

THAT the South Frontenac Township Committee of Adjustment hereby approves the minutes of the September 8, 2011 meeting of the Committee, as circulated.

Carried

Item #5: S-38-11-P (Asselstine, Andrew & Kara)

Speaking to the application: Andrew & Kara Asselstine

Discussion

The subject lands consist of 4.35+/- acres fronting on Pine Ridge Drive, Road 38 and Kildeer Drive in the Settlement Area of Verona, and are developed with a single family dwelling and garage. The applicants proposed to sever a 2.15 acre parcel with frontage on Pine Ridge and Kildeer, for the purpose of establishing a commercial enterprise. They were also seeking permission to create an easement on the retained parcel for the purpose of installing a sign advertising their business. There have been concerns expressed by neighbouring property owners primarily concerning traffic, property values, and the general impact of a retail business in this particular neighbourhood. On the other hand, commercial development is encouraged within settlement areas. If the application was approved, the applicants would still need to obtain zoning amendment approval from Council which would include a detailed site plan. L. Mills noted that a traffic study would be required to examine entrances, the potential need for a turning lane, sidewalks, etc. Therefore, he recommended that the application be deferred to allow the applicants the opportunity to look into these matters. W. Robinson expressed the concern about the difficulty for a large truck turning up Pine Ridge Drive, and also commented on the likely run-off from a parking lot onto abutting streets. L. Redden supported the idea of a deferral so that both parties would have a better idea of what we are dealing with. There was also concern expressed by some Committee members that this residential neighbourhood was not an appropriate location for a commercial enterprise.

Mr. Asselstine outlined his reasons for wanting to establish this business, and commented that a community should have a mixture of business, recreational uses and residential uses. Several residents from the neighbourhood attended the meeting to express their concerns. Joan Goodwin commented on the steepness of the hill, the lack of sidewalks, and the potential for noise and traffic danger. Melissa Elliott noted that they live in a beautiful residential neighbourhood and would like to keep it that way. She argued that the proposed business is not compatible with some parts of the Official Plan, including its impact on a residential neighbourhood. Laura-Lee Scanlan noted that Lakeview Drive is used as access to a boat ramp, the beach, soccer fields and a church, and a such is already quite busy and, at certain times of year, there are cars parked for some distance along that road. Doug Boulter expressed environmental concerns, as well as the impact of lighting, drainage, and the impact on the relationships within the community. A petition was presented in opposition to the application.

RESOLUTION: C of A: 11:09:03

Moved by: W. Robinson

Seconded by: L.Redden

THAT the South Frontenac Township Committee of Adjustment hereby defers consent application S-38-11-P by Kara & Andrew Asselstine to create a commercial lot in concession 11, lot 9, Settlement Area of Verona, District of Portland, pending a review by the applicant of the potential costs of the project, and other options.

Carried

Item #6: S-39-11-L (Adams)

Speaking to the Application: Eldon Adams

Discussion

The subject lands front on Stage Coach and are developed with a dwelling and a barn. The proposed lot addition would add 17+/- acres to a residential lot which fronts on Stage Coach Road. There were no objections expressed regarding the application.

RESOLUTION: C of A: 11:09:04

Moved by: L. McCullough

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-39-11-L by Lorraine Adams to create a lot addition in concession 2, lot 3, Stage Coach Road, District of Loughborough, subject to conditions.

Carried

Application No:	S-39-11-L
Owner:	Lorraine Adams
Location of Property:	Concession II, Lot 3, Stage Coach Road, District of Loughborough, Township of South Frontenac
Purpose of Application:	Creation of lot addition
Date of Hearing:	October 13, 2011
Date of Decision:	October 13, 2011

DECISION: PROVISIONAL CONSENT GRANTED, subject to conditions

CONDITIONS:

- 1. The applicant or his/her solicitor shall prepare and submit to The Corporation of The Township of South Frontenac a transfer or such other required form of document necessary to implement the consent, including Form 3 or 4, as prescribed by Ontario Regulation 197-96, for endorsement by the Secretary-Treasurer of the Committee of Adjustment for the municipality. This transfer or other legal document shall be provided to the municipality within a period of one year after notice of the decision was given under subsection 53 (17) or 53 (24) of the Planning Act.**
- 2. An acceptable reference plan of the severed lands in duplicate, shall be submitted to the Township.**
- 3. The land to be severed by Consent Application S- 39-11-L shall be for a 17+/- acre lot addition only to part 1 on Plan 13R-7021.**
- 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 each lot addition, pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.**

Item #7: S-40-11-L, S-41-11-L, S-42-11-L (Pierce/Clark)

Speaking to the Application: Bill Pierce

Discussion

The subject lands front on Desert Lake and are developed with a seasonal dwelling, accessed by a private lane from Canoe Lake Road. The severed parcels will take their access from a new right-of-way off of Canoe Lake Road, over a separate parcel also owned by the applicants. The lot to be created through S-42-11-L is a water access only lot, and it will be granted a parking and docking easement on the lot created through S-41-11-L. The lane will need to be constructed so as to provide frontage for both mainland lots, and then to provide access to the parking easement. The applicants will be required to rezone the lots created through S-40 and S-41 from Rural to Limited Service – Residential Waterfront, the parking/docking easement to a special RLSW zone to recognize

its limited use, and the lot created through S-42 to an RLS-I zone to recognize that it is water access only.

The applicant confirmed that he had obtained an entrance permit for the new lane, and R. Vandewal commented that the lane appeared to be well constructed.

RESOLUTION: C of A: 11:09:05

Moved by: L. McCullough

Seconded by: L. York

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-40-11-L by William Pierce and Mary Clark, to create a waterfront lot, together with a right-of-way in concession 14, lot 6/7, Desert Lake, District of Loughborough, subject to conditions.

Carried

Application No:	S-40-11-L
Owner:	William Pierce, Mary Clark
Location of Property:	Concession XIV, Lot 6/7, Desert Lake, District of Loughborough, Township of South Frontenac
Purpose of Application:	Creation of waterfront lot, together with ROW
Date of Hearing:	October 13, 2011
Date of Decision:	October 13, 2011

DECISION: PROVISIONAL CONSENT GRANTED, subject to conditions

CONDITIONS

- 1. The applicant or his/her solicitor shall prepare and submit to The Corporation of The Township of South Frontenac a transfer or such other required form of document necessary to implement the consent, including Form 1 or 2, as prescribed by Ontario Regulation 197-96, for endorsement by the Secretary-Treasurer of the Committee of Adjustment for the municipality. This transfer or other legal document shall be provided to the municipality within a period of one year after notice of the decision was given under subsection 53 (17) or 53 (24) of the Planning Act.**
- 2. An acceptable reference plan of the severed lands in duplicate, shall be submitted to the Township.**
- 3. The land to be severed by Consent Application S- 40-11-L shall be for an 11+/- acre waterfront lot together with a right-of-way from Canoe Lake Road over property owned by the applicants.**
- 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 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.**
- 7. The right-of-way which provides access to the severed parcel shall be surveyed and constructed according to the Township's standards for new private lanes.**
- 8. The applicants shall obtain an amendment to the Township's Comprehensive Zoning By-law to rezone the severed lot from Rural to Limited Service – Residential Waterfront to recognize that access will be from a private lane.**

9. The applicants shall enter into an agreement with the Township to be registered on title to the severed parcel which includes the municipality's limited service and environmental policies.

RESOLUTION: C of A: 11:09:06

Moved by: L. McCullough

Seconded by: L. York

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-41-11-L by William Pierce and Mary Clark, to create a waterfront lot, together with a right-of-way and subject to a parking/docking easement in concession 14, lot 6/7, Desert Lake, District of Loughborough, subject to conditions.

Carried

Application No:	S-41-11-L
Owner:	William Pierce, Mary Clark
Location of Property:	Concession XIV, Lot 6/7, Desert Lake, District of Loughborough, Township of South Frontenac
Purpose of Application:	Creation of waterfront lot, subject to parking/docking easement and together with ROW
Date of Hearing:	October 13, 2011
Date of Decision:	October 13, 2011
DECISION:	PROVISIONAL CONSENT GRANTED, subject to conditions

CONDITIONS

1. The applicant or his/her solicitor shall prepare and submit to The Corporation of The Township of South Frontenac a transfer or such other required form of document necessary to implement the consent, including Form 1 or 2, as prescribed by Ontario Regulation 197-96, for endorsement by the Secretary-Treasurer of the Committee of Adjustment for the municipality. This transfer or other legal document shall be provided to the municipality within a period of one year after notice of the decision was given under subsection 53 (17) or 53 (24) of the Planning Act.
2. An acceptable reference plan of the severed lands in duplicate, shall be submitted to the Township.
3. The land to be severed by Consent Application S- 41-11-L shall be for a 7+/- acre waterfront lot together with a right-of-way from Canoe Lake Road over property owned by the applicants, and subject to a right-of-way and parking/docking easement in favour of the owners of the lot created through consent application S-42-11-L.
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 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.
7. The right-of-way which provides access to the severed parcel shall be surveyed and constructed according to the Township's standards for new private lanes, and the parking/docking easement shall be surveyed as a separate parcel on the reference plan. The parking area shall be located a

minimum of 30m. from Desert Lake.

8. The applicants shall obtain an amendment to the Township's Comprehensive Zoning By-law to rezone the severed lot from Rural to Limited Service – Residential Waterfront to recognize that access will be from a private lane, and to rezone the docking/parking easement to a special Limited Service – Residential Waterfront zone to recognize its limited permitted use.
9. The applicants shall enter into an agreement with the Township to be registered on title to the severed parcel which includes the municipality's limited service and environmental policies.

RESOLUTION: C of A: 11:09:07

Moved by: L. McCullough

Seconded by: R. Gee

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-42-11-L by William Pierce and Mary Clark, to create a waterfront lot, together with a right-of-way and a parking/docking easement, in concession 14, lot 6/7, Desert Lake, District of Loughborough, subject to conditions.

Carried

Application No:	S-42-11-L
Owner:	William Pierce, Mary Clark
Location of Property:	Concession XIV, Lot 6/7, Desert Lake, District of Loughborough, Township of South Frontenac
Purpose of Application:	Creation of water access lot, together with ROW and parking/docking easement
Date of Hearing:	October 13, 2011
Date of Decision:	October 13, 2011

DECISION: PROVISIONAL CONSENT GRANTED, subject to conditions

CONDITIONS

1. The applicant or his/her solicitor shall prepare and submit to The Corporation of The Township of South Frontenac a transfer or such other required form of document necessary to implement the consent, including Form 1 or 2, as prescribed by Ontario Regulation 197-96, for endorsement by the Secretary-Treasurer of the Committee of Adjustment for the municipality. This transfer or other legal document shall be provided to the municipality within a period of one year after notice of the decision was given under subsection 53 (17) or 53 (24) of the Planning Act.
2. An acceptable reference plan of the severed lands in duplicate, shall be submitted to the Township.
3. The land to be severed by Consent Application S- 42-11-L shall be for an 11.3+/- acre water access lot together with a right-of-way from Canoe Lake Road over property owned by the applicants, and over the lot created through application S-41-11-L. The severed parcel will also be granted a parking/docking easement on the lot created through application S-41-11-L.
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.

2. An acceptable reference plan of the severed lands in duplicate, shall be submitted to the Township.
3. The land to be severed by Consent Application S- 43-11-P shall be for a 1.23 +/- acre lot addition only to a .39 acre lot owned by the applicants (Roll # 1029 080 040 03350) which fronts on Road 38, and a .69+/- acre lot addition only to part 1 on Plan 13R-13122 (Roll # 1029 080 040 03510).
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 each lot addition, pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.

Item #9: S-44-11-S, S-45-11-S, S-46-11-S (1073650 Ontario Inc.)

Speaking to the Application: Gary Beach. Also in attendance, Mary Alice Snetzinger

Discussion

The subject lands front on Round Lake Road and were recently the subject of a lot addition of property fronting on Inverary Lake, and a road closing between concession 3 and concession 4. These lots are being severed from one of the original parcels on the north side of the road allowance – they are not waterfront lots, and they are not from property which existed as of Sept. 5, 2000. Although the lots front on Round Lake Road, it is the applicant's intention that the lots take their access from the same private lane which accesses waterfront lots created on Inverary Lake in 2010. An environmental report has indicated that accessing the properties from the lane rather than directly from Round Lake Road is preferable from an environmental perspective, and it would also be preferable in this location to have the existing entrance used rather than create 3 new entrances. A rezoning will be required to recognize that access is by means of a private lane. A neighbouring property owner, Johannes Sauerteig, wished to receive assurance that there would not be new entrances off of Round Lake Road because of the sight lines involved. Clarification was given that these lots would have the right-of-way on their deeds, and would be specifically zoned to recognize that access would not be directly off of Round Lake Road.

RESOLUTION: 11:09:09

Moved by: L. McCullough

Seconded by: L. York

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-44-11-S by 1073659 Ontario Inc. to create a residential lot in concession 4, lot 24, Round Lake Road, District of Storrington, subject to conditions.

Carried

Application No:	S-44-11-S
Owner:	1073650 Ontario Inc. (Beach)
Location of Property:	Concession III, Lot 24, Round Lake Road, District of Storrington, Township of South Frontenac
Purpose of Application:	Creation of residential lot
Date of Hearing:	October 13, 2011
Date of Decision:	October 13, 2011

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

CONDITIONS:

1. **The applicant or his/her solicitor shall prepare and submit to The Corporation of The Township of South Frontenac a transfer or such other required form of document necessary to implement the consent, including Form 1 or 2, as prescribed by Ontario Regulation 197-96, for endorsement by the Secretary-Treasurer of the Committee of Adjustment for the municipality. This transfer or other legal document shall be provided to the municipality within a period of one year after notice of the decision was given under subsection 53 (17) or 53 (24) of the Planning Act.**
2. **An acceptable reference plan of the severed lands in duplicate, shall be submitted to the Township.**
3. **The land to be severed by Consent Application S- 44-11-S shall be for a 5.9 +/- acre lot to be accessed by a private lane constructed to Township standards for new private lanes.**
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 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.**
7. **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 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.**
8. **The applicant shall obtain an amendment to the Township's Comprehensive Zoning By-law to rezone the severed lots from Rural to a Special Limited Service zone to recognize that access will be from a private lane.**

RESOLUTION: C of A: 11:09:10

Moved by: L. McCullough

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-45-11-S by 1073650 Ontario Inc. to create a residential lot in concession 4, lot 24, Round Lake Road, District of Storrington, subject to conditions.

Carried

Application No:	S-45-11-S
Owner:	1073650 Ontario Inc. (Beach)
Location of Property:	Concession III, Lot 24, Round Lake Road, District of Storrington, Township of South Frontenac
Purpose of Application:	Creation of residential lot
Date of Hearing:	October 13, 2011
Date of Decision:	October 13, 2011
DECISION:	PROVISIONAL CONSENT GRANTED, subject to conditions

CONDITIONS:

1. **The applicant or his/her solicitor shall prepare and submit to The Corporation of The Township of South Frontenac a transfer or such other required form of document necessary to implement the consent, including Form 1 or 2, as prescribed by Ontario Regulation 197-96, for endorsement by the Secretary-Treasurer of the Committee of Adjustment for the municipality. This transfer or other legal document shall be provided to the municipality within a period of one year after notice of the decision was given under subsection 53 (17) or 53 (24) of the Planning Act.**
2. **An acceptable reference plan of the severed lands in duplicate, shall be submitted to the Township.**
3. **The land to be severed by Consent Application S-45-11-S shall be for a 6.2 +/- acre lot to be accessed by a private lane constructed to Township standards for new private lanes.**
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 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.**
7. **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 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.
8. The applicant shall obtain an amendment to the Township's Comprehensive Zoning By-law to rezone the severed lots from Rural to a Special Limited Service zone to recognize that access will be from a private lane.

RESOLUTION: C of A: 11:09:11

Moved by: L. York

Seconded by: L. McCullough

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-46-11-S by 1073650 Ontario Inc. to create a residential lot in concession 4, lot 24, Round Lake Road, District of Storrington, subject to conditions.

Carried

Application No:	S-46-11-S
Owner:	1073650 Ontario Inc. (Beach)
Location of Property:	Concession III, Lot 24, Round Lake Road, District of Storrington, Township of South Frontenac
Purpose of Application:	Creation of residential lot
Date of Hearing:	October 13, 2011
Date of Decision:	October 13, 2011

DECISION: PROVISIONAL CONSENT GRANTED,
subject to conditions

CONDITIONS:

1. The applicant or his/her solicitor shall prepare and submit to The Corporation of The Township of South Frontenac a transfer or such other required form of document necessary to implement the consent, including Form 1 or 2, as prescribed by Ontario Regulation 197-96, for endorsement by the Secretary-Treasurer of the Committee of Adjustment for the municipality. This transfer or other legal document shall be provided to the municipality within a period of one year after notice of the decision was given under subsection 53 (17) or 53 (24) of the Planning Act.
2. An acceptable reference plan of the severed lands in duplicate, shall be submitted to the Township.
3. The land to be severed by Consent Application S-46-11-S shall be for a 7.2

+/- acre lot to be accessed by a private lane constructed to Township standards for new private lanes.

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 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.**
7. **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 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.**
8. **The applicant shall obtain an amendment to the Township's Comprehensive Zoning By-law to rezone the severed lots from Rural to a Special Limited Service zone to recognize that access will be from a private lane.**

Item #10: S-47-11-S (Glenn)

Speaking to the Application: Cory Howland, agent

Discussion

The subject lands front on Loughborough Lake and a private lane, and are developed with a single family dwelling. The proposed lot addition would add approximately .12 acre to a very undersized waterfront property which is also developed with a dwelling. The owner of the lot to be enlarged hopes to be able to make use of the lot addition parcel for a new septic system. The report from Public Health indicated that they have no objection to the lot addition, but that it may not be possible for the applicant to locate a septic system in that area.

RESOLUTION: C of A: 11:09:12

Moved by: L. York

Seconded by: L. McCullough

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-47-11-S by Neil, Mary & Dawne Glenn, to create a lot addition in concession 6, lot 25, Loughborough Lake, District of Storrington, subject to conditions.

Carried

Application No:	S-47-11-S
Owner:	Neil Glenn, Mary Glenn, Dawne Glenn
Location of Property:	Concession VI, Lot 25, Loughborough Lake, District of Storrington, Township of South Frontenac
Purpose of Application:	Creation of lot addition
Date of Hearing:	October 13, 2011
Date of Decision:	October 13, 2011

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

CONDITIONS:

- 1. The applicant or his/her solicitor shall prepare and submit to The Corporation of The Township of South Frontenac a transfer or such other required form of document necessary to implement the consent, including Form 3 or 4, as prescribed by Ontario Regulation 197-96, for endorsement by the Secretary-Treasurer of the Committee of Adjustment for the municipality. This transfer or other legal document shall be provided to the municipality within a period of one year after notice of the decision was given under subsection 53 (17) or 53 (24) of the Planning Act.**
- 2. An acceptable reference plan of the severed lands in duplicate, shall be submitted to the Township.**
- 3. The land to be severed by Consent Application S- 47-11-S shall be for a .12+/- acre lot addition only to parts 1 & 2 on Plan 13R-14947, subject to a right-of-way in favour of parts 1-4 on Plan 13R- 19262.**
- 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 each lot addition, pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.**

Item #11: MV-27-10-B (Schneider)

Speaking to the Application: Ron McAdoo, agent; Delia Schneider

Discussion

The applicant's property consists of approximately 6 acres and is developed with a seasonal dwelling. The applicant originally sought approval for a large addition (1630 sq. ft.), to include a breezeway, workshop and garage, to be located 50+ ft. from the high water mark. There was concern expressed at the time by Committee members, and by the Rideau Valley Conservation Authority. The applicant is now seeking approval for a detached garage 53 ft. from the high water mark at the closest point, and with an increased setback (to 70+ ft.) at the south end of the building. The chief building official has no objection to this

revised proposal, and the RVCA's original report noted that "there appears to be more than adequate space on this property to locate new development well away from the lake and wetland, to the south of the residence...the impacts could be reduced if the new development is reconsidered to be placed to address a greater water (and in this case, wetland) setback."

RESOLUTION: C of A: 11:09:13

Moved by: D. Hahn

Seconded by: M. Tinlin

THAT the South Frontenac Township Committee of Adjustment hereby approves variance application MV-27-10-B by Delia Schneider, concession 10, lot 19, Wolfe Lake, District of Bedford, as amended, to permit construction of accessory building within 30m of high water mark, subject to conditions.

Carried

Application No:	MV-27-10-B
Owner:	Delia Schneider
Location of Property:	Pt. Lot 19, Concession 10, Wolfe Lake, District of Bedford, Township of South Frontenac
Purpose of Application:	To vary section 5.8.2, 5.11 & 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:	October 13, 2011
DECISION:	VARIANCE GRANTED, as amended, subject to conditions

CONDITIONS

1. **The variance is limited to construction of a 24 ft. x 40 accessory building to the south of an existing dwelling, to be located a minimum of 53 ft. from the high water mark, as proposed in the applicant's sketch dated September 26, 2011.**
2. **Minor variance MV-27-11-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 applicant shall enter into a site plan agreement with the Township to be registered on title, which includes the municipality's environmental and limited service policies, and requires that a permit be obtained from the Rideau Valley Conservation Authority prior to any shoreline or in-water works, including construction or alteration of docks.**

REASON FOR DECISION: The variance, as amended, has been approved by staff and agencies, and the proposal is considered to maintain the general intent of the Township's official plan and zoning by-law.

Item #12: MV-21-11-L (Varrette)

Speaking to the Application: Dionna & Joseph Varrette

Discussion

The applicants' property consists of approximately .46 acre and is developed with a single family dwelling. The applicant is proposing to construct an entranceway/mudroom - 4' 6" x 8' at the front of the dwelling. The new structure would be 30 ft. from the front lot line (vs 65.6 ft.). L. Mills noted that this was somewhat beyond the established building line along that section of Keeley Road, but also indicated that this request was quite minor.

RESOLUTION: C of A: 11:09:14

Moved by: L. McCullough

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby approves variance application MV-21-11-L by Dionna & Joseph Varrette, concession 3, lot 10, Keeley Road, District of Loughborough, to permit construction of addition to dwelling within required front yard setback, subject to conditions.

Carried

Application No:	MV-21-11-L
Owner:	Joseph & Dionna Varrette
Location of Property:	Pt. Lot 10, Concession 3, Keeley Rd., District of Loughborough, Township of South Frontenac
Purpose of Application:	To vary section 7.3.2 of the Comprehensive Zoning By-law to permit development within 20 m of front lot line
Date of Hearing:	October 13, 2011
Date of Decision:	October 13, 2011

DECISION: VARIANCE APPROVED, subject to conditions

CONDITIONS

1. **The variance is limited to construction of a 4'6" x 8' single storey addition (maximum height 12 ft.) to an existing dwelling, to be located a minimum of 30 ft. from the front lot line.**
2. **Minor variance MV-21-11-L 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 to be minor and to maintain the general intent of the Township's official plan and zoning by-law.

Item #13: MV-22-11-S (Acorn)
Speaking to the Application: Millard Acorn

Discussion

The applicants' property consists of a 1.06 acre irregular shaped lot which is developed with a single family dwelling. The applicant is proposing to construct a 1275.5 sq. ft. garage 4 ft. (at the closest point) from the side and rear lot lines. It is proposed that the garage would be a maximum of 19.7 ft. in height. L. Mills noted that he believed it would be possible for the applicant to construct a garage in a location which would meet all required setbacks.

Committee Chair R. Vandewal asked the applicant if he wished to have a vote taken at this time on the application or if he would prefer a deferral so that he could consider an alternative location. The applicant asked that the vote be taken.

RESOLUTION: C of A: 11:09:15

Moved by: L York

Seconded by: L. McCullough

THAT the South Frontenac Township Committee of Adjustment hereby approves variance application MV-22-11-S by Millard & Krista Acorn, concession 7, lot 31, Lakefield Drive, District of Storrington, to permit construction of accessory building within required side and rear yard

setbacks, subject to conditions.

Defeated

Item #14: MV-23-11-S (Clark)

Speaking to the Application: Simon Clark

Discussion

Primarily because of a misconception by the surveyor about the required setbacks in subdivisions (he was providing advice based on the previous zoning by-law), the builder, Mr. Clark, constructed a new dwelling 17.8 m (vs 20 m) from the front lot line. This did not come to light until the builder was seeking an occupancy permit for the dwelling. In order to legalize the situation, Mr. Clark is seeking a variance to recognize the reduced front yard setback.

Application No:	MV-23-11-S
Owner:	Simon Clark
Location of Property:	Pt. Lot 10, Concession 1, Heska Cres., District of Storrington, Township of South Frontenac
Purpose of Application:	To vary section 12.3.1 of the Comprehensive Zoning By-law to permit development within 20 m of front lot line
Date of Hearing:	October 13, 2011
Date of Decision:	October 13, 2011
DECISION:	VARIANCE GRANTED, subject to conditions

CONDITIONS

- 1. The variance is limited to construction of the single family dwelling existing on the property as of October 13, 2011, which is situated 17.8m from the front lot line.**
- 2. Minor variance MV-23-11-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 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 to maintain the general intent of the Township's official plan and zoning by-law.

Item 15: Adjournment

Staff had been informed that, beginning November 1st, it would be necessary to relocate meetings normally held in the Council Chambers because of upcoming renovations. Committee members will be notified if there is to be change in venue.

RESOLUTION: C of A: 11:09:16

Moved by: D. Hahn

Seconded by: M. Tinlin

THAT the October 13, 2011 meeting of the South Frontenac Township Committee of Adjustment is hereby adjourned at 8:30 p.m. to reconvene at 7:00 p.m. on Thursday, November 10, 2011 or at the call of the Chair.

Carried


Ron Vandewal, Chair


Lindsay Mills, Secretary-
Treasurer