

**TOWNSHIP OF SOUTH FRONTENAC  
COMMITTEE OF ADJUSTMENT/LAND DIVISION COMMITTEE  
MINUTES 13:01  
FEBRUARY 14, 2013**

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

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

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

**RESOLUTIONS & BUSINESS:**

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**Item #1: Call to Order**

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

Moved by: L. Redden

Seconded by: W. Robinson

**THAT the February 14, 2013 meeting of the South Frontenac Township Committee of Adjustment is hereby called to order at 7:00 p.m. with Secretary-Treasurer Lindsay Mills in the Chair.**

Carried

**Item #2: Election of Chair and Vice-Chair**

This being the first meeting of the year, the Committee was required to elect a Chair and Vice-Chair. The Secretary-Treasurer called for nominations for the position of Chair for the year 2013.

**RESOLUTION:** C of A: 13:01:02

Moved by: L. York

Seconded by: K. Gee

**THAT Ron Vandewal is hereby nominated for the position of Chair of the South Frontenac Township Committee of Adjustment for the year 2013.**

R. Vandewal agreed to accept the position.

There being no other nominations, the motion was Carried and Ron Vandewal was declared Chair.

**RESOLUTION: C of A: 13:01:03**

Moved by: M. Tinlin

Seconded by: W. Robinson

**THAT Larry York is hereby nominated for the position of Vice-Chair of the South Frontenac Township Committee of Adjustment for the year 2013.**

L. York declined to accept the nomination.

**RESOLUTION: C of A: 13:01:04**

Moved by: R. Vandewal

Seconded by: L. McCullough

**THAT David Hahn is hereby nominated for the position of Vice-Chair of the South Frontenac Township Committee of Adjustment for the year 2013.**

D. Hahn agreed to accept the position.

There being no other nominations, the motion was Carried and David Hahn was declared Vice-Chair.

R. Vandewal assumed the Chair.

**Item #3: Adoption of Agenda**

Adopted as circulated

**Item #4: Declaration of Pecuniary Interest**

None

**Item #5: Approval of Minutes**

**RESOLUTION: C of A: 13:01:05**

Moved by: M. Tinlin

Seconded by: D. Hahn

**THAT the minutes of the December 13, 2012 meeting of the South Frontenac Township Committee of Adjustment are approved as circulated.**

Carried

**Item #6: MV-19-12-B (Neven)**

Discussion

The applicant's property is .34 acres in size and is vacant. It is a very difficult lot because it is located on a peninsula. The applicant is proposing to construct a seasonal dwelling 50 ft. from the high water mark. The proposal is for a 600 sq. ft. storey and a half dwelling with a walk-out basement. A permit has been granted by Public Health, and according to that permit, there would be 600 sq. ft. on the first floor, 300 sq. ft. on the second floor, and 300 sq. ft. in the walk-out basement, for a total living area of 1200 sq. ft. The proposed cottage footprint would be well within the permitted 5% lot coverage; however, if any deck was to be approved, it could not have an area of greater than 140 sq. ft. The application was deferred at the December Committee meeting to clarify measurements, and for the applicant to obtain an environmental impact assessment. The applicant has clarified that he intends all parts of the structure to be 50 ft. from the high water mark.

An Environmental Impact Assessment was carried out by Reg Genge, Ontario Lake Assessments, who recommended that the building be situated easterly on the lot as far as is practical and as far back from the northeastern waterfront as can be achieved (i.e. closer to the right-of-way). This location would achieve the greatest setback possible from the westerly shoreline and result in removal of the least number of trees. The conditions permit a 10 ft. setback from the right-of-way. This would allow the dwelling to be moved back an additional 10 ft. from the westerly shoreline.

According to the EIA, any tree removal should occur in March or April and no lawn should be allowed between the structure and the water in any direction. These recommendations will be incorporated into an agreement to be registered on title.

**RESOLUTION: C of A: 13:01:06**

Moved by: D. Hahn

Seconded by: M. Tinlin

**THAT the South Frontenac Township Committee of Adjustment hereby approves variance application MV-19-12-B by John Neven to construct a seasonal dwelling on Garter Lake, concession 6, lot 13, District of Bedford, as amended, subject to conditions.**

Carried

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<b>Application No:</b>	MV-19-12-B
<b>Owner:</b>	<b>John Neven</b>
<b>Location of Property:</b>	Pt. Lot 13 Concession 6, Garter Lake, District of Bedford, Township of South Frontenac
<b>Purpose of Application:</b>	To vary section 10.3.1 of the Comprehensive Zoning By-law to permit development within 30m of the high water mark and section 5.6.1 to permit development within 5m of a right-of-way.
<b>Date of Hearing:</b>	December 13, 2012
<b>Date of Decision:</b>	February 14, 2013

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

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**CONDITIONS:**

1. **The variance is limited to construction of a 600 sq. ft. 1 ½ storey dwelling, (no basement) to be located a minimum of 50 ft. from the high water mark on the east side, and 60 ft. from the high water mark on the west. The minimum setback mark from the rear (lane) lot line shall be 10 ft. Any deck shall not be greater than 140 sq. ft. over the 600 sq. ft. footprint, and must also be located according to the above setbacks. These measurements must be verified by a professional land surveyor.**
2. **No other structures shall be permitted within the 30m setback of the high water mark.**
3. **Minor variance MV-19-12-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 services policies, the recommendations contained in the Environmental Impact Assessment dated January 22, 2013, and the requirement for a permit from the Cataraqui Region Conservation Authority for any development on the property including construction of docks, and shoreline or in-water works.**

**REASON FOR DECISION:** The variance has been approved by staff and agencies, with some modifications, and the proposed location of the new dwelling is considered to be the most appropriate site on the lot.

**MV-22-12-S (Hackett/Marchand)**

Speaking to the Application: Bob Haynes, agent

**Discussion**

The applicant's property is .423 acres in size, which would permit a lot coverage of 921 sq. ft. It is currently developed with a 930 sq. ft. single storey dwelling, plus deck., as well as 4 sheds, three of which the applicants are proposing to remove. The proposal is to remove the existing dwelling and construct a new dwelling 57.4 ft. from the high water mark, and a deck 50 ft. from the HWM.) The lot coverage of the proposed dwelling would be approximately 5.5 %.

The Cataraqui Region Conservation Authority does not object to the proposal, although part of their rationale is that the applicants are constrained by the location of the septic system, which appears to have been approved on the basis of a dwelling location that had not yet received variance approval.

The property lies within an environmental protection zone and is designated EP in the official plan.

The CBO and Planner believe the dwelling could be constructed further from the lake, and the Planner recommended denial of the application.

The application had been deferred at the December meeting to provide an opportunity for consideration of an alternative site. However, the applicants returned to the Committee asking for the same variance as in the original proposal.

The representatives from Storrington District felt that it would be logical to permit some reduction in the setback so that the new dwelling would not overlook the back yards of neighbouring residents.

**RESOLUTION: C of A: 13:01:07**

Moved by: L. York

Seconded by: L. McCullough

**THAT the South Frontenac Township Committee of Adjustment hereby approves variance application MV-22-12-S by Brittany Hackett and David Marchand, to construct a dwelling on Collins Lake, concession 1, lot 21, District of Storrington, subject to conditions.**

The Chair asked for a recorded vote:

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

Carried


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<b>Application No:</b>	MV-22-12-S
<b>Owner:</b>	<b>Brittany Hackett, David Marchand</b>
<b>Location of Property:</b>	Pt. Lot 21 Concession 1, Collins Lake, District of Storrington, Township of South Frontenac
<b>Purpose of Application:</b>	To vary section 10.3.1 of the Comprehensive Zoning By-law to permit development within 30m of the high water mark
<b>Date of Hearing:</b>	December 13, 2012
<b>Date of Decision:</b>	February 14, 2013

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

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**CONDITIONS:**

- The variance is limited to construction of a one and half storey dwelling, (no basement) with a maximum footprint (excluding deck) of 835 sq. ft. and a gross floor area of 1313 sq. ft. to be located a minimum of 57 ft. from the high water mark, and a 215 sq. ft. uncovered and unenclosed deck to be located a minimum of 50 ft. from the high water mark. All existing buildings on the property shall be removed with the exception of one shed.**

2. **No other structures shall be permitted within the 30m setback from the high water mark.**
3. **Minor variance MV-22-12-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 policies, and which specifies that a permit will be required from the Cataraqui Region Conservation Authority for the proposed development, and for construction of docks, and shoreline or in-water works. The land between the dwelling and the lake shall be re-vegetated to the satisfaction of the Township and the CRCA.**

**REASON FOR DECISION:** The proposal was considered, by the majority of the Committee, to be appropriate for the development of the property.

**Item #8: S-68-12-L (Eastabrook)**

Speaking to the Application: Glenn Eastabrook, Shirley Eastabrook

Discussion

The subject lands consist of 53.5 acres fronting on Bedford Road, and are developed with a single family dwelling and accessory buildings. The applicants are proposing to sever a 7.5 acre parcel containing the existing structures. The retained parcel will be 46+/- acres in size and will front on Bedford Road and on Elbow Lake. The Roads Department has indicated that any new entrance will need to be in a very specific location. The severed parcel will require rezoning from Residential Waterfront to Rural since it will no longer have water frontage. This is an arterial road which requires additional road frontage to ensure proper distances between entrances. No report is available from Public Health and therefore the application was deferred.

**RESOLUTION: C of A: 13:01:08**

Moved by: L. McCullough

Seconded by: L. York

**THAT the South Frontenac Township Committee of Adjustment hereby defers consent application S-68-12-L by Glenn and Shirley Eastabrook to create a residential lot with existing dwelling, Bedford Road, concession 11, lot 9/10, District of Loughborough, pending receipt of report from Public Health.**

Carried

**Item #9: S-69-12-B (Hanna)**

Speaking to this Application & Application S-70-12-B: Donald & Linda Hanna

Discussion

The subject lands consist of 39+/- acres with frontage on Hanna Road and Wolfe Lake, and are developed with a single family dwelling and accessory structures. The proposed lot addition to approximately 1200 sq. ft. and is being added to property belonging to Arie and Katherine Doornekamp, in exchange for an equal sized parcel from Doornekamp to Hanna (See application S-70-12-B).

**RESOLUTION:** C of A: 13:01:09

Moved by: D. Hahn

Seconded by: M. Tinlin

**THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-69-12-B by Donald and Linda Hanna, to create a lot addition to property at 191 Hanna Road, concession 11, lot 23, District of Bedford, subject to conditions.**

Carried

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<b>Application No:</b>	S-69-12-B
<b>Owner:</b>	Donald & Linda Hanna
<b>Location of Property:</b>	Concession 11, Lot 23, Hanna Road and Wolfe Lake, District of Bedford, Township of South Frontenac
<b>Purpose of Application:</b>	Creation of lot addition
<b>Date of Hearing:</b>	February 14, 2013
<b>Date of Decision:</b>	February 14, 2013

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

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### CONDITIONS

- 1. An acceptable reference plan or legal description of the severed lands in duplicate, and the deed or instrument (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-69-12-B shall be for a 1200 sq. ft.+/- lot addition only to RP13R-11415 parts 1,2 and therefore, any subsequent conveyance of this parcel of land shall be subject to Section 50(3) of the Planning Act. The applicant's solicitor shall provide verification that the transferee's property and the lot addition cannot be sold or transferred independently of each other.**
- 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 #10: S-70-12-B (Doornekamp)

##### Discussion

The subject lands consist of 1+/- acre with frontage on Hanna Road, and are developed with a single family dwelling. The proposed lot addition is approximately 1200 sq. ft. and is being added to property belonging to Donald & Linda Hanna, in exchange for an equal sized parcel from Hanna to Doornekamp. (See application S-69-12-B).

**RESOLUTION: C of A: 13:01:10**

Moved by: W. Robinson

Seconded by: D. Hahn

**THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-70-12-B by Arie & Katherine Doornekamp, to create a lot addition to property on Hanna Road, concession 11, lot 23, District of Bedford, subject to conditions.**

Carried

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<b>Application No:</b>	S-70-12-B
<b>Owner:</b>	Arie & Katherine Doornekamp
<b>Location of Property:</b>	Concession 11, Lot 23, Hanna Road, District of Bedford, Township of South Frontenac
<b>Purpose of Application:</b>	Creation of lot addition
<b>Date of Hearing:</b>	February 14, 2013
<b>Date of Decision:</b>	February 14, 2013

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

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### CONDITIONS

1. An acceptable reference plan or legal description of the severed lands in duplicate, and the deed or instrument (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-70-12-B shall be for a 1200 sq. ft.+/- lot addition only to RP13R-12000 part 1 and therefore, any subsequent conveyance of this parcel of land shall be subject to Section 50(3) of the Planning Act. The applicant's solicitor shall provide verification that the transferee's property and the lot addition cannot be sold or transferred independently of each other.
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 #11: S-01-13-L (Grimaud)

##### Discussion

The Grimauds own abutting lots on Sawmill Lane, Buck Lake. Both lots are developed with seasonal dwellings. Because the terrain is very steep between the lane and the dwellings, the lots have, for many years, shared one entrance off of Sawmill Lane. Each property is accessed, in part, by travelling over the other property. The owners wish to create this easement officially and have it registered on title to each property.

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

Moved by: L. McCullough

Seconded by: K. Gee

**THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-01-13-L by Didier and Edith Grimaud, to create right-of-way, Buck Lake, concession 14, lot 25, District of Loughborough, subject to conditions.**

Carried


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<b>Application No:</b>	S-01-13-L
<b>Owner:</b>	Didier Grimaud, Edith Grimaud
<b>Location of Property:</b>	Concession 14, Lot 25, Sawmill Lane, Buck Lake, District of Loughborough, Township of South Frontenac
<b>Purpose of Application:</b>	Creation of easement
<b>Date of Hearing:</b>	February 14, 2013
<b>Date of Decision:</b>	February 14, 2013

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

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**CONDITIONS**

- 1. An acceptable reference plan or legal description of the severed lands in duplicate, and the deed or instrument (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. Consent Application S-01-13-L creates a right-of-way over #1134 Sawmill Lane to access the lot immediately to the south, and then across the southern lot to access #1134. The right-of-way shall be described on the deed of the properties over which it passes and the properties to which it gives access.**
- 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 right-of-way pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.**

**Item #12: S-02-13-L (Shepherd)**

Speaking to the Application: Ken &amp; Vera Shepherd

Discussion

The subject lands consist of more than 100 acres fronting on Trotter Road, and Bear Lake and are developed with a single family dwelling and accessory buildings. The applicants are proposing to sever a 15.8+/- acre parcel containing the existing structures. The retained parcel will front on Trotter Lane and on Bear Lake. The Roads Department has recommended a site visit with Roads and Planning staff to clarify required upgrades to a minimum of 250 ft. of Trotter Lane.

**RESOLUTION: C of A: 13:01:12**

Moved by: L. McCullough

Seconded by: K. Gee

**THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-02-13-L by Ken & Vera Shepherd, to create a residential lot with existing dwelling, Trotter Road, concession 11, lot 19, District of Loughborough, subject to conditions.**

Carried


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<b>Application No:</b>	S-02-13-L
<b>Owner:</b>	Ken & Vera Shepherd
<b>Location of Property:</b>	Concession 11, Lot 19, Trotter Road, District of Loughborough, Township of South Frontenac
<b>Purpose of Application:</b>	Creation of lot with existing dwelling and accessory buildings
<b>Date of Hearing:</b>	February 14, 2013
<b>Date of Decision:</b>	February 14, 2013

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

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**CONDITIONS**

6. **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.**
7. **The land to be severed by Consent Application S-02-13-L shall be for a 15.8+/- acre lot, with 550 ft. +/- frontage on Trotter Road. A surveyor shall provide evidence that all structures on the severed parcel are located a minimum of 3 m from side and rear lot lines.**
8. **All structures on the property shall be included in the severed lot.**
9. **The lane which provides access to the retained lot shall be upgraded according to Township lane standards for a minimum of 250 ft. in front of the retained lot (i.e. Trotter Lane)**
10. **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.)**
11. **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.**
12. **The Township of South Frontenac shall receive 5% of the value of the severed parcel (as though it were vacant) in lieu of parkland pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.**
8. **The 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 land measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and retained lands in the following manner:**
  - a) **The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;**
  - b) **The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;**

- c) **The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of “The Corporation of the Township of South Frontenac”, and shall include the following attached to the Transfer/Deed as a Schedule**

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

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

**9. The applicants shall provide evidence of potable water on the severed parcel.**

**Item #13: S-03-13-B, S-04-13-B (Edge)**

Discussion

The subject lands consist of two 30+ acre parcels with frontage on Wolfe Lake, and access by a private lane. Through application S-03-13-B, the applicants are seeking approval for a 26+/- acre lot addition from the southerly parcel to the abutting property, also owned by the applicant. The lot addition parcel and the retained parcel are vacant. The retained parcel will be approximately 4.4 acres in size and have 375+/- ft. of water frontage. Reports were required for this application from Public Health and Rideau Valley Conservation since the retained parcel will be a residential lot on the water. Rideau Valley Conservation is asking for a 50m setback from the high water mark or 10m from the top of bank, whichever is greater. Township policies require a 15m setback from top of bank which would deal with the RVCA’s concern in that regard. Details will also be included in a development agreement which will be registered on title to the retained parcel, and a rezoning will be required.

Through application S-04-13-B, the applicants are seeking approval to create a 2.5 acre water front lot, using 160 ft. of the waterfront from the addition property, and the remaining 140 ft. from the originally Edge property. Comments from Public Health and RVCA are favourable.

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

Moved by: M. Tinlin

Seconded by: D. Hahn

**THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-03-13-B by Tim and Maureen Edge, Wolfe Lake, concession 11, lot 25, District of Bedford, to create a lot addition, subject to conditions.**

Carried

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<b>Application No:</b>	S-03-13-B
<b>Owner:</b>	Tim & Maureen Edge
<b>Location of Property:</b>	Concession 11, Lot 25, Zimmerman Lane, Wolfe Lake, District of Bedford, Township of South Frontenac
<b>Purpose of Application:</b>	Creation of lot addition
<b>Date of Hearing:</b>	February 14, 2013
<b>Date of Decision:</b>	February 14, 2013

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

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**CONDITIONS**

1. An acceptable reference plan or legal description of the severed lands in duplicate, and the deed or instrument (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-03-13-B shall be for a 26+/- acre lot addition only to RP13R-2784, parts 12-14, and therefore, any subsequent conveyance of this parcel of land shall be subject to Section 50(3) of the Planning Act. The applicant's solicitor shall provide verification that the transferee's property and the lot addition cannot be sold or transferred independently of each other.
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive \$100 in lieu of parkland pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.
6. The lane across the retained parcel shall be surveyed and constructed according to the Township's private lane standards.
7. The applicants shall obtain an amendment to the South Frontenac Township Comprehensive Zoning By-law to rezone the enlarged parcel to Rural, and to require a 50m setback from the high water mark for any development on the retained parcel.
8. The applicants shall enter into a development agreement with the Township to be registered on title to the retained parcel, which deals with the Township's environmental and limited service polices, including a minimum setback of 15m from the top of bank, limits water access to a pedestrian walkway only, and specifies that a permit is required from the Rideau Valley Conservation Authority prior to any shoreline or in-water works, including docks.

**RESOLUTION:** C of A:13:01:14

Moved by: D. Hahn

Seconded by: M. Tinlin

**THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-04-13-B by Tim and Maureen Edge, Wolfe Lake, concession 11, lot 25, District of Bedford, to create a waterfront lot, subject to conditions.**

Carried

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<b>Application No:</b>	S-04-13-B
<b>Owner:</b>	Tim & Maureen Edge
<b>Location of Property:</b>	Concession 11, Lot 25, Zimmerman Lane, Wolfe Lake, District of Bedford, Township of South Frontenac
<b>Purpose of Application:</b>	Creation of waterfront lot
<b>Date of Hearing:</b>	February 14, 2013
<b>Date of Decision:</b>	February 14, 2013

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

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**CONDITIONS**

1. **An acceptable reference plan or legal description of the severed lands in duplicate, and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.**
2. **The land to be severed by Consent Application S-04-13-B shall be for a 2.5+ acre lot, with 300+ ft. frontage on Wolfe Lake, and 250+ ft. frontage on Zimmerman Lane.**
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 lane across the severed parcel shall be surveyed and constructed according to the Township's private lane standards.**
7. **The applicants shall obtain an amendment to the Township's Comprehensive Zoning By-law to rezone the retained parcel (as enlarged through application S-03-13-B) to Rural.**
8. **The applicants shall enter into a site plan agreement with the Township to be registered on title to the severed and retained parcels, which deals with the Township's environmental and limited service polices, and which specifies that a permit is required from the Rideau Valley Conservation Authority prior to any shoreline or in-water works, including docks.**

**Item #14: MV-23-12-B (Gerretsen)**

Speaking to the Application: Mark & Vanessa Gerretsen, Mac Gervan (agent)

**Discussion**

The applicants' property is 13 acres in size and is vacant. The applicants are proposing to construct a new dwelling, with a footprint of 1662 sq. ft. plus 1100 sq. ft. of decking. The major purpose of the variance is not a water setback issue but rather a top of bank setback. The applicant was required to submit a slope stability study to deal with the top of bank issue. The report indicated that there are no stability issues with the proposed site.

The only intrusion into the 30m setback is a 200 sq. ft. (max) portion of a deck on the southeast corner, and portions of the sewage disposal system as determined by the final permit approval from Public Health.

**RESOLUTION: C of A: 13:01:15**

Moved by: D. Hahn

Seconded by: W. Robinson

**THAT the South Frontenac Township Committee of Adjustment hereby approves variance application MV-23-12-B by Mark & Vanessa Gerretsen, Sangster Lake, concession 3, lot 7, District of Bedford, to construct a new dwelling within 15m of top of bank, subject to conditions.**

Carried

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<b>Application No:</b>	MV-23-12-B
<b>Owner:</b>	<b>Mark Gerretsen</b>
<b>Location of Property:</b>	Pt. Lot 7, Concession 3, Sangster Lake, District of Bedford, Township of South Frontenac
<b>Purpose of Application:</b>	To vary section 10.3.1 of the Comprehensive Zoning By-law to permit development within 30m of the high water mark and 5.8.2 to permit development within 15 m of top of bank
<b>Date of Hearing:</b>	February 14, 2013
<b>Date of Decision:</b>	February 14, 2013

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

**CONDITIONS**

1. **The variance is limited to construction of a new dwelling with a footprint of 2762 sq. ft., including decks to encroach into the 15m setback from the top of bank on the south east side of the new structure, a maximum of 10 ft.**
2. **A maximum of 200 sq. ft. of deck is permitted to encroach no more than 10 ft. into the required 98.4 ft. setback from the high water mark, at the southeast corner of the proposed dwelling.**
3. **The sewage disposal system may encroach into the 30m setback as permitted by Public Health.**
4. **No other structures shall be permitted within the 30m setback of the high water mark or within 15m of top of bank.**
5. **Minor variance MV-23-12-B is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.**
6. **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.**
7. **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 services policies, and the requirement for a permit from the Quinte Conservation Authority for the construction of any docks, and shoreline or in-water works.**

**REASON FOR DECISION:** The variance has been approved by staff and agencies, and the site is the most appropriate on the lot. The primary purpose of the variance was to permit encroachment into the top of bank setback, and a slope stability study has verified the appropriateness of the proposal.

**Item #15: MV-24-12-B (Pichora)**

**Discussion**

This application was for approval of additions to an existing dwelling on Devil Lake. The applicants had previously received approval to construct a new dwelling further from the lake, but subsequently decided to apply for these additions. They had requested, prior to the public hearing, that the application be deferred because of some upcoming discussions planned between their agent, their legal representative, and planning staff. However, because the application had been advertised to neighbouring property owners, the public hearing was held.

There were no members of the public present to speak to the application. L. Mills had indicated some concerns to the applicants concerning the proposed size of the structure so close to the water.

The CRCA had originally indicated that an Environmental Impact Assessment would be necessary, but following clarification that the proposed addition would not be two storeys, it was determined that an EIA was not necessary.

**RESOLUTION:** **C of A: 13:01:15**

Moved by: D. Hahn

Seconded by: M. Tinlin

**THAT the South Frontenac Township Committee of Adjustment hereby defers variance application MV-24-12-B by David & Debra Pichora, pending further discussions between staff and the applicants and/or their agent.**

**Carried**

**Item #16: MV-25-12-S (MacRae)**

Speaking to the Application: Terry MacRae, Jeff McCord

Discussion

The applicant's property is .53 of an acre in size and is developed with a dwelling, garage and shed. Lot coverage of the dwelling is approximately 500 sq. ft. over the 5% permitted amount. The proposal is for the removal of a portion of the dwelling closest to the lake, and the addition of an equal sized structure to the side of the dwelling. In other words, the total footprint would not be enlarged, and part of the dwelling would be further from the lake than at present. The second part of the proposal is to raise the entire structure approximately 4 ft. and to construct a full basement. This would not increase the footprint but would considerably increase the useable space. CRCA has no objection. A report had not been received from Public Health. There was discussion about possible adjustments that the applicant, who was not able to be present, might want to make to the application, and it was therefore difficult for the Committee to have a meaningful conversation about the application at this time. There were no objections or comments received from the public.

**RESOLUTION: C of A: 13:01:16**

Moved by: K. Gee

Seconded by: L. York

**THAT the South Frontenac Township Committee of Adjustment hereby defers variance application MV-25-12-S by Brad MacRae, Loughborough Lake, concession 10, lot 2, District of Storrington, to reconfigure existing dwelling and increase height, pending report from Public Health, and confirmation of additional details from applicant.**

Carried

**Item #17: MV-01-13-B (Coates, Hoo)**

Speaking to the Application: Mike Grypma

Discussion

The applicants' property is 3.64 acres in size and is developed with a single family dwelling and garage. A deck on the water side of the dwelling was removed by the previous owner, and the current owners wish to construct a new deck. The setback from the water would be 60 ft. The Cataraqui Region Conservation Authority has no objection to the proposal, but the applicants will be required to obtain a permit from CRCA prior to any construction.

The CBO has pointed out that a new covered porch has recently been added to the dwelling without a building permit, and he has recommended that the necessary process be carried out to obtain a building permit for this porch as part of the minor variance approval.

**RESOLUTION: C of A: 13:01:17**

Moved by: D. Hahn

Seconded by: M. Tinlin

**THAT the South Frontenac Township Committee of Adjustment hereby approves variance application MV-01-13-B by Chris Coates and Mary Hoo to construct a deck on an existing dwelling, within 30m of high water mark, subject to conditions.**

Carried

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<b>Application No:</b>	MV-01-13-B
<b>Owner:</b>	<b>Chris Coates, Mary Hoo</b>
<b>Location of Property:</b>	Pt. Lot 9/10, Concession 14, Devil Lake, District of Bedford, Township of South Frontenac
<b>Purpose of Application:</b>	To vary section 10.3.1 of the Comprehensive Zoning By-law to permit development within 30m of the high water mark.
<b>Date of Hearing:</b>	February 14, 2013
<b>Date of Decision:</b>	February 14, 2013

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

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**CONDITIONS:**

1. **The variance is limited to construction of a 44 ft. 6 in. long uncovered deck, on the water side of the dwelling, extending a maximum of 10 ft. closer to the water than any portion of the dwelling, plus a 4 ft. x 32 ft. uncovered deck on the west side of the dwelling.**
2. **No other structures shall be permitted within the 30m setback of the high water mark.**
3. **Prior to the issuance of a building permit for the deck approved through variance application MV-01-13-B, the applicants shall submit to the Township a completed building permit application for the covered porch which has been constructed on the property.**
4. **Minor variance MV-01-13-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 services policies, and the requirement for a permit from the Cataraqui Region Conservation Authority for any development on the property, including construction of docks, and shoreline or in-water works.**

**REASON FOR DECISION:** The variance has been approved by staff and agencies, and the deck replaces one that had been on the site previously.

**Item #18: Adjournment**

**RESOLUTION: C of A: 13:01:18**

Moved by: L. York

Seconded by: K. Gee

**THAT the February 14, 2013 meeting of the South Frontenac Township Committee of Adjustment is hereby adjourned at 8:20 p.m. to reconvene at 7:00 p.m. on Thursday, March 14, 2013, or at the call of the Chair.**

Carried

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Ron Vandewal  
Chair

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Lindsay Mills  
Secretary-Treasurer