



TOWNSHIP OF SOUTH FRONTENAC  
PLANNING DEPARTMENT



MINUTES 18:07  
August 9, 2018

LOCATION: South Frontenac Municipal Offices, Sydenham

IN ATTENDANCE: Ron Sleeth (Storrington District-C)  
Ken Gee (Storrington District)  
Larry Redden (Portland District)  
John Sherbino (Loughborough District)

ABSENT WITH REGRETS: David Hahn (Bedford District)  
Alan Revill (Bedford District)  
Brad Barbeau (Portland District)  
Ross Sutherland (Loughborough District)

STAFF: Megan Rueckwald – Secretary-Treasurer  
Jennie Kapusta – Deputy Secretary Treasurer

---

**Table of Contents**

Item #1: Call to Order.....	1
Item #2: Appointment of Chair & Secretary-Treasurer .....	1
Item #3: Adoption of Agenda .....	2
Item #4: Conflict of Interest.....	2
Item #5: Approval of Minutes.....	2
Item #6: S-63-18-S (548883 Ontario Limited) .....	2
Item #7: S-64-18-L (Roche) .....	2
Item #8: S-65-18-S (Knapp).....	3
Item #9: S-66-18-P, S-67-18-P (Alton).....	3
Item #10 :S-68-18-B (1344938 Ontario Limited) .....	4
Item #11: S-69-18-P (Pepper) .....	5
Item #12: S-70-18-B, S-71-18-B (St. Arnaud/Walker).....	6
Item #13: S-72-18-P (Neumann) .....	8
Item #14: S-73-18-P (Smart) .....	9
Item #15: S-74-18-B (Snelgrove) .....	9
Item #16: S-75-18-P (Lappen) .....	9
Item #17: MV-16-18-P (Organ/McWhirter) .....	11
Item #18: MV-17-18-S (Kirkham) .....	12
Item #19: Other Business .....	13
Item #20: Adjournment .....	13

---

**Item #1: Call to Order**

RESOLUTION: C of A: 18:07:01

Moved by: J. Sherbino

Seconded by: R. Sleeth

THAT the August 9th, 2018 meeting of the South Frontenac Township Committee of Adjustment is hereby called to order at 7:15 p.m.

Carried

---

**Item #2: Appointment of Chair & Secretary-Treasurer**

RESOLUTION: C of A: 18:07:02

Moved by: R. Sleeth

Seconded by: J. Sherbino

THAT the South Frontenac Committee of Adjustment hereby appoints Larry Redden as Chair of the Committee of Adjustment for the August 9, 2018 meeting.

Carried

RESOLUTION: C of A: 18:07:03

Moved by: J. Sherbino

Seconded by: R. Sleeth

THAT the South Frontenac Township Committee of Adjustment hereby appoints Megan Rueckwald for the position of Secretary/Treasurer of the South Frontenac Township Committee of Adjustment.

Carried

### **Item #3: Adoption of the Agenda**

Approved as circulated

### **Item #4: Conflict of Interest**

Jennie Kapusta, Deputy Secretary-Treasurer, declared a pecuniary interest in application S-66-18-P by Mark and Sharon Alton.

### **Item #5: Approval of Minutes**

RESOLUTION: C of A: 18:07:04

Moved By: K. Gee

Seconded By: J. Sherbino

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

Carried

### **Item #6: S-63-18-S (548883 Ontario Limited)**

Speaking to the Application: Leslie Briscoe

Discussion:

This application is for the creation of a new lot. An adequate report had not yet been received from KFL&A Public Health.

RESOLUTION: C of A: 18:07:05

Moved by: J. Sherbino

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby DEFERS consent application S-63-18-S by 548883 Ontario Limited, to create a new lot, in Concession 8, Part Lot 15/16, Hiawatha Lane, District of Storrington, subject to review of KFL&A comments

Carried

### **Item #7: S-64-18-L (Roche)**

Speaking to the Application: Douglas Roche

Discussion:

The applicant is making revisions to the application to satisfy concerns of KFL&A Public Health.

RESOLUTION: C of A: 18:07:06

Moved by: K. Gee

Seconded by: J. Sherbino

THAT the South Frontenac Township Committee of Adjustment hereby DEFERS consent application S-64-18-L by Douglas Roche, to create a new lot, in concession 2, part lot 1, Forest Road, in the District of Loughborough, subject to receipt of KFL&S comments, and revision of application.

Carried

**Item #8: S-65-18-S (Knapp)**

Discussion:

This application is to create a right-of-way to provide access to a land-locked parcel. Committee members agreed that this appeared to be a straightforward and supportable request.

RESOLUTION: C of A: 18:07:07

Moved by: K. Gee

Seconded by: R. Sleeth

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-65-18-S by Randy and Brenda Knapp, to create a right-of-way, in concession 10, part lot 31, Beach Lane, District of Storrington, subject to conditions.

Carried

**Application No:** S-65-18-S  
**Owner:** Randy & Brenda Knapp  
**Location of Property:** Concession 10, Part Lot 31, Burnt Hills Road/Beach Lane, District of Storrington, Township of South Frontenac  
**Purpose of Application:** Consent to create a right-of-way  
**Date of Hearing:** August 9, 2018  
**Date of Decision:** August 9, 2018

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

**Conditions**

1. An acceptable reference plan or legal description of the lands and right-of-way 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 registered as a right-of-way shall be for a width of 20 metres (66 feet) and a length of approximately 192 metres in length.
3. The right-of-way shall be constructed to the Township's private lane standards to the satisfaction of the Township Public Works Manager or their designate.
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.

**.Item #9: S-66-18-P, S-67-18-P (Alton)**

Discussion:

These applications were for the creation of two lots fronting on Harrowsmith Road. Additional information is required and applications are therefore being deferred.

RESOLUTION: C of A:18:07:08

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby DEFERS consent application S-66-18-P by Mark and Sharon Alton, to create a new lot, in concession 5, part lot 1, Harrowsmith Road, District of Portland.

Carried

RESOLUTION: C of A 18:07:09

Moved by: K. Gee

Seconded by: R. Sleeth

THAT the South Frontenac Township Committee of Adjustment hereby DEFERS consent application S-67-18-P by Mark and Sharon Alton, to create a new lot in concession 5, part lot 1, Harrowsmith Road, District of Portland.

Carried

**Item #10: S-68-18-B (1344938 Ontario Limited)**

Speaking to the Application: Norman Mole

Discussion:

The proposal is for a right-of-way for water access. The request was for a 20 m wide right-of-way; however, the Township Planning Department recommended 4 m. Tom Morrow, who wishes to be granted this right-of-way, supports a wider than 4 m right-of-way. There was some concern that the right-of-way just needed to access the Morrow property but did not need to go all the way to the water's edge. The Committee did not support this suggestion, and there was no seconder for such a motion.

RESOLUTION: C of A 18:07:10

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby amends the width of the right-of-way, applied for by 1344938 Ontario Ltd., concession 24/25, part lot 20, Sunset Shores Lane, District of Bedford, to 10 m from 20m as applied for on application S-68-18-B.

Carried

RESOLUTION: C of A 18:07:11

Moved by: K. Gee

Seconded by: R. Sleeth

That the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-68-18-B by 1344938 Ontario Limited, to create a right-of-way in concession 24/25, part lot 20, Sunset Shore Lane, District of Bedford, subject to conditions.

Carried

**Application No:** S-68-18-B  
**Owner:** 1344938 Ontario Limited  
**Location of Property:** Concession 5, Part Lot 23, 942 Sunset Shores, District of Bedford, Township of South Frontenac (Bobs Lake)  
**Purpose of Application:** Consent for creation of a right-of-way  
**Date of Hearing:** August 9, 2018  
**Date of Decision:** August 9, 2018

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

**Conditions**

1. An acceptable reference plan or legal description of the lands and right-of-way 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 registered as a right-of-way shall be for a maximum width of 10 metres.

**Item #11: S-69-18-P (Pepper)**

Speaking to the application: Robin Pepper

Discussion: The application is for the creation of a new lot fronting on Craig Road, District of Portland. Redden expressed concern about the safety of the proposed entrances location. A report from Public Works indicated that they had visited the site and the location is acceptable. It was confirmed that legal access exists to the retained parcel.

RESOLUTION: C of A 18:07:12

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-69-18-P by Robin Pepper, to create a new lot in concession 14, part lot 6, Craig Road, District of Portland, subject to conditions.

Carried

**Application No:** S-69-18-P  
**Owner:** Robin Pepper  
**Location of Property:** Concession 14, Part Lot 6, 6724 Craig Road, District of Portland, Township of South Frontenac  
**Purpose of Application:** Consent to create one new lot  
**Date of Hearing:** August 9, 2018  
**Date of Decision:** August 9, 2018

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

**Conditions**

1. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year [Planning Act, s. 53(41)] after the "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].
2. The land to be severed by Consent Application S-69-18-P shall be for the creation of a rural residential lot that is approximately 2.75 acres in area with approximately 130 metres of frontage along Craig Road.
3. The land to be retained by Consent Application S-69-18-P shall have a minimum road frontage of 76 metres (250 ft) along Craig Road and an area of approximately 5.8 acres in area.
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. 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.
6. 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.
7. The Township of South Frontenac shall receive 5% of the value of the parcel to be severed through Consent Application S-69-18-P, in lieu of parkland [Planning Act, s. 51(1)].
8. The Owner shall 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-69-18-P.
9. That the Owner shall submit evidence of legal deeded access to the existing residence on the retained lands as part of Consent Application S-69-18-P.
10. That the Owner shall obtain an amendment to the Township of South Frontenac Zoning Bylaw to rezone the severed lot from Urban Residential – First Density (UR1) to Rural (RU) and the retained lands from Urban Residential – First Density (UR1) to Waterfront Residential (RW).

**Item #12: S-70-18-B, S-71-18-B (St. Arnaud/Walker)**

Speaking to the application: William St. Arnaud

**Discussion:**

The applications are the creation of two water access lots with deeded mainland parking and docking facilities in concession 8, part lot 28, St. Arnaud Acres, District of Bedford. A portion of the shoreline is considered a narrow water body, but there is sufficient frontage to accommodate the necessary frontage. The retained parcel would have 260 m.

RESOLUTION: C of A 18:07:13

Moved by R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-70-18-B by William St. Arnaud and Janice Walker, to create a new lot together with deeded mainland parking and docking facilities, in concession 5, part lot 28, St. Arnaud Acres, District of Bedford, subject to conditions.

Carried

**Application No:** S-70-18-B  
**Owner:** St. Arnaud and Walker  
**Location of Property:** Concession 5, Part Lot 28, District of Bedford, Township of South Frontenac (St. Arnaud Acres)  
**Purpose of Application:** Consent to create a new water access lot  
**Date of Hearing:** August 9, 2018  
**Date of Decision:** August 9, 2018

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

**Conditions**

1. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year [Planning Act, s. 53(41)] after the "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].

2. The land to be severed by Consent Application S-70-18-P shall be for the creation of a water access lot that is approximately 14 acres in area with approximately 230 metres of frontage along Bobs Lake with legal deeded parking along Burns 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 5% of the value of the parcel to be severed through Consent Application S-70-18-P and S-71-18-P, in lieu of parkland [Planning Act, s. 51(1)].
6. That the applicant shall rezone the severed lands from Rural (RU) to Limited Service Residential Waterfront (RLSW) to recognize that the lots are not accessible by a Township maintained road and limit the permitted uses on the subject property.

RESOLUTION: C of A 18:07:14

Moved by R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-71-18-B by William St. Arnaud and Janice Walker, to create a new lot together with deeded mainland parking and docking facilities in concession 5, part lot 28, St. Arnaud Acres, District of Bedford, subject to conditions.

Carried

**Application No:** S-71-18-B  
**Owner:** St. Arnaud and Walker  
**Location of Property:** Concession 5, Part Lot 28, District of Bedford, Township of South Frontenac (St. Arnaud Acres)  
**Purpose of Application:** Consent to create a new water access lot  
**Date of Hearing:** August 9, 2018  
**Date of Decision:** August 9, 2018

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

### Conditions

1. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year [Planning Act, s. 53(41)] after the "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].
2. The land to be severed by Consent Application S-71-18-P shall be for the creation of a water access lot that is approximately 8 acres in area with approximately 130 metres of frontage along Bobs Lake with legal deeded parking along Burns 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 5% of the value of the parcel to be severed through Consent Application S-70-18-P and S-71-18-P, in lieu of parkland [Planning Act, s. 51(1)].
  6. That the applicant shall rezone the severed lands from Rural (RU) to Limited Service Residential Waterfront (RLSW) to recognize that the lots are not accessible by a Township maintained road and limit the permitted uses on the subject property.
- 

### Item #13: S-72-18-P (Neumann)

Speaking to the Application: Dana Neumann

#### Discussion:

The application is for the creation of a new lot on Alton Road. Committee members and agencies had no opposition.

RESOLUTION: C of A 18:07:15

Moved by: K. Gee

Seconded by: R. Sleeth

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-72-18-P by Dana and Angela Neumann to create a new lot in concession 5, part lot 5, Alton Road West, District of Portland, subject to conditions.

Carried

**Application No:** S-72-18-P  
**Owner:** Dana and Angela Neumann  
**Location of Property:** Concession 5, Part Lot 5, 3886 Alton Road, District of Portland, Township of South Frontenac  
**Purpose of Application:** Consent to create one new lot  
**Date of Hearing:** August 9, 2018  
**Date of Decision:** August 9, 2018

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

### Conditions

1. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year [Planning Act, s. 53(41)] after the "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].
2. The land to be severed by Consent Application S-72-18-P shall be for the creation of an approximately 3.75 acres lot with a minimum of 76 metres of frontage along Alton Road.
3. 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. 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.
  6. 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.
  7. The Township of South Frontenac shall receive 5% of the value of the parcel to be severed through Consent Application S-72-18-P, 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-72-18-P.

---

**Item #14: S-73-18-P (Smart)**

Speaking to the application: applicants

Discussion:

The application is for the creation of a new residential lot in concession 10, part lot 12, Cross Road, District of Portland. Agencies were satisfied. A neighbour to the north was concerned about drainage onto his property as a result of development on the proposed new lot. There was discussion among Committee members concerning the possible need for lot grading. The applicant asked that application be deferred so that discussions with Public Works could determine the need for, and cost of, any necessary grading.

---

**Item #15: S-74-18-B (Snelgrove)**

Speaking to the application – P. Snelgrove

Discussion:

The application is for a lot addition in concession 2, part lot 1, Frye Lane, District of Bedford. Information provided by the public was inconsistent with that provided by the applicant's statement. It was agreed that the application should be deferred pending amended submission.

RESOLUTION: C of A 18:07:17

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby DEFERS consent application S-74-18-B by Paul Snelgrove, to create a lot addition, in concession 2, part lot 1, Frye Lane, District of Bedford, subject to determination of lot to be added to, and appropriate notification.

Carried

---

**Item #16: S-75-18-P (Lappen)**

Speaking to the application: George Lappen

Discussion:

The application is for the creation of new lot in concession 12, part lot 25, Bellrock Road, District of Portland. There were no objections to the application.

RESOLUTION: C of A 18:07:18

Moved by: K. Gee

Seconded by: R. Sleeth

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES consent application S-75-18-P by George Lappen, to create a new lot, in concession 12, part lot 25, Bellrock Road, District of Portland, subject to conditions.

Carried

**Application No:** S-75-18-P  
**Owner:** George Lappen  
**Location of Property:** Concession 12, Part Lot 25, 5743 Bellrock Road, District of Portland, Township of South Frontenac  
**Purpose of Application:** Consent to create one new lot  
**Date of Hearing:** August 9, 2018  
**Date of Decision:** August 9, 2018

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

### Conditions

1. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year [Planning Act, s. 53(41)] after the "Notice of Decision" is given [Planning Act, ss. 53(17) and 53(24)].
2. The land to be severed by Consent Application S-75-18-P shall be for the creation of an approximately 12 acre lot with approximately 260 metres of frontage along Bellrock Road.
3. 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.
  - f. 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.
  - g. 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.

- h. The Township of South Frontenac shall receive 5% of the value of the parcel to be severed through Consent Application S-75-18-P, in lieu of parkland [Planning Act, s. 51(1)].
- i. 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-75-18-P.
- j. The applicant must submit a report from KFL&A Public Health stating that they have no objection to the placement of a septic system on the retained lands.

**Item #17: MV-16-18-P (Organ/McWhirter)**

Speaking to the application: Michael Organ

**Discussion:**

The application is to vary section 10.3.1 of the Comprehensive Zoning By-law 2003-75 to permit an increase in lot coverage from the permitted 5% to 5.7% to allow for the proposed addition of a deck and screened in porch to a residential dwelling in concession 12, part lot 9, Deer Park Lane, District of Portland.

It was the opinion of Committee members and Planning staff that the proposal fit the four tests of a minor variance.

RESOLUTION: C of A 18:07:19

Moved by: K. Gee

Seconded by: R. Sleeth

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-16-18-P by Michael Organ and Michelle McWhirter, to permit an increase in lot coverage over 5% in concession 12, part lot 9, 1154 Deer Park Lane, District of Portland, subject to conditions.

Carried

**Application No:** MV-16-18-P  
**Owner:** Michael Organ and Michelle McWhirter  
**Location of Property:** Concession 12, Part Lot 9, 1154 Deer Park Lane, District of Portland, Township of South Frontenac  
**Purpose of Application:** To vary section 10.3.1 of the Comprehensive Zoning By-law 2003-75 to permit an increase in principal building lot coverage from 5% to 5.7% for the construction of a new deck and screened in porch.  
**Date of Hearing:** August 9, 2018  
**Date of Decision:** August 9, 2018  
**Decision:** MINOR VARIANCE APPROVED, subject to conditions

**CONDITIONS:**

1. This minor variance is for the construction of a deck and screened in porch with a combined area of 1380 square feet as per the plans submitted, to increase the maximum lot coverage to 5.7% for the principal building.
2. Minor variance MV-16-18-P 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 #18: MV-17-18-S (Kirkham)**

Speaking to the application: Keith Kirkham

**Discussion:**

The application is for approval of a minor variance to permit construction within allowable top of bank setback (15m reduced to 6m), and to permit reduced required front yard setbacks for a dwelling and garage, in concession 9, part lot 16, Ormsbee Road, District of Storrington. A detailed slope assessment was provided by the applicant, and Committee members Sleeth and Gee felt that the applicant had taken all possible steps to work with the physical constraints of the property.

RESOLUTION: c OF a 18:07:20

Moved by: K. Gee

Seconded by: R. Sleeth

THAT the South Frontenac Township Committee of Adjustment hereby APPROVES minor variance application MV-17-18-S by Keitha Kirkham, to permit reduction in setback from top of bank and a reduction in front yard, I concession 9, part lot 16, Ormsbee, District of Storrington, subject to conditions.

Carried

We, the undersigned members of the Land Division Committee for the Township of South Frontenac, do hereby certify that the following is our decision with respect to the minor variance application described below:

**Application No:** MV-17-18-S  
**Owner:** Keitha Kirkham  
**Location of Property:** Concession 9, Part Lot 16, Ormsbee Road, District of Storrington, Township of South Frontenac  
**Purpose of Application:** To vary Section 5.8.2 b. of the Comprehensive Zoning Bylaw 2003-75 to permit a dwelling with an attached deck and a detached garage to be located 6 metres from the horizontal bank of surface and Section 8.3.1 of the Comprehensive Zoning Bylaw 2003-75 front yard minimum to 13 metres for the principal dwelling and 14 metres for the detached garage.  
**Date of Hearing:** August 9, 2018  
**Date of Decision:** August 9, 2018  
**Decision:** MINOR VARIANCE APPROVED, subject to conditions

**CONDITIONS:**

1. Minor variance is for the construction of the dwelling and attached deck that are setback 6 metres from the top of embankment and setback 13 metres into the front yard as per the drawings and sketch submitted. The dwelling and deck have a floor area of 1,119 square feet and is two storeys.
2. Minor variance is also for the construction of a detached garage that is setback 6 metres from the top of embankment and setback 14 metres into the required front yard as per the plot plan submitted with a floor area of 440 square feet.
3. That the mitigation measures contained in the Slope Assessment (Concord Engineering, July 19, 2018) are followed including:
  - a. Sound excavation, grading and drainage practice shall be observed at all stated of construction and appropriate measures implemented to ensure that subgrade and excavation side-slope are preserved.
  - b. Care shall be taken to ensure that excavation and stockpiles do not encroach upon the crest of the slope and that boulders do not become rolling hazards on the slope.
  - c. Control measures such as silt fencing are required given the potential for erosion/siltation.
  - d. Should channelization of runoff become an issue, diffusion of runoff sources using terracing, check dams and similar means shall be used.
  - e. Disturbed areas shall be restored as soon as possible following completion of the work with erosion mats as necessary and seeded to promote re-growth.

4. Minor variance MV-17-18-S is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.
5. 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: Other Business**

Committee members were informed that a presentation would be made at an upcoming meeting regarding the implications of the new LPAT (Local Planning Appeals Tribunal).

**Item #20: Adjournment**

RESOLUTION: C of A: 18:07:21:

Moved by: K. Gee

Seconded by: R. Sleeth

THAT the August 9, 2018 meeting of the South Frontenac Township Committee of Adjustment is hereby adjourned at 8:45 p.m. to reconvene at 7:00 p.m. on Thursday, September 13, 2018 or at the call of the Chair.

Carried

---

Larry Redden  
Acting Chair

---

Megan Rueckwald  
Secretary-Treasurer