

**TOWNSHIP OF SOUTH FRONTENAC  
COMMITTEE OF ADJUSTMENT/LAND DIVISION COMMITTEE  
MINUTES 13:11  
DECEMBER 12, 2013**

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

**IN ATTENDANCE:** Ken Gee (Storrington District)  
Larry York (Storrington District)  
Ron Vandewal (Loughborough District)  
Len McCullough (Loughborough District)  
Larry Redden (Portland District)  
Bill Robinson (Portland District)  
Del Stowe (Bedford District)

**ABSENT WITH REGRETS:** David Hahn (Bedford District)

**STAFF:** Lindsay Mills – Secretary-Treasurer/Planner  
Anne Levac – Assistant Sec’y-Treasurer/Committee Clerk

**RESOLUTIONS & BUSINESS:**

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**Item #1: Call to Order**

**RESOLUTION:** C of A: 13:11:01

Moved by: L. McCullough

Seconded by: K. Gee

**THAT the December 12, 2013 meeting of the South Frontenac Township Committee of Adjustment is hereby called to order at 7:05 p.m. with Ron Vandewal in the Chair.**

Carried

**Item #2: Adoption of Agenda**

It was agreed that item 5(a) on the agenda (S-48-13-P Verona Hardware) would be heard after the other applications in order that the applicant’s agent could be present.

**Item #3: Declaration of Pecuniary Interest**

None

**Item #4: Approval of Minutes**

**RESOLUTION:** C of A: 13:11:02

Moved by: L. York

Seconded by: K. Gee

**THAT the minutes of the November 14, 2013 meeting of the South Frontenac Township Committee of Adjustment are approved as circulated.**

Carried**Item #5: S-52-13-P (Cousins)**

Speaking to the Application: Terry Cousins

Discussion

The subject lands consist of 44+/- acres and have frontage on Snider Road and First Lake Road. The proposal is for the creation of a 6+/- acre residential lot with frontage on Snider Road. The Roads Department has commented that there is only one suitable location for an entrance, and that is at the top of a small hill. Public Health has indicated that the sewage system should be located where there is a minimum of 25 cm over rock and which is 15m away from the low lying wet land in the northeast corner of the lot.

The application was deferred at the November 14<sup>th</sup> Committee meeting because of questions about a barn on the property across the road from the subject property. Staff have checked the site and determined that the barn sits on a very small parcel of land, and therefore only a small number of animals would be permitted on that property. Creation of the proposed new lot therefore appears to be supportable.

**RESOLUTION: C of A: 13:11:03**

Moved by: W. Robinson

Seconded by: L. Redden

**THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-52-13-P by Terry and Christine Cousins, to create a residential lot in concession 14, lot 15, Snider Road, District of Portland, subject to conditions.**

Carried


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<b>Application No:</b>	S-52-13-P
<b>Owner:</b>	Terry & Christine Cousins
<b>Location of Property:</b>	Concession 14, Lot 15, Snider and First Lake Roads, District of Portland, Township of South Frontenac
<b>Purpose of Application:</b>	Creation of residential lot
<b>Date of Hearing:</b>	November 14, 2013
<b>Date of Decision:</b>	December 12, 2013

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

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CONDITIONS

- 1. An acceptable reference plan or legal description of the severed lands in duplicate, and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.**
- 2. The land to be severed by Consent Application S-52-13-P shall be for a 6+/- acre lot, with 250 ft. + frontage on Snider Road.**
- 3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)**
- 4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.**
- 5. The Township of South Frontenac shall receive 5% of the value of the severed parcel, in lieu of parkland pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.**
- 6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained land measured from the centre line of the traveled portion of the road to the lot line**

of the owner’s property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:

- a) The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
- b) The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner’s expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
- c) The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of “The Corporation of the Township of South Frontenac”, and shall include the following attached to the Transfer/Deed as a Schedule:

*The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, S.O. 2001, Chapter 25, as amended.*

- d) The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner’s expense;
- e) The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.

7. The applicant shall submit a well driller’s report demonstrating a potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test.

**Item #6: S-46A-13-L (Oak Roads Trust)**

Speaking to the Application: Judy Harvie, Mike Keane – Foten Consulting

Discussion

The subject property consists of a parcel fronting on Sumac Road and Loughborough Lake. Through previous applications S-46-13-L and S-47-13-L, a lot addition was granted to waterfront property owned by Judy Harvie, and a new waterfront lot was created. This application is to grant the existing right-of-way off of Sumac Road to the new lot.

**RESOLUTION: C of A: 13:11:04**

Moved by: L. McCullough

Seconded by: K. Gee

**THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-46A-13-L by Oak Roads Trust, to create a right-of-way in concession 1, lot 8, District of Loughborough, subject to conditions.**

Carried

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<b>Application No:</b>	S-46A-13L
<b>Owner:</b>	Oak Roads Trust No. 1
<b>Location of Property:</b>	Concession 1, Lot 8, Sumac Road, District of Loughborough, Township of South Frontenac
<b>Purpose of Application:</b>	Consent to grant right-of-way
<b>Date of Hearing:</b>	December 12, 2013
<b>Date of Decision:</b>	December 12, 2013

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

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**CONDITIONS**

- 1. An acceptable reference plan or legal description of the severed lands in duplicate, and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one

- year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
2. The right-of-way to be created by Consent Application S-46A-13-L shall provide access to a lot created through consent S-47-13-L, which lot shall be subject to a continuing right-of-way for the property of Judith Harvie, as enlarged through application S-46-13-L.
  3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
  4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
  5. The Township of South Frontenac shall receive \$100 in lieu of parkland pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.
  6. The right-of-way granted through application S-46A-13-L shall be upgraded to the Township's standards for existing private lanes.

**Item #7: S-58-13-S (Robinson, McCauley)**

Speaking to the Application: Nicolas Robinson

Discussion:

The subject lands consist of 64+ acres fronting on Sunbury Road. There are two dwellings and an accessory building on the property. The application is for the creation of a 2.2 acre lot containing one of the dwellings. This portion of the applicants' property is zoned and designated Rural (it had formerly been zoned and designated mineral aggregate). The remainder of the property is designated and zoned prime agriculture. This severance will result in only one dwelling per property, both located on the Rural portion of the property. The property fronts on the public road on both sides of a dwelling on a separate lot. The applicants have requested that the new lot have road frontage of 328 ft. This would leave 78 ft. frontage on the west side of the existing separate dwelling and 400+ ft. on the east side. From a planning perspective, it would appear to be more appropriate to include all of the frontage on the west side with the severed lot, and leave the frontage on the east side with the retained parcel. There is already an entrance to the property at the east side, and this would become the recognized access for the dwelling on the retained parcel.

The applicants had initially indicated that the structure on the proposed severed lot had been approved as a dwelling and that it would continue to be used as a dwelling. However, Township records show that this "dwelling" was actually approved as a storage building at the time that it was moved to the site from the original farm property.

The applicants asked that the application be deferred until the road frontage and building use issues had been resolved.

**RESOLUTION: C of A: 13:11:05**

Moved by: K. Gee

Seconded by: L. York

**THAT the South Frontenac Township Committee of Adjustment hereby defers consent application S-58-13-S by Nicolas Robinson and Evelyn McCauley, to create a residential lot in concession 7, lot 13, Sunbury Road, District of Storrington, subject to conditions.**

Carried

**Item #8: S-59-13-B (Mole)**

Speaking to the Application: N/A

Discussion

The subject lands consist of 10+/- acres with frontage on Bob's Lake, and accessed by a private lane. The application is for the creation of a 3.6+/- acre waterfront lot with 91 m (300 ft.) frontage on the lake. Public Health does not have an objection, but no report has been received from Rideau Valley Conservation, and a report is not expected in time for the meeting. The application was therefore deferred.

**RESOLUTION: C of A: 12:11:06**

Moved by: D. Stowe

Seconded by: W. Robinson

**THAT the South Frontenac Township Committee of Adjustment hereby defers consent application S-59-13-B by Norman & Carol Mole, to create a waterfront lot in concession 5, lot 25, Bob’s Lake, District of Bedford, pending receipt of a report from Rideau Valley Conservation.**

Carried

**Item #9: S-60-13-S (Knapp)**

Speaking to the Application: Anna North, agent

Discussion

The subject lands consist of an 8.5 to 9 acres fronting on Carrying Place Road and Dog Lake and are developed with a residence and accessory buildings. The applicant owns several more acres on both sides of Carrying Place Road but they are separated from the subject property by a public road and an unopened road allowance. The application is for the creation of a 3 acre waterfront lot. There have been no objections. There is an old barn on the retained parcel but the acreage of this parcel will be less than 5 acres, and a condition of consent is that the severed and retained parcels be rezoned to residential waterfront, which does not permit farm uses. Prior to any development on the new lot, the owner will need to contact the CRCA to determine if a permit is required.

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

Moved by: K. Gee

Seconded by: L. York

**THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-60-13-S by James Knapp, to create a waterfront lot in concession 10, lot 25, Dog Lake, District o Storrington, subject to conditions.**

Carried

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<b>Application No:</b>	S-60-13-S
<b>Owner:</b>	James Knapp
<b>Location of Property:</b>	Concession 10, Lot 25, Dog Lake, District of Storrington, Township of South Frontenac
<b>Purpose of Application:</b>	Creation of residential waterfront lot
<b>Date of Hearing:</b>	December 12, 2013
<b>Date of Decision:</b>	December 12, 2013

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

**CONDITIONS**

1. **An acceptable reference plan or legal description of the severed lands in duplicate, and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.**
2. **The land to be severed by Consent Application S-60-13-S shall be for a 3+/- acre lot, with 363+/- frontage on Carrying Place Road, and a minimum of 300 ft. frontage on Dog 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 enter into a development agreement to be registered on title to the severed and retained parcels which deals with the Township's environmental policies, as well as the requirement for the owner to contact the Cataraqui Region Conservation Authority prior to any development on the property, to determine the need for a permit.
8. The applicant shall obtain an amendment to the South Frontenac Township Comprehensive Zoning By-law to rezone the severed and retained parcels to Residential Waterfront, recognizing frontage on a public road and on waterfront.

**Item #10: S- 62-13-L (Briere)**

Speaking to the Application: Nic deWit – agent

Discussion

The subject lands consist of 82+/- acres fronting on Wilmer Road. The application is for the creation of a 2 acre residential lot with 250 ft. frontage on Wilmer Road. There have been no objections, but Roads has indicated that the entrance must be located at the south end of the lot.

**RESOLUTION: C of A: 13:11:08**

Moved by: L. McCullough

Seconded by: K. Gee

**THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-62-13-L by Jerome Briere, to create a residential lot in concession 8, lot 16/17, Wilmer Road, District of Loughborough, subject to conditions.**

Carried

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<b>Application No:</b>	S-62-13-L
<b>Owner:</b>	Jerome Briere
<b>Location of Property:</b>	Concession 8, Lot 16/17, Wilmer Road, District of Loughborough, Township of South Frontenac
<b>Purpose of Application:</b>	Creation of residential lot
<b>Date of Hearing:</b>	December 12, 2013
<b>Date of Decision:</b>	December 12, 2013

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

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1. **An acceptable reference plan or legal description of the severed lands in duplicate, and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.**
2. **The land to be severed by Consent Application S-62-13-L shall be for a 2+ acre lot, with 250 ft. + frontage on Wilmer Road.**
3. **Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)**
4. **In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.**
5. **The Township of South Frontenac shall receive 5% of the value of the severed parcel, in lieu of parkland pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.**
6. **The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained land measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:**
  - a) **The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;**
  - b) **The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;**
  - c) **The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:**

*The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, S.O. 2001, Chapter 25, as amended.*
  - d) **The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;**
  - e) **The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.**
7. **The applicant shall submit a well driller's report demonstrating a potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test.**

**Item #11: S-63-13-B (Day)**

Speaking to the Application: Bernice Day

Discussion

The subject lands consist of 37.5+/- acres with frontage on James Wilson Road and Desert Lake.. The application is for the creation of a 3.6+/- acre waterfront lot with frontage on Desert Lake and on an inland pond. Public Health has asked for a deferral because they have not been able to inspect the site under current weather conditions. There are also some issues to be sorted out with regard to the access to the retained parcel. The application was therefore deferred.

**RESOLUTION: C of A: 13:11:09**

Moved by: D. Stowe

Seconded by: W. Robinson

**THAT the South Frontenac Township Committee of Adjustment hereby defers consent application S-63-13-B by Bernice Day, to create a waterfront lot with existing seasonal dwelling, in concession 4, lot 4, Dessert Lake, District of Bedford, pending receipt of report form Public Health, and clarification access to the retained parcel.**

Carried**Item #12: S-64-13-S, S-65-13-S (1059823 Ont. Ltd. – Matias)**

Speaking to the Application: Tony Matias

Discussion

The subject lands consist of 78+/- acres fronting on Perth and Davidson Roads. The applications are for the creation of two urban commercial lots. The property was zoned previously to permit a commercial development on the property, but the owner's plans have now changed and only these two lots are now proposed for commercial use. The specific uses and site plan would still need to be established. The Public Works Manager has indicated some concerns with regard to the proposed two entrances onto Perth Road as indicated in the applications. Lindsay Mills will be meeting with the Public Works Manager to discuss these matters. Final comments were not available for the meeting and the applications were therefore deferred.

**RESOLUTION: C of A: 13:11:10**

Moved by: L. York

Seconded by: K. Gee

**THAT the South Frontenac Township Committee of Adjustment hereby defers consent application S-64-13-S and S-65-13-S by 1059823 Ontario Ltd. (Matias) to create commercial lots in concession 2, lot 18/19, Perth Road, District of Storrington, pending confirmation of access to the satisfaction of the Township Road Department.**

Carried**Item #13: S-66-13-B (Morton)**

Speaking to the Application: Judith Campbell, Joyce Bigelow

Discussion

Mr. Morton owned three parcels of land on Bob's Lake. Two of these parcels – (1) a vacant parcel and (2) the lot with Mr. Morton's home on it, merged because of common ownership. The third lot (3) is vacant. This proposal is to sever off #2 - the lot containing the dwelling and add it to the third parcel - #3. Then, the retained vacant land (#1) would be added to a separate developed waterfront lot owned by Mr. Morton's daughter. As a result of the lot additions, there will be only two waterfront lots instead of three.

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

Moved by: D. Stowe

Seconded by: W. Robinson

**THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-66-13-B by William Morton to create a lot addition in concession 2, lot 20/21, Bob's Lake, District of Bedford, subject to conditions.**

Carried



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<b>Application No:</b>	S-66-13-B
<b>Owner:</b>	William Morton
<b>Location of Property:</b>	Concession 2, Lot 20/21, Bob's Lake, District of Bedford, Township of South Frontenac
<b>Purpose of Application:</b>	Creation of lot addition to vacant waterfront lot
<b>Date of Hearing:</b>	December 12, 2013
<b>Date of Decision:</b>	December 12, 2013

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

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**CONDITIONS**

- 1. An acceptable reference plan or legal description of the severed lands in duplicate, and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.**
- 2. The land to be severed by Consent Application S-66-13-B shall be for a 1.6 +/- acre lot addition to 13R-7859, part 1. The retained parcel shall be added to RP 13R-4736 parts 13,14,15.**
- 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 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 owners if the lots being enlarged shall enter into a development agreement with the Township to be registered on title to the lots, which sets out the municipality's environmental and limited service policies, and requires that the Rideau Valley Conservation Authority be contacted prior to any shoreline or in-water works, or installation of docks.**

**Item #14: S-67-13-P (Soule, Robertson)**

Speaking to the Application: Eric Soule, agent

Discussion

The subject lands consist of 82+/- acres fronting on Wilmer Road. The application is for the creation of a 2 acre residential lot with 250 ft. frontage on Wilmer Road. There have been no objections from staff or agencies.

**RESOLUTION: C of A: C of A: 13:11:12**

Moved by: W. Robinson

Seconded by: L. Redden

**THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-67-13-P by Andrea Soule and Suzanne Robertson, to create a lot in concession 3, lot 1, Murvale Road, District of Portland, subject to conditions.**

Carried

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<b>Application No:</b>	S-67-13-P
<b>Owner:</b>	Andrea Soule, Suzanne Robertson
<b>Location of Property:</b>	Concession 3, Lot 1, Murvale Road, District of Portland, Township of South Frontenac
<b>Purpose of Application:</b>	Creation of 20+/- acre lot
<b>Date of Hearing:</b>	December 12, 2013

Date of Decision: December 12, 2013

DECISION: PROVISIONAL CONSENT GRANTED, subject to conditions

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**CONDITIONS**

1. An acceptable reference plan or legal description of the severed lands in duplicate, and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
2. The land to be severed by Consent Application S-67-13-P shall be for a 20+ acre lot, with frontage on Murvale Road.
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive 5% of the value of the severed parcel, in lieu of parkland pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained land measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
  - a) The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
  - b) The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
  - c) The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:
 

*The Transferor hereby transfers the lands to the municipality  
for the purpose of widening the adjacent highway pursuant  
to Section 31(6) of the Municipal Act, 2001, S.O. 2001, Chapter 25,  
as amended.*
  - d) The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
  - e) The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.
7. The applicant shall submit a well driller's report demonstrating a potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test.

**Item #15: S-48-13-P (Verona Hardware)**

Speaking to the Application: Tom MacDonald, agent

Discussion

The subject lands are approximately .7 acres in size, and are the site of Verona Hardware. Immediately to the south of Verona Hardware is Revell Motor Sales. A strip of land along the south side of Verona Hardware has been used for many years by clients/staff of Revells, and an application came to the November meeting to officially recognize this piece of land as a parking easement. However, there was discussion at that meeting regarding the appropriateness of creating an easement versus creating a lot addition of the parcel in question from Verona Hardware to Revell Motor Sales. On the one hand, it is not generally considered appropriate to further reduce the size of an already undersized lot, which would be the case if the land was severed off of the Verona Hardware property. On the other hand, transferring ownership of this strip of land is somewhat neater and is the preference of both property owners. The application is therefore being brought back as a lot addition, rather than as an easement. The impact on the public would not change.

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

Moved by: L. Redden

Seconded by: W. Robinson

**THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-48-13-P, as amended, by Verona Hardware Ltd., to create a lot addition, Road 38, Verona, District of Portland, subject to conditions.**

Carried


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<b>Application No:</b>	S-48-13-P (as amended)
<b>Owner:</b>	Verona Hardware Limited
<b>Location of Property:</b>	6723 Road 38, Con. 11, Pt. Lot 9, Plan 55, Pt lots 9 & 10, Verona, District of Portland, Township of South Frontenac
<b>Purpose of Application:</b>	Creation of lot addition
<b>Date of Hearing:</b>	November 14, 2013
<b>Date of Decision:</b>	December 12, 2013

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

- 1. An acceptable reference plan or legal description of the severed lands, and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.**
- 2. The land to be severed by Consent Application S-48-13-P shall be for a lot addition only to Plan 55, Lot 8, pt lots 7 & 9, & RP13R-19944, pt 1 & 2 (6715 Road 38). The lot addition shall be subject to an easement in favour of Plan 55, pt lots 9 & 10, 6723 Road 38 (Verona Hardware Ltd.) for purposes of building maintenance only.**
- 3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)**
- 4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.**
- 5. The Township of South Frontenac shall receive \$100 in lieu of parkland, pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.**

**Item #16: Adjournment**

**RESOLUTION: C of A: 13:10:16**

Moved by: D. Stowe

Seconded by: W. Robinson

**THAT the November 14, 2013 meeting of the South Frontenac Township Committee of Adjustment is hereby adjourned at 7:55 p.m. to reconvene at 7:00 p.m. on Thursday, December 12, 2013, or at the call of the Chair.**

Carried

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Ron Vandewal  
Chair

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Lindsay Mills  
Secretary-Treasurer