

The Corporation of the City of Kawartha Lakes

Agenda

Committee of Adjustment Meeting

COA2019-01

Thursday, January 17, 2019

1:00 P.M.

Council Chambers

City Hall

26 Francis Street, Lindsay, Ontario K9V 5R8

Members:

Lloyd Robertson

David Marsh

Emmett Yeo

Andre O'Bumsawin

Sandra Richardson

Steve Strathdee

Accessible formats and communication supports are available upon request.

1.	Call to Order	
1.1	Election of the Chair and Vice-Chair	
2.	Administrative Business	
2.1	Adoption of Agenda	
2.2	Declaration of Pecuniary Interest	
2.3	Adoption of Minutes	
2.3.1	COA2019-01.2.3.1 November 29, 2018 Committee of Adjustment Meeting Minutes	
3.	New Applications	
3.1	Minor Variances	
3.1.1	COA2019-001 Quadri Adebayo, Planner II File Number: D20-2018-063 Location: 14 Bradley Street Part Lot 11, Concession 3, RP 9R-1322 Geographic Township of Manvers Owners: Ian Barrett and Rebecca Belbeck Applicant: Ian Barrett	5 - 16
3.1.2	COA2019-002 Quadri Adebayo, Planner II File Number: D20-2018-064 Location: 94 Queen Street Plan 100 East, Part Lot 12, North Queen and Part Lot 12 South Princes; West Colborne Former Village of Fenelon Falls Owner: Blanche Hepburn Applicant: Gerald Hickson, OLS	17 - 27

3.1.3	COA2019-003	28 - 42
	<p>Quadri Adebayo, Planner II File Number: D20-2018-065 Location: 110 Jasper Drive Part Lot 29, Concession 3, Plan 213, Lot 3 Geographic Township of Fenelon Owner: Amy Stoddart Applicant: Tom deBoer</p>	
3.1.4	COA2019-004	43 - 53
	<p>David Harding, Planner II File Number: D20-2018-066 Location: Vacant Land on Mary Street Part of Lot 19, Concession 4, Parts 5-7, 57R-6634 Former Town of Lindsay Owner: 564650 Ontario Inc. Applicant: Stephen Woodcock - Woodcock and Tomlinson</p>	
3.1.5	COA2019-005	54 - 65
	<p>David Harding, Planner II File Number: D20-2018-067 Location: 155 Hazel Street Part Lot 9, Concession 2 Geographic Township of Verulam Owners: Paul and Kimberley Travers Applicant: Paul Travers</p>	
3.1.6	COA2019-006	66 - 76
	<p>David Harding, Planner II File Number: D20-2018-068 Location: 587 Scotch Line Road Part Lot 11, Concession 5 Geographic Township of Verulam Owner: Susan Vigh</p>	
3.2	Consents	

4. Deferred Applications

4.1 Minor Variances

4.1.1 COA2019-007

77 - 91

David Harding, Planner II
File Number: D20-2018-060
Location: 118 Shadow Lake Road 3
Lot 22, Plan 455
Geographic Township of Laxton
Owner: Kenneth Banderk

4.2 Consents

5. Correspondence

6. Other Business

7. Next Meeting

The next meeting will be Thursday, February 21, 2019 at 1:00 p.m. in Council Chambers, City Hall.

8. Adjournment

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Barrett & Belbeck
Report Number COA2019-001

Public Meeting

Meeting Date: January 17, 2019
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis St., Lindsay

Ward: 8 – 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 detached garage:

1. Section 5.25(a) – to erect a building in or structure on a lot that does not front upon or has no direct access onto an improved public street.

Relief is also sought to recognize the location of an existing shed on the property thus:

1. Section 5.1(b) - to permit an accessory building in the front yard where it is only permitted in a side or rear yard; and
2. Section 13.2(c) – to reduce the minimum front yard setback from 15 metres to 2.4 metres.

The variance is requested at 14 Bradley Street, Pontypool, geographic Township of Manvers (File D20-2018-063).

Author: Quadri Adebayo, Planner II

Signature:

Recommendations:

RESOLVED THAT Report COA2019-001 Ian Barrett and Rebecca Belbeck, be received;

THAT minor variance application D20-2018-063 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **THAT** the accessory buildings 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 COA2019-001, which shall be attached to and form part of the Committee's Decision. Any deviation from these specifications will require review by the City and may necessitate further approvals to be granted by the City and/or any other governing agency, body or authority, where applicable;

- 2) **THAT** the owners acknowledge through the granting of this approval that the detached garage shall not be used for human habitation, nor shall it be connected to water or sanitary services. Similar wording shall be placed on the required building permit;
- 3) **THAT** notwithstanding the definition of front yard, the granting of the variance for the reduced front yard setback will not be interpreted to permit the placement of any other accessory structures or buildings between the front wall of the dwelling and the front lot line; and
- 4) **THAT** the Building Permit process shall be completed within a period of twenty-four (24) 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 COA2019-001. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Background: This application proposes to construct a detached garage on an undersized and landlocked lot of record where the residential use was established circa 1985 (MPAC). Access to the subject property is through a driveway/right-of-way that runs through the southerly abutting property municipally known as 12 Bradley Street, which is a municipally assumed road.
This application was deemed complete October 25, 2018.

Proposal: To construct an approximately 53 square metre (575 square foot) detached garage.

Owner: Ian Barrett and Rebecca Belbeck

Applicant: Ian Barrett

Legal Description: 14 Bradley Street, Part Lot 11, Concession 3, RP 9R-1322, geographic Township of Manvers, City of Kawartha Lakes

Official Plan: Rural Settlement within Amendment #104 to the County of Victoria Official Plan

Zone: Rural Residential Type One (RR1) Zone within the Oak Ridges Moraine Zoning By-law 2005-133

Site Size: 0.3 acres (1,250.42 square metres)

Site Servicing: Private individual well and septic system

Existing Uses: Residential

Adjacent Uses: North: Agricultural & Residential;
East & West: Community Facility
South: 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

The proposed footprint of the detached garage ensures that its accessory function will be maintained as observed from site visit and compared with the site plan sketch provided by the applicant. The front wall limits of the accessory building will not project further than the front wall of the house and the proposed location is at a suitable distance from the dwelling. This will also ensure that the established residential character of the neighbourhood is maintained.

The westerly lot line of the subject property abuts the rear yard space of the westerly adjacent properties, one of them being a commercial use property (Canada Post) that operates during business hours only. As a result, the scale of the proposed structure is not anticipated to create any land use compatibility issues. There also appears to be enough vegetation on the northeast corner of the abutting southwest property and on the southerly interior side yard of the northerly abutting property to adequately screen the massing of the proposed development.

The proposed configuration of the accessory building also ensures that sufficient amenity space will remain in the side and rear yards respectively.

Regarding the existing shed in the front yard, observations from site visit suggest that its current location is the best area to site the structure on the subject property because the location of the septic tile bed located in easterly side yard presents a spatial separation constraint. The same constraint can be cited for the westerly side yard where a detached garage is being proposed within close proximity to a well.

The location is also considered suitable because the heavily treed nature of the easterly and southerly lot line helps to conceal the visual impact than if it were to be relocated elsewhere on the property.

Based on the above analysis, the variances are 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 Rural Residential Type One (RR1) Zone provision contemplates accessory uses as ancillary to a principle use. The accessory buildings under the scope of this variance application function as accessory uses to the dwelling on the subject property.

The proposed garage will be approximately 3 metres from the westerly interior side lot line and approximately 4.93 metres from the rear lot line respectively. These setbacks will exceed the minimum 1.3 metres required from the said lot lines as sufficient space remains within the said yards to facilitate access between the rear and front yards respectively.

The subject property, although landlocked, is an undersized lot of record for which the residential use was established circa 1985 (MPAC). Therefore, the ability of the proposal to meet the zoning provisions as exactly set out in the corresponding zoning by-law is hypothetically not attainable. However, the by-law does provide that reviews are done when development is proposed upon undersized lots of record to ensure the proposed construction is appropriate for the neighbourhood and can be adequately serviced.

Given that the proposed total lot coverage for all accessory buildings permitted would still be met for the proposed detached garage and existing shed at 4.98% where a maximum of 8% total lot coverage is permitted, the variances maintain 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 Rural Settlement within Amendment #104 to the County of Victoria Official Plan. The designation follows Countryside Area policies within the Plan that considers existing or established residential hamlets and communities. Accessory buildings are permitted ancillary uses to residential uses within this designation. The accessory buildings as proposed are not anticipated to negatively impact the residential character of its immediate surrounding 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 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 – Chief Building Official (January 7, 2019): No concerns. See comments

Engineering & Corporate Assets (January 8, 2019): No objections.

Community Services Department (January 8, 2019): No comments or concerns.

Public Comments:

No comments as of January 8, 2019.

Attachments:

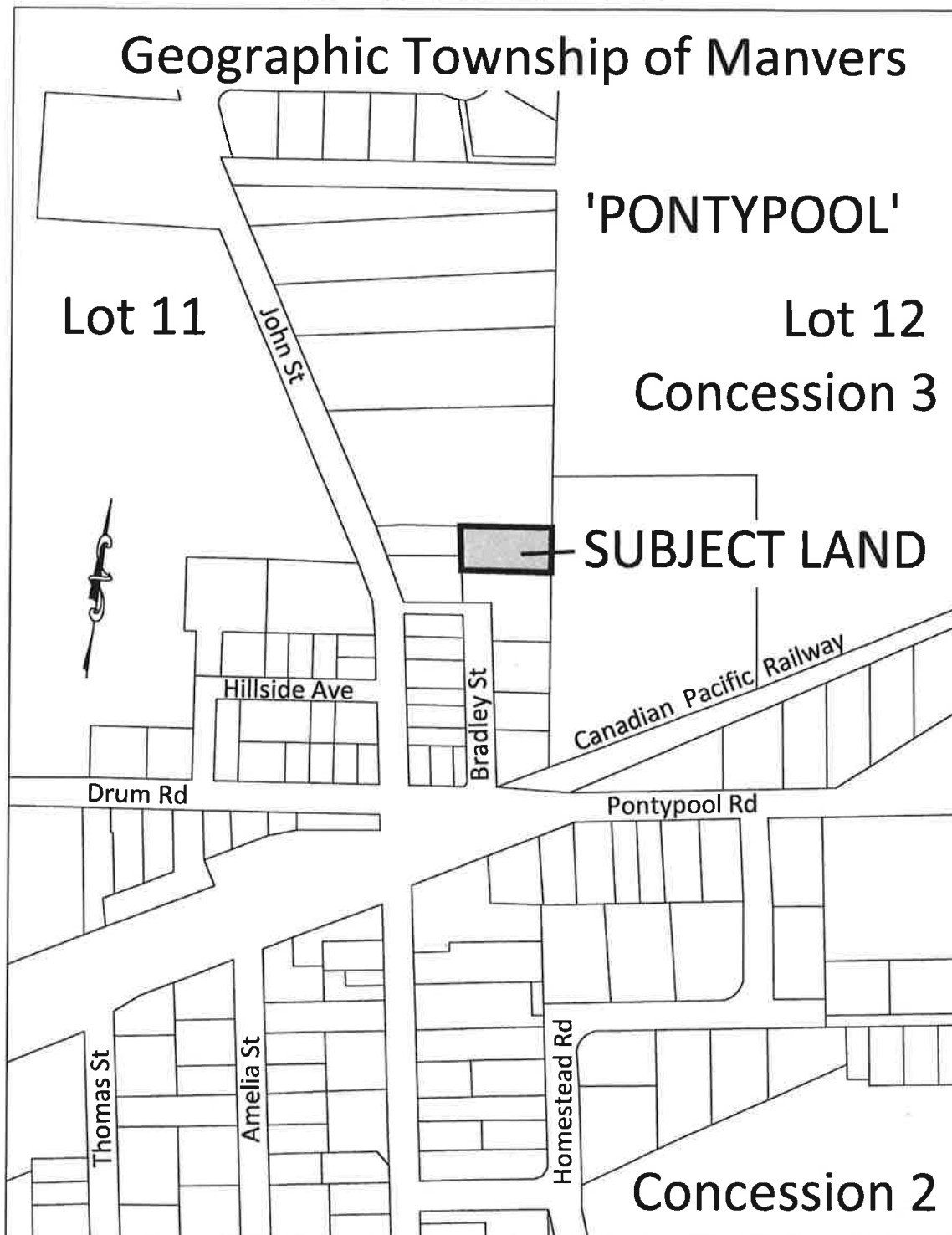


Appendices A-E to
Report COA2019-001

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

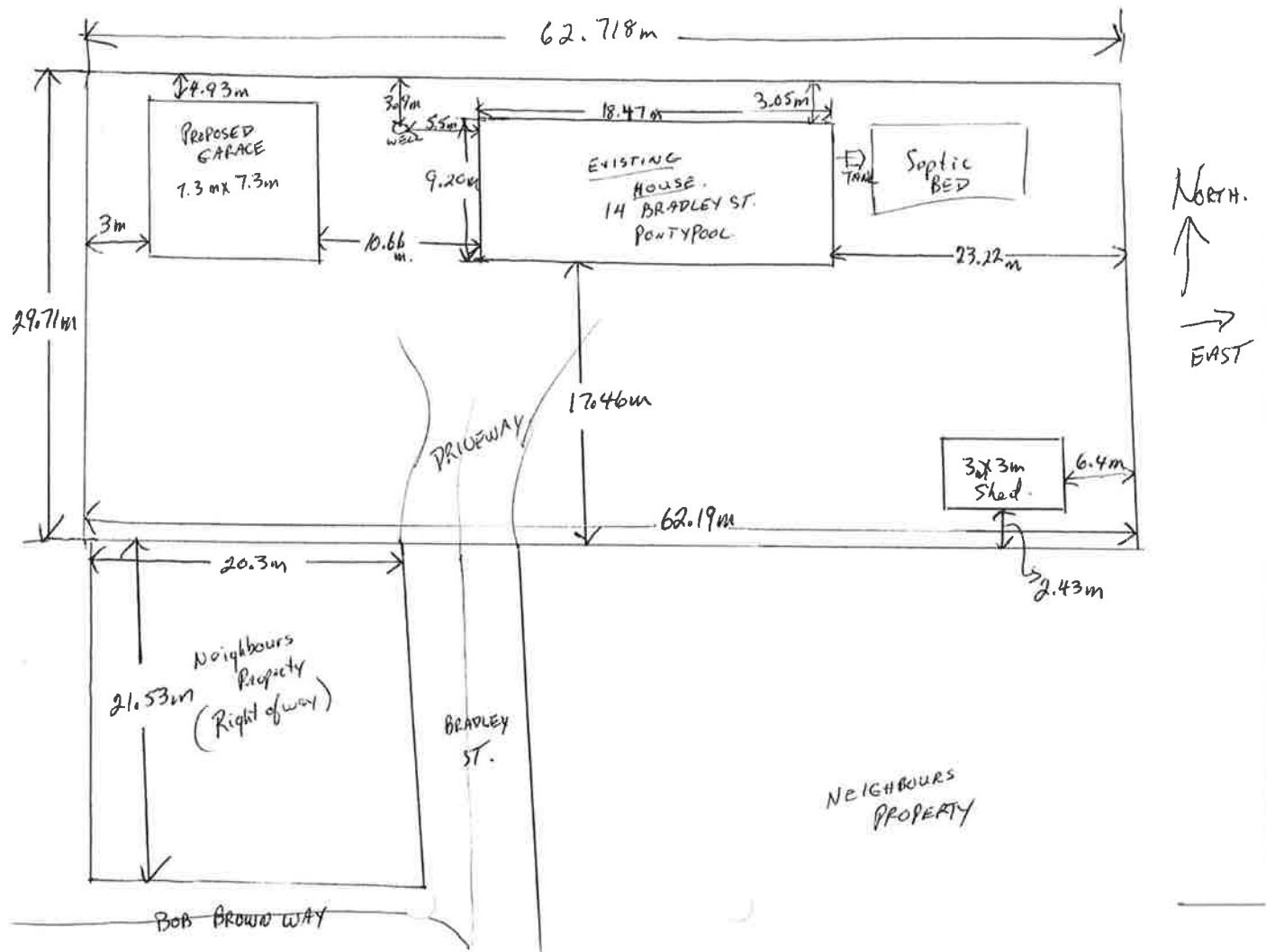
Phone:	705-324-9411 extension 1367
E-Mail:	qadebayo@kawarthalakes.ca
Department Head:	Chris Marshall, Director of Development Services
Department File:	D20-2018-063

D20-2018-063



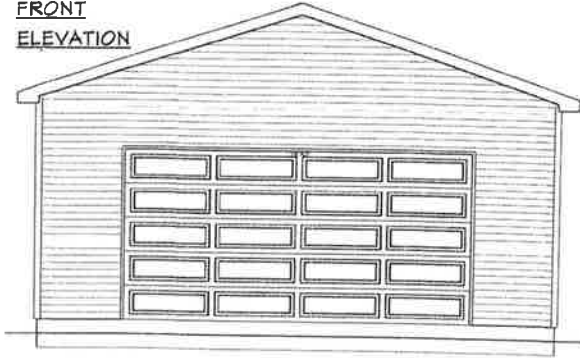


to

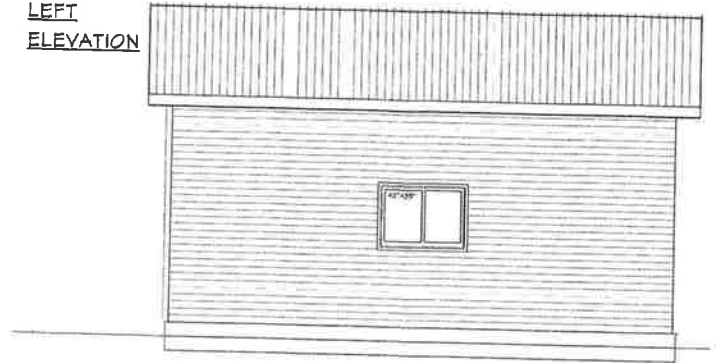
Site Plan Sketch

Elevation Drawings (Detached Garage)

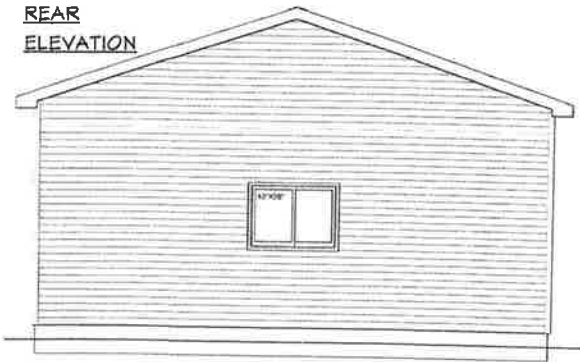
FRONT
ELEVATION



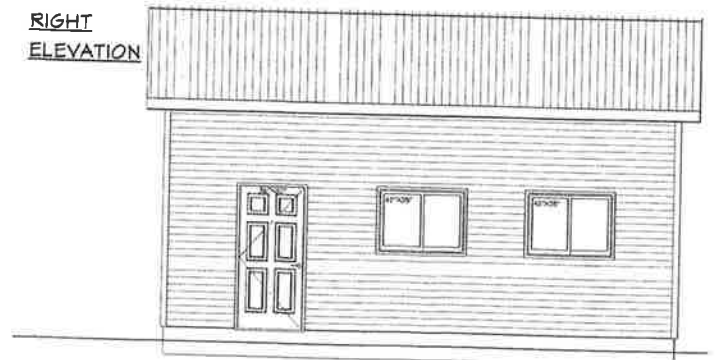
LEFT
ELEVATION



REAR
ELEVATION



RIGHT
ELEVATION



Charlotte Crockford-Toomey

APPENDIX " E "
to

From: Susanne Murchison
Sent: Monday, January 07, 2019 5:17 PM
To: David Harding
Cc: Charlotte Crockford-Toomey; Richard Holy; Quadri Adebayo
Subject: RE: January Variance Comments Due Soon

REPORT COA2019-001

FILE NO. D20-2018-063

Sorry, only had these for two days now.

D20-2018-063 Building Division has no concerns. A building permit will be required for the proposed construction of the garage.

D20-2018-064 Building Division has no concerns.

D20-2018-065 Building Division has no concerns. A building permit will be required for the proposed construction of both the garage and workshop. Note: if the storage loft is accessible by a stair it must be code compliant and will be considered a storey for Ontario Building Code purposes.

D20-2018-066 Building Division has no concerns.

D20-2018-067 Building Division has no concerns. A building permit will be required for the proposed construction of the foundation and uncovered steps and landing.

D20-2018-068 Building Division has no concerns. A building permit will be required for the proposed construction of the cabin.

Susanne Murchison, CBCO
Chief Building Official
Building Division, Development Services, City of Kawartha Lakes
705-324-9411 ext. 1200 www.kawarthalakes.ca



From: David Harding
Sent: Monday, January 07, 2019 3:49 PM
To: Kirk Timms; Christina Sisson; Susanne Murchison; Anne Elmhirst; LeAnn Donnelly; Kent Stainton
(kstainton@kawarthaconservation.com)
Cc: Charlotte Crockford-Toomey; Richard Holy; Quadri Adebayo
Subject: January Variance Comments Due Soon

Hello everyone.



Engineering & Corporate Assets Department
P.O. Box 9000, 12 Peel Street
Lindsay ON K9V 5R8
Tel: (705) 324-9411 Ext. 1152
Fax: (705) 324-2982
e-mail: csisson@kawarthalakes.ca
website: www.kawarthalakes.ca

APPENDIX " E "

to

REPORT

C0A2019-001

FILE NO. D20-2018-063

MEMORANDUM

TO: Mark LaHay, Acting Secretary-Treasurer

CC: Kirk Timms, Engineering Technician
Kim Rhodes, Administrative Assistant
Charlotte Crockford-Toomey, Administrative Assistant

FROM: Christina Sisson, Supervisor, Development Engineering

DATE: January 8th, 2019

SUBJECT: Application for Minor Variance/Permission
D20-2018-063 – 14 Bradley Street
Geographic Township of Manvers (ORM), City of Kawartha Lakes

The Development Engineering Division has reviewed the City of Kawartha Lakes Committee of Adjustment Notice of Public Hearing for Minor Variance as well as the Application for Minor Variance/Permission received on January 4th, 2019.

It is our understanding that the applicant is applying for a minor variance to request relief from the following provisions in order to permit the construction of a detached garage:

1. to erect a building or structure on a lot that does not front upon or has no direct access onto an improved public street.

Relief is also sought to recognize the location of an existing shed on the property thus:

1. to permit and accessory building in the front yard where it is only permitted in a side or rear yard; and
2. to reduce the minimum front yard setback from 15 metres to 2.4 metres.

Further to our review of the above noted application, we confirm that we have no objection to the proposed minor variance and no engineering comments related to the proposed minor variance.

We respectfully request to be circulated should additional information be brought forward through the commenting period that changes the intent of the minor variance application and the corresponding report by Planning.

Please do not hesitate to contact our office if you have any questions.



APPENDIX: E
to
REPORT: COA2019-001
FILE NO: D20-2018-063

The Corporation of the
City of Kawartha Lakes
Community Services
50 Wolfe Street
Lindsay, Ontario K9V 2J2
Tel: 705-324-9411 ext 1300
Toll Free: 1-888-822-2225
ldonnelly@kawarthalakes.ca
www.kawarthalakes.ca

LeAnn Donnelly, Executive Assistant, Community Services

MEMORANDUM

DATE: January 8, 2019
TO: Committee of Adjustment
FROM: LeAnn Donnelly, Executive Assistant, Community Services
RE: Various Applications

This memorandum confirms receipt of various applications to the Community Services Department and is intended to advise that our Department has no comments or concerns to offer the Committee with respect to the following minor variance applications:

D20-2018-063	14 Bradley Street, Manvers
D20-2018-064	94 Queen Street, Fenelon Falls
D20-2018-065	110 Jasper Drive, Township of Fenelon
D20-2018-066	Vacant land on Mary Street, Lindsay
D20-2018-067	155 Hazel Street, Township of Verulam
D20-2018-068	587 Scotch Line Road, Township of Verulam

LeAnn Donnelly

LeAnn Donnelly
Executive Assistant, Community Services

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Blanche Hepburn
Report Number COA2019-002

Public Meeting

Meeting Date: January 17, 2019
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis St., Lindsay

Ward: 3 – Former Village of Fenelon Falls

Subject: The purpose and effect is to request relief from the following provisions in order to facilitate the requirements of a provisional condition of consent:

Retained Lot

1. Section 4.3.2(b) to reduce the minimum frontage requirement on Queen Street from 18 metres to 14.94 metres.

Severed Lot

1. Section 4.3.2(b) to reduce the minimum frontage requirement on Princes Street from 18 metres to 17.47 metres; and
2. Section 4.3.2(c)(i) to increase the minimum front yard setback from 7.6 metres to 15 metres in order to ensure that the development envelope on the parcel maintains a 30 metre setback from the limits of a wetland feature.

The variance is requested at 94 Queen Street and Part Lot 12 South Princes, West Colborne, former Village of Fenelon Falls (File D20-2018-064).

Author: Quadri Adebayo, Planner II

Signature:

Recommendations:

RESOLVED THAT Report COA2019-002 Blanche Hepburn, be received;

THAT minor variance application D20-2018-064 be **GRANTED**, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **THAT** the variance shall apply to the proposed severed and retained portions of the subject property.
- 2) **THAT** this minor variance shall be deemed to be refused if the related Application for Consent, D03-17-043, lapses.

This approval pertains to the application as described in report COA2019-002. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Background:	<p>For Committee's information, on June 15, 2018, the Director of Development Services, as delegated by Council, granted provisional condition of consent to file number D03-17-043 to create an approximately 1,017 square metre vacant residential lot fronting on Princes' Street West and retain an approximately 871.4 square metres residential lot containing a single detached dwelling at 94 Queen Street.</p> <p>Due to the change in the lot configuration of the individual parcels (the severed and the retained), a condition was recommended for the deficiency to be recognized through a minor variance application to permit a reduced lot frontage. The relief for the increased front yard setback was advised by the Kawartha Region Conservation Authority upon review of the consent application that determined the entirety of the subject lands is within 120 metres from the limits of a regulated wetland feature further east of the subject lands.</p> <p>This application was deemed complete October 17, 2018.</p>
Proposal:	<p>To recognize the deficiency in the reconfigured lot frontages for the newly created residential lot and for the retained residential lot respectively. And to ensure that the development envelope for the severed lot is setback 30 metres from the limits of a wetland feature.</p>
Owner:	<p>Blanche Hepburn</p>
Applicant:	<p>Gerald Hickson (Coe, Fisher, Cameron OLS)</p>
Legal Description:	<p>94 Queen Street, Plan 100 East, Part Lot 12, North Queen, and Part Lot 12 South Princes, West Colborne, Former Village of Fenelon Falls, City of Kawartha Lakes</p>
Official Plan:	<p>Low Density Residential in the Village of Fenelon Falls Official Plan</p>
Zone:	<p>Residential Type One (R1) Zone in the Village of Fenelon Falls Zoning By-law 89-25</p>
Site Size:	<p>Retained Lot - 0.21 acres (871.4 square metres) Severed Lot - 0.25 acres (1,017.4 square metres)</p>
Site Servicing:	<p>Municipal water and sanitary sewer systems</p>
Existing Uses:	<p>Retained Lot - Residential</p>

Severed Lot – Residential (Vacant)

Adjacent Uses: North & East: Residential, Vacant Residential Lands & Wetland
South & 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

The subject property is situated in an established residential neighbourhood majorly composed of single detached dwellings. This ensures that the residential character of the neighbourhood is maintained.

Although there is a great degree of variation in the lot frontages along Queen Street and Princes' Street West respectively, all of the lots have the same depth. The proposed severed and retained lots maintain this depth. As such, no adverse impacts are anticipated to the established character of the neighbourhood by the reduction in lot frontages.

Observation from the site visit together with a mapping system desktop exercise shows that the front yard depth established by the residential buildings between 63 to 105 Princes' Street West averages out to approximately 16 metres going westward between John Street and Jordan Street respectively. This is considered complementary to the recommended development envelope (i.e. house, garage, or accessory structures) for the severed lot at 30 metres from the wetland limit which works out to approximately a minimum 15 metres front lot line setback (excluding a driveway).

As the recommended increment to the minimum front yard requirement has been determined by the Conservation Authority to not have any negative impacts in relation to the limits of the regulated wetland feature further east of the severed lot, the variances are 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 subject lands are zoned Residential Type One (R1) Zone within the Village of Fenelon Falls Zoning By-law 89-25. The zoning by-law intends for residential development within the neighbourhood to occur in the form of single detached dwellings. The subject lands each comply with the 670 square metres minimum lot area requirement for the R1 Zone at approximately 1,017.4 square metres (severed) and 871.4 square metres (retained) respectively.

The proposed lots each have sufficient area to accommodate the two required parking spaces and there is sufficient rear yard amenity space available to comply with the setback and lot coverage requirements within the R1 Zone.

As the proposed severed and retained lots comply with all other R1 Zone provisions save and except lot frontage, it is appropriate recognize the deficiency while keeping with the corresponding zoning by-law requirement for compliance when there is a change in lot size.

Therefore, the variances maintain 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 Low Density Residential designation in the Village of Fenelon Falls Official Plan contemplates residential uses in form of single detached dwellings.

The lots to be severed and retained both meet the minimum density requirements of 1 dwelling unit per 666.66 square metres land. The proposal meets the general intent and purpose of the Official Plan.

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 on full municipal 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 – Chief Building Official (January 7, 2019): No concerns.

Engineering & Corporate Assets (January 8, 2019): No objections.

Community Services Department (January 8, 2019): No comments or concerns.

Public Comments:

No comments as of January 8, 2019.

Attachments:



Appendices A-D to
Report COA2019-002

Appendix A – Location Map

Appendix B – Aerial Photo

Appendix C – Applicant's Sketch

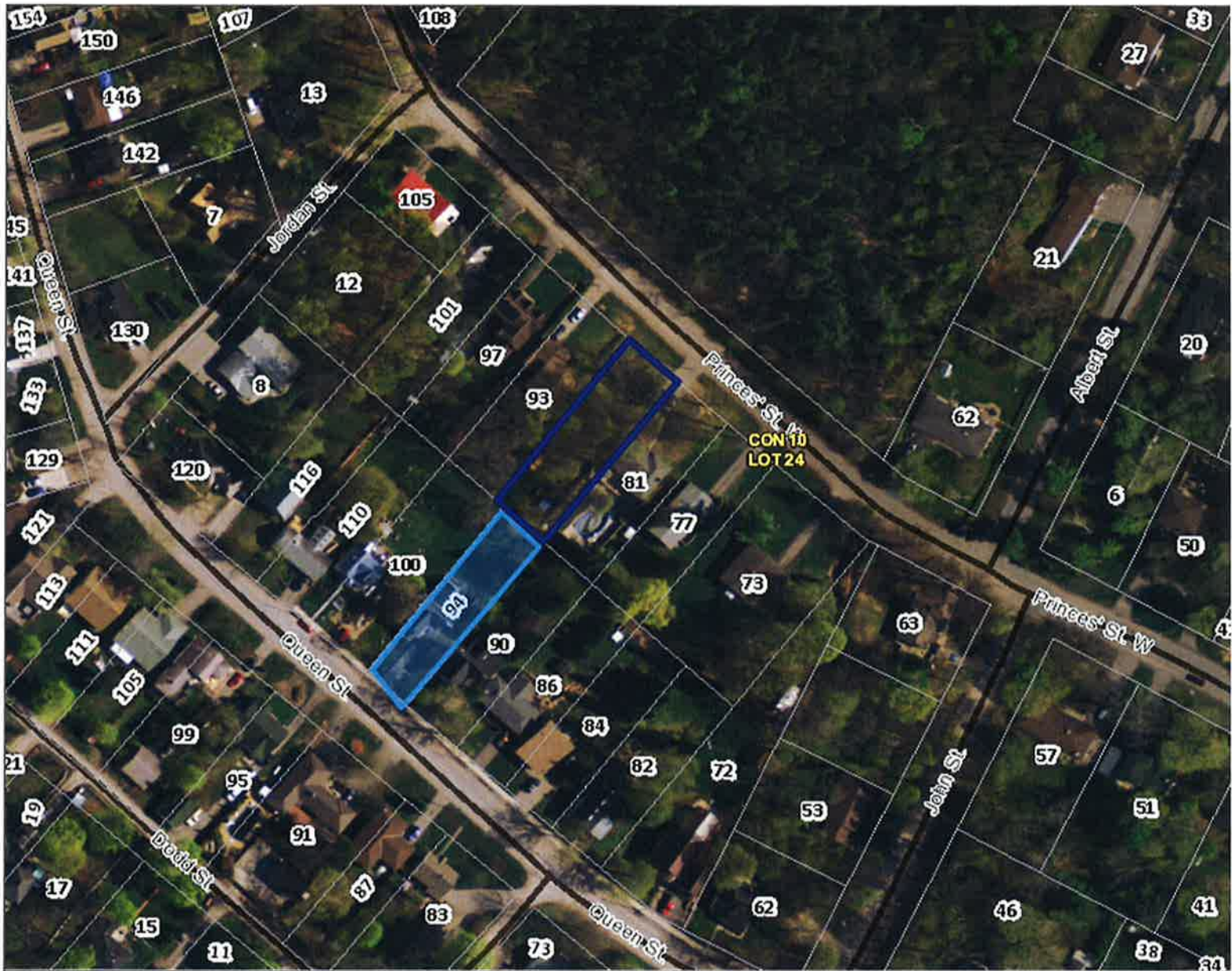
Appendix D – Department and Agency comments

Phone:	705-324-9411 extension 1367
E-Mail:	qadebayo@kawarthalakes.ca
Department Head:	Chris Marshall, Director of Development Services
Department File:	D20-2018-064

D20-2018-064



94 Queen Street and Part Lot 12 South Princes, West Colborne, Former Village of Fenelon Falls



Charlotte Crockford-Toomey

From: Susanne Murchison
Sent: Monday, January 07, 2019 5:17 PM
To: David Harding
Cc: Charlotte Crockford-Toomey; Richard Holy; Quadri Adebayo
Subject: RE: January Variance Comments Due Soon

FILE NO. D20-2018-064

Sorry, only had these for two days now.

D20-2018-063 Building Division has no concerns. A building permit will be required for the proposed construction of the garage.

D20-2018-064 Building Division has no concerns.

D20-2018-065 Building Division has no concerns. A building permit will be required for the proposed construction of both the garage and workshop. Note: if the storage loft is accessible by a stair it must be code compliant and will be considered a storey for Ontario Building Code purposes.

D20-2018-066 Building Division has no concerns.

D20-2018-067 Building Division has no concerns. A building permit will be required for the proposed construction of the foundation and uncovered steps and landing.

D20-2018-068 Building Division has no concerns. A building permit will be required for the proposed construction of the cabin.

Susanne Murchison, CBCO
Chief Building Official
Building Division, Development Services, City of Kawartha Lakes
705-324-9411 ext. 1200 www.kawarthalakes.ca



From: David Harding
Sent: Monday, January 07, 2019 3:49 PM
To: Kirk Timms; Christina Sisson; Susanne Murchison; Anne Elmhirst; LeAnn Donnelly; Kent Stainton
(kstainton@kawarthaconservation.com)
Cc: Charlotte Crockford-Toomey; Richard Holy; Quadri Adebayo
Subject: January Variance Comments Due Soon

Hello everyone.



Engineering & Corporate Assets Department
P.O. Box 9000, 12 Peel Street
Lindsay ON K9V 5R8
Tel: (705) 324-9411 Ext. 1152
Fax: (705) 324-2982
e-mail: csisson@kawarthalakes.ca
website: www.kawarthalakes.ca

APPENDIX " D "
to

MEMORANDUM

REPORT COA2019-002

FILE NO. D20-2018-064

TO: Mark LaHay, Acting Secretary-Treasurer

CC: Kirk Timms, Engineering Technician
Kim Rhodes, Administrative Assistant
Charlotte Crockford-Toomey, Administrative Assistant

FROM: Christina Sisson, Supervisor, Development Engineering

DATE: January 8th, 2019

SUBJECT: Application for Minor Variance/Permission
D20-2018-064 – 94 Queen Street
Village of Fenelon Falls, City of Kawartha Lakes

The Development Engineering Division has reviewed the City of Kawartha Lakes Committee of Adjustment Notice of Public Hearing for Minor Variance as well as the Application for Minor Variance/Permission received on January 4th, 2019.

It is our understanding that the applicant is applying for a minor variance to request relief from the following provisions in order to facilitate the requirements of a provisional condition of consent:

Retained Lot

1. to reduce the minimum frontage requirement on Queen Street from 18 metres to 14.94 metres.

Severed Lot

1. to reduce the minimum frontage requirement on Princes Street from 18 metres to 17.47 metres; and
2. to increase the minimum front yard setback from 7.6 metres to 15 metres in order to ensure that the development envelope on the parcel maintains a 30 metre setback from the limits of a wetland feature.

Further to our review of the above noted application, we confirm that we have no objection to the proposed minor variance and no engineering comments related to the proposed minor variance.

We respectfully request to be circulated should additional information be brought forward through the commenting period that changes the intent of the minor variance application and the corresponding report by Planning.

Please do not hesitate to contact our office if you have any questions.



APPENDIX " D "

to

REPORT COA2019-002 The Corporation of the
City of Kawartha Lakes

FILE NO. D20-2018-064 Community Services
50 Wolfe Street

Lindsay, Ontario K9V 2J2

Tel: 705-324-9411 ext 1300

Toll Free: 1-888-822-2225

ldonnelly@kawarthalakes.ca

www.kawarthalakes.ca

LeAnn Donnelly, Executive Assistant, Community Services

MEMORANDUM

DATE: January 8, 2019
TO: Committee of Adjustment
FROM: LeAnn Donnelly, Executive Assistant, Community Services
RE: Various Applications

This memorandum confirms receipt of various applications to the Community Services Department and is intended to advise that our Department has no comments or concerns to offer the Committee with respect to the following minor variance applications:

D20-2018-063	14 Bradley Street, Manvers
D20-2018-064	94 Queen Street, Fenelon Falls
D20-2018-065	110 Jasper Drive, Township of Fenelon
D20-2018-066	Vacant land on Mary Street, Lindsay
D20-2018-067	155 Hazel Street, Township of Verulam
D20-2018-068	587 Scotch Line Road, Township of Verulam

LeAnn Donnelly

LeAnn Donnelly
Executive Assistant, Community Services

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Amy Stoddart
Report Number COA2019-003

Public Meeting

Meeting Date: January 17, 2019
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis St., Lindsay

Ward: 3 – Geographic Township of Fenelon

Subject: The purpose and effect is to request relief from the following provisions in order to permit the construction of two accessory buildings being a detached garage and a workshop/storage building:

Detached Garage

1. Section 13.2.1.3(a) to reduce the minimum front yard setback from 7.5 metres to 5 metres.

Workshop/Storage Building

1. Section 3.1.2.1 to permit an accessory building in the front yard where it is only permitted in an interior side or rear yard; and
2. Section 13.2.1.3(a) to reduce the minimum front yard setback from 7.5 metres to 5 metres.

The variance is requested at 110 Jasper Drive, geographic Township of Fenelon (File D20-2018-065).

Author: Quadri Adebayo, Planner II

Signature:

Recommendations:

RESOLVED THAT Report COA2019-003 Amy Stoddart, be received;

THAT minor variance application D20-2018-065 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 accessory buildings 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 COA2019-003, which shall be attached to and form part of the Committee's Decision. Any deviation from these specifications will require review by the City and may

necessitate further approvals to be granted by the City and/or any other governing agency, body or authority, where applicable;

- 2) **THAT** prior to the issuance of a building permit for the proposed accessory buildings, the applicant shall through a site plan sketch delineate the limits of the sewage system leaching bed from the limits of the proposed accessory buildings. This condition will be considered fulfilled once the owner submits to the Secretary-Treasurer written confirmation from the Part 8 Sewage System Supervisor advising that location of the proposed detached garage and workshop/storage buildings meets the spatial separation requirements from the limits of the septic system respectively;
- 3) **THAT** the owner acknowledge through the granting of this approval that the neither the detached garage nor the workshop/storage building shall be used for human habitation, and that both structures shall not be connected to water or septic facilities. Similar wording shall be placed on the required building permit;
- 4) **THAT** notwithstanding the definition of front yard, the granting of the variance for the reduced front yard setback will not be interpreted to permit the placement of any other accessory buildings or structures between the front wall of the dwelling and the front lot line;
- 5) **THAT** as part of building permitting process, upon the complete construction of the detached garage and the workshop/storage building, there be a requirement that the shed located in the rear yard between the eastern wall of the dwelling and the water's edge shall be removed from the property or relocated in a compliant manner to the satisfaction of the Chief Building Official at a minimum water setback of 15 metres and at a minimum set back of 1.2 metres from the southerly interior side lot line; and
- 6) **THAT** the building construction related to the minor variance shall be completed within a period of twenty-four (24) 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 COA2019-003. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Background: The proposal seeks to construct two accessory buildings in the front yard: one being a two-car detached garage that will be replacing an existing garage in the northwest corner of the property, and the second being a new detached out-building to be utilized as workshop/storage building proposed to be located in the southwest corner of the property.

This application was deemed complete November 7, 2018.

Proposal: To construct an approximately 40 square metre (430 square foot) detached two-bay garage and an approximately 32 square metre (430 square foot) workshop/storage building.

Owner: Amy Stoddart

Applicant: Tom deBoer

Legal Description: 110 Jasper Drive, Part Lot 29, Concession 3, Plan 213, Lot 3, geographic Township of Fenelon, City of Kawartha Lakes

Official Plan: Waterfront within the City of Kawartha Lakes Official Plan

Zone: Rural Residential Type Three (RR3) Zone within the Township of Fenelon Zoning By-law 12-95

Site Size: 0.56 acres (2,240 square metres)

Site Servicing: Private individual septic and lake water systems

Existing Uses: Residential

Adjacent Uses: North: Residential & Agricultural
West: Agricultural
East: Balsam Lake
South: Residential & Balsam Lake

Rationale:

1) Are the variances minor in nature? Yes
And

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

The accessory buildings are proposed to be situated in an established shoreline residential neighbourhood.

The applicant indicated that the property owner plans an expansion to the dwelling in the near future which will necessitate an expansion to the existing septic system located in the front yard area. This in turn presents the inability of locating both accessory buildings in a compliant setback in the front yard.

As of right, a private garage is permitted in the front yard in the Fenelon Township Zoning By-law when a residential property abuts a shoreline, provided it complies with the yard provisions of the applicable zone. In the case of the proposed detached garage, it cannot practicably meet the 7.5 metres minimum front yard requirement due to the existence of a septic bed in the front yard area.

With regards to the proposed workshop/storage building location, again, the septic area in conjunction with owner's plan to redevelop the house limits the opportunity to locate the structure in a compliant manner as the footprint of the

dwelling expansion including the limits of the subsequent septic expansion are undetermined. The septic bed already occupies a significant portion of the property. Therefore, requiring the owner to locate the outbuilding in a compliant manner given the narrowness of the lot in conjunction with the water setback and other yard requirements is anticipated to present undue hardship to the owner as it may restrict the opportunity to redevelop the house to its full potential.

The applicant has also indicated that the existing raised planters in the front yard will remain in their current location following a suggestion by staff whether adjustments could be made to accommodate either of the proposed accessory buildings. As a trade-off, staff have placed condition 5 to ensure that the existing shed in the rear yard within the water setback is brought into compliance.

In all other respects, the existing cedar edge along the front lot line is anticipated to mask the scale of the proposal from the road. There is sufficient vegetation along the southwest corner of the property, and trees on the northerly lot lines to adequately screen the massing of the proposed outbuilding and detached garage respectively from the adjacent residential properties. As such, no land use compatibility issues are anticipated. Condition 2 has also been placed to ensure servicing requirements are met.

Based on this, the variances are 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 Rural Residential Type Three (RR3) Zone provision contemplates accessory uses as ancillary to a principle use. The accessory buildings under the scope of this variance application are being proposed as devoted uses to the detached dwelling on the subject property.

Further, the physical constraints identified in Rationale 1 and 2 above clearly limits the possibility of citing the proposed accessory buildings in accordance with the front yard requirements. The reduced front yard setback, if granted, is not anticipated to be perceptible. Sufficient amenity space will remain within the said yard to facilitate access to other portions of the property.

In all other respects, the proposed height of the detached garage and the workshop/storage building each comply with the maximum Zoning By-law provisions of 5 metres at approximately 3.5 metres and 5 metres respectively.

Considering the proposed structures will comply with the lot coverage requirements for accessory buildings at approximately 3.2% where 8% maximum is required (exclusive of the 0.5% coverage for the existing shed in the rear yard), the variances maintain the general intent and purpose of the Zoning By-Law.

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

Yes

Within the Waterfront designation policies of the City of Kawartha Lakes Official Plan, accessory buildings are permitted ancillary to residential uses. The proposed location of the accessory buildings is not anticipated to negatively impact the residential character of the surrounding properties.

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 private individual septic and lake water systems 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 – Part 8 Sewage Systems (December 14, 2018): See comments.

Building Division – Chief Building Official (January 7, 2019): No concerns. See comments regarding building permitting process for the workshop/storage building regarding the storage loft.

Engineering & Corporate Assets (January 8, 2019): No objections.

Community Services Department (January 8, 2019): No comments or concerns.

Public Comments:

No comments as of January 8, 2019.

Attachments:

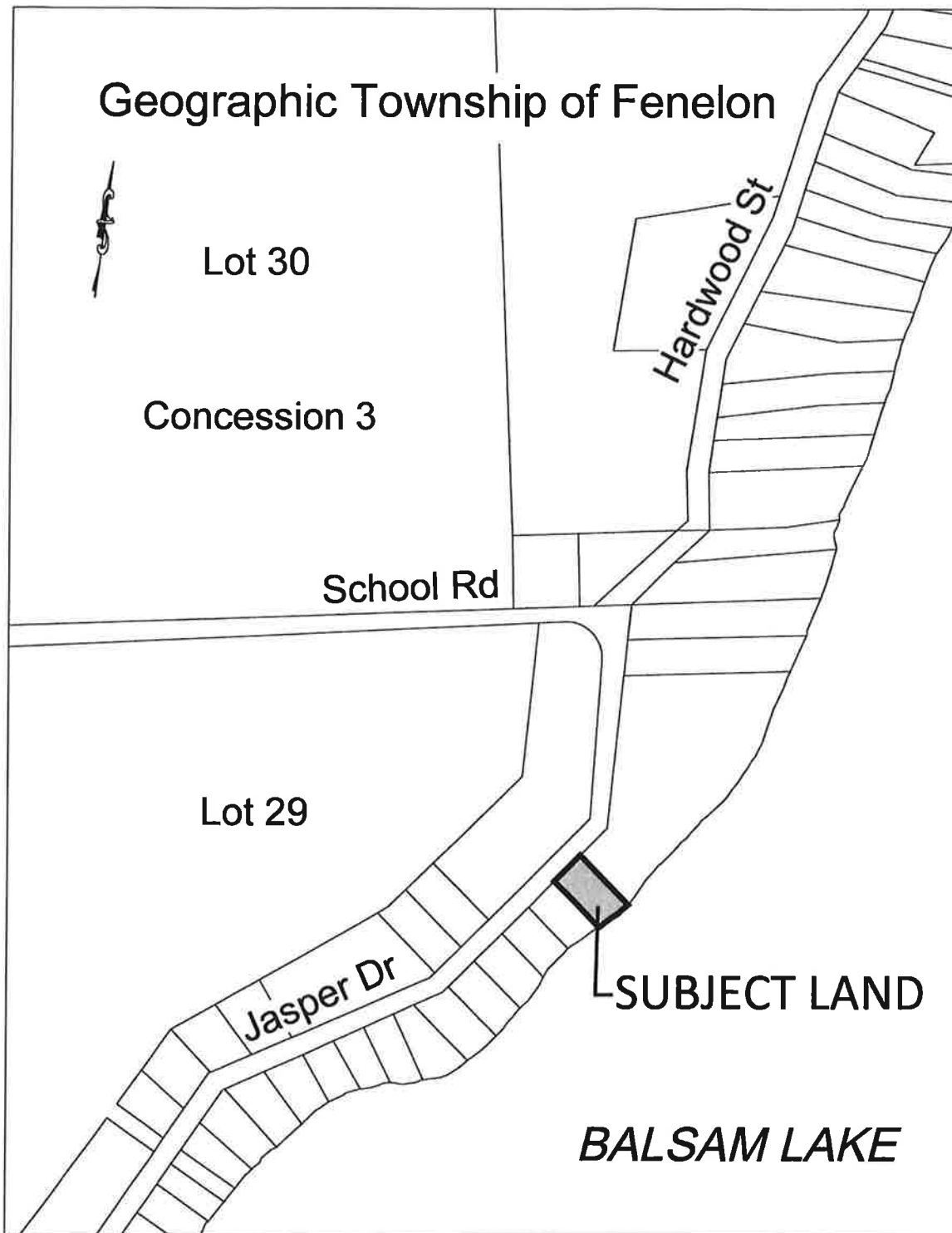


Appendices A-E to
Report COA2019-003

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

Phone:	705-324-9411 extension 1367
E-Mail:	qadebayo@kawarthalakes.ca
Department Head:	Chris Marshall, Director of Development Services
Department File:	D20-2018-065

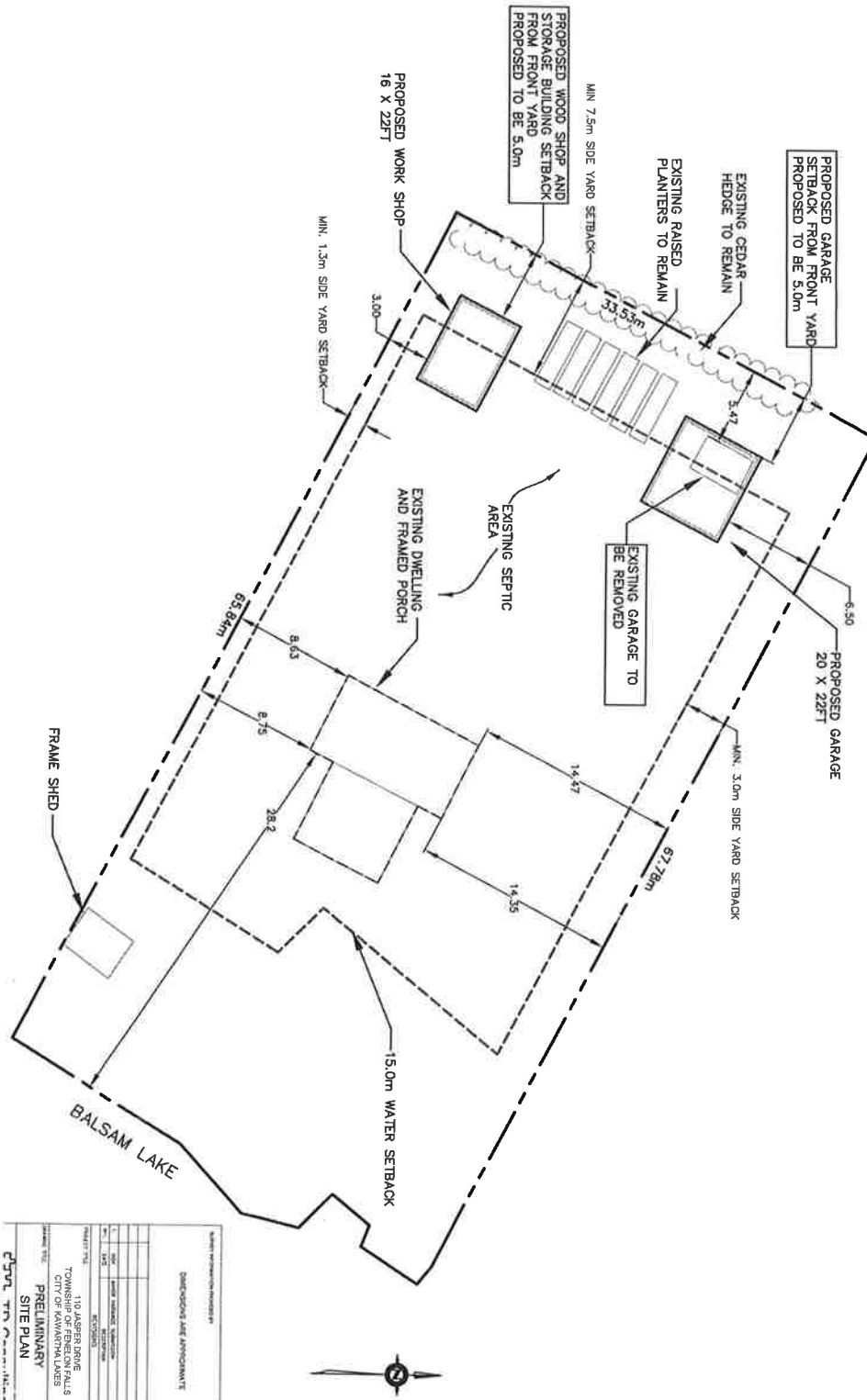
D20-2018-065



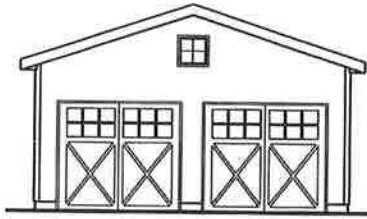
110 Jasper Drive, Geographic Township of Fenelon



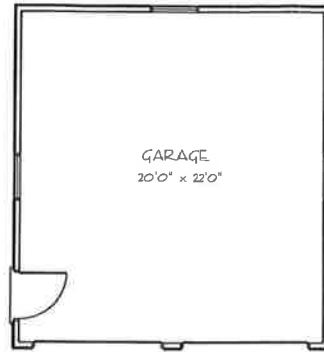
to

REPORT COA2019-003FILE NO: D20-2018-065**Site Plan Sketch**

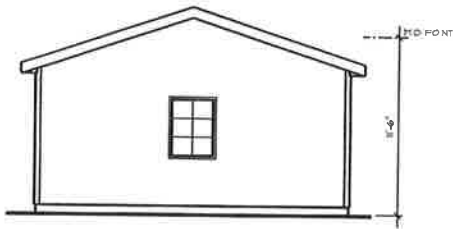
Elevation Drawings (Detached Garage)



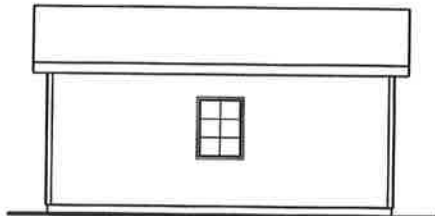
FRONT ELEVATION
SCALE: 1/4" = 1'-0"



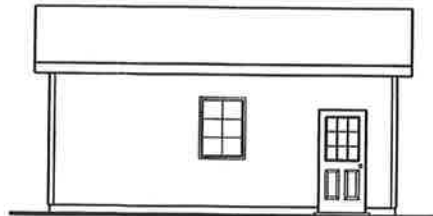
FLOOR PLAN
SCALE: 1/4" = 1'-0"



BACK ELEVATION
SCALE: 1/4" = 1'-0"



RIGHT ELEVATION
SCALE: 1/4" = 1'-0"



LEFT ELEVATION
SCALE: 1/4" = 1'-0"



JOLINSEN/STODDART

110 JASPER DRIVE, BALSAM LAKE

SCALE: AS NOTED DATE: OCTOBER 2018

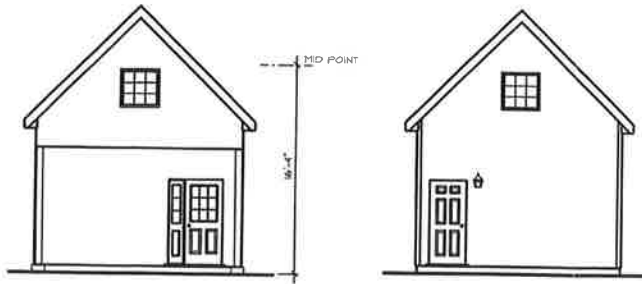
DATE: OCTOBER 2018

GARAGE

to

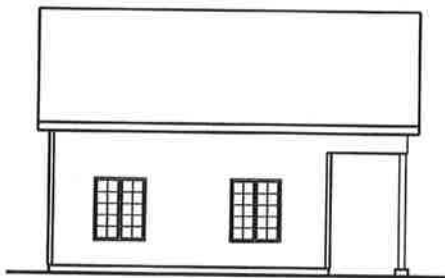
REPORT COA2019-003FILE NO: D20-2018-065

Elevation Drawings (Workshop/Storage Building)

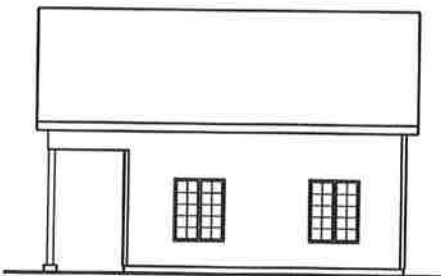


FRONT ELEVATION
SCALE: 3/16" = 1'-0"

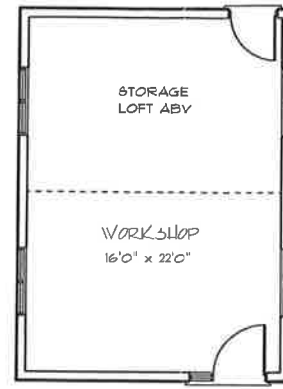
BACK ELEVATION
SCALE: 3/16" = 1'-0"



LEFT ELEVATION
SCALE: 3/16" = 1'-0"



RIGHT ELEVATION
SCALE: 3/16" = 1'-0"



COVERED PATIO
16'0" x 6'0"

FLOOR PLAN
SCALE: 1/8" = 1'-0"



JOHNSON/STODART	
110 JASPER DRIVE, BALSAM LAKE	
SCALE: AS NOTED	DESIGN BY: JMS
DATE: OCTOBER 2018	
WORKSHOP	
APP #:	DWG #:
18 D.110	A1

Charlotte Crockford-Toomey

APPENDIX " E "
to

From: Anne Elmhirst
Sent: Friday, December 14, 2018 3:08 PM
To: Charlotte Crockford-Toomey
Subject: D20-2018-065 - 110 Jasper Drive

REPORT COA 2019-003
FILE NO. D20-2018-065

Hello Charlotte,

RE: Minor Variance Application D20-2018-065
110 Jasper Drive, Former Fenelon Township,
Plan 213, Sublot 3
Owner: Amy Stoddart

I have received and reviewed the proposal to construct a detached garage and workshop on the above-noted property within the front yard setback.

I was able to locate the Sewage System Use Permit for this property (file F-85-88). The sewage system use permit indicates the system is in the road yard adjacent to the proposed construction. The sewage system document does not provide accurate information on setbacks for a proper analysis. I will require the sewage system leaching bed to be located and adequate setbacks to be provided for review.

Due to weather conditions this analysis cannot be conducted at this time. As such, should the minor variance be approved, I would request a condition be placed on the approval to satisfy the Building Division – Sewage System Program in regards to setbacks for the sewage system to the proposed build.

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



Charlotte Crockford-Toomey

APPENDIX " E "

From: Susanne Murchison
Sent: Monday, January 07, 2019 5:17 PM
To: David Harding
Cc: Charlotte Crockford-Toomey; Richard Holy; Quadri Adebayo
Subject: RE: January Variance Comments Due Soon

REPORT COA2019-003

FILE NO. D20-2018-065

Sorry, only had these for two days now.

D20-2018-063 Building Division has no concerns. A building permit will be required for the proposed construction of the garage.

D20-2018-064 Building Division has no concerns.

D20-2018-065 Building Division has no concerns. A building permit will be required for the proposed construction of both the garage and workshop. Note: if the storage loft is accessible by a stair it must be code compliant and will be considered a storey for Ontario Building Code purposes.

D20-2018-066 Building Division has no concerns.

D20-2018-067 Building Division has no concerns. A building permit will be required for the proposed construction of the foundation and uncovered steps and landing.

D20-2018-068 Building Division has no concerns. A building permit will be required for the proposed construction of the cabin.

Susanne Murchison, CBCO
Chief Building Official
Building Division, Development Services, City of Kawartha Lakes
705-324-9411 ext. 1200 www.kawarthalakes.ca



From: David Harding
Sent: Monday, January 07, 2019 3:49 PM
To: Kirk Timms; Christina Sisson; Susanne Murchison; Anne Elmhirst; LeAnn Donnelly; Kent Stainton
(kstainton@kawarthaconservation.com)
Cc: Charlotte Crockford-Toomey; Richard Holy; Quadri Adebayo
Subject: January Variance Comments Due Soon

Hello everyone.



Engineering & Corporate Assets Department
P.O. Box 9000, 12 Peel Street
Lindsay ON K9V 5R8
Tel: (705) 324-9411 Ext. 1152
Fax: (705) 324-2982
e-mail: csisson@kawarthalakes.ca
website: www.kawarthalakes.ca

APPENDIX " E "
to
REPORT COA 2019-003

FILE NO. D20-2018-065

MEMORANDUM

TO: Mark LaHay, Acting Secretary-Treasurer

CC: Kirk Timms, Engineering Technician
Kim Rhodes, Administrative Assistant
Charlotte Crockford-Toomey, Administrative Assistant

FROM: Christina Sisson, Supervisor, Development Engineering

DATE: January 8th, 2019

SUBJECT: Application for Minor Variance/Permission
D20-2018-065 – 110 Jasper Drive
Geographic Township of Fenelon, City of Kawartha Lakes

The Development Engineering Division has reviewed the City of Kawartha Lakes Committee of Adjustment Notice of Public Hearing for Minor Variance as well as the Application for Minor Variance/Permission received on January 4th, 2019.

It is our understanding that the applicant is applying for a minor variance to request relief from the following provisions in order to permit the construction of two accessory buildings being a detached garage and a workshop/storage building:

Detached Garage

1. to reduce the minimum front yard setback from 7.5 metres to 5 metres.

Workshop/Storage Building

1. to permit an accessory building in the front yard where it is only permitted in an interior side or rear yard; and
2. to reduce the minimum front yard setback from 7.5 metres to 5 metres.

Further to our review of the above noted application, we confirm that we have no objection to the proposed minor variance and no engineering comments related to the proposed minor variance.

We respectfully request to be circulated should additional information be brought forward through the commenting period that changes the intent of the minor variance application and the corresponding report by Planning.

Please do not hesitate to contact our office if you have any questions.



APPENDIX " E "

to
REPORT COP-2018-003 The Corporation of the
City of Kawartha Lakes
Community Services
50 Wolfe Street
Lindsay, Ontario K9V 2J2
Tel: 705-324-9411 ext 1300
Toll Free: 1-888-822-2225
ldonnelly@kawarthalakes.ca
www.kawarthalakes.ca

LeAnn Donnelly, Executive Assistant, Community Services

MEMORANDUM

DATE: January 8, 2019
TO: Committee of Adjustment
FROM: LeAnn Donnelly, Executive Assistant, Community Services
RE: Various Applications

This memorandum confirms receipt of various applications to the Community Services Department and is intended to advise that our Department has no comments or concerns to offer the Committee with respect to the following minor variance applications:

D20-2018-063	14 Bradley Street, Manvers
D20-2018-064	94 Queen Street, Fenelon Falls
D20-2018-065	110 Jasper Drive, Township of Fenelon
D20-2018-066	Vacant land on Mary Street, Lindsay
D20-2018-067	155 Hazel Street, Township of Verulam
D20-2018-068	587 Scotch Line Road, Township of Verulam

LeAnn Donnelly

LeAnn Donnelly
Executive Assistant, Community Services

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – 564650 Ontario Inc.
Report Number COA2019-004

Public Meeting

Meeting Date: January 17, 2019
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 3 – Former Town of Lindsay

Subject: The purpose and effect is to request relief from Section 20.2(b) to reduce the minimum lot frontage from 45 metres to 20 metres to facilitate the creation of a new lot.

The variance is requested on vacant land, former Town of Lindsay (File D20-2018-066).

Author: David Harding, Planner II

Signature:

Recommendations:

RESOLVED THAT Report COA2019-004 564650 Ontario Inc., be received;

THAT minor variance application D20-2018-066 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **THAT** the variance shall come into effect once the 0.3 metre reserve separating the subject property from the Mary Street West road allowance is lifted,
- 2) **THAT** this minor variance shall be deemed refused if the related Application for Consent, D03-2018-005, lapses; and
- 3) **THAT** should the proposed severed land within Consent Application D03-2018-005 be proposed to be further subdivided, this variance shall not apply to the parcel or parcels to be created.

This approval pertains to the application as described in report COA2019-004. Fulfillment of the conditions is required for the Minor Variance to be considered final and binding.

Background:	<p>On September 27, 2018, the Director of Development Services, as delegated by Council, granted provisional consent for file D03-2018-005 to create an approximately 5.2 hectare parcel and retain an approximately 2.13 hectare parcel. Condition 7 of the provisional consent approval requires a variance to the proposed severed parcel to recognize the reduced frontage for the lot being created.</p> <p>This application was deemed complete on December 7, 2018.</p>
Proposal:	To create a new vacant industrial land parcel for a place of worship.
Owner:	Vera Staples, 564650 Ontario Inc.
Applicant:	Stephen Woodcock, Woodcock & Tomlinson
Legal Description:	Part of Lot 19, Concession 4, Parts 5-7, 57R-6634, former Town of Lindsay, now City of Kawartha Lakes
Official Plan:	<p>Severed – Parks and Open Space, Institutions and Community Facilities, and Local Commercial within the Town of Lindsay Official Plan</p> <p>Retained - General Employment within the Town of Lindsay Official Plan</p>
Zone:	<p>Severed – Open Space Special One (OS-S1) Zone, Community Facility Special Four (CF-S4) Zone and Local Commercial Special Four (LC-S4) Zone within the Town of Lindsay Zoning By-law 2000-75</p> <p>Retained – General Employment - Holding One (GE(H1)) Zone within the Town of Lindsay Zoning By-law 2000-75</p>
Site Size:	<p>Severed – 5.2 hectares (12.8 acres)</p> <p>Retained – 2.13 hectares (5.2 acres)</p>
Site Servicing:	None
Existing Uses:	Vacant Land
Adjacent Uses:	<p>North: Industrial/Employment, Commercial, Open Space</p> <p>South: Vacant Residential Lands</p> <p>East: Commercial, Residential</p> <p>West: Industrial, Agriculture</p>

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 subject property is situated in a developing neighbourhood consisting of a mix of industrial, commercial, and residential uses, and is an unusual shape due to the land division which has occurred within this area to facilitate the new development.

The lot to be severed, which requires the frontage reduction in order to be created, contains all of the lands on the property zoned General Employment (GE) Zone. If the subject property was not proposed to be severed, the land within the GE Zone could be built upon subject to the permitted uses, zone provisions and requirements since the property as a whole has sufficient frontage on McLaughlin Road.

The variance, if granted, does not change the principal of development established on the lot by the existing GE Zone category nor the area of land where the GE Zone applies. For these reasons, the reduction in frontage is not anticipated to adversely impact the character of the neighbourhood.

Mary Street West currently terminates at the property and no new lot line is being created where access is proposed. No change to the streetscape is anticipated should the variance be granted.

Due to the above analysis, the variance is minor in nature and 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 proposed lot is zoned General Employment - Holding One (GE(H1)) Zone. That zone category permits a wide assortment of employment, institutional, and community facility uses once the holding provision is lifted. The holding provision remains in effect until such time as there is adequate supply of municipal water and sewer servicing available to service development on the subject land. A lot within the GE Zone is required to have a minimum frontage of 45 metres. The function of the frontage provision is to provide for: a lot of sufficient width to construct a building of sufficient size, sufficient area for delivery vehicles to maneuver, and sufficient spatial separation between driveway entrances on nearby lots.

The frontage provision appears to have been written on the premise that a lot within the GE Zone would be rectangular in nature and have the whole of a lot line abut a municipal road allowance. In this case, the road terminates at the proposed parcel, causing only a small portion of a lot line to abut the municipal road allowance.

The property is of sufficient area to accommodate a sizeable building and its operational requirements and access can be achieved from Mary Street West.

The City will take additional lands during the site plan control stage to provide for a proper turnaround at the terminus of Mary Street West.

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 General Employment designation anticipates that the lands will be used primarily for business and industrial activities, but institutional and community facility uses are also permitted provided they are adequately buffered from uses that produce potential nuisances. The proposed lot is of sufficient size to accommodate a variety of permitted uses.

The prospective purchaser of the proposed severed lands is the Fairview Baptist Church, which would be considered a permitted institutional use by the Official Plan.

In consideration of the above the variance maintains the general intent and purpose of the Official Plan.

Other Alternatives Considered:

No other alternatives have been considered at this time.

Servicing Comments:

The subject property is within the Lindsay Municipal Service Area and can be serviced by municipal water, sanitary and storm services.

Consultations:

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

Agency Comments:

Engineering and Corporate Assets Department (January 8, 2019): No concerns.

Community Services Department (January 8, 2019): No concerns.

Building Division (January 7, 2019): No concerns.

Public Comments:

No comments as of January 8, 2019.

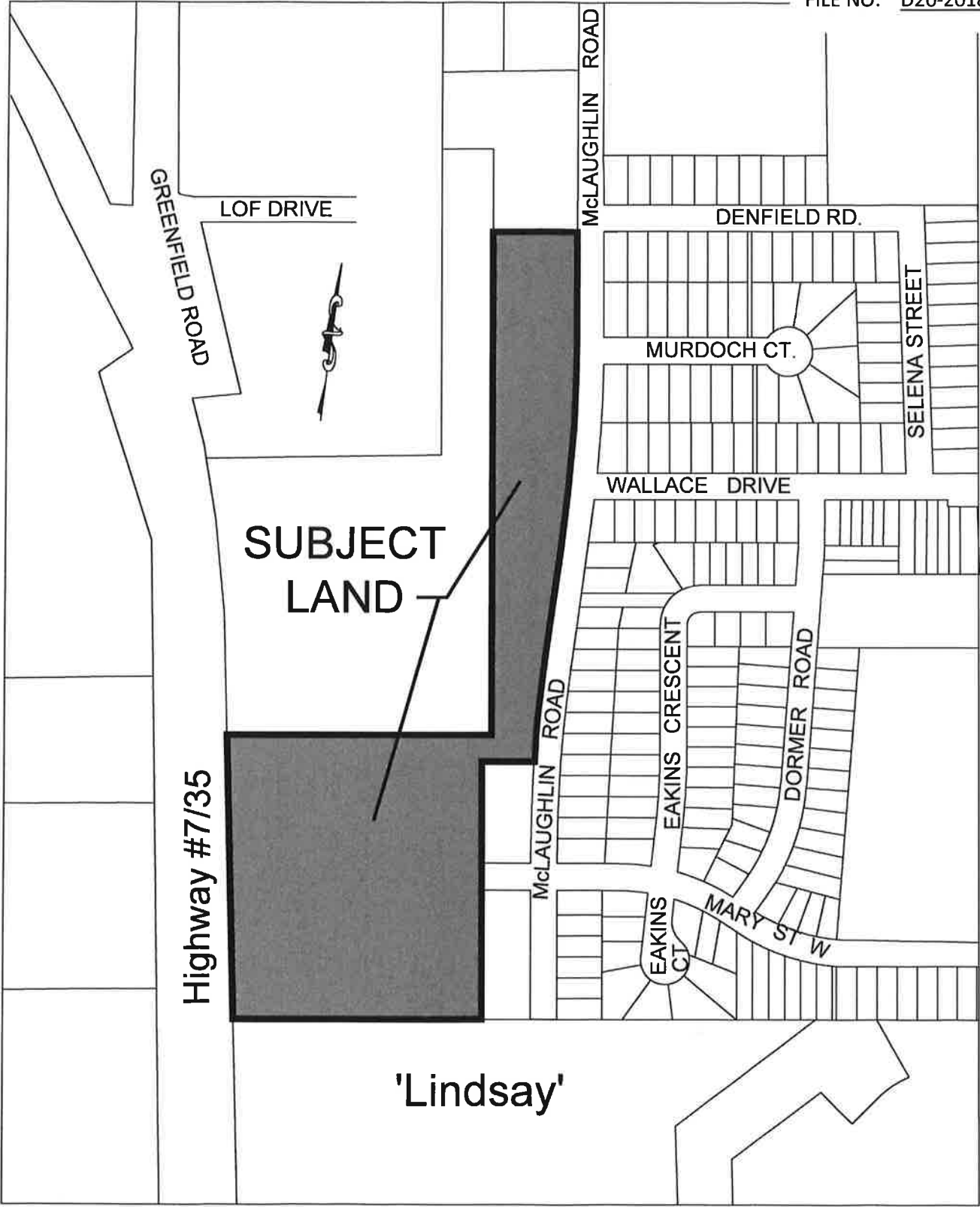
Attachments:



Appendices A-D to
Report COA2019-004.

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

Phone:	705-324-9411 extension 1206
E-Mail:	dharding@kawarthalakes.ca
Department Head:	Chris Marshall, Director of Development Services
Department File:	D20-2018-066



to

REPORT COA2019-004

FILE NO: D20-2018-066

Vacant Land on Mary Street West/McLaughlin Road



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



0.46 Kilometers
WGS 1984 Web Mercator Auxiliary Sphere
© City Of Kawartha Lakes

SKETCH FOR SEVERANCE
564650 ONTARIO INC. LANDS
 GEOGRAPHIC TOWNSHIP OF OPS
CITY OF KAWARTHA LAKES
 SCALE 1:2000



© COPYRIGHT 2017

METRIC DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND
 CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

SUBJECT LANDS

PART OF NW 1/4 LOT 19 AND PART SW 1/4 LOT 19, CONCESSION 4
 GEOGRAPHIC TOWNSHIP OF OPS
 BEING REMAINDER OF PARTS 5, 6 AND 7, PLAN 57R-6634
 PIN 63237-1292(LT)

TOTAL AREA = 7.33± ha. (18.11± ac.)

SEVERED

AREA = 5.20± ha. (12.85± ac.)

RETAINED

AREA = 2.13± ha. (5.26± ac.)

NOTE

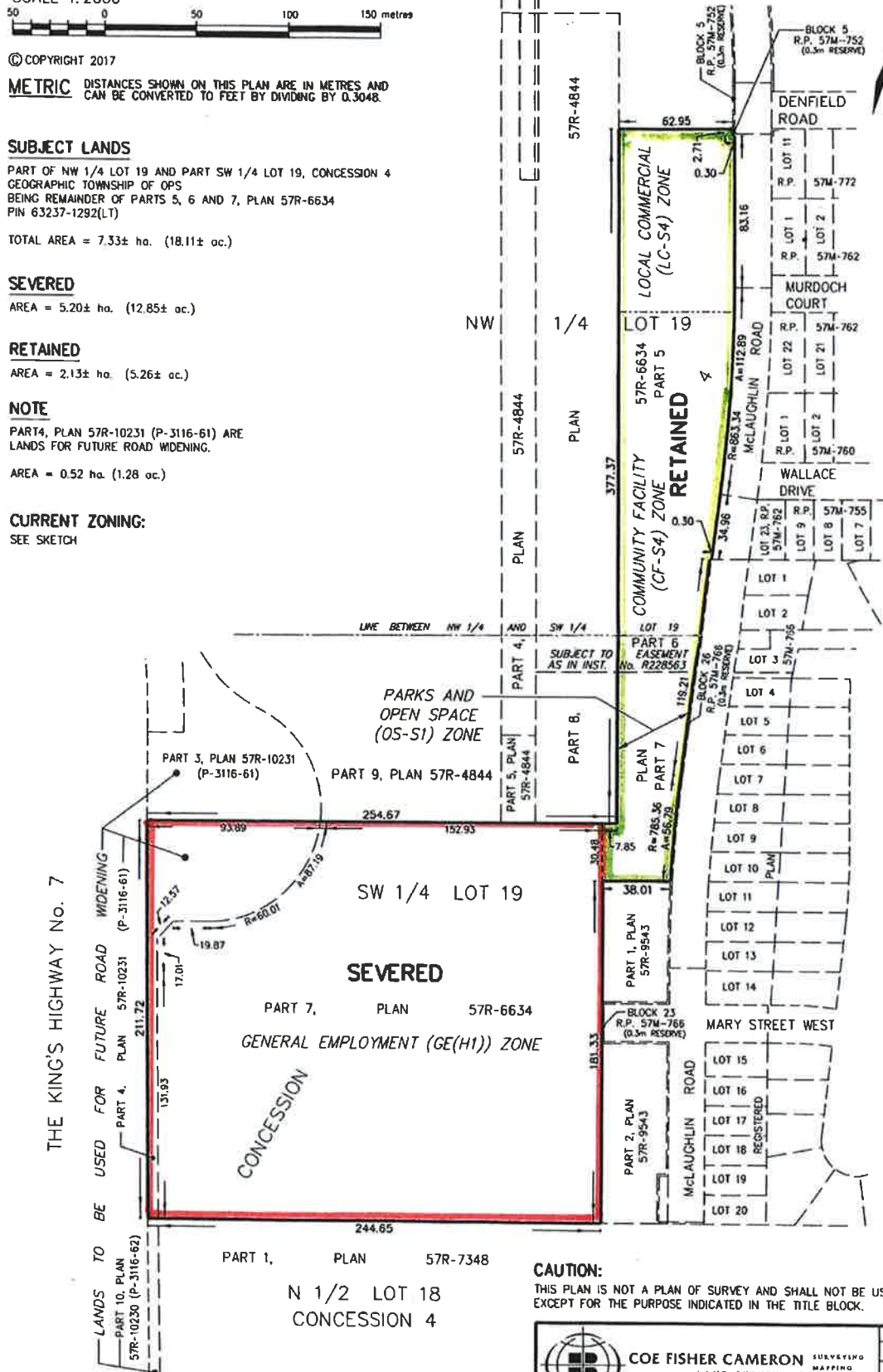
PART 4, PLAN 57R-10231 (P-3116-61) ARE
 LANDS FOR FUTURE ROAD WIDENING.

AREA = 0.52 ha. (1.28 ac.)

CURRENT ZONING:

SEE SKETCH

to
 REPORT **COA2019-004**
 FILE NO: **D20-2018-066**

**CAUTION:**

THIS PLAN IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED
 EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.



COE FISHER CAMERON
 LAND SURVEYORS

A wholly owned subsidiary of J.D. Baines Limited
 217 KENT STREET WEST, LONDON, ON N6Y 2Z3
 TEL: (800) 732-2704 T: (519) 324-4132 F: (519) 324-4406 www.jfbaines.com

SURVEYING
 MAPPING
 GIS

DHT	GRAB
GGH	CHECKED
11/23/17	
Ref. No. 17-17-332-00	

D:\17-17-332-00\Drawings\17-17-332-00-01.dwg 11/23/2017



Engineering & Corporate Assets Department
P.O. Box 9000, 12 Peel Street
Lindsay ON K9V 5R8
Tel: (705) 324-9411 Ext. 1152
Fax: (705) 324-2982
e-mail: csisson@kawarthalakes.ca
website: www.kawarthalakes.ca

APPENDIX " D
to
REPORT Cof2019-004
FILE NO. D20-2018-066

MEMORANDUM

TO: Mark LaHay, Acting Secretary-Treasurer

CC: Kirk Timms, Engineering Technician
Kim Rhodes, Administrative Assistant
Charlotte Crockford-Toomey, Administrative Assistant

FROM: Christina Sisson, Supervisor, Development Engineering

DATE: January 8th, 2019

SUBJECT: Application for Minor Variance/Permission
D20-2018-066 – Vacant land on Mary Street
Geographic Town of Lindsay, City of Kawartha Lakes

The Development Engineering Division has reviewed the City of Kawartha Lakes Committee of Adjustment Notice of Public Hearing for Minor Variance as well as the Application for Minor Variance/Permission received on January 4th, 2019.

It is our understanding that the applicant is applying for a minor variance to request relief to reduce the minimum lot frontage from 45 metres to 20 metres to facilitate the creation of a new lot.

Further to our review of the above noted application, we confirm that we have no objection to the proposed minor variance and no engineering comments related to the proposed minor variance.

We respectfully request to be circulated should additional information be brought forward through the commenting period that changes the intent of the minor variance application and the corresponding report by Planning.

Please do not hesitate to contact our office if you have any questions.



The Corporation of the
City of Kawartha Lakes
Community Services
50 Wolfe Street
Lindsay, Ontario K9V 2J2
Tel: 705-324-9411 ext 1300
Toll Free: 1-888-822-2225
ldonnelly@kawarthalakes.ca
www.kawarthalakes.ca

LeAnn Donnelly, Executive Assistant, Community Services

MEMORANDUM

DATE: January 8, 2019
TO: Committee of Adjustment
FROM: LeAnn Donnelly, Executive Assistant, Community Services
RE: Various Applications

This memorandum confirms receipt of various applications to the Community Services Department and is intended to advise that our Department has no comments or concerns to offer the Committee with respect to the following minor variance applications:

D20-2018-063	14 Bradley Street, Manvers
D20-2018-064	94 Queen Street, Fenelon Falls
D20-2018-065	110 Jasper Drive, Township of Fenelon
D20-2018-066	Vacant land on Mary Street, Lindsay
D20-2018-067	155 Hazel Street, Township of Verulam
D20-2018-068	587 Scotch Line Road, Township of Verulam

LeAnn Donnelly

LeAnn Donnelly
Executive Assistant, Community Services

David Harding

From: Susanne Murchison
Sent: Monday, January 07, 2019 5:17 PM
To: David Harding
Cc: Charlotte Crockford-Toomey; Richard Holy; Quadri Adebayo
Subject: RE: January Variance Comments Due Soon

Sorry, only had these for two days now.

D20-2018-063 Building Division has no concerns. A building permit will be required for the proposed construction of the garage.

D20-2018-064 Building Division has no concerns.

D20-2018-065 Building Division has no concerns. A building permit will be required for the proposed construction of both the garage and workshop. Note: if the storage loft is accessible by a stair it must be code compliant and will be considered a storey for Ontario Building Code purposes.

D20-2018-066 Building Division has no concerns.

D20-2018-067 Building Division has no concerns. A building permit will be required for the proposed construction of the foundation and uncovered steps and landing.

D20-2018-068 Building Division has no concerns. A building permit will be required for the proposed construction of the cabin.

Susanne Murchison, CBCO
Chief Building Official
Building Division, Development Services, City of Kawartha Lakes
705-324-9411 ext. 1200 www.kawarthalakes.ca



From: David Harding
Sent: Monday, January 07, 2019 3:49 PM
To: Kirk Timms; Christina Sisson; Susanne Murchison; Anne Elmhirst; LeAnn Donnelly; Kent Stainton
(kstainton@kawarthaconservation.com)
Cc: Charlotte Crockford-Toomey; Richard Holy; Quadri Adebayo
Subject: January Variance Comments Due Soon

Hello everyone.

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Travers
Report Number COA2019-005

Public Meeting

Meeting Date: January 17, 2019
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 6 – Geographic Township of Verulam

Subject: The purpose and effect is to request relief from the following provisions in order to permit a dwelling to be raised and construct an uncovered porch and stairs to access the raised main level:

1. Section 8.2(d) to reduce the minimum front yard setback from 7.5 metres to 2.9 metres for the dwelling,
2. Section 5.18.3 to reduce the street centreline setback from 17.5 metres to 13.3 metres for the dwelling,
3. Section 5.18.3 to reduce the street centreline setback from 17.5 metres to 10.9 metres for the uncovered porch and stairs; and
4. Section 5.22.2 to permit the uncovered porch and stairs to project into the front yard up to a distance of 0.6 metres from the front lot line.

The variance is requested at 155 Hazel Street, geographic Township of Verulam (File D20-2018-067).

Author: David Harding, Planner II

Signature:

Recommendations:

RESOLVED THAT Report COA2019-005 Travers, be received;

THAT minor variance application D20-2018-067 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 the sketch in Appendix C submitted as part of Report COA2019-005, which shall be attached to and form part of the Committee's Decision.
- 2) **THAT** prior to the issuance of a building permit, the location of the sewage system's distribution lines shall be confirmed. To fulfill this condition the owners shall:

- a. Submit a report from a professional scoping company to the satisfaction of the Building Division – Part 8 Sewage Systems; or
 - b. Excavate the distribution lines for visual inspection by Building Division – Part 8 Sewage Systems staff.
- 3) **THAT** the building construction related to the minor variances shall be completed within a period of twenty-four (24) 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 COA2019-005. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background

Proposal: To raise a single detached dwelling to construct a basement. A raised open porch and steps is required to access the raised front entrance.

This application was last amended and deemed complete on December 18, 2018.

Owners: Paul and Kimberley Travers

Applicant: Paul Travers

Legal Description: Part Lot 9, Concession 2, Geographic Township of Verulam, City of Kawartha Lakes

Official Plan: Waterfront within the City of Kawartha Lakes Official Plan

Zone: Residential Type One (R1) Zone within the Township of Verulam Zoning By-law 6-87

Site Size: 621.9 square metres (6,694 square feet)

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

Existing Uses: Shoreline Residential

Adjacent Uses: North: Boathouses, Sturgeon Lake
South, East, 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

The subject property is situated in an established shoreline residential neighbourhood within the community of Greenhurst-Thurstonia. Along this portion of Hazel Street, the majority of the dwellings are single storey, though there is a 1.5 storey dwelling to the immediate east and a bungalow with a raised basement 2 lots to the west. The majority of the dwellings are situated close to the street.

The existing dwelling is being raised approximately 1.22 metres to accommodate a basement. The proposed construction will assist in the rehabilitation of the building and provide additional space. The height increase is not anticipated to adversely impact the character of the neighbourhood as the building will continue to appear as a single storey but with a raised basement. The built form along this portion of the street is already close to the road.

The addition of an open porch on the front wall to access the dwelling is not anticipated to adversely impact the character of the neighbourhood as the porch would have a small footprint and not be covered, presenting a modest change to the built form of the streetscape. It is also not anticipated to adversely impact the function of the travelled portion of the road or sidewalk as both are several metres back from the travelled portion of the road.

Given the above, 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 Residential Type One (R1) Zone within the Township of Verulam Zoning By-law 6-87.

The function of a front yard setback is to provide adequate spatial separation between the road allowance and dwelling for: road operations such as snow storage, maintaining sight lines for vehicles, separation between the road uses and residential uses, vehicular parking in the front yard, and landscaped open space for storm water infiltration.

The function of a street centreline setback is to provide adequate spatial separation between the road allowance and dwelling for: road operations such as snow storage, maintain sight lines for vehicles, and separation between the transportation and residential uses.

The majority of dwellings along this portion of Hazel Street were built in the 1930s and 1940s, and are located close to their respective front lot lines. The dwelling's increased height in the same location will not change the long-established sight lines nor will it further impede or impact road operations. Parking is provided in the interior side yard rather than the front yard. Hazel

Street is a narrow, winding road where traffic is not anticipated to be travelling at great speed.

The front yard will continue to maintain the same area of landscaped open space once the dwelling is raised, minus the small portion required for the open porch.

The long-established residential uses within this portion of the neighbourhood demonstrate that the increased proximity of the dwelling to the road does not adversely impact the function of the road or residential use of the abutting properties.

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 located within the Waterfront designation within the City of Kawartha Lakes Official Plan. As such, residential uses are anticipated within this designation.

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 sewage system and lake-based water supply.

Consultations:

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

Agency Comments:

Engineering and Corporate Assets Department (January 8, 2019): No concerns.

Community Services Department (January 8, 2019): No concerns.

Building Division – Part 8 Sewage Systems (January 8, 2019): The property is served by a Part 4 Sewage System, not a holding tank as identified within the application. Confirmation of the location of the distribution lines is required to ensure the foundation maintains adequate spatial separation. A condition is requested to confirm location of sewage system distribution lines. See Appendix D for additional comments.

Building Division (January 7, 2019): No concerns. Building permits are required for the foundation and porch/steps.

Public Comments:

No comments as of January 8, 2019.

Attachments:



Appendices A-D to
Report COA2019-005.

Appendix A – Location Map

Appendix B – Aerial Photo

Appendix C – Applicant's Sketch

Appendix D – Department and Agency Comments

Phone: 705-324-9411 extension 1206

E-Mail: dharding@kawarthalakes.ca

Department Head: Chris Marshall, Director of Development Services

Department File: D20-2018-067

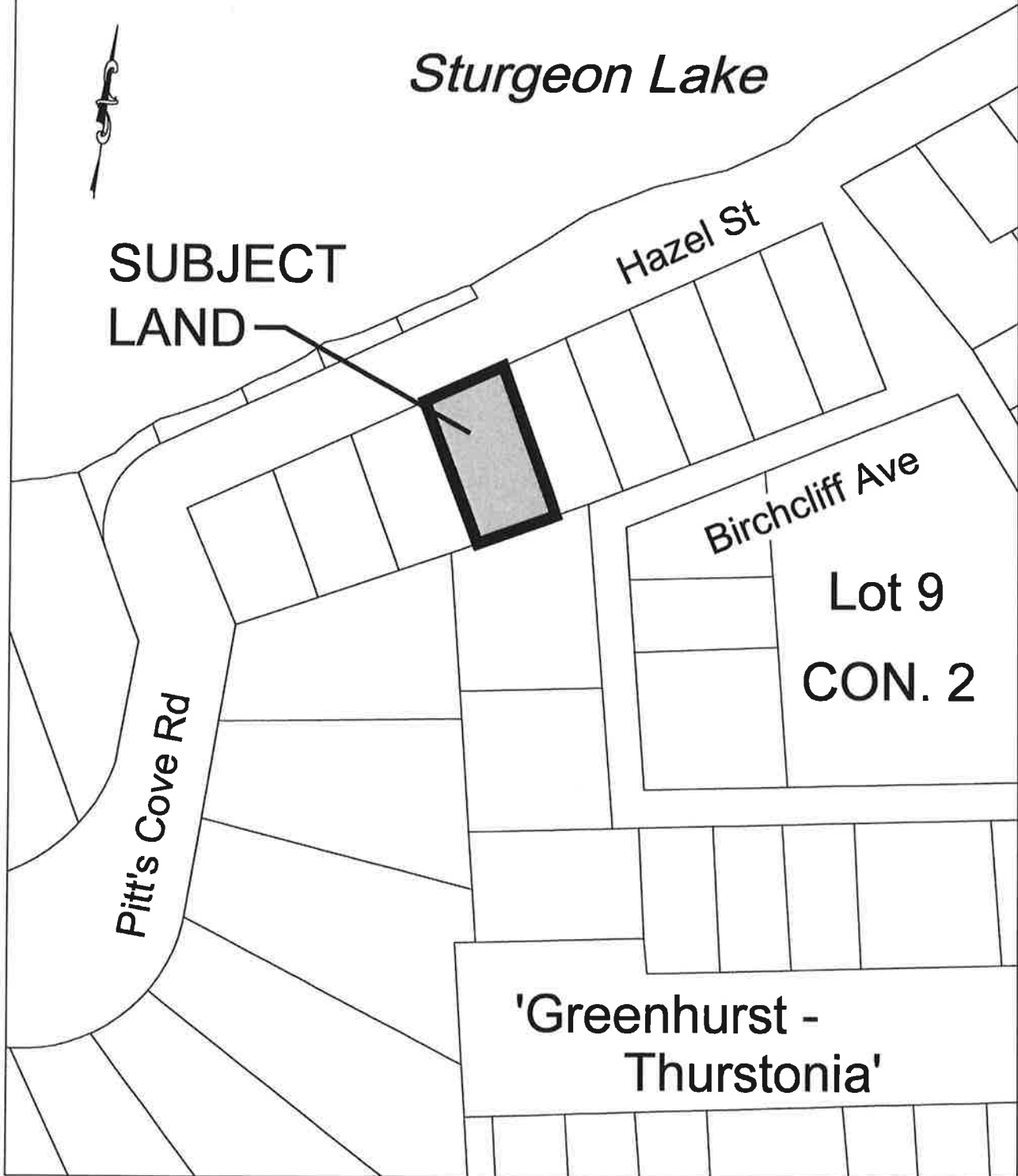
to

REPORT COA2019-005

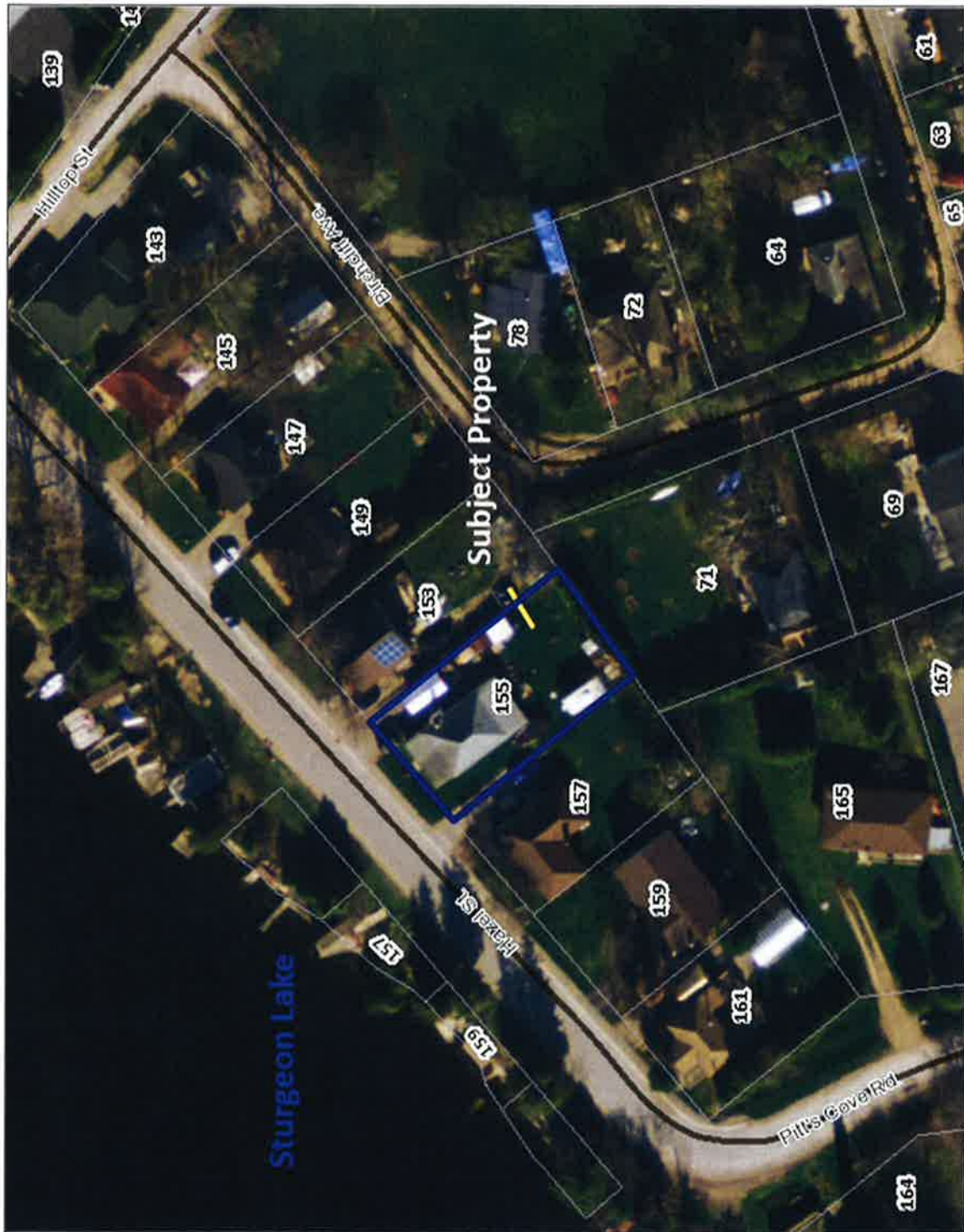
FILE NO: D20-2018-067

Geographic Township of Verulam

Sturgeon Lake



155 Hazel Street, geographic Township of Verulam



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



0.06 Kilometers
WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes

[illegible]

David Harding

APPENDIX " D "

to

From: Anne Elmhirst
Sent: Tuesday, January 08, 2019 5:01 PM
To: David Harding; Quadri Adebayo
Subject: D20-2018-067 - 155 Hazel St.

REPORT COA 2019-005

FILE NO. D20-2018-067

Hello David & Quadri,

I have received and reviewed the application for Minor Variance D20-2018-067 for an addition of a foundation to the existing dwelling at 155 Hazel Street. A search of records reveals no information in regards to the Use Permit for the sewage system. A site visit was completed to assess the location and components of the sewage system serving the property.

Through visual observation it was determined that a Class 4 Sewage System serves the dwelling. The location of the tank was confirmed through probing. The distribution lines connected to the tank could not be determined due to weather and frost. A minimum setback clearance distance will be required for the new foundation to any existing distribution line. The minimum setback will be required to be confirmed prior to construction proceeding. This can be determined through visual scoping or excavation. Should the distribution line currently be closer than the minimum requirement the structure will need to be relocated or the sewage system will require upgrading.

As such, the Building Division – Sewage System Program requests that a condition be applied to the minor variance to confirm the sewage system distribution lines.

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

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





Engineering & Corporate Assets Department
P.O. Box 9000, 12 Peel Street
Lindsay ON K9V 5R8
Tel: (705) 324-9411 Ext. 1152
Fax: (705) 324-2982
e-mail: csisson@kawarthalakes.ca
website: www.kawarthalakes.ca

MEMORANDUM

TO: Mark LaHay, Acting Secretary-Treasurer

CC: Kirk Timms, Engineering Technician
Kim Rhodes, Administrative Assistant
Charlotte Crockford-Toomey, Administrative Assistant

FROM: Christina Sisson, Supervisor, Development Engineering

DATE: January 8th, 2019

SUBJECT: Application for Minor Variance/Permission
D20-2018-067 – 155 Hazel Street
Geographic Township of Verulam, City of Kawartha Lakes

The Development Engineering Division has reviewed the City of Kawartha Lakes Committee of Adjustment Notice of Public Hearing for Minor Variance as well as the Application for Minor Variance/Permission received on January 4th, 2019.

It is our understanding that the applicant is applying for a minor variance to request relief from the following provisions in order to permit a dwelling to be raised and construct an uncovered porch and stairs to access the raised main level:

1. to reduce the minimum front yard setback from 7.5 metres to 2.9 metres for the dwelling,
2. to reduce the street centreline setback from 17.5 metres to 13.3 metres for the dwelling,
3. to reduce the street centreline setback from 17.5 metres to 10.9 metres for the uncovered porch and stairs; and
4. to permit the uncovered porch and stairs to project into the front yard up to a distance of 0.6 metres from the front lot line.

Further to our review of the above noted application, we confirm that we have no objection to the proposed minor variance and no engineering comments related to the proposed minor variance.

We respectfully request to be circulated should additional information be brought forward through the commenting period that changes the intent of the minor variance application and the corresponding report by Planning.

Please do not hesitate to contact our office if you have any questions.



The Corporation of the
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Community Services
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ldonnelly@kawarthalakes.ca
www.kawarthalakes.ca

LeAnn Donnelly, Executive Assistant, Community Services

MEMORANDUM

DATE: January 8, 2019
TO: Committee of Adjustment
FROM: LeAnn Donnelly, Executive Assistant, Community Services
RE: Various Applications

This memorandum confirms receipt of various applications to the Community Services Department and is intended to advise that our Department has no comments or concerns to offer the Committee with respect to the following minor variance applications:

D20-2018-063	14 Bradley Street, Manvers
D20-2018-064	94 Queen Street, Fenelon Falls
D20-2018-065	110 Jasper Drive, Township of Fenelon
D20-2018-066	Vacant land on Mary Street, Lindsay
D20-2018-067	155 Hazel Street, Township of Verulam
D20-2018-068	587 Scotch Line Road, Township of Verulam

LeAnn Donnelly

LeAnn Donnelly
Executive Assistant, Community Services

David Harding

From: Susanne Murchison
Sent: Monday, January 07, 2019 5:17 PM
To: David Harding
Cc: Charlotte Crockford-Toomey; Richard Holy; Quadri Adebayo
Subject: RE: January Variance Comments Due Soon

Sorry, only had these for two days now.

D20-2018-063 Building Division has no concerns. A building permit will be required for the proposed construction of the garage.

D20-2018-064 Building Division has no concerns.

D20-2018-065 Building Division has no concerns. A building permit will be required for the proposed construction of both the garage and workshop. Note: if the storage loft is accessible by a stair it must be code compliant and will be considered a storey for Ontario Building Code purposes.

D20-2018-066 Building Division has no concerns.

D20-2018-067 Building Division has no concerns. A building permit will be required for the proposed construction of the foundation and uncovered steps and landing.

D20-2018-068 Building Division has no concerns. A building permit will be required for the proposed construction of the cabin.

Susanne Murchison, CBCO
Chief Building Official
Building Division, Development Services, City of Kawartha Lakes
705-324-9411 ext. 1200 www.kawarthalakes.ca



From: David Harding
Sent: Monday, January 07, 2019 3:49 PM
To: Kirk Timms; Christina Sisson; Susanne Murchison; Anne Elmhirst; LeAnn Donnelly; Kent Stainton
(kstainton@kawarthaconservation.com)
Cc: Charlotte Crockford-Toomey; Richard Holy; Quadri Adebayo
Subject: January Variance Comments Due Soon

Hello everyone.

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Vigh
Report Number COA2019-006

Public Meeting

Meeting Date: January 17, 2019
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 6 –Geographic Township of Verulam

Subject: The purpose and effect is from the following provisions in order to permit a cabin and shed:

1. Section 5.16 to permit a cabin on a lot that does not meet the area, frontage, and shoreline requirements of the A1 Zone. Relief is also requested from this provision to permit a cabin as an accessory use to a year-round dwelling rather than a seasonal dwelling,
2. Section 5.1.3(b) to permit two accessory buildings within the front yard; and
3. Section 19.2(h) to increase the maximum permitted lot coverage from 10% to 12.2%.

The variance is requested at 587 Scotch Line Road, geographic Township of Verulam (File D20-2018-068).

Author: David Harding, Planner II

Signature:

Recommendations:

RESOLVED THAT Report COA2019-006 Vigh, be received;

THAT minor variance application D20-2018-068 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 the sketch in Appendix C submitted as part of Report COA2019-006, which shall be attached to and form part of the Committee's Decision; and
- 2) **THAT** the building construction related to the minor variances shall be completed within a period of twenty-four (24) 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 COA2019-006. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: There was an old cabin on approximately the same footprint as the new cabin under construction. The owner advises that the original intent was to renovate the old cabin, but it soon became evident that the building could not be salvaged and was demolished. A new cabin was in the process of being constructed without building permits when it was discovered by the Building Division. Through further review, staff determined that the shed within the front yard also required relief.

This application was last amended December 14, 2018.

Proposal: To recognize two accessory buildings (cabin and shed). The cabin is not proposed to contain washroom or kitchen facilities.

Owner: Susan Vigh

Legal Description: 587 Scotch Line Road, Part Lot 11, Concession 5, geographic Township of Verulam, City of Kawartha Lakes

Official Plan: Rural within the City of Kawartha Lakes Official Plan

Zone: Rural General (A1) Zone within the Township of Verulam Zoning By-law 6-87

Site Size: 1,458.65 square metres (15,700 square feet)

Site Servicing: Private individual well and septic system

Existing Uses: Residential

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

The subject property is situated in a rural area where there is a small cluster of rural residential lots. This specific parcel is surrounded by agricultural and rural land to the west, south and north. The dwelling on the agricultural lot to the north is in close proximity to the north lot line. The rural residential lots are located to the east and about 130 metres south.

The subject property is surrounded on all sides by vegetative buffers, which effectively screen the property from the road and neighbouring lots. No adverse impacts to the neighbourhood are anticipated due to the presence of the vegetative buffers.

There is a garage, constructed in 1966, present at the front of the property. The dwelling is located close to the rear lot line at the highest point on the property. A cabin and shed are proposed to be recognized between the front wall of the dwelling and front wall of the garage.

The northern interior side yard contains a deck and functions as the primary amenity and recreational space since the rear yard is so shallow. Due to the placement of the dwelling and use of the northern interior side yard as a primary amenity space, the only yard of sufficient size that remains to accommodate accessory buildings of modest size is the front yard.

The accessory cabin and shed provide additional amenity and storage space on the lot without adversely impacting the function of the front yard, as they are located near the two interior side lot lines, leaving the centre of the front yard open. As the garage is between the road and cabin, only the highest portion of the cabin's east gable wall is visible from the road. Due to the extensive vegetation near and along the front lot line, the shed is not visible from the road.

The increased lot coverage does not impair the area of available landscaped amenity space or the appearance of the property.

Due to the above analysis, the variances are minor in nature and 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 Rural General (A1) Zone permits a variety of rural uses, including single detached dwellings. The A1 Zone sets lower setback requirements for smaller lots used for residential purposes, but does not adjust the maximum lot coverage requirement. On smaller residential properties, restricting the maximum lot coverage to 10% can restrict the ability to construct sufficiently sized residential buildings or structures. Lots with the R1 and LSR Zone categories permit a maximum lot coverage of 33%. Since the subject property is a small lot within the A1 Zone used for residential purposes, permitting a total coverage of 12.2% is a modest increase that is still much less than the higher coverages permitted on lots with a residential zone category.

While the A1 lot coverage provision is exceeded, the General Provisions sets a maximum coverage of 10% for accessory buildings. The proposal complies with the maximum lot coverage within the General Provisions as a total accessory building coverage of 5.18% is proposed. While the dwelling covers a modest 7% of the property in comparison to the 5.18% for the accessory buildings, the dwelling retains its visual prominence as the primary use and building on the property. The increase in coverage also maintains the intent of the zoning by-law to maintain adequate landscaped open space for amenity, service (i.e.

sewage system and well) and storm water infiltration. Therefore, it is appropriate to increase the lot coverage to permit the additional accessory buildings.

The General Provisions appear to have been written on the premise that only a property containing a seasonal dwelling should have a cabin, and that such property should only contain a cabin if the lot complies with the zone requirements for shoreline/lot frontage, and lot area of the zone category. However, properties that contain year-round dwellings that do not abut water may also benefit from a cabin, as has been demonstrated historically on this lot. While the lot does not comply with the current size and area requirements for a residential use within the A1 Zone, the cabin can be placed in a location that does not interfere with the function of the property or front yard and does not impact the character of the neighbourhood.

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 Rural within the City of Kawartha Lakes Official Plan. Low density residential uses, along with accessory uses are anticipated within this designation.

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 septic system, which is to be replaced by a holding tank and two wells, one of which is to be decommissioned to permit the placement of the 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:

Engineering and Corporate Assets Department (January 8, 2019): No concerns.

Community Services Department (January 8, 2019): No concerns.

Building Division (January 7, 2019): No concerns. A building permit for the cabin is required.

Public Comments:

No comments as of January 8, 2019.

Attachments:



Appendices A-D to
Report COA2019-006.

Appendix A – Location Map

Appendix B – Aerial Photo

Appendix C – Applicant's Sketch

Appendix D – Department and Agency Comments

Phone: 705-324-9411 extension 1206

E-Mail: dharding@kawarthalakes.ca

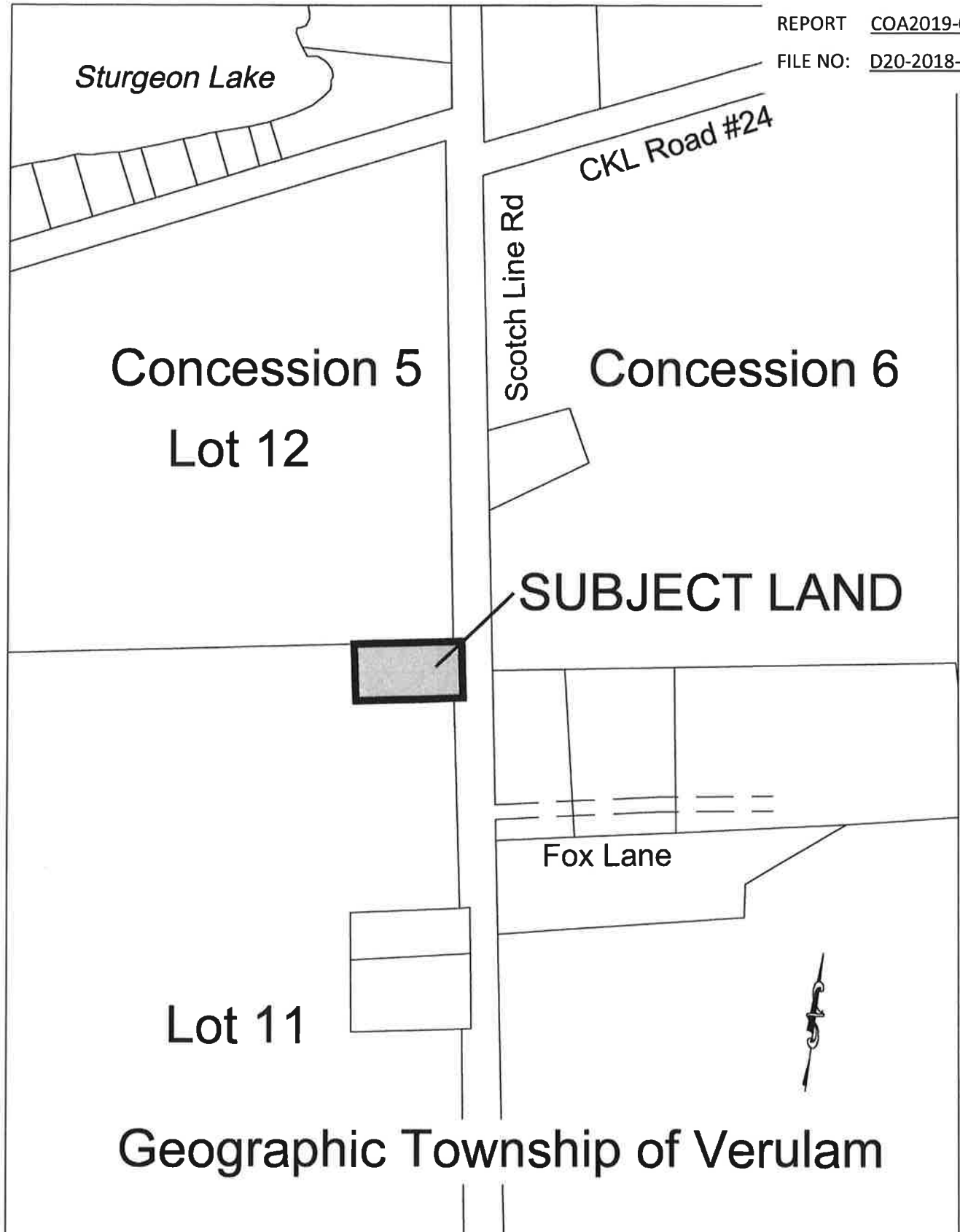
Department Head: Chris Marshall, Director of Development Services

Department File: D20-2018-068

to

REPORT COA2019-006

FILE NO: D20-2018-068





0.06

Kilometers
WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes



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

to

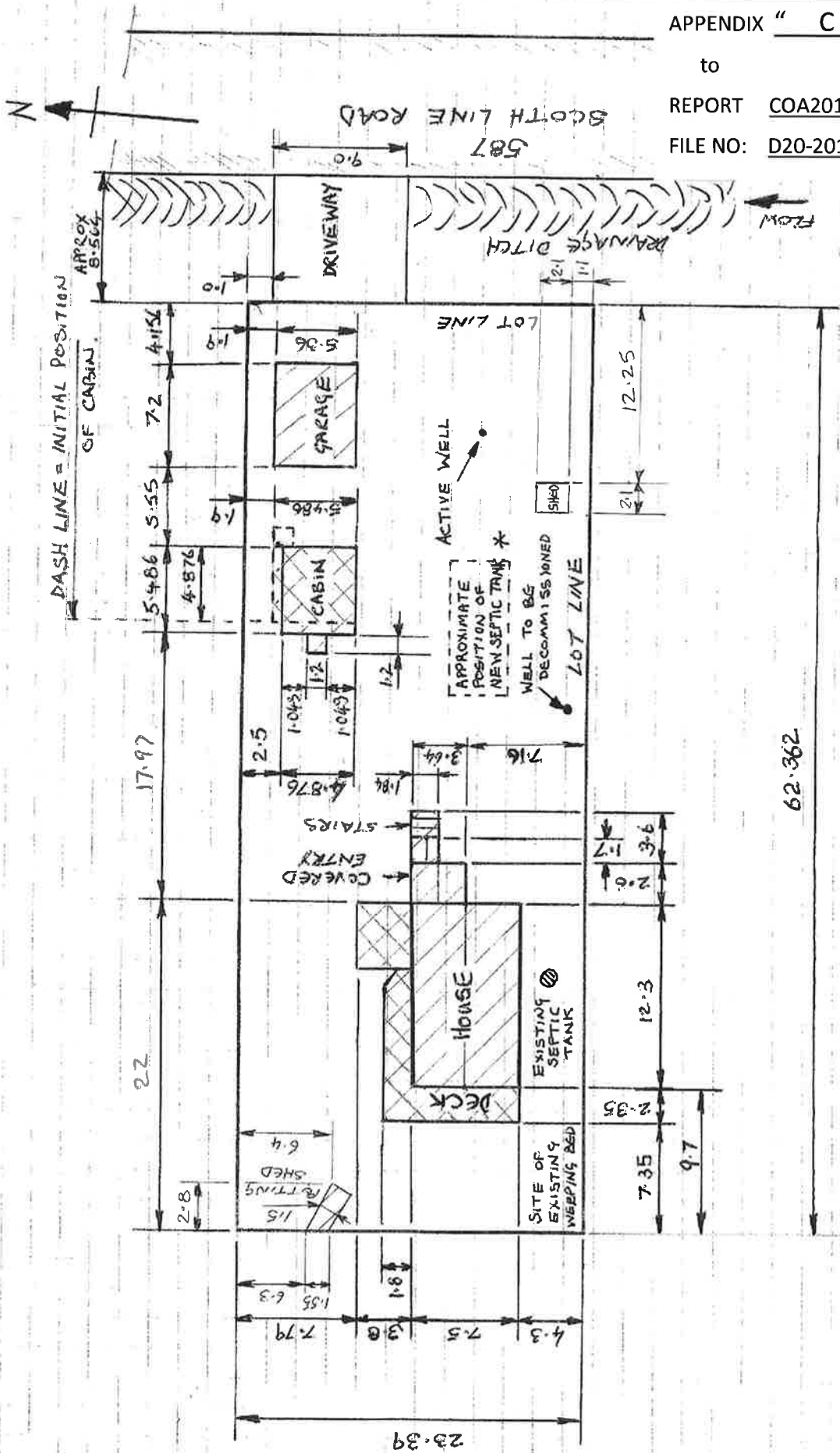
REPORT COA2019-005

FILE NO: D20-2018-067

**** REVIEWED BY EADES DRILLING
ON 29 NOVEMBER 2018.**

* NEW TANK WILL
A HOLDING TANK.

SCALE: 5mm = 1.0 m
ALL DIMENSIONS IN METERS





Engineering & Corporate Assets Department
P.O. Box 9000, 12 Peel Street
Lindsay ON K9V 5R8
Tel: (705) 324-9411 Ext. 1152
Fax: (705) 324-2982
e-mail: csisson@kawarthalakes.ca
website: www.kawarthalakes.ca

APPENDIX " D
to
REPORT CoA2019-006
FILE NO. D20-2018-068

MEMORANDUM

TO: Mark LaHay, Acting Secretary-Treasurer

CC: Kirk Timms, Engineering Technician
Kim Rhodes, Administrative Assistant
Charlotte Crockford-Toomey, Administrative Assistant

FROM: Christina Sisson, Supervisor, Development Engineering

DATE: January 8th, 2019

SUBJECT: Application for Minor Variance/Permission
D20-2018-068 – 587 Scotch Line Road
Geographic Township of Verulam, City of Kawartha Lakes

The Development Engineering Division has reviewed the City of Kawartha Lakes Committee of Adjustment Notice of Public Hearing for Minor Variance as well as the Application for Minor Variance/Permission received on January 4th, 2019.

It is our understanding that the applicant is applying for a minor variance to request relief from the following provisions in order to permit a cabin and shed:

1. to permit a cabin on a lot that does not meet the area, frontage, and shoreline requirements of the A1 Zone. Relief is also requested from this provision to permit a cabin as an accessory use to a year-round dwelling rather than a seasonal dwelling,
2. to permit two accessory buildings within the front yard; and
3. to increase the maximum permitted lot coverage from 10% to 12.2%.

Further to our review of the above noted application, we confirm that we have no objection to the proposed minor variance and no engineering comments related to the proposed minor variance.

We respectfully request to be circulated should additional information be brought forward through the commenting period that changes the intent of the minor variance application and the corresponding report by Planning.

Please do not hesitate to contact our office if you have any questions.



The Corporation of the
City of Kawartha Lakes
Community Services
50 Wolfe Street
Lindsay, Ontario K9V 2J2
Tel: 705-324-9411 ext 1300
Toll Free: 1-888-822-2225
ldonnelly@kawarthalakes.ca
www.kawarthalakes.ca

LeAnn Donnelly, Executive Assistant, Community Services

MEMORANDUM

DATE: January 8, 2019
TO: Committee of Adjustment
FROM: LeAnn Donnelly, Executive Assistant, Community Services
RE: Various Applications

This memorandum confirms receipt of various applications to the Community Services Department and is intended to advise that our Department has no comments or concerns to offer the Committee with respect to the following minor variance applications:

D20-2018-063	14 Bradley Street, Manvers
D20-2018-064	94 Queen Street, Fenelon Falls
D20-2018-065	110 Jasper Drive, Township of Fenelon
D20-2018-066	Vacant land on Mary Street, Lindsay
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LeAnn Donnelly

LeAnn Donnelly
Executive Assistant, Community Services

David Harding

From: Susanne Murchison
Sent: Monday, January 07, 2019 5:17 PM
To: David Harding
Cc: Charlotte Crockford-Toomey; Richard Holy; Quadri Adebayo
Subject: RE: January Variance Comments Due Soon

Sorry, only had these for two days now.

D20-2018-063 Building Division has no concerns. A building permit will be required for the proposed construction of the garage.

D20-2018-064 Building Division has no concerns.

D20-2018-065 Building Division has no concerns. A building permit will be required for the proposed construction of both the garage and workshop. Note: if the storage loft is accessible by a stair it must be code compliant and will be considered a storey for Ontario Building Code purposes.

D20-2018-066 Building Division has no concerns.

D20-2018-067 Building Division has no concerns. A building permit will be required for the proposed construction of the foundation and uncovered steps and landing.

D20-2018-068 Building Division has no concerns. A building permit will be required for the proposed construction of the cabin.

Susanne Murchison, CBCO
Chief Building Official
Building Division, Development Services, City of Kawartha Lakes
705-324-9411 ext. 1200 www.kawarthalakes.ca



From: David Harding
Sent: Monday, January 07, 2019 3:49 PM
To: Kirk Timms; Christina Sisson; Susanne Murchison; Anne Elmhirst; LeAnn Donnelly; Kent Stainton
(kstainton@kawarthaconservation.com)
Cc: Charlotte Crockford-Toomey; Richard Holy; Quadri Adebayo
Subject: January Variance Comments Due Soon

Hello everyone.

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Banderk
Report Number COA2019-007

Public Meeting

Meeting Date: January 17, 2019
Time: 1:00 pm
Location: Council Chamber, City Hall, 26 Francis Street, Lindsay

Ward: 1– Geographic Township of Laxton

Subject: The purpose and effect is to request relief from Section 4.2(g) to reduce the minimum water setback from 15 metres to 10 metres to permit an addition to a single detached dwelling.

The variance is requested at 118 Shadow Lake Road 3, geographic Township of Laxton (File D20-2018-060).

Author: David Harding, Planner II

Signature:

Recommendations:

RESOLVED THAT Report COA2019-007 Banderk, be received;

THAT minor variance application D20-2018-060 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 the sketch in Appendix C and elevations in Appendix D submitted as part of Report COA2019-007, which shall be attached to and form part of the Committee's Decision; and
- 2) **THAT** the building construction related to the minor variances shall be completed within a period of twenty-four (24) 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 COA2019-007. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Background:	At its November 29, 2018 meeting, the Committee of Adjustment deferred the application for a period of up to four months in order to permit the owner time to revise the design of the addition to minimize its prominence. The applicant has provided revised drawings.
Proposal:	To construct an addition measuring approximately 6.3 metres (20.7 feet) x 5.9 metres (19.4 feet) on the southern corner of the dwelling.
Owner:	Kenneth Banderk
Legal Description:	Lot 22, Plan 455, geographic Township of Laxton, City of Kawartha Lakes
Official Plan:	Waterfront within the City of Kawartha Lakes Official Plan
Zone:	Rural Residential Type Two (RR2) Zone within the United Townships of Laxton, Digby and Longford Zoning By-law 32-83
Site Size:	3,600 square metres (0.89 acres)
Site Servicing:	Private individual well and septic system
Existing Uses:	Shoreline Residential
Adjacent Uses:	North: Shoreline Residential South: Shoreline Residential East: Shadow Lake West: Shoreline Residential

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 property is located within a shoreline residential neighbourhood consisting of year-round and seasonal dwellings.

From the front lot line, the topography slopes downward, rising steadily approaching the dwelling, and rising a bit more within the rear yard before quickly sloping down to the shoreline. The owner advises that the rise within the rear yard reflects the presence of shallow bedrock.

The dwelling is situated at an angle to the shoreline and the shoreline also has a small inlet at the southern end of the property, bringing the shoreline closer to the dwelling. The south corner of the existing dwelling is approximately 12.3 metres from the shoreline. The sewage system is located within the north interior side yard. The south interior side yard provides access to the dock and swimming area.

There are two decks within the rear yard: one near grade level in-front of the bump-out in the rear wall, and a higher deck off the south corner. The higher deck provides rear yard access from the kitchen. The addition is proposed on the footprint of the higher deck. The near-grade deck is to be retained, and will serve as the rear yard access for the addition.

The addition will provide additional space for the dwelling in the form of an enlarged living/family room. An addition to the rear of the dwelling in a location that complies with the water setback is challenging due to the raised bedrock, septic system location which hinders construction access and need to maintain an open south interior side yard for water access.

The addition is proposed in a location which makes the greatest use of the existing floorplan and utilises land which is already subject to site disturbance. The orientation of the addition's rear yard access in addition to the readily sloping topography to the south and west ensures that no deck expansion around the new addition is possible.

From the above analysis, the variance is desirable and appropriate for the use of the land and minor in nature.

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

Yes

The property is zoned Rural Residential Type Two (RR2) Zone within the United Townships of Laxton, Digby and Longford Zoning By-law 32-83. One of the purposes of the water setback is to ensure adequate spatial separation between built form and the shoreline to permit stormwater infiltration. The intent of the water setback is being maintained as the addition is at an angle to the shoreline as while the corner will be slightly (2.3 metres) closer to the shoreline than the existing dwelling, the balance of the addition shall be not closer to the shoreline. The area of existing landscaped open space between the addition and shoreline to provide for infiltration is not changing.

Massing impacts are also minimized as the addition proposes a flat roof, ensuring that the building height is not as visible or imposing from the lake.

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 located within the Waterfront designation of the City of Kawartha Lakes Official Plan. Within this designation, residential uses are anticipated.

The Official Plan outlines a minimum water setback of 15 metres may be considered for an existing lot of record that has development less than 30 metres from the shoreline and where there is insufficient area to meet the setback. The intent of the Official Plan is not to extinguish development potential where this setback cannot be met.

Topography, proximity of bedrock, septic system location, and shoreline access route limit opportunities for expansion to the existing dwelling. Due to the orientation of the dwelling and an inlet to the south, it is the southern corner of the dwelling which protrudes into the water setback rather than the entire rear wall. The remainder of the existing dwelling meets or exceeds the required water setback.

The Official Plan also contains policies that encourage built form to be modest in scale so as to not detract from the natural shoreline landscape. The proposed addition minimizes height and massing by proposing a flat roof and glass wall design.

Due to the topography of the lot, the southwestern wall of the dwelling contains a walk-out basement. The new design also proposes to retain the existing topography, which rises to the rear and side of the proposed addition. By retaining this topography, the ground is much closer to the first floor of the addition, preventing a walk-out basement in this location and minimizing the overall height of the addition when viewed from the shoreline.

It is staff's opinion that the variance meets the general intent and purpose of the Official Plan.

Other Alternatives Considered:

Through discussions with the applicant, revised conceptual drawing have been prepared which addresses staff concerns with respect to potential shoreline massing.

Servicing Comments:

The property is serviced by 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:

Kawartha Region Conservation Authority (November 19, 2018): No concerns.

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

Community Services Department (January 4, 2019): No concerns.

Public Comments:

No comments as of January 8, 2019.

Attachments:



Appendices A-E to
Report COA2019-007.

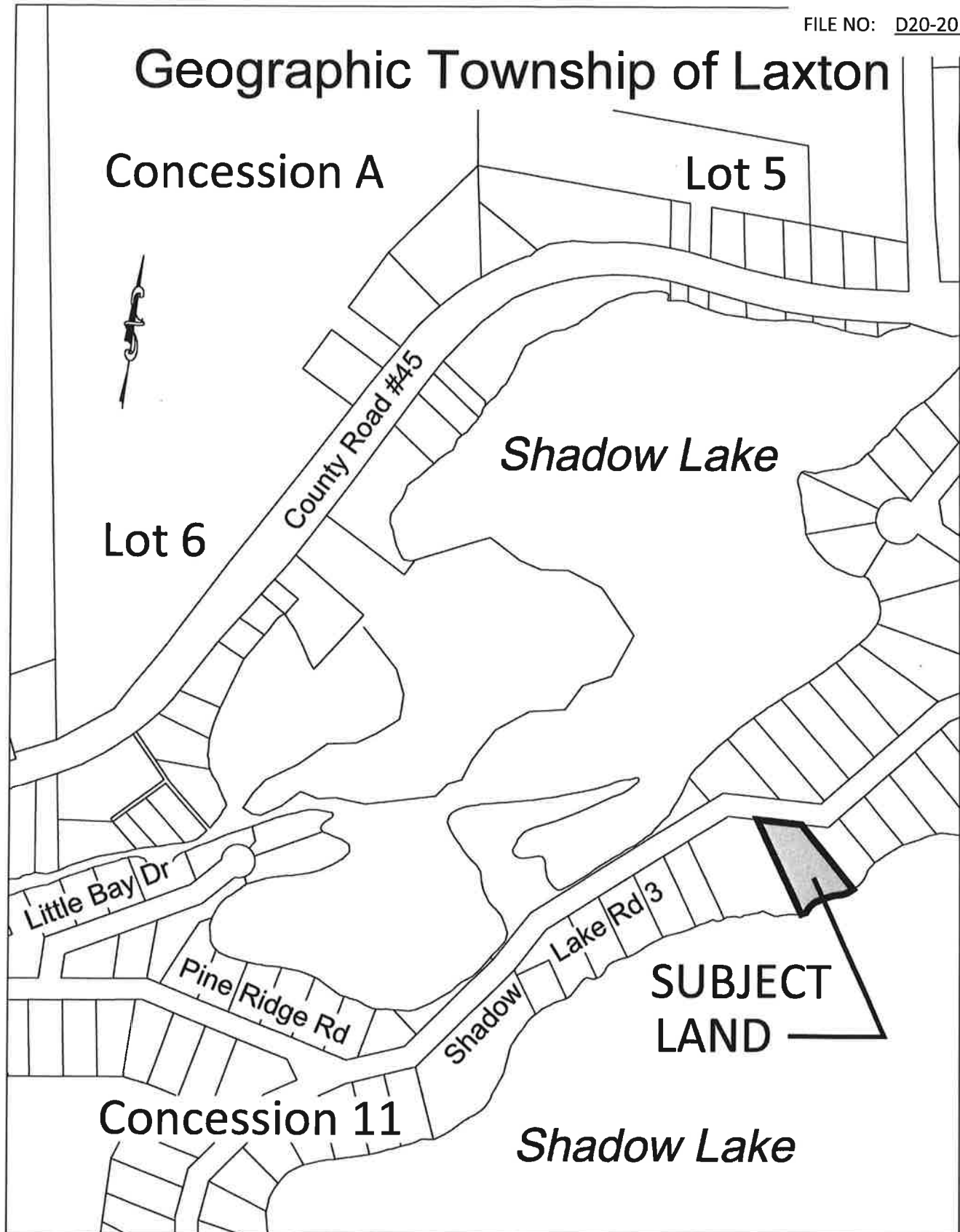
Appendix "A" – Location Map
Appendix "B" – Aerial Photo
Appendix "C" – Applicant's Sketch
Appendix "D" – Conceptual Elevations
Appendix "E" – Department and Agency Comments

Phone:	705-324-9411 extension 1206
E-Mail:	dharding@kawarthalakes.ca
Department Head:	Chris Marshall, Director of Development Services
Department File:	D20-2018-060

to

REPORT COA2019-007

FILE NO: D20-2018-060

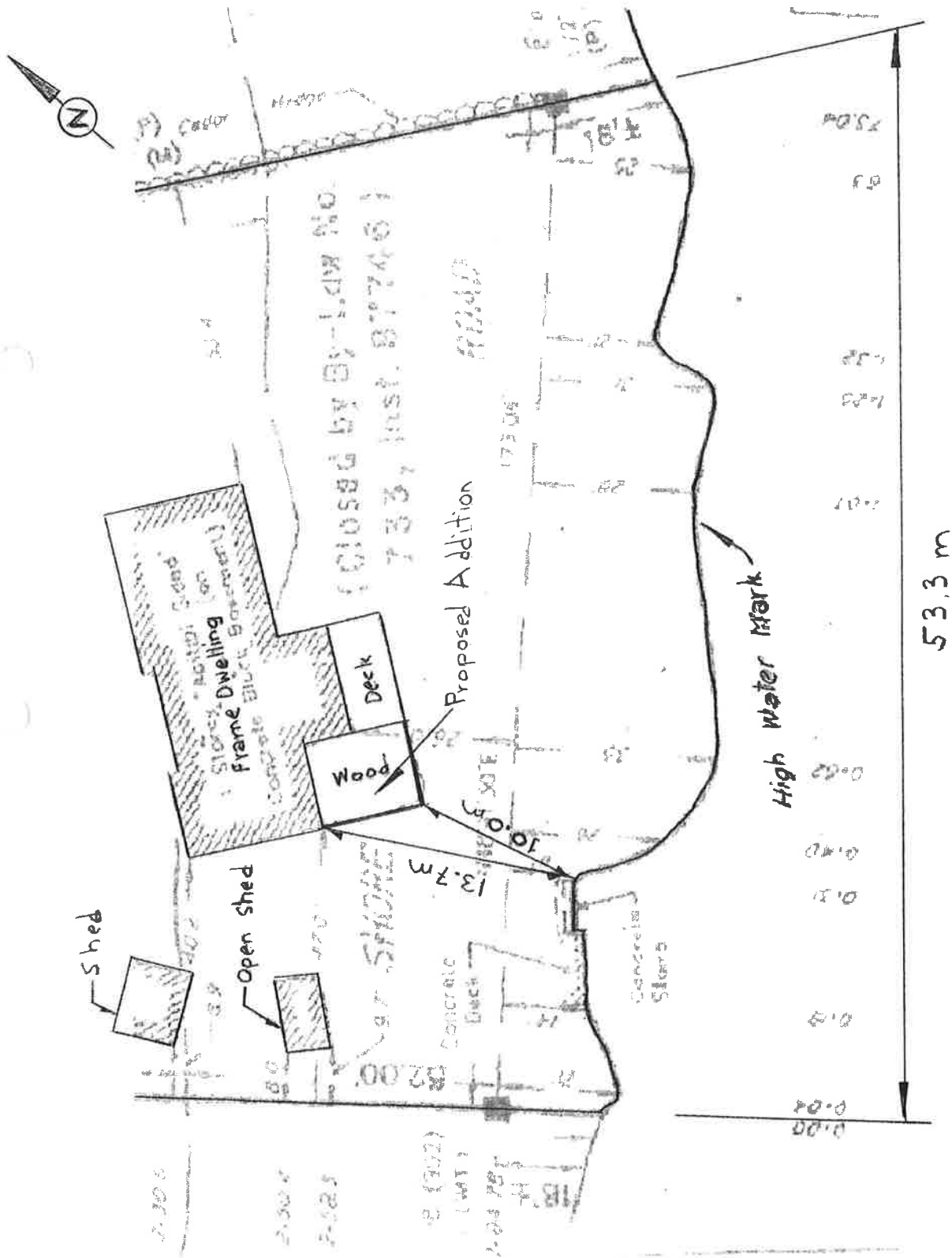




FILE NO: D20-2018-060



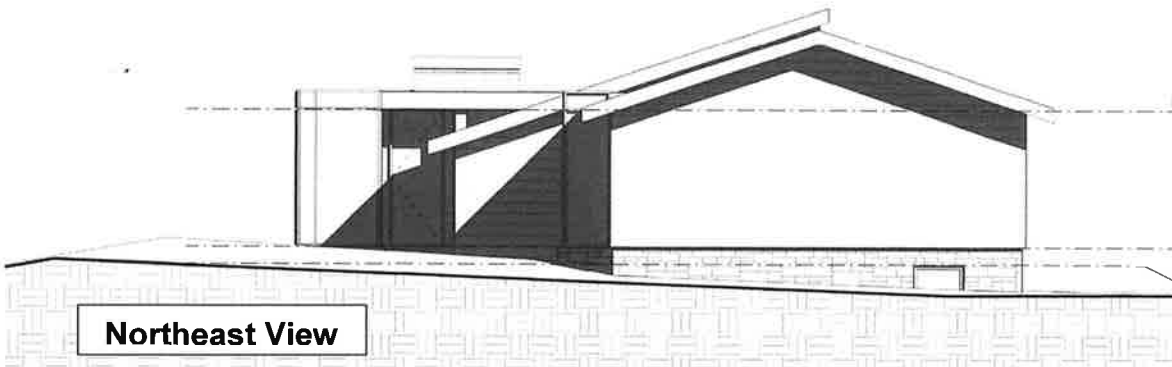
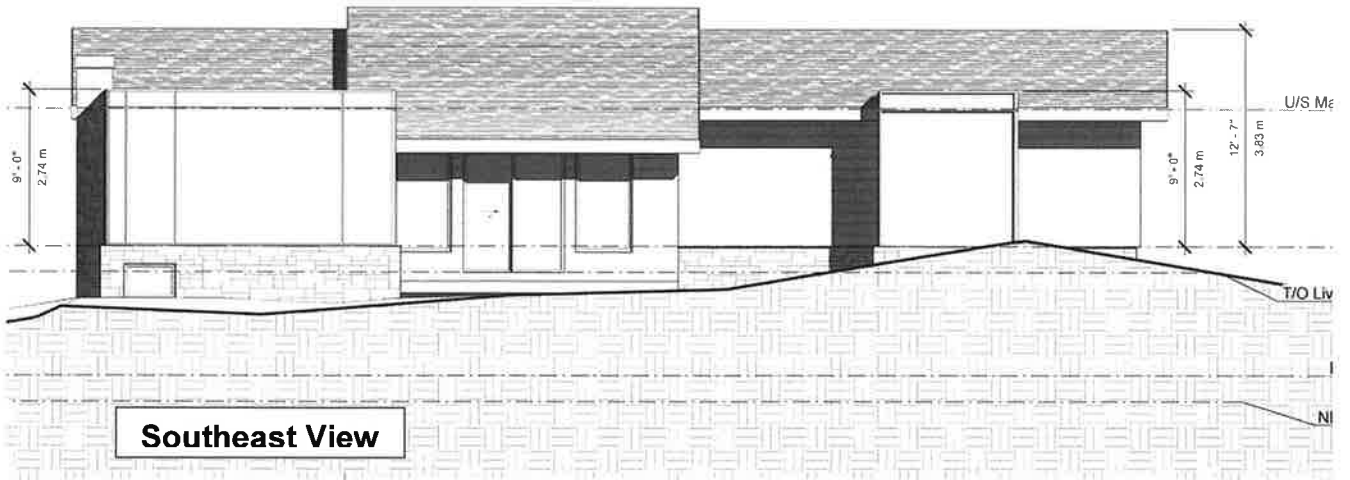
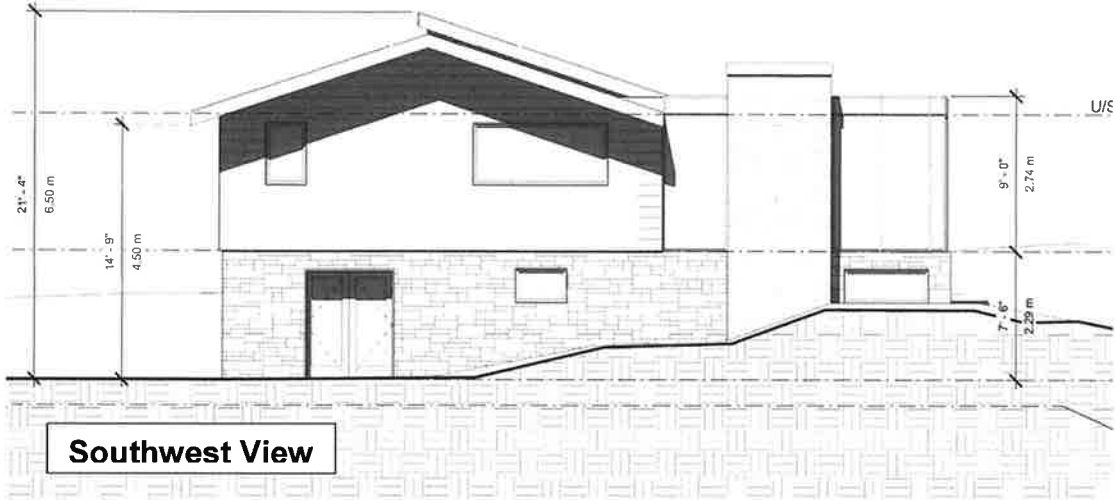
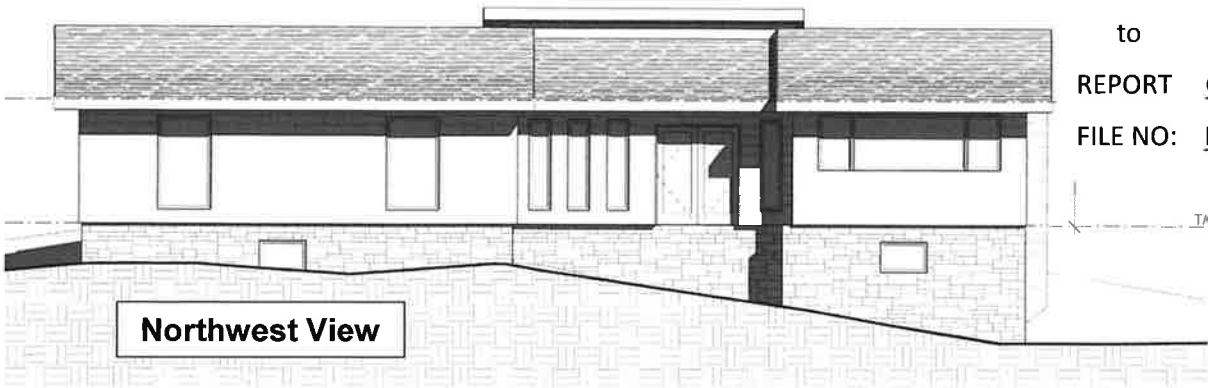
SKETCH A



to

REPORT COA2019-007

FILE NO: D20-2018-060





Engineering & Corporate Assets Department
P.O. Box 9000, 12 Peel Street
Lindsay ON K9V 5R8
Tel: (705) 324-9411 Ext. 1152
Fax: (705) 324-2982
e-mail: csisson@kawarthalakes.ca
website: www.kawarthalakes.ca

APPENDIX " E
to
REPORT COA 2019-007
FILE NO. D20-2018-060

MEMORANDUM

TO: Mark LaHay, Acting Secretary-Treasurer

CC: Kirk Timms, Engineering Technician
Kim Rhodes, Administrative Assistant
Charlotte Crockford-Toomey, Administrative Assistant

FROM: Christina Sisson, Supervisor, Development Engineering

DATE: November 20th, 2018

SUBJECT: Application for Minor Variance/Permission
D20-2018-060 – 118 Shadow Lake Road 3
Lot 22, Plan 455
Geographic Township of Laxton, City of Kawartha Lakes

The Development Engineering Division has reviewed the City of Kawartha Lakes Committee of Adjustment Notice of Public Hearing for Minor Variance as well as the Application for Minor Variance/Permission received on November 15th, 2018.

It is our understanding that the applicant is applying for a minor variance to request relief from Section 4.2(g) to reduce the minimum water setback from 15 metres to 10 metres to permit an addition to a single detached dwelling.

Further to our review of the above noted application, we confirm that we have no objection to the proposed minor variance and no engineering comments related to the proposed minor variance.

We respectfully request to be circulated should additional information be brought forward through the commenting period that changes the intent of the minor variance application and the corresponding report by Planning.

Please do not hesitate to contact our office if you have any questions.

Via E-Mail: mlahay@kawarthalakes.ca

Mark LaHay
Acting Secretary-Treasurer
Committee of Adjustment
City of Kawartha Lakes
180 Kent Street West
Lindsay, ON K9V 2Y6

Regarding: Application for Minor Variance – D20-2018-060
Ken Banderk
118 Shadow Lake Road No. 3, Part of Lot 22, Concession 11 (Shadow Lake)
Geographic Township of Somerville
City of Kawartha Lakes

Dear Mr. LaHay:

This Letter acknowledges the receipt of the above noted application. Kawartha Region Conservation Authority (KRCA) staff have reviewed this application and provided the following comments:

Application Purpose

It is our understanding that the purpose of this application is to request the following variance to consider relief from the United Townships of Laxton, Digby and Longford Zoning By-law 32-83, as amended. The purpose and effect is to request relief from Section 4.2 (g) to:

1) Reduce the minimum water setback from 15 metres to 10 metres to permit an addition to a single detached dwelling.

Applicable Kawartha Conservation Regulations and Policies

Ontario Regulation 182/ 06 (as amended):

The subject property is located outside of Kawartha Conservation's defined watershed boundary.

Application-Specific Comments

KRCA 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

Hazardous Lands (Flooding/Erosion Hazards)

To ensure conformity with Section 3.1 of the Provincial Policy Statement (PPS, 2014), Kawartha Conservation aims to prevent new development from locating in areas where there is a potential for loss of life and/or property damage from natural hazards. Moreover, KRCA Plan Review Policies (Section 2.4.2.4) for Natural Hazards identifies that applications shall not create new or exacerbate existing hazardous conditions. Due to the anthropogenic influence in manipulating lake levels, Shadow Lake experiences considerable fluctuations during certain times of the year. As there is no recorded Regulatory flood level for Shadow Lake, Kawartha Conservation policies propose development be setback from the shoreline at least 15 metres and be located at least one (1) metre above the spring high watermark.

According to the survey provided, it appears the proposed addition is situated at least one metre above the spring high watermark and does not appear to represent an increased risk to life and property.

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.

Furthermore, Policy 2.1.8 of *Provincial Policy Statement* states,

“Development and site alteration shall not be permitted on adjacent lands (120m) to fish habitat unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions”.

The Ministry of Natural Resources and Forestry (MNRF) recommends a minimum vegetated buffer for fish habitat of 30 metres. Based on the Kawartha Conservation’s mapping, the proposed dwelling is located within the 30 metre setback.

Based on MNRF’s direction, in cases where a site specific technical report (e.g. Environmental Impact Study) has evaluated the ecological function of the adjacent land and has demonstrated that smaller buffer widths would be appropriate to ensure no negative impacts on the fish habitat; a minimum 15 metre buffer width may be acceptable.

While Shadow Lake is fish habitat, the proposed covered porch does not encroach towards the shoreline further than the existing development footprint.

During all phases of construction, appropriate erosion and sediment controls (i.e. silt fencing as per OPSD 219.100) should be implemented between disturbed areas and Shadow Lake to prevent sediment-laden runoff from entering into the lake. The silt fencing must be maintained and remain in-place until all disturbed soils have become revegetated.

Recommendation

Based on our review of the natural hazards and natural heritage features adjacent to the property, Kawartha Conservation staff has no objections to the approval of Minor Variance Application D20-2018-060, provided the proposed works are constructed as per the plans submitted to Kawartha Conservation for review.

The above comments reflect our understanding, at the time of writing, of the best available data, applicable policies and regulations. I trust this meets your information requirements at this time. Should you have any questions regarding this matter, please do not hesitate to contact this office.

Yours Truly,



Kent Stainton
Resources Planner
Extension 232
kstainton@kawarthaconservation.com

cc: David Harding, City of Kawartha Lakes
Quadri Adebayo, City of Kawartha Lakes
Charlotte Crockford-Toomey, City of Kawartha Lakes

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The Corporation of the
City of Kawartha Lakes
Community Services
50 Wolfe Street
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Toll Free: 1-888-822-2225
ldonnelly@kawarthalakes.ca
www.kawarthalakes.ca

LeAnn Donnelly, Executive Assistant, Community Services

MEMORANDUM

DATE: January 4, 2019
TO: Committee of Adjustment
FROM: LeAnn Donnelly, Executive Assistant, Community Services
RE: Various Applications

This memorandum confirms receipt of various applications to the Community Services Department and is intended to advise that our Department has no comments or concerns to offer the Committee with respect to the following minor variance applications:

D20-18-049	105 Brook Road, Somerville
D20-18-053	Part Lots 3 and 4 Concession 2
D20-18-054	4284 Highway 7
D20-18-055	61 Kenhill Beach Road
D20-18-056	1473 Highway 7A
D20-18-057	674 County Road 24
D20-18-058	62 Woods Avenue
D20-18-059	340 St. Lukes Road
D20-18-060	118 Shadow Lake Road 3
D20-18-061	42 Mary Street West
D20-18-062	18 Golden Road

LeAnn Donnelly

LeAnn Donnelly
Executive Assistant, Community Services