



TOWNSHIP OF SOUTH FRONTENAC
PLANNING DEPARTMENT



MINUTES 18:01
February 8, 2018

LOCATION: South Frontenac Municipal Offices, Sydenham

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

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

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Item #1: Call to Order

RESOLUTION: C of A: 18:01:01

Moved by: L. Redden

Seconded by: B. Barbeau

THAT the February 8, 2018 meeting of the South Frontenac Township Committee of Adjustment is hereby called to order at 7:00 p.m. by Lindsay Mills.

Carried

Item #2: Motions to Elect a Chairperson

RESOLUTION: C of A: 18:01:02

Moved by: K. Gee

Seconded by: R. Sleeth

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

Carried

Item #3: Motions to Elect a Vice-Chairperson

RESOLUTION: C of A: 18:01:03

Moved by: L. Redden

Seconded by: J. Sherbino

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

Carried

Item #4: Adoption of the Agenda

Approved as circulated

Item #5: Declaration of Pecuniary Interest

None declared

Item #6: Approval of Minutes

RESOLUTION: C of A: 18:01:04

Moved By: B. Barbeau

Seconded By: L. Redden

THAT the South Frontenac Township Committee of Adjustment hereby approves the minutes of the December 14, 2017 meeting of the Committee, as circulated.

Carried

Item #7: S-57-17-P (Neil Morey)

Speaking to the Application: None Speaking

Discussion:

This application was originally brought to the committee in December 2017, but was deferred pending receipt of comments from KFL&A public health on septic suitability for the proposed lot. These comments have been received and are favourable.

The subject land consists of 178 +/- acres (72.0 hectares) with frontage on Hinchinbrooke Road North. The lot is currently developed with a single detached dwelling and accessory building. The proposal is for the creation of a minimum 2 acre residential lot with a minimum of 76 metres of frontage on Hinchinbrooke Road North. The retained parcel will be approximately 176 +/- acres in size and retain all the existing structures.

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

Comments were not required from Quinte Conservation Authority.

KFL&A Public Health has no objections to the application.

Public Works has no objections.

The building department has no objections.

RESOLUTION: C of A: 18:01:05

Moved by: L. Redden

Seconded by: B. Barbeau

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-57-17-P by Neil Morey, to create a new lot, in Concession 14, Part Lot 3/4/5, Hinchinbrooke Road North, District of Portland, subject to conditions.

Carried

Application No: S-57-17-P
Owner: Neil Morey
Location of Property: Concession 14, Part Lot 3/4/5, Hinchinbrooke Road North, District of Bedford, Township of South Frontenac
Purpose of Application: Consent to create a new lot
Date of Hearing: December 14, 2017
Date of Decision: February 8, 2018

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-57-17-P shall be for the creation of a minimum 2 acre lot, with a minimum of 76 metres of frontage on Hinchinbrooke Road North.
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. This includes all taxes levied as of the date of the stamping of the deeds.
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
 - a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
 - c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended.
 - d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
 - e. The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.
6. The applicant must submit a well driller's report demonstrating a potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test for the parcel severed through consent application S-57-17-P.

Item #8: MV-31-17-L (Jason Martin)

Speaking to the Application: None Speaking

Discussion:

This item was originally brought to the Committee in July 2017 but was deferred following a recommendation of Cataraqui Region Conservation Authority to complete a slope stability study to ensure the relocation would not adversely affect the hill. This report has been completed, and a few small design changes have been made to the dwelling to accommodate retaining walls and ensure proper drainage. The minimum setback and maximum proposed square footage will remain unchanged.

The subject land consists of 1.26 +/- acres with frontage on Wild Flower Lane, North Shore Road and Loughborough Lake. The property is currently developed with a dwelling and detached accessory building. The proposal is for the demolition of the existing dwelling and the construction of a new dwelling farther from the lake. The proposed dwelling is to be 32 feet by 50 feet with a walkout

basement and is to be located a minimum of 26.6m from the high-water mark of Loughborough Lake and a minimum of 2.5m from the edge of Wild Flower Lane.

The proposal significantly increases the setback from the water as the current dwelling is located approximately 10m from the high-water mark. The topography of the lot limits the ability of the applicant to increase the setback any more than proposed.

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 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: 18:01:06

Moved by: R. Sutherland

Seconded by: J. Sherbino

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-31-17-L by Jason Martin, to permit reconstruction of a dwelling within the 30 metre setback from water, in Concession 6, Part Lot 21, 1028 Wildflower Lane, District of Loughborough, subject to conditions.

Carried

Application No: MV-31-17-L
Owner: Jason Martin
Location of Property: Concession 6, Lot/Part Lot 21, Wild Flower Lane, District of Loughborough, Township of South Frontenac
Purpose of Application: To vary section 10.3.1 of the Comprehensive Zoning By-law 2003-75 to permit construction within the 30m setback from water and a reduction in the setback from a private lane
Date of Hearing: July 13, 2017
Date of Decision: February 8, 2018
Decision: MINOR VARIANCE APPROVED, subject to conditions

CONDITIONS:

1. This minor variance is for construction of a maximum 1800 square foot footprint, single story dwelling with walkout basement to be located a minimum of 26.6 metres from the high water mark of Loughborough Lake and a minimum of 2.5 metres from Wild Flower Lane.
2. Minor variance MV-31-17-L is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.
3. A building permit is required for ALL demolition and construction on the property. There shall be no additional development, or demolition of existing structures, on the property without approval from the Township of South Frontenac.
4. The applicant shall enter into a site plan agreement with the Township to be registered on title, which sets out the Township's environmental and limited service policies, and which specifies that a permit may be required from the Cataraqui Region Conservation Authority for the proposed development, and for any shoreline or in-water works.

Item #9: MV-47-17-L (Randy Ruttan)

Speaking to the Application: None speaking

Discussion:

This item was originally brought to the committee in December 2017, but was deferred due to questions surrounding the possibility of including plumbing in the dwelling and needing a site evaluation for a grey water system. The applicant has confirmed that there will be no plumbing in the proposed dwelling and therefore there is no need for further evaluations. A condition to this effect will be added to the approval.

The subject land consists of 8.33 +/- acres with frontage on Buck Lake and an unevaluated wetland area. The property is currently vacant. The proposal is for the construction of a 485 square foot footprint, seasonal dwelling to be located a minimum of 80 feet from the high water mark of Buck

Lake. This dwelling would have a 250 square foot loft in order to meet the Township's minimum 635 square foot gross floor area requirement for a principal dwelling. Of the 8.33 acres the property encompasses, approximately 5 acres is wetland area, with the remaining 3.3 acres of land broken into multiple small islands. The proposed dwelling would be located on the largest of these parcels in a natural plateau with a ridge of land between the proposed location and Buck Lake; this rise will aid in directing runoff away from Buck Lake and into the wetland area.

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 Planning Department is able to support the application.

Comments were not required from KFL&A Public Health as the applicant has indicated there is to be no plumbing in the dwelling.

Cataraqui Region Conservation Authority has no objections to the application as submitted. They have indicated that while Buck Lake is identified as a highly sensitive Lake Trout Lake there is no need for an additional Environmental Impact Assessment. They stated that the topography of the property will direct runoff away from the lake and into the inland wetland area.

Comments from Public Works were not required.

The building department has no objections.

RESOLUTION: C of A: 18:01:07

Moved by: J. Sherbino

Seconded by: R. Sutherland

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-47-17-L by Randy Ruttan, to permit construction of a dwelling within the 30 metre setback from water, in Concession 11, Part Lot 22, Buck Lake, District of Loughborough, subject to conditions.

Carried

Application No: MV-47-17-L
Owner: Randy Ruttan
Location of Property: Concession 11, Lot/Part Lot 22, Buck Lake, District of Loughborough, Township of South Frontenac
Purpose of Application: To vary section 5.10.2 of the Comprehensive Zoning By-law 2003-75 to permit construction of a dwelling within 30m of the water, and section 10.3.1 to permit a reduction in rear yard
Date of Hearing: December 14, 2017
Date of Decision: February 8, 2018
Decision: MINOR VARIANCE APPROVED, subject to conditions

CONDITIONS:

1. This minor variance is for the construction of a 485 square foot footprint dwelling with a loft to be located a minimum of 80 feet from the high water mark of Buck Lake and 30 feet from the rear property line. This dwelling is not permitted to have any plumbing.
2. Minor variance MV-47-17-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 #10: S-63-17-L (George Hamilton, Carol Milligan)

Speaking to the Application: None Speaking

Discussion:

The subject lands consist of 12 +/- acres with frontage on Buck Lake and Twisty Lane. The land is currently vacant and has Provisional Consent through application number S-34-17-L to be severed from 1051B Twisty Lane. The application is for the creation of an approximately 355 metre extension to the existing Twisty Lane. This lane extension will be surveyed and constructed according to the Township's Standard for new private lanes. The severance (S-34-17-L) will be required to be completed prior to the creation of this right-of-way extension. The purpose of the extension of the right-of-way (Twisty Lane) is to facilitate continued access to the northern part of 1051B Twisty Lane. The planning department is able to support the application for the proposed right-of-way extension. Public Works has no objections.

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

Gary Beach sent an email expressing concerns over Species At Risk, specifically black rat snakes, on the property and whether or not the extension to Twisty Lane would potentially impact the habitat required for breeding.

R. Sutherland questioned whether or not the Environmental Impact Assessment completed for the creation of the new lot dealt with black rat snakes. He also wanted to know if there would be any impact on the proposed septic location from the right-of-way extension.

RESOLUTION: C of A: 18:01:08

Moved by: R. Sutherland

Seconded by: J. Sherbino

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-63-17-L by George Hamilton and Carol Milligan, to create an extension to an existing right-of-way, in Concession 13, Part Lot 24/25, Twisty Lane, District of Loughborough, subject to conditions.

Carried

Application No: S-63-17-L
Owner: George Hamilton and Carol Milligan
Location of Property: Concession 13, Pt. Lot 24/25, Twisty Lane, District of Loughborough, Township of South Frontenac
Purpose of Application: Consent to create an extension to a right-of-way
Date of Hearing: February 8, 2018
Date of Decision: February 8, 2018

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-63-17-L shall be for the creation of an approximately 355 metre extension to the existing Twisty Lane right-of-way.
3. The right-of-way extension shall be surveyed and constructed according to the Townships standards for new private lanes.
4. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. This includes all taxes levied as of the date of the stamping of the deeds.
5. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.

Item #11: S-01-18-L (Joe Rodrigues)

Speaking to the Application: None Speaking

Discussion:

This item was originally brought to the committee in December 2016 and was granted Provisional Consent. The applicant was unable to meet all required conditions within the one year time period and as such is resubmitting the same proposal.

The subject lands consist of 11.6 +/- acres with frontage on Wilmer Road. The land is currently developed with a single detached dwelling. The application is for the creation of a minimum 2.0 acre residential lot with a minimum of 76m frontage along Wilmer Road. The retained parcel will be approximately 8.1 +/- acres in size and retain the existing dwelling.

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

Public Works has no objections but indicated that the entrance for the proposed lot must be constructed at the crest of the hill due to limited sightlines.

Comments were not required from Cataraqui Region Conservation Authority.

KFL&A public health and the building department have no objections.

RESOLUTION: C of A: 18:01:09

Moved by: J. Sherbino

Seconded by: R. Sutherland

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-01-18-L by Joe Rodrigues, to create a new residential lot, in Concession 8, Part Lot 17, Wilmer Road, District of Loughborough, subject to conditions.

Carried

Application No: S-01-18-L
Owner: Joe Rodrigues
Location of Property: Concession 8, Pt. Lot 17, Wilmer Road, District of Loughborough, Township of South Frontenac
Purpose of Application: Consent to create a new lot
Date of Hearing: February 8, 2018
Date of Decision: February 8, 2018

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-01-18-L shall be for the creation of a minimum 2.0 acre lot, with a minimum of 76 metres of frontage on Wilmer 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 to be severed through consent application S-01-18-L 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 lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
 - a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;

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

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

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

7. The applicant must submit a well driller's report demonstrating a potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test for the parcel severed through consent application S-01-18-L.

Item #12: S-02-18-S (Sheila Arthur)

Speaking to the Application: None Speaking

Discussion:

The subject lands consist of 42 +/- acres with frontage on Arthur Road. The land is currently developed with a single detached dwelling and multiple detached accessory buildings. The application is for the creation of an 18 +/- acre lot with 108 m of frontage along Arthur Road. The proposed lot will encompass all the existing structures. The retained parcel will be approximately 23.5 +/- acres in size.

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

Comments were not required from Cataraqui Region Conservation Authority or KFL&A public health. Public Works and the building department have no objections.

RESOLUTION: C of A: 18:01:10

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-02-18-S by Sheila and Robert Arthur to create a new lot, in Concession 3, Part Lot 19, Arthur Road, District of Storrington, subject to conditions.

Carried

Application No: S-02-18-S
Owner: Sheila and Robert Arthur
Location of Property: Concession 3, Pt. Lot 19, 3866 Arthur Road, District of Storrington, Township of South Frontenac
Purpose of Application: Consent to create a new lot
Date of Hearing: February 8, 2018
Date of Decision: February 8, 2018

DECISION: PROVISIONAL CONSENT BE GRANTED, subject to conditions

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year [Planning Act, s. 53(41)] after the "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].
2. The land to be severed by Consent Application S-02-18-S shall be for the creation of an 18 +/- acre lot, with 108 +/- metres of frontage on Arthur Road which shall encompass all existing structures.

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 to be severed through consent application S-02-18-S 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 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 #13: S-04-18-B (Paul Snelgrove)

Speaking to the Application: Paul Snelgrove

Discussion:

The subject lands consist of 19.2 +/- acres with frontage on Frye Lane and Milk Lake. The land is currently vacant. The application is for the creation of a 6.5 +/- acre lot addition with approximately 630 metres of frontage along Frye Lane. The proposed lot addition parcel will be added to 8 Enchanted Lane. The retained parcel will be approximately 13 +/- acres in size.

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

CRCA have no objections.

Comments were not required from KFL&A public health or Public Works.

The building department has no objections.

RESOLUTION: C of A: 18:01:11

Moved by: D. Hahn

Seconded by: L. Redden

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-04-18-B by Paul Snelgrove create a lot addition, in Concession 11, Part Lot 1, Milk Lake, District of Bedford, subject to conditions.

Carried

Application No: S-04-18-B
Owner: Paul Snelgrove
Location of Property: Concession 11, Pt. Lot 1, Milk Lake, District of Bedford, Township of South Frontenac
Purpose of Application: Consent to create a lot addition
Date of Hearing: February 8, 2018

Date of Decision: February 8, 2018

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-04-18-S shall be for the creation of an 18 +/- acre lot addition only to 8 Enchanted Lane, with 108 +/- metres of frontage on Frye Lane.
3. This lot addition parcel shall encompass the existing right-of-way, Frye Lane, and the surveyor who prepares the reference plan referred to in condition #1 shall also ensure that the right-of-way is surveyed to Township standards of 20 metres.
4. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. This includes all taxes levied as of the date of the stamping of the deeds.
5. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
6. The Township of South Frontenac shall receive \$100 in lieu of parkland [Planning Act, s. 51(1)].

Item #14: S-05-18-B (Paul Snelgrove)

Speaking to the Application: Paul Snelgrove

Discussion:

The subject lands consist of 81 +/- acres with frontage on Enchanted Lane and Milk Lake. The land is currently developed with a single detached dwelling. The application is for the creation of a 6.5 +/- acre lot addition with approximately 630 metres of frontage along Frye Lane. The proposed lot addition parcel will be added to 8 Enchanted Lane. The retained parcel will be approximately 13 +/- acres in size.

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

CRCA have no objections.

Comments were not required from KFL&A public health.

Public Works and the building department have no objections.

RESOLUTION: C of A: 18:01:12

Moved by: L. Redden

Seconded by: D. Hahn

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-05-18-B by Paul Snelgrove create a lot addition, in Concession 11, Part Lot 1/2, Enchanted Lane, District of Bedford, subject to conditions.

Carried

Application No: S-05-18-B
Owner: Paul Snelgrove
Location of Property: Concession 11, Pt. Lot 1/2, Enchanted Lane, District of Bedford, Township of South Frontenac
Purpose of Application: Consent to create a lot addition
Date of Hearing: February 8, 2018
Date of Decision: February 8, 2018

DECISION: PROVISIONAL CONSENT BE GRANTED, subject to conditions

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year [Planning Act, s. 53(41)] after the "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].
2. The land to be severed by Consent Application S-05-18-S shall be for the creation of an 18 +/- acre lot addition, with 108 +/- metres of frontage on Frye Lane.
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. This includes all taxes levied as of the date of the stamping of the deeds.
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive \$100 in lieu of parkland [Planning Act, s. 51(1)].

Item #15: S-06-18-B (Paul Snelgrove)

Speaking to the Application: Paul Snelgrove

Discussion:

The subject lands consist of 12 +/- acres with frontage on Frye Road and Milk Lake. The land is currently developed with a single detached dwelling. The application is for the creation of a 1.5 +/- acre lot addition with 76 metres of frontage on Frye Road. The proposed lot addition parcel will be added to 8 Enchanted Lane. The retained parcel will be approximately 10.5 +/- acres in size and retain the existing dwelling.

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

CRCA have no objections.

Comments were not required from KFL&A public health or Public Works.

The building department has no objections.

RESOLUTION: C of A: 18:01:13

Moved by: D. Hahn

Seconded by: L. Redden

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-06-18-B by Paul Snelgrove create a lot addition, in Concession 11, Part Lot 1, Frye Lane, District of Bedford, subject to conditions.

Carried

Application No: S-06-18-B
Owner: Paul Snelgrove
Location of Property: Concession 11, Pt. Lot 1, 204 Frye Lane, District of Bedford, Township of South Frontenac
Purpose of Application: Consent to create a lot addition
Date of Hearing: February 8, 2018
Date of Decision: February 8, 2018

DECISION: PROVISIONAL CONSENT BE GRANTED, subject to conditions

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year [Planning Act, s. 53(41)] after the "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].
2. The land to be severed by Consent Application S-06-18-S shall be for the creation of a 1.5 +/- acre lot addition only, to 8 Enchanted Lane, with 76 metres of frontage on Frye Road.

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

Item #16: S-07-18-B (Paul Snelgrove)

Speaking to the Application: Paul Snelgrove

Discussion:

The subject lands consist of 75 +/- acres with frontage on Enchanted Lane, Frye Road and Milk Lake. The land is currently developed with a single detached dwelling. The application is for the creation of a 72 +/- acre lot addition to 477 Lele Lane. The retained parcel will be approximately 2.0 acres in size and retain the existing dwelling.

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

CRCA have no objections.

Comments were not required from KFL&A public health or Public Works.

The building department has no objections.

RESOLUTION: C of A: 18:01:14

Moved by: L. Redden

Seconded by: D. Hahn

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-07-18-B by Paul Snelgrove create a lot addition, in Concession 11, Part Lot 1/2, Enchanted Lane, District of Bedford, subject to conditions.

Carried

Application No: S-07-18-B
Owner: Paul Snelgrove
Location of Property: Concession 11, Pt. Lot 1, 8 Enchanted Lane, District of Bedford, Township of South Frontenac
Purpose of Application: Consent to create a lot addition
Date of Hearing: February 8, 2018
Date of Decision: February 8, 2018

DECISION: PROVISIONAL CONSENT BE GRANTED, subject to conditions

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year [Planning Act, s. 53(41)] after the "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].
2. The land to be severed by Consent Application S-07-18-S shall be for the creation of a 72 +/- acre lot addition only, to 477 Lele Lane (ARN 102901003005350).
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. This includes all taxes levied as of the date of the stamping of the deeds.
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive \$100 in lieu of parkland [Planning Act, s. 51(1)].

Item #17: MV-50-17-S (Wayne Pugh)

Speaking to the Application: None Speaking

Discussion:

The subject land consists of 1.0 +/- acres with frontage on Loughborough Lake. The property is currently developed with a 528 square foot footprint single detached dwelling located approximately 27 feet from the high water mark of Loughborough Lake. The proposal is for the demolition of the existing dwelling and the construction of a 2128 square foot footprint, two story dwelling located a minimum of 65 feet from the high water mark of Loughborough Lake. This proposed square footage includes an attached garage. The applicant has also requested a reduction in side yard from 3 metres to 2.4 metres (eight feet). The location of the surveyed right-of-way, the hydro easement and the existing septic system on the property limit the opportunity for any further increase in setback from the water for the proposed dwelling.

The Planning Department is able to support the application.

KFL&A Public Health has no objections to the application, provided the new dwelling does not exceed the parameters stipulated in the Review of Performance of an Existing Septic System (application ST-3-18). This review states that the maximum gross floor area of the new dwelling is not to exceed 176 square metres.

Cataraqui Region Conservation Authority has no objections as the proposed location increases the setback from the high water mark of Loughborough Lake.

Comments were not required from Public Works.

The building department has no objections.

RESOLUTION: C of A: 18:01:15

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-50-17-S by Wayne Pugh, to permit reconstruction and enlargement of a dwelling within the 30 metre setback from water, in Concession 11, Part Lot 10, 5390 Ramparts Lane, District of Storrington, subject to conditions.

Carried

Application No: MV-50-17-S
Owner: Wayne Pugh
Location of Property: Concession 11, Lot/Part Lot 10, 5390 Ramparts Lane, District of Storrington, Township of South Frontenac
Purpose of Application: To vary section 5.10.2 of the Comprehensive Zoning By-law 2003-75 to permit reconstruction and enlargement of a dwelling within the 30 metre setback from water and section 10.3.1 to permit a reduction in side yard
Date of Hearing: February 8, 2018
Date of Decision: February 8, 2018
Decision: MINOR VARIANCE APPROVED, subject to conditions

CONDITIONS:

1. This minor variance is for the construction of a maximum 2128 square foot, two story single detached dwelling to be located a minimum of 65 feet from the high water mark of Loughborough Lake at 5390 Ramparts Lane. The dwelling is permitted to have a reduced side yard of eight feet.
2. Prior to the issuance of a building permit for the new dwelling, the existing dwelling must be demolished.
3. Minor variance MV-50-17-S is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.
4. A building permit is required for ALL demolition and construction on the property. There shall be no additional development, or demolition of existing structures, on the property without approval from the Township of South Frontenac.
5. The applicant shall enter into a site plan agreement with the Township to be registered on title, which sets out the Township's environmental 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 #18: MV-01-18-L (2087033 Ontario Limited – Snug Harbour Resort)

Speaking to the Application: Robert Canvin

Discussion:

The subject land consists of 31.0 +/- acres with frontage on Desert Lake. The property is currently developed with 12 rental cabins and a lodge. The proposal is for the reconstruction and enlargement of one of the existing rental cabins which is located 65 feet from the high water mark of Desert Lake. The existing cabin has a 466 square foot footprint and the applicant has proposed 600 square foot footprint for the enlarged cabin, plus the addition of a 12 foot by 20 foot (240 square feet) deck for a total footprint of 840 square feet. The property is zoned Recreational Resort Commercial – Special Zone 21 (RRC-21); this zone permits the reconstruction of the five rental cabins which are located within the 30 metre setback provided there is no enlargement of the footprint or reduction of the water setback.

The Planning Department is unable to support the application as submitted.

Further discussions between the applicant and the Planning Department resulted in an amended proposal which did not include the addition of the proposed deck. The applicant agreed to remove this from the proposal and only apply for the increase in square footage to the cottage.

Cataraqui Region Conservation Authority has no objections as the proposed location increases the setback from the high water mark of Loughborough Lake.

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

The building department has no objections.

RESOLUTION: C of A: 18:01:16

Moved by: J. Sherbino
Sutherland

Seconded by: R.

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-01-18-L by 2087033 Ontario Limited, to permit reconstruction and enlargement of a dwelling within the 30 metre setback from water, in Concession 14, Part Lot 6/7, 1029 Snug Harbour Lane, District of Loughborough, subject to conditions.

Carried

Application No: MV-01-18-L
Owner: 2087033 Ontario Limited, Snug Harbour Resort
Location of Property: Concession 14, Lot/Part Lot 6/7, 1029 Snug Harbour Lane, District of Loughborough, Township of South Frontenac
Purpose of Application: To vary section 5.10.2 of the Comprehensive Zoning By-law 2003-75 to permit reconstruction and enlargement of a dwelling within the 30 metre setback from water
Date of Decision: February 8, 2018
Decision: MINOR VARIANCE APPROVED, subject to conditions

CONDITIONS:

1. This minor variance is for the reconstruction and enlargement of an existing dwelling located 65 feet from the high-water mark of Desert Lake. The dwelling is permitted to have a maximum footprint of 600 square feet.
2. Prior to the issuance of a building permit for the new dwelling, the existing dwelling must be demolished.
3. Minor variance MV-01-18-L is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.
4. A building permit is required for ALL demolition and construction on the property. There shall be no additional development, or demolition of existing structures, on the property without approval from the Township of South Frontenac.

Item #19: MV-02-18-S (Orrie and Andrea Cumpson)

Speaking to the Application: Orrie Cumpson

Discussion:

The subject land consists of 79 +/- acres with frontage on Latimer Road. The property is currently developed with a single detached dwelling and multiple agricultural use buildings. The proposal is for the complete demolition of one barn plus the demolition of a section of another barn (totaling 6,500 square feet), then the construction of a 9,500 square foot addition to the existing barn that was partially demolished. The net increase in square footage is 3,000 square feet. The applicant has submitted a Minimum Distance Separation (MDS) calculation prepared by Bryan Cook of Cropland Consulting Inc. which indicates the required separation between the expansion and the nearest residential use is 81 metres (266 feet). The proposed location for the expansion is only 40 metres from the nearest residential use, so a reduction of 41 metres has been applied for. While this is half the normally required setback, the barn which is to be totally demolished is currently only 28 metres from the residential use, so 40 metres would be a 12 metre increase in separation. There is also an outdoor cow yard which will be removed and rehabilitated as part of the proposed expansion; this cow yard is 23 metres from the residential use. The overall effect of the barn expansion would be an increase in setback to the livestock facility over the current situation. The proposed location of the barn expansion would also require a reduction in setback from an interior lot line to 4.5 metres from 10 metres.

The Planning Department is able to support the application.

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

The building department has no objections.

RESOLUTION: C of A: 18:01:17

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-02-18-S by Orrie and Andrea Cumpson, to permit a reduction in the normally required Minimum Distance Separation reconstruction and enlargement of an existing livestock barn, and a reduction in interior side yard, in Concession 3, Part Lot 17, 4403 Latimer Road, District of Storrington, subject to conditions.

Carried

Application No: MV-02-18-S
Owner: Orrie and Andrea Cumpson
Location of Property: Concession 3, Lot/Part Lot 17, 4403 Latimer Road, District of Storrington, Township of South Frontenac
Purpose of Application: To vary section 5.35 of the Comprehensive Zoning By-law 2003-75 to permit a reduction in the normally required Minimum Distance Separation and section 6.3.2 to permit a reduction in setback from an interior lot line
Date of Decision: February 8, 2018
Decision: MINOR VARIANCE APPROVED, subject to conditions

CONDITIONS:

1. This minor variance is for the reconstruction and enlargement of an existing livestock facility to be located a minimum of 4.5 metres from the rear lot line of 4385 Latimer Road. The addition shall be a maximum of 9,500 square feet in size.
2. Minor variance MV-02-18-S is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.
3. A building permit is required for ALL demolition and construction on the property. There shall be no additional development, or demolition of existing structures, on the property without approval from the Township of South Frontenac.

Item #20: Adjournment

RESOLUTION: C of A: 18:01:18

Moved by: K. Gee

Seconded by: R. Sleeth

THAT the February 8, 2018 meeting of the South Frontenac Township Committee of Adjustment is hereby adjourned at 7:45 p.m. to reconvene at 7:00 p.m. on Thursday, March 8, 2018 or at the call of the Chair.

Carried

Alan Revill
Chair

Lindsay Mills
Secretary-Treasurer

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