



**Township of South Frontenac  
Committee of Adjustment Meeting Minutes**



**Meeting # 01**

**Time:** 7:00 p.m.

**Location:** Council Chambers / virtual via Zoom

**Present:** Norm Roberts, Doug Morey, Steve Pegrum, Alan Revill, Brett Moreland, Kevin Fox, Mike Howe

**Absent:** Randy Ruttan

**Staff:** Christine Woods, Senior Planner, Sarah Cadue, Planner, Tom Fehr, Planner, Michelle Hannah, Planning Assistant/Secretary-Treasurer

- 1 Call to Order
- 2 Adoption of Agenda
- a) Resolution

Resolution No. 2022:01:2  
Moved by Kevin Fox

Seconded by Norm Roberts

THAT the Committee of Adjustment adopts the agenda for the February 9, 2023 Committee of Adjustment meeting.

Carried

- 3 Committee of Adjustment Appointments
- a) Appointment of Committee of Adjustment Chair

Resolution No. 2022:01:3  
Moved by Norm Roberts

Seconded by Alan Revill

THAT the Committee of Adjustment appoints Randy Ruttan to the position of Chairperson.

Carried

- b) Appointment of Committee of Adjustment Vice-Chairperson  
Resolution

Resolution No. 2022:01:4  
Moved by Steve Pegrum

Seconded by Norm Roberts

THAT the Committee of Adjustment appoints Alan Revill to the position of Vice-Chairperson.

Carried

- c) Appointment of a Deputy-Secretary Treasurer  
Resolution

Minutes of Committee Of Adjustment  
February, 9, 2023

Resolution No. 2022:01:5  
Moved by Doug Morey

Seconded by Brett Moreland  
THAT the Committee of Adjustment appoints Tom Fehr, Planner as a Deputy Secretary-Treasurer for the Committee of Adjustment.

Carried

4 Electronic Meeting Information

- a) The meeting will be live streamed at the following link:  
<http://www.facebook.com/SouthFrontenacTwp/>

Please visit the Virtual Committee of Adjustment Meetings page on the Township website for the link to register to be a participant in this meeting:  
<https://www.southfrontenac.net/en/open-for-business/virtual-committee-of-adjustment-meetings.aspx>

Instructions about participating via Computer, Laptop, Smartphone, Tablet and Telephone can be found at the above noted link as well.

- b) PowerPoint Presentation Staff has prepared a PowerPoint Presentation that will be displayed on the screen of the meeting, you can also follow along with the PDF version that is in the attachment of this agenda item.

5 Declaration of pecuniary interest

- a) None Declared

6 Approval of Minutes – November 10, 2022

- a) Resolution

Resolution No. 2022:01:6  
Moved by Brett Moreland

Seconded by Doug Morey  
THAT the Committee of Adjustment approves the minutes of the November 10, 2022 Committee of Adjustment meeting.

Carried

7 Consent Applications from Previous Meetings:

- a) There are none

8 New Consent Applications:

- a) PL-BDJ-2022-0152 (Dillabough)

**Property Address:** 1793 Green Bay Road

**Purpose and Effect of the Proposed Consent:**

The purpose of the application is to sever an existing mineral resource pit from the subject property. The severed parcel is 12.2 hectares (30.2 acres) with 610 metres (2001 feet) of frontage on Barr Lane and 132 metres (433 feet) of frontage on Passchendaele Lane. The severed lands contain a mineral resource pit and no new development is proposed on the severed parcel. The retained parcel is 100.2 hectares (247.7 acres) with 504 metres (1653 feet) of frontage on Green Bay Road. The retained lands contain a dwelling and several accessory buildings. The application also proposes to provide a right-of-way over Barr Lane and Passchendaele Lane to provide legal access to the severed parcel.

The planner, Tom Fehr delivered the planning report to the Committee.

Mr. Gallant a member of the public advised he reviewed the report. He advised that access to his properties are through Passchendaele Lane. He advised he has issues with the proposal as the current access to the pit is over only Barr Lane, and the proposal will cause access to be over Barr Lane and Passchendaele Lane. Mr. Gallant mentioned that the proposed use if Barr Lane is not consistent with the current access and the residents are worried about damage from the pit traffic to the lane. Mr. Gallant noted that for the most part there is no commercial traffic on the lane. Currently the lane association is solely responsible for the maintenance of the lanes and they have spent a lot of money along with grants from the Township to keep the lanes up to an acceptable standard for emergency vehicle traffic. Mr. Gallant asked that Passchendaele Lane not be included as a legal access point as it is not currently an access point. Mr. Gallant offered other options for access to the pit.

The applicant, Mr. Dillabough advised that the proposed right of way is over Barr Lane and it ends where it meets Passchendaele Lane, it does not go any further. Only the portion of Passchendaele Lane that touches the pit will be deeded access. Mr. Dillabough advised that he is willing to joint the lane association and so is the proposed purchaser of the pit. Mr. Dillabough advised of the current maintenance of the lane and mentioned historical information pertaining to agreements. Mr. Dillabough noted that last year there were only 97 dump truck loads of material taken from the pit. He noted that there are several more cars per day travelling on the lane to and from cottage properties. Mr. Dillabough advised that he does not believe the issues discussed should be a valid reason to reject the proposal and the maintenance issues of the lane can be dealt with privately.

Resolution No. 2022:01:7

Moved by Brett Moreland

Seconded by Doug Morey

THAT the Committee of Adjustment approves consent application PL-BDJ-2022-0152 to sever the existing mineral resource pit from the subject property, subject to conditions.

Carried

9 Minor Variance and Permission Applications from previous meetings:

a) There are none

10 Minor Variance and Permission Applications:

a) MV-36-21-P (Van Allen)

**Property Address:** 6082 Cemetery Road

**Purpose and Effect of the Proposed Variance:**

The Committee of Adjustment approved MV-08-21-P to replace the cottage near Verona Lake. The proposed cottage was approved to be setback 1.3 metres from the northern lot line, and 10 metres from the highwater mark. It was later discovered that the measurement to the highwater mark was incorrect. This means that the proposed cottage would actually be setback 6.5 metres from the highwater mark. A minor variance is being requested to allow the cottage to be setback less than the 3 metres from the northern lot line, and less than the 30 metres from the highwater mark require in the UR1 zone.

The Senior Planner, Christine Woods delivered her planning report to the

Committee.

Committee member Roberts advised that he visited the site and agrees with the Planner.

Resolution No. 2022:01:8  
Moved by Doug Morey

Seconded by Brett Moreland  
THAT the Application MV-36-21-P (PL-ZNA-2022-0011) is approved to grant permission to enlarge the legal non-conforming dwelling on the subject property, subject to conditions.

Carried

b) MV-60-21-L (Peaker & Marchese)

**Property Address:** 2054 Little Long Lake Road

**Purpose and Effect of the Proposed Variance:**

The Owner proposes to construct a 1000 sq. ft., 26 foot tall, detached garage on this residential property. The garage would be located to the east of the house, 40 metres from the highwater mark of Eel Bay. A minor variance is being requested to allow the garage to be located between the house and the front lot line, and to permit the height of the garage to exceed the 6 metre (19.7 foot) height permitted in the RLSW zone.

The Senior Planner, Christine Woods delivered her report to the Committee.

Committee member Morey inquired about the photos and the hydro lines.

The Senior Planner advised it is not hydro lines, it is a clothes line.

Resolution No. 2022:01:9  
Moved by Brett Moreland

Seconded by Doug Morey

THAT the Minor Variance Application MV-60-21-L (PL-2021-0036) is approved to permit an accessory building being 1000 square feet in area and 26 feet tall to be located in front of the projected front fall of the dwelling, subject to conditions.

Carried

c) PL-ZNA-2022-0092 (Masters)

**Property Address:** 28 Tranquil Lane

**Purpose and Effect of the Proposed Variance:**

To request permission under section 45(2) of the Planning Act to enlarge a legal non-complying dwelling within 30m of the highwater mark of Loughborough Lake. The existing 83.6 square metre dwelling is set back 12.6m from the highwater mark. This building will be replaced and expanded with a two storey dwelling that has a 116 square metre ground floor area including an attached garage, and a 206.6 square metre gross floor area. The new dwelling will be set back 14.2m from the highwater mark. The height of the new dwelling will also be increased to 7.3m compared to the 4m height of the existing dwelling.

The Planner, Tom Fehr delivered his report to the Committee.

The Applicant advised that the deck will not have a deck on it and the door will not be there. He asked about logistics with respect to demolition of the existing cottage.

The Secretary-Treasurer advised the applicant to reach out to the building department for specific requirements.

Vice-Chair Revill asked about maneuvering on the site and completing work by backing into the proposed garage.

The applicant advised he has spoken to his neighbour and they will be proposing an easement for the use of the neighbouring property. He advised that if he was to move the building to the east it would be more manageable but then he would be getting closer to the lake.

Resolution No. 2022:01:10  
Moved by Kevin Fox

Seconded by Norm Roberts

THAT Application PL-ZNA-2022-0092 is approved to grant permission to enlarge the legal non-conforming dwelling on the subject property within 30 metres of the high watermark of Loughborough Lake, subject to conditions.

Carried

d) PL-ZNA-2022-0105 (Liota)

Application Details

**Property Address:** 2263 Green Bay Road

**Applicant:** Neil Liota

**Purpose and Effect of the Proposed Variance**

The Owner proposes to construct a 728 sq. ft., one-storey, detached garage on this

residential property. The garage would be located to the east of the main house. The garage

would be setback 20.7m (68ft) from the highwater mark of Bobs Lake and 10.5m (34.5ft) from

the front lot line (road). A minor variance is being requested to allow the garage to be setback

less than the 30m from the highwater mark and less than the 20m from the front lot line

required in the RW zone, and to be located between the house and the front lot line.

The Senior Planner, Christine Woods delivered her Planning Report to the Committee.

Resolution No. 2022:01:11  
Moved by Norm Roberts

Seconded by Kevin Fox

THAT Application PL-ZNA-2022-0105 is approved to permit an accessory building being a detached garage to be setback a minimum of 20.7 metres from the highwater mark of Bobs Lake and to be located in front of the projected front wall of the dwelling, and setback 10.5 metres from the front lot line, subject to conditions.

Carried

e) PL-ZNA-2022-0142 (Kobus) (Kimmitt)

**Property Address:** 6154 McMullen Lane

**Purpose and Effect of the Proposed Variance:**

The application is requesting relief from sections 5.8.2 (a) and (b) to permit an accessory building, being a detached garage to be setback a minimum of 16.8 metres from the highwater mark of Verona Rock Lake and a minimum of 9.5

metres from the top of bank. The application also seeks permission under section 45 (2) of the *Planning Act* to enlarge the legal non-conforming dwelling on the property within 30 metres of the highwater mark of Verona Rock Lake. The enlargement would be in the form of an attached deck.

The Senior Planner, Christine Woods delivered her report to the Committee.

Resolution No. 2022:01:12  
Moved by Alan Revill

Seconded by Steve Pegrum

THAT Application PL-ZNA-2022-0142 is approved to permit an accessory building, being a detached garage to be setback a minimum of 16.8 metres from the highwater mark of Verona Rock Lake and setback 9.5 metres from the top of bank, subject to conditions.

Carried

f) PL-ZNA-2022-0162 (Murray) (Gurr)

**Property Address:** 1115 Sassy Tree Lane

**Purpose and Effect of the Proposed Variance:**

To request permission under section 45(2) of the Planning Act to enlarge a legal non-complying dwelling within 30m of the highwater mark of Desert Lake. The existing 231 square metre dwelling with attached deck is set back 3m from the highwater mark. This building will be replaced with a two storey dwelling that has a 240 square metre ground floor area including attached deck and a 309 square metre gross floor area. The new dwelling will be set back 7.6m from the highwater mark. The height of the new dwelling will also be increased to 11m compared to the 7m height of the existing dwelling.

The Planner, Tom Fehr delivered his report to the Committee.

Vice-Chair Revill noted that he has been to the site and it is fairly constrained.

Resolution No. 2022:01:13  
Moved by Steve Pegrum

Seconded by Alan Revill

THAT the Application MV-36-21-P is approved to grant permission to enlarge the legal non-conforming dwelling on the subject property within 30 metres of the highwater mark of Desert Lake, subject to conditions.

Carried

g) PL-ZNA-2022-0171 (Leaver) (Stokes)

**Property Address:** 1040 McConville Lane

**Purpose and Effect of the Proposed Variance:**

The Owner proposes to construct a 174.7 square metre (1880.7 square foot) single detached dwelling on the property. The dwelling would be set back 2.83 metres from the rear property line and McConville Lane, and 6 metres from the top of bank. Minor variances are being requested to allow the dwelling to be set back less than 10 metres from the rear lot line, less than 5 metres from McConville Lane, and less than 15 metres from the top of bank as required by the Zoning By-law.

The Planner, Tom Fehr delivered his report to the Committee.

The agent on the application, Rod Stokes spoke to the matter and advised he and the applicant feel the conditions of approval are reasonable and if there are any questions with respect to the development, he is there to answer them.

Resolution No. 2022:01:14  
Moved by Alan Revill

Seconded by Steve Pegrum

THAT Application PL-ZNA-2022-0171 is approved to permit a seasonal dwelling with a minimum setback of 2.8 metres from the surveyed edge of McConville Lane, a minimum 2.8 metre rear yard and a minimum 6 metre setback from the top of bank, subject to conditions.

Carried

h) PL-ZNA-2022-0172 (Greenlees)

**Property Address:** 1015 Sandpiper Lane

**Purpose and Effect of the Proposed Variance:**

The Owner proposes to construct a 1200 sq. ft., two-storey, detached garage on this residential property. The garage would be located on the south side of Sandpiper Lane. The garage would be 7.9m (26ft) high. A minor variance is being requested to allow the height of the garage to be more than the 6m (19.7ft) permitted for accessory buildings in the RLSW zone.

The Senior Planner, Christine Woods delivered her report to the Committee.

Committee member Roberts asked if there is enough room to put the garage or will they have to take more bank out.

The Senior Planner advised that the garage will be constructed into the bank. She is unsure where the opening will be.

Committee member Fox asked about aggregate removal required.

The Senior Planner advised that she does not know anything further about the removal of aggregate or the construction of the garage.

Vice-Chair Revill advised he anticipates due to the space available, there will be aggregate removal.

Resolution No. 2022:01:15  
Moved by Steve Pegrum

Seconded by Alan Revill

THAT Application PL-ZNA-2022-0172 is approved to permit an accessory building, being a detached garage to be 7.9 metres (26 feet) high, subject to conditions.

Carried

i) PL-ZNA-2022-0173 (Thompson) (Stokes)

**Property Address:** 1490 Thompson Lane

**Purpose and Effect of the Proposed Variance:**

The Owner proposes to construct a 207.8 square metre (2287 square foot) dwelling on the property. The existing 45 square metre (484 square foot) seasonal dwelling is to be removed. The proposed dwelling would be set back 4m from Thompson Lane. A minor variance is being requested to allow the dwelling to be set back less than 5m from Thompson Lane as required by the Zoning By-law.

The Planner, Tom Fehr delivered his report to the Committee.

The agent, Rod Stokes advised they believe the conditions are acceptable.

The agent asked about moving the structure closer to the water, but still being

outside the highwater mark setback.

Mr. Stokes advised that yes, but they feel like it is a better spot for the structure being that there will also be a basement now as well.

Resolution No. 2022:01:16  
Moved by Alan Revill

Seconded by Steve Pegrum  
THAT Application PL-ZNA-2022-0173 is approved to permit a single detached dwelling to be setback a minimum of 4 metres from the edge of Thompson Lane, subject to conditions.

Carried

- j) PL-ZNA-2022-0174 (McLachlan)  
**Property Address:** Kennedy Island, Sydenham Lake

**Purpose and Effect of Proposed Minor Variance:**

The Owner proposes to add a 2.4m deep deck to a cottage that was recently constructed on the island. The deck would connect all three exits from the cottage, which are approximately one metre above the ground. The deck would be setback 24.6m from the highwater mark of Sydenham Lake. A minor variance is being requested to allow the deck to be less than the 30m from the highwater mark of the lake and the front lot line that is required by the Zoning By-law.

The Senior Planner, Christine Woods delivered her report to the Committee.

Resolution No. 2022:01:17  
Moved by Steve Pegrum

Seconded by Alan Revill  
THAT Application PL-ZNA-2022-0174 is approved to permit a deck attached to the seasonal dwelling to establish a 24.6 metre front yard depth and setback from the highwater mark of Sydenham Lake, subject to conditions.

Carried

- k) PL-ZNA-2023-0003 (Ham & Bursch)  
**Property Address:** 1167A McAndrews Road

**Purpose and Effect of the Proposed Variance:**

The Owner proposes to construct a seasonal dwelling and accessory woodshed on the property. A minor variance is being requested to permit a seasonal dwelling because the Rural zone allows a single detached dwelling (i.e. non-seasonal). The two buildings would comply with all zoning standards including setbacks and lot coverage.

The Senior Planner, Christine Woods delivered her report to the Committee.

Resolution No. 2022:01:18  
Moved by Alan Revill

Seconded by Steve Pegrum  
THAT Application PL-ZNA-2023-0003 is approved to permit a seasonal dwelling on the subject property, subject to conditions.

Carried

- l) PL-ZNA-2023-0006 (Benedikt)  
**Property Address:** 4657 Clark Road  
**Purpose and Effect of the Proposed Variance:**

The following variance is being requested from Zoning By-law No. 2003-75: to vary section 7.32 to permit a lot frontage of 68.58 metres (225 feet), whereas a minimum lot frontage of 76 metres (250 feet) is required for single detached residential uses. The minor variance is a condition of consent application PL-BDJ-2022-0107. There is no new development proposed as part of this application. The property is Zoned Rural (RU) in the Township Zoning Bylaw.

The Planner, Sarah Cadue delivered her report to the Committee.

Resolution No. 2022:01:19  
Moved by Steve Pegrum

Seconded by Alan Revill

)THAT the Application MV-36-21-P is approved to permit a lot frontage of 68.5 metres (224.7 feet), subject to conditions.

Carried

11 Other Business

- a) Consideration of Committee meeting start time in accordance with the Committee By-Law

The Secretary-Treasurer, Michelle Hannah advised that the new Committee by-law 2023-04 noted that the Committee of Adjustment meetings will begin at 6:00 p.m.

Committee member Roberts asked to keep it at 7:00.

Committee member Morey advised that if it is changed to 6:00 you will never see him there.

Vice-Chair Revill advised that he wishes to keep it at 7:00p.m.

Resolution No. 2022:01:20

Moved by Alan Revill

Seconded by Steve Pegrum

THAT the Committee of Adjustment membership has so moved to amend the Committee By-Law 2023-04 with respect to the start time of all Committee of Adjustment meetings from 6:00 pm to 7:00 pm to commence on March 9th, 2023.

Carried

- b) Consent Granting Authority Report

- c) ID cards for Committee members

Resolution No. 2022:01:21

Moved by Norm Roberts

Seconded by Doug Morey

THAT the Committee of Adjustment members receive ID cards.

Carried

12 Adjournment

- a) Resolution

Minutes of Committee Of Adjustment  
February, 9, 2023

Resolution No. 2022:01:22

Moved by Steve Pegrum

Seconded by Alan Revill

THAT the February 9th, 2023 meeting of the Township of South Frontenac  
Committee of Adjustment is hereby adjourned at 8:47 p.m., to reconvene on  
Thursday March 9, 2023 at 7:00 p.m. or at the call of the Chair.

Carried

---

Randy Ruttan, Chair