



TOWNSHIP OF SOUTH FRONTENAC
PLANNING DEPARTMENT



MINUTES 17:03
April 13, 2017

LOCATION: South Frontenac Municipal Offices, Sydenham

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

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

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Item # 1: Call to Order

RESOLUTION: C of A: 17:03:01

Moved by: L. Redden
McDougall

Seconded by: J.

THAT the April 13, 2016 meeting of the South Frontenac Township Committee of Adjustment is hereby called to order at 7:0 p.m. with Alan Revill in the Chair.

Carried

Item # 2: Adoption of the Agenda

Approved as circulated

Item # 3: Declaration of Pecuniary Interest

None Declared

Item # 4: Approval of Minutes

RESOLUTION: C of A: 17:03:02

Moved By: J. McDougall

Seconded By: L. Redden

THAT the South Frontenac Township Committee of Adjustment hereby approves the minutes of the March 9, 2017 meeting of the Committee, as circulated.

Carried

Item # 5: S-05-17-S (Kot)

Speaking to the Application: None Speaking

Discussion:

This item was originally brought to the Committee in March, 2017 but was deferred until a report from KFL&A public health had been received.

The subject land consists of a 111 +/- acres with frontage on Perth Road, Davidson Road and Holmes Road. The lot is currently vacant and used for agricultural purposes. The proposal is for the creation of a minimum 2.0 +/- acre residential lot with a minimum of 76m of frontage on Holmes Road. The new entrance for this lot is proposed to be located on Davidson Road and may require upgrades. The planning department is able to support the application.

Comments were not required from Cataraqui Conservation Authority.

KFL&A public health has no objections to the application.

Public Works has no objections to the application. They indicated the proposed lot is low with possible flooding. As such they are requiring a ditch to be installed around the north side of the proposed lot which drains into the Township ditch.

The building department has no objections.

RESOLUTION: C of A: 17:03:03

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-05-17-S by Bruno Kot to create a new lot, in Concession 1, Part Lot 18/19, Holmes Road, District of Storrington, subject to conditions.

Carried

Application No: S-05-17-S
Owner: Bruno Kot
Location of Property: Concession 1, Lot/Part Lot 18/19, Davidson Road, District of Storrington, Township of South Frontenac
Purpose of Application: Consent to create a new lot
Date of Hearing: March 9, 2017
Date of Decision: April 13, 2017

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-05-17-S shall be for the creation of a minimum 2.0 acre new lot with a minimum of 76m of road frontage on Holmes 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 must 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-05-17-S.
8. The applicant shall enter into a Development Agreement with the Township to be registered on title, which sets out the Township's environmental policies and which specifies that a lot grading/drainage plan be completed prior to the issuance of a building permit.

Item # 6: S-02-17-S (Dixon)

Speaking to the Application: None Speaking

Discussion:

This application was originally brought to the Committee in March, 2017 but was deferred until a report from KFL&A public health had been received.

The subject land consists of a 69.5 +/- acres with frontage on Moreland-Dixon Road and Inverary Lake. Inverary Lake is designated as a Provincially Significant Wetland (PSW); however the proposal is located outside the required 120m setback from a PSW. The lot is currently developed with two (2) agricultural buildings and used for agricultural purposes. The agricultural buildings do not contain, nor are they intended for use with livestock, as such a Minimum Distance Separation calculation was not required. The proposal is for the creation of a minimum 2.0 +/- acre residential lot with a minimum of 76m of frontage on Moreland-Dixon Road.

The planning department is able to support the application.

Comments were not required from Cataraqui Conservation Authority.

KFL&A public health has no objections to the application. They have indicated the applicant must maintain a minimum 60 foot separation from the low lying cat tail area on the lot.

Public Works has visited the site and have no objections to the application. They have indicated that a specific location for the entrance was discussed at the site meeting due to sightlines along Moreland-Dixon Road.

The building department has no objection to the application.

RESOLUTION: C of A: 17:03:04

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-02-07-S by Dale & Jackey Dixon, to create a new lot, in Concession 2, Part Lot 22, Moreland-Dixon Road, District of Storrington, subject to conditions.

Carried

Application No: S-02-17-S
Owner: Dale and Jackey Dixon
Location of Property: Concession 2, Lot/Part Lot 22, Moreland-Dixon Road, District of Storrington, Township of South Frontenac
Purpose of Application: Consent to create a new lot
Date of Hearing: March 9, 2017
Date of Decision: April 13, 2017

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-02-17-S shall be for the creation of a minimum 2.0 acre new lot with a minimum of 76m of road frontage on Moreland-Dixon 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 must 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-02-17-S.

Item # 7: S-06-17-S (Curtis)

Speaking to the Application: None Speaking

Discussion:

This item was originally brought to the Committee in March, 2017 but was deferred until a report from KFL&A public health had been received.

The subject land consists of a 4.7 +/- acres with frontage on Dog Lake. The lot is currently developed with a 1,950 square foot footprint dwelling, plus a 295 square foot detached accessory building. The proposal is for the creation of a new 2.2 acre residential waterfront lot. The retained parcel is proposed to be 2.5 acres in size and will contain all the existing structures.

The planning department is able to support the application for a new lot provided that the applicant slightly adjusts the sizing of the lot and the retained parcel so each is 2.35 acres in size while still maintaining the required frontages for both the road and water. This will require both the proposed lot and the retained parcel to be rezoned to a Special Residential Waterfront Zone to reflect the slightly deficient size of each parcel.

The Rideau Waterway Development Review Team (Cataraqui Region Conservation Authority and Parks Canada) evaluated the application with regards to a number of natural considerations. The RWDRT staff have no objection to the approval of this application based on their consideration for natural hazards, natural and cultural heritage, and water quality and quantity protection policies. Parks Canada – Rideau Canal Office oversees all in-water and shoreline works along the Canal system. If the landowner wishes to carry out any in-water works in the future, the Rideau Canal Office must be contacted and written approval obtained prior to the commencement of construction. Present and future landowners are required to contact the CRCA to determine the need for a permit for development and site alteration on the proposed lot.

The Public Works department has visited the site and have no objections to the application. They have indicated that due to sightlines along Carrying Place Road the entrance to the new lot must be located at the most northerly end of the lot.

The building department has no objections.

KFL&A have no objections to the application. However, given the soil conditions on the proposed lot they have provided a specific location, greater than 30m from the HWM of Dog Lake, for the construction of the sewage disposal system. This report and associated sketch will be included in the site plan agreement.

RESOLUTION: C of A: 17:03:05

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-06-17-S by James Curtis & Cynthia Martin-Curtis, to create a new lot, in Concession 9, Part Lot 21/22, Carrying Place Road, District of Storrington, subject to conditions.

Carried

Application No: S-06-17-S
Owner: James and Cynthia Curtis
Location of Property: Concession 9, Lot/Part Lot 21/22, Carrying Place Road, District of Storrington, Township of South Frontenac
Purpose of Application: Consent to create a new lot
Date of Hearing: March 9, 2017
Date of Decision: April 13, 2017

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-06-17-S shall be for the creation of a 2.3 acre lot with a minimum of 76m of frontage along Carrying Place Road and a minimum of 91m of frontage on Dog 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 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 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 Parks Canada and the Cataraqui Region Conservation Authority prior to any development on the property, to determine the need for a permit.
8. The applicant shall rezone the lots (severed and retained parcels) to be created from Consent Application S-06-17-S from Residential Waterfront to a Special Residential Waterfront Zone in order to recognise the undersized lots. Please contact Lindsay Mills, the Township Planner, to begin this process.

Item # 8: MV-04-17-L (Burns)

Speaking to the Application: Gordon Burns

Discussion:

This item was originally brought to the committee in October 2004. It was deferred at that time along with a concurrent application to obtain a right-of-way and parking easement on the mainland. There were issues obtaining permission from the land owner to add this right-of-way to the existing Koen Lane right-of-way. This permission has since been obtained and the parking easement has been approved by the committee. The parking area must be added to the deeds of both the mainland and island property the applicant prior to beginning the building permit process.

The subject lands are located in the East Basin of Loughborough Lake. The proposal is for a 30 ft. by 40 ft. single story seasonal dwelling and a 150 square foot accessory structure, to be located a minimum of 55 feet from the high water mark of Loughborough Lake.

The applicant had previously received approval from Cataraqui Region Conservation Authority (CRCA), but due to the length of time between the initial application and the return to the committee

the application was recirculated to the CRCA for comments and they maintain their initial position with no objections to the application.

R. Sutherland is in support of the proposal but has concerns over the ability of the applicant to adequately pump out the proposed septic system and would like to add a condition that the applicant either provides proof of pumping ability or only install an alternative waste disposal system such as chemical toilet, composting toilet or pit privy.

D. Hahn agrees with the position of R. Sutherland.

RESOLUTION: C of A: 17:03:06

Moved by: J. Sherbino

Seconded by: R. Sutherland

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-23-17-L by Gordon Burns to permit construction within the 30m setback from water, in Concession 6, Part Lot 25, District of Loughborough, subject to conditions.

Carried

Application No: MV-23-04-L
Owner: Gordon Burns & Judith Burns
Location of Property: Concession 6, Part Lot 25, District of Loughborough, Loughborough 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 21, 2004
Date of Decision: April 13, 2017

Decision: MINOR VARIANCE APPROVED, subject to conditions

CONDITIONS:

1. The variance is for the construction of a maximum 1200 square foot footprint, single story, no basement dwelling and a 10 foot by 15 foot accessory building, to be located a minimum of 55 feet from the high water mark of Loughborough Lake.
2. No other structures shall be permitted within the 30m setback from the high water mark.
3. Minor variance MV-23-04-L 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. Prior to the issuance of a building permit, the applicant shall provide a copy of a contract for pumping for a Class 4 septic system on an island or be restricted to the installation of an alternative means of sewage disposal such as a chemical toilet, a composting toilet or a pit privy.
6. 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 # 9: MV-38-16-B (Snelgrove)

Speaking to the Application: Paul Snelgrove

Discussion:

This item was originally brought to the Committee in November 2016 and was deferred to give the applicant a chance to revise the proposal and to allow the Committee members an opportunity to visit the site once the snow had cleared.

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.

Cataraqui Region Conservation Authority recommends denial of this application as submitted based on considerations for natural hazards, natural heritage and water quality policies. The CRCA also states that based on site visits there are alternative locations for development on the property, that while these alternative may not have a water view they are more suitable from an environmental perspective. The CRCA has evaluated the adjusted proposal, which includes moving the garage to a location outside the required setbacks, but still maintains their position with a recommendation of denial of the application as submitted as there is sufficient space on the lot to meet the setbacks.

Planner L. Mills stated that while the revised application makes improvements over the initial application the planning department would only be able to support the application if the setback to the high water mark of the inland wetland area was increased to 100 feet from the current proposal of 62 feet.

D. Hahn has visited the site twice and feels the proposed site is a somewhat benign building location and with appropriate grading and site plan conditions he would be in support of the application.

R. Sutherland questioned as to where the 100 foot setback, proposed by L. Mills, is from and the planner replied that it was the high water mark of the inland wetland area.

P. Snelgrove said the proposed site was to be 200 feet from the tip of the point and Milk Lake and he was ok with the 100 foot setback proposed by L. Mills.

R. Sutherland asked if this was on the site plan originally, L. Mills replied no this was an adjustment and R. Sutherland indicated that if this 100 foot setback was met then he would be able to support the proposal.

R. Sleeth asked about placing both the house and garage in the alternative location where the garage is now proposed to be located. P. Snelgrove said that too much development in that area would block the natural drainage of the inland wetland area and that it would increase traffic in the low area.

RESOLUTION: C of A: 17:03:07

Moved by: D. Hahn

Seconded by: J. McDougall

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application MV-38-17-B by Paul Snelgrove to permit construction within the 30m setback from water, in Concession 11, Part Lot 1, Frye Lane, District of Bedford, subject to conditions.

Carried

Application No: MV-38-16-B
Owner: Paul Snelgrove
Location of Property: Concession 11, Part Lot 2, Frye Lane, 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 the 30m setback from HWM and within 15m from top of bank
Date of Hearing: November 10, 2016
Date of Decision: April 13, 2017
Decision: MINOR VARIANCE APPROVED, subject to conditions

CONDITIONS:

1. This minor variance is for the construction of a maximum 1080 square foot footprint dwelling, including any decks, to be located a minimum of 43 feet from the high water mark of Milk Lake and a minimum of 100 feet from the high-water mark of the inland wetland area.
2. Minor variance MV-37-16-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 Cataraqui Region Conservation Authority for the proposed development, and for any shoreline or in-water works in addition to a requirement for the installation of French drains for runoff.

Item # 10: MV-43-16-S (Hackett)

Speaking to the Application: None Speaking

Discussion:

This application was originally brought to the committee in February, 2017 and was deferred until the April 2017 meeting to give the applicant an opportunity to revise the proposal and reduce the proposed footprint. Nothing was submitted in writing to the Planning Department for review, but several committee members indicated the applicant had provide them with an alternative proposal which included the removal of approximately 230 square feet of existing decking area and a 76 square foot reduction in building size from the initial 912 proposed addition. After some discussion on the limited size of the proposed reductions and the fact nothing had been submitted in writing the committee members or recirculated to Cataraqui Region Conservation Authority it was moved that the item be deferred once again until the applicant had provided a revised proposal in writing to the Planning Department for recirculation.

The subject land consists of a 0.46 +/- acres with frontage on Loughborough Lake. The lot is currently developed with a 1053 square foot footprint seasonal dwelling (including attached decks), located 20 feet (6.2m) from the high water mark of Loughborough Lake, a 32 square foot shed and a 226 square foot boathouse. The proposal is for the construction of a 38 foot by 24 foot (912 square foot) addition to the non-water side of the existing dwelling. The property is zoned RLSW (Limited Service Residential Waterfront) which permits a maximum of 5% total lot coverage for the principal dwelling. For a 0.46 acre lot this translates into a maximum footprint of 1002 square feet. The existing dwelling exceeds this maximum and with the proposed addition the total footprint will increase to 1968 square 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. The resulting structure would constitute a structure of 1968 square feet all within the normally requires 30m setback contrary to the intent of the Official Plan.

The applicant has submitted a preliminary Environmental Impact Assessment completed by Ecological Services as the West Basin of Loughborough Lake is a Highly Sensitive Trout Lake. This assessment recommends the applicant enter into a site plan agreement to ensure proper maintenance of the septic holding tank.

Cataraqui Region Conservation Authority have evaluated the application and are recommending denial as submitted in support of limiting intensification of development near waterbodies for the purpose of protection of water quality.

Comments from roads were not required.

Public health has no objections as the applicant has recently replaced the holding tank on the property with one that is sufficient for the proposed development.

RESOLUTION: C of A: 17:03:08

Moved by: R. Sutherland

Seconded by: D. Hahn

THAT the South Frontenac Township Committee of Adjustment hereby DEFERS minor variance application MV-43-16-S by Ronald Hackett to create a new lot, in Concession 1, Part Lot 11, Sandpiper Lane, District of Storrington, subject to submission of a written revised proposal.

Carried

Item # 11: MV-08-17-B (Cove)

Speaking to the Application: None Speaking

Discussion:

This item was originally brought to the Committee in March, 2017 but was deferred pending receipt of a report from KFL&A public health. There was also a discussion of the size of the proposed parking

area in addition to concerns raised by neighbours over possible drainage concerns regarding runoff from this parking area.

The subject land consists of a 0.38 +/- acres with frontage on Bobs Lake. The lot is currently developed with a 100 square foot storage shed, a 10 square foot outhouse, and a 100 square foot deck with attached drawbridge style dock. The proposal is for the demolition of the existing storage shed and the construction of 25 ft. by 30 ft. (750 square foot) two story seasonal dwelling to be located a minimum of 55 feet from the high water mark (HWM) of Bob's Lake. Also proposed is the construction of an 8 ft. by 16 ft. (128 square foot) storage shed to be located a minimum of 120 feet from the HWM and the construction of a gravelled 30 foot by 50 foot parking area to be located along the eastern edge of the property. The proposed location for the septic system is a minimum of 90 feet from the HWM.

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 provided the best management practices in the attached report dated February 23, 2017 are followed.

The building department has no objections.

KFL&A Public Health have no objections as a septic permit application has been submitted by the applicant.

Comments from roads were not required.

Planner L. Mills indicated that a lot grading and drainage plan condition will be added to the site plan agreement to ensure there were no issues with neighbouring lots.

A. Revill has visited the site and said it was hard to understand how the proposal was going to work on the site and wanted to ensure the dwelling was located as far from the water as possible.

R. Sutherland appreciated the additional site plan agreement conditions but wanted to have something in writing from the applicant clarifying the parking area and drainage concerns.

RESOLUTION: C of A: 17:03:10

Moved by: D. Hahn

Seconded by: J. Sherbino

THAT the South Frontenac Township Committee of Adjustment hereby DEFERS minor variance application MV-08-17-B by Kevin & Harriet Cove, to permit construction within the 30 metre setback from water, in Concession 6, Part Lot 32, Island Drive Lane, District of Bedford, subject to site visit and grading/drainage clarification.

Carried

Item # 12: MV-09-17-L (Clarke)

Speaking to the Application: None Speaking

Discussion:

This application was originally brought to the Committee in March, 2017 but was deferred until the studies requested by Cataraqui Region Conservation Authority could be completed. After the applicants revised their application to remove the covered deck, the CRCA revised their comments and now have no objections to the application.

The subject land consists of a 1.3 +/- acres with frontage on Pearkes Lake. The lot is currently developed with a 598 square foot seasonal dwelling with attached 180 square foot deck located approximately 5 feet from the high water mark of Pearkes Lake. The proposal is for the reconstruction and raising of the existing roof by 7 feet to create a vaulted ceiling but not add any living space or a second story. The proposal also includes extending the new roof line over the existing 180 square foot deck. As part of the reconstruction of the roofline the applicant has requested to remove and reconstruct the living room walls and floor to accommodate the new roof trusses.

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.

Cataraqui Region Conservation Authority (CRCA) are recommending deferral of this application and that South Frontenac request the applicant to complete two (2) engineering studies to appropriately address potential flooding and erosion risks. The CRCA recommends that the applicant be advised to retain the services of a qualified professional engineer to undertake a floodplain analysis and an erosion study to detail the extent of these hazards and provide recommendations to address the hazards if necessary. Furthermore, they have indicated that they currently do not have enough information for a CRCA permit application to be considered under the current Regulation, which would be required for the proposed works. The above noted studies will be required in order to complete the application for a permit from the CRCA. Without this permit a Township building permit

could not be issued. *These comments have been revised due to the removal of the proposed deck covering and the CRCA no longer has any objections to the proposal.*

The building department has no objections.

As no new entrance was required and there is no increase in living space proposed, comments from the Public Works department and KFL&A Public Health were not required.

RESOLUTION: C of A: 17:03:10

Moved by: R. Sutherland

Seconded by: J. Sherbino

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-09-17-L by Jeremy & Mary Clarke, to permit construction within the 30 metre setback from water, in Concession 12, Part Lot 10, Salmon Lake Road, District of Loughborough, subject to conditions.

Carried

Application No: MV-09-17-L
Owner: Jeremy and Mary Clarke
Location of Property: Concession 12, Lot/Part Lot 10, Salmon Lake Road, District of Loughborough, Township of South Frontenac
Purpose of Application: To vary section 5.8.2 and section 8.3.1 of the Comprehensive Zoning By-law to permit construction within the 30m setback from HWM
Date of Hearing: March 9, 2017
Date of Decision: April 13, 2017

Decision: MINOR VARIANCE APPROVED, subject to conditions

CONDITIONS:

1. This minor variance is for the removal and reconstruction of the existing roofline to increase the overall height of a seasonal dwelling to a maximum of 18 feet (to the peak) provided no additional living space, loft area or second story is created.
2. Minor variance MV-09-17-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 Cataraqui Region Conservation Authority for the proposed development, and for any shoreline or in-water works.

Item # 13: S-07-17-L (Smith)

Speaking to the Application: None Speaking

Discussion:

The subject land consists of 15 +/- acres with frontage on Stagecoach Road. The lot is developed with a 1,550 square foot dwelling, presently under construction. The proposal is for the creation of a new 5.0 +/- acre residential lot. The retained parcel is proposed to be 10 +/- acres in size and will contain the existing structure.

The planning department is able to support the application for a new lot as the proposal meets the minimum requirements for new lot creation as per the Comprehensive Zoning By-law 2003-75.

The building department has no objections.

The Public Works department has visited the site and have no objections to the application. They have indicated that the lot is low and may experience flooding. They recommend a ditch created around any proposed house after completion of construction.

The building department has no objections.

KFL&A Public Health have no objections.

There were concerns raised by a neighbour and voiced by R. Sutherland regarding the possibility of limited water in the area and worries over impact on existing wells. The applicant has drilled the well

and submitted a well record and a draw down test conducted on the neighbouring wells which show no impact.

RESOLUTION: C of A: 17:03:11

Moved by: R. Sutherland

Seconded by: J. Sherbino

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-07-17-L by Robert Smith, to create a new lot, in Concession 1, Part Lot 4, Stagecoach Road, District of Loughborough, subject to conditions.

Carried

Application No: S-07-17-L
Owner: Robert Smith
Location of Property: Concession 1, Lot/Part Lot 4, Stagecoach Road, District of Loughborough, Township of South Frontenac
Purpose of Application: Consent to create a new lot
Date of Hearing: April 13, 2017
Date of Decision: April 13, 2017

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-07-17-L shall be for the creation of a 5.0 +/- acre lot with a minimum of 76m of frontage along Stagecoach 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 enter into a Development Agreement with the Township to be registered on title, which sets out the Township’s environmental policies and which specifies that a lot grading/drainage plan be completed prior to the issuance of a building permit.

Item # 14: MV-10-17-S (Revell)

Speaking to the Application: Robert Revell

Discussion:

The subject land consists of 1.12 +/- acres with frontage on Loughborough Lake (West Basin). The lot is currently developed with a 2000 square foot footprint dwelling, including attached decks, located approximately 20m (66 feet) from the high water mark of Loughborough Lake, and two (2) detached accessory buildings, a 1000 square foot footprint structure located approximately 40m and a 640 square footprint structure located approximately 49m from the high water mark of Loughborough Lake. The proposal is for the raising of the existing roofline to permit a second story (900 square feet floor space approximately) addition with a finished height to peak of 25 feet maximum. This addition will contain four (4) bedrooms and a living area but no additional bathrooms. The applicant has opted to go up rather than out given the fact the existing dwelling already encompasses the allowed 5% lot coverage.

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.

Cataraqui Region Conservation Authority (CRCA) has no objections to the proposal as submitted based on their consideration for natural hazard, natural heritage and water quality policies. They have indicated that a permit will be required for the proposed works should the variance be approved.

The performance review has determined that the existing septic system will need to be upgrade to handle the increased square footage. The applicant is currently working with the KFL&A health unit on this permit application.

The building department has no objections to the proposal.

K. Gee and R. Sleeth have visited the site and agree adding a second story makes sense. With new septic installation as well they have no objections.

RESOLUTION: C of A: 17:03:12

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-10-17-S by Robert & Kellie Revell, to permit construction within the 30m setback from water, in Concession 2, Part Lot 14, Arthur Court Lane, District of Storrington, subject to conditions.

Carried

Application No: MV-10-17-S
Owner: Robert & Kellie Revell
Location of Property: Concession 2, Lot/Part Lot 14, 4462 Arthur Court Lane, District of Storrington, Township of South Frontenac
Purpose of Application: To vary section 5.8.2 and section 10.3.1 of the Comprehensive Zoning By-law to permit construction within the 30m setback from HWM
Date of Hearing: April 13, 2017
Date of Decision: April 13, 2017
Decision: MINOR VARIANCE APPROVED, subject to conditions

CONDITIONS:

1. This minor variance is for the raising of the existing roofline to a maximum finished height to peak of 25 feet to permit a second story addition for an increase in living space.
2. Minor variance MV-10-17-S 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 Region Conservation Authority for the proposed development, and for any shoreline or in-water works.

Item # 15: MV-11-17-P (Reynolds)

Speaking to the Application: Sandra Reynolds, Andy Ritchie

Discussion:

The subject land consists of 52.12 +/- acres with frontage on McGuire Lake. Approximately 28 acres of the property is wetland area, with a further 2.5 acres as a registered hydro easement. The lot is currently developed with a 475 square foot storage building. The proposal is for construction of a 36 foot by 26 foot dwelling to be located a minimum of 15m (50 feet) from the wetland edge and a minimum of 12 feet from the exterior side lot line along the unopened road allowance.

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 layout and extensive nature of the wetland along with the topography of the remaining land on this lot there is limited area for construction.

Quinte Conservation Authority has visited the site and has no objections to the proposal as submitted. They have indicated that the proposed construction is within the regulated area and a permit will be required for all works within 120m of the edge of the unnamed wetland.

KFL&A public health has no objections to the application.

The building department has no objections.

Planner L. Mills wanted the existing building on the road allowance removed from the property.

J. McDougall suggested an alternative of removing the lean-to portion of the building which was encroaching on the road allowance and permitting the rest of the structure to remain; L. Redden was in favour of this proposal.

L. Redden had concerns regarding the proposed entrance location for safety reasons; and the applicant indicated they would continue to use the existing entrance from Howe's Lake Lane rather than attempt to gain direct access from Desert Lake Road.

RESOLUTION: C of A: 17:03:13

Moved by: J. McDougall

Seconded by: L. Redden

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-11-17-P by Sandra Reynolds, to permit construction within the 30m setback from water, a reduction in side yard setback and permit an accessory building in the front yard, in Concession 12, Part Lot 6, Desert Lake Road, District of Portland, subject conditions.

Carried

Application No: MV-11-17-P
Owner: Sandra Reynolds
Location of Property: Concession 12, Lot/Part Lot 6, Desert Lake Road, District of Portland, Township of South Frontenac
Purpose of Application: To vary section 5.8.2 and section 7.3.2 of the Comprehensive Zoning By-law to permit construction within the 30m setback from HWM and a reduction in exterior side yard setback
Date of Hearing: April 13, 2017
Date of Decision: April 13, 2017
Decision: MINOR VARIANCE APPROVED, subject to conditions

CONDITIONS:

1. This minor variance is for the construction of a maximum 950 square foot footprint (including decks) dwelling to be constructed a minimum of 15m (50 feet) from the wetland edge and a minimum of 12 feet from the exterior side yard along the unopened road allowance.

2. This minor variance is for the continued use of an existing accessory building in the front yard. Prior to the issuance of a building permit for the approved dwelling, the owner/applicant must demonstrate to the satisfaction of the Building Department that the portion of the existing building encroaching on the Township road allowance has been removed.
3. Minor variance MV-11-17-P 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 Quinte Conservation Authority for the proposed development, and for any shoreline or in-water works.

Item # 16: MV-12-17-B (Gajdacs)

Speaking to the Application: None Speaking

Discussion:

The subject land consists of 0.9 +/- acres with frontage on Bobs Lake. The lot is currently developed with a 900 square footprint seasonal dwelling located 14.5m from the high water mark (HWM) of Bob’s Lake. The proposal is for construction of an approximately 565 square foot deck on the water side of the existing cottage. The original proposal asked to reduce the setback to the HWM to 11.7m from 14.5m. Initial conversations with Rideau Valley Conservation Authority (RVCA) by the applicant indicated the RVCA would not be in support of any further encroachment to the HWM; as such the applicant has submitted a revised plan where no part of the proposed deck encroaches farther into the setback than then current structure.

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 has indicated that provided there is no further encroachment into the already reduced setback (14.5m) than that of the existing cottage then they have no objections to the application. They have some Best Management Practices which are to be included on the site plan agreement including, no grade changes or excavation for deck (allowing minor disturbance for sono tubes or the like), access to the water shall be via a modest pedestrian path or stairway, to a single point at the shore and no other disturbance shall be undertaken between the cottage and water.

Comments were not required from roads or public health.

The building department has no objections.

RESOLUTION: C of A: 17:03:14

Moved by: D. Hahn

Seconded by: J. McDougall

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-12-17-B by Penelope Stavrakos-Gajdacs, to permit construction within the 30m setback from water, in Concession 4, Part Lot 25, Bobs Lake, District of Bedford, subject to conditions.

Carried

Application No: MV-12-17-B
Owner: Penelope Stavrakos-Gajdacs
Location of Property: Concession 4, Lot/Part Lot 25, District of Bedford, Township of South Frontenac
Purpose of Application: To vary section 5.8.2 and section 7.3.2 of the Comprehensive Zoning By-law to permit construction within the 30m setback from HWM and a reduction in exterior side yard setback
Date of Hearing: April 13, 2017
Date of Decision: April 13, 2017

Decision: MINOR VARIANCE APPROVED, subject to conditions

CONDITIONS:

1. This minor variance is for the construction of a maximum 565 square foot footprint deck to be constructed a minimum of 14.5m from the high water mark of Bob's Lake.
2. Minor variance MV-12-17-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 # 17: MV-13-17-L (Brough)

Speaking to the Application: Janet Brough

Discussion:

The subject land consists of 3.91 +/- acres with frontage on Alton Road East. The lot is currently developed with a single detached dwelling and two detached accessory buildings. The proposal is for the construction of a 26 foot by 40 foot (1040 square foot footprint) detached garage to be located in front of the principal dwelling and a minimum of 25 feet from the front property line.

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

The building department has no objections.

R. Sutherland wanted to ensure the line of trees along the roadside was preserved for the future screening of the proposed garage.

RESOLUTION: C of A: 17:03:15

Moved by: R. Sutherland

Seconded by: J. Sherbino

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-13-17-L by Janet Brough, to permit construction of an accessory building in front of the principal dwelling and a reduction in front yard setback, in Concession 6, Part Lot 4, Alton Road East, District of Loughborough, subject to conditions.

Carried

Application No: MV-13-17-L
Owner: Janet Brough
Location of Property: Concession 6, Lot/Part Lot 4, 2810 Alton Road East, District of Loughborough, Township of South Frontenac
Purpose of Application: To vary section 5.24.2 and section 7.3.2 of the Comprehensive Zoning By-law to permit construction within the 30m setback from HWM
Date of Hearing: April 13, 2017
Date of Decision: April 13, 2017
Decision: MINOR VARIANCE APPROVED, subject to conditions

CONDITIONS:

1. This minor variance is for the construction of a maximum 1040 square foot footprint detached accessory building to be constructed a minimum of 25 feet from the front property line of 2810 Alton Road East.
2. Minor variance MV-13-17-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 retain and preserve the existing tree line, replanting if necessary, to shield the approved garage.

Item # 18: MV-17-17-B (Muzik)

Speaking to the Application: Joe Bowes, Sally Muzik

Discussion:

The subject land consists of 1.24 +/- acres with frontage on Bob's Lake and Morton Point Lane. The lot is currently developed with a 760 square foot footprint dwelling with an attached 400 square foot deck located approximately 6 feet from the high water mark of Bobs Lake, plus a 200 square foot detached garage located 7 feet from the HWM and a 120 square foot shed located 10 feet from the HWM of Bob's Lake. The proposal is for the demolition of all existing structures and the construction of a 960 square foot dwelling to be located a minimum of 30 feet from the HWM of Bob's Lake. This proposed structure will be raised to accommodate a crawlspace for utilities and new foundation. A new septic system is proposed to be located on the south side of Morton Point Lane in order to minimize impact on the 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 Rideau Valley Conservation Authority have no objection the application as submitted. They have recommended several best management practices to be incorporated into the site plan agreement, including re-establishment of the waterfront vegetative buffer in front of the new structure except for a pedestrian access path to the dock/water.

KFL&A Public Health has no objections to the proposal as the applicant has submitted a permit for a new septic system on the south side of Morton Point Lane.

Comments were not required from roads.

The building department has no objections.

D. Hahn confirmed the change in proposed setback from 40 feet to 30 feet from the high water mark of Bob's Lake was as a result of an intrusion of the existing cottage into the surveyed right-of-way. He questioned why, given the acreage south of Morton Point Lane why the applicant could not locate the proposed dwelling farther away from the lake. That, based on his site visit it appeared there was sufficient space on the lot to accommodate both the new septic system and the proposed cottage.

J. Bowes said the applicant had looked at locating the proposed cottage on the south side of the lane but with the setbacks from the septic system, the setbacks from the lane and the overhead hydro lines it really wasn't possible to locate the building on the same side as the septic system.

A. Revill suggested deferral of the application to give the applicant time to confirm a minimum 30 foot setback from the HWM and further explore alternative options.

RESOLUTION: C of A: 17:03:16

Moved by: D. Hahn

Seconded by: J. McDougall

THAT the South Frontenac Township Committee of Adjustment hereby DEFERS minor variance application MV-14-17-B by Sally Muzik, to permit construction within the 30m setback from water, in Concession 2, Part Lot 21, Morton Point Lane, District of Bedford, subject to site visit and accurate distance determination.

Carried

Item # 19: MV-15-17-B (Vanden Heuval)

Speaking to the Application: Rita Vanden Heuval, Reg Genge

Discussion:

The subject land consists of 3.57 +/- acres with frontage on Potspoon Lake. The lot is currently developed with a 2445 square footprint dwelling located 28m from the high water mark (HWM) of Potspoon Lake. The proposal is for construction of a 770 square foot footprint (24 foot by 32 foot) detached accessory building to be located a minimum of 22m from the HWM. The property is a peninsula which narrows towards the eastern end of the property and this limits the abilities to meet the setback from the HWM.

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.

As Potspoon Lake is a Highly Sensitive Trout Lake the applicant has submitted a preliminary Environmental Impact Assessment (EIA) prepared by Ontario Lake Assessments. This EIA evaluated multiple environmental concerns including Species at Risk, and potential impacts on both Potspoon Lake and a wetland to the south of the subject property. A site visit was conducted and it was the opinion of OLA that the proposed development would have no impact on any of the evaluated criteria.

Comments from Quinte Conservation have yet to be received.
 Comments were not required from roads or public health.
 The building department has no objections.
 D. Hahn visited the property and agrees the proposed location is a location which will have a minimal environmental impact as it is already cleared.
 A. Revill also visited the property and concurs in the appropriateness of the proposed location.

RESOLUTION: C of A: 17:03:17

Moved by: D. Hahn

Seconded by: J. McDougall

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-15-17-B by David Marek and Rita Vanden Heuval, to permit construction within the 30m setback from water, in Concession 4, Part Lot 11/12, Potspoon Lane, District of Bedford, subject to conditions.

Carried

Application No: MV-15-17-B
Owner: David Marek & Rita Vanden Heuval
Location of Property: Concession 4, Lot/Part Lot 11/12, District of Bedford, Township of South Frontenac
Purpose of Application: To vary section 5.8.2 and section 10.3.2 of the Comprehensive Zoning By-law to permit construction within the 30m setback from HWM
Date of Hearing: April 13, 2017
Date of Decision: April 13, 2017
Decision: MINOR VARIANCE APPROVED, subject to conditions

CONDITIONS:

1. This minor variance is for the construction of a maximum 770 square foot footprint detached accessory building to be constructed a minimum of 22m from the high water mark of Potspoon Lake.
2. Minor variance MV-15-17-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 # 20: Adjournment

RESOLUTION: C of A: 17:03:18

Moved by: J. McDougall

Seconded by: L. Redden

THAT the April 13, 2017 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, May 11, 2017 or at the call of the Chair.

Carried

Alan Revill
 Chair

Lindsay Mills
Secretary-Treasurer