



Notice of Decision - File #A01/24

The Committee of Adjustment for the Township of North Frontenac received an application under Section 45(2) of the Planning Act Requesting Permission to Enlarge a Legal Non-Conforming/Non-Complying Structure. The application pertains to the parcel of land as follows:

Owner/Applicant:	Gaylord Family Properties
Subject Lands:	1628C Beach Road Part of Lot 34, Concession 14, Geographic Township of Clarendon
Roll Number:	1042 060 010 22145

Purpose and Effect under Section 45 (2) of the Planning Act

The Applicants are proposing to construct the following additions to a legal non-complying structure:

- a. A 10' x 23' square foot roof over an existing deck located on the east side of the structure.
- b. A 10' x 23' square foot covered unenclosed deck addition on the west side of the existing dwelling with a setback of 71 feet (+/-) from the high water mark.

The existing dwelling has an approximate area of 690 square feet and is located within the setback from the high water mark of Sand Lake. The total area of the dwelling with the proposed additions will be 920 square feet.

The existing structure is non-compliant because the current Zoning By-law requires all new buildings and structures to maintain a minimum setback of 30 metres (98.4 feet) from the estimated highwater mark.

Criteria for Request for Permission under Section 45(2)

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

The Committee is of the opinion that this application is desirable for the appropriate development of the subject property. The proposed additions to the existing non-complying structure are appropriate for the development of the subject property as they add useable outdoor space to a structure that is located within a slope, which increases the functionality of the property for the owner. The proposed additions are open decks and will not increase the interior living space of the structure. The additions will be constructed in areas with limited existing vegetation.

There are no negative impacts anticipated on the natural heritage features or the rural character of the waterfront area.

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

The Committee is of the opinion that the enlarged structure will not result in any undue adverse impacts on the surrounding properties and neighbourhood. The subject property is a peninsula that extends into Sand Lake and the enlarged structure is not anticipated to result in any loss of privacy or overlook to the abutting properties. The existing vegetation on the

property will help screen the additions from view from the lake and surrounding properties.

The proposed enlarged structure is in keeping with the existing character of development along the shoreline of Sand Lake in the vicinity of the property and no negative impact is anticipated on the aesthetic or quality of the shoreline and waterbody.

Public Comments and Impact

Written comments were provided to the Committee and public comments were received verbally at the Public Meeting held May 27, 2024. Comments were general with respect to the proposed parking area located on the same lot.

Decision

The variance is hereby **Approved** to permit the variance subject to the following conditions:

Applicability

1. That the Permission granted through application A01/24 is to permit the construction of additions to an existing structure, located at 1628C Beach Road, as follows:
 - a. Increase the volume of an existing structure through the construction of a roof with an area of 21.4 square metres (230 square feet) over an existing deck located at the east end of the existing structure.
 - b. Construct a covered but unenclosed deck with an area of 21.4 square metres (230 square feet), to be located at the west end of the existing structure, with a minimum waterbody setback of 21.6 metres (71 feet).
2. This Permission does not include any setback reductions to any other regulated feature for the proposed dwelling, nor does it apply to any other existing or future structures on the property.
3. Application number A01/24 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. Natural drainage patterns on the site shall not be substantially altered such that additional run-off is directed towards the wetland or Sand Lake.

Notice of Last Date of Appeal

Notice is hereby given that the last date for appealing this decision to the Ontario Land Tribunal is **May 19, 2026**.

A Notice of Appeal setting out written reasons in support of the appeal and accompanied by the applicable fee in the form of a certified cheque or money order payable to the Minister of Finance should be received on or before the date noted above. Appellants can also submit and manage an appeal through the Ontario Land Tribunal’s e-file portal at <https://olt.gov.on.ca/e-file-service/>

Chairperson

Member

Member

I, Brooke Drechsler, Secretary-Treasurer of the North Frontenac Township Committee of Adjustment, certify that the above is a true copy of the decision of the Committee with respect to the application recorded herein.

Dated this 27th day of April, 2026