Township of South Frontenac Committee of Adjustment Meeting Minutes

Meeting # 2024-03

Time: 7:00 PM
Location: Council Chambers/Virtual Via Zoom

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

Absent: Doug Morey

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. 2024-03-02

Moved by: Kevin Fox

Seconded by: Norm Roberts

THAT the Committee of Adjustment hereby adopts the Agenda for the April 11, 2024 Committee of Adjustment meeting.

Carried

3 Electronic Meeting Information

a) The meeting was live streamed at the following link: http://www.facebook.com/SouthFrontenacTwp/

b) PowerPoint Presentation - Staff prepared a PowerPoint Presentation that was displayed on the screen of the meeting.

4 Declaration of pecuniary interest

a) There are none.

5 Approval of Minutes – March 14, 2024

a) Resolution.

Resolution No. 2024-03-03
Moved by: Brett Moreland

Seconded by: Kevin Fox

THAT the Committee of Adjustment approves the minutes of the March 14, 2024 Committee of Adjustment meeting.

Carried

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

7 New Consent Applications:

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

9 New Minor Variance / Permission Applications:

a) PL-ZNA-2024-0015 (Deroche) - Loughborough District

Property Address: 1048 Shallow Lane

Purpose & Effect of the Application:

To request permission under Section 45(2) of the Planning Act to enlarge a legal non-conforming dwelling located within 30m of the highwater mark of Sydenham Lake. The applicant is proposing to renovate the existing seasonal dwelling with a gross floor area of 36sqm and height of 4m, setback 8.7m from Sydenham Lake. The renovation would occur within the existing building envelope and would include an addition to the rear of the structure. The proposed four-season dwelling would have a gross floor area of approximately 150sqm and height of 9.9m. The proposed four-season dwelling would maintain the same highwater mark setback as the existing (8.7m).

Noah Perron, Planner, delivered his presentation and report to the Committee with a staff recommendation that the application be deferred.

Randy Ruttan, Chair, inquired as to whether the applicant or their agent wished to address the Committee.

Ken Deroche, applicant spoke to the existing parking spaces on the property and that they have been there since the cottage was constructed.

Mr. Deroche claimed that the work was being done to relinquish the right-of-way and that someone was working on the scaled site plan and he hoped to have it completed by the following week. He expressed his desire for receiving an approval based on the condition that the final site plans and easement paperwork were received by week's end.

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

Committee Member Alan Revill asked Mr. Perron to clarify what parts on the image comprised the property in question. Mr. Perron clarified the various parts that comprised the property as a whole.

Carol Whyman, former owner of the property, stated that Part 2 on the image was a right-of-way that provides deeded access to the properties further down the lane. She inquired as to how many properties had deeded access to the water over Part 3.

Mr. Perron stated that it was up to the applicant's lawyer to confirm, but at the time of the meeting they were only aware of one property being served by Part 3.

Mr. Ruttan inquired as to whether there were any further questions from Committee Members.

Mr. Pegrum inquired as to whether the Committee can create or decide what conditions would be included in a conditional approval.

Mr. Perron responded that he understood that the applicant wants to get the proposal approved as quickly as possible, but that the scaled site plan needs to be received and reviewed by Planning staff before an approval could be given.

Mr. Ruttan stated that the Committee must move forward with the information that they have before them.

Kate Kaestner, Planning Clerk, read the resolution for deferral.

Mr. Ruttan inquired as to whether there was any comment from Committee members regarding the resolution (None heard).

Resolution No. 2024-03-04
Moved by: Alan Revill

Seconded by: Mike Howe

THAT the Committee of Adjustment **defers** Minor Variance application PL-ZNA-2024-0015, for property municipally known as 1048 Shallow Lane, to allow the applicant or their agent time to provide the municipality with the following information:

- legal confirmation as to the possibility of separate conveyance of property identified by PIN # 36279-0804
- the status of any easements registered on the properties, including details of all dominant and servient lands
- and to provide a detailed survey sketch which demonstrates the location of the proposed dwelling, sewage system and parking spaces.

Carried

b) PL-ZNA-2024-0018 (Sleeth) - Storrington District

Property Address: 122 Osborne Lane

Purpose & Effect of the Application:

To request permission under Section 45(2) of the Planning Act to enlarge a legal non-conforming dwelling located within 30m of the highwater mark of Dog Lake. The existing 110sqm single storey dwelling is to be demolished and will be replaced with a single detached dwelling that has a ground floor area of 120sqm and a partial second storey of 50sqm. The new dwelling will maintain the same setback from the lake as the existing dwelling. The height of the dwelling will increase from 5.7m to approximately 8m.

Tom Fehr, Planner, delivered his presentation and report to the Committee with a staff recommendation that the application be conditionally approved by the Committee.

Chair Ruttan inquired (three times) as to whether the applicant, their agent or any members of the public wished to address the Committee (None heard).

Mr. Ruttan inquired as to whether there were any questions from the Committee members regarding the proposal (None heard).

Ms. Kaestner read the resolution for approval of the application, subject to conditions.

Resolution No. 2024-03-05
Moved by: Mike Howe

Seconded by: Alan Revill

THAT the Committee of Adjustment approves application PL-ZNA-2024-0018 for property municipally known as 122 Osborne Lane, granting permission under section 45(2) of the Planning Act to enlarge the legal non-conforming dwelling the property located within 30 metres of the highwater mark of Dog Lake, subject to conditions.

Carried

10 Other Business

a) Consent Granting Authority Report

Kate Kaestner, Planning Clerk, presented her report to the Committee.

11 Adjournment

a) Resolution.

Resolution No. 2024-03-06

Moved by: Mike Howe

Seconded by: Norm Roberts

THAT the April 11, 2024 meeting of the Committee of Adjustment for the Township of South Frontenac is hereby adjourned at 7:26pm, to reconvene on Thursday, May 09, 2024 at 7:00pm or at the call of the chair.

Carried

Randy Ruttan, Chair