

**TOWNSHIP OF SOUTH FRONTENAC  
COMMITTEE OF ADJUSTMENT/LAND DIVISION COMMITTEE  
MINUTES 11:07  
AUGUST 11, 2011**

**LOCATION:** South Frontenac Municipal Offices,  
Sydenham

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

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

**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: 11:07:01

Moved by: K. Gee

Seconded by: L. York

**THAT the August 11, 2011 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: 11:07:02

Moved by: W. Robinson

Seconded by: L. Redden

**THAT the South Frontenac Township Committee of Adjustment hereby approves the minutes of the July 14, 2011 meeting of the Committee, as circulated.**

Carried

**Item #5: S-12-11-P – as amended (Huff/Robinson)**

Speaking to the application: Charles Robinson

Discussion

The subject lands consist of 185+/- acres with frontage on Quinn Road, District of Portland. The applicants obtained approval in May for the creation of a 2.6+/- acre residential lot, with 400 ft. of road frontage. Subsequent to that approval, the applicants determined that adequate water was not available on the severed parcel, and this amended application is seeking approval to include with the new lot, a parcel of land that wraps around behind neighbouring residential lots and which provides a location for a well. L. Mills recommended against creating a lot with such an irregular shape, contrary to our Official Plan policy. The Portland District Committee members supported the change, and felt that concern about potential construction behind neighbouring properties could be addressed through an agreement registered on title which identified a “non-build” area.

One of the affected property owners, Tanya Heyman, was present at the meeting and indicated that she had some concerns but that she would discuss these issues with the applicants for reassurance about what to expect behind her property.

**RESOLUTION: C of A: 11:07:03**

Moved by: L. Redden

Seconded by: W. Robinson

**THAT the South Frontenac Township Committee of Adjustment hereby approves amended applications-12-11-P by Kathryn Huff and Charles Robinson to create a residential lot in concession 3, lot 5, District of Portland, subject to conditions.**

Carried

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<b>Application No:</b>	S-12-11-P, as amended
<b>Owner:</b>	Kathryne Huff, Charles Robinson
<b>Location of Property:</b>	Concession III, Lot 5, Quinn Rd. District of Portland, Township of South Frontenac
<b>Purpose of Application:</b>	Creation of residential lot
<b>Date of Hearing:</b>	August 11, 2011
<b>Date of Decision:</b>	August 11, 2011

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

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**CONDITIONS:**

- 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 I, Form 2, Form 3 or Form 4, as applicable, prescribed by Ontario Regulation 1977-96, 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.**
- The land to be severed by Consent Application S-12-11-P shall be for a 4+/- acre lot, with a minimum of 400 ft. frontage on Quinn Road, and a “wrap-around” area which extends 150 ft. beyond the rear lot lines of the two residential lots east of the portion of the severed parcel which fronts on Quinn Road.**
- 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 retained lands 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 enter into an agreement with the Township of South Frontenac to be registered on title to the severed lot, which prohibits construction of buildings behind the two residential lots east of the portion of the severed lot which fronts on Quinn Road – i.e. the "wrap-around" portion.

**Item #6: S-20-11-L, S-21-11-L (Snelgrove)**

**Discussion**

The applicant is proposing to add property from two large lots to a third lot, and then to create a new waterfront lot from the enlarged parcel. These applications were deferred at the July meeting because of concerns about the current zoning on the property, and the potential difficulty of establishing a building envelope which would meet all necessary setbacks. Since that meeting, staff have been assured by legal counsel that the applicant has the right to request a zoning amendment on the property to permit the proposed development, and that such rezoning could be possible if the new zoning complied with the Township's official plan. The applications are being recommended for approval, pending the appropriate rezoning, and a requirement that the applicant enter into a site plan in

which a professional surveyor identifies a building envelope, approved by the Township and by Cataraqui Region Conservation Authority.

**RESOLUTION: C of A: 11:07:04**

Moved by: K. Gee

Seconded by: L. York

**THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-20-11-L by Paul Snelgrove to create lot additions in concession 14, lot 23/24, District of Loughborough, subject to conditions.**

Carried

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<b>Application No:</b>	S-20-11-L
<b>Owner:</b>	Paul Snelgrove
<b>Location of Property:</b>	Concession 14, lot 23, District of Loughborough, Township of South Frontenac
<b>Purpose of Application:</b>	To create a lot addition
<b>Date of Hearing:</b>	July 14, 2011
<b>Date of Decision:</b>	August 11, 2011

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

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**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, Form 2, Form 3 or Form 4, as applicable, 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 severed lands in duplicate, shall be submitted to the Township.**
- 3. The land to be severed by Consent Application S- 20-11-L shall be for a lot addition only to property described as pt. part 1, 13R-9578 and parts 1 & 2, 13R-18872.**
- 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.**

**RESOLUTION: C of A: 11:07:05**

Moved by: K. Gee

Seconded by: L. York

**THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-21-11-L by Paul Snelgrove to create a waterfront lot in concession 14, lot 23/24, Labelle Lake, District of Loughborough, subject to conditions.**

Carried

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<b>Application No:</b>	S-21-11-L
<b>Owner:</b>	Paul Snelgrove
<b>Location of Property:</b>	Concession XIV, Lot 23/24, Labelle Lake, District of Loughborough, Township of South Frontenac
<b>Purpose of Application:</b>	Creation of new lot
<b>Date of Hearing:</b>	July 14, 2011
<b>Date of Decision:</b>	August 11, 2011
<b>DECISION:</b>	<b>PROVISIONAL CONSENT GRANTED, subject to conditions</b>

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**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, Form 2, Form 3 or Form 4, as applicable, 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. The land to be severed by Consent Application S-21-11-L shall be for a 5.6+/- acre lot, with 250 ft. + frontage on a private lane, and 300 + ft. frontage on Labelle 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 obtain an amendment to the Comprehensive Zoning By-law of the Township of South Frontenac to rezone the new lot to RLSW, and shall enter into a site plan, approved by the Township and the Cataraqui Region Conservation Authority, which identifies a surveyed building envelope on the lot, and which includes the Township's limited service and environmental policies.
7. The applicant shall upgrade the access lane to the Township's standards for existing private lanes.

**Item #7: S-23-11-B (Murphy)**

Speaking to the Application: Evan Murphy

**Discussion**

The subject lands consist of two farms – 193 acres and 138 acres – which merged through common ownership. This application is for the purpose of re-dividing the farms. One of the farm parcels is vacant and the other has an old abandoned dwelling.

**RESOLUTION: C of A: 11:07:06**

Moved by: W. Robinson

Seconded by: M. Tinlin

**THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-23-11-B by the Estate of Thomas Murphy to**

divide farm properties in concession 5, lot 14/15, District of Bedford, subject to conditions.

Carried

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<b>Application No:</b>	S-23-11-B
<b>Owner:</b>	Estate of Thomas Murphy
<b>Location of Property:</b>	Concession V, Lot 14/15, Westport Road, District of Bedford, Township of South Frontenac
<b>Purpose of Application:</b>	Separation of farm properties
<b>Date of Hearing:</b>	August 11, 2011
<b>Date of Decision:</b>	August 11, 2011
<b>DECISION:</b>	<b>PROVISIONAL CONSENT GRANTED, subject to conditions</b>

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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, Form 2, Form 3 or Form 4, as applicable, 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 severed lands in duplicate, shall be submitted to the Township.
3. The land to be severed by Consent Application S- 23-11-B shall be for a 138 +/- acre farm property.
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 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.

Item #8: S-24-11-P, S-25-11-P, S-26-22-P (Bartsch)  
Speaking to the application: Rob Morgan, agent

Discussion

The subject lands consist of 24.5 acres fronting on Loughborough-Portland Boundary Road, and are vacant. The proposed lots are all approximately 4.5 acres in size.

**RESOLUTION:** C of A: 11:07:07

Moved by: L. Redden

Seconded by: L. Redden

**THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-24-11-P by Lisa & John Bartsch to create a residential lot in concession 7, lot 1, District of Portland, subject to conditions.**

Carried

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<b>Application No:</b>	S-24-11-P
<b>Owner:</b>	Lisa & John Bartsch
<b>Location of Property:</b>	Concession VII, Lot 1, Loughborough-Portland Boundary Road, District of Portland, Township of South Frontenac
<b>Purpose of Application:</b>	Creation of residential lot
<b>Date of Hearing:</b>	August 11, 2011
<b>Date of Decision:</b>	August 11, 2011
<b>DECISION:</b>	<b>PROVISIONAL CONSENT GRANTED, subject to conditions</b>

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**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, Form 2, Form 3 or Form 4, as applicable, 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 severed lands in duplicate, shall be submitted to the Township.
3. The land to be severed by Consent Application S- 24-11-P shall be for a 4.56 +/- acre residential lot.
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 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.
7. In those cases where the Roads superintendent specifies, land required for road widening purposes along the frontage of the parcel to be severed and/or retained shall be dedicated by the Owner to the Township 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, 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 clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.
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.

**RESOLUTION:** C of A: 11:07:08

Moved by: W. Robinson

Seconded by: L. Redden

**THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-25-11-P by Lisa & John Bartsch to create a residential lot in concession 7, lot 1, District of Portland, subject to conditions.**

Carried

<b>Application No:</b>	S-25-11-P
<b>Owner:</b>	Lisa & John Bartsch
<b>Location of Property:</b>	Concession VII, Lot 1, Loughborough-Portland Boundary Road, District of Portland, Township of South Frontenac
<b>Purpose of Application:</b>	Creation of residential lot
<b>Date of Hearing:</b>	August 11, 2011
<b>Date of Decision:</b>	August 11, 2011

**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, Form 2, Form 3 or Form 4, as applicable, 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 severed lands in duplicate, shall be submitted to the Township.
3. The land to be severed by Consent Application S- 25-11-P shall be for a 4.56 +/- acre residential lot.
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 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.
7. In those cases where the Roads superintendent specifies, land required for



road widening purposes along the frontage of the parcel to be severed and/or retained shall be dedicated by the Owner to the Township 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, 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 clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.

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.

RESOLUTION: C of A: 11:07:09

Moved by: W. Robinson

Seconded by: L. Redden

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-26-11-P by Lisa & John Bartsch to create a residential lot in concession 7, lot 1, District of Portland, subject to conditions.

Carried

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<b>Application No:</b>	S-26-11-P
<b>Owner:</b>	Lisa & John Bartsch
<b>Location of Property:</b>	Concession VII, Lot 1, Loughborough-Portland Boundary Road, District of Portland, Township of South Frontenac
<b>Purpose of Application:</b>	Creation of residential lot
<b>Date of Hearing:</b>	August 11, 2011
<b>Date of Decision:</b>	August 11, 2011

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

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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, Form 2, Form 3 or Form 4, as applicable, 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 severed lands in duplicate, shall be submitted to the Township.**
3. **The land to be severed by Consent Application S- 26-11-P shall be for a 4.56 +/- acre residential lot.**
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 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.**
7. **In those cases where the Roads superintendent specifies, land required for road widening purposes along the frontage of the parcel to be severed and/or retained shall be dedicated by the Owner to the Township 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, 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 clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.**
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 #9: S-27-11-P (Kingston)**

Speaking to the Application: Karyn Caird, agent

**Discussion**

The subject lands front on Doucette Lane and Howes Lake. The proposed lot addition would add approximately .18 acres to a developed waterfront lot which is currently .28 acres in size. It will incorporate a portion of the original subject lands which lie between the laneway and the property to be enlarged.

**RESOLUTION: C of A: 11:07:10**

Moved by: L. Redden

Seconded by: W. Robinson

**THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-27-11-P by Grace Kingston to create a lot addition in concession 13, lot 8, District of Portland, subject to conditions.**

Carried

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<b>Application No:</b>	S-27-11-P
<b>Owner:</b>	Grace Kingston
<b>Location of Property:</b>	Concession XIII, Lot 8, Doucette Lane, District of Portland, Township of South Frontenac
<b>Purpose of Application:</b>	Creation of lot addition
<b>Date of Hearing:</b>	August 11, 2011
<b>Date of Decision:</b>	August 11, 2011

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

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**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, Form 2, Form 3 or Form 4, as applicable, 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 severed lands in duplicate, shall be submitted to the Township.**
3. **The land to be severed by Consent Application S- 27-11-P shall be for a lot addition only to Part 1, 13R-16349.**
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 obtain an amendment to the Township Zoning By-law to amend the zoning on the lot addition parcel from Rural to Limited Service – Residential Waterfront.**

**Item #10: S-28-11-S, S-29-11-S (Campbell)**  
 Speaking to the Application: Brett Campbell

Discussion

The subject lands consist of 85 acres on Battersea Road, and are vacant. The applicant is proposing to sever two residential lots with frontage on a new public road which would take its access off of Battersea Road approximately across from the library/fire hall just north of Sunbury. The property is zoned Urban Residential – First Density and therefore is in an area where the Township wants to encourage development. The applicant is planning to bring forward an application for a subdivision on the property in the near future, and the proposed

new road (which still requires approval from Council) would eventually be one of the accesses to the subdivision. The applications for two residential lots are being brought forward at this time in order to provide the owner with some “up-front” financing for the subdivision. The Public Works Manager has indicated that this is the location where a new road could potentially work. Committee members discussed the timing of these applications, and the potential problems associated with requiring a new public road to be constructed without any guarantees that the subdivision would proceed as anticipated. It was agreed that the applications would be deferred to provide an opportunity for the applicant to consider other options.

**RESOLUTION: C of A: 11:07:11**

Moved by: K. Gee

Seconded by: L. York

**THAT the South Frontenac Township Committee of Adjustment hereby defers consent application S-28-11-S by Brett Campbell to create a residential lot in concession 2, lot 26, District of Storrington, pending further consideration of entrances.**

**RESOLUTION: C of A: 11:07:12**

Carried

Moved by: L. York

Seconded by: K. Gee

**THAT the South Frontenac Township Committee of Adjustment hereby defers consent application S-29-11-S by Brett Campbell to create a residential lot in concession 2, lot 26, District of Storrington, pending further consideration of entrances.**

Carried

**Item #11: S-30-11-L (Potter)**

Speaking to the application: William Potter

Discussion

The subject lands front on Rutledge Road, and wrap around behind two residential lots. The proposed lot addition would have added the wrap-around portion to one of the residential lots. The result would be a slightly less irregular parcel, which would be somewhat of an improvement over the current situation. Mr. Potter indicated that he now wished to transfer a portion of the wrap-around parcel to each of the neighbouring residential lots. Therefore, it was agreed that the application should be deferred so that a revised application could be submitted.

**RESOLUTION: C of A: 11:07:13**

Moved by: W. Robinson

Seconded by: M. Tinlin

**THAT the South Frontenac Township Committee of Adjustment hereby defers consent application S-30-11-L by William & Myrtle Potter to create a lot addition in concession 4, lot 1, District of Loughborough, pending clarification of amended lot additions.**

Carried

**Item #12: MV-25-10-P (Day)**

Speaking to the application: Louise Day

Discussion

The applicant's property consists of approximately .41 acres, with 98 ft. frontage on Verona Lake, and is accessed by a public road. The applicant is seeking approval for a variance to permit the addition of a 210 sq. ft. solarium within the 30m setback from the high water mark. The applicant was proposing that a solarium be constructed on an existing deck, approximately 40 ft. from the high water mark. Quinte Conservation has indicated that they would not support the variance regardless of whether or not it is located entirely on the deck, and would not be able to issue a permit to the applicant. Therefore, L. Mills recommended against approval of the proposal.

It was explained to the Committee that if a permit was denied by Quinte Conservation, Mrs. Day's only option would be to appeal that decision to the Conservation Authority Board.

Portland District representatives argued that the solarium would not be closer to the water than the existing deck and would not be environmentally detrimental.

**RESOLUTION:** C of A: 11:07:13A

Moved by: W. Robinson

Seconded by: L. Redden

**THAT the South Frontenac Township Committee of Adjustment hereby approves variance application MV-25-10-P by Louise Day, concession 11, lot 8, District of Portland, to construct an enclosed solarium on an existing deck, within 30m of the high water mark of Verona Lake, subject to conditions.**

Carried

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<b>Application No:</b>	MV-25-10-P
<b>Owner:</b>	Louise Day
<b>Location of Property:</b>	Pt. Lot 8, Concession 11, Verona Lake, District of Portland, Township of South Frontenac
<b>Purpose of Application:</b>	To vary section 5.8.2 and 10.3.1 of the Comprehensive Zoning By-law to permit development within 30m of high water mark
<b>Date of Hearing:</b>	February 10, 2011
<b>Date of Decision:</b>	August 11, 2011
<b>DECISION:</b>	<b>VARIANCE GRANTED, subject to conditions</b>

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**CONDITIONS**

- 1. The variance is limited to construction of an enclosed solarium to be situated on the existing deck of the dwelling.**
- 2. Minor variance MV-25-10-P 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 Township to be registered on title, which includes the municipality's environmental policies, and which specifies that a permit will be required from the Quinte Conservation Authority prior to any development on the property within 30m of the high water mark, including docks, or shoreline or in-water works.**

**REASON FOR DECISION:** The proposal is considered minor.

**Item #13: MV-11-11-B (Machuk, Blanchard, Cable)**

Speaking to the application: Paul Machuk

**Discussion**

The applicant's property consists of approximately 2.03 acres, on a peninsula in Bob's Lake. The applicant is seeking approval for a variance to permit replacement of 360 sq. ft. of the existing dwelling, which consists of a living space and a storage area, with a two-storey slightly larger living area. The addition would be two storeys, would be a minimum of 70 ft. from the high water mark. The applicants have received approval for a total of 5 bedrooms on the property. Since there is a bunkie, this would constitute one of the bedrooms. The Rideau Valley Conservation Authority has recommended that the applicant be

required to remove the outhouse from the property, and eliminate some of the current accesses to the waterfront.

**RESOLUTION: C of A: 11:07:14**

Moved by: M. Tinlin

Seconded by: W. Robinson

**THAT the South Frontenac Township Committee of Adjustment hereby approves variance application MV-11-11-B by Paul Machuk, Andrew Blanchard and Matt Cable, to construct an addition to a dwelling in concession 4, lot 18, Bob's Lake, District of Bedford, subject to conditions, as amended.**

Carried

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<b>Application No:</b>	MV-11-11-B
<b>Owner:</b>	P. Machuk, A. Blanchard, M. Cable
<b>Location of Property:</b>	Pt. Lot 18, Concession 4, Bob's Lake, District of Bedford, Township of South Frontenac
<b>Purpose of Application:</b>	To vary section 10.3.1 of the Comprehensive Zoning By-law to permit addition to a dwelling within the 30m required setback from the high water mark
<b>Date of Hearing:</b>	June 9, 2011
<b>Date of Decision:</b>	August 11, 2011
<b>DECISION:</b>	<b>VARIANCE APPROVED, subject to conditions, amended</b>

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#### CONDITIONS

1. **The variance is limited to removal of the existing kitchen and attached garage areas, and replacement of that section of the dwelling with a two-storey living area which is 120 sq. ft. larger than the existing footprint, to be located a minimum of 70 ft. from the high water mark. No additional decks shall be permitted on the dwelling.**
2. **The privy located on the property shall be removed prior to the issuance of a building permit.**
3. **Minor variance MV-11-11-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. **Before a building permit is issued, the applicants must replant a minimum of 10 ft. from shore, (allowing for existing fire pit area to remain) in the area of 2 of the water access areas in accordance with the vegetation/shoreline information provided to the applicant by the Rideau Valley Conservation Authority, allowing for pedestrian access only. The lower access road on the west side of the point shall be limited to the minimum area required for a turn-around.**
6. **The applicant shall enter into a site plan agreement with the Township to be registered on title, which includes the municipality's environmental and limited service policies, limits access to the lake as indicated in condition #5, prohibits further encroachment of roadways in the setback area, and specifies that the applicant must obtain a permit from Rideau Valley Conservation prior to any shoreline or in-water works.**

**REASON FOR DECISION:** The variance has been approved by staff and agencies, and the proposal is considered minor.

**Item #14: MV-17-11-S (Prue/Hunter)**

Speaking to the application: Randall Prue

Discussion

The applicant's property consists of approximately .18 acres on Cedar Ridges Lane, and is developed with a 24 ft. x 24 ft. dwelling. The applicant proposes to demolish the existing dwelling which is located 44 ft. from the high water mark, and to replace it with a dwelling of the same footprint, to be located 55 ft. from the HWM. The applicant has approval from Public Health to install a biofilter septic system.

At the July Committee meeting, the application was deferred to provide an opportunity for the applicant to consider options to a second storey since Committee members were not generally supportive of permitting a second storey on the new dwelling. The applicant is now requesting a single storey dwelling, and a full basement would also be permitted.

**RESOLUTION:** C of A: 11:07:15

Moved by: K. Gee

Seconded by: L. York

**THAT the South Frontenac Township Committee of Adjustment hereby approves variance application MV-17-11-S by Randall Prue & Louise Hunter, concession 1, lot 6, District of Storrington, to permit construction of new dwelling within 30m of high water mark, and within 10m of rear lot line, subject to conditions.**

Carried

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<b>Application No:</b>	MV-17-11-S
<b>Owner:</b>	Randall Prue, Louise Hunter
<b>Location of Property:</b>	Plan 544, pt. 6, Cedar Ridges Lane, Loughborough Lake, District of Storrington, Township of South Frontenac
<b>Purpose of Application:</b>	To vary section 10.3.1 of the Comprehensive Zoning By-law to permit construction of new dwelling within the 30m required setback from the high water mark, and within 10m of rear lot line, and section 5.6.1 to construct a building within 5 m of a private lane.
<b>Date of Hearing:</b>	July 14, 2011
<b>Date of Decision:</b>	August 11, 2011
<b>DECISION:</b>	<b>VARIANCE APPROVED, subject to conditions</b>

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**CONDITIONS**

- 1. The variance is limited to reconstruction of a 24 ft. x 24 ft.(576 sq. ft. gross floor area) 1 storey dwelling to be located 55 ft. from the HWM, and 5 ft. from the rear lot line. The existing dwelling on the property will be removed, and no deck will be permitted unless it is part of the 24 x 24 ft. footprint and does not encroach within the 55 ft. setback from the water. The applicant is permitted to construct a full basement, but no second storey living space.**
- 2. Minor variance MV-17-11-S 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 Township to be registered on title, which includes the municipality's limited service and environmental policies, and which specifies that a permit will be required from the Cataraqui Region Conservation Authority for any shoreline or in-water works, including docks.**

**REASON FOR DECISION:** The variance has been approved by staff and agencies, and the proposal is considered to be appropriate development for the property and to meet the intent of the official plan and zoning by-law.

**Item #15: MV-18-18-11-S (Ball)**

Speaking to the application: Steve Ball

Discussion

The applicant's property consists of approximately .97 acres, and is developed with a boat house. A minor variance was approved on the property a number of years ago, but that approval varied the previous Storrington Zoning By-law and not the current South Frontenac Township Zoning By-law. Therefore, the applicant resubmitted the application at the July Committee meeting. The Committee agreed to permit the new variance, largely on the grounds that it had been approved before. However, at no time in the discussion was a reference made to covering or enclosing the proposed decks, and this was not mentioned in the variance application. In general, when variances are approved for development so close to the water, one of the conditions is that there be no roof on, or enclosure of, decks, and this condition was therefore included with the notice sent to the applicants, and has been included in the site plan agreement which they have been asked to sign and register on title. Mr. & Mrs. Ball have requested clarification of this by the Committee because they have had some house plans prepared which include a roof over one of the decks, and they believed that they were asking for the exact same approval as previously. The Committee is asked to clarify if they wish to permit any covering of either proposed deck.

**RESOLUTION: C of A: 11:07:16**

Moved by: K. Gee

Seconded by: L. York

**THAT the South Frontenac Township Committee of Adjustment hereby verifies that the conditions of variance application MV-18-11-S by Steve & Linda Ball, concession 15, lot 1, District of Storrington, were intended to permit a roof over the deck on the south side of the proposed dwelling, but not on the front (water side).**

Carried

**Item #16: MV-19-11-S (Sargent)**

Speaking to the application : Mac Gervan, agent

Discussion

The applicants' property consists of approximately 1.95 acres and is developed with two seasonal dwellings. The property is located on an island accessed by a causeway. The applicants obtained approval in February, 2011, for an addition to the bathroom on the west side of the main cottage (40.36 sq. ft.) and the addition of a 322.9 sq. ft. screened porch on the east side.

Now the applicants are seeking to make the originally approved bathroom addition somewhat larger. Storrington District representatives and L. Mills expressed the opinion that the proposal was appropriate for the site.

**RESOLUTION: C of A: 11:07:17**

Moved by: L. York

Seconded by: K. Gee

**THAT the South Frontenac Township Committee of Adjustment hereby approves variance application MV-19-11-S by Robert & Jean Sargent,**



**concession 10, lot 29, District of Storrington, to permit construction of an addition within 30m of high water mark, subject to conditions.**

Carried

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<b>Application No:</b>	MV-19-11-S
<b>Owner:</b>	Robert & Mary Jean Sargent
<b>Location of Property:</b>	Pt. Lot 29, Concession 10, Cranberry Lake, District of Storrington, Township of South Frontenac
<b>Purpose of Application:</b>	To vary section 5.8.2, 5.11 & 10.3.1 of the Comprehensive Zoning By-law to permit development within 30m of high water mark
<b>Date of Hearing:</b>	August 11, 2011
<b>Date of Decision:</b>	August 11, 2011
<b>DECISION:</b>	<b>VARIANCE GRANTED, subject to conditions</b>

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**CONDITIONS**

- The variance is limited to construction of a 288 sq. ft. addition to the west side of an existing dwelling, to be located a minimum of 58 ft. from the high water mark.**
- Minor variance MV-19-11-S is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.**
- 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, and the proposal is considered to be appropriate development for the property and to meet the intent of the official plan and zoning by-law.

**Item #17: Adjournment**

**RESOLUTION: C of A: 11:07:18**

Moved by: M. Tinlin

Seconded by: W. Robinson

**THAT the August 11, 2011 meeting of the South Frontenac Township Committee of Adjustment is hereby adjourned at 8:42 p.m. to reconvene at 7:00 p.m. on Thursday, September 8, 2011 or at the call of the Chair.**

Carried

  
Ron Vandewal, Chair

  
Lindsay Mills, Secretary-  
Treasurer