

Minutes of Committee Of Adjustment  
December, 12, 2019

Time: 7:00 PM

Location: Council Chambers

Meeting # 11

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

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

1 Call to Order

2 Adoption of Agenda

a)

Resolution No. 2013-14-2

Moved by Randy Ruttan Seconded by Mike Howe

THAT the Township of South Frontenac Committee of Adjustment hereby adopts the agenda for the December 12, 2019 Committee of Adjustment meeting.

Carried

3 Declaration of pecuniary interest

a)

Committee member Bruce advised that with respect to item 5e) on the Committee of Adjustment Agenda that he potentially will have future dealings with the applicant, therefore; he will recuse himself from the discussion and voting on the matter.

4 Approval of Minutes – November 14, 2019

a)

Resolution No. 2013-14-3

Moved by Mike Howe Seconded by Randy Ruttan

THAT the Township of South Frontenac Committee of Adjustment hereby approved the minutes of the November 14, 2019 meeting of the committee.

Carried

5 Consent Applications:

a) S-24-19-S (Pickering) (Loyst)

**Location:** Part Lot 5, Concession 6, District of Storrington, Township of South Frontenac.

**Purpose of Application:** Consent for conveyance of a lot addition of approximately 0.093 hectares (0.23 acres) and a depth of 30.48 metres (100 ft.) of vacant land from the subject property addressed as 2584 Bear Creek Road to enlarge a lot located at Part Lot 5, Concessions 6 addressed as 2548 Bear Creek Road. The retained lands will be approximately 53.42 hectares (132 acres) in area with a depth of approximately 1,981.2 metres (6,500 ft.).

The Planner delivered the planning report to the committee.

The Agent spoke and advised that he could answer any questions if needed.

Resolution No. 2013-14-4

Moved by Mike Howe Seconded by Randy Ruttan

THAT the Township of South Frontenac Committee of Adjustment hereby approves consent application S-24-19-S by Bob & Maureen Pickering to convey a lot addition located at Part Lot 5, Concession 6, District of Storrington,

Township of South Frontenac, municipally known as 2584 Bear Creek Road, consisting of approximately 0.093 hectares, 0.23 acres of vacant land to be merged with an adjacent property municipally known as 2548 Bear Creek Road, subject to conditions.

Carried

b) S-25-19-S (Buckley)

**Location:** Part Lots 20 & 21, Concession 1, being Parts 1-3 on Plan 13R11894, District of Storrington, Township of South Frontenac, municipally known as 3732 Buck Point Lane, Inverary, Collins Lake.

**Purpose of Application:** Consent for the creation of a new residential lot consisting of approximately 0.8 hectares (2 acres) with approximately 96 metres (315 feet) of frontage on Holmes Road and a depth of approximately 84 metres (276 feet) from a developed lot municipally known as 3732 Buck Point Road. The retained lands will retain the single family dwelling, barn and accessory buildings and will be approximately 32.4 hectares (80 acres) in area with approximately 204 metres (669 feet) of frontage on Holmes Road and frontage on Buck Point Lane.

The Planner delivered the planning report to the committee.

Committee member Gee noted that he had visited the site and he has no issues. He also noted that the historical drainage issues on the other side of the road have been rectified by Public Services by installing a double culvert and, therefore; this application shouldn't have any problems.

Resolution No. 2013-14-5

Moved by Mike Nolan Seconded by Tom Bruce

THAT the Township of South Frontenac Committee of Adjustment hereby approve consent application S-25-19-S by Daniel Buckley, to create one new residential lot located at Part Lots 20 & 21, Concession 1, being Parts 1-3 on Plan 13R11894, District of Storrington, Township of South Frontenac, municipally known as 3732 Buck Point Lane, Inverary, Collins Lake consisting of approximately 0.8 hectares, (2 acres) with approximately 96 metres (315 feet) of road frontage on Holmes Road, subject to conditions.

Carried

c) S-26-19-L (Knapp)

**Location:** Part Lot 13, Concession 5, District of Loughborough, Township of South Frontenac

**Purpose of Application:** Consent for the creation of a new residential lot consisting of approximately 10.3 hectares (25.4 acres) with approximately 100 metres (328 ft) of frontage on Wilmer Road and a depth of 587 metres (1,925.9 ft) from a vacant lot. The retained lands will be approximately 48.6 hectares (120 acres) in area with approximately 220 metres (721.8 ft) of frontage on Wilmer Road.

The Planner delivered the planning report to the committee.

Committee member Howe noted he attended the property but couldn't see much because of the recent snow but does not see a problem with the application.

Resolution No. 2013-14-6

Moved by Mike Nolan Seconded by Tom Bruce

THAT the Township of South Frontenac Committee of Adjustment hereby approves consent application S-26-19-L to create one new residential lot located at Part Lot 13, Concession 5, District of Loughborough, Township of South Frontenac, Wilmer Road, consisting of approximately 10.3 hectares (25.4 acres)

with approximately 100 metres (328 feet) of road frontage on Wilmer Road, subject to conditions.

Carried

d) S-27-19-S (Page)

**Location:** Part Lot 13, Concession 10, Part 2 on Plan 13R11868, District of Storrington, Township of South Frontenac, municipally known as 5595 Battersea Road, Battersea

**Purpose of Application:** Consent for the creation of a new residential lot consisting of approximately 0.94 hectares (2.33 acres) with approximately 101 metres (331.4 ft) of frontage on Rampart Road and a depth of approximately 73.4 metres (241.9 ft) from a developed lot municipally known as 5595 Battersea Road. The retained lands contain a farm property containing a single family dwelling, with barn and outbuildings and will be approximately 23.1 hectares (57 acres) in area with frontage along Ramparts Road and frontage on Battersea Road.

The Planner delivered the planning report to the committee.

Committee member Gee agreed with the Health Unit that it is basically bedrock and there is very little soil, therefore specific requirements for more soil is a good suggestion.

Committee member Nolan inquired about the request for an extension to the property lines changing the lot size and the fundamentals of the application being discussed.

The Planner advised that there will be additional area which has been identified in the Report and Notice of Decision in line with the request from KFL&A Public Health Staff.

Committee member Nolan asked if all parties involved have agreed to this increase in lot size.

The Planner advised that the applicant notified planning staff of the change of lot size shortly after Public Health staff attending the property.

The applicant advised that there is adequate soil in the back of the lot which the new extension of the lot lines encompasses.

Resolution No. 2013-14-7

Moved by Ray Leonard Seconded by Mike Nolan

THAT the Township of South Frontenac Committee of Adjustment hereby approves consent application S-27-19-S by Danny and Nancy Page, to create one new residential lot located at Part Lot 13, Concession 10 being Part 2 on Plan 13R11868, District of Storrington, Township of South Frontenac, municipally known as 5595 Battersea Road consisting of approximately 1.016 hectares (2.51 acres) with approximately 101 metres of road frontage on Ramparts Road, subject to conditions.

Carried

e) S-28-19-P (Redden)

**Location:** Part Lot 10, Concession 1, District of Portland, Township of South Frontenac

**Purpose of Application:** Consent for the creation of a new residential lot consisting of approximately 0.8 hectares (2 acres) with approximately 76 metres (250 ft) of frontage on Wilton Road and a depth of 106.7 metres (350 ft) from a vacant property located along the west side of Wilton Road. The retained lands contain vacant agricultural lands with the northwest corner of the property located in a wetland. The retained lot will be approximately 29.7

hectares (73.47 acres) in area with approximately 426.7 metres (1400 ft) of frontage on Wilton Road.

The Planner delivered the planning report to the committee.

Councilor Leonard advised that he cannot see any issues at all.

A neighbour, Jamie Pavao spoke to concerns about the creation of a new lot as he owns the lot right next to the severance. Mr. Pavao advised that water in the area is difficult to come by and he is concerned that this severance will affect water quality and quantity. He also advised that his family owns the farm beside the proposed severed lot.

The Chair asked the Planner what test can be done to ensure water quantity and quality are not affected.

The Planner advised that a draw down and pump test or a hydrogeological test could be performed.

The chair explained that at the time of the well being drilled the drilling company can perform a draw down and pump test, and they will monitor your well to ensure there is no negative impact to the surrounding wells while the pump test is being performed.

Mr. Pavao asked how anyone can know this is not going to disturb his well, by drilling a well or digging a well, how do we know this is not going to drop off the water flow.

The chair advised that it is unlikely to change the overall characteristics of the water table by drilling one well, if the severance is approved.

Mr Pavao asked how he can be sure this is not going to affect his well later down the road such as in the dry season.

The chair advised that during the pump test these things are all taken into consideration, and Mr. Pavao will have the opportunity to have his well monitored if he wishes.

Mr. Pavao inquired what happens if the well is drilled and the new well has an affect on his well.

The chair assured Mr. Pavao that if there is undue hardship to his well, the severance will not take place as this is a condition that has to be fulfilled before the severance is completed.

Mr. Pavao inquired about expanding his farm and what impact this new lot will have to a potential expansion.

The Planning Assistant advised that the property between the new lot and the farm would have the greater impact on the Minimum Distance Separation calculation for any farm expansions as the setback for the farm expansion would be applied to the closest residential use first and there is a residential use between the farm and the newly proposed lot. A Minimum Separation Distance calculation was also determined for the newly proposed lot with respect to the farm property and this calculation considers farm expansion.

Resolution No. 2013-14-8

Moved by Ray Leonard Seconded by Mike Nolan

THAT the Township of South Frontenac Committee of Adjustment hereby approves consent application S-28-19-P by Larry Redden, to create one new

residential lot located at Part Lot 10, Concession 1, District of Portland, Township of South Frontenac, Wilton Road consisting of approximately 0.8 hectares (2 acres) with approximately 76 metres (250 feet) of road frontage on Wilton Road, subject to conditions.

Carried

6 Minor Variance Applications:

a) MV-39-19-P (Fleming & Kennedy)

**Location:** Part Lot 7, Concession 13, being Parts 2-4 on Plan 13R997, District of Portland, Township of South Frontenac, municipally known as 1011 Kens Lane, Howes Lake

**Purpose of Application:**

<b>Official Plan Designation:</b> Rural and Environmental Protection	<b>Zoning:</b> Limited Service Residential Waterfront (RLSW) Zone
<b>Section 5.8.2a.:</b> Setback for the Building or Structure – 30m setback to the highwater mark	<b>Relief:</b> 30m (98.4 ft.) from the highwater mark to 21.3m (70 ft) to the highwater mark of Howes Lake
<b>Section 10.3.2:</b> Setback for Accessory Buildings Not Attached to The Principal Building – 30m setback to the highwater mark	<b>Relief:</b> 30m (98.4 ft.) from the highwater mark to 21.3m (70 ft) to the highwater mark of Howes Lake
<b>Section 10.3.2:</b> Setback for Accessory Buildings Not Attached to The Principal Building – Building Height Maximum 6m (19.7 ft.)	<b>Relief:</b> Increase in height from 6m (19.7 ft) to 7.62m (25 ft) for a detached garage

The Planner delivered the planning report to the committee.

Councilor Leonard agreed with the deferral as members, agents and staff need to figure out what we are dealing with in terms of where the wetland is.

Committee member Bruce inquired if the application was circulated to the KFL&A Public Health Staff.

The Planner advised that the septic is at a higher elevation and some distance away from the existing storage shed so the application was not required to be circulated.

Resolution No. 2013-14-9

Moved by Ray Leonard Seconded by Tom Bruce

THAT the Township of South Frontenac Committee of Adjustment hereby defers Minor Variance Application MV-39-19-P by Tony Fleming and Terri Kennedy to provide staff at the Quinte Conservation Authority time to attend the property and prepare a recommendation.

Carried

7 Other Business

Committee member Gee inquired whether the recent Township development charges were now in effect.

The Planner advised that they were in effect in September.

8 Adjournment

a)

Resolution No. 2013-14-10

Minutes of Committee Of Adjustment  
December, 12, 2019

Moved by Tom Bruce Seconded by Ray Leonard  
THAT the December 12, 2019 meeting of the Township of South Frontenac  
Committee of Adjustment is hereby adjourned at 7:38 p.m. to reconvene on  
Thursday, February 13, 2020, or at the call of the Chair.

Carried

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Alan Revill, Chair