



TOWNSHIP OF SOUTH FRONTENAC  
PLANNING DEPARTMENT



MINUTES 18:04  
May 10, 2018

LOCATION: South Frontenac Municipal Offices, Sydenham

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

ABSENT WITH REGRETS: David Hahn (Bedford District)  
John Sherbino (Loughborough District)

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

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**Table of Contents**

Item #1: Call to Order .....	1
Item #2: Adoption of the Agenda .....	1
Item #3: Declaration of Pecuniary Interest .....	1
Item #4: Approval of Minutes.....	1
Item #5: S-12-18-L (Kolodziejczak) .....	2
Item #6: S-28-17-B (Stewart/Petryshen) .....	3
Item #7: S-29-18-L (Monroe).....	4
Item #8: S-30-18-S (548883 Ontario Limited) .....	5
Item #9: S-31-18-L, S-32-18-L, S-33-18-L (Knapp).....	6
Item #10: S-34-18-B (O'Connor) .....	10
Item #11: S-35-18-P (Kerr).....	11
Item #12: S-36-18-L (Cumpson).....	12
Item #13: S-37-18-L (VanLuven).....	13
Item #14: MV-08-18-L (Huffman) .....	14
Item #15: MV-08-18-L (Garlick).....	15
Item #16: Other Business.....	16
Item #17: Adjournment.....	16

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**Item #1: Call to Order**

RESOLUTION: C of A: 18:04:01

Moved by: B. Barbeau

Seconded by: R. Sutherland

THAT the May 10, 2018 meeting of the South Frontenac Township Committee of Adjustment is hereby called to order at 7:00 p.m. with Alan Revill in the chair.

Carried

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

Approved as circulated

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

None declared

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**Item #4: Approval of Minutes**

RESOLUTION: C of A: 18:04:02

Moved By: B. Barbeau

Seconded By: L. Redden

THAT the South Frontenac Township Committee of Adjustment hereby approves the minutes of the April 12, 2018 meeting of the Committee, as circulated.

Carried

**Item #5: S-12-18-L (Kolodziejczak)**

Speaking to the Application: Stanislaw Kolodziejczak

Discussion:

The subject lands consist of 87 +/- acres with frontage on Battersea Road. The land is currently The subject lands consist of 2.68 +/- acres with frontage on Perth Road, Over the Hill Lane and Buck Lake (a Highly Sensitive Trout Lake). The land is currently developed with two single detached dwellings and multiple detached accessory buildings. The application is for the creation of a 2.0 +/- acre waterfront lot with 62m frontage on Buck Lake and would contain the dwelling known as 1050 Over the Hill Lane. The retained parcel would be 0.7 +/- acres in size and contain the dwelling known as 7656 Perth Road. These two parcels were recently purchased by the Kolodziejczak's as separate properties; however when they came in to common ownership the two parcels were merged automatically at the Land Registry office. The Kolodziejczak's were unaware of this until they went to sell 1050 Over the Hill Lane. The newly merged parcel was more in compliance with the Comprehensive Zoning By-law 2003-75, which requires a waterfront lot to be 2.5 acres in size however it now contained two single detached dwellings. The Official Plan has provisions to allow for separation of properties with multiple dwellings even if they do meet all the minimum lot creation requirements.

The planning department is able to support the application.

The building department has no objections.

Comments from Public Works were not required.

KFL&A Public Health has no objections.

Cataraqui Region Conservation Authority has no objections.

R. Sutherland and A. Revill visited the site and talked to the applicants in order to fully understand the situation. Both agree this is the best option given the current lot configurations.

Joe Vankoughnett, neighbour, is opposed to the severance.

Scott Hicks, neighbour, says he got his letter in the mail late.

B. Barbeau questioned why, if the applicants had no choice but to apply for severance when the parcels merged automatically through common ownership, was the Township still going to require a 5% parkland fee as a condition.

RESOLUTION: C of A: 18:04:03

Moved by: R. Sleeth

Seconded by: R. Sutherland

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-12-18-L by Stanislaw and Irena Kolodziejczak, to create a new lot, in Concession 14, Part Lot 14, Over the Hill Lane, District of Loughborough, subject to conditions.

Carried

RESOLUTION: C of A: 18:04:04

Moved by: R. Sutherland

Seconded by: B. Barbeau

THAT the South Frontenac Township Committee of Adjustment hereby amends the motion to approve S-12-18-L to remove the condition for payment of 5% parkland fee from the Provisional Consent approval.

Carried

**Application No:** S-12-18-L  
**Owner:** Stanislaw and Irena Kolodziejczak  
**Location of Property:** Concession 14, Pt. Part Lot 16, Over The Hill Lane, District of Loughborough, Township of South Frontenac  
**Purpose of Application:** Consent to create a new lot  
**Date of Hearing:** May 10, 2018  
**Date of Decision:** May 10, 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-12-18-L shall be for the creation of a 2.0 +/- acre waterfront lot with 62m frontage on Buck Lake and would contain the dwelling known as 1050 Over the Hill 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 applicant shall rezone the lot to be created through Consent Application S-12-18-L from Residential Waterfront (RW) and Limited Service Residential Waterfront (RLSW) to a Special Limited Service Residential Waterfront (RLSW) zone. Please contact Planner Lindsay Mills to begin this process.

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**Item #6: S-28-17-B (Stewart/Petryshen)**

Speaking to the Application: None Speaking

**Discussion:**

The subject lands consist of 5.4 +/- acres with frontage on Briggs Lane and Wolfe Lake. The land is currently developed with a single detached dwelling. The proposal is for the creation of a 40 metre long right-of-way over 344 Briggs Lane, from Briggs Lane to a vacant 48 +/- acre parcel (ARN 102901001020100) abutting 344 Briggs Lane to the north. The proposed right-of-way would be in the location of the current driveway access to this vacant parcel and would serve to legalise this access. The planning department is able to support the application.

The building department has no objections.

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

**RESOLUTION:** C of A: 18:04:05

Moved by: B. Barbeau

Seconded by: L. Redden

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-28-17-B by Susan Stewart and Kenneth Petryshen, to create a right-of-way, in Concession 10, Part Lot 26, Briggs Lane, District Bedford, subject to conditions.

Carried

**Application No:** S-28-18-B  
**Owner:** Susan Stewart, Kenneth Petryshen  
**Location of Property:** Concession 10, Pt. Part Lot 26, Briggs Lane, District of Bedford, Township of South Frontenac  
**Purpose of Application:** Consent to create a right-of-way  
**Date of Hearing:** May 10, 2018  
**Date of Decision:** May 10, 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-28-18-B shall be for the creation of a 40 +/- metre long right-of-way from Briggs Lane over 344 Briggs Lane to a vacant 48 +/- acre parcel (ARN 102901001020100).
3. The right-of-way to be created through Consent Application S-28-18-B shall be surveyed and constructed in accordance with the Township of South Frontenac's private lane standards.
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. which deals with the Township's environmental policies, as well as the requirement for the owner to contact Cataraqui Region Conservation Authority and Parks Canada – Rideau Canal Office prior to any development on the property, to determine the need for a permit.

**Item #7: S-29-18-L (Monroe)**

Speaking to the Application: None Speaking

**Discussion:**

The subject lands consist of 1.8 +/- acres with frontage on Stagecoach Road. The land is currently developed with a single detached dwelling. The proposal is for the creation of a 0.75 +/- acre lot addition to a 0.94 +/- acre vacant parcel (ARN 102904001006700) with frontage on Stagecoach Road. The proposed lot addition parcel is not near any existing wells or septic systems. The retained parcel would encompass the existing dwelling.

The planning department is able to support the application.

The building department has no objections.

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

**RESOLUTION:** C of A: 18:04:06

Moved by: R. Sutherland

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-29-18-L by Margaret Monroe, to create a lot addition, in Concession 4, Part Lot 3, Stagecoach Road, District of Loughborough, subject to conditions.

Carried

**Application No:** S-29-18-L  
**Owner:** Margaret Monroe  
**Location of Property:** Concession 4, Pt. Part Lot 3, Stagecoach Road, District of Loughborough, Township of South Frontenac  
**Purpose of Application:** Consent to create a lot addition  
**Date of Hearing:** May 10, 2018  
**Date of Decision:** May 10, 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-29-18-L shall be for the creation of a 0.75 +/- acre lot addition only to a vacant parcel (ARN 102904001006700).
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)].

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**Item #8: S-30-18-S (548883 Ontario Limited)**

Speaking to the Application: None Speaking

**Discussion:**

The subject lands consist of 3.89 +/- acres with frontage on Hidden Hollow Lane, Hiawatha Lane and Dog Lake. The land is currently vacant. The proposal is for the creation of a 3.89 +/- acre lot addition, the entire parcel, to 16 Hidden Hollow Lane. The proposed lot addition would merge two existing parcels into a single parcel. 16 Hidden Hollow Lane is already developed with a single detached dwelling and a detached accessory building. This lot addition would reduce the number of waterfront lots on Dog Lake by one.

The planning department is able to support the application.

The building department has no objections.

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

The application was circulated to Cataraqui Region Conservation Authority for comments but they indicated they had no objections to the application and would not be providing formal comments.

**RESOLUTION:** C of A: 18:04:07

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-30-18-S by 548883 Ontario Limited, to create a lot addition, in Concession 3, Part Lot 10, Perth Road, District of Storrington, subject to conditions.

Carried

**Application No:** S-30-18-S  
**Owner:** 548883 Ontario Limited  
**Location of Property:** Concession 8, Pt. Part Lot 15, Hidden Hollow Lane/Hiawatha Lane, District of Storrington, Township of South Frontenac  
**Purpose of Application:** Consent to create a lot addition  
**Date of Hearing:** May 10, 2018  
**Date of Decision:** May 10, 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-30-18-S shall be for the creation of a 3.89 +/- acre lot addition only to 16 Hidden Hollow Lane (ARN 102906006002305).
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)].

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**Item #9: S-31-18-L, S-32-18-L, S-33-18-L (Knapp)**

Speaking to the Application: Adam Knapp

**Discussion:**

The subject lands consist of 91.65 +/- acres with frontage on Wilmer Road. The land is currently developed with a single detached dwelling and multiple agricultural buildings. The proposal for S-31-18-L is for the creation of a 2.68 +/- acre lot, with a minimum of 76 metres of frontage on Wilmer Road. The proposal for S-32-18-L is for the creation of a minimum 2.0 acre lot, with a minimum of 76 metres of frontage on Wilmer Road. The proposal for S-33-18-L is for the creation of a minimum 2.0 acre lot, with a minimum of 76 metres of frontage on Wilmer Road. The retained parcel would encompass all existing structures. As one of the existing agricultural buildings is a livestock barn, currently unoccupied, a Minimum Distance Separation (MDS) calculation was completed. All three proposed lots would be located outside the area of influence.

The planning department is able to support the application.

The building department has no objections.

Comments were not required from Cataraqui Region Conservation Authority.

Public works has no objections.

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

Dawn Wallace, neighbour, had objections to the severances as the lot lines would allow people to potentially stand in the back of her house and look through her windows. The fence line is only 22 feet from her back door and having the one lot (S-31-18-L) extend full depth behind her house is a privacy concern. She submitted a detailed letter explain her position and also talked to Adam Knapp regarding potential solutions.

Planner L. Mills suggested adding a triangular sliver extending from Wilmer Road along the length of the property line from the Knapp property to the Wallace property. This solution would increase privacy for Ms. Wallace while not reducing road frontage along Wilmer Road for the proposed lot.

The Committee discussed this option along with the alternative suggested by Mr. Knapp of adjusting the rear lot line to leave a 0.68 acre section at the rear of the lot proposed through consent application S-31-18-L. The Committee opted to go with the rear lot line adjustment, which brought that lot to 2.0 acres rather than the 2.68 originally proposed.

There were also concerns expressed regarding potential impacts on surrounding wells and discussions regarding amending conditions to include draw down tests.

RESOLUTION: C of A: 18:04:08

Moved by: K. Gee

Seconded by: R. Sutherland

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-31-18-L by Adam Knapp, to create a new tonight, in Concession 5, Part Lot 12, Wilmer Road, District of Loughborough, subject to conditions.

Carried

RESOLUTION: C of A: 18:04:09

Moved by: R. Sutherland

Seconded by: R. Sleeth

THAT the South Frontenac Township Committee of Adjustment hereby amends conditions for the lot to be created through Consent Application S-31-18-L to alter the size and shape to be a minimum of 2.0 acres and have the rear lot line match those of S-32-18-L and S-33-18-L. The Committee also amends the conditions to add in draw down tests for 1809 Morrison Road, 1812 Morrison Road and 1821 Morrison Road.

Carried

**Application No:** S-31-18-L

**Owner:** Adam Knapp

**Location of Property:** Concession 5, Pt. Part Lot 12, Wilmer Road, District of Loughborough, Township of South Frontenac

**Purpose of Application:** Consent to create a new lot  
**Date of Hearing:** May 10, 2018  
**Date of Decision:** May 10, 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-31-18-S shall be for the creation of a minimum 2.0 +/- acre lot with a minimum of 76 metres of frontage on Wilmer Road. The rear lot line of this parcel shall be in line with the rear lot lines of the lands to be severed by Consent Applications S-32-18-L and S-33-18-L.
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. 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.
5. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
6. The Township of South Frontenac shall receive 5% of the value of the parcel to be severed through Consent Application S-31-18-L in lieu of parkland [Planning Act, s. 51(1)].
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-31-18-L.
8. The applicant shall conduct well monitoring and draw down tests on the wells located at 1809 Morrison Road, 1821 Morrison Road and 1812 Morrison Road when conducting the pump test referred to in Condition #7.

**RESOLUTION:** C of A: 18:04:10

Moved by: R. Sutherland

Seconded by: R. Sleeth

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-32-18-L by Adam Knapp, to create a new tonight, in Concession 5, Part Lot 12, Wilmer Road, District of Loughborough, subject to conditions.

Carried

**Application No:** S-32-18-L  
**Owner:** Adam Knapp  
**Location of Property:** Concession 5, Pt. Part Lot 12, Wilmer Road, District of Loughborough, Township of South Frontenac  
**Purpose of Application:** Consent to create a new lot  
**Date of Hearing:** May 10, 2018  
**Date of Decision:** May 10, 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-32-18-S 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. 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.
5. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
6. The Township of South Frontenac shall receive 5% of the value of the parcel to be severed through Consent Application S-32-18-L in lieu of parkland [Planning Act, s. 51(1)].

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-32-18-L.

RESOLUTION: C of A: 18:04:11

Moved by: K. Gee

Seconded by: R. Sutherland

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-33-18-L by Adam Knapp, to create a new tonight, in Concession 5, Part Lot 12, Wilmer Road, District of Loughborough, subject to conditions.

Carried

**Application No:** S-33-18-L  
**Owner:** Adam Knapp  
**Location of Property:** Concession 5, Pt. Part Lot 12, Wilmer Road, District of Loughborough, Township of South Frontenac  
**Purpose of Application:** Consent to create a new lot  
**Date of Hearing:** May 10, 2018  
**Date of Decision:** May 10, 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-33-18-S 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. 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.

5. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
6. The Township of South Frontenac shall receive 5% of the value of the parcel to be severed through Consent Application S-33-18-L in lieu of parkland [Planning Act, s. 51(1)].
8. The applicant must submit a well driller's report demonstrating a potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test for the parcel severed through consent application S-33-18-L.

**Item #10: S-34-18-B (O'Connor)**

Speaking to the Application: None Speaking

Discussion:

The subject lands consist of 46 +/- acres with frontage on Buck Bay Road and Westport Road. The land is currently vacant. The proposal is for the creation of a minimum 2.0 acre lot with a minimum of 75 metres of frontage on Buck Bay Road. The retained parcel would be approximately 44 acres in size. There is a small stream at the rear of the proposed lot; however there is sufficient space on the property to meet all setbacks required in the zoning by-law.

The planning department is able to support the application.

The building department has no objections.

Public works has no objections.

KFL&A Public Health has no objections.

Quinte Conservation Authority has no objections.

RESOLUTION: C of A: 18:01:12

Moved by: B. Barbeau

Seconded by: L. Redden

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-34-18-B by John O'Connor to create a new lot, in Concession , Part Lot 8, Buck Bay Road, District of Bedford, subject to conditions.

Carried

**Application No:** S-34-18-B  
**Owner:** John O'Connor  
**Location of Property:** Concession 2, Pt. Part Lot 8, Buck Bay Road, District of Bedford, Township of South Frontenac  
**Purpose of Application:** Consent to create a new lot  
**Date of Hearing:** May 10, 2018  
**Date of Decision:** May 10, 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-34-18-B shall be for the creation of a minimum 2.0 acre lot with a minimum of 75 metres of frontage on Buck Bay 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. 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.
5. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
  6. The Township of South Frontenac shall receive 5% of the value of the parcel to be severed through Consent Application S-34-18-B, in lieu of parkland [Planning Act, s. 51(1)].
  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-34-18-B.

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**Item #11: S-35-18-P (Kerr)**

Speaking to the Application: None Speaking

**Discussion:**

This item was originally brought to the Committee in April 2016. The severance was granted Provisional Consent but lapsed prior to the completion of conditions. This application is a resubmission with the same parameters as previously used.

The subject lands consist of 23.4 +/-hectares with frontage on Road 38 and Alton Road West. The land is currently vacant. The application is for the creation of a 4.0 +/-hectare lot with 62m frontage on Road 38 and 227m frontage on Alton Road West. The severed lot is proposed to be rezoned to Urban Commercial to facilitate the construction of a retail plaza.

The planning department is able to support the application.

The building department has no objections.

Public works has no objections.

KFL&A Public Health has no objections.

Comments from Cataraqui Region Conservation Authority were not required.

RESOLUTION: C of A: 18:04:13

Moved by: L. Redden

Seconded by: B. Barbeau

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-35-18-P by Everett Kerr to create a new lot, in Concession 5, Part Lot 6, Alton Road, District of Portland, subject to conditions.

Carried

**Application No:** S-35-18-P  
**Owner:** Everett Kerr  
**Location of Property:** Concession 4, Pt. Part Lot 6, Alton Road/Road 38, District of Portland, Township of South Frontenac  
**Purpose of Application:** Consent to create a new lot

**Date of Hearing:** May 10, 2018

**Date of Decision:** May 10, 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-35-18-P shall be for the creation of a 4.0 +/- hectare lot with 62m frontage on Road 38 and 227m frontage on Alton Road West.
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. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of Alton 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.
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 2% of the value of the parcel to be severed through Consent Application S-35-18-P, in lieu of parkland [Planning Act, s. 51(1)].
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-35-18-P.
8. The applicant shall rezone the lot to be created through Consent Application S-35-18-P from Rural to Urban Commercial. Please contact Planner Lindsay Mills to begin this process.
9. The surveyor who prepares the reference plan referred to in condition #1 shall also survey a 20 metre right-of-way from Alton Road along the easternmost edge of the parcel to be created through Consent Application S-35-18-P. This right-of-way shall be registered on title in favour of the Retained Parcel.

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**Item #12: S-36-18-L (Cumpson)**

Speaking to the Application: None Speaking

## Discussion:

The subject lands consist of 56.9 +/- acres with frontage on Leland Road. The land is currently vacant. The application is for the creation of a 0.86 +/- acre lot addition to 815 Leland Road. This lot addition will increase the size of an existing undersized lot and bring it into conformity with the zoning by-law

The planning department is able to support the application.

The building department has no objections.

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

RESOLUTION: C of A: 18:04:14

Moved by: R. Sutherland

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-36-18-L by Doris Cumpson to create a lot addition, in Concession 22, Part Lot 8, Leland Road, District of Loughborough, subject to conditions.

Carried

**Application No:** S-36-18-L  
**Owner:** Doris Cumpson  
**Location of Property:** Concession 22, Pt. Part Lot 8, Leland Road, District of Loughborough, Township of South Frontenac  
**Purpose of Application:** Consent to create a lot addition  
**Date of Hearing:** May 10, 2018  
**Date of Decision:** May 10, 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-36-18-L shall be for the creation of a 0.86 +/- acre lot addition only to 815 Leland Road (ARN 102904004019750).
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 #13: S-37-18-L (VanLuven)**

Speaking to the Application: Rob Martin (agent, lawyer)

## Discussion:

The subject lands consist of 77 +/- acres with frontage on Rutledge Road, and several private lanes including Sheila Lane and Carslake Lane. The land is currently developed with a single detached dwelling. The application is for the creation of a 1.9 +/- acre lot addition to 1251 Sheila Lane. This lot addition will increase the size of an existing undersized waterfront lot and bring it into conformity with the zoning by-law. The retained parcel will keep the existing structures. The lot addition parcel will need to be rezoned from Rural to Limited Service Residential Waterfront.

The planning department is able to support the application.

The building department has no objections.

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

Rob Martin requested the addition of legalising the existing right-of-way along Sheila Lane during the lot addition process. The Committee agreed this was an ideal time to fix the situation.

RESOLUTION: C of A: 18:04:15

Moved by: K. Gee

Seconded by: R. Sutherland

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-37-18-L by Sally VanLuven to create a lot addition, in Concession 5, Part Lot 7, Sheila Lane, District of Loughborough, subject to conditions.

Carried

**Application No:** S-37-18-L  
**Owner:** Sally Vanluven  
**Location of Property:** Concession 5, Pt. Part Lot 7, Sheila Lane, District of Loughborough, Township of South Frontenac  
**Purpose of Application:** Consent to create a lot addition  
**Date of Hearing:** May 10, 2018  
**Date of Decision:** May 10, 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-37-18-L shall be for the creation of a 1.9 +/- acre lot addition only to 1251 Sheila Lane (ARN 102904003005100); together with the creation of a right-of-way over the existing Sheila 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)].

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**Item #14: MV-08-18-L (Huffman)**

Speaking to the Application: Trevor Huffman

**Discussion:**

The subject land consists of 1.9 +/- acres with frontage on Bullseye Lane and Little Long Lake. The property is currently developed with a single detached dwelling located approximately 30 metres from the high water mark of Little Long Lake, a sleeping cabin and two detached storage sheds. The proposal is for the demolition of the storage sheds and construction of a 40 foot by 40 foot (1600 square foot) detached accessory building, with a finished height of 29 feet, to be located approximately 35 metres from the high water mark of Little Long Lake. With a footprint of 1600 square feet this proposed building will have a larger footprint than the existing residence. The maximum height of an accessory building is not to exceed 6 metres (19.7 feet); the applicant has indicated the requested increase in height is to accommodate a storage loft. The shoreline of Little Long Lake is designated as Provincially Significant Wetland (PSW) and any development within 120 metres of a PSW is subject to a preliminary Environmental Impact Assessment (EIA).

The Planning Department is able to support the application.

Cataraqui Region Conservation Authority (CRCA) staff visited the property on May 2, 2018. Based on this site evaluation and applicable CRCA Planning Policy, including a report completed by Hutchinson

Environmental Services Ltd. in April 2014 entitled "Assessment of Municipal Site Evaluation Guidelines for Waterfront Development in Eastern Ontario's Lake Country", they have recommended deferral of this application until an EIA has been completed which considers the potential impact on water quality. They have indicated that a permit will be required for the proposed development should it be approved by the Committee.

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

The building department has no objections.

The Committee discussed the CRCA report and request for detailed EIA addressing the location of the proposed building. They decided to grant the minor variance without this EIA as the variance was not for the location of the building; rather it was for the height and footprint size of the building. The EIA for the location will be required at the building permit stage as part of Ontario Building Code compliance with applicable law.

RESOLUTION: C of A: 18:04:16

Moved by: R. Sutherland

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-08-18-L by Trevor Huffman to permit an increase in height of an accessory building and an accessory building larger than the principal building, in Concession 8, Part Lot 8, 1171 Bullseye Lane, District of Loughborough, subject to conditions.

Carried

**Application No:** MV-08-18-L  
**Owner:** Trevor Huffman  
**Location of Property:** Concession 8, Lot/Part Lot 8, 1171 Bullseye Lane, District of Loughborough, Township of South Frontenac  
**Purpose of Application:** To vary sections 10.3.1 of the Comprehensive Zoning By-law 2003-75 to permit an increase in height of an accessory building and section 5.24.1 to permit an accessory building larger than the principal building  
**Date of Hearing:** May 10, 2018  
**Date of Decision:** May 10, 2018  
**Decision:** MINOR VARIANCE APPROVED, subject to conditions

**CONDITIONS:**

1. This minor variance is for the construction of maximum 1600 square foot footprint detached accessory building, with a finished height of 29 feet to permit a storage loft only, no living space permitted.
2. Minor variance MV-08-18-L is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.
3. Prior to the issuance of a building permit the applicant shall complete, and submit to the Building Department, a preliminary Environmental Impact Assessment which satisfactorily demonstrates the accessory building will not have a negative impact on the Eel Bay Provincially Significant Wetland (Little Long Lake).
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.

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**Item #15: MV-08-18-L (Garlick)**

Speaking to the Application: None Speaking

**Discussion:**

property is currently developed with two single detached dwellings, a storage shed and two single slip boathouses. The proposal is for the demolition of both boathouses (571 square feet structure, plus 760 square feet of dock) and the reconstruction of a single larger two slip boathouse (650 square feet structure, plus 446 square feet dock). Boathouses are a prohibited use in the Township's

Comprehensive Zoning By-law 2003-75, however they by-law does permit the reconstruction of existing boathouse provided there is no enlargement in footprint. While this proposal includes an overall increase in the square footage of the boathouse structures from 571 square feet to 650 square feet, the square footage of surrounding docks is proposed to be reduced from 760 square feet to 446 square feet. This is an overall decrease of 314 square feet of dock and the re-naturalisation of 62 feet of shoreline.

The Planning Department is able to support the application.

RESOLUTION: C of A: 18:04:17

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-09-18-S by James and Krystyna Garlick to permit an increase in footprint of a boathouse, in Concession 9, Part Lot 18, Stair Step Lane, District of Storrington, subject to conditions.

Carried

**Application No:** MV-09-18-S  
**Owner:** James and Krystyna Garlick  
**Location of Property:** Concession 9, Lot/Part Lot 18, 4601 Stair Step Lane, District of Storrington, Township of South Frontenac  
**Purpose of Application:** To vary sections 5.9.3 and 5.20.1.4 of the Comprehensive Zoning By-law 2003-75 to permit an increase in footprint of a boathouse  
**Date of Hearing:** May 10, 2018  
**Date of Decision:** May 10, 2018  
**Decision:** MINOR VARIANCE APPROVED, subject to conditions

**CONDITIONS:**

1. This minor variance is for the demolition of two existing boathouses located at 4601 Stair Step Lane and the construction of maximum 650 square foot footprint boathouse with a maximum height of 12 feet, plus a maximum 446 square foot dock to be attached to the boathouse.
2. Minor variance MV-09-18-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.
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.

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**Item #16: Other Business**

Clarify requirements for Environmental Impact Assessments near Provincially Significant Wetlands going forward.

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**Item #17: Adjournment**

RESOLUTION: C of A: 18:04:18

Moved by: B. Barbeau

Seconded by: L. Redden

THAT the May 10, 2018 meeting of the South Frontenac Township Committee of Adjustment is hereby adjourned at 8:30 p.m. to reconvene at 7:00 p.m. on Thursday, June 14, 2018 or at the call of the Chair.

Carried

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Alan Revill

Chair

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Lindsay Mills  
Secretary-Treasurer

DRAFT