

**TOWNSHIP OF SOUTH FRONTENAC
COMMITTEE OF ADJUSTMENT**

**MINUTES 14:07
AUGUST 14, 2014**

LOCATION: South Frontenac Municipal Offices, Sydenham

IN ATTENDANCE: Ken Gee (Storrington District)
Cam Naish (Storrington District)
Ron Vandewal (Loughborough District)
Larry Redden (Portland District)
Bill Robinson (Portland District)
Pat Barr (Bedford District)

ABSENT WITH REGRETS: Len McCullough (Loughborough District)
David Hahn (Bedford District)

STAFF: Lindsay Mills – Secretary-Treasurer/Planner
Amanda Mallory – Deputy Secretary Treasurer

Resolutions & Business

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Item # 1: Call to Order

RESOLUTION: C of A: 14:07:01

Moved by: P. Barr

Seconded by: B. Robinson

THAT the August 14, 2014 meeting of the South Frontenac Township Committee of Adjustment is hereby called to order at 7:05 p.m. with Ron Vandewal in the Chair.

Carried

Item # 2: Adoption of Agenda

Approved as circulated

Item # 3: Declaration of Pecuniary Interest

L. Redden declared pecuniary interest and stepped down from the Committee for application S-49-14-P (Larcon Farms)

Item # 4: Approval of Minutes

RESOLUTION: C of A: 14:07:02

Moved by: P. Barr

Seconded by: B. Robinson

THAT the South Frontenac Township Committee of Adjustment hereby approves the minutes of the July 10, 2014 meeting of the Committee, as circulated.

Carried

Item # 5: MV-12-14-B (Bell)

Speaking to the Application:

Discussion:

This application was deferred at the July 10, 2014 meeting pending receipt of Conservation comments. Conservation is expected to attend the site prior to the August 14, 2014 meeting. RVCA comments were received and they have no objections. This is a 2.6+/- acre island located in Green Bay of Bob's Lake, accessed by 1674B Green Bay Road. The existing dwelling is located 72 ft. from the high watermark on either side. The proposal is for a 600 sq. ft. 2 storey addition to the existing dwelling. The addition would also be approximately 72 ft. from the high watermark. A permit has already been obtained from Public Health, no comments are necessary.

RESOLUTION: C of A: 14:07:03

Moved by: P. Barr

Seconded by: L. Redden

THAT the South Frontenac Township Committee of Adjustment hereby approves minor variance application MV-12-14-B by Jeffrey Bell, to permit an addition to the existing structure within 30 metres of the high water mark, in concession 4, lot 17, Delp Island, District of Bedford.

Carried

Application No:	MV-12-14-B
Owner:	Jeffrey Bell
Location of Property:	Concession IV, Lot 17, District of Bedford, Township of South Frontenac
Purpose of Application:	To vary section 10.3.1 of the Comprehensive Zoning By-law to permit the construction of an addition within 30m of the high water mark.
Date of Hearing:	July 10, 2014
Date of Decision:	August 14, 2014

DECISION: VARIANCE APPROVED, subject to conditions

CONDITIONS:

- 1. The variance is for an addition to an existing dwelling that would have a final footprint of 1200 sq. ft. to be located a minimum of 72 ft. on the west and the east side from the HWM of Bob's Lake. The variance will also permit the septic system to be located a minimum of 82 ft. from the HWM on the east side.**
- 2. No other structures shall be permitted within the 30m setback from the high water mark.**
- 3. Minor variance MV-12-14-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 will be required from the Rideau Valley Conservation Authority for the proposed development, and for any shoreline or in-water works.

Item # 6: S-47-14-P (Neetz)

Speaking to the Application: Brian Neetz

Discussion:

The subject lands consist of 53 +/- acres fronting on Colebrooke Road. Lot 1 is for the creation of a 5.4 +/- acre lot with an existing dwelling and accessory buildings with 250 ft. of frontage on Colebrooke Road. Lot 2 is for the creation of a 4 +/- acre lot with a minimum of 250 ft. of frontage on Colebrooke Road. Reports have been received from public health and the roads department. The roads department has determined that the entrances will have to go in particular locations. Public health has provided a satisfactory report.

RESOLUTION: C of A: 14:07:04

Moved by: B. Robinson

Seconded by: L. Redden

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-47-14-P by Brian & Petra Neetz, to create a new lot in concession IV, lot 12, Colebrooke Road, District of Portland, subject to conditions.

Carried

Item # 7: S-48-14-P (Neetz)

Speaking to the Application: Brian Neetz

RESOLUTION: C of A: 14:07:05

Moved by: L. Redden

Seconded by: B. Robinson

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-48-14-P by Brian & Petra Neetz, to create a new lot in concession IV, lot 12, Colebrooke Road, District of Portland, subject to conditions.

Carried

Application No:	S-47-14-P & S-48-14-P
Owner:	Brian & Petra Neetz
Location of Property:	Concession IV, Lot 12, Colebrooke Road, District of Portland, Township of South Frontenac
Purpose of Application:	Creation of 2 new lots
Date of Hearing:	August 14, 2014

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 Applications S-47-14-P shall be for a 5.4 +/- acre lot with a minimum of 250 ft. of frontage on Colebrooke Road. S-48-14-P shall be for a 4 +/- acre lot with 250+ ft. of frontage on Colebrooke 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:
- The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - 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;
 - 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.
 - The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
 - 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.
8. The applicant shall meet the Road Department's condition for placement of the entrances prior to the stamping of the deed.

Item # 8: S-49-14-P (Larcon Farms)

Speaking to the Application: Kevin Redden

Discussion:

The subject lands consist of 150 +/- acres fronting on Wilton Road and Road 38. The proposal is for a 2 +/- acre lot with a minimum of 200 ft. of frontage on Wilton Road. The proposed lot is within the hamlet and does not require 250 ft. of frontage. The proposed lot and retained lots are currently vacant. Satisfactory reports have been received from Public Health, CBO and the Roads Department. L. Mills explained that the severed lot will have to be rezoned to allow for 200 ft. of frontage.

RESOLUTION: C of A: 14:07:06

Moved by: B. Robinson

Seconded by: P. Barr

THAT the South Frontenac Township Committee of Adjustment hereby approves, consent application S-49-14-P by Larcon Farms, to create a new lot, in concession IV, lot 7, Wilton Road, District of Portland, subject to conditions.

Carried

Application No:	S-49-14-P
Owner:	Larcon Farms
Location of Property:	Concession IV, Lot 7, Wilton Road, District of Portland, Township of South Frontenac
Purpose of Application:	Creation of a new lot
Date of Hearing:	August 14, 2014

CONDITIONS

- 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-49-14-P shall be for a 2 + acre lot with a minimum of 200 ft. of frontage on Wilton 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:

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.
8. The applicant shall rezone the property from Urban Residential First Density Zone to Urban Residential First Density Zone – 15.

Item # 9: S-50-14-B (Lake Opinicon Village Inc.)

Speaking to the Application: Trent Oxman

Discussion:

The subject lands consist of 20.7 +/- acres with frontage on Opinicon Road. The applicant has requested severance of a 2.8 +/- acre lot with a minimum of 400 ft. of frontage on Opinicon Lake together with a right-of-way from Opinicon Road. The lot would front on a narrow portion of the waterbody, thus the frontage must be a minimum of 500 ft. The lot to be severed is currently vacant, and it is proposed that the lot will be used for residential purposes. The retained lot would be 17.2 +/- acres in size and will continue to be used as an agricultural/seasonal recreation property. The Roads Department has met with the applicant and the entrance will have to be constructed in the agreed upon location. The Rideau Waterway Development Review Team as well as Public Health have no objections to this application. L. Mills noted that the new lot will be on a narrow waterbody and therefore, the applicant must extend the water frontage to 500 feet.

RESOLUTION: **C of A: 14:07:07**

Moved by: P. Barr

Seconded by: B. Robinson

THAT the South Frontenac Township Committee of Adjustment hereby approves, consent application S-50-14-B by Lake Opinicon Village Inc., to create a new lot together with a right-of-way, in concession XVI, lot 1, Opinicon Road, District of Bedford.

Carried

Application No: S-50-14-B
Owner: Lake Opinicon Village Inc. (Oxman)
Location of Property: Concession XVI, Lot 1, Opinicon Road, District of Bedford, Township of South Frontenac
Purpose of Application: Creation of a residential lot together with a right-of-way
Date of Hearing: August 14, 2014
Date of Decision: August 14, 2014

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-50-14-B shall be for a 2.8 +/- acre lot with a minimum of 500 ft. of frontage on Opinicon Lake.
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 lane shall be surveyed and constructed according to the Township's standards for new private lanes. The lane access shall be recognized on the deeds of the lot to be accessed and the property over which it passes.
7. The applicant shall enter into a development agreement to be registered on title to the severed lots, which includes the setback requirement from the waterbody, and which requires that the owner shall contact the Cataraqui Region Conservation Authority prior to any construction, including roads, on the severed parcel and that the Parks Canada – Rideau Canal office be contacted prior to any in-water works.

Item # 10: S-51-14-P (Yule)

Speaking to the Application: Murray Yule

Discussion:

The subject property is a 1+/- acre lot (Part 2 on Plan). The purpose of this application is to create a right-of-way to two existing waterfront lots that are presently water access only. Parts 7, 8 and 9 are existing driveways and this application is simply proposing to legally recognise the existing situation. Reports are not required from Health or Conservation.

RESOLUTION: **C of A: 14:07:08**

Moved by: L. Redden

Seconded by: B. Robinson

THAT the South Frontenac Township Committee of Adjustment hereby approves, consent application S-51-14-P by Murray Yule, to grant a right-of-way, in concession XIII, lot 6, High Falls Lane, District of Portland, subject to conditions.

Carried

Application No: S-51-14-P

Owner: Murray Gordon Yule
Location of Property: Concession XIII, Pt. Lot 6, High Falls Lane, District of Portland, Township of South Frontenac
Purpose of Application: Consent to grant a right-of-way
Date of Hearing: August 14, 2014
Date of Decision: August 14, 2014

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

CONDITIONS

1. An acceptable reference plan or legal description of the severed lands, 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. Consent is being granted for a right-of-way only in favour of Part 1, 13R-16402, (1005A High Falls Lane) and Part 3 on Plan 13R-1587 (1005B High Falls Lane). This right-of-way shall be surveyed to a width of 15 ft. and upgraded to the Township's minimum standards for existing private lanes.
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 deed)
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 deed.
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. Part 6 on Plan 13R-20755 shall be quit-claimed.

Item # 11: S-53-14-P (Groenway Farms)

Speaking to the Application: David Groenwegen

Discussion:

The subject lands consist of 38+/- acres with frontage on Henderson Road. The applicant has requested severance of a 17 +/- acre lot with a minimum of 670 ft. of frontage on Henderson Road. The lot to be severed is vacant and it is proposed that the lot will be used for residential purposes. The retained lot will be 21 +/- acres with an existing residence and workshop. Satisfactory reports have been received from Public Health and the Roads Department.

RESOLUTION: **C of A: 14:07:09**

Moved by: L. Redden

Seconded by: B. Robinson

THAT the South Frontenac Township Committee of Adjustment hereby approves, consent application S-53-14-P, by Groenway Farms, to create a new lot, in concession I, lot 8, Henderson Road, District of Portland, subject to conditions.

Carried

Application No: S-53-14-P
Owner: Groenway Farms Inc.
Location of Property: Concession I, Lot 8, Henderson Road, District of Portland, Township of South Frontenac
Purpose of Application: Creation of a new lot
Date of Hearing: August 14, 2014
Date of Decision: August 14, 2014

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-53-14-P shall be for a 17 +/- acre lot with a minimum of 250 ft. of frontage on Henderson 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:

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-54-14-P (Thompson)

Speaking to the Application: Shawn Thompson

Discussion:

The subject lands consist of 11.5 +/- acres with frontage on Bradford Road. The applicant has requested to sever a 6 +/- acre lot with a minimum of 250 ft. of frontage on Bradford Road. The lot to be severed is vacant and it is proposed that the lot will be used for residential purposes. The retained lot will be approximately 5 acres with an existing dwelling. The Roads Department has noted that the proposed lot is low-lying and that the existing ditch must be cleaned before an entrance permit is issued. A satisfactory health report was received in time for the meeting.

RESOLUTION: C of A: 14:07:10

Moved by: B. Robinson

Seconded by: L. Redden

THAT the South Frontenac Township Committee of Adjustment hereby approves, consent application S-54-14-P, by Shawn & Natalie Thompson, to create a new lot, in concession V, lot 14, Bradford Road, District of Portland, subject to conditions.

Carried

Application No: S-54-14-P
Owner: Shawn & Natalie Thompson
Location of Property: Concession V, Lot 14, Bradford Road, District of Portland, Township of South Frontenac
Purpose of Application: Consent to create a new lot
Date of Hearing: August 14, 2014
Date of Decision: August 14, 2014

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-54-14-P shall be for a 6 +/- acre lot with a minimum of 250 ft. of frontage on Bradford 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:

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.
8. The applicant shall clean the drainage ditch to the Road Department's satisfaction, prior to the stamping of the deed.

9. The applicant shall enter into a development agreement to be registered on title to the severed lot, dealing with proper building location, elevation of footings, proposed grades and any third party assessments and/or designs required by the Building Department.

Item # 13: S-55-14-B (Abrams)

Speaking to the Application: Anne Levac (Agent)

Discussion:

The subject lands consist of 60.5 +/- acres with frontage on Desert Lake. The applicant has requested to sever a 7.5 +/- acre lot with one existing dwelling and one cabin. The new lot will be accessed by Windy Bay Lane which will be extended. The retained lot will be 53 +/- acres with one dwelling and six cabins, accessed by Abrams Lane. Reports have been received from Conservation, Public Health and the Building Department. There are no objections. The Township Planner noted that Windy Bay Lane only needs to touch the new lot as the lane will not be extended any further.

RESOLUTION: C of A: 14:07:11

Moved by: P. Barr

Seconded by: L. Redden

THAT the South Frontenac Township Committee of Adjustment hereby approves, consent application S-55-14-B, by Robert & Douglas Abrams, to create a new lot together with a right-of-way, in concession IV, lot 1, Desert Lake, District of Bedford, subject to conditions.

Carried

Application No:	S-55-14-B
Owner:	Robert Abrams & Douglas Abrams
Location of Property:	Concession IV, Lot 1, Desert Lake, District of Bedford, Township of South Frontenac
Purpose of Application:	Consent to create a new lot with existing structures, together with a right-of-way
Date of Hearing:	August 14, 2014
Date of Decision:	August 14, 2014

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-55-14-B shall be for a 7.5 +/- acre lot with a minimum of 300 ft. of frontage on Desert Lake.
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 2% 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 lane shall be surveyed and constructed according to the Township's standards for new private lanes. The lane access shall be recognized on the deeds of the lot to be accessed and the property over which it passes.
7. The applicants shall rezone both the severed and retained lots to a Recreational Resort Commercial Special Zone.

Item # 14: S-56-14-S (1324789 Ontario Inc.)

Speaking to the Application: Gary Beach

Discussion:

The subject lands consist of 27.4 +/- acres with 5900 ft. of water frontage on Dog and Cranberry Lakes. The applicant has requested to sever 3 new lots together with a right-of-way. The proposal for Lot 1 is for a 4.7 +/- acre lot with 500 ft. of frontage on Dog Lake. Lot 2 is for a 2.7 acre lot with 305 ft. of frontage on Dog Lake. Lot 3 is for a 3.2 +/- acre lot with 540 ft. of frontage on Dog/Cranberry Lakes. Reports from Public Health and Conservation have been received, and they have no objections.

RESOLUTION: C of A: 14:07:12

Moved by: K. Gee

Seconded by: C. Naish

THAT the South Frontenac Township Committee of Adjustment hereby approves, consent application S-56-14-S, by 1324789 Ontario Inc., to create a new lot together with a right-of-way, in concession IX, lots 20/21, Dog Lake, District of Storrington, subject to conditions.

Carried**Item # 15: S-57-14-S (1324789 Ontario Inc.)**

Speaking to the Application: Gary Beach

RESOLUTION: C of A: 14:07:13

Moved by: C. Naish

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby approves, consent application S-57-14-S, by 1324789 Ontario Inc., to create a new lot together with a right-of-way, in concession IX, lots 20/21, Dog Lake, District of Storrington, subject to conditions.

Carried**Item # 16: S-58-14-S (1324789 Ontario Inc.)**

Speaking to the Application: Gary Beach

RESOLUTION: C of A: 14:07:14

Moved by: C. Naish

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby approves, consent application S-57-14-S, by 1324789 Ontario Inc., to create a new lot together with a right-of-way, in concession IX, lots 20/21, Cranberry Lake, District of Storrington, subject to conditions.

Carried

Application No:	S-56-14-S, S-57-14-S & S-58-14-S
Owner:	1324789 Ontario Inc. (Beach)
Location of Property:	Concession IX, Lot 21/22, Dog/Cranberry Lakes, District of Storrington, Township of South Frontenac
Purpose of Application:	Creation of three new lots, together with a right-of-way (Lot 3 – subject to ROW in favour of property to the west)
Date of Hearing:	August 14, 2014
Date of Decision:	August 14, 2014

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-55-14-B shall be for a 7.5 +/- acre lot with a minimum of 300 ft. of frontage on Desert Lake.**

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 2% 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 submit a well driller's report demonstrating potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test.
7. The new lane shall be surveyed and constructed according to the Township's standards for new private lanes. The lane access shall be recognized on the deeds of the lots to be accessed and the property over which it passes. The existing lane will be constructed according to the Township's standards for existing lanes.
8. The applicant shall obtain an amendment to the Township's Comprehensive Zoning By-law to rezone the lots from Rural to Limited Service Residential Waterfront.
9. The applicant shall enter into a Development Agreement to be registered on title to the severed lots, which includes the setback requirement from the waterbody, and which requires that the owner shall contact the Cataraqui Region Conservation Authority prior to any construction, including roads, on the severed parcel.

Item # 17: S-59-14-B (Kilby & Brunke)

Speaking to the Application: Steve Kilby

Discussion:

The subject lands consist of 410 +/- acres with frontage on Canoe Lake Road. The applicants have requested to sever a 104 +/- acre lot with 650 metres of frontage on Canoe Lake Road. The lot to be severed has 11 existing campsites and 2 outhouses as part of Canoe Lake Campground. The retained lot contains an existing dwelling, cottage and 4 utility buildings. A rezoning for the new lot will be required from Rural to RRC. The CBO has noted that there are Hydro Lines through the northern part of the new lot and retained lot. Satisfactory reports have been received from Roads and Public Health. The severed lot must be rezoned to Recreational Resort Commercial Zone.

RESOLUTION: C of A: 14:07:15

Moved by: P. Barr

Seconded by: L. Redden

THAT the South Frontenac Township Committee of Adjustment hereby approves, consent application S-59-14-B, by Karen Kilby & Diana Brunke, to create a new lot, in concession VIII, pt. lots 13/14/15, Canoe Lake Road, District of Bedford, subject to conditions.

Carried

Application No:	S-59-14-B
Owner:	Karen Kilby & Diana Brunke
Location of Property:	Concession 8, Pt. Lot 13/14/15, Canoe Lake Road, District of Bedford, Township of South Frontenac
Purpose of Application:	Consent to create a new lot
Date of Hearing:	August 14, 2014
Date of Decision:	August 14, 2014

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-59-14-B shall be for a 104 +/- acre lot with a minimum of 250 ft. of frontage on Canoe Lake 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 2% 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.
8. The applicant shall obtain an amendment to the Township's Comprehensive Zoning By-law to rezone the lots from Rural to Recreational Resort Commercial Zone.

Item # 18: S-60-14-B (Crawford)

Speaking to the Application:

Discussion:

The subject lands consist of 0.53 +/- acres and has frontage on Oak Shores Crescent and Bob's Lake. The proposal is for the creation of a 10 ft. wide right-of-way to allow pedestrian access to the water from Oak Shores Crescent. The application was deferred because the application was not advertised according to the Planning Act. The application will be brought back to the Committee for another public meeting.

RESOLUTION: C of A: 14:07:16

Moved by: P. Barr

Seconded by: B. Robinson

THAT the South Frontenac Township Committee of Adjustment hereby defers, consent application S-60-14-B, by Maureen Crawford, to grant a right-of-way, in concession II, lot 22, Oak Shores Crescent, District of Bedford.

Carried

Item # 19: S-61-14-P (Brushette)

Speaking to the Application:

Discussion:

The subject lands consist of 83 +/- acres with frontage on Bradford and Colebrooke Roads. The applicant has requested to sever a 2+/- acre lot with a minimum of 250 ft. of frontage on Bradford Road. The proposed lot is vacant and will be used for residential purposes. The retained lot is currently vacant and will have 750 ft. of frontage on Bradford Road and 250 ft. on Colebrooke Road. There is a large horse barn nearby and a MDS calculation has been conducted. The new lot is located outside the MDS radius; therefore, there are no concerns. Satisfactory reports have been received from the Roads Department and Public Health.

RESOLUTION: C of A: 14:07:17

Moved by: P. Barr

Seconded by: L. Redden

THAT the South Frontenac Township Committee of Adjustment hereby approves, consent application S-61-14-P, by Gordon & Nicole Brushette, to create a new lot, in concession V, lot 17, Bradford Road, District of Portland, subject to conditions.

Carried

Application No:	S-61-14-P
Owner:	Gordon & Nicole Brushette
Location of Property:	Concession V, Lot 17, Bradford Road, District of Portland, Township of South Frontenac
Purpose of Application:	Consent to create a residential lot
Date of Hearing:	August 14, 2014
Date of Decision:	August 14, 2014

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-46-14-P shall be for a 2+/- acre lot with 250+ ft. of frontage on Colebrook 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:

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 # 20: MV-13-14-L (Saaltink)

Speaking to the Application: Brenda Saaltink

Discussion:

The subject lands consist of 1.5 +/- acres with frontage on Desert Lake and Desert Point Lane. The applicant is proposing to build a 26' by 42' basement under the existing structure which is located 77 ft. from the high watermark. A report has been received from Conservation and they have no objections provided a permit is obtained prior to construction. A report was received from Public Health in time for the meeting.

RESOLUTION: C of A: 14:07:18

Moved by: K. Gee

Seconded by: C. Naish

THAT the South Frontenac Township Committee of Adjustment hereby approves, minor variance application MV-13-14-L by Brenda Saaltink, to permit the construction of a basement within 30 metres of the high water mark, in concession XIV, lot 11, Desert Point Lane, District of Loughborough, subject to conditions.

Carried

Application No: MV-13-14-L
Owner: Brenda Saaltink
Location of Property: Concession XIV, Pt. Lot 6/7, District of Loughborough, Township of South Frontenac
Purpose of Application: To vary section 5.10.2 of the Comprehensive Zoning By-law to permit the construction of a basement within 30m of the high watermark.
Date of Hearing: August 14, 2014
Date of Decision: August 14, 2014

DECISION: VARIANCE APPROVED, subject to conditions

CONDITIONS:

1. The variance is for the construction of a basement that would have a final footprint of 1094 sq. ft. to be located a minimum of 77 ft. on the north west and south east side from the HWM of Desert Lake.
2. No other structures shall be permitted within the 30m setback from the high water mark.
3. Minor variance MV-13-14-L 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 will be required from the Cataraqui Region Conservation Authority for the proposed development, and for any shoreline or in-water works.

Item # 21: MV-14-14-L (Rennie)

Speaking to the Application: Matthew Rennie

Discussion:

The subject lands consist of 3.31 +/- acres with 146.5 ft. of frontage on Pebble Lane and Loughborough Lake. The property is located on the north shore of the east basin of Loughborough Lake. The lake is not highly sensitive to lake trout at this location, however, the area is identified a Provincially Significant Wetland. The proposal involves the construction of a 28 ft. by 22 ft. addition to the existing dwelling, reducing the setback from 98.4 ft. to 69.8 ft. from Loughborough Lake. A permit has been obtained from Public Health and we have received comments from Conservation, who have no objections.

RESOLUTION: C of A: 14:07:19

Moved by: C. Naish

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby approves, minor variance application MV-14-14-L, by Matthew Rennie, to permit the construction of an addition within 30 metres of the high water mark, in concession VI, lot 23, Pebble Lane, District of Loughborough, subject to conditions.

Carried

Application No:	MV-14-14-L
Owner:	Matthew Rennie
Location of Property:	Concession VI, Lot 23, District of Loughborough, Pebble Lane, Loughborough Lake, Township of South Frontenac
Purpose of Application:	To vary section 10.3.1 of the Comprehensive Zoning By-law to permit the construction of an addition within 30m of the high water mark.
Date of Hearing:	August 14, 2014
Date of Decision:	August 14, 2014

DECISION: VARIANCE APPROVED, subject to conditions

CONDITIONS:

1. The variance is for the addition to an existing dwelling that would have a final footprint of 616 sq. ft. to be located a minimum of 69.8 ft. from the HWM of Loughborough Lake.
2. No other structures shall be permitted within the 30m setback from the high water mark.
3. Minor variance MV-14-14-L 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 will be required from the Cataraqui Region Conservation Authority for the proposed development, and for any shoreline or in-water works.

Item # 22: Other Business – S-12-14-P (Young)

Discussion:

This application came to the Committee in April, 2014. The Planning Department is bringing this application back to reconsider the requirement of applying a Holding symbol to the property. Planning recommends that the applicant enter into a Development Agreement that would require an expert to determine a proper building envelope on the site with proper drainage and damp proofing.

RESOLUTION: C of A: 14:07:20

Moved by: C. Naish

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby approves an amendment to the conditions of consent for application S-12-14-P (Young) to change condition # 8 to now require entering into a development agreement to be registered on the title of the lot.

Carried

Item # 23: Other Business – S-39-14-P (Ratray)

Discussion:

This application came to the Committee on July 10, 2014. The Planning Department is bringing this application back to reconsider the requirement of applying a Holding symbol to the property. Planning recommends that the applicant enter into a Development Agreement instead. This would require an expert to determine a proper building envelope on the site with proper drainage and damp proofing and avoid rezoning the new lot. The subject lands consist of 67+/- acres fronting on Bradford Road West. The proposal is for the creation of a 4+/- acre lot with 250 ft. of frontage on Bradford Road West. The retained lot be 63 +/- acres and will contain an existing dwelling, garage and barn. The proposed lot is vacant. A roads report has been received, stating that the potential lot is very low and wet. The applicant's ditch from the Township Road to the south (towards swamp) must be ditched before approval from the roads department. A satisfactory health report has been received.

RESOLUTION: C of A: 14:07:21

Moved by: K. Gee

Seconded by: C. Naish

THAT the South Frontenac Township Committee of Adjustment hereby approves an amendment to the conditions of consent for application S-39-14-P (Ratray) to change condition # 9 to now require entering into a development agreement to be registered on the title of the lot.

Carried

Item # 24: Other Business – S-44-14-S & S-45-14-S

Discussion:

This application came to the Committee on July 10, 2014. The Planning Department is bringing this application back in order to amend the conditions to include constructing the new right-of-way according to Township private lane standards. The subject lands consist of 91+/- acres fronting on Dog Lake. Proposed lots 1 and 2 will each be 4.2+/- acres in size. The retained lot will be 83.4+/- acres. The proposed parcels are currently vacant and the retained lot has an existing single family dwelling. The applicant is also proposing to re-route Christel Lane around proposed lot 2 instead of through it. Reports have not yet been received from Conservation, Rideau Waterfront Development Review Team or Public Health.

RESOLUTION: C of A: 14:07:22

Moved by: C. Naish

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby approves an amendment to the conditions of consent for applications S-44-14-S & S-45-14-S to add a condition stating that, "the new land shall be surveyed and constructed according to the Township's standards for new private lanes. The land access shall be recognized on the deeds of the lots to be accessed and the property over which it passes. The existing lane will be constructed according to the Township's standards for existing lanes.

Carried

Item # 25: Adjournment

RESOLUTION: C of A: 14:07:23

Moved by: K. Gee

Seconded by: C. Naish

THAT the August 14, 2014 meeting of the South Frontenac Township Committee of Adjustment is hereby adjourned at 7:14 p.m. to reconvene at 7:00 p.m. on Thursday, September 11, 2014 or at the call of the chair.

Carried

Ron Vandewal
Chair

Lindsay Mills
Secretary-Treasurer