

Minutes of Committee Of Adjustment
March, 10, 2022

Time: 7:00 PM

Location: Council Chambers/Virtual via Zoom

Meeting # 02

Present: Randy Ruttan, Mike Howe, Norm Roberts, Ken Gee, Alan Revill & Mike Nolan

Absent: Tom Bruce & Doug Morey

Staff: Christine Woods, Senior Planner, Anna Geladi, Planner and Michelle Hannah,
Planning Assistant

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

Resolution No. 2022:02:2

Moved by Mike Nolan Seconded by Norm Roberts

THAT the South Frontenac Committee of Adjustment hereby adopts the agenda for the March 10, 2022, Committee of Adjustment Meeting.

Carried

- 3 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.

- 4 Declaration of pecuniary interest
- 5 Approval of Minutes – February 10, 2022

- a) Resolution

Resolution No. 2022:02:3

Moved by Norm Roberts Seconded by Mike Nolan

THAT the South Frontenac Committee of Adjustment hereby approves the minutes for the February 10, 2022, Committee of Adjustment meeting.

Carried

- 6 Consent Applications from Previous Meetings:

- a) **S-77-21-S (Moreland)**

Property Address: 3195 Sunbury Road (Roll No. # 102906004001400),
Storrington District

Purpose and Effect of the Application

Consent for the creation of one new residential lot.

The severed parcel consists of approximately 1.95 acres (0.78 hectares) with a 123 metres (405 feet) of frontage on Battersea Road.

The retained lands will be approximately 70 acres (28 hectares) with approximately 556 metres (1824 feet) of frontage on Battersea Road and Sunbury Road.

The Planner delivered her report to the Committee.

Committee member Revill advised he visited the site and that he had met with the applicant on site and explained the reason for having the reduced area of the lot because the rear lot line was to be 250 feet in depth and to be aligned with the surrounding properties rear lot line. To achieve the required 2 acres, the rear lot line would have to be extended more than 250 feet which complicates farming activities. Committee member Revill noted that the proposed parcel will be approximately 1.5, and although it is not recommended for approval by the Planner, he believes it is an excellent size for a lot in the hamlet. He also noted that the culvert in the area of the wet spot on the lot was likely put in place in the 70s and may have collapsed which may be the reason for the wet spot on the lot. Committee member Revill advised that he will be voting against the motion to deny the application.

Committee member Roberts advised that he will also be voting against the motion.

The Planning Assistant spoke as a point of order that Committee member Howe is unable to speak to the matter as he was not in attendance at the December Committee of Adjustment Meeting when the matter was first heard.

The resolution to deny the application was defeated.

Committee member Revill proposed a motion that the committee approve severance application S-77-21-S as proposed.

The Senior Planner asked for a point of clarity with respect to the area of the of the proposed lot and depth.

The Planner advised that a survey noting the exact depth and area would be required at the time of the Zoning By-Law application.

Committee member Roberts noted that there was a procedure problem as Member Gee was already a seconder and then was again the seconder on the second motion.

The Planning Assistant advised that if he was a mover it would be a problem, but a seconder gets the motion on the Table.

The Planning Assistant read the new proposed motion.

Committee member Nolan mentioned he was concerned with the numbers on the sketch that was proposed and not the area that was on the table.

Committee member Revill advised that the frontage and depth will not change, it will be whatever the length by width equals. He does not think the acreage is correct on the sketch, but the

The Planning Assistant advised that a Minor Variance is very stuck to the numbers that are proposed. With a Consent there is more leeway with respect to whatever the survey finds on the ground and confirms the frontage, the depth and the area. Once the survey is completed this will be what the Zoning By-Law will be using.

Committee member Nolan asked for clarity in the motion that the rear property line is in line with the properties on either side.

The Senior Planner and the Chair asked that this suggestion be added to the motion.

The Planning Assistant read the amended motion.

Resolution No. 2022:02:4

Moved by Alan Revill Seconded by Ken Gee

THAT the Township of South Frontenac Committee of Adjustment hereby approves application S-77-21-S by Albert Moreland for the creation of one new residential lot, consistent with the sketch submitted by the applicant, to be surveyed, and subject to conditions, the rear lot line of the new proposed lot shall be in line with the existing lots.

Carried

7 Minor Variance Applications from Previous Meetings:

a) **MV-06-21-P (Marlow & Brown) (Costa)**

Location: Lot 6, Concession 13, Part 2 on Plan 13R754 and Part 8 on Plan 13R7853, District of Portland, Township of South Frontenac, municipally known as 1124 High Falls Lane, Howes Lake.

Purpose of Application: To vary section 10.3.1 and 5.8.2a) of the Zoning By-law to permit the construction of an addition to the north of an existing dwelling with the addition being located 27 metres (88.6 feet) from the front yard and the high water mark of Howes Lake. The applicant is also seeking additional relief from section 10.3.1 with respect to lot coverage for an increase of 1.7 % from the existing lot coverage.

The Planner delivered her planning report to the Committee.

Resolution No. 2022:02:5

Moved by Norm Roberts Seconded by Ken Gee

THAT the Township of South Frontenac Committee of Adjustment hereby approves Minor Variance Application MV-06-21-P for the property located at 1124 High Falls Lane, Howes Lake. To permit a 21.3 square metre addition to the single detached dwelling, setback a minimum of 27 metres from the highwater mark of Howes Lake, and to permit an increase in lot coverage to 6.1%, subject to conditions.

Carried

b) **PL-2022-0006 (Splinter)**

Property Location: Vacant land accessed by a right of way from Bedford Road, Loughborough District

Roll Number: 1029-040-020-20305

To vary section 5.8.2a) and 10.3.2 of Zoning By-law No. 2003-75 to permit an accessory structure to be located 15 metres from the wetland whereas the Zoning By-law requires a 30 metres setback from any waterbody and also to permit an accessory structure (detached garage) to have a maximum building height of 6.4 metres, whereas the Zoning By-law permits a maximum of 6 metres.

The Planner delivered her report to the Committee.

Committee member Gee advised that the operator was on the site and he took time to explain what has happened on the property, the right of way was

approved and the drainage issue has been addressed, and the idea of the culvert will continue to solve any other drainage issues.

Committee member Nolan inquired as to the intention of the use of the garage which is driving the increased height of the garage.

The applicant spoke to the matter and noted that the intention of the garage is just for storage, it is an uninsulated building that will be used for storage of toys, lawn tractors, awn chairs etc.

The chair asked for clarity that the garage will not be used for a secondary suite.

The applicant advised that the garage will not be used for a secondary suite.

Committee member Nolan asked Committee member Gee if the site lines of the structure will impede the view of the neighbours.

Committee member Gee advised that there should be no impediment of views from the garage.

Committee member Revill asked if there is a decision or opportunity to rectify the degradation of the shoreline and the 30 metre vegetation buffer.

The Planner advised there was discussion with the Conservation Authority and they issued a stop work order, there is also a requirement to re-vegetate the area within 30 metres of the water.

Committee member Revill advised he is prepared to support the application based on the recommendations and the new culvert.

Committee member Howe advised he supports the recommendation.

Committee member Roberts advised he agrees with everything that is being done on this property.

Mr. Pilz advised the committee that his major concern was the original drainage being filled in and the location of the drainage. He advised that no water is running from the current culvert into the lake, he advised that if the size of the culvert is to be increased to a size that will allow drainage, he is happy with that.

Resolution No. 2022:02:6

Moved by Ken Gee Seconded by Mike Howe

THAT the Township of South Frontenac Committee of Adjustment hereby approves Minor Variance Application PL-ZNA-2022-0006 for a vacant property accessed by a right of way off Bedford Road, Part Lot 8, Concession 9, Cronk Lake. To permit an accessory building, being a detached garage, to be set back a minimum of 15 metres from the highwater mark of a wetland and to permit the building to have a maximum height of 6.5 metres, subject to conditions.

Carried

8 New Minor Variance Applications:

a) **PL-ZNA-2022-0009 (Signature Homes Limited)**

Location: 0 Applewood Lane, Storrington District

Legal Description: Frontenac Vacant Land Condominium Plan 76, Unit 1

Purpose and Effect of the Proposed Variance:

To vary section 9.3.1 of Zoning By-law No. 2003-75 to permit a single detached dwelling to have a minimum 10.5 metre exterior side yard, whereas a minimum

20 metres is required. The RLS-6 zone on the property specifies that the front lot line abuts the private lane (i.e. Applewood Lane or Balsam Lane). The property also abuts a road allowance, which is partially open (Keir Road) and an exterior lot line. The property is not wide enough to accommodate a minimum 20 metre exterior side yard because the lot was created before the road allowance was opened and Keir Road was extended, and at a time when a 3 metre interior side yard was required for a dwelling.

The Senior Planner delivered her report to the Committee.

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

Resolution No. 2022:02:7

Moved by Mike Howe Seconded by Ken Gee

THAT the Township of South Frontenac Committee of Adjustment hereby approves Minor Variance Application PL-ZNA-2022-0009 for the property municipally known as 993 Applewood Lane. To permit a single detached dwelling to establish a minimum 10.5 metre exterior side yard, subject to conditions.

Carried

b) **PL-ZNA-2022-0010 (Redlich & Page)**

Property Address: 9205 Perth Road, Bedford District

Purpose & Effect of the Application:

To request permission to expand a legal non-conforming structure by adding a 14 feet by 14 feet addition (sunroom) to the east side of the dwelling.

The Planner delivered her report to the Committee.

Committee Member Nolan inquired as to the percentage of lot coverage for the out buildings on the lot. He advised that there is quite a square footage of out buildings and that the deck was removed prior to the committee members visiting the site. He noted that it appears that the outbuildings may be larger than the primary building. Committee member Nolan noted that it is an improvement to the parcel of land but wants to ensure that the lot coverage issue is covered.

Committee member Revill advised that he visited the lot and save and except the lot coverage concern raised by Committee Member Nolan, he is prepared to support the application.

The Planner advised that the lot coverage of the out buildings is 1.4%.

Resolution No. 2022:02:8

Moved by Mike Nolan Seconded by Mike Howe

THAT the Township of South Frontenac Committee of Adjustment hereby approves Minor Variance Application PL-ZNA-2022-0010 for the property municipally known as 9205 Perth Road, Devil Lake. To permit an enlargement of the legal non-conforming dwelling on the subject property by 18 square metres, subject to conditions.

Carried

c) **PL-ZNA-2022-0011 (MacKay) (Gurr)**

Property Address: 4677 Carrying Place Road, Storrington District

Purpose and Effect of the Proposed Variance:

To request permission to re-build a legal non-conforming dwelling. The (new) proposed dwelling will have a footprint of 2925 square feet, be located 16 metres from the highwater mark of Dog Lake. It will be 30 feet high with a walkout basement.

The Planner delivered her report to the Committee.

Committee member Revill asked for clarification with respect to the site for building the new home which had been previously approved. He asked if this proposal is only to allow for a basement under what was previously approved by Minor Variance.

The Planner advised that this is a brand new application and the previous Minor Variance will be rescinded and the approval will be for the whole building.

Committee member Revill asked if the plans for this Minor Variance is the same as the previous approval but with a basement.

The Planner advised the application is for a dwelling that is larger than what was originally approved, and will have a basement but the setbacks will stay the same.

Committee member Revill asked if there will be an impact on lot coverage, and if it will be over the 5% allowable.

The Planner advised that it will not be over the 5% allowed by the zoning by-law.

Committee member Gee advised that when he went to the site, the applicant had it staked out and it was easy to see what the plan was. He believes the main reason the building is going there is because the existing sewage system is right behind the building and it is going to be utilized so he didn't have much wiggle room with respect to building placement.

Resolution No. 2022:02:9

Moved by Ken Gee Seconded by Mike Howe

THAT the Township of South Frontenac Committee of Adjustment hereby approves Minor Variance Application PL-ZNA-2022-0011 for the property municipally known as 4677 Carrying Place Road, Dog Lake. To permit a single detached dwelling to establish a minimum 15 metre front yard and to be set back a minimum of 15 metres from Dog Lake, subject to conditions.

Carried

d) **PL-ZNA-2022-0018 (Shooner)**

Property Address: 3880 Greenfield Road, District of Loughborough

Purpose and Effect of the Proposed Variance:

To vary section 5.24.2 of Zoning By-law No. 2003-75 to permit an accessory detached garage in the front yard of the house. The 12 metre by 21 metre garage would be setback 250 metres from Greenfield Road. Also, to vary section 8.3.2 to permit the garage to be 7 metres in height, whereas a maximum 6 metres in height is allowed in the RW zone.

The Senior Planner delivered her report to the Committee.

Committee member Nolan inquired as to the purpose of this large storage facility.

The applicant advised that the large building will not be insulated, it is mainly to store a travel trailer, boat, tractor, a few utility trailer, a saw mill and a few other toys which take up quite a bit of room which is the reason for the size.

Committee member Roberts advised that he visited the site and viewed all of these items that will be stored in the storage building.

Resolution No. 2022:02:10

Moved by Mike Nolan Seconded by Ken Gee

THAT the Township of South Frontenac Committee of Adjustment hereby approves Minor Variance Application PL-ZNA-2022-0012, for the property municipally known as 3880 Greenfield Road, Loughborough Lake. To permit an accessory building to be located in front of the projected front wall of the dwelling, and to have a maximum height of 7 metres, subject to conditions.

Carried

9 Other Business

- a) Delegated Consent Approvals - Report

10 Adjournment

- a) Resolution

Resolution No. 2022:02:11

Moved by Mike Nolan Seconded by Mike Howe

THAT the March 10, 2022 meeting of the Township of South Frontenac Committee of Adjustment is hereby adjourned at 8:09 p.m., to reconvene on Thursday, April 14, 2022, at 7:00 p.m. or at the call of the Chair.

Carried

Randy Ruttan, Chair