

**TOWNSHIP OF SOUTH FRONTENAC
COMMITTEE OF ADJUSTMENT**



**MINUTES 16:09
October 13, 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

Table of Contents

Item # 1: Call to Order	1
Item # 2: Adoption of Agenda.....	1
Item # 3: Declaration of Pecuniary Interest.....	1
Item # 4: Approval of Minutes.....	1
Item # 5: S-20-16-S (VonHausen)	2
Item # 6: MV-27-16-S (McCallum).....	3
Item # 7: MV-30-16-B (LaBrie).....	4
Item # 8: S-44-16-L (Nelles).....	4
Item # 9: S-45-16-S, S-46-16-S (Coleman)	7
Item # 10: S-47-16-P (Fraser)	7
Item # 11: S-48-16-L (Darling)	8
Item # 12: MV-31-16-B (Whalen-Browne).....	9
Item # 13: MV-32-16-S (Sargent)	9
Item # 14: MV-33-16-B (Godfrey)	10
Item # 15: MV-343-16-L (Dugas).....	11
Item # 16: MV-343-16-L (Valiquette).....	12
Item # 17: Other Business	12
Item # 18: Adjournment.....	12

Item # 1: Call to Order

RESOLUTION: C of A: 16:09:01

Moved by: A. Revill

Seconded by: D. Hahn

THAT the October 13, 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: 16:09:02

Moved by: M. Schjerning

Seconded by: J. Sherbino

THAT the South Frontenac Township Committee of Adjustment hereby approves the minutes of the September 8, 2016 meeting of the Committee, as circulated.

Carried

Item # 5: S-20-16-S (VonHausen)

Speaking to the Application: None

Discussion:

This item was originally brought to the committee in May, 2016. It was deferred until a report from KFL&A public health had been received.

The subject lands consist of 5.1 +/- acres with frontage on Round Lake Road. The land is currently developed with a single detached dwelling. The application is for the creation of a 2.0 acre residential lot with a minimum of 76m frontage along Round Lake Road. Comments were not required from conservation

Roads have no objections. Public health has no objections.

RESOLUTION: C of A: 16:09:03

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-20-16-S by Kurt VonHausen, to create a new lot, in Concession 2, Part Lot 21, Round Lake Road, District of Storrington, subject to conditions.

Carried

Application No: S-20-16-S
Owner: Kurt VonHausen
Location of Property: Concession 2, Pt. Lot 21, Round Lake Road, District of Storrington, Township of South Frontenac
Purpose of Application: Creation of a new lot
Date of Hearing: May 12, 2016
Date of Decision: October 13, 2016

DECISION: PROVISIONAL CONSENT 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-20-16-P shall be for a 2.0 acre lot with a minimum of 76m frontage on Round 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:

- 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-20-16-S.

Item # 6: MV-27-16-S (McCallum)

Speaking to the Application: Scott McCallum

Discussion:

This application was originally brought to the Committee in August, 2016 but was deferred to give the applicant time to address concerns raised by Cataraqui Region Conservation Authority.

The subject land consists of a 5.2 +/- acre lot with frontage on Cranberry Lake. The lot is currently developed with a 32 ft. by 22 ft. seasonal dwelling with a 515 square foot deck, three (3) sleeping cabins, two (2) detached accessory buildings (one of which is 15 ft. by 23 ft.) and a 12 ft. by 12 ft. pavilion. The proposal is for the renovation and expansion of the existing cottage which would involve raising the existing dwelling to add a basement plus the construction of 38 ft. by 44 ft. (1400 square feet) 1.5 storey (18 ft. high) plus basement addition and 10 ft. by 27 ft. deck. The existing dwelling is 28 feet 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 additions to the existing structure are proposed to be on the south side of the building, so it will not decrease the setback from the HWM. There are no records of any permits or minor variances for the sleeping cabins, all three of which are located within the 30m setback.

Public Health has issued a permit for a septic system to accommodate a 3 bedroom dwelling. This permit does not include the square footage of the sleeping cabins as they were not included on the application.

Comments from roads not required.

UPDATE: The applicant submitted a revised plot plan which included moving the existing seasonal dwelling to 75 ft. from the HWM rather than 28 ft. from the HWM then the construction of the same proposed addition to the rear of the structure. After review of the revision the Rideau Waterway Development Team now have no objections to the proposal when located a minimum of 75 ft. from the HWM of Cranberry Lake.

RESOLUTION: C of A: 16:09:04

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-27-16-S by Scott & Laurie McCallum, to permit construction within the 30 metre setback from water, in Concession 8, Part Lot 20, Hemlock Hill Lane, District of Storrington, subject to conditions.

Carried

Application No: MV-27-16-S

Owner: Scott and Laurie McCallum
Location of Property: Concession 8, Part Lot 20, 153 Hemlock Hill 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 30m of the HWM
Date of Hearing: August 11, 2016
Date of Decision: October 13, 2016

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

CONDITIONS:

1. **This minor variance is for the raising and relocation of the existing dwelling to a minimum of 75 ft. from the high water mark of Cranberry Lake to add a basement plus the construction of 1400 square foot, 1.5 storeys (18 ft. high) plus basement addition and 10 ft. by 27 ft. deck.**
2. **No other construction shall be permitted within the 30m setback from the HWM of Cranberry Lake.**
3. **Minor variance MV-27-16-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.**

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 Region Conservation Authority for the proposed development, and for any shoreline or in-water works

Item # 7: MV-30-16-B (LaBrie)

Speaking to the Application: Joe Ruffolo (KB Homes)

Discussion:

This application was originally brought to the Committee in September, 2016 but was deferred until further site visits and a preliminary Environmental Impact Study could be completed.

The subject land consists of a +/- 1.18 acre lot with frontage on Devil Lake and McAndrews Lane. The lot is currently developed with a seasonal dwelling. The applicant has undertaken construction without a building permit, or consultation with the appropriate agencies. The construction consists of the removal of the entire 393 square foot screen porch and the construction of a 145 square foot deck plus a 248 square foot three season room with glass windows all located a minimum of 20m (66 ft.) from the high water mark. In addition to this reconstruction a new deck area has also been added to the water-side of the dwelling. This new deck is approximately 650 square feet in size and reduces the setback to the HWM to a minimum of 50 feet. 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.

Comments from Public Health were not required as the overall gross floor area was reduced in favour of a larger outdoor deck.

UPDATE: Cataraqui Region Conservation Authority does not support any further encroachment into the setback from Devil Lake as it is classified as a Moderately Sensitive Trout Lake. They recommend denial of the application as submitted.

The applicant had Ontario Lake Assessments complete a preliminary Environmental Impact Assessment, the results of which were in favour of the applicant and are as follows: the trees that were removed during construction were posing a hazard to the cottage and causing damage to the roof; the deck extension was determined to be between 15m and 20m from the HWM; the potential impact on water quality from the deck is so small it cannot be measured and therefore must be considered to be minor. Several recommendations to be included in a site plan agreement were also included.

There was some discussions amongst the committee members regarding the EIA presented and the fact this entire project had been undertaken without any permits; also the denial recommendation from the CRCA for and further encroachment into the setback from Devil Lake. In the end the committee made the decision to amend the conditions and only permit the rebuilding and alteration

into permanent living space the area encompassed within the original screen porch footprint but not the addition of the lower deck expansion.

RESOLUTION: C of A: 16:09:05

Moved by: A. Revill

Seconded by: D. Hahn

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-30-16-B by Douglas LaBrie to create a lot addition, in Concession 4, Part Lot 13, Etta Lane, District of Bedford, subject to conditions; including removal of the lower deck expansion.

Carried

Application No: MV-30-16-B
Owner: Doug LaBrie
Location of Property: Concession 11, Part Lot 9, 1953 McAndrews Road, District of Bedford, Township of South Frontenac
Purpose of Application: To vary Section 5.8.2 of the Comprehensive Zoning By-law to permit construction within 30m of the HWM
Date of Hearing: September 8, 2016
Date of Decision: October 13, 2016

DECISION: VARIANCE APPROVED, subject to conditions

CONDITIONS

1. This minor variance is for the demolition of the existing 393 square foot porch, and the construction of a 248 square foot three season room, plus a 145 square foot deck on the same footprint as the existing 393 square foot porch, to be located a minimum of 65 feet from the high water mark of Devil Lake.
2. No other construction shall be permitted within the 30m setback from the HWM of Devil Lake.
3. Minor variance MV-30-16-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 Cataraqui Region Conservation Authority for the proposed development, and for any shoreline or in-water works.

Item # 8: S-44-16-L (Nelles)

Speaking to the Application: Kelly Nelles

Discussion:

The subject lands consist of a total of 12.5 +/- hectares with frontage on Rutledge Road and Loughborough-Portland Boundary Road. The land is currently developed with a single detached dwelling and a detached accessory building. The proposal is for the creation of a 2.0 acre residential lot with 105m frontage on Loughborough-Portland Boundary Road.

The Roads department has no objections to the application but has indicated the entrance must be located along the southern edge of the proposed lot due to the topography of the Township road is this location.

Public health has no objections. High water table requires raised bed.

Comments from conservation were not required.

There was some discussion amongst Committee members regarding potential future development on larger retained parcel as it had limited options for any additional entrances from Rutledge Road.

K. Nelles asked for an alteration to his proposal which would include leaving a 33 foot wide strip along the north edge of the proposed lot where there is currently a walking path for access to the old rail line which runs across the northern edge of both the proposed lot and the retained parcel. The Committee was not in favour of leaving such a small gap of road frontage but was amenable to

allowing the creation of a 33 foot wide right-of-way instead. This will allow the continued public access and will be a deeded right-of-way.

RESOLUTION: **C of A: 16:09:06**

Moved by: J. Sherbino

Seconded by: M. Schjerner

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-44-16-L by Kelly & Dianne Nelles, to create a new lot, in Concession 5, Part Lot 1, Rutledge Road, District of Loughborough, subject to conditions.

Carried

Application No: S-44-16-L
Owner: Kelly & Dianne Nelles
Location of Property: Concession 5, Pt. Lot 1, Rutledge Road/Loughborough Portland Boundary Road, District of Loughborough, Township of South Frontenac
Purpose of Application: Consent to create a new lot
Date of Hearing: October 13, 2016
Date of Decision: October 13, 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-44-16-L shall be for a 2.0 acre lot with a minimum of 105m of frontage on Loughborough-Portland Boundary 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 a 33 foot wide easement along the northernmost edge of the lot to be created by S-44-16-L from Loughborough-Portland Boundary Road to the retained parcel.
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:
 - 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.
8. 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 lot created through consent application S-44-16-L.

Item # 9: S-45-16-S, S-46-16-S (Coleman)

Speaking to the Application: Chris Coleman & Erik Coleman

Discussion:

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.

Comments from Conservation have yet to be received.

Committee members had questions as to the slightly odd shapes of the proposed lots. Applicant explained that they were attempting have somewhat equal lots in addition to following existing fence lines.

RESOLUTION: C of A: 16:09:07

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby DEFERS consent application S-45-16-S by Christopher Coleman, Kristin Coleman & Erik Coleman, to create a new lot, in Concession 5, Part Lot 25/26, Kauffman Lane, District of Storrington, the report from CRCA being received.

Carried

RESOLUTION: C of A: 16:09:08

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby DEFERS consent application S-46-16-S by Christopher Coleman, Kristin Coleman & Erik Coleman, to create a new lot, in Concession 5, Part Lot 25/26, Kauffman Lane, District of Storrington, the report from CRCA being received.

Carried

Item # 10: S-47-16-P (Fraser)

Speaking to the Application: Richard Fraser

Discussion:

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. Comments from public health have yet to be received.

RESOLUTION: C of A: 16:09:09

Moved by: A. Revill

Seconded by: J. McDougall

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

Carried

Item # 11: S-48-16-L (Darling)

Speaking to the Application: Peter & Edwina Darling

Discussion:

The subject lands consist of a total of 99 +/- acres with frontage on Rutledge Road. The land is currently developed with a single detached dwelling and multiple agricultural outbuildings. The proposal is for the creation of a 0.8 +/- acre lot addition to an existing undersized residential lot with a municipal address of 1588 Rutledge Road; this property has recently been the subject of a structure fire which destroyed the existing dwelling. This lot addition is to facilitate the construction of a detached accessory building during the reconstruction.

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

No new entrance is required and the lot addition is not near the existing septic systems.

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

RESOLUTION: C of A: 16:09:10

Moved by: M. Schjerning

Seconded by: J. Sherbino

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-48-16-L by Peter & Edwina Darling, to create a lot addition, in Concession 5, Part Lot 14, Rutledge Road, District of Storrington, pending the completion of an Environmental Impact Study with regards to the size of the deck.

Carried

Application No: S-48-16-L
Owner: Peter & Edwina Darling
Location of Property: Concession 5, Pt. Lot 14, Rutledge Road, District of Loughborough, Township of South Frontenac
Purpose of Application: Consent to create of a lot addition
Date of Hearing: October 13, 2016
Date of Decision: October 13, 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-48-16-L shall be for a 0.8 +/- acre lot addition only to a property located at 1588 Rutledge Road (Roll # 102904003008021).
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: MV-31-16-B (Whalen-Browne)

Speaking to the Application: Sherman Hill

Discussion:

The subject land consists of a 1.95 +/- acre lot with frontage on Bobs Lake and West Point Lane. The lot is currently developed with a seasonal dwelling (approximately 1000 square feet plus decks). The proposal is for two small (230 square feet total) additions plus deck extension to the non-water side of the existing dwelling in addition to the construction of a new 115 square foot screen porch, joined by decking to the water-side of the existing dwelling. The dwelling is currently located 65 feet from the HWM of Bobs Lake. The addition of the screen porch and associated decking on the water-side will reduce this setback by approximately 5 feet. 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. Given the fact that the existing building is already located within the legislated setback, meeting the minimum distance from HWM is challenging.

Conservation has indicated they are not in favour of any construction that will reduce the setback from the HWM. As such they do not object to the additions to the non-water side of the dwelling but do not support the addition of the screen porch to the water-side.

Comments from Public Health have yet to be received.

Comments from roads were not required.

RESOLUTION: C of A: 16:09:11

Moved by: D. Hahn

Seconded by: A. Revill

THAT the South Frontenac Township Committee of Adjustment hereby DEFERS minor variance application MV-31-16-B by Patrick & Karen Whalen-Browne, to permit construction within the 30 metre setback from water, in Concession 4, Part Lot 16, West Point Lane, District of Bedford, subject to the receipt of a report from KFL&A.

Carried

Item # 13: MV-32-16-S (Sargent)

Speaking to the Application: Robert Sargent

Discussion:

The subject land consists of 1.88 +/- acres with frontage on Cranberry Lake. The property is currently developed with a seasonal dwelling (located 40 ft. from the HWM) and a detached accessory building. The applicant originally received approval for an 8.5 ft. by 12.5 ft. bathroom addition to the rear of the dwelling in November 2014. The applicant has revised their plans and is now proposing a 12.5 ft. by 18.5 ft. bathroom addition to the rear of the dwelling.

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.

Comments from roads were not required.

Public health has no objections.

The Rideau Waterway Development Review Team has no objections.

RESOLUTION: C of A: 16:09:12

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-32-16-S by Robert & Mary Jean Sargent, to permit construction within the 30 metre setback from water, in Concession 10, Part Lot 29, Trillium Lane, District of Storrington, subject to conditions.

Carried

Application No: MV-32-16-S
Owner: Robert & Mary Jean Sargent
Location of Property: Concession 10, Part Lot 29, District of Storrington, Trillium Lane, Cranberry Lake, 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 high water mark
Date of Hearing: October 13, 2016
Date of Decision: October 13, 2016

DECISION: PROVISIONAL CONSENT BE GRANTED, subject to conditions

CONDITIONS

1. This minor variance is for the construction of a 235 square foot bathroom addition to the existing dwelling to be located a minimum of 40 feet from the HWM of Cranberry Lake.
2. No other construction shall be permitted within the 30m setback from the HWM of Bobs Lake.
3. Minor variance MV-31-16-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 Cataraqui Region Conservation Authority for the proposed development, and for any shoreline or in-water works.

Item # 14: MV-33-16-B (Godfrey)
 Speaking to the Application: Charlene Godfrey

Discussion:

The subject land consists of 6 +/- acres with frontage on Bobs Lake. The property is currently developed with a single detached dwelling, seven (7) tourist cabins and accessory buildings. The proposal is for the construction of a 32 ft. by 40 ft. (1280 sq. ft.) accessory building to be located a minimum of 3 ft. from the side property line and 110 ft. from the HWM and is proposed to be 26 ft. in height (2 storeys). The by-law does permit accessory buildings to be greater than 19.7 ft. in height. The applicant has also proposed to replace an existing trailer with a 35 ft. by 35 ft. (1225 sq. ft.) permanent structure in the same location. This places the proposed structure 10 ft. from Burns Lane. The required setback from a private lane is 16.8 ft. As the proposed construction is greater than 30m from the HWM, does not include any new bathrooms and no new entrance was required, comments from roads, conservation and public health are not needed.

RESOLUTION: C of A: 16:09:13

Moved by: A. Revill

Seconded by: D. Hahn

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-33-16-B by Christopher & Charlene Godfrey, to permit an increase in height of accessory buildings and a decrease in side yard setback and a decrease in setback from a private lane, in Concession 5, Part Lot 26, Burns Lane, District of Bedford, subject to conditions.

Carried

Application No: MV-33-16-B
Owner: Christopher & Charlene Godfrey
Location of Property: Concession 5, Part Lot 26, District of Bedford, Burns Lane, Bobs Lake, Township of South Frontenac

Purpose of Application: To vary section 12.3.2 of the Comprehensive Zoning By-law to permit an increase in height of an accessory building
Date of Hearing: October 13, 2016
Date of Decision: October 13, 2016

DECISION: **PROVISIONAL CONSENT BE GRANTED, subject to conditions**

CONDITIONS

1. This minor variance is for the construction of a 235 square foot bathroom addition to the existing dwelling to be located a minimum of 40 feet from the HWM of Cranberry Lake.
2. No other construction shall be permitted within the 30m setback from the HWM of Bobs Lake.
3. Minor variance MV-31-16-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 Cataraqui Region Conservation Authority for the proposed development, and for any shoreline or in-water works.

Item # 15: MV-343-16-L (Dugas)
 Speaking to the Application: none speaking

Discussion:
 The subject land consists of a newly severed 22.5 +/- acre lot with frontage on Bedford Road. The proposal is for the construction of a 40 ft. by 50 ft. (2000 square ft.) accessory building to be used as a workshop for a home based industry. The by-law does not allow for an area greater than 1200 square feet to be used for a home based industry in an accessory building. Comments from roads, public health and conservation were not required.

RESOLUTION: **C of A: 16:09:14**

Moved by: J. Sherbino Seconded by: M. Schjerning

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-34-16-L by Patricia Dugas, to permit an increase in square footage of a home based business, in Concession 13, Part Lot 7, Burns Lane, District of Loughborough, subject to conditions.

Carried

Application No: MV-34-16-L
Owner: Patricia Dugas
Location of Property: Concession 13, Part Lot 7, Bedford Road, District of Loughborough, Township of South Frontenac
Purpose of Application: To vary Section 5.29.8 of the Comprehensive Zoning By-law to permit an increase in square footage for a home based industry
Date of Hearing: October 13, 2016
Date of Decision: October 13, 2016

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

CONDITIONS

1. This minor variance is for the construction of a 2000 square foot accessory building/workshop for the purposes of a home based industry.
2. Minor variance MV-31-16-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 # 16: MV-343-16-L (Valiquette)

Speaking to the Application: Josh Doornekamp, Mark Valiquette

Discussion:

The subject land consists of a 3.0 +/- acre lot with frontage on Old Fourteen Island Lane and Fourteen Island Lake. The proposal is for the construction of a 36 ft. by 40 ft. (1440 square ft.) accessory building to with a finished height of 30 ft. (1.5 storeys). The by-law does not permit accessory buildings to be greater than 19.7 ft. in height.

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

RESOLUTION: C of A: 16:09:15

Moved by: J. McDougall

Seconded by: A. Revill

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-35-16-P by Mark & Kerri Valiquette, to permit an increase in height of an accessory building, in Concession 12, Part Lot 2, Old Fourteen Island Lane Lane, District of Portland, subject to conditions.

Carried

Application No: MV-35-16-P
Owner: Mark & Kerri Valiquette
Location of Property: Concession 12, Part Lot 2, Old Fourteen Island Lane, District of Portland, Township of South Frontenac
Purpose of Application: To vary Section 12.3.2 of the Comprehensive Zoning By-law to permit an increase in height of an accessory building
Date of Hearing: October 13, 2016
Date of Decision: October 13, 2016

DECISION: VARIANCE APPROVED, subject to conditions

CONDITIONS

- 1. **This minor variance is for the construction of a 1440 square foot accessory building with a finished height to peak of 30 ft.**
- 2. **Minor variance MV-31-16-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 # 17: Other Business

None.

Item # 18: Adjournment

RESOLUTION: C of A: 16:09:10

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the October 13, 2016 meeting of the South Frontenac Township Committee of Adjustment is hereby adjourned at 8:40 p.m. to reconvene at 7:00 p.m. on Thursday, November 10, 2016 or at the call of the Chair.

Carried

Larry Redden
Chair

Lindsay Mills
Secretary-Treasurer