

The Corporation of the City of Kawartha Lakes

Agenda

Committee of Adjustment Meeting

COA2018-01

Thursday, January 18, 2018

1:00 P.M.

Council Chambers

City Hall

26 Francis Street, Lindsay, Ontario K9V 5R8

Members:

Councillor Kathleen Seymour-Fagan

Betty Archer

David Marsh

Sandra Richardson

Lloyd Robertson

Allan Smelko

Steve Strathdee

Accessible formats and communication supports are available upon request.

1.	CALL TO ORDER	
2.	ADMINISTRATIVE BUSINESS	
2.1	Adoption of Agenda	
2.2	Declaration of Pecuniary Interest	
2.3	Adoption of Minutes	
2.3.1	COA2018-01.2.3.1 November 30, 2017 Committee of Adjustment Meeting Minutes	5 - 8
3.	NEW APPLICATIONS	
3.1	Minor Variances	
3.1.1	COA2018-001 David Harding, Planner II File Number: D20-2018-001 Location: 97 Albert Street South Plan 8P Part Park Lot D1, 57R-9184, Part 26 Former Town of Lindsay Owner: Rexton Developments Ltd Applicants: Wes Surdyka Architect Inc.	9 - 17
3.1.2	COA2018-002 David Harding, Planner II File Number: D20-2018-002 Location: 11 Pavillion Road Lot 9, Concession 2, Part of Lots 57 & 58, Plan 156 Geographic Township of Verulam Owner: John & Kathleen Neufeld Applicant: John & Kathleen Neufeld	18 - 29

3.1.3	COA2018-003	30 - 42
	David Harding, Planner II File Number: D20-2018-003 Location: 17 North Water Street Part Lot 15, GRR, Lot 5, Plan 46 Geographic Township of Bexley Owners: Josie Harlow Applicant: Josie Harlow	
3.1.4	COA2018-004	43 - 53
	Janet Wong, Planner II File Number: D20-2018-004 Location: 642 The Glen Road Part Lot 11, Concession 13, Part 1, 57R-5625 Geographic Township of Mariposa Owners: Aaron & Lindsay Smith Applicant: Aaron Smith	
3.1.5	COA2018-005	54 - 66
	Janet Wong, Planner II File Number: D20-2018-005 Location: 57 Lakeview Cottage Road Lots 16 & 17, Plan 179 Geographic Township of Bexley Owners: Fernando & Regina Rocchetta Applicant: Anthony Camposeo	
3.1.6	COA2018-006	67 - 82
	David Harding, Planner II File Number: D20-2018-007 Location: 871 Highway 7A, Part Lot 14, 57R-6828, Part 1 Geographic Township of Manvers Owners: Scott Saunders Applicant: Scott Saunders	

3.1.7	COA2018-007	83 - 90
	Janet Wong, Planner II File Number: D20-2018-008 Location: 138 Queen Street Part Lots 9 & 10 ES Queen Street, Plan 37, Part 1, 57R-5868 Former Village of Fenelon Falls Owners: David Muir Applicant: David Muir	
3.1.8	COA2018-008	91 - 103
	Janet Wong, Planner II File Number: D20-2018-010 Location: 25 Doble Drive Lot 16, Concession 8, Lot 41, Plan 570 Geographic Township of Mariposa Owners: Chris & Julie Faribairn Applicant: Chris Faribairn	
3.2	Consents	
4.	DEFERRED APPLICATIONS	
4.1	Minor Variances	
4.2	Consents	
5.	OTHER BUSINESS	
6.	CORRESPONDENCE	
7.	NEXT MEETING	
8.	ADJOURNMENT	

The Corporation of the City of Kawartha Lakes
Committee of Adjustment

Minutes

Thursday, November 30, 2017

Meeting Commencing at 1:00 p.m.

Council Chamber

City Hall

26 Francis Street, Lindsay, Ontario, K9V 5R8

Members

Chair L. Robertson

Vice Chair D. Marsh (absent)

B. Archer

S. Richardson

K. Seymour-Fagan

A. Smelko

S. Strathdee (absent)

Recording Secretary E. Hallett

Accessible formats and communication supports are available, upon request.

1. Call to Order

The meeting commenced at 1:14 pm (late start due to technical difficulties with the laptop computer / projector system).

2. Adoption of Agenda

Moved by: B. Archer
Seconded by: S. Richardson

RESOLVED THAT the agenda for the meeting be approved.

CARRIED

3. Disclosure of Pecuniary Interest

None declared

4. Adoption of Minutes of Previous Meeting

Moved by: A. Smelko
Seconded by: S. Richardson

RESOLVED THAT the minutes of the previous meeting held November 9, 2017 be approved as circulated.

CARRIED

5. Review of New File Material

6. Deferred Applications – Minor Variances and Consents

File Number: D20-17-011
Location: William Street (vacant lot),
Part Lot 16, 6th Range, Plan 70
Former Village of Bobcaygeon
Owner: Richard Piticco & Scott McNeill
Applicant: Scott McNeill

Ms. Wong summarized Report COA2017-056. This minor variance application was deferred at the May 18, 2017 Committee of Adjustment meeting until such time as a decision on a consent application could be made. Conditional consent approval for a lot addition was granted on November 8th, 2017.

The owners revised their application to only seek relief to reduce the minimum lot frontage from 15m to 13m. No comments were received from agencies on this revised application.

Concerns relating to drainage issues and the future building were received by email from neighbours Jane and Barrie Campbell.

The Committee raised questions regarding the Campbell's concerns with the drainage as well as future heating, cooling and ventilation equipment location. Ms. Wong clarified that these were Public Works Department and Building Division matters and did not apply directly to the minor variance. Ms. Wong assured the Committee that the concerns were passed along to the appropriate departments within the City.

The Committee questioned if there would be a suitable building envelope and Ms. Wong responded that there will be sufficient space to build a home with the lot addition.

The Committee questioned what would happen in the event the consent was not completed. Ms. Wong responded that the owners have initiated work to clear the conditions such that approval will not lapse.

Owner Scott McNeill was present for the meeting. The Committee asked Mr. McNeill if he intended to complete his consent and about his future plans for the lot. Mr. McNeill responded that he intended to complete the consent and that he had not yet decided if he would sell or build on the lot.

Moved by: S. Richardson
Seconded by: K. Seymour-Fagan

RESOLVED THAT Report COA2017-056 Richard Piticco & Scott McNeill be received;

THAT minor variance application D20-17-011 to recognize a minimum lot frontage of 13 metres be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Condition:

- 1) **THAT** not-with-standing the definition for "Lot Frontage", for clarity, the lot frontage shall be measured along a line connecting a point 6.1 metres from the north-east corner of the lot along the north property line and from a point 6.1 metres along the east property line measured southerly from the intersection of the east lot line with the south limit of the open William Street Road allowance.
- 2) **THAT** the conditions to consent application D03-17-018 to add approximately 81.7 square metres of vacant land be fulfilled within the one year as established by the Notice of Decision dated November 8, 2017, failing which this application shall be deemed to be refused.

This approval pertains to the application as described in report COA2017-056. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

CARRIED

7. New Business – Minor Variances

8. New Applications – Consents

9. Correspondence

Requiring Action: None

Information: None

10. Other Business

The dates for the Committee of Adjustment meetings for 2018 were confirmed.

11. Next Meeting

The next meeting of the Committee of Adjustment will be held on January 18th, 2018 at 1:00 p.m., in the Council Chambers, City Hall.

12. Adjournment

Moved by: A. Smelko
Seconded by: S. Richardson

RESOLVED THAT this meeting adjourns at 1:54 p.m.

CARRIED

Mark LaHay
Acting Secretary-Treasurer
Committee of Adjustment

**The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Rexton Developments
Limited**

Report Number COA2018-001

Public Meeting

Meeting Date: January 18, 2018
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 11 – Lindsay

Subject: The purpose and effect is to request relief from the following provisions in order to permit the construction of a one (1) storey commercial building:

1. Section 5.5 to reduce the minimum front yard setback from 9 metres to 7.5 metres;
2. Section 5.12(k)(ii) to reduce the number of required parking spaces from 21 to 20; and
3. Section 5.12(j)(xi) to permit an accessible parking space within the front yard.

The property is located at 97 Albert Street South, former Town of Lindsay (File D20-2018-001).

Author: David Harding, Planner II

Signature: 

Recommendation:

RESOLVED THAT Report COA2018-001 Rexton Developments Limited, be received;

THAT minor variance application D20-2018-001 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **THAT** the building construction related to this approval shall proceed substantially in accordance with Appendix "C" of Report COA2018-001, which shall be attached to and form part of the Committee's Decision; and,

- 2) **THAT** the Site Plan Agreement for the subject property be executed and secured within eighteen (18) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused

This approval pertains to the application as described in report COA2018-001. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: The variances proposed in this application were previously granted by the Committee on November 10, 2016 via application D20-16-046. The variances lapsed as the site plan agreement was not executed and secured within the required twelve (12) month time frame. The resubmission was deemed complete October 31, 2017.

Proposal: To reduce the minimum front yard, permit a parking space within the front yard, and reduce the maximum number of required parking spaces by one (1) in order to permit the construction of a commercial building.

Owner: Rexton Developments Limited

Applicant: Wes Surdyka Architect – Wes Surdyka

Legal Description: Registered Plan 8P, Part Park Lot D1, 57R-9184, Part 26, former Town of Lindsay, City of Kawartha Lakes.

Official Plan: “Local Commercial” – Town of Lindsay Official Plan

Zone: “Mixed Residential Commercial (MRC) Zone” – Town of Lindsay Zoning By-law 2000-75

Site Size: 2,369.29 square metres (25,502.83 square feet)

Site Servicing: Municipal sanitary sewer, storm sewer & water supply

Existing Uses: Vacant Land

Adjacent Uses: North: Commercial
East: Multi-Residential, Commercial
West: Vacant Land, Townhomes

Rationale:

1) Are the variances minor in nature? Yes

The proposed variances will facilitate the construction of a commercial building and the associated parking lot. As the property is L-shaped, the narrow length of the lot provides limited opportunity to accommodate all parking within the interior side and rear yards while maintaining adequate spatial separation between the parking lot and the abutting residentially-zoned lots. Through site design, only a portion of one parking space is proposed within the front yard.

Therefore, the variances are minor in nature.

2) Is the proposal desirable and appropriate for the use of the land? Yes

The subject property is located in a developing residential neighbourhood. As a single storey building is proposed, no adverse massing impacts are anticipated by reducing the front yard setback by 1.5 metres. Permitting half of a parking space within the front yard is also not anticipated to adversely impact the character of the primarily residential neighbourhood, or the character of the subject property once developed. The elimination of one parking space is not expected to cause any parking difficulties with the development or the neighbourhood. Should additional parking be required, on-street parking is available in the immediate vicinity. No adverse impacts to the function on the subject property, or that of the neighbouring properties are anticipated through the granting of the variances.

As such, the requested variance is considered desirable and appropriate for the use of the land.

3) Do the variances maintain the intent and purpose of the Zoning By-law? Yes

The subject property is zoned “Mixed Residential Commercial (MRC) Zone”. The intent of the special setback requirements is to ensure adequate spatial separation between buildings and the travelled portion of the City’s high traffic roads. The proposal complies with the minimum setback requirements of the MRC Zone, and reduced spatial separation assists in creating a more cohesive streetscape.

Only half of one parking space will be within the front yard of the subject property. The balance of the parking area is located within the permitted interior side and rear yards. There will also be over three metres of space between the paved parking space within the front yard and the front lot line. Therefore, the majority of the front yard will remain landscaped, in keeping with the intent of the zoning by-law.

The total number of permitted parking spaces is proposed to be reduced by one (1), and no concerns have been identified through the review of the draft site plan.

The proposal maintains the general intent and purpose of the Zoning By-Law.

4) Do the variances maintain the intent and purpose of the Official Plan? Yes

This lot is designated “Local Commercial” within the Lindsay Official Plan, which anticipates commercial uses that serve the daily needs of the community. The proposed variance maintains the general intent and purpose of the Lindsay Official Plan.

Other Alternatives Considered:

No other alternatives have been considered at this time.

Servicing Comments:

This lot is within the Lindsay municipal service area.

Consultations:

Notice of this application was circulated in accordance with the requirements of the *Planning Act*. Comments have been received from:

Agency Comments:

Building Division (November 20, 2017 & January 7, 2018): No concerns.

Engineering and Corporate Assets Department (December 20, 2018): No concerns.

Public Comments:

No comments as of January 9, 2018.

Attachments:

Appendices A-D to
Report COA2018-001.

Appendix "A" – Location Map

Appendix "B" – Aerial Photo

Appendix "C" – Applicant's Sketch

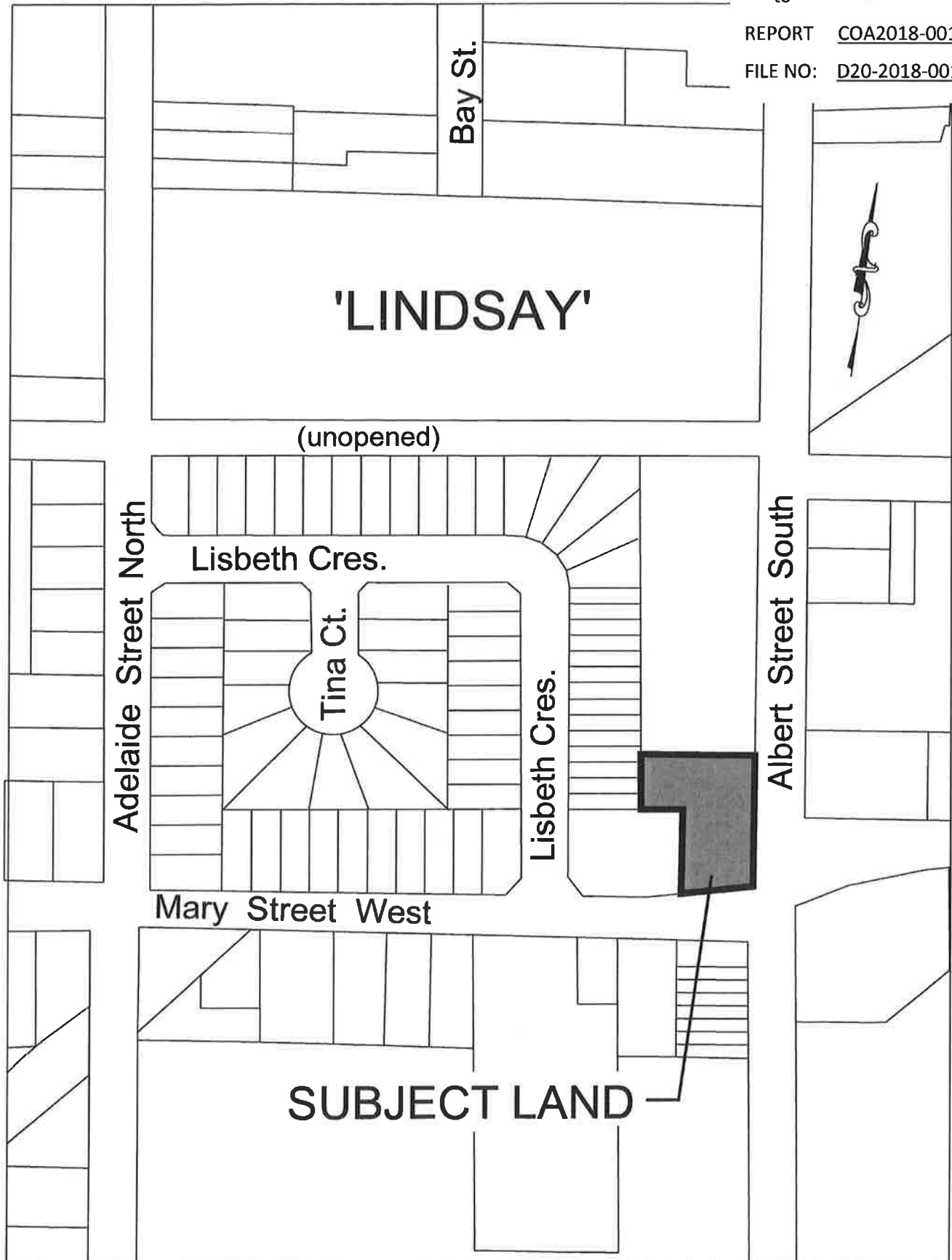
Appendix "D" – Department and Agency Comments

Phone:	705-324-9411 ext. 1206
E-Mail:	dharding@kawarthalakes.ca
Department Head:	Chris Marshall
Department File:	D20-2018-001

to

REPORT COA2018-001

FILE NO: D20-2018-001





SITE STATISTICS:

ZONING: MRC

LOT AREA: 2,369.29 m²

BUILDING AREA COVERAGE:

MAX. ALLOW'D: 30%

PROV'D: 507.23 m² (21.41%)

BUILDING GFA:

GROUND FLOOR: 507.23 m²

SETBACKS:

Front Yard (South):

Interior Side Yard (West):

Exterior Side Yard (East):

Rear Yard (North):

MIN. REQ'D:

9.0 m

3.0 m

4.0 m

7.5 m

PROV'D:

7.5 m

17.54 m

4 m

9.48 m

PARKING:

REQUIRED (Office: 1 per 25 m² GFA): 21 spaces

PROVIDED (Incl. Accessible parking): 20 spaces

ACCESSIBLE PARKING:

1 space

LOADING SPACE:

REQUIRED: 0 space

PROVIDED: 1 space

BUILDING HEIGHT:

MAX. ALLOW'D: 10.5 m

PROVIDED: 7.3 m

LANDSCAPE PROVIDED:

3 m strip along property line.

1 m strip + 1.8 m opaque wood fence.



KEY PLAN NTS

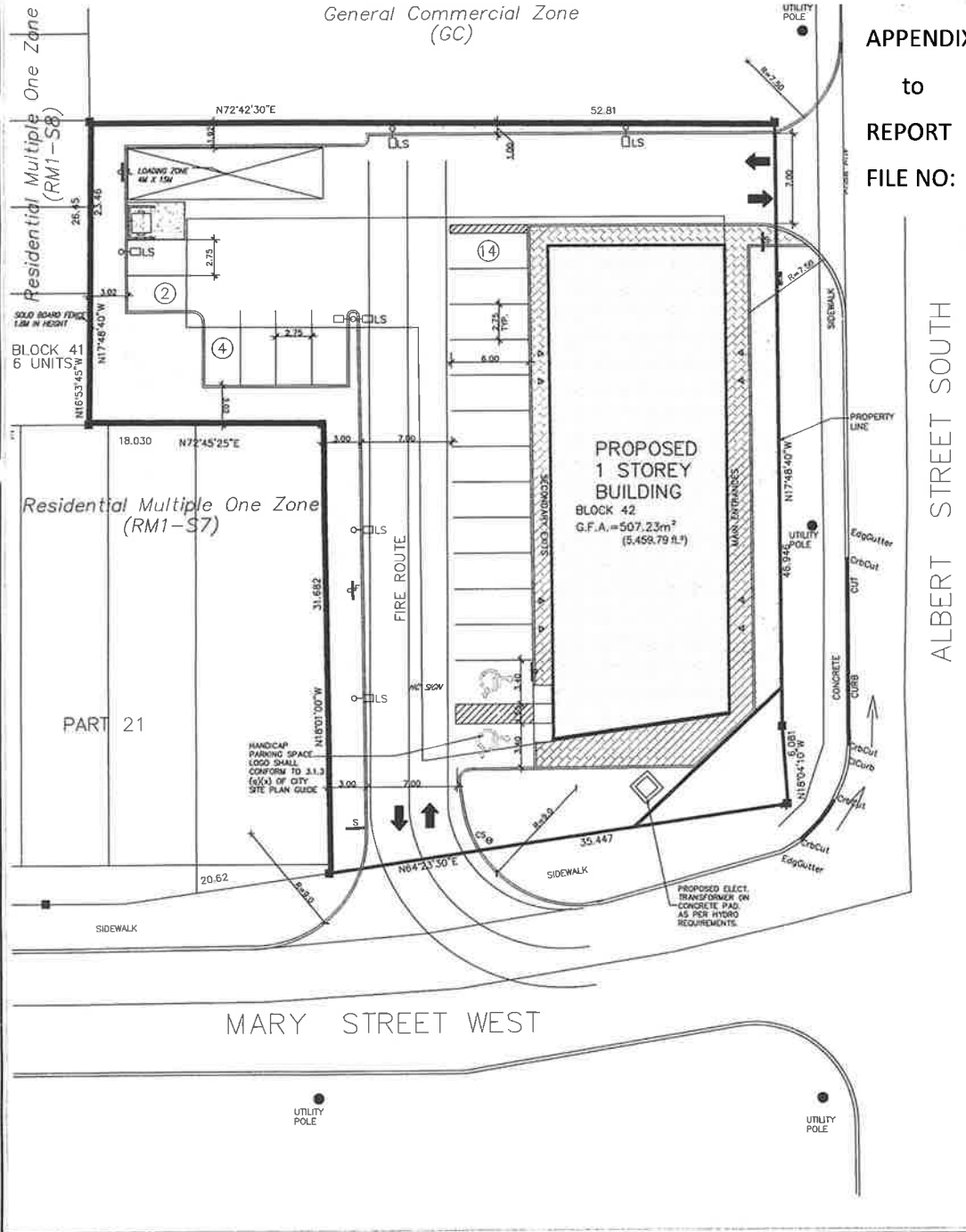
LEGAL DESCRIPTION
PART OF PARK LOT T AND
PART OF PARK LOT D'
REGISTERED PLAN No. 8p
TOWN OF LINDSAY
CITY OF KAWARTHA LAKES

APPENDIX " C "

to

REPORT COA2018-001

FILE NO: D20-2018-001



PROPOSED ONE STOREY
MIXED USE COMMERCIAL
BUILDING
**97 ALBERT STREET
SOUTH**
LINDSAY, ONTARIO

DRAWING NUMBER
AS-1

PROJECT NUMBER
15-10

SITE PLAN

SCALE: 1/400

SEPT. 8, 2016



WES SURDYKA
architect inc

3645 KEELE STREET, 2ND FLOOR, STE 100
TORONTO, ONTARIO M3J 1H8
TEL (416) 630-3254 FAX (416) 630-3741
E-mail: surdykaarchitect@bell.net

David Harding

From: Susanne Murchison
Sent: Sunday, January 07, 2018 6:47 PM
To: Mark LaHay
Cc: Erica Hallett; Derryk Wolven; Anne Elmhirst
Subject: MV comments

Follow Up Flag: Follow up
Flag Status: Flagged

APPENDIX D
to
REPORT COA2018-001
FILE NO. D20-2018-001

The Building Division has the following comments regarding the noted files, save and except those related to sewage systems which will be provided under separate submission:

D20-18-001 - no concerns

D20-18-002 - no concerns

D20-18-003 - no concerns

D20-18-004 - no concerns

D20-18-005 - no concerns

D20-18-007 - no concerns

D20-18-008 - no concerns

D20-18-010 - no concerns

Susanne Murchison, CBCO
Chief Building Official
City of Kawartha Lakes
180 Kent Street West
Lindsay, ON
K9V 2Y6
(705)-324-9411 ext. 1200
fax (705)-324-5514
1-888-822-2225

David Harding

From: Kirk Timms
Sent: Wednesday, December 20, 2017 9:11 AM
To: Erica Hallett
Cc: Christina Sisson; Kim Rhodes; Susanne Murchison; Lisa Peimann
Subject: D20-18-001 - 97 Albert Street South

Follow Up Flag: Follow up
Flag Status: Flagged

Good Morning Erica,

Further to our review of the above noted application, Development Engineering confirms we have no objection to the proposed minor variance for Zoning By-Law;

- Section 5.5. to reduce the special setback requirement from a minimum of 9.0 m to 7.5 m
- Section 5.12. j) xi. to allow for accessible parking spaces to be located in the front yard
- Section 5.12. k) ii. to reduce the number of parking spaces from 21 to 20

We respectfully request that if additional information brought forward through the commenting period that changes the intent of the minor variance application and the corresponding report by Planning, that Engineering be circulated for technical review on behalf of the City. Please provide Engineering the Notice of Decision for our confirmation.

Thanks,

Kirk Timms, C.E.T.

Engineering Technician
Engineering & Corporate Assets Department
City of Kawartha Lakes
P.O. Box 9000
12 Peel Street
Lindsay, ON
K9V 5R8
(705) 324-9411 Ext. 1119



The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Neufeld
Report Number COA2018-002

Public Meeting

Meeting Date: January 18, 2018
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 13 – Geographic Township of Verulam

Subject: The purpose and effect is to request relief from:

1. Section 19.2(f) to reduce the minimum rear yard setback from 10 metres to 6.4 metres;
2. Section 5.1.4(b) to reduce the rear yard setback from 1.2 metres to 1.1 metres;
3. Section 5.1.4(c) to reduce the spatial separation between a dwelling and an accessory building (shed) from 1.2 metres to 1.1 metres; and
4. Section 19.2(h) to increase the maximum permitted lot coverage from 10% to 20.5%.

The relief requested in bullet points 1 and 4 are to permit an addition to a single detached dwelling. The relief requested in bullet points 2, 3, and 4 are to permit a shed.

The property is located at 11 Pavillion Road, geographic Township of Verulam (File D20-2018-002).

Author: David Harding, Planner II

Signature: 

Recommendation:

RESOLVED THAT Report COA2018-002 John and Kathleen Neufeld, be received;

THAT minor variance application D20-2018-002 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **THAT** the construction of the addition related to this approval shall proceed substantially in accordance with the sketch in Appendix "C" and elevations in Appendix "D" submitted as part of Report COA2018-002, which shall be attached to and form part of the Committee's Decision;

- 2) **THAT** prior to the issuance of a Building Permit for the proposed addition, the owners shall obtain a building permit from the Building Division for the recently constructed shed that lies directly north of said proposed addition; and,
- 3) **THAT** the building construction related to the minor variances shall be completed within a period of twelve (12) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

This approval pertains to the application as described in report COA2018-002. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background:	The application proposes to construct an addition to the existing dwelling, which was constructed circa 1940 (MPAC). This application was deemed complete December 19, 2017.
Proposal:	To construct an approximately 15.63 square metre (168.24 square foot) single storey addition to a single detached dwelling. The addition is proposed to enlarge a bedroom.
Owners:	John & Kathleen Neufeld
Applicant:	John Neufeld
Legal Description:	Registered Plan 156, Part of Lots 57 & 58, geographic Township of Verulam, City of Kawartha Lakes
Official Plan:	"Waterfront" – City of Kawartha Lakes Official Plan
Zone:	"General Rural (A1) Zone" – Township of Verulam Zoning By-law 6-87
Site Size:	663.36 square metres (7,140.3 square feet)
Site Servicing:	Private individual holding tank and well
Existing Uses:	Residential
Adjacent Uses:	All Sides: Residential

Rationale: A portion of the relief sought to the maximum lot coverage provision is to address the encroaching structure belonging to a neighbour. The requested relief from the lot coverage provision would recognize the existing sheds.

1) Are the variances minor in nature? Yes

The subject property is situated in the community of Greenhurst-Thurstonia. The addition is proposed within what may be considered a utility and access space between the side deck and two sheds in the southwestern corner of the

rear yard. The construction of the addition is not anticipated to generate any adverse impacts to the use of the rear yard. The addition is located on the southwestern side of the dwelling, well back from the front wall of the dwelling. Therefore, the location of the addition ensures it will blend in with the existing dwelling rather than become a more prominent feature. The proposed built form is compatible with the built character of the neighbourhood.

The three existing sheds located entirely would not adversely impact the function of the rear yard or contribute to adverse massing impacts on the abutting residential lots.

Therefore, the variances are minor in nature.

2) Is the proposal desirable and appropriate for the use of the land? Yes

The proposed variances will recognize the existing built form on the lot in addition to facilitating the construction of an enlarged bedroom. The addition will not impede the function of the rear yard or side yard as an amenity space. The accessory buildings provide for the storage of items which cannot be or would be difficult to locate within the dwelling.

Based on the above analysis, the variances are minor as well as desirable and appropriate for the use of the land.

3) Do the variances maintain the intent and purpose of the Zoning By-law? Yes

The subject property is zoned "General Rural (A1) Zone" in the Township of Verulam Zoning By-law 6-87. Two blocks within the Greenhurst-Thurstonia community are zoned A1, while the balance is zoned "Residential Type One (R1) Zone". The subject property is within one of those two blocks. The lots across the street from the subject property are zoned R1. The A1 Zone contains a separate list of lesser setback requirements for smaller lots with residential uses; however, the maximum lot coverage provision remains the same regardless of property size or proposed use.

The intent of the zoning by-law is maintained, as the smaller lot is only used for residential purposes, and the lot coverage proposed is similar to that found on the surrounding lots that are within the A1 and R1 Zones. The proposed lot coverage of 20.5% is also less than the 33% permitted within the R1 Zone.

The intent of the accessory building spatial separation requirements within the General Provisions is to ensure adequate separation for maintenance purposes. The reductions sought from the rear yard and dwelling setbacks are so minimal that they are nearly imperceptible. As the reductions are nearly imperceptible (10 centimetres), there remains adequate spatial separation to perform building maintenance.

The addition to the dwelling will comply with the setback requirements to the lot lines.

Therefore, the variances maintain the general intent and purpose of the Zoning By-Law.

4) Do the variances maintain the intent and purpose of the Official Plan?

Yes

The property is designated “Waterfront” within the City of Kawartha Lakes Official Plan. The designation anticipates low density residential uses.

In consideration of the above the variances maintain the general intent and purpose of the Official Plan.

Other Alternatives Considered:

No other alternatives have been considered at this time.

Servicing Comments:

The property is serviced by a private individual well and holding tank.

Consultations:

Notice of this application was circulated in accordance with the requirements of the *Planning Act*. Comments have been received from:

Agency Comments:

Building Division (November 20, 2018): No concerns.

Engineering and Corporate Assets Department (December 20, 2017): No concerns.

Kawartha Region Conservation Authority (January 4, 2018): No concerns.

Building Division – Part 8 Sewage System (January 8, 2018): No concerns.

Public Comments:

No comments as of January 9, 2018.

Attachments:



Appendices A-D to
Report COA2018-002.

Appendix “A” – Location Map

Appendix “B” – Aerial Photo

Appendix “C” – Applicant’s Sketch

Appendix “D” – Elevations

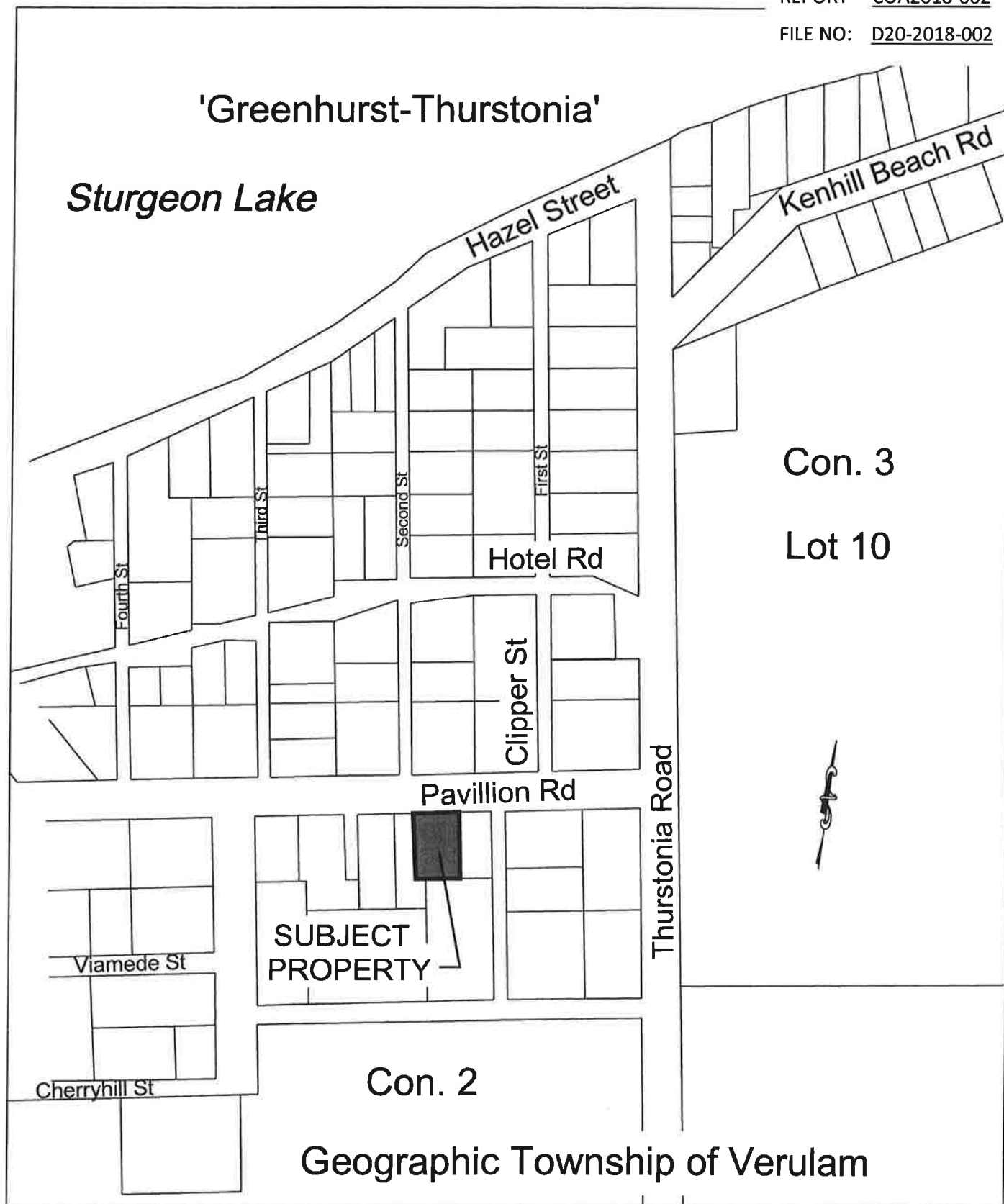
Appendix “E” – Department and Agency Comments

Phone: 705-324-9411 ext. 1206
E-Mail: dharding@kawarthalakes.ca
Department Head: Chris Marshall
Department File: D20-2018-002

to

REPORT COA2018-002

FILE NO: D20-2018-002





0.05

Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere

© City Of Kawartha Lakes



This map is a user generated static output from an internet mapping site a is for reference only. Data layers that appear on this map may or may not accurate, current or otherwise reliable
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APPENDIX " B "

to

REPORT COA2018-002

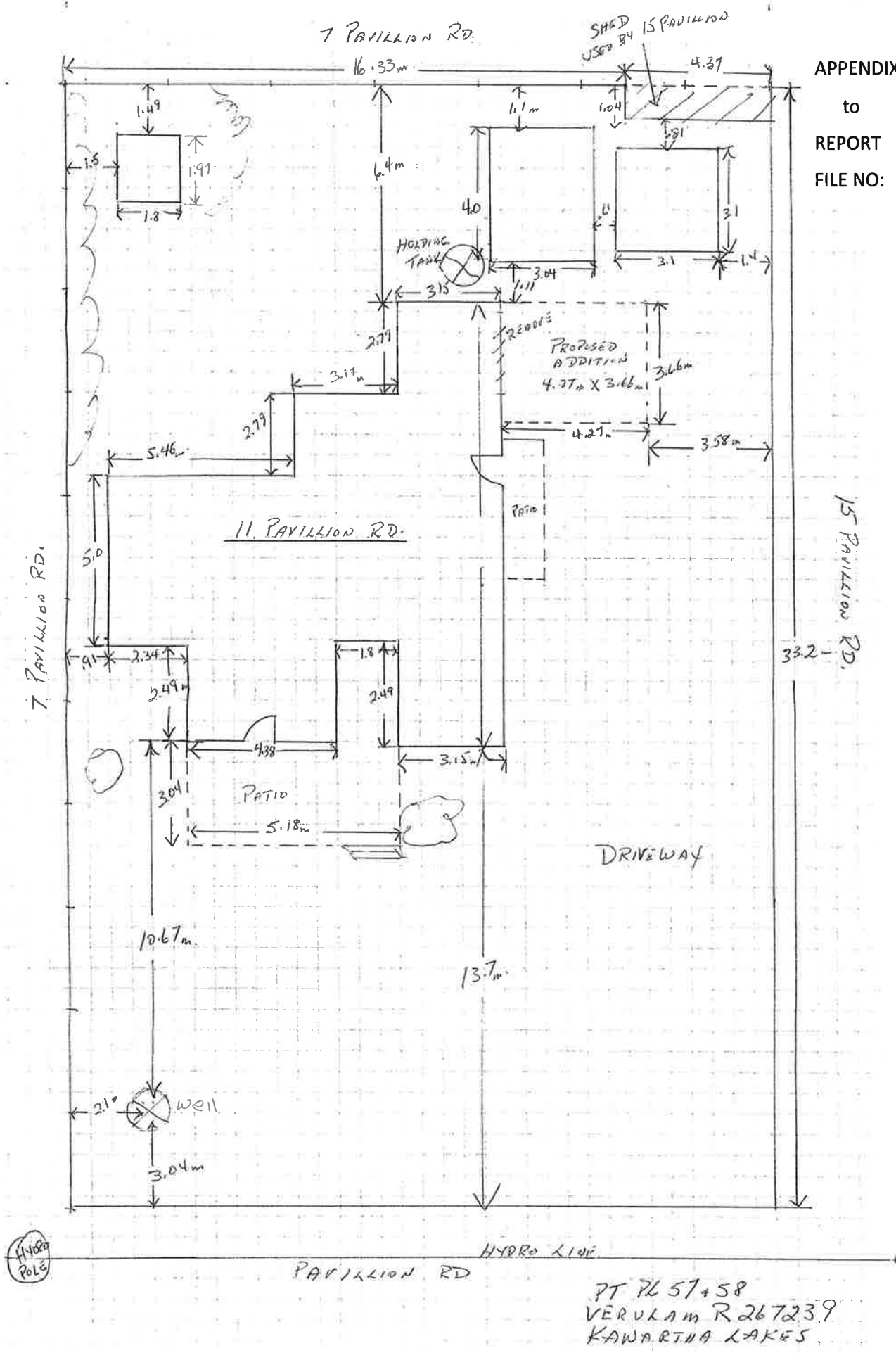
FILE NO: D20-2018-002

APPENDIX " C "

to

REPORT COA2018-002

FILE NO: D20-2018-002



David Harding

From: Anne Elmhirst
Sent: Monday, January 08, 2018 3:53 PM
To: Erica Hallett
Subject: D20-2018-002 - 11 Pavillion

FILE NO. D20-2018-002

Hello Erica,

I have received and reviewed the application for minor variance (D20-2018-002) to allow for an addition onto an existing building that will cause an increase in lot coverage and require reduced setbacks.

The property is currently serviced by a Class 5 Holding Tank for sewage disposal. The holding tank has been noted at the rear of the residential dwelling and it has been confirmed by John Neufeld to be located outside of any building footprint.

As such, the Building Division – Sewage System Program has no objection to the proposed minor variance.

Should you have any questions or concerns, please do not hesitate to contact me.

Best Regards,

Anne Elmhirst C.P.H.I.(C), B.A.Sc., B.Sc.
Supervisor – Part 8 Sewage Systems
Development Services - Building Division, City of Kawartha Lakes
705-324-9411 ext. 1882 www.kawarthalakes.ca



David Harding

From: Susanne Murchison
Sent: Sunday, January 07, 2018 6:47 PM
To: Mark LaHay
Cc: Erica Hallett; Derryk Wolven; Anne Elmhirst
Subject: MV comments

Follow Up Flag: Follow up
Flag Status: Flagged

The Building Division has the following comments regarding the noted files, save and except those related to sewage systems which will be provided under separate submission:

D20-18-001 - no concerns

D20-18-002 - no concerns

D20-18-003 - no concerns

D20-18-004 - no concerns

D20-18-005 - no concerns

D20-18-007 - no concerns

D20-18-008 - no concerns

D20-18-010 - no concerns

Susanne Murchison, CBCO
Chief Building Official
City of Kawartha Lakes
180 Kent Street West
Lindsay, ON
K9V 2Y6
(705)-324-9411 ext. 1200
fax (705)-324-5514
1-888-822-2225



January 4, 2018
KRCA File No. 16039

Via Email

Erica Hallett, Administrative Assistant
Committee of Adjustment, City of Kawartha Lakes
Lindsay Service Centre
180 Kent Street West
Lindsay, ON K9V 2Y6

**Regarding: Minor Variance D20-2018-002
11 Pavillion Road
Geographic Twp. of Verulam
City of Kawartha Lakes**

Dear Ms. Hallett:

Kawartha Region Conservation Authority staff have now completed our review of Minor Variance application D20-2018-002 for the purposes of relief from Zoning By-law 6-87 to permit an increase in maximum lot coverage from 10% to 19.4% and reduce the rear yard setback from 10m to 6.4m in order to permit an addition of a room.

Ontario Regulation 182/06

Upon review of the regulation mapping, staff can confirm that while the subject property is within Kawartha Conservation watershed, it is not within a regulated area, and therefore does not require a Permit from this office.

Summary

Based on our review of the natural hazards and natural heritage features, Kawartha Conservation does not object to this minor variance.

I trust this meets your information requirements at this time. Should you require any additional information, please do not hesitate to contact this office.

Yours truly,

Katie Jane Harris, Resources Planner

KAWARTHA CONSERVATION
277 Kenrei Road, Lindsay, ON K9V 4R1
705.328.2271 Fax 705.328.2286
KawarthaConservation.com

Our Watershed Partners:

City of Kawartha Lakes • Region of Durham • Township of Scugog • Municipality of Clarington • Township of Brock • Municipality of Trent Lakes • Township of Cavan Monaghan



David Harding

From: Kirk Timms
Sent: Wednesday, December 20, 2017 9:19 AM
To: Erica Hallett
Cc: Christina Sisson; Susanne Murchison; Anne Elmhirst; Lisa Peimann; Kim Rhodes
Subject: D20-18-002 - 11 Pavillion, Verulam

Follow Up Flag: Follow up
Flag Status: Flagged

Good Morning Erica,

Further to our review of the above noted application, Development Engineering confirms we have no objection to the proposed minor variance for Zoning By-Law;

- Section 19.2. f) to reduce the minimum rear yard depth from 10.0 m to 6.4 m
- Section 19.2. h) to increase the maximum lot coverage from 10.0% to 19.4%

We respectfully request that if additional information brought forward through the commenting period that changes the intent of the minor variance application and the corresponding report by Planning, that Engineering be circulated for technical review on behalf of the City. Please provide Engineering the Notice of Decision for our confirmation.

Thanks,

Kirk Timms, C.E.T.

Engineering Technician
Engineering & Corporate Assets Department
City of Kawartha Lakes
P.O. Box 9000
12 Peel Street
Lindsay, ON
K9V 5R8
(705) 324-9411 Ext. 1119



The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Harlow
Report Number COA2018-003

Public Meeting

Meeting Date: January 18, 2018
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 02 – Geographic Township of Bexley

Subject: The purpose and effect is to request relief from the following provisions to permit the construction of a single detached dwelling:

1. Section 9.2.1.3(a) to reduce the minimum front yard setback from 7.5 metres to 3.2 metres;
2. Section 9.2.1.3 (e) to reduce the minimum water setback from 15 metres to 8.8 metres; and,
3. Section 3.18.1.1(a) to reduce the minimum setback of buildings and structures from an Environmental Protection Zone boundary from 15 metres to 8.8 metres.

The property is located at 17 North Water Street in Coboconk, geographic Township of Bexley (File D20-2018-003).

Author: David Harding, Planner II

Signature:



Recommendation:

RESOLVED THAT Report COA2018-003 Josie Harlow, be received;

THAT minor variance application D20-2018-003 be DEFERRED until such time as the owner/applicant provides sufficient documentation to the City and/or the Kawartha Region Conservation Authority so that the variance application may be fully analyzed, and if necessary, re-advertised.

Background: The application proposes to demolish the existing single storey detached dwelling and construct a new one and one-half storey dwelling with attached garage. The existing dwelling does not comply with the water/EP Zone setback and front yard setback requirements. The new dwelling proposes a larger footprint, and would further decrease the setback to the shoreline. This application was received November 21, 2017,

and last amended January 3, 2018. A site grading plan was submitted January 9, 2018 in support of the application.

Proposal: To construct a single detached dwelling.

Owner: Josie Harlow

Legal Description: Registered Plan 46, Lot 5, geographic Township of Bexley, City of Kawartha Lakes

Official Plan: "Hamlet Settlement Area" – City of Kawartha Lakes Official Plan

Zone: "Hamlet Residential (HR) Zone" – Township of Bexley Zoning By-law 93-09

Site Size: 790 square metres (8,503.5 square feet)

Site Servicing: Municipal sanitary sewer and lake-based water supply

Existing Uses: Residential

Adjacent Uses: North: Residential, Vacant Residential
South: Balsam Lake
West: Residential
East: Park/Public Dock, Residential

Rationale:

- 1) Are the variances minor in nature? **Undetermined at this time**
- 2) Is the proposal desirable and appropriate for the use of the land? **Undetermined at this time**
- 3) Do the variances maintain the intent and purpose of the Zoning By-law? **Undetermined at this time**
- 4) Do the variances maintain the intent and purpose of the Official Plan? **Undetermined at this time**

Other Alternatives Considered:

The owner first approached planning staff on October 26, 2017. Due to the nature of the development proposed on the small lot, the type and extent of zoning relief required, and the level of analysis needed, planning staff recommended the application proceed through the pre-screening process. Planning staff also encouraged the submission of a survey to confirm property boundaries and setbacks. The owner opted to bypass the pre-screening process through which Staff could have determined an appropriate course of action for the applicant prior to submission of an application. The applicant has subsequently arranged for a surveyor to attend the property and create an existing grading plan, which provides information on actual lot area and configuration that may change some of the required variances being sought by the applicant. Staff will now be requesting the

applicant to plot the proposed dwelling onto the existing grading plan in order that Staff can determine whether the requested variances need to be amended.

Servicing Comments:

The property is serviced by the municipal sanitary sewer system and lake-based water supply.

Planning Staff Comments:

On January 9, a site grading plan prepared by Coe Fisher Cameron OLS was submitted to the City and Conservation Authority for review in support of the variance application. City staff requires additional time to review this new document to determine what changes to the application, including re-circulation, may be required. The KRCA has requested additional amendments to the site grading plan as part of their review. Staff requires additional time to consult with the KRCA to determine whether the proposal could comply with their permitting requirements, and whether the proposed development complies with the intent of the City's natural heritage feature policies. If it does not, additional time is needed to consult with the applicant on alternative design proposals.

Consultations:

Notice of this application was circulated in accordance with the requirements of the *Planning Act*. Comments have been received from:

Agency Comments:

Building Division (January 7, 2018): No concerns.

Engineering and Corporate Assets Department (January 3, 2018): No concerns.

Kawartha Region Conservation Authority (January 3, 2018): The property is regulated by the KRCA. The KRCA is not in a position to support the application (see Appendix "E").

Ministry of Transportation (MTO) (December 13, 2017): The property is within the MTO permit control area. A MTO building and land use permit is required should the development proceed.

Public Comments:

No comments as of January 9, 2018.

Attachments:



Appendices A-E to
Report COA2018-003.

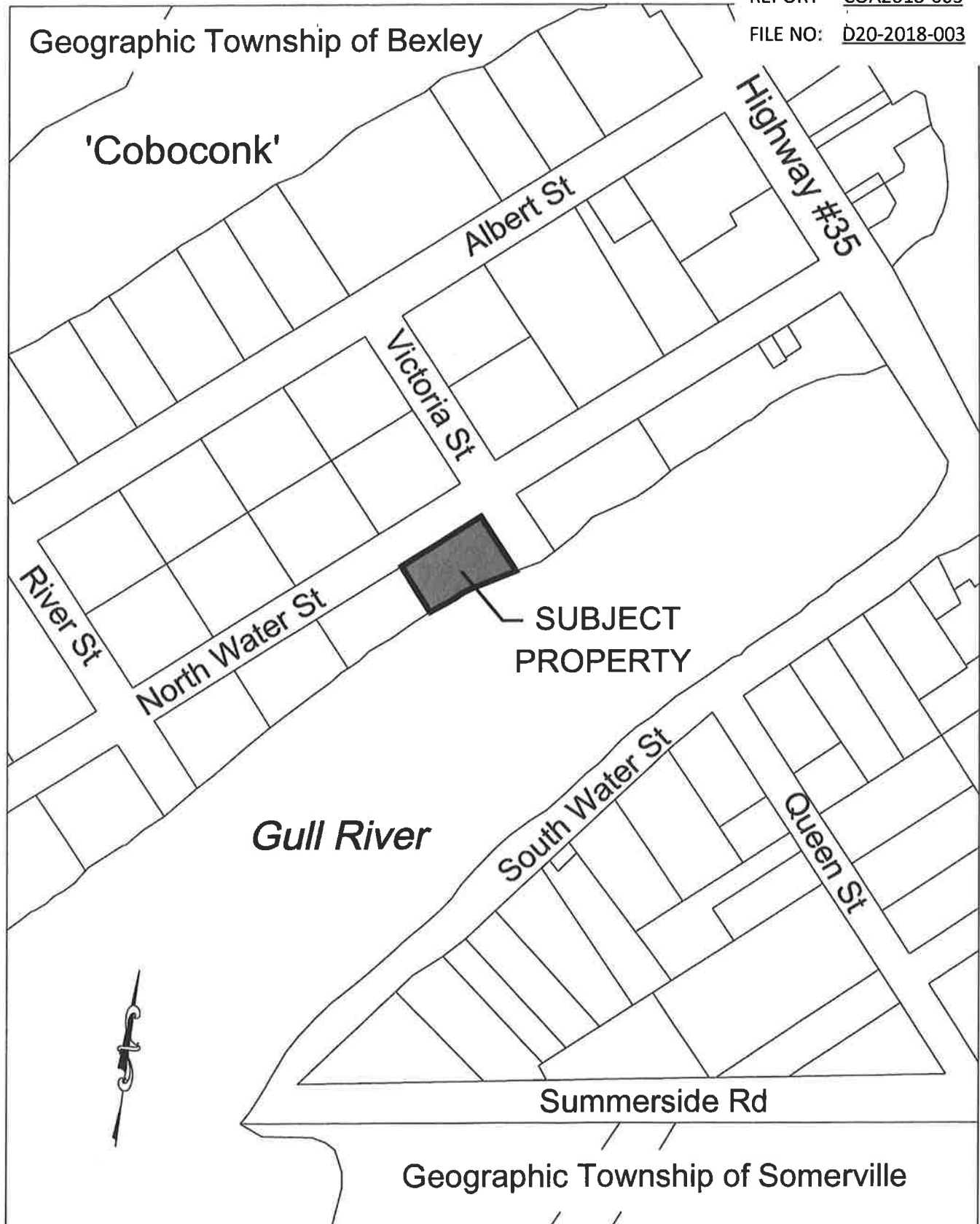
Appendix "A" – Location Map
Appendix "B" – Aerial Photo
Appendix "C" – Applicant's Sketch
Appendix "D" – Elevation
Appendix "E" – Department and Agency Comments

Phone: 705-324-9411 ext. 1206
E-Mail: dharding@kawarthalakes.ca
Department Head: Chris Marshall
Department File: D20-2018-003

to

REPORT COA2018-003

FILE NO: D20-2018-003





This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR COMMERCIAL OR LEGAL PURPOSES.



0.05 Kilometers
WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes

to

REPORT COA2018-003

FILE NO: D20-2018-003

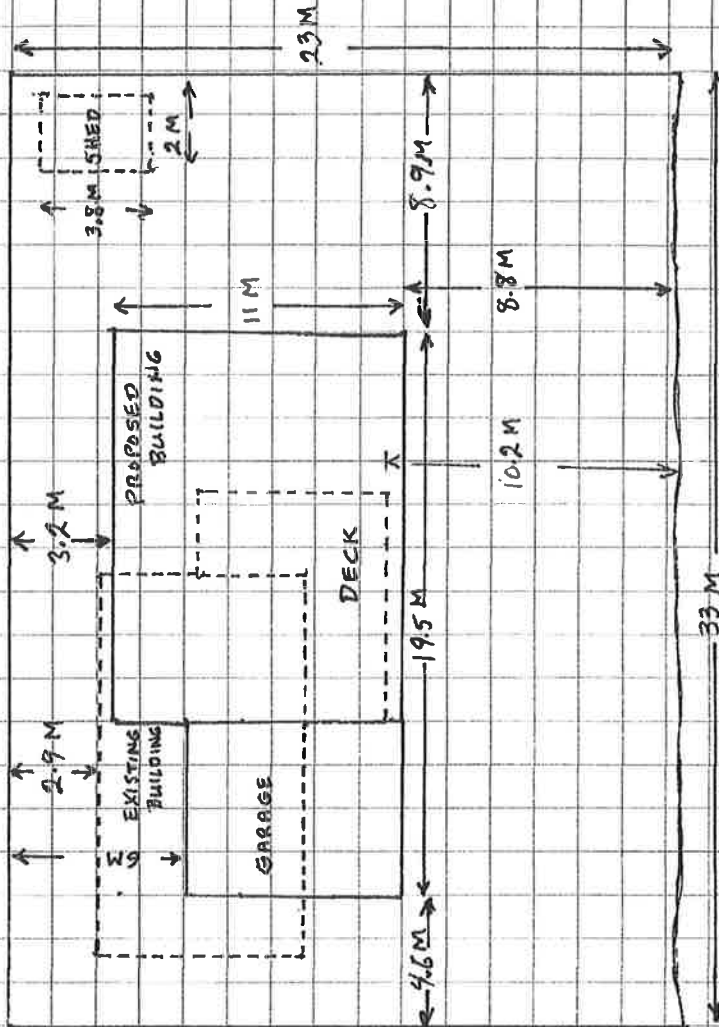
COBOCONK

NORTH WATER STREET

19 NORTH WATER ST

17 NORTH WATER ST

3.2 M
PORCH
ON
19 WATER ST



GULL RIVER

to

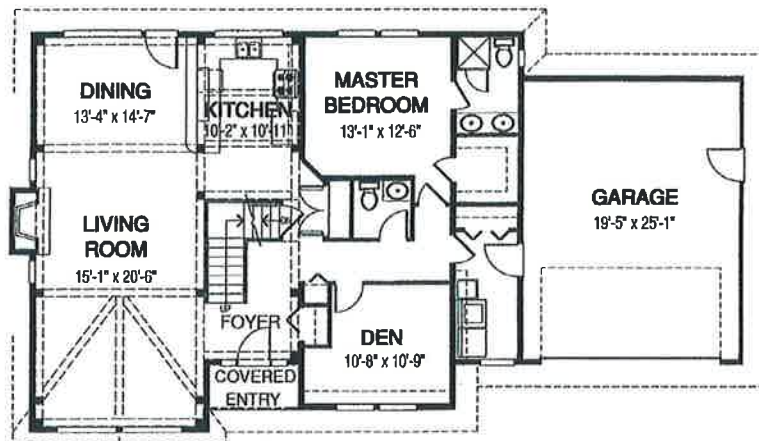
REPORT COA2018-003FILE NO: D20-2018-003The *Clarkson***Square Footage**

MAIN FLOOR	1472
UPPER FLOOR	971
UNFINISHED/ BONUS AREA	—
TOTAL LIVING AREA	2443
GARAGE	511
COVERED ENTRY/PORCH	32
BALCONY/ DECK	—
TOTAL AREA	2986

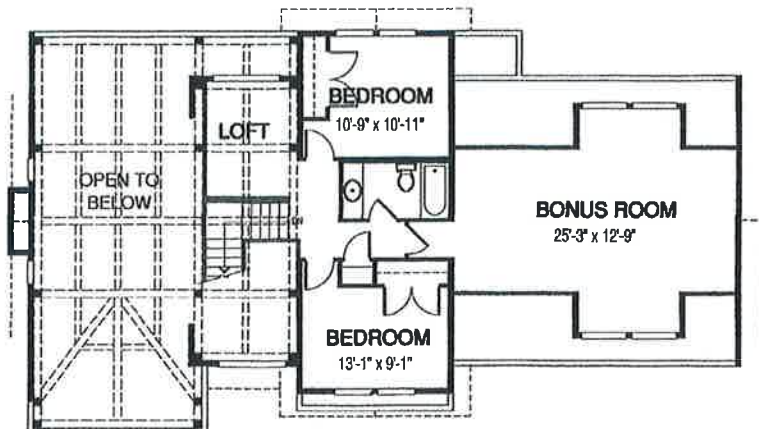
Dimensions

WIDTH	DEPTH
64	36

MAIN FLOOR



UPPER FLOOR



to

REPORT COA2018-003**David Harding**

From: Susanne Murchison
Sent: Sunday, January 07, 2018 6:47 PM
To: Mark LaHay
Cc: Erica Hallett; Derryk Wolven; Anne Elmhirst
Subject: MV comments

FILE NO. D20-2018-003

Follow Up Flag: Follow up
Flag Status: Flagged

The Building Division has the following comments regarding the noted files, save and except those related to sewage systems which will be provided under separate submission:

D20-18-001 - no concerns

D20-18-002 - no concerns

D20-18-003 - no concerns

D20-18-004 - no concerns

D20-18-005 - no concerns

D20-18-007 - no concerns

D20-18-008 - no concerns

D20-18-010 - no concerns

Susanne Murchison, CBCO
Chief Building Official
City of Kawartha Lakes
180 Kent Street West
Lindsay, ON
K9V 2Y6
(705)-324-9411 ext. 1200
fax (705)-324-5514
1-888-822-2225

David Harding

From: Kirk Timms
Sent: Wednesday, January 03, 2018 12:00 PM
To: Kim Rhodes; Erica Hallett
Subject: FW: D03-18-003 - 17 North Water Street, Coboconk

Follow Up Flag: Follow up
Flag Status: Flagged

Sorry my mistake the subject line is incorrect, it should read D20-18-003.

Kirk

From: Kirk Timms
Sent: Wednesday, January 03, 2018 11:45 AM
To: Erica Hallett
Cc: Kim Rhodes; Christina Sisson; Susanne Murchison; Lisa Peimann
Subject: D03-18-003 - 17 North Water Street, Coboconk

Good Morning Erica,

Further to our review of the above noted application to permit construction of a new 4 season dwelling, Development Engineering confirms we have no objection to the proposed minor variance for Zoning By-Law;

- Section 9.2.1.3 a) to reduce the minimum front yard setback from 7.5 m to 4.6 m
- Section 9.2.1.3 e) to reduce the minimum water setback from 15.0 m to 9.1 m

We respectfully request that if additional information brought forward through the commenting period that changes the intent of the minor variance application and the corresponding report by Planning, that Engineering be circulated for technical review on behalf of the City. Please provide Engineering the Notice of Decision for our confirmation.

Thanks,

Kirk Timms, C.E.T.

Engineering Technician
Engineering & Corporate Assets Department
City of Kawartha Lakes
P.O. Box 9000
12 Peel Street
Lindsay, ON
K9V 5R8
(705) 324-9411 Ext. 1119



January 3, 2018
KRCA File No. 16056

Via Email

Erica Hallett, Administrative Assistant
Committee of Adjustment, City of Kawartha Lakes
Lindsay Service Centre
180 Kent Street West
Lindsay, ON K9V 2Y6

**Regarding: Minor Variance D20-2018-003
17 North Water Street (Coboconk)
Geographic Twp. of Bexley
City of Kawartha Lakes**

Dear Ms. Hallett:

Kawartha Region Conservation Authority (KRCA) staff have now completed our review of the above noted application to consider relief from Zoning By-law 93-09 in order to reduce the front lot line and water setbacks to 4.6m and 9.1m respectively, whereas Section 9.2.1.3 requires a front yard setback of 7.5m and a water setback of 15m.

Ontario Regulation 182/06

The subject property is adjacent to the Gull River and contains a portion of the flooding/erosion hazard associated with that watercourse. Kawartha Conservation regulates watercourses/waterbodies, the associated hazard lands as well as a setback of 15 metres from the limit of the greatest hazard. The flooding hazard associated with the Gull River is 1 metre above the bankfull level. As such, the subject property is regulated by Kawartha Conservation, pursuant to Ontario Regulation 182/06.

In the absence of a detailed topographic survey, it cannot be confirmed if the entire property is flood susceptible or if only a part of the property is within the flooding hazard. The applicant must complete a topographic survey and have the bankfull level of the Gull River plus 1 metre above bankfull limit identified to illustrate the extent of the floodplain on the property. Once the survey is complete, the flooding hazard is shown, and the associated 15 metre regulated setback, staff will be able to determine whether or not a replacement that is larger than the existing structure, would be permitted.

Should the entire property be within the floodplain, associated with the Gull River, Policy 4.5.2(7) and 4.5.2(8) of Kawartha Conservation's Policy Document will apply to any new development. Please see policies attached in Appendix 1 for all requirements. Ultimately, a replacement of a dwelling within a flooding hazard that results in an increase in dwelling size may be permitted provided it can demonstrate that the conditions for Minor Residential Additions (Policies 4.5.2(3), 4.5.2(4), 4.5.2(5) and 4.5.2(6)) can be satisfied, and the dwelling is replaced outside the flooding hazard, where feasible.

Should the existing development not be within the flooding/erosion hazard associated with Gull River, then pursuant to Policy, new development should be no closer than six (6) metres from the maximum extent of the flooding hazard in order to accommodate the Provincial Access Erosion Allowance (Table C-1).

Staff note that a Permit pursuant to Ontario Regulation 182/06 is required from this office for any development on site, prior to obtaining a building permit from the City of Kawartha Lakes, therefore, the topographic survey must be completed as part of the minor variance prior to its approval, so staff can confirm a permit could be issued.

KAWARTHA CONSERVATION

277 Kenrei Road, Lindsay, ON K9V 4R1
705.328.2271 Fax 705.328.2286

KawarthaConservation.com

Our Watershed Partners:

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Partnership Memorandum of Understanding (MOU)

The following comments are provided as per the MOU entered into between the City of Kawartha Lakes and Kawartha Conservation. The City has requested staff provide comments and analysis on the identification, function and significance of natural heritage and hydrologic features and systems such as, significant woodlots, wetlands, significant wildlife habitat, fish habitat, significant habitat of endangered and threatened species, significant valleylands, areas of natural and scientific interest, surface water features and groundwater features on, or in proximity to, a proposed development site or within a study area.

Fish Habitat

The Gull River is considered fish habitat. Pursuant to Policy 3.4.6(8), for expansion, replacement, or relocation of an existing building or structure on adjacent lands (within 120 metres of fish habitat), Kawartha Conservation recommends the maintenance, establishment, and/or enhancement of a buffer strip running continuously along both sides of all water features supporting fish habitat, measured in accordance with Policies 3.4.6(10), 3.4.6(11), 3.4.6(12), 3.4.6(13) OR where this is not feasible, that maximum buffers, given the site constraints, should be applied wherever possible.

The subject property appears to already have a hardened shoreline and a setback from fish habitat that is less than the recommended distance without the support of an Environmental Impact Study. As such, Kawartha Conservation's policies are not supportive of a further reduction of the water setback and would recommend a minimization of encroachment wherever possible, with no new development any closer than existing, at the minimum for the proposed new development.

Summary

Based on our review of the natural hazards and natural heritage features adjacent to the property, KRCA is not in a position to support the minor variance at this time for the following reasons:

1. A detailed topographic survey is required to determine the extent of the flooding hazard on the subject property in order for staff to determine the level of risk associated with the proposed development, which development policies are applicable, and if a Permit can be issued.
2. While KRCA's minor additions policy in combination with residential replacement policy in floodplains may support the development, the size of the lot and the proposed gross floor area of the proposed residence are not consistent with the recommended setbacks for fish habitat.

Staff request the applicant complete the detailed topographic survey, plot the limit of the floodplain and proposed development, and submit it to the attention of Erica Hallett at the City of Kawartha Lakes for circulation to Kawartha Conservation, for our review and comment.

I trust this meets your information requirements at this time. Should you require any additional information, please do not hesitate to contact this office.

Yours truly,



Katie Jane Harris, Resources Planner

David Harding

From: Katie Jane Harris <kjharris@kawarthaconservation.com>
Sent: Tuesday, January 09, 2018 4:01 PM
To: Shelley Greenwood; David Harding
Cc: Josie Harlow; Geoffrey Lees
Subject: RE: Minor Variance Application D20-2018-003 Harlow - 17 North Water Street, Coboconk

Good Afternoon Shelley,

Thank you for sending through the topographic survey. I see it shows a flood contour of 256.5 – can you confirm that 256.5 is one metre above the bankfull limit mark please?

I am assuming the 1 storey frame dwelling shown on the survey is the existing development. For staff to know where the proposed development is in relation to the flood plain, it needs to be shown on the survey. Could you please overlay the proposed development so KRCA can confirm that the new development is outside the floodplain and meets the 6 metre access erosion allowance? It was also requested in KRCA's letter, dated January 3, 2018 that the 15 metre regulated setback be shown, however, if you send the full size survey to our office with the proposed development overlaid, I can use a scale to measure the setbacks.

Thanks very much,
Katie Jane

Katie Jane Harris B.E.S.
Resources Planner
KAWARTHA CONSERVATION
277 Kenrei Road
Lindsay, ON K9V 4R1

Tel: 705.328.2271 ext. 232
Fax: 705.328.2286

KawarthaConservation.com



**KAWARTHA
CONSERVATION**

Discover • Protect • Restore

Please be advised emails sent to KRCA the week of January 1-5 may not have been received due to server error. Please resend, or contact the intended recipient to confirm receipt.

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Aaron & Lindsay Smith
Report Number COA2018-004

Public Meeting

Meeting Date: January 18, 2018
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 04 – Mariposa

Subject: An application to request relief to permit construction of a detached garage in the front yard where it is only permitted in the side or rear yards on property located at 642 The Glen Road, geographic Township of Mariposa (File D20-2018-004).

Author: Janet Wong, Planner II

Signature:



Recommendation:

RESOLVED THAT Report COA2018-004 Aaron & Lindsay Smith, be received;

THAT minor variance application D20-2018-004 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **THAT** the construction of the garage related to this approval shall proceed generally in accordance with the sketch in Appendix “C” submitted as part of Report COA2018-004, which shall be attached to and form part of the Committee’s Decision;
- 2) **THAT** as part of issuance of the building permit, there be a requirement that the 12.67 square metre garden shed be demolished or removed from the property to the satisfaction of the Chief Building Official; and
- 3) **THAT** the building construction related to the minor variance shall be completed within a period of twelve (12) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

This approval pertains to the application as described in report COA2018-004. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: This application was deemed complete November 30, 2017.

Proposal: To construct an approximately 132.9 square metre (1,430 square foot) detached garage relief is sought from Section 3.1.2.1 to permit the building to be located in the front yard where it is only permitted in the side or rear yards.

Owner: Aaron & Lindsay Smith

Applicant: Aaron Smith

Legal Description: North Part Lot 11, Concession 13, Part 1, Plan 57R 5625, geographic Township of Mariposa, City of Kawartha Lakes

Official Plan: "Prime Agricultural" – City of Kawartha Lakes Official Plan

Zone: "Agricultural Type One (A1) Zone" – Township of Mariposa Zoning By-law 94-07

Site Size: 9,957.8 square metres (2.4 acres) – H.F. Grander Co. Ltd. Ontario Land Surveyor

Site Servicing: Private individual well and two septic systems

Existing Uses: Rural Residential

Adjacent Uses: North, East, South, and West: Rural

Rationale:

- 1) Is the variance minor in nature? Yes
And
- 2) Is the proposal desirable and appropriate for the use of the land? Yes

The proposed garage will be located about 33 metres from the front lot line, thus is well set back from The Glen Road. Access to the rear and side yards is restricted by existing utilities and the septic systems. The proposed garage will be located proximate to the dwelling forming a strong residential cluster that will also be largely screened from the travelling public due to dense coniferous trees across the majority of the front lot line. Removal of the garden shed is required to comply with the maximum of two (2) accessory buildings and a condition of approval is included to address this.

Based on this, the variance is minor as well as desirable and appropriate for the use of the land.

3) Does the variance maintain the intent and purpose of the Zoning By-law?

Yes

Within the “Agricultural (A1) Zone”, existing lots of record one (1) hectare or less in size are subject to the “Rural Residential Type One (RR1) Zone” provisions. The proposed garage is four (4) times the required minimum front yard setback. It is noted the garage also exceeds the A1 Zone minimum front yard setback of 30 metres. In all other respects, the size and height of the garage complies with the Zoning By-law provisions for accessory buildings.

Therefore, the variance maintains the general intent and purpose of the Zoning By-Law.

4) Does the variance maintain the intent and purpose of the Official Plan?

Yes

The property is designated “Prime Agricultural” in the City of Kawartha Lakes Official Plan. Residential dwellings and accessory buildings are anticipated within this designation. Thus, the proposal maintains the general intent and purpose of the City’s Official Plan.

Other Alternatives Considered:

No other alternatives have been considered at this time.

Servicing Comments:

The property will be serviced by a private individual well and two septic systems. The dwelling was designed and constructed with two septic systems.

Consultations:

Notice of this application was circulated in accordance with the requirements of the *Planning Act*. Comments have been received from:

Agency Comments:

Building Division – Building Inspection (December 5, 2017): No concerns

Building Division - Sewage System (December 18, 2017): No objection

Development Engineering Division (January 3, 2018): No objection

Kawartha Region Conservation Authority (January 2, 2018): No objection as the proposal is not anticipated to have an adverse impact on natural features.

Public Comments:

No comments as of January 9, 2018.

Attachments:



Appendix A-E.pdf

Appendix "A" – Location Map
Appendix "B" – Aerial Photo
Appendix "C" – Applicant's Sketch
Appendix "D" – Supplementary Sketches
Appendix "E" – Department and Agency Comments

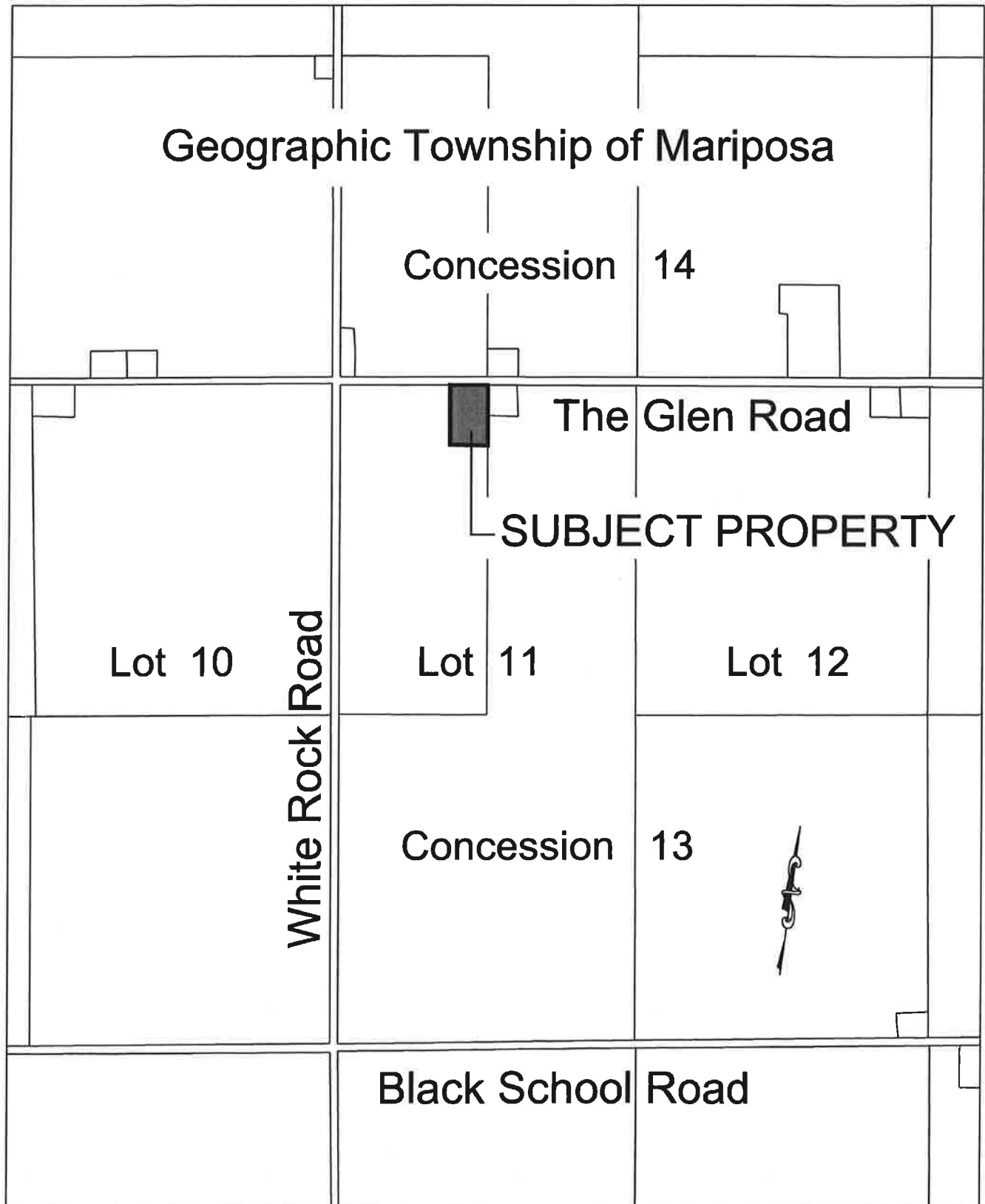
Phone:	705-324-9411 ext. 1330
E-Mail:	jwong@kawarthalakes.ca
Department Head:	Chris Marshall
Department File:	D20-2018-004

to

REPORT COA2018-004

FILE NO: D20-2018-004

D20-18-004



642 The Glen Road, geographic Twp Mariposa



- Legend**
- Road Centreline
 - Upper Municipalities
 - Lower Tier Municipalities
 - Property ROLL#
 - Lots and Concessions

APPENDIX " B "

to

REPORT COA2018-004

FILE NO: D20-2018-004

Notes
Notes

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR COMMERCIAL OR LEGAL PURPOSES



0.31 Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere

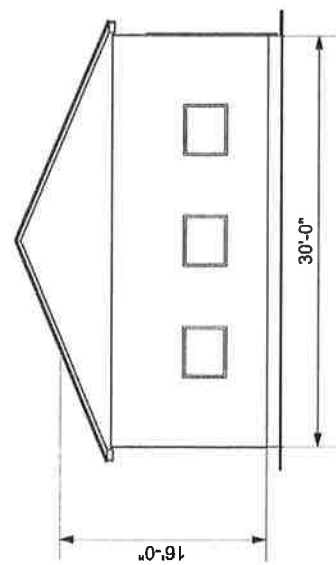
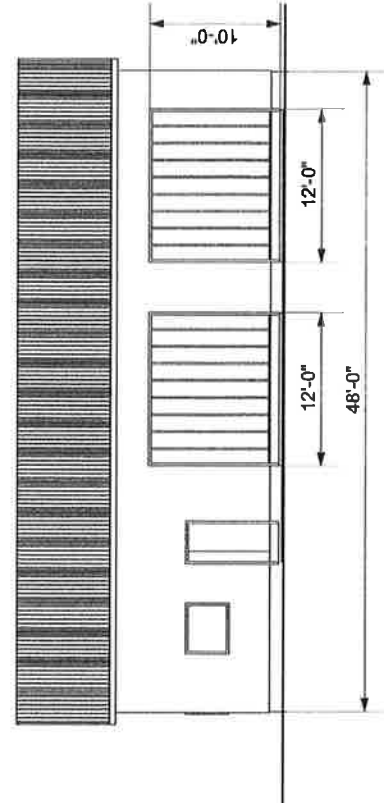
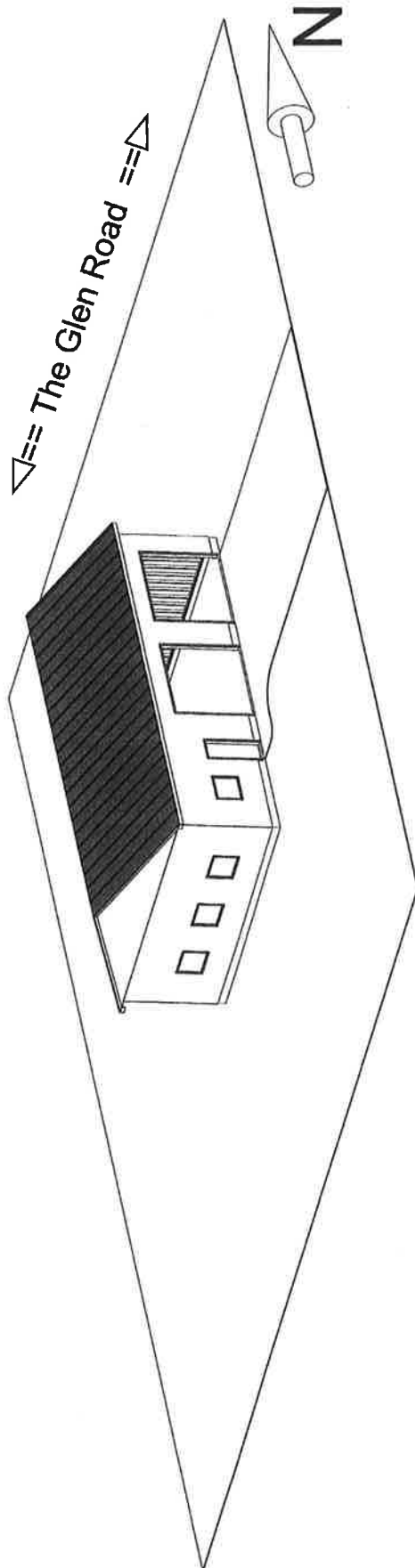
© City Of Kawartha Lakes



to

REPORT COA2018-004

FILE NO: D20-2018-004



APPENDIX “ E ”

to

REPORT COA2018-004

FILE NO: D20-2018-004

Subject	D20-2018-004, D20-2018-005
From	Derryk Wolven
To	Erica Hallett
Sent	Tuesday, December 05, 2017 2:04 PM

Please be advised the building division has no concerns with the above noted applications.

Derryk Wolven, CBCO

Plans Examiner

Development Serviss, Building Division, City of Kawartha Lakes

705-324-9411 ext. 1273 www.kawarthalakes.ca



Subject	D20-2018-004 - 642 The Glen Road
From	Anne Elmhirst
To	Erica Hallett
Sent	Monday, December 18, 2017 11:10 AM

APPENDIX " E "
to
REPORT COA2018-004
FILE NO: D20-2018-004

Hello Erica,

RE: Minor Variance Application D20-2018-004
642 The Glen Road, Former Mariposa Township, City of Kawartha Lakes
Conc. 13, North ½ Lot 11, Plan 57R5625, Part 1
Roll No. 165111004015800
Owner: Aaron and Lindsay Smith

I have received and reviewed the application for minor variance to allow the construction of an accessory structure (garage) in the front yard on the above-mentioned property. A site visit was also completed as part of the assessment.

The property is serviced by 2 on-site sewage systems under the approval M-8-88. The location of the proposed detached garage will not encroach within the required setbacks of the existing sewage system. Nor will it reduce the ability of the property to be serviced by on-site sewage systems in the future.

Please be advised this assessment has not included a review for any additional sewage flow for the accessory structure.

As such, the Building Division – Sewage System Program has no objections the proposed minor variance.

Best Regards,

Anne Elmhirst C.P.H.I.(C), B.A.Sc., B.Sc.
Supervisor – Part 8 Sewage Systems
Development Services - Building Division, City of Kawartha Lakes
705-324-9411 ext. 1882 www.kawarthalakes.ca



Subject	D20-18-004 - 642 The Glen Road, Mariposa
From	Kirk Timms
To	Erica Hallett
Cc	Kim Rhodes; Christina Sisson; Susanne Murchison; Anne Elmhirst; Lisa Peimann
Sent	Wednesday, January 03, 2018 11:52 AM

APPENDIX " E "

to

REPORT COA2018-004

FILE NO: D20-2018-004

Good Morning Erica,

Further to our review of the above noted application, Development Engineering confirms we have no objection to the proposed minor variance for Zoning By-Law;

- Section 3.1.2.1 to permit an accessory building erected in the front yard.

We respectfully request that if additional information brought forward through the commenting period that changes the intent of the minor variance application and the corresponding report by Planning, that Engineering be circulated for technical review on behalf of the City. Please provide Engineering the Notice of Decision for our confirmation.

Thanks,

Kirk Timms, C.E.T.

Engineering Technician
Engineering & Corporate Assets Department
City of Kawartha Lakes
P.O. Box 9000
12 Peel Street
Lindsay, ON
K9V 5R8
(705) 324-9411 Ext. 1119



The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – F & G Rocchetta
Report Number COA2018-005

Public Meeting

Meeting Date: January 18, 2018
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 2 – Bexley

Subject: An application to request relief to reduce the minimum front yard setback from 7.5 metres to 3 metres in order to construct a detached garage on property located at 57 Lakeview Cottage Road, geographic Township of Bexley (File D20-2018-005).

Author: Janet Wong, Planner II

Signature:



Recommendation:

RESOLVED THAT Report COA2018-005 F & G Rocchetta, be received;

THAT minor variance application D20-2018-005 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **THAT** the construction of the garage related to this approval shall proceed generally in accordance with the sketch in Appendix “C” submitted as part of Report COA2018-005, which shall be attached to and form part of the Committee’s Decision;
- 2) **THAT** prior to the submission of a Building Permit application, the owners apply for and pay the prescribed fee to have Lots 16 and 17, Plan 179, geographic Township of Bexley be the subject of a Deeming By-law in accordance with Subsection 50(4) of the Planning Act and the By-law be in effect; or, it be demonstrated that the lots have been deemed not to be part of a Registered Plan to the satisfaction of the Secretary-Treasurer; and,
- 3) **THAT** the building construction related to the minor variance shall be completed within a period of twelve (12) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

This approval pertains to the application as described in report COA2018-005. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Background: The owner is proposing to relocate the entire garage that is partially located on 55 and 57 Lakeview Cottage Road. The owner of 55 Lakeview Cottage Road received approval July 20, 2017 from the Committee of Adjustment to remove his half of the garage in order to construct a new garage. This application was deemed complete December 1, 2017.

Proposal: To construct an approximately 53.3 square metre (573.7 square foot) garage, relief is sought from Section 12.2.1.3(a) to reduce the minimum front yard setback from 7.5 metres to 3 metres (24.6 feet to 9.8 feet).

Owners: Fernando & Regina Rocchetta

Applicant: Anthony Camposeo

Legal Description: Lots 16 & 17, Registered Plan 179, geographic Township of Bexley, City of Kawartha Lakes

Official Plan: "Waterfront" – City of Kawartha Lakes Official Plan

Zone: "Rural Residential Type Three (RR3) Zone" – Township of Bexley Zoning By-law 93-09

Site Size: 1,367 square metres (0.3 acres) – MPAC

Site Servicing: Private individual septic system and lake-based water supply

Existing Uses: Shoreline Residential

Adjacent Uses: North & South: Shoreline Residential
East: Balsam Lake
West: Rural

Rationale:

1) Is the variance minor in nature? Yes
And

2) Is the proposal desirable and appropriate for the use of the land? Yes

The proposed garage will be located further from the front lot line than the existing structure and exceed side yard and water setback requirements. The proposed garage will be screened by a dense cedar hedge from the road in a neighbourhood characterized by detached garages or sheds close to the front property line.

This lot is comprised of two lots in a Registered Plan. The proposed garage will be located on both Lots 16 and 17, Registered Plan 179. The variance being

sought is based on the property being one lot and not two. It is noted that the dwelling is also located on both lots. These lots can be legally conveyed as two separate lots so in order to permit construction of the garage, the lots are required to be deemed not to be part of a Registered Plan. A condition has been included to address this.

Based on this, the variance is minor as well as desirable and appropriate for the use of the land.

3) Does the variance maintain the intent and purpose of the Zoning By-law?
Yes

The existing garage is less than 1 metre from the front lot line. The proposed garage location will be closer to complying with the minimum front yard setback of 7.5 metres than the existing structure. The location of the garage is not anticipated to create a hazard.

Therefore, the variance maintains the general intent and purpose of the Zoning By-Law.

4) Does the variance maintain the intent and purpose of the Official Plan?
Yes

The property is designated "Waterfront" in the City of Kawartha Lakes Official Plan. Residential dwellings and accessory buildings are anticipated within this designation. The proposed location of the garage will also comply with the policy for a minimum water setback of 30 metres. The proposal maintains the general intent and purpose of the City's Official Plan.

Other Alternatives Considered:

No other alternatives have been considered at this time.

Servicing Comments:

The property will continue to be serviced by lake-based water supply and private individual septic system.

Consultations:

Notice of this application was circulated in accordance with the requirements of the *Planning Act*. Comments have been received from:

Agency Comments:

Building Division – Building Inspection (December 5, 2017): No concerns

Building Division - Sewage System (December 20, 2017): No objection

Development Engineering Division (January 3, 2018): No objection

Kawartha Region Conservation Authority (January 4, 2018): No objection. See comments

Planning Division: The average water level for Balsam Lake is highest in the summer at 256.2 m. The flood elevation identified by KRCA is 0.3 metres above this average elevation. Based on site inspection the shoreline significantly higher than 0.3 metres, thus no additional conditions are recommended. A permit from the KRCA will be required and any requirement for a survey would be obtained through that process as their intention is not to make the Planning process onerous.

Public Comments:

No comments as of January 9, 2018.

Attachments:



Appendix A-D.pdf

Appendix "A" – Location Map

Appendix "B" – Aerial Photo

Appendix "C" – Applicant's Sketch

Appendix "D" – Department and Agency Comments

Phone: 705-324-9411 ext. 1330

E-Mail: jwong@kawarthalakes.ca

Department Head: Chris Marshall

Department File: D20-2018-005

Planning Division: The average water level for Balsam Lake is highest in the summer at 256.2 m. The flood elevation identified by KRCA is 0.3 metres above this average elevation. Based on site inspection the shoreline significantly higher than 0.3 metres, thus no additional conditions are recommended. A permit from the KRCA will be required and any requirement for a survey would be obtained through that process as their intention is not to make the Planning process onerous.

Public Comments:

No comments as of January 9, 2018.

Attachments:

Appendix A-D.pdf

Appendix "A" – Location Map

Appendix "B" – Aerial Photo

Appendix "C" – Applicant's Sketch

Appendix "D" – Department and Agency Comments

Phone: 705-324-9411 ext. 1330

E-Mail: jwong@kawarthalakes.ca

Department Head: Chris Marshall

Department File: D20-2018-005

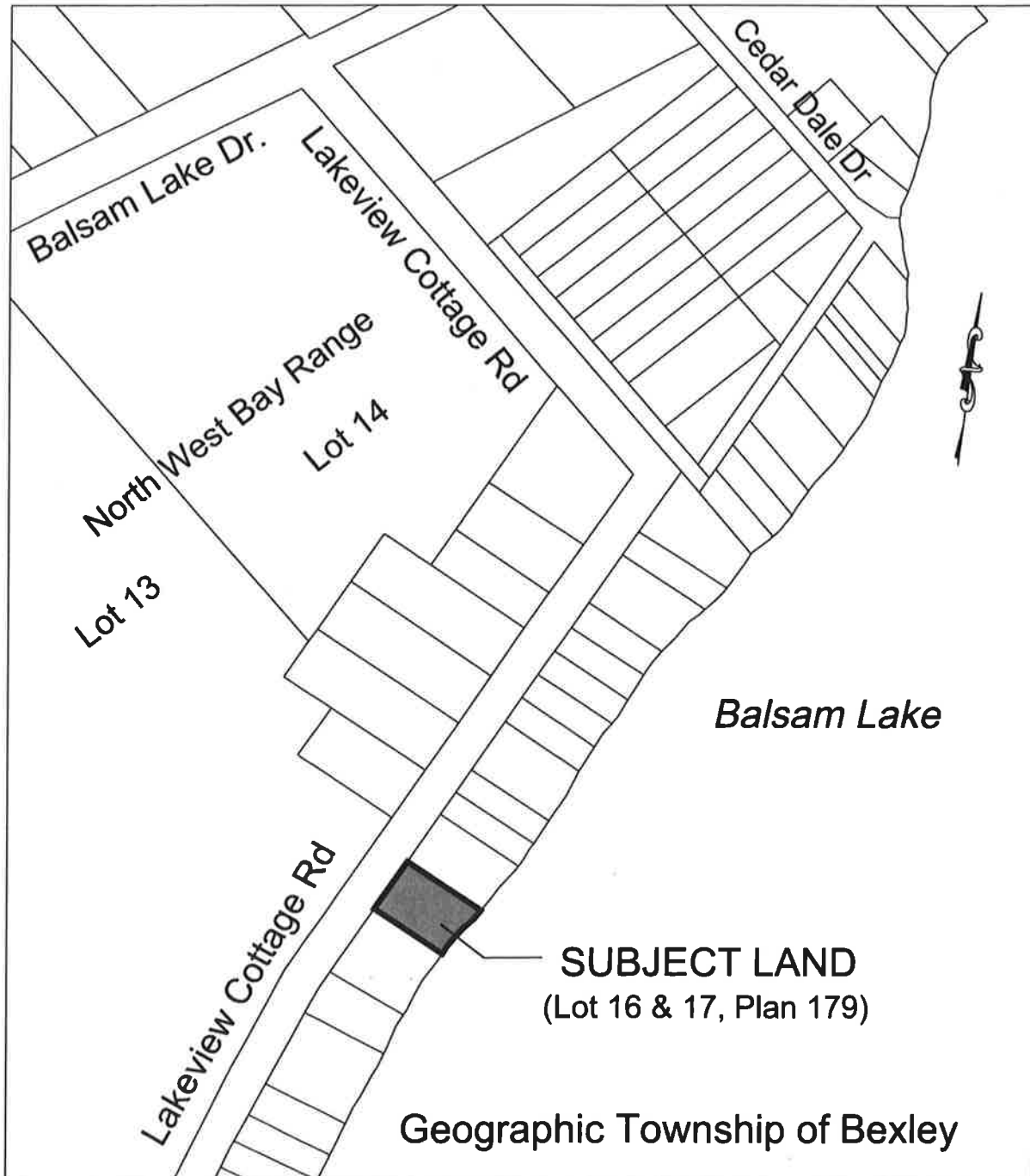
APPENDIX " A "

to

REPORT COA2018-005

FILE NO: D20-2018-005

D20-18-005



57 Lakeview Cottage Rd, geographic Twp Bexley



- Legend**
- Road Centreline
 - Upper Municipalities
 - Lower Tier Municipalities
 - Property ROLL#
 - Lots and Concessions

APPENDIX " B "

to

REPORT COA2018-005

FILE NO: D20-2018-005

Notes

Notes

This map is a user generated static output from an internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR COMMERCIAL OR LEGAL PURPOSES



0.17 Kilometers
WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes

APPENDIX " C "

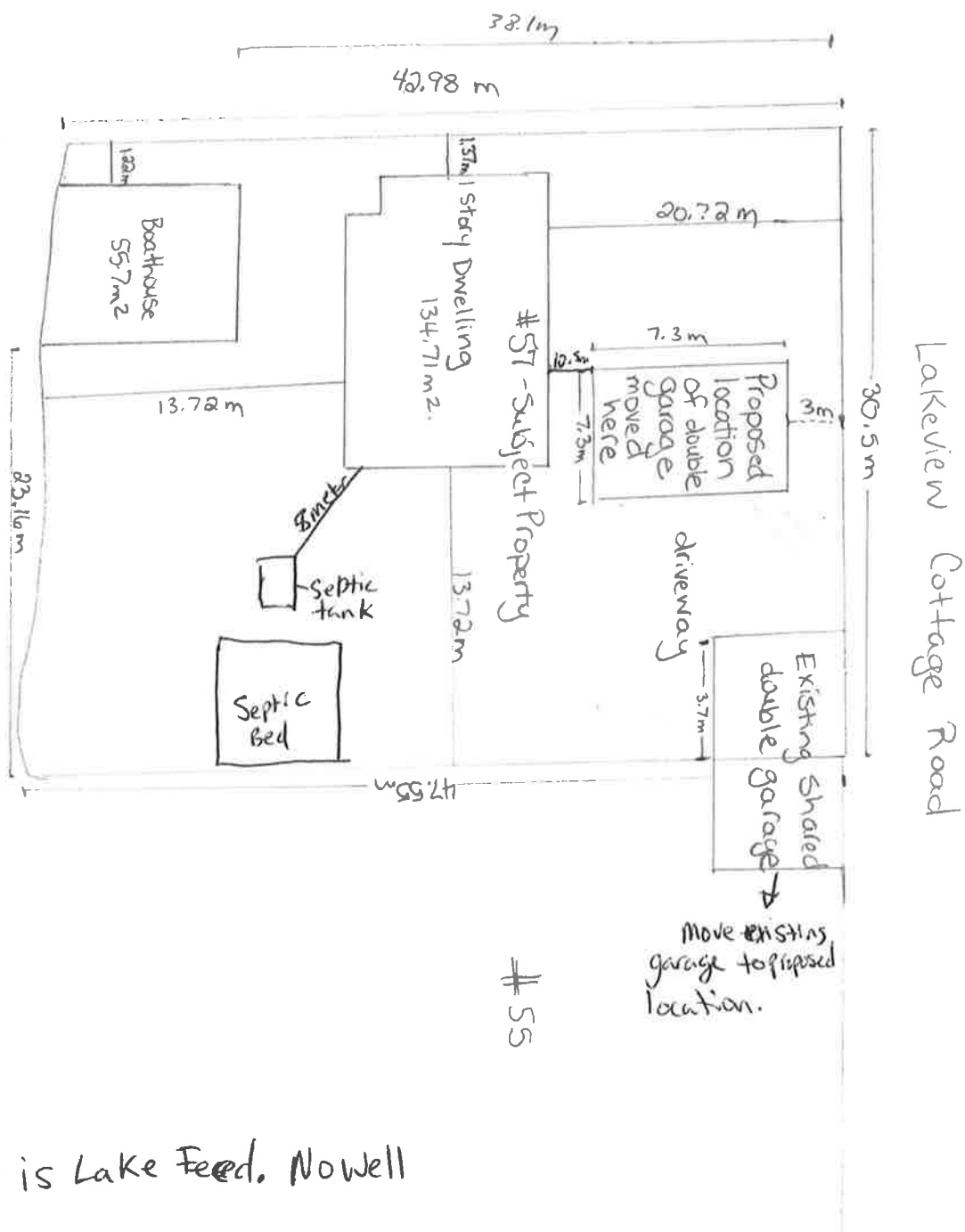
to

REPORT COA2018-005

FILE NO: D20-2018-005



Balsam Lake



Water is Lake Fed. No Well

APPENDIX “ D ”

to

REPORT COA2018-005

FILE NO: D20-2018-005

Subject	D20-2018-004, D20-2018-005
From	Derryk Wolven
To	Erica Hallett
Sent	Tuesday, December 05, 2017 2:04 PM

Please be advised the building division has no concerns with the above noted applications.

Derryk Wolven, CBCO

Plans Examiner

Development Services, Building Division, City of Kawartha Lakes

705-324-9411 ext. 1273 www.kawarthalakes.ca



Subject	D20-2018-005 - 57 Lakeview Cottage Rd
From	Anne Elmhirst
To	Erica Hallett
Sent	Wednesday, December 20, 2017 11:03 PM

APPENDIX " D "

to

REPORT COA2018-005

FILE NO: D20-2018-005

Hello Erica,

RE: Minor Variance Application D20-2018-005
57 Lakeview Cottage Road, Former Bexley Township, City of Kawartha Lakes,
Plan 179, Lot 16 & 17,
Roll No. 165134002056600

I have received and reviewed the above-noted application to reduce the front yard setback for the purpose of constructing a detached garage.

The sewage system was located and identified by the applicant. This area was verified through a site visit. The proposed location of the garage will not encroach within the required setback clearances to the sewage system.

As such, the Building Division - Sewage System Program has no objection the request for minor variance.

Should you have any questions, please do not hesitate to contact the undersigned.

Best Regards,
Anne Elmhirst
Supervisor - Part 8 Sewage Systems
City of Kawartha Lakes

Sent from my BlackBerry 10 smartphone on the Bell network.

Subject	D20-18-005 - 57 Lakeview Cottage Road
From	Kirk Timms
To	Erica Hallett
Cc	Kim Rhodes; Christina Sisson; Susanne Murchison; Anne Elmhirst; Lisa Peimann
Sent	Wednesday, January 03, 2018 12:02 PM

APPENDIX " D "
to
REPORT COA2018-005
FILE NO: D20-2018-005

Erica,

Further to our review of the above noted application, Development Engineering confirms we have no objection to the proposed minor variance for Zoning By-Law;

- Section 12.2.1.3 a) to reduce the minimum front yard setback from 7.5 m to 3.0 m to permit the relocation of an existing garage off of property line.

We respectfully request that if additional information brought forward through the commenting period that changes the intent of the minor variance application and the corresponding report by Planning, that Engineering be circulated for technical review on behalf of the City. Please provide Engineering the Notice of Decision for our confirmation.

Thanks,

Kirk Timms, C.E.T.

Engineering Technician
Engineering & Corporate Assets Department
City of Kawartha Lakes
P.O. Box 9000
12 Peel Street
Lindsay, ON
K9V 5R8
(705) 324-9411 Ext. 1119





January 4, 2018
KRCA File No. 16058

APPENDIX “ D ”

to

REPORT COA2018-005

FILE NO: D20-2018-005

Via Email

Erica Hallett, Administrative Assistant
Committee of Adjustment, City of Kawartha Lakes
Lindsay Service Centre
180 Kent Street West
Lindsay, ON K9V 2Y6

**Regarding: Minor Variance D20-2018-005
57 Lakeview Cottage Road
Geographic Twp. of Bexley
City of Kawartha Lakes**

Dear Ms. Hallett:

Kawartha Region Conservation Authority (KRCA) Staff have now completed our review of Minor Variance application D20-2018-005 for the purposes of relief from Zoning By-law 93-09 to permit a front yard setback of 3m, whereas in Section 12.2.1.3 requires 7.5 metres.

Ontario Regulation 182/06

The subject property is adjacent to the shoreline of Balsam Lake and contains a portion of the flooding and erosion hazard associated with that waterbody. Kawartha Conservation regulates Balsam Lake and the hazards associated with it, as well as a setback of 15 metres from the limit of the greatest hazard. The flood elevation for Balsam Lake is 256.5 metres above sea level. In addition, to the southwest of the subject property, there is a provincially identified, but unevaluated wetland, greater than 2 ha in size. Kawartha Conservation regulates wetlands as well as 120m from the limit of the feature. As a result, the subject property also contains a portion of the 120m setback from the wetland.

Staff are of the understanding that the existing double garage straddles the property line with 55 Lakeview Cottage Road, in an unregulated area, and it is the applicant's intention to relocate the structure entirely on their own property. Based on Kawartha Conservation's regulation mapping, the new location for the garage appears to be partially in the 120 metres from the limit of the wetland, however a detailed topographic survey with the floodplain elevation of 256.5 indicated (and associated 15 metre setback) is required to confirm that the proposed location for the garage is outside the floodplain associated with Balsam Lake.

Staff note that the proposed location within 120 metres of the wetland is supported by Policy, but requires a Permit from this office prior to site alteration. If it is determined that the garage is within the floodplain, it may still be supported by Kawartha Conservation, however Policy 4.5.2(24) would be applicable. Please see our Policy Document on our website at <http://kawarthaconservation.com/permits-planning/permits>.

Partnership Memorandum of Understanding (MOU)

The following comments are provided as per the MOU entered into between the City of Kawartha Lakes and Kawartha Conservation. The City has requested staff provide comments and analysis on the identification, function and significance of natural heritage and hydrologic features and systems such as, significant woodlots, wetlands, significant wildlife habitat, fish habitat, significant habitat of endangered and threatened species, significant valleylands, areas of natural and scientific interest, surface water features and groundwater features on, or in proximity to, a proposed development site or within a study area.

KAWARTHA CONSERVATION

277 Kenrei Road, Lindsay, ON K9V 4R1

705.328.2271 Fax 705.328.2286

KawarthaConservation.com

Our Watershed Partners:

City of Kawartha Lakes • Region of Durham • Township of Scugog • Municipality of Clarington • Township of Brock • Municipality of Trent Lakes • Township of Cavan Monaghan



Fish Habitat

Balsam Lake is considered fish habitat. Pursuant to Policy 3.4.6(8), for expansion, replacement, or relocation of an existing building or structure on adjacent lands (within 120 metres of fish habitat), Kawartha Conservation recommends the maintenance, establishment, and/or enhancement of a buffer strip running continuously along both sides of all water features supporting fish habitat, measured in accordance with Policies 3.4.6(10), 3.4.6(11), 3.4.6(12), 3.4.6(13) OR where this is not feasible, that maximum buffers, given the site constraints, should be applied wherever possible.

Staff are satisfied that the proposed location of the double garage will not have a negative impact on the fish habitat however proper erosion and sediment controls should be used before, during, and after the relocation of the structure to ensure there is no sediment laden runoff into the lake.

Summary

Based on our review of the natural hazards and natural heritage features adjacent to the property, KRCA does not object to this minor variance, however will require the proponent to complete a detailed topographic survey with the floodplain limit and 15 metre setback plotted to confirm the proposed development's location relative to the floodplain.

A permit pursuant to Ontario Regulation 182/06 is required from this office prior to any site alteration. Please contact Stacy Porter (sporter@kawarthaconservation.com) in the Regulations Department to start the process.

I trust this meets your information requirements at this time. Should you require any additional information, please do not hesitate to contact this office.

Yours truly,



Katie Jane Harris, Resources Planner

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Scott Saunders
Report Number COA2018-006

Public Meeting

Meeting Date: January 18, 2018
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 16 – Geographic Township of Manvers

Subject: The purpose and effect is to request relief from the following provisions in order to permit the construction of a 133.8 square metre detached garage:

1. Section 20.1(b)(iii) to reduce the minimum rear and side yard setbacks for an accessory building with a footprint exceeding 60 square metres from 6 metres to 3 metres;
2. Section 20.1(b)(vi) to reduce the minimum rear and side yard setbacks for an accessory building which exceeds 4.3 metres in height from 6 metres to 3 metres; and
3. Section 20.1(c) to increase the maximum permitted accessory building height from 5 metres to 6.4 metres.

The property is located at 871 Highway 7A, geographic Township of Manvers (File D20-2018-007).

Author: David Harding, Planner II

Signature:



Recommendation:

RESOLVED THAT Report COA2018-006 Scott Saunders, be received;

THAT minor variance application D20-2018-007 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **THAT** the construction of the dwelling and garage related to this approval shall proceed substantially in accordance with the sketch in Appendix "C" and generally in accordance with the elevation in Appendix "D" submitted as part of Report COA2018-006, which shall be attached to and form part of the Committee's decision;

- 2) **THAT** further to condition 1, the southern wall of the garage shall contain a person door and at least one window;
- 3) **THAT** the garage be a single storey building;
- 4) **THAT** prior to the request for final Building Inspection, the Chief Building Official or his/her designate shall confirm, in writing to the Secretary-Treasurer, that the portable shelter depicted on the sketch in Appendix "C" has been removed; and
- 5) **THAT** the building construction related to the minor variances shall be completed within a period of twelve (12) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

This approval pertains to the application as described in report COA2018-006. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background:	This application was deemed complete December 5, 2017. The proposed garage is intended to house a variety of recreational vehicles and watercraft, currently stored within the attached garage, portable shelter, and off-site.	
Proposal:	The application proposes to construct a 133.8 square metre detached garage with dimensions of 10.97 x 12.19 metres (36' x 40').	
Owner:	Scott Saunders	
Legal Description:	Part Lot 14, Plan 57R-6828, Part 1, geographic Township of Manvers, City of Kawartha Lakes	
Official Plan:	"Prime Agricultural" – City of Kawartha Lakes Official Plan	
Zone:	"Rural General (A1) Zone" – Township of Manvers Zoning By-law 87-06	
Site Size:	3,658.06 square metres (0.9 acres)	
Site Servicing:	Private individual sewage system and well	
Existing Uses:	Rural Residential	
Adjacent Uses:	North & West:	Agricultural
	East:	Agricultural & Rural Residential
	South:	Forest, Agricultural & Rural Residential

Rationale:

1) Are the variances minor in nature? Yes

The subject property is situated in a rural area where the predominant land use is agriculture. The detached garage is proposed within the northeast corner of the rear yard. The eastern lot line abuts a narrow but long forest that acts as a vegetative buffer between the rural residential lot and the agricultural operation to the east.

The garage, while large, maintains a great degree of spatial separation (approximated 14.3 metres) from the dwelling, ensuring that it visually remains accessory in relation to the house. A person door and at least one window is proposed on the wall which faces the highway, which assists in providing additional residential character to the building.

Therefore, the variances are minor in nature.

2) Is the proposal desirable and appropriate for the use of the land? Yes

The rear yard functions as the primary amenity space for the property. The majority of the frequently used amenity space within the rear yard appears to be to the immediate northwest of the dwelling, corresponding with the location of a deck.

The garage is proposed to be situated in a portion of the rear yard that does not appear to be as frequently used as the balance of the property. As such, it is not anticipated to impede the function of the rear yard as an amenity space area.

The construction of the proposed garage, if approved, will facilitate the removal of a portable storage building located within the front yard, and provide additional space within the attached garage through the relocation of items that are currently stored within it.

Based on the above analysis, the variances are minor as well as desirable and appropriate for the use of the land.

3) Do the variances maintain the intent and purpose of the Zoning By-law? Yes

The property is zoned "Rural General (A1) Zone" within the Township of Manvers Zoning By-law 87-06. However, due to its size, the lot is subject to the "Rural Residential Type One (RR1) Zone" provisions.

The intent of the General Provisions appear to be that a larger accessory building maintains the same minimum setback to a side or rear lot line as a dwelling in order to avoid adverse massing impacts and land use conflicts. In this case, a lesser reduction is appropriate as there are no abutting rural residential lots, and the proposed setback of 3 metres remains adequate for building and property maintenance.

The height increase is to permit an increased bay door height to store a motor home. No second storey is contemplated. The garage is situated far enough away from the dwelling that the garage will continue to appear accessory in relation to it. The vegetative buffers on the abutting farm lot, and front and side yards of the subject property assist in both screening the garage from the road and tying it into the surrounding rural landscape. The lot as a whole will continue to appear rural residential in nature.

Therefore, the variances maintain the general intent and purpose of the Zoning By-Law.

4) Do the variances maintain the intent and purpose of the Official Plan?
Yes

The property is designated "Prime Agricultural" within the City of Kawartha Lakes Official Plan. The designation anticipates agricultural and limited low density residential uses.

In consideration of the above the variances maintain the general intent and purpose of the Official Plan.

Other Alternatives Considered:

No other alternative locations were considered, but the length of the garage was reduced as a result of the pre-screening process.

Servicing Comments:

The property is serviced by a private individual well and septic system.

Consultations:

Notice of this application was circulated in accordance with the requirements of the *Planning Act*. Comments have been received from:

Agency Comments:

Building Division (January 7, 2018): No concerns.

Engineering and Corporate Assets Department (January 3, 2018): No concerns.

Ministry of Transportation (MTO) (December 14, 2017): No concerns. A MTO building and land use permit is required.

Building Division – Part 8 Sewage System (December 6, 2017): No concerns.

Public Comments:

No comments as of January 9, 2018.

Attachments:



Appendices A-E to
Report COA2018-006.

Appendix "A" – Location Map
Appendix "B" – Aerial Photo
Appendix "C" – Applicant's Sketch
Appendix "D" – Elevation
Appendix "E" – Department and Agency Comments

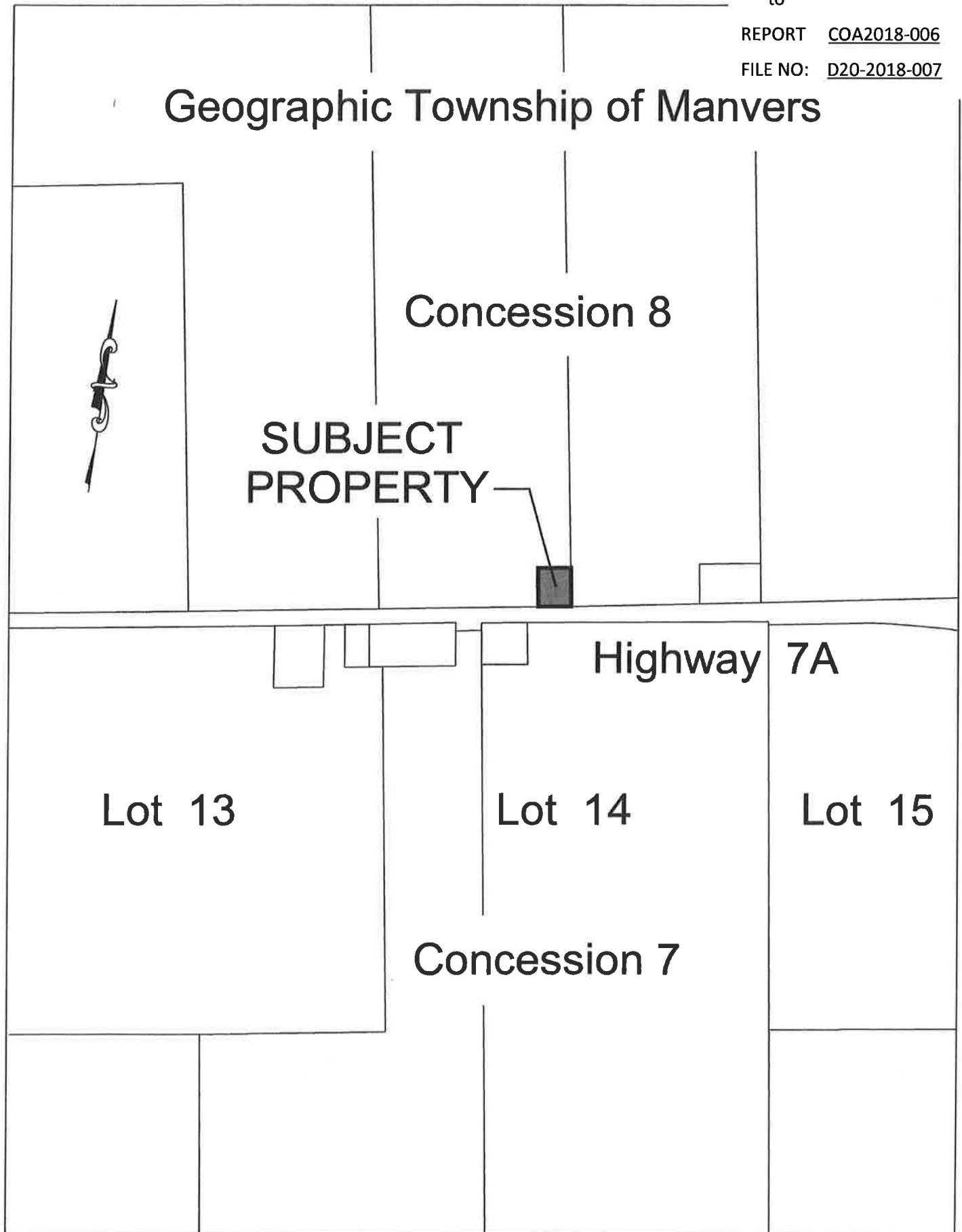
Phone:	705-324-9411 ext. 1206
E-Mail:	dharding@kawarthalakes.ca
Department Head:	Chris Marshall
Department File:	D20-2018-007

to

REPORT COA2018-006

FILE NO: D20-2018-007

Geographic Township of Manvers





0.11

Kilometers
WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes



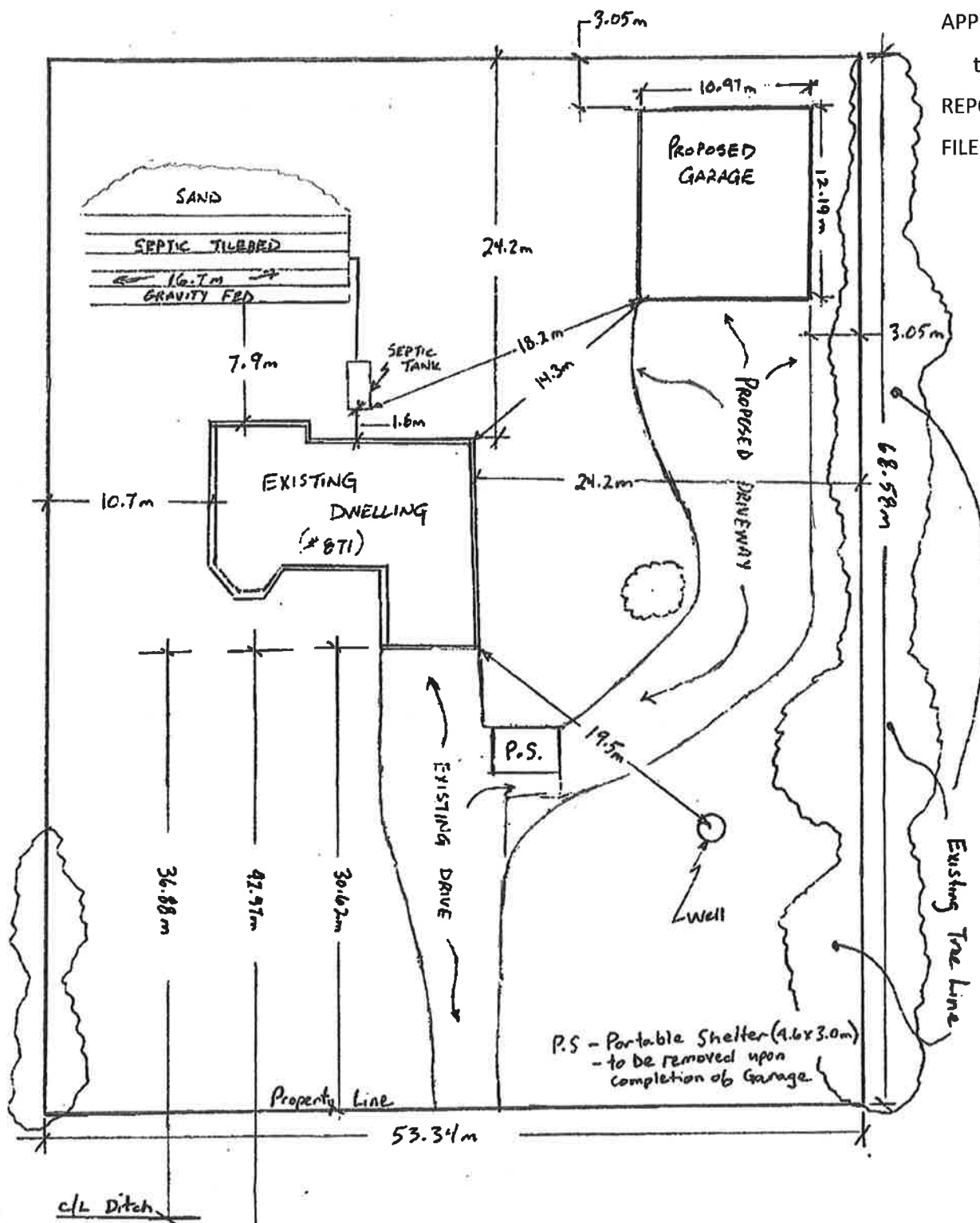
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accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR COMMERCIAL OR LEGAL PURPOSES

APPENDIX " B "

to

REPORT COA2018-006

FILE NO: D20-2018-007



Edge of Pavement

← HWY 7A →

NORTH

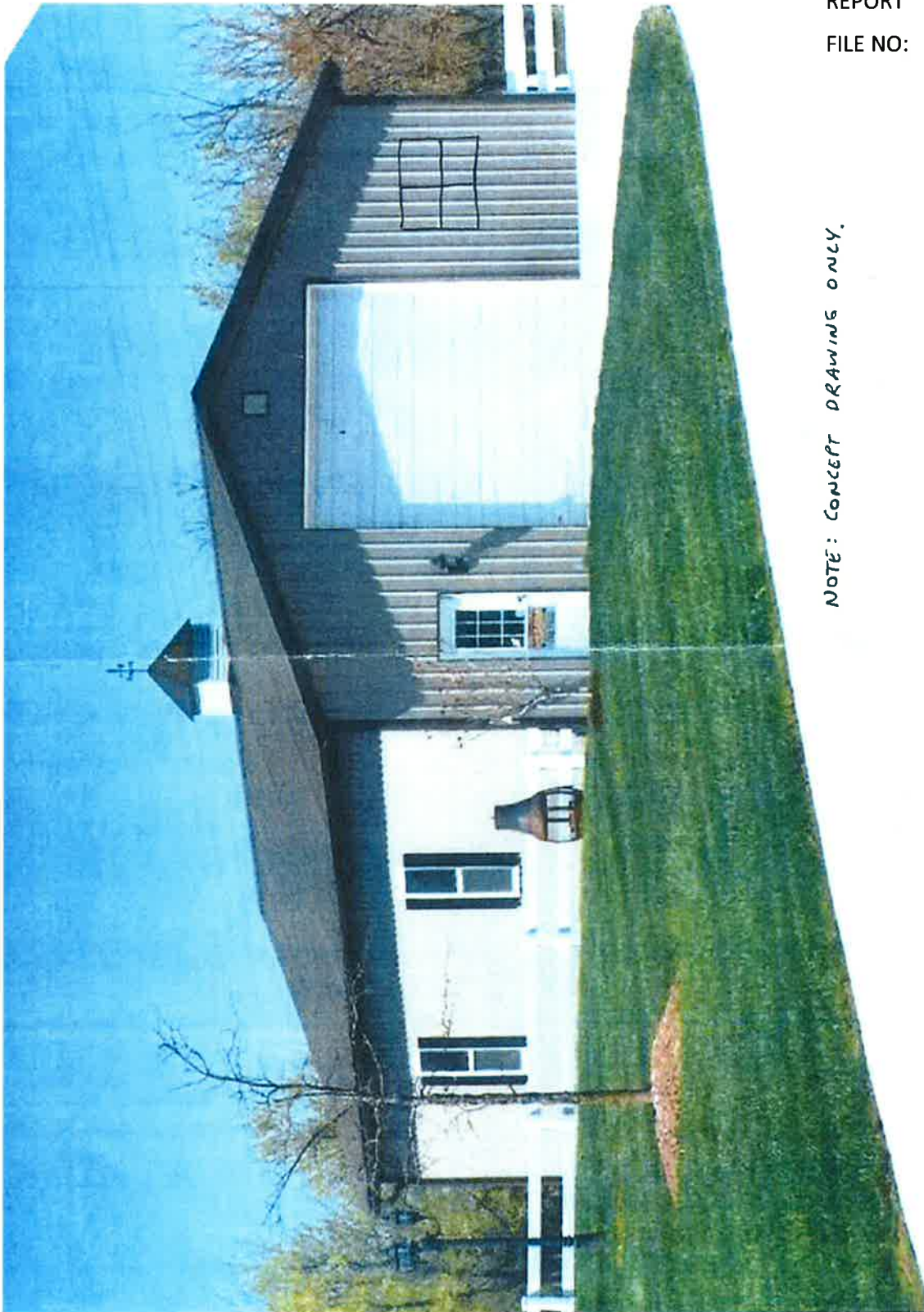
LOCATION: 871 HIGHWAY 7A, KAWARTHA LAKES, ONT	
MINOR VARIANCE APPLICATION	OLT 2017
SCOTT SMUNDERS	SCALE: 1:250
REV. 1	NOV 2017

APPENDIX " D "

to

REPORT COA2018-006

FILE NO: D20-2018-007



NOTE: CONCEPT DRAWINGS ONLY.

David Harding

FILE NO. D20-2018-007

From: Susanne Murchison
Sent: Sunday, January 07, 2018 6:47 PM
To: Mark LaHay
Cc: Erica Hallett; Derryk Wolven; Anne Elmhirst
Subject: MV comments

Follow Up Flag: Follow up
Flag Status: Flagged

The Building Division has the following comments regarding the noted files, save and except those related to sewage systems which will be provided under separate submission:

D20-18-001 - no concerns

D20-18-002 - no concerns

D20-18-003 - no concerns

D20-18-004 - no concerns

D20-18-005 - no concerns

D20-18-007 - no concerns

D20-18-008 - no concerns

D20-18-010 - no concerns

Susanne Murchison, CBCO
Chief Building Official
City of Kawartha Lakes
180 Kent Street West
Lindsay, ON
K9V 2Y6
(705)-324-9411 ext. 1200
fax (705)-324-5514
1-888-822-2225

David Harding

From: Kirk Timms
Sent: Wednesday, January 03, 2018 12:23 PM
To: Erica Hallett
Cc: Kim Rhodes; Christina Sisson; Susanne Murchison; Anne Elmhirst; Lisa Peimann
Subject: D20-18-007 - 871 Highway 7A, Bethany

Follow Up Flag: Follow up
Flag Status: Flagged

Erica,

Further to our review of the above noted application to permit construction of an accessory building, Development Engineering confirms we have no objection to the proposed minor variance for Zoning By-Law;

- Section 20.1.b.iii. to reduce the minimum side yard and rear yard setback from 6.0 m to 3.05 m for an accessory building with a greater floor area than 60 sq. m
- Section 20.1.b.vi. to reduce the minimum side yard and rear yard setback from 6.0 m to 3.05 m for an accessory building which exceeds 4.3 m in height
- Section 20.1.c. to increase the maximum height of an accessory building from 5.0 m to 6.4 m

We respectfully request that if additional information brought forward through the commenting period that changes the intent of the minor variance application and the corresponding report by Planning, that Engineering be circulated for technical review on behalf of the City. Please provide Engineering the Notice of Decision for our confirmation.

Thanks,

Kirk Timms, C.E.T.

Engineering Technician
Engineering & Corporate Assets Department
City of Kawartha Lakes
P.O. Box 9000
12 Peel Street
Lindsay, ON
K9V 5R8
(705) 324-9411 Ext. 1119



David Harding

From: Tolles, Cheryl (MTO) <Cheryl.Tolles@ontario.ca>
Sent: Thursday, December 14, 2017 5:23 PM
To: Erica Hallett; Sherry Rea
Cc: Lawrence, Donald (MTO)
Subject: Minor variance for proposed garage - 871 Hwy 7A

Follow Up Flag: Follow up
Flag Status: Flagged

December 14, 2017

Erica, I am in receipt of the minor variance advance circulation document for a proposed residential garage building at 871 Hwy 7A which is on the north side of hwy 7A just west of Beers Road.

As the garage is being proposed at the back of the property, MTO has no concerns. If the City approves this, the proponent will require a MTO building & land use permit which can be obtained through our online system at www.hcms.mto.gov.on.ca

If you have any questions, please do not hesitate to contact me.

Cheryl

Erica, note that I am only in the office mon/tues next week and then I am on vacation until January 8th. Anything that you send to me now, I will respond in the new year.

Cheryl Tolles
Ministry of Transportation
Corridor Management Planner
Highway Corridor Management Section
1355 John Counter Blvd.
Kingston, ON K7L 5A3

Cheryl.Tolles@ontario.ca

613-545-4744

Toll Free: 1-800-267-0295









Development Services/ Building Division
180 Kent Street West
Lindsay ON K9V 2Y6
Tel: 705-324-9411 Ext. 1882
1-888-822-2225
Fax: 705-324-5514
website: www.city.kawarthalakes.on.ca

December 6, 2017

Scott Saunders
871 Highway 7A
Bethany, ON
L0A 1A0

Dear Mr. Saunders,

**RE: Addition/Renovation/Additional Building Application
871 Highway 7A, Roll # 165100802020701
Conc. 8, Pt Lot 14, Plan 57R6828, Part Lot 1
Former Manvers Township
City of Kawartha Lakes
File: SS2017-0466**

Please be advised we have received and reviewed your application for an addition. Specifically, we reviewed the **proposal to construct a detached garage** at the above-mentioned property.

A Sewage System Use Permit has been issued for this site (MA-29-92). The following items are the total items proposed for the entire property, including this proposal. (Note: This includes guest cabins, bunkies, basements, etc.).

1. **Number of Bedrooms – 3**
2. **Number of Fixture Units – <20**
3. **Total Living Space – <200 m²**

Based on your application, it would appear that your plans do not suggest an increase in the daily sewage flow as per the requirements of the Ontario Building Code, nor are you proposing a structure that will encroach within the required setback clearance distances to the existing sewage system. In that light, you are **not required to install a new sewage system or upgrade your existing** one at this time. However, please note that the existing deck is encroaching within the setback clearances to the distribution lines.

You should have your septic tank pumped by a licensed sewage hauler and the internal components checked if not done recently. Section 8.9.4.3. Division B of the Ontario Building Code requires the tank to be cleaned when the sludge and scum layers occupy 1/3 of the operating capacity of the tank.

Please ensure the existing sewage system is protected from vehicles and equipment during construction. Any further additions on your property will require approval from this office (Part 8 Ontario Building Code).

Should you have any questions or concerns please contact the undersigned at (705) 324-9411 ext. 1882 between 8:30-9:30 am.

Sincerely,

A handwritten signature in black ink, appearing to read 'A Elmhirst'.

Anne Elmhirst, B.A. Sc., B.Sc.(H), C.P.H.I. (C)
Supervisor – Part 8 Sewage System
Development Services – Building Division

Cc. Building Inspector

The Corporation of the City of Kawartha Lakes

Committee of Adjustment Report – David Muir

Report Number COA2018-007

Public Meeting

Meeting Date: January 18, 2018

Time: 1:00 pm

Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 6 – Fenelon Falls

Subject: An application to authorize minor variances to:

1. reduce the minimum rear yard from 12 metres to 5 metres;
2. increase the maximum lot coverage for all buildings and structures from 30% to 30.5%; and
3. decrease the setback from the centreline of the street from 17.6 m. to 12.6 metres

to permit construction of a dwelling and attached garage on property located at 138 Queen Street, former Village of Fenelon Falls (File D20-2018-008).

Author: Janet Wong, Planner II

Signature: 

Recommendation:

RESOLVED THAT Report COA2018-007 David Muir, be received;

THAT minor variance application D20-2018-008 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **THAT** the construction related to this approval shall proceed substantially in accordance with the sketch in Appendix “C” submitted as part of Report COA2018-007, which shall be attached to and form part of the Decision.
- 2) **THAT** the building construction related to these Minor Variances shall be completed within a period of six (6) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

This approval pertains to the application as described in report COA2018-007. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background:	This application was previously heard by the Committee of Adjustment May 18, 2017 and a decision rendered granting the application with conditions. Through the building permit process, it was determined that the closest point to the rear lot line is the north-east corner of the garage and not the south-east corner as applied for and granted. This application is being brought forward with a revised rear yard variance request. The variance requests for increased maximum lot coverage and decreased setback from the centreline of the street remain the same. It has also been determined that the variance to increase the projection of the rear covered deck is not required. The application proposes the same building in the same location as previously heard by the Committee. This application was deemed complete December 7, 2017.
Proposal:	<p>To permit construction of a 1.5 storey dwelling (155 square metre – 1,668 square feet) with front porch, rear covered deck and attached garage, relief is required from:</p> <ol style="list-style-type: none">1. Section 4.3.2.c.iv. to reduce the minimum rear yard from 12 metres to 5 metres (39.3 feet to 16.4 feet);2. Section 4.3.2.e. to increase the maximum lot coverage for all buildings and structures from 30% to 30.5%; and3. Section 4.3.2.f. to decrease the setback from the centreline of the street from 17.6 metres to 12.6 metres (57.7 feet to 41.3 feet).
Owner:	David Muir
Applicant:	David Muir
Legal Description:	Part Lots 9 & 10, ES Queen St., Registered Plan 37, Part 1, Plan 57R 5868, former Village of Fenelon Falls, City of Kawartha Lakes
Official Plan:	"Low Density Residential" – Village of Fenelon Falls Official Plan
Zone:	"Residential Type One (R1) Zone" – Village of Fenelon Falls Zoning By-law 89-25
Site Size:	598.9 square metres (6,446 square feet) – Reference Plan 57R-5868
Site Servicing:	Municipal water and sanitary services
Existing Uses:	Vacant (dwelling under construction)
Adjacent Uses:	North, South, East, West: residential

Rationale:

1) Are the variances minor in nature? YES

The minimum front yard setback will be met, thus only the reduction from the centreline of the street is required. Queen Street is a local road that dead ends at the north end of this block. Development Engineering has not identified any concerns with reducing this setback.

The reduced rear yard and increased lot coverage are not anticipated to adversely affect the use and privacy of the adjacent properties. There is a fence along the rear lot line abutting the property to the east. The proposed lot development does not alter the relationship of the rear yard to the northern or southern neighbouring properties. With the orientation of existing dwellings, the proposed lot layout will create private outdoor amenity space with the least impact on adjacent outdoor amenity space.

In consideration of the above, the variances are considered minor in nature.

2) Are the variances desirable and appropriate for the use of the land? YES

This neighbourhood is comprised of a mix of one to 1.75 storey dwellings and there is variability in road centreline setbacks. There is a mix of detached and attached garages on this street. The proposed development is not excessive in size and floor area. The south-east corner of the garage and dwelling itself has been located on the property as proposed by the original application. The siting of the dwelling from the front lot line and garage provides a suitable driveway depth for safe ingress and egress. As well, siting of the development provides suitable rear yard amenity space that is generally similar in depth and area to current standards of development.

Therefore, the proposed variances are desirable and appropriate for the use of the land.

3) Do the variances maintain the general intent and purpose of the Zoning By-law? YES

The property is within the "Residential Type One (R1) Zone". This lot, while created based on meeting Zoning By-law requirements at the time, has insufficient lot depth to provide a suitable development envelope. The proposed residential use is permitted. The proposed development is comparable in height and form to other dwellings in the area and not excessive in size. The minimum parking requirements will be provided on the lot.

Therefore, the variances maintain the intent and purpose of the Zoning By-Law.

4) Do the variances maintain the general intent and purpose of the Official Plan? YES

As the City of Kawartha Lakes Official Plan does not contain detailed policies for the former Village of Fenelon Falls, the Village of Fenelon Falls Official Plan policies prevail. The property is designated "Low Density Residential" in the

Village of Fenelon Falls Official Plan. This designation identifies single detached dwellings as the predominant housing form and requires adequate off-street parking to be provided. The immediate neighbourhood is comprised of single-detached dwellings. The proposal meets the policy direction of the Official Plan, thus the proposal maintains the general intent and purpose of the Village of Fenelon Falls Official Plan.

Other Alternatives Considered:

No other alternatives have been considered at this time.

Servicing Comments:

The property will be serviced by municipal water and sewage services.

Consultations:

Notice of this application was circulated in accordance with the requirements of the *Planning Act*. Comments have been received from:

Agency Comments:

Building Division (December 11, 2017): No concerns

Public Comments:

No comments as of January 9, 2018.

Attachments:



Appendix A-D.pdf

Appendix "A" – Location Map
Appendix "B" – Aerial Photo
Appendix "C" – Applicant's Sketch
Appendix "D" – Department and Agency Comments

Phone:	705-324-9411 ext. 1330
E-Mail:	jwong@kawarthalakes.ca
Department Head:	Chris Marshall
Department File:	D20-2018-008

APPENDIX " A "

to

REPORT COA2018-007

FILE NO: D20-2018-008

D20-17-006



0 Queen St, former Town Fenelon Falls



- Legend**
- == Road Centreline
 - Upper Municipalities
 - Lower Tier Municipalities
 - Property ROLL#
 - Lots and Concessions

APPENDIX " B "

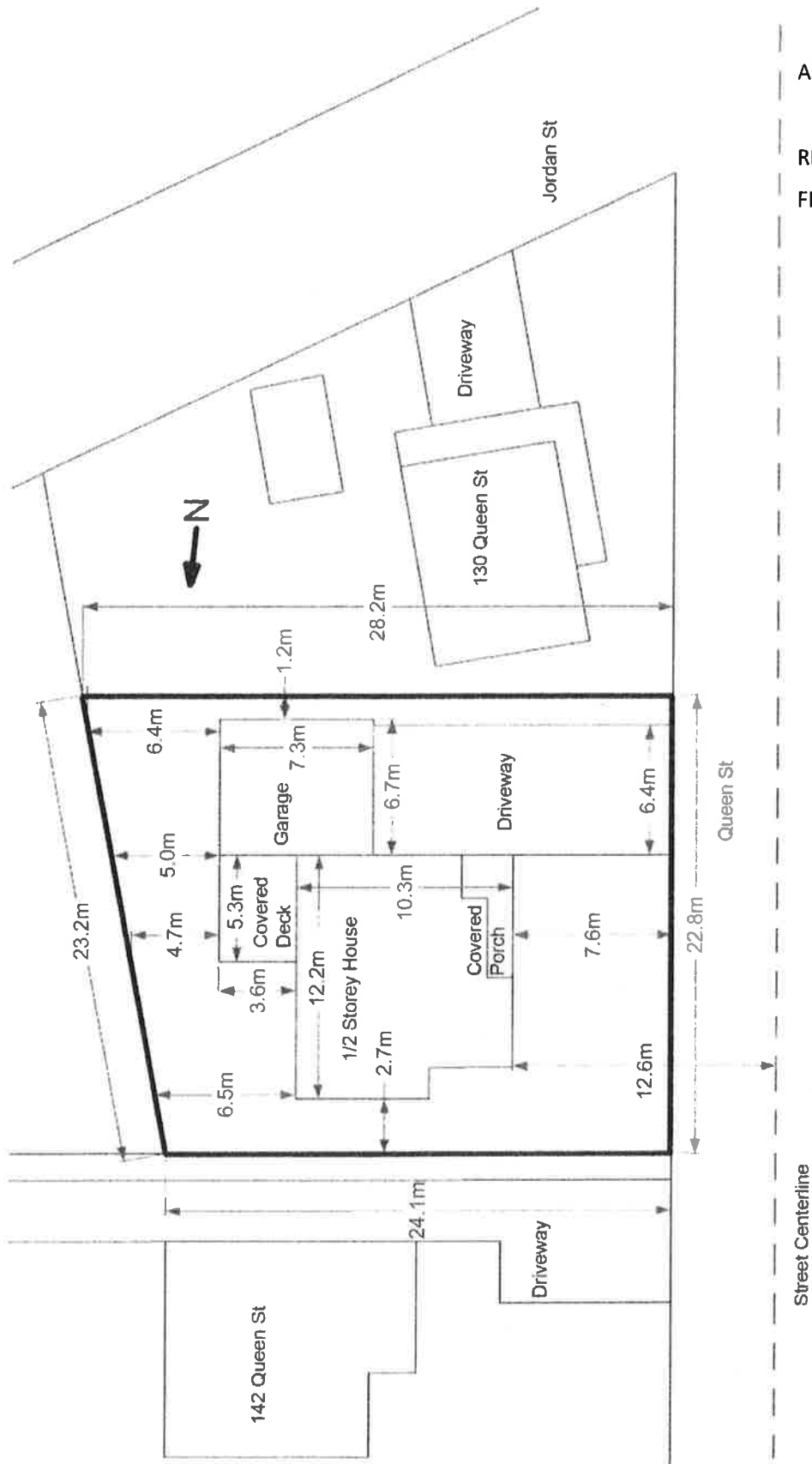
to
REPORT COA2018-007
FILE NO: D20-2018-008

Notes
Notes



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0.06 Kilometers
WGS_1984_Web_Mercator_Auxiliary_Sphere
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APPENDIX " C "

to

REPORT COA2018-007

FILE NO: D20-2018-008

Subject	D20-2018-008, D20-2018-010
From	Derryk Wolven
To	Erica Hallett
Sent	Monday, December 11, 2017 3:51 PM

APPENDIX “ D ”

to

REPORT COA2018-007

FILE NO: D20-2018-008

Please be advised the building division has no concerns with the above noted applications.

Derryk Wolven, CBCO

Plans Examiner

Development Services, Building Division, City of Kawartha Lakes

705-324-9411 ext. 1273 www.kawarthalakes.ca



The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – C & J Fairbairn
Report Number COA2018-008

Public Meeting

Meeting Date: January 18, 2018
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 4 – Mariposa

Subject: An application to authorize minor variances to:

1. reduce the minimum rear yard setback for an accessory building from a flanking street from 7.5 metres to 3 metres;
2. to increase the maximum lot coverage for all accessory buildings and structures from 100 square metres to 119.5 square metres; and
3. to increase the maximum number of accessory buildings or structures from 2 to 3

in order for a detached garage to be constructed on property located at 25 Doble Drive in Oakwood, geographic Township of Mariposa (File D20-2018-010).

Author: Janet Wong, Planner II

Signature: 

Recommendation:

RESOLVED THAT Report COA2018-008 C & J Fairbairn, be received;

THAT minor variance application D20-2018-010 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **THAT** the construction of the garage related to this approval shall proceed generally in accordance with the sketch in Appendix “C” and elevations in Appendix “D” submitted as part of Report COA2018-008, which shall be attached to and form part of the Committee’s Decision;
- 2) **THAT** the cladding be in a red-tone colour similar to the dwelling;

- 3) **THAT** there be two windows similar to those illustrated on Appendix “D” spaced within 7 metres from the front of the garage on the south facade;
- 4) **THAT** prior to the issuance of a building permit for the proposed garage, a building permit be obtained for the shed with porch to the satisfaction of the Chief Building Official; and
- 5) **THAT** the building construction related to the minor variances shall be completed within a period of twelve (12) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

This approval pertains to the application as described in report COA2018-008. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background:	This application was deemed complete December 8, 2017.
Proposal:	<p>To construct a 104 square metre (1,119 square foot) detached garage relief is sought from:</p> <ol style="list-style-type: none">1. Section 10.2.1.3(a) to reduce the minimum yard setback from a flanking street from 7.5 metres to 3 metres (24.6 feet to 9.8 feet);2. Section 3.1.3.1(a) to increase the maximum lot coverage for all accessory buildings and structures from 100 square metres to 119.5 square metres (1,076 square feet to 1,286 square feet); and3. Section 3.1.3.3 to increase the maximum number of accessory buildings or structures from 2 to 3.
Owner:	Chris & Julie Fairbairn
Applicant:	Chris Fairbairn
Legal Description:	Lot 16, Concession 8, Lot 41, Registered Plan 570, geographic Township of Mariposa, City of Kawartha Lakes
Official Plan:	“Hamlet Settlement” – City of Kawartha Lakes Official Plan
Zone:	“Hamlet Residential Exception One (HR-1) Zone” – Township of Mariposa Zoning By-law 94-07

Site Size: 1625.8 square metres (0.4 acres) - MPAC
Site Servicing: Municipal water and private individual septic system
Existing Uses: Residential
Adjacent Uses: North, East, South, and West: Residential

Rationale:

1) Are the variances minor in nature? Yes

And

2) Is the proposal desirable and appropriate for the use of the land? Yes

There is an existing shed with a porch and small, 1.6 square metre, triangular roofed section over the deck for the barbecue. While the deck is close to existing grade and thus is considered to be landscaping, the roof is considered a structure and needs to be included in the number of structures for the site. As the shed includes a porch, the 13.3 square metre structure should have received a building permit prior to construction. To legalize the structure, a condition for a building permit has been recommended.

The garage will be used for boat and vintage car storage along with a workshop. The three structures provide different functions. There have been no concerns raised with decreased infiltration from the increased lot coverage. Access to the garage will not be from Doble Drive, thus the required flankage yard depth is not necessary for safe ingress and egress. There have been no safety concerns raised with the reduced flankage side yard.

The applicant has designed a garage that will have a residential appearance through the use of colour, windows, siding and stonework. The intention is to use the same or similar red-tone brick veneer as that used for the dwelling and a red-tone siding. This will integrate the garage with the dwelling and residential character of the lot. There is a mature cedar hedge that will screen the rear 5.2 metres (approximate) of the Doble Drive facade side of the garage. Given the proximity of the building to the property line, two windows are recommended in the first seven (7) metres of the garage front on the Doble Drive facade to ameliorate the visual mass of a building face on the public realm and contribute to the residential character of the neighbourhood. This is illustrated in Appendix "D".

Based on this, the variances are minor as well as desirable and appropriate for the use of the land.

3) Do the variances maintain the intent and purpose of the Zoning By-law? Yes

One of the three accessory structures is very small. There are no safety or infiltration concerns anticipated from the proposed development. Therefore, the variances maintain the general intent and purpose of the Zoning By-Law.

4) Do the variances maintain the intent and purpose of the Official Plan?**Yes**

The property is designated “Hamlet Settlement” in the City of Kawartha Lakes Official Plan. Residential dwellings and accessory buildings are anticipated within this designation. The proposal maintains the general intent and purpose of the City’s Official Plan.

Other Alternatives Considered:

The proposal has been modified from an attached garage to a detached garage to address septic system separation requirements. The structure has a smaller footprint than originally proposed. As well, the owner has modified the south facade fronting on Doble Drive to enhance the streetscape facade.

Servicing Comments:

The property will be serviced by municipal water and private individual septic system.

Consultations:

Notice of this application was circulated in accordance with the requirements of the *Planning Act*. Comments have been received from:

Agency Comments:

Building Division – Building Inspection (December 5, 2017): No concerns

Building Division - Sewage System (December 18, 2017): No concerns. See comments.

Development Engineering Division (January 8, 2018): No concerns

Planning Division – The proposed garage will not have water connection as no human habitation is permitted by the Zoning By-law. Thus there will be no additional sewage flow.

Public Comments:

No comments as of January 9, 2018.

Attachments:

Appendix A-E.pdf

Appendix “A” – Location Map

Appendix “B” – Aerial Photo

Appendix “C” – Applicant’s Sketch

Appendix “D” – Supplementary Sketches

Appendix “E” – Department and Agency Comments

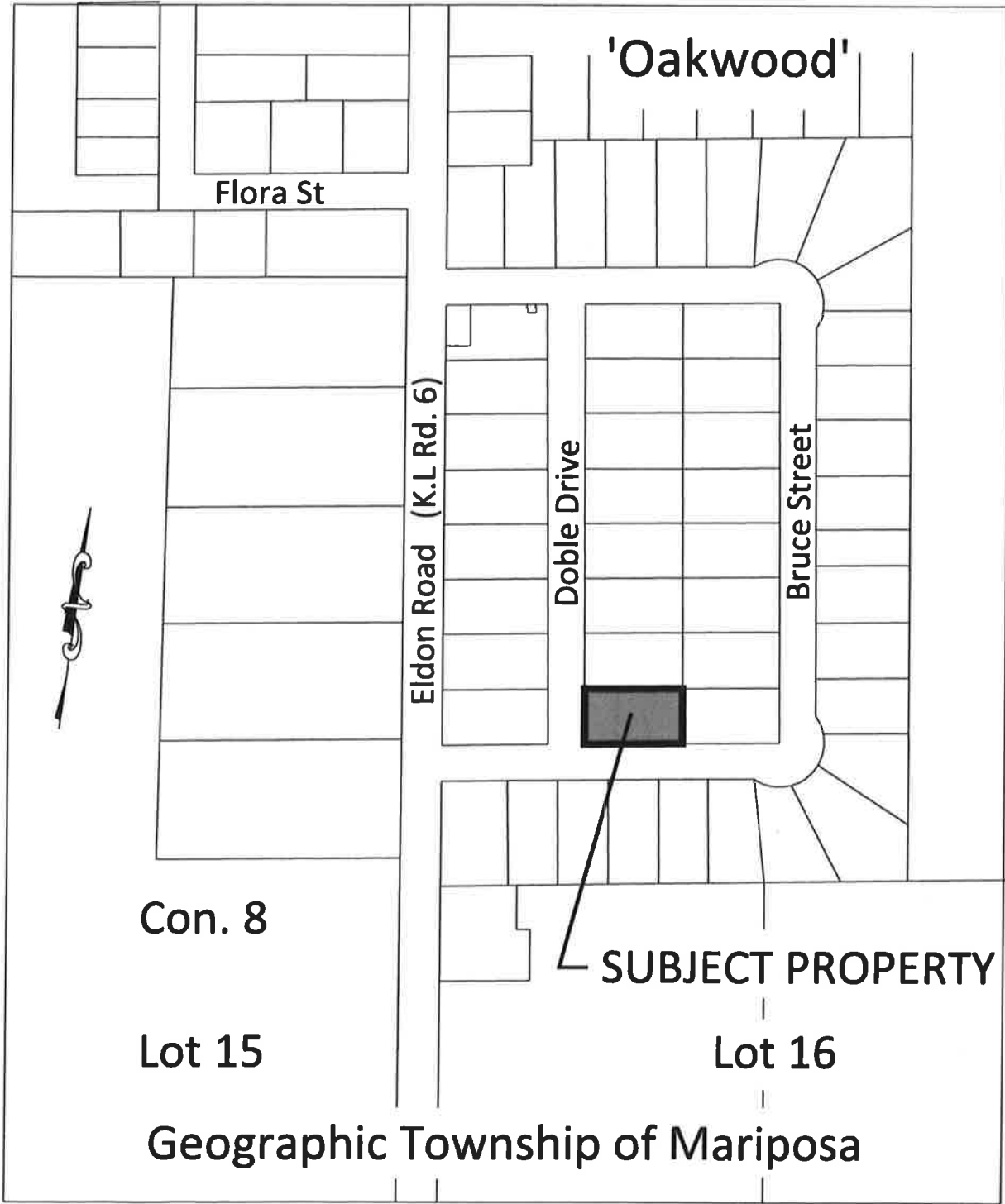
Phone: 705-324-9411 ext. 1331
E-Mail: jwong@kawarthalakes.ca
Department Head: Chris Marshall
Department File: D20-2018-010

to

REPORT COA2018-008

FILE NO: D20-2018-010

D20-2018-010





GEOMATICS
MAPPING

25 Doble Dr., geographic Twp Mariposa



- Legend**
- Road Centreline
 - Upper Municipalities
 - Lower Tier Municipalities
 - Property ROLL#
 - Lots and Concessions

APPENDIX " B "

to

REPORT COA2018-008

FILE NO: D20-2018-010

Notes

Notes



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0.09 Kilometers
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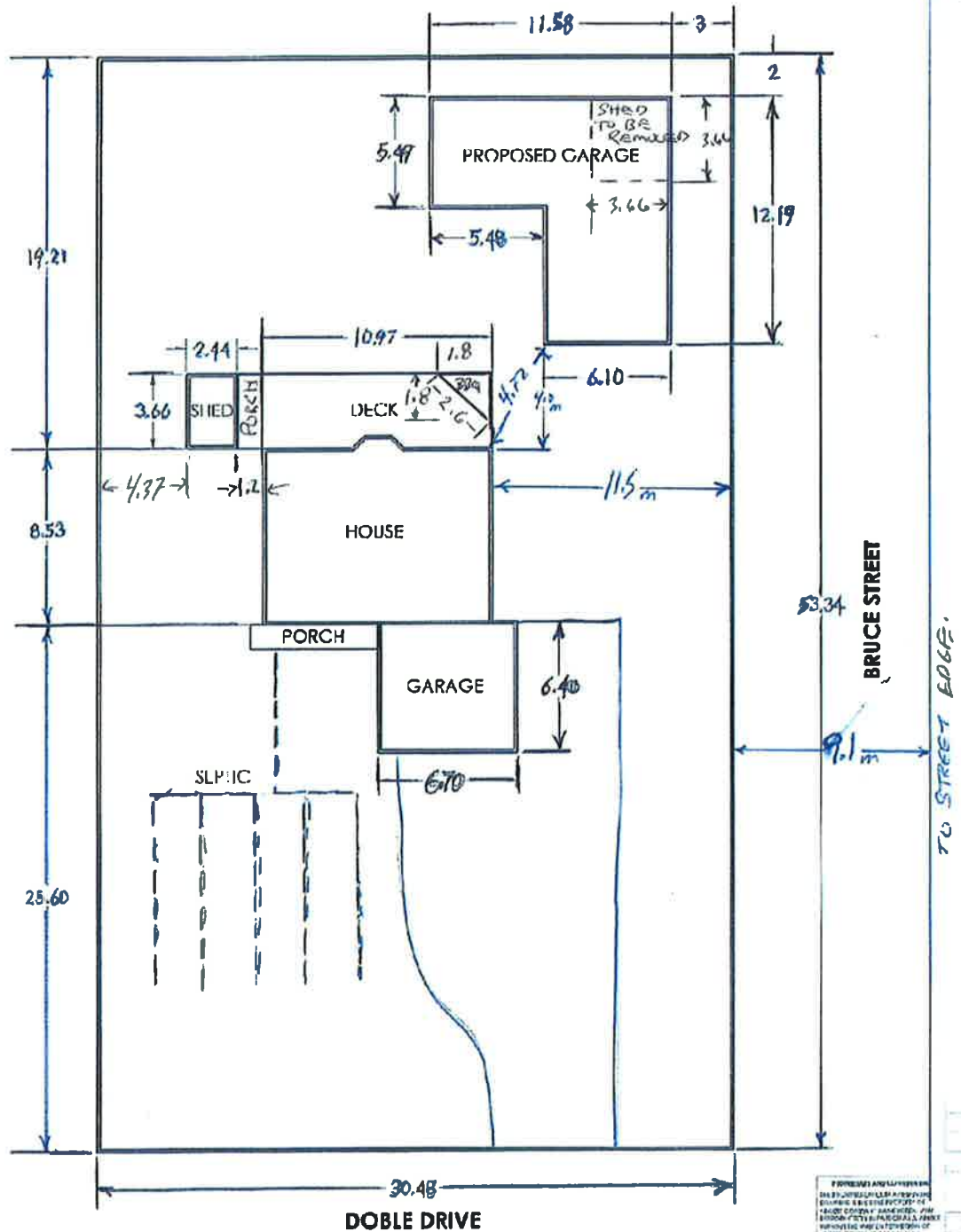
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REPORT COA2018-008

FILE NO: D20-2018-010

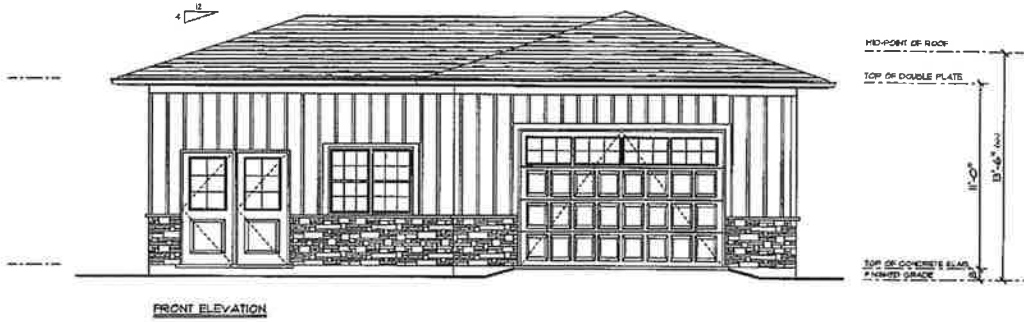
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ALL MEASUREMENTS IN METERS.



to
REPORT COA2018-008
FILE NO: D20-2018-010



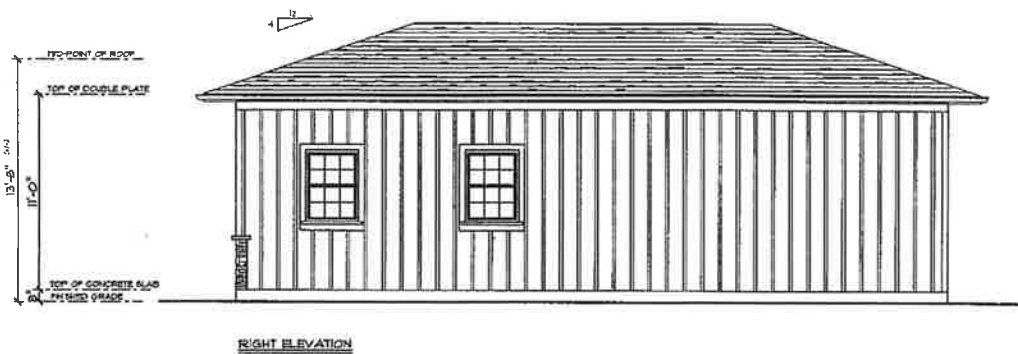
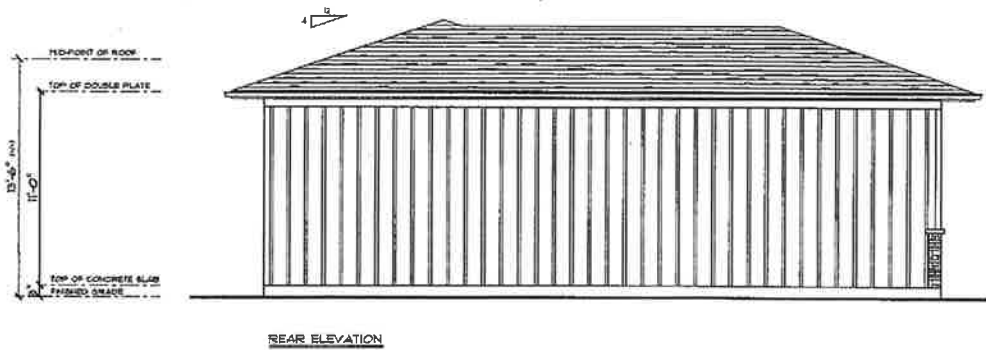
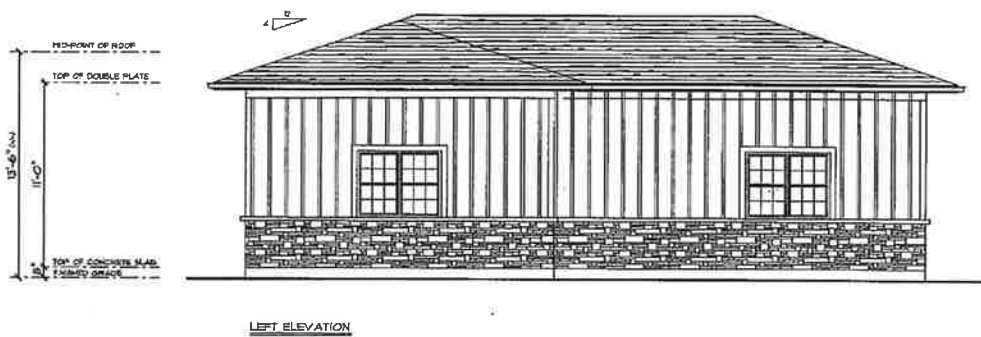


APPENDIX " D "

to

REPORT COA2018-008

FILE NO: D20-2018-010



APPENDIX " E "

to

REPORT COA2018-008

FILE NO: D20-2018-010

Subject	D20-2018-008, D20-2018-010
From	Derryk Wolven
To	Erica Hallett
Sent	Monday, December 11, 2017 3:51 PM

Please be advised the building division has no concerns with the above noted applications.

Derryk Wolven, CBCO

Plans Examiner

Development Services, Building Division, City of Kawartha Lakes

705-324-9411 ext. 1273 www.kawarthalakes.ca



Subject	D20-2018-010 - 25 Doble Dr
From	Anne Elmhirst
To	Erica Hallett
Sent	Monday, December 18, 2017 11:48 AM

APPENDIX " E "
to
REPORT COA2018-008
FILE NO: D20-2018-010

Hello Erica,

RE: Minor Variance Application D20-2018-010
25 Doble Street, Former Mariposa Township, City of Kawartha Lakes
Conc. 8, Lot 16, Plan 570, Lot 41
Roll No. 165111003022143
Owner: Chris & Julie Fairbairn

I have received and reviewed the application for minor variance to allow the construction of an accessory structure (garage) in the rear side yard on the above-mentioned property. A site visit was also completed as part of the assessment.

The property is serviced by an on-site sewage systems under the approval M-13-84. The location of the proposed detached garage will not encroach within the required setbacks of the existing sewage system. Nor will it reduce the ability of the property to be serviced by on-site sewage systems in the future.

Please be advised this assessment has not included a review for any additional sewage flow for the accessory structure.

As such, the Building Division – Sewage System Program has no objections the proposed minor variance.

Best Regards,

Anne Elmhirst C.P.H.I.(C), B.A.Sc., B.Sc.
Supervisor – Part 8 Sewage Systems
Development Services - Building Division, City of Kawartha Lakes
705-324-9411 ext. 1882 www.kawarthalakes.ca



Subject	D20-18-010 -25 Doble Drive, Mariposa
From	Kirk Timms
To	Erica Hallett
Cc	Mark LaHay; Christina Sisson; Kim Rhodes
Sent	Monday, January 08, 2018 2:52 PM

APPENDIX " E "
to
REPORT COA2018-008
FILE NO: D20-2018-010

Good Afternoon Erica,

Further to our review of the above noted application to permit construction of a new detached garage, Development Engineering confirms we have no objection to the proposed minor variance for Zoning By-Law;

- Section 10.2.1.3. c) to reduce the minimum exterior side yard setback from 7.5 m to 3.0 m
- Section 3.1.3.1. a) to increase the maximum accessory building lot coverage from 100 sq. m to 119.5 sq. m
- Section 3.1.3.3. to increase maximum number of accessory structures from 2 to 3.

We respectfully request that if additional information brought forward through the commenting period that changes the intent of the minor variance application and the corresponding report by Planning, that Engineering be circulated for technical review on behalf of the City. Please provide Engineering the Notice of Decision for our confirmation.

Thanks,

Kirk Timms, C.E.T.

Engineering Technician
Engineering & Corporate Assets Department
City of Kawartha Lakes
P.O. Box 9000
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Lindsay, ON
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(705) 324-9411 Ext. 1119

