

**TOWNSHIP OF SOUTH FRONTENAC
COMMITTEE OF ADJUSTMENT/LAND DIVISION COMMITTEE
MINUTES 12:05
MAY 10, 2012**

LOCATION: South Frontenac Municipal Offices, Sydenham

IN ATTENDANCE: Larry York, (Storrington District)
Ken Gee (Storrington District)
Ron Vandewal (Loughborough District)
Len McCullough (Loughborough District)
Larry Redden (Portland District)
Bill Robinson (Portland District)
Mark Tinlin (Bedford District)

ABSENT WITH REGRETS: David Hahn

STAFF & CONSULTANTS: Lindsay Mills – Secretary-Treasurer/Planning Coordinator
Anne Levac – Assistant Secretary-Treasurer

RESOLUTIONS & BUSINESS:

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Item #1: Call to Order

RESOLUTION: C of A: 12:05:01

Moved by: L. McCullough

Seconded by: K. Gee

THAT the May 10, 2012 meeting of the South Frontenac Township Committee of Adjustment is hereby called to order at 7:00 p.m. with Ron Vandewal in the Chair.

Carried

Item #2: Adoption of Agenda

Adopted as circulated

Item #3: Declaration of Pecuniary Interest

None

Item #4: Approval of Minutes

RESOLUTION: C of A: 12:05:02

Moved by: K. Gee

Seconded by: L. York

THAT the South Frontenac Township Committee of Adjustment hereby approves the minutes of the April 12, 2012 meeting of the Committee, as circulated.

Carried

RESOLUTION: C of A: 12:05:03

THAT the minutes of the April 17th, 2012 special meeting of the South Frontenac Township Committee of Adjustment are hereby approved as circulated.

Carried

Item #5: S-37-11-B (Snaveley)

Speaking to the Application: David Munday, agent

Discussion

The subject lands consist of 2.8+/- acres with frontage on Green Bay Road and Green Bay of Bob's Lake. The applicant is seeking approval for the creation of an easement to provide access to an island property. Rideau Valley Conservation is supportive of the application provided that some specific conditions are included. The applicant will need to apply to the RVCA for a permit to install any dock, boat launch or associated shoreline alterations. The property has been zoned to recognize the permitted use.

RESOLUTION: C of A: 12:05:04

Moved by: W. Robinson

Seconded by: M. Tinlin

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-37-11-B by Robert & Linda Snaveley to create a parking easement in lot 16, concession 4, Bob's Lake, District of Bedford, subject to conditions.

Carried

Application No:	S-37-12-B
Owner:	Robert & Linda Snaveley
Location of Property:	Concession IV, Lot 16, Green Bay of Bob's Lake, District of Bedford, Township of South Frontenac
Purpose of Application:	Creation of parking/docking easement
Date of Hearing:	March 8, 2012
Date of Decision:	May 10, 2012

DECISION: PROVISIONAL CONSENT GRANTED, subject to conditions

CONDITIONS

1. **The applicant or his/her solicitor shall prepare and submit to The Corporation of The Township of South Frontenac a transfer or such other required form of document necessary to implement the consent, including Form 1 or 2, as prescribed by Ontario Regulation 197-96, for endorsement by the Secretary-Treasurer of the Committee of Adjustment for the municipality. This transfer or other legal document shall be provided to the municipality within a period of one year after notice of the decision was given under subsection 53 (17) or 53 (24) of the Planning Act.**
2. **An acceptable reference plan of the easement in duplicate, shall be submitted to the Township.**
3. **The right-of-way created by Consent Application S- 37-11-B shall provide access over pt of part 1 on Plan 13R-4747, in favour of the property described as Island 73 in Green Bay.**
4. **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.)**
5. **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.**
6. **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.**

7. **The applicant shall enter into an agreement with the Township, to be registered on title to the applicants' property, to recognize the municipality's environmental policies, and to specify that a permit will be required from the Rideau Valley Conservation Authority prior to any shoreline or in-water works, including docks.**

Item #6: S-10-12-P (Murphy)

Speaking to the Application: Evan Murphy

Discussion

The subject lands consist of 47+/- acres with frontage on Colebrooke Road and on Bradford Road. The property is developed with a single family dwelling and a detached garage. The applicant originally applied to create three residential lots, two fronting on Bradford Road and one on Colebrooke Road. There is a provincially significant wetland covering the middle portion of the property.

The CRCA indicated that they do not support the Bradford Road lots, although they would likely be supportive of severing off the north half of the property to incorporate all of the wetland into one new lot or perhaps a smaller lot if its southern lot line could be sufficiently far from the wetland. These options are being followed up by the applicant. There had been an issue with a setback from a neighbouring barn near the Colebrooke Road lot but it has subsequently been determined that this is not really a barn. Public Health had been asked to hold off on site inspections until these other issues had been resolved. We now have all of the information necessary to deal with the Colebrooke Road lot.

RESOLUTION: C of A: 12:05:05

Moved by: W. Robinson

Seconded by: L. Redden

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-10-12-P by Evan Murphy to create a residential lot in lot 11, concession 5, District of Portland, subject to conditions.

Carried

Application No:	S-10-12-P
Applicant:	Evan Murphy
Location of Property:	Concession 5, Lot 11, Colebrooke Road, District of Portland
Purpose of Application:	Consent to create residential lot
Date of Hearing:	March 8, 2012
Date of Decision:	May 10, 2012

DECISION: PROVISIONAL CONSENT GRANTED, subject to conditions

CONDITIONS

- 1. An acceptable reference plan or legal description of the severed lands in duplicate, and the deed or instrument (in triplicate) 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-10 -12-P shall be for a 2+ lot.**
- 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 land 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, S.O. 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 a potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test.

Item #7: S-22-12-L, S-23-12-L (Frontenac Outfitters – Showler)
Speaking to the Application: Larry Showler

Discussion

The subject lands consist of 20+ acres with a dwelling, accessory buildings and an outfitter supply business. The applicant is seeking approval for the creation of a 4.8 acre waterfront lot, with frontage on Salmon Lake Road and Otter Lake, and a 2 acre residential lot with frontage on Salmon Lake Road. The applicants had originally requested consideration of three severed lots, but the Roads Department noted that the more southerly of the lots could not meet the spacing requirement for an entrance in relation to Bedford Road. This application was therefore withdrawn. After further discussion with Roads, it appears that it may not be possible to have more than one entrance onto the property off of Salmon Lake Road. It was agreed that both applications should be deferred until the applicant and staff were able to consider options. A zoning amendment would be required to rezone the lots to Residential Waterfront (S-22) and Rural (S-23). Currently the entire property is zoned Rural Commercial.

RESOLUTION: C of A: 12:05:06

Moved by: L. McCullough

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby defers consent application S-22-12-L and S-23-12-L by Frontenac Outfitters (Showler) to create a waterfront residential lot and a non-waterfront residential lot in lot 9/10, concession 11, District of Loughborough, to provide an opportunity for the applicant to review possible entrance options.

Carried

Item #8: S-25-12-B, S-26-12-B (Deneault/Bennett)
Speaking to the Application: Jacques Deneault, Susan Bennett

Discussion

The subject lands consist of 84+ acres with a residential dwelling. The applicant is seeking approval for the creation of two large waterfront lots, approximately 13 acres each, fronting on a private lane off of Lee Road, and on Wolfe Lake. The proposal is to upgrade the current laneway which leads to the cottage to meet the Township's private lane standards. There has been considerable discussion concerning the location of wetlands on the property. Ontario Lake Assessments prepared a letter in response to some concerns expressed by Rideau Valley Conservation. It is generally agreed that any development would need to be a considerable distance from the lake. In the latest submission from RVCA, it was recommended that the applications be deferred until the Ministry of Natural Resources could confirm the boundaries of the wetland. In addition, L. Mills indicated that he would like to see a reconfiguration of the proposed lots to make them less irregular.

RESOLUTION: C of A: 12:05:07

Moved by: M. Tinlin

Seconded by: W. Robinson

THAT the South Frontenac Township Committee of Adjustment hereby defers consent applications S-25-12-B and S-26-12-B by Jacques Deneault and Susan Bennett to create waterfront lots in lot 23/24, concession 10, Wolfe Lake, District of Bedford, pending confirmation from the Ministry of Natural Resources as to the limits of the wetland on the property.

Carried

Item #9: S-28-12-S, S-35-12-S (LeHeup)

Speaking to the Application: John LeHeup Jr., Debbie Forsyth

Discussion

The subject lands consist of 135+ acres fronting on Bear Creek Road, and with a right-of-way off of Washburn Road. The property is developed with a dwelling and barn. The proposals are to sever 96 acres from the property for the purpose of building a new single family dwelling, and to add 2 acres to an existing residential lot which was severed from the property several years ago, and which obtains its access over the right-of-way from Washburn Road (3015 Washburn Road).

The shape of the proposed new lot is somewhat irregular, but the original parcel is even more "unusual" and this severance would appear to be somewhat of an improvement.

RESOLUTION: C of A: 12:05:08

Moved by: K. Gee

Seconded by : L. York

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-28-12-S by John LeHeup Sr. and Marg LeHeup, to create a 94+/- acre lot in lot 2/3, concession 6, Bear Creek Road, District of Storrington, subject to conditions.

Carried

Application No:	S-28-12-S
Owner:	John LeHeup Sr., Marg LeHeup
Location of Property:	Concession VI, Lot 2/3, Bear Creek Road, District of Storrington, Township of South Frontenac
Purpose of Application:	Creation of 94+/- acre lot
Date of Hearing:	May 10, 2012
Date of Decision:	May 10, 2012

DECISION: PROVISIONAL CONSENT GRANTED, subject to decisions

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-28-12-S shall be for a 94+/- acre lot, with 250+ ft. frontage on Bear Creek 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 land 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, S.O. 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 a potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test.

RESOLUTION: C of A: 12:05:09

Moved by: L. York

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-35-12-S by John LeHeup Sr. and Marg LeHeup, to create a 2+/- acre lot addition, in lot 2/3, concession 6, District of Storrington, subject to conditions.

Carried

Application No:	S-35-12-S
Owner:	John LeHeup Sr., Marg LeHeup
Location of Property:	Concession VI, Lot 2/3, Bear Creek Road, District of Storrington, Township of South Frontenac
Purpose of Application:	Creation of 2 acre lot addition
Date of Hearing:	May 10, 2012
Date of Decision:	May 10, 2012

DECISION: PROVISIONAL CONSENT 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-35-12-S shall be for a 2+/- acre lot addition to 3015 Washburn Road (13R-14547, parts 5,6,7).**
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.**

Item #10: S-29-12-L (Brown)**Discussion**

The subject lands consist of 94+/- acres with frontage on Railton Road. The applicant is seeking approval for the creation of a 2 acre lot, with a minimum road frontage of 250 ft. This lot was applied for by William Brown and approved in 2008, but not finalized at that time.

RESOLUTION: C of A: 12:05:10

Moved by: L. McCullough

Seconded by: L. York

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-29-12-L by Criss Brown, to create a 2+ acre lot in lot 2, concession 2, District of Loughborough, subject to conditions.

Carried

Application No:	S-31-08-L
Owner:	Criss Brown
Location of Property:	Concession II, Lot 2, Railton Road District of Loughborough, Township of South Frontenac
Purpose of Application:	New lot
Date of Hearing:	May 10, 2012
Date of Decision:	May 10, 2012

DECISION: PROVISIONAL CONSENT GRANTED, subject to conditions

CONDITIONS

1. **An acceptable reference plan or legal description of the severed lands in duplicate, and the deed or instrument (in triplicate) 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-29-12-L shall be for a 2+ acre lot, with 250+ ft. frontage on Railton 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 land 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, S.O. 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 a potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test.

Item #11: S-30-12-L (Huehmer)

Speaking to the Application: Dennis Williams, agent

Discussion

The subject lands consist of 61+/- acres with a dwelling and accessory buildings. The applicant is seeking approval for the creation of a 31+/- acre lot. The CBO has determined that the minimum distance separation distance from the barn on the retained parcel is 363 ft. There will be substantial area on the severed parcel beyond that distance.

RESOLUTION: C of A: 12:05:11

Moved by: L. McCullough

Seconded by: L. York

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-30-12-L by Hilda Huehmer, to create a 31+/- acre lot, in lot 8, concession 2, District of Loughborough, subject to conditions.

Carried

Application No:	S-30-12-L
Owner:	Hilda Huehmer
Location of Property:	Concession III, Lot 8, Railton Road District of Loughborough, Township of South Frontenac
Purpose of Application:	New lot
Date of Hearing:	May 10, 2012
Date of Decision:	May 10, 2012

DECISION: **PROVISIONAL CONSENT 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-30-12-L shall be for a 31+/- acre lot, with 250+ ft. frontage on Railton 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 land 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, S.O. 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 a potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test.

Item #12: S-31-12-S (McCallum)

Speaking to the Application: Jody McCallum, Clayton Roney (agents)

Discussion

The subject lands consist of a 100+ acre farm property with frontage on Princess Road. The applicant is seeking approval for the creation of a 9 acre lot. The front portion of the proposed lot is located within the Settlement Area of Sunbury and is zoned Urban Residential – First Density. The remainder of the proposed lot is in a Rural zone. Although the frontage of the proposed lot is less than 250 ft. (it is actually 150 ft.), its location within a Settlement Area allows for some discretion with regard to frontage. A zoning amendment will be required to recognize the deficient road frontage and to rezone the back part of the new lot to Urban Residential – First Density. This designation does not permit agricultural uses.

RESOLUTION: C of A: 12:05:12

Moved by: L. York

Seconded by: K. Gee

THAT the South Frontenac Township of South Frontenac hereby approves consent application S-31-12-S by Robert & Christine McCallum, to create a 9+/- acre lot, in lot 40, concession 7, District of Storrington, subject to conditions.

Carried

Application No:	S-31-12-S
Owner:	Robert & Christine McCallum
Location of Property:	Concession VII, Lot 40, Princess Road, District of Storrington, Township of South Frontenac
Purpose of Application:	Creation of 9+/- acre residential lot
Date of Hearing:	May 10, 2012
Date of Decision:	May 10, 2012

DECISION: PROVISIONAL CONSENT 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-31-12-S shall be for a 9+/- acre lot, with 150 ft. frontage on Princess 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 land 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, S.O. 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 a 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 South Frontenac Township Comprehensive Zoning By-law to recognize the deficient road frontage on the new lot, to rezone the southern portion of the lot to Urban Residential-First Density to correspond with the zoning on the front part of the lot, and to require that any buildings on the severed lot be located a minimum of 100 ft. from the abutting rear lot lines of the abutting residential lots.

Item #13: S-32-12-P (Brushette)

Speaking to the Application: Gordon & Nicole Brushette

Discussion

The subject lands consist of a 105+/- acre farm property with frontage on both Colebrooke and Bradford Roads. The applicant is seeking approval for the creation of a 90 acre lot. The retained parcel will be a 15 acre lot with the existing dwelling and accessory buildings. The applicants are intending to build a single family dwelling on the Bradford Road end of the property. This would keep any dwelling far enough away from any barns and from the MX zone on the east.. A neighbouring property owner submitted a letter (attached) expressing the hope that there would be no large-scale solar panel development on the site.

RESOLUTION: C of A: 12:05:13

Moved by: W. Robinson

Seconded by: L. Redden

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-32-12-P by Nicole, Gordon, and Edith Brushette, to create a 90+/- acre lot, in lot 17, concession 5, District of Portland, subject to conditions.

Carried

Application No:	S-32-12-P
Owner:	Gordon Brushette, Nicole Brushette, Edith Brushette
Location of Property:	Concession V, Lot 17, Colebrooke and Bradford Roads, District of Portland, Township of South Frontenac
Purpose of Application:	Creation of 90+/- acre lot
Date of Hearing:	May 10, 2012
Date of Decision:	May10, 2012

DECISION: PROVISIONAL CONSENT 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-32-12-P shall be for a 90+/- acre lot, with 250+ ft. frontage on Colebrooke and Bradford Roads.
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 land 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, S.O. 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 a potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test.

Item #14: S-33-12-L, S-34-12-S (McFadden)
Speaking to the Application: Robert McFadden

Discussion

The subject lands consist of 83+/- acres with a dwelling and accessory building. The applicant is seeking approval for the creation of two 3.1+/- acre lots, fronting on Forest Road. There was concerns expressed some neighbouring property owners about the potential impact of development on their wells. One of the proposed lots is on the edge of an area identified as

highly sensitive for either quantity and/or quality of water. It was decided that a decision on this lot (on the west side of the property) should be deferred until more research was done into the potential for draw-down tests on neighbouring wells when the new well is a dug well rather than a drilled well.

RESOLUTION: C of A: 12:05:14

Moved by: L. McCullough

Seconded by: L. York

THAT the South Frontenac Township Committee of Adjustment hereby defers consent application S-33-12-L by Robert McFadden, to create two 3+/- acre lots in lot 3, concession 1, pending further consideration of the need for, and process for, draw down tests on dug wells.

Carried

RESOLUTION: C of A: 12:05:15

Moved by: L. McCullough

Seconded by: L. York

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-34-12-L by Robert McFadden, to create a 3+/- acre lot, in lot 3, concession 1, District of Loughborough, subject to conditions.

Carried

Application No:	S-34-12-L
Owner:	Robert McFadden
Location of Property:	Concession I, Lot 3, Forest Road, District of Loughborough, Township of South Frontenac
Purpose of Application:	Creation of residential lot
Date of Hearing:	May 10, 2012
Date of Decision:	May 10, 2012

DECISION: PROVISIONAL CONSENT GRANTED, subject to conditions

CONDITIONS

- 1. An acceptable reference plan or legal description of the severed lands in duplicate, and the deed or instrument (in triplicate) 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-34-12-L shall be for a 3.1+/- acre lot, with 250+ ft. frontage on Forest 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 land 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, S.O. 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 a potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test.

Item #15: Adjournment

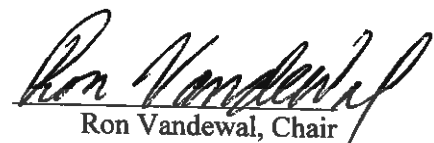
RESOLUTION: C of A: 12:05:16

Moved by: L. Redden

Seconded by: W. Robinson

THAT the May 10, 2012 meeting of the South Frontenac Township Committee of Adjustment is hereby adjourned at 8:10 p.m. to reconvene at 7:00 p.m. on Thursday, June 14, 2012 or at the call of the Chair.

Carried


Ron Vandewal, Chair


Lindsay Mills, Secretary-Treasurer