

Minutes of Committee Of Adjustment
February, 13, 2025



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



Meeting # 2025-01

Time: 7:00 PM

Location: Storrington Centre/Virtual Via Zoom

Present: Norm Roberts, Ray Leonard, Steve Pegrum, Scott Trueman, Alan Reville, Brett Moreland, Kevin Fox, Mike Howe (via Zoom)

Absent:

Staff: Christine Woods, Manager of Planning, Noah Perron, Planner, Kate Kaestner, Planning Clerk & Secretary-Treasurer

1 Call to Order

a) Resolution.

Resolution No. 2025-01-01

Moved by: Norm Roberts

Seconded by: Kevin Fox

THAT the February 13, 2025 meeting of the Committee of Adjustment for the Township of South Frontenac is hereby called to order at 7:00PM.

2 Adoption of Agenda

a) Resolution.

Resolution No. 2025-01-02

Moved by: Ray Leonard

Seconded by: Brett Moreland

THAT the Committee of Adjustment adopts the Agenda for the February 13, 2025 Committee of Adjustment meeting.

Carried

3 Committee of Adjustment Appointments

a) Appointment of Committee of Adjustment Chair (Resolution)

Resolution No. 2025-01-03

Moved by: Norm Roberts

Seconded by: Ray Leonard

THAT the Committee of Adjustment hereby appoints Steve Pegrum to the position of Chairperson for the 2025 calendar year.

Carried

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- b) Appointment of Committee of Adjustment Vice-Chair (Resolution)
Resolution No. 2025-01-04
Moved by: Kevin Fox
Seconded by: Ray Leonard

THAT the Committee of Adjustment hereby appoints Alan Revill to the position of Vice-Chairperson for the 2025 calendar year.

Carried

4 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.

5 Declaration of pecuniary interest

- a) There are none.

6 Approval of Minutes – December 12, 2024

- a) Resolution.
Resolution No. 2025-01-05
Moved by: Steve Pegrum
Seconded by: Alan Revill

THAT the Committee of Adjustment hereby approves the minutes of the December 12, 2024 Committee of Adjustment meeting.

Carried

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

- 8 New Consent Applications:
 - a) PL-BDJ-2024-0105 (Fanning) - Bedford District

Property Address: 184 Burridge Lake Road

Purpose & Effect of the Application:

The application is requesting consent to create a new rural residential lot. The severed parcel is approximately 1.3ha in area with approximately 105m of frontage on Burridge Lake Road. The severed lands are currently vacant. The retained lot will be approximately 74ha in area with approximately 250m of frontage on Burridge Lake Road 220m of frontage on Burridge Lake. The retained lands are developed with a dwelling, a barn, and accessory structures. The property is primarily designated Rural in the Township Official Plan and zoned Rural in the Township Zoning Bylaw with some areas on the retained lands being designated and zoned Environmental protection.

Christine Woods, Manager of Planning, delivered her report to the Committee with a staff recommendation that the application be denied, due to inadequate sightlines and unsafe access.

Steve Pegrum, Chair of the Committee, asked if the applicant or agent would like to address the Committee.

Kaylie Fanning, applicant, thanked the Planning Department and the Committee for considering the application, and stated that it has been a lifelong dream to be able to sever and build on a piece of her grandparents property. With respect to the suitability of the existing driveway, Ms. Fanning stated that the driveway has existed for over 37 years, and that traffic usually travels at a reduced speed of 40km/hr due to road conditions.

Ms. Fanning stated that both the school bus and the users of a nearby boat launch regularly use the existing driveway to turn around, which is evidence of the laneway having safe sightlines for the speed of traffic. She stated that very few, if any, of the existing entrances on Burridge lake Road would meet the current sightline standards of 120m.

She concluded that Burridge Lake Road is a dead-end road, which results in no through traffic, and that the driveway she would be sharing would be with a family member.

Mr. Pegrum inquired as to whether there were any members of the public who wished to address the Committee.

Victoria Capes, neighboring resident, stated that she lives along Burridge Road and shares a driveway with another member of Ms. Fanning's family, setting a precedent for shared laneway usage in the area.

Ms. Capes stated that her existing driveway has far less visibility than the driveway Ms. Fanning is proposing to use, and expressed her support for Ms. Fanning's application.

Ms. Capes suggested that the municipality perform a traffic study, which she believes would illustrate the limited amount of traffic on the road, as well as the slow rate at which these vehicles travel.

Mr. Pegrum inquired as to whether there were any other members of the public who wished to address the Committee.

Sheldon Polanski neighbouring resident at 137 Burridge Lake Road (participating via Zoom), stated that he had no objection to the application, but that he would like to know where the delineation line would be between his property and the newly severed lands. He requested to be able to receive a copy of the survey of the severed lands once it is completed.

Mr. Polanki stated that he was surprised to learn that this portion of Burridge Lake Road was not owned by the municipality. He also stated that there is a right-of-way with respect to the boat launch in the area, and that during the fishing season many people do use Burridge lake Road and park their vehicles along the roadway.

Ms. Woods responded to Ms. Capes comments by stating that the existing properties and driveways to which Ms. Capes was referring have been in existence for a long time, and that today's standards would not have been applicable at the time these properties were created.

With respect to Mr. Polanski's question on the property boundaries, Ms. Woods stated that whenever a consent application is approved, one of the conditions of approval is that a reference plan of the newly severed property be prepared by an Ontario Land Surveyor, which would then be accessible through the Ontario Land Registry. The surveyors will install iron bars, flags, etc, which will help to delineate the severed parcel from Mr. Polansky's property.

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With respect to the status of the road, Ms. Woods stated that Burridge Lake Road is a forced road, and that often times the existing roadways, due to topography and natural features, are unable to fall within the bounds of the municipally-owned road allowances. In the case of Burridge Lake Road, it is still considered a municipal road and is maintained by the Township, however the title is not in the name of the municipality. As such, one of the conditions of approval of the application would be that the title of the road be transferred to the municipality.

Ms. Woods thanked Mr. Polansky for bringing attention to the occurrence of boat launch traffic and parking.

Mr. Pegrum asked if there were any questions from Committee members regarding the application.

Committee member Ray Leonard inquired as to what speed limit was considered when determining the sightline measurements.

Ms. Woods stated that she is not an expert in these policies as they are the responsibility of the Public Services department, but she believed it was typically 80 km/hr, but suggested that Mr. Leonard may have more insight due to his time as the Roads Superintendent.

Mr. Leonard replied that unmarked roads are 80km/hr, but with this particular roadway he would not want to drive over 30 km/hr. As such, the sightline requirements don't make sense for this location, especially given that the school bus turns around in this laneway.

Mr. Pegrum inquired as to whether there were any other questions from Committee members. None heard.

Kate Kaestner, Planning Clerk & Secretary Treasurer, read the resolution for denial of the application.

Mr. Pegrum inquired as to whether there were any comments from Committee members.

Committee member Alan Revill stated that he did not support the resolution as it stands. He has driven the road many times in the past and believes that the sightlines of the laneway are more than adequate for the speed that is able to be accommodated by the road.

Resolution for denial of the application was defeated.

Committee member Revill put forth a motion to approve the application with the various conditions that have been discussed.

Ms. Woods presented the details of the conditions that would accompany the application, should it be approved.

The applicants did not raise any questions or concerns regarding the conditions.

Mr. Revill sought clarification for the portion of the road that would need to be surveyed and transferred to the Township.

Ms. Woods confirmed that it would be for the length of the subject lands up to Space Lane, with the exception of some smaller portions which are already owned by the municipality.

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Mr. Reville inquired as to what the cost of having this surveyed would be. Ms. Woods replied that she does not have a sense of the cost of having it surveyed. Mr. Reville expressed his concern for the survey costs that the applicant will have to bear.

Scott Trueman, Committee member, sought clarification regarding where the various measurements in the conditions were derived.

Ms. Woods provided clarification with respect to the width of the easement and road allowance.

Mr. Trueman requested confirmation that the width of the road allowance was only for the purpose of the transferred property, and that the applicants would not be responsible for altering or widening the physical road to meet this measurement.

Ms. Woods confirmed that to be the case.

Committee member Norm Roberts as well sought confirmation that the applicant's did not have to bear any expense with respect to the road, except for the survey costs. Ms. Woods confirmed that they would not be required to make any physical changes to the road itself, they just need to survey the road to transfer to the municipality.

Mr. Trueman inquired as to whether the resolution needed to be altered to include the conditions that were discussed.

Ms. Kaestner confirmed that nearly all applications that will be heard before the Committee will be subject to conditions, and the resolutions will always be worded to include this statement.

Kevin Fox, Committee member, inquired as to whether the Committee needed to accept all of the conditions.

Mr. Pegrum stated that he believed that to be the case.

Mr. Reville stated he believed the applicant could appeal the conditions but that the Decision would include those recommended by Planning staff.

Mr. Fox sought clarification regarding the condition for the driveway easement. Ms. Woods responded that the easement will be surveyed to be a certain width and that the driveway will be built within that width. Having the 4.5m width allows for the driveway to be expanded or for the applicant to maneuver around obstacles without the risk of trespassing.

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

Resolution No. 2025-01-06

Moved by: Kevin Fox

Seconded by: Norm Roberts

THAT the Committee of Adjustment hereby denies application PL-BDJ-2024-0105, to create one new rural residential lot from lands municipally addressed as 184 Burridge Lake Road.

Defeated

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Resolution No. 2025-01-07
Moved by Alan Revill
Seconded by Scott Trueman

THAT the Committee of Adjustment hereby approves application PL-BDJ-2024-0105, for property municipally addressed as 184 Burridge Lake Road, permitting the creation of one new rural residential lot and one easement for shared entrance, the new lot being 1.3 hectares in area with 105m frontage on Burridge Lake Road; subject to conditions.

Carried

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

10 New Minor Variance / Permission Applications:

a) PL-ZNA-2025-0004 (Hollingsworth) (Cunha) - Bedford District

Property Address: 70 Palmer Lane, Unit C

Purpose & Effect of the Application:

To request permission under section 45(2) of the Planning Act to enlarge the legal non-conforming dwelling within 30m of the highwater mark of Burridge Lake. The existing dwelling has an area of ~64sqm, a building height of 5.4m and is setback ~25.6m from the highwater mark. A 50sqm attached deck exists on the lakeside of the dwelling, setback ~22.6m from the highwater mark. The proposal seeks to construct a ~28sqm addition along the southwest corner (away from the shoreline), a 49sqm loft addition, and a ~10sqm covered porch over a portion of the existing deck. The enlarged dwelling would have a gross floor area of ~151sqm, a building height of 7.1m and would encroach no further towards the highwater mark.

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

Mr. Pegrum inquired as to whether the applicant or agent wished to address the Committee.

Antonio Cunha, agent for the application (participating via Zoom), stated that the goal with the proposal was to modernize the dwelling to current standards and expand it to accommodate an aging family member. He stated that any new construction is to take place beyond the 30 metre waterfront setback, and that the proposal is modest and aims to improve the building's overall condition.

Mr. Pegrum inquired (3 times) as to whether there were any members of the public who wished to comment on the application. None heard.

Mr. Pegrum inquired as to whether there were any questions from Committee members.

Alan Revill sought clarification as to whether it was purely additions being added or whether the dwelling was to be demolished and rebuilt.

Mr. Perron replied that the application stated that the proposal was for additions to the dwelling.

Committee members were given another opportunity to ask questions. None heard.

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

Resolution No. 2025-01-08

Moved by: Alan Revill

Seconded by: Scott Trueman

THAT the Committee of Adjustment hereby approves application PL-ZNA-2025-0004, for property municipally addressed as 70-C Palmer Lane, granting permission to enlarge the existing legal non-conforming dwelling within 30 metres of the highwater mark of Burrige Lake, subject to conditions.

Carried

11 Other Business

a) Consent Granting Authority Report

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

There were no questions from Committee members regarding the report.

12 Adjournment

a) Resolution.

Resolution No. 2025-01-09

Moved by: Scott Trueman

Seconded by: Steve Pegrum

THAT the February 13, 2025 meeting of the Committee of Adjustment for the Township of South Frontenac is hereby adjourned at 8:05 PM to reconvene on Thursday, March 13, 2025 at 7:00PM or at the call of the Chair.

Carried



Steve Pegrum, Chair