

**TOWNSHIP OF SOUTH FRONTENAC
COMMITTEE OF ADJUSTMENT**

**MINUTES 15:04
MAY 14, 2015**

LOCATION: South Frontenac Municipal Offices, Sydenham

IN ATTENDANCE: Ken Gee (Storrington District)
John Sherbino (Loughborough District)
Bill Robinson (Portland District-C)
Larry Redden (Portland District)
David Hahn (Bedford District)

ABSENT WITH REGRETS: Mark Schjerning (Loughborough District-C)
Ron Sleeth (Storrington District-C)
Pat Barr (Bedford District-C)

STAFF: Lindsay Mills – Secretary-Treasurer/Planner
Jennie Kapusta – Deputy Secretary Treasurer

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Item # 1: Call to Order

RESOLUTION: C of A: 15:04:01

Moved by: J. Sherbino

Seconded by: K. Gee

THAT the May 12, 2015 meeting of the South Frontenac Township Committee of Adjustment is hereby called to order at 7:05 p.m. with Larry Redden in the Chair.

Carried

Item # 2: Adoption of Agenda

Approved as circulated

Item # 3: Declaration of Pecuniary Interest

None declared.

Item # 4: Approval of Minutes

RESOLUTION: C of A: 15:04:02

Moved by: K. Gee

Seconded by: J. Sherbino

THAT the South Frontenac Township Committee of Adjustment hereby approves the minutes of the April 9, 2015 meeting of the Committee, as circulated.

Carried

Item # 5: S-06-15-B (McCulloch Ventures)

Speaking to the Application: Sylvia Coburn

Discussion:

This application was originally brought to the Committee in March 2015 but was deferred on request from the applicant. This application is part of set of applications by McCulloch Ventures and 2242728 Ontario Inc. and will be considered along with the other applications.

The subject lands consist of 22.9 +/- hectares (56 acres) with 370 m. frontage on Westport Road. The application is for 2.14 hectare (5.3 acre) addition onto the east side of a waterfront property owned by 2242728 Ontario Inc. which fronts onto Gardener Lane. There are no sewage disposal systems near the lot addition parcels, and no new entrance required. Therefore reports were not required from Public Health or Roads.

RESOLUTION: C of A: 15:04:03

Moved by: D. Hahn

Seconded by: B. Robinson

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-06-15-B by McCulloch Ventures, to create a lot addition, in Concession IX, Part Lot 21, Westport Road, District of Bedford, subject to conditions.

Carried

Application No:	S-06-15-B
Owner:	McCulloch Ventures
Location of Property:	Concession XI, Part Lot 21, Westport Road, District of Bedford, Township of South Frontenac
Purpose of Application:	Creation of a lot addition
Date of Hearing:	March 12, 2015
Date of Decision:	May 14, 2015

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-06-15-B shall be for a 2.14 +/- hectare (5.3 acre) addition onto the east side of a waterfront property owned by 2242728 Ontario Inc. (Roll number 102901001022300).
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 shall be sealed in accordance with the requirements of the Ministry of the Environment and that this work is 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 applicant shall rezone the lot to be created by Consent Application S-06-15-B from Recreational Resort Commercial-35 Zone to Limited Service Residential Waterfront Zone in order to allow for residential development along a private lane. Please contact Lindsay Mills, the Township Planner, to begin this process.

Item # 6: S-07-15-B (McCulloch Ventures)

Speaking to the Application: Sylvia Coburn

Discussion:

This application was originally brought to the committee in March 2015 but was deferred until receipt of reports from Public Health and Conservation. The reports have been received and neither have any objections.

This application is part of set of applications by McCulloch Ventures and 2242728 Ontario Inc. and will be considered along with the other applications.

The subject lands consist of 22.9 +/- hectares (56 acres) with 370 m. frontage on Westport Road. The application is for the creation of a new 1.2 +/- hectare (3 acre) waterfront residential lot.

RESOLUTION: C of A: 15:03:04

Moved by: K. Gee

Seconded by: J. Sherbino

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-07-15-B by McCulloch Ventures, to create a new waterfront lot, in Concession IX, Part Lot 21, Westport Road, District of Bedford, subject to conditions.

Carried

Application No: S-07-15-B
Owner: McCulloch Ventures
Location of Property: Concession XI, Part Lot 21, Westport Road, District of Bedford, Township of South Frontenac
Purpose of Application: Creation of a new waterfront lot together with a right-of-way
Date of Hearing: March 12, 2015
Date of Decision: May 14, 2015

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-07-15-B shall be for a 1.2 +/- hectare (3 acre) lot with a minimum of 91 m frontage on Wolfe Lake and a minimum 76 m frontage on the right-of-way created by Consent Application S-08-15-B.
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 shall be sealed in accordance with the requirements of the Ministry of the Environment and that this work is accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive 5% of the value of the severed parcel in lieu of parkland pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.
6. The applicant shall rezone the lot to be created by Consent Application S-07-15-B from Recreational Resort Commercial-35 Zone to Limited Service Residential Waterfront Zone in order to allow for residential development along a private lane. Please contact Lindsay Mills, the Township Planner, to begin this process.
7. The right-of-way created by Consent Application S-08-15-B must be completed and registered prior to final approval.

Item # 7: S-08-15-B (McCulloch Ventures)

Speaking to the Application: Sylvia Coburn

Discussion:

This application was originally brought to the committee in March 2015 but was deferred until receipt of reports from Public Health and Conservation. The reports have been received and neither have any objections.

This application is part of set of applications by McCulloch Ventures and 2242728 Ontario Inc. and will be considered along with the other applications.

The subject lands consist of 22.9 +/- hectares (56 acres) with 370 m. frontage on Westport Road. The application is for the creation of a new right-of-way.

RESOLUTION: C of A: 15:04:05

Moved by: K. Gee

Seconded by: J. Sherbino

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-08-15-B by McCulloch Ventures, to create a right-of-way, in Concession IX, Part Lot 21, Westport Road, District of Bedford, subject to conditions.

Carried

Application No:	S-08-15-B
Owner:	McCulloch Ventures
Location of Property:	Concession XI, Part Lot 21, Westport Road, District of Bedford, Township of South Frontenac
Purpose of Application:	Creation of a new right-of-way
Date of Hearing:	March 12, 2015
Date of Decision:	May 14, 2015

DECISION: PROVISIONAL CONSENT BE GRANTED, subject to conditionsCONDITIONS

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 subject to Consent Application S-08-15-B shall be used for a right-of-way over the retained McCulloch Ventures property to facilitate access to the lot created by Consent Application S-07-15-B.
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 shall be sealed in accordance with the requirements of the Ministry of the Environment and that this work is 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 new lane shall be surveyed and constructed according to the Township's standards for new private lanes. The lane access shall be recognized on the deeds of the lots to be accessed and the property over which it passes.

Item # 8: S-09-15-B (McCulloch Ventures)

Speaking to the Application: Sylvia Coburn

Discussion:

This application was originally brought to the committee in March 2015 but was deferred until receipt of reports from Public Health and Conservation. The reports have been received and neither have any objections.

This application is part of set of applications by McCulloch Ventures and 2242728 Ontario Inc. and will be considered along with the other applications.

The subject lands consist of 22.9 +/- hectares (56 acres) with 370 m. frontage on Westport Road. The application is for the creation of a new 1.2 +/- hectare (3 acre) waterfront residential lot.

RESOLUTION: C of A: 15:04:06

Moved by: D. Hahn

Seconded by: B. Robinson

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-09-15-B by McCulloch Ventures, to create a new waterfront lot, in Concession IX, Part Lot 21, Westport Road, District of Bedford., subject to conditions.

Carried

Application No: S-09-15-B
Owner: McCulloch Ventures
Location of Property: Concession XI, Part Lot 21, Westport Road, District of Bedford, Township of South Frontenac
Purpose of Application: Creation of a new residential lot
Date of Hearing: March 12, 2015
Date of Decision: May 1, 2015

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-09-15-B shall be for a 1.2 +/- hectare (3 acre) lot with a minimum of 91 m frontage on Wolfe Lake and a minimum 76 m frontage on the right-of-way created by Consent Application S-10-15-B**
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 shall be sealed in accordance with the requirements of the Ministry of the Environment and that this work is accomplished prior to the stamping of the deeds.**
5. **The Township of South Frontenac shall receive 5% of the value of the severed parcel in lieu of parkland pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.**
6. **The applicant shall rezone the lot to be created by Consent Application S-09-15-B from Recreational Resort Commercial-35 Zone to Limited Service Residential Waterfront Zone in order to allow for residential development along a private lane. Please contact Lindsay Mills, the Township Planner, to begin this process.**
7. **The right-of-way created by Consent Application S-10-15-B shall be completed and registered prior to final approval.**

Item # 9: S-10-15-B (McCulloch Ventures)

Speaking to the Application: Sylvia Coburn

Discussion:

This application was originally brought to the committee in March 2015 but was deferred until receipt of reports from Public Health and Conservation. The reports have been received and neither have any objections. This application is part of set of applications by McCulloch Ventures and 2242728 Ontario Inc. and will be considered along with the other applications. The subject lands consist of 22.9 +/- hectares (56 acres) with 370 m. frontage on Westport Road. The application is for the creation of a new right-of-way.

RESOLUTION: C of A: 15:04:07

Moved by: D. Hahn

Seconded by: B. Robinson

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-10-15-B by McCulloch Ventures, to create a new right-of-way, in Concession IX, Part Lot 21, Westport Road, District of Bedford., subject to conditions.

Carried

Application No: S-10-15-B
Owner: McCulloch Ventures
Location of Property: Concession XI, Part Lot 21, Westport Road, District of Bedford, Township of South Frontenac
Purpose of Application: Creation of a new right-of-way
Date of Hearing: March 12, 2015
Date of Decision: May 1, 2015

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 subject to Consent Application S-10-15-B shall be used for a right-of-way over the retained McCulloch Ventures property to facilitate access to the lot created by Consent Application S-09-15-B.
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 shall be sealed in accordance with the requirements of the Ministry of the Environment and that this work is 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 new lane shall be surveyed and constructed according to the Township's standards for new private lanes. The lane access shall be recognized on the deeds of the lots to be accessed and the property over which it passes.

Item # 10: S-11-15-B (2242728 Ontario Inc.)

Speaking to the Application: Sylvia Coburn

Discussion:

This application was originally brought to the committee in March 2015 but was deferred until receipt of reports from Public Health and Conservation. The reports have been received and neither have any objections. This application is part of set of applications by McCulloch Ventures and 2242728 Ontario Inc. and will be considered along with the other applications. The subject lands consist of 2.6 +/- hectares (6.5 acres) with 185 m. frontage on Wolfe Lake. The applicant has requested to sever a new 1.2 +/- hectare (3 acre) lot with 91 metres of frontage on Wolfe Lake together with a right-of-way from Westport Road.

RESOLUTION: **C of A: 15:04:08**

Moved by: D. Hahn

Seconded by: B. Robinson

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-11-15-B by 2242728, to create a new waterfront lot, in Concession IX, Part Lot 21, Westport Road, District of Bedford, subject to conditions.

Carried

Application No: S-11-15-B
Owner: 2242728 Ontario Inc.
Location of Property: Concession XI, Part Lot 21, Westport Road, District of Bedford, Township of South Frontenac
Purpose of Application: Creation of a new residential lot together with a right-of-way
Date of Hearing: March 12, 2015
Date of Decision: May 1, 2015

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-11-15-B shall be for a 1.2 +/- hectare (3 acre) lot with a minimum of 91 m frontage on Wolfe Lake and a minimum 76 m frontage on the right-of-way created by Consent Application S-08-15-B.
3. Consent Applications S-06-15-B and S-08-15-B must be finalised and registered prior to the stamping of the deeds for Consent Application S-11-15-B.
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 shall be sealed in accordance with the requirements of the Ministry of the Environment and that this work is accomplished prior to the stamping of the deeds.
6. The Township of South Frontenac shall receive 5% of the value of the severed parcel in lieu of parkland pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.

Item # 11: S-13-15-L (Boulanger)

Speaking to the Application: Claude Boulanger

Discussion:

This application was originally brought to the committee in March 2015 but was deferred until receipt of a report from Public Health. The report has been received with no objections.

The subject lands consist of 16,285 +/- sq. metres (4 acres) with 200 m. frontage on Sill's Bay Road. The applicant has requested to sever one new residential lot. The proposed lot is 8,000 +/- sq. metre (2.0 acres) with 76 m. of frontage on Sill's Bay Road. The Roads Department has approved the new possible entrance subject to conditions.

RESOLUTION: C of A: 15:04:09

Moved by: J. Sherbino

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-13-15-L by Claude Boulanger and Anne-Marie Blasko, to create a new residential lot, in Concession VI, Part Lot 8, Sills Bay Road, District of Loughborough, subject to conditions.

Carried

Application No:	S-13-15-L
Owner:	Claude Boulanger & Anne-Marie Blasko
Location of Property:	Concession VI, Part Lot 8, Sills Bay Road, District of Loughborough, Township of South Frontenac
Purpose of Application:	Creation of a new residential lot
Date of Hearing:	March 12, 2015
Date of Decision:	May 14, 2015

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-13-15-L shall be for an 8,000 +/- sq. metre (2.0 acre) lot with a minimum of 76 m. of frontage on Sill's Bay 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 shall be sealed in accordance with the requirements of the Ministry of the Environment and that this work is 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 # 12: MV-24-14-B (Soberman)

Speaking to the Application:

Discussion:

This application was originally brought to the committee in February 2015 but was deferred until receipt of reports from Public Health and Conservation and a preliminary environmental impact report. The reports have been received with no objections.

The subject land consists of 4,700 +/- sq. metres (1.16 acres) with frontage on Crow Lake. The proposal involves the construction of a 12 by 22 ft. addition, within the 30 metre setback from the high water mark of Crow Lake.

RESOLUTION: C of A: 15:04:10

Moved by: D. Hahn

Seconded by: B. Robinson

THAT the South Frontenac Township Committee of Adjustment hereby approves minor variance application MV-24-14-B by David Soberman & Shelley Steiner, to permit the addition to an existing dwelling within 30m of the high water mark of Crow Lake, in Concession IV, Part Lot 27, Crow Lake, District of Bedford, subject to conditions.

Carried

Application No: MV-24-14-B
Owner: David Soberman & Shelley Steiner
Location of Property: Concession IV, Part Lot 27, District of Bedford, Hipwell Lane, Crow 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: February 12, 2015
Date of Decision: May 14, 2015

DECISION: VARIANCE APPROVED, subject to conditions

CONDITIONS:

1. The variance is for the construction of a 12 by 22 ft. single story addition with rooftop sunporch to be located a minimum of 24.5 metres from the high water mark of Crow Lake.
2. No other structures shall be permitted within the 30m setback from the high water mark of Crow Lake.
3. Minor variance MV-24-14-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 owner shall contact Rideau Valley Conservation Authority to determine the requirement for a permit.
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 # 13: S-17-15-P (Sortberg)

Speaking to the Application: Leslie Sortberg

Discussion:

The subject lands consist of 41.3 +/- hectares (102 acres) with 606 m. frontage on Vanluven Road. The applicant has requested to sever one new residential lot. The proposed lot is 0.8 +/- hectares (2 acres) with 130 m. of frontage on Vanluven Road. Public Health has visited the site and has no objections. The Township Roads Department has approved a new entrance, with specific conditions regarding the location of driveway. Comments from Conservation were not required. The planner explained that this parcel was part of an official plan amendment that removed the Mineral Aggregate designation to allow the severance to proceed. There were no comments from the public.

RESOLUTION: C of A: 15:04:11

Moved by: D. Hahn

Seconded by: B. Robinson

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-17-15-P by Carl Sortberg, to create a new residential lot, in Concession VII, Part Lot 1 & 2, Vanluven Road, District of Portland, subject to conditions.

Carried

Application No:	S-17-15-P
Owner:	Carl Sortberg
Location of Property:	Concession VIII, Part Lot 1 & 2, Valuven Road, District of Portland, Township of South Frontenac
Purpose of Application:	Creation of a new residential lot
Date of Hearing:	May 14, 2015
Date of Decision:	May 14, 2015

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-17-15-P shall be for a 0.8+/- hectare (2.0 acre) lot with a minimum of 130 m. of frontage on Vanluven 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 shall be sealed in accordance with the requirements of the Ministry of the Environment and that this work is 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.

Item # 14: S-19-15-P (McConville)

Speaking to the Application: Brent McConville

Discussion:

The subject lands consist of 51.4 +/- hectares (127 acres) with 487 m. frontage on Bellrock Road. The applicant has requested to sever one new residential lot. The proposed lot is 2.1 +/- hectares (5.1 acres) with 232 m. of frontage on Bellrock Road. The Township Roads Department has approved a new entrance, with specific conditions regarding the location of driveway. Public Health has visited the site and has some concerns regarding the suitability of the proposed lot for a septic system with the dimensions proposed by the applicant. They have indicated that should the applicant choose to expand the proposed lot lines to include an area to the southwest of the currently proposed lot, that is more suitable for a septic system, they would then be in favour of the severance. Conservation has no objections.

RESOLUTION: C of A: 15:04:12

Moved by: D. Hahn

Seconded by: B. Robinson

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-19-15-P by Brent McConville, to create a new residential lot, in Concession X, Part Lot 10, Bellrock Road, District of Portland, subject to conditions.

Carried

Application No:	S-19-15-P
Owner:	Brent McConville
Location of Property:	Concession X, Part Lot 10, Bellrock Road, District of Portland, Township of South Frontenac
Purpose of Application:	Creation of a new residential lot
Date of Hearing:	May 14, 2015
Date of Decision:	May 14, 2015

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-19-15-P shall be for a 2.1+/- hectare (5.1 acre) lot with a minimum of 232 m. 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 shall be sealed in accordance with the requirements of the Ministry of the Environment and that this work is 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 confirm with KFL&A Public Health Unit that the required adjustments to the proposed lot lines enable the lot to have sufficient suitable area to obtain a septic permit, prior to having the proposed lot surveyed.

Item # 15: S-21-15-P (Morgan)

Speaking to the Application: Paul Fey (Lawyer)

Discussion:

The applicant has requested to create a legal right-of-way access over Burega Lane to access an existing lot that currently only has legal right-of-way access via Winding Creek Lane. There were no comments from the public.

RESOLUTION: C of A: 15:04:13

Moved by: J. Sherbino

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-21-15-L by Rob Morgan, to create a legal right-of-way, in Concession I, Part Lot 7, Burega Lane, District of Portland, subject to conditions.

Carried

Application No:

S-21-15-L

Owner:

Timothy & Teresa Gow

Location of Property: Concession I, Part Lot 7, Burega Lane, District of Loughborough, Township of South Frontenac
Purpose of Application: To give private lane access to an existing lot
Date of Hearing: May 14, 2015
Date of Decision: May 14, 2015

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

CONDITIONS:

1. That the applicant registers Part 3 on reference plan number 13R958 as a right-of-way on title of their property.

Item # 16: S-22-15-B (Steele)

Speaking to the Application: Steven Steele

Discussion:

The subject lands consist of 59.6 +/- hectares (147 acres) with 790 m. frontage on Westport Road. The applicant has requested to sever one new residential lot. The proposed lot is 3.1 +/- hectares (7.75 acres) with 275 m. of frontage on Westport Road. The proposed lot already has a viable entrance. The Township Roads Department has approved a new entrance on the retained parcel, with specific conditions regarding the location of driveway. Public Health has visited the site and has no concerns. Comments from Conservation were not required. There were no comments from the public.

RESOLUTION: **C of A: 15:04:14**

Moved by: D. Hahn

Seconded by: B. Robinson

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-22-15-B by Steven Steele, to create a new residential lot, in Concession X, Part Lot 18 & 19, Westport Road, District of Bedford, subject to conditions.

Carried

Application No: S-22-15-B
Owner: Steven Steele
Location of Property: Concession X, Part Lot 18 & 19, Westport Road, District of Bedford, Township of South Frontenac
Purpose of Application: Creation of a new residential lot
Date of Hearing: May 14, 2015
Date of Decision: May 14, 2015

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-22-15-B shall be for a 3.1 +/- hectare (7.75 acre) lot with a minimum of 275 m. of frontage on Westport 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 shall be sealed in accordance with the requirements of the Ministry of the Environment and that this work is 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 # 17: MV-02-15-B (Sunderland)

Speaking to the Application: Adrian Sunderland

Discussion:

The subject land consists of 0.59 +/- acres with 47 m frontage on Bobs Lake. The proposal involves the removal of the existing cottage, deck and storage shed near the water's edge and the construction of a new 3052 square foot gross floor area dwelling farther from the water with the approximate configuration of 34' by 50' along with an additional 10 ft. front deck (see attached plan) all within the 30 metre setback from the high water mark of Bobs Lake. The by-law does not permit the construction of any structures within 30 m of the HWM for the reasons of reducing adverse effects on the environment, maintaining a natural vegetative buffer and aiding in the preservation of the rural character of the Township. Given the size of the proposed structure and its proposed location at 50 feet from the HWM the intent has not been met.

The applicant has obtained a new septic permit from Public Health.

CBO has attended the site and has some concerns as to how the proposed dwelling will locate on the lot given the large size of the proposed structure coupled with the locations of the proposed septic system and existing well. CBO recommendation is for a survey sketch to locate all proposed structures prior to the start of construction.

Conservation did not support the proposal as submitted. The recommendation was to have the proposed dwelling situated as far back as possible without crossing the right-of-way; and were of the opinion that the setback could be increased to allow the dwelling to sit adjacent to the approved septic location.

The planner, L. Mills felt that the new structure could be located at 80 ft. from the HWM of the lake and therefore recommended denial of the application as submitted. There were no comments from the public.

D. Hahn was concerned with the relative size of the proposed dwelling to the portion of the lot on which it would sit. He did not feel that at the size and location proposed that this was a minor variance to the bylaw.

The committee asked the applicant if he wished to defer the decision in order to consider the additional setback option. The applicant declined this option, instead choosing to have the committee make a decision.

RESOLUTION: C of A: 15:04:15

Moved by: D. Hahn

Seconded by: B. Robinson

THAT the South Frontenac Township Committee of Adjustment hereby denies minor variance application MV-02-15-B by Adrian Sunderland, to permit the construction of a new dwelling within 30 m of the high water mark of Bobs Lake, in Concession III, Part Lot 20, Northwood Lane, District of Bedford

Carried

Item # 18: MV-06-15-B (Design-Tec)

Speaking to the Application:

Discussion:

The subject land consists of 1.1 +/- hectares (2.6 acres) with 80 m frontage on Bobs Lake. The proposal involves the removal of the existing sunken sun porch and the construction of a 22.25 ft. by 4.6 ft. addition plus covering the existing

concrete and wood decks with a new wooden overlay within the 30 metre setback from the high water mark of Bobs Lake. The by-law does not permit the construction of any structures within 30 m of the HWM for the reasons of reducing adverse effects on the environment, maintaining a natural vegetative buffer and aiding in the preservation of the rural character of the Township. As the proposal marginally reduces the overall footprint of the cottage and does not involve the construction of new hard surface the intent of the Official Plan has been met. Public Health has no objections as the applicant has already obtained a permit for a septic system upgrade. Conservation has no objections to the application as it serves to limit adverse environmental impacts as much as possible. A preliminary environmental impact assessment prepared by Ontario Lake Assessments concurs with the opinion of the conservation authority. The planner, L. Mills, had no objection to the proposal. There were no comments from the public.

RESOLUTION: C of A: 15:04:16

Moved by: D. Hahn

Seconded by: B. Robinson

THAT the South Frontenac Township Committee of Adjustment hereby approves minor variance application MV-06-15-B by Design-Tec Services Corp., to permit the construction of an addition to an existing dwelling within 30 m of the high water mark of Crow Lake, in Concession III, Part Lot 20, Butternut Lane, District of Bedford, subject to conditions.

Carried

Application No: MV-06-15-B
Owner: Gary McNeice
Location of Property: Concession V, Part Lot 34, District of Bedford, Butternut Lane, Crow 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: May 14, 2015
Date of Decision: May 14, 2015

DECISION: VARIANCE APPROVED, subject to conditions

CONDITIONS:

1. **The variance is for the construction of a 22.25 ft. by 4.6 ft. addition plus covering the existing concrete and wood decks with a new wooden overlay to be located a minimum of 23 ft. from the HWM of Crow Lake.**
2. **No other structures shall be permitted within the 30m setback from the high water mark.**
3. **Minor variance MV-06-15-B is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.**
4. **A building permit is required for all demolition and construction on the property. There shall be no additional development, or demolition of existing structures, on the property without approval from the Township of South Frontenac.**
5. **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 may be required from the Rideau Valley Conservation Authority for the proposed development, and for any shoreline or in-water works.**

Item # 19: MV-07-15-B (Saaltink)

Speaking to the Application:

Discussion:

The subject land consists of 0.4 +/- hectares (1 acre) with 600 m frontage on Desert Lake. The proposal involves the construction of a 15 ft. by 26.25 ft. addition to the rear of the existing cottage within the 30 metre setback from the high water mark of Bobs Lake. The by-law does not permit the construction of any structures within 30 m of the HWM for the reasons of reducing adverse effects on the environment, maintaining a natural vegetative buffer and aiding in the preservation of the rural character of the Township. As the proposed development does not encroach on the setback from the HWM and will be well screened with trees the intent has been met. Public health has no objections.

RESOLUTION: C of A: 15:04:16

Moved by: D. Hahn

Seconded by: B. Robinson

THAT the South Frontenac Township Committee of Adjustment hereby approves minor variance application MV-07-15-L by Saaltink, to permit the construction of an addition to an existing dwelling within 30 m of the high water mark of Desert Lake, in Concession III, Part Lot 20, Desert Point Lane, District of Loughborough, subject to conditions.

Carried

Application No: MV-07-15-L
Owner: Brenda Saaltink
Location of Property: Concession XIV, Part Lot 6 & 7, District of Loughborough, Desert Point Lane, Desert 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: May 14, 2015
Date of Decision: May 14, 2015

DECISION: VARIANCE APPROVED, subject to conditions

CONDITIONS:

1. The variance is for the construction of a 15 ft. by 26.25 ft. addition to the rear of the existing cottage a minimum of 20 m from the HWM of Desert Lake.
2. No other structures shall be permitted within the 30m setback from the high water mark.
3. Minor variance MV-07-15-B is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.
4. A building permit is required for all demolition and construction on the property. There shall be no additional development, or demolition of existing structures, on the property without approval from the Township of South Frontenac.

Item # 20: Other Business

Moved by: D. Hahn

Seconded by: J. Sherbino

THAT a policy on reimbursements should be brought to Council outlining the amount of refund applicable based on amount of work undertaken. This is as a result of several requests for reimbursements that have taken place in the past few months.

Carried

Item # 21: Adjournment

RESOLUTION: C of A: 15:04:17

Moved by: K. Gee

Seconded by: J. Sherbino

THAT the May 14, 2015 meeting of the South Frontenac Township Committee of Adjustment is hereby adjourned at 7:50 p.m. to reconvene at 7:00 p.m. on Thursday, May 14, 2014 or at the call of the Chair.

Carried

Larry Redden
Chair

Lindsay Mills
Secretary-Treasurer