

**TOWNSHIP OF SOUTH FRONTENAC
COMMITTEE OF ADJUSTMENT/LAND DIVISION COMMITTEE
MINUTES 11:06
JULY 14, 2011**

LOCATION: South Frontenac Municipal Offices,
Sydenham

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

STAFF & CONSULTANTS: Lindsay Mills – Secretary-
Treasurer/Planning Coordinator
Anne Levac – Assistant Secretary-Treasurer

RESOLUTIONS & BUSINESS:

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Item #1: Call to Order

RESOLUTION: C of A: 11:06:01

Moved by: L. McCullough

Seconded by: K. Gee

THAT the July 14th, 2011 meeting of the South Frontenac Township Committee of Adjustment is hereby called to order at 7:00 p.m. with Ron Vandewal in the Chair.

Carried

Item #2: Adoption of Agenda
Adopted as circulated

Item #3: Declaration of Pecuniary Interest
None

Item #4: Approval of Minutes

RESOLUTION: C of A: 11:06:02

Moved by: K. Gee

Seconded by: L. York

THAT the South Frontenac Township Committee of Adjustment hereby approves the minutes of the May 12, 2011 meeting of the Committee, as circulated.

Carried

RESOLUTION: C of A: 11:06:03

Moved by: L. Redden

Seconded by: W. Robinson

THAT the South Frontenac Township Committee of Adjustment hereby approves the minutes of the June 9th, 2011 meeting of the Committee, as circulated.

Carried

Item #5: S-17-11-B (Barr)

Speaking to the application: Sam Barr

Discussion

The subject lands consist of 8+/- acres with frontage on Bob's Lake and Burns Lane, District of Bedford, and are developed with a single family dwelling and accessory buildings. The applicant is proposing to sever two lot additions – one to be added to a vacant waterfront lot which is .81 acres in size and is vacant, and one which is .89 acres in size and is developed with a seasonal dwelling. The result would be the same number of parcels but the lots being enlarged would be closer in size to the minimum standard for waterfront lots.

RESOLUTION: C of A: 11:06:04

Moved by: M. Tinlin

Seconded by: D. Hahn

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-17-11-B by Sam Barr, to create lot additions to waterfront properties in concession 5, lot 26, District of Bedford, subject to conditions.

Carried

Application No:	S-17-11-B
Owner:	Sam Barr
Location of Property:	Concession 5, lot 26, District of Bedford, Township of South Frontenac
Purpose of Application:	To create lot additions
Date of Hearing:	July 14, 2011
Date of Decision:	July 14, 2011

**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 (in triplicate) 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-17-11-B shall be for a 1.2+/- acre lot addition to parts 1 & 2, Plan 13R-5480, and a .3 +/- acre lot addition to part 5, on Plan 13R-3323, and therefore, any subsequent conveyance of this parcel of land shall be subject to Section 50(3) of the Planning Act.**
- 3. The enlarged parcels and the retained parcel shall all take direct**

access off of Burns Lane. Any other rights-of way across the lots being enlarged and the retained parcel shall be extinguished.

4. **Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)**
5. **In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.**
6. **The Township of South Frontenac shall receive \$100 in lieu of parkland for the lot addition pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.**

Item #6: S-18-11-P (Robinson)

Speaking to the application: GregRobinson

Discussion

The subject lands consist of 43.5+/- acres with frontage on Desert Lake Road. The proposed lot would be for residential purposes. A residential lot was severed from this property in March of this year.

RESOLUTION: C of A: 11:06:05

Moved by: L. Redden

Seconded by: W. Robinson

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-18-11-P by Greg Robinson to create a residential lot in concession 14, lot 2, Desert Lake Road, District of Portland, subject to conditions.

Carried

Application No:	S-18-11-P
Owner:	Greg Robinson
Location of Property:	Concession 14, lot 2, District of Portland, Township of South Frontenac
Purpose of Application:	To create a residential lot
Date of Hearing:	July 14, 2011
Date of Decision:	July 14, 2011

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 (in triplicate) 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- 18-11-P shall be for a residential lot with a minimum of 250 ft. frontage on Desert Lake, and a minimum of 5+/- acres in size.**
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 #7: S-19-11-L (Snelgrove)

Discussion

The subject lands consist of 28+/- acres with frontage on Frye Lane and Big Clear Lake, District of Loughborough. The applicant is proposing to create a lot addition to a waterfront lot which is 2.2 acres in size. The addition would bring the waterfront lot into conformity with the official plan and zoning by-law.

RESOLUTION: C of A: 11:06:06

Moved by: L. McCullough

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-19-11-L by Paul Snelgrove to create a lot addition in concession 14, lot 23, District of Loughborough, subject to conditions.

Carried

Application No:	S-19-11-B
Owner:	Paul Snelgrove
Location of Property:	Concession 14, lot 23, District of Loughborough, Township of South Frontenac
Purpose of Application:	To create a lot addition
Date of Hearing:	July 14, 2011
Date of Decision:	July 14, 2011

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 (in triplicate) 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. The right-of-way which runs through the enlarged lot shall be surveyed as a separate parcel on the reference plan and shall become part of the enlarged lot, subject to a right-of-way for all those entitled thereto.**
2. **The land to be severed by Consent Application S-19-11-L shall be for a 1+/- acre lot addition to roll # 1029 040 040 23145 and therefore, any subsequent conveyance of this parcel of land shall be subject to Section 50(3) of the Planning Act.**
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 for the lot addition pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.**
6. **The lot addition parcel shall be rezoned from RLSW-81 to RLSW to correspond with the zoning on the parcel being enlarged.**
7. **The applicant shall enter into a development agreement with the Township to be registered on title to the enlarged lot, which deals with the municipality's limited service and environmental policies.**

Item #8: S-20-11-L, S-21-11-L (Snelgrove)

Discussion

The applicant is proposing to add property from two large lots to a third lot, and then to create a new waterfront lot from the enlarged parcel. The new lot would have insufficient waterfrontage according to the property's current zoning. There was also some concern expressed by the chief building official and the CRCA about appropriate sites on the property. Therefore, it was agreed that the applications be deferred so that staff could discuss these matters with the applicant. If a new lot was permitted by the Committee, a rezoning would be required.

RESOLUTION: C of A: 11:06:07

Moved by: M. Tinlin

Seconded by: D. Hahn

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

Carried

RESOLUTION: C of A: 11:06:08

Moved by: M. Tinlin

Seconded by: D. Hahn

THAT the South Frontenac Township Committee of Adjustment hereby defers consent application S-21-11-L by Paul Snelgrove to create a waterfront lot in concession 14, lot 23/24, District of Loughborough, pending zoning clarification, and confirmation of a suitable building envelope.

Carried

Item #9: S-22-11-S (Moreland)

Speaking to the Application: Susan Moreland

Discussion

The subject lands consist of 85+/- acres with frontage on Moreland-Dixon Road, District of Storrington, and are developed with a single family dwelling and accessory buildings. The applicant is proposing to sever a 32 +/- acre parcel as a lot addition to the property to the west (Peters). There is a right-of-way running through the subject property to provide access to a waterfront lot in concession III, and the lot addition will more or less follow the westerly boundary of this right-of-way. The lot addition also more or less follows the boundary of wetland, and therefore, the proposal appears to be appropriate.

RESOLUTION: C of A: 11:06:09

Moved by: L. York

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-22-11-S by Susan Moreland to create a lot addition in concession 2, lot 23, District of Storrington, subject to conditions

Carried

Application No:	S-22-11-S
Owner:	Susan Moreland
Location of Property:	Concession 2, lot 23, District of Storrington, Township of South Frontenac
Purpose of Application:	To create a lot addition
Date of Hearing:	July 14, 2011
Date of Decision:	July 14, 2011

**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 (in triplicate) 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-22-11-S shall be for a 32+/- acre lot addition to adjacent farm property (Peters) and**

therefore, any subsequent conveyance of this parcel of land shall be subject to Section 50(3) of the Planning Act.

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 for the lot addition pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.**

Item #10: MV-20-10-B (Ahern)

Speaking to the application: James Ahern

Discussion

The applicant's property consists of approximately .91+/- acres and is developed with a seasonal dwelling, deck and accessory building. The cottage is located 70 ft. from the high water mark of Devil Lake and the deck is 60 ft. from the lake. The applicant wishes to demolish the existing dwelling and deck, and replace it with a larger dwelling, to be located 70 ft. from high water mark (66 ft. to deck). Therefore, although the new structure will be larger, it will not be closer to the water. The applicant is somewhat constrained by the existence of a right-of-way through the property at the rear of the cottage. The Chief Building Official agrees that it would be difficult to move the cottage back further.

A decision on the application was deferred to provide an opportunity for committee members and staff to review the site. Since that meeting, the applicant has submitted a more detailed explanation of the proposal. He clarified that he is proposing to have 200 sq. ft. of living space in a loft. There was discussion among Committee members regarding the possibility of moving the structure further back and L. Mills believes it is possible and preferable.

RESOLUTION: C of A: 11:06:10

Moved by: D. Hahn

Seconded by: M. Tinlin

THAT the South Frontenac Township Committee of Adjustment hereby approves variance application MV-20-10-B by James & Michele Ahern, concession 10, lot 8, Devil Lake, District of Bedford, to construct a new dwelling within 30m of the high water mark, subject to conditions.

R. Vandewal asked for a recorded vote.

K. Gee	Yes	W. Robinson	Yes
D. Hahn	No	M. Tinlin	Yes
L. McCullough	Yes	R. Vandewal	No
L. Redden	Yes	L. York	Yes

Carried

Application No:	MV-20-10-B
Owner:	James & Michele Ahern
Location of Property:	Pt. Lot 8, Concession 10, Devil Lake, District of Bedford, Township of South Frontenac
Purpose of Application:	To vary section 5.8.2 and 10.3.1 of the Comprehensive Zoning By-law to permit development within 30m of high water mark
Date of Hearing:	February 10, 2011
Date of Decision:	July 14, 2011
DECISION:	VARIANCE APPROVED, subject to conditions

CONDITIONS:

1. **The variance is limited to reconstruction and enlargement of a 24 ft. x 38 ft. 2-storey dwelling to be located 70 ft. from the HWM of Devil Lake, and a 4 ft. wide deck to be located a minimum of 66 ft. from the HWM.**
2. **Minor variance MV-20-10B is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.**
3. **A building permit is required for all demolition and construction on the property. There shall be no additional development, or demolition of existing structures, on the property without approval from the Township of South Frontenac.**
4. **The applicant shall enter into a site plan agreement with the Township to be registered on title, which includes the municipality's limited service and environmental policies, and which specifies that a permit will be required from the Cataraqui Region Conservation Authority for any development on the property, including docks, and shoreline or in-water works.**

REASON FOR DECISION: The applicants' options for building on the property are limited, and the development was considered to be appropriate for the property.

Item #11: MV-13-11-B (Vivian)

Speaking to the Application: Perry Vivian, Bill Worthy (contractor)

Discussion

The applicant's property consists of approximately .74 acres, with frontage on Bob's Lake and a private lane. The applicant is seeking approval for a variance to permit replacement of an existing dwelling with a new larger dwelling, to be located 63 ft. from HWM. The CBO has expressed some concern about the extent of development so close to the lake. The current dwelling is 904 sq. ft. and is approximately 25 ft. from the high water mark; the proposed structure would be a 1 ½ storey 1560+ sq. ft. dwelling, 63 ft. from the water (53 ft. to deck). There have been no objections to the application from the public. L. Mills suggested that the applicant be required to remove the boat house on the property because of the extent of the new development. Committee members did not wish to make this a condition of approval of the variance.

RESOLUTION: C of A: 11:06:11

Moved by: M. Tinlin

Seconded by: D. Hahn

THAT the South Frontenac Township Committee of Adjustment hereby approves variance application MV-13-11-B by Perry Vivian, concession 2, lot 21, Bob's Lake, District of Bedford, to construct a new dwelling within 30m of the high water mark, subject to conditions.

Carried

Application No:	MV-13-11-B
Owner:	Perry Vivian
Location of Property:	Pt. Lot 21, Concession 2, Bob's Lake, District of Bedford, Township of South Frontenac
Purpose of Application:	To vary section 10.3.1 of the Comprehensive Zoning By-law to permit construction of new dwelling within the 30m required setback from the high water mark
Date of Hearing:	July 14, 2011
Date of Decision:	July 14, 2011

DECISION: VARIANCE APPROVED, subject to conditions

CONDITIONS:

1. **The variance is limited to reconstruction of a 1561 sq. ft. one storey dwelling to be located 63 ft. from the HWM, (53 ft. to deck). The existing dwelling on the property will be removed.**
2. **Minor variance MV-13-11-B is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.**
3. **A building permit is required for all demolition and construction on the property. There shall be no additional development, or demolition of existing structures, on the property without approval from the Township of South Frontenac.**
4. **The area where the current cottage is removed shall be re-vegetated in accordance with the shoreline stewardship information provided to the applicant by the Rideau Valley Conservation Authority.**
5. **The applicant shall enter into a site plan agreement with the Township to be registered on title, which includes the municipality's limited service and environmental policies, and which specifies that a permit will be required from the Rideau Valley Conservation Authority for any shoreline or in-water works, including docks.**

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

Item #12: MV-14-11-B (Thompson)

Discussion

The applicant's property consists of approximately .768 acres, with frontage on Devil Lake Road. The applicant is seeking approval for a variance to permit construction of an accessory building 5 ft. (vs 9.8 ft.) from the side lot line. No objections have been received to the proposal.

RESOLUTION: C of A: 11:06:11A

Moved by: M. Tinlin

Seconded by: D. Hahn

THAT the South Frontenac Township Committee of Adjustment hereby approves variance application MV-14-11-B by Mark Thompson, concession 12, lot 21, Devil Lake Road, District of Bedford, to permit construction of an accessory building within 3m of the side lot line.

Carried

Application No:	MV-14-11-B
Owner:	Mark Thompson
Location of Property:	Pt. Lot 21, Concession 12, Devil Lake Road, District of Bedford, Township of South Frontenac
Purpose of Application:	To vary section 7.3.2 of the Comprehensive Zoning By-law to permit construction of accessory building within 3m of side lot line
Date of Hearing:	July 14, 2011
Date of Decision:	July 14, 2011

DECISION: VARIANCE APPROVED, subject to conditions

CONDITIONS:

1. **The variance is limited to reconstruction of an 800 +/- sq. ft. accessory building to be located 5 ft. from the side lot line on the south side of the property.**
2. **Minor variance MV-14-11-B 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.**

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

Item #13: MV-15-11-P (Lang/Spencer)

Speaking to the application: Mary Spencer, Graham Spencer

Discussion

The applicant's property consists of approximately .31 acres, with frontage on Howes Lake and a private lane. The applicant is seeking approval for a variance to permit construction of an 8 ft. x 10 ft. addition, 65 ft. from the high water mark. This addition (already completed) is at the rear of the dwelling. No Health Unit input was sought on this addition since it is intended to be for a mud room and there is no running water in the dwelling. A soak-away pit exists on the property to deal with grey water.

RESOLUTION: C of A: 11:06:12

Moved by: L. Redden

Seconded by: W. Robinson

THAT the South Frontenac Township Committee of Adjustment hereby approves variance application MV-15-11-P by Hazel Lang & Mary Spencer, concession 13, lot 7, Howes Lake, District of Portland, to permit construction of an addition to a seasonal dwelling, 65 ft. from the high water mark, subject to conditions.

Carried

Application No:	MV-15-11-P
Owner:	Hazel Lang, Mary Spencer
Location of Property:	Pt. Lot 7, Concession 13, Howes Lake, District of Portland, Township of South Frontenac
Purpose of Application:	To vary section 10.3.1 of the Comprehensive Zoning By-law to permit development within 30m of the high water mark
Date of Hearing:	July 14, 2011
Date of Decision:	July 14, 2011

DECISION: **VARIANCE GRANTED, subject to conditions**

CONDITIONS:

1. **The variance is limited to reconstruction of an 80 sq. ft. addition to an existing dwelling to be located 65 ft. from the high water mark.**
2. **Minor variance MV-15-11-B 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, including the previously constructed addition**

which is the subject of this application. There shall be no additional development, or demolition of existing structures, on the property without approval from the Township of South Frontenac.

4. The applicant shall enter into an agreement with the Township to be registered on title which recognizes the municipality's environmental and limited service policies.

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

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

Speaking to the application: Randall Prue

Discussion

The applicant's property consists of approximately .18 acres on Cedar Ridges Lane, and is developed with a 24 ft. x 24 ft. dwelling. The applicant proposes to demolish the existing dwelling which is located 44 ft. from the high water mark, and to replace it with a dwelling of the same footprint, to be located 55 ft. from the HWM, and within the minimum setback from the rear lot line. The applicant has approval from Public Health to install a biofilter septic system, and the CRCA does not object to the proposal.

The proposed dwelling exceeds the permitted lot coverage; however, it is no larger than the dwelling which already exists on the site. L. Mills recommended that no second storey be permitted because the dwelling is already over the minimum lot coverage and a second storey would double the living space on a very small lot.

K. Gee noted that it was a positive step to have the dwelling moved back further from the water, but agreed that it should not be more than one storey. The Committee and the applicant agreed that a decision should be deferred until the applicant had an opportunity to pursue options.

RESOLUTION: 11:06:13

Moved by: L. York

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby defers variance application MV-17-11-S by Randall Prue & Louise Hunter, concession 1, lot 6, Loughborough Lake, District of Storrington, to construct a new dwelling within 30m of the high water mark, and within 10m of the rear lot line, to provide an opportunity for the applicant to consider additional options.

Carried

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

Speaking to the application: Steve Ball

Discussion

The applicant's property consists of approximately .97 acres, and is developed with a boat house. A minor variance was approved on the property a number of years ago, but that approval varied the previous Storrington Zoning By-law and not the current South Frontenac Township Zoning By-law. Therefore, the applicant has resubmitted the application. The comments of the agencies at the time of the original application are attached. The CBO was asked to review the application again and he is of the opinion that there is a suitable building site further from the lake.

The Committee's discussion involved considering a requirement that the proposed deck (34 ft. from the HWM) be removed from the proposal; that the dwelling be reduced in size or moved back to at least 50 ft. from the high water mark; or that the applicant consider the suggestion of the CBO regarding a site further from the water.

L. York felt that, since the application was approved before, the Committee should support that original decision, and K. Gee noted that the proposed site was preferable to one further back because if the structure was moved back, it would tower over the neighbours' dwellings, and there would be little room for parking.

R. Vandewal and D. Hahn felt that the development was too much, too close to the water, especially on a highly sensitive lake.

RESOLUTION: C of A: 11:06:14

Moved by: K. Gee

Seconded by: L. York

THAT the South Frontenac Township Committee of Adjustment hereby approves variance application MV-18-11-S by Steve & Linda Ball, concession 15, lot 1, Buck Lake, District of Storrington, to construct a new dwelling within 30m of the high water mark, subject to conditions, as amended.

Carried

(6 votes for, 2 against)

Application No:	MV-18-11-S
Owner:	Steve & Linda Ball
Location of Property:	Pt. Lot 1, Concession 15, Buck Lake, District of Storrington, Township of South Frontenac
Purpose of Application:	To vary section 10.3.1 of the Comprehensive Zoning By-law to permit construction of new dwelling within the 30m required setback from the high water mark
Date of Hearing:	July 14, 2011
Date of Decision:	July 14, 2011
DECISION:	VARIANCE APPROVED, subject to conditions

CONDITIONS

1. **The variance is limited to reconstruction of a 1 ½ storey dwelling with a maximum footprint of 1800 sq. ft., and a maximum second storey living area of 280 sq. ft. to be located a minimum of 40 ft. from the high water mark. In addition, a 6 ft. x 70 ft. uncovered and unenclosed deck will be permitted within 34 ft. of the high water mark, and a 10 ft. x 36 ft. uncovered and unenclosed deck will be permitted within 40 ft. of the high water mark.**
2. **Minor variance MV-18-11-S is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.**
3. **A building permit is required for all demolition and construction on the property. There shall be no additional development, or demolition of structures, on the property without approval from the Township of South Frontenac.**
4. **The applicant shall site plan agreement with the Township to be registered on title, which includes the municipality's limited service and environmental policies, and which specifies that the owner must contact the Cataraqui Region Conservation Authority to determine the need for a permit for any development on the property, including any shoreline or in-water works, including docks.**

REASON FOR DECISION: The variance has been considered to be appropriate for the development of the property. A similar variance was approved to the previous zoning by-law.

Item #16: Amendment to S-12-11-P (Huff, Robinson)**Discussion**

The subject lands consist of 185+/- acres with frontage on Quinn Road, District of Portland. The applicants obtained approval at the May meeting for the creation of a 2.6+/- acre residential lot, with 400 ft. of road frontage. However, the well driller was unable to find water on the lot, and a well was drilled east of the lot behind an existing residence. The applicants are now seeking approval to change the configuration of the new lot to include a portion behind the lots to the east in order to incorporate the well location within the severed lot. The resultant wrap-around lot is problematic in terms of the official plan which calls for regularly-shaped lots, and the fact that a strip of land will run behind existing residential lots.

Following discussion of the proposed change, the Committee directed staff to re-circulate the application to neighbouring property owners and to charge additional administrative costs to the applicant.

RESOLUTION: C of A: 11:06:15

Moved by: W. Robinson

Seconded by: L. Redden

THAT the South Frontenac Township Committee of Adjustment hereby agrees to consider an amendment to the conditions of consent for application S-12-11-P (Huff & Robinson) to alter the dimensions of the new lot, pending recirculation of the amended application, and on the basis that the cost of an amended application be borne by the applicant.

Carried

Item #17: Adjournment

RESOLUTION: C of A: 11:06:16

Moved by: D. Hahn

Seconded by: M. Tinlin

THAT the July 14, 2011 meeting of the South Frontenac Township Committee of Adjustment is hereby adjourned at 8:20 p.m. to reconvene on Thursday, August 11, 2011 or at the call of the Chair.

Carried


Ron Vandewal, Chair


Lindsay Mills, Secretary-
Treasurer