

Minutes of Committee Of Adjustment
December, 10, 2020

Time: 7:00 PM

Location: Virtual via Zoom

Meeting # 10

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

Staff: Claire Dodds, Director of Development Services, Christine Woods, Senior Planner, Anna Geladi, Planner & Michelle Hannah, Planning Assistant.

1 Call to Order

2 Virtual Meeting Information

a) The meeting was live streamed at the following link:

<http://www.facebook.com/SouthFrontenacTwp/>

b) During the Committee of Adjustment meeting staff will be following a PowerPoint Presentation, this presentation was live-streamed on Facebook at the above noted link but it can also be viewed in the Agenda for this meeting.

3 Adoption of Agenda

a) Resolution

Resolution No. 2013-14-2

Moved by Ken Gee Seconded by Norm Roberts

THAT the Township of South Frontenac Committee of Adjustment hereby adopts the agenda for the December 10, 2020 Committee of Adjustment meeting.

Carried

4 Declaration of pecuniary interest

5 Approval of Minutes – November 12, 2020

a) Resolution

Resolution No. 2013-14-3

Moved by Norm Roberts Seconded by Mike Howe

THAT the Township of South Frontenac Committee of Adjustment hereby approves the minutes of the November 12, 2020 meeting of the Committee.

Carried

6 Previous Minor Variance Applications

a) MV-39-20-L (Strickland)

Location: Part of Lot 22 and 23, Concession 12, being Parts 8 – 10 on Plan 13R14860, District of Loughborough, Township of South Frontenac, municipally known as 92B Kismet Lane, Buck Lake.

Purpose of Application: To vary sections 7.3.2 and 5.8.2 a) and b) of the Zoning By-law to permit an accessory building (shed) with a minimum 10 metre (33 foot) front yard setback and setback from the high water mark of Buck Lake, whereas the Zoning By-law requires a 30 metre (98.4 feet) from the high water mark and a to also vary the minimum 15 metre (49.2 feet) horizontal of the top of bank of any embankment.

The Planner delivered her report to the Committee.

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Committee member Ruttan advised he was a little concerned with the location, but based on the information in the agency comments and staff report he is okay with it.

Resolution No. 2013-14-4

Moved by Mike Howe Seconded by Norm Roberts

THAT the Township of South Frontenac Committee of Adjustment hereby approves Minor Variance Application, MV-39-20-L by Peter Strickland, located at Part of Lot 22 and 23. Concession 12, District of Loughborough, municipally known as 92B Kismet Lane, Buck Lake. To permit an accessory building, being a 9 square metre (96 square feet) shed with a minimum highwater mark setback and top of bank setback of 10 metres (32.8 feet), subject to conditions.

Carried

b) MV-40-20-L (Vanderhaar)

Location: Part of Lot 23, Concession 13, District of Loughborough, Township of South Frontenac, 1229 Twin Island Lane, Buck Lake

Purpose of Application: To vary section 10.3.1 of the Zoning By-law to permit a seasonal dwelling with an attached deck and screened porch with a minimum 7.5 metre (24.6 foot) rear yard depth, and to allow a maximum 6.6% lot coverage for the principal building.

The Senior Planner delivered her report to the Committee.

Committee member Howe advised that he gets concerned when development gets over the allowable 5% but after reading agency comments and staff report he is okay with the proposal.

Committee member Ruttan advised that he pointed out that the applicant had worked with everyone with respect to recommendations to reduce the size of the proposed development and he is happy to move forward with this application.

The applicant asked what the difference is between a Site Plan Agreement and a Development Agreement, and what pushes their development to a Site Plan opposed to Development Agreement.

The Senior Planner advised that a Site Plan Agreement is used to control the development of the site, such as size and scope of the development including buffers to be put in place. A Development Agreement is a little bit less formal and can cover items that cannot be addressed through a Site Plan Agreement. Site Plan control is typically used on at capacity trout lakes in accordance with the Township Official Plan and Site Plan Control By-Law.

Resolution No. 2013-14-5

Moved by Mike Howe Seconded by Ken Gee

THAT the Township of South Frontenac committee of Adjustment hereby approves Minor Variance Application MV-40-20-L by Brad and Amanda Vanderhaar located at Part of Lot 23, Concession 13, District of Loughborough, municipally known as 1229 Twin Island Lane, Buck Lake. To permit a seasonal dwelling with an attached deck and screened porch with a minimum 7.5 metre (24.6 foot) rear yard depth, and to allow a maximum 6.6% lot coverage for the principal building, subject to conditions.

Carried

c) MV-41-20-L (McLachlan)

Location: Part of Lots 10 and 11, Concession 6, District of Loughborough, Township of South Frontenac, being Parts 1, 2 and 3 on Plan 13R20492, Kennedy Island, Sydenham Lake

Purpose of Application: To vary sections 5.8.2 a) and 11.3.1 of the Zoning

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By-law to permit a seasonal dwelling with a minimum 27 metre (88.6 foot) front yard depth and setback from the high water mark of Sydenham Lake, measured to the western shoreline. Also, to vary section 11.3.1 to permit the same seasonal dwelling with a minimum 19.4 metre (63.6 foot) setback from the floodline of Sydenham Lake, measured to the east.

The Senior Planner delivered her report to the Committee.

Committee member Howe asked who completes an Environmental Impact Assessment, if it is a Conservation Authority or a private entity.

The Senior Planner advised this Environmental Impact Assessment was completed by an Environmental Consultant, so a biologist who is familiar with the area.

Committee member Howe advised he is happy with this proposal based on the Conservation Authority comments and Planning staff report.

Committee member Ruttan thanked the Senior Planner for the detailed overview of the island and it appears that this is the only spot for a dwelling and he supports the Environmental Impact Assessment recommendations.

Committee Member Nolan asked why there is no plumbing requirements in the building and how is the situation handled when there is no plumbing and therefore no septic system.

The Senior Planner advised that there are exceptions within the Building Code where a seasonal dwelling is concerned and one exception is that it does not require plumbing, and if you do not have plumbing you do not need a septic system. She advised that they could have a composting toilet.

Member Nolan asked if outhouses are allowed.

The Senior Planner advised that outhouses are still permitted under the Building Code [Class 1 sewage system].

Resolution No. 2013-14-6

Moved by Mike Howe Seconded by Ray Leonard

THAT the Township of South Frontenac committee of Adjustment hereby approves Minor Variance Application MV-41-20-L by Michael McLachlan, located at Part of Lots 10 and 11, Concession 6, District of Loughborough, known as Kennedy Island in Sydenham Lake. To permit a seasonal dwelling with a minimum 27 metre (88.6 foot) front yard depth and setback from the highwater mark and 19.4 metre (63.6 foot) setback from the floodline of Sydenham Lake, subject to conditions.

Carried

7 New Minor Variance Applications:

a) MV-45-20-L (Kelsey)

Location: Lot 7, Concession 5, District of Loughborough, Township of South Frontenac, being Part 1 on Plan 13R4354 and Part 1 and 3 on Plan 13R5712, municipally known as 1073 Carslake Lane, Sydenham Lake.

Purpose of Application: To vary section 10.3.1 and 5.8.2a) of the Zoning By-law to permit the construction of an addition to the rear of an existing dwelling with the addition being located 23.5 metres (77 feet) from the front yard and the high water mark of Sydenham Lake.

The Planner delivered her report to the Committee.

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Committee member Howe advised it appears to be a very congested area when you first look at it, however, he supports this minor variance as the neighbours, conservation authority and planning staff are supportive.

Committee member Ruttan advised that he was quite surprised how small it seemed, however, the approvals from Conservation and Planning staff are positive and he is supportive of the proposal.

A neighbour spoke in support of the matter.

The applicant thanked staff and the committee members.

Resolution No. 2013-14-7

Moved by Mike Howe Seconded by Ray Leonard

THAT the Township of South Frontenac committee of Adjustment hereby approves Minor Variance Application MV-45-20-L by Laura Kelsey, located at Part Lot 7, concession 5, District of Loughborough, municipally known as 1073 Carslake Lane, Sydenham Lake. To permit the construction of an addition to the rear of the existing dwelling, setback 23.5 metres (77 feet) from the front yard and highwater mark, subject to conditions.

Carried

b) MV-46-20-S (Robinson) (Caldas)

Location: Lot 21 Concession 5 being on Plan FVLCP 76 Level 1 Unit 15, District of Storrington, Township of South Frontenac, municipally known as 1096 Applewood Lane, Loughborough lake.

Purpose of Application: To vary section 5.24.2 of the Township of South Frontenac Comprehensive Zoning By-Law to permit an accessory building, being a detached garage in the projected front yard of a property located in the RLSW-101 Special Limited Service Residential Waterfront zone.

The planner delivered her report to the Committee.

Committee member Roberts added that he would like to have sites staked out so they can see where the development is going.

Committee member Gee advised that he sees this as the only spot for the proposed development and he does not see a problem with it.

Resolution No. 2013-14-8

Moved by Mike Howe Seconded by Ray Leonard

THAT the Township of South Frontenac committee of Adjustment hereby approves Minor Variance Application MV-46-20-S by Matthew Robinson, located at Lot 21, concession 5 being Level 1, Unit 15 on FVLCP 76, District of Storrington, municipally known as 1096 Applewood Lane, Loughborough Lake. To permit an accessory building, being a detached garage in the projected front yard of a property located in the RLSW-101 zone, subject to conditions.

Carried

c) MV-47-20-B (Orr)

Location: Lot 6, Concession 3, District of Bedford, Township of South Frontenac, being Part 1, 2 and 3 on Plan 13R8565, municipally known as 111 Second Heaven Lane, Thirty Island Lake.

Purpose of Application: To vary section 10.3.1 and 5.8.2a) of the Zoning By-law to permit the construction of a seasonal dwelling with attached screen porch and deck located 16.8 metres (55 feet) and 14.3 metres (47 feet) respectively from the front yard and the high water mark of Thirty Island Lake.

The Planner delivered her report to the committee.

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Committee member Nolan advised that he agrees with the deferral.

Resolution No. 2013-14-9

Moved by Ray Leonard Seconded by Mike Nolan

THAT THAT the Township of South Frontenac committee of Adjustment hereby defers making a decision on Minor Variance Application MV-47-20-B by Ralph and Lynne Orr, located at Part Lot 6, Concession 3, District of Bedford, municipally known as 111 Second Heaven Lane, Thirty Island Lake, to provide addition time for the applicant to survey the 1:100 year floodplain and to provide time for Quinte Conservation Authority to provide further comments.

Carried

8 Other Business

a) Report to Committee of Adjustment - Decisions on Delegated Consents

The Planning Assistant reviewed the approvals for the Consents that have been Granted by the Director of Development Services.

b) Discussion with respect to the Provincial Government and changing the Conservation Authorities Roll.

The Director of Development Services discussed the changing of the Conservation Authorities roll in planning matters and the amendments that may come to the Conservation Authorities Act.

There will be impacts on Minister Zoning Orders and LPAT appeal rights and changes with respect to their limitations.

The Director advised that there is quite a range of literature, most of which was about the Bill as contemplated. There will be a further review and discussion with respect to this Bill as it relates to the Conservation Authorities Act.

There is also a proposed change to the composition to the Conservation Authority Boards.

There will be conversations with municipal staff and conservation authority staff with respect to service delivery and the impacts this may have on our planning applications.

9 Adjournment

a) Resolution

Resolution No. 2013-14-10

Moved by Ray Leonard Seconded by Mike Nolan

THAT the December 10, 2020 meeting of the Township of South Frontenac Committee of Adjustment is hereby adjourned at 8:06 p.m., to reconvene on Thursday, February 11, 2021 at 7:00 p.m. or at the call of the Chair.

Carried


Alan Revill, Chair