



Notice of Decision - File #A01/26

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:	Clare Gee and Andrew Gee
Subject Lands:	1074 Chalmers Lane Part of Lot 20, Concession 1, Geographic Township of South Canonto
Roll Number:	1042 110 040 04006

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

This application proposes to increase the gross floor area of the existing 187 square metre (2,023 square foot) dwelling by excavating the basement and adding a new insulated concrete form (ICF) foundation.

The new basement will add 120 square metres (1,290 square feet) of livable space to the existing structure.

The proposed development will not modify the existing dwelling footprint.

The existing dwelling is non-compliant because the dwelling is located approximately 22 metres (75 feet) from the high-water mark of Canonto Lake, whereas 30 metres (98.4 feet) is required by the current Zoning By-law.

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 the application is desirable for the appropriate development of the subject property.

The proposed development will expand the livable space of the existing dwelling without increasing the footprint.

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

The Committee is of the opinion that the proposed development will not result in any undue adverse impacts on the surrounding properties and neighbourhood.

Public Comments and Impact

No public comments were received regarding the proposed development.

Decision

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

Applicability

1. That the permission granted through application A01/26 is only to:
 - a. Add an additional 120 square metres (1,290 square feet) of livable space in the basement of the existing structure by excavating the existing basement and adding ICF foundation.
2. This permission does not include the expansion of any other structures on the subject property.

No Adverse Impacts

3. 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.

Slope Stability Assessment

4. Prior to the issuance of the Building Permit the applicant shall complete a slope stability assessment to the satisfaction of the Mississippi Valley Conservation Authority and the Township of North Frontenac.
5. The applicant shall ensure that all conditions and recommendations outline in the slope stability assessment are implemented during construction.

Building Permits

6. 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.
7. 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

8. Sediment and erosion control measures shall be implemented prior to commencing any excavation work and be maintained in proper condition for the duration of the project until all loose soils have been stabilized.
9. All excavated material 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.

10. 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.

Notice of Last Date of Appeal

Notice is hereby given that the last date for appealing this decision to the Ontario Land Tribunal is **April 13, 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 24th day of March, 2026