

**TOWNSHIP OF SOUTH FRONTENAC
COMMITTEE OF ADJUSTMENT**

**MINUTES 14:08
SEPTEMBER 11, 2014**

LOCATION: South Frontenac Municipal Offices, Sydenham

IN ATTENDANCE: Ken Gee (Storrington District)
Cam Naish (Storrington District)
Ron Vandewal (Loughborough District)
Larry Redden (Portland District)
Bill Robinson (Portland District)
Pat Barr (Bedford District)
Len McCullough (Loughborough District)
David Hahn (Bedford District)

STAFF: Lindsay Mills – Secretary-Treasurer/Planner
Amanda Mallory – Deputy Secretary Treasurer

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Item # 1: Call to Order

RESOLUTION: C of A: 14:08:01

Moved by: C. Naish

Seconded by: K. Gee

THAT the September 11, 2014 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

Approved as circulated

Item # 3: Declaration of Pecuniary Interest

L. Redden declared pecuniary interest and stepped down from the Committee for application S-65-14-P (Harriman)

Item # 4: Approval of Minutes

RESOLUTION: C of A: 14:08:02

Moved by: K. Gee

Seconded by: C. Naish

THAT the South Frontenac Township Committee of Adjustment hereby approves the minutes of the August 14, 2014 meeting of the Committee, as circulated.

Carried

Item # 5: S-35-14-L (Walsh)

Speaking to the Application: Michelle Foxton (Agent)

Discussion:

This application was brought to the Committee back in June, 2014, originally proposing two new lots. The applications were deferred so Committee members could view the property again and agencies could discuss the proposed lots. Agencies were opposed to the creation of a new lot in the western portion of this property due to the wetness. Due to this, application S-34-14-L has been withdrawn and the applicants wish to proceed with the proposal of one lot only. The applicants are proposing to sever a 2.7 +/- acre lot with a minimum of 250 ft. of frontage on Walsh Road. The retained lot has an existing dwelling and shed and will be 107 +/- acres in size. Agencies and Township Staff met on site and discussed the creation of one lot and they are in agreement that one lot is feasible. The Committee agreed that the engineer report may be required at the discretion of the building official.

RESOLUTION: C of A: 14:08:03

Moved by: L. McCullough

Seconded by: C. Naish

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-35-14-L by Marjorie Walsh, Maureen Sherboneau, Joselyn Archer & Sharon Murphy, to create a new lot, in concession 7, lot 20, Walsh Road, District of Loughborough, subject to conditions.

Carried

Application No: S-35-14-L
Owner: Marjorie Walsh, Maureen Sherboneau, Joselyn Archer & Sharon Murphy
Location of Property: Concession 7, Lot 20, District of Loughborough, Township of South Frontenac
Purpose of Application: Creation of residential lots
Date of Hearing: June 12, 2014
Date of Decision: September 11, 2014

DECISION: PROVISIONAL CONSENT BE 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 Applications S-35-14-L shall be for a 2.7 +/- acre lot with a minimum of 250ft. of frontage on Walsh 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 lands 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, 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 owner shall submit a well driller's report demonstrating potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test.
 8. The applicant shall enter into a Development Agreement to be registered on title of the new lot which may require submission of a professional engineering report identifying an appropriate building envelope at the discretion of the building official, prior to issuing a building permit.

Item # 6: S-60-14-B (Crawford)

Speaking to the Application: Maureen Crawford

Discussion:

This application was first brought to the Committee in August 2014; however the signs were not posted in time. The subject lands consist of 0.53 +/- acres and has frontage on Oak Shores Crescent and Bob's Lake. The proposal is for the creation of a 10 ft. wide right-of-way to allow pedestrian access to the water from Oak Shores Crescent. Members considered that the right-of-way was a violation of the Official Plan regarding back lot development. The motion to approve was lost.

RESOLUTION: C of A: 14:08:04

Moved by: D. Hahn

Seconded by: P. Barr

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-60-14-B by Maureen Crawford, to grant a right-of-way, in concession 2, lot 22, Oak Shores Crescent, District of Bedford, subject to conditions.

Defeated

Item # 7: S-62-14-P (Dillon)

Speaking to the Application: James Dillon (Agent)

Discussion:

The subject lands consist of 208 +/- acres with frontage on Mary Moore Road. The applicant has requested to sever a 3.5 +/- acre lot with 500 feet of frontage on Mary Moore Road. The proposed lot is vacant is will be used for residential purposes. The retained lot has an existing dwelling and will have 3200 feet of frontage on Mary Moore Road. The Roads Department and Public Health Department have no objections. An MDS calculation was conducted and there were no issues.

RESOLUTION: C of A: 14:08:05

Moved by: L. Redden

Seconded by: B. Robinson

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-62-14-P by Bernard Dillon, to create a new lot, in concession 14, lot 24/25/16, Mary Moore Road, District of Portland, subject to conditions.

Carried

Application No: S-62-14-P
Owner: Bernard Dillon
Location of Property: Concession XIV, Lot 24/25/26, Mary Moore Road, District of Portland, Township of South Frontenac
Purpose of Application: Creation of a new lot
Date of Hearing: September 11, 2014
Date of Decision: September 11, 2014

DECISION: **PROVISIONAL CONSENT BE 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-46-14-P shall be for a 3.5 +/- acre lot with a minimum of 250 ft. of frontage on Mary Moore 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 lands 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, 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 potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test.

Item # 8: S-63-14-P (Giddy)

Speaking to the Application: Cara Giddy

Discussion:

The subject land consists of 142 +/- acres with frontage on Bellrock Road. The applicant has requested to sever a 4.9 +/- acre lot with 260 ft. of frontage on Bellrock Road and a 4.5 acre lot with 450 ft. of frontage on Bellrock Road. Lot 1 has an existing storage barn and lot 2 is currently vacant. The retained land is a vacant hayfield. An MDS calculation was conducted and there are no separation issues with the surrounding barns. Reports have been received from Public Health and the Roads Department, and both have no objections.

RESOLUTION: C of A: 14:08:06

Moved by: B. Robinson

Seconded by: L. Redden

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-63-14-P by Glen Giddy, to create a new lot, in concession 11, lot 21, Bellrock Road, District of Portland, subject to conditions.

CarriedItem # 9: S-64-14-P (Giddy)

RESOLUTION: C of A: 14:08:07

Moved by: B. Robinson

Seconded by: L. Redden

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-64-14-P by Glen Giddy, to create a new lot, in concession 11, lot 21, Bellrock Road, District of Portland, subject to conditions.

Carried

Application No:	S-63-14-P & S-64-14-P
Owner:	Glen Giddy
Location of Property:	Concession XI, Lot 21, Bellrock Road, District of Portland, Township of South Frontenac
Purpose of Application:	Consent to create 2 new lots
Date of Hearing:	September 11, 2014
Date of Decision:	September 11, 2014

DECISION: PROVISIONAL CONSENT BE 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 Applications S-63-14-P & S-64-14-P shall be for a 4.9 +/- acre lot with a minimum of 250 ft. of frontage on Bellrock Road and a 4.5 +/- acre lot with a minimum of 250 ft. of frontage on Bellrock road.
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive 5% of the value of the severed parcel in lieu of parkland pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands 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, 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 potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test.
8. Consent application S-63-14-P must be finalized prior to consent application S-64-14-P

Item # 10: S-65-14-P (Harriman)

Speaking to the Application: Ryan Harriman

Discussion:

The subject property is 3.8 +/- acre lot with frontage on Road 38. The purpose of this application is to grant a right-of-way to 4483 Road 38. It was originally thought that a portion of this property was Township owned, however it has now been determined that it is not. This application is simply proposing to legally recognize the existing situation. L. Mills noted that the Roads Department had no objections.

RESOLUTION: C of A: 14:08:08

Moved by: B. Robinson

Seconded by: P. Barr

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-65-14-P by Marcie McLaren-Harriman, to grant a right-of-way, in concession 4, lot 7, Road 38, District of Portland, subject to conditions.

Carried

Application No:	S-65-14-P
Owner:	Marcie McLaren-Harriman
Location of Property:	Concession IV, Pt. Lot 7, Road 38, District of Portland, Township of South Frontenac
Purpose of Application:	Consent to grant a right-of-way
Date of Hearing:	September 11, 2014
Date of Decision:	September 11, 2014

DECISION: PROVISIONAL CONSENT BE 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. Consent is being granted for a right-of-way only in favour of Parts 1 & 6, 13R-877. This right-of-way shall be surveyed to a minimum width of 20 ft.

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 deed)**
4. **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 # 11: S-66-14-B (Barr)

Speaking to the Application: John O'Connor (Agent)

Discussion:

The subject land consists of 23 +/- acres with frontage on Burns Road and Leonard Lane. The applicant has proposed to sever a 3 +/- acre piece of land and add it to 37 Leonard Lane. The proposed lot addition and the retained lands are currently vacant. Reports from Health and Conservation were not required. The Committee decided that the lot addition and issue of building with no permit were unrelated and there was no bearing on the lot addition.

RESOLUTION: C of A: 14:08:09

Moved by: P. Barr

Seconded by: D. Hahn

THAT the South Frontenac Township Committee of Adjustment hereby defers consent application S-66-14-B by Ross Barr, to create a lot addition, in concession 5, lot 24/25, Bob's Lake, District of Bedford.

Carried

Application No:	S-66-14-B
Owner:	Ross Barr
Location of Property:	Concession V, Pt. Lot 24/25, Bob's Lake, District of Bedford, Township of South Frontenac
Purpose of Application:	Creation of a lot addition
Date of Hearing:	September 11, 2014
Date of Decision:	September 11, 2014

DECISION: PROVISIONAL CONSENT BE 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-66-14-B shall be for a 3 +/- acre lot addition only to Concession 5. Pt Lots 24 and 25; RP 13R-20537 Parts 1 and 3.**
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 # 12: S-67-14-P (McInnes)

Speaking to the Application: T.J. Reynolds

Discussion:

The subject lands consist of 95 +/- acres with frontage on Snider Road. The applicant has requested to sever a 5 +/- acres lot with 238 ft. of frontage on Snider Road. The proposed lot is vacant and the retained lot contains a dwelling and accessory buildings and will be 90 +/- acres in size. The Roads

Department and Public Health have no objections to this application. An MDS calculation was conducted and there are no issues with the location of the new lot. Committee members had no issues with the proposed lot.

RESOLUTION: C of A: 14:08:10

Moved by: L. Redden

Seconded by: B. Robinson

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-67-14-P by Ralph & Carol McInnes, to create a new lot, in concession 14, lot 12, Snider Road, District of Portland, subject to conditions.

Carried

Application No: S-67-14-P
Owner: Ralph & Carol McInnes
Location of Property: Concession XIV, Lot 12, Snider Road, District of Portland, Township of South Frontenac
Purpose of Application: Creation of a new lot
Date of Hearing: September 11, 2014
Date of Decision: September 11, 2014

DECISION: PROVISIONAL CONSENT BE 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-67-14-P shall be for a 5 +/- acre lot with a minimum of 250 ft. of 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 lands 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, 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 potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test.
 8. The applicant shall rezone the lot from Rural to a special rural zone in order to allow the reduced frontage. Please contact Lindsay Mills, the Township Planner, to begin this process.

Item # 13: S-68-14-L (Adams)

Speaking to the Application: Ed Adams

Discussion:

The subject land consists of 58 +/- acres with frontage on Forest Road and Stagecoach Road. The applicant has requested to sever a 2 + acre lot with 310 ft. of frontage on Forest Road. Also, the applicant has requested a 0.33 +/- acre lot addition to 2918 Forest Road. The proposed lot is vacant and the retained lot has an existing dwelling. The retained lot will be 56 +/- acres in size. Reports have been received from the Road Department and Public Health. They have no objections. An MDS calculation was conducted and there are no issues with the location of the new lot. Committee members had no issues with the proposed lot.

RESOLUTION: C of A: 14:08:11

Moved by: L. McCullough

Seconded by: C. Naish

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-68-14-L by Edgar & Maureen Adams, to create a new lot, in concession 2, lot 3, Forest Road, District of Loughborough, subject to conditions.

Carried

Application No:	S-68-14-L
Owner:	Edgar & Maureen Adams
Location of Property:	Concession II, Lot 3, Forest Road, District of Loughborough, Township of South Frontenac
Purpose of Application:	Creation of a new lot
Date of Hearing:	September 11, 2014
Date of Decision:	September 11, 2014

DECISION: PROVISIONAL CONSENT BE 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-68-14-P shall be for a 2 +/- acre lot with a minimum of 250 ft. of frontage on Forest.
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 lands 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:
- The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - 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;
 - 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, Chapter 25, as amended.
 - The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
 - 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 potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test.

Item # 14: MV-15-14-B (Roeske)

Speaking to the Application: Stephen Roeske

Discussion:

The subject land consists of 0.54 +/- acres with 173 ft. of frontage on Bob's Lake. The proposal involves the construction of a 52 ft. by 26 ft. 1 storey cottage with a porch and a 30 ft. by 30 ft. garage all within the 30 metre setback from the high water mark of Bob's Lake. The applicant is proposing to demolish the existing cottage and rebuild in the same location, only it will be 2 ft. wider. Comments from health were not required as a new septic has just been installed. Conservation has no objections. The Committee thought the doors should face west to allow the building to be located 5 ft. from the rear lot line.

RESOLUTION: C of A: 14:08:12

Moved by: P. Barr

Seconded by: D. Hahn

THAT the South Frontenac Township Committee of Adjustment hereby approves minor variance application MV-15-14-B by Stephen & Carey Roeske, to permit the construction of a cottage and garage within 30 metres of the high water mark, in concession 9, lot 35, Bob's Lake, District of Bedford, subject to conditions.

Carried

Application No: MV-15-14-B
Owner: Stephen & Carey Roeske
Location of Property: Concession IX, Lot 35, District of Bedford, Bador Lane, Bob's Lake, Township of South Frontenac
Purpose of Application: To vary section 10.3.1 of the Comprehensive Zoning By-law to permit development within 30 m of the high water mark
Date of Hearing: September 11, 2014
Date of Decision: September 11, 2014

DECISION: VARIANCE APPROVED, subject to conditions

CONDITIONS:

1. The variance is for the construction of a 52' by 26' dwelling and a 30' by 30' garage to be located a minimum of 60 ft. from the HWM of Bob's Lake. Maximum one storey with no basement and a minimum of 5 ft. from the rear lot line.
2. The entrance to the garage shall face to the west.
3. No other structures shall be permitted within the 30m setback from the high water mark.
4. Minor variance MV-15-14-B is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.
5. 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.
6. The applicant shall enter into a site plan agreement with the Township to be registered on title, which sets out the Township's environmental and limited service policies, and which specifies that a permit will be required from the Rideau Valley Conservation Authority for the proposed development, and for any shoreline or in-water works.

Item # 15: MV-16-14-P (Henderson)

Speaking to the Application: Douglas Henderson

Discussion:

The subject land consists of 3.75 +/- acres with 419 ft. of frontage on Henderson Road. The proposal involves the construction of a 28 ft. by 108 ft. dwelling within the 10 metre setback from the rear lot line. The applicant is proposing to build 5 metres from the rear lot line. Comments from Public Health and Conservation were not required. There was some discussion on the need for a fence along the rear lot line. It was not considered necessary.

RESOLUTION: C of A: 14:08:13

Moved by: L. Redden

Seconded by: B. Robinson

THAT the South Frontenac Township Committee of Adjustment hereby approves minor variance application MV-16-14-P by Douglas Henderson, to permit the construction of a dwelling within the 10 metres setback from the rear lot line, in concession 1, lot 9, Henderson Road, District of Portland, subject to conditions.

Carried

Application No:	MV-16-14-P
Owner:	Douglas Henderson
Location of Property:	Concession I, Lot 9, Henderson Road, District of Portland, Township of South Frontenac
Purpose of Application:	To vary section 7.3.2 of the Comprehensive Zoning By-law to permit
Date of Hearing:	September 11, 2014
Date of Decision:	September 11, 2014

DECISION: VARIANCE APPROVED, subject to conditions

CONDITIONS:

1. The variance is for the construction of a dwelling that would be located a minimum of 5 ft. from the rear lot line.
2. Minor variance MV-16-14-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.

Item # 16: MV-17-14-S (Scott)

Speaking to the Application:

Discussion:

The subject land consists of 0.73 +/- acres with frontage on Dog Lake. The proposal involves the construction of a 40 ft. by 35 ft. cottage with a porch (10 ft. by 40 ft.) and a 25 ft. by 30 ft. garage all within the 30 metre setback from the high water mark of Dog Lake. Conservation and Public Health have no objections. The Committee decided that a 1.2 metre separation from the rear lot line was needed.

RESOLUTION: C of A: 14:08:14

Moved by: K. Gee

Seconded by: C. Naish

THAT the South Frontenac Township Committee of Adjustment hereby approves minor variance application MV-17-14-S by Peter Scott, to permit the construction of a cottage and garage within the 30 metre setback from the high water mark of Dog Lake, in Plan 831, lot 21, Dog Lake, District of Storrington, subject to conditions.

Carried

Application No: MV-17-14-S
Owner: Peter Scott
Location of Property: Plan 831, Lot 21, District of Storrington, Dog Lake, Township of South Frontenac
Purpose of Application: To vary section 10.3.1 of the Comprehensive Zoning By-law to permit development within 30 m of the high water mark
Date of Hearing: September 11, 2014
Date of Decision: September 11, 2014

DECISION: VARIANCE APPROVED, subject to conditions

CONDITIONS:

1. The variance is for the construction of a 40' by 35' dwelling with a deck and a 25' by 30' garage to be located a minimum of 70 ft. from the HWM of Dog Lake. Maximum one and half storey dwelling and no basement permitted. Rear yard setback shall be a minimum of 1.2 m.
2. No other structures shall be permitted within the 30m setback from the high water mark.
3. Minor variance MV-17-14-S 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. The applicant shall enter into a site plan agreement with the Township to be registered on title, which sets out the Township's environmental and limited service policies, and which specifies that a permit will be required from the Cataraqui Region Conservation Authority for the proposed development, and for any shoreline or in-water works.

Item # 17: Other Business

Discussion centered on the need for MDS Calculations to be done by the Planning Department.

Item # 18: Adjournment

RESOLUTION: C of A: 14:08:15

Moved by:

Seconded by:

THAT the September 11, 2014 meeting of the South Frontenac Township Committee of Adjustment is hereby adjourned at 8:36 p.m. to reconvene at 7:00 p.m. on Thursday, October 9, 2014 or at the call of the Chair.

Carried

Ron Vandewal
Chair

Lindsay Mills
Secretary-Treasurer