



TOWNSHIP OF SOUTH FRONTENAC  
PLANNING DEPARTMENT



MINUTES 17:01  
February 9, 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)

ABSENT WITH REGRETS: 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: 17:01:01

Moved by: R. Sutherland Seconded by: R. Sleeth

THAT the February 9, 2016 meeting of the South Frontenac Township Committee of Adjustment is hereby called to order at 7:05 p.m. by Lindsay Mills.

Carried

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**Item # 2: Motions to Elect a Chairperson**

RESOLUTION: C of A: 17:01:02

Moved by: J. McDougall Seconded by: R. Sleeth

THAT the South Frontenac Township Committee of Adjustment hereby nominates Alan Revill for the position of Chairperson.

Carried

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**Item # 3: Motions to Elect a Vice-Chairperson**

RESOLUTION: C of A: 17:01:03

Moved by: R. Sleeth Seconded by: R. Sutherland

THAT the South Frontenac Township Committee of Adjustment hereby nominates David Hahn for the position of Vice-Chairperson.

Carried

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**Item # 4: Adoption of the Agenda**

Item added to Other Business, re: computerisation of agendas and meetings

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**Item # 5: Declaration of Pecuniary Interest**

None Declared

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**Item # 6: Approval of Minutes**

RESOLUTION: C of A: 17:01:04

Moved by: J. McDougall

Seconded by: L. Redden

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

Carried

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**Item # 7: S-87-04-L (Burns)**

Speaking to the Application: None Speaking

Discussion:

This item was originally brought to the Committee in October 2004 but was deferred until confirmation that the owner of the property over which Koen Lane passes had no objections to the creation of this right-of-way over Koen Lane and parking easement. The applicant Gord Burns had now obtained this written permission.

The subject lands front on Koen Lane and Loughborough Lake. The purpose of the application is to provide a mainland parking easement for access to an island property (Sand Island). There are no objections from staff or agencies.

RESOLUTION: C of A: 17:01:05

Moved by: R. Sutherland

Seconded by: R. Sleeth

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-87-04-L by Gordon and Judith Burns to create a right-of-way and parking easement, in Concession 7, Part Lot 26, Koen Lane, District of Loughborough, subject to conditions.

Carried

**Application No:** S-87-04-L  
**Owner:** Gordon and Judith Burns  
**Location of Property:** Concession 7, Part Lot 26, Koen Lane, District of Loughborough, Township of South Frontenac  
**Purpose of Application:** Consent to create a parking easement and right-of-way  
**Date of Hearing:** November 10, 2016  
**Date of Decision:** December 8, 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-87-04-L shall be for the creation of a right-of-way and parking and docking easement to provide on-title mainland access for an island property (ARN 102904003013500).

3. The right-of-way and parking easement shall be surveyed and shall be registered on title to the lands being accessed, and to the lands over which it passes.
4. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
5. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
6. The Township of South Frontenac shall receive \$100 in lieu of parkland [Planning Act, s. 51(1)].

**Item # 8: MV-38-16-B (Snelgrove)**

Speaking to the Application: Paul Snelgrove

Discussion:

This item was originally brought to the committee in November, 2016 but was deferred pending receipt of a report from the Cataraqui Region Conservation Authority. The item returned in December, 2016 and the Committee deferred the application pending site inspection from the committee members and preparation of a site plan agreement. This item has been returned to the committee as there is a new representative for Loughborough District who has yet to see the application.

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.

D. Hahn has visited the site extensively and agrees with the proposed 43 foot setback on the western side of the lot as does Township planner L. Mills and the C.R.C.A.

After further discussions the committee members would like a further opportunity for all to visit the site prior to making a decision.

RESOLUTION: C of A: 17:01:06

Moved by: D. Hahn

Seconded by: J. McDougall

THAT the South Frontenac Township Committee of Adjustment hereby DEFERS minor variance application MV-38-16-B by Paul Snelgrove, to create permit construction within the 30m setback from water, in Concession 11, Part Lot 1, Frye Lane, District of Bedford, until the April 13, 2017 meeting of the Committee.

Carried

**Item # 9: MV-43-16-S (Hackett)**

Speaking to the Application: Bill Bishop (agent)

Discussion:

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.

Public health has no objections as the applicant has recently upgraded the septic system.

Comments from roads were not required.

L. Mills read to the committee an email received from Rosemarie Trip in support of the application. This email addresses Mr. Hackett's blindness as a requirement for the increased size of the dwelling due to the caregiver needs.

R. Sleeth knows the property well and concurs with zoning relief to accommodate for the special needs of Mr. Hackett.

R. Sutherland visited the site and said the cottage is similar in size to other cottages in the area. That at its current size the cottage is already at the maximum allowed lot coverage and the proposed increase in square footage would not be a minor variance but a major variance. He would like to see the application denied as submitted.

J. McDougall is in support of deferral for a possible revision of the application to a smaller increase than originally proposed.

D. Hahn said this was a tough call given the circumstances but agreed with the C.R.C.A and Township planner and cannot support the application.

Mary Alice Snetsinger spoke with regards to the minimal increase in environmental impact the proposed development would have on Loughborough Lake.

W. Bishop made several arguments in favour of the application including the statement from the C.R.C.A. that said the development was outside the floodplain area and the development was in a reasonable area as it was to the rear of the existing dwelling; that no objections had been received from the neighbours; the applicant had recently upgraded the septic system; the special needs of Mr. Hackett due to his disability and requirement to have a live in caregiver which would be hard to do with the current size of the dwelling; that the applicant and his family had been on the lake here for over 40 years and were on the lake association to discourage mega developments on the shoreline.

RESOLUTION: C of A: 17:01:07

Moved by: R. Sleeth

Seconded by: J. McDougall

THAT the South Frontenac Township Committee of Adjustment hereby DEFERS minor variance application MV-43-16-S by Ronald Hackett, to create permit construction within the 30m setback from water, in Concession 1, Part Lot 11, Sandpiper Lane, District of Storrington, subject to a revision of the proposal.

Carried

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**Item # 10: MV-01-17-L (Bennett)**

Speaking to the Application: Jeff Bennett

**Discussion:**

The subject land consists of a 2.62 +/- acres with frontage on Sydenham Lake. The lot is currently developed with a 24 ft. by 24 ft. (576 square foot) seasonal dwelling with attached deck, a 12 ft. by 8 ft. (96 square foot) frame shed and a 10 ft. by 12 ft. (120 square foot) steel shed. The proposal is for the construction of a 26 foot by 32 foot (832 square foot) detached garage. The proposed garage will be located outside the 30m setback from water. The by-law does not permit the total square footage

of all accessory buildings to exceed the total square foot footage of the primary structure for the purposes of maintaining the residential nature of the zone.

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

RESOLUTION: C of A: 17:01:08

Moved by: R. Sutherland

Seconded by: R. Sleeth

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-01-17-L by Jeff Bennett and Margaret Eberle to permit an increase in coverage of an accessory building, in Concession 5, Part Lot 6, Slumber Lane, District of Loughborough, subject to conditions.

Carried

**Application No:** MV-01-17-L  
**Owner:** Jeff Bennett & Margaret Eberle  
**Location of Property:** Concession 5, Part Lot 6, Slumber Lane, District of Storrington, Township of South Frontenac  
**Purpose of Application:** To vary Section 5.24.1 of the Comprehensive Zoning By-law to permit an increase in coverage of an accessory building  
**Date of Hearing:** February 9, 2017  
**Date of Decision:** February 9, 2017

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

#### CONDITIONS

1. This minor variance is for the construction of an 835 square foot detached accessory building, single storey, no basement permitted, to be located a minimum of 30m from the high water mark of Sydenham Lake
2. Minor variance MV-01-17-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 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.

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#### Item # 11: MV-02-17-B (Ash)

Speaking to the Application: None Speaking

Discussion:

The subject land consists of a 0.49 +/- acres with frontage on Bobs Lake. The lot is currently developed with a 30.5 ft. by 28.3 ft. (865 square foot) seasonal dwelling with attached deck, a 16 ft. by 8 ft. boathouse, a 6 ft. by 8 ft. outhouse and a 12 ft. by 8 ft. shed. The existing cottage is located 61.75 feet from the high water mark of Bobs Lake; the proposal is for the raising and rotating of the existing cottage to add a walkout basement while increasing the setback to 66.58 feet from the HWM. There is a hydro easement across the rear of the property which limits the possibility of a further increase in 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.

Rideau Valley Conservation Authority has no objections to the application as it improves the current situation with regards to the water setback.

The building department has no objections.

Comments from roads and public health were not required.

RESOLUTION: C of A: 17:01:09

Moved by: J. McDougall

Seconded by: D. Hahn

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-02-17-B by Bryan and Dawn Ash to permit construction within the 30m setback from water, in Concession 4, Part Lot 18, Bayshore Lane, District of Bedford, subject to conditions.

Carried

**Application No:** MV-02-17-B  
**Owner:** Bryan & Dawn Ash  
**Location of Property:** Concession 4, Part Lot 18, Bayshore 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  
**Date of Hearing:** February 9, 2017  
**Date of Decision:** February 9, 2017

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

### CONDITIONS

1. This minor variance is for the raising and relocating of an existing dwelling to add a walkout basement to be located a minimum of 66.58 feet from the high water mark of Bobs Lake.
2. Minor variance MV-02-17-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.

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### Item # 12: MV-03-17-S (Sonneveld)

Speaking to the Application: Richard Sonneveld

#### Discussion:

The subject land consists of an 88.3 +/- acres with frontage on Sunbury Road. The lot is currently developed with a 60ft. by 290ft. barn, a 60ft. by 60ft. dwelling and an 81ft. diameter open manure storage tank. The proposal is for a 60ft. by 145ft. addition to the rear of the existing barn and the construction of a new 160ft. by 160ft. open manure storage to be located 410 feet from the front property line. The current manure storage tank is located 22 feet from the front property line and 225 feet from the closest dwelling. At a distance of 520 feet from the same dwelling the proposed manure storage will be significantly farther away than currently. The Minimum Distance Separation (MDS II) calculation was completed by Karen Davis from Crop Quest Inc. This evaluation determined that the proposed structures should be located a minimum of 190m (624ft) for the barn expansion and 271m (890ft) for the manure storage. The barn expansion will occur at 380 feet from the closest dwelling, the farthest end of the existing barn. The manure tank will be located at 520 feet from the closest dwelling and be separated by two existing barns and multiple silos; it is also proposed to be only approximately 6ft above grade with the rest of the storage below grade. The applicant has indicated that locating the manure storage at a greater distance would significantly increase the cost of construction.

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

RESOLUTION: C of A: 17:01:10

Moved by: J. McDougall

Seconded by: D. Hahn

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-02-17-B by Bryan and Dawn Ash to permit construction within the 30m setback from water, in Concession 4, Part Lot 18, Bayshore Lane, District of Bedford, subject to conditions.

Carried

**Application No:** MV-03-17-S  
**Owner:** Jeff, Richard & Robert Sonneveld  
**Location of Property:** Concession 7, Part Lot 5, Sunbury Road, District of Storrington, Township of South Frontenac  
**Purpose of Application:** To vary section 5.35 of the Comprehensive Zoning By-law to permit development within the normally required Minimum Distance Separation (MDS II) for Agriculture  
**Date of Hearing:** February 9, 2017  
**Date of Decision:** February 9, 2017

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

**CONDITIONS**

1. This minor variance is for the construction of a 145 foot by 60 foot addition to an existing barn to be located a minimum of 380 feet from the dwelling at 2849 Sunbury Road and the construction of a 160 foot by 160 foot open manure storage facility to be located a minimum of 520 feet from the dwelling located at 2849 Sunbury Road.
2. Minor variance MV-03-17-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.

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**Item # 25: Other Business**

Discussions on the progress being made to move the Committee of Adjustment agendas, reports and minutes to the CivicWeb platform in keeping with Council.

RESOLUTION: C of A: 17:01:11

Moved by: R. Sutherland

Seconded by: D. Hahn

THAT the South Frontenac Township Committee of Adjustment is hereby facilitate the upgrade to CivicWeb by the March 9, 2017 meeting if possible for all committee information..

Carried

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**Item # 26: Adjournment**

RESOLUTION: C of A: 17:01:12

Moved by: L. Redden

Seconded by: J. McDougall

THAT the February 9, 2017 meeting of the South Frontenac Township Committee of Adjustment is hereby adjourned at 8:10 p.m. to reconvene at 7:00 p.m. on Thursday, March 9, 2017 or at the call of the Chair.

Carried

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Larry Redden  
 Chair

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Lindsay Mills  
 Secretary-Treasurer