

Minutes of Committee Of Adjustment  
July, 11, 2019

Time: 7:00 PM

Location: Council Chambers

Meeting # 6

Present: Alan Revill, Ken Gee, Ray Leonard, Mike Howe, Mike Nolan, Randy Ruttan, Norm Roberts & Tom Bruce

Staff:Trudy Gravel, Planner & Michelle Hannah, Planning Assistant

1 Call to Order

2 Adoption of Agenda

a)

Resolution No. 2019:06:2

Moved by Norm Roberts Seconded by Ken Gee

THAT the Township of South Frontenac Committee of Adjustment hereby adopts the agenda for the July 11, 2019 Committee of Adjustment meeting.

Carried

3 Declaration of pecuniary interest

4 Approval of Minutes – June 13, 2019

a)

A committee member pointed out that the discussion portion in other business noted that the Application being appealed was in the District of Loughborough, but the application was, in fact in the district of Storrington.

Resolution No. 2019:06:3

Moved by Randy Ruttan Seconded by Ken Gee

THAT the Township of South Frontenac Committee of Adjustment hereby approves the minutes of the June 13, 2019 meeting of the Committee, as amended.

Carried

5 New Consent Applications:

a) S-09-19-P RB Kingston Carpentry Ltd.

**Location:** Part Lot 3, Concession 7, being Part 1 on Plan 13R7957, District of Portland, Township of South Frontenac, Jamieson Road.

**Purpose of Application:** Consent to create one new vacant lot consisting of approximately 0.85 hectares (2.1 acres) with 76 metres (250 feet) of road frontage along Jamieson Road. The retained lands which contain a 1000 square foot drive shed will consist of approximately 1.87 hectares (4.63 acres) with approximately 160 metres (528 feet) of road frontage along Jamieson Road.

The Planner delivered her report to the Committee.

A committee member noted that the water pools right near the road and the drainage will need to be directed toward the back of the lot, other than that there are no concerns with this application.

Member of the public: Cindy Hollingsworth spoke and said she had called the township numerous times, and she has a few questions about the lot. C Hollingsworth said that Trudy gave the former owner of the property permission to call her to get information about her property and what she does on the property. When she herself called Trudy there were no answers she was able

to obtain. C Hollingsworth stated that when she called the Ministry they told her they have regulations with respect to where the well is to be placed. C Hollingsworth asked why Trudy told Jim Reid to call her and ask her information about her and her property.

The Planner noted that the former owner of the property called to ask about animal units to determine the Minimum Distance Separation formula for the new proposed lots.

C Hollingsworth stated that if anyone from Council wanted information about her property, they should have contacted her personally.

The Chair of the Committee spoke and asked if we can get to the specific concern. Are you concerned about the water quality?

C Hollingsworth said that yes, she is concerned about the water as there were four wells that were across the road some dug and some drilled and she would like to know that if there are wells being drilled, they need to be 50 feet from the property and dug wells must be 100 feet from the property lines.

The Planner advised that we have addressed these concerns with a condition to the Consent Approval:

"The well driller who prepares the well driller's report referred to in condition #8 shall also provide a copy of the draw down and recovery of the closest well that was collected by the well driller at the time of the new well pump test in accordance with D-5-5 Private Wells: Water Supply Assessment, demonstrating that the well on the new proposed lot would not detrimentally impact on the closest existing well. If the adjacent well owner(s) do not wish to have their well tested for interference, a letter signed by the adjacent homeowner is required that indicates that they do not wish to have their well tested. OR a basic Hydrogeological Assessment signed by a Professional Engineer or Professional Geoscientist will be required for the new well in accordance with D-5-5 Private Wells: Water Supply Assessment."

C Hollingsworth stated that her water has been tested for contaminants and that she does not wish to have anyone on her property messing with her water as it is good water.

The Chair of the Committee explained that the test is to monitor the level of the well while the newly drilled well is being tested as well.

C Hollingsworth asked who will make sure the wells are far enough away from her property.

The Planner advised that the well driller will determine where the well is required to be.

C Hollingsworth asked who will the well driller be?

The Chair noted that the well driller will be determined by the land owner and asked if she had any further concerns with the application.

C Hollingsworth mentioned that she has a concern that the item was not handled professionally and doesn't like that staff think there should be someone playing around with her water.

Resolution No. 2019:06:4

Moved by Mike Howe Seconded by Randy Ruttan

THAT the Township of South Frontenac Committee of Adjustment hereby approves consent application S-09-19-P by RB Kingston Carpentry Ltd. to create

one new vacant lot consisting of approximately 0.85 hectares (2.1 acres) with 76 metres (250 feet) of road frontage along Jamieson Road located at Part Lot 3, Concession 7, being Part 1 on Plan 13R7957, District of Portland, Township of South Frontenac, Jamieson Road, subject to conditions.

Carried

b) S-10-19-P RB Kingston Carpentry Ltd.

**Location:** Part Lot 3, Concession 7, being Part 1 on Plan 13R7957, District of Portland, Township of South Frontenac, Jamieson Road.

**Purpose of Application:** Consent to create one new vacant lot consisting of approximately 0.88 hectares (2.17 acres) with 76 metres (250 feet) of road frontage along Jamieson Road. The retained lands which contain a 1000 square foot drive shed will consist of approximately 1.0 hectares (2.46 acres) with approximately 85 metres (278 feet) of road frontage along Jamieson Road.

The Planner delivered her report to the committee.

A committee member noted that he would like to see the water directed in the same direction as the last lot.

Resolution No. 2019:06:5

Moved by Mike Howe Seconded by Ken Gee

THAT the Township of South Frontenac Committee of Adjustment hereby approves consent application S-10-19-P by RB Kingston Carpentry Ltd. to create one new vacant lot consisting of approximately 0.88 hectares (2.17 acres) with 76 metres (250 feet) of road frontage along Jamieson Road located at Part Lot 3, Concession 7, being Part 1 on Plan 13R7957, District of Portland, Township of South Frontenac, Jamieson Road, subject to conditions.

Carried

c) S-11-19-L (McFadden)

**Location:** Part Lot 3, Concession 1, being Part 2, on Plan 13R5726, District of Loughborough, Township of South Frontenac, municipally known as 2929 Forest Road.

**Purpose of Application:** Consent to create one new vacant lot consisting of approximately 1.25 hectares (3.1 acres) with approximately 76 metres (250 feet) of road frontage along Forest Road. The retained lands will consist of approximately 29.9 hectares (73.9 acres) with approximately 220 metres (722 feet) of road frontage along Forest Road which contains an existing single detached dwelling, detached garage and shed.

The Planner delivered her report to the committee.

A committee member advised that he attended the site and it seems pretty straight forward, the drainage issue is always something we have to be aware of but other than that he saw no issues.

A committee member noted that the hydrogeological report will address the neighbour concerns, and as long as that is a condition he is good with this application.

Resolution No. 2019:06:6

Moved by Randy Ruttan Seconded by Mike Howe

THAT the Township of South Frontenac Committee of Adjustment hereby approves consent application S-11-19-L by Robert McFadden to create one new vacant lot consisting of approximately 1.25 hectares (3.1 acres) with approximately 76 metres (250 feet) of road frontage along Forest Road located at Part Lot 3, Concession 1, being Part 2, on Plan 13R5726, District of

Loughborough, Township of South Frontenac, municipally known as 2929 Forest Road, subject to conditions.

Carried

d) S-12-19-P (Redden)

**Location:** Part Lot 8, Concession 4, being a part(s) on Plan 13R10879, District of Portland, Township of South Frontenac, municipally known as 3873 Wilton Road & 3827 Wilton Road.

**Purpose of Application:** Consent to create one new lot, which lot unintentionally merged title with the retained lands, containing a single detached dwelling and consisting of approximately 0.93 hectares (2.3 acres) with 153 metres (504 feet) of road frontage on Wilton Road and is municipally known as 3873 Wilton Road. The retained lot, which contains a single detached dwelling, barn and outbuildings, will consist of approximately 56.7 hectares (140 acres) with approximately 610 metres (2000 feet) of road frontage on Wilton Road and is municipally known as 3827 Wilton Road.

The Planner delivered her report to the committee.

A committee member noted that he has absolutely no objections.

Applicant: Larry Redden noted that he would like staff to explain to committee why this happened and that they are not looking to sever to sell - why did this happen?

The Planner advised that there was an unintentional merger on title.

Larry Redden noted that this happened as his son died and was taken off title and then the property had the same name on title which 'you guys don't like'.

The Planner advised that there is a stipulation under the *Planning Act* with respect to adjacent properties owned under the same names.

Resolution No. 2019:06:7

Moved by Randy Ruttan Seconded by Mike Howe

THAT the Township of South Frontenac Committee of Adjustment hereby approves consent application S-12-19-P by Larry and Constance Redden to create one new lot, which lot unintentionally merged title with the retained lands, containing a single detached dwelling and consisting of approximately 0.93 hectares (2.3 acres) with 153 metres (504 feet) of road frontage on Wilton Road, located at Part Lot 8, Concession 4, being a part(s) on Plan 13R10879, District of Portland, Township of South Frontenac, municipally known as 3873 Wilton Road & 3827 Wilton Road, subject to conditions.

Carried

e) S-08-19-L (Kennedy) (Green)

**Location:** Part Lot 21, Concession 9, District of Loughborough, Township of South Frontenac, municipally known as 1206 Leland Road.

**Purpose of Application:** Consent to create one new vacant lot consisting of approximately 0.85 hectares (2.1 acres) with approximately 62.5 metres (205 feet) of frontage along Leland Road. The retained land, which is also vacant, consists of approximately 78.1 hectares (193 acres) and approximately 555 metres (1823 feet) of frontage along Leland Road.

The Planner delivered her report to the committee.

A committee member advised that he attended the property this morning and some issues that jumped off of the page were that the entrance issue will have to be dealt with for site lines as well as the grading and drainage may become a big issue. He noted that he knows they are in the proposed conditions but

want to make sure they are addressed.

A committee member mentioned that there are adequate sidelines and there shouldn't be a drainage issue especially if a plan is put in place he has no problems at all with this application.

Resolution No. 2019:06:8

Moved by Randy Ruttan Seconded by Mike Howe

THAT the Township of South Frontenac Committee of Adjustment hereby approves consent application S-08-19-L by Kelsey Kennedy (Clifford & Geraldine Green) to create one new vacant lot consisting of approximately 0.85 hectares (2.1 acres) with approximately 62.5 metres (205 feet) of frontage along Leland Road located at Part Lot 21, Concession 9, District of Loughborough, Township of South Frontenac, municipally known as 1206 Leland Road, subject to conditions.

Carried

6 New Minor Variance Applications:

a) MV-19-19-L (Kennedy (Green))

**Location:** Part Lot 21, Concession 9, District of Loughborough, Township of South Frontenac, municipally known as 1206 Leland Road.

**Purpose of Application:** To reduce the minimum required lot frontage from 76 metres (250 feet) to 62.5 metres (205 feet). The applicant is seeking relief from Section 7.3.2 Rural Zone (RU), lot frontage minimum.

The Planner delivered her report to the committee.

A committee member mentioned that he has the same concerns as the Severance Application that corresponds with this Application.

Resolution No. 2019:06:9

Moved by Mike Nolan Seconded by Ray Leonard

THAT the Township of South Frontenac Committee of Adjustment hereby approves Minor Variance application MV-19-19-L by Kelsey Kennedy and Clifford & Geraldine Green) located at Part Lot 21, Concession 9, District of Loughborough, Township of South Frontenac, municipally known as 1206 Leland Road, to reduce the minimum required lot frontage from 76 metres (250 feet) to 62.5 metres (205 feet), subject to conditions.

Carried

b) MV-20-19-P (Sauve)

**Location:** Part Lot 5, Concession 11, being Part 1 on Plan 13R18274, District of Portland, Township of South Frontenac, municipally known as 1113 Willy's Lane, Fourteen Island Lake.

**Purpose of Application:** To reduce the waterbody setback from 30 metres (98.4 feet) to 21 metres (71.5 feet) to permit the construction of an attached deck to the dwelling located on the subject property. The applicant is seeking relief from Section 10.3.1 Limited Service Residential – Waterfront Zone Regulations and Section 5.8.2 a. Flooding and Shoreline Erosion Hazards which both require a 30 metre (98.4 feet) setback from the highwater mark and Section 5.10.2, Existing Buildings Within 30 Metres (98.4 feet) of a Waterbody or Watercourse which section does not permit enlargement of an existing structure within 30 metres of the highwater mark.

The Planner delivered her report to the committee.

A committee member noted that he does not see any reason as to why the committee should not approve this application.

Resolution No. 2019:06:10

Moved by Mike Howe    Seconded by Tom Bruce

THAT the Township of South Frontenac Committee of Adjustment hereby approves Minor Variance application MV-20-19-P by Scott Sauve, located at Part Lot 5, Concession 11, being Part 1 on Plan 13R18274, District of Portland, Township of South Frontenac, municipally known as 1113 Willy's Lane, Fourteen Island Lake to reduce the waterbody setback from 30 metres (98.4 feet) to 21 metres (71.5 feet) to permit the construction of an attached deck to the dwelling located on the subject property, subject to conditions.

Carried

c) MV-11-19-B (Kimmitt)

**Location:** Part Lots 23 & 24, Concession 10, being Parts 1-3 & 8 on Plan 13R20629, District of Bedford, Township of South Frontenac, municipally known as 966 Lee Road, Wolfe Lake.

**Purpose of Application:** To alter and enlarge a building or structure located within the 30 metre setback from the highwater mark and within 120 metres of the Provincially Significant Wetland, said building is located at 18 metres (60 feet) from the highwater mark/Provincially Significant Wetland. The height of the building will increase as will the overall footprint of the seasonal dwelling. The applicant is seeking relief from Section 5.10.2, Existing Buildings within 30 Metres (98.4 feet) of a Waterbody or Watercourse, 8.3.3 Waterfront Residential Zone (RW) Regulations, and Section 8.5 Special RW – Waterfront Residential Zones (RW-35).

The Planner delivered her report to the committee.

A committee member mentioned that he did not attend the property because all of the data is not in but he agrees with the deferral.

The Chair asked if it can be ensured that there is adequate access to the property for viewing.

The Applicant: Tony Kimmitt noted that the Conservation authority first contact he had was 4 days ago and KFL&A was today.

The Planner agreed that the agencies had not commented on the application.

The Applicant: T Kimmitt noted that all of the information has been at the Township since May and this is the first contact he has had with the agencies. He stated that he understands that it is out of the staff's hands but for it to be deferred now sets him back to starting the project until 2020.

The Chair stated that we appreciate his comments and will make every effort for the agencies to respond in a timely manner.

Resolution No. 2019:06:11

Moved by Mike Nolan    Seconded by Ray Leonard

THAT the Township of South Frontenac Committee of Adjustment hereby defers making a decision on Minor Variance application MV-11-19-B by Tony & Michelle Kimmitt to allow staff and agencies time to review the application and property, subject to conditions.

Carried

d) MV-14-19-B (Olson)

**Location:** Part Lot 28, Concession 7, being Part 1 on Plan 13R3661, 662 Dewitt Lane, Bobs Lake, District of Bedford, Township of South Frontenac

**Purpose of Application:** To vary Section 5.8.2 a and Section 10.3.1 of the Township of South Frontenac Zoning Bylaw to reduce the waterbody setback from the highwater mark from 30 metres to 14.3 metres (47 ft) and an increase

in height by 0.91 metres (3 feet) for the demolition and reconstruction of a new cottage.

The Planner delivered her report.

A committee member advised that he attended the site and there are a number of buildings on the site that are fairly dated. The applicant is trying to move things back and tie them all together. The septic is being moved back and resized and the property has been cleaned up. They are doing very little disturbance to the vegetation. This is a good thing for this property and he supports it.

Resolution No. 2019:06:12

Moved by Tom Bruce Seconded by Mike Nolan

THAT the Township of South Frontenac Committee of Adjustment hereby approves Minor Variance application MV-14-19-B by Anne Marie Olson located at Part Lot 28, Concession 7, being Part 1 on Plan 13R3661, 662 Dewitt Lane, Bobs Lake, District of Bedford, Township of South Frontenac to to reduce the waterbody setback from the highwater mark from 30 metres to 14.3 metres (47 ft) and an increase in height by 0.91 metres (3ft) for the demolition and reconstruction of a new cottage, subject to conditions.

Carried

e) MV-31-18-S Pajot (Gurr)

**Location:** Part Lot 27, Concession 10, Carrying Place Road, Cranberry Lake, District of Storrington, Township of South Frontenac

**Purpose of Application:** To vary Section 5.8.2 a and 7.3.2 of the Township of South Frontenac Zoning Bylaw to increase the setback from the highwater mark of a waterbody from 30 metres (98.4ft) of a waterbody setback to 19.8 metres (65ft) to permit the construction of a new dwelling with attached garage on Cranberry Lake.

The Planner delivered her report to the committee.

A committee member advised that he visited the site and has no concerns with the new structure and with the newly approved septic it will be a big improvement to the property.

A committee member asked why are they going to blast the rock? It's a beautiful view.

E Gurr, agent and builder spoke to the matter to advise that the Rideau Waterway Development Review Team did not want the building any higher. Instead of putting the basement on the rock it will be in the rock so as to not be visible from the water.

Resolution No. 2019:06:13

Moved by Ray Leonard Seconded by Mike Nolan

THAT the Township of South Frontenac Committee of Adjustment hereby approves Minor Variance application MV-31-18-S by Richard & Caroline Pajot, (Agent Ethan Gurr), located at Part Lot 27, Concession 10, on Carrying Place Road, Cranberry Lake, District of Storrington, Township of South Frontenac, to to decrease the setback from the highwater mark of a waterbody from 30 metres (98.4ft) of a waterbody setback to 19.8 metres (65ft) to permit the construction of a new dwelling with attached garage on Cranberry Lake, subject to conditions.

Carried

7 Other Business

Minutes of Committee Of Adjustment  
July, 11, 2019

8 Adjournment

a)

Resolution No. 2019:06:14

Moved by Ray Leonard Seconded by Tom Bruce

THAT the July 11, 2019 meeting of the Township of South Frontenac Committee of Adjustment is hereby adjourned at 8:01 p.m. to reconvene on Thursday August 8, 2019 at 7:00 p.m. or at the call of the Chair.

Carried

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Alan Revill, Chair