

Minutes of Committee Of Adjustment
April, 14, 2022

Time: 7:00 PM

Location: Council Chambers/Virtual via Zoom

Meeting # 03

Present: Randy Ruttan, Mike Howe, Ken Gee, Doug Morey, Tom Bruce, Alan Revill,
Mike Nolan

Regrets: Norm Roberts

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

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

Resolution No. 2022:03:2

Moved by Mike Nolan Seconded by Mike Howe

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

- a) None declared

5 Minor Variance Applications from Previous Meetings:

- a) MV-51-21-L (McKay) (Snelgrove)

Location:

82 Labelle Lake Lane, Big Clear Lake, Loughborough

Purpose of Application:

To permit a deck attached to a single detached dwelling to be set back a
minimum of 26 metres from the highwater mark of a wetland connected to Big
Clear Lake, whereas a minimum 30 metre setback is required for all buildings
and structures.

The Senior Planner delivered her report to the Committee.

Committee member Howe advised he supports the recommendation.

Resolution No. 2022:03:3

Moved by Tom Bruce Seconded by Mike Nolan

THAT the Township of South Frontenac Committee of Adjustment hereby approves Minor Variance Application MV-51-21-L for the property located at 82 Labelle Lake Lane, Labelle Lake. To permit a 55 square metre (5 metre by 11 metre) deck that would be attached to the single detached dwelling to be setback a minimum of 26 metres from the highwater mark of the wetland on the subject property, consistent with drawings submitted at the time of application, subject to conditions.

Carried

6 New Minor Variance Applications:

a) PL-ZNA-2022-0008 (Wirsig)

Location:

Roll number: 102904004003200, Kismet Lane, Loughborough District

Purpose of the Application:

To vary section 5.29.10 of Zoning By-law No. 2003-75 to permit a home industry (an E-commerce business) in an existing building that is setback 11 metres from the northern interior side lot line, whereas 20 metres is required. Also, to permit this building within the front yard of a dwelling. Also, to vary section 5.24.2 to permit the home industry building, a detached garage and a sleeping cabin in the front yard of a dwelling.

The Senior Planner delivered her report to the Committee.

Committee member Howe advised that he supports the recommendation with the conditions listed.

Resolution No. 2022:03:4

Moved by Tom Bruce Seconded by Mike Nolan

THAT the Township of South Frontenac Committee of Adjustment hereby approves Minor Variance Application PL-2022-0008 for the property known as 102904004003200, Kismet Lane, Loughborough District. To permit a home industry to be established in a building that is setback 11 metres from the northern interior lot line. The minor variance also permits three accessory buildings (i.e. the home industry building, the detached garage and the sleeping cabin) to be located in front of the projected front wall of the single detached dwelling, subject to conditions.

Carried

b) PL-ZNA-2022-0021 (Barry)

Location:

547 West Devil Lake Lane, Bedford

Purpose of Application:

This application is requesting permission to enlarge a legal non-conforming building by increasing its height located within 30 metres of the highwater mark of Devil Lake.

The Planner delivered her report to the Committee.

Committee member Revill advised he has no objections to the application.

Committee member Nolan noted that much of the building is under construction and asked what is going on with the building.

The Planner advised that the windows were replaced and the applicants were not able to find windows that fit, the building department is aware of this and they will have to put a balcony across.

Committee member Nolan noted that there is a lot of work that appears to have taken place and wondered if there was a building permit that was applied for.

The Planner advised that the applicants did not apply for a building permit, the application came forward because the building department was going to do an inspection further down the lane and noticed the work, the applicants were not aware that they needed a permit to increase the height of the roof. The applicants applied and a condition of the Minor Variance is that they will be required to apply for a building permit. They are aware the need to do this if they receive approval.

Committee member Nolan asked if there was a condition for building permits as part of this application?

The Planner advised a building permit is a condition of the recommended approval.

Committee member Nolan advised that he agrees with the recommendation, with the conditions.

Resolution No. 2022:03:5

Moved by Ken Gee Seconded by Mike Nolan

THAT the Township of South Frontenac Committee of Adjustment hereby approves Minor Variance Application PL-ZNA-2022-0021 for the property located at 547 West Devil Lake Lane, Devil Lake. To permit the enlargement of the legal non-conforming dwelling on the subject property. The existing dwelling is permitted to have a maximum building height of 6 metres (19.5 feet) as per the Site Plan and Plans and Elevation drawing (both D+M Structural Engineering, revision 3, 2021/12/06, that will be attached to the Decision as Schedule "A", subject to conditions.

Carried

c) PL-ZNA-2022-0025 (Jinapriya & Irrcher) (IBI Group)

Location:

4508 Red Maple Lane, Loughborough Lake, Loughborough

Purpose of Application:

The applicants are proposing to demolish the existing single detached dwelling and build a new single-detached dwelling in the same general footprint.

Variances are required for the highwater mark, front yard, top of bank and lot coverage. The new dwelling will be 2 storeys and have a walk-out basement. It will have a height of 8.7 metres and have a floor area of 183 square metres. It will be located 23.7 metres to the existing highwater mark of Loughborough Lake and 6 meters from the top of bank. There will be an increase of 1.1% for lot coverage.

The Planner delivered her report to the Committee.

Committee member Howe advised he supports the recommendation. He commented that it is an older narrow lot and was built on a long time ago. He knows that the individuals are very conscientious of erosion. The applicant pointed out that the building cannot go closer to the water. And the driveway has drainage that goes to one spot. He advised he is concerned about the drainage being changed and eventually having a house that falls into the lake.

The Planner advised that the Conservation Authority assessed the property for erosion hazards and they were satisfied that the new development will be located outside the required 6 metres from the erosion hazard. She advised that the applicant's agent may wish to provide more comments.

The applicant's agent, a Planner with IBI group provided information with regards to how the current property drains. One of the current concerns the current owners has is the current driveway that is directing water towards the lake, so as part of this development proposal, switching the driveway to the east side of the property and reinstating a soft surface where the current driveway is located will re-direct where the water is flowing from the lane down to the lake and will allow further infiltration before the lake. They support the recommendation of site plan control, a lot of thought and effort have been undertaken by the applicants to ensure that all considerations have been managed through the design of the property. Pulling the dwelling back as far as possible from the top of the slope will help. The proposal has addressed a lot of the existing conditions with respect to drainage.

Committee member Revill inquired with respect to the lot coverage.

The agent advised the existing lot coverage for the existing garage and existing boat house is increasing slightly but is still under the 5% permitted for detached structures.

Committee member Revill inquired what the existing lot coverage is for the garage.

The planner advised that the existing lot coverage is 2.6% and will be 3% with the new development.

Committee member Revill added that total lot coverage would then be 12.6%.

Committee member Gee inquired as to the Conservation Authority recommending deferral due to lot coverage, has there been any reduction since these comments were received?

The Planner advised that the Conservation Authority is recommending deferral so that the Township can consult with the Ministry of Environment, Conservation and Parks for lot coverage because the property is located on an at capacity lake. This is the original submission and there has been no reduction in the lot coverage since these comments were received. It is Township staffs opinion that it is a minimal increase in lot coverage and the sewage system is located outside the 30 metre setback and therefore consultation with the Ministry is not required.

The chair noted that he is a little bit concerned with the increase in lot coverage by the increase of the principal building and the accessory building.

The Planner advised that the application is only for the principal dwelling as the garage is not part of the application and is in conformity with the zoning provisions.

Resolution No. 2022:03:6

Moved by Alan Revill Seconded by Ken Gee

THAT the Township of South Frontenac Committee of Adjustment hereby approves Minor Variance Application PL-ZNA-2022-0025 for the property located at 4508 Red Maple Lane, Loughborough Lake. To permit a dwelling to establish a minimum 23.7 metre front yard, and to be setback a minimum of 23.7 metres from the highwater mark of Loughborough Lake, and to be setback a minimum of 6 metres from the top of bank. The dwelling is also permitted to have a maximum

lot coverage of 9.5%, as per the drawings and building plans titled "Site Plan Overview, KBDesign, dated February 4, 2022" which were submitted with PL-ZNA-2022-0025, attached to the Decision as Schedule "A"., subject to conditions.

Carried

d) PL-ZNA-2022-0026 (Heyler & Miguel)

Location:

3835 Hideaway Lane, Dog Lake, Storrington

Purpose of Application:

To request permission under section 45(2) of the Planning Act to enlarge the legal non-conforming dwelling and garage on the property. These buildings are within 30m of the highwater mark of Dog Lake. The dwelling would be raised 1.2m (4ft) to turn the existing crawlspace into a full basement. The area under the 432 square foot waterside deck would be enclosed. Some of the existing decking would be removed from the dwelling. The garage was enlarged with the addition of a carport by a previous owner without any approvals. The current owners are seeking to have the location of the carport legally recognized.

The Senior Planner delivered her report to the Committee.

Committee member Gee advised he has no concerns, the Planning department has done a good job of rectifying the situation and raising the structure will make it much more useable.

The chair asked for clarity as the presentation said approval for enlarging the dwelling and garage, which could be interpreted as the garage could be enlarged past the carport but he does not believe that this is the intention.

The Senior Planner advised the Planning Report, which is what the resolution would be based on, is recommending that permission be granted to enlarge the existing dwelling by increasing the height by 1.2 metres and enclosing 432 square feet under the waterside deck, and also to grant permission for the existing 264 square foot car port that is attached to the detached garage. It also requires a building permit for the house and for the car port because it was not constructed with any permits, the building department wants to see that it was built to code.

Resolution No. 2022:03:7

Moved by Ken Gee Seconded by Alan Revill

THAT the Township of South Frontenac Committee of Adjustment hereby approves Minor Variance Application PL-ZNA-2022-0026 for the property located at 3835 Hideaway Lane, Dog Lake. Permission is granted to enlarge the dwelling on the subject property by increasing its height by 1.2 metres (4 feet), and by enclosing 432 square feet under the waterside deck, with setbacks to be consistent with the revised application sketch received by the Township on March 21, 2022, subject to conditions.

Carried

e) PL-ZNA-2022-0027 (Taylor) (Di Cesare)

Location:

106 Sandpit Lane, Crow Lake, Bedford

Purpose of Application:

To request permission to enlarge a legal non-conforming building by enclosing a portion of the existing deck located within 30 metres of the highwater mark of Crow Lake.

The Planner delivered her report to the Committee.

Committee member Nolan advised that he visited the property and believes that this is a great improvement and he fully agrees and supports the recommendation.

Committee member Revill believes that this is truly minor and he supports it and the planting plan is a good recommendation.

Resolution No. 2022:03:8

Moved by Alan Revill Seconded by Ken Gee

THAT the Township of South Frontenac Committee of Adjustment hereby approves Minor Variance Application PL-ZNA-2022-0027 for the property located at 106 Sandpit Lane, Crowe Lake. Permission is granted to enlarge the legal non-conforming dwelling on the subject property as per the drawing submitted with PL-ZNA-2022-0027, received on March 11, 2022, that will be attached to the Decision as Schedule "A", subject to conditions.

Carried

f) PL-ZNA-2022-0028 (Pickett)

Location:

219 Garrett Road, Bedford

Purpose of Application:

The property contains two dwellings, whereas the Rural (RU) zone only permits one dwelling. The purpose of the application is to request permission under section 45(2) of the Planning Act to enlarge one of the dwellings on the property. The effect would be to permit a 300 square foot addition to the dwelling for an accessible, main floor bedroom.

The Senior Planner delivered her report to the Committee.

Committee member Revill noted that he visited the site and has no concerns as there is good screening.

Committee member Nolan advised he also visited the site and has no concerns.

Resolution No. 2022:03:9

Moved by Tom Bruce Seconded by Alan Revill

THAT the Township of South Frontenac Committee of Adjustment hereby approves Minor Variance Application PL-ZNA-2022-0028 for the property located at 217-219 Garrett Road, Doran Lake. Permission is granted to enlarge the 1,408 square foot secondary dwelling on the subject property by 300 square feet, consistent with drawings submitted at the time of application, subject to conditions.

Carried

g) PL-ZNA-2022-0033 (Gagne)

Location:

2926 Forest Road, Loughborough

Purpose of the Application:

To permit an accessory structure (detached garage) to be located in front of the projected front wall of the dwelling whereas the Zoning By-law requires an accessory building to be erected to the rear of the projected front or exterior side wall of the main building.

The Planner delivered her report to the Committee.

Committee member Howe advised he supports the recommendation with the conditions.

Resolution No. 2022:03:10

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Moved by Alan Revill Seconded by Ken Gee

THAT the Township of South Frontenac Committee of Adjustment hereby approves Minor Variance Application PL-ZNA-2022-0033 for the property located at 2926 Forest Road. To permit a detached garage to be located in the front yard of the dwelling, and setback a minimum of 19 metres from Forest Road; and the shed is permitted to be located in the front yard setback roughly 37 metres from Forest Road, all as per the drawing submitted and received on March 1st , 2022 with PLZNA-2022-0033, attached to the Decision as Schedule "A", subject to conditions.

Carried

7 Other Business

- a) Consents Approved by Delegated Authority

8 Adjournment

- a) Resolution

Resolution No. 2022:03:11

Moved by Ken Gee Seconded by Alan Revill

THAT the April 14, 2022 meeting of the Township of South Frontenac Committee of Adjustment is hereby adjourned at 8:10 p.m., to reconvene on Thursday, May 12, 2022, at 7:00 p.m. or at the call of the Chair.

Carried

Randy Ruttan, Chair