

**TOWN OF GREATER NAPANEE
COMMITTEE OF ADJUSTMENT**

A G E N D A

**JUNE 23, 2026 at 6:30 PM
Council Chambers, Town Hall, 124 John Street, Napanee**

Page

1. CALL TO ORDER

2. ADOPTION OF AGENDA

2.1 Adopt Agenda

Recommendation: That the Agenda of the Committee of Adjustment dated June 23, 2026 be adopted as presented.

3. DISCLOSURE OF PECUNIARY INTEREST & THE GENERAL NATURE THEREOF

4. ADOPTION OF MINUTES

4 - 8

4.1 Committee of Adjustment - May 26, 2026

Recommendation: That the minutes of the Committee of Adjustment dated May 26, 2026 be received and adopted.

5. LAND SEVERANCE APPLICATIONS

9 - 29

5.1 **File Number:** PLCOR 2026 007
Address: McDonalds Lane
Roll Number: 1121 140 010 05000
Applicant: Mary and Kevin Forstner

Recommendation: That the Committee receive for information the staff report for application PLCOR 2026 007;

And further, that the application to sever a 2-hectare lot be granted, subject to the following conditions:

1. That taxes be paid in full;
2. In accordance with Section 4.9.6 e) of the Official Plan, cash-in-lieu of parkland be provided to the Town;
3. The applicant shall establish a well on the severed parcel.
 - I. The well shall be drilled, blasted, or dug and must be constructed in accordance with provincial regulations by a person licensed by the Ministry of Environment, Conservation & Parks to install wells.

- II. A pump test conducted by a licensed well driller shall establish a minimum of 13.7 litres/minute (3.6 gal/min) over 2 hours in order to meet the minimum Ministry of Environment, Conservation & Parks requirements.
 - III. The well installer must provide a report concerning the construction of the well and the results of the pump test on the standard form of certificate required by the Ministry of Environment, Conservation & Parks.
 - IV. For the purpose of determining water quality, the well water must be sampled and tested and a report prepared by either a qualified hydrogeologist or a well technician licensed by the Ministry of Environment, Conservation & Parks under the Regulations to the Ontario Water Resources Act. The water shall be tested according to the Ministry of Environment, Conservation & Parks' D-5-5 set of parameters for the Ontario Drinking Water Objectives. The water quality report must:
 - a. Confirm that the water was sampled and tested either personally or under the supervision of the hydrogeologist or well technician;
 - b. Confirm that the water sample complies with all of the D-5-5 parameters;
 - c. Identify any features of the water that do not meet the parameters and the remedial measures necessary to bring the water into conformity with them; and,
 - d. Identify any other features of the water that may affect its aesthetic character of which users should be aware.
 - I. If any remedial measures are recommended or other features concerning the water identified in the well installer's water quality report, the owner shall enter into a Development Agreement with the municipality in a form satisfactory to the municipality that incorporates the remedial measures and other features of the water that have been identified, and the Agreement shall be registered against title to the property on which the well is located.
4. That a development plan for the severed lot be prepared to the satisfaction of the approval authority, and that the approved plan showing an appropriate development envelope be recognized through a Development Agreement which is registered on title.
 5. That the Town receive a letter of opinion from a qualified

professional demonstrating safe access to the retained lands can be provided from McDonald's Lane. Should improvements to the lane be required to provide safe access to the retained lands, the owner shall enter into a Development Agreement with the municipality which ensures improvements are completed prior to the construction of a dwelling.

6. The applicant shall provide the County with a digital (PDF) copy of the registered reference plan for the severed parcel.
7. That a deed and reference plan of survey, in hard copy and digital (PDF) form, or legal description acceptable to the Registrar of Deeds be submitted to the Town of Greater Napanee.

6. MINOR VARIANCE APPLICATIONS

30 - 44

6.1 **File Number:** PLVAR 2026 028
Address: 237 Newburgh Road
Roll Number: 112105002010800
Owner: 873120 Ontario Inc c/o Palace Childcare Holdings
Applicant: Melissa Spratt

Recommendation: That the Committee receive for information the staff report for application PLVAR 2025 028;

And further, that the application for 237 Newburgh Road requesting the following variances be approved:

Variance 1

By-law Number: 02-22

Requirement: Section 5.18.6 – CF-4 a) permits a minimum rear yard setback of 5-metres

Proposed: a minimum rear yard setback of 2.5 metres

Relief Requested: a 2.5 metre reduction in the minimum rear yard setback

7. ADJOURNMENT

TOWN OF GREATER NAPANEE
Committee of Adjustment

MINUTES

TUESDAY, MAY 26, 2026 at 6:30 PM
Council Chambers, Town Hall, 124 John Street, Napanee

PRESENT: Mayor Terry Richardson
Deputy Mayor Brian Calver
Ward 1 Councillor Michael Schenk
Ward 2 Councillor Angela Hicks
Ward 3 Councillor Shawn Davey
Ward 4 Councillor Bob Norrie
Ward 5 Councillor Bill Martin

ABSENT: None

STAFF Matthew Grant, CAO

PRESENT: Jessica Walters, Clerk
Michael Nobes, General Manager - Growth & Infrastructure
David Nanton, Director of Development Services
Shannon Murphy, Deputy Clerk

CALL TO ORDER

Mayor Richardson called the meeting to order at 6:34 p.m.

ADOPTION OF AGENDA

RESOLUTION #P43/26 Calver, Martin

That the Agenda of the Committee of Adjustment dated May 26, 2026 be adopted as presented.

CARRIED.

DISCLOSURE OF PECUNIARY INTEREST & THE GENERAL NATURE THEREOF

There were no disclosures of pecuniary interest.

ADOPTION OF MINUTES

Committee of Adjustment - April 28, 2026

RESOLUTION #P44/26 Calver, Martin

That the minutes of the Committee of Adjustment dated April 28, 2026 be received and adopted.

CARRIED.

LAND SEVERANCE APPLICATIONS

File Number: PLCOR 2026 018
Address: Chambers Rd. (unaddressed)
Roll Number: 1121 100 010 14300
Owner: K. MacLean, J. MacLean
Applicant: K. MacLean

Mr. Nanton provided a summary of the application, noting that the application is not consistent with the Provincial Policy Statements (PPS) for designated prime agricultural lands. The Committee discussed the fact that the lands to be severed are not currently farmed and believed not to be arable lands. The Committee discussed whether it is still able to make other decisions. Mr. Nanton advised that the Committee may wish to consider a deferral to permit some of the site suitability assessment work to be conducted, and that any approval should be subject to the Town's standard conditions for severances.

The applicant was present to speak to the application if needed.

RESOLUTION #P45/26 Schenk, Norrie

That the Committee receive for information the staff report for application PLCOR 2026 018;

And further, that the Application be approved subject to the following conditions:

1. That taxes be paid in full;
2. In accordance with Section 4.9.6 e) of the Official Plan, cash-in-lieu of parkland be provided to the Town;
3. The applicant shall establish a well on the severed/retained parcel.
 - a. The well shall be drilled, blasted, or dug and must be constructed in accordance with provincial regulations by a person licensed by the Ministry of Environment, Conservation & Parks to install wells.
 - b. A pump test shall be conducted based upon confirmation of the required scope for the hydrogeological review identified within these conditions. The pump test shall be conducted by a well technician licensed by the Ministry of Environment, Conservation & Parks under the Regulations to the Ontario Water Resources Act or qualified hydrogeologist. The municipality, in its sole discretion, may require that the pump test either:
 - i. Establish a minimum of 13.7 litres/minute (3.6 gal/min) over 2 hours, or;
 - ii. Comply with the Ministry of Environment, Conservation & Parks' D-5-5 guideline requirements

- c. The well installer must provide a report concerning the construction of the well and the results of the pump test on the standard form of certificate required by the Ministry of Environment, Conservation & Parks.
 - d. For the purpose of determining water quality, the well water must be sampled and tested and a report prepared by either a qualified hydrogeologist or a well technician licensed by the Ministry of Environment, Conservation & Parks under the Regulations to the Ontario Water Resources Act. The water shall be tested according to the Ministry of Environment, Conservation & Parks' D-5-5 set of parameters for the Ontario Drinking Water Objectives. The water quality report must:
 - i. Confirm that the water was sampled and tested either personally or under the supervision of the hydrogeologist or well technician;
 - ii. Confirm that the water sample complies with all of the D-5-5 parameters;
 - iii. Identify any features of the water that do not meet the parameters and the remedial measures necessary to bring the water into conformity with them; and,
 - iv. Identify any other features of the water that may affect its aesthetic character of which users should be aware.
 - e. If any remedial measures are recommended or other features concerning the water identified in the well installer's water quality report, the owner shall enter into a Development Agreement with the municipality in a form satisfactory to the municipality that incorporates the remedial measures and other features of the water that have been identified, and the Agreement shall be registered against title to the property on which the well is located.
4. That a Geotechnical Investigation be completed to the satisfaction of the Town of Greater Napanee which demonstrates that there are suitable ground conditions and a building envelope to accommodate residential development on the severed lands.
5. That an Agrologists report be completed to the satisfaction of the Town of Greater Napanee which demonstrates that the severed lands cannot be reasonably used for agricultural purposes.
6. That the applicant obtains a zoning by-law amendment restricting future residential development on the retained lands to the satisfaction of the Town of Greater Napanee.

7. The applicant shall provide the County with a digital (PDF) copy of the registered reference plan for the severed parcel.
8. A deed and reference plan of survey, in hard copy and digital (PDF) form, or legal description acceptable to the Registrar of Deeds be submitted to the Town of Greater Napanee.

CARRIED.

MINOR VARIANCE APPLICATIONS

File Number: PLVAR 2026 024
Address: 276 Camden Rd. (south of 278 Camden Rd.)
Roll Number: 1121 050 020 08004
Owner: 1803944 Ontario Inc.
Applicant: M. Stevens, 1803944 Ontario Inc.

Mr. Nanton provided a summary of the application.

There were no persons present to speak for or against the application.

RESOLUTION #P46/26 Norrie, Calver

That the Committee receive for information the staff report for application PLVAR 2026 024;

And further, that the application for the property the be known municipally as 276 Camden Road requesting the following variances be approved:

Variance 1

Requirement: Section 5.15.2 f) permits maximum lot coverage of 35%
Proposed: Lot coverage of 43%
Relief Requested: Increase of 8% in lot coverage.

Variance 2

Requirement: Section 4.1.4 permits maximum lot coverage of 10% for accessory structures
Proposed: Lot coverage of 11% for a garage.
Relief Requested: Increase of 1% in lot coverage for accessory building.

CARRIED.

File Number: PLVAR 2026 025
Address: 301 Dundas St. West
Roll Number: 1121 060 020 25100
Owner: Shrikewood Enterprises Inc.
Applicant: J. Adams-Roy, Shrikewood Enterprises Inc.

Mr. Nanton provided a summary of the application.

There were no persons present to speak for or against the application.

RESOLUTION #P47/26 Hicks, Davey

COMMITTEE OF ADJUSTMENT - May 26, 2026 Minutes

That the Committee receive for information the staff report for application PLVAR 2025 025;

And further, that the application for 301 Dundas Street West requesting the following variances be approved:

Variance 1

Requirement: Section 5.21.1 a) permits one accessory dwelling unit to a permitted use

Proposed: Three accessory dwelling units

Relief Requested: Increase number of accessory dwelling units permitted to three

CARRIED.

ADJOURNMENT

Adjourn Meeting

RESOLUTION #P48/26 Martin, Calver

That the meeting does hereby adjourn at 7:01 p.m.

CARRIED.

Terry Richardson, Mayor

Jessica Walters, Secretary-Treasurer



Application for Consent (New Lot)

for office use only

Date Received MAY 5, 2026	File No. PLCOR 2026 007	Fee(s) Paid PAID
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1.0 APPLICANT INFORMATION

1.1 Complete the information below and indicate which contact is the Prime Contact (to whom all communications will be directed).

Name	Address	Phone/E-mail
Registered Owner(s)* KEVIN & MARY FORSTNER.		
Applicant(s) KEVIN & MARY FORSTNER		
Agent, if any (eg. Planning Consultant)		
/		Home/Cell
		E-mail
		Business
/		Home/Cell
		E-mail

*If a company, please give name and phone number(s) of principal owner (or president).

2.0 PROPERTY INFORMATION

Lot(s)/Block(s) LOT 21	Concession CONC 1	Registered Plan No.
Reference Plan No.	Part(s)	Parcel No.
Former Municipality ADOLPHUSTOWN	Municipal Address 53 MACDONALD'S LANE.	
Assessment Roll# 1121 140 010 05000		

2.1 Particulars of the Subject Land (use metric units):

Frontage 356.16m.	Average Depth 395m.	Area 165,921.1m ²
Current Official Plan Designation		Current Zoning Designation RA/RU/EP/HAMLET

2.2 Are there any easements or restrictive covenants affecting the subject land? YES NO
 If YES, describe each easement or covenant and its effect.

3.0 EXISTING USES OF THE SUBJECT LANDS

3.1 What are the existing uses of the subject lands?

Land Intended to be Retained Farm Residential	Land Intended to be Severed RESIDENTIAL.
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3.2 List any existing Buildings or Structures on the Property

	Building / Structure	Yard Setbacks				Number of Storeys	Building Height	Ground Floor Area
		Front	Rear	Side	Side			
Land to be Retained	OLD HOUSE	261m	184m	62m	294m	1 1/2	7.9m.	150m ²
	SHED.	225m	170m	85m.	271m	1	3.6m	26m ²
Land to be Severed	φ							

3.3 Is the subject land (or buildings) subject to a demolition control by-law or is it designated or identified for possible designation under the Ontario Heritage Act? YES NO

4.0 PROPOSED DIMENSIONS AND USES OF THE SUBJECT LANDS

4.1 Dimensions of the proposed lots (in metric units)

	Frontage	Average Depth	Area
Land intended to be Retained	19.19	335m.	1145701.1m ² .
Land intended to be Severed	337	60m.	20,220m ²

4.2 What are the proposed uses of the subject lands?

Land Intended to be Retained Farm Residential	Land Intended to be Severed RESIDENTIAL.
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4.3 List any proposed Buildings and Structures

	Building / Structure	Yard Setbacks				Number of Storeys	Building Height	Ground Floor Area
		Front	Rear	Side	Side			
Land to be Retained	N/A							
Land to be Severed	N/A							

4.4 Attach a sketch showing (in metric units):

- a) The boundaries and dimensions of the subject land;
- b) The location, size and type of all existing and proposed buildings and structures on the subject land, indicating their distance from the lot lines;
- c) The approximate location of all natural and artificial features located on the subject land or adjacent land that might affect that application;
- d) The current uses of land that is adjacent to the subject land;
- e) The location, width, name and type of any roads within or abutting the subject land;
- f) The location of parking and docking facilities if access is to be by water only; and
- g) The location and nature of any easements affecting the subject land.

5.0 NATURE OF PROPOSED NEW LOT

5.1 Describe the type and purpose of the proposed transaction (e.g. a transfer for the creation of a new lot, a lot addition, an easement, a charge, a lease or a correction of title).

CREATE NEW LOT

6.0 HISTORY OF OTHER PLANNING APPLICATIONS

6.1 Has there ever been an application for a consent or approval of a plan of subdivision involving the subject land?

YES NO

If YES, and if known, list below or attach on a separate page:

Type of Application	File # / Ontario Regulation #	Details	Status

6.2 Has any land been severed from the parcel originally acquired by the owner of the subject and?

YES NO

If YES, then complete the following:

Date of transfer	Name of transferee	Uses of the severed land

7.0 SERVICING

7.1 Indicate the existing and proposed servicing type for the subject land.

<u>Water Supply</u>	<u>Retained</u>	<u>Severed</u>	<u>Sewage Disposal</u>	<u>Retained</u>	<u>Severed</u>
Public piped water system	<input type="checkbox"/>	<input type="checkbox"/>	Public piped sewage system	<input type="checkbox"/>	<input type="checkbox"/>
Private communal well(s)	<input type="checkbox"/>	<input type="checkbox"/>	Private communal septic system	<input type="checkbox"/>	<input type="checkbox"/>
Private individual well(s)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Individual septic system(s)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Lake or other water body	<input type="checkbox"/>	<input type="checkbox"/>	Other means	<input type="checkbox"/>	<input type="checkbox"/>
Other means	<input type="checkbox"/>	<input type="checkbox"/>			


<u>Storm Drainage</u>	<u>Retained</u>	<u>Severed</u>	<u>Access</u>	<u>Retained</u>	<u>Severed</u>
Sewers	<input type="checkbox"/>	<input type="checkbox"/>	Provincial highway	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Ditches or swales	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	County road	<input type="checkbox"/>	<input type="checkbox"/>
Other means	<input type="checkbox"/>	<input type="checkbox"/>	Municipal road	<input type="checkbox"/>	<input type="checkbox"/>
			Water	<input type="checkbox"/>	<input type="checkbox"/>
			Other means	<input checked="" type="checkbox"/>	<input type="checkbox"/>

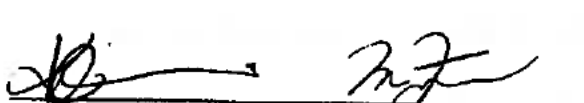
8.0 DECLARATION

I, KEVIN & MARY FOESTNER of the GREATER NAPANEE in the
 (name of applicant) (name of municipality/township)
 County of LENNOX & ADDINGTON solemnly declare that all the information contained in this application
 and any supporting documents is true.

Declared before me at the Town of Greater Napanee in the County of Lennox and Addington

this 18th day of NOV, 2025.


 Commissioner of Oaths
GARY R. GELLER


 Applicant

9.0 OWNER'S AUTHORIZATION (if the applicant is not the owner)

~~I, KEVIN & MARY FOESTNER of the GREATER NAPANEE in the
 (name of owner) (name of municipality/township)
 County of LENNOX & ADDINGTON am the owner of the land that is the subject of this application for a
 lot addition and I hereby authorize _____ to act as my agent in this application.~~

~~
 Signature of Owner~~

10.0 ACKNOWLEDGEMENT

In accordance with the provisions of the *Planning Act*, it is the policy of the Town of Greater Napanee to provide public access to all development applications and supporting documentation.

I, KEVIN & MARY FORSTNER agree and acknowledge that this application and any supporting
(name of applicant)

material, including studies and drawings, filed with the application is public information, and forms part of the public record. As public information, I hereby consent to the Town photocopying and releasing the application and supporting materials for either its own use in the processing of the application or at the request of any third party.

[Signature]
Signature

NOV 18/25
Date

SCHEDULE "B"

TO

PLANNING FEES BY-LAW

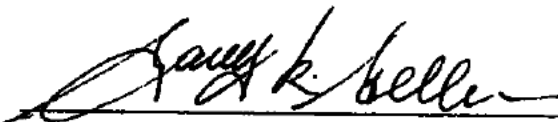
AGREEMENT TO INDEMNIFY

The applicant hereby agrees to indemnify and save harmless The Corporation of the Town of Greater Napanee ("the Municipality") from all costs and expenses that the Municipality may incur in connection with the processing of the applicant's application for approval under *the Planning Act*.

Without limiting the foregoing, such costs and expenses will include all legal, engineering, planning, advertising and consulting fees and charges incurred or payable by the Municipality to process the application together with all costs and expenses arising from or incurred in connection with the Municipality being required, or requested by the applicant, to appear at the hearing of any appeal to the Local Planning Appeals Tribunal from any decision of the Council or Committee of Adjustment, as the case may be, approving the applicant's application.

The applicant acknowledges and agrees that if any amount owing to the Municipality in respect of the application is not paid when due, the Municipality will not be required to process or to continue processing the application, or to appear before the Ontario Land Tribunal (OLT) in support of a decision approving the application until the amount has been paid in full.

The applicant further acknowledges and agrees that any amount owing by the applicant to the Municipality is, when due, a debt of the applicant and the Municipality may, in addition to any other remedies available to it at law, recover the amount owing together with interest from the applicant by action.



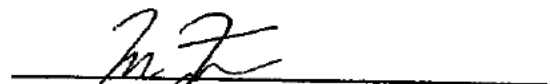
Witness



Applicant



Witness



Applicant



The Town of Greater Napanee has a duty to protect employees from all forms of harassment and violence white in the workplace. By signing this application, I agree that all dealings with employees will be handled in a respectful and appropriate manner. I further agree that I and/or persons acting on my behalf, will conform to all applicable policies of the Town of Greater Napanee, which can be provided on request. Breach of a policy could result in processing delays, denial of service or other remedies contained in the approved policy.

Thank you for your cooperation.

KEVIN FORSTNER
Name

[Signature]
Signature

NOV 18/25
Date

Report to Committee of Adjustment

Report Number PLCOR 2026 0007

To: Chair and Members of the Committee of Adjustment

From: Dave Nanton, RPP MCIP, Director of Development Services

Date of Meeting: June 23, 2026

File Number: PLCOR 2026 007

Address: McDonalds Lane

Roll Number: 1121 140 010 05000

Applicant: Mary and Kevin Forstner

Purpose: The application seeks to permit the creation of a 2 hectare rural residential lot

Recommendation

That the Committee receive for information the staff report for application PLCOR 2026 007;

And further, that the application to sever a 2-hectare lot be granted, subject to the following conditions:

- 1) That taxes be paid in full;
- 2) In accordance with Section 4.9.6 e) of the Official Plan, cash-in-lieu of parkland be provided to the Town;
- 3) The applicant shall establish a well on the severed parcel.
 - I. The well shall be drilled, blasted, or dug and must be constructed in accordance with provincial regulations by a person licensed by the Ministry of Environment, Conservation & Parks to install wells.

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 - III. The well installer must provide a report concerning the construction of the well and the results of the pump test on the standard form of certificate required by the Ministry of Environment, Conservation & Parks.
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 - a) Confirm that the water was sampled and tested either personally or under the supervision of the hydrogeologist or well technician;
 - b) Confirm that the water sample complies with all of the D-5-5 parameters;
 - c) Identify any features of the water that do not meet the parameters and the remedial measures necessary to bring the water into conformity with them; and,
 - d) Identify any other features of the water that may affect its aesthetic character of which users should be aware.
 - V. If any remedial measures are recommended or other features concerning the water identified in the well installer's water quality report, the owner shall enter into a Development Agreement with the municipality in a form satisfactory to the municipality that incorporates the remedial measures and other features of the water that have been identified, and the Agreement shall be registered against title to the property on which the well is located.
- 4) That a development plan for the severed lot be prepared to the satisfaction of the approval authority, and that the approved plan showing an appropriate development envelope be recognized through a Development Agreement which is registered on title.
 - 5) That the Town receive a letter of opinion from a qualified professional demonstrating safe access to the retained lands can be provided from McDonald's Lane. Should improvements to the lane be required to provide safe access to the retained lands, the owner shall enter into a Development Agreement with the municipality which ensures improvements are completed prior to the construction of a dwelling.

- 6) The applicant shall provide the County with a digital (PDF) copy of the registered reference plan for the severed parcel.

- 7) That a deed and reference plan of survey, in hard copy and digital (PDF) form, or legal description acceptable to the Registrar of Deeds be submitted to the Town of Greater Napanee.

Proposal

The consent application seeks to permit the creation of a 2-hectare rural residential lot with frontage along Highway 33. The proposed retained lands will be approximately +/- 14 hectares in area, and be provided with frontage along McDonalds Lane to accommodate future development. No development beyond the lot creation is proposed through the application.

Site Characteristics

The subject lands are situated on the south side of Highway 33 southeast from the intersection of County Road 8 and Highway 33. The lands are generally vacant, except for accessory structures on the retained lands, and are characterized by cleared areas used for open field agriculture, as well as some wooded areas which intersect the lands. The surrounding area features rural residential uses extending west along Highway 33 from the site, as well as several open field agricultural parcels north and east of the site.

Provincial Planning Statement (PPS)

The PPS provides policy direction on matters of provincial interest related to land use planning and development which are complemented by local policies addressing local interests.

Section 2.6.1 the PPS states that permitted uses on rural lands within municipalities include residential development, including lot creation, where site conditions are suitable. This Section goes on to state that development that can be sustained by rural service levels should be promoted.

The application to create one new rural residential lot from an oversized parcel is consistent with the policy direction of the PPS.

County of Lennox & Addington Official Plan

The subject property is designated “Rural Area” in which limited residential development is permitted on lands which are not constrained by or protected for their resource values. No such resource has been identified on the subject property.

The proposed severed lands will be of appropriate size with frontage along a maintained road. The retained lands will be of an appropriate size for future development, which is intended to be accessed from McDonalds Lane. The application conforms with the policy direction of the County Official Plan.

Town of Greater Napanee Official Plan

The subject lands are designated “Rural” through the Town’s Official Plan.

While rural settlement areas are the intended focus of growth in the rural area, Official Plan policy also permits limited residential development throughout the rural area.

The proposal will comply with the provisions of Section 5.4.5.2 of the Official Plan permitting the creation of lots where direct access to a municipally maintained road is available. While the retained lands will maintain access on a private lane, this lane already exists and provides access to the portion of the lands which feature the accessory structures, and provides access to other existing developed lots south of the subject lands.

The severed and retained lands will maintain appropriate frontage to accommodate intended residential development, and through conditions imposed through provisional approval, if granted, the application will conform with the policy direction of the Town’s Official Plan.

Zoning By-law 02-22

The subject lands are zoned “Hamlet Residential (HR)”, “Environmental Protection (EP)”, and “Restricted Agricultural (RA)”.

The lands zoned EP cross the property south of the proposed severed lot. Based on findings of site visits completed by the CRCA to review the extent of environmental features, it is anticipated that there is a development envelope on the severed lot that can meet all minimum setbacks from natural features.

No areas of non-compliance result from the application, and the intended use of the severed and retained lands are permitted uses with the HR and RA zones, respectively.

The application meets the general intent of the Town’s Zoning By-law 02-22.

Conclusion

No public comments have been received for the application.

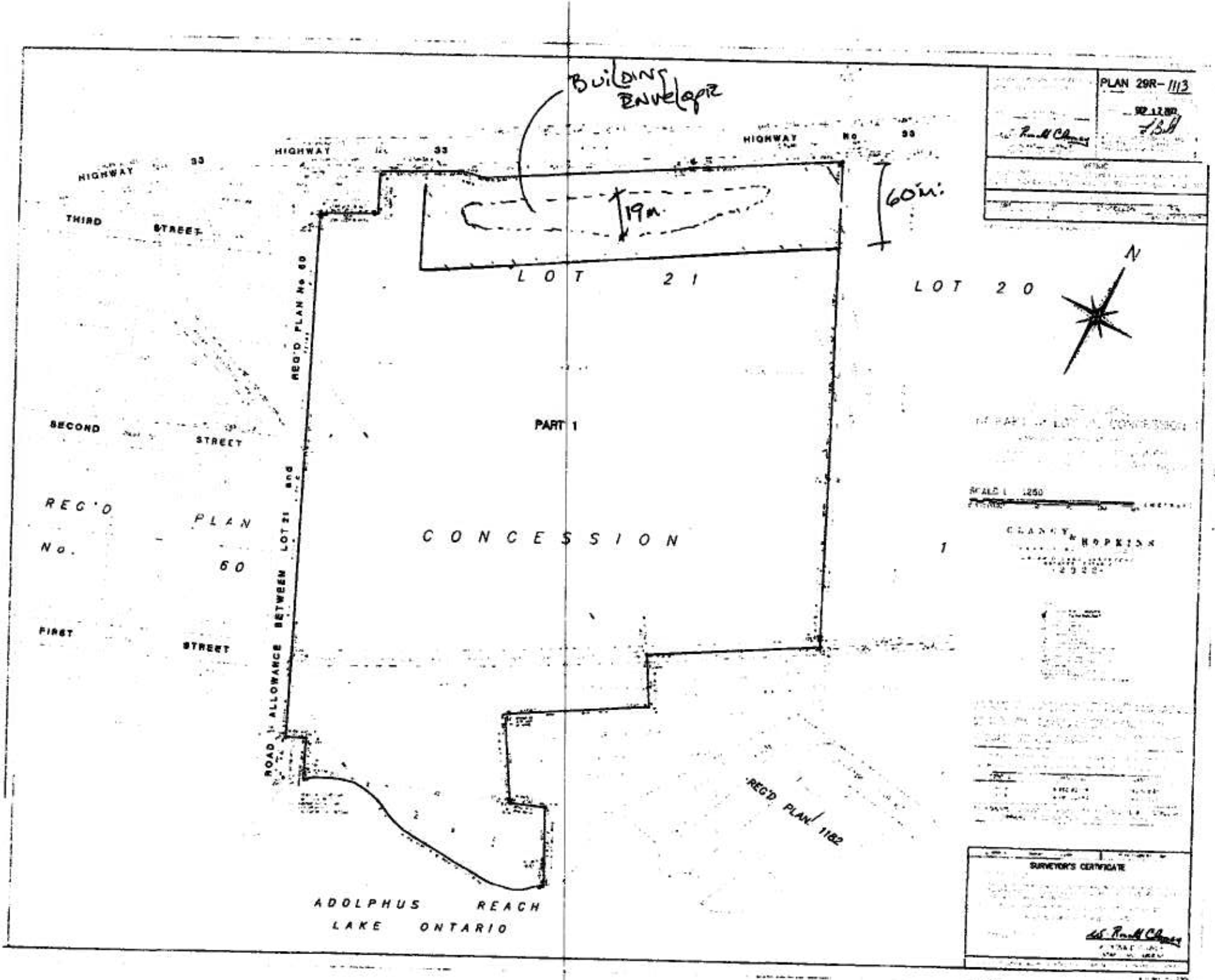
The County had no concerns for the application.

The MTO are supportive of the proposed severance, while noting that only one access along Highway 33 will be granted, so access for the retained lands will be required to be obtained from McDonald's Lane. The MTO also advised that an entrance permit will be required from the Ministry.

The CRCA have no objection to the application, while requesting that they be engaged in the review of future development plans for the severed lot to ensure setbacks and other requirements are met. The CRCA also strongly encourages current and future owners to maintain existing native vegetation within the 30-metre buffer of natural features.

The application has proper regard for Section 51(24) of the Planning Act, is consistent with the PPS, and conforms with the policies of the County and Town Official Plan.

The application is in the public interest, and it is recommended that the Committee approve the application subject to conditions.



PLAN 29R-1113
 92 12 80
 138
Paul Chapp



SCALE 1:250
 CLANCY HOPKINS
 1232

SURVEYOR'S CERTIFICATE
Clancy Hopkins

June 12, 2026

File: SEV/NAP/42/2026

Sent by E-mail

Dave Nanton, Director of Development Services
Town of Greater Napanee
P.O. Box 97
124 John Street
Napanee, ON K7R 3L4

Dear Mr. Nanton:

**Re: Application for Consent PLCOR 2026 007
Lot 21, Concession 1; 53 MacDonald's Lane
Town of Greater Napanee
Waterbody: Townline Creek**

Cataraqi Conservation staff have reviewed the above-noted application for consent. We provide the following comments for the Town's consideration based on our role as a commenting agency responsible for natural hazards on *Planning Act* applications, and as administrator of Ontario Regulation 41/24: *Prohibited Activities, Exemptions and Permits*.

Summary of Proposal

The proposal involves the severance of an approximately 2 ha vacant rural residential lot from a 16.6 ha property for the purpose of creating a new building lot.

This is a revised application from a previous submission under PLCOR 2026 007 and PLCOR 2026 007 which sought to sever two smaller lots and was not supported by Cataraqi Conservation due to the lack of viable development envelopes. We understand PLCOR 2026 008 has been withdrawn and now a single, larger severed lot is proposed.

Discussion

Cataraqi Conservation's scope of review for this proposal includes the avoidance of natural hazards associated with surface water features and protection of the hydrologic function of Townline Creek and associated wetland.

Natural Hazards

Townline Creek

Townline Creek traverses the subject property from east to west on the south side of Highway 33. This creek has a wide, low-lying valley with gradually sloping embankments on either side. The creek appears to meander within the creek valley and appears to be flood prone.

In accordance with O. Reg. 41/24, CRCA regulatory policies require new development, including buildings, structures, driveways, septic system and associated excavation, grading and placement of fill to be located a minimum of 30 metres from waterbodies such as Townline Creek. This setback is measured from the top of bank of the creek channel, where there is a sufficient change in elevation to discern this. The intent is to provide a sufficient separation distance between development and portions of the creek valley that may be prone to flooding and erosion and to protect the hydrologic function of wetland areas within the valley.

Through a site inspection at the property, CRCA staff were able to establish the point of land within the valley where the 30 metre setback should be applied from. We then delineated the required 30 metre setback and setbacks from the road and front yard to determine an approximate buildable area between the creek and Highway 33.

From this, we found there is a minimum 809 sq. m. (0.2 acre) development envelope outside the applicable setbacks in this area that would be suitable for a dwelling and septic system. At the time, we considered a slightly smaller severed parcel than what is currently proposed.

Based on our review of the current severance proposal, CRCA staff are satisfied that the proposed lot could accommodate a modest sized dwelling and septic system outside the applicable setbacks intended to protect development from natural hazards and protect the integrity of surface water features.

If approved, CRCA will need to be closely involved in the review of future development plans for the severed lot to ensure setbacks and other requirements are met. Permit approval will be required from our office prior to any site work in this area (see O. Reg. 41/24 section below).

Lastly, current and future owners are strongly encouraged to maintain existing native vegetation within the 30 m buffer from the creek, wetland and beyond. Doing so will help protect the features and function of the creek and wetland.

We have no concerns as it relates to the retained lot as it will remain large enough to accommodate any future development.

Recommendation

Staff have no objection to the approval of consent application PLCOR 2026 007 based on our review of natural hazards and wetland protection policies.

As noted above, when future development on the severed lot is proposed, landowners will need to consider constraints associated with Townline Creek and associated wetland to ensure setbacks and other regulatory requirements are met. Further discussion with the Town and CRCA is recommended in this regard.

Please inform this office in writing of any decision made by the Town of Greater Napanee regarding this application.

Ontario Regulation 41/24

Portions of the subject property are located within a regulated area under Ontario Regulation 41/24: *Prohibited Activities, Exemptions, and Permits* which regulates development and interference with wetlands, and alterations to shorelines and watercourses. **Any development (buildings or structures) and site alteration (excavating, grading and placement of fill) is required to occur outside 30 metres from the top of bank of all watercourses and wetland areas on the subject lands. Setbacks also apply to the lake frontage on the retained lot. Any new development proposed for the lot to be severed should be circulated to CRCA for review.**

If you have any questions, please contact the undersigned at 1-877-956-2722 extension 228 or by e-mail at mdakin@crca.ca.

Yours truly,

Michael Dakin RPP, MCIP
Supervisor, Development Review

Cc: Applicant, via email

Jean Rixen

From: Tara Bruce <tbruce@lennox-addington.on.ca> on behalf of Roads And Bridges <RoadsAndBridges@lennox-addington.on.ca>
Sent: Friday, February 20, 2026 4:04 PM
To: Jean Rixen
Subject: Applications PLCOR 2026 007 & PLCOR 2026 008 (Forstner) - CTY RESPONSE
Attachments: PLCOR 2026 007 - Application.pdf; PLCOR 2026 008 - Application.pdf; PLCOR 2026 008 - Sketch.pdf

[EXTERNAL E-MAIL] Links and attachments may not always be safe

The above matter has been reviewed by the Roads and Bridges Department of the County of Lennox and Addington.

Please be advised that the County Roads and Bridges Department has no comments or conditions respecting this matter.



Tara Bruce

Engineering Technologist, Roads and Bridges
County of Lennox and Addington
97 Thomas St. E., Napanee, ON K7R 4B9
T 613.354.4883 x3226 | F 613.354.3112
tbruce@lennox-addington.on.ca | www.lennox-addington.on.ca

Helping People Live Their *Best Lives*

From: Jean Rixen <jrixen@greaternapanee.com>
Sent: Friday, February 20, 2026 12:09 PM
To: development@crca.ca; Roads And Bridges <RoadsAndBridges@lennox-addington.on.ca>
Subject: EXTERNAL: Applications PLCOR 2026 007 & PLCOR 2026 008 (Forstner)

Good afternoon:

Attached are two applications for consent teach o create a rural residential lot.

The applications are scheduled for the April 7, 2026 Committee of Adjustment meeting. Any comments you may have would be appreciated by April 1, please, if possible.

With thanks,

Jean Rixen

Ministry of Transportation

Corridor Management Section
1355 John Counter Boulevard
Postal Bag 4000
Kingston, Ontario, K7L 5A3
Tel.: 1-800-267-0295

Ministère des Transports

Section de gestion des couloirs routiers
1355, boulevard John Counter
CP/Service de sacs 4000
Kingston (Ontario) K7L 5A3
Tél.: 1-800-267-0295



11 June 2026

Dave Nanton

Town of Greater Napanee
Development Services
Ph: 613-776-1136
Email: dnanton@greaternapanee.com

Re: Consent Application – PLCOR 2026 007 – MTO Comments**Location: 53 MacDonald's Lane N, Adolphustown****MTO File # MTO-LD-2026-41K-000408**

The Ministry of Transportation (MTO) is in receipt of the Consent Application for the subject lands located at 53 MacDonald's Lane N, Adolphustown. The Ministry understands that the applications for consent propose to create one (1) new lot and a retained lot. The proposed severed lot will have approximately 337m of frontage on Hwy 33 with approximately 4.99 acres of area. The proposed retained lands will have approximately 19.9m of frontage on Hwy 33 and an area of approximately 36 acres.

The Ministry has reviewed the following submitted documents in accordance with *the Public Transportation and Highway Improvement Act* (PTHIA) and the Highway Corridor Management Manual:

- PLCOR 2026 007 - Application.pdf
- PRCOR 2026 007 - Sketch.pdf

Under the authority of the PTHIA, the Ministry, through the issuance of permits, controls all land use within 45 metres of the highway right-of-way and the area within 395 metres of the centre-point of the highway intersection and any intersecting road. Please note that the subject lands are within the Ministry's permit control area as defined by PTHIA. Therefore, Ministry approvals and permits are required prior to the construction and/or alteration of any buildings and/or structures and prior to the issuance of any municipal building permits or approvals as per Section 8. (2) (a) of the Building Code Act.

The Ministry provides the following comments:

Consent Application Comments:

- The Ministry can support the proposed severance as described in the Consent Application.
- The Ministry requests that once the municipality makes a final decision on the Consent Application, a copy of the decision letter be sent to the Ministry for its records. The decision letter can be uploaded via the HCMS portal using the above MTO File Number.

General Comments:

- The severed lot is entitled to a single residential access connection to Hwy 33. The entrance will require an Entrance Permit from the Ministry. After the severance is approved and the property becomes a legal lot, you can apply for an entrance permit online at: <https://www.hcms.mto.gov.on.ca/>. In the application, please include this letter, a site plan showing the entrance location with the dimensions from the property line, and proof of property ownership.
- The retained lands must obtain access via MacDonald's Lane. Although a portion of the retained lands borders Highway 33, access to Highway 33 will not be permitted under any circumstances.
- The proponent should be advised that any future development or redevelopment of the severed and retained lands will require MTO review, approval, and possibly permits.
- The applicant also acknowledges and accepts responsibility to notify any future or potential owners of the severed lands of these conditions.
- Please note that the Ministry reserves the right to modify and expand on these and future comments should further information be submitted to MTO for review.
- The Ministry does advise that should there be any changes to any of the previously submitted documentation, that Ministry review and approvals are required prior to implementation of any changes.

Conclusion:

Please note that MTO, as an agent of the Crown, will not issue an approval that will contravene another regulatory agency's statutory mandate. Therefore, prior to issuing any approvals, MTO requires confirmation that the necessary approvals from the municipality and other regulatory agencies have been granted, approvals in principle have been provided, or no approvals are required.

These comments are valid for a period of **1-year** from the date of this letter.

Should you have any additional questions and/or concerns, please feel free to call me at 343-401-6616 or via email: Allison.Posthumus@Ontario.ca.

Sincerely,

Allison Posthumus

Allison Posthumus

Corridor Management Planner
Corridor Management Section/East Operations
Ministry of Transportation | Ontario Public Service

Application for a Minor Variance

Under Subsection 45(3) of the *Planning Act*

This application form is to be used to request minor variances from the Town's Zoning By-Law. In this form, the term "subject land" means the land that is subject of the proposed variance.

Each application must be accompanied by the application fee in the form of either cash or a cheque payable to the Town of Greater Napanee. A sketch of the subject land must also be submitted.

If the applicant is not the owner of the subject land, a written statement by the owner which authorizes the applicant to act on behalf of the owner as it relates to the subject application must accompany the application (see section 9.0).

Note that additional information may be required by the Town or by local and provincial agencies in order to evaluate the proposed amendment. The required information may include studies or reports dealing with such matters as impacts on the environment, transportation network, water supply, sewage disposal, and storm water management. In addition, the applicant may be required to submit a more detailed site plan in accordance with Section 41, of the *Planning Act*.

Most of the information requested in this form is prescribed in the Schedule to *Ontario Regulation 200/96* made under the *Planning Act*. This information must be provided with the appropriate fee and draft plan. If the mandatory information is not provided, the municipality will return the application or refuse to further consider the application.

The application form also requests other information that will assist the approval authority and others in their planning evaluation of the development proposal. To ensure the quickest and most complete review, this information should be submitted at the time of application. In the absence of this information, it may not be possible to do a complete review within the legislated time frame for making a decision. As a result, the application may be refused.

Upon receipt of an application, the required fee and other information (as required), public notice will be given in accordance with the Regulations under the *Planning Act*. At least 10 days after this public notice, a public meeting will be held concerning the application.

Minor Variance applications are circulated to various agencies for their comments. These agencies may require additional information to evaluate the proposal.

The applicant is encouraged to attend the public meeting, to present the proposal. The applicant and other interested parties will be provided a Notice of Decision made by the Committee of Adjustment concerning the application. If no notice of appeal is received within 20 days, the decision of the Committee is final and binding.

To help you complete the application form, please consult the Development Services office at (613) 354-3351.



Town of Greater Napanee
 Development Services
 99-A Advance Ave
 Napanee, Ontario
 K7R 3Y5

Application for a Minor Variance
 for office use only

Date Received May 20, 2026	File No. PLVAR 2026 028	Fee(s) Paid PAID
--------------------------------------	-----------------------------------	----------------------------

1.0 APPLICANT INFORMATION

1.1 Complete the information below and indicate which contact is the Prime Contact (to whom all communications will be directed).

Name	Address	Phone/E-mail
Registered Owner(s)* 873120 Melissa Spratt Ontario Inc c/o Palace Childcare Holdings		
Applicant(s) Melissa Spratt		
Agent, if any (eg. Planning Consultant) Kyle Nielissen Forefront Engineering		
Solicitor Gregory Parker Bladwin Law		

*If a company, please give name and phone number(s) of principal owner (or president).

2.0 PROPERTY INFORMATION

Lot(s)/Block(s)	Concession	Registered Plan No.
Reference Plan No.	Part(s)	Parcel No.
Former Municipality	Municipal Address 237 Newburgh Road	
Assessment Roll #: 112105002010800		

2.1 Particulars of the Subject Land (use metric units):

Frontage 44.3 m (Newburgh Road)	Average Depth 40.5 m	Area 2,089.0 sqm
Current Official Plan Designation Medium Density Residential		Current Zoning Designation Community Facility Exception 4 (CF-4-H)

2.2 Date the subject land was acquired by the current owner: _____

3.0 EXISTING AND PREVIOUS USES OF THE SUBJECT LANDS

3.1	Existing use(s) and duration	Vacant
3.2	Previous use(s) and duration	

3.3 List any existing Buildings or Structures on the Property

Building / Structure	Yard Setbacks				Year Built	Number of Storeys	Building Height	Ground Floor Area
	Front	Rear	Side	Side				
N/A								

3.4 Is the subject land (or buildings) subject to a demolition control by-law or is it designated or identified for possible designation under the Ontario Heritage Act? YES NO

4.0 PROPOSED USE OF THE SUBJECT LANDS

4.1 What is the proposed use of the subject lands?

The proposed development is comprised of a one (1) storey childcare facility.

4.2 List any proposed buildings and structures

Building / Structure	Yard Setbacks				Number of Storeys	Building Height	Ground Floor Area
	Front	Rear	Side (East)	Side (West)			
Childcare Facility	44.3 m	2.5 m	4.4 m	7.2 m	1	<12 m	553.5 sqm

4.3 Attach a sketch showing (in metric units):

- a) The boundaries and dimensions of the subject land;
- b) The location, size and type of all existing and proposed buildings and structures on the subject land, indicating their distance from the lot lines;
- c) The approximate location of all natural and artificial features located on the subject land or adjacent land that might affect that application;
- d) The current uses of land that is adjacent to the subject land;
- e) The location, width, name and type of any roads within or abutting the subject land;
- f) The location of parking and docking facilities if access is to be by water only; and
- g) The location and nature of any easements affecting the subject land.

5.0 NATURE OF PROPOSED MINOR VARIANCE

5.1 Describe the nature and extent of the relief sought from the Zoning By-Law.

Relief of 2.5 m from the required 5.0 m rear setback is sought to permit the 2.5 m rear setback

that is proposed. Relief of 2000 sqm from the required 4000 sqm lot area is sought to permit the 2000 sqm lot area.

5.2 State the reason(s) why the proposed use cannot comply with the provisions of the Zoning By-Law.

The existing lot is irregular in shape, making it difficult to fit the required parking and adequate building size on the lot without having the building extend partially into the required 5.0 m rear yard setback. Note that only 9.3 sqm of the proposed building extends into the 5.0 m rear yard setback. The existing lot is 0.2089 ha in area. The requested 0.2 ha lot area was intended to be part of the zoning bylaw amendment (By-law number 2026-0024) but this does not appear to have captured as part of the amendment.

6.0 STATUS OF OTHER PLANNING APPLICATIONS

6.1 Is there currently an application for a consent or approval of a plan of subdivision involving the subject land, or has there ever been an application for a minor variance? YES NO

If YES, and if known, list below or attach on a separate page:

Type of Application	File # / Ontario Regulation #	Details	Status

7.0 SERVICING

7.1 Indicate the existing and proposed servicing type for the subject land.

<u>Water Supply</u>	<u>Existing</u>	<u>Proposed</u>	<u>Sewage Disposal</u>	<u>Existing</u>	<u>Proposed</u>
Public piped water system	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Public piped sewage system	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Private communal well(s)	<input type="checkbox"/>	<input type="checkbox"/>	Private communal septic system	<input type="checkbox"/>	<input type="checkbox"/>
Private individual well(s)	<input type="checkbox"/>	<input type="checkbox"/>	Individual septic system(s)	<input type="checkbox"/>	<input type="checkbox"/>
Lake or other water body	<input type="checkbox"/>	<input type="checkbox"/>	Other means	<input type="checkbox"/>	<input type="checkbox"/>
Other means	<input type="checkbox"/>	<input type="checkbox"/>			

<u>Storm Drainage</u>	<u>Existing</u>	<u>Proposed</u>	<u>Access</u>	<u>Existing</u>	<u>Proposed</u>
Sewers	<input type="checkbox"/>	<input type="checkbox"/>	Provincial highway	<input type="checkbox"/>	<input type="checkbox"/>
Ditches or swales	<input type="checkbox"/>	<input checked="" type="checkbox"/>	County road	<input type="checkbox"/>	<input type="checkbox"/>
Other means	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Municipal road	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Bioretention Facility.			Water	<input type="checkbox"/>	<input type="checkbox"/>
			Other means	<input type="checkbox"/>	<input type="checkbox"/>

8.0 DECLARATION

I, Melissa Spratt, of the Town of Greater Napanee in the
 (name of applicant) (name of municipality/township)

County of Lennox and Addington solemnly declare that all the information contained in this application and any supporting documents is true.

Declared before me at the Town of Greater Napanee in the County of Lennox and Addington

this _____ day of _____, _____.

Michaela Anne Clement,
 a Commissioner, etc., Province of Ontario,
 Commissioner of Oath-Taking, for The Corporation of the
 Town of Greater Napanee.
 Expires April 24, 2028

Melissa Spratt
 Applicant

9.0 OWNER'S AUTHORIZATION (If the applicant is not the owner)

I, Melissa Spratt, of the Town of Greater Napanee in the
 (name of owner) (name of municipality/township)

County of Lennox and Addington am the owner of the land that is the subject of this application for a minor variance and I hereby authorize Kyle Nielissen to act as my agent in this application.

 Signature of Owner

10.0 ACKNOWLEDGEMENT

In accordance with the provisions of the *Planning Act*, it is the policy of the Town of Greater Napanee to provide public access to all development applications and supporting documentation.

I, melissa Spratt, agree and acknowledge that this application and any supporting
(name of applicant)

material, including studies and drawings, filed with the application is public information, and forms part of the public record. As public information, I hereby consent to the Town photocopying and releasing the application and supporting materials for either its own use in the processing of the application or at the request of any third party.

mspratt
Signature

May 20 2020
Date

SCHEDULE "B"

TO

PLANNING FEES BY-LAW

AGREEMENT TO INDEMNIFY

The applicant hereby agrees to indemnify and save harmless The Corporation of the Town of Greater Napanee ("the Municipality") from all costs and expenses that the Municipality may incur in connection with the processing of the applicant's application for approval under the Planning Act.

Without limiting the foregoing, such costs and expenses will include all legal, engineering, planning, advertising and consulting fees and charges incurred or payable by the Municipality to process the application together with all costs and expenses arising from or incurred in connection with the Municipality being required, or requested by the applicant, to appear at the hearing of any appeal to the Local Planning Appeals Tribunal from any decision of the Council or Committee of Adjustment, as the case may be, approving the applicant's application.

The applicant acknowledges and agrees that if any amount owing to the Municipality in respect of the application is not paid when due, the Municipality will not be required to process or to continue processing the application, or to appear before the Ontario Land Tribunal (OLT) in support of a decision approving the application until the amount has been paid in full.

The applicant further acknowledges and agrees that any amount owing by the applicant to the Municipality is, when due, a debt of the applicant and the Municipality may, in addition to any other remedies available to it at law, recover the amount owing together with interest from the applicant by action.



Witness



Applicant

Witness

Applicant



The Town of Greater Napanee has a duty to protect employees from all forms of harassment and violence white in the workplace. By signing this application, I agree that all dealings with employees will be handled in a respectful and appropriate manner. I further agree that I and/or persons acting on my behalf, will conform to all applicable policies of the Town of Greater Napanee, which can be provided on request. Breach of a policy could result in processing delays, denial of service or other remedies contained in the approved policy.

Thank you for your cooperation.

Melissa Spett
Name

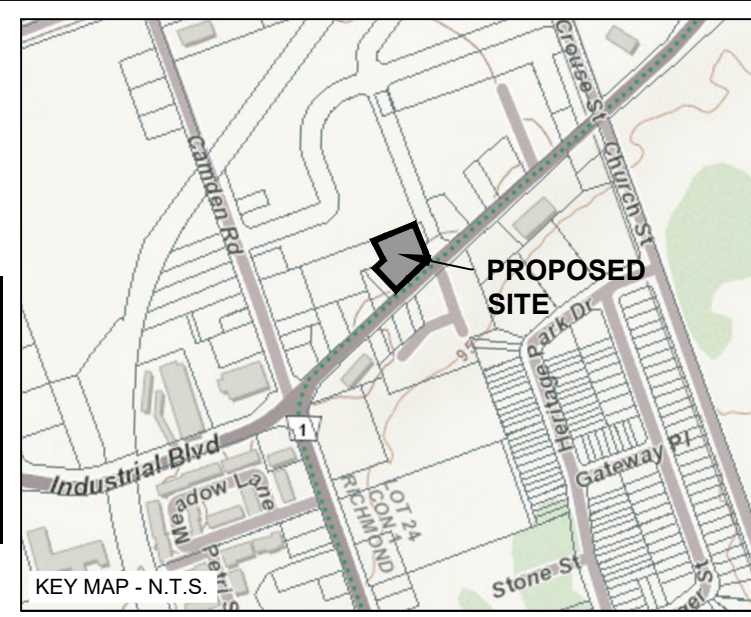
M Spett
Signature

May 20 2026
Date

PROJECT
237 NEWBURGH ROAD

SITE INFORMATION
LOCATION: 237 NEWBURGH ROAD
ZONE: COMMUNITY FACILITY (CF-4-H)

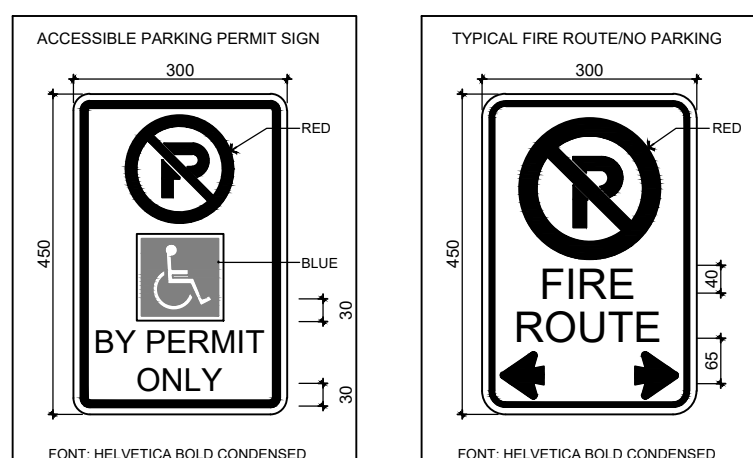
BASIC SITE STATISTICS	EXISTING	PROPOSED
Lot Area (m ²)	2089.0	2089.0
Building GFA (m ²)	0.0	553.5
Paved Area (m ²)	0.0	807.3
Landscaped Open Space (m ²)	2089.0	728.1



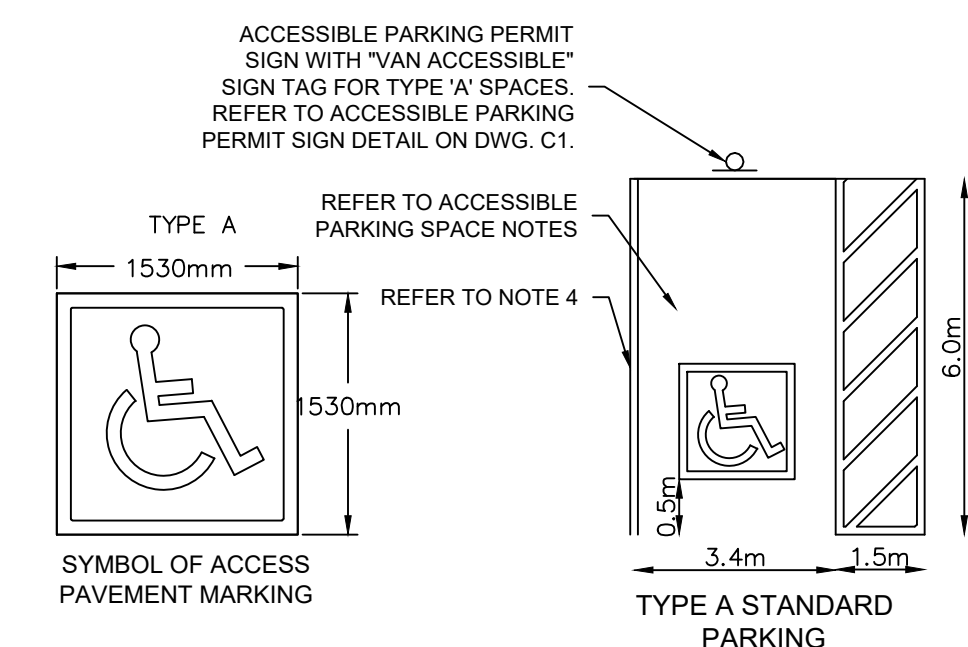
ZONING COMPLIANCE STATISTICS - Community Facility (CF-4-H)				
PROVISION	02-22	REQUIRED	PROPOSED	NOTES
Lot Area(m)	5.18.4 a)	4000.0	2089.0	Variance Required
Lot Frontage (min.)(m)	5.18.4 b)	30.0	44.3	Complies with Zoning
Front Yard Setback (S) (min.)(m)	5.18.4 c) i)	10.0	14.9	Complies with Zoning
Interior Yard Setback(E) (min.)(m)	5.18.6 c) ii)	3.0	4.4	Complies with Zoning
Interior Yard Setback(W) (min.)(m)	5.18.6 c) ii)	3.0	7.2	Complies with Zoning
Rear Yard Setback(N) (min.)(m)	5.18.6 c) iv)	5.0	2.5	Variance Required
Landscaped Open Space	5.18.4 d)	30%	34.9%	Complies with Zoning
Lot Coverage (maximum)	5.18.4 e)	30%	26.5%	Complies with Zoning
Setback from Street Centreline (m)	4.34 ii)	18.0	25.4	Complies with Zoning
Height of Building (max)(m)	5.18.4 g)	12.0	<12.0	Complies with Zoning
Large Vehicle Parking Spaces	5.18.6	6.0	8.0	Complies with Zoning
Parking Spaces (min.)	5.18.6	21	22	Complies with Zoning
Accessible Parking (min.)	4.27 c)	1.0	1.0	Complies with Zoning

GENERAL

- FIRE ROUTE SIGNS SHALL BE AS PER THE BELOW DETAIL AND BE PERMANENTLY MOUNTED ON A RIGID SIGN POST OR POLE, BE ERRECTED AT A HEIGHT OF 1.9m TO 2.5m, AND BE INSTALLED ALONG THE FIRE ROUTE AT INTERVALS NO GREATER THAN 30m.
- IN THE EVENT THAT HUMAN REMAINS ARE ENCOUNTERED DURING CONSTRUCTION, THE CONTRACTOR SHALL IMMEDIATELY CONTACT THE MINISTRY OF TOURISM, CULTURE AND SPORT (416-314-7132), THE REGISTRAR OF THE CEMETERIES REGULATION UNIT FROM THE MINISTRY OF CONSUMER SERVICES (416-326-8393), TOWN OF GREATER NAPANEE PLANNING, BUILDING AND LICENSING SERVICES (613-354-8863) AND ONTARIO PROVINCIAL POLICE.
- IN THE EVENT THAT DEEPLY BURIED OR PREVIOUSLY UNDISCOVERED ARCHAEOLOGICAL DEPOSITS ARE DISCOVERED IN THE COURSE OF DEVELOPMENT OR SITE ALTERATION, THE CONTRACTOR SHALL IMMEDIATELY CONTACT THE MINISTRY OF TOURISM, CULTURE AND SPORT (416-314-7132), AND TOWN OF GREATER NAPANEE PLANNING, BUILDING AND LICENSING SERVICES (613-354-8863).
- GARBAGE IS TO BE STORED INTERIOR TO THE BUILDINGS.
- LONG-TERM BIKE PARKING SPACE IS TO BE PROVIDED INSIDE THE PROPOSED BUILDING. THE LONG-TERM BIKE PARKING SPACE IS SHOWN ON THE BUILDING PLANS.

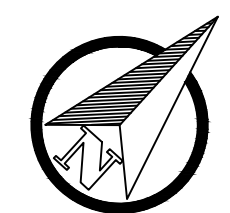
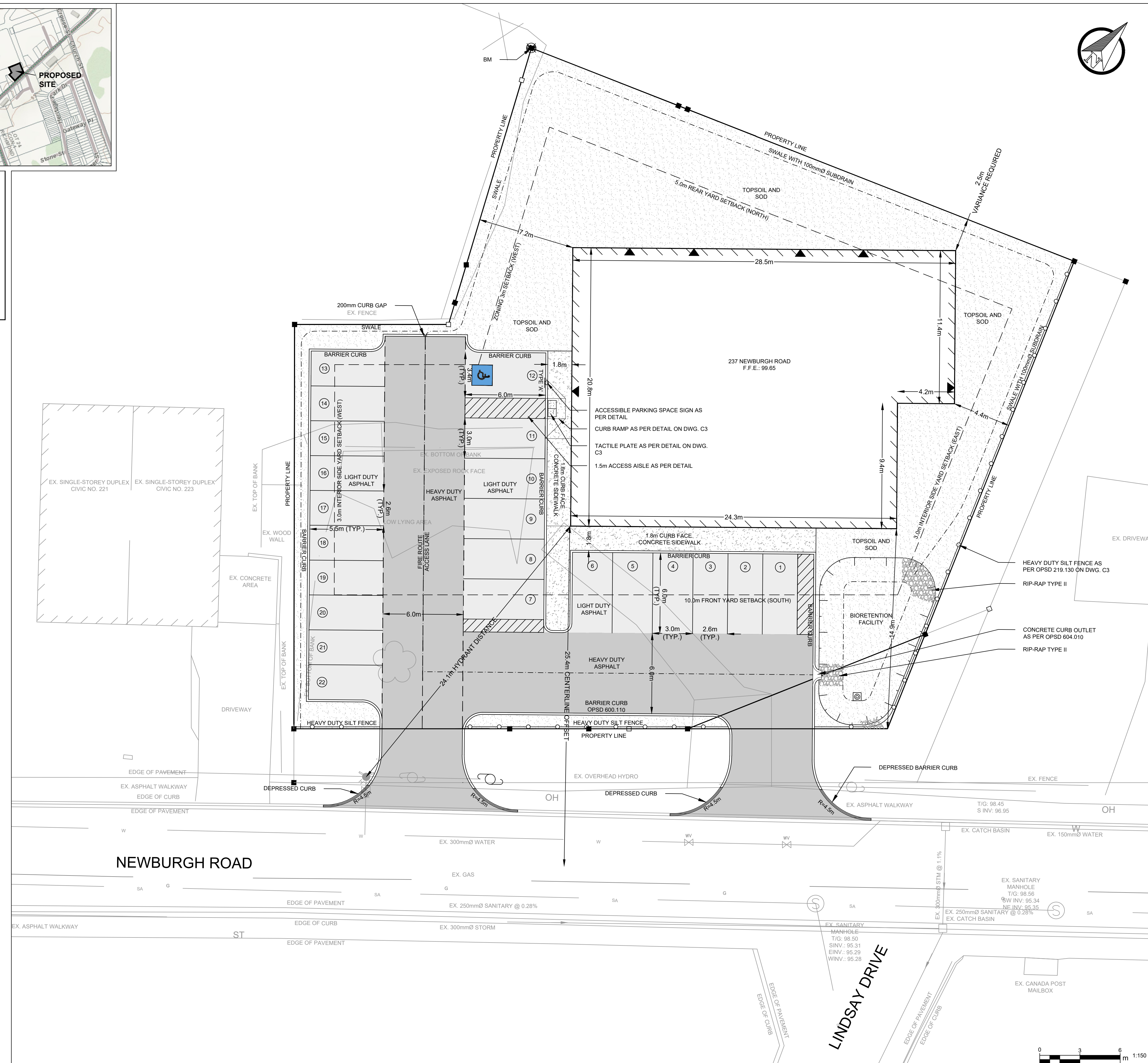


ACCESSIBLE PARKING SPACE DETAIL NTS



ACCESSIBLE PARKING SPACE NOTES:

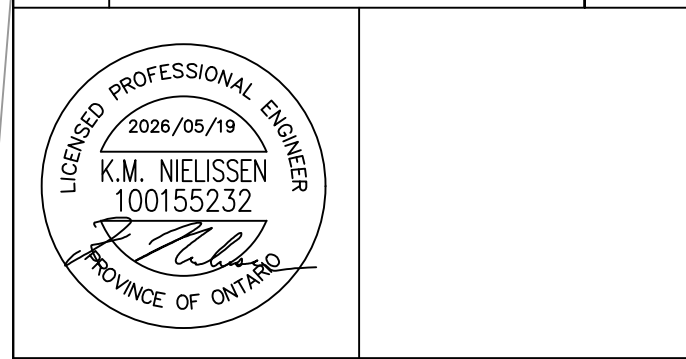
- ACCESSIBLE PARKING SPACES SHALL INCORPORATE PAVEMENT MARKINGS CONTAINING THE INTERNATIONAL SYMBOL OF ACCESS.
- MARKINGS TO INCLUDE A 1530 x 1530mm WHITE BORDER AND SYMBOL WITH A BLUE BACKGROUND AND FIELD COLOUR.
- FOR PERPENDICULAR PARKING, SIGNS ARE TO BE CENTERED ON THE PARKING SPACE.
- PAINT LINES FOR STANDARD PARKING SPACES TO BE CAN/CSB-1.74-2001, ALKYD TRAFFIC PAINT. PAVEMENT SURFACE TO BE DRY, FREE FROM PONDED WATER, FROST, ICE, DUST, OIL, GREASE AND OTHER FOREIGN MATERIALS PRIOR TO PAINTING. PAINT LINES TO BE UNIFORM COLOUR AND DENSITY WITH SHARP EDGES. PROTECT PAVEMENT MARKINGS UNTIL DRY.



LEGEND	
[Symbol]	LANDSCAPED AREA
[Symbol]	HEAVY DUTY ASPHALT
[Symbol]	LIGHT DUTY ASPHALT
[Symbol]	CONCRETE
[Symbol]	PROPOSED STORMWATER
[Symbol]	PROPOSED SANITARY
[Symbol]	PROPOSED WATERMAIN
[Symbol]	PROPOSED SWALE
[Symbol]	PROPOSED FENCE
[Symbol]	EXISTING SANITARY
[Symbol]	EXISTING STORM
[Symbol]	EXISTING WATER
[Symbol]	EXISTING GAS
[Symbol]	EXISTING BELL CABLE
[Symbol]	EXISTING UNDG. HYDRO
[Symbol]	EXISTING FENCE
[Symbol]	EXISTING CB, DCB
[Symbol]	EXISTING STORM MH, CBMH
[Symbol]	EXISTING SANITARY MH
[Symbol]	EXISTING HYDRANT, VALVE
[Symbol]	EXISTING TREE (DBH > 0.15m)
[Symbol]	EXISTING LIGHT STANDARD
[Symbol]	BENCHMARK
[Symbol]	EXISTING GRADE
[Symbol]	PROPOSED GRADE
[Symbol]	BUILDING ENTRANCE
[Symbol]	MAIN ENTRANCE
[Symbol]	PARKING COUNT

Benchmark
BM - ELEVATION: 99.84 TOP OF IRON BAR LOCATED NORTH WEST OF THE PROPERTY

No.	Revision/Issue	Date



1329 Gardiners Road, Suite 210
Kingston, ON, Canada K7P 0L8
613.634.9009 tel.
1.888.884.9392 fax.

Client
MELISSA SPRATT

Project
237 NEWBURGH ROAD

Drawing
SITE PLAN

Drawn by: EP	Checked by: KMN	Project No.
Designed by: KMN	Approved by: KMN	Drawing No.
Date: MAY 2025	Scale: 1:50 ANSI D	SP



QUINTE CONSERVATION - PLANNING ACT REVIEW

QC File No. PL0122-2026

Municipality:	Town of Greater Napanee		
Landowner:	873120 Ontario Inc. c/o Palace Childcare Holdings		
Location:	237 Newburgh Road	Part Lot 24, Concession 1	Richmond
Roll #:	11210500201080000000		
Application Description:	Minor Variance Appl'n File No. PLVAR 2026 028	<p>Requesting relief from Section 5.18.4 a) of the Town of Greater Napanee Zoning By-Law No. 02-22 to allow for a reduction in the minimum lot area from the required 4,000 m² to the requested 2,000 m² to allow for the establishment of a children's daycare centre.</p> <p>Requesting relief from Section 2.a) of the Town of Greater Napanee Zoning By-law No. 2026-0024 to reduce the minimum rear yard setback from 5 metres to 2.5 metres. The variance will allow for the proposed building to extend further into the setback to make room for parking on an irregular shaped lot.</p>	
Regulated Feature:	Mapped within an area of "known" karst topography		
Comments:	<p><u>Natural Hazard policies of the Provincial Planning Statement and Quinte Conservation Planning Act Review policy</u></p> <p>Conservation Authorities have Provincially delegated responsibilities to represent Provincial interests regarding natural hazards under Section 5.2 of the Provincial Planning Statement (PPS) (2024). Natural hazards include areas subject to flooding, prone to erosion, dynamic beaches, and unstable bedrock. Generally, the policies of the PPS direct development to areas outside of hazard lands.</p> <p>Please note that this office has mapping (prepared by the Ontario Geological Survey, 2008) which indicates that there is a "known" presence of karst in this area. Karst topography exists in areas where water flowing over and through limestone and dolomite bedrock creates sinkholes, trenches and underground caverns often resulting in unstable bedrock.</p> <p>Based on a review of various years of aerial photos and given the extent of residential development adjacent to the subject lands, evidence of karst bedrock is not anticipated to be present on the subject property. <u>As a result, staff are satisfied that the application as presented is consistent with Section 5.2 of the PPS.</u> Should karst be identified on the subject property during construction/excavation of the site, the landowners will be required to hire a qualified geo-technical engineer to complete a karst assessment for the property.</p> <p><u>Ontario Regulation #41/24 (Regulation of Prohibited Activities, Exemptions and Permits)</u></p> <p>Provided no evidence of karst is identified, the subject lands do not lie within an area that is regulated by Quinte Conservation. The owners will not require a permit prior to development (construction/ filling/ excavation/ site grading) from this office.</p> <p><u>Quinte Region Source Protection Plan</u></p> <p>Quinte Conservation provides Risk Management services as prescribed by the <i>Clean Water Act</i>, 2006 on behalf of member municipalities. Part of this is reviewing building and planning applications to ensure no new significant drinking water threats as outlined in the Quinte Region Source Protection Plan are created.</p> <p><u>The subject property is located within a Source Water Protection Zone. Please see attached letter for more information.</u></p>		

**Final
Comments:**

Quinte Conservation has no objection to the minor variance application as presented. Staff request that a copy of the decision on the application be forwarded to this office, when available.



Sam Carney
Planning Technician

June 9, 2026
Date

Report to Committee of Adjustment

Report Number PLVAR 2026 028

To: Chair and Members of the Committee of Adjustment

From: Jean Rixen, Planning Coordinator

Date of Meeting: June 23, 2026

File Number: PLVAR 2026 028

Address: 237 Newburgh Road

Roll Number: 1121 050 020 10800

Owner: 873120 Ontario Inc c/o Palace Childcare Holdings

Applicant: Melissa Spratt

Purpose: The application seeks permission to further reduce the minimum rear yard setback to 2.5 metres

Recommendation

That the Committee receive for information the staff report for application PLVAR 2025 028;
And further, that the application for 237 Newburgh Road requesting the following variances be approved:

Variance 1

By-law Number: 02-22

Requirement: Section 5.18.6 – CF-4 a) permits a minimum rear yard setback of 5-metres

Proposed: a minimum rear yard setback of 2.5 metres

Relief Requested: a 2.5 metre reduction in the minimum rear yard setback

Proposal

The intent of the requested variance is to permit a reduced rear yard setback to accommodate a revised layout for the development of a daycare centre on the subject lands. The lands and use were the subject of a zoning by-law amendment application (PLZACO 2025 060) which was approved by Council on February 24, 2026. The zoning by-law amendment placed the land into a site-specific Community Facility Zone (CF-4) which permitted the use of a daycare centre, and established site-specific provisions with respect to rear yard and interior yard setbacks, as well as parking provisions.

Through detailed design during the site plan control process, which is currently underway, and through addressing Town comments related to site functionality of the parking area, the proponents consulting team prepared a revised site plan. The new layout included reorienting the building to accommodate a more functional parking area, but this created one area of non-compliance with respect to the rear yard setback. This application seeks to address this singular point of non-compliance resulting from a new and improved site layout.

Site Characteristics

The subject lot is on the north side of Newburgh Road in the urban area of the Town. Surrounding uses include residential uses, as well as some commercial and institutional uses to the west and northwest of the property.

Planning Act

The review of an application for minor variance(s) is not a simple mathematical calculation, but rather a detailed assessment of whether the variance(s) requested meet the four tests of a minor variance outlined in Subsection 45(1) of the *Planning Act*. The following provides this review:

1) The general intent and purpose of the Official Plan are maintained

The subject lands are designated "Medium Density Residential" through the Town's Official Plan (OP). Section 4.6.1.5 of the OP provides policy direction for residential land uses, and Section 4.6.1.2 states that daycare facilities are permitted uses within residential designations.

The development was reviewed in detail through the zoning by-law amendment process, which determined that the use and development conform with the policy direction of the OP. The additional relief sought through the application will accommodate a better site layout to ensure functionality and safety of users long-term.

The application maintains the general intent and purpose of the Official Plan.

2) The general intent and purpose of the Zoning By-law are maintained

The subject lot is zoned “CF-4” through Zoning By-law 02-22, as amended, through By-law 2026-0024.

The application seeks further relief from the site-specific rear yard setback to permit a minimum rear yard setback of 2.5 metres.

The rear yard of the property is on a bias, which creates a pinch point at the northeastern point of the proposed building. The reduced rear yard setback is not anticipated to unduly restrict development on adjacent lands, and as mentioned above, is requested to accommodate a more functional site layout to support the long-term use of the lands.

The application maintains the general intent and purpose of the Zoning By-law.

3) The variance is minor in nature

The application seeks relief to the minimum rear yard setback, and the relief sought is specific to the property and development in question.

The variance requested is minor in nature.

4) The variance is desirable for the appropriate development or use of the land, building, or structure

The application to permit a further reduced rear yard setback is desirable for the appropriate development of the lands. By repositioning the proposed building, the revised site plan provides a more functional parking area, which will be to the benefit of users and the traveling public along County Road 1.

Public and Technical Comments

No comments have been submitted from the public. The Quinte Conservation offered no objection. The County confirmed through concurrent review of the site plan control submission that they are satisfied with the updated layout.

The traffic reviewer on behalf of the Town confirmed their support for the revised layout, confirming it represents a significant improvement from the previous plan.

Conclusion

The requested variance maintains the general intent of the Official Plan and Zoning By-law, is desirable for the appropriate development and use of the lands, and is minor in nature. The application meets the four tests for a minor variance under Section 45(1) of the *Planning Act*; therefore, approval is recommended.