



# TOWNSHIP OF SOUTH FRONTENAC PLANNING DEPARTMENT



MINUTES 17:05  
June 8, 2017

LOCATION: South Frontenac Municipal Offices, Sydenham

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

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

---

## Table of Contents

Item # 1: Call to Order .....	1
Item # 2: Adoption of the Agenda .....	1
Item # 3: Declaration of Pecuniary Interest .....	1
Item # 4: Approval of Minutes.....	1
Item # 5: S-15-17-L (Koen).....	2
Item # 6: MV-08-17-B (1324782 Ontario Inc.) .....	3
Item # 7: MV-17-17-B (Silva) .....	4
Item # 8: MV-24-17-S (Anglin).....	5
Item # 9: S-22-17-L (Snider).....	6
Item # 10: S-23-17-P (McConville) .....	7
Item # 11: S-24-17-L (Koen).....	9
Item # 12: S-25-17-S (Kier) .....	10
Item # 13: S-26-17-S, S-27-17-S (Howlett) .....	12
Item # 14: S-28-17-S (Caird) .....	14
Item # 15: S-29-17-L (Shales) .....	15
Item # 16: S-13017-L (Jespersen).....	16
Item # 17: S-31-17-L (Butterill) .....	18
Item # 18: S-32-17-B (Knapp) .....	19
Item # 19: MV-25-17-S (Alexander) .....	20
Item # 20: MV-26-17-B (Brant) .....	21
Item #21: Adjournment.....	22

---

### Item # 1: Call to Order

RESOLUTION: C of A: 17:05:01

Moved by: J. McDougall

Seconded by: L. Redden

THAT the June 8, 2017 meeting of the South Frontenac Township Committee of Adjustment is hereby called to order at 7:05 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: 17:04:02

Moved By: R. Sutherland

Seconded By: D. Hahn

THAT the South Frontenac Township Committee of Adjustment hereby defers approval of the minutes of the April 13, 2017 meeting of the Committee, until the July 13, 2017 meeting to add notes of conditions to select applications.

Carried

**Item # 5: S-15-17-L (Koen)**

Speaking to the Application: None Speaking

Discussion:

This application was granted provisional consent at the May 11, 2017 meeting but the applicant has requested a revision of conditions of consent; specifically the removal of the 5% parkland fee condition. The basis for this request is that the severed parcel is to be sold to the Nature Conservancy of Canada and as such will essentially be a park in its entirety and accessible to the public as is all their land.

RESOLUTION: C of A: 17:05:03

Moved by: R. Sutherland

Seconded by: J. Sherbino

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES a change of conditions, to consent application S-15-17-L by the Estate of John Francis Koen, to remove the condition for the 5% parkland fee.

Carried

**Application No:** S-15-17-L  
**Owner:** Estate of John Francis Koen  
**Location of Property:** Concession 7, Lot/Part Lot 24/25, Northshore Road, District of Loughborough, Township of South Frontenac  
**Purpose of Application:** Consent to create a new lot  
**Date of Hearing:** May 11, 2017  
**Date of Decision:** May 11, 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-15-17-L shall be for the creation of a 50 +/- acre lot with frontage on Northshore Road and Leland Road.
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The 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.
6. The applicant shall rezone the lot to be created from Consent Application S-15-17-L from Rural to Open Space – Private Zone in order to limit future development. Please contact Lindsay Mills, the Township Planner, to begin this process.

---

**Item # 6: MV-08-17-B (1324782 Ontario Inc.)**

Speaking to the Application: Jennifer Garrah (agent, Fotenn Consultants)

**Discussion:**

This item was originally brought to the Committee in May, 2017 but was deferred pending receipt of a report from KFL&A public health. The boundaries had changed from the original submission and required re-evaluation by public health for an alternative septic location.

The subject land consists of 73.3 +/- acres with frontage on McGarvey Road and Battersea Road. The lot is currently developed with an unoccupied livestock barn currently used for machine storage. The proposal is for the creation a new residential lot a minimum of 2 acres in size, with a minimum of 76m of frontage on McGarvey Road. This lot will encompass the livestock barn and result in a property of insufficient size for livestock so an MDS calculation is not required.

The proposed lot is outside the 500m area of influence for the nearby mineral aggregate designated lands.

The planning department is able to support the application for the proposed lot.

**RESOLUTION:** C of A: 17:05:04

Moved by: K. Gee

Seconded by: R. Sleeth

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-21-17-S by 1324782 Ontario Inc., to create a new lot, in Concession 7, Part Lot 36/37, McGarvey Road, District of Storrington, subject to conditions.

Carried

**Application No:** S-21-17-S  
**Owner:** 1324782 Ontario Inc.  
**Location of Property:** Concession 7, Lot/Part Lot 36/37, Frontenac Road, District of Storrington, Township of South Frontenac  
**Purpose of Application:** Consent to create a new lot  
**Date of Hearing:** May 11, 2017  
**Date of Decision:** June 8, 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-21-17-S shall be for the creation of a minimum 2.0 acre lot with a minimum of 76m of frontage on McGarvey 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 each of the parcels 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-21-17-S.

---

**Item # 7: MV-17-17-B (Silva)**

Speaking to the Application: None Speaking

**Discussion:**

This application was originally brought to the Committee in May, 2017 but was deferred to allow an opportunity for the Committee to confirm reports of a shed and waterfront deck constructed without permits or planning approval.

The subject land consists of 1.86 +/- acres with frontage on Fairhaven Lane and Bobs Lake. The lot is currently developed with a single detached dwelling. The proposal is for the construction of a 35 foot by 40 foot (1400 square feet) detached accessory building with a finished height of 24.5 feet to the peak. This additional height is required to permit the construction of a second floor storage area. The proposed accessory building is outside the 30m setback from the high water mark and meets all other setbacks as required in the comprehensive zoning by-law.

RESOLUTION: C of A: 17:05:05

Moved by: D. Hahn

Seconded by: J. McDougall

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-17-17-B by Norman and Goretti Silva, to permit an increase in height of an accessory building, in Concession 7, Part Lot 32, Fairhaven Lane, District of Bedford, subject to conditions.

Carried

**Application No:** MV-17-17-B  
**Owner:** Norman Silva and Goretti Silva  
**Location of Property:** Concession 7, Lot/Part Lot 32, District of Bedford, Township of South Frontenac  
**Purpose of Application:** To vary section 10.3.2 of the Comprehensive Zoning By-law to permit an increase in height of an accessory building  
**Date of Hearing:** May 11, 2017  
**Date of Decision:** June 8, 2017

**Decision:** MINOR VARIANCE APPROVED, subject to conditions

#### CONDITIONS:

1. This minor variance is for the construction of a maximum 1400 square foot footprint accessory building with a finished height to peak of 24.5 feet. This accessory structure is not permitted to have any living space.
2. Minor variance MV-17-17-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. Prior to the issuance of a building permit the applicant is required to remove the deck constructed at the water's edge with no building permit or planning permission, and to legalise the 12 foot by 12 foot shed constructed without a building permit.

---

#### Item # 8: MV-24-17-S (Anglin)

Speaking to the Application: Bill Anglin

#### Discussion:

This application was originally brought to the committee in May, 2017 but was deferred pending the receipt of a report from KFL&A Public Health. This report has now been received.

The subject land consists of 1.49 +/- acres with frontage on Loughborough Lake. This property is unique in that while it is possible to drive to it via Hickory Lane it is essentially an island with a bridge to the mainland. The property is currently developed with a seasonal dwelling (1050 square feet plus 515 square foot deck) and small accessory building (less than 100 square feet) located 48 feet from the high water mark (HWM) of Loughborough Lake. The proposal is for the demolition of all existing structures on the property and the construction of a 1660 square foot dwelling plus rebuilding the same size deck to be located a minimum of 50 feet from the HWM. The applicant has also proposed the construction of a new 385 square foot detached garage as a future outbuilding also to be located a minimum of 50 feet from the HWM. The proposed dwelling and accessory buildings are to be located approximately 50 feet from Loughborough Lake and within 120m of a Provincially Significant Wetland; as such, the applicant has submitted an Environmental Impact Assessment (EIA) completed by Ontario Lake Assessments. The EIA suggests there is an opportunity to move the proposed cottage to the south somewhat to achieve a slightly better setback from the HWM and permit the possible construction of a full septic system as opposed to the two (2) tank holding tank setup currently being used.

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 has no objections to the proposal as submitted. They have indicated that a permit from the CRCA will be required for the proposed development.

KFL&A Public Health have no objection to the proposal provided that the proposed dwelling specifications and site plan submitted with permit ST-16-17 do not change.

The building department has no objections.

Comments from Public Works were not required.

RESOLUTION: C of A: 17:05:06

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-24-17-S by Carolyn Anglin, to permit construction within the 30m setback from water, in Concession 10, Part Lot 4, Hickory Lane, District of Storrington, subject to conditions.

Carried

**Application No:** MV-24-17-S  
**Owner:** Carolyn Anglin  
**Location of Property:** Concession 10, Lot/Part Lot 4, District of Storrington, Township of South Frontenac  
**Purpose of Application:** To vary section 5.10.2 of the Comprehensive Zoning By-law to permit construction within the 30m setback from water  
**Date of Hearing:** May 11, 2017  
**Date of Decision:** June 8, 2017

**Decision:** MINOR VARIANCE APPROVED, subject to conditions

**CONDITIONS:**

1. This minor variance is for construction of a maximum 1660 square foot footprint dwelling (no basement permitted) plus a maximum 550 square foot deck and a maximum 385 square foot detached accessory building (storage only, no living space permitted) to be located a minimum of 50 feet from the high water mark of Loughborough Lake.
2. Minor variance MV-24-17-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 # 9: S-22-17-L (Snider)**

Speaking to the Application: D'Arcy Snider

**Discussion:**

The subject land consists of 86.6 +/- acres with frontage on Rutledge Road, Stagecoach Road and Lambert Road. The lot is currently developed with a single detached dwelling and several agricultural outbuildings. The proposal is for the creation of a minimum 0.9 acre residential with a minimum of 50m of frontage along Rutledge Road. This new lot will encompass the existing dwelling but not the agricultural buildings.

KFL&A public health has no objections.

The building department has no objections.

Comments from Cataraqui Region Conservation Authority, Public Works were not required.

RESOLUTION: C of A: 17:05:07

Moved by: J. Sherbino

Seconded by: R. Sutherland

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-22-17-L by D'Arcy Snider to create a new lot, in Concession 4, Part Lot 4, Rutledge Road, District of Loughborough, subject to conditions.

Carried

**Application No:** S-22-17-L  
**Owner:** D'Arcy Snider

**Location of Property:** Concession 4, Lot/Part Lot 4, Rutledge Road, District of Loughborough, Township of South Frontenac  
**Purpose of Application:** Consent to create a new lot  
**Date of Hearing:** June 8, 2017  
**Date of Decision:** June 8, 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-22-17-L shall be for the creation of a minimum 0.9 acre lot with a minimum of 50m of frontage on Rutledge 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 parcel in lieu of parkland [Planning Act, s. 51(1)].
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
  - a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
  - b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
  - c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:
 

*The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended.*
  - d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
  - e. The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.

---

**Item # 10: S-23-17-P (McConville)**

Speaking to the Application: None Speaking

**Discussion:**

This application was originally given provisional consent in May 2015 but the conditions were not completed within the required one year time period. It has been resubmitted exactly as approved previously.

The subject land consists of 127 +/- acres with frontage on Bellrock Road. The lot is currently developed with a single detached dwelling. The proposal is for the creation of a 10 +/- acre lot with 295 m of frontage along Bellrock Road.

The planning department is able to support the application for the proposed lot.

KFL&A public health has no objections as the lot was expanded to include the required area for septic.

The building department has no objections.

Quinte Conservation Authority has no objections.

Public works has no objections.

RESOLUTION: C of A: 17:05:08

Moved by: J. McDougall

Seconded by: L. Redden

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-23-17-P by Brent McConville to create a new lot, in Concession 10, Part Lot 10, Bellrock Road, District of Portland, subject to conditions.

Carried

**Application No:** S-23-17-P  
**Owner:** Brent McConville  
**Location of Property:** Concession 10, Lot/Part Lot 10, Bellrock Road, District of Portland, Township of South Frontenac  
**Purpose of Application:** Consent to create a new lot  
**Date of Hearing:** June 8, 2017  
**Date of Decision:** June 8, 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-23-17-P shall be for the creation of a 10 +/- acre lot with a 295 m of frontage on Bellrock 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 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-23-17-P.

---

**Item # 11: S-24-17-L (Koen)**

Speaking to the Application: None Speaking

**Discussion:**

The subject land consists of 97 +/- acres with frontage on North Shore Road. The lot is currently vacant. The proposal is for the creation of a 16 +/- acre lot addition with 16 m of frontage along North Shore Road to 551 Leland Road. A significant portion of the subject land is zoned Environmental Protection (EP) and designated Provincially Significant Wetland (PSW). The land is currently used for agricultural purposes and the planned use is to continue as agricultural.

The planning department is able to support the application for the proposed lot.

Comments from KFL&A public health were not required.

The building department has no objections.

Cataraqui Region Conservation Authority has no objections to the proposal and has determined there is no need for a preliminary Environmental Impact Assessment. They have indicated that should development be proposed the applicant should contact the CRCA to determine the need for a permit. Public works has no objections.

**RESOLUTION:** C of A: 17:05:09

Moved by: J. Sherbino

Seconded by: R. Sutherland

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-24-17-L by Estate of John Francis Koen, to create a lot addition, in Concession 7, Part Lot 24, North Shore Road, District of Loughborough, subject to conditions.

Carried

**Application No:** S-24-17-L  
**Owner:** Estate of John Francis Koen  
**Location of Property:** Concession 7, Lot/Part Lot 24, North Shore Road, District of Loughborough, Township of South Frontenac  
**Purpose of Application:** Consent to create a lot addition  
**Date of Hearing:** June 8, 2017  
**Date of Decision:** June 8, 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-24-17-L shall be for the creation of a 16 +/- acre lot addition only to 551 Leland Road
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)

4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive \$100 in lieu of parkland [Planning Act, s. 51(1)].
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
  - a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
  - b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
  - c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:
 

*The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended.*
  - d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
  - e. The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.
7. Prior to the stamping of the deed for consent the lot addition to be created through application S-24-17-L the lot to be created through consent application S-15-17-L must be finalised.

---

**Item # 12: S-25-17-S (Kier)**

Speaking to the Application: Tom Brennan (agent)

**Discussion:**

The subject land consists of 88.5 +/- acres with no frontage on either a public road or private lane. The lot is currently vacant. The proposal is for the creation of a 5.7 +/- acre lot with a minimum of 76m of frontage on Kier Road. Currently Kier Road does not extend along the proposed lot, but the applicant has requested and received approval from Council to extend Kier Road for the purposes of this new lot creation, provided the extension is constructed according to the Townships Guidelines for new roads.

The planning department is able to support the application for the proposed lot.

Comments from Cataraqui Region Conservation Authority were not required.

The building department has no objections.

KFL&A public health has no objections

Public works has no objections as the extension to Kier Road has already been approved by Council.

The applicant will need to construct the new section and have it approved prior to the stamping of the deeds.

A letter submitted to the Township by Gary Beach was read into the record at the meeting. While he indicated he was not opposed to the application, this email outlined the several conditions Mr. Beach wanted to see included into the consent approval. These conditions included surveying and marking the new road location, maintaining a tree buffer, that South Frontenac Public Works Department oversee construction and have final approval for the new road construction, that the surface of the new section match the standard of the existing section of Kier Road, that the details of his letter be added as conditions of the proposed severance and road closing.

T. Brennan indicated that the majority of these requested conditions had already been addressed during the Council approval process for the road closing and he saw no need for any additional conditions.

Several committee members including R. Sleeth and D. Hahn stated that the committee should not add conditions merely because a request from the public was made for their addition, that any requests should be carefully considered.

G. Beach said if T. Brennan wanted to proceed that his requested conditions were not unreasonable, that he had put in more than his fair share of money towards upgrading the length of Kier Road in order to facilitate his Applewood Condominium development, that he was going to meet with Mark Segsworth (Manager of Public Works) to discuss his concerns.

RESOLUTION: C of A: 17:05:10

Moved by: K. Gee

Seconded by: R. Sleeth

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-25-17-S by Colin Kier, to create a new lot, in Concession 4, Part Lot 22, Kier Road, District of Storrington, subject to conditions.

Carried

**Application No:** S-25-17-S  
**Owner:** Colin Kier  
**Location of Property:** Concession 4, Lot/Part Lot 22, Kier Road, District of Storrington, Township of South Frontenac  
**Purpose of Application:** Consent to create a new lot  
**Date of Hearing:** June 8, 2017  
**Date of Decision:** June 8, 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-25-17-S shall be for the creation of a 5.7 +/- acre lot with a minimum of 76m on Kier Road.
3. Prior to the stamping of the deeds, the applicant must construct an extension to Kier Road which is constructed according to the Townships Guidelines for new roads and this extension must extend a minimum of 76m along the north side of the lot to be created through consent application S-25-17-S. This extension must be approved and assumed for maintenance by Public Works prior to the stamping of the deeds.
4. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
5. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
6. The Township of South Frontenac shall receive 5% of the value of the severed parcel in lieu of parkland [Planning Act, s. 51(1)].
7. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
  - a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
  - b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;

- c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of “The Corporation of the Township of South Frontenac”, and shall include the following attached to the Transfer/Deed as a Schedule:

*The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended.*

- d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner’s expense;
- e. The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.

- 8. The 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-25-17-S.

**Item # 13: S-26-17-S, S-27-17-S (Howlett)**

Speaking to the Application: Barry Howlett

Discussion:

The subject land consists of 9.3 +/- acres with frontage on Sands Road and Cedar Lake. The lot is developed with a single detached dwelling and an accessory building. The proposal is for the creation of a minimum 2.0 acre lot with a minimum of 65m of frontage on Sands Road. The newly created lot will need to be rezoned to reflect the reduced frontage along Sands Road. In addition to the new lot creation, the applicant is also asking to create a right-of-way to give deeded access to Cedar Lake for the newly created lot. The applicant has requested a 10m wide right-of-way be created along the western edge of the retained parcel to provide this water access.

The planning department is able to support the application for the proposed lot.

Comments from Cataraqui Region Conservation Authority were not required.

The building department has no objections.

KFL&A public health has no objections

Public works has no objections.

The committee had no objections to the creation of the proposed lot. They agreed with planner L.

Mills regarding limiting development to the rear of 2484 Sands Road and the need to provide appropriate buffering between the two properties for privacy reasons.

There was significant discussion regarding the proposed right-of-way and what the applicant intended to use this access for. The end result of this discussion was the general consensus that the addition of this right-of-way to the proposed lot had the effect of creating a waterfront lot with extremely limited frontage and increased the potential impact on Cedar Lake. R. Sleeth and K. Gee did not agree with this point of view.

RESOLUTION: C of A: 17:05:11

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-26-17-S by Donna Howlett, to create a new lot, in Concession 8, Part Lot 7, Sands Road, District of Storrington, subject to conditions.

Carried

RESOLUTION: C of A: 17:05:12

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-27-17-S by Donna Howlett, to create a right-of-way, in Concession 8, Part Lot 7, Sands Road, District of Storrington, subject to conditions.

Defeated

**Application No:** S-26-17-S  
**Owner:** Donna Howlett  
**Location of Property:** Concession 8, Lot/Part Lot 7, Sands Road, District of Storrington, Township of South Frontenac  
**Purpose of Application:** Consent to create a new lot, together with a right-of-way  
**Date of Hearing:** June 8, 2017  
**Date of Decision:** June 8, 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-26-17-S shall be for the creation of a minimum 2.0 acre lot with a minimum of 65m of frontage on Sands 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 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-26-17-S.
8. Prior to the stamping of the deeds the applicant must rezone the lot created through consent application S-26-17-S from Urban Residential – First Density (UR1) to a special Urban Residential – First Density zone to reflect the reduced frontage along Sands Road and prohibit development in the rear of 2484 Sands Road.

9. The applicant shall provide appropriate buffering along the rear lot line of 2484 Sands Road to the satisfaction of the Township.
10. The applicant shall enter into a development agreement with the Township to be registered on title of the retained parcel, which sets out the Township's environmental policies, and which specifies that a permit may be required from the Cataraqui Region Conservation Authority for any shoreline or in-water works.

**Item # 14: S-28-17-S (Caird)**

Speaking to the Application: Ron Caird

**Discussion:**

The subject land consists of 50 +/- acres with frontage on Dixon Road. The lot is developed with a single detached dwelling. The proposal is for the creation of a 2.75 +/- acre residential lot with a 122m of frontage on Dixon Road.

The planning department is able to support the application for the proposed lot.

Comments from Cataraqui Region Conservation Authority were not required.

The building department has no objections.

KFL&A public health has no objections, but has indicated a site specific location for the proposed sewage system. This specific location required the applicant to slightly adjust the lot dimensions from their original application to include an increase in road frontage and a decrease in lot depth.

Public works has no objections.

**RESOLUTION:** C of A: 17:05:13

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-28-17-S by Rod and Candy Caird, to create a new lot, in Concession 7, Part Lot 17, Dixon Road, District of Storrington, subject to conditions.

Carried

**Application No:** S-28-17-S  
**Owner:** Rod and Candy Caird  
**Location of Property:** Concession 7, Lot/Part Lot 17, Dixon Road, District of Storrington, Township of South Frontenac  
**Purpose of Application:** Consent to create a new lot  
**Date of Hearing:** June 8, 2017  
**Date of Decision:** June 8, 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-28-17-S shall be for the creation of a minimum 2.0 acre lot with a minimum of 76m of frontage on 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 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 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-28-17-S.

**Item # 15: S-29-17-L (Shales)**

Speaking to the Application: None Speaking

Discussion:

The subject land consists of 5.6 +/- acres with frontage on Shales Road. The lot is currently vacant. The proposal is for the creation of a 0.81 +/- acre lot addition with a 16.7m of frontage on Shales Road to 1388 Shales Road. The purpose of this lot addition is to rectify a lot line dispute.

The planning department is able to support the application for the proposed lot.

Comments from Cataraqui Region Conservation Authority, KFL&A public health and public works were not required.

The building department has no objections.

RESOLUTION: C of A: 17:05:14

Moved by: R. Sutherland

Seconded by: J. Sherbino

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-29-17-L by Donald Shales, to create a lot addition, in Concession 10, Part Lot 17, Shales Road, District of Loughborough, subject conditions.

Carried

**Application No:** S-29-17-L  
**Owner:** Donald Shales  
**Location of Property:** Concession 10, Lot/Part Lot 17, Shales Road, District of Loughborough, Township of South Frontenac  
**Purpose of Application:** Consent to create a lot addition  
**Date of Hearing:** June 8, 2017  
**Date of Decision:** June 8, 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-29-17-L shall be for the creation of a 0.81 +/- acre lot addition only, to 1388 Shales 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 \$100 in lieu of parkland [Planning Act, s. 51(1)].
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
  - a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
  - b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
  - c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:
 

*The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended.*
  - d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
  - e. The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.

---

**Item # 16: S-13017-L (Jespersen)**

Speaking to the Application: None Speaking

**Discussion:**

The subject land consists of 17.6 +/- acres with frontage on Sands Road and Cedar Lake. The lot is currently developed with a single detached dwelling and multiple accessory buildings. The proposal is for the creation of a 7.5 +/- acre lot with 66m of frontage on Sands Road, which will encompass all the existing structures. The retained parcel will have 65m of frontage on Sands Road. The applicant will be required to rezone both the severed and retained parcels from Rural (RU) to a special Rural zone to reflect the reduced frontage on Sands Road.

The planning department is able to support the application for the proposed lot.

Comments from Cataraqui Region Conservation Authority, KFL&A public health and public works were not required.

The building department has no objections.

RESOLUTION: C of A: 17:05:15

Moved by: K. Gee

Seconded by: R. Sleeth

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-30-17-S by Kurt and Evelyn Jespersen, to create a new lot, in Concession 8, Part Lot 6, Sands Road, District of Storrington, subject to conditions.

Carried

**Application No:** S-30-17-S  
**Owner:** Kurt and Evelyn Jespersen  
**Location of Property:** Concession 8, Lot/Part Lot 6, Sands Road, District of Storrington, Township of South Frontenac  
**Purpose of Application:** Consent to create a new lot  
**Date of Hearing:** June 8, 2017  
**Date of Decision:** June 8, 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-30-17-S shall be for the creation of a 7.5 +/- acre lot, with a minimum of 66m of frontage on Sands Road. The northern limit of the proposed lot shall not extend into the defined wetland area; rather the wetland area shall remain entirely with the retained parcel.
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. Prior to the stamping of the deeds the applicant shall rezone the lots (severed and retained parcels) to be created from Consent Application S-30-17-S from Rural to a Special Rural Zone in order to recognise the reduced road frontage. Please contact Lindsay Mills, the Township Planner, to begin this process.
8. The applicant shall enter into a development agreement with the Township to be registered on title of the retained parcel, which sets out the Township’s environmental policies, and which specifies that a permit may be required from the Cataraqui Region Conservation Authority for any shoreline or in-water works.

**Item # 17: S-31-17-L (Butterill)**

Speaking to the Application: None Speaking

**Discussion:**

The subject land consists of 110 +/- acres with frontage on Opinicon Road. The lot is developed with a single detached dwelling and agricultural outbuildings. The proposal is for the creation of a 10 +/- acre lot with 295m of frontage on Opinicon Road.

The planning department is able to support the application for the proposed lot.

Comments from Cataraqui Region Conservation Authority were not required.

The building department has no objections.

KFL&A public health have no objections.

Public works has no objections.

RESOLUTION: C of A: 17:05:16

Moved by: R. Sutherland

Seconded by: J. Sherbino

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-31-17-L by Robert and Bette Butterill, to create a new lot, in Concession 10, Part Lot 23/24, Opinicon Road, District of Loughborough, subject to conditions.

Carried

**Application No:** S-31-17-L  
**Owner:** Robert and Bette Butterill  
**Location of Property:** Concession 10, Lot/Part Lot 23/24, Opinicon Road, District of Loughborough, Township of South Frontenac  
**Purpose of Application:** Consent to create a new lot  
**Date of Hearing:** June 8, 2017  
**Date of Decision:** June 8, 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-31-17-L shall be for the creation of a 10 +/- acre lot, with a 295m of frontage on Opinicon 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.

**Item # 18: S-32-17-B (Knapp)**

Speaking to the Application: None Speaking

**Discussion:**

The subject land consists of 175 +/- acres with frontage on Bradshaw Road, Steele Road and Bobs Lake Road. The lot is developed with a single detached dwelling and agricultural outbuildings. The proposal is for the creation of a 108 +/- acre lot with frontage on Bradshaw Road and Steele Road. The applicant was under the impression their property was two (2) separate parcels, but when selling discovered they had in fact merged into a single parcel. This application is to re-sever the parcel along the previously determined lot lines.

The planning department is able to support the application for the proposed lot.

Comments from Cataraqui Region Conservation Authority, KFL&A public health and public works were not required.

The building department has no objections.

RESOLUTION: C of A: 17:05:17

Moved by: D. Hahn

Seconded by: J. McDougall

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-32-17-B by Carl Knapp, to create a new lot, in Concession 2, Part Lot 26, Bradshaw Road, District of Bedford, subject to conditions.

Carried

**Application No:** S-32-17-B  
**Owner:** Carl Knapp  
**Location of Property:** Concession 2, Lot/Part Lot 26, Bradshaw Road, District of Bedford, Township of South Frontenac  
**Purpose of Application:** Consent to create a new lot  
**Date of Hearing:** June 8, 2017  
**Date of Decision:** June 8, 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-32-17-B shall be for the creation of a 108 +/- acre lot, with frontage on Bradshaw Road and Bobs 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 surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
  - a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
  - b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
  - c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:
 

*The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended.*
  - d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
  - e. The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.

---

**Item # 19: MV-25-17-S (Alexander)**

Speaking to the Application: James Alexander, Reg Genge

**Discussion:**

The subject land consists of 4.66 +/- acres with frontage on Collins Lake and Moreland-Dixon Road. The property is developed with a single detached dwelling and several accessory buildings. The proposal is for a 24 foot by 22 foot (528 square feet) addition to an existing garage located approximately 27 metres from the high water mark of Collins Lake. This proposed addition will not encroach any farther in to the required setback that the existing building. Portions of the property and shoreline are designated as Provincially Significant Wetland (PSW) and zoned Environmental Protection (EP), but not the area where the construction is proposed. The applicant has submitted a Preliminary Environmental Impact Assessment (EIA) completed by Ontario Lake Assessments which has determined that the addition will not have any additional impact on the sensitive natural environment.

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.

RESOLUTION: C of A: 17:04:20

Moved by: K. Gee

Seconded by: R. Sleeth

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-25-17-S by James Alexander, to permit construction within the 30m setback from water, in Concession 2, Part Lot 22, Moreland-Dixon Road, District of Storrington, subject to conditions.

Carried

**Application No:** MV-25-17-S  
**Owner:** James Alexander  
**Location of Property:** Concession 2, Lot/Part Lot 22, 3859 Moreland-Dixon Road, District of Storrington, Township of South Frontenac  
**Purpose of Application:** To vary section 5.10.2 of the Comprehensive Zoning By-law 2003-75 to permit construction within the 30m setback from water  
**Date of Hearing:** June 8, 2017  
**Date of Decision:** June 8, 2017

**Decision:** MINOR VARIANCE APPROVED, subject to conditions

**CONDITIONS:**

1. This minor variance is for construction of a maximum 530 square foot single storey addition to an existing garage at 3859 Moreland-Dixon Road, to be located a minimum of 25 metres from the high water mark of Collins Lake.
2. Minor variance MV-25-17-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. This agreement shall detail the required shoreline re-naturalisation as per the preliminary Environmental Impact Assessment completed by Ontario Lake Assessments.

---

**Item # 20: MV-26-17-B (Brant)**

Speaking to the Application: None Speaking

**Discussion:**

The subject land consists of 0.82 +/- acres with frontage on Bobs Lake. The property is developed with a seasonal dwelling and a 12 foot by 14 foot accessory building. The proposal is for a 10 foot by 11.5 foot (115 square feet) addition to the existing accessory building located approximately 27 metres from the high water mark of Bobs Lake. This proposed addition is on the non-water side of the structure and will not encroach any farther in to the required setback that the existing building.

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 objection to the application as submitted. They have indicated that no permit will be required from RVCA for the proposed development.

Comments from KFL&A Public Health and Public Works were not required.

The building department has no objections.

**RESOLUTION:** C of A: 17:04:21

Moved by: D. Hahn

Seconded by: J. McDougall

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-26-17-B by James Brant, to permit construction within the 30m setback from water, in Concession 4, Part Lot 25, Birch Island, District of Bedford, subject to conditions.

Carried

**Application No:** MV-26-17-B  
**Owner:** James Brant  
**Location of Property:** Concession 4, Lot/Part Lot 25, 14 Birch Island, District of Bedford, Township of South Frontenac

**Purpose of Application:** To vary section 5.10.2 and section 11.3.2 of the Comprehensive Zoning By-law 2003-75 to permit construction within the 30m setback from water  
**Date of Hearing:** June 8, 2017  
**Date of Decision:** June 8, 2017

**Decision:** MINOR VARIANCE APPROVED, subject to conditions

**CONDITIONS:**

1. This minor variance is for construction of a maximum 115 square foot single storey addition to an existing accessory building at 14 Birch Island, to be located a minimum of 27 metres from the high water mark of Bobs Lake.
2. Minor variance MV-26-17-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 #21: Adjournment**

RESOLUTION: C of A: 17:05:20

Moved by: L. Redden

Seconded by: J. McDougall

THAT the June 8, 2017 meeting of the South Frontenac Township Committee of Adjustment is hereby adjourned at 8:45 p.m. to reconvene at 7:00 p.m. on Thursday, July 13, 2017 or at the call of the Chair.

Carried

---

Alan Revill  
Chair

---

Lindsay Mills  
Secretary-Treasurer