

TOWNSHIP OF SOUTH FRONTENAC
 COMMITTEE OF ADJUSTMENT/LAND DIVISION COMMITTEE
 MINUTES 11:08
 SEPTEMBER 8, 2011

LOCATION: South Frontenac Municipal Offices,
Sydenham

IN ATTENDANCE: Larry York, (Storrington District)
Ken Gee (Storrington District)
Mark Tinlin (Bedford District)
David Hahn (Bedford District)
Ron Vandewal (Loughborough District)
Len McCullough (Loughborough District)
Larry Redden (Portland District)
Bill Robinson (Portland 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: 11:08:01

Moved by: L. McCullough

Seconded by: L. York

THAT the September 8, 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: 11:08:02

Moved by: K. Gee

Seconded by: L. McCullough

THAT the South Frontenac Township Committee of Adjustment hereby approves the minutes of the August 11, 2011 meeting of the Committee, as circulated.

Carried

Item #5: 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 originally proposed 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 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 it was intended that the proposed new road would eventually be one of the accesses to the subdivision.

However, Committee members had concerns about supporting applications which would require creation of a very short public road, since there is no guarantee that the subdivision would proceed. The applications were therefore deferred at the August Committee meeting to provide an opportunity for additional consideration of options. Since that meeting, it has been determined that it would be possible to permit two entrances off of Battersea Road rather than just one. The more northerly entrance would provide access to one lot (S-28), while the entrance to the southern lot (S-29) would have the potential of becoming a subdivision road at such time as the subdivision proceeds.

RESOLUTION: C of A: 11:08:03

Moved by: L. McCullough

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-28-11-S by Brett Campbell, concession 2, lot 26, Battersea Road, District of Storrington, to create a residential lot, subject to conditions.

Carried

Application No:	S-28-11-S
Owner:	Brett Campbell
Location of Property:	Concession II, Lot 26, Battersea Road, District of Storrington, Township of South Frontenac
Purpose of Application:	Creation of residential lot
Date of Hearing:	August 11, 2011
Date of Decision:	September 8, 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 2, 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-28-11-S shall be for a residential lot with frontage on, and access from, Battersea Road. A one-foot reserve along the rear (west) side of the lot shall be transferred to the municipality.**
- 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 (Battersea 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 retained lands 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 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 Township's Comprehensive Zoning By-law to recognize the frontage and size of the severed parcel.

RESOLUTION: C of A: 11:08:04

Moved by: L. York

Seconded by: L. McCullough

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-29-11-S by Brett Campbell, concession 2, lot 26, Battersea Road, District of Storrington, to create a residential lot, subject to conditions.

Carried

Application No:	S-29-11-S
Owner:	Brett Campbell
Location of Property:	Concession II, Lot 26, Battersea Road, District of Storrington, Township of South Frontenac
Purpose of Application:	Creation of residential lot
Date of Hearing:	August 11, 2011
Date of Decision:	September 8, 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 2, 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-29-11-S shall consist of two parts - a residential lot (Part A) and a 66 ft. wide block (Part B) on the residential lot's southern boundary. The owner of the residential lot shall take access from the block and the two parts shall be registered such that neither of these parts can be transferred separately from the other, except that the owner of the residential lot shall be required to sell Part B to the municipality for \$1.00 to be used as an access to any subdivision which is developed on the subject lands.
3. The municipality shall be granted a one-foot reserve along the Battersea Road frontage of Part A, and along the rear (west side) lot line of Part A.
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. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road (Battersea 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 retained lands 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.**
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.**
 9. **The applicant shall obtain an amendment to the Township Comprehensive Zoning By-law to recognize lot size and frontage, and to specify development options (e.g. setback requirements) on the severed parcel.**

Item #6: 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 applicant originally proposed a lot addition which would have added the wrap-around portion to one of the residential lots. Subsequently, the applicant decided to divide the wrap-around portion between the two residential lots. The result would be an overall improvement in the shape of the original parcel, and an enlargement of the two small residential lots.

RESOLUTION: C of A: 11:08:05

Moved by: L. McCullough

Seconded by: L. York

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-30-11-L by William & Myrtle Potter, concession 4, lot 1, Rutledge Road, District of Loughborough, to create two lot additions, subject to conditions.

Carried

Application No:	S-30-11-L
Owner:	William and Myrtle Potter
Location of Property:	Concession IV, Lot 1, Rutledge Road, District of Loughborough, Township of South Frontenac
Purpose of Application:	Creation of lot addition
Date of Hearing:	August 11, 2011
Date of Decision:	September 8, 2011

DECISION: VARIANCE APPROVED, 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 2, 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- 30-11-L shall be for a lot addition only to the two residential lots immediately to the east of the**

- 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.**
9. **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.**
10. **The applicant shall obtain an amendment to the Township Comprehensive Zoning By-law to recognize lot size and frontage, and to specify development options (e.g. setback requirements) on the severed parcel.**

Item #6: 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 applicant originally proposed a lot addition which would have added the wrap-around portion to one of the residential lots. Subsequently, the applicant decided to divide the wrap-around portion between the two residential lots. The result would be an overall improvement in the shape of the original parcel, and an enlargement of the two small residential lots.

RESOLUTION: C of A: 11:08:05

Moved by: L. McCullough

Seconded by: L. York

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-30-11-L by William & Myrtle Potter, concession 4, lot 1, Rutledge Road, District of Loughborough, to create two lot additions, subject to conditions.

Carried

Application No:	S-30-11-L
Owner:	William and Myrtle Potter
Location of Property:	Concession IV, Lot 1, Rutledge Road, District of Loughborough, Township of South Frontenac
Purpose of Application:	Creation of lot addition
Date of Hearing:	August 11, 2011
Date of Decision:	September 8, 2011

DECISION: VARIANCE APPROVED, subject to conditions

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 2, 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.**
- An acceptable reference plan of the severed lands in duplicate, shall be submitted to the Township.**
- The land to be severed by Consent Application S- 30-11-L shall be for a lot addition only to the two residential lots immediately to the east of the**

applicant's residence.

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.**

Item #7: S-31-11-L (Darling)

Speaking to the Application: Peter Darling

Discussion

The subject lands front on Tib Darling Lane, Rutledge Road and Loughborough Lake. The proposed lot addition would add approximately .69 acres to a developed waterfront lot which is currently .5 acres in size.

RESOLUTION: C of A: 11:08:06

Moved by: L. McCullough

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-31-11-L by Peter Darling, concession 4, lot 14, Tib Darling Lane, Loughborough Lake, District of Loughborough, to create a lot addition, subject to conditions.

Carried

Application No:	S-31-11-L
Owner:	Peter Darling
Location of Property:	Concession IV, Lot 14, Loughborough Lake, Tib Darling Lane, District of Loughborough, Township of South Frontenac
Purpose of Application:	Creation of lot addition
Date of Hearing:	September 8, 2011
Date of Decision:	September 8, 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 3, 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 severed lands in duplicate, shall be submitted to the Township.**
3. **The land to be severed by Consent Application S- 31-11-L shall be for a lot addition only to 1347 Tib Darling Lane.**
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 #8: S-32-11-L (Taylor)
 Speaking to the Application: Eric Taylor

Discussion

The subject lands front on Stage Coach Road and are approximately 5.4 acres in size. The lands are developed with a single family dwelling and accessory buildings. The proposed lot would be 2.6+/- acres in size with 250 ft. frontage on Stage Coach Road. The MDS calculation indicates that there is sufficient distance between the proposed lot and the barn on the property to the north. The Roads Department report suggests that the proposed lot is low, but that ditching in the area appears adequate.

R. Vandewal noted that there is a very large drainage ditch running through the severed parcel, and that, although ditching at the road is in good condition, the owners of the severed parcel will need to ensure regular clean-out of the ditch. Public Health had indicated that there might be a problem with the location of the sewage system on the retained parcel in relation to the proposed new lot line.

RESOLUTION: C of A: 11:07:08

Moved by: L. McCullough Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-32-11-L by Eric & Wendy Taylor, concession 1, lot 4, Stage Coach Road, District of Loughborough, to create residential lot, subject to conditions.

Carried

Application No:	S-32-11-L
Owner:	Eric & Wendy Taylor
Location of Property:	Concession IV, Lot 1, Stage Coach Road, District of Loughborough, Township of South Frontenac
Purpose of Application:	Creation of residential lot
Date of Hearing:	September 8, 2011
Date of Decision:	September 8, 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 or 2 as applicable, 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 severed lands in duplicate, shall be submitted to the Township.

3. The land to be severed by Consent Application S- 32-11-L shall be for a residential lot, a minimum of 2 acres in size and with a minimum of 250 ft. frontage on Stage Coach Road. The applicants must provide evidence that the proposed new lot line does not interfere with the existing sewage system on the retained parcel.
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 lot 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 submit a well driller's report providing evidence of 3.5 gallons per minute of potable water over a 6-hour pump test.

Item #9: S-33-11-S (Thomson)

Speaking to the Application: Gary Thomson (also speaking to application S-34-11-S – Jackson)

Discussion

This application and application S-34-11-S are intended to provide easier waterfront access for the owner of a large parcel of land which fronts on Carrying Place Road, Cranberry Cove Lane and Cranberry Lake.

RESOLUTION: C of A: 11:08:08

Moved by: L. York

Seconded by K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-33-11-S by Gary & Carole Thomson, concession 10, lot 26, Cranberry Lake, District of Storrington, to grant right-of-way, subject to conditions.

Carried

Application No:	S-33-11-S
Owner:	Gary & Carole Thomson
Location of Property:	Concession 10, Lot 26, Cranberry Lake, District of Storrington, Township of South Frontenac
Purpose of Application:	Granting of right-of-way
Date of Hearing:	September 8, 2011
Date of Decision:	September 8, 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 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 right-of-way in duplicate, shall be submitted to the Township.

3. The lands which are the subject of Consent Application S- 33-11-S shall be for a right-of-way only over part 4 on Plan 13R-18799 in favour of pts 6 & 7 and pt. part 1 on 13R-8978.
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 5.1 of the Planning Act, R.S.O. 1990 and amended thereto.

Item #10: S-34-11-S (Jackson)
(see application S-33-11-S)

RESOLUTION: C of A: 11:08:09

Moved by: K. Gee

Seconded by: L. McCullough

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-34-11-S by Bruce & Mary-Anne Jackson, concession 10, lot 26, Cranberry Lake, District of Storrington, to grant right-of-way, subject to conditions.

Carried

Application No:	S-34-11-S
Owner:	Bruce & Mary-Anne Jackson
Location of Property:	Concession 10, Lot 26, Cranberry Lake, District of Storrington, Township of South Frontenac
Purpose of Application:	Granting of right-of-way
Date of Hearing:	September 8, 2011
Date of Decision:	September 8, 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 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 right-of-way in duplicate, shall be submitted to the Township.
3. The lands which are the subject of Consent Application S- 34-11-S shall be for a right-of-way only over part 2 on Plan 13R-18799 in favour of pts 6 & 7 and pt. part 1 on 13R-8978.
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 5.1 of the Planning Act, R.S.O. 1990 and amended thereto.

Item #11: S-35-11-P (Reynolds)

Speaking to the Application: Marlene Reynolds

Discussion

The subject lands front on Verona Sands Road and consist of 40 acres. The property is developed with a single family dwelling and accessory buildings. The proposal is to sever the house with just under 3 acres of land, as well as the accessory buildings. There will still be over 250 ft. frontage on the maintained portion of Verona Sand Road.

Public Health indicated that the north lot line of the proposed severed lot would need to be moved further north in order to ensure that there was no interference with the existing sewage system.

RESOLUTION: C of A: 11:08:10

Moved by: W. Robinson

Seconded by: L. Redden

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-35-11-P by Leata Reynolds, concession 11, lot 16, Verona Sand Road, District of Portland, to create a residential lot, with existing dwelling, subject to conditions.

Carried

Application No:	S-35-11-P
Owner:	Leata Reynolds
Location of Property:	Concession XI, Lot 16, Verona Sands Road, District of Portland, Township of South Frontenac
Purpose of Application:	Creation of residential lot with existing dwelling
Date of Hearing:	September 8, 2011
Date of Decision:	September 8, 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 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 severed lands in duplicate, shall be submitted to the Township.
3. The land to be severed by Consent Application S- 35-11-P shall be for a residential lot with existing dwelling at 5211 Verona Sand Road, a minimum of 2 acres in size and with a minimum of 250 ft. public road frontage. Prior to the stamping of the deed, the applicant must demonstrate to the Township and KFLA Public Health that there is a minimum of 50 ft. between the end of the sewage system and the proposed new lot line.
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 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 Township of South Frontenac shall receive 5% of the value of the severed lot as though it were vacant, 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 submit a report providing evidence of potable water on the severed parcel.

Item #12: S-36-11-L (Green/Hosler)

Speaking to the Application: Joe Vankoughnett, agent

Discussion

The subject lands front on Buck Lake and a private lane (Over the Hill Lane) which crosses the property and ends at the lake. Joe Vankoughnett, who owns a non-waterfront lot on the lane, also has a right-of-way to the water. He also owns a very small (.11 acre) waterfront parcel. The intent of the application is to transfer this small parcel back to the original owner (Green Estate) and to create in its place a similar-sized lot adjacent to the right-of-way over which Mr. Vankoughnett currently has access. This new lot would be used for purposes of docking only.

RESOLUTION: C of A: 11:08:11

Moved by: L. McCullough

Seconded by: L. York

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-36-11-L by Estate of Ella Green (Hosler), concession 14, lot 26, Buck Lake, District of Loughborough, to create waterfront lot for docking purposes only, subject to conditions.

Carried

Application No:	S-36-11-L
Owner:	Estate of Ella Green (Hosler)
Location of Property:	Concession XIV, Lot 26, Buck Lake, District of Loughborough, Township of South Frontenac
Purpose of Application:	Consent to create waterfront lot for docking purposes
Date of Hearing:	September 8, 2011
Date of Decision:	September 8, 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 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 severed parcel in duplicate, shall be submitted to the Township.**
3. **The lands which are the subject of Consent Applications S- 36-11-L shall be for docking purposes only. A permit for a dock will be required from the Cataraqui Region Conservation Authority.**
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 property at 1011 Over the Hill Lane shall be put into the same ownership, and merged with, the property at 7656 Perth Road**
8. **The applicant shall obtain an amendment to the Township of South Frontenac Comprehensive Zoning By-law to change the zoning on the severed parcel from RLSW to a special RLSW to recognize its limited permitted use.**

Item #13: MV-20-11-P (Page)
 Speaking to the Application: Tom Page

Discussion

The applicant's property consists of approximately .5 acre and is developed with a single family dwelling. The applicant is proposing to construct a mud room and garage to be attached to the side of his dwelling. At its closest point, the new structure would be 4 ft. (vs 8.2 ft.) from the side lot line, increasing to 8 ft. The CBO has indicated that it is difficult to determine for certain where the property line is located. It will be necessary for the applicant to clearly identify the lot line before applying for a building permit.

RESOLUTION: C of A: 11:08:12

Moved by: L. Redden

Seconded by: W. Robinson

THAT the South Frontenac Township Committee of Adjustment hereby approves variance application MV-20-11-P by Tom Page, concession 5, lot 6, Settlement Area of Harrowsmith, District of Portland, to permit addition of mud room and garage to existing dwelling, within 2.5 m of side lot line, subject to conditions.

Carried

Application No:	MV-20-11-P
Owner:	Tom Page
Location of Property:	Pt. Lot 6, Concession 5, William St., Harrowsmith, District of Portland, Township of South Frontenac
Purpose of Application:	To vary section 14.3.1 of the Comprehensive Zoning By-law to permit development within 2.5 m of side lot line
Date of Hearing:	September 8, 2011
Date of Decision:	September 8, 2011
DECISION:	VARIANCE APPROVED, subject to conditions

CONDITIONS

1. **The variance is limited to construction of a 22' x 28' garage with storage loft (maximum height 18 ft.) and a 12 ft. x 10 ft. mud room, to an existing dwelling, to be located a minimum of 4 ft. from the side lot line.**
2. **Minor variance MV-20-11-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 clearly mark the relevant side lot line from the street to the rear of the lot, prior to applying for a building permit.**

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

Item #14: Adjournment

RESOLUTION: C of A: 11:08:13

Moved by: M. Tinlin

Seconded by: D. Hahn

THAT the September 8, 2011 meeting of the South Frontenac Township Committee of Adjustment is hereby adjourned at 7.43 p.m. to reconvene at 7:00 p.m. on Thursday, October 13, 2011 or at the call of the Chair.

Carried



Ron Vandewal, Chair



Lindsay Mills, Secretary-
Treasurer