

**TOWNSHIP OF SOUTH FRONTENAC
COMMITTEE OF ADJUSTMENT**

**MINUTES 15:05
JUNE 11, 2015**

LOCATION: South Frontenac Municipal Offices, Sydenham

IN ATTENDANCE: Ken Gee (Storrington District)
Mark Schjerner (Loughborough District-C)
Ron Sleeth (Storrington District-C)
Pat Barr (Bedford District-C)
Bill Robinson (Portland District-C)
Larry Redden (Portland District)

ABSENT WITH REGRETS: David Hahn (Bedford District)
John Sherbino (Loughborough District)

STAFF: Lindsay Mills – Secretary-Treasurer/Planner
Jennie Kapusta – Deputy Secretary Treasurer

Resolutions & Business

Item # 1: Call to Order	1
Item # 2: Adoption of Agenda.....	1
Item # 3: Declaration of Pecuniary Interest.....	1
Item # 4: Approval of Minutes	1
Item # 5: S-14-15-S (Campbell)	2
Item # 6: S-23-15-L (VanLuven).....	3
Item # 7: S-24-15-P (Stewart)	4
Item # 9: S-26-15-S (McLaren)	5
Item # 10: S-27-15-S (McLaren)	6
Item # 11: S-28-15-S (Taylor)	7
Item # 12: S-29-15-B (Upitis).....	8
Item # 13: S-30-15-B (Woods).....	9
Item # 14: S-31-15-B (Woods).....	10
Item # 15: S-32-15-B (Woods).....	11
Item # 16: MV-09-15-P (Dawson)	12
Item # 17: MV-10-15-B (Veh).....	13
Item # 18: MV-11-15-B (Gordon).....	14
Item # 20: Other Business.....	15
Item # 21: Adjournment	15

Item # 1: Call to Order

RESOLUTION: C of A: 15:05:01

Moved by: P. Barr

Seconded by: B. Robinson

THAT the June 11, 2015 meeting of the South Frontenac Township Committee of Adjustment is hereby called to order at 7:05 p.m. with Larry Redden in the Chair.

Carried

Item # 2: Adoption of Agenda

Approved as circulated

Item # 3: Declaration of Pecuniary Interest

None declared.

Item # 4: Approval of Minutes

RESOLUTION: C of A: 15:05:02

Moved by: K. Gee

Seconded by: R. Sleeth

THAT the South Frontenac Township Committee of Adjustment hereby approves the minutes of the May 14, 2015 meeting of the Committee, as circulated.

Carried

Item # 5: S-14-15-S (Campbell)

Speaking to the Application: Barry Campbell

Discussion:

This application was originally brought to the Committee in April 2015 but was deferred until comments from Public Health were received.

The subject lands consist of 30.7 +/- hectares (76 acres) with 216 m. frontage on Wellington Street and 725 m. frontage on Dog Lake. The applicant has requested to sever one new waterfront residential lot. The proposed lot is 1.1 +/- hectares (2.7 acres) with 91 m. of frontage on Dog Lake and 76 m. frontage on an existing private right-of-way. The Rideau Valley Waterfront Development Review Team has evaluated the proposed lot and has no objections provided the proposed lot can either: a) meet the minimum required 91 m. water frontage or b) has a Special Zoning put in place to reflect the reduced water frontage (76 m. as determined by the RWDRT).

Public Health has no objections.

Planner, L. Mills, wanted the 76 m. frontage to be on Wellington Street rather than the existing right-of-way in order to create a more regular lot shape and to avoid leaving a small triangle piece orphaned abutting Wellington Street. Committee members R. Sleeth and K. Gee concurred with this request as did the applicant.

RESOLUTION: C of A: 15:04:03

Moved by: P. Barr

Seconded by: B. Robinson

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-14-15-S by Barry Campbell, to create a new waterfront lot, in Concession IX, Part Lot 21, Wellington Street, District of Storrington, subject to conditions.

Carried

Application No:	S-06-15-B
Owner:	McCulloch Ventures
Location of Property:	Concession XI, Part Lot 21, Westport Road, District of Bedford, Township of South Frontenac
Purpose of Application:	Creation of a lot addition
Date of Hearing:	March 12, 2015
Date of Decision:	May 14, 2015

DECISION: PROVISIONAL CONSENT BE GRANTED, subject to conditions

CONDITIONS

1. An acceptable reference plan or legal description of the severed lands in duplicate, and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
2. The land to be severed by Consent Application S-14-15-L shall be for a 1.1 +/- hectare (2.7 acre) lot with a minimum of 91 m. of frontage on Dog Lake and with a minimum of 76 m. of frontage on Wellington Street.
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they shall be sealed in accordance with the requirements of the Ministry of the Environment and that this work is accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive 5% of the value of the severed parcel in lieu of parkland pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.

- 6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner’s property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
 - a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner’s expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
 - c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of “The Corporation of the Township of South Frontenac”, and shall include the following attached to the Transfer/Deed as a Schedule:

The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended.

- d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner’s expense;
 - e. The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.
- 7. The applicant shall enter into a development agreement to be registered on title to the severed and retained parcels which deals with the Township’s environmental policies, as well as the requirement for the owner to contact the Cataraqui Region Conservation Authority prior to any development on the property, to determine the need for a permit.
- 8. The applicant shall rezone the lot to be created from Consent Application S-14-15-S from Rural Zone to Limited Service Residential Waterfront Zone in order to allow for development along a private lane. Please contact Lindsay Mills, the Township Planner, to begin this process.

Item # 6: S-23-15-L (VanLuven)

Speaking to the Application: Percy Snider

Discussion:

The subject lands consist of 30.3 +/- hectares (75 acres) with 218 m. frontage on Stagecoach Road and 221 m. frontage on Railton Road. The application is for the addition of a 31.2 +/- hectare (77 acres) lot onto the west side of an undeveloped lot (Roll # 102904001003610). There is no new entrance required; therefore a report was not required from Roads. The application has been submitted to Public Health but comments have yet to be received. It was decided by the Committee to go ahead with the decision and make it conditional on final approval from Public Health.

RESOLUTION: C of A: 15:05:04

Moved by: M. Schjerning

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-23-15-L by Sally VanLuven, to create a lot addition, in Concession III, Part Lot 4, Stagecoach Road, District of Loughborough, subject to conditions.

Carried

Application No:	S-23-15-L
Owner:	Sally VanLuven
Location of Property:	Concession III, Part Lot 4, Stagecoach Road, District of Loughborough, Township of South Frontenac
Purpose of Application:	Creation of a lot addition
Date of Hearing:	June 11, 2015
Date of Decision:	June 11, 2015

DECISION: PROVISIONAL CONSENT BE GRANTED, subject to conditions

CONDITIONS

1. An acceptable reference plan or legal description of the severed lands in duplicate, and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
2. The land to be severed by Consent Application S-23-14-L shall be for a 31.2 +/- hectare (77 acres) lot addition only to an undeveloped lot with Roll # 102904001003610.
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive \$100 in lieu of parkland pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.
6. KFL&A Public Health must approve the septic inspection for Consent Application S-23-15-L prior to the stamping of the deeds.

Item # 7: S-24-15-P (Stewart)

Speaking to the Application: Mary & James Stewart

Discussion:

The subject lands consist of 29 +/- hectares (71.5 acres) with 195 m. frontage on VanLuvén Road. The applicant has requested to sever two residential lots. The proposal is for two 2.8 +/- acre lots each with 97 m. of frontage on VanLuvén Road. Public Health has no objections. Comments from Conservation were not required. The grade of the road along the frontage of the proposed lots is significant. Comments from Roads regarding the suitability of new entrances along the road have not yet been received so the application must be deferred.

RESOLUTION: C of A: 15:05:05

Moved by: B. Robinson

Seconded by: P. Barr

THAT the South Frontenac Township Committee of Adjustment hereby defers consent application S-24-15-P by Mary & James Stewart, to create a new lot, in Concession VII, Part Lot 2, VanLuvén Road, District of Portland, until the July 9, 2015 Committee meeting.

Carried**Item # 8: S-25-15-P (Stewart)**

Speaking to the Application: Mary & James Stewart

Discussion:

The subject lands consist of 29 +/- hectares (71.5 acres) with 195 m. frontage on VanLuvén Road. The applicant has requested to sever two residential lots. The proposal is for two 2.8 +/- acre lots each with 97 m. of frontage on VanLuvén Road. Public Health has no objections. Comments from Conservation were not required. The grade of the road along the frontage of the proposed lots is significant. Comments from Roads regarding the suitability of new entrances along the road have not yet been received so the application must be deferred.

RESOLUTION: C of A: 15:05:06

Moved by: P. Barr

Seconded by: B. Robinson

THAT the South Frontenac Township Committee of Adjustment hereby defers consent application S-25-15-P by Mary & James Stewart, to create a new lot, in Concession VII, Part Lot 2, VanLuvén Road, District of Portland, until the July 9, 2015 meeting.

Carried

Item # 9: S-26-15-S (McLaren)

Speaking to the Application: John McLaren

Discussion:

This application was originally brought to the committee in March 2015 but was deferred until receipt of reports from Public Health and Conservation. The reports have been received and neither have any objections.

The subject lands consist of 9.2 +/- hectares (22.8 acres) with 308 m. frontage on Battersea Road. The applicant has requested to sever two new lots. The proposal is for Lot 1 is for a 6.7 +/- acre lot with a minimum 76 m. of frontage on Battersea Road. The proposal is for Lot 2 is for a 3.7 +/- acre lot with a minimum 135 m. of frontage on Battersea Road. Comments from the roads department have yet to be received. Comments were not required from public health or conservation.

R. Sleeth suggested conditional approval based on a satisfactory report being obtained from the roads department rather than deferring the entire application. The committee agreed.

RESOLUTION: C of A: 15:05:07

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-26-15-S by John McLaren, to create a new lot, in Concession X, Part Lots 15/16, Battersea Road, District of Storrington., subject to conditions and approval from the roads department.

Carried

Application No:	S-26-15-S
Owner:	John McLaren
Location of Property:	Concession X, Part Lots 15 & 16, Battersea Road, District of Storrington, Township of South Frontenac
Purpose of Application:	Creation of a new lot
Date of Hearing:	June 11, 2015
Date of Decision:	June 11, 2015

DECISION: PROVISIONAL CONSENT BE GRANTED, subject to conditions

CONDITIONS:

CONDITIONS

1. An acceptable reference plan or legal description of the severed lands in duplicate, and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
2. The land to be severed by Consent Application S-26-14-L shall be for a 7 +/- acre lot with a minimum of 76 m. frontage on Battersea Road.
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive 5% of the value of the severed parcel in lieu of parkland pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
 - a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;

- b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
 - c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:
 - i. *The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended.*
 - d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
 - e. The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.
7. The applicant shall submit a well driller's report demonstrating potable water pumping capacity of 3.5 gallons per minute sustained over a six-hour pump test for the lot severed by Consent Application S-26-15-S.
8. The applicant must obtain approval from the roads department for new entrances onto the lot created by Consent Application S-26-15-S and the retained parcel prior to the stamping of the deeds

Item # 10: S-27-15-S (McLaren)

Speaking to the Application: John McLaren

Discussion:

This application was originally brought to the committee in March 2015 but was deferred until receipt of reports from Public Health and Conservation. The reports have been received and neither have any objections. The subject lands consist of 9.2 +/- hectares (22.8 acres) with 308 m. frontage on VanLuven Road. The applicant has requested to sever two new lots. The proposal is for Lot 1 is for a 6.7 +/- acre lot with a minimum 76 m. of frontage on Battersea Road. The proposal is for Lot 2 is for a 3.7 +/- acre lot with a minimum 135 m. of frontage on Battersea Road. Comments from the roads department have yet to be received. Comments were not required from public health or conservation.

RESOLUTION: C of A: 15:05:08

Moved by: R. Sleeth

Seconded by: M. Schjerning

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-27-15-S by John McLaren, to create a new lot, in Concession X, Part Lots 15/16, Battersea Road, District of Storrington., subject to conditions and approval from the roads department.

Carried

Application No:	S-27-15-S
Owner:	John McLaren
Location of Property:	Concession X, Part Lots 15 & 16, Battersea Road, District of Storrington, Township of South Frontenac
Purpose of Application:	Creation of a new lot
Date of Hearing:	June 11, 2015
Date of Decision:	June 11, 2015

DECISION: PROVISIONAL CONSENT BE GRANTED, subject to conditions

CONDITIONS:

CONDITIONS

- 1. An acceptable reference plan or legal description of the severed lands in duplicate, and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
- 2. The land to be severed by Consent Application S-27-14-L shall be for a 3 +/- acre lot with a minimum of 135 m.

frontage on Battersea Road.

3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive 5% of the value of the severed parcel in lieu of parkland pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
 - a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
 - c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:
 - i. *The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended.*
 - d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
 - e. The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.
7. The applicant must obtain approval from the roads department for new entrances onto the lot created by Consent Application S-26-15-S and the retained parcel prior to the stamping of the deeds

Item # 11: S-28-15-S (Taylor)

Speaking to the Application: Julia Taylor

Discussion:

The subject lands consist of 16,285 +/- sq. metres (4 acres) with 300 m. frontage on Washburn Road. The applicant has requested to sever one new residential lot. The proposed lot is 8,000 +/- sq. metre 2.0 acres) with 207 m. of frontage on Washburn Road.

L. Mills mentioned the recent removal of the Prime Agricultural designation on the property across the road which allowed this severance to proceed.

Public Health has no objections. Comments were not required from Conservation.

RESOLUTION: C of A: 15:05:10

Moved by: P. Barr

Seconded by: B. Robinson

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-13-15-L by Julia Taylor, to create a new residential lot, in Concession VII, Part Lot 16, Washburn Road, District of Storrington, subject to conditions.

Carried

Application No:	S-28-15-S
Owner:	Julia Taylor
Location of Property:	Concession VII, Part Lot 16, Washburn Road, District of Storrington, Township of South Frontenac
Purpose of Application:	Creation of a new residential lot
Date of Hearing:	June 11, 2015

Date of Decision: June 11, 2015

DECISION: PROVISIONAL CONSENT BE GRANTED, subject to conditions

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands in duplicate, and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
2. The land to be severed by Consent Application S-28-15-S shall be for an 8,000 +/- sq. metre (2.0 acre) lot with a minimum of 205 m. of frontage on Washburn Road.
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they shall be sealed in accordance with the requirements of the Ministry of the Environment and that this work is accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive 5% of the value of the severed parcel in lieu of parkland pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
 - a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
 - c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended.
 - d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
 - e. The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.
7. The applicant shall submit a well driller's report demonstrating potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test.

Item # 12: S-29-15-B (Upitis)

Speaking to the Application:

Discussion:

The subject lands consist of 82.5 +/- hectares (204 acres) with 68m. of frontage on Canoe Lake Road. The applicant has requested to sever one new waterfront lot together with a right-of-way from Canoe Lake Road. The proposed lot is 12.6 +/- acres with 80 m. frontage on the proposed right-of-way and 167 m. of frontage on water. The proposed lot contains the commercial property known as Wintergreen Lodge and all associated accessory buildings and septic system. Public Health has no objections. Conservation has no objections.

RESOLUTION: C of A: 15:05:10

Moved by: P. Barr

Seconded by: B. Robinson

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-13-15-L by Julia Taylor, to create a new residential lot, in Concession VII, Part Lot 16, Washburn Road, District of Storrington, subject to conditions.

Carried

Application No: S-29-15-B
Owner: Rena Upitis
Location of Property: Concession VIII, Part Lot 9, Canoe Lake Road, District of Bedford, Township of South Frontenac
Purpose of Application: Creation of a new waterfront lot together with a right-of-way
Date of Hearing: June 11, 2015
Date of Decision: June 11, 2015

DECISION: **PROVISIONAL CONSENT BE GRANTED, subject to conditions**

CONDITIONS:

1. **An acceptable reference plan or legal description of the severed lands in duplicate, and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the “Notice of Decision” is given under Section 53 (17) or (24) of the Planning Act.**
2. **The land to be severed by Consent Application S-28-15-S shall be for a 12.6 +/- acre lot with a minimum of 80 m. of frontage on the proposed right-of-way from Canoe Lake Road and a minimum of 160 m. frontage on the water.**
3. **Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)**
4. **In the event that there are abandoned wells located on the property being severed, and the retained property, they shall be sealed in accordance with the requirements of the Ministry of the Environment and that this work is accomplished prior to the stamping of the deeds.**
5. **The Township of South Frontenac shall receive 5% of the value of the severed parcel in lieu of parkland pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.**
6. **The applicant shall survey and construct the right-of-way according to the Township’s standards for Private Lanes. The lane access shall be recognized on the deed of the lot it accesses and the property over which it passes.**
7. **The applicant shall enter into a development agreement to be registered on title to the severed and retained parcels which deals with the Township’s environmental policies, as well as the requirement for the owner to contact the Rideau Valley Conservation Authority prior to any development on the property, to determine the need for a permit.**
8. **The applicant shall rezone the retained lands from Community Facility-3 Zone to Rural to reflect the change in principal use. Please contact Lindsay Mills, the Township Planner, to begin this process.**

Item # 13: S-30-15-B (Woods)

Speaking to the Application: Douglas Woods

Discussion:

The subject lands consist of 60,700 +/- sq. metres (15 acres) with 591 m. frontage on Bob’s Lake. The applicant has requested to sever two new waterfront lots. The proposal for Lot 1 is for a 3.0 +/- acre lot with 91 m. of frontage on Big Clear Lake. The proposal for Lot 2 is for a 5.0 +/- acre lot with 200 m. of frontage on Big Clear Lake. The proposal for Lot 3 is for a 6.0 +/- acre lot with 94 m. of frontage on Big Clear Lake. Access to the proposed lots will be via a newly constructed right-of-way from Frye Road which will also serve to access three waterfront lots to the south of the Woods property. Public Health has no objections. Conservation has requested an increased setback of 60 metres for applications S-30-15-B and S-31-15-B (Lots 1 and 2 and deferral of application S-32-15-B (Lot 3) until it can be demonstrated that there is sufficient room for the access laneway to be located greater than 30 m. from the unevaluated wetland on the property. Planning thought that a 60 metre setback would push the building too far back on the lot and closer to the inland wetland, thus, the 30 metre setback should remain.

RESOLUTION: **C of A: 15:05:11**

Moved by: P. Barr

Seconded by: B. Robinson

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-30-15-B by Doug Woods, to create a new waterfront lot, in Concession XI, Part Lots 2, 3 & 4, Clear Lake Road, District of Bedford, subject to conditions.

Carried

Application No: S-30-15-B
Owner: Doug Woods
Location of Property: Concession XI, Part Lots 2, 3 & 4, Big Clear Lake, District of Bedford, Township of South Frontenac
Purpose of Application: Creation of three new waterfront lots
Date of Hearing: June 11, 2015
Date of Decision: June 11, 2015

DECISION: **PROVISIONAL CONSENT BE GRANTED, subject to conditions**

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands in duplicate, and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
2. The land to be severed by Consent Application S-30-15-B shall be for a 3.0 +/- acre lot with a minimum of 91 m. of frontage on Big Clear Lake and a minimum of 76 m. frontage on the proposed right-of-way.
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they shall be sealed in accordance with the requirements of the Ministry of the Environment and that this work is accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive 5% of the value of the severed parcel in lieu of parkland pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.
6. The proposed right-of-way from Frye Road shall be surveyed and constructed according to the Township's standards for Private Lanes. The lane access shall be recognized on the deeds of the lots to be accessed and the properties over which it passes.
7. The applicant shall enter into a development agreement to be registered on title to the severed and retained parcels which deals with the Township's environmental policies, as well as the requirement for the owner to contact the Rideau Valley Conservation Authority prior to any development on the property, to determine the need for a permit.

Item # 14: S-31-15-B (Woods)

Douglas Woods

Discussion:

The subject lands consist of 60,700 +/- sq. metres (15 acres) with 591 m. frontage on Bob's Lake. The applicant has requested to sever two new waterfront lots. The proposal for Lot 1 is for a 3.0 +/- acre lot with 91 m. of frontage on Big Clear Lake. The proposal for Lot 2 is for a 5.0 +/- acre lot with 200 m. of frontage on Big Clear Lake. The proposal for Lot 3 is for a 6.0 +/- acre lot with 94 m. of frontage on Big Clear Lake. Access to the proposed lots will be via a newly constructed right-of-way from Frye Road which will also serve to access three waterfront lots to the south of the Woods property. Public Health has no objections. Conservation has requested an increased setback of 60 metres for applications S-30-15-B and S-31-15-B (Lots 1 and 2 and deferral of application S-32-15-B (Lot 3) until it can be demonstrated that there is sufficient room for the access laneway to be located greater than 30 m. from the unevaluated wetland on the property. Planning thought that a 60 metre setback would push the building too far back on the lot and closer to the inland wetland, thus, the 30 metre setback should remain.

RESOLUTION: **C of A: 15:05:12**

Moved by: B. Robinson

Seconded by: P. Barr

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-31-15-B by Doug Woods, to create a new waterfront lot, in Concession XI, Part Lots 2, 3 & 4, Clear Lake Road, District of Bedford, subject to conditions.

Carried

Application No: S-31-15-B
Owner: Doug Woods
Location of Property: Concession XI, Part Lots 2, 3 & 4, Big Clear Lake, District of Bedford, Township of South Frontenac
Purpose of Application: Creation of three new waterfront lots
Date of Hearing: June 11, 2015
Date of Decision: June 11, 2015

DECISION: **PROVISIONAL CONSENT BE GRANTED, subject to conditions**

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands in duplicate, and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
9. The land to be severed by Consent Application S-31-15-B shall be for a 5.0 +/- are lot with a minimum of 200 m. of frontage on Big clear Lake and a minimum of 76 m. frontage on the proposed right-of-way.
2. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
3. In the event that there are abandoned wells located on the property being severed, and the retained property, they shall be sealed in accordance with the requirements of the Ministry of the Environment and that this work is accomplished prior to the stamping of the deeds.
4. The Township of South Frontenac shall receive 5% of the value of the severed parcel in lieu of parkland pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.
5. The proposed right-of-way from Frye Road shall be surveyed and constructed according to the Township's standards for Private Lanes. The lane access shall be recognized on the deeds of the lots to be accessed and the properties over which it passes.
6. The applicant shall enter into a development agreement to be registered on title to the severed and retained parcels which deals with the Township's environmental policies, as well as the requirement for the owner to contact the Rideau Valley Conservation Authority prior to any development on the property, to determine the need for a permit.

Item # 15: S-32-15-B (Woods)

Douglas Woods

Discussion:

The subject lands consist of 60,700 +/- sq. metres (15 acres) with 591 m. frontage on Bob's Lake. The applicant has requested to sever two new waterfront lots. The proposal for Lot 1 is for a 3.0 +/- acre lot with 91 m. of frontage on Big Clear Lake. The proposal for Lot 2 is for a 5.0 +/- acre lot with 200 m. of frontage on Big Clear Lake. The proposal for Lot 3 is for a 6.0 +/- acre lot with 94 m. of frontage on Big Clear Lake. Access to the proposed lots will be via a newly constructed right-of-way from Frye Road which will also serve to access three waterfront lots to the south of the Woods property. Public Health has no objections. Conservation has requested an increased setback of 60 metres for applications S-30-15-B and S-31-15-B (Lots 1 and 2 and deferral of application S-32-15-B (Lot 3) until it can be demonstrated that there is sufficient room for the access laneway to be located greater than 30 m. from the unevaluated wetland on the property. Planning thought that a 60 metre setback would push the building too far back on the lot and closer to the inland wetland, thus, the 30 metre setback should remain.

RESOLUTION: **C of A: 15:05:13**

Moved by: B. Robinson

Seconded by: P. Barr

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-32-15-B by Doug Woods, to create a new waterfront lot, in Concession XI, Part Lots 2, 3 & 4, Clear Lake Road, District of Bedford, subject to conditions.

Carried

Application No: S-32-15-B
Owner: Doug Woods
Location of Property: Concession XI, Part Lots 2, 3 & 4, Big Clear Lake, District of Bedford, Township of South Frontenac
Purpose of Application: Creation of three new waterfront lots
Date of Hearing: June 11, 2015
Date of Decision: June 11, 2015

DECISION: **PROVISIONAL CONSENT BE GRANTED, subject to conditions**

CONDITIONS:

- 7. An acceptable reference plan or legal description of the severed lands in duplicate, and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the “Notice of Decision” is given under Section 53 (17) or (24) of the Planning Act.
- 10. The land to be severed by Consent Application S-32-15-B shall be for a 6.0 +/- acre lot with a minimum of 91 m. of frontage on Big Clear Lake and a minimum of 76 m. frontage on the proposed right-of-way.
- 8. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
- 9. In the event that there are abandoned wells located on the property being severed, and the retained property, they shall be sealed in accordance with the requirements of the Ministry of the Environment and that this work is accomplished prior to the stamping of the deeds.
- 10. The Township of South Frontenac shall receive 5% of the value of the severed parcel in lieu of parkland pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.
- 11. The proposed right-of-way from Frye Road shall be surveyed and constructed according to the Township’s standards for Private Lanes. The lane access shall be recognized on the deeds of the lots to be accessed and the properties over which it passes.
- 12. The applicant shall enter into a development agreement to be registered on title to the severed and retained parcels which deals with the Township’s environmental policies, as well as the requirement for the owner to contact the Rideau Valley Conservation Authority prior to any development on the property, to determine the need for a permit.

Item # 16: MV-09-15-P (Dawson)

Speaking to the Application: Keith Dawson

Discussion:

The subject land consists of 0.4 +/- hectares (1 acre) with 45 m frontage on Alton Road West. The proposal involves the construction of a 28 ft. by 36 ft. detached garage. The by-law does not permit the total lot coverage of accessory buildings including detached garages to exceed 5% of the lot area. Additionally, the bylaw does not permit the lot coverage of all accessory buildings to exceed the lot coverage of the existing principal building. The intent of the bylaw is to have the residential use be the primary use of the property and have the accessory buildings not dominate the lot. While this proposal does increase this percent lot coverage, the proposed location of the structure is behind the house and screened by trees, as such the intent has been met. Comments from Public Health and Conservation were not required.

RESOLUTION: **C of A: 15:05:14**

Moved by: R. Sleeth

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby approves minor variance application MV-09-15-P by Keith & Patricia Dawson, to an increase in height of accessory buildings, in Concession V, Part Lot 3, Alton Road, District of Portland, subject to conditions.

Carried

Application No: MV-09-15-P
Owner: Keith & Patricia Dawson

Location of Property: Concession V, Part Lot 3, 3758 Alton Road West, District of Portland, Township of South Frontenac
Purpose of Application: To vary section 5.24.1 of the Comprehensive Zoning By-law to permit an increase in lot coverage for accessory buildings
Date of Hearing: June 11, 2015
Date of Decision: June 11, 2015

DECISION: **VARIANCE APPROVED, subject to conditions**

CONDITIONS:

1. **The variance is for the construction of a 28 ft. by 36 ft. detached garage to the rear of the existing dwelling at 3758 Alton Road.**
2. **No other structures shall be permitted.**
3. **Minor variance MV-09-15-P is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.**
4. **A building permit is required for all demolition and construction on the property. There shall be no additional development, or demolition of existing structures, on the property without approval from the Township of South Frontenac.**

Item # 17: MV-10-15-B (Veh)

Speaking to the Application: Ranier Veh

Discussion:

The subject land consists of 0.4 +/- acres with 62 m frontage on Desert Lake. The proposal involves the construction of a 24 ft. by 32 ft. cottage along with a with a 6 ft. by 12 ft. deck within the 30 metre setback from the high water mark of Bobs Lake. The by-law does not permit the construction of any structures within 30 m of the HWM for the reasons of reducing adverse effects on the environment, maintaining a natural vegetative buffer and aiding in the preservation of the rural character of the Township. Given the small size of the existing lot and the fact the applicant has proposed the front of the cottage to be no closer to the water (50 ft.) than absolutely necessary the intent has been met. In order to get the best setback from the high water mark of Bobs Lake an additional variance for rear yard setback must also be obtained.

The Chief Building Official visited the site and has recommended that given the very small size of the lot and proximity to neighbours and lot lines that the applicant provides a survey from an Ontario Land Surveyor showing the location of the “as-built” foundation to ensure proper location of the building. To accommodate this, the CBO has the option to issue a partial building permit until the final location can be confirmed, at which point a permit for the remainder of the construction can be issued.

Public Health has no objections.

RESOLUTION: **C of A: 15:05:15**

Moved by: P. Barr

Seconded by: B. Robinson

THAT the South Frontenac Township Committee of Adjustment hereby approves minor variance application MV-10-15-B by Ranier Veh, to permit construction within 30m of the HWM of Bobs Lake, in Concession X, Part Lot 25, Goods Island, District of Bedford, subject to conditions.

Carried

Application No: MV-10-15-B
Owner: Ranier Veh
Location of Property: Concession IV, Part Lot 25, Bobs Lake, District of Bedford, Township of South Frontenac
Purpose of Application: To vary section 10.3.1 of the Comprehensive Zoning By-law to permit development within 30 m of the high water mark
 To vary Section 11.3.1 of the Comprehensive Zoning By-law to permit a reduction in rear yard setback
Date of Hearing: June 11, 2015
Date of Decision: June 11, 2015

DECISION: **VARIANCE APPROVED, subject to conditions**

CONDITIONS:

1. The variance is for the construction of a 24 ft. by 32 ft. cottage along with a with a 6 ft. by 12 ft. deck a minimum of 50 m from the HWM of Bobs Lake and a minimum of 3.6 m (12 ft.) from the rear lot line.
2. No other structures shall be permitted within the 30m setback from the high water mark.
3. Minor variance MV-10-15-B is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.
4. A building permit is required for all demolition and construction on the property. There shall be no additional development, or demolition of existing structures, on the property without approval from the Township of South Frontenac.
5. The applicant shall enter into a site plan agreement with the Township to be registered on title, which sets out the Township’s environmental and limited service policies, and which specifies that a permit may be required from the Rideau Valley Conservation Authority for the proposed development, and for any shoreline or in-water works.

Item # 18: MV-11-15-B (Gordon)

Speaking to the Application: Ian Gordon & Reg Genge

Discussion:

The subject land consists of 2.8 +/- acres with 126 m frontage on Devil Lake. The proposal involves the construction of a 38 ft. by 14 ft. addition to an existing dwelling within the 30 metre setback from the high water mark of Devil Lake. The by-law does not permit the construction of any structures within 30 m of the HWM for the reasons of reducing adverse effects on the environment, maintaining a natural vegetative buffer and aiding in the preservation of the rural character of the Township.

Conservation has recommended denial of the application as submitted based on consideration for natural hazards, natural heritage and water quality policies. The Chief Building Official has no objections. Public Health has requested deferral until a full usage inspection could be done.

Environmental assessment completed by Ontario Lake Assessments addressed the water quality issue raised by the CRCA and suggested appropriate mitigation measure which the applicant was happy to undertake. Additionally, a slope stability study was provided which confirmed the stable rock base on which the existing cottage and proposed addition will sit.

Committee decided to approve the variance with the condition that approval from public health be obtained prior to the issuance of any building permits.

RESOLUTION: C of A: 15:05:16

Moved by: B. Robinson

Seconded by: P. Barr

THAT the South Frontenac Township Committee of Adjustment hereby approves minor variance application MV-11-15-B by Lia & Ian Gordon, to permit the construction of an addition to an existing dwelling within 30 m of the high water mark of Devil Lake, in Concession X, Part Lot 8, Tundra Lane, District of Bedford, subject to conditions.

Carried

Application No:	MV-11-15-B
Owner:	Lia & Ian Gordon
Location of Property:	Concession X, Part Lot 8, Devil Lake, District of Bedford, Township of South Frontenac
Purpose of Application:	To vary section 10.3.1 of the Comprehensive Zoning By-law to permit development within 30 m of the high water mark
Date of Hearing:	June 11, 2015
Date of Decision:	June 11, 2015

DECISION: VARIANCE APPROVED, subject to conditions

CONDITIONS:

1. The variance is for the construction of a 38 ft. by 14 ft. addition to an existing dwelling a minimum of 19.8 m from the HWM of Devil Lake.
2. No other structures shall be permitted within the 30m setback from the high water mark.
3. Minor variance MV-11-15-B is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.

- 4. A building permit is required for all demolition and construction on the property. There shall be no additional development, or demolition of existing structures, on the property without approval from the Township of South Frontenac.
- 5. The applicant shall enter into a site plan agreement with the Township to be registered on title, which sets out the Township’s environmental and limited service policies, and which specifies that a permit may be required from the Cataraqui Region Conservation Authority for the proposed development, and for any shoreline or in-water works.

Item # 20: Other Business

Item # 21: Adjournment

RESOLUTION: C of A: 15:04:17

Moved by: W. Schjerning

Seconded by: K. Gee

THAT the June 11, 2015 meeting of the South Frontenac Township Committee of Adjustment is hereby adjourned at 8:20 p.m. to reconvene at 7:00 p.m. on Thursday, July 9, 2014 or at the call of the Chair.

Carried

Larry Redden
Chair

Lindsay Mills
Secretary-Treasurer