, dwelling, two storeys no basement, to be located a minimum of 70 feet from the high water mark of Dog Lake.**
2. **Minor variance MV-40-16-B is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.**
3. **A building permit is required for ALL demolition and construction on the property. There shall be no additional development, or demolition of existing structures, on the property without approval from the Township of South Frontenac.**

Item # 24: MV-41-16-B (Greenwood)

Speaking to the Application: Paul Snelgrove

Discussion:

The subject land consists of a 1.0 +/- acre island with frontage on Dog Lake. The lot is currently developed with a 786 square foot footprint seasonal dwelling, located 20 feet (6m) from the high water mark of Devil Lake. The proposal is for the demolition of the existing dwelling and construction of a new 858 square foot footprint (26 ft. by 33 ft.) 1.5 storey dwelling (1278 square foot total) to be located a minimum of 20 feet (6m) from the high water mark of Devil 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 report received from Cataraqui Region Conservation Authority discussed the proximity to Devil Lake (a highly sensitive lake), the size constraints of the island, flooding and erosion hazards; the conclusion that based on all information they have no objection to the proposal.

Comments from roads were not required.

Comments from public health have yet to be received, though the applicant has indicated they are planning on installing a new tertiary treatment system.

A. Revill visited site and said there was really no way to increase the setbacks given the size and shape of the island property. The least environmental impact would be to rebuild on the same footprint even with the addition of a second story. He indicated he was comfortable with the application provided health unit approval could be obtained.

RESOLUTION: **C of A: 16:10:23**

Moved by: D. Hahn

Seconded by: J. McDougall

THAT the South Frontenac Township Committee of Adjustment hereby DEFERS consent application MV-41-16-B by Robert & Marilyn Greenwood, to permit construction within the 30 metre setback from water, in Concession 12, Part Lot 6, Greenwood Island, District of Bedford, subject to receipt of an approval from public health.

Carried

Item # 25: Other Business

Plans to move Committee of Adjustment over to the CivicWeb platform used by Council are underway. iPads have been purchased for the non-council committee members and are being setup. Additionally, templates are being created in the CivicWeb platform to accommodate the Committee of Adjustment items. Plans are to have the new platform up and running for the February 2017 meeting.

Item # 26: Adjournment

RESOLUTION: C of A: 16:10:24

Moved by: M. Schjerning

Seconded by: J. Sherbino

THAT the November 10, 2016 meeting of the South Frontenac Township Committee of Adjustment is hereby adjourned at 8:45 p.m. to reconvene at 7:00 p.m. on Thursday, December 8, 2016 or at the call of the Chair.

Carried

Larry Redden
Chair

Lindsay Mills
Secretary-Treasurer