

**TOWNSHIP OF SOUTH FRONTENAC
COMMITTEE OF ADJUSTMENT/LAND DIVISION COMMITTEE
MINUTES 13:02
MARCH 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)
David Hahn (Bedford District)

ABSENT WITH REGRETS: Mark Tinlin (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: 13:02:01

Moved by: L. McCullough

Seconded by: K. Gee

THAT the March 14, 2013 meeting of the South Frontenac Township Committee of Adjustment is hereby called to order at 7:00 p.m. with Ron Vandewal in the Chair.

Carried

Item #2: Adoption of Agenda

Adopted as circulated

Item #3: Declaration of Pecuniary Interest

None

Item #4: Approval of Minutes

RESOLUTION: C of A: 13:02:02

Moved by: K. Gee

Seconded by: L. McCullough

THAT the minutes of the February 14, 2013 meeting of the South Frontenac Township Committee of Adjustment are approved as circulated.

Carried

Item #5: MV-24-12-B (Pichora)

This application is 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. The application includes the removal of a portion of the original dwelling and an existing deck, and the construction of an addition to the dwelling, including a screened porch. The application was previously deferred pending discussion with planning staff regarding potential amendments to the application. The applicants have decided that they wish to proceed with the original application. M. Dakin of the CRCA has indicated to the applicants that he would not support any new development within 50 ft. of the high water mark, and he has asked for an environmental impact assessment.

RESOLUTION: C of A: 13:02:03

Moved by: D. Hahn

Seconded by W. Robinson

THAT the South Frontenac Township Committee of Adjustment hereby defers variance application MV-24-12-B by David & Debra Pichora to construct additions to an existing dwelling on Devil Lake, concession 9, lot 12, District of Bedford, pending submission of an environmental impact assessment, and subsequent comments from the Cataraqui Region Conservation Authority.

Carried

Item #6: S-06-13-P, S-07-13-P, S-08-13-P (Myers)

Speaking to the Application: Shaun Myers

Discussion

The subject lands consist of 96+/- acres with frontage on Harrowsmith Road and Alton Road, and are developed with a house and accessory buildings. The proposal is for the creation of 3 residential lots, 2+ acres each, to front on Alton Road. There have been no objections to the applications, although the Roads Department has indicated that the centre lot is somewhat limited in a possible entrance location.

No report had been received from Public Health and the applications were therefore deferred.

RESOLUTION: C of A: 13:02:04

Moved by: W. Robinson

Seconded by: L. Redden

THAT the South Frontenac Township Committee of Adjustment hereby defers consent applications S-06-13-P, S-07-13-P and S-08-13-P by Shaun and Shannon Myers, concession 5, lot 5/6, District of Portland, to create three residential lots on Alton Road, pending receipt of a report from Public Health.

Carried

Item #7: MV-03-13-S (Curtis)

Speaking to the Application: David & Doris Curtis

Discussion

The application is to permit the addition of a screened porch (already constructed) 30 ft. from the high water mark of Collins Lake. The lot, which is .3 acre in size, is developed with a very large dwelling – well in excess of the permitted lot coverage in the Township's Zoning By-law – constructed prior to the current zoning by-law. Therefore, in addition to the screened porch being located very close to the water, the lot coverage has already been significantly exceeded. There are also 3 sheds on the property, all located within the 30m setback. The applicants indicated that the porch is built on top of an existing deck, although no evidence has been provided to support this, and in any case, this is not replacement of an old deck but rather a completely new, enclosed structure.

The CRCA does not support the application. There was no objection from Public Health.

RESOLUTION: C of A: 13:02:05

Moved by: K. Gee

Seconded by: L. York

THAT the South Frontenac Township Committee of Adjustment hereby denies variance application MV-03-13-S by David and Doris Curtis, concession 1, lot 21, Collins Lake, District of Storrington, to permit an addition to an existing dwelling within 30m of high water mark.

Carried

Item #8: MV-05-13-B (Smith/Caddick)

Speaking to the Application: Harold Smith, Sandra Caddick

Discussion

The application is to permit a second floor on an existing garage to provide storage space. The height of the structure would be 7.47m as opposed to the permitted 6 m. There is no water setback issue.

RESOLUTION: C of A: 13:02:06

Moved by: D. Hahn

Seconded by: W. Robinson

THAT the South Frontenac Township Committee of Adjustment hereby approves variance application MV-05-13-B by Harold Smith and Sandra Caddick, concession 5/6, lot 25, Karns Lane, District of Bedford, to permit increased height of accessory building, subject to conditions.

Carried

Application No:	MV-05-13-B
Owner:	Harold Smith, Sandra Caddick
Location of Property:	Pt. Lot 25, Concession 5/6, Green Bay of Bob’s Lake, District of Bedford, Township of South Frontenac
Purpose of Application:	To vary section 10.3.2 of the Comprehensive Zoning By-law to permit height of 7.47m. vs 6 m for an accessory building
Date of Hearing:	March 14, 2013
Date of Decision:	March 14, 2013

DECISION: VARIANCE APPROVED, subject to conditions

CONDITIONS:

1. **The variance is limited to the addition of a second storey on an existing accessory building (25 ft. x 30 ft. garage), to a maximum height of 7.47m. (24. ft. 6 in.)**
2. **No other structures shall be permitted within the 30m setback from the high water mark.**
3. **Minor variance MV-05-13-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.**

The Committee concurs in this decision dated at the Township of South Frontenac this 14th day of March, 2013.

REASON FOR DECISION: The variance has been approved by staff, there have been no objections from the public, and the proposal is considered to be minor.

Item #9: Other Business – clarification re conditions of variance MV-22-12-S (Hackett/Marchand)

The Committee of Adjustment approved a variance at the February 14, 2013 meeting for Brittany Hackett and David Marchand. Following the meeting, staff became aware that nothing was written in the decision about a basement. The notice sent to the applicants specified no basement, but they believed that a basement was approved because it was shown on the application sketch.. The Committee was asked to provide clarification as to whether or not a basement was intended, and if so, would there be any conditions attached – e.g. maximum height.

The Committee agreed to permit a basement provided that the interior height did not exceed 6 ft.

RESOLUTION: C of A: 13:02:07

Moved by: L. York

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby clarifies that a basement with a maximum interior height of 6 ft. is permitted in the dwelling of Brittany Hackett and David Marchand which was approved through variance application MV-22-12-S.

Carried

Item #10: Adjournment

RESOLUTION: C of A: 13:02:08

Moved by: L. Redden

Seconded by: W. Robinson

THAT the March 14, 2013 meeting of the South Frontenac Township Committee of Adjustment is hereby adjourned at 7:45 p.m. to reconvene at 7:00 p.m. on Thursday, April 11, 2013, or at the call of the Chair.

Carried

Ron Vandewal
Chair

Lindsay Mills
Secretary-Treasurer