



**SOUTH
FRONTENAC**

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



Meeting #

Time: 7:00 PM

Location: Council Chambers/Virtual Via Zoom

Present: Norm Roberts, Steve Pegrum, Randy Ruttan, Alan Revil, Brett Moreland, Kevin Fox,

Absent: Doug Morey, Mike Howe

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

1 Call to Order

a) Resolution.

Resolution No. 2024-05-01

Moved by: Norm Roberts

Seconded by: Kevin Fox

THAT the June 13, 2024 meeting of the Committee of Adjustment for the Township of South Frontenac is hereby called to order at 7:00 pm.

2 Adoption of Agenda

a) Resolution.

Resolution No. 2024-05-02

Moved by: Kevin Fox

Seconded by: Norm Roberts

THAT the Committee of Adjustment adopts the agenda for the June 13, 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) Staff prepared a PowerPoint Presentation that was displayed on the screen of the meeting.

4 Declaration of pecuniary interest

a) There are none.

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- 5 Approval of Minutes – May 09, 2024
a) Resolution.

Resolution No. 2024-05-03
Moved by: Steve Pegrum

Seconded by: Alan Revill

THAT the Committee of Adjustment approves the minutes for the May 09, 2024
Committee of Adjustment meeting.

Carried

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

- a) PL-BDJ-2024-0025 (Rawding) – Portland District

Property Address: 7558 Road 38

Purpose & Effect of the Application:

The applicant seeks consent to sever for the purpose of creating one new rural residential lot. The proposed severed lot would have approximately 6Ac of area with 85m of frontage on Road 38, leaving an 8Ac retained parcel with 123m of frontage on Road 38

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

Randy Ruttan, Committee Chair, inquired as to whether the applicant or their agent wished to address the Committee (none heard).

Chair Ruttan inquired (3 times) as to whether there were any members of the public who wished to speak to the application. (None heard)

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

Kate Kaestner, Secretary-Treasurer, read the resolution for approval of the application.

Chair Ruttan inquired as to whether there were any comments from Committee members on the resolution. (None heard).

Resolution No. 2024-05-04
Moved by: Alan Revill

Seconded by: Steve Pegrum

THAT the Committee of Adjustment hereby approves consent application PL - BDU-2024-0025, for the creation of one new rural residential lot, being 6 acres in area and having 85 metres of frontage on Road 38, subject to conditions.

Carried

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b) PL-BDJ-2024-0037 (Card) - Loughborough District

Property Address: 2562 Rutledge Road

Purpose & Effect of the Application:

The applicant seeks consent to sever for the purpose of creating two new rural residential lots. Severance 1 (PL-BDJ-2024-0037) would have 2.3Ac of area and 76m of frontage on Rutledge Road. The retained lands would have an approximate area of 72Ac with 71m of frontage.

Noah Perron, Planner, delivered his report to the Committee with a staff recommendation that the applications be approved with conditions.

Chair Ruttan asked whether the applicant or their agent wished to speak to the application.

Jeremy Card, Applicant, thanked the Committee for their consideration of their applications.

Chair Ruttan inquired whether there were any members of the public who wished to speak to the application.

Morna Graf, neighbouring resident at at 2600 Rutledge Road, inquired as to whether the driveway for the new parcel would come off of Retreat Lane or off of Rutledge Road.

Mr. Perron responded that the driveway for the new parcel would be accessed by a new entrance on Rutledge Road.

Carol Sparling, neighbouring resident at 1153 Retreat Lane, noted that she had received delayed notice of the application due to MPAC having an incorrect mailing address for her. Ms. Sparling expressed concerns about an excavator crossing her property in order to access the subject lands. She expressed that she is not consenting for access to the property over her lands. She inquired as to how many more severances could be obtained on the subject lands.

Mr. Perron spoke to the requirement for 76 metres of road frontage for consent applications. The 2 applications before the Committee would effectively use up all of the frontage on Rutledge Road and as such, no additional severances could be obtained on these lands through the typical Consent process.

Ms. Sparling inquired as to whether there were other ways for the land to be divided. Mr. Perron responded that in Ontario land can be divided through the traditional consent process, through Plans of Subdivision or through Plans of Condominium.

Chair Ruttan inquired as to whether there were any other members of the public who wished to speak to the application.

Fran Willes, neighbouring landowner, wished to confirm that her and John Willes' letter of support of the application be added to the public record.

Chair Ruttan inquired as to whether there were any other members of the public who wished to speak to the application. (None heard).

Chair Ruttan inquired as to whether there were any questions from Committee Members regarding the applications. (None heard).

Ms. Kaestner read the resolution for approval of PL-BDJ-2024-0037.

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

Committee member Alan Revill stated that he heard the concerns of neighbouring residents, but that he believed the granting of these applications does not preclude any future development of the retained lands in the future, nor would it prohibit an application coming forward in the future for a broader development and as such, he was supportive of the applications.

Committee member Norm Roberts commended the Planner, Noah Perron, for how well the applications were presented to the Committee.

Resolution No. 2024-05-05

Moved by: Steve Pegrum

Seconded by: Alan Revill

THAT the Committee of Adjustment hereby approves consent application PL-BDJ-2024-0037 for the creation of one new rural residential lot, being 2.3 acres in area and having 76 metres of frontage on Rutledge Road, subject to conditions.

Carried

c) PL-BDJ-2024-0038 (Card) - Loughborough District

Property Address: 2562 Rutledge Road

Purpose & Effect of the Application:

The applicant seeks consent to sever for the purpose of creating two new rural residential lots. Severance 2 (PL-BDJ-2024-0038) would have 2.3Ac of area, 76m of frontage on Rutledge Road and would contain the existing dwelling civically addressed as 2562 Rutledge Road. The retained lands would have an approximate area of 72Ac with 71m of frontage.

(See minutes text for application PL-BDJ-2024-0037)

Ms. Kaestner read the resolution for approval of PL-BDJ-2024-0038.

Alan Revill confirmed that his comments provided with respect to application PL-BDJ-2024-0037 were also applicable to this application.

Resolution No. 2024-05-06

Moved by: Norm Roberts

Seconded by: Kevin Fox

THAT the Committee of Adjustment hereby approves consent application PL-BDJ-2024-0038, for property municipally known as 2562 Rutledge Road, for the creation of one new rural residential lot, being 2.3 acres in area and having 76 metres of frontage on Rutledge Road, subject to conditions.

Carried

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

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

Property Address: 1022 Mozart Lane

Purpose & Effect of the Application:

The Applicant seeks permission to enlarge the legal non-conforming use 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 report to the Committee with a staff recommendation that the application be approved with conditions.

Chair Ruttan inquired as to whether the applicant or their agent wished to address the Committee. (None heard).

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

James MacDonald, participating via Zoom, was given multiple opportunities to address the Committee, however, due to technical difficulties, the Committee was unable to hear him.

(Later in the meeting Mr. MacDonald used the Zoom chat to request that an email sent to him by Brad Wright, Director of Development Services, regarding the subject application be added to the public record. A copy of this correspondence will be added to these minutes as Appendix A.)

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

Mr. Revill asked Mr. Perron to go over the details of the surveyed sketch that was presented to the Committee specifically with respect to the parking areas.

Mr. Perron went over the site plan in detail, including details regarding rights-of-way and parking areas, and the boundaries of the subject lands.

Chair Rutan inquired as to whether there were any further questions from Committee members on the application. (None heard).

Ms. Kaestner read the resolution for approval of the application.

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

Mr. Revill stated that through the clarification provided by the Planner on the file he believes there to be adequate room on the property for the proposed development and expressed his support for the application and the resolution on the floor.

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Resolution No. 2024-05-07

Moved by: Kevin Fox

Seconded by: Norm Roberts

THAT the Committee of Adjustment approves application PL-ZNA-2024-0015 for property municipally known as 1022 Mozart Lane, granting permission to enlarge the legal non-conforming dwelling on the property within 30 metres of the highwater mark of Sydenham Lake, subject to conditions.

Carried

9 New Minor Variance / Permission Applications:

a) PL-ZNA-2024-0039 (Van Beers) (Orr) - Storrington District

Property Address: 3147 Round Lake Road

Purpose & Effect of the Application:

The applicant seeks relief from Zoning By-law 2003-75. The applicant is proposing to build a 9.75mx12.19m detached garage to be setback 10m from the front lot line, whereas the zoning by-law requires a minimum of 20m.

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

Chair Ruttan inquired as to whether the applicant or their agent wished to address the Committee. (None heard).

Mr. Ruttan inquired (3 times) as to whether there were any questions or comments from members of the public on the application (None heard).

Mr. Ruttan asked Committee members whether they had any questions for the applicant or Planner regarding the application (None heard).

Ms. Kaestner read the resolution for approval of the application.

Chair Ruttan inquired as to whether there were any comments from Committee members regarding the application or resolution (None heard).

Resolution No. 2024-05-08

Moved by: Kevin Fox

Seconded by: Norm Roberts

THAT the Committee of Adjustment hereby approves minor variance application PL-ZNA-2024-0039 for property municipally known as 3147 Round Lake Road, to allow the construction of a 119 square foot detached garage to be located 10 metres from the front lot line, subject to conditions.

Carried

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- b) PL-ZNA-2024-0044 (Timmins) (Stokes) - Portland District

Property Address: 1035 Morning Glory Lane

Purpose & Effect of the Application:

To request permission under Section 45(2) of the Planning Act to enlarge a legal non-conforming dwelling and attached deck located within 30m of the highwater mark of Verona Lake. The existing dwelling has a ground floor area of 69.7sqm, a gross floor area of 88.3sqm, and an attached deck with an area of 10.4sqm. The proposed dwelling will maintain the existing 69.7sqm ground floor area, the gross floor area will be increased to 139.4sqm and the attached deck will be increased to 11.7sqm. The height of the dwelling will increase from 6m to 6.5m. The existing and proposed structures are both set back 5.1m from the highwater mark of Verona Lake.

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

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

Rod Stokes, Agent for the applicant, acknowledged the requirements for the Development Agreement as a recommended condition by Planning Staff. He stated that they have done various studies including a slope stability assessment, that are support the proposed development on the property.

Mr. Ruttan inquired (3 times) as to whether there were any questions or comments from members of the public on the application. (None heard).

Mr. Ruttan asked Committee members whether they had any questions for the applicant or Planner regarding the application.

Committee member Alan Revill requested clarification regarding the requirement for sediment control given the close proximity between the deck and the waterbody.

Mr. Stokes indicated that the deck is constructed on-grade so there would be minimal, if any, excavation required to remove it. Mr. Stokes confirmed that silt fencing would be in place during construction, and spoke to the Slope Stability Study indicating that given the bedrock on site, there would be very minimal impact on the lake due to the construction.

Ms. Kaestner read the resolution for approval of the application.

Chair Ruttan inquired as to whether there were any comments from Committee members regarding the application or resolution (None heard).

Resolution No. 2024-05-09

Moved by: Kevin Fox

Seconded by: Norm Roberts

THAT the Committee of Adjustment hereby approves application PL-ZNA-2024-0044 for property municipally known as 1035 Morning Glory Lane, granting permission to enlarge the legal non-conforming dwelling on the subject lands within 30 metres of the highwater mark of Verona Lake, subject to conditions.

Carried

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c) PL-ZNA-2024-0055 (Jackson) (Gurr) - Loughborough District

Property Address: 1157 Leach 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 existing 228.5sqm single detached dwelling and 97.5sqm attached deck is set back 8.5m from the lake. The application proposes to cover 48.2sqm of the deck with a roof structure attached to the house. The setback from the lake will not change and the height of the dwelling will not increase.

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

Chair Ruttan inquired as to whether the applicant or their agent wished to address the Committee. (None heard).

Mr. Ruttan inquired (3 times) as to whether there were any questions or comments from members of the public on the application (None heard).

Mr. Ruttan asked Committee members whether they had any questions for the applicant or Planner regarding the application.

Committee member Kevin Fox asked Mr. Fehr about the map provided to the Committee, given that it indicates the property line to be going through the existing dwelling on the property.

Mr. Fehr responded that the maps that are derived from Frontenac Maps are created by County's GIS program with property fabric overlaid. They are not to be taken as true property boundaries as the fabric is often shifted in the imagery, as is the case with this mapping image. This is largely due to the fact that there are many lands in this part of Ontario that have not been surveyed.

Mr. Fox asked why we use the maps if they are not accurate.

Mr. Fehr responded that the maps are used in circulation to provide the Committee and members of the public with information about the location of a subject property, but it is also why the Planning Department requires applicants to submit more detailed sketches of their proposals.

Ms. Kaestner read the resolution for approval of the application.

Chair Ruttan inquired as to whether there were any comments from Committee members regarding the application or resolution (None heard).

Resolution No. 2024-05-10

Moved by: Norm Roberts

Seconded by: Kevin Fox

THAT the Committee of Adjustment hereby approves application PL-ZNA-2024-0055 for property municipally known as 1157 Leach Lane, granting permission to

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enlarge the existing legal non-conforming dwelling on the property within 30 metres of the highwater mark of Sydenham Lake, subject to conditions.

Carried

d) PL-ZNA-2024-0056 (Byrtus) (Gildenhaar) - Bedford District

Property Address: 112 Upper Lake 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 Burridge Lake. The existing 66.9sqm single detached dwelling is set back 10.7m from the lake. The application proposes to add a 1.2sqm bay window that will project 0.5m from the dwelling towards the lake. The application also proposes to add a new shed style roof that will increase the height of the dwelling from 5.7m to 6.3m

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

Chair Ruttan inquired as to whether the applicant or their agent wished to address the Committee. (None heard).

Mr. Ruttan inquired (3 times) as to whether there were any questions or comments from members of the public on the application (None heard).

Mr. Ruttan asked Committee members whether they had any questions for the applicant or Planner regarding the application (None heard).

Ms. Kaestner read the resolution for approval of the application.

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

Mr. Ruttan thanked the applicants for attending the meeting as they had waited a considerable time for their application to be heard. He stated that the Committee is always appreciative when the applicants attend the meeting in case Committee members have any questions to pose.

Resolution No. 2024-05-11

Moved by: Alan Revill

Seconded by: Steve Pegrum

THAT the Committee of Adjustment hereby approves application PL-ZNA-2024-0056 for property municipally known as 112 Upper Lake Lane, granting permission to enlarge the existing legal non-conforming dwelling on the property within 30 metres of the highwater mark of Burridge Lake, subject to conditions.
Carried

10 Other Business

a) Consent Granting Authority Report

Kate Kaestner, Secretary-Treasurer and Planning Clerk delivered her report to the Committee.

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Committee member Kevin Fox inquired as to whether applications that are granted via delegated authority are circulated to neighboring property owners or whether it is just a sign that is posted on the property.

Ms. Kaestner responded that under the *Planning Act*, the circulatory requirements for consent applications are the same, regardless of whether the application meets the requirements for delegated authority.

All consent applications are circulated to neighbouring landowners, posted on the website and have signs posted at the property and it is through this circulation process that the planning department is able to determine whether the application meets all of the required criteria to be approved by the Director of Development Services via Delegated Authority.

11 Adjournment

a) Resolution.


Resolution No. 2024-05-12

Moved by: Steve Pegrum

Seconded by: Alan Revill

THAT the June 13, 2024 meeting of the Committee of Adjustment for the Township of South Frontenac is hereby adjourned at 8:09 pm, to reconvene on Thursday, July 11, 2024 at 7:00pm or at the call of the Chair.

Carried



Randy Ruttan, Chair

Appendix "A" to the Minutes of the June 13, 2024 CoA Meeting

From: [Brad Wright](#)
To: [REDACTED]
Cc: [Christine Woods](#); [Kate Kaestner](#); [Noah Perron](#)
Bcc: [Tom Fehr](#)
Subject: PL-ZNA-2024-0015 - 1022 Mozart Lane - Question regarding septic system
Date: June 12, 2024 4:26:00 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)

Good afternoon James,

I understand you are not available by phone this afternoon. Happy to speak to you tomorrow based on your availability. As a follow up to my phone call, I wanted to provide you with some information regarding the Deroche application.

1. The use of the property has been established with the existing structure.
2. Section 6.10.4 of the Official Plan states that the replacement of a substandard septic system does not require a minor variance.
3. The location of the proposed septic system will be determined at the time of the building permit application and comply with the Ontario Building Code for clearances from a watercourse, lake, etc.

Due to the reasons above, the septic system is not part of the application going to the Committee of Adjustment on June 13th and is not included as an item in the development agreement.

I hope this provides some clarity on the approval of the septic system.

Regards,

Brad



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