

**TOWNSHIP OF SOUTH FRONTENAC
COMMITTEE OF ADJUSTMENT**

**MINUTES 14:06
JULY 10, 2014**

LOCATION: South Frontenac Municipal Offices, Sydenham

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

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

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Item # 1: Call to Order

RESOLUTION: C of A: 14:06:01

Moved by: L. McCullough

Seconded by: K. Gee

THAT the July 10, 2014 meeting of the South Frontenac Township Committee of Adjustment is hereby called to order at 7:00 p.m. with Ron Vandewal in the Chair.

Carried

Item # 2: Adoption of Agenda

Approved as circulated

Item # 3: Declaration of Pecuniary Interest

None

Item # 4: Approval of Minutes**RESOLUTION: C of A: 14:06:02**

Moved by: K. Gee

Seconded by: C. Naish

THAT the South Frontenac Township Committee of Adjustment hereby approves the minutes of the June 12, 2014 meeting of the Committee, as circulated.Carried**Item # 5: S-01-14-S (Andrew)**

Speaking to the Application:

Discussion:

This application was brought to the Committee back in February and was deferred pending receipt of Public Health reports. The subject lands consist of 38+/- acres with frontage on Greenfield and Round Lake Roads. The proposed new lots would front on Greenfield Road. No objections have been received, and Roads, Public Health and Building support the applications.

RESOLUTION: C of A: 14:06:03

Moved by: K. Gee

Seconded by: C. Naish

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-01-14-S by David & Christine Andrew, to create a new lot in concession III, lot 21, Round Lake Road, District of Storrington, subject to conditions.Carried**Item # 6: S-02-14-S (Andrew)**

Speaking to the Application:

RESOLUTION: C of A: 14:06:04

Moved by: C. Naish

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-02-14-S by David & Christine Andrew, to create a new lot in concession III, lot 21, Round Lake Road, District of Storrington, subject to conditions.Carried**Item # 7: S-03-14-S (Andrew)**

Speaking to the Application:

RESOLUTION: C of A: 14:06:05

Moved by: K. Gee

Seconded by: C. Naish

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-03-14-S by David & Christine Andrew, to create a new lot in concession III, lot 21, Round Lake Road, District of Storrington, subject to conditions.Carried

Application No:	S-01-14-S, S-02-14-S, S-03-14-S
Owner:	David & Christine Andrew
Location of Property:	Concession III, Lot 21, Greenfield Road, District of Storrington, Township of South Frontenac
Purpose of Application:	Creation of three residential lots
Date of Hearing:	February 13, 2014
Date of Decision:	July 10, 2014

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 conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
2. The land to be severed by Consent Applications S-01-14-S, S-02-14-S & S-03-14-S shall be for three 2+ acre lots with 250 ft. frontage on Greenfield Road.
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive 5% of the value of the severed parcel in lieu of parkland pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
 - a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
 - c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended.
 - d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
 - e. The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.
7. The applicant shall submit a well driller's report demonstrating potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test. The applicant shall provide confirmation from a professional hydrologist that the well on the proposed new lot would not detrimentally impact on existing wells within 500 ft. of the new well.

Item # 8: S-34-14-L (Walsh)

Speaking to the Application:

Discussion:

The subject lands consist of 110+/- acres fronting on Walsh Road. Application S-34-14-L proposes to create a new 5.9 +/- acre residential lot with 250ft. of frontage on Walsh Road. The retained lot would be 103 acres in size. The land is extremely wet, low-lying and a hydro easement runs through approximately half of the new lot, limiting its developable area. A surveyed building envelope was submitted with the application, showing a 30m setback from the existing wetland. It is not clear how the access from Walsh Road can be accommodated through the wetland. Planning does not support access through a wetland and questions why an engineer would identify the wetland boundary and not an environmentalist. The Planning Department recommends deferral in order for the applicant to discuss proper setbacks from the existing hydro easement.

RESOLUTION: C of A: 14:06:06

Moved by: L. McCullough

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby defers, consent application S-34-14-L by Marjorie Walsh, Maureen Sherboneau, Joselyn Archer & Sharon Murphy, to create a new lot, in concession VII, lot 20, Walsh Road, District of Loughborough.

Carried**Item # 9: S-35-14-L (Walsh)**

Speaking to the Application:

Discussion:

Application S-35-14-L proposes to create a new 2.7+/- acre lot with 250ft. of frontage on Walsh Road. The retained lot will be 100+/- acres. The proposed eastern lot line is aligned through an existing dwelling which therefore must be removed. This application cannot be decided on until the issues associated with S-34-14-L are resolved. It is planning's opinion that the creation of two lots is not possible but 1 lot seems appropriate. The roads department has stated that a site meeting will be required before approval is established for both applications. Conservation has no objection to the approval of S-35-14-L provided a condition of approval is made requiring the applicant to obtain permit approval from the CRCA for road/driveway access to Lot 2. At the June 12, 2014 meeting, Planning suggested that the lot be combined with the lot proposed through S-34-14-L to create only one large lot.

RESOLUTION: C of A: 14:06:07

Moved by: L. McCullough

Seconded by: C. Naish

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

Carried**Item # 10: MV-03-14-B (Snider)**

Speaking to the Application: Roger Jones

Discussion:

This is a 0.68 acre waterfront lot, with frontage on Perth Road. The application is for a variance to permit construction of a 144 sq. ft. one-storey addition to an existing seasonal dwelling, to be located 55 ft. from the high water mark. At the March meeting, Public Health and RVCA comments had not been received. We have now received RVCA comments and they have no objections. A permit has been applied for through KFL&A Public Health.

RESOLUTION: C of A: 14:06:08

Moved by: D. Hahn

Seconded by: P. Barr

THAT the South Frontenac Township Committee of Adjustment hereby approves, minor variance application MV-03-14-B, by Dennis Snider, to permit the addition to an existing structure, in concession 13, lot 18, Devil Lake, Perth Road, District of Bedford, subject to conditions.

Carried

Application No:	MV-03-14-B
Owner:	Dennis Snider
Location of Property:	Concession 13, Lot 8, District of Bedford, 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 high water mark.
Date of Hearing:	March 6, 2014
Date of Decision:	July 10, 2014

DECISION: PROVISIONAL CONSENT GRANTED, subject to conditions

CONDITIONS:

1. The variance is limited to the addition of a dwelling with 12ft. by 12ft. footprint, including any deck, and a loft with a maximum living space of 400 sq. ft. to be located a minimum of 55ft. from the HWM of Devil Lake.
2. No other structures shall be permitted within the 30m setback from the high water mark.
3. Minor variance MV-03-14-B is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.
4. A building permit is required for all demolition and construction on the property. There shall be no additional development, or demolition of existing structures, on the property without approval from the Township of South Frontenac.
5. The applicant shall enter into a site plan agreement with the Township to be registered on title, which sets out the Township's environmental and limited service policies, and which specifies that a permit will be required from the Cataraqui Region Conservation Authority for the proposed development, and for any shoreline or in-water works.

Item # 11: S-36-14-B (Bresee)

Speaking to the Application: Sylvia Coburn, Jeff Gemmel (Agents)

Discussion:

The subject lands consist of 44+/- acres fronting on Hanna Road. The proposal is for the creation of two new residential lots. Lot One is proposed to be 12.4+/- acres in size and Lot Two is proposed at 11.6+/- acres. The retained lot will be 20+/- acres with an existing dwelling, barn, accessory livestock building, 2 storage buildings and a silo. The proposed lots are vacant. The applicants are in the process of conducting an Environment Impact Study. A MDS calculation was performed and there are no issues as there is more than 2 acres outside of the buffer zone. Rideau Valley Conservation Authority (RVCA) recommended a 40 metre setback from the high water mark instead of the usual 30 metres. The Committee considered that a 30 metre setback with the top of bank setback may be greater than the 40 metres requested by RVCA. A condition has been made that either a site-specific zoning by-law amendment be obtained to implement the RVCA recommendation or it shall be confirmed that a 15 metre setback from the top of bank is adequate.

RESOLUTION: C of A: 14:06:09

Moved by: D. Hahn

Seconded by: P. Barr

THAT the South Frontenac Township Committee of Adjustment hereby approves, consent applications S-36-14-B, by Gary & Pamela Bresee, to create a new lot, in concession XI, lot 22, Hanna Road, District of Bedford, subject to conditions.

Carried

Item # 12: S-37-14-B (Bresee)

Speaking to the Application: Sylvia Coburn, Jeff Gemmel (Agents)

RESOLUTION: C of A: 14:06:10

Moved by: D. Hahn

Seconded by: P. Barr

THAT the South Frontenac Township Committee of Adjustment hereby approves, consent applications S-37-14-B, by Gary & Pamela Bresee, to create a new lot, in concession XI, lot 22, Hanna Road, District of Bedford, subject to conditions.

Carried

Application No:	S-36-14-B & S-37-14-B
Owner:	Gary & Pamela Bresee
Location of Property:	Concession XI, Lot 22, Hanna Road, District of Bedford, Township of South Frontenac
Purpose of Application:	Creation of two residential lots
Date of Hearing:	July 10, 2014
Date of Decision:	July 10, 2014

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 conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
2. The land to be severed by Consent Applications S-36-14-B & S-37-14-B shall be for a 12.4+/- acre lot and an 11.6+/- acre lot with 277ft. of frontage on Hanna Road.
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive 5% of the value of the severed parcel in lieu of parkland pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
 - a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
 - c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended.
 - d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
 - e. The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.
7. The applicant shall submit a well driller's report demonstrating potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test.
8. The applicant shall submit and Environmental Impact Study (EIS) to the Township for review and approval prior to the stamping of the deed.
9. The applicant shall enter into a development agreement to be registered on title to the severed lots, which includes the setback requirement from the waterbody and EIS recommendations, and which requires that the owner shall contact the Rideau Valley Conservation Authority prior to any construction, including roads, on the severed parcel.
10. The applicant shall rezone the lands to a special zone to specify a minimum setback of 40 metres from the HWM of Wolfe Lake as recommended by RVCA. Alternatively, it shall be confirmed that the current Zoning By-law provisions requiring a 15 metre horizontal setback from 'top of bank' are adequate to address this requirement.

Item # 13: S-39-14-P (Ratray)

Speaking to the Application: Sharon Ratray

Discussion:

The subject lands consist of 67+/- acres fronting on Bradford Road West. The proposal is for the creation of a 4+/- acre lot with 250 ft. of frontage on Bradford Road West. The retained lot be 63 +/- acres and will contain an existing dwelling, garage and barn. The proposed lot is vacant. A roads report has been received, stating that the potential lot is very low and wet. The applicant's ditch from the Township Road to the south (towards swamp) must be ditched before approval from the roads department. The Building Department recommended that an "H" symbol be put on the lot which would prevent any development until studies/designs are done to satisfy building. The Committee considered this and approved the severance on the basis that the lot is re-zoned to include the "H" symbol due to the wetness of the lot.

RESOLUTION: C of A: 14:06:11

Moved by: B. Robinson

Seconded by: L. Redden

THAT the South Frontenac Township Committee of Adjustment hereby approves, consent application S-39-14-P, by Sharon Ratray, to create a new lot, in concession V, lot 13/14, Bradford Road West, District of Portland, subject to conditions.

Carried

Application No:	S-39-14-P
Owner:	Sharon Ratray
Location of Property:	Concession V, Lot 13/14, District of Portland, Township of South Frontenac
Purpose of Application:	Creation of a new lot
Date of Hearing:	July 10, 2014
Date of Decision:	July 10, 2014

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 conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.**
- 2. The land to be severed by Consent Applications S-39-14-P shall be for a 4+/- acre lot with a minimum of 250ft. of frontage on Bradford Road West.**
- 3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)**
- 4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.**
- 5. The Township of South Frontenac shall receive 5% of the value of the severed parcel in lieu of parkland pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.**
- 6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:**
 - a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;**

- b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
- c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

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

- d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
 - e. The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.
7. The owner shall submit a well driller's report demonstrating potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test.
 8. The owner shall construct a drainage ditch as per the report dated June 17, 2014 from the Roads Department before the stamping of the deed.
 9. The applicant shall rezone the severed lot to a special Rural-H zone which will prevent development until such time as the following are determined: location of buildings on the property, proposed elevations of footings, proposed grades, and any third party assessments and/or designs required by the Building Department.

Item # 14: S-40-14-L (Dinelle)

Speaking to the Application: Denis & Mark Dinelle

Discussion:

The subject lands consist of 112 +/- acres fronting on Leland Road. The severed and retained parcels have water frontage on an unevaluated wetland, and there are three un-named tributaries that cross the entire parcel of land. The proposal is for the creation of three new lots. Proposed lots 1 and 2 will each be 5 +/- acres in size and the third proposed lot will be for a 28 acre lot. The retained lot will be 74 +/- acres with frontage on Leland Road and all lots are currently vacant. Reports have been received from Conservation and Roads. The Roads Department has met with the applicant and the entrances will be installed in places as per their discussion on site. Committee asked the applicant if there is a well on proposed lot 1 as there once was a residential structure. Applicant noted that there is an existing well and a test will be done.

RESOLUTION: C of A: 14:06:12

Moved by: L. McCullough

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby approves, consent application S-40-14-L, by Denis Dinelle, to create a new lot, in concession 9, lot 22, Leland Road, District of Loughborough, subject to conditions.

Carried

Item # 15: S-41-14-L (Dinelle)

Speaking to the Application: Denis & Mark Dinelle

RESOLUTION: C of A: 14:06:13

Moved by: L. McCullough

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby approves, consent application S-41-14-L, by Denis Dinelle, to create a new lot, in concession 9, lot 22, Leland Road, District of Loughborough, subject to conditions.

Carried

Item # 16: S-42-14-L (Dinelle)

Speaking to the Application: Denis & Mark Dinelle

RESOLUTION: C of A: 14:06:14

Moved by: L. McCullough

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby approves, consent application S-40-14-L, by Denis Dinelle, to create a new lot, in concession 9, lot 22, Leland Road, District of Loughborough, subject to conditions.

Carried

Application No: S-40-14-L, S-41-14-L, S-42-14-L
Owner: Denis Dinelle
Location of Property: Concession IX, Lot 20, Leland Road, District of Loughborough, Township of South Frontenac
Purpose of Application: Creation of three new lots
Date of Hearing: July 10, 2014
Date of Decision: July 10, 2014

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 conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
2. The land to be severed by Consent Applications S-40-14-L, S-41-14-L shall be for a 5+/- acre lot with 400ft. and 500ft. of frontage on Leland Road. S-42-14-L shall be for a 28+/- acre lot with 300 ft. of frontage on Leland Road.
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive 5% of the value of the severed parcel in lieu of parkland pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
 - a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
 - c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended.
 - d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;

- e. The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.
7. The applicant shall submit a well driller's report demonstrating potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test.
 8. The owner shall construct entrances as per the satisfaction of the Roads Department before the stamping of the deed.
 9. The applicant shall enter into a development agreement to be registered on title to the severed lots, which includes the setback requirement from the tributaries, and wetlands, and which requires that the owner shall contact the Cataraqui Region Conservation Authority prior to any construction, including roads, on the severed parcel.

Item # 17: S-43-14-S (Boulton)

Speaking to the Application:

Discussion:

The subject lands consist of 186+/- acres fronting on Battersea Road. The proposal is for the creation of a 2+/- acre lot with 250+ ft. of frontage on Battersea Road, with an existing dwelling. The retained lot is vacant and will be 184+/- acres, also with frontage on Battersea Road. A roads report has been received and they approve the creation of the lot on the basis that the brush in the ditch is cut to the fence.

RESOLUTION: C of A: 14:06:15

Moved by: C. Naish

Seconded by: D. Hahn

THAT the South Frontenac Township Committee of Adjustment hereby approves, consent application S-43-14-S, by Gordon Boulton, to create a new lot, in concession XIII, lot25, Battersea Road, District of Storrington, subject to conditions.

Carried

Application No:	S-43-14-S
Owner:	Gord Boulton
Location of Property:	Concession XIII, Lot 25, Battersea Road, District of Storrington, Township of South Frontenac
Purpose of Application:	Creation of a lot with existing dwelling
Date of Hearing:	July 10, 2014
Date of Decision:	July 10, 2014

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 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-43-14-S shall be for a 2+/- acre lot with 250+ ft. of frontage on Battersea Road.
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive 5% of the value of the severed parcel in lieu of parkland pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.

6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
- The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
 - The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended.
 - The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
 - The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.
7. The applicant shall submit a well driller's report demonstrating potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test.
8. The owner shall cut the brush in the ditch to the satisfaction of the Roads Department before the stamping of the deed.

Item # 18: S-44-14-S (Paukstaitis)

Speaking to the Application: Gary Beach (Agent)

Discussion:

The subject lands consist of 91+/- acres fronting on Dog Lake. Proposed lots 1 and 2 will each be 4.2+/- acres in size. The retained lot will be 83.4+/- acres. The proposed parcels are currently vacant and the retained lot has an existing single family dwelling. The applicant is also proposing to re-route Christel Lane around proposed lot 2 instead of through it. Reports have been received from Conservation, Rideau Waterfront Development Review Team and Public Health. They have no objections.

The Township Planner noted that the existing lane will be re-routed around lot 2 and will have to be built to Township standards for new lanes. In addition, existing pot holes will need to be filled and brush cut on the rest of the lane and be brought up to Township standards for existing lanes. Members of the Road Association were present and asked the Committee to include a condition that purchasers of the new lots, contribute to the road association. L. Mills said that this has nothing to do with these applications and the Township cannot make this a conditions of final approval. Agent, G. Beach, noted that it is possible for restrictive conditions and a road maintenance agreement to be included in the deed.

RESOLUTION: C of A: 14:06:16

Moved by: K. Gee

Seconded by: C. Naish

THAT the South Frontenac Township Committee of Adjustment hereby approves, consent application S-44-14-S, by Richard Paukstaitis, to create a waterfront lot, in concession X, lot 20, Dog Lake, District of Storrington, subject to conditions.

Carried

Item # 19: S-45-14-S (Paukstaitis)

Speaking to the Application: Gary Beach (Agent)

RESOLUTION: C of A: 14:06:17

Moved by: C. Naish

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby approves, consent application S-45-14-S, by Richard Paukstaitis, to create a waterfront lot, in concession X, lot 20, Dog Lake, District of Storrington, subject to conditions.

Carried

Application No: S-44-14-S & S-45-14-S
Owner: Richard Paukstaitis
Location of Property: Concession X, Lot 20, Dog Lake, District of Storrington, Township of South Frontenac
Purpose of Application: Creation of two new lots
Date of Hearing: July 10, 2014
Date of Decision: July 10, 2014

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 conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
2. The land to be severed by Consent Applications S-44-14-S & S-45-14-S shall be for two 4.2+/- acre lots with 350 ft. of frontage on Dog Lake.
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 applicant shall submit a well driller's report demonstrating potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test.
7. The applicant shall re-zone the properties from Rural to Limited Service Residential – Waterfront prior to the stamping of the deed.
8. The applicant shall enter into a development agreement to be registered on title to the severed lots, which includes the setback requirement from the waterbody, and which requires that the owner shall contact the Cataraqui Region Conservation Authority prior to any construction, including roads, on the severed parcel.

Item # 20: S-44-14-S (Paukstaitis)

Speaking to the Application: Gordon & Nicole Brushette

Discussion:

The subject lands consist of 90+/- acres fronting on Colebrook and Bradford Roads. The proposal is for the creation of a 2+/- acre lot with 250+ ft. of frontage on Colebrooke Road. The retained lot is vacant and will be 88+/- acres, with frontage on Bradford Road West. The applicants originally wanted to create two lots, but a MDS was conducted and it was determined that two was not feasible. A roads report has been received and they approve the creation of the lot on the basis that the entrance is located on the crest of a small hill. A satisfactory health report has been received by the Planning Department.

RESOLUTION: C of A: 14:06:18

Moved by: L.Redden

Seconded by: B. Robinson

THAT the South Frontenac Township Committee of Adjustment hereby approves, consent application S-46-14-P, by Gordon & Nicole Brushette, to create a new lot, in concession V, lot 17, Colebrooke Road, District of Portland, subject to conditions.

Carried

Application No: S-46-14-P
Owner: Gordon & Nicole Brushette
Location of Property: Concession V, Lot 17, Colebrooke Road, District of Portland, Township of South Frontenac
Purpose of Application: Creation of a residential lot
Date of Hearing: July 10, 2014
Date of Decision: July 10, 2014

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 conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
2. The land to be severed by Consent Application S-46-14-P shall be for a 2+/- acre lot with 250+ ft. of frontage on Colebrook Road.
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive 5% of the value of the severed parcel in lieu of parkland pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
 - a. The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - b. The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
 - c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended.
 - d. The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
 - e. The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.
7. The applicant shall submit a well driller's report demonstrating potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test.

8. The owner shall meet the Road Department's condition for placement of the entrance before the stamping of the deed.

Item # 21: MV-12-14-B (Bell)

Speaking to the Application:

Discussion:

This is a 2.6 +/- acre island located in Green Bay of Bob's Lake, accessed by 1674B Green Bay Road. The existing dwelling is located 72 ft. from the high watermark on either side. The proposal is for a 600 sq. ft. 2 storey addition to the existing dwelling. The addition would also be approximately 72 ft. from the high watermark. A permit has already been obtained from Public Health, no comments are necessary. Rideau Valley Conservation comments were not received in time for the meeting.

RESOLUTION: C of A: 14:06:19

Moved by: P. Barr

Seconded by: D. Hahn

THAT the South Frontenac Township Committee of Adjustment hereby defers, minor variance application MV-12-14-B, by Jeffrey Bell, to permit the addition to an existing structure, in concession IV, lot 17, Delp Island, Bob's Lake, District of Bedford.

Carried

Item # 22: Adjournment

RESOLUTION: C of A: 14:06:20

Moved by: C. Naish

Seconded by: K. Gee

THAT the July 10, 2014 meeting of the South Frontenac Township Committee of Adjustment is hereby adjourned at 8:29 p.m. to reconvene at 7:00 p.m. on Thursday, August 14, 2014 or at the call of the Chair.

Carried

Ron Vandewall
Chair

Lindsay Mills
Secretary-Treasurer