



**TOWNSHIP OF SOUTH FRONTENAC  
PLANNING DEPARTMENT**



MINUTES 17:04  
May 11, 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)

ABSENT WITH REGRETS: 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: 17:04:01

Moved by: J. McDougall

Seconded by: L. Redden

THAT the May 11, 2017 meeting of the South Frontenac Township Committee of Adjustment is hereby called to order at 7:0 p.m. with Alan Revill in the Chair.

Carried

**Item # 2: Adoption of the Agenda**

Approved as circulated

**Item # 3: Declaration of Pecuniary Interest**

None declared

**Item # 4: Approval of Minutes**

RESOLUTION: C of A: 17:04:02

Moved By: L. Redden

Seconded By: J. McDougall

THAT the South Frontenac Township Committee of Adjustment hereby approves the minutes of the April 13, 2017 meeting of the Committee, as circulated.

Carried

**Item # 5: MV-28-16-B (Bechard)**

Speaking to the Application: Mike Preston (agent)

**Discussion:**

This application was brought to the Committee in December, 2016 but was deferred due to a lack of comments from KFL&A Public Health.

This application was originally submitted in July 2016 but was deferred from coming to the Committee at the request of the applicant due to an early unfavourable report from the Cataraqui Region Conservation Authority. After reworking the original submission the applicant was able to satisfy the concerns of the CRCA, who now have no objections to the proposal.

The subject land consists of a 24.7 +/- hectares (61 acres) with frontage on Desert Lake. The lot is currently vacant. The proposal is for the construction of a new 3,255 square foot footprint two (2) storey dwelling, to be located a minimum of 82.5 feet (25m) on the northern side and a minimum of 30m on the southern side, from the high water mark of Desert Lake. The proposed location is on a peninsula and on the side which is encroaching into the HWM setback the structure will be up against a large rock ridge that will aid in reducing potential environmental impact. The applicant is also planning on constructing a 300 square foot maximum footprint sleeping cabin, but this will be located entirely outside the 30m 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.

Comments from public health have yet to be received, though the applicant has indicated they are planning on installing a new septic system at a minimum distance of 15m from the high water mark of Desert Lake as required by the building code.

**UPDATE:** Comments from Public Health have now been received and they have no objections as the applicant has submitted and received approval to install a new septic system.

RESOLUTION: C of A: 17:04:03

Moved by: D. Hahn

Seconded by: J. McDougall

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-05-17-B by Robert Bechard and Jamie Maclean, to permit construction within the 30m setback from water, in Concession 3, Part Lot 2, Sleafview Lane, District of Bedford, subject to conditions.

Carried

**Application No:** MV-28-16-B  
**Owner:** Robert Bechard & Jamie Maclean  
**Location of Property:** Concession 3, Part Lot 2, Sleafview 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:** December 8, 2016  
**Date of Decision:** May 11, 2017

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

**CONDITIONS**

1. This minor variance is for the construction of a new 3,255 square foot footprint two (2) storey dwelling, to be located a minimum of 82.5 feet (25m) from the high water mark of Desert Lake.
2. Minor variance MV-28-16-B is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.
3. A building permit is required for ALL demolition and construction on the property. There shall be no additional development, or demolition of existing structures, on the property without approval from the Township of South Frontenac.
4. The applicant shall enter into a site plan agreement with the Township to be registered on title, which sets out the Township's environmental and limited service policies, and which specifies that a permit may be required from the Cataraqui Region Conservation Authority for the proposed development, and for any shoreline or in-water works. This agreement is also to include added conditions including survey locating the foundation and specifying the required no cut zone along the waterfront.

**Item # 6: MV-08-17-B (Cove)**

Speaking to the Application: None Speaking

**Discussion:**

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

This item was returned to the Committee in April, 2017 but there were continuing questions regarding the size, shape and depth of the proposed parking area, along with questions over exact building placement. These concerns have been address by the applicant via email (see attached)

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

The by-law does not permit the construction of any structures within 30 m of the HWM for the reasons of reducing adverse effects on the environment, maintaining a natural vegetative buffer and aiding in the preservation of the rural character of the Township.

RESOLUTION: C of A: 17:04:04

Moved by: J. McDougall

Seconded by: D. Hahn

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-08-07-B by Kevin and Harriet Cove, to permit construction within the 30m setback from water, in Concession 6, Part Lot 32, Island Drive Lane, District of Bedford, subject to conditions.

Carried

**Application No:** MV-08-17-B  
**Owner:** Kevin and Harriet Cove  
**Location of Property:** Concession 6, Part Lot 32, Island Drive 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:** March 9, 2017  
**Date of Decision:** May 11, 2017

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

**CONDITIONS:**

1. This minor variance is for the demolition of the existing storage shed and the construction of a 750 square foot two (2) story dwelling to be located a minimum of 55 feet from the high water mark of Bob's Lake.

2. Minor variance MV-08-17-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 # 7: MV-14-17-B (Muzik)**

Speaking to the Application: Sally Muzik, Joe Bowes (agent), Dave Brown (Taskforce Engineering)

**Discussion:**

This application was originally brought to the Committee in April, 2017 but was deferred to allow an opportunity for the applicant to confirm and stake out the proposed building location and allow an opportunity for Committee members to conduct a site visit.

The applicant has confirmed the proposed setback from the HWM at 30 feet and has indicated they are willing to survey locate the new foundation if required.

The subject land consists of 1.24 +/- acres with frontage on Bob's Lake and Morton Point Lane. The lot is currently developed with a 760 square foot footprint dwelling with an attached 400 square foot deck located approximately 6 feet from the high water mark of Bobs Lake, plus a 200 square foot detached garage located 7 feet from the HWM and a 120 square foot shed located 10 feet from the HWM of Bob's Lake. The proposal is for the demolition of all existing structures and the construction of a 960 square foot dwelling to be located a minimum of 30 feet from the HWM of Bob's Lake. This proposed structure will be raised to accommodate a crawlspace for utilities and new foundation. A new septic system is proposed to be located on the south side of Morton Point Lane in order to minimize impact on the lake.

The by-law does not permit the construction of any structures within 30 m of the HWM for the reasons of reducing adverse effects on the environment, maintaining a natural vegetative buffer and aiding in the preservation of the rural character of the Township.

The Rideau Valley Conservation Authority has no objection the application as submitted. They have recommended several best management practices to be incorporated into the site plan agreement, including re-establishment of the waterfront vegetative buffer in front of the new structure except for a pedestrian access path to the dock/water.

KFL&A Public Health has no objections.

Comments were not required from roads.

The building department has no objections.

There was discussion amongst committee members regarding the feasibility of placing all structures on south side of Morton Point Lane, as well as concerns over whether or not the requested 30 foot setback could be achieved. There was also discussion regarding the possibility of moving the existing lane to allow for a greater setback on the north side of Morton Point Lane.

J. Bowes stated he had completed detailed measurements on the property and there was very limited space to locate everything on the south side of the lane. Possibly would have to locate parking area on north side should dwelling be pushed to south side and parking areas have greater runoff capability and environmental impact.

D. Brown spoke to a number of points: Ms. Muzik was trying to produce better conditions that what currently exists regarding setbacks (30 feet vs. 6 feet) and septic construction (currently no septic system); all existing structures will be removed (shed, garage and cottage) and only the cottage will be reconstructed leading to an 11.4% reduction in overall footprint on the lot; that the proposal may not meet the magic number desired but overall the proposal is a significant improvement on current conditions.

RESOLUTION: C of A: 17:04:05

Moved by: D. Hahn

Seconded by: J. McDougall

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

Carried

**Application No:** MV-14-17-B  
**Owner:** Sally Muzik  
**Location of Property:** Concession 2, Lot/Part Lot 21, 25 Morton Point Lane, District of Bedford, Township of South Frontenac  
**Purpose of Application:** To vary section 5.8.2 and section 10.3.1 of the Comprehensive Zoning By-law to permit construction within the 30m setback from HWM  
**Date of Hearing:** April 13, 2017  
**Date of Decision:** May 11, 2017

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

**CONDITIONS:**

1. This minor variance is for the construction of a maximum 960 square foot footprint, single story, dwelling with a crawlspace underneath, no living space permitted, to be constructed a minimum of 30 feet from the high water mark of Bob's Lake.
2. Minor variance MV-14-17-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 # 8: S-08-17-L (Koen)**

Speaking to the Application: None Speaking

**Discussion:**

The subject land consists of 4.3 +/- acres with frontage on Koen Road and Loughborough Lake. The lot is currently vacant. The proposal is for the creation of a new 0.2 +/- acre lot addition, with 60 feet of frontage on Koen Road and 60 feet of water frontage, to be added to 316 Koen Road (ARN 102904003013400). The property to be enlarged is currently 0.25 +/- acres in size and is developed with a seasonal dwelling.

The planning department is able to support the application for the lot addition as the proposal increases the size of a significantly undersized waterfront lot.

Cataraqui Region Conservation Authority has no objections to the application, but note that written permission must be obtained prior to any development taking place on the property.

The building department has no objections.

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

**RESOLUTION:** C of A: 17:04:06

Moved by: R. Sutherland

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-08-17-L by the Estate of John Francis Koen, to create a lot addition, in Concession 6, Part Lot 25, District of Loughborough, subject to conditions.

Carried

**Application No:** S-08-17-L  
**Owner:** Estate of John Francis Koen  
**Location of Property:** Concession 6, Lot/Part Lot 25, Koen Road, District of Loughborough, Township of South Frontenac  
**Purpose of Application:** Consent to create a lot addition  
**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-08-17-L shall be for the creation of a 0.2 +/- acre lot addition only to 316 Koen Road (ARN 102904003013400).
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 # 9: S-09-17-S (Desrochers)**

Speaking to the Application: George Desrochers

**Discussion:**

The subject land consists of 215.5 +/- acres with frontage on Ramparts Road and Battersea Road. The lot is developed with two small agricultural buildings. The proposal is for the creation of a 10+/- acre lot addition to be added to 5002 Ramparts Road (ARN 102906006015200). The property to be enlarged is currently 25+/- acres in size and is developed with a single detached dwelling and two accessory buildings.

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

The building department has no objections.

Comments from Cataraqui Region Conservation Authority, KFL&A Public Health and Public Works were not required.

RESOLUTION: C of A: 17:04:07

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-09-17-S by George Desrochers to create a lot addition, in Concession 10, Part Lot 13, Ramparts Road, District of Storrington, subject to conditions.

Carried

**Application No:** S-09-17-S  
**Owner:** George Desrochers  
**Location of Property:** Concession 10, Lot/Part Lot 13, Ramparts Road, District of Storrington, Township of South Frontenac  
**Purpose of Application:** Consent to create a lot addition  
**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-09-17-L shall be for the creation of a 10 +/- acre lot addition only to 5002 Ramparts Road (ARN 102906006015200).
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.

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**Item # 10: S-11-17-S (Desrochers)**

Speaking to the Application: George Desrochers

**Discussion:**

The subject land consists of 215.5 +/- acres with frontage on Ramparts Road and Battersea Road. The lot is developed with two small agricultural buildings. The proposal is for the creation of a 140+/- acre lot addition to be added to a vacant parcel (ARN 102906006015223). The property to be enlarged is currently 0.4 +/- acres in size and is land locked.

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

The building department has no objections.

Comments from Cataraqui Region Conservation Authority, KFL&A Public Health and Public Works were not required.

**RESOLUTION:** C of A: 17:04:08

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-11-17-S by George Desrochers to create a lot addition, in Concession 10, Part Lot 13, Battersea Road, District of Storrington, subject to conditions.

Carried

**Application No:** S-11-17-S  
**Owner:** George Desrochers  
**Location of Property:** Concession 10, Lot/Part Lot 13, Ramparts Road, District of Storrington, Township of South Frontenac  
**Purpose of Application:** Consent to create a lot addition  
**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-11-17-L shall be for the creation of a 140 +/- acre lot addition only to a vacant parcel (ARN 102906006015223).
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 # 11: S-10-17-S (Richards)**

Speaking to the Application: None Speaking

**Discussion:**

The subject land consists of 2.67 +/- acres with frontage on Greenfield Road. The lot is currently vacant. The proposal is for the creation of a 0.02 +/- acre lot addition with 5 feet of frontage on Greenfield Road to be added to 3920 Greenfield Road (ARN 102906002014750). This lot addition is to rectify the issue of the septic pipes and other buried service lines for 3920 Greenfield Road being located on the abutting property. The property to be enlarged is currently 6.5 +/- acres in size and is developed with a single detached dwelling and a detached accessory building.

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

The building department has no objections.

Comments from Cataraqui Region Conservation Authority, KFL&A Public Health and Public Works were not required.

RESOLUTION: C of A: 17:04:09

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-10-17-S by Mark and Julie Richards, to create a lot addition, in Concession 4, Part Lot 18, Greenfield Road, District of Storrington, subject to conditions.

Carried

**Application No:** S-10-17-S  
**Owner:** Mark & Julie Richards  
**Location of Property:** Concession 4, Lot/Part Lot 18, Greenfield Road, District of Storrington, Township of South Frontenac  
**Purpose of Application:** Consent to create a lot addition  
**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-10-17-L shall be for the creation of a 0.02 +/- acre lot addition only to 3920 Greenfield Road (ARN 102906002014750).
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 # 12: S-12-17-S (Cliff)**

Speaking to the Application: David Cliff

**Discussion:**

The subject land consists of 86.5 +/- acres with frontage on Holmes Road. The lot is developed with a single detached dwelling and multiple agricultural outbuildings. The proposal is for the creation of a minimum 2.0 acre residential lot with a minimum of 76m of frontage along Holmes Road. A Minimum Distance Separation calculation has been done and the proposed lot is outside the area of influence. The planning department is able to support the application for the proposed lot.

The Public Works department has no objections.

KFL&A Public Health has no objections and states that the lot is flexible for the siting of a septic system.

The building department has no objections.

Comments from Cataraqui Region Conservation Authority were not required

RESOLUTION: C of A: 17:04:10

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-12-17-S by David Cliff, to create a new lot, in Concession 1, Part Lot 18/19, Holmes Road, District of Storrington, subject to conditions.

Carried

**Application No:** S-12-17-S  
**Owner:** David Cliff  
**Location of Property:** Concession 1, Lot/Part Lot 18/19, Holmes 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:** 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-12-17-S shall be for the creation of a minimum 2.0 acre lot with a minimum of 76m of frontage along Holmes Road.
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive 5% of the value of the new parcel in lieu of parkland [Planning Act, s. 51(1)].
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
  - a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
  - b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
  - c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:
 

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

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**Item # 13: S-13-17-S (Cliff)**

Speaking to the Application: David Cliff

**Discussion:**

The subject land consists of 86.5 +/- acres with frontage on Holmes Road. The lot is developed with a single detached dwelling and multiple agricultural outbuildings. The proposal is for the creation of a minimum 2.0 acre residential lot with a minimum of 76m of frontage along Holmes Road. A Minimum Distance Separation calculation has been done and the proposed lot is outside the area of influence. This lot, should it be approved, will be the third and final severance permitted from 4276 Holmes Road. The planning department is able to support the application for the proposed lot.

The Public Works department has no objections.

KFL&A Public Health has no objections and states that the lot is flexible for the siting of a septic system.

The building department has no objections.

Comments from Cataraqui Region Conservation Authority were not required.

RESOLUTION: C of A: 17:04:11

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-13-17-S by David Cliff, to create a new lot, in Concession 1, Part Lot 18/19, Holmes Road, District of Storrington, subject to conditions.

Carried

**Application No:** S-13-17-S  
**Owner:** David Cliff  
**Location of Property:** Concession 1, Lot/Part Lot 18/19, Holmes 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:** 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-13-17-S shall be for the creation of a minimum 2.0 acre lot with a minimum of 76m of frontage along Holmes Road.
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive 5% of the value of the new parcel in lieu of parkland [Planning Act, s. 51(1)].
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
  - a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
  - b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
  - c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:
 

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

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**Item # 14: S-14-17-L (Quintal)**

Speaking to the Application: None Speaking

**Discussion:**

The subject land consists of 1.5 +/- acres with approximately 700 feet of frontage on Sydenham Lake. The lot is developed with a single detached dwelling and a detached accessory building (1971 Hogan Road). The proposal is for the creation of a 0.3+/- acre lot addition to a 1.2 +/- acre vacant parcel (ARN 102905004061215). This lot addition will have the effect of creating a new waterfront lot, as the lot being enlarged currently does not have any frontage on Sydenham Lake. The vacant lot does have an existing deeded right-of-way over 1971 Hogan Road, to access Sydenham Lake and this right-of-way is encompassed within the lot addition parcel; the lot addition parcel is also separated from the rest of the lot by a significant difference in elevation. These factors combined have the effect of making the lot addition parcel unusable to 1971 Hogan Road.

While there is sufficient waterfrontage to allow both lots to have the required minimum of 91m both the severed and retained parcels will need to be rezoned to a special Waterfront Residential zone to reflect the reduced lot sizes, 1.5 +/- acres (vacant) and 1.2 +/- acres (1971 Hogan Road).

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

Cataraqui Region Conservation Authority has evaluated the proposal and have no objections based on consideration for natural hazards, natural heritage and water quality. They have indicated that a permit may be required for any proposed development on the lot as it lies within 120 metres of a provincially significant wetland.

The building department has no objections.

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

**RESOLUTION:** C of A: 17:04:12

Moved by: R. Sutherland

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-14-17-L by Don and Claudette Quintal, to create a lot addition, in Concession 6, Part Lot 11, Hogan Road, District of Loughborough, subject to conditions.

Carried

**Application No:** S-14-17-L  
**Owner:** Don & Claudette Quintal  
**Location of Property:** Concession 6, Lot/Part Lot 11, Hogan Road, District of Loughborough, Township of South Frontenac  
**Purpose of Application:** Consent to create a lot addition  
**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-14-17-L shall be for the creation of a 0.3 +/- acre lot addition only, with a minimum of 91m of frontage along Sydenham Lake, to a vacant parcel (ARN 102905004061215).
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 \$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. The applicant shall enter into a development agreement to be registered on title to the severed and retained parcels which deals with the Township's environmental policies, as well as the requirement for the owner to contact Cataraqui Region Conservation Authority prior to any development on the property, to determine the need for a permit. This agreement shall also specify the required no cut zone along the waterfront.
  8. The applicant shall rezone the lots (severed and retained parcels) to be created from Consent Application S-14-17-L from Rural to a Special Residential Waterfront Zone in order to recognise the undersized lots. Please contact Lindsay Mills, the Township Planner, to begin this process.

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

Speaking to the Application: None Speaking

**Discussion:**

The subject land consists of 150 +/- acres with frontage on Northshore Road and Leland Road. The lot is currently vacant. The proposal is for the creation of a 50 +/- acre lot, identified as Part 3 on reference plan 13R18071 with frontage on Northshore Road and Leland Road. This part was originally a separate parcel but has merged with the southern 100 +/- acres (identified as Part 1 on reference plan 13R18071) through common ownership. The two parcels are joined along a 30 foot long fence line and the proposal is to divide them along this existing line. The applicant has indicated the intention of selling to 50 +/- acre parcel to the Nature Conservancy of Canada (NCC) as a significant portion of the lot is designated as provincially significant wetland and unsuitable for development. The applicant will be required to rezone the parcel created from Rural to Open Space – Private in order to limit the possibility of future development.

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

Cataraqui Region Conservation Authority has evaluated the proposal and has recommended deferral of the application until the applicant has completed an Environmental Impact Assessment which recommends an appropriate location to access the portion of the property that could be considered for development which demonstrates no negative effects. Once completed the CRCA has requested to be circulated with the EIA so they can complete a peer review of the evaluation.

Note: The CRCA has been advised of the intention to sell the severed parcel to the NCC and the required rezoning to OS-P; they have indicated they would be favourable to this.

The building department has no objections.

Comments from KFL&A Public Health and Public Works were not required as there is no new entrance or septic system proposed.

RESOLUTION: C of A: 17:04:13

Moved by: R. Sutherland

Seconded by: R. Sleeth

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-15-17-L by the Estate of John Francis Koen, to create a new lot, in Concession 7, Part Lot 24/25, North Shore Road, District of Loughborough, subject conditions.

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 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 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 # 16: S-16-17-L (Veryzer)**

Speaking to the Application: John McLaren

**Discussion:**

The subject land consists of 38.4 +/- acres with frontage on Rosedale Road. The lot is currently developed with a single detached dwelling. The proposal is for the creation of a minimum 2.0 acre residential with a minimum of 76m of frontage along Rosedale Road. This new lot will encompass the existing structure.

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

The building department has no objections.

Comments from Cataraqui Region Conservation Authority, KFL&A Public Health, Public Works were not required as there is no new entrance or septic system proposed.

**RESOLUTION:** C of A: 17:04:14

Moved by: R. Sutherland

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-16-17-L by Krista Veryzer and Paul Rapin, to create a new lot, in Concession 6, Part Lot 4, Rosedale Road, District of Loughborough, subject to conditions.

Carried

**Application No:** S-16-17-L  
**Owner:** Krista Veryzer, Paul Rapin  
**Location of Property:** Concession 6, Lot/Part Lot 4, Rosedale 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-16-17-L shall be for the creation of a minimum 2.0 acre lot with a minimum of 76m of frontage on Rosedale 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;
7. 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 # 17: S-17-17-S, S-18-17-S (K. Mulrooney Trucking)**

Speaking to the Application: Jennifer Garrah

**Discussion:**

The subject land consists of 73.3 +/- acres with frontage on Frontenac Road and Battersea Road. The lot is currently vacant but partially zoned Rural Industrial which permits a variety of uses. The proposal is for the creation two (2) new residential lots each a minimum of 2 acres in size, with a minimum of 76m of frontage on Frontenac Road. Both proposed lots are 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 lots.

The building department has no objections.

Public works has no objections.

KFL&A has no objections and has indicated both proposed lots are flexible in terms of siting a septic system.

RESOLUTION: C of A: 17:04:15

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-17-17-S by K. Mulrooney Trucking, to create a new lot, in Concession 7, Part Lot 37/38, Frontenac Road, District of Loughborough, subject to conditions.

Carried

**Application No:** S-17-17-S  
**Owner:** K. Mulrooney Trucking  
**Location of Property:** Concession 7, Lot/Part Lot 37/38, 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:** 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-17-17-S shall be for the creation of a minimum 2.0 acre lot with a minimum of 76m of frontage on Frontenac 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.

RESOLUTION: C of A: 17:04:16

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-18-17-S by K. Mulrooney Trucking, to create a new lot, in Concession 7, Part Lot 37/38, Frontenac Road, District of Loughborough, subject to conditions.

Carried

**Application No:** S-18-17-S  
**Owner:** K. Mulrooney Trucking  
**Location of Property:** Concession 7, Lot/Part Lot 37/38, 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:** 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-18-17-S shall be for the creation of a minimum 2.0 acre lot with a minimum of 76m of frontage on Frontenac 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.

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**Item # 18: S-19-17-S, S-20-17-S, S-21-17-S (1324782 Ontario Inc.)**

Speaking to the Application: Jennifer Garrah

**Discussion:**

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 three (3) new residential lots each a minimum of 2 acres in size, with a minimum of 76m of frontage on Battersea Road. The northeastern most lot will also have frontage on McGarvey Road. A Minimum Distance Separation calculation has been completed for the unoccupied livestock barn and two (2) of the three (3) proposed lots lie partially or entirely within the area of influence. If the applicant wishes to proceed with these proposed lots, this barn needs to be formally decommissioned and the retained parcel rezoned to prevent the housing of livestock in any structure existing at the date of passage of the by-law.

All three (3) proposed lots are outside the 500m area of influence for the nearby mineral aggregate designated lands.

Public works is unable to permit three additional driveway entrances onto Battersea Road as it is a former county road and is subject to increased distances between entrances.

After discussions with the planning and public works departments the applicant has agreed to revise the proposed lot configurations to have one lot with frontage only on Battersea Road, one lot with frontage on both Battersea Road and McGarvey Road, and one lot with frontage only on McGarvey Road. This will allow two of the three proposed lots to have entrances from McGarvey Road and only one with an entrance on Battersea Road in order to satisfy the spacing requirements. The lot with frontage exclusively on McGarvey Road will also encompass the existing livestock barn and remove the requirement to rezone the retained parcel as the lot created will be too small to permit livestock. The building department has no objections.

KFL&A has no objections and has indicated all three (3) proposed lots are flexible in terms of siting a septic system.

Comments from Cataraqui Region Conservation Authority were not required.

RESOLUTION: C of A: 17:04:17

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-19-17-S by 1324782 Ontario Inc., to create a new lot, in Concession 7, Part Lot 36/37, Battersea Road, District of Storrington, subject to conditions.

Carried

**Application No:** S-19-17-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:** 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-19-17-S shall be for the creation of a minimum 2.0 acre lot with a minimum of 76m of frontage on Battersea 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.

RESOLUTION: C of A: 17:04:18

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-20-17-S by 1324782 Ontario Inc., to create a new lot, in Concession 7, Part Lot 36/37, Battersea Road, District of Storrington, subject to conditions.

Carried

**Application No:** S-20-17-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:** 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-20-17-S shall be for the creation of a minimum 2.0 acre lot with a minimum of 76m of frontage on Battersea 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.

RESOLUTION: C of A: 17:04:19

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby DEFERS 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 KFL&A public health approval.

Carried

**Item # 19: MV-16-17-L (Vanden Heuval)**

Speaking to the Application: Rita Vanden Heuval, Reg Genge

**Discussion:**

The subject land consists of 1.5 +/- acres with frontage on Trotter Road and Shales Road. The lot is currently vacant. The proposal is for the construction of a 30 foot by 40 foot (1200 square foot footprint) dwelling to be located 15m from the front property line, 2.5m from the side property line and 22m from the unnamed waterbody located on the property. This unnamed waterbody was enlarged to the current size by the previous owner and the applicant is in process with the Cataraqui Region Conservation Authority to reduce the dimensions of this waterbody in order to increase the setback from the HWM.

The by-law does not permit the construction of any structures within 30 m of the HWM for the reasons of reducing adverse effects on the environment, maintaining a natural vegetative buffer and aiding in the preservation of the rural character of the Township.

Cataraqui Region Conservation Authority has no objections to the proposal as submitted.

KFL&A Public health has no objections to the proposal as the applicant has an has submitted and received approval for a permit to install a septic system on the lot.

Public works has no objections.

The building department has no objections.

R. Sutherland has visited the site and would like to increase the reduction in front yard setback in order to also increase the distance from the water; 10m from the road and 27m from the water.

Lisa Lajeunesse spoke about concerns over the infill of the pond and impacts on species.

R. Parslow indicated he has been working with the CRCA to infill the man made pond.

Several emails were received from neighbours who expressed similar concerns regarding the infilling of the pond and the impacts on the water flow and species in the area. These emails were taken into consideration by the committee when making their decision.

RESOLUTION: C of A: 17:04:20

Moved by: R. Sutherland

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-16-17-L by Richard Parslow, to permit construction within the 30m setback from water, within the 15 setback from top of bank, within the 20m front yard setback, within the 3m sideyard setback, in Concession 10, Part Lot 19, Trotter, District of Loughborough, subject to conditions.

Carried

**Application No:** MV-16-17-L

**Owner:** Richard Parslow

**Location of Property:** Concession 10, Lot/Part Lot 19, District of Loughborough, Township of South Frontenac

**Purpose of Application:** To vary section 5.8.2 and section 7.3.2 of the Comprehensive Zoning By-law to permit construction within the 30m setback from HWM, within 15m from top of bank, within the 20m front yard setback, within the 3m side yard setback

**Date of Hearing:** May 11, 2017

**Date of Decision:** May 11, 2017

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

**CONDITIONS:**

1. This minor variance is for the construction of a maximum 1200 square foot footprint dwelling to be constructed a minimum of 27m from the high water mark of the unnamed waterbody on a vacant property (ARN 102904004001430), a minimum of 10 from the front property line at Trotter Road and a minimum of 2.5m from the side property line.
2. Minor variance MV-16-17-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 policies and which specifies that a permit may be required from Cataraqui Region Conservation Authority for the proposed development, and for any shoreline or in-water works.

**Item # 20: MV-17-17-L (Silva)**

Speaking to the Application: None Speaking

**Discussion:**

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.

Comments from Rideau Valley Conservation Authority, KFL&A Public Health and Public Works were not required.

The building department has no objections.

D. Hahn visited the site and has concerns over a deck near the water which is currently under construction, in addition to a shed near the proposed site of the garage. He would like these questions addressed prior to making a decision on the variance application.

RESOLUTION: C of A: 17:04:21

Moved by: D. Hahn

Seconded by: J. McDougall

THAT the South Frontenac Township Committee of Adjustment hereby DEFERS 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, Trotter, District of Bedford, subject to investigation over possible unauthorised structures on the property.

Carried

**Item # 21: MV-18-17-S (Brown)**

Speaking to the Application: Janet Brown

**Discussion:**

The subject land consists of 6.66 +/- acres with frontage on Huntbach Lane and Dog Lake. The lot is currently developed with a single detached dwelling (4806 Huntbach Lane). The proposal is for the construction of a 160 square foot footprint screen porch addition to be located a minimum of 25.2m from the high water mark of Dog Lake. There is currently a deck in place which extends past the end of the dwelling to approximately 25m from the HWM. The applicant intends to remove the existing deck structure and rebuild the entire thing at the same time as construction the screen porch addition and remove all portions of the deck which extend past the structure.

The by-law does not permit the construction of any structures within 30 m of the HWM for the reasons of reducing adverse effects on the environment, maintaining a natural vegetative buffer and aiding in the preservation of the rural character of the Township.

The Rideau Waterway Development Review Team has evaluated the proposal and have no objections to the application.

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

The building department has no objections.

RESOLUTION: C of A: 17:04:22

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-18-17-S by Janet Brown, to permit construction within the 30m setback from water, in Concession 10, Part Lot 17/18, Huntbach Lane, District of Storrington, subject to conditions.

Carried

**Application No:** MV-18-17-S  
**Owner:** Janet Brown  
**Location of Property:** Concession 10, Lot/Part Lot 17/18, District of Storrington, Township of South Frontenac  
**Purpose of Application:** To vary section 5.8.2 and section 10.3.1 of the Comprehensive Zoning By-law to permit construction within the 30m setback from water  
**Date of Hearing:** May 11, 2017  
**Date of Decision:** May 11, 2017

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

**CONDITIONS:**

1. This minor variance is for the construction of a maximum 160 square foot footprint screen porch addition to an existing structure located at 4806 Huntbach Lane to be located a minimum of 25m from the high water mark of Dog Lake.
2. Minor variance MV-18-17-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. This agreement shall also specify the requirement for roof runoff to be directed away from the lake.

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**Item # 22: MV-19-17-B (Ryckman)**

Speaking to the Application: None Speaking

**Discussion:**

The subject land consists of 1.0 +/- acres with frontage on West Devil Lake Lane and Devil Lake. The lot is currently developed with a single detached dwelling (199 West Devil Lake Lane). The proposal is for the construction of a 12 foot by 34 foot deck to be located a minimum of 26.3m (86.3 feet) from the high water mark of Devil Lake. There is currently a 2.2 m (7.5 ft.) wide deck and stairs located on the water side, the proposed deck will extend a further 1.5m into the setback from the HWM.

The by-law does not permit the construction of any structures within 30 m of the HWM for the reasons of reducing adverse effects on the environment, maintaining a natural vegetative buffer and aiding in the preservation of the rural character of the Township.

The Cataraqui Region Conservation Authority is recommending denial of the application as they feel it does not meet the intent of the Official Plan. CRCA notes that the proposed development is outside the setback from the flood plain and outside the erosion hazard area identified on the property. They have also indicated that a permit will be required for all development on this property.

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

The building department has no objections.

RESOLUTION: C of A: 17:04:23

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-19-17-S by Steven and Cindy Ryckman, to permit construction within the 30m setback from water, in Concession 10, Part Lot 9, Devil Lake Lane, District of Bedford, subject to conditions.

Carried

**Application No:** MV-19-17-B  
**Owner:** Steven Ryckman and Cindy Ryckman  
**Location of Property:** Concession 10, Lot/Part Lot 9, District of Bedford, Township of South Frontenac  
**Purpose of Application:** To vary section 5.8.2 and section 10.3.1 of the Comprehensive Zoning By-law to permit construction within the 30m setback from water  
**Date of Hearing:** May 11, 2017  
**Date of Decision:** May 11, 2017  
**Decision:** MINOR VARIANCE APPROVED, subject to conditions

**CONDITIONS:**

1. This minor variance is for the construction of a maximum 12 foot by 34 foot deck to be located a minimum of 26.3m from the high water mark of Devil Lake.
2. Minor variance MV-19-17-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 # 23: MV-20-17-B (McNichols)**

Speaking to the Application: Paul McNichols

**Discussion:**

The subject land consists of 1.24 +/- acres with frontage on McNichols Lane and Thirty Island Lake. The lot is currently developed with a single detached dwelling and small accessory building. The proposal is for the construction of a 20 foot by 46 foot (920 square feet) detached accessory building with a finished height of 23.6 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.

Comments from Rideau Valley Conservation Authority, KFL&A Public Health and Public Works were not required.

The building department has no objections.

**RESOLUTION:** C of A: 17:04:24

Moved by: D. Hahn

Seconded by: J. McDougall

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-20-17-B by Steven and Cindy Ryckman, to permit an increase in height of an accessory building, in Concession 3, Part Lot 7, McNichols Lane, District of Bedford, subject to conditions.

Carried

**Application No:** MV-20-17-B  
**Owner:** Paul & Janice McNichols  
**Location of Property:** Concession 3, Lot/Part Lot 7, 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:** May 11, 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 23.6 feet. This accessory structure is not permitted to have any living space.
2. Minor variance MV-20-17-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.

**Item # 24: MV-21-17-S (Harvey)**

Speaking to the Application: Nicholas Harvey

**Discussion:**

The subject land consists of 0.9 +/- acres with frontage on Ormsbee Road and Dog Lake. The lot is currently developed with a single detached dwelling (1517 Ormsbee Road) located approximately 26.8m from the high water mark of Dog Lake. The proposal is for a three (3) foot increase in height of the existing structure to permit an increase in living space on the second floor, as well as the creation of an outdoor deck above the existing covered porch which will be accessed from the upper level. The structure currently has a small upper loft area but the floor space is limited due to the pitch of the roof. This application is seeking to rectify a building without a permit situation discovered by the Chief Building Official.

The by-law does not permit the construction of any structures within 30 m of the HWM for the reasons of reducing adverse effects on the environment, maintaining a natural vegetative buffer and aiding in the preservation of the rural character of the Township.

The Rideau Waterway Development Review Team has no objection to the application as it does not encroach any farther into the required setback from the HWM and does not increase the lot coverage. CRCA noted that a permit is required for the proposed development.

Comments from KFL&A Public Health and Public Works were not required as the applicant has already upgraded his septic system to accommodate the renovations.

The building department has no objections.

**RESOLUTION:** C of A: 17:04:25

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-21-17-S by Nicholas Harvey, to permit construction within the 30m setback from water, in Concession 9, Part Lot 19, Ormsbee Road, District of Storrington, subject to conditions.

Carried

**Application No:** MV-21-17-S  
**Owner:** Nicholas Harvey  
**Location of Property:** Concession 9, Lot/Part Lot 19, District of Storrington, Township of South Frontenac  
**Purpose of Application:** To vary section 5.8.2 and section 10.3.1 of the Comprehensive Zoning By-law to permit construction within the 30m setback from water  
**Date of Hearing:** May 11, 2017  
**Date of Decision:** May 11, 2017

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

**CONDITIONS:**

1. This minor variance is for a maximum three (3) foot increase in height to peak of an existing dwelling located at 1517 Ormsbee Road to permit an increase in living space, in addition to the construction of a new second story deck over an existing lower level porch.

2. Minor variance MV-21-17-B is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.
3. A building permit is required for ALL demolition and construction on the property. There shall be no additional development, or demolition of existing structures, on the property without approval from the Township of South Frontenac.
4. The applicant shall enter into a site plan agreement with the Township to be registered on title, which sets out the Township's environmental and limited service policies, and which specifies that a permit may be required from the Cataraqui Region Conservation Authority for the proposed development, and for any shoreline or in-water works.

**Item # 25: MV-22-17-B (Brice)**

Speaking to the Application: Roger Brice

**Discussion:**

The subject land consists of 1.5 +/- acres with frontage on Perth Road and Devil Lake. The property is zoned RRC-34 and permits three tourist cabins, a single detached dwelling and an accessory storage building. The proposal is for the addition of a 100 square foot mudroom to the non-water side of the existing principal dwelling located approximately 20m from the high water mark of Devil Lake. The by-law does not permit the construction of any structures within 30 m of the HWM for the reasons of reducing adverse effects on the environment, maintaining a natural vegetative buffer and aiding in the preservation of the rural character of the Township.

The Cataraqui Region Conservation Authority has no objections as the permit issued for the renovations to the building included the proposed mudroom.

Comments from KFL&A Public Health and Public Works were not required as the applicant has already upgraded his septic system to accommodate the renovations.

The building department has no objections.

RESOLUTION: C of A: 17:04:26

Moved by: J. McDougall

Seconded by: D. Hahn

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-22-17-B by Roger Brice, to permit construction within the 30m setback from water, in Concession 13, Part Lot 8, Perth Road, District of Bedford, subject to conditions.

Carried

**Application No:** MV-22-17-B  
**Owner:** Roger Brice  
**Location of Property:** Concession 13, Lot/Part Lot 8, District of Bedford, Township of South Frontenac  
**Purpose of Application:** To vary section 5.8.2 and section 18.3.1 of the Comprehensive Zoning By-law to permit construction within the 30m setback from water  
**Date of Hearing:** May 11, 2017  
**Date of Decision:** May 11, 2017  
**Decision:** MINOR VARIANCE APPROVED, subject to conditions

**CONDITIONS:**

1. This minor variance is for the construction of a maximum 100 square foot mudroom addition to an existing dwelling located 20m from the HWM of Devil Lake.
2. Minor variance MV-22-17-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.

**Item # 26: MV-23-17-B (Kimmatt)**

Speaking to the Application: Tony and Michelle Kimmatt

**Discussion:**

The subject land consists of 43.9 +/- acres with frontage on Lee Road and Wolfe Lake. The property is currently developed with a seasonal dwelling and small accessory building. The proposal is for an increase in height (a maximum of 6 feet) of the existing dwelling to permit the reconstruction of the foundation and the creation of a crawlspace underneath the cottage to locate services. The dwelling is located approximately 55 feet at its closest point to Wolfe Lake and is within 120m of a Provincially Significant Wetland; as such, the applicant has submitted an Environmental Impact Assessment completed by Ontario Lake Assessments which stated there would be no long-term impacts as a result of the proposed construction. However, the EIA indicated that there needs to be appropriate soil stability measures taken during and after construction to prevent disruption of the native soil mantle.

The by-law does not permit the construction of any structures within 30 m of the HWM for the reasons of reducing adverse effects on the environment, maintaining a natural vegetative buffer and aiding in the preservation of the rural character of the Township.

Comments from Rideau Valley Conservation Authority have yet to be received.

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

The building department has no objections.

RESOLUTION: C of A: 17:04:27

Moved by: D. Hahn

Seconded by: J. McDougall

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-23-17-B by Tony and Michelle Kimmett, to permit construction within the 30m setback from water, in Concession 10, Part Lot 23/24, Perth Road, District of Bedford, subject to conditions.

Carried

**Application No:** MV-23-17-B  
**Owner:** Tony & Michelle Kimmett  
**Location of Property:** Concession 10, Lot/Part Lot 23/24, District of Bedford, 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:** May 11, 2017

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

**CONDITIONS:**

1. This minor variance is for the raising of an existing dwelling (966 Lee Road) a maximum of six (6) feet to permit the reconstruction of the foundation and the creation of a crawlspace underneath the cottage to locate services; no living space is permitted.
2. Minor variance MV-23-17-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 # 27: MV-24-17-S (Anglin)**

Speaking to the Application: Bill Anglin

**Discussion:**

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 have no objections; however they have indicated that a permit will be required for the proposed construction.

Comments from KFL&A Public Health have yet to be received.

The building department has no objections.

Comments from Public Works were not required.

RESOLUTION: C of A: 17:04:28

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby DEFERS 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 KFL&A approval.

Carried

#### **Item #28 : Adjournment**

RESOLUTION: C of A: 17:04:29

Moved by: J. McDougall

Seconded by: L. Redden

THAT the April 13, 2017 meeting of the South Frontenac Township Committee of Adjustment is hereby adjourned at 8:50 p.m. to reconvene at 7:00 p.m. on Thursday, June 8, 2017 or at the call of the Chair.

Carried

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Alan Revill  
Chair

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Lindsay Mills  
Secretary-Treasurer