



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



Meeting #

Time: 7:00 PM

Location: Council Chambers/Virtual Via Zoom

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

Absent:

Staff: Christine Woods, Senior Planner; Tom Fehr, Planner; Noah Perron, Planner; Kate Kaestner, Planning Clerk & Secretary-Treasurer

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

Resolution No. 2023-08-02
Moved by: Kevin Fox

Seconded by: Norm Roberts

THAT the Committee of Adjustment adopts the Agenda for the September 14th, 2023 meeting.

Carried

- 3 Electronic Meeting Information
- a) The meeting was live streamed at the following link:
<http://www.facebook.com/SouthFrontenacTwp/>
- b) Staff prepared a PowerPoint Presentation that was displayed on the screen of the meeting.

4 Declaration of pecuniary interest

- a) Randy Ruttan declared a Conflict of Interest for Agenda Item #6 a) as he and the applicant are close acquaintances.

5 Approval of Minutes – August 10, 2023

- a) Resolution.

Resolution No. 2023-08-03
Moved by: Steve Pegrum

Seconded by: Mike Howe

THAT the Committee of Adjustment approves the Minutes of the August 08, 2023 Committee of Adjustment meeting.

6 Consent Applications from a Previous Meetings: (if applicable)

a) PL-BDJ-2022-0155 (Snider) - Loughborough

Property Address: 4617 Bedford Road

Purpose and Effect of the Application:

The applicant is requesting consent for the creation of a new lot on Bedford Road. The proposed severed lot will be 1.7 acres (0.7 hectares) with a frontage of 146 metres (479 feet) along Bedford Road. The retained lot will be 2 acres (0.8 hectares) with 94 metres (310 feet) of frontage on Bedford Road. The proposed use for the severed lot is residential.

Christine Woods, Senior Planner, delivered her presentation to the Committee with a staff recommendation that the application be denied.

Deputy Chair Revill asked whether the applicant, agent or member of the public who wished to speak to the application.

Mr. Richard Lobb, neighbouring property owner expressed his concerns over safe access to the property.

Deputy Chair Revill asked a second time whether the applicant, agent or member of the public who wished to speak to the application.

Lynn Snider, Applicant, stated that the Roads department had already visited the property and approved a suitable location for entrance to the property.

Deputy Chair Revill asked for a 3rd time whether the applicant, agent or member of the public who wished to speak to the application. None heard.

Deputy Chair Revill inquired as to whether any members of the Committee wished to speak to the application.

Committee member Steve Pegrum inquired as to whether, if the application was to be approved, a condition could be included that the survey stakes remain visible in perpetuity so that there is no confusion surrounding property boundaries. Mr. Pegrum also stated that the property is adjacent to the hamlet area, where development is to be directed.

Ms. Woods responded that it is illegal to remove iron survey bars, however over time they sink into the ground and get covered by grass. Regarding the settlement areas, Ms. Woods responded that increasing development and density in these areas is desired, however, in situations where there are private wells and septic systems, increasing density can increase the risk of contaminating the groundwater. Development in settlement areas needs to be orderly, and meet the criteria that are set.

Mr. Pegrum stated that he believed the building department indicated there was adequate separation between a proposed sewage system and well on the property.

Ms. Woods responded that the building department only spoke to the adequate soil conditions and area on the property to install a sewage system, and did not speak to separation between septic and well. She also stated there was not yet a well drilled on the severed parcel, and that it would be a condition of the

consent if it were to be approved.

Deputy Charis Revill asked if there were any further questions or comments from members of the committee.

Committee member Doug Morey inquired as to the total lot size of the subject property.

Ms. Woods responded that the property was 1.5 hectares or 3.78 acres in size.

Mr. Morey stated that there seemed to be a missed opportunity to split the property in a more desirable way, that being straight across, to create more a suitable lot shape and inquired as to whether that was ever considered by the applicant.

Ms. Woods stated that she understands the applicant was advised at the pre-application stage that this proposal would not be supported by staff and the applicant was advised to not apply or to change their proposal.

Applicant Lynn Snider responded that the reason for the current proposal was to try to keep the retained portion at 2 acres, as they are trying to create a smaller piece of property, that being the severed parcel, to retire to.

Mr. Morey again inquired as to whether the applicant ever considered just dividing the property with a straight line and then re-orienting the existing driveway, he would then not have to move the existing sewage system on the property.

Mr. Snider responded that he had not considered that.

Mr. Morey responded that as it is presented, the application is close enough to the hamlet, but to deal with the irregular shape, he inquired as to whether there be a condition added to erect a fence along the property line.

Ms. Woods responded that she would have to look at the Planning Act to see whether that could be included as a condition, and that when the property was originally created and developed, the dwelling was placed directly in the centre of the property which makes it undesirable for severance, and that other options for severance were presented to the applicant and that this was the proposal that they submitted.

Deputy Chair Revill stated that the proposal satisfies most of his concerns, and as such there is merit in seeing the application move forward.

Deputy Chair Revill inquired as to whether there were any further comments from the Committee members.

Committee member Mike Howe stated that he had been struggling with the application for a while, and spoke to the applicants being outstanding members of the community. He stated that when he visited the site he was concerned about the septic system and the angle of the property and as such, he felt comfortable deferring the application when it was originally presented to see if there was a more desirable way to divide the property.

Mr. Howe stated that seeing that the proposal was the same caused him to feel conflicted in wanting to support the Planning Department while also supporting the community members.

Committee Member Roberts stated that he is not able to speak to or vote on the application as he was absent at the Committee of Adjustment meeting at

which the application was originally presented.

Resolution No. 2023-08-04
Moved by: Kevin Fox

Seconded by: Doug Morey

THAT the Committee of Adjustment denies Consent Application PL-BDJ-2022-0155 for property located at 4617 Bedford Road.

DEFEATED

Resolution No. 2023-08-05
Moved by: Steve Pegrum

Seconded by: Doug Morey

THAT the Committee of Adjustment approves Consent Application PL-BDJ-2022-0155 for property located at 4617 Bedford Road, to permit the creation of one new residential lot, being 0.7 hectares in size and fronting on Bedford Road, subject to conditions.

Carried

7 New Consent Applications:

a) PL-BDJ-2023-0075 (Morin) (Rodriguez) - Portland

Property Address: 3361 Scanlan Road

Purpose and Effect of the Application:

The application seeks to create one new rural residential lot. The severed parcel is approximately 2.4ha (6 acres) with 56.7m (186ft) of frontage on Scanlan Road. The retained lot is approximately 0.9ha (2.2 acres) with 56.7m (186ft) of frontage on Scanlan Road. The severed lands contain a storage building and the retained lands contain a single detached dwelling and accessory buildings.

Tom Fehr, Planner, delivered his report to the Committee with a staff recommendation that the application be deferred to address the location of the sewage system on the subject property and it's relation to the proposed property boundary.

Chair Ruttan inquired as to whether there were any comments from the applicant, agent or members of the public on the application.

The agent, Joshua Rodriguez, stated that he had met with the septic inspector earlier in the day and has since submitted a revised proposal to the Planning department.

Chair Ruttan inquired, 2 more times, as to whether there were any further comments from the applicant, agent or public. None heard.

Chair Ruttan inquired as to whether there were any comments from Committee members regarding the application.

Committee Member Pegrum asked whether the change in the proposed property lines would require the application to be brought back to the Committee at a later date.

Mr. Fehr confirmed that the revised application needs to be reviewed by

planning staff and then brought back to the Committee for decision.

Chair Ruttan asked whether there were any further comments from Committee members.

Committee Member Revill acknowledged the time constraint with the revision being submitted earlier in the day and commended planning staff on providing the applicant with various options for moving forward with the application.

Chair Ruttan asked for a 3rd time whether there were any further comments from Committee members.

Chair Ruttan echoed Mr. Revill's comments, commending staff for working with the applicant to move the application forward.

Resolution No. 2023-08-06
Moved by: Mike Howe

Seconded by: Steve Pegrum

THAT the Committee of Adjustment **defers** Consent application PL-BDJ-2023-0075 to allow the applicant and agent time to address the location of the existing sewage system on the retained parcel, and it's relation to the proposed property boundary.

Carried

8 Minor Variance / Permission Applications from a Previous Meetings: (if applicable)

a) There are none.

9 New Minor Variance / Permission Applications:

a) PL-ZNA-2023-0076 (Morin) (Roriguez) - Portland

Property Address: 3361 Scanlan Road

Purpose and Effect of the Application:

The minor variance application is related to consent application PL-BDJ-2022-0075. The application is requesting minor variances to recognize the reduced lot frontage of the severed and retained lots which are both to be 56.7m whereas 76m is required in the RU zone. The application is also requesting a minor variance to permit the 3m setback of the existing storage building on the severed lot from the new interior lot line.

This application was presented in conjunction with Agenda item # 7. a), consent application PL-BDJ-2023-0075.

Tom Fehr, Planner, delivered his report to the Committee with a staff recommendation that the application be deferred to address the location of the sewage system on the subject property and it's relation to the proposed property boundary.

Chair Ruttan inquired as to whether there were any comments from the applicant, agent or members of the public on the application.

The agent, Joshua Rodriguez, stated that he had met with the septic inspector earlier in the day and has since submitted a revised proposal to the Planning department.

Chair Ruttan inquired, 2 more times, as to whether there were any further comments from the applicant, agent or public. None heard.

Chair Ruttan inquired as to whether there were any comments from Committee members regarding the application.

Committee Member Pegrum asked whether the change in the proposed property lines would require the application to be brought back to the Committee at a later date.

Mr. Fehr confirmed that the revised application needs to be reviewed by planning staff and then brought back to the Committee for decision.

Chair Ruttan asked whether there were any further comments from Committee members.

Committee Member Revill acknowledged the time constraint with the revision being submitted earlier in the day and commended planning staff on providing the applicant with various options for moving forward with the application.

Chair Ruttan asked for a 3rd time whether there were any further comments from Committee members.

Chair Ruttan echoed Mr. Revill's comments, commending staff for working with the applicant to move the application forward.

Resolution No. 2023-08-07
Moved by: Steve Pegrum

Seconded by: Mike Howe

THAT the Committee of Adjustment **defers** Minor Variance application PL-ZNA-2023-0076 to allow the applicant and agent time to address the location of the existing sewage system on the retained parcel, and it's relation to the proposed property boundary.

Carried

b) PL-ZNA-2022-0161 (Wilson) - Portland

Property Address: 2073 Hambly Lane

Purpose & Effect of the Application:

The applicant seeks to construct a two storey single detached dwelling and a septic system on the property. The dwelling will have a ground floor area of 90.4sqm and a gross floor area of 180.8sqm. No deck is proposed with the application. Minor variances are being requested to allow the dwelling and septic system to be set back less than 30m from the highwater mark. The single detached dwelling will be set back 22.5m from the highwater mark and the septic system will be set back 27m from the high water mark.

Tom Fehr, Planner, delivered his presentation to the Committee with a staff recommendation that the application be approved with conditions.

Chair Ruttan inquired, 3 times, as to whether there were any comments from the applicant, agent or member of the public regarding the application. None heard.

Chair Ruttan inquired, 3 times as to whether there were any comments from members of the Committee on the application. None heard.

Resolution No. 2023-08-08
Moved by: Mike Howe

Seconded by: Steve Pegrum

THAT the Committee of Adjustment approves Minor Variance application PL-ZNA-2022-0161 for property municipally known as 2073 Hambly Lane to permit the construction of a two-story single detached dwelling to establish a 22 metre front yard setback from the highwater mark of Hambly Lake and to permit a septic system to be located 27 metres from the highwater mark of Hambly Lake, subject to conditions.

Carried

c) PL-ZNA-2023-0084 (Burns) - Storrington

Property Address: 1367B Burnt Hills Road

Purpose and Effect of the Application:

The applicant is proposing to construct a 273sqm (2938.5sqft) single detached dwelling and sewage system. The proposed single detached dwelling requires zoning relief in order to be located 6m from the top of bank and 15m from the highwater mark of Dog Lake. Relief is also required to permit up to 6% lot coverage. Finally, the proposed sewage system requires zoning relief to be setback 27m from the highwater mark of Dog Lake.

Noah Perron, Planner, delivered his presentation to the Committee with the staff recommendation that the application be denied.

Chair Ruttan asked, 3 times, as to whether there were any comments from the applicant, their agent or member of the public. None heard.

Chair Ruttan inquired as to whether any Committee members wished to speak to the application.

Committee member Revill inquired as to the level of detail that the Planning department requires on a plot plan as part of a planning application submission.

Mr. Perron responded that the application form includes a list of requirements for the sketch in order for it to be accepted, but that Planning staff always advises the applicant to be as accurate as possible in their rendering. Mr. Perron stated that the applicant was given opportunities to revise their sketch to include more information, but the Department does not currently require the sketch to be prepared by a Land Surveyor and as such, the application is being presented with what information the department has been provided.

Chair Ruttan asked for a second time as to whether there were any comments from Committee Members.

Committee Member Pegrum inquired as to what other options would be available to the applicant other than rotating the dwelling on the property.

Mr. Perron responded that in addition to rotating the proposed dwelling, the building plans could be revised to propose a dwelling that would be better

suited for the subject lot.

Mr. Pegrum asked for clarification regarding the potential negative impacts to Dog Lake when the Conservation Authority had no objections to the proposal.

Mr. Perron reminded Mr. Pegrum that the Conservation Authorities review of Planning applications has been greatly reduced following changes in provincial legislation and as such they are only able to comment on floodplan and erosion hazards.

Chair Ruttan asked for a third time whether there were any further comments from Committee Members.

Committee member Doug Morey commented that he would be most comfortable deferring the application.

Committee Member Revill inquired as to how much redesign work would be required in submitting a more satisfiable design to staff.

Burt Burns, applicant, replied that having new designs created would be costly, and that rotating the dwelling on the property would create problems with the configuration of the driveway and the location of the septic system, as well as the neighbour's access to their property.

Doug Morey inquired as to whether the applicant had considered forgoing the attached garage to increase the setback from Dog Lake.

Mr. Burns replied that the garage is the larger part of the proposed structure and he would prefer to have it for storage.

Committee member Norm Roberts stated that rotating the dwelling as was suggested would cause the bedroom window to be facing the granite outcropping instead of the lake, and that he would much prefer to see the lake, and that he would support the approval of the application.

Brett Moreland, Committee member, stated that he had visited the site and he saw that constraints of the property, but that he felt there were some positives with the proposed location of the dwelling and septic system, as they would not require the removal of the granite outcropping. As such, he stated his support for approving the application.

Resolution No. 2023-08-09

Moved by: Norm Roberts

Seconded by: Steve Pegrum

THAT the Committee of Adjustment approves Minor Variance application PL-ZNA-2023-0084 for property municipally known as 1367B Burnt Hills Road, to permit a 273 square metre single detached dwelling to be located 6 metres from the top of bank and 15 metres from the highwater mark of Dog Lake, and to permit a sewage system to be located 27 metres from the highwater mark of Dog Lake, subject to conditions.

Carried

d) PL-ZNA-2023-0085 (Wheeler) - Loughborough

Property Address: 1006 Mini Lane

Purpose and Effect of the Application:

The applicant is proposing to construct a 53.5sqm (576sqft) detached garage on the subject property. The proposed detached garage will be 6.5m (21.33ft) in height and will occupy space off the existing driveway, near the rear lot line of the subject property. The proposed detached garage requires zoning relief to be located 26.2m (86ft) from the highwater mark of Buck Lake, 10m (33ft) from the top of bank, and 2m (6.5) from the rear lot line.

Noah Perron, Planner, delivered his presentation to the Committee with the staff recommendation that the application be approved with conditions.

Chair Ruttan inquired, 3 times, as to whether there were any comments from the applicant, agent or member of the public regarding the application. None heard.

Chair Ruttan inquired, 3 times as to whether there were any comments from members of the Committee on the application. None heard.

Resolution No. 2023-08-10

Moved by: Kevin Fox

Seconded by: Norm Roberts

THAT the Committee of Adjustment approves Minor Variance application PL-ZNA-2023-0085 for property municipally known as 1006 Mini Lane to permit an accessory structure, being a 53.5 square metre detached garage, to be located 26.2 metres from the highwater mark of Buck Lake, 10 metres from the top of bank and 2 metres from the rear lot line, subject to conditions.

Carried

e) PL-ZNA-2023-0094 (Morgan) - Storrington

Property Address: 2735 Round Lake Road

Purpose and Effect of the Application:

The applicant is proposing to construct a 26sqm (280sqft) shed on the subject property. The proposal would result in the lot coverage of all accessory structures (0.19%) to be above that of the principal building (0.11%).

Noah Perron, Planner, delivered his presentation to the Committee with the staff recommendation that the application be approved with conditions.

Chair Ruttan inquired, 3 times, as to whether there were any comments from the applicant, agent or member of the public regarding the application. None heard.

Chair Ruttan inquired, 3 times as to whether there were any comments from members of the Committee on the application. None heard.

Resolution No. 2023-08-11

Moved by: Norm Roberts

Seconded by: Kevin Fox

THAT the Committee of Adjustment **approves** Minor Variance application PL-ZNA-2023-0094 for property municipally known as 2735 Round Lake Road, to

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permit an accessory structure, being a 26 square metre storage shed, to establish an overall lot coverage for accessory buildings of 0.19%; subject to conditions.

Carried

10 Other Business

a) Consent Granting Authority Report

Kate Kaestner delivered the report to the Committee.

11 Adjournment

a) Resolution.

Resolution No. 2023-08-12

Moved by: Kevin Fox

Seconded by: Norm Roberts

THAT the September 14th, 2023 meeting of the Committee of Adjustment for the Township of South Frontenac is hereby adjourned at 8:22 p.m. to reconvene on Thursday, October 12th, 2023 at 7:00 pm, or at the call of the Chair.

Carried

Randy Ruttan, Chair