

Committee of Adjustment Agenda

1:00 PM - Monday, June 22, 2026

Council Chambers

[Zoom Meeting Registration](#)

1. Call to Order

- a) Format of Committee of Adjustment/Planning Advisory Committee Meeting 3

[Format of Meetings](#)

2. Traditional Land Acknowledgement

We begin this gathering by acknowledging and celebrating these traditional lands as a gathering place of the first peoples and their ancestors who are entrusted to care for Mother Earth since time immemorial. We do so respecting both the land and the Indigenous People who continue to walk with us through this world. Today, the Township of North Frontenac is committed to working with Indigenous Peoples and all residents to pursue a united path of reconciliation.

3. Approval of Agenda

- a) June 22, 2026

Be It Resolved That the Committee approves the Agenda dated June 22, 2026, as circulated.

4. Disclosure of Pecuniary Interest and General Nature Thereof

5. Delegations

None.

6. Adoption of Minutes

- a) Minutes of Meeting held May 25, 2026 4 - 9

Be It Resolved That the Committee adopts the Minutes of a Meeting of the Committee of Adjustment/Planning Advisory Committee held on May 25, 2026, as circulated.

[Committee of Adjustment - 25 May 2026 - Minutes - Pdf](#)

7. Zoning By-law Amendment Application (Recommendation to Council)

None.

8. Consent Applications

None.

9. Minor Variance Applications

- a) File #A08/26: Lot 8, Plan 13M53, Geographic Township of North Canoto (1303A Heron Way) - Minor Variance Application 10 - 24

[Planning Report: Application for a Minor Variance to Permit an](#)

[Oversized Gazebo and a Boathouse With No Opening to the Water. - Pdf](#)

- b) File #A09/26: Lot 2, Plan 417, Geographic Township of Miller (1056A Kerr Lane) - Request Permission to Enlarge a Legal Non-Conforming/Non-Complying Structure 25 - 44
[Planning Report: Application for Permission to Expand a Legal Non-Complying Structure \(Dwelling\) - Pdf](#)
- c) File #A10/26: Lot 9, Plan 1007, Geographic Township of Clarendon (1198A Helen Lane) - Request Permission to Enlarge a Legal Non-Conforming/Non-Complying Structure 45 - 49
[Planning Report: Application for A Permission to Expand a Legal Non-complying Structure. - Pdf](#)

10. Business Arising Out of Minutes

- a) Resolution #08-26: Severance Application File #B02/24, #B03/24, #B04/24 (Creation of Three New Lots) and File #B05/24 (Creation of Right-of-Way) 50 - 78
[Planning Report Addendum: Applications for Consent for the Creation of Three Water Access Lots and a Mainland Parking Area - Pdf](#)

11. Other Business

- a) Secretary/Treasurer: 2026 Ontario Association of Committee of Adjustment (OACA) Report 79 - 83
[2026 OACA Conference - May 10-13, 2026 - Pdf](#)

12. Adjournment

- a) Adjournment of the Committee Meeting

Be It Resolved That the meeting adjourns at _____ p.m. until July 27, 2026, at 1:00 p.m. or at the call of the Chair.



Township of North Frontenac Committee of Adjustment/Planning Advisory Committee Meeting Format and Appeal Information

The presentation of each application will follow this format:

1. The Chair will introduce each file as they are listed on the agenda.
2. The County Planner will provide an overview of the application, including comments received from outside agencies, and provide recommendations to the Committee.
3. The Committee member who attended the site will present their site inspection report.
4. Committee members will ask Planning staff and the applicant or agent questions.
5. The Chair will ask if the applicant or agent have any comments or questions regarding the reports; and then ask members of the public if they have any comments or questions regarding the proposed development.
6. The Committee will deliberate and vote on the application. Voting will take place with members of the Committee raising their hands. The Chair will then state whether the vote was carried. Please note the Alternate Member does not comment or vote unless a member of the Committee is absent or declares a pecuniary interest.

A “specified person” or public body (as defined in the Planning Act) who has an interest in the matter may, within 20 days from the date of the Committee decision, file a notice appeal against the decision of the Committee by filing a notice of appeal to the Ontario Land Tribunal with the Secretary-Treasurer of the Committee. If an appeal to an application is received within the 20-day appeal period, the applicant will be notified and provided further information about the appeal process.

If a “specified person” or “public body” (as defined in the Planning Act) that files an appeal of a decision of the Committee of Adjustment in respect to the proposed development does not make written submissions to the Committee before it gives or refuses a provisional consent; the Ontario Land Tribunal (OLT) may dismiss the appeal.



Committee of Adjustment Minutes

1:00 PM - Monday, May 25, 2026
Council Chambers

Present: Garry Wood (Chair); Carl Tooley (Member); Jim Ogilvie (Member); and Brent Smith (Alternate Member)

Also Present: Brooke Drechsler, Secretary/Treasurer; Tara Mieske, Clerk/Planning Manager; Marnie Geerlinks, Administrative Assistant to the Clerk's Department; Councillor Roy Huetl, Council Liaison; Dmitry Kurylovich, Community Planner, County of Frontenac; Lauren Breen, Planning Student County of Frontenac; Don Reed, Chief Building Official; and Corey Klatt, Chief Administrative Officer

1. Call to Order

The Chair called the meeting to order at 1:00 p.m.

2. Traditional Land Acknowledgement

We begin this gathering by acknowledging and celebrating these traditional lands as a gathering place of the first peoples and their ancestors who are entrusted to care for Mother Earth since time immemorial. We do so respecting both the land and the Indigenous People who continue to walk with us through this world. Today, the Township of North Frontenac is committed to working with Indigenous Peoples and all residents to pursue a united path of reconciliation.

3. Approval of Agenda

a) **May 25, 2026**

15-26 Moved by Jim Ogilvie, Seconded by Carl Tooley

Be It Resolved That the Committee approves the Agenda for the May 25, 2026, Meeting, as circulated.

Carried

4. Disclosure of Pecuniary Interest and General Nature Thereof

None declared.

5. Delegations

None.

6. Adoption of Minutes

a) *Minutes of Meeting held April 27, 2026*

16-26 Moved by Jim Ogilvie, Seconded by Brent Smith

Be It Resolved That the Committee adopts the Minutes of a Meeting held on April 27, 2026, as circulated.

Carried

7. Business Arising Out of Minutes

a) *Request for Additional Information regarding Consent Applications #B02/24, #B03/24, #B04/24 and #B05/24*

17-26 Moved by Jim Ogilvie, Seconded by Brent Smith

Be It Resolved That the Committee requests the following information be brought back to the next meeting with respect to Applications #B02/24, #B03/24, #B04/24 and #B05/24:

- The report from the North Frontenac Fire Chief and Public Works Manager regarding access to the parking area, as referred to by the County Planner;
- Clarification regarding the difference between a Right-of-Way and a driveway;
- Clarification regarding MVCA's comments about the steep slope, specifically if these comments referred to the slope to the parking area.

Carried

8. Zoning By-law Amendment Application (Recommendation to Council)

None.

9. Consent Applications

None.

10. Minor Variance Applications

a) *File #A06/26: Lot 2, Plan 1232, Geographic Township of Clarendon (1081 Jones Lane) - Request Permission to Enlarge a Legal Non-Conforming/Non-Complying Structure*

Mr. Robert Gibson, Applicant was present in Chambers for the hearing.

Dmitry Kurylovich, Senior Planner with the County of Frontenac provided an overview of

the application to enlarge a legal non-conforming/non-complying structure with the following additions:

- Enclose an existing 20.91 square metre (225 square foot) deck with a screened porch.
- Construct a dwelling addition with an approximate floor area of 2.65 square metres (28.5 square feet)

Kurylovich noted the application showed a Class 5 septic system, which is a holding tank, but confirmed the property has a Class 4 system, with a small tank close to the cottage that pumps up to a new septic system.

Kurylovich advised the Official Plan designation of the property is Waterfront Area and the Zoning designation is Limited Services Waterfront. He noted the property is 1.38 acres with 48 metres of frontage on Jones Lane and 44 metres of water frontage on Big Gull Lake.

Kurylovich advised that the existing dwelling is non-compliant because of the deficient waterbody setback, with the closest point of the dwelling (deck) located approximately 11.9 metres from the highwater mark of Big Gull Lake. A setback of 30 metres is required under the current Zoning By-law.

Kurylovich advised that the Mississippi Valley Conservation Authority (MVCA) reviewed the application, with no objections to the proposed development. He advised that a Slope Stability Assessment (SSA) is not required, though he noted that the slope is on the threshold of the SSA criteria.

Kurylovich advised that the proposed dwelling addition is in-line with the existing dwelling and will not encroach closer to the water. The proposed sunroom will be constructed on top of an existing deck so no site alteration is required. The development as proposed will not exceed the maximum lot coverage permitted by the Zoning By-law.

Kurylovich advised there was one comment received from a nearby resident in support of the application. There were no other public comments.

Kurylovich advised that the County staff are of the opinion that the application meets the criteria under Section 45(2) of the Planning Act and recommends approval subject to the conditions included in the planning report.

Jim Ogilvie attended the site on April 23, 2026 and noted that the required signs were posted at this time. Ogilvie advised that the location of the property is at the South East shore of Big Gull near Coxvale, and added that the property is well forested with pine, oak and hemlock. Ogilvie advised that the primary residence is approximately 12 metres from the high water mark and stated there will be no impact on neighboring properties. Ogilvie recommended approval of the application subject to conditions included in the

Planning Report.

Jim Wilson, Designer, attended the hearing electronically and stated he is agreeable to conditions and added the Chief Building Officer will be consulted during the building process with respect to mitigation measures for sediment run off; and that all excavated material will be kept away from the high water mark.

18-26 Moved by Jim Ogilvie, Seconded by Carl Tooley

Be It Resolved That Planning Application File #A06/26, a Request for Permission to enlarge a Legal Non-Conforming/Non-Complying Structure, shall be approved subject to the conditions noted in the Planning Report;

And That the Secretary shall forward a copy of the Notice of Decision to the Applicant and each person or public body that made a written request to be notified, and any other person or public body prescribed by June 5, 2026.

Carried

- b) ***File #A07/26: Part of Lot 18, Southwest Range, Geographic Township of Clarendon (1131A Lakeside Lane) - Request Permission to Enlarge a Legal Non-Conforming/Non-Complying Structure***

Jonathan Colombo, Owner, and Cathy Garrido, Agent, were present for the hearing.

Dmitry Kurylovich, Senior Planner, provided an overview of the application to enlarge a legal non-conforming structure. Kurylovich advised that there will be no further encroachment into the water body setback. The applicant is proposing the following development;

- To increase the height of the existing roof to match the existing roof peak;
- A 31.71 square metre basement walkout and main floor addition to the North and East corner of the dwelling to enclose an existing set of stairs and front porch;
- A 12 square metre elevated main floor addition on the northwest of the dwelling;
- A 6.32 square metre covered deck addition to the south of the dwelling; and

A replacement of the existing sewage system is also proposed; however this is not included in the Planning Application as the system is located outside the required 30 metre setback from the high-water mark.

Kurylovich advised that the existing dwelling is non-compliant because of the deficient waterbody setback. The dwelling is located approximately 13 metres from the highwater mark of Pine Lake. Kurylovich advised that the proposed development is within the influence area of an existing and active Waste Management Facility; however an impact study is not required as this application is adding onto an existing sensitive land use and not creating any additional land use conflicts

Kurylovich advised that the property is well vegetated, creating a natural buffer. Kurylovich advised that when MVCA initially conducted a desktop review of the proposed development, a Slope Stability Assessment was not required. However a site visit determined the proposed development was located within an erosion hazard limit, and therefore a Slope Stability Assessment would be required. Kurylovich advised MVCA recommended including a SSA as a condition prior issuing a building permit.

Kurylovich advised that there were three letters of support from neighbours for this development.

Kurylovich advised the proposed development meets the criteria under Section 45 (2) of the Planning Act and recommends approval of the application subject to conditions included in Planning Report.

Carl Tooley attended site on May 10, 2026 and noted that the signs were posted as directed. Tooley advised that Pine Lake is a not at capacity lake and not considered a sensitive lake. Tooley advised that the proposed additions were not marked out, which made the evaluation challenging.

Cathy Garrido, Agent, provided a presentation and explained the proposal. Garrido advised the applicants plan to increase living space by adding a basement walk out and a bathroom. The roof of the current dwelling will be raised to match the roof line of the other roof. She added that the deck will be extended across the side of the dwelling and a portion of the porch will be screened in. Garrido advised that the majority of the development will be done on the opposite side of the dwelling from the lake.

Tooley advised the application meets the criteria under Section 45 (2) of the Planning Act and recommended approval subject to the conditions in the planning report.

19-26 Moved by Carl Tooley, Seconded by Jim Ogilvie

Be It Resolved That Planning Application File #A07/26, a Request for Permission to enlarge a Legal Non-Conforming/Non-Complying Structure, shall be approved subject to the conditions noted in the Planning Report;

And That the Secretary shall forward a copy of the Notice of Decision to the Applicant and each person or public body that made a written request to be notified, and any other person or public body prescribed by June 5, 2026.

Carried

11. Other Business

a) *Ask the Chief Building Official*

Don Reed, Chief Building Official (CBO) for the Township of North Frontenac, provided an overview of the Ontario Building Code; the role of the CBO during the planning process: and how a building permit is issued following the approval of a planning

application.

b) ***Proposed Draft Motions regarding Deferred Applications***
20-26 Moved by Carl Tooley, Seconded by Jim Ogilvie

Be It Resolved That the Committee of Adjustment/Planning Advisory Committee receives for information the proposed draft protocol for deferred applications prepared by Garry Wood;

And That Township staff will look into the proposed changes to the circulation and deferral procedures for planning applications and provide a report to the Committee at a future meeting;

And That any proposed amendments to the Procedural Policy for the Committee of Adjustment/Planning Advisory Committee will be provided to Council for consideration.

Carried

12. Adjournment

a) ***Adjournment of the Committee Meeting***
21-26 Moved by Jim Ogilvie, Seconded by Carl Tooley

Be It Resolved That the meeting adjourns at 2:46 p.m. until June 22, 2026, at 1:00 p.m. or at the call of the Chair.

Carried

Chair

Secretary

To: Committee of Adjustment/Planning Advisory Committee
From: Dmitry Kurylovich, Project Manager/Senior Planner
 Sonya Bolton, Manager of Community Planning, County of Frontenac
Approved by:
Date of Meeting: 22 Jun 2026
Re: Planning Report: Application for a Minor Variance to Permit an Oversized Gazebo and a Boathouse With No Opening to the Water.

Background:

Address	1303A Heron Way
Legal Description	Lot 8, Plan 13M53, Geographic Township of North Canonto
File Number	B08/26
Owner/Applicant	Lee James and Nicole James
Date of Public Meeting	June 22, 2026

Proposal

This application proposes to:

- Construct an open-sided Gazebo that is 22.3 square metres (240 square feet) in area with a setback of 5 metres (16.4 feet) from the highwater mark of Norcan Lake
- Construct a Boathouse with a maximum area of 15 square metres (161 square feet), setback 3 metres (9.8 feet) from the highwater mark of Norcan Lake.

Variance 1: Section 3.1.2(c)(iii)(b) of Zoning By-law 55-19 states that a gazebo not exceeding 13 square metres (140 square feet) shall be permitted with a minimum of 5 metres (16.4 feet) of waterbody setback. Section 3.1.2 (i) states that waterfront structures which are unattached to a main building shall not exceed a combined footprint of more than 20 square metres (215 square feet) for all structures within the 30-metre (98.4-foot) setback from the high-water mark.

The proposed variance seeks to construct a gazebo that is 22.3 square metres (240 square feet) in area, which exceeds the maximum area permitted for a gazebo and for all waterfront structures located within the 30 metres (98.4 feet) of the water.

Variance 2: The Definitions Section of the Zoning By-law defines a Boathouse/Boat Port as a one-storey accessory building with a maximum height of 4.5 metres (14.8 feet) that does not contain habitable living space or plumbing, has an opening to the water body of an appropriate size to accommodate a boat and is connected to the water body by a boat slip, boat lift, or marine railway. The proposed variance seeks to construct a boathouse that is not located directly on the shoreline and is not connected to the waterbody by a boat slip, boat lift, or marine railway for the purpose of storing canoes, kayaks, and related equipment.

Existing Development

The subject property is developed with a:

- A two storey 166 square metre (1,787 square foot) dwelling located approximately 31.6 metres (104 feet) from the highwater mark of Norcan Lake
- A one storey 112 square metre (1,206 square foot) garage located approximately 54 metres (177 feet) from the highwater mark of Norcan Lake
- A Class 4 septic system located approximately 60 metres (197 feet) from the high watermark of Norcan Lake.

Property Information

Official Plan designation	Waterfront Area; Rural Area; Deer Wintering Constraint Overlay
Zoning	Residential Waterfront Exception Zone 3d (RW-X3d)
Current size (area) of subject property	5.7 hectares (14 acres)
Existing road frontage and access	62 metres (203 feet) on an unnamed road allowance and road. Main access is from Heron Way (private lane) which bisects the property.
Waterfront	100 metres (328 feet) on Norcan Lake
Natural heritage features	Majority of the property is naturally vegetated.
Surrounding land uses	Properties of similar size to the north and south. Large rural parcel to the west and Norcan Lake to the east.

Pre-application Consultation

The property owner consulted with Township and County staff prior to the submission of this application.

Public Notice

Notice of the public meeting before the Committee of Adjustment was given in accordance with the requirements of the Planning Act. A notice was placed on the subject property and mailed to all property owners within 60 metres of the subject property, at least 10 days in advance of the public meeting.

Researched By:

Dmitry Kurylovich, Senior Planner, County of Frontenac

Comments:

Technical Comments

No technical agencies were circulated on this application. The subject property is outside of Conservation Authority jurisdiction and regulated area.

Public Comments

None received.

Conformity and Consistency with Policy Planning Documents

Applications for Minor Variance are required to be consistent with the Provincial Planning Statement, 2024 and conform to both the County of Frontenac Official Plan and the Township of North Frontenac Official Plan. It is the opinion of planning staff that the application is consistent with and conforms to the planning policies of all these documents.

The key policies of each document that are applicable to the subject application are outlined in Appendix B of this report, and the policy issues are addressed in the planning analysis below.

North Frontenac Zoning By-Law

The subject property is zoned RW-X3d. This site-specific exception zone was created specifically for the subdivision in which the property is located and contains tailored development standards applicable to the subdivision.

In addition to all other provisions of the RW Zone, the RW-X3d Zone establishes the following site-specific provisions:

- the minimum lot area shall be 3.3 hectares (8.15 acres.),
- the minimum lot frontage shall be 55 metres (180.4 feet),
- the minimum lot width shall be 45 metres (147.6 feet),
- the minimum setback from the highwater mark of 201.17 metres GSC Datum (660 feet) shall be 30 metres (98 feet) and
- the measurement of the Zone provisions shall be made in relation to lot lines even though the lot is in more than one Zone;

The RW-X3d Zone permits the construction of both a boathouse and a gazebo.

Boathouse

A boathouse is defined as a one-storey accessory building with a maximum height of 4.5 metres (14.8 feet) that does not contain habitable living space or plumbing, has an opening to the water body of an appropriate size to accommodate a boat and is connected to the water body by a boat slip, boat lift, or marine railway.

Section 3.1.2(a) provides the development standards that apply to boat house and boat ports. The development standards include the following:

- i. The maximum gross area of a boathouse shall not exceed 47 square metres (506 square feet);
- ii. A boathouse shall not exceed 4.5 metres (14.8 feet) in total height and is limited to a single storey;
- iii. A boathouse shall not be constructed closer than 3 metres (9.8 feet) from the nearest adjacent side lot line where the lot abuts another property and 7 metres (23 feet) where the lot abuts an opened or unopened road allowance and shall not encroach on adjacent lot lines when the lot boundaries are extended into the water. There is no front yard setback for a boathouse;
- iv. Boathouses may project a maximum of 8 metres (26.2 feet) into the waterfront.
- v. Boathouses shall not be permitted to include any plumbing, or contain other accessory uses including a sauna,
- vi. A maximum of one (1) boathouse/boat port is permitted on each lot.

This application seeks a variance from one component of the definition and development standards that apply to boathouses. Specifically, the applicant is requesting permission to construct a boathouse that is not connected directly to the waterbody by a boat slip, boat lift, or marine railway. All other aspects of the proposed structure conform to the applicable zoning provisions for boathouses.

The proposed boathouse is modest in size, having a footprint of approximately 15 square metres (161 square feet), which is substantially below the maximum permitted area of 47 square metres (506

square feet). The structure is proposed to be located approximately 3 metres (9.8 feet) from the shoreline and will be used exclusively for the storage of canoes, kayaks, and related equipment. No plumbing, habitable space, or accessory uses are proposed, and the building will remain accessory in nature.

The intent of requiring a boathouse to be connected to the waterbody by a boat slip, boat lift, or marine railway is generally to ensure that the waterfront structure functions only as a traditional boathouse associated with the storage and launching of watercraft. In this instance, the proposed use remains directly related to waterfront recreational activities and will serve exclusively as a storage facility for non-motorized watercraft and related accessories.

The proposed boathouse will also be partially screened by some young coniferous trees that will be located between the proposed structure and the waterbody.



Figure 1. Location proposed for the boathouse. This photo is intended to illustrate the existing conifers that are anticipated to provide a visual buffer to the proposed boathouse.

County Planning staff are of the opinion that a boathouse constructed in full compliance with the Zoning By-law permissions (i.e., adjacent to or over the water) would likely result in a greater overall impact than the proposed development.

Given the small size of the structure, its setback from the water, and its intended use, the requested relief is not anticipated to create adverse impacts on neighbouring properties or the character of the waterfront area.

Overall, County planning staff are of the opinion that the proposed variance to the Boathouse definition meets the general intent and purpose of the Zoning By-law by ensuring that the structure remains accessory, subordinate, and directly related to the use of the waterfront property.

Gazebo

A Gazebo is defined as an accessory, detached roofed structure open on all sides or screened in, which is used as an outdoor non-habitable sitting or leisure area.

Development standards related to gazebos are found in Section 3.1.2(c) of the Zoning By-law. The following provisions apply to Waterfront Structures, not including a Boathouse/Boat port:

- i. Waterfront structures which are unattached to a main building shall not exceed a combined footprint of more than 20 square metres (215 square feet) for all structures within the 30-metre (98.4-foot) setback from the high-water mark.
- ii. Waterfront structures shall not be constructed closer than 3 metres (9.8 feet) from the nearest adjacent side lot line where the lot abuts another property and 7 metres (23 feet) where the lot abuts an opened or unopened road allowance and shall not encroach on adjacent lot.
- iii. All waterfront structures shall be setback a minimum of 15 metres (49.2 feet) from the high-water mark with the following exceptions:
 - a. A viewing platform with an area not exceeding 13 square metres (140 square feet) shall be permitted with no waterbody setback;
 - b. A gazebo with an area not exceeding 13 square metres (140 square feet) shall be permitted with a minimum of 5 metres (16.4 feet) of waterbody setback;
 - c. A storage structure for non-motorized crafts with an area not exceeding 5 square metres (54 square feet) shall be permitted with a minimum of 3 metres (9.8 feet) of waterbody setback

The proposed variance seeks to construct a 22.3 square metre (240 square foot) open-sided gazebo located 5 metres (16.4 feet) from the waterbody. This proposal exceeds both the maximum permitted footprint for a gazebo and cumulative maximum footprint for all waterfront structures not including a boathouse/boat port.

County planning staff are of the opinion that the request is minor in nature for the following reasons:

- The proposed gazebo is an open-sided structure that is expected to function as permitted and intended by the Zoning By-law.
- Aside from the proposed boathouse, the subject property does not contain any additional waterfront structures, and all other development is located more than 30 metres from the waterbody, which maintains the integrity of the regulated shoreline setback area.
- The gazebo exceeds the total development footprint for all permitted waterfront structures by 2.3 square metres (24.8 square feet), which is minor. County planning staff are of the opinion that consolidating the total permitted footprint for all waterfront structures into one structure is appropriate as it reduces the number of buildings located within the waterfront. It should be noted that if this application is approved and the gazebo is constructed, the applicant will not be able to construct any more structures within the waterbody setback without seeking planning approval.
- The property has approximately 100 metres (328 feet) of shoreline frontage, the majority of which remains naturally vegetated. The proposed size of the gazebo is not anticipated to have a significant and undue impact on the shoreline character. It should also be noted that more than half the shoreline of Norcan Lake is Crownland and is unlikely to be developed in the future.

Overall, County Planning staff are of the opinion that the proposed variance maintains the general intent and purpose of the Zoning By-law.

Planning Analysis and Considerations

This application was reviewed against the policies of the Provincial Planning Statement, the County of Frontenac Official Plan, and the Township of North Frontenac Official Plan. The analysis below summarizes all relevant policies by theme. A list of all land-use planning policies relevant to this application is found in Appendix B of this report.

Waterfront Character

The subject property is developed with structures that are located more than 30 metres (98.4 feet) from the shoreline. The proposed boathouse is smaller than permitted by the Zoning By-law and will be partially screened by existing conifers that are located between the structure and the waterbody. The gazebo will be open sided and will be located in-front of the proposed cottage.

County Planning staff are of the opinion that the proposed variance will maintain the existing waterfront character of the shoreline and will not result in a shoreline that appears overly developed. County staff note that the subject property has approximately 100 metres (328 feet) of shoreline frontage, much of which will continue to remain naturally vegetated. In addition, existing and proposed development is confined to the area surrounding the existing dwelling and does not extend into or intensify development along the shoreline. As such, the proposed variance is not anticipated to negatively impact the natural character of the shoreline or result in adverse impacts on the waterfront character.

Natural Heritage

The subject property was impacted by the May 2022 extreme wind event (derecho) which resulted in the destruction of a number of trees along the shoreline and within the area of the proposed development. The area between the dwelling and shoreline and the proposed buildings has overgrown with raspberry bushes. The applicant will be removing these bushes to accommodate the proposed development and suitable access to the shoreline.



Figure 2. Outlined in red is the area proposed for vegetation removal to accommodate access between the dwelling, shoreline, gazebo, and boathouse.

Section 3.29.1(a) (Natural Vegetation Buffer and Waterfront Activity Area) permits landowners to clear and establish an access corridor of approximately 7 metres (23 feet) in width to allow access between a dwelling and the shoreline.

Based on measurements taken by County planning staff during a site visit, the clearing required to access the shoreline and proposed structures appears to fall within the parameters permitted by the Zoning By-law. County planning staff are of the opinion that the vegetation clearing is relatively minor in the context of the existing shoreline vegetation on the subject property. County planning staff do not anticipate this application to result in any undue adverse impacts on the waterbody.

Natural Hazards

The slope along the shoreline is less than 3 metres (9.8 feet) in height and does not appear to pose an erosion hazard risk.

Servicing

The proposed development will have no impact on the existing sewage system.

Minimum Distance Separation

No livestock facilities, aggregate extraction operations, or waste management facilities were identified within the applicable screening areas surrounding the subject property.

Minor Variances

Under Section 45(1) of the *Planning Act* a minor variance application must meet all of the four tests of minor variance. The four tests are:

1. Is the application minor?
2. Is the application desirable for the appropriate development of the lands in question?
3. Does the application conform to the general intent and purpose of the Zoning By-law?
4. Does the application conform to the general intent and purpose of the Official Plan?

Planning staff are of the opinion that the proposed minor variance to permit an oversized gazebo and a boathouse that is not connected to the water meets the four tests of minor variance for the following reasons:

Is the application minor?

County planning staff are of the opinion that the proposed variances are minor.

The variance for the proposed boathouse is limited to one component of the definition of a boathouse (lack of direct waterbody connection), while all other zoning standards are met.

The structure is smaller than permitted by the Zoning By-law, and set back appropriately from the shoreline limiting impact the shoreline. The boathouse is also anticipated to be visually mitigated by existing conifers that are located on the top of the short shoreline slope. Staff also note that a fully compliant boathouse could have a greater physical and visual presence than the structure proposed by this application.

The variance for the proposed gazebo will result in an overall modest increase (approximately 2.3 square metres (24.8 square feet)) over the permitted maximum footprint for all waterfront structures. Given that the subject property is mostly vegetated and that the remainder of the 100 metre (328 foot) shoreline frontage will remain undisturbed, County planning staff are of the opinion that the proposed increase to the maximum permitted gazebo size is minor.

Is the application desirable for the appropriate development of the lands in question?

The proposed variances are desirable as they facilitate reasonable use of the waterfront property. The boathouse will provide storage for non-motorized watercraft, consistent with the intended function of the Zoning By-law. The gazebo provides passive outdoor amenity space that is consistent with waterfront residential uses.

The proposed development will not require significant site alteration, will meet all required waterbody setbacks, and will maintain the natural character of the property. No adverse impacts to neighbouring properties or the shoreline character are anticipated.

The proposal represents an appropriate form of development that is compatible with the existing waterfront context.

Does the application conform to the general intent and purpose of the Zoning By-law?

The intent of the boathouse development standards is to ensure that the boathouse remains accessory, non-habitable, and functionally related to waterfront, particularly through a physical connection to the waterbody. Although the proposed boathouse does not include a direct connection via a slip, lift, or marine railway, it remains fully accessory in nature, small in scale (below the footprint permitted by the Zoning By-law), and is anticipated to be used exclusively for the storage of non-motorized watercraft. It therefore continues to function in a manner consistent with a boathouse as intended by the Zoning By-law.

The gazebo development standards are intended to permit passive enjoyment of the waterfront while at the same time limiting the scale and cumulative presence of accessory waterfront structures. While the proposed gazebo exceeds the permitted size, it remains open-sided, passive in use, and consistent with the intended function of a gazebo as intended by the Zoning By-law. The consolidation of allowable waterfront structure area into a single structure further aligns with the intent of limiting dispersed development along the shoreline.

Overall, both variances maintain the general intent of the Zoning By-law.

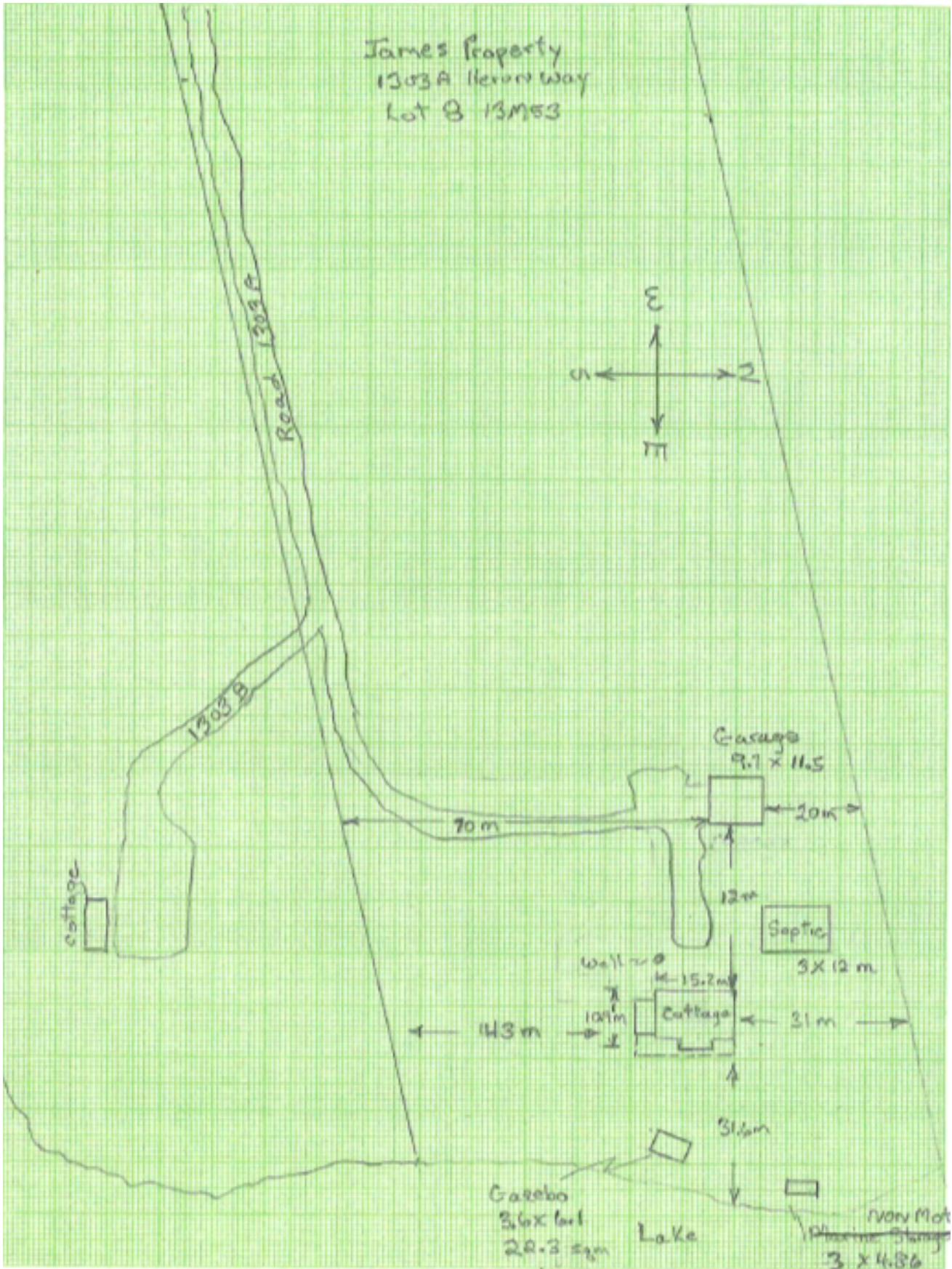
Does the application conform to the general intent and purpose of the Official Plan?

The overall intent of the Official Plan is to ensure that waterfront development does not result in a shoreline that appears overly developed, and to ensure that the ecological integrity of the shoreline and health of the lakes are maintained. County Planning staff are of the opinion that the proposed development meets the intent of the Official Plan as the proposed development will not result in a shoreline that appears to be overly developed.

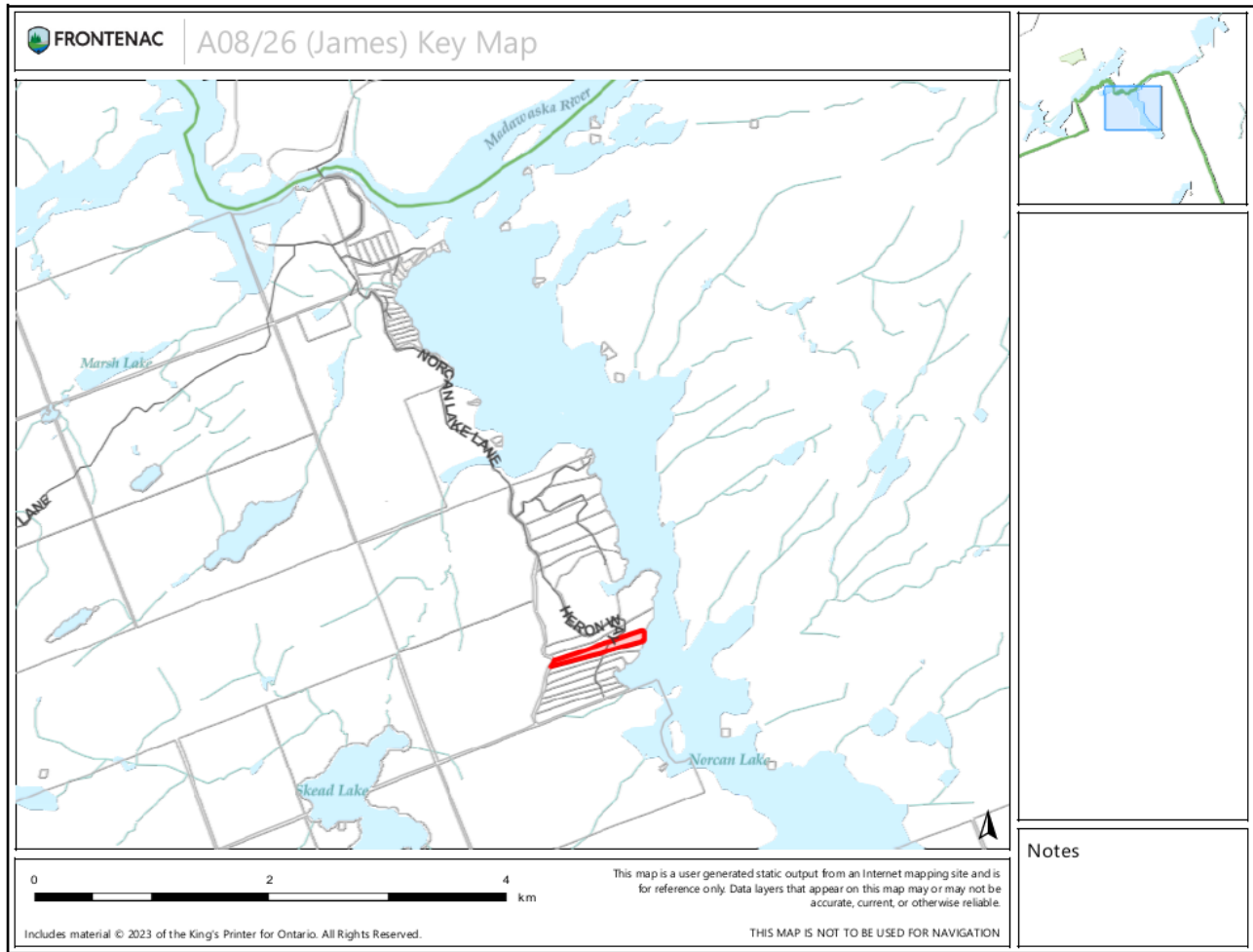
Recommendation

Subject to any additional comments received prior to, or during, the Committee of Adjustment meeting, it is recommended that the Committee of Adjustment approve application number B08/26, as per the plans submitted with the application, and with the recommended conditions attached in Appendix A.

Site Plan



Key Map



Financial Impact:

None.

Strategic Implications:

None.

Attachments:

- [Appendix A - James](#)
- [Appendix B - James](#)

Appendix A: Draft Conditions of Approval

Note: Conditions are a decision of the Committee of Adjustment; the conditions below are recommended. The final approved conditions will be included in the signed decision.

Recommended Conditions for Application A08/26 (James)

Applicability

1. That the minor variance granted through application A09/26 is only to:
 - a. Construct an open-sided Gazebo that is 22.3 square metres (240 square feet) in area with a setback of 5 metres (16.4 feet) from the highwater mark of Norcan Lake
 - b. Construct a Boathouse with a maximum area of 15 square metres (161 square feet), setback 3 metres (9.8 feet) from the highwater mark of Norcan Lake.
2. This minor variance does not include a reduction in the required setbacks along the entire width/length and depth of the property or for any future structures.
3. Application number A08/26 is applicable only to the Township of North Frontenac's Zoning By-Law Number 55-19, as amended, and not to any subsequent zoning by-laws.

No Adverse Impacts

4. The owner/applicant shall ensure that there are no adverse impacts on neighbouring properties as a result of the approved proposal, nor shall there be any increased runoff or grade changes to the property as a result of any excavation or downspout orientation.

Building Permits

5. A building permit is required for all demolition and construction on the property. There shall be no additional development, or demolition of existing structures, on the property without approval from the Township of North Frontenac.
6. The owner/applicant shall provide to the Building Department a copy of the decision of the Committee of Adjustment, together with a copy of any approved drawings. The drawings submitted with the building permit application must, in the opinion of the Township, conform to the general intent and description of any approved drawings, including any amendments and conditions approved by the Committee of Adjustment, as stated in the decision. Additional variances may be required should further zoning deficiencies be identified through the Building Permit application process.

Construction Method

7. All excavated material and accumulated sediment along sediment control measures shall be disposed of more than 30 metres (98 feet) of the waterbody. Excess soil or fill shall not be placed in any low area and shall not interfere with any seasonal or permanent wetlands or watercourse.
8. Sediment control measures shall be implemented throughout the construction process (mainly the placement of a sediment barrier such as staked straw bales between exposed soil and the lake). The sediment barrier shall remain in place and in good working order until all disturbed areas have been stabilized and re-vegetated.
9. Natural drainage patterns on the site shall not be substantially altered such that additional run-off is directed towards the lake, or onto neighboring properties. In order to achieve this, eaves troughing shall be installed on the additions and outlet away from the lake, to a leach pit or well-vegetated area to maximize infiltration.
10. The property owner shall not remove any shoreline vegetation and ensure that the root system of the trees are not impacted by the proposed development. All heavy equipment and construction materials must be stored away from the shoreline area.

Appendix B: Relevant Planning Policy

Provincial Planning Statement (2024)

The Provincial Planning Statement (PPS) provides direction on matters of Provincial interest related to land use planning and development. The PPS promotes efficient land use and development patterns that support strong, liveable and healthy communities, protect the environment and public health and safety, and facilitate economic growth. Under Section 3 of the Planning Act, all municipal decisions regarding planning applications “shall be consistent with” applicable provincial policy.

When assessing consent and minor variance applications on rural lands, planning authorities must comply with Sections 2.5 and 2.6 of the PPS, and apply the relevant policies of the following sections:

- Chapter 3: Infrastructure and Public Service Facilities of the PPS contains policies that direct the development of public and private infrastructure including transportation networks, sewage, water and stormwater services, waste management, and public spaces, recreation, parks, trails, and open spaces.
- Chapter 4: Wise Use and Management of Resources of the PPS contains policies that encourage the protection of natural heritage, water, agricultural land, mineral and aggregate resources, and cultural heritage and archaeological resources for their economic, environmental and social benefits.
- Chapter 5: Protecting Public Health and Safety of the PPS contains policies intended to reduce the potential for public cost or risk to Ontario’s residents from natural or human-made hazards. Conservation Authorities have provincially delegated responsibilities to represent Provincial interests regarding natural hazards under Section 5.2 of the PPS.

The following policies are applicable to this application:

- Permitted uses on rural lands include residential development, including lot creation, where site conditions are suitable for the provision of appropriate sewage and water services; (Section 2.6.1.c).
- Development that can be sustained by rural service levels should be promoted (Section 2.6.2).
- Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the uneconomical expansion of this infrastructure (Section 2.6.3).
- Conserving biodiversity and considering the ecological benefits provided by nature (Section 2.5.1.g).

- Supporting healthy, integrated and viable rural areas by building upon rural character and leveraging rural amenities and assets (Section 2.5.1.a).
- Individual on-site water and sewage services may be used provided that site conditions are suitable for the long term provision of such services with no negative impacts (Section 3.6.4).
- Natural features and areas shall be protected for the long term (Section 4.1.1).
- Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards (Section 5.1.1).

County of Frontenac Official Plan (2016)

The County of Frontenac Official Plan is a framework for guiding development in the County through the management and protection of the natural environment and by providing direction and influence on growth patterns. It is focused on the six themes of economic sustainability, growth management, community building, housing and social services, heritage and culture, and environmental sustainability.

The following policies are applicable to this application:

- Section 3.3, Rural Lands, provides policies for all lands outside of the settlement areas. The Plan recognizes that rural lands are used as an alternative location for those preferring a rural lifestyle. Low density residential development, as well as rural-related commercial, industrial, recreational and institutional development, is permitted.
- Section 4.2, Servicing, includes policies for the use of private on-site water and sewage services, provided that site conditions are suitable for the long-term provision of such services with no negative impacts.
- Section 7, Environmental Sustainability, sets out policies for environmental sustainability and the protection of the natural heritage system and the ecological functions it provides.

Township of North Frontenac Official Plan (2017)

The property is designated as Waterfront Area in the Township of North Frontenac's Official Plan (2017). Waterfront Area policies are intended to govern development within 150 metres (500 feet) of waterbodies and on islands with the intent of protecting water quality, shoreline amenities and natural habitat areas. It is Council's intent that the water quality of all waterbodies in the Municipality will be maintained at their present level or enhanced. New development must be considered in light of its impact on the environmental quality of any lake or river.

- Section 2.3.8 Objectives direct development away from lands with natural or human made hazards and/or physical limitations such as poor drainage, organic or contaminated soils, flood susceptibility, erosion or steep slopes.
- Section 4.10.5 Objectives sets out the objectives of the Waterfront Area including character, access and servicing, natural areas, and development. Limiting the density of buildings and structures in the Waterfront Area is an important part of protecting the character of waterbodies in North Frontenac. The Official Plan also speaks to the preservation and protection of the appearance of the shoreline in a natural vegetated state shall be encouraged.
- The objective listed in Section 4.10.5 (O) is to support redevelopment opportunities of waterfront properties while maintaining the character of the waterfront area.
- Section 4.10.6 (A) states that where development occurs in the Waterfront Area, it should enhance and protect, where possible, those qualities that contribute to character.
- Section 4.10.6 (B) states that natural form should dominate the character of the Waterfront. Natural shorelines may visually screen development viewed from the water and buffer uses
- Section 4.10.6 (D) states that where development occurs in the Waterfront, it should complement the natural and built form and should enhance and protect those qualities that contribute to character.
- Section 4.10.7 (E) Construction mitigation measures, storm water management, or other techniques shall be used to minimize negative impacts on water quality

To: Committee of Adjustment/Planning Advisory Committee
From: Dmitry Kurylovich, Project Manager/Senior Planner
 Sonya Bolton, Manager of Community Planning, County of Frontenac
Approved by:
Date of Meeting: 22 Jun 2026
Re: Planning Report: Application for Permission to Expand a Legal Non-Complying Structure (Dwelling)

Background:

Address	1056 Kerr Lane
Legal Description	Lot 2, Plan 417, Geographic Township of Miller
File Number	A09/26 (Burke)
Owner/Applicant	Paul Burke
Date of Public Meeting	June 22, 2026

Proposal

This application proposes to:

- Construct a two storey 3.7 square metre (40 square foot) dwelling addition on the southwest corner of the existing dwelling.
- Conversion of an existing 14.86 square metre (160 square foot) sunroom to dwelling space.
- Excavate a portion of the basement to increase ceiling height and reinforce current dwelling foundation.
- Interior alterations to the existing dwelling.

The proposed development is an expansion of an existing legally non-complying dwelling footprint that was constructed prior to Township Zoning By-Law Number 55-19 coming into effect.

The existing dwelling is non-compliant because of the deficient waterbody setback. Based on measurements taken by County planning staff, the closest point of the dwelling (deck) is located approximately 8 metres (26 feet) from the highwater mark of Grindstone Lake whereas 30 metres (98 feet) is required by the current Zoning By-law. The proposed development is located on the non-waterside of the dwelling and will not result in any further encroachment into the waterbody setback.

Permission under Section 45(2) of the Planning Act is required to enlarge the existing non-complying dwelling. Refer to the site plan (Attachment 2) and the list of existing structures below for the site context.

Existing Development

The subject property is developed with:

- A two storey, 92 square metre (990 square foot) dwelling located approximately 8 metres (26 feet) from the highwater mark of Grindstone Lake.
- A 72 square metre (775 square foot) accessory structure located approximately 45 metres (148 feet) from the highwater mark of Grindstone Lake.
- A sleep cabin located approximately 15 metres (49.2 feet) from the highwater mark of Grindstone Lake.
- A Class-4 sewage system located more than 30 metres (98 feet) from the Grindstone Lake.

Property Information

Official Plan designation	Waterfront Area
Zoning	Limited Service Waterfront (LSW)
Current size (area) of subject property	0.81 hectares (2.0 acres)
Existing road frontage and access	45 metres (148 feet) on Kerr Lane (Private Road)
Waterfront	91 metres (299 feet) on Grindstone Lake
Natural heritage features	Property is mostly vegetated with the exception of the existing building envelope
Surrounding land uses	Similar sized waterfront lot to the east and west. Crown Land parcel to the South and Grindstone Lake to the north.

Pre-application Consultation

The property owner consulted with Township and County staff prior to the submission of this application.

Public Notice

Notice of the public meeting before the Committee of Adjustment was given in accordance with the requirements of the Planning Act. A notice was placed on the subject property and mailed to all property owners within 60 metres (197 feet) of the subject property, at least 10 days in advance of the public meeting.

Researched By:

Dmitry Kurylovich, Senior Planner, County of Frontenac

Comments:

Technical Comments

Natural Hazards - Mississippi Valley Conservation Authority (MVCA)

Comments dated June 12, 2026 but received on June 15, 2026 indicate no objection to the proposal.

The following mitigation measures have been recommended:

1. In accordance with the provisions of the relevant Municipal Zoning By-law, unvegetated sections of the shoreline that are not in compliance with the allowable clearing for water access, shall be planted with native plant species to a minimum depth of 3 metres (measured from the shoreline towards the rear of the lot). This effort will help to mitigate the effects of

erosion on the shoreline. This is not applicable where planting is impractical due to bedrock outcroppings.

2. Natural drainage patterns on the site shall not be substantially altered such that additional drainage is directed towards the lake or slope.
3. Erosion control measures shall be implemented throughout the construction process (mainly the placement of a sediment barrier such as staked straw bales between exposed soil and the lake). The barrier should remain in place until all disturbed areas have been re-vegetated

Septic Approval Authority (Township of North Frontenac)

The sewage system capacity and performance will be addressed at the building permit stage.

Public Comments

None.

Conformity and Consistency with Policy Planning Documents

Applications for permission are required to be consistent with the Provincial Planning Statement, 2024 and conform to both the County of Frontenac Official Plan and the Township of North Frontenac Official Plan. It is the opinion of planning staff that the application is consistent with and conforms to the planning policies of all these documents.

The key policies of each document that are applicable to the subject application are outlined in Appendix B of this report, and the policy issues are addressed in the planning analysis below.

North Frontenac Zoning By-Law

The subject property is zoned Limited Service Waterfront (LSW) in the Township of North Frontenac Zoning By-Law Number 55-19. The LSW Zone permits residential and accessory uses.

The Zoning By-law requires all non-waterfront structures to be located a minimum of 30 metres (98 feet) from the estimated highwater mark of any waterbody. The intent of the 30 metre (98 foot) waterbody setback is to provide a vegetative buffer between a development envelope and shoreline for the purpose of maintaining aquatic habitat, filtration of run-off, and reducing visual impacts of development on the waterfront character of the area. This setback applies to all non-waterfront structures including sewage disposal systems.

The existing dwelling was constructed within the required 30 metre (98 foot) waterbody setback, before the current Zoning By-law came into effect and is therefore considered to be a non-complying structure.

Section 3.24 of the Zoning By-law allows the renovation, repair, or reconstruction of existing non-complying structures as long as the footprint and volume of the structures are not increased. Since the application proposes to increase the livable space of the dwelling within the waterbody setback, approval is required under Section 45(2) of the Planning Act.

The proposed dwelling addition is located on the southwest side of the dwelling. The proposed conversion of the sunroom to habitable space will take place within the existing dwelling footprint.

Planning Analysis and Considerations

This application was reviewed against the policies of the Provincial Planning Statement, the County of Frontenac Official Plan, and the Township of North Frontenac Official Plan. The analysis below summarizes all relevant policies by theme. A list of all land-use planning policies relevant to this application is found in Appendix B of this report.

Waterfront Character

Planning staff are of the opinion that the existing dwelling is already part of the existing shoreline character and that the proposed development will have no impact on the character of the shoreline. The proposed addition will square off the dwelling and will not result in any additional visual impact as seen from the water.



Figure 1. Image from a May 29, 2026 site visit showing area proposed for development.

Overall, County planning staff are of the opinion that the proposed addition will not have a significant impact on the waterfront character of Grindstone Lake and will not result in a shoreline that appears to be overly developed.

Natural Heritage

The proposed development will require excavation within the immediate dwelling footprint. No vegetation removal is anticipated to be removed.

The applicant shall install a sediment and erosion control barrier to ensure that the shoreline is protected during construction.

Natural Hazards

MVCA staff confirmed that although the slope near the shoreline is steep, the proposed work falls within the exemption criteria and therefore a slope stability assessment is not required. No other regulated natural hazards were identified.

Servicing

Sewage system capacity will be considered at the building permit stage. Since the sewage bed is located more than 30 metres (98 feet) from the waterbody, the expansion of the system does not require planning approval.

Minimum Distance Separation

No livestock facilities, aggregate extraction operations, or landfills were identified within the applicable screening areas surrounding the subject property.

Legal Non-Conforming Uses/Structures

In accordance with Section 45(2) of the *Planning Act*, the Committee of Adjustment may permit the enlargement or extension of an existing legal non-conforming building or structure, where the use of such building or structure does not conform with the provisions of the Zoning By-law but legally has been in continuous existence before and following the date the By-law was passed. No permission may be given by the Committee to enlarge or extend the building or structure beyond the original limits of the land where the legal non-conforming building or structure is situated.

In considering whether to grant a permission pursuant to Section 45(2), the relevant tests are:

1. Is the application desirable for appropriate development of the subject property?

The proposed development is desirable as it will improve the existing dwelling foundation and create more habitable space without significant site alteration or footprint expansions.

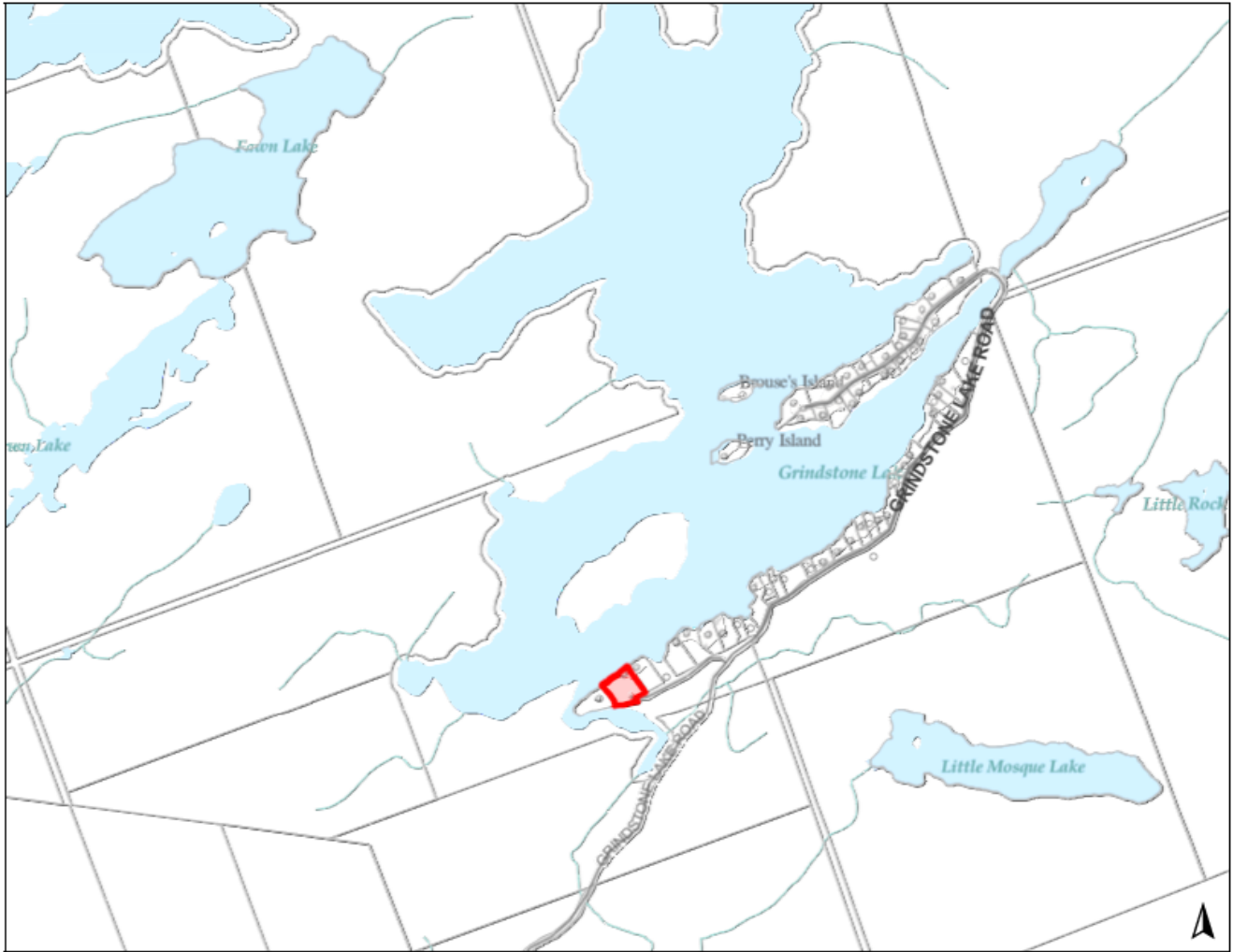
2. Will the application result in undue adverse impacts on the surrounding properties and neighbourhood?

County planning staff are of the opinion that the proposal will not result in undue adverse impacts on surrounding properties, the neighbourhood, or the quality of the adjacent waterbody. The proposed development is modest in size, will not require significant site alteration or vegetation removal, and will not result in a shoreline that appears overly developed.

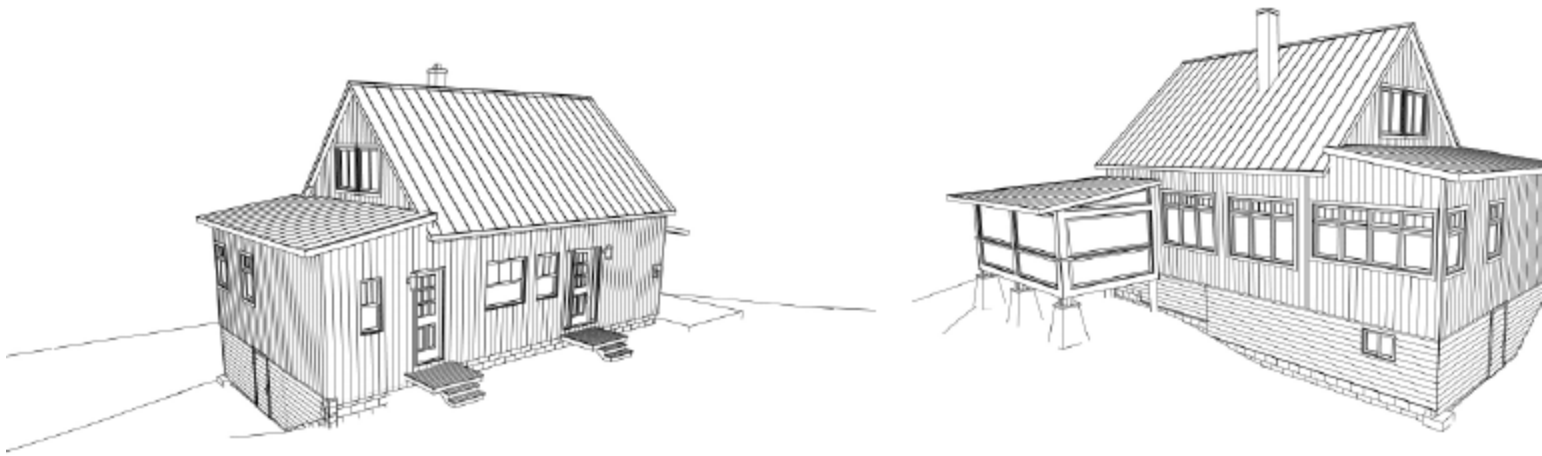
Recommendation

Subject to any additional comments received prior to, or during, the Committee of Adjustment meeting, it is recommended that the Committee of Adjustment approve application number A09/26 as per the plans submitted with the application, and with the recommended conditions attached in Appendix A.

Key Map



Site Plan



ADDITION ARTIST RENDERING

Financial Impact:

None.

Strategic Implications:

None.

Attachments:

[Attachment - Site Plan A09-26](#)

[Appendix A](#)

[Appendix B](#)

[MVCA Comment Letter](#)

Appendix A: Draft Conditions of Approval

Note: Conditions are a decision of the Committee of Adjustment; the conditions below are recommended. The final approved conditions will be included in the signed decision.

Recommended Conditions for Application A09/26 (Burke)

Applicability

1. That the permission granted through application A09/26 is only to:
 - a. Construct a two storey 3.7 square metre (40 square foot) dwelling addition on the southwest corner of the existing dwelling.
 - b. Convert an existing 14.86 square metre (160 square foot) sunroom located on the west side of the dwelling into enclosed habitable dwelling space.
 - c. Excavate a portion of the basement to increase ceiling height and reinforce dwelling foundation.
 - d. Undertake interior alterations to the existing dwelling.
2. This permission does not include a reduction in the required setbacks along the entire width/length and depth of the property or for any future structures.
3. Application number A09/26 is applicable only to the Township of North Frontenac's Zoning By-Law Number 55-19, as amended, and not to any subsequent zoning by-laws.

No Adverse Impacts

4. The owner/applicant shall ensure that there are no adverse impacts on neighbouring properties as a result of the approved proposal, nor shall there be any increased runoff or grade changes to the property as a result of any excavation or downspout orientation.

Building Permits

5. A building permit is required for all demolition and construction on the property. There shall be no additional development, or demolition of existing structures, on the property without approval from the Township of North Frontenac.
6. The owner/applicant shall provide to the Building Department a copy of the decision of the Committee of Adjustment, together with a copy of any approved drawings. The drawings submitted with the building permit application must, in the opinion of the Township, conform to the general intent and description of any approved drawings, including any amendments and conditions approved by the

Committee of Adjustment, as stated in the decision. Additional variances may be required should further zoning deficiencies be identified through the Building Permit application process.

Construction Method

7. All excavated material and accumulated sediment along sediment control measures shall be disposed of more than 30 metres (98 feet) of the waterbody. Excess soil or fill shall not be placed in any low area and shall not interfere with any seasonal or permanent wetlands or watercourse.
8. Sediment control measures shall be implemented throughout the construction process (mainly the placement of a sediment barrier such as staked straw bales between exposed soil and the lake). The sediment barrier shall remain in place and in good working order until all disturbed areas have been stabilized and re-vegetated.
9. Natural drainage patterns on the site shall not be substantially altered such that additional run-off is directed towards the lake, or onto neighboring properties. In order to achieve this, eaves troughing shall be installed on the additions and outlet away from the lake, to a leach pit or well-vegetated area to maximize infiltration.
10. The property owner shall not remove any shoreline vegetation and ensure that the root system of the trees are not impacted by the proposed development. All heavy equipment and construction materials must be stored away from the shoreline area.

Appendix B: Relevant Planning Policy

Provincial Planning Statement (2024)

The Provincial Planning Statement (PPS) provides direction on matters of Provincial interest related to land use planning and development. The PPS promotes efficient land use and development patterns that support strong, liveable and healthy communities, protect the environment and public health and safety, and facilitate economic growth. Under Section 3 of the Planning Act, all municipal decisions regarding planning applications “shall be consistent with” applicable provincial policy.

When assessing consent and minor variance applications on rural lands, planning authorities must comply with Sections 2.5 and 2.6 of the PPS, and apply the relevant policies of the following sections:

- Chapter 3: Infrastructure and Public Service Facilities of the PPS contains policies that direct the development of public and private infrastructure including transportation networks, sewage, water and stormwater services, waste management, and public spaces, recreation, parks, trails, and open spaces.
- Chapter 4: Wise Use and Management of Resources of the PPS contains policies that encourage the protection of natural heritage, water, agricultural land, mineral and aggregate resources, and cultural heritage and archaeological resources for their economic, environmental and social benefits.
- Chapter 5: Protecting Public Health and Safety of the PPS contains policies intended to reduce the potential for public cost or risk to Ontario’s residents from natural or human-made hazards. Conservation Authorities have provincially delegated responsibilities to represent Provincial interests regarding natural hazards under Section 5.2 of the PPS.

The following policies are applicable to this application:

- Permitted uses on rural lands include residential development, including lot creation, where site conditions are suitable for the provision of appropriate sewage and water services; (Section 2.6.1.c).
- Development that can be sustained by rural service levels should be promoted (Section 2.6.2).
- Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the uneconomical expansion of this infrastructure (Section 2.6.3).
- Conserving biodiversity and considering the ecological benefits provided by nature (Section 2.5.1.g).

- Supporting healthy, integrated and viable rural areas by building upon rural character and leveraging rural amenities and assets (Section 2.5.1.a).
- Individual on-site water and sewage services may be used provided that site conditions are suitable for the long term provision of such services with no negative impacts (Section 3.6.4).
- Natural features and areas shall be protected for the long term (Section 4.1.1).
- Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards (Section 5.1.1).

County of Frontenac Official Plan (2016)

The County of Frontenac Official Plan is a framework for guiding development in the County through the management and protection of the natural environment and by providing direction and influence on growth patterns. It is focused on the six themes of economic sustainability, growth management, community building, housing and social services, heritage and culture, and environmental sustainability.

The following policies are applicable to this application:

- Section 3.3, Rural Lands, provides policies for all lands outside of the settlement areas. The Plan recognizes that rural lands are used as an alternative location for those preferring a rural lifestyle. Low density residential development, as well as rural-related commercial, industrial, recreational and institutional development, is permitted.
- Section 4.2, Servicing, includes policies for the use of private on-site water and sewage services, provided that site conditions are suitable for the long-term provision of such services with no negative impacts.
- Section 7, Environmental Sustainability, sets out policies for environmental sustainability and the protection of the natural heritage system and the ecological functions it provides.

Township of North Frontenac Official Plan (2017)

The property is designated as Waterfront Area in the Township of North Frontenac's Official Plan (2017). Waterfront Area policies are intended to govern development within 150 metres (492 feet) of waterbodies and on islands with the intent of protecting water quality, shoreline amenities and natural habitat areas. It is Council's intent that the water quality of all waterbodies in the Municipality will be maintained at their present level or enhanced. New development must be considered in light of its impact on the environmental quality of any lake or river.

- Section 2.3.8 Objectives direct development away from lands with natural or human made hazards and/or physical limitations such as poor drainage, organic or contaminated soils, flood susceptibility, erosion or steep slopes.
- Section 4.10.5 Objectives sets out the objectives of the Waterfront Area including character, access and servicing, natural areas, and development. Limiting the density of buildings and structures in the Waterfront Area is an important part of protecting the character of waterbodies in North Frontenac. The Official Plan also speaks to the preservation and protection of the appearance of the shoreline in a natural vegetated state shall be encouraged.
- The objective listed in Section 4.10.5 (O) is to support redevelopment opportunities of waterfront properties while maintaining the character of the waterfront area.
- Section 4.10.6 (A) states that where development occurs in the Waterfront Area, it should enhance and protect, where possible, those qualities that contribute to character.
- Section 4.10.6 (B) states that natural form should dominate the character of the Waterfront. Natural shorelines may visually screen development viewed from the water and buffer uses
- Section 4.10.6 (D) states that where development occurs in the Waterfront, it should complement the natural and built form and should enhance and protect those qualities that contribute to character.
- Section 4.10.7 (E) Construction mitigation measures, storm water management, or other techniques shall be used to minimize negative impacts on water quality

26-NF-MV

June 12, 2026

Tara Mieske
Secretary-Treasurer
Township of North Frontenac
P.O. Box 97
Plevna, Ontario K0H 2M0

Dear Ms. Mieske:

**Re: Request for Permission– #A09/26
Township of North Frontenac (Miller)
1056A Kerr Lane
BURKE**

Mississippi Valley Conservation Authority (MVCA) has reviewed the above noted application for concerns related to natural hazards for the subject property and surrounding lands. We have reviewed the subject application in the context of the following:

- Section 3.6 Sewage, Water and Stormwater, and Section 5.2 Natural Hazards of the Provincial Planning Statement (PPS, 2024) under Section 3 of the Planning Act;
- The Conservation Authority “Prohibited Activities, Exemptions and Permits” regulation 41/24, Section 28 of the Conservation Authorities Act;
- The Mississippi-Rideau Source Protection Plan (2014, revised 2022)

PROPOSAL

According to the Notice, *The property is developed with a two storey dwelling with a footprint of approximately 998 square feet, setback approximately 8 metres from the high water mark of Grindstone Lake.*

The proposed renovation includes interior renovations; conversion of a 3-season basement to a 4 season basement; and an addition on the south (non-waterside) portion of the dwelling with an area of 40 square feet. [The expansion is on the West side of the dwelling.] The current exposed basement [underneath the addition] will be enclosed. The proposed development will increase the living space by 275 square feet.

10970 Hwy. No. 7, Carleton Place, ON K7C 3P1 | Tel. (613) 253-0006 | visit: mvc.on.ca

Your partner in natural hazard management, resource conservation and stewardship.

The applicants are also proposing to construct a covered porch with an area of 116 square feet.

In terms of footprint and floor area, the total increase in area is 196 sq. ft. (18 sqm), noting that living space is increasing by 275 sq. ft. due to interior renovations and the conversion of the basement.

PROPERTY CHARACTERISTICS

The subject property has frontage on Grindstone Lake. The existing dwelling is on the crest of a cliff that descends to the lake. Bedrock outcroppings were observed.

REVIEW

Natural Hazards Advisory Review

The objective of MVCA's natural hazards review is to ensure that the control of *flooding* and *erosion* are not impacted by development. This includes impacts to wetlands, watercourses, slope stability, and unstable soils. For the subject property, the **slope** and **lake** are relevant to MVCA's advisory review.

Erosion Hazard

It is provincial policy that: *Development shall generally be directed to areas outside of hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding and/or erosion hazards* (Provincial Policy Statement 2024, Section 5.2.2b)). The document entitled *Understanding Natural Hazards* (Ministry of Natural Resources, 2001) was prepared as a guide to identify and provide direction and methods to address these hazards. As per the guide, *Erosion Hazards* include slopes which have the potential for erosion and/or instability due to their steepness and height i.e. steeper than 3:1 and higher than 3m.

The slope leading to the lake meets the definition of an Erosion Hazard and the proposed development is within the hazard area associated with this slope. Notwithstanding, in other areas of the watershed where MVCA Regulation Policies exist for Erosion Hazards, a one-time 40 sqm addition is permitted, without the requirement for a slope stability assessment. Applying the intent of this policy to the subject application, a Slope Stability Assessment can be waived. In addition, the proposed development is on the non-hazard side of the dwelling, and no visible signs of erosion were observed.

Waterbody

MVCA considers both direct and indirect impacts to waterbodies/watercourses, within the context of flooding and erosion. Impacts are not anticipated if minimum waterbody setback requirements (as stipulated by the municipality) are adhered to. However, if the minimum setback is not achieved, as with the subject proposal, we recommend no further encroachment into the setback.

In this case, there is no further encroachment towards the lake.

MVCA Ontario Regulation 41/24 (Regulatory)

Pursuant to ONTARIO REGULATION 41/24, *Prohibited Activities, Exemptions and Permits*, written permission is required from MVCA prior to any alterations to the shoreline of the lake. We are not aware of any proposed shoreline alterations as part of the subject application.

RECOMMENDATIONS & CONCLUSIONS

Based on the above, MVCA does not have any objections to the subject application provided the following mitigation measures are implemented:

1. In accordance with the provisions of the relevant Municipal Zoning By-law, unvegetated sections of the shoreline that are not in compliance with the allowable clearing for water access, shall be planted with native plant species to a minimum depth of 3 metres (measured from the shoreline towards the rear of the lot). This effort will help to mitigate the effects of erosion on the shoreline. This is not applicable where planting is impractical due to bedrock outcroppings.
2. Natural drainage patterns on the site shall not be substantially altered such that additional drainage is directed towards the lake or slope.
3. Erosion control measures shall be implemented throughout the construction process (mainly the placement of a sediment barrier such as staked straw bales between exposed soil and the lake). The barrier should remain in place until all disturbed areas have been re-vegetated.

NOTES

A review for Species at Risk was not conducted. We suggest contacting the Ministry of the Environment, Conservation and Parks should you require a review in this regard.

The applicant should be advised that, pursuant to ONTARIO REGULATION 41/24, *Prohibited Activities, Exemptions and Permits*, written permission is required from MVCA prior to any alterations to the shoreline of the lake.

We advise consultation with Fisheries and Oceans Canada (DFO) [Projects near water \(dfo-mpo.gc.ca\)](http://dfo-mpo.gc.ca) prior to conducting any work within the lake, to assess potential impacts to fish habitat. Authorization from DFO may be required for such work.

Should any questions arise please do not hesitate to call. Please advise us of the Committee's decision in this matter.

Yours truly,



Diane Reid
Environmental Planner

To: Committee of Adjustment/Planning Advisory Committee
From: Dmitry Kurylovich, Project Manager/Senior Planner
 Sonya Bolton, Manager of Community Planning, County of Frontenac
Approved by:
Date of Meeting: 22 Jun 2026
Re: Planning Report: Application for A Permission to Expand a Legal Non-complying Structure.

Background:

Address	1198A Helen Lane
Legal Description	Lot 9, Plan 1007, Geographic Township of Clarendon
File Number	A10/26
Owner/Applicant	Diane Kroeker-Racki
Date of Public Meeting	June 22, 2026

Proposal

This application proposes to:

- Replace an existing unenclosed, uncovered deck with a 6.69 square metre (72 square foot) screened in porch and 37.9 square metre (408 square foot) covered deck on the east side of the existing dwelling.

Existing Development

The site plan and application form indicates that the subject property is developed with:

- A one storey 154 square metre (1,664 square foot) dwelling located approximately metres 13.7 metres (45 feet) from the shoreline of Big Gull Lake.
- A 28 square metre (304 square foot) bunkie located approximately metres 2.4 metres (8 feet) from Big Gull Lake
- A 11 square metre (120 square foot) shed located approximately 18.3 metres (60 feet from) the edge of Big Gull Lake
- A privy located approximately 36 metres (120 feet) from the Big Gull Lake

Property Information

Official Plan designation	Waterfront Area
Zoning	Limited Service Waterfront (LSW)
Current size (area) of subject property	0.51 hectares (1.28 acres)
Existing road frontage and access	23 metres (75 feet) on Helen’s Lane
Waterfront	Approximately 61 metres (200 feet) on Big Gull Lake
Natural heritage features	No mapped features. Property is naturally vegetated with the exception of development

	parcel
Surrounding land uses	Waterfront residential lots of similar size to the northeast and southwest, Crownland to the southeast, and Big Gull Lake to the northwest

Pre-application Consultation

The property owner consulted with Township and County staff prior to the submission of this application.

Public Notice

Notice of the public meeting before the Committee of Adjustment was given in accordance with the requirements of the Planning Act. A notice was placed on the subject property and mailed to all property owners within 60 metres of the subject property, 10 days in advance of the public meeting.

Researched By:

Dmitry Kurylovich, Senior Planner, County of Frontenac

Comments:

Technical Comments

Natural Hazards – Mississippi Valley Conservation Authority (MVCA)

MVCA staff had no objections to the application in the context of natural hazards. They noted that MVCA does not have any record of a permit issued for a dock that is located on the property and will follow up with the property owner.

Public Comments

One comment was received from a neighbour stating that the existing dwelling did not have an uncovered deck on the east side, that the submitted site plan incorrectly identifies the area west of the subject property as "woods" when it is in fact Big Gull Lake, and that the proposal seeks to expand the height, size, and volume of the original dwelling, contrary to Section 3.24(d) of the Zoning By-law.

Planning Comments

County Planning staff attended the property on May 29, 2026 and identified a number of discrepancies between the submitted site plan and on-site observations. It should be noted that a significant amount of demolition and construction activity had already occurred at the time of the site visit, making it difficult to determine the extent of the original dwelling.

1. Municipal Property Assessment Corporation (MPAC) records indicate that the property is developed with a 695 square foot dwelling constructed in 1975. However, the submitted application form and site plan identify the existing dwelling as having a floor area of 1,664 square feet.
2. Aerial imagery captured in 2020 indicates that the southwestern corner of the dwelling did not exist at that time. Observations from within the partially constructed dwelling, together with the existing foundation, confirm that this area has since been enclosed. The enclosed area represents approximately 320 square feet of additional floor area.



Figure 1. Satellite imagery from 2020 showing the outline of the dwelling that existed at the time.



Figure 2. Photo from the interior of the existing dwelling showing the outside wall on the southwest of corner of the house has been enclosed by new development.

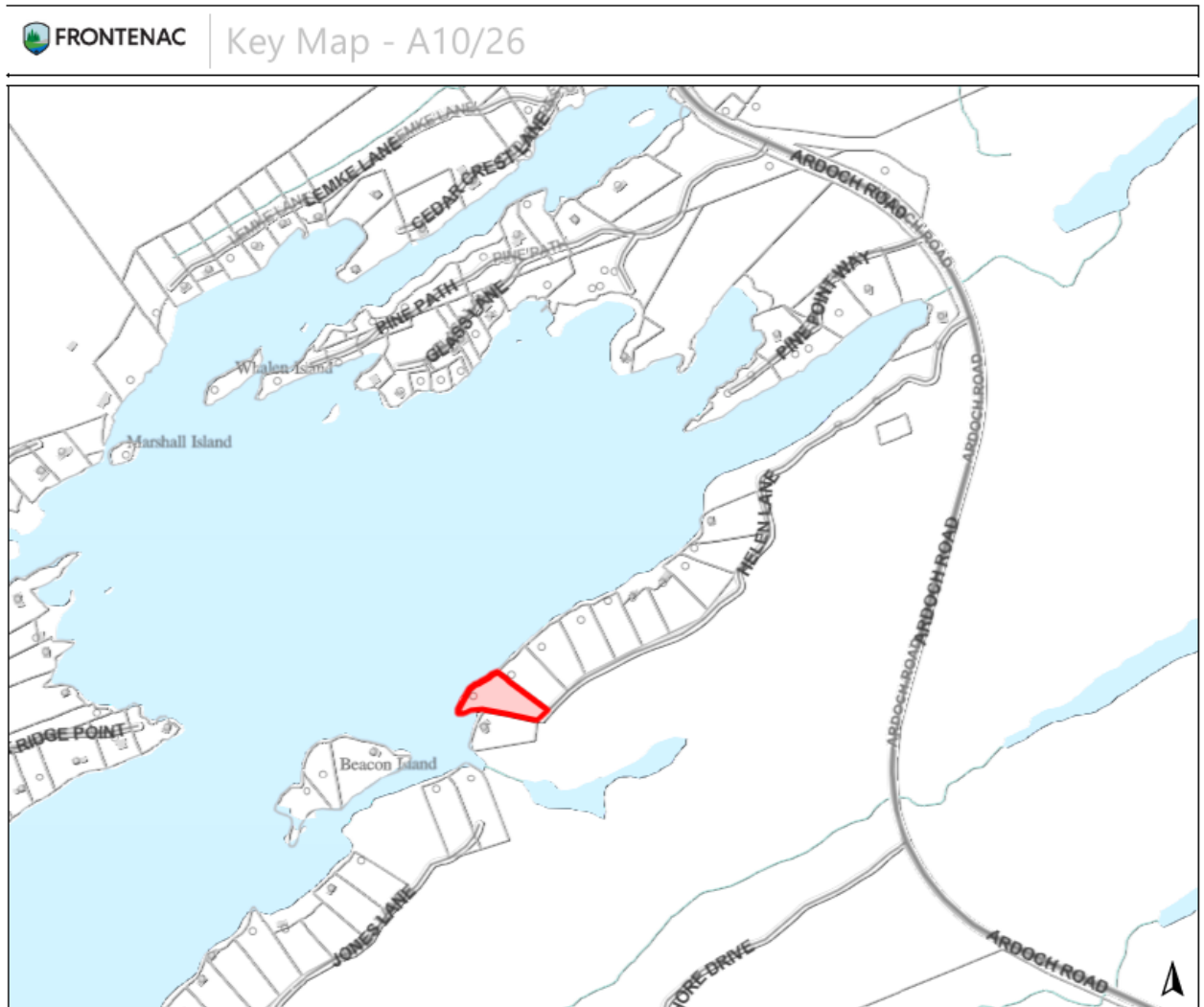
1. Satellite imagery available to planning staff does not confirm the existence of a deck on the east side of the dwelling, where the development considered by this application is proposed.
2. The submitted site plan identifies the area to the west and southwest of the dwelling as "Woods." This does not accurately reflect existing site conditions, as Big Gull Lake is located directly west and southwest of the dwelling.
3. Site measurements obtained during the property inspection confirmed that the distance between the dwelling and the water's edge is less than that shown on the submitted site plan

As a result of the discrepancies noted above, County Planning staff have concerns regarding the accuracy of the submitted plans and the ability to verify the extent of the pre-existing development.

Recommendation

Due to the number of discrepancies between staff observations, and comments submitted by the public, it is recommended that the Committee of Adjustment defer Application Number B10/26, until the applicant submits additional information that addresses the discrepancies or revises the application accordingly. Additional information can include but not be limited to photographs of the dwelling prior to construction or existing building permits.

Key Map



Redlined Site Plan



To: Committee of Adjustment/Planning Advisory Committee
From: Jennie Kapusta, Community Planner, County of Frontenac
 Sonya Bolton, Manager of Community Planning, County of Frontenac
Approved by:
Date of Meeting: 22 Jun 2026
Re: Planning Report Addendum: Applications for Consent for the Creation of Three Water Access Lots and a Mainland Parking Area

Background:

Vacant Water Access Property

Address	No Municipal Address, Sand Lake and Shawenegog Lake
Legal Description	Part Lot 1, Concession 13, Geographic Township of Barrie
File Number	B02/24, B03/24, B04/24
Owner/Applicant	Gaylord Family Properties Inc.
Date of Public Meeting	May 27, 2024

1628C Beach Road

Address	1628C Beach Road
Legal Description	Part Lot 34, Concession 14, Geographic Township of Clarendon
File Number	B05/24
Owner/Applicant	Gaylord Family Properties Inc.
Date of Public Meeting	May 27, 2024

A public meeting regarding these applications, as well as an application for permission to expand an existing legal non-complying structure, was held [May 27, 2024](#). There were public comments provided at that meeting and during the public notice period. A decision on these applications was deferred at that meeting to allow the applicant sufficient time to address the technical concerns raised during the review process.

A second meeting regarding these applications, along with the application for permission, was held [April 27, 2026](#). The April 27, 2026 planning report contains the detailed planning analysis and discussion regarding received technical and public comments for these consent applications. This report has been prepared as an addendum to the April 27, 2026 planning report and covers only those issues that were raised at the April 2026 committee meeting.

Between the May 2024 and April 2026 meetings the applicant worked with Township and County planning staff, along with Mississippi Valley Conservation Authority (MVCA) staff to address the

technical concerns raised during the initial review process. It was determined that the best approach for all parties involved was to include additional conditions of approval for the water access lots regarding the identification of suitable building envelopes and the requirements for Slope Stability Assessments (SSA). The recommended conditions for each consent application are included in this addendum as Appendix A.

The concurrently submitted application for permission to expand (A01/24) was approved by the Committee at the April 2026 meeting. The consent applications (new lots and mainland parking area) were deferred until the Committee meeting scheduled for August 24, 2026 to allow time to address questions raised by the Committee at the April 2026 meeting.

The following resolution was passed by the Committee April 27, 2026:

Be It Resolved That the following Planning Applications be deferred until August 24, 2026:

- File #B02/24 Creation of New Lot
- File #B03/24 Creation of New Lot
- File #B04/24 Creation of New Lot
- File #B05/24 Creation of Right-of-Way

And That the Applicant shall provide a report from a qualified engineer regarding the construction standards of the Right-of-Way, specifically the degree of the grade of the driveway, and the safety standards for the proposed use of the driveway;

And That the Secretary will provide Public Notice of the application a minimum of 14 days prior to the meeting.

Carried

After consideration of the resolution passed at the April 2026 meeting and the information requested by the Committee, the applicant asked that these applications be returned for consideration at the meeting scheduled for June 22, 2026 rather than waiting for the August 24, 2026 meeting. The applicant has requested that the Committee make a decision based on the information provided to date and the recommendation in the planning report prepared for the April 27, 2026 meeting.

At the May 25, 2026 Committee meeting there was a discussion on these consent applications during the approval of the minutes of the April 27, 2026 meeting. As a result of this discussion Resolution #08-26 was passed at the May 25, 2026 Committee meeting:

Be It Resolved That the Committee requests the following information be brought back to the next meeting with respect to Applications #B02/24, #B03/24, #B04/24 and #B05/24:

- The report from the North Frontenac Fire Chief and Public Works Manager regarding access to the parking area, as referred to by the County Planner;
- Clarification regarding the difference between a Right-of-Way and a driveway;
- Clarification regarding MVCA's comments about the steep slope, specifically if these comments referred to the slope to the parking area.

Carried

Public Notice

Notice of the May 27, 2024 public meeting before the Committee of Adjustment was given in accordance with the requirements of the Planning Act. A notice was placed on the subject property and mailed to all property owners within 60 metres of the subject property, 14 days in advance of the public meeting.

Notice of these applications returning to the June 22, 2026 meeting was mailed to all property owners within 60 metres of the subject property, 14 days in advance of the public meeting; and also provided to all those who requested to be notified of subsequent meetings.

Researched By:

Jennie Kapusta, Community Planner, County of Frontenac

Comments:

Technical Comments

Township of North Frontenac Public Works and Fire Department

At the time of finalizing this addendum, it appears that there is no change in comments from Public Works and Fire compared to those discussed in the planning report for the April 2026 Committee meeting. A letter from those departments has been included as Attachment #1.

Mississippi Valley Conservation Authority (MVCA)

The Technical Review Memorandum from MVCA (Attachment #3) regarding the submitted Slope Stability Assessment (SSA) that was completed by Cambium Inc. (Attachment #2) for the mainland property did not express any concerns with the conclusions of the SSA and noted that the proposed development is not anticipated to negatively impact the stability of the slope.

As noted in the planning report for the April 2026 Committee meeting, the SSA stated that the use of the gravel surface parking area is not anticipated to negatively impact the stability of the slope and is considered to be suitable for the site. It was further stated that Cambium's understanding of the proposal is that the parking area is to be used by light duty traffic only. Heavy duty traffic is not permitted to use the parking area. It was further noted that the parking area is to be graded to provide drainage to a swale which will direct the water flow in a controlled manner.

Public Comments

Public comment received up to April 2026 were discussed in the planning report prepared for the April 2026 Committee meeting. Following that meeting there were further public comments received, discussed below.

An email from Carl Tooley was received advising he obtained legal advice regarding the private road known as Beach Road. Mr. Tooley's letter stated that he was informed by a solicitor that Mr. Gaylord needs to provide a Certificate of Consent to be able to provide a legal right-of-way over Beach Road and that this Certificate of Consent should be signed by "property owners" prior to any application being presented. Further, that due to several concerns with the usage of the road he [Mr. Tooley] would be unwilling to sign any Certificate of Consent.

Planning staff would like to note that there was no formal letter from a lawyer provided along with this email. Further, any questions regarding the legal ability to transfer and/or create an additional easement over an existing right-of-way are outside the scope of the planning review. It is up to the applicants to ensure that they are legally allowed to create the easement as proposed. This is part of the conditions of approval for the consent. If the applicants are unable to fulfill this condition, then the consent will lapse, and the easement is not created.

Email comments were received from Mat Sawyer, resident, saying that in his opinion the road [Beach Road] is already heavily used and overburdened with traffic. He additionally expressed concerns regarding the proposed boat launch and dock, that based on the plans provided the structure appears to extend into the creek channel between the two lakes which could affect water flow and create a significant navigation hazard. Increased development and boat traffic would only amplify these concerns. This email further stated that Mr. Sawyer will be voting against the proposed applications.

Planning staff would like to note that only the members of the Committee of Adjustment are able to vote on applications.

The Township Zoning By-Law contains provisions regarding the maximum sizing and location for docks and also states that despite the allowed maximum sizing no dock shall be permitted that constitutes a navigation hazard.

Planning staff would like to note that no drawings or plans for any dock structure was ever provided during this application process, nor was any relief from the zoning by-law provisions requested for a dock. As such planning staff are unable to comment on the extent of any such proposed structure.

North Frontenac Zoning By-Law Definitions and Provisions

In the resolution from the May 2026 Committee meeting, the Committee requested clarification on the difference between a driveway and a right-of-way. The following are the definitions from the zoning by-law:

Driveway means a vehicular access which is connected to a public road, private lane or thoroughfare, which provides ingress to and/or egress from a lot and may include a shared driveway but shall not include a private lane as defined herein.

Easement means the legal right acquired to pass over, along, upon or under the lands of another. Also known as a right-of-way.

Private Lane means a road under private ownership, which serves two (2) or more legally conveyable lots and may include a right-of-way registered on title. (A driveway, by contrast, provides access to only one (1) property or legally conveyable lot, despite the length of the driveway. A driveway also includes a shared driveway between two (2) abutting properties).

The Zoning By-law also sets out provisions for Frontage and Access to Water Access Lots. Section 3.16 provides the following:

a. Water Access Lots

- i) Notwithstanding the foregoing, this provision shall not apply to any permitted use on an island or water access lot. For island or water access lots no parking is required on the principal lot provided that adequate vehicular parking area and boat launching facilities are provided on the mainland.
- ii) The requirements below for mainland parking area and boat launching facilities access shall not apply to an existing island or water access lot; however, the creation of any new water access lot shall be in accordance with the following provisions:
 - a. A minimum of two parking spaces shall be required for each dwelling unit, in accordance with Sections 3.31 and 3.32 of this By-law.
 - b. Legal use of mainland parking area and boat launching facilities shall be tied in perpetuity (legal agreement registered on title) to the water access lot(s) for which the building permit is sought.
 - c. The mainland area used for parking and boat launching facilities shall have sufficient size for parking and sufficient water frontage for boat dockage on the same lot.
 - d. The parking area shall be setback a minimum of 15 metres from the high-water mark.

Recommendation

Subject to any additional comments received prior to, or during, the Committee of Adjustment meeting, it is recommended that the Committee of Adjustment approve applications B02/24, B03/24, B04/24 and B05/24, with the recommended conditions attached in Appendix A.

Financial Impact:

None.

Strategic Implications:

None.

Attachments:

[Appendix A](#)

[Attachment #1 Parking Area on Beach Road](#)

[Attachment #2 Slope Stability Assessment](#)

[Attachment #3 MVCA Technical Review](#)

Appendix A: Draft Conditions of Approval

Note: Conditions are a decision of the Committee of Adjustment; the conditions below are recommended. The final approved conditions will be included in the signed decision.

Recommended Conditions for Consent Application B02/24

Expiry Period

1. Conditions imposed must be met within two years of the date of the Notice of Decision, as required by Section 53(41) of the Planning Act, RSO 1990, as amended. If conditions are not fulfilled as prescribed within two years, the application shall be deemed to be refused. Provided that all conditions are satisfied, the Certificate of Official is to be presented to the Secretary-Treasurer, Committee of Adjustment for certification under Section 53(42) of the Planning Act, R.S.O. 1990 as amended, within two years of mailing of the Notice of Decision.
2. The Certificate of Official must be registered within two years from the issuance of the Certificate as required under Section 53(43) of the Planning Act, R.S.O. 1990, as amended. A copy of the registered transfer certificate shall be provided to the Secretary-Treasurer, Committee of Adjustment to complete the file.

Severed Lands

3. The proposed lot will be approximately 2.12 hectares (5.25 acres) in area with 129 metres (423 feet) of frontage along both Sand Lake and Shawenegog Lake.

Survey/Reference Plan or Registerable Description

4. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], the deed or instrument conveying the severed lands, and the Certificate of Official shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of two years [Planning Act, s. 53(41)] after the date of Decision [Planning Act, ss. 53(17) and 53(24)].
5. The applicant or his/her solicitor shall prepare and submit to The Corporation of the Township of North Frontenac, a transfer or such other required form of document necessary to implement the consent, for endorsement by the Secretary-Treasurer of the Committee of Adjustments for the municipality. This transfer or other legal document shall be provided to the municipality within a period of two years after Notice of Decision was given under subsection 53(15) or 53(24) of the *Planning Act*.
6. The surveyor or owner shall submit the draft Reference Plan electronically, or in paper form, for review and approval by planning staff prior to depositing the Reference Plan with the Land Registry Office.
7. That the description of the parcel being severed, and the names of the Transferor and Transferee are included on the schedule attached to the deed of the land.

Conservation Authority Requirements

8. That prior to the signing of the Certificate of Official for the lot to be created through application B02/24 the applicant shall submit for review a survey sketch demonstrating a suitable building envelope on the proposed lot, and the retained parcel. Should the proposed building envelope not comply with the required setbacks from the identified erosion hazards, a Slope Stability Assessment shall be required to be completed and accepted to the satisfaction of Mississippi Valley Conservation Authority.

Municipal Requirements

9. That prior to the signing of the Certificate of Official for the lot to be created through Consent Application B02/24, the easement for parking and boat

launching access to be created through application number B05/24 be finalised and registered on title of both the subject water access only property and the mainland property (municipally known as 1628C Beach Road).

10. That prior to the signing of the Certificate of Official for the lot to be created through Consent Application B02/24, the lots to be created through applications B03/24 and B04/24 must be finalised and registered with the Land Registry Office.
11. That the Township of North Frontenac receives a payment of the value of five percent of the land for parkland dedication, pursuant to Section 53(13) of the Planning Act, and in accordance with By-Law Number 34-19.
12. That the Applicant(s) shall purchase and install a civic address sign as per Municipal Requirements.
13. 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.
14. In the event that there are abandoned wells located on the property being severed, they be sealed in accordance with the requirements of the Ministry of the Environment, Conservation and Parks.
15. Where a violation of the Township of North Frontenac Zoning By-Law is evident, the appropriate minor variance or rezoning be obtained to the satisfaction of the Municipality.
16. That confirmation is filed with each application file that conditions have been fulfilled to the municipality's satisfaction.

Recommended Conditions for Consent Application B03/24

Expiry Period

1. Conditions imposed must be met within two years of the date of the Notice of Decision, as required by Section 53(41) of the Planning Act, RSO 1990, as amended. If conditions are not fulfilled as prescribed within two years, the application shall be deemed to be refused. Provided that all conditions are satisfied, the Certificate of Official is to be presented to the Secretary-Treasurer, Committee of Adjustment for certification under Section 53(42) of the Planning Act, R.S.O. 1990 as amended, within two years of mailing of the Notice of Decision.
2. The Certificate of Official must be registered within two years from the issuance of the Certificate as required under Section 53(43) of the Planning Act, R.S.O. 1990, as amended. A copy of the registered transfer certificate shall be provided to the Secretary-Treasurer, Committee of Adjustment to complete the file.

Severed Lands

3. The proposed lot will be approximately 4.0 hectares (10 acres) in area with 104 metres (340 feet) of frontage along Sand Lake and 147 metres (480 feet) of frontage along Shawenegog Lake.

Survey/Reference Plan or Registerable Description

4. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], the deed or instrument conveying the severed lands, and the Certificate of Official shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of two years [Planning Act, s. 53(41)] after the date of Decision [Planning Act, ss. 53(17) and 53(24)].
5. The applicant or his/her solicitor shall prepare and submit to The Corporation of the Township of North Frontenac, a transfer or such other required form of document necessary to implement the consent, for endorsement by the Secretary-Treasurer of the Committee of Adjustments for the municipality. This transfer or other legal document shall be provided to the municipality within a period of two years after Notice of Decision was given under subsection 53(15) or 53(24) of the *Planning Act*.
6. The surveyor or owner shall submit the draft Reference Plan electronically, or in paper form, for review and approval by planning staff prior to depositing the Reference Plan with the Land Registry Office.
7. That the description of the parcel being severed, and the names of the Transferor and Transferee are included on the schedule attached to the deed of the land.

Conservation Authority Requirements

8. That prior to the signing of the Certificate of Official for the lot to be created through application B03/24 the applicant shall submit for review a survey sketch demonstrating a suitable building envelope on the proposed lot, and the retained parcel. Should the proposed building envelope not comply with the required setbacks from the identified erosion hazards, a Slope Stability Assessment shall be required to be completed and accepted to the satisfaction of Mississippi Valley Conservation Authority.

Municipal Requirements

9. That prior to the signing of the Certificate of Official for the lot to be created through Consent Application B03/24, the easement for parking and boat launching access to be created through application number B05/24 be finalised and registered on title of both the subject water access only property and the mainland property (municipally known as 1628C Beach Road).

10. That prior to the signing of the Certificate of Official for the lot to be created through Consent Application B03/24, the lot to be created through application B04/24 must be finalised and registered with the Land Registry Office.
11. That the Township of North Frontenac receives a payment of the value of five percent of the land for parkland dedication, pursuant to Section 53(13) of the Planning Act, and in accordance with By-Law Number 34-19.
12. That the Applicant(s) shall purchase and install a civic address sign as per Municipal Requirements.
13. 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.
14. In the event that there are abandoned wells located on the property being severed, they be sealed in accordance with the requirements of the Ministry of the Environment, Conservation and Parks.
15. Where a violation of the Township of North Frontenac Zoning By-Law is evident, the appropriate minor variance or rezoning be obtained to the satisfaction of the Municipality.
16. That confirmation is filed with each application file that conditions have been fulfilled to the municipality's satisfaction.

Recommended Conditions for Consent Application B04/24

Expiry Period

1. Conditions imposed must be met within two years of the date of the Notice of Decision, as required by Section 53(41) of the Planning Act, RSO 1990, as amended. If conditions are not fulfilled as prescribed within two years, the application shall be deemed to be refused. Provided that all conditions are satisfied, the Certificate of Official is to be presented to the Secretary-Treasurer, Committee of Adjustment for certification under Section 53(42) of the Planning Act, R.S.O. 1990 as amended, within two years of mailing of the Notice of Decision.
2. The Certificate of Official must be registered within two years from the issuance of the Certificate as required under Section 53(43) of the Planning Act, R.S.O. 1990, as amended. A copy of the registered transfer certificate shall be provided to the Secretary-Treasurer, Committee of Adjustment to complete the file.

Severed Lands

3. The proposed lot will be approximately 2.8 hectares (7 acres) in area with 213 metres (700 feet) of frontage along Sand Lake.

Survey/Reference Plan or Registerable Description

4. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], the deed or instrument conveying the severed lands, and the Certificate of Official shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of two years [Planning Act, s. 53(41)] after the date of Decision [Planning Act, ss. 53(17) and 53(24)].
5. The applicant or his/her solicitor shall prepare and submit to The Corporation of the Township of North Frontenac, a transfer or such other required form of document necessary to implement the consent, for endorsement by the Secretary-Treasurer of the Committee of Adjustments for the municipality. This transfer or other legal document shall be provided to the municipality within a period of two years after Notice of Decision was given under subsection 53(15) or 53(24) of the *Planning Act*.
6. The surveyor or owner shall submit the draft Reference Plan electronically, or in paper form, for review and approval by planning staff prior to depositing the Reference Plan with the Land Registry Office.
7. That the description of the parcel being severed, and the names of the Transferor and Transferee are included on the schedule attached to the deed of the land.

Conservation Authority Requirements

8. That prior to the signing of the Certificate of Official for the lot to be created through application B03/24 the applicant shall submit for review a survey sketch demonstrating a suitable building envelope on the proposed lot, and the retained parcel. Should the proposed building envelope not comply with the required setbacks from the identified erosion hazards, a Slope Stability Assessment shall be required to be completed and accepted to the satisfaction of Mississippi Valley Conservation Authority.

Municipal Requirements

9. That prior to the signing of the Certificate of Official for the lot to be created through Consent Application B04/24, the easement for parking and boat launching access to be created through application number B05/24 be finalised and registered on title of both the subject water access only property and the mainland property (municipally known as 1628C Beach Road).

10. That the Township of North Frontenac receives a payment of the value of five percent of the land for parkland dedication, pursuant to Section 53(13) of the Planning Act, and in accordance with By-Law Number 34-19.
11. 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.
12. That the Applicant(s) shall purchase and install a civic address sign as per Municipal Requirements.
13. In the event that there are abandoned wells located on the property being severed, they be sealed in accordance with the requirements of the Ministry of the Environment, Conservation and Parks.
14. Where a violation of the Township of North Frontenac Zoning By-Law is evident, the appropriate minor variance or rezoning be obtained to the satisfaction of the Municipality.
15. That confirmation is filed with each application file that conditions have been fulfilled to the municipality's satisfaction.

Recommended Conditions for Consent Application B05/24

Expiry Period

1. Conditions imposed must be met within two years of the date of the Notice of Decision, as required by Section 53(41) of the Planning Act, RSO 1990, as amended. If conditions are not fulfilled as prescribed within two years, the application shall be deemed to be refused. Provided that all conditions are satisfied, the Certificate of Official is to be presented to the Secretary-Treasurer, Committee of Adjustment for certification under Section 53(42) of the Planning Act, R.S.O. 1990 as amended, within two years of mailing of the Notice of Decision.
2. The Certificate of Official must be registered within two years from the issuance of the Certificate as required under Section 53(43) of the Planning Act, R.S.O. 1990, as amended. A copy of the registered transfer certificate shall be provided to the Secretary-Treasurer, Committee of Adjustment to complete the file.

Easement (Right-of-Way)

3. The land to be severed by Consent Application B05/24 shall be for the creation of an easement (right-of-way) for access to the shoreline of Sand Lake and for the parking area located on the property municipally known as 1628C Beach Road.

Benefitting Lands

4. The properties that will benefit from this easement are the lots to be created through Consent Applications B02/24, B03/24 and B04/24 and the retained parcel from these applications.

Survey/Reference Plan or Registerable Description

5. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], the deed or instrument conveying the severed lands, and the Certificate of Official shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of two years [Planning Act, s. 53(41)] after the date of Decision [Planning Act, ss. 53(17) and 53(24)].
6. The applicant or his/her solicitor shall prepare and submit to The Corporation of the Township of North Frontenac, a transfer or such other required form of document necessary to implement the consent, for endorsement by the Secretary-Treasurer of the Committee of Adjustments for the municipality. This transfer or other legal document shall be provided to the municipality within a period of two years after Notice of Decision was given under subsection 53(15) or 53(24) of the *Planning Act*.
7. The surveyor or owner shall submit the draft Reference Plan electronically, or in paper form, for review and approval by planning staff prior to depositing the Reference Plan with the Land Registry Office.
8. That the description of the parcel being severed, and the names of the Transferor and Transferee are included on the schedule attached to the deed of the land.

Municipal Requirements

9. 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.
10. In the event that there are abandoned wells located on the property being severed, they be sealed in accordance with the requirements of the Ministry of the Environment, Conservation and Parks.
11. Where a violation of the Township of North Frontenac Zoning By-Law is evident, the appropriate minor variance or rezoning be obtained to the satisfaction of the Municipality.

12. That confirmation is filed with each application file that conditions have been fulfilled to the municipality's satisfaction.



6648 Road 506, Plevna, Ontario K0H 2M0
Tel: (613) 479-2231 or 1-800-234-3953, Fax: (613) 479-2352
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May 29, 2026

Tara Mieske
Clerk/Planning Manager
Township of North Frontenac
6648 Road 506
Plevna, ON K0H 2M0

RE: Access/Parking Area of Beach Road - Gaylord

Dear Tara,

The following comments are provided based on a joint site visit on May 30, 2024 with the Fire Chief and I, to inspect the landing, access and parking area off Beach Road. We didn't note any concerns related to the turnaround, clearing width, surface width or overhead clearance.

Regarding the hill access – this is very steep and has a gravel surface. I measured the grade at 16 to 17% over a significant portion of the length. Typically, we would consider a maximum grade of 12% to accommodate regular access for the various vehicles that may be encountered. Can a 4x4 or SUV navigate the hill – likely. Can they do it towing a boat – maybe? In our opinion the access needs to provide access for the variety of road and emergency response vehicles that may use the launch / parking in the future. As the granular surface is disturbed and loosened, access will become difficult. Reducing the slope isn't practical given the topography. We recommend requiring a treatment to address the gravel surface and traction. The owner mentioned paving. Hot mix asphalt would address the concern regarding traction and loose granular. We do not recommend a thin seal coat (surface treatment) product that doesn't provide any structural capacity and incorporates loose aggregate.

The Fire Chief shared the concern regarding the hill and steep grade limiting access for larger emergency response vehicles. Given the proposed use for parking only (no structures), he felt emergency services could be addressed by staging at the bottom of the hill where the water source is.

We suggest the deeded parking spaces include an allowance for second vehicles, guests etc so the boat launch area relied upon for emergency services (as noted above given the limitations related to the hill) remains accessible. Emergency services for the new water access lots will typically be staged from the public boat launch on Sand Lake and or the existing launch on the subject property.

Please advise if there are any questions regarding the above.

Darwyn Sproule
Public Works Manager
Township of North Frontenac
6648 Road 506, Plevna, ON, K0H 2M0
1-800-234-3953 or 613-479-2231 Ext. 230
publicworks@northfrontenac.ca

Adam Robinson
Director of Emergency Services / Fire Chief/ CEMC
Township of North Frontenac
6648 Road 506, Plevna, ON, K0H 2M0
1-800-234-3953 or 613-479-2231 Ext. 232
firechief@northfrontenac.ca

November 21, 2023

Gaylord Family Properties Inc

Attn: Lewis Gaylord

Re: 1626C Beach Road, Con 14 Pt lot 34 RP 13R9466 Part 1, Sand Lake, Plethora, North Frontenac, ON – Slope Stability Assessment
Cambium Reference: 19039-001



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Cambium Inc. (Cambium) was retained by Gaylord Family Properties Inc. (Client) to complete a visual slope stability assessment at 1626C Beach Road, Plethora, North Frontenac, ON (Site).

The slope stability assessment was requested by the Mississippi Valley Conservation Authority (MVCA) following their Site visit to review the existing Site conditions as they relate to the proposed development. The MVCA has identified the area for development as an erosion hazard and has requested that the Client retain a geotechnical engineer to determine the safe development setbacks for the proposed development.

PROJECT DESCRIPTION

Based on information provided by the Client, it is understood that the proposed development is to consist of an addition to each end of the existing cabin, and a new gravel surfaced parking area. The proposed additions to the existing cabin will be approximately 5.3 x 3.0 m on each side and it should be founded on the underlying bedrock. The proposed parking area was previously constructed and consists of approximately 225 mm of graded and compacted sand and gravel fill material installed directly atop the bedrock surface at the top of the existing slope.

VISUAL SLOPE ASSESSMENT

Cambium completed the visual slope assessment on October 12, 2023. The inspection included walking the slope as well as making general observations of the existing surficial conditions at the Site. During the visual assessment,





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November 21, 2023

measurements of the slope were obtained using a Trimble Catalyst unit and hand inclinometer equipment. In addition, Dynamic Penetration Tests (DPTs) were completed to determine the thickness of the overburden soil and depth to bedrock at the Site.

The Site predominantly consists of a bedrock knob with the proposed parking area located on a plateau at the crest of the bedrock knob. The topography of the Site slopes down in all directions from the plateau to Sand Lake on the north, west, and south perimeters, and to the neighbouring property on the east perimeter. The existing cabin is located partially down the south face of the slope, on a previously flattened portion of the embankment.

Cambium reviewed two sections of the slope for the purpose of this report. For both slopes, the gravel parking area located on the plateau at the top of the bedrock knob is considered the slope crest (i.e., top of slope).

The slopes were observed to predominantly consist of bedrock outcrops with several mature trees and minor overgrowth vegetation noted. Portions of the bedrock were observed to be covered with a maximum 200 mm thick layer of organics (i.e., moss, leaves, and roots). No visual signs of previous slope failure/instability or active erosion were noted during the visual assessment.

The section of the slope which runs from the north edge of the parking area down to Sand Lake is approximately 10 m high and possesses an inclination of approximately 2 Horizontal (H) to 1 Vertical (V), which extends to below the current water level.

The section of the slope which runs from the south edge of the parking area to existing cabin plateau is approximately 6 m high and possesses an inclination of approximately 2.5H to 1V. The rear of the cabin is generally located at the toe of the upper part of the slope section and the front of the cabin is located approximately 3 to 5 m from the crest of cabin plateau. The remaining section of the slope from the crest of the cabin plateau to the existing gravel driveway is approximately 8 m high and possesses an inclination of approximately 3H to 1V. The toe of the slope is located approximately 10 m from the edge of Sand Lake.



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Cambium notes that the information provided above has been developed without a topographic survey and was obtained with the use of handheld measuring equipment. As such, the actual slope dimensions may potentially vary slightly from what is described above; however, Cambium has taken a conservative approach in measuring the dimensions of the slopes.

To assess the current stability of the slope, Cambium completed a Slope Stability Rating Chart to determine the potential for slope instability. The slope rating was calculated using the rating criteria provided in the Ministry of Natural Resources and Forestry's Technical Guide – River and Stream Systems: Erosion Hazard Limit (Technical Guide). Based on the Technical Guide, the slopes were assigned a rating value of 22, indicating a **low potential** for slope instability. For slopes with a low potential for instability, investigation requirements include a site inspection only complete with a letter report. A copy of the completed Slope Stability Rating Chart is included in Appendix A.

DISCUSSION AND RECOMMENDATIONS

Based on the results of the slope assessment, Cambium assumes that the factor of safety of the subject slope in its existing configuration is greater than 1.5 (Active: habitable or occupied structures near slope; residential, commercial, and industrial buildings, retaining walls, storage/warehousing of non-hazardous substances). As such, the proposed additions to the existing cabin and the use of the gravel surfaced parking area are not anticipated to negatively impact the stability of the slope and are considered to be suitable for the Site.

The distance between the slope toe and water body is variable, and is typically less than 15 m, with exposed bedrock and no active erosion observed. As such, the Toe Erosion Allowance can be taken as 0 m from the toe of the water's edge.

Allowing for consideration that the slope in question predominantly consists of exposed bedrock, the Stable Slope Allowance or long-term stable slope crest (LTSSC) can be taken as an invisible line extending from the slope toe at a 1H to 1V to the top of the slope. As the existing slope inclination is flatter than 1H to 1V, the existing slope crest can be considered the LTSSC.



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The Erosion Access Allowance can generally be taken as 6 m behind the Stable Slope Allowance or LTSSC. However, given that the existing slope consists of bedrock, it is Cambium's opinion that the proposed parking area does not require an erosion access allowance, provided that the base of the gravel pad is located a minimum of 3 times the fill thickness away from the LTSSC.

AUXILIARY RECOMMENDATIONS

During construction of the proposed development, disturbance of the existing trees and vegetation cover within the slope should be kept to a minimum. No bedrock removal is to be completed without the guidance of a qualified geotechnical engineer. Any changes to the current slope condition are to be repaired to the same or better condition as prior to construction occurring.

All new structures are to be mechanically connected to the bedrock via rock anchors to prevent future sliding. Geotechnical recommendations for the proposed additional foundations are outside the scope of work for this report.

It is Cambium's understanding that the parking area is to be used by light duty traffic only. Heavy duty traffic is not permitted to use the parking area. The parking area is to be graded to provide positive drainage to a drainage swale which will direct the water runoff away from the slope edge in a controlled manner. The use of flow check dams may be required to control the flow of water. Parking stops are to be installed around the perimeter of the parking area to prevent vehicles from accessing the slope crest.

LIMITATIONS AND REVIEW

The contents of this letter of opinion are subject to the following limitations:

- The fieldwork and reporting conducted by Cambium, including all conclusions and recommendations related to slope stability at the Site, pertain to the proposed cabin expansion and parking area only.
- Due to the nature of the slope, no subsurface investigation was conducted. It is noted that subsurface conditions have been verified using available geologic mapping for the Site area, DPT testing, and visual confirmation.



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- It is noted that the representative sections assessed in this report were developed with measurements obtained using hand equipment, and that no formal topographic survey of the slope and related areas was provided to Cambium.

CLOSING

We trust that the information contained in this report meets your current needs. If you have any questions or comments regarding this document, please do not hesitate to contact the undersigned at (613)-690-2767.

Best regards,

Cambium Inc.

Juliana Reinert

Juliana Reinert, M.Sc., MBA, E.I.T.
Project Coordinator – Geotechnical
Engineer-In-Training

WT/JR

Encl. *Appendix A: Slope Stability Rating Chart*
Appendix B: Site Photographs



W. Tabaczuk

Wesley Tabaczuk, P.Eng.
Senior Project Manager –
Geotechnical

November 21, 2023



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Appendix A

Slope Stability Rating Chart



SLOPE STABILITY RATING CHART

Site Location:	1626C Beach Road	File No.	19039-001
Client:	Lewis Gaylord	Inspection Date:	10/12/2023
Inspected By:	JR	Weather:	sunny
Inspection Task		Rating Value	
1. SLOPE INCLINATION			
Degrees	Horizontal:Vertical		
a) 18 or less	3:1 or flatter		0
b) 18 to 26	2:1 to more than 3:1		6
c) more than 26	Steeper than 2:1		16
2. SOIL STRATIGRAPHY			
a) Shale, Limestone, Granite (Bedrock)			0
b) Sand, Gravel			6
c) Glacial Till			9
d) Clay, Silt			12
e) Fill			16
f) Leda Clay			24
3. SEEPAGE FROM SLOPE FACE			
a) None or near bottom only			0
b) Near mid-slope only			6
c) Near crest only or from several levels			12
4. SLOPE HEIGHT			
a) 2 m or less			0
b) 2.1 to 5 m			2
c) 5.1 to 10 m			4
d) more than 10 m			8
5. VEGETATION COVER ON SLOPE FACE			
a) Well vegetated, heavy shrubs or forested with mature trees			0
b) Light Vegetation; Mostly grass, weeds, occasional trees, shrubs			4
c) No vegetaion, bare			8
6. TABLE LAND DRAINAGE			
a) Table land flat, no apparent drainage over slope			0
b) Minor drainage over slope, no active erosion			2
c) Drainage over slope, active erosion, gullies			4
7. PROXIMITY OF WATERCOURSE TO SLOPE TOE			
a) 15 m or more from slope toe			0
b) Less than 15 m from slope toe			6
8. PREVIOUS LANDSLIDE ACTIVITY			
a) No			0
b) Yes			6
RATING VALUES TOTAL			22
SLOPE INSTABILITY RATING		INVESTIGATION REQUIREMENTS	
1. Low Potential	<24	Site inspection only, confirmation, report letter	
2. Slight Potential	25 - 35	Site inspection and surveying, preliminary study, detailed report	
3. Moderate Potential	>35	Boreholes, piezometers, lab tests, surveying detailed report	
Notes:			
a) Choose only one rating value from each category; compare total rating value with above requirements			
b) If there is a waterbody (stream, creek, river, pond, bay, lake) at the slope toe, the potential for toe erosion and undercutting should be evaluated in detail and protection provided if required.			
c) For leda clay and rock slopes, additional evaluation must be carried out			

Source: Table 8.1 Geotechnical Principles for Stable Slopes (June 1998), Ontario Ministry of Natural Resources



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Appendix B

Site Photographs



APGO



November 1, 2023

(Con 14 Pt lot 34 RP 13R9466 Part 1) Pleva Sand
Lake, Plethora, North Frontenac, Ontario
Lewis Gaylord
Cambium Reference: 19039-001

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Photo 1 General view of front Slope, October 2023.

Description: Front Slope, showing the driveway up to the parking spots and the cabin on the left side, on a tableland in the middle of the slope.



Photo 2 Top of front slope, side view, October 2023.

Description: Bedrock outcrop visible on the face of the slope. Heavily vegetated, with mature vegetation and some vegetation debris.





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November 1, 2023

(Con 14 Pt lot 34 RP 13R9466 Part 1) Pleva Sand
Lake, Plethora, North Frontenac, Ontario
Lewis Gaylord
Cambium Reference: 19039-001



(a)

(b)

Photo 3 Middle of front slope – besides cabin, October 2023.

Description: (a) Right side of the cabin, same bedrock outcrop showed in Photo 2. (b) Left side of cabin, bedrock outcrop (red arrow) in the face of the slope and DPT test location (green dot). Proposed expansion of the cabin is 10 ft in each side, and it does not anticipate excavations. Slope heavily vegetated, with mature trees and debris.



Photo 4 Middle of front slope – left side of cabin, October 2023.

Description: Bedrock outcrop visible on the face of the slope (red arrow) and DPT test location indicating bedrock at 20 cm below ground surface (green dot). Mature vegetation and some vegetation debris.



November 1, 2023

(Con 14 Pt lot 34 RP 13R9466 Part 1) Pleva Sand
Lake, Plethora, North Frontenac, Ontario
Lewis Gaylor
Cambium Reference: 19039-001

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Photo 5 Middle of Front Slope, downwards view, October 2023.

Description: Mature vegetation and some vegetation debris.



Photo 6 General view of back slope, parking spots on top, October 2023.

Description: Bedrock outcrops visible on the face of the slope. Bedrock visible at the slope toe. Well vegetated, with mature vegetation and some vegetation debris.



November 1, 2023

(Con 14 Pt lot 34 RP 13R9466 Part 1) Pleva Sand
Lake, Plethora, North Frontenac, Ontario
Lewis Gaylord
Cambium Reference: 19039-001

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Photo 7 Slope toe, Side slopes, October 2023.

Description: Bedrock visible at the slope toe with some erosion. Heavily vegetated.



Photo 8 General view of side slopes, parking spots on top, October 2023.

Description: Bedrock outcrops visible on the face of the slope. Bedrock visible at the slope toe. Well vegetated, with mature vegetation and some vegetation debris.





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CAMBIUM QUALIFICATIONS AND LIMITATIONS

Limited Warranty

In performing work on behalf of a client, Cambium relies on its client to provide instructions on the scope of its retainer, and, on that basis, Cambium determines the precise nature of the work to be performed. Cambium undertakes all work in accordance with applicable accepted industry practices and standards. Unless required under local laws, other than as expressly stated herein, no other warranties or conditions, either expressed or implied, are made regarding the services, work or reports provided.

Reliance on Materials and Information

The findings and results presented in reports prepared by Cambium are based on the materials and information provided by the client to Cambium and on the facts, conditions and circumstances encountered by Cambium during the performance of the work requested by the client. In formulating its findings and results into a report, Cambium assumes that the information and materials provided by the client or obtained by Cambium from the client or otherwise are factual, accurate and represent a true depiction of the circumstances that exist. Cambium relies on its client to inform Cambium if there are changes to any such information and materials. Cambium does not review, analyze, or attempt to verify the accuracy or completeness of the information or materials provided, or circumstances encountered, other than in accordance with applicable accepted industry practice. Cambium will not be responsible for matters arising from incomplete, incorrect, or misleading information or from facts or circumstances that are not fully disclosed to or that are concealed from Cambium during the provision of services, work, or reports.

Facts, conditions, information, and circumstances may vary with time and locations and Cambium's work is based on a review of such matters as they existed at the particular time and location indicated in its reports. No assurance is made by Cambium that the facts, conditions, information, circumstances, or any underlying assumptions made by Cambium in connection with the work performed will not change after the work is completed and a report is submitted. If any such changes occur or additional information is obtained, Cambium should be advised and requested to consider if the changes or additional information affect its findings or results.

When preparing reports, Cambium considers applicable legislation, regulations, governmental guidelines, and policies to the extent they are within its knowledge, but Cambium is not qualified to advise with respect to legal matters. The presentation of information regarding applicable legislation, regulations, governmental guidelines, and policies is for information only and is not intended to and should not be interpreted as constituting a legal opinion concerning the work completed or conditions outlined in a report. All legal matters should be reviewed and considered by an appropriately qualified legal practitioner.

Site Assessments

A site assessment is created using data and information collected during the investigation of a site and based on conditions encountered at the time and particular locations at which fieldwork is conducted. The information, sample results and data collected represent the conditions only at the specific times at which and at those specific locations from which the information, samples and data were obtained and the information, sample results and data may vary at other locations and times. To the extent that Cambium's work or report considers any locations or times other than those from which information, sample results and data was specifically received, the work or report is based on a reasonable extrapolation from such information, sample results and data but the actual conditions encountered may vary from those extrapolations.

Only conditions at the site and locations chosen for study by the client are evaluated; no adjacent or other properties are evaluated unless specifically requested by the client. Any physical or other aspects of the site chosen for study by the client, or any other matter not specifically addressed in a report prepared by Cambium, are beyond the scope of the work performed by Cambium and such matters have not been investigated or addressed.

Reliance

Cambium's services, work and reports may be relied on by the client and its corporate directors and officers, employees, and professional advisors. Cambium is not responsible for the use of its work or reports by any other party, or for the reliance on, or for any decision which is made by any party using the services or work performed by or a report prepared by Cambium without Cambium's express written consent. Any party that relies on services or work performed by Cambium or a report prepared by Cambium without Cambium's express written consent, does so at its own risk. No report of Cambium may be disclosed or referred to in any public document without Cambium's express prior written consent. Cambium specifically disclaims any liability or responsibility to any such party for any loss, damage, expense, fine, penalty or other such thing which may arise or result from the use of any information, recommendation or other matter arising from the services, work or reports provided by Cambium.

Limitation of Liability

Potential liability to the client arising out of the report is limited to the amount of Cambium's professional liability insurance coverage. Cambium shall only be liable for direct damages to the extent caused by Cambium's negligence and/or breach of contract. Cambium shall not be liable for consequential damages.

Personal Liability

The client expressly agrees that Cambium employees shall have no personal liability to the client with respect to a claim, whether in contract, tort and/or other cause of action in law. Furthermore, the client agrees that it will bring no proceedings nor take any action in any court of law against Cambium employees in their personal capacity.



December 18, 2023

File Number: PMMPC-15**To:** Diane Reid, Environmental Planner**Prepared by:** Jane Cho, Water Resources Engineering in Training (EIT)**Re:** Pre-consultation – 1628C Beach Road, Township of North Frontenac

The Mississippi Valley Conservation Authority (MVCA) has been circulated the following report in support of a Permit application for 246 Riverwood Drive:

- Slope Stability Assessment – 1626C Beach Road, prepared by Cambium Inc., dated November 21, 2023

Summary

It is understood that the proposed development will include an addition to the existing cabin and a new gravel parking area within the property. The proposed parking area is located on a plateau at the top of the existing slope.

It is reported that the site consists of a bedrock knob and slopes down from the plateau to Sand Lake on the north, west and south perimeters, and to the neighbouring property on the east perimeter. The section of the slope from the north edge of the parking area down to Sand Lake is approximately 10 m high with an inclination of approximately 2 Horizontal (H) to 1 Vertical (V). The section of the slope from the south edge of the parking area to the existing cabin plateau is approximately 6 m high with an inclination of approximately 2.5 H to 1 V. The existing cabin is located partially down the south face of the slope, on a previously flattened portion of the embankment. The rear of the cabin is located at the toe of the upper slope and the front of the cabin is located approximately 3 to 5 m from the top of the cabin plateau. The remaining section of the slope from the top of cabin plateau to the existing gravel driveway is approximately 8 m high with an inclination of approximately 3H to 1V.

It is noted that the visual assessment and measurements of the slope have been developed without a topographic survey.

Based on the results of the slope assessment, it is assumed that the factor of safety of the slope in its existing condition is great than 1.5. It is reported that the proposed additions to the existing cabin and the parking area are not anticipated to negatively impact the stability of the slope.

The report indicates that the Toe Erosion Allowance can be taken as 0 m, given exposed bedrock and no active erosion observed. As the existing slope inclination is flatter than 1H to 1V, the existing slope crest can be considered the long-term stable slope crest. It is Cambium's opinion

that the proposed parking area does not require a 6 m Erosion Access Allowance.

MVCA has no comments on the current condition of the slope and the proposed development. Should any questions arise, please contact the undersigned.

Jane Cho
Water Resources EIT

To: Mayor and Members of Council
From: Brooke Drechsler, Deputy Clerk/Assistant to the Planning Manager
Approved by: Corey Klatt, Chief Administrative Officer
Date of Meeting: 11 Jun 2026
Re: 2026 OACA Conference - May 10-13, 2026

Recommendation:

Be It Resolved That Council receives for information the Deputy Clerk/Assistant to the Planning Manager's Administrative Report entitled "2026 OACA Conference - May 10-13, 2026".

Background:

The 2026 Ontario Association of Committee of Adjustment (OACA) Conference was held in Ottawa from May 10th to May 13th, 2026.

Researched By:

Brooke Drechsler, Deputy Clerk/Assistant to the Planning Manager (ACST)

Comments:

A summary of the sessions attended over the course of two days:

Judicial Review of Committee of Adjustment Decisions: What it is and Why this matters

In 2023, the Province introduced Bill 23 to amend the wording in the Planning Act regarding persons who can appeal a planning decision. The Bill removed "any other person or public body who has an interest in the matter" and replaced it with "a specified person or public body that may have an interest in the matter". The list of specified persons does not include a third party (i.e. neighbouring property owner or member of the public).

This has introduced the option of a Judicial Review of a decision regarding a planning application through the court as opposed to the Ontario Land Tribunal. The differences are as follows:

	Appeals before OLT	Judicial Review
Standard of Review	OLT considers the decision "anew" and comes to its own determination.	Only considers whether the decision fell within a range of reasonable outcomes based on if the reasoning was justified, intelligible and transparent.
Evidence	New evidence can be introduced; cross examinations can occur.	Evidence confined to what was presented to Committee; new evidence generally not allowed.

Outcome	Tribunal empowered to make any decision the Committee would have made.	Court most likely to send decision back to original decision maker for a second hearing.
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Who can apply for a Judicial Review?

- Private Standing: when an administrative decision affects an individual's "rights, privileges or interests", the duty of fairness is engaged and a breach of that duty is judicially reviewable.
- Public Standing: whether there is serious justiciable issue raised; whether the plaintiff has a real stake or genuine interest in it; whether the proposed suit is a reasonable and effective way to bring the issue before the court.

Reasons for a decision must be intelligible. While written records don't need to reflect the entire discussion, the decision must indicate the concerns raised. The reasons must be able to withstand judicial scrutiny. Decisions can be viewed as "unreasonable" if there are no connections between the reasons in the decision and the statutory tests under the Planning Act the Committee is required to apply.

Divisional courts are more likely to accept neighbours as having a "private interest" and therefore standing to challenge Committee decisions. An application for a Judicial Review must be filed with the court within 20 days from the date of decision and will be served upon the municipality. If the Judicial Review determines the application must be reconsidered by the Committee, the application must be recirculated with the focus on what needs to be addressed.

Mastering Committee Training

Training for the Committee should be provided at the beginning of the term, with an annual refresher scheduled.

The Secretary/Treasurer's role in the Committee of Adjustment includes:

- Administrative support.
- Ensuring the process/hearing is conducted fairly and within the required timelines.
- Being the primary trainer and procedural authority.

Key Responsibilities:

- Receive and process applications; circulate and provide public notice; prepare agendas.
- Schedule hearings; ensure compliance with Planning Act, procedural policy and notice requirements.
- Promote consistent application of rules.
- Prepare and issue Notice of Decision; maintain complete files forming the official record.
- Monitor legislative and regulatory changes.

The Planning Act provides the enabling legislation for the Committee of Adjustment. The Committee is also subject to other key legislation, such as the Statutory Powers Procedure Act, the Municipal Conflict of Interest Act and the Municipal Freedom of Information and Protection of Privacy Act.

The Committee operates under a Council approved Procedural By-law, which sets out how the Committee conducts meetings and makes decisions. This is a legally enforceable By-law passed by Council. The Committee is also subject to the Terms of Reference, which defines what the Committee is, why it exists and how it is structured.

If there is a conflict of interest (direct or indirect), the onus is on the Committee member to make a declaration. A good question to ask is "Can a reasonable person perceive a conflict?". If the answer is yes or if a member is in doubt about whether to declare a conflict, it is best to err on the side of caution and declare an interest.

The Committee considers applications under the following sections of the Planning Act:

- Section 45.1 Minor Variance (Application of four test).
- Section 45.2 Permissions (Enlargements or extensions of legal non-conforming structures; changes to legal non-conforming uses).
- Section 53 Consents (Creation of New Lots, Lot Additions, Right-of-Way).

The Committee does not make decisions on Building Code compliance; drainage and grading approval; private disputes between neighbours; or political or policy considerations.

The Committee uses the Official Plan policies and Zoning By-law standards when determining if a planning application fits with the planned pattern of development. Site visits are an important tool when evaluating the proposed development. However the Committee member should not discuss the merits of the application with the applicant or neighbours; conduct a group site visit with other Committee members; or make comments, commitments or express an opinion while on site.

During the first meetings of a new term, the Committee should elect the Chair, approve the use of electronic signatures; review the hearing structure; and discuss the role of the Chair. The Committee should also be made aware of the importance of well written decisions. The reasons for the decision should reflect the actual discussion and evidence presented.

How to Address Public Concerns

This session looked at the Committee's role in the context of minor variance hearings. These applications are considered using the four tests under Section 45.1 of the Planning Act:

1. Is the proposed development minor?
2. Is it desirable for the appropriate development/use of the land/building?
3. Does it maintain the general intent and purpose of the Zoning By-law?
4. Does it maintain the general intent and purpose of the Official Plan?

If a proposal could be considered "too large" or "too important", it should not be considered minor in nature.

With respect to existing, unlawful development, the applicant's behaviour is not considered a relevant factor. In some cases, need and hardship are factors that, in appropriate cases, can be taken into account.

Decisions must be in writing with reasons and shall contain a brief explanation of the effect, if any, that oral and written submissions had on the decision. The reasons should not just repeat statutory language, summarize arguments, then state a conclusion. Failure to properly explain the decision can open the door to a judicial review of the decision.

Committee of Adjustment Decision Writing in Ontario

Bill 23 - More Homes Build Faster Act 2022 amended the Planning Act to significantly restrict third party appeal rights. Judicial review is now the primary mechanism for a non-applicant party to challenge a Committee decision.

A Judicial Review is a process which by the courts make sure the decisions of administrative bodies are fair, reasonable and lawful. This is a three judge panel of the Divisional Court asked to change or set aside a decision where the party can show an error was made. It is an opportunity to review the reasonableness/procedural fairness of the decision.

A Judicial Review can dismiss the application; quash and send back to the Committee for a re-hearing; or (in rare cases) substitute its own decision for that of the Committee's. Through this process, the successful party is entitled to costs, as opposed to an Ontario Land Tribunal (OLT) appeal where costs are rarely awarded.

A decision of the Committee can be deemed unreasonable if it does not contain responsive reasons. Decisions must address the statutory tests set out under the Planning Act Section 45(1), Section 45(2) and Section 53(12).

Good reasons in a decision provide the following:

- stronger defence on judicial review.
- increased transparency.
- public confidence in the process.

Ask a Lawyer

Questions were submitted ahead of the conference to be reviewed by Laura Dean, Partner, with Aird Berlis

What is a Cancellation Certificate?

- Section 53(45) allows for the cancellation of a previously granted consent.
- this is an "administrative undoing".
- relates to Consent application; not a title clearing instrument; does not impact any other registered interest on title.
- could include confirmatory language in the Cancellation Certificate.

Deferral of an Application

- the applicant cannot force a decision of the committee.
- deferrals must be reasonable and for a proper planning purpose.
- the decision must be made within the prescribed timeline under the Planning Act; the applicant can appeal a non-decision if the matter is deferred beyond those timeframes.

Legal Non-conforming Structure encroaching into a Right-of-Way (Township owned/private).

- the owner may claim a prescriptive Right-of-Way or established use.
- the Legal Non-conforming Structure does not give rights over municipal lands.
- is there an encroachment agreement or other avenue to permit the extension of the structure?

How to refer to members of Council serving on the Committee.

- the Committee is a separate statutory body under the Planning Act.
- it can create the perception of political influence/bias concerns.
- refer to the Committee by their titles (Chair, Vice Chair, Member) not political titles.

Approval of Minor Variance prior to required study being completed.

- puts Township in precarious position.
- potential liability if structure fails.
- however approving the application without the required study is within the authority of the Committee.

Ask a Secretary/Treasurer

Questions were submitted ahead of the conference to be reviewed by Jennifer Strong, Planner/Assistant Secretary-Treasurer, Township of Ramara; and Christine Vigneault, Senior Manager/ ASCT, City of Vaughan.

When/why should a member be doing site visits?

- permission should be granted by the owner to attend the site.
- it's important for the Committee to see what's happening on the ground.
- Staff should contact the owner to advise when the member is attending the site; opportunity to provide information regarding the procedure for when the member is on site (what can and can't be discussed).
- any information provided by the Committee member should be shared publicly (i.e. photos).

Deferral of an application.

- the Committee acts as an adjudicator.
- by deferring an application due to a conflict between the applicant and the neighbours, this could make the situation worse.

Planning Ethics and the Committee of Adjustment

This session primarily addressed the ethical obligations of Land Use Planners within the municipal planning process. While this presentation did not relate to our day to day operations, these were my take aways:

- a Land Use Planner's primary responsibility is to define and serve the interests of the public.
- the Code of Practice for Land Use Planners aligns with the mandate of the Planning Act to make decisions based on policy, evidence and sound planning principles; supports public trust and confidence.
- Planners provide full, clear and accurate information on planning matters to decision makers and members of the public, while recognizing both the applicant's right to privacy and the public's right to know.
- recommendations are based on planning merits, not politics, personal relationships or public sentiment.

Financial Impact:

2025 OACA Conference: Tara Mieske and Brooke Drechsler

Registration Fee:	\$910.75
Conference Advance & Per Diem: (does not include employee's regular salary)	\$270.16
Accommodations:	\$805.75
Parking:	\$70.24
Mileage:	Twp car
Other Municipal Expenses (Internet, Phone, etc.):	
Total:	\$2056.90
All amounts listed include HST at 1.76% only (being the non-recoverable portion).	

Strategic Implications:

None.