

TOWNSHIP OF SOUTH FRONTENAC
COMMITTEE OF ADJUSTMENT/LAND DIVISION COMMITTEE
MINUTES 12:09
SEPTEMBER 20, 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)
David Hahn (Bedford District)

STAFF: Lindsay Mills – Secretary-Treasurer/Planning Coordinator
Anne Levac – Assistant Secretary-Treasurer/Committee Clerk

RESOLUTIONS & BUSINESS:

| <u>Item #</u> | <u>Subject</u> | <u>Page</u> |
|---------------|--|-------------|
| 1. | Call to order | 1 |
| 2. | Adoption of Agenda | 1 |
| 3. | Declaration of Pecuniary Interest | 1 |
| 4. | Adoption of Minutes – August 9, 2012 | 1 |
| 5. | S-22-12-L (Frontenac Outfitters – Showler) | 2 |
| 6. | S-25-12-B, S-26-12-B (Deneault/Bennett) | 3 |
| 7. | S-40-12-B (Byles, Robinson) | 4 |
| 8. | S-52-12-B (Derue) | 5 |
| 9. | S-53-12-B (Ogilvie) | 6 |
| 10. | S-54-12-S (Curtis) | 7 |
| 11. | S-55-12-P (Ottenhof) | 8 |
| 12. | MV-09-12-B (DeLaat/Welch) | 10 |
| 13. | MV-10-12-B (Wallace) | 11 |
| 14. | MV-11-12-L (Brown) | 11 |
| 15. | MV-12-12-B (Harrison) | 12 |
| 16. | Adjournment | 12 |

Item #1: Call to Order

RESOLUTION: C of A: 12:09:01

Moved by: L. Redden

Seconded by: W. Robinson

THAT the September 20, 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: 12:09:02

Moved by: K. Gee

Seconded by: L. McCullough

THAT the minutes of the August 9, 2012 meeting of the South Frontenac Township Committee of Adjustment are approved as circulated.

Carried

Item #5: S-22-12-L (Frontenac Outfitters – Showler)

Speaking to the Application: Larry Showleer

Discussion

The subject lands consist of 20+ acres with a dwelling, accessory buildings and an outfitter supply business. The applicants are seeking approval for the creation of a 6.8 acre waterfront lot, with frontage on Salmon Lake Road and Pearkes Lake. The applicants had applied to create two lots but there was concern about the possibility of finding a suitable entrance for the second lot. A representative of Township Roads determined that a second entrance is possible. However, the applicants have decided that, for now, they will sever off one parcel, which will incorporate the area of the two originally proposed severances, and that they may decide to apply for the second severance in the future.

RESOLUTION: C of A: 12:09:03

Moved by: L. McCullough

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-32-12-L by Frontenac Outfitters (Showler), as amended, to create a waterfront lot in concession 11, lot 9/10, District of Loughborough, subject to conditions.

Carried

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| Application No: | S-22-12-L, <u>as amended</u> |
| Owner: | Frontenac Outfitters (Showler) |
| Location of Property: | Concession XI, Lot 9/10, Bedford/Salmon Lake Roads, District of Loughborough, Township of South Frontenac |
| Purpose of Application: | Creation of waterfront residential lot |
| Date of Hearing: | May 10, 2012 |
| Date of Decision: | September 20, 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-22-12-L shall be for a 6.8 +/- acre lot, with 500+ ft. frontage on Salmon Lake Road and including all of the subject property's frontage on Pearkes 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 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 obtain an amendment to the South Frontenac Township Comprehensive Zoning By-law to rezone the lot to Residential Waterfront.**
 8. **The entrance to the lot must be located a minimum of 180m from the intersection with Bedford Road.**
 9. **The applicant shall enter into an agreement with the Township to be registered on title to the severed lot which includes the municipality's environmental policies, and which stipulates that the owner must obtain a permit from the Cataraqui Region Conservation Authority prior to obtaining a building permit.**

Item #6: S-25-12-B, S-26-12-B (Deneault/Bennett)

Speaking to the Application: Chris Sanders, agent

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, fronting on a private lane off of Lee Road, and on Wolfe Lake. Following discussions with Rideau Valley Conservation Authority, the Ministry of Natural Resources, Reg Genge of Ontario Lake Assessments, and site visits by staff, a revised proposal was brought forward. It does not change any of the comments from agencies, but does provide a more regular shape for the lots, including their connection to the right-of-way, while leaving a large retained parcel which incorporates those parts of the property which the applicants wished to retain..

Minimum setbacks beyond the usual 30m will be required.

L. Mills pointed out that any new dwelling would need to meet not only increased setbacks from the lake because of the existence of a provincially significant wetland, but also in order to ensure a 30m setback from the inland waterbody.

Because there remained some unanswered questions about the proposed lots and the required setbacks, the Committee and Mr. Sanders agreed to defer a decision until there was more certainty about lot lines and required setbacks.

RESOLUTION: C of A: 12:09:04

Moved by: Mark Tinlin

Seconded by: D. Hahn

THAT the South Frontenac Township Committee of Adjustment hereby defers consent application S-25-12-B by Jacques Deneault and Susan Bennett, as amended, to create a waterfront lot in concession 10, lot 23/24, Wolfe Lake, District of Bedford.

Carried

RESOLUTION: C of A: 12:09:05

Moved by: D. Hahn

Seconded by: M. Tinlin

THAT the South Frontenac Township Committee of Adjustment hereby defers consent application S-26-12-B by Jacques Deneault and Susan Bennett, as amended, to create a waterfront lot in concession 10, lot 23/24, Wolfe Lake, District of Bedford.

Carried

Item #7: S-40-12-B (Byles/Robinson)

Speaking to the Application: Glen Byles, Gordon Robinson

Discussion

The subject property consists of 5.52+/- acres with frontage on Green Bay of Bob's Lake, and on a private lane. It is developed with two seasonal dwellings and two privies. Because this property is located on a highly sensitive part of Bob's Lake, there are specific provisions in the Official Plan which must be considered. These include the need for greater setbacks, effluent flow away from the lake, etc. Planning staff, Public Health staff, and the applicants have been in contact with a representative of the Ministry of the Environment. He has indicated that he could support the proposal on condition that one of the dwellings on the retained parcel was removed, and because both lots contained the potential for new, conventional sewage disposal systems. The Rideau Valley Conservation Authority has indicated that they could support the application, but with several conditions. (1) the recently constructed roadway be re-vegetated where it enters into the 30m setback from the lake; (2) no access to the lake be permitted except a pedestrian walkway and/or stairs in the minor depression location approximately mid-way on the east-west run of the point; (3) any dock, or water access proposal must be approved by RVCA; (4) measures be taken to ensure erosion control; and (5) written approval be obtained from RVCA prior to any straightening, changing, diverting or interfering in any way with the existing channel of the watercourse. A building site on the property might be problematic because of the terrain, and the need to meet not only the 30m setback from the lake, but also the 15m setback from the top of bank. A condition of approval is that a building envelope be identified by a surveyor, which meets all of the required setbacks.

The applicants indicated that recent heavy rain had not resulted in any erosion of the laneway into the lake.

RESOLUTION: C of A: 12:09:06

Moved by: M. Tinlin

Seconded by: D. Hahn

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-40-12-B by Glen & Sharon Byles, and Gordon & Jane Robinson, to create a waterfront lot in concession 7, lot 19, Bob's Lake, District of Bedford, subject to conditions.

Carried

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| Application No: | S-40-12-B |
| Owner: | Glen & Sharon Byles, Gordon & Jane Robinson |
| Location of Property: | Concession 5, Lot 19, Green Bay of Bob's Lake, District of Bedford, Township of South Frontenac |
| Purpose of Application: | Severance to create 2.97+/- acre waterfront lot |
| Date of Hearing: | June 14, 2012 |
| Date of Decision: | September 20, 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-40-12-B shall be for a 2.97 +/- acre waterfront lot, with 960 +/- ft. frontage on Green Bay of Bob's Lake.

3. **The private lane which provides access to the severed and retained parcels must be constructed according to the Township's standards for existing private lanes.**
4. **Any portion of the newly constructed roadway within 30m of the lake shall be removed, and the area remediated, according to an engineered plan, ensuring erosion control and property drainage and acceptable to the Township and the Rideau Valley Conservation Authority.**
5. **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.)**
6. **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.**
7. **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**
8. **The applicant shall enter into a development agreement with the Township to be registered on title to the severed and retained parcels, which sets out the municipality's limited service and environmental policies, as well as the requirements outlined in the report from the Rideau Valley Conservation Authority dated June 8, 2012. Confirmation must be obtained from RVCA that their requirements have been met. The agreement will also contain a surveyed building envelope, approved by the Township's Planning and Building Departments.**
9. **One of the existing dwellings on the retained parcel must be removed prior to stamping of the deed, and a sewage disposal system approved by Kingston, Frontenac, Lennox and Addington Public Health must be installed to serve the remaining dwelling.**

Item #8: S-52-12-B (Derue)

Speaking to the Application: Jason & Jody Derue

Discussion

The subject lands front on Old Thirteen Island Lake Lane, and on Thirteen Island Lake. The proposal is to add .6+/- acres from the large (90+ acre) subject lands to a small waterfront lot, thus bringing the waterfront lot closer to conformity with the OP and zoning by-law. The resulting waterfront lot will be somewhat irregular in size, but there are limitations in terms of how the properties have been developed over the years. The larger parcel will allow the owner of the waterfront lot the option of adding to his dwelling without exceeding the permitted 5% lot coverage.

RESOLUTION: C of A: 12:09:07

Moved by: D. Hahn

Seconded by: M. Tinlin

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-52-12-B by Jody & Jason Derue to create an addition to a waterfront lot in concession 1, lot 3, Thirteen Island Lake, District of Bedford, subject to conditions.

Carried

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| Application No: | S-52-12-B |
| Owner: | Jason & Jody Derue |
| Location of Property: | Concession I, Lot 3, Old Thirteen Island Lake Lane, District of Bedford, Township of South Frontenac |
| Purpose of Application: | Creation of lot addition |
| Date of Hearing: | September 20, 2012 |
| Date of Decision: | September 20, 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. **Consent Application S-52-12-B creates a lot addition to property in lot 2, concession 1, at 712 Old Thirteen Island Lake Lane.**
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 for the lot addition pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.**
6. **The applicant shall obtain an amendment to the South Frontenac Township Zoning By-law to rezone the lot addition parcel from Rural to Limited Service-Residential Waterfront.**

Item #9: S-53-12-B (Ogilvie)**Discussion**

The subject lands consist of 8.6+/- acres with over 800 ft. frontage on Thirteen Island Lake, and are vacant.. The applicant is seeking approval for the creation of a 3.75+/- acre waterfront lot, with 394 +/- ft. lake frontage. A permit will be required from Quinte Conservation prior to construction on the property. It was noted by the Bedford representatives that the driveway onto the severed parcel crosses the retained parcel. This will be clarified with the applicant.

RESOLUTION: C of A: 12:09:08

Moved by: M. Tinlin

Seconded by: D. Hahn

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-53-12-B by Richard Ogilvie to create a waterfront lot in concession 1, lot 1, Thirteen Island Lake, District of Bedford, subject to conditions.

Carried

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| Application No: | S-53-12-B |
| Owner: | Richard Ogilvie |
| Location of Property: | Concession 1, Lot 1, Thirteen Island Lake, District of Bedford, Township of South Frontenac |
| Purpose of Application: | Creation of waterfront lot |
| Date of Hearing: | September 20, 2012 |
| Date of Decision: | September 20, 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-53-12-B shall be for a 3.75 +/- acre lot, with 250+ ft. frontage on Old Thirteen Island Lake Lane, and 300+ ft. frontage on Thirteen Island 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 applicant shall enter into a development agreement with the Township to be registered on title to the severed and retained parcels, which sets out the municipality's limited service and environmental policies, and which specifies that a permit will be required from Quinte Conservation prior to any further development on the property.

Item #10: S-54-12-S (Curtis)

Discussion

The subject lands consist of 8+/- acres with over 1000 ft. frontage on Carrying Place Road, and are developed with a seasonal dwelling, a sleeping cabin and a garage.. The applicant is seeking approval for the creation of a 3.4+/- acre waterfront lot, with 533+/- ft. lake frontage and 443 ft. frontage on the road. All agencies supported the application, and there were no objections from the public.

RESOLUTION: C of A: 12:09:09

Moved by: L. York

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-54-12-S by Jeff Curtis and Greg Curtis to create a waterfront lot in concession 7, lot 21/22, Dog Lake, District of Storrington, subject to conditions.

Carried

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| Application No: | S-54-12-S |
| Owner: | Jeff Curtis, Greg Curtis |
| Location of Property: | Concession VII, Lot 21/22, Dog Lake , Storrington, Township of South Frontenac |
| Purpose of Application: | Creation of waterfront lot |
| Date of Hearing: | September 20, 2012 |
| Date of Decision: | September 20, 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-54-12-S shall be for a 3.4 +/- acre lot, with 530+/- ft. frontage on Dog Lake, and 440+/- ft. frontage on Carrying Place 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 applicant shall enter into a development agreement with the Township to be registered on title to the severed and retained parcels, which sets out the municipality's environmental policies, specifies that, prior to any development on the property, the Cataraqui Region Conservation Authority must be contacted to determine the need for a permit, and sets out the requirement that any shoreline or in-water works will require a permit from the Rideau Canal Office.
7. The accessory structure on the severed parcel shall be removed.
8. 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.

Item #11: S-55-12-P (Ottenhof)

Discussion

The subject lands consist of 6.5+/- acres with a dwelling. The applicants are seeking approval for the creation of a 2.46+/- acre residential lot, with frontage on Bell Rock Road. Public Health has indicated that the sewage disposal system should be constructed on the east part of field, and Roads will require the entrance to be one specific location, and brushing will be necessary.

RESOLUTION: C of A: 12:09:10

Moved by: W. Robinson

Seconded by: L. Redden

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-55-12-P by Jeff & Kristi Ottenhof to create a residential lot in concession 11, lot 21/22, Bellrock Road, District of Portland, subject to conditions.

Carried

Application No: S-55-12-P
Owner: Jeff & Kristi Ottenhof
Location of Property: Concession XI, Lot 21/22, Bell Rock Road, District of Loughborough, Township of South Frontenac
Purpose of Application: Creation of residential lot
Date of Hearing: September 20, 2012
Date of Decision: September 20, 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-55-12-P shall be for a 2.46 +/- acre lot, with 250+ ft. frontage on Bellrock 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 50 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 50 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 obtain an entrance permit, and carry out required brushing, to the satisfaction of the Township Roads Department, prior to the stamping of the deed.
8. 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: MV-09-12-B (DeLaat/Welch)

Speaking to the Application: Bill deLaat

Discussion

The applicants' property is approximately 1.3 acres in size, with frontage on Devil Lake. It is developed with a seasonal dwelling. The applicants are proposing to add 310 sq. ft. to the dwelling, and to add a second storey over an existing porch. There is no issue with lot coverage, but because the dwelling is situated on a peninsula, there is no possibility of enlargement without being within the 30 m setback. At its closest, the addition is 50 ft.

RESOLUTION: C of A: 12:09:11

Moved by: D. Hahn

Seconded by: M. Tinlin

THAT the South Frontenac Township Committee of Adjustment hereby approves variance application MV-09-12-B by William deLaat and Donna Welch, as amended, to construct as addition to a seasonal dwelling in concession 12, lot 6, Devil Lake, District of Bedford, subject to conditions.

Carried

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| Application No: | MV-09-12-B |
| Owner: | William deLaat, Donna Welch |
| Location of Property: | Pt. Lot 6, Concession 13, Devil Lake, District of Bedford, Township of South Frontenac |
| Purpose of Application: | To vary section 10.3.1 of the Comprehensive Zoning By-law to permit addition within 30m of high water mark |
| Date of Hearing: | September 20, 2012 |
| Date of Decision: | September 20, 2012 |

DECISION: VARIANCE APPROVED, subject to conditions

CONDITIONS:

1. **The variance is limited to construction of a 310 sq. ft. addition (total square footage, single storey) on three sides of the existing dwelling (east, south and/or west), with no addition being closer than 50 ft. from the high water mark, and a 180 sq. ft. second storey addition above the existing front (north side) porch.**
2. **Minor variance MV-09-12-B is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.**
3. **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.**
4. **The applicant shall enter into a site plan agreement with the municipality to be registered on title to the subject property, which includes the Township's private lane and environmental policies, and which requires that a permit be obtained from the Cataraqui Region Conservation Authority prior to any development on the property.**

REASON FOR DECISION: The variance has been approved by staff and agencies, the proposal is considered minor and in keeping with the intent of the official plan and zoning by-law.

Item #13: MV-10-12-B (Wallace)

Speaking to the Application: Deborah and Richard Wallace

Discussion

The applicants' property is .76+/- acres in size, with frontage on Mud Bay of Bob's Lake, and is currently developed with a trailer (which will be removed), a bunkie and a shed. The proposal is for the construction of a 1500 sq. ft. single storey dwelling, to be located 17 m from the high water mark. Because the proposed dwelling would sit on the back of a slope near the water, it appears to have merit. However, reports were not available from Public Health or Rideau Valley Conservation, and the application were therefore deferred pending receipt of these reports. Committee members indicated to the applicants that they are unlikely to support the location of the bunkie within the setback.

RESOLUTION: C of A: 12:09:12

Moved by: M. Tinlin

Seconded by: D. Hahn

THAT the South Frontenac Township Committee of Adjustment hereby defers variance application MV-10-12-B by Richard and Deborah Wallace to construct a new dwelling in concession 6, lot 32, Bob's Lake, District of Bedford, pending receipt of a report from Public Health and Rideau Valley Conservation.

Carried**Item #14: MV-11-12-L (Brown)**

Speaking to the application: Stan & Donna Brown

Discussion

The applicants' property is almost 3 acres in size, with frontage on Sassy Tree Lane and Dessert Lake. It is developed with a seasonal dwelling, a sleeping cabin and a shed. The variance request is to permit 28' x 26' accessory building (storage and studio), 30 ft. (maximum) in height (vs. 19.7 ft.). There are no setback or lot coverage issues, and L. Mills noted that the proposed building will be well screened.

RESOLUTION: C of A: 12:09:13

Moved by: L. York

Seconded by: L. McCullough

THAT the South Frontenac Township Committee of Adjustment hereby approves variance application MV-11-12-L by Stan & Donna Brown to construct a storage building/studio in concession 13, lot 6, Desert Lake, District of Loughborough, subject to conditions.

Carried

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| Application No: | MV-11-12-L |
| Owner: | Robert & Donna Brown |
| Location of Property: | Pt. Lot 6, Concession 13, Desert Lake, District of Loughborough, Township of South Frontenac |
| Purpose of Application: | To vary section 10.3.2 of the Comprehensive Zoning By-law to permit height of accessory building in excess of 19.7 ft. |
| Date of Hearing: | September 20, 2012 |
| Date of Decision: | September 20, 2012 |

DECISION: VARIANCE APPROVED, subject to conditionsCONDITIONS:

1. **The variance is limited to construction of a 728 sq. ft. storage building/studio with a maximum height of 30 ft. and which meets required setbacks.**
2. **Living accommodations are not permitted within the accessory building.**
3. **Minor variance MV-11-12-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.**

REASON FOR DECISION: The variance has been approved by staff and agencies, the proposal is considered minor and in keeping with the intent of the official plan and zoning by-law.

Item #15: MV-12-12-B (Harrison)

Speaking to the Application: Linda Harrison

Discussion

The applicants' property is .35+/- acres in size, with frontage on Bob's Lake, and is currently vacant. The proposal is for the construction of a 770 sq. ft. two storey dwelling, to be located 85 ft from the high water mark. A report has not been received from RVCA and the application was therefore deferred.

RESOLUTION: C of A: 12:09:14

Moved by: D. Hahn

Seconded by: M. Tinlin

THAT the South Frontenac Township Committee of Adjustment hereby defers variance application MV-12-12-B by Linda & Brian Harrison to construct a new dwelling in concession 6, lot 31, Bob's Lake, District of Bedford, pending receipt of a report from Rideau Valley Conservation.

Carried

Item #16: Adjournment

RESOLUTION: C of A: 12:09:15

Moved by: L. McCullough

Seconded by: K.Gee

THAT the September 20, 2012 meeting of the South Frontenac Township Committee of Adjustment is hereby adjourned at 8:00 p.m. to reconvene at 7:00 p.m. on Thursday, October 11, 2012 or at the call of the Chair.

Carried


Ron Vandewal, Chair


Lindsay Mills, Secretary-Treasurer