

# **The Corporation of the City of Kawartha Lakes**

## **Agenda**

### **Committee of Adjustment Meeting**

**COA2019-06**

**Thursday, June 20, 2019**

**1:00 P.M.**

**Council Chambers**

**City Hall**

**26 Francis Street, Lindsay, Ontario K9V 5R8**

#### **Members:**

**Councillor E. Yeo**

**David Marsh**

**Andre O'Bumsawin**

**Sandra Richardson**

**Lloyd Robertson**

**Steve Strathdee**

Accessible formats and communication supports are available upon request.

1.	<b>Call to Order</b>	
2.	<b>Administrative Business</b>	
2.1	Adoption of Agenda	
2.1.1	COA2019-06.2.1.1 June 20, 2019 Committee of Adjustment Agenda	
2.2	Declaration of Pecuniary Interest	
2.3	Adoption of Minutes	
2.3.1	COA2019-05.2.3.1 May 16, 2019 Committee of Adjustment Minutes	5 - 16
3.	<b>New Applications</b>	
3.1	Minor Variances	
3.1.1	COA2019-034 Quadri Adebayo, Planner II File Number: D20-2019-023 Location: 467 Sandhills Road Part Left-North Half Lot 8, Concession 8, Part 1, 57R-5396 Geographic Township of Eldon Owners: Patricia and William White Applicant: Patricia White	17 - 26
3.1.2	COA2019-035 David Harding, Planner II File Number: D20-2019-024 Location: 202 Moorings Drive Part West Half of Lot 24, Concession 1, Part 1, 57R-5054 Geographic Township of Somerville Owners: Wayne and Brian Alldridge Applicant: Doug Van Halteren	27 - 38

3.1.3	COA2019-036	39 - 52
	David Harding, Planner II File Number: D20-2019-025 Location: 80 McLeish Drive Part Lot 17, Plan 313, Part Shore Road Allowance, Part 1, 57R-10642 Geographic Township of Dalton Owners: Shane and Barbara Sherar	
3.1.4	COA2019-037	53 - 63
	Quadri Adebayo, Planner II File Number: D20-2019-026 Location: 64 Sturgeon Crescent Part Lot 3, Concession 8, Plan 593, Lot 12 Geographic Township of Fenelon Owners: Charlotte and William Hastie Applicant: Garry Newhook	
3.1.5	COA2019-038	64 - 76
	David Harding, Planner II File Number: D20-2019-027 Location: 15 Courtney Lane Part Lot 15, Concession 8 Geographic Township of Verulam Owners: Sergey and Elena Bogdanets Applicant: Sergey Bogdanets	
3.2	Consents	
4.	<b>Deferred Applications</b>	
4.1	Minor Variances	

4.1.1	COA2019-010	77 - 92
	<p>Quadri Adebayo, Planner II  File Number: D20-2019-003  Location: 23 Westview Drive  Part Lot 17, Concession 8  Geographic Township of Emily  Owner: Betty Ann Oliver</p>	
4.1.2	COA2019-040	93 - 155
	<p>Quadri Adebayo, Planner II  File Number: D20-2019-009  Location: 20 Griffin Drive  Part of Lot 19, Concession 7, Lot 4 on Plan 327  Geographic Township of Somerville  Owner: Frank Danek  Applicant: Phillip Danek</p>	
4.2	Consents	
5.	<b>Other Business</b>	
6.	<b>Correspondence</b>	
7.	<b>Next Meeting</b>	
	The next meeting will be Thursday, July 18, 2019 at 1:00pm. in Council Chambers, City Hall.	
8.	<b>Adjournment</b>	



**The Corporation of the City of Kawartha Lakes**  
**Minutes**  
**Committee of Adjustment Meeting**

**COA2019-05**  
**Thursday, May 16, 2019**  
**1:00 P.M.**  
**Council Chambers**  
**City Hall**  
**26 Francis Street, Lindsay, Ontario K9V 5R8**

**Members:**  
**Councillor E. Yeo**  
**David Marsh**  
**Andre O'Bumsawin**  
**Sandra Richardson**  
**Lloyd Robertson**  
**Steve Strathdee**

**Accessible formats and communication supports are available upon request.**

## 1. **Call to Order**

Chair Robertson called the meeting to order at 1:01pm. Councillor E. Yeo and Members A. O'Bumsawin, S. Richardson, and S. Strathdee were in attendance.

Acting Secretary-Treasurer - M. LaHay  
Recording Secretary - C. Crockford-Toomey

Absent: D. Marsh

## 2. **Administrative Business**

### 2.1 Adoption of Agenda

#### 2.1.1 COA2019-05.2.1.1

May 16, 2019

Committee of Adjustment Agenda

**Moved By** Councillor E. Yeo

**Seconded By** S. Strathdee

**That** the agenda for May 16, 2019 meeting be approved.

**Carried**

### 2.2 Declaration of Pecuniary Interest

There were no declarations of pecuniary interest noted.

### 2.3 Adoption of Minutes

#### 2.3.1 COA2019-004.2.3.1

April 18, 2019

Committee of Adjustment Minutes

**Moved By** S. Strathdee

**Seconded By** S. Richardson

**That** the minutes for the previous meeting held April 18, 2019 be adopted as circulated.

**Carried**

### **3. New Applications**

#### **3.1 Minor Variances**

##### **3.1.1 COA2019-022**

David Harding, Planner II  
 File Number: D20-2019-014  
 Location: 2173 Elm Tree Road  
 Part East 1/2 Lot 3, Concession 1, Part 1, 57R-6378  
 Geographic Township of Fenelon  
 Owners: Matthew and Amy Coultice  
 Applicant: RWH Construction - Ryan Hayter

Mr. Harding summarized Report COA2019-022, to request relief to permit a detached garage within a front yard instead of an interior side or rear yard. The application is a result of a Building Division enforcement matter. The detached garage was constructed without a building permit. Staff stated that they had discussed the proposed modifications with the owners.

The Committee asked enquired why Condition 3, which requires the removal of the bus shelter, was recommended. Staff replied that the zoning by-law permits a maximum of three existing accessory buildings on a lot. Without its removal, there would be four buildings.

The Committee questioned the intent of Condition 4, which requests modifications to the building elevation drawings, when the garage already exists. Staff replied although the garage is already constructed, a permit has not been issued, therefore changes to add faux windows have not been included.

The Committee asked for clarification on the Building Division enforcement issue. Ms. Murchison, Chief Building Official was present and spoke to the Committee regarding timeline of events. Ms. Murchison concluded that in January, 2019 the building inspector was contacted to conduct the final inspection, but upon review, the inspector noted that a building permit was not issued. The Committee asked for confirmation as to whether a building permit was issued. Ms. Murchison confirmed that no building permit was issued.

The applicant, Ryan Hayter of RWH Construction was present and spoke to the Committee. He began by thanking the Committee and Staff. Mr. Hayter continued to say he had applied for a building permit and had an initial meeting

with the building inspector. He stated that while there is no hardcopy evidence that his office was contacted notifying them that the building permit was not issued, he took full responsibility for building without a permit. He further stated that he has been working with the City to bring the building into conformity.

The Committee asked the applicant if it is common practice to build without a permit in hand. Mr. Hayter replied it is not uncommon for the building inspector to give a verbal go-ahead with the building permit to follow. The Committee responded by asking whether the owners or his company were responsible for causing this situation. Mr. Hayter replied that his company takes full responsibility.

The Committee stated it takes 10 days to issue a building permit, and questioned why his company did not wait until the permit had been issued to proceed with construction. The Committee continued by asking if it was conveyed to him that the building did not comply with the zoning by-law, which is why the permit was not issued. Mr. Hayter said he could not recall timelines, but stated that everyone gets busy and he realises that he erred.

Mr. Hayter stated that he had been advised by Staff that windows will need to be placed upon the garage, and is concerned that the windows serve no purpose and pose a security concern as it will allow people to see in.

The Committee noted that the staff report had taken that concern into account, and that faux windows were proposed instead. The Chair cautioned Mr. Hayter that there are rules to abide by.

One of the owners, Mrs. Coultice was present and spoke to the Committee. She stated that she will accept whatever treatments the Committee deems necessary, but would prefer plantings instead.

Councillor Yeo supported the staff recommendation and agreed with the Chair that the rules must be followed.

The Committee or other persons had no further questions.

**Moved By** A. O'Burnsawin

**Seconded By** S. Richardson

**That** minor variance application D20-2019-014 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

**Conditions:**

1. **That** the building construction of the detached garage related to this approval shall proceed substantially in accordance with the sketch in Appendix C submitted as part of Report COA2019-022, which shall be attached to and form part of the Committee's Decision;
2. **That** the east wall of the detached garage shall contain two artificial/faux windows in accordance with Appendix E to Report COA2019-022;
3. **That** prior to the issuance of a building permit the Chief Building Official or his/her designate shall submit written confirmation to the Secretary-Treasurer that the building identified as Bus Shelter on Appendix C to Report COA2019-022 has been removed;
4. **That** to satisfy Condition 2 the owner shall prepare and submit to the Planning Division building elevations of the detached garage to the satisfaction of said Division. The elevations are to be prepared in general accordance with Appendices D and E to Report COA2019-022, and said satisfactory elevations shall be submitted as part of an amended building permit application; and
5. **That** the building construction related to the minor variance shall be completed within a period of four (4) 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 COA2019-022. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.**

**Carried**

### 3.1.2 COA2019-030

Quadri Adebayo, Planner II

File Number: D20-2019-021

Location: 18 Baker Boulevard

Part of Lots 22 and 23, Concession 1, Part Shore Road Allowance, Part 4, RP 57R-3775

Geographic Township of Digby

Owner: Stephan and Deborah Holtze

Applicant: Stephan Holtze

Mr. Adebayo summarized Report COA2019-030, to request relief in order to permit the construction of additions to a single storey detached dwelling.

**Agency Comment:**

April 29, 2018 Building Division, Sewage System - No concerns.

May 6, 2019 Building Division, Plans Examiner - No concerns.

May 6, 2019 Engineering and Corporate Assets - No objections or concerns.

The Committee noted that the Kawartha Region Conservation Authority (KRCA) have no concerns provided the applicant adheres to the tree removal requirements under the Migratory Bird Act. The Committee noted trees had already been removed and asked staff what the timeline for further tree removal if required. Staff responded it is between May 15 to July 31st.

The owner, Mr. Holtze was present and stated that there will be no more trees removed.

Staff commented that as the property is not within the KRCA regulated area, permits are not required. Their comments were recommendations only.

The Committee or other persons had no further questions.

**Moved By** Councillor E. Yeo

**Seconded By** S. Richardson

**That** minor variance application D20-2019-021 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 additions to the dwelling 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 COA2019-030, 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** as part of the building permitting process for the proposed dwelling, the shed located in the northerly side yard between the front wall of the dwelling and the front lot line be removed from the property to the satisfaction of the Chief Building Official; and

3. **That** the building construction related to the minor variance shall be completed within a period of 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 COA2019-030. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.**

**Carried**

### 3.2 Consents

#### 3.2.1 COA2019-032

Ian Walker, Planning Officer - Large Developments  
 File Number: D03-2019-016  
 Location: 16 Commerce Place  
 Lot 11, Plan 606  
 Former Town of Lindsay  
 Owner: 1675453 Ontario Limited  
 Applicant: Arthur Kloosterman

Mr. Walker summarized Report COA2019-032, to create an easement for a right-of-way for storm management purposes.

#### Agency comments:

April 4, 2019 Building Division - No concerns.  
 April 9, 2019 Engineering & Corporate Assets Department - No concerns.  
 April 9, 2019 Community Services Department - No concerns.  
 April 9, 2019 Enbridge Gas Inc. - No objections.  
 April 17, 2019 The Kawartha Region Conservation Authority advised that the proposed storm water management infiltration gallery will contain the 100 year storm event, and the emergency overflow weir outlets to a ditch that is not regulated under Ontario Regulation 182/06. No permits required from Kawartha Conservation. No objection to the proposed easement.

#### Public Comments:

William and Deborah McDonnell of Lot 9, Plan 608 objected to the application as

they do not know if the works will impact on their property and had several questions.

Staff have provided a response to those questions, however in recent correspondence received, they noted that a drainage ditch had been installed; hence they remain concerned with the proposed easement.

The Committee enquired about the objection from the public. Staff spoke to the storm management design and that it would not encroach. The Committee noted in the objectors comments that a drainage ditch had already been installed. Staff confirmed yes.

The applicant, Mr. Kloosterman was present but did not speak.

The Committee or other persons had no further questions.

**Moved By** S. Strathdee

**Seconded By** Councillor E. Yeo

**That** consent application D03-2019-016, being an application to create an easement for a right-of-way of approximately 774.21 square metres over Lot 11 Plan 606 to provide access for storm water management purposes in favour of Lot 10 Plan 606, be **Approved**.

The decision and the following set of conditions represent good planning.

**Conditions of provisional consent:**

1. This approval applies to the transaction applied for.
2. Submit to the Secretary-Treasurer one copy of the registered reference plan of the easement to be created.
3. Submit to the Secretary-Treasurer payment of all past due taxes and charges added to the tax roll, if any, at such time as the deeds are stamped.
4. Payment to the City of Kawartha Lakes of the stamping fee prevailing at the time the deeds are stamped, for the review and clearance of these conditions. The current fee is \$225.00. Payment shall be made by certified cheque, money order, or from a lawyers trust account.
5. Submit to the Secretary-Treasurer a copy of the Registry Office receipted documents with respect to Application D03-2019-016.



6. Submit to the Secretary-Treasurer a deed in triplicate for endorsement with the certificate of consent which deed shall contain a registerable description of the parcel of land described in the decision.
7. The applicant's solicitor shall provide a written undertaking to the Secretary-Treasurer confirming, pursuant to Subsection 53(43) of the Planning Act, that the deed in respect of this transaction shall be registered in the proper land registry office within six months from the date that the Secretary-Treasurer's certificate is stamped on the deed, failing which the consent shall lapse.
8. The applicant's solicitor shall also undertake to provide a copy of the registered deed to the Secretary-Treasurer as conclusive evidence of the fulfillment of the above-noted undertaking.
9. The applicant shall pay all costs associated with the preparation and registration of the required documents.
10. All of these conditions shall be fulfilled within a period of one year after the giving of the Notice of Decision, failing which, pursuant to Subsection 53(41) of the Planning Act, this consent shall be deemed to be refused.

**Carried**

#### **4. Deferred Applications**

##### **4.1 Minor Variances**

##### **4.1.1 COA2019-033**

David Harding, Planner II  
 File Number: D20-2019-004  
 Location: 221 Francis Street East  
 Part Lot 21, Concession 11, Part 2, 57R-2234  
 Geographic Township of Fenelon  
 Owner: Nancy and Shirley MacDonald  
 Applicant: RWH Construction - Adam Hayter

Mr. Harding summarized Report COA2019-033, to permit a constructed detached garage. The application was previously deferred at the February 21, 2019 Committee of Adjustment meeting.

The Committee asked Staff if a building permit was issued.

Ms. Murchison, Chief Building Official spoke to the Committee. The application is the result of a Building Division enforcement matter. In June of 2017, the applicant applied for a building permit but it could not be issued as the garage location did not comply with the zoning by-law. On February 20, 2018 the Building Division became aware that the garage had been built without a permit. The variance application was submitted on December 14, 2018.

The Committee questioned the fees to be paid when construction takes place without a permit. Ms. Murchison replied that there are penalties: the regular fee is doubled if the building complies with the zoning by-law and tripled if a variance is required.

The Committee stated that the applicant appears to have a track record. The Chair asked if the applicant wished to speak.

The applicant, Ryan Hayter, RWH Construction was present and spoke to the Committee. He reiterated the same message as given to the first application heard D20-2019-014 for 2173 Elm Tree Road, that he accepts full responsibility for not having a permit.

The Committee questioned Condition 4 as to which department will inspect to make sure the faux windows and cladding are installed and whether a further deferral should be made to ensure the owner makes the staff requested changes to the building prior to the Committee making a decision.

It was suggested by Staff that the application be further deferred 4 months to allow applicant time to install faux windows and cladding. The applicant would then schedule an inspection with the Planning Division that the work had been completed. The proposal could then be brought back to the Committee for a decision. The Committee, in consultation with the Chief Building Official, stated that 4 months seemed excessive, and asked the applicant how much time would be needed to carry out the changes. The applicant suggested 2 months would be sufficient time.

The Committee or other persons had no further questions.

**Moved By** S. Strathdee

**Seconded By** A. O'Bumsawin

**That** Minor Variance application D20-2019-004 be further DEFERRED for a period of two (2) months in order to provide the owner sufficient time to install

faux windows and stone cladding as per Appendix D or Report COA2019-033 and to contact the Planning Division to confirm installation.

**Carried**

**4.2 Consents**

**5. Correspondence**

**6. Other Business**

The Chair opened up a discussion with staff as to whether fines should be put in place where construction takes place without a permit. Ms. Murchison, Chief Building Official, spoke to the Committee and confirmed that there are fines in place. Discussions ensued.

Ms. Murchison stated that she would like to be included in future meetings where owners have built without a permit. The Committee and Staff welcomed the inclusion.

**7. Next Meeting**

The next meeting will be Thursday, June 20, 2019 at 1:00pm in Council Chambers, City Hall.

**8. Adjournment**

**Moved By** Councillor E. Yeo

**Seconded By** S. Richardson

**That** the meeting be adjourned at 2:51pm

**Carried**

  
\_\_\_\_\_  
Mark LaHay, Acting Secretary-Treasurer



**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – White**  
Report Number COA2019-034

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**Public Meeting**

**Meeting Date:** June 20, 2019  
**Time:** 1:00 pm  
**Location:** Council Chambers, City Hall, 26 Francis Street, Lindsay

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**Ward: 4 – Geographic Township of Eldon**

**Subject:** The purpose and effect is to request relief from the following in order to permit the construction of a detached garage/shop 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;
2. Section 3.1.3.1 to increase the maximum lot coverage requirement for all accessory buildings and structures from 125 square metres to 220 square metres; and
3. Section 3.1.3.2 to increase the maximum height requirement for an accessory building from 5 metres to 6 metres.

The variances are requested at 467 Sandhills Road, geographic Township of Eldon (File D20-2019-023).

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**Author:** Quadri Adebayo, Planner II

**Signature:**

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**Recommendations:**

**Resolved That** Report COA2019-034 White, be received;

**That** minor variance application D20-2019-023 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 detached garage/shop building 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 COA2019-034, 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 owner acknowledge through the granting of this approval that the accessory structure shall not be used for human habitation, nor shall it be

connected to water or septic facilities. Similar wording shall be placed on the required building permit;

- 3) **That** as part of the building permitting process for the proposed detached garage/shop, the sugar shack located in the front yard between the front (eastern) wall of the dwelling and the front lot line be relocated in a compliant manner or removed from the property to the satisfaction of the Chief Building Official upon the complete construction of the detached garage/shop building;
- 4) **That** as part of building permitting process, there be a requirement that the steel storage container and the sawmill cover structure located in the front yard between the front (eastern) wall of the dwelling and the front lot line, including the ice hut located in northerly side yard between the north wall of the dwelling and the northerly side lot line shall be removed from the property to the satisfaction of the Chief Building Official upon the complete construction of the detached garage; and
- 5) **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 COA2019-034. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.**

**Background:** According to MPAC data the existing dwelling with an attached garage on the property was built circa 1989 (MPAC). This suggests that the residential lot may have been created around the same period.

Currently, there are six (6) accessory buildings on the property which accounts for approximately 121.83 square metre thus: a wood shed (Building 2), a shed (Building 3), a sugar shack (Building 6), a steel storage container, a sawmill cover, and an ice hut. Through this application, the applicant is proposing to remove some of the accessory buildings and keep buildings 2, 3 and 6 in conjunction with the proposed detached garage/storage building.

**Proposal:** To construct an approximately 185 square metre (1,990 square foot) detached garage/shop building

**Owners:** Patricia and William White

**Applicant:** Patricia White

**Other:** Doug Carroll, D.C. Planning Services Inc. (Applicant's Representative)

Legal Description: Part Left North-Half of Lot 8, Concession 8, Part 1, 57R-5396, geographic Township of Eldon, now City of Kawartha Lakes

Official Plan: Prime Agricultural in the City of Kawartha Lakes Official Plan

Zone: Agricultural (A1) Zone within the Township of Eldon Zoning By-law 94-14

Site Size: 0.69 hectares (1.72 acres)

Site Servicing: Private individual well and septic systems

Existing Uses: Residential

Adjacent Uses: North, West and South: Agricultural;  
East: Sandhills Road, Agricultural

**Rationale: In accordance with Section 7.2.1.7 of the geographic Township of Eldon Zoning by-law, for lots within the A1 Zone that are equal to or less than one hectare, the zoning provisions applicable to a Rural Residential Type One (RR1) Zone applies to 467 Sandhills Road.**

**1) Are the variances minor in nature? Yes**  
**And**

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

The detached garage/shop building is proposed to be situated on a heavily treed rural property. The inability of locating the proposed building in a compliant yard appears to be limited by the existence of a septic system at the rear of property. Also, the northerly side yard does not appear to have sufficient room to accommodate the elaborate size of the proposed structure. Added to the space constraint is that the portion of the yard already contains a wood shed and a wood boiler.

Further, the location proposed for the detached garage/shop building appears to be suitable since it will be replacing the sawmill cover structure where the ground has already been landscaped with gravel that connects to the driveway. The driveway linkage is also anticipated to enable easy access to and from the proposed building.

With regards to the relief requested for the increased height, the applicant's representative states that the property owner runs a welding and large equipment repair business. As the information provided to staff suggests that the detached garage/shop building is to function as storage, it is anticipated that more headroom may be required to store large vehicles. In all other respects, accessory buildings of this scale and metal clad design are typical in rural residential settings that are primarily surrounded by agricultural uses. The massing of the structure is also not anticipated to be discernible since the

vegetation on the property would provide sufficient buffering and masking of the structure from the road.

Similarly, an increment of 95 square metres over the maximum total floor area of 125 square metres allowed for all accessory building could be considered minor as the proposal would only be comparatively increasing the existing coverage from approximately 1.8% to 3.2%, where a maximum of 10% total lot coverage is permitted for all accessory buildings.

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

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

**Yes**

As mentioned in Rationale 1 and 2 above, the proposed total lot coverage for all accessory buildings permitted would still be met, as the proposal would only be comparatively increasing the existing coverage from 1.8% to 3.2%, where a maximum of 10% total lot coverage is allowed. In light of this, the removal of the steel storage container, the sawmill cover and ice hut currently on the property have been included as a condition of approval.

The existing site constraints also appear to limit the ability to locate the proposed structure in a compliant yard portion.

Although the height proposed structure is over the maximum allowed, the accessory use function of the building is anticipated to prevail. Condition 2 has also been placed to ensure this.

In all other respects, considering that the proposed footprint will comply with setback and spatial separation requirements, the applicant has reasonably demonstrated that it is possible to develop the lot.

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

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

**Yes**

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

**Other Considerations:**

The applicant's representative has assured staff in an email of the following:

- That the use of the proposed detached garage/shop will function as an accessory storage building for the permitted residential use on the lot;
- That no commercial welding or mechanical repair takes place in the existing dwelling or elsewhere on the lot. There is no intention that any client will bring their machinery to the new detached garage/shop building;



- That given the home occupation provisions in the by-law which permits the home occupation use to account for a maximum of 25% of the gross floor area of the dwelling whether it is operated within a dwelling or within an accessory structure, the administrative function of the welding & large equipment repair business is wholly contained within 12% of the existing dwelling;
- That all commercial welding and mechanical repair is conducted off-site at the properties which contain the large equipment on which Mr. White works; and
- That although the use of the existing wood cutting (sawmill) will not cease, because it is used to process wood from a separate bush-lot, for the owner's firewood for the boiler furnace. It will not have a permanent cover.

**Servicing Comments:**

The property is serviced by private individual well and septic systems

**Consultations:**

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

**Agency Comments:**

Building Division – Building Inspection/Plans Examiner (June 5, 2018): No concerns.

**Public Comments:**

None as of June 10, 2019.

**Attachments:**

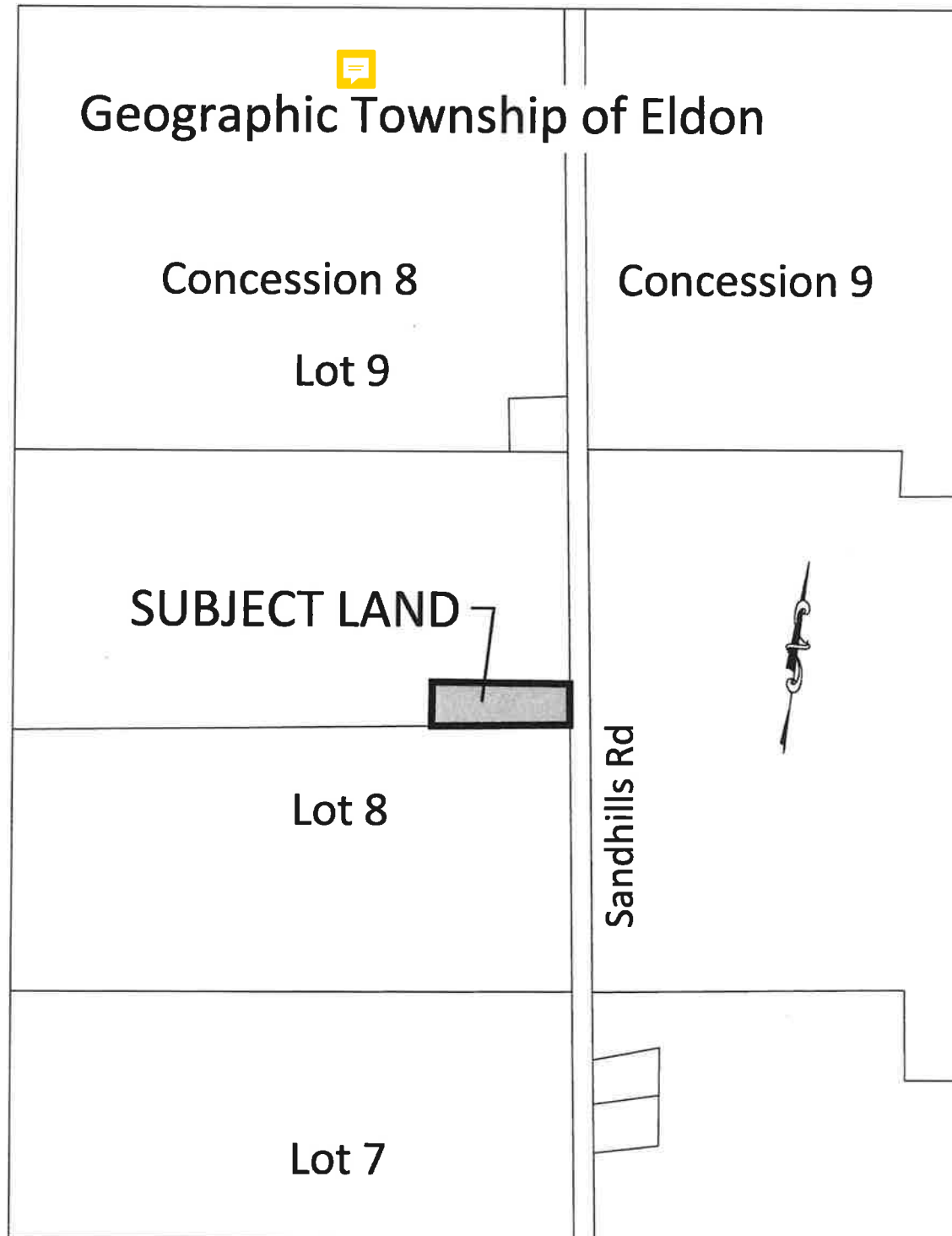
Appendices A-E to  
Report COA2019-034

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

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<b>Phone:</b>	705-324-9411 extension 1367
<b>E-Mail:</b>	qadebayo@kawarthalakes.ca
<b>Department Head:</b>	Chris Marshall, Director of Development Services
<b>Department File:</b>	D20-2019-023

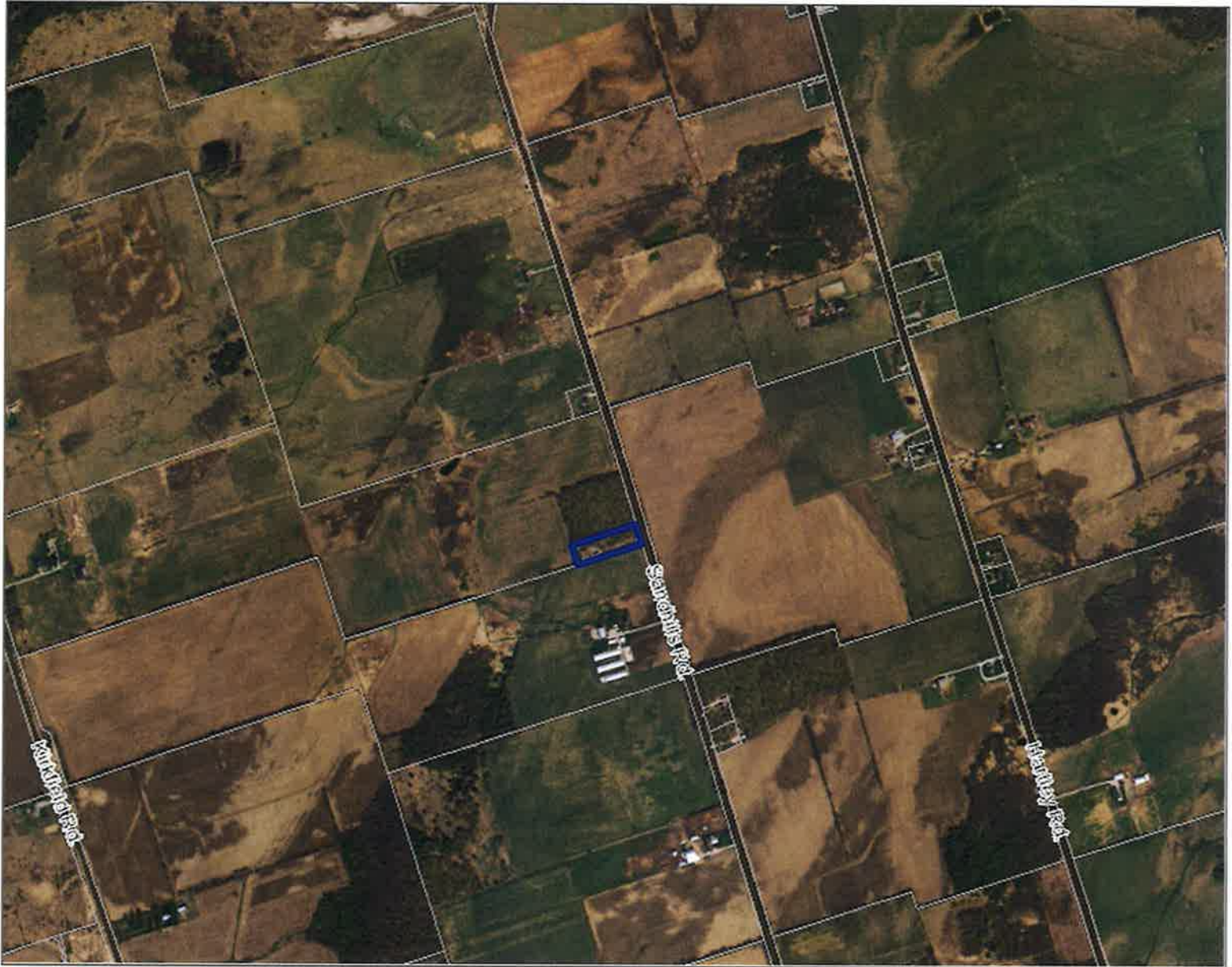
## D20-2019-023





GEOMATICS  
MAPPING

## 467 Sandhills Road, geographic Township of Eldon



0.92

Kilometers

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere

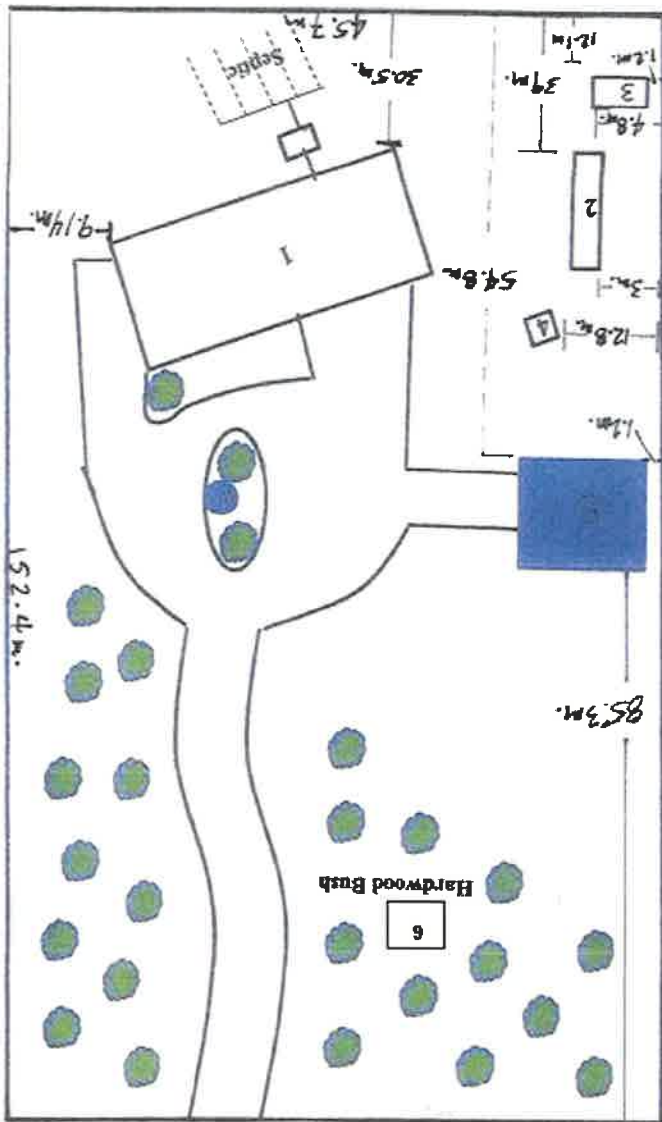
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This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

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Site Plan Sketch



Location	Building Type	Size	Square feet
1	House	202 sq/m	2175 sq/ft
2	Wood Shed	19.35 sq/m	208.25 sq/ft
3	Shed	8.92 sq/m	96 sq/ft
4	Wood boiler	N/A	N/A
5	New shop	185.8 sq/m	2000 sq/ft
6	Sugar Shaft	5.9 sq/m	19.35 sq/ft
	Drilled Well		

#467  
Bundling  
Road  
Plan 576-  
5396,  
Part 1

Part N 1/2 Lot 8

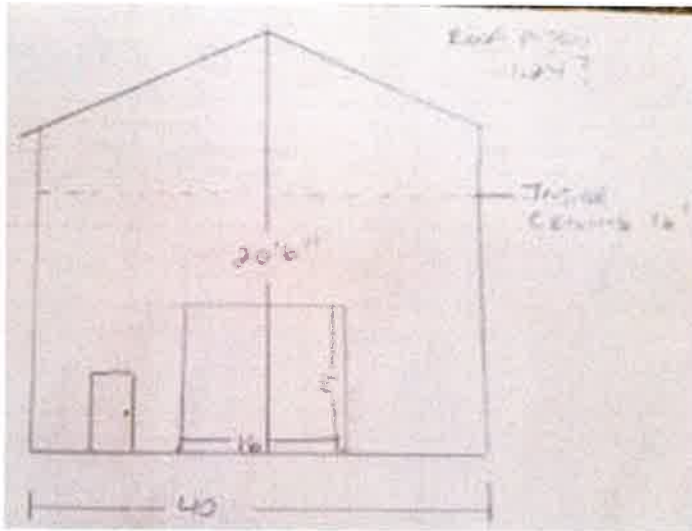
Conc. 8

Hardwood Bush Lot

#500 Kierkeby Road



**Perspective/Elevation Drawings**



## Quadri Adebayo

---

**From:** Derryk Wolven  
**Sent:** Wednesday, June 05, 2019 2:28 PM  
**To:** Charlotte Crockford-Toomey  
**Subject:** C of A

Building division has the following comments:

D20-2019-023 No concerns

D20-2019-024 Spatial separation requirements of OBC may restrict amount of glazing

D20-2019-025 No concerns

D20-2019-026 No concerns

D20-2019-027 No concerns

Kind regards

**Derryk Wolven, CBCO**

Plans Examiner

Development Services, Building Division, City of Kawartha Lakes

705-324-9411 ext. 1273 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)



**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report –Alldridge**  
Report Number COA2019-035

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**Public Meeting**

**Meeting Date:** June 20, 2019  
**Time:** 1:00 pm  
**Location:** Council Chambers, City Hall, 26 Francis Street, Lindsay

---

**Ward: 2 – Geographic Township of Somerville**

**Subject:** The purpose and effect is to request relief from Section 5.2(e) to reduce the minimum flankage yard from 7.5 metres to 1.5 metres to permit an addition to a single detached dwelling.

The variance is requested at 202 Moorings Drive, geographic Township of Somerville (File D20-2019-024).

---

**Author:** David Harding, Planner II

**Signature:**

---

**Recommendation:**

**Resolved That** Report COA2019-035 Alldridge, be received;

**That** minor variance application D20-2019-024 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

**Conditions:**

- 1) **That** the construction of the addition to the dwelling related to this approval shall proceed substantially in accordance with the sketch in Appendix C of Report COA2019-035, which shall be attached to and form part of the Committee's Decision; and
- 2) **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 COA2019-035. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.**

<b>Background:</b>	The application was deemed complete on May 7, 2019.
Proposal:	To construct an addition measuring approximately 2.44 x 3.81 metres (8' x 12'6") to a cottage.
Owners:	Wayne and Brian Alldridge
Applicant:	Doug Van Halteren, Van Halteren Brothers Corporation Ltd.
Legal Description:	Part West Half of Lot 24, Concession 1, Part 1, 57R-5054 geographic Township of Somerville, now City of Kawartha Lakes
Official Plan:	Waterfront within the City of Kawartha Lakes Official Plan
Zone:	Limited Service Residential – Floodplain (LSR(F)) Zone within the Township of Somerville Zoning By-law 78-45.
Site Size:	1,618.7 square metres
Site Servicing:	Private Individual Well and Sewage System
Existing Uses:	Shoreline Residential
Adjacent Uses:	North, South: Shoreline Residential East: Forest/Wetland West: Burnt River

**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 lot is located within an established shoreline residential neighbourhood at the base of the Burnt River. The neighbourhood contains a mix of seasonal and permanent dwellings.

The dwelling on the subject property is located near and at an angle to the south lot line. The south lot line abuts the unopened road allowance separating the former Townships of Somerville and Fenelon. This road allowance is forested.

The addition will allow for a modest expansion to the dwelling on the portion of the southern wall furthest away from the south lot line.

The flankage yard functions as an interior side yard since the road allowance the yard abuts is not travelled. An interior side yard functions primarily as a place to store/place items to assist in the function of the home and/or lot, provide for passage between the front and rear yards, and serve as a space



where maintenance can be conducted on the dwelling. There remains sufficient space for the yard to provide for these more utilitarian functions.

The addition is proposed in a space that appears little-used. The proposed addition will allow for the better utilisation of space within this area.

Due to the above analysis, the variance is considered 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 lot is zoned Limited Service Residential (LSR) Zone and has a floodplain (F) symbol. The F symbol stipulates additional flood proofing requirements.

As the lot abuts two road allowances, it is considered a corner lot. A flankage yard setback provides for the protection of land for road widenings for the installation/expansion of services, by shaping the streetscape by regulating the placement of buildings, and to maintain sight lines.

In this case, the flankage yard functions as an interior side yard as the road allowance it abuts is unopened and cannot be travelled by the public due to the presence of thick vegetation. As such, and in light of the comments provided, there is no reason to protect for a greater setback from the unopened road allowance.

An interior side yard serves primarily as a space for utilitarian functions, such as providing for lot and building maintenance, and to facilitate access between the rear and front yards. Sufficient space remains within the south yard for the flankage yard to serve this role.

The variance maintains the general intent and purpose of the zoning by-law.

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

The property is designated Waterfront within the City of Kawartha Lakes Official Plan. Residential uses are anticipated within this designation. 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 property is serviced by a private individual well and septic system.

**Consultations:**

**Agency Comments:**

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

Community Services Department (June 10, 2019): No concerns.

Engineering and Corporate Assets Department (June 10, 2019): No concerns.

Building Division – Part 8 Sewage Systems (June 10, 2019): No concerns.

Building Division (June 5, 2019): Spatial separation requirements of the Ontario Building Code may restrict the amount of glazing.

Kawartha Region Conservation Authority (June 7, 2019): No concerns. Finished floor elevation for the addition should be 256 mASL.

### **Public Comments:**

No comments received as of June 10, 2019.

### **Attachments:**



Appendices A-D to  
Report COA2019-035.

Appendix A – Location Map

Appendix B – Aerial Photo

Appendix C – Applicant's Sketch

Appendix D – Elevation Drawings

Appendix E – Department and Agency Comments

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**Phone:** 705-324-9411 extension 1206

**E-Mail:** [dharding@kawarthalakes.ca](mailto:dharding@kawarthalakes.ca)

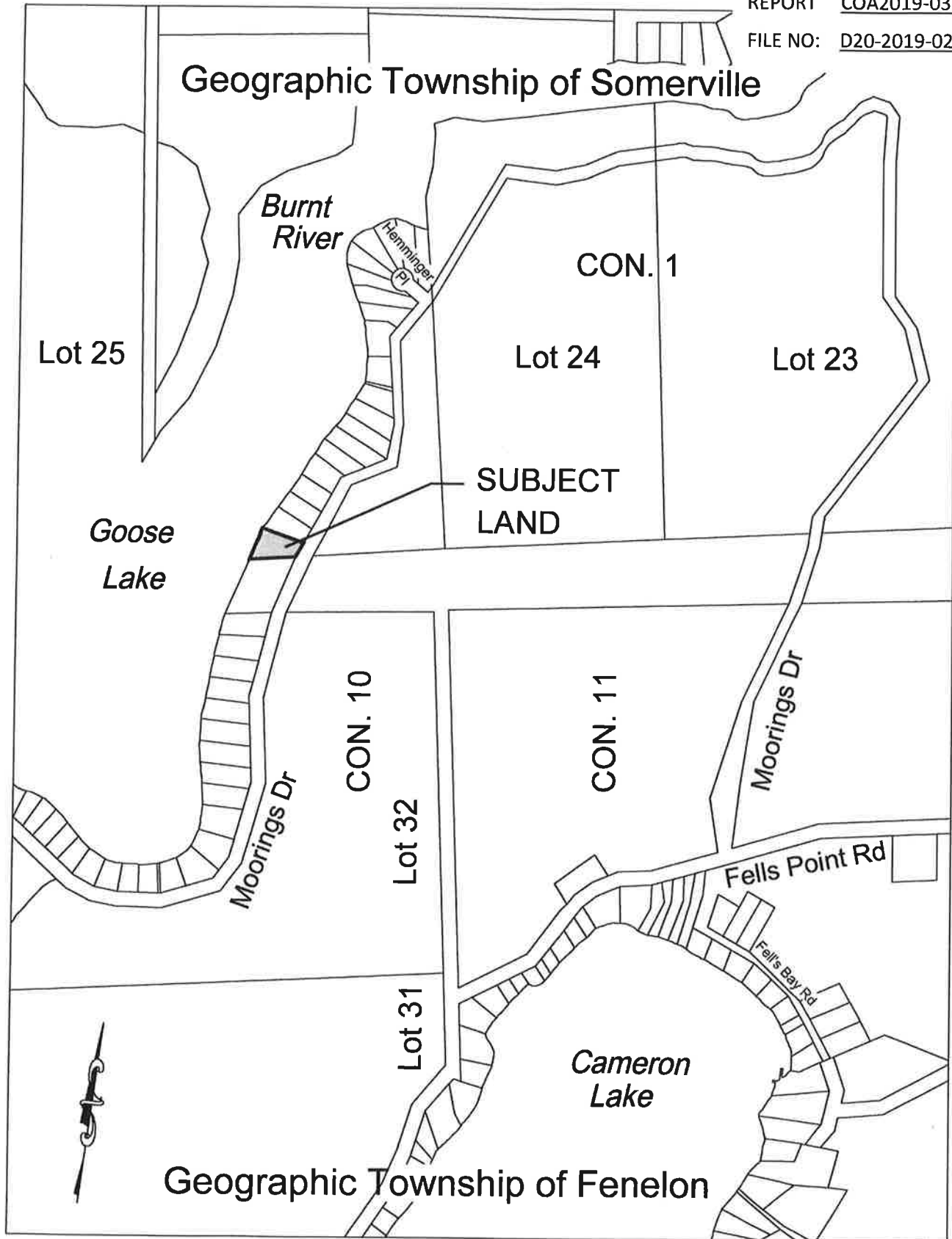
**Department Head:** Chris Marshall, Director of Development Services

**Department File:** D20-2019-024

to

REPORT COA2019-035

FILE NO: D20-2019-024





GEOMATICS  
MAPPING

## 202 Moorings Drive, geographic Twp. of Somerville



0.08

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**

APPENDIX " B "  
to  
REPORT COA2019-035  
FILE NO: D20-2019-024

to  
REPORT COA2019-035  
FILE NO: D20-2019-024





APPENDIX " D "  
to  
REPORT COA2019-035  
FILE NO. D20-2019-024

June 7, 2019 Minor Variance KRCA: Comments

**D20-2019-024 – 202 Moorings Dr, Lot 24, Concession 1, Sommerville, City of Kawartha Lakes**

- The property is outside of lands regulated by KRCA under Ontario Regulation 182/06; therefore no permits are required.
- In accordance with the Memorandum of Understanding (MOU) with KRCA regarding Natural Heritage and Natural Hazards, the property is within an area of an extended planning agreement
- The finished floor elevation for the proposed addition should be 256mASL.

Erin McGregor  
Planning and Permitting Assistant  
KAWARTHA CONSERVATION  
277 Kenrei Road  
Lindsay, ON K9V 4R1

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

**Our Watershed Partners:**

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



## David Harding

---

**From:** Mark LaHay  
**Sent:** Monday, June 10, 2019 8:58 AM  
**To:** David Harding  
**Cc:** Charlotte Crockford-Toomey  
**Subject:** FW: D20-2019-024 - 202 Moorings Drive

FYI - file

---

**From:** Anne Elmhirst  
**Sent:** Sunday, June 09, 2019 11:19 PM  
**To:** Mark LaHay  
**Subject:** D20-2019-024 - 202 Moorings Drive

Hello Mark,

I have received and reviewed the application for Minor Variance, D20-2019-024. to request relief to reduce the minimum clearance setbacks to permit an addition on the single detached dwelling at 202 Moorings Drive.

This property has been reviewed through the Sewage System Review process to ensure the proposal will not cause issue with the existing on-site sewage disposal system serving the dwelling. The proposed addition will not be within the required clearance distances to the sewage system, nor will it cause any performance issues for the system.

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

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](http://www.kawarthalakes.ca)



## **Charlotte Crockford-Toomey**

---

**From:** Kirk Timms  
**Sent:** Monday, June 10, 2019 12:56 PM  
**To:** Mark LaHay  
**Cc:** Christina Sisson; Charlotte Crockford-Toomey  
**Subject:** D20-2019-024, 202 Moorings Drive, Somerville

**Please see the message below from Christina Sisson:**

---

Good Afternoon Mark - further to our engineering review of the following:

Minor Variance – D20-2019-024  
202 Moorings Drive  
Part West Half of Lot 24, Concession 1, Part 1, 57R-5054  
Geographic Township of Somerville

It is the understanding by Engineering that the purpose and effect is to request relief from Section 45(1) to reduce the minimum flankage yard 7.5 metres to 1.5 metres in order to permit an addition to a single detached dwelling.

*From an engineering perspective, we have no objection to the proposed Minor Variance.*

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

Thanks,

**CHRISTINA**

**Christina Sisson, P.Eng.**  
Supervisor, Development Engineering  
Engineering & Corporate Assets, City of Kawartha Lakes  
705-324-9411 ext. 1152 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)





## David Harding

---

**From:** Derryk Wolven  
**Sent:** Wednesday, June 05, 2019 2:28 PM  
**To:** Charlotte Crockford-Toomey  
**Subject:** C of A

Building division has the following comments:

D20-2019-023 No concerns  
D20-2019-024 Spatial separation requirements of OBC may restrict amount of glazing  
D20-2019-025 No concerns  
D20-2019-026 No concerns  
D20-2019-027 No concerns

Kind regards

**Derryk Wolven, CBCO**

Plans Examiner

Development Services, Building Division, City of Kawartha Lakes

705-324-9411 ext. 1273 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)





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](mailto:ldonnelly@kawarthalakes.ca)  
[www.kawarthalakes.ca](http://www.kawarthalakes.ca)

LeAnn Donnelly, Executive Assistant, Community Services

---

## MEMORANDUM

**DATE:** June 10, 2019  
**TO:** Committee of Adjustment  
**FROM:** LeAnn Donnelly, Executive Assistant, Community Services  
**RE:** Minor Variance - 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:

D20-2019-021 18 Baker Blvd. Laxton  
D20-2019-023 467 Sandhills Road, Eldon  
D20-2019-024 202 Moorings Drive Somerville  
D20-2019-025 80 McLeish Drive, Dalton  
D20-2019-026 64 Sturgeon Crescent, Fenelon  
D20-2019-027 15 Courtney Lane, Verulam

*LeAnn Donnelly*

---

LeAnn Donnelly  
Executive Assistant, Community Services

**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – Sherar**  
Report Number COA2019-036

---

**Public Meeting**

**Meeting Date:** June 20, 2019  
**Time:** 1:00 pm  
**Location:** Council Chambers, City Hall, 26 Francis Street, Lindsay

---

**Ward: 1 – Geographic Township of Dalton**

**Subject:** The purpose and effect is to request relief from Section 5.2(g) to reduce the minimum water setback from 30 metres to 24.5 metres and Section 5.2(f) to reduce the minimum flankage yard from 7.5 metres to 4 metres to permit the construction of a new single detached dwelling.

The variances are requested at 80 McLeish Drive, geographic Township of Dalton (File D20-2019-025).

---

**Author:** David Harding, Planner II

**Signature:**

---

**Recommendation:**

**Resolved That** Report COA2019-036 Sherar, be received;

**That** minor variance application D20-2019-025 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

**Conditions:**

- 1) **That** the construction of the dwelling 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 COA2019-036, which shall be attached to and form part of the Committee's Decision;
- 2) **That** prior to the issuance of a building permit, the owners shall submit written confirmation from the Building Division – Part 8 Sewage Systems that an on-site sewage system can be installed to accommodate the proposed construction; and
- 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 COA2019-036. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.**

<b>Background:</b>	The application was deemed complete May 7, 2019, and has gone through many revisions since the original pre-screening application filed in November 2016 to comply with staff and Kawartha Region Conservation Authority direction.
<b>Proposal:</b>	To replace an approximately 98 square metre one storey cottage with an approximately 202.6 square metre one storey cottage.
<b>Owners:</b>	Shane and Barbara Sherar
<b>Legal Description:</b>	Part of Lot 17, Plan 313, Part Shore Road Allowance, Part 1, 57R-10642, geographic Township of Dalton, now City of Kawartha Lakes
<b>Official Plan:</b>	Waterfront within the City of Kawartha Lakes Official Plan
<b>Zone:</b>	Rural Residential Type Three (RR3) Zone within the Township of Dalton Zoning By-law 10-77.
<b>Site Size:</b>	2,043.7 square metres
<b>Site Servicing:</b>	Private individual sewage system and lake-based water supply.
<b>Existing Uses:</b>	Shoreline Residential
<b>Adjacent Uses:</b>	North: Forest/Rural South: Young Lake: East, West: Shoreline 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 lot is within a shoreline residential neighbourhood occupied by seasonal and permanent dwellings. The property is much deeper than it is wide, and contains a cottage and detached garage with storage loft.

Through discussions with the owners during the pre-screening process, it was determined that the water level of Young Lake can fluctuate greatly through the seasons, and has been known to overtop the retaining wall separating the beach from the rest of the property, coming up to and around a portion of the foundation of the existing cottage.

The new proposed dwelling is located completely behind the existing cottage, close to the existing detached garage, in order to pull it completely away from the site which experiences occasional flooding. This has the benefit of (1) complying with the intent of the zoning by-law (see Test 3), and (2) providing more rear yard amenity space for the attenuation and infiltration of floodwater and storm water runoff, providing for more space to establish shoreline vegetation to increase the ecological health of the lake, and grouping the built form on the lot together.

By clustering the detached garage and dwelling together, it is anticipated that the interactions between them will increase, therefore increasing the functionality and use of the garage. Locating the buildings close to one another also ensures the preservation of sizeable and useable yard space that may otherwise be lost if the buildings were somewhat further apart, which would create smaller, less-useable yard spaces.

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

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

The lot is zoned Rural Residential Type three (RR3) Zone within the Township of Dalton Zoning By-law 10-77. Within the RR3 Zone category, residential uses are permitted.

The function of the water setback is to provide sufficient spatial separation in order to avoid flood damage to buildings and/or loss of life, provide recreational amenity space, provide sufficient area for infiltration of runoff, and provide sufficient space to establish natural shoreline vegetation to assist with the ecological health of the lake.

The water setback is proposed to move from approximately 8.5 metres to 24.5 metres, a substantial increase which will greatly improve the depth of the rear yard, and therefore its ability to function as the by-law intends.

As the lot abuts two road allowances, it is considered a corner lot. A flankage yard setback provides for the protection of land to maintain sight lines, road widenings for the installation/expansion of services and by shaping the streetscape by regulating the placement of buildings.

In this case, the flankage yard functions as an interior side yard as the road allowance it abuts is vegetated, and provides access for residents to launch boats.

An interior side yard serves primarily as a space to place utilitarian uses, provide for lot and building maintenance, and facilitates access between the rear and front yards. The proposed flankage yard distance of 4 metres is of sufficient space to serve this role.

The variance maintains the general intent and purpose of the zoning by-law.

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

**Yes**

The property is designated Waterfront within the City of Kawartha Lakes Official Plan. Low density residential uses, along with accessory uses, are anticipated within this designation.

As per policy 3.11, the intent of the Official Plan is that development maintains a minimum setback of 15 metres from the shoreline in order to avoid natural hazards which may result in loss of life and/or loss of property, and provide environmental buffers in order to maintain and improve water quality and habitat. Where possible, development is encouraged to maintain a 30 metre water setback. In this instance, the placement of the garage prevents the dwelling from being moved further north without demolishing the garage or placing the dwelling on the north side of the garage, which in turn would impact the space available for a sewage system.

The dwelling has been moved as far as possible from the shoreline without requiring the removal of the garage nor impacting the potential new tile bed location.

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

**Other Alternatives Considered:**

Staff have worked with the applicant to move the proposed dwelling away from the shoreline as much as possible in order to provide for a more sizeable water setback.

**Servicing Comments:**

The lot is serviced by a private individual sewage system, which will need replacement to accommodate the dwelling, and a 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 (June 10, 2019): No concerns.

Community Services Department (June 10, 2019): No concerns.

Kawartha Region Conservation Authority (June 7, 2019): No concerns.

Building Division – Part 8 Sewage Systems (June 5, 2019): The dwelling is proposed over top of the existing sewage system. The property must be reviewed to determine that a new on-site sewage system can be installed for the new construction. Staff had a further conversation with this office, and they are supportive of the application provided condition 2 is placed in Committee's decision.

Building Division (June 5, 2019): No concerns.

**Public Comments:**

No comments received as of June 10, 2019.

**Attachments:**



Appendices A-E to  
Report COA2019-036.

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

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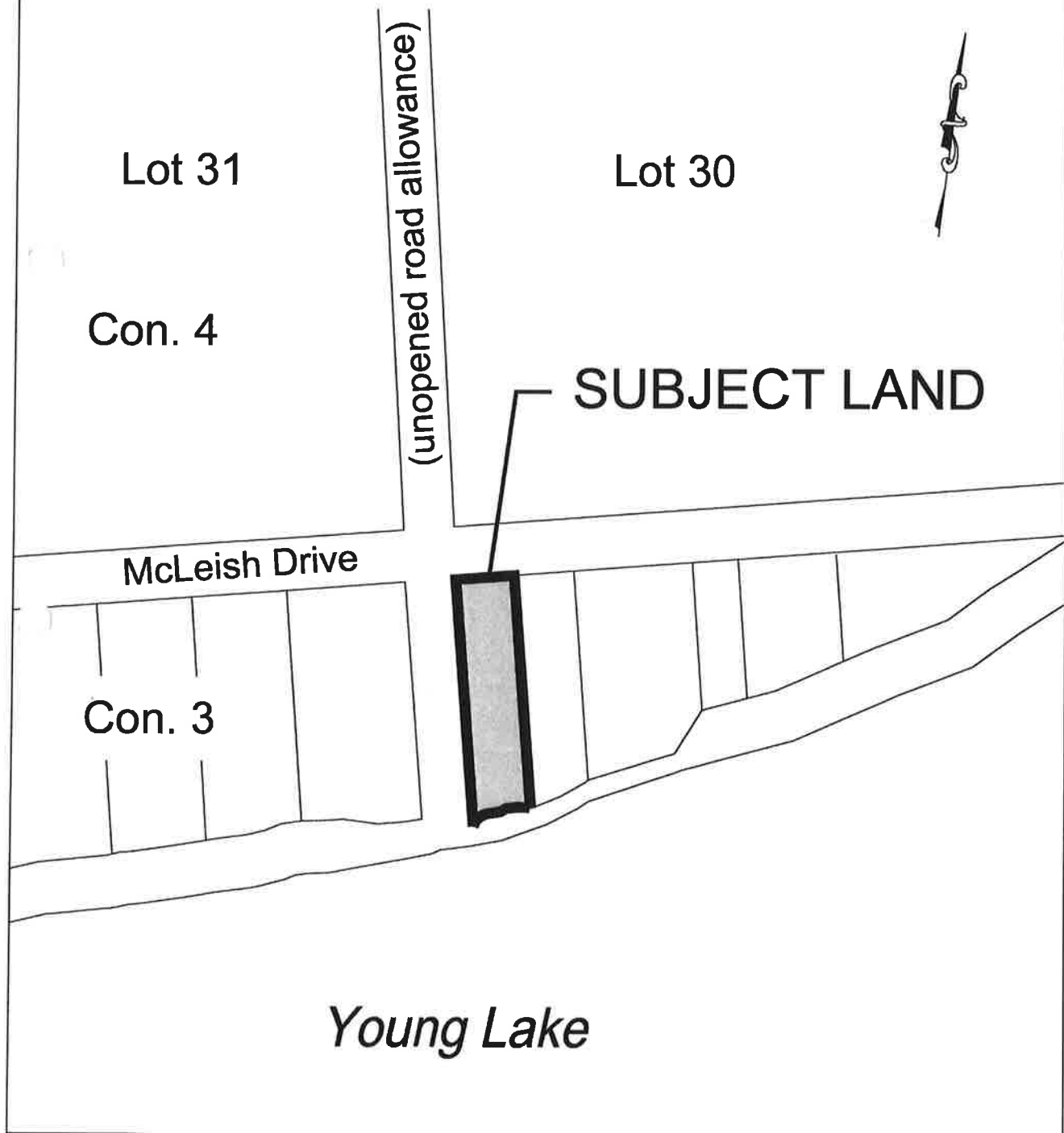
<b>Phone:</b>	705-324-9411 extension 1206
<b>E-Mail:</b>	dharding@kawarthalakes.ca
<b>Department Head:</b>	Chris Marshall, Director of Development Services
<b>Department File:</b>	D20-2019-025

to

REPORT COA2019-036

FILE NO: D20-2019-025

# Geographic Township of Dalton







## 80 McLeish Drive, geographic Twp. of Dalton



0.11

Kilometers

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© City Of Kawartha Lakes



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

APPENDIX " B "

to

REPORT COA2019-036

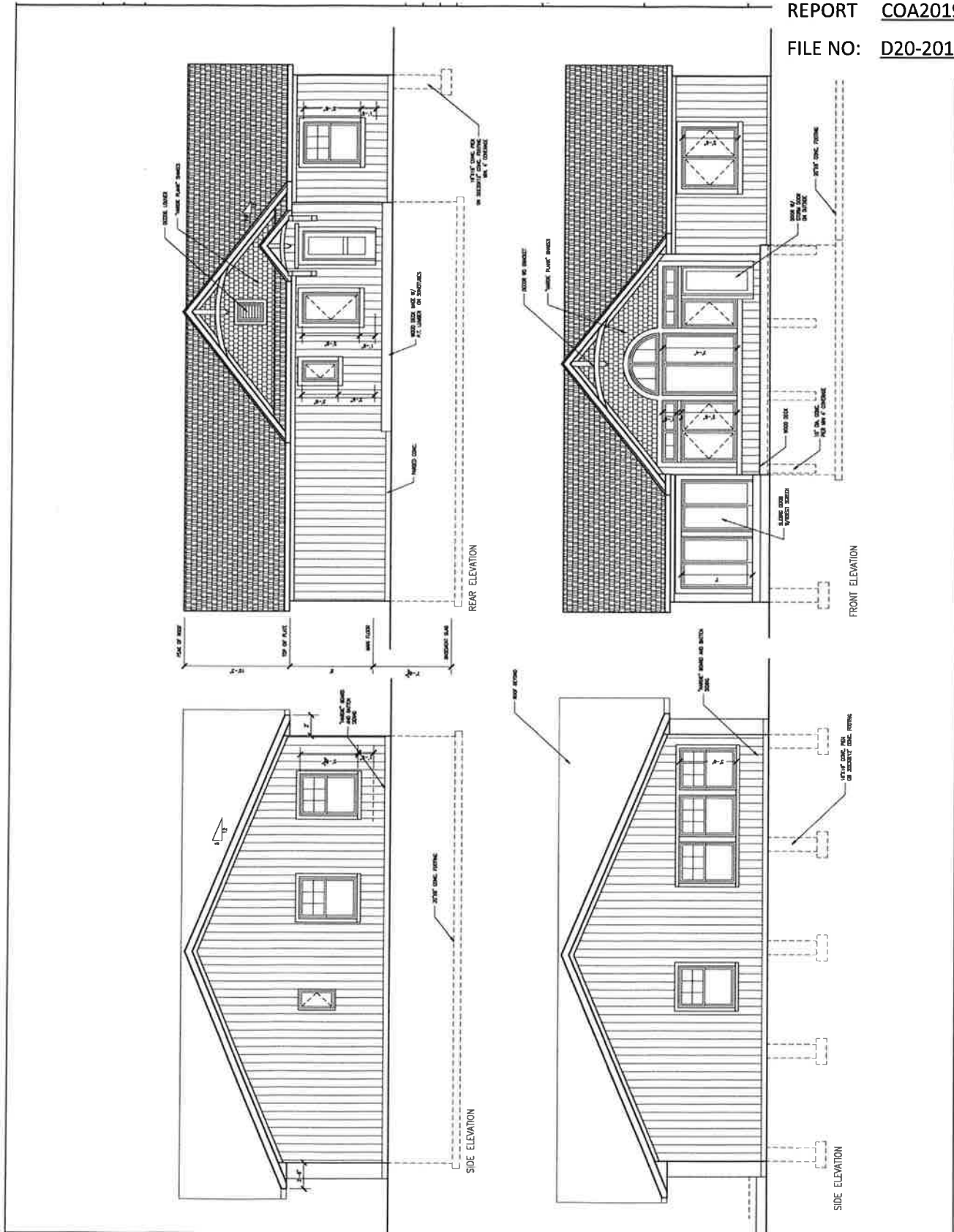
FILE NO: D20-2019-025



to

REPORT COA2019-036

FILE NO: D20-2019-025



## David Harding

---

**From:** Derryk Wolven  
**Sent:** Wednesday, June 05, 2019 2:28 PM  
**To:** Charlotte Crockford-Toomey  
**Subject:** C of A

APPENDIX " E "  
to  
REPORT COA2019-036  
FILE NO. D20-2019-025

Building division has the following comments:

D20-2019-023 No concerns  
D20-2019-024 Spatial separation requirements of OBC may restrict amount of glazing  
D20-2019-025 No concerns  
D20-2019-026 No concerns  
D20-2019-027 No concerns

Kind regards

**Derryk Wolven, CBCO**  
Plans Examiner  
Development Services, Building Division, City of Kawartha Lakes  
705-324-9411 ext. 1273 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)



## David Harding

---

**From:** Anne Elmhirst  
**Sent:** Wednesday, June 05, 2019 5:07 PM  
**To:** David Harding  
**Subject:** D20-2019-025 - 80 McLeish Dr

Hello David,

I have received and reviewed the minor variance proposal D20-2019-025 to remove the existing 1 storey dwelling at 80 McLeish Drive and replace it with a new 1 storey dwelling in a location further from the lake.

I have located a sewage system use permit for this property which indicates the system in the area of the proposed new dwelling. As the construction of the new dwelling in this location will not meet the requirements of the Ontario Building Code for setbacks and operation, I cannot support this proposal.

The owner may wish to submit an Application for a Sewage System Permit to review the property to ensure an on-site sewage system can be installed to accommodate the new 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](http://www.kawarthalakes.ca)



June 7, 2019 KRCA Minor Variance: Comments

**D20-2019-025 – 80 McLeish Dr, Lot 17 (west), Concession 3, Geographic Township of Dalton, City of Kawartha Lakes**

- The property is outside of lands regulated by KRCA under Ontario Regulation 182/06; therefore no permits are required.
- In accordance with the Memorandum of Understanding (MOU) with KRCA regarding Natural Heritage and Natural Hazards, the property is within an area of an extended planning agreement
- KRCA has no objections.

Erin McGregor  
Planning and Permitting Assistant  
KAWARTHA CONSERVATION  
277 Kenrei Road  
Lindsay, ON K9V 4R1

**KAWARTHA CONSERVATION**  
277 Kenrei Road, Lindsay, ON K9V 4R1  
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*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

## **Charlotte Crockford-Toomey**

---

**From:** Kirk Timms  
**Sent:** Monday, June 10, 2019 1:01 PM  
**To:** Mark LaHay  
**Cc:** Christina Sisson; Charlotte Crockford-Toomey  
**Subject:** D20-2019-025, 80 McLeish Drive, Dalton

**Please see the message below from Christina Sisson:**

---

Good Afternoon Mark - further to our engineering review of the following:

Minor Variance – D20-2019-025  
80 McLeish Drive  
Part Lot 17, Plan 313, Part Shore Road Allowance, Part 1, 57R-10642  
Geographic Township of Dalton

It is the understanding by Engineering that the purpose and effect is to request relief from Section 45(1) to reduce the minimum water setback from 30 metres to 24.5 metres and to reduce the minimum flankage yard from 7.5 metres to 4 metres in order to permit the construction of a new single detached dwelling.

*From an engineering perspective, we have no objection to the proposed Minor Variance.*

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

Thanks,

**CHRISTINA**

**Christina Sisson, P.Eng.**  
Supervisor, Development Engineering  
Engineering & Corporate Assets, City of Kawartha Lakes  
705-324-9411 ext. 1152 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)



**Kirk Timms, C.E.T., CAN-CISEC**  
Senior Engineering Technician  
Engineering and Corporate Assets, City of Kawartha Lakes  
705-324-9411 ext. 1119 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)





The Corporation of the  
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[ldonnelly@kawarthalakes.ca](mailto:ldonnelly@kawarthalakes.ca)  
[www.kawarthalakes.ca](http://www.kawarthalakes.ca)

LeAnn Donnelly, Executive Assistant, Community Services

---

## MEMORANDUM

**DATE:** June 10, 2019  
**TO:** Committee of Adjustment  
**FROM:** LeAnn Donnelly, Executive Assistant, Community Services  
**RE:** Minor Variance - 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:

D20-2019-021 18 Baker Blvd. Laxton  
D20-2019-023 467 Sandhills Road, Eldon  
D20-2019-024 202 Moorings Drive Somerville  
D20-2019-025 80 McLeish Drive, Dalton  
D20-2019-026 64 Sturgeon Crescent, Fenelon  
D20-2019-027 15 Courtney Lane, Verulam

*LeAnn Donnelly*

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LeAnn Donnelly  
Executive Assistant, Community Services



**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – Hastie**  
Report Number COA2019-037

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**Public Meeting**

**Meeting Date:** June 20, 2019  
**Time:** 1:00 pm  
**Location:** Council Chambers, City Hall, 26 Francis Street, Lindsay

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**Ward: 1 – Geographic Township of Fenelon**

**Subject:** The purpose and effect is to request relief from Section 13.2.1.3 to reduce the minimum side yard requirement from 2.3 metres to 1.9 metres in order to permit the construction of an addition (an attached garage) onto a two-storey dwelling.

The variance are requested at 64 Sturgeon Crescent, geographic Township of Fenelon (File D20-2019-026).

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**Author:** Quadri Adebayo, Planner II

**Signature:**

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**Recommendations:**

**Resolved That** Report COA2019-037 Hastie, be received;

**That** minor variance application D20-2019-026 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

**Conditions:**

- 1) **That** the construction of the addition to the dwelling 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 COA2019-037, 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; and
- 2) **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 COA2019-037. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.**

**Background:** This application proposes to construct an attached garage onto an existing two-storey single detached residential dwelling. The proposed development will add a third-bay to the existing two-bay attached garage.

The applicant has advised that one of the existing bays is partially occupied by the laundry room/laundry facilities which leaves only one bay space for parking, and that a third bay will function to accommodate supplementary parking space for one of the dwelling occupants due to their physical accessibility needs.

The proposed attached garage will increase the size of the house with a reconfigured footprint. This application was deemed complete May 15, 2019.

**Proposal:** To construct an approximately 26 square metre (85 square foot) attached garage onto an approximately 265.5 square metre (871 square foot) dwelling.

**Owners:** William and Charlotte Hastie

**Applicant:** Garry Newhook – Garfield Design

**Legal Description:** Part Lot 3, Concession 8, Plan 593, Lot 12, geographic Township of Fenelon, now City of Kawartha Lakes

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

**Zone:** Residential Type Three Exception Two (RR3-2) Zone within the Township of Manvers Zoning By-law 12-95

**Site Size:** 0.58 acres (2,327 square metres)

**Site Servicing:** Private individual well and septic systems

**Existing Uses:** Residential

**Adjacent Uses:** North: Residential, Agricultural

West: Sturgeon Crescent, Residential

South: Residential

East: Agricultural

**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 an established residential neighbourhood on the east side of Sturgeon Lake. Dwellings within this neighbourhood generally have attached garages as a characteristic design similar to the subject property.

The location of the proposed addition has already been developed with concrete pavement and the driveway also extends to this area. Therefore, the footprint limits of the proposed addition is not anticipated to create a negative impact since the area has already been hard-surfaced. Comments received from the Sewage Systems Supervisor also advised that the proposal will not encroach within the boundaries of the existing sewage system.

In terms of scale, the massing of the proposed addition aided by the site topography and building design is not anticipated to detract away from the residential character of the neighbourhood. The front wall limits of the addition will not project further than the limits established by the front wall of the southerly neighbouring house, and the proposed location is at a suitable distance from the abutting road. As such, no land use compatibility issues are anticipated.

Based on 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 0.4 metre relief sought from the 2.3 metres allowed, proposed for the addition to the dwelling is not anticipated to impact its function as the scale of the reduction, if granted, is not anticipated to be perceptible.

The property carries a Residential Type Three Exception Two (RR3-2) Zone category within the Township of Fenelon Zoning By-law. The Exception Zone category on the property allows for a minimum lot area of 1,998 square metres whereas the property exceeds this requirement with a lot area of 2,327 square metres. Considering the fact that the proposal has not fully exercised the zoning provision privileges, utilizing a lot coverage of 10% from a possible 30% maximum for all buildings on the property, the applicant has reasonably demonstrated that it is possible to develop the lot within the confines of the RR3-2 Zone provisions.

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

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

**Yes**

The property is designated Waterfront within the City of Kawartha Lakes Official Plan. The designation anticipates residential uses and ancillary accessory uses.

Although the property does not directly abut a waterbody, the proposal follows the Official Plan policies regarding density and massing in the Waterfront designation. The proposed building will presumably maintain a low profile and blend with the natural surroundings.

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 property is serviced by private individual well and septic systems

**Consultations:**

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

**Agency Comments:**

Building Division – Part 8 Sewage Systems (May 8, 2019): No concerns. See comments.

**Public Comments:**

No comments as of June 6, 2019.

## Attachments:

A pdf document is embedded into this document. Please contact Quadri Adebayo, Planner II at 705-324-9411 extension 1367 to request an alternative format.



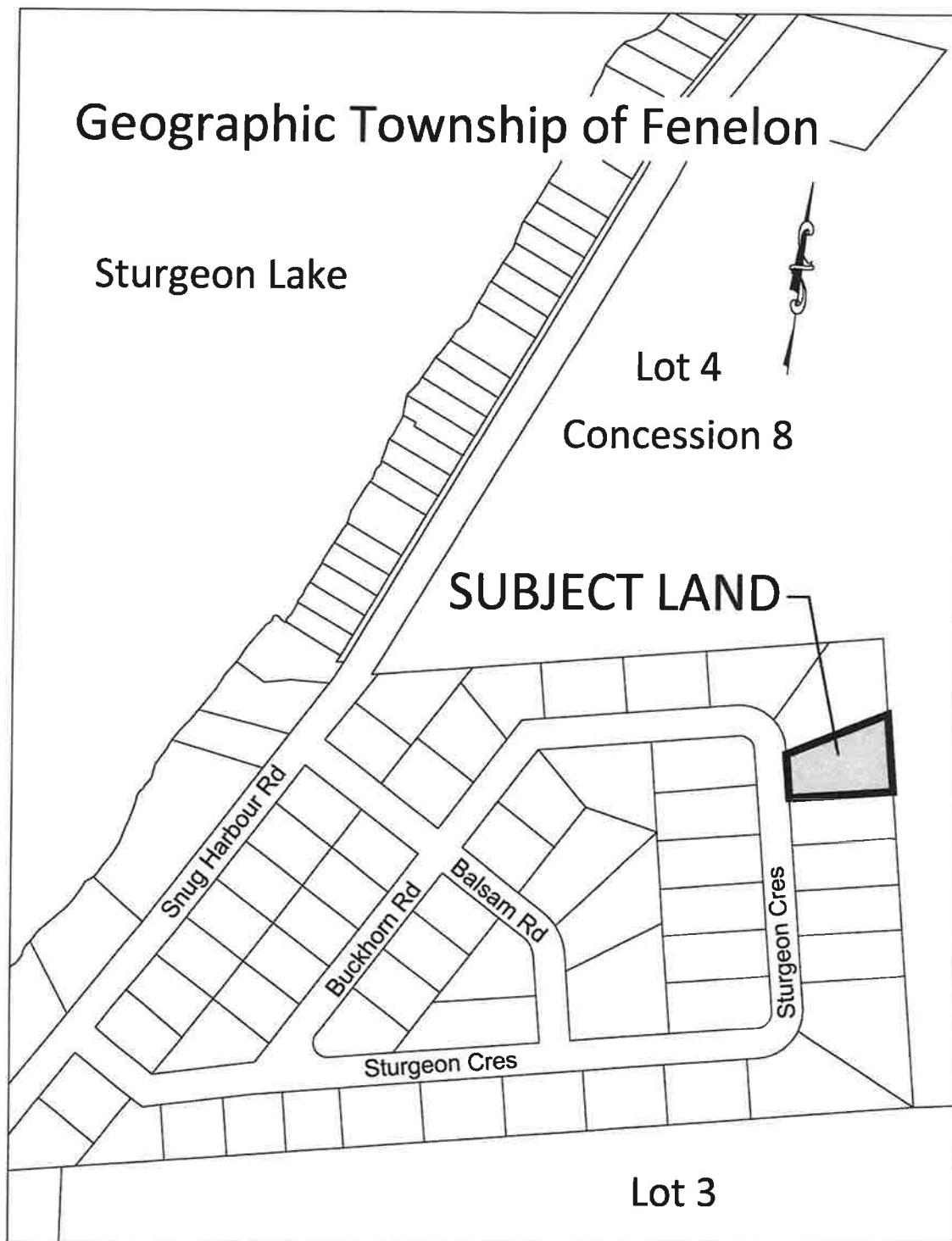
Appendices A-E to  
Report COA2019-037

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

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<b>Phone:</b>	705-324-9411 extension 1367
<b>E-Mail:</b>	qadebayo@kawarthalakes.ca
<b>Department Head:</b>	Chris Marshall, Director of Development Services
<b>Department File:</b>	D20-2019-026

## D20-2019-026



**64 Sturgeon Crescent, geographic Township of Fenelon**

0.46

Kilometers

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere

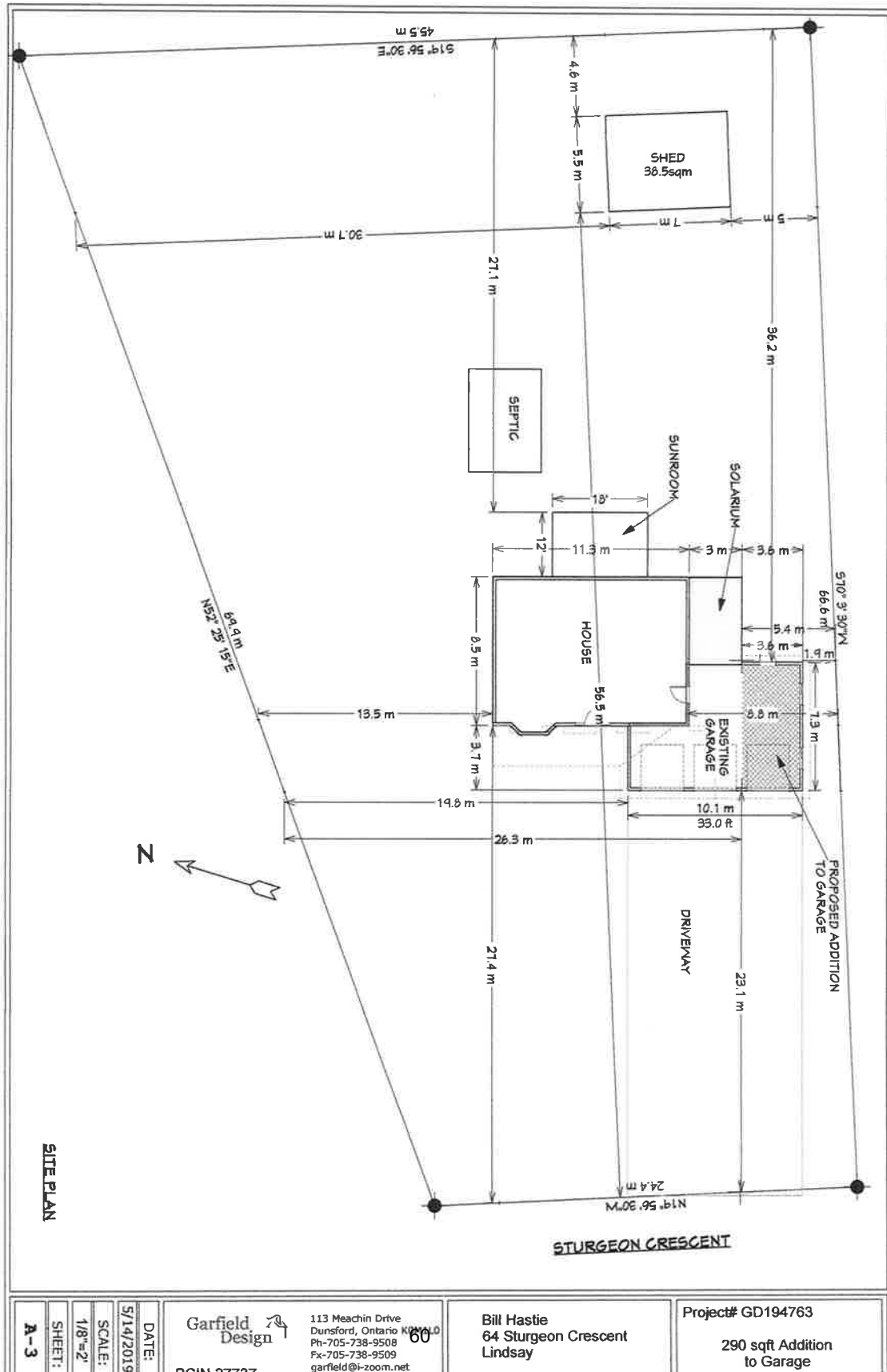
© City of Kawartha Lakes



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

to

REPORT COA2019-037FILE NO: D20-2019-026**Site Plan Sketch**



to

REPORT COA2019-037

FILE NO: D20-2019-026

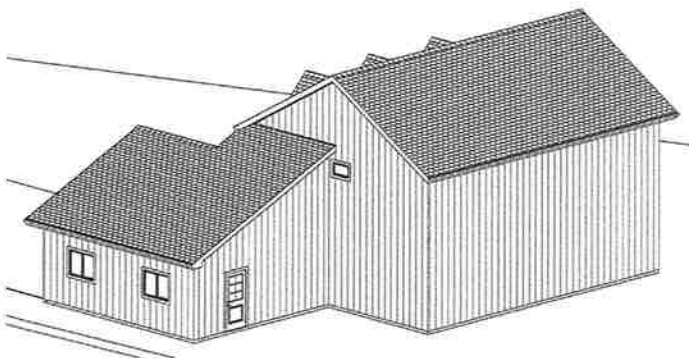
## Elevation Drawings



PERSPECTIVE WEST



ELEVATION WEST



PERSPECTIVE EAST

LAYOUT PAGE TABLE	
LABEL	TITLE
A-1	PERSPECTIVE VIEWS
A-2	FLOOR PLAN
A-3	SITE PLAN

PERSPECTIVE VIEWS

Project# GD194763  
290 sqft Addition  
to Garage

Bill Hastie  
64 Sturgeon Crescent  
Lindsay

113 Peachin Drive  
Lindsay, Ontario  
Ph: 705-738-9508  
Fax: 705-738-9509  
garfield@room.net

Garfield  
Design  
BCIN 27737

DATE:  
5/14/2019

SCALE:  
3/32"=1'

SHEET:

**A-1**



Development Services/ Building Division  
180 Kent Street West  
Lindsay ON K9V 2Y6  
Tel: 705-324-9411 Ext. 2126  
1-888-822-2225  
Fax: 705-324-5514  
website: [www.kawarthalakes.ca](http://www.kawarthalakes.ca)

May 8, 2019

Gary Newhook  
113 Meachin Drive,  
Dunsford, ON,  
K0M 1L0

APPENDIX E

to

REPORT CoA2019-037

FILE NO. D20-2019-026

Dear Mr. Newhook,

**RE: Construction of an Attached Garage and Three-Season Sunroom  
64 Sturgeon Cres. Lindsay  
CON 8 PT LOT 3 PLAN 593 LOT 12  
Former Fenelon Township  
City of Kawartha Lakes  
File: SS2017-0223  
Roll # 165121005015031  
Owner(s): Bill and Charlotte Hastie**

Please be advised we have received and reviewed your application for construction and completed a site visit. Specifically, we reviewed the **proposal to construct an addition onto the Garage and Three-Season Sunroom**, at the above-mentioned property.

A Certificate of Approval was issued for your property (F-37-90). The following items are the total items proposed for the entire property, including this proposal. (Note: This includes guest cabins, bunkies, basements, etc.).

1. Number of Bedrooms – 3
2. Number of Fixture Units – <20
3. Total Living Space – <200 m<sup>2</sup>
4. Sunroom 20m<sup>2</sup>

Based on your application, it would appear that your plans will not encroach within the boundaries of the existing sewage system serving the dwelling (based on the May 7, 2019 submission), nor will it cause an increase in the total daily sewage flow beyond the capacity of the system components. In that light, you are not required to install a new sewage system, or upgrade your existing one and, we have **no objection** to the proposal.

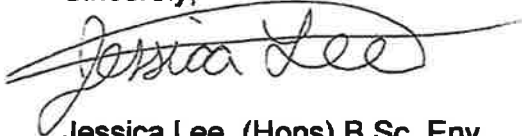
You should have your septic tank pumped by a licensed sewage hauler and the internal components checked if not done recently. Section 8.9.4.3. Division B of the Ontario

**Building Code requires the tank to be cleaned when the sludge and scum layers occupy 1/3 of the operating capacity of the tank.**

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

**Should you have any questions or concerns please contact the undersigned at (705) 324-9411 ext. 2126.**

**Sincerely,**

A handwritten signature in black ink, appearing to read "Jessica Lee", with a long horizontal flourish extending to the right.

**Jessica Lee, (Hons) B.Sc. Env.  
Building Inspector - Part 8  
Development Services - Building Division**

**Cc. Building Inspector**

**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – Bogdanets**  
Report Number COA2019-038

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**Public Meeting**

**Meeting Date:** June 20, 2019  
**Time:** 1:00 pm  
**Location:** Council Chambers, City Hall, 26 Francis Street, Lindsay

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**Ward: 2 – Geographic Township of Verulam**

**Subject:** The purpose and effect is to request relief from Section 8.2(g) to reduce the minimum rear yard depth from 7.5 metres to 3 metres to permit the construction of an attached garage and screened porch.

The variances are requested at 15 Courtney Lane, geographic Township of Verulam (File D20-2019-027).

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**Author:** David Harding, Planner II

**Signature:**

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**Recommendation:**

**Resolved That** Report COA2019-038 Bogdanets, be received;

**That** minor variance application D20-2019-027 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 additions to the dwelling 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 COA2019-038, which shall be attached to and form part of the Committee's Decision; and
- 2) **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 COA2019-038. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.**

**Background:** The application was deemed complete May 21, 2019.

**Proposal:** To construct an attached garage and a screened porch.

Owners: Sergey and Elena Bogdanets

Applicant: Sergey Bogdanets

Legal Description: Part Lot 15, Concession 8, geographic Township of Verulam, now 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: 1,915 square metres

Site Servicing: Private individual well and sewage system.

Existing Uses: Shoreline Residential

Adjacent Uses: North, West: Vacant Forested Land  
South, East: Sturgeon Lake, 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 lot is located within an established shoreline residential neighbourhood on the north shore of Sturgeon Lake at the end of Courtney Lane.

The lot is wide and shallow. Due to the configuration of the lot in relation to the road, the dwelling does not face the road, but is oriented towards the water to the east. Due to the orientation of the dwelling, the north lot line functions as an interior side yard rather than the rear yard it is by definition.

An interior side yard functions primarily as a place to store/place items to assist in the function of the home and/or lot, provide for passage between the front and rear yards, and serve as a space where maintenance can be conducted on the dwelling. There remains sufficient space for the yard to provide for these more utilitarian functions. The east yard, which is the interior side yard by definition, serves the role as the rear yard by providing for larger landscaped recreational amenity space.

The northerly expansion of the dwelling will convert the existing paved surface parking area to covered vehicle storage, and will add a screened porch off of the existing east deck, which faces the shoreline. The screened porch will add additional amenity space to the area which functions as the rear yard.

The additions are proposed to increase the functionality of the lot by providing for additional built amenity features in a clustered area where built form is already present.

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 property is zoned Residential Type One (R1) Zone within the Township of Verulam Zoning By-law.

In this circumstance, the rear yard functions as an interior side yard and the east interior side yard functions as the rear yard.

The intent of the rear yard setback is to provide adequate recreational amenity space to the occupants of a dwelling, and avoid adverse land use conflicts (use, massing, privacy) between abutting rear yards. The intent of the by-law is being maintained as there is another amenity space on the lot: the east interior side yard, which provides adequate recreational amenity space for the occupants.

There are also no adverse massing, privacy or land use conflicts anticipated from the northern expansion of the dwelling as the building is oriented towards the shoreline in the east. As such, activity within the remaining rear yard is anticipated to be minor and utilitarian in function. This minor activity is not anticipated to impact the use of the northern lot, once developed.

The variance maintains the general intent and purpose of the zoning by-law.

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

The property is designated Waterfront within the City of Kawartha Lakes Official Plan. Residential uses are anticipated within this designation. 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 property is serviced by a private individual well and septic system.

**Consultations:**

**Agency Comments:**

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

Building Division (June 5, 2019): No concerns.

Kawartha Region Conservation Authority (June 7, 2019): No concerns. A permit is required. No basement is permitted. Finished floor elevation for the additions should be 248.7 mASL.

Building Division – Part 8 Sewage Systems (June 9, 2019): No concerns.

Engineering and Corporate Assets Department (June 10, 2019): No concerns.

Community Services Department (June 10, 2019): No concerns.

**Public Comments:**

No comments received as of June 10, 2019.

**Attachments:**



Appendices A-E to  
Report COA2019-038.

Appendix A – Location Map

Appendix B – Aerial Photo

Appendix C – Applicant's Sketch

Appendix D – Elevation Drawings

Appendix E – Department and Agency Comments

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<b>Phone:</b>	705-324-9411 extension 1206
<b>E-Mail:</b>	dharding@kawarthalakes.ca
<b>Department Head:</b>	Chris Marshall, Director of Development Services
<b>Department File:</b>	D20-2019-027

to

REPORT COA2019-038

FILE NO: D20-2019-027

# Geographic Township of Verulam

Lot 15

Concession 8



Lakeland Rd

Courtney Lane

**SUBJECT  
LAND**

*Sturgeon Lake*





GEOMATICS  
MAPPING

## 15 Courtney Lane, Geographic Township of Verulam



Subject Property

Sturgeon Lake

0.08

Kilometers

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© City Of Kawartha Lakes



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APPENDIX " B "

to

REPORT COA2019-038

FILE NO: D20-2019-027

# NOTES:

THE DAM IN BOBICADEEN WAS BUILT SHORTLY AFTER THE YEAR 1830, WHICH FLOODED AND RAISED THE WATER LEVEL OF STURGEON LAKE BY APPROXIMATELY 1.5m (JAMES T. ANDERSON, A REDUCIBLE DITCH, A HISTORY OF THE WEST SEVERN WATERWAY, 1835-1920, FIRST PAPERBACK EDITION 1998 (MCGILL-QUEEN'S UNIVERSITY PRESS, 1998), PG 40-47).

THE CROWN PATENT WAS ISSUED TO THOMAS NEED ON THE 11TH DAY OF JANUARY, 1847.

## SURVEYOR'S REAL PROPERTY REPORT PART 1 - PLAN SHOWING PART OF LOT 15 CONCESSION 8 GEOGRAPHIC TOWNSHIP OF VERULAM CITY OF KAWARTHA LAKES

SCALE 1 250  
0 5 10 15 METRES

COE, FISHER, CAMERON

© COPYRIGHT 2018  
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METRIC DISTANCES AND/OR COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

### PART 2

THIS PLAN MUST BE READ IN CONJUNCTION WITH SURVEY REPORT DATED DECEMBER 10TH, 2018

### NOTES

BEARINGS ARE UTM GRID, DERIVED BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0)

FOR BEARING COMPARISONS, A ROTATION OF 1°39'40" COUNTER-CLOCKWISE WAS APPLIED TO BEARINGS ON PLANS P1, P1, AND P2

BUILDING TIES TAKEN TO SIDING UNLESS NOTED OTHERWISE

### LEGEND

■	DENOTES	SURVEY MONUMENT FOUND
□	DENOTES	SURVEY MONUMENT SET
SB	DENOTES	STANDARD IRON BAR
SSB	DENOTES	SHORT STANDARD IRON BAR
IB	DENOTES	IRON BAR
SB	DENOTES	1/2" SQUARE IRON BAR
BT3	DENOTES	W.A. BENNINGER, O.L.S
737	DENOTES	R.B. STINSON, O.L.S
B&W	DENOTES	BISHOP AND WILSON, O.L.S
P	DENOTES	REGISTERED PLAN No. 277
P1	DENOTES	PLAN OF SURVEY BY R.B. STINSON, O.L.S
P2	DENOTES	PLAN 57R-4352
WT	DENOTES	DATED AUGUST 28, 1966
WT	DENOTES	WITNESS
MEAS	DENOTES	MEASURED

ALL SET SSB AND PB MONUMENTS WERE USED DUE TO LACK OF OVERBURDEN AND/OR PROXIMITY OF UNDERGROUND UTILITIES IN ACCORDANCE WITH SECTION 11 (4) OF O. REG. 529/91

THIS REPORT WAS PREPARED FOR SERGEY BOGDANETS AND PARTIES TO THE CURRENT TRANSACTION ONLY AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES

NOTE: THIS REPORT CAN BE UPDATED BY THIS OFFICE HOWEVER NO ADDITIONAL PRINTS OF THIS ORIGINAL REPORT WILL BE ISSUED, SUBSEQUENT TO THE DATE OF CERTIFICATION

T/O FND = 249.22  
T/O GARAGE SLAB = 249.22  
T/O DECK = 249.53

LOT AREA = 1915 SQ. M.  
EXISTING DWELLING = 137.68 SQ. M.  
GARAGE = 45.43 SQ. M.  
SCREENED PORCH = 33.72 SQ. M.  
VERANDAH = 21.74 SQ. M.  
EXISTING DECK = 84.47 SQ. M.  
EXISTING FRAME SHED = 72.32 SQ. M.  
TOTAL = 325.36 SQ. M.

LOT COVERAGE = 17.00%

### ELEVATIONS

ELEVATIONS SHOWN ARE DERIVED BY REFERRED TO A T.B.M. BEING A NAIL ON THE SUBJECT PROPERTY HAVING (CVD-1928-1918)

APPENDIX " C "

to

REPORT COA2019-038

FILE NO: D20-2019-027

# APPENDIX " D "

to  
REPORT COA2019-038  
FILE NO: D20-2019-027



WEST ELEVATION

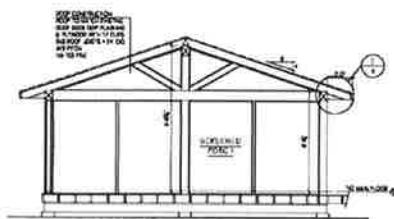


EAST ELEVATION

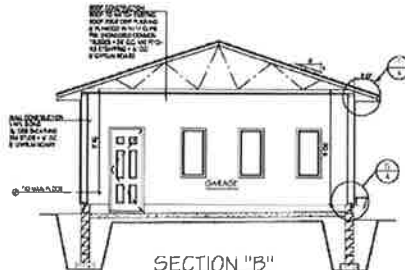
FINA



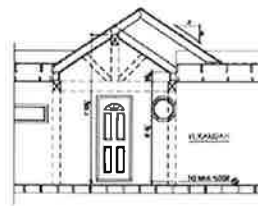
NORTH ELEVATION



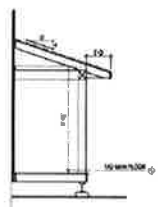
SECTION "A"



SECTION "B"



SECTION "C"



SECTION "D"

## **Charlotte Crockford-Toomey**

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**From:** Kirk Timms  
**Sent:** Monday, June 10, 2019 1:05 PM  
**To:** Mark LaHay  
**Cc:** Christina Sisson; Charlotte Crockford-Toomey  
**Subject:** D20-2019-027, 15 Courtney Lane, Verulam

APPENDIX " E  
to  
REPORT COA2019-038  
FILE NO. D20-2019-027

**Please see the message below from Christina Sisson:**

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Good Afternoon Mark - further to our engineering review of the following:

Minor Variance – D20-2019-027  
15 Courtney Lane  
Part Lot 25, Concession 8  
Geographic Township of Verulam

It is the understanding by Engineering that the purpose and effect is to request relief from Section 45(1) to reduce the rear yard depth from 7.5 metres to 3.0 metres in order to permit the construction of an attached garage and screened porch.

*From an engineering perspective, we have no objection to the proposed Minor Variance.*

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

Thanks,

**CHRISTINA**

**Christina Sisson, P.Eng.**  
Supervisor, Development Engineering  
Engineering & Corporate Assets, City of Kawartha Lakes  
705-324-9411 ext. 1152 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)



**Kirk Timms, C.E.T., CAN-CISEC**  
Senior Engineering Technician  
Engineering and Corporate Assets, City of Kawartha Lakes  
705-324-9411 ext. 1119 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)







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](mailto:ldonnelly@kawarthalakes.ca)  
[www.kawarthalakes.ca](http://www.kawarthalakes.ca)

LeAnn Donnelly, Executive Assistant, Community Services

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## MEMORANDUM

**DATE:** June 10, 2019  
**TO:** Committee of Adjustment  
**FROM:** LeAnn Donnelly, Executive Assistant, Community Services  
**RE:** Minor Variance - Various Applications

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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:

D20-2019-021 18 Baker Blvd. Laxton  
D20-2019-023 467 Sandhills Road, Eldon  
D20-2019-024 202 Moorings Drive Somerville  
D20-2019-025 80 McLeish Drive, Dalton  
D20-2019-026 64 Sturgeon Crescent, Fenelon  
D20-2019-027 15 Courtney Lane, Verulam

*LeAnn Donnelly*

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LeAnn Donnelly  
Executive Assistant, Community Services

## David Harding

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**From:** Anne Elmhirst  
**Sent:** Sunday, June 09, 2019 11:14 PM  
**To:** Charlotte Crockford-Toomey  
**Subject:** D20-2019-027 - 15 Courtney Lane

Hello Charlotte,

I have received and reviewed the application for Minor Variance D20-2019-027 to request relief to reduce the clearance setbacks for an attached garage and screened porch at 15 Courtney Lane.

I have located a sewage system installation report for this property which notes a septic tank and leaching bed location. In addition, a site visit was completed to ensure the appropriate clearance distances were going to be maintained from the proposed construction to the existing system. It has been determined there that will be no issue with the proposed construction.

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

Best Regards,

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





June 7, 2019, Minor Variance: Comments

**D20-2019-027 – 15 Courtney Lane, Lot 15, Concession 9, Township of Verulam, City of Kawartha Lakes**

- The subject property is within KRCA's regulated area (due to the presence of Sturgeon Lake and nearby wetlands), and is therefore subject to Ontario Regulation 182/06.
- No development, including site alteration, grading, structures, etc., is permitted within Kawartha Conservation's regulated area prior to obtaining a Permit pursuant to Ontario Regulation 182/06.
- No additional habitable space shall be provided in the proposed new garage, and no basement is permitted.
- The finished floor elevation for the additions shall be 248.7mASL.

Erin McGregor  
Planning and Permitting Assistant  
KAWARTHA CONSERVATION  
277 Kenrei Road  
Lindsay, ON K9V 4R1

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

*Our Watershed Partners:*

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



## David Harding

---

**From:** Derryk Wolven  
**Sent:** Wednesday, June 05, 2019 2:28 PM  
**To:** Charlotte Crockford-Toomey  
**Subject:** C of A

Building division has the following comments:

D20-2019-023 No concerns  
D20-2019-024 Spatial separation requirements of OBC may restrict amount of glazing  
D20-2019-025 No concerns  
D20-2019-026 No concerns  
D20-2019-027 No concerns

Kind regards

**Derryk Wolven, CBCO**  
Plans Examiner  
Development Services, Building Division, City of Kawartha Lakes  
705-324-9411 ext. 1273 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)





**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – Betty Ann Oliver**  
Report Number COA2019-010

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**Public Meeting**

**Meeting Date:** June 20, 2019  
**Time:** 1:00 pm  
**Location:** Council Chambers, City Hall, 26 Francis Street, Lindsay

---

**Ward: 6 – Geographic Township of Emily**

**Subject:** The purpose and effect is to request relief from the following in order to permit an accessory building (a hot tub room) in its current location:

1. Section 3.1.2.2 to reduce the minimum side yard setback for an accessory structure from 1 metre to 0.6 metre; and
2. Section 12.2.1.3 e. to reduce the minimum water setback from 30 metres to 28.3 metres.

The variance is requested at 23 Westview Drive, geographic Township of Emily (File D20-2019-003).

---

**Author: Quadri Adebayo, Planner II**

**Signature:**

---

**Recommendations:**

**RESOLVED THAT** Report COA2019-010 Betty Ann Oliver, be received;

**That** minor variance application D20-2019-003 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

**Conditions:**

- 1) **That** the accessory building 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 COA2019-010, 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 applicant shall remove the shed located in the rear yard within the 30 metre water setback to the satisfaction of the Chief Building Official. This condition will be considered fulfilled once the owner submits to the Secretary-Treasurer written confirmation from the Chief Building Official

advising that the shed has been removed to his/her satisfaction under the Ontario Building Code;

- 3) **That** notwithstanding the definition of rear yard, the granting of the variance for the reduced water setback will not be interpreted to permit the placement of any other accessory buildings between the rear wall of the dwelling and the water's edge
- 4) **That** the applicant shall complete the Building Permit process to the satisfaction of the Building Division. This condition will be considered fulfilled once the owner submits to the Secretary-Treasurer written confirmation from the Chief Building Official advising that the accessory building situation has been satisfied to his/her satisfaction under the Ontario Building Code; and
- 5) **That** the Building Permit process shall be completed within a period of twelve (12) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon receipt of a confirmation letter by the Secretary-Treasurer from the Chief Building Official.

**This approval pertains to the application as described in report COA2019-010. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.**

**Background:** For Committee's information, this application originated from an enforcement notice through the Building Division. The application seeks to permit an accessory hot tub room in its current location. The applicant advises that the hot tub functions as an alternative therapy to medication for their son's condition. Hence the chosen location of the structure for easy access from the house.

The Committee deferred the application for a period of three (3) to four (4) months at its March 21, 2019 public meeting in order to provide the applicant enough time to address the issues identified by the commenting agencies, and to ensure the proposal can be adequately reviewed for supportability by staff. The agencies' concern being:

- Building Division: Confirmation that the structure is actually 0.6 metres from the northerly interior lot line.
- Part 8 Sewage Systems Supervisor: Undetermined location of the existing septic system and the clearance distance from the limits of the proposed hot tub room.

On May 17, 2019 the applicant provided a survey of the neighbouring property at 25 Westview Drive that appears to demonstrate that the actual limits of the hot tub room from the northerly side lot line as being at a distance of 1.03 metres and not 0.6 metres as advertised. This in essence removes the request for the side yard relief as the new value exceeds the minimum requirement in the by-law. Staff have also confirmed this new information with the survey company (Sylvester & Brown Land Surveying) and have supplied a copy of the survey to the Building Division.

This application was deemed complete May 21, 2019.

Proposal:	To recognize an approximately 23.9 square metre (257.2.square foot) accessory building within the interior side yard area.
Owner:	Betty Ann Oliver
Legal Description:	23 Westview Drive, Part Lot 17, Concession 8, geographic Township of Emily, 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 Emily Zoning By-law 1996-30
Site Size:	2,590 square metres (27,878 square feet)
Site Servicing:	Private individual well and septic systems
Existing Uses:	Residential
Adjacent Uses:	North & South: Residential East: Residential, Agricultural West: Pigeon Lake

**Rationale: As the requested relief from the side yard requirement is no longer applicable, the planning analysis is primarily focused on the relief for the water setback requirement**

**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 an established waterfront residential neighbourhood where accessory buildings are commonly used for storage or other ancillary purposes. The dual-functionality of the hot tub room also ensures it maintains its subordination to the residential use of the property as it partly functions as both a recreational and storage room.

In terms of the reduced water setback, given that the location of the hot tub is to enable easy access from the house, and that the facility has already been installed to accommodate for a pressing health need, relocating the hot tub room to compliance may cause undue hardship for the applicant. As KRCA comments advised that the location of the structure would not be impacted by the nearby flood plain, a 1.7 metre reduction to minimum 30 metre setback is considered reasonable and minor. This is also enhanced by the applicant's willingness to remove a shed located in the rear yard within the water setback as trade-off in order to keep the hot tub room in its current location. Condition 2 has been placed to facilitate this.

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 Rural Residential Type Three (RR3) Zone provision contemplates accessory uses as ancillary to a principle use. The accessory building under the scope of this variance application is being utilized as devoted use to the detached dwelling on the subject property. The relief requested for the hot tub room is also not anticipated to impact the function of the rear yard for drainage purposes and impact Pigeon Lake from an environmental perspective.

In all other respects, the accessory building provisions within the RR3 Zone would still be met. The subject structure in conjunction with the boathouse accounts for 2 out of a total of 3 maximum numbers of accessory buildings permitted, and 3.96% out of a maximum of 8% total lot coverage permitted for accessory buildings in the RR3 Zone.

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

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

The property is designated Waterfront within the City of Kawartha Lakes Official Plan. 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 well and septic systems.

### **Consultations:**

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

### **Agency Comments:**

Kawartha Conservation, KRCA (August 23, 2018 & December 10, 2018) – No concerns. See comments.

Engineering and Corporate Assets Department (March 13, 2019): No objections or engineering requirements.

Community Services Department (March 18, 2019): No comments or concerns.

Building Division, Plans Examiner (May 24, 2019) - revised: No concern with the application.

Building Division, Part 8 Sewage Systems (May 24, 2019) - revised: No concerns with the proposed variance. See comments.

### **Public Comments:**

No comments as of June 5, 2019.

### **Attachments:**



Appendices A-F to  
Report COA2019-010

Appendix A – Location Map

Appendix B – Aerial Photo

Appendix C – Applicant's Sketch

Appendix D – Elevation Drawings

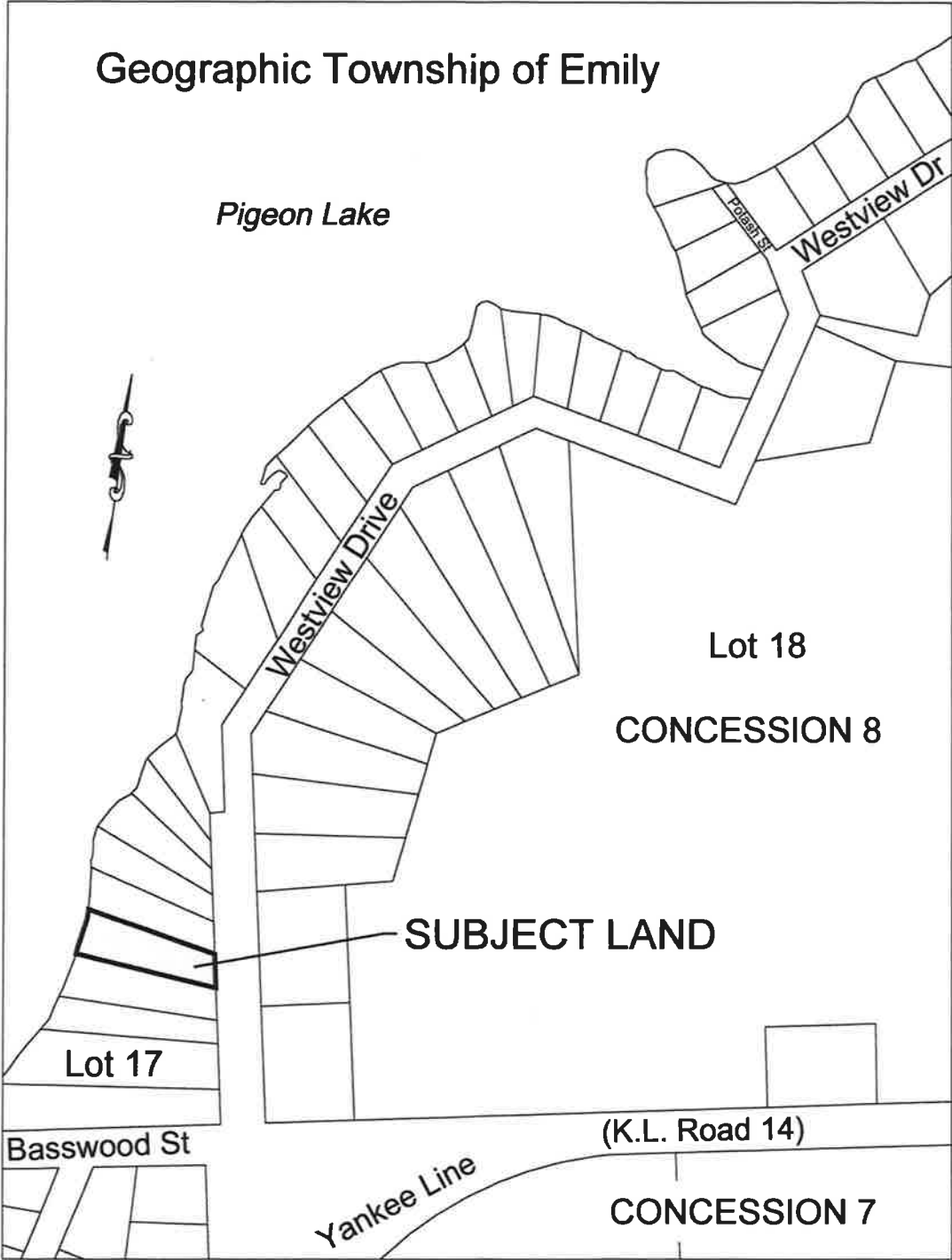
Appendix E – New Survey Document

Appendix F – Department and Agency Comments

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<b>Phone:</b>	705-324-9411 extension 1367
<b>E-Mail:</b>	qadebayo@kawarthalakes.ca
<b>Department Head:</b>	Chris Marshall, Director of Development Services
<b>Department File:</b>	D20-2019-003

D20-2019-003



## 23 Westview Drive, Geographic Township of Emily



0.11

Kilometers

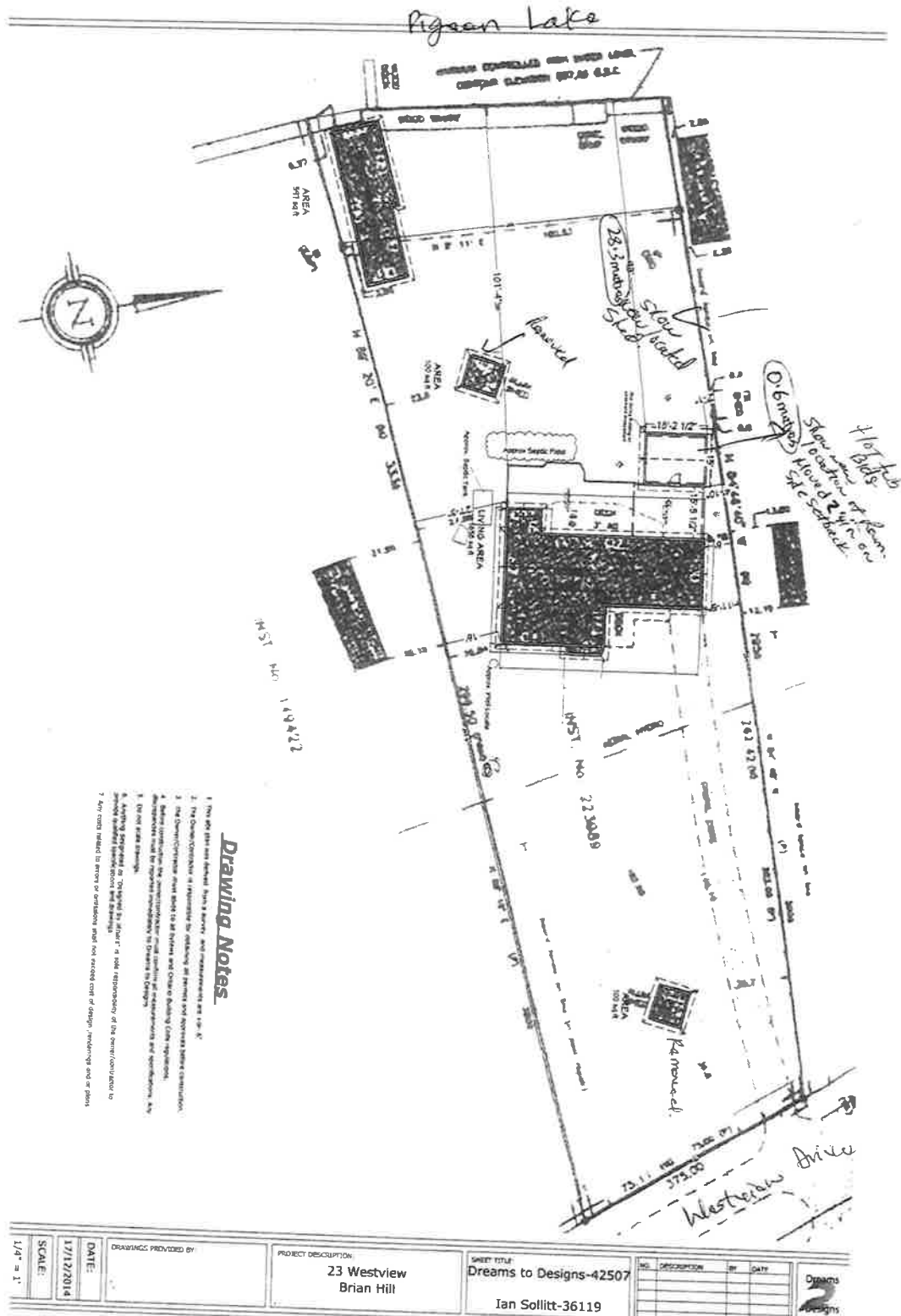
WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© City Of Kawartha Lakes



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.

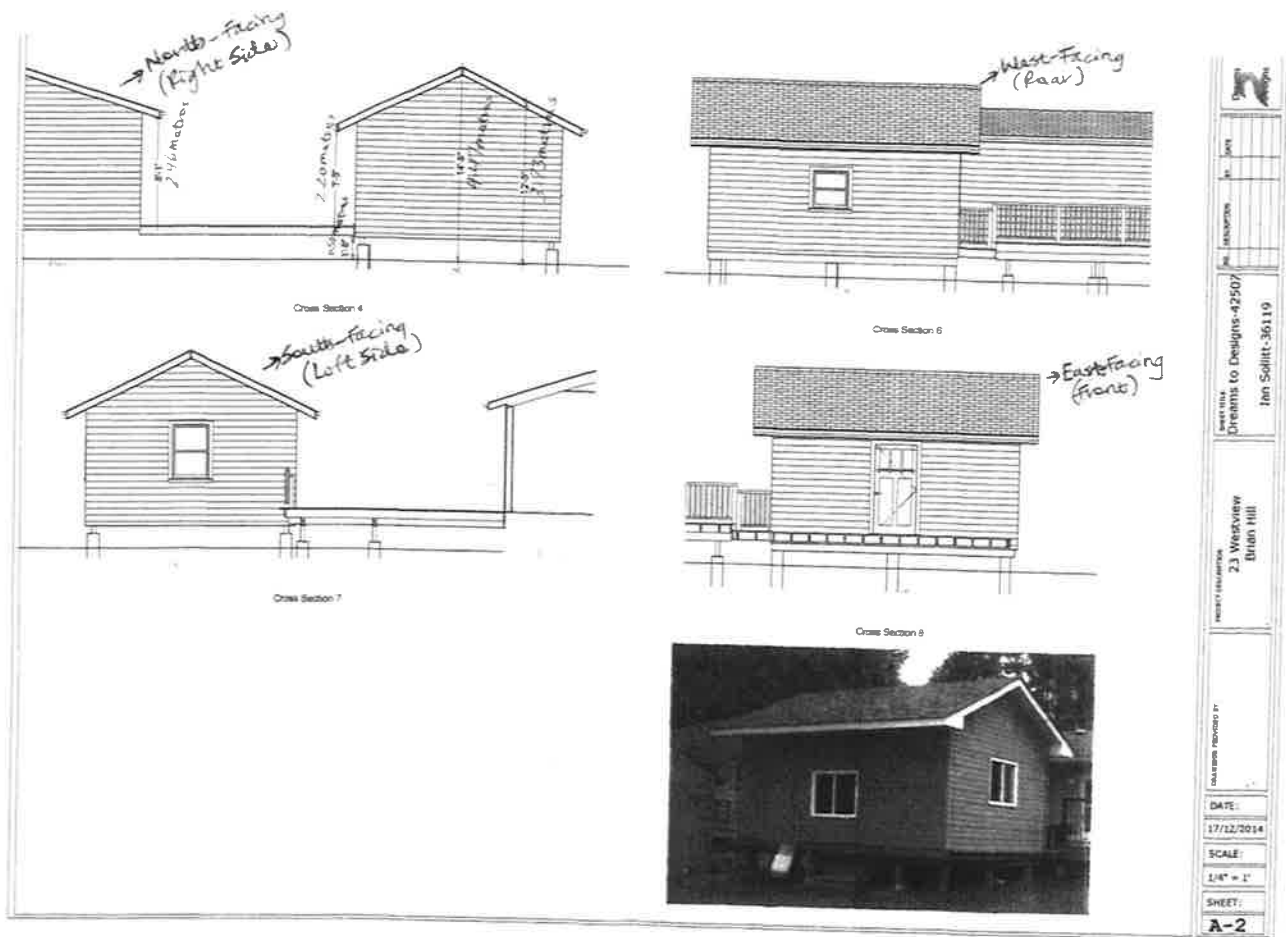
THIS MAP IS NOT TO BE USED FOR COMMERCIAL OR LEGAL PUPOSES

# Site Plan Sketch





**Elevation Drawings**



to

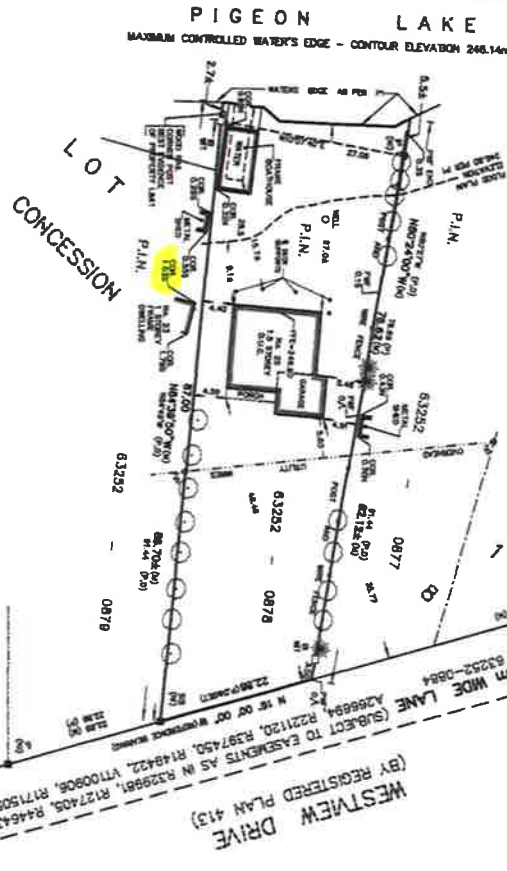
REPORT COA2019-010

FILE NO: D20-2019-003

## New Survey Document

## PART 2 – SURVEY REPORT

DESCRIPTION: PART OF LOT 17, CONCESSION 8  
TOWNSHIP OF EMU, CITY OF MARRICHA LAKES  
(RESERVED AS ALL OF P.L.N. B3302-0670)  
REGISTERED EASEMENTS:  
TOGETHER WITH AN EASEMENT AS IN INSTRUMENT No. R221120.  
COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS:  
NOT CERTIFIED BY THIS REPORT  
SIGNIFICANT OBSERVATIONS:  
POSITION AND TYPE OF TREES, TREES, BUSHES AND HERBS IN THE  
VICINITY OF PROPERTY LITTLE, AS SHOWN ON PART 1 OF THIS REPORT.



### INTEGRATION DATA

DISPERSED REFERENCE POINTS (ORP) DERIVED FROM REAL TIME NETWORK (RTN) GPS OBSERVATIONS USING THE SPOKA TOWNET RTN SERVICE. THE ZONE 17N (N17W LONGITUDE) HAD NO (CONST. 2010).

COORDINATE VALUES ARE TO AN URBAN ACCURACY IN ACCORDANCE WITH SECTION 14(2) OF O. REG. 218/10.

POINT NO	DESCRIPTION	NORTHING	EASTING
OPP A	MS (N)	4913745.02	666000.21
OPP B	P (N)	49180715.94	666771.29

CAUTION: COORDINATES CANNOT BE USED TO RE-ESTABLISH CORNERS ON BODILY-MADE BROWN OF THIS PLAN.

100

**WATER ELEVATION NOTE:**

THE ELEVATION OF FULLEN LANE IS ARTIFICIALLY REGULATED BY THE  
 ELEVATION OF THE MAIN WATERWAY - PARKS CANAL.  
 ELEVATION OF THE CONCRETE AND REINFORCED TO BENCH-MARK  
 NO. 222441 (BENCH-MARK) IS 246.14m (807.16ft) FOR THE CONCRETE  
 WALL ON THE NORTHEAST CORNER OF THE CANAL. 5.1m NORTH-EAST  
 OF THE LOWER GATE OF THE LOCK NO. 31, THE HAMLET OF  
 BUCHHORN. ELEVATION = 246.88m (810.33ft) CONVD(26)

# SURVEYOR'S REAL PROPERTY REPORT

**PART 1  
PLAN OF SURVEY  
OF PART OF LOT 17  
CONCESSION 8  
TOWNSHIP OF EMILY  
CITY OF KAWARTHA LAKES**



FRED PEIRICH, B.S., O.L.S., O.L.I.P.

## METHODS

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

**BEARING NOTE**  
**BEARINGS ARE A**

SECTIONED FOR ADJUDICATION, AND ARE REFERRED TO THE WESTERN  
LIMIT OF A 10.08 METRE WIDE LANE AS SHOWN ON A PLAN OF SURVEY  
DATED MAY 23, 1986, (ATTACHED TO INSTRUMENT No. R221120),  
HAVING A BEARING OF N16°00'00"W.

**LEADER**

1 DENOTES SURVEY MONUMENT FOUND  
 2 DENOTES STATION MONUMENT SET  
 3 DENOTES STATION MONUMENT BAK  
 4 DENOTES IRON BAR  
 5 DENOTES IRON PIPE  
 6 DENOTES LEAD ANGLE  
 7 DENOTES CHILLING LAMPS CONSTRUCTION  
 8 DENOTES NOT IDENTIFIABLE  
 9 DENOTES WITNESS  
 10 DENOTES ON LINE  
 11 DENOTES ON LINE  
 12 DENOTES FLOOR ELEVATION  
 13 DENOTES INSTRUMENT NO. R221120  
 14 DENOTES PLAN OF SURVEY BY D.C. BROOKS & ASSOCIATES LTD.  
 15 GRADING PLAN BY D.C. BROOKS & ASSOCIATES LTD.  
 16 CONSULTING ENGINEERS AND PLANNERS, PROJECT NO. 1174322  
 17 RECEIVED SEPTEMBER 25, 2016.

LAND SURVEY  
 PLAN Submission  
 2014680

THE PLAN IS NOT  
 VALID IF IT IS  
 REPRODUCED BY  
 THE SURVEYOR

D.C. BROOKS & ASSOCIATES LTD.  
 1174322

**SURVEYOR'S CERTIFICATE**

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYORS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.

2. THE SURVEY WAS COMPLETED ON THE 4TH DAY OF MARCH 2019.

**MARCH 6, 2015**

DATE \_\_\_\_\_  
ARRED PERMITS B.S.S.

THE WORK AND DRAWINGS HEREIN WERE COMPLETED FOR THE EXCLUSIVE USE OF OUR CLIENT AND NO RESPONSIBILITY IS ASSIGNED TO ANY THIRD PARTIES OR SUBSEQUENT OWNERS.



**SYLVESTER & BROWN**  
LAND SURVEYING  
181 TORONTO ROAD  
PORT HOPE, ONTARIO L1A 3V5  
OFFICE 905-886-2260  
FAX 905-886-1283

STATION NO.	00000	DATE	11/20/00	JOB NO.	P2010-B-00
PROJECT NO.	00000	DATE	11/20/00	JOB NO.	P2010-B-00
COPYRIGHT © SYLVESTER & EMMAN LIND SURVEYING					

## Quadri Adebayo

APPENDIX F

to

**From:** Stacy Porter <sporter@kawarthaconservation.com>  
**Sent:** Thursday, August 23, 2018 10:00 AM  
**To:** John Pearson  
**Subject:** 23 Westview Dr - hot tub and enclosure  
**Attachments:** 13723\_Hill\_IR-LETTER\_20140812.pdf

REPORT COA 2019-010  
FILE NO. D20-2019-003

Good Morning John

I have been speaking with Betty Anne Oliver today and I understand she is trying to provide you with proof for her hot tub enclosure that she received sign off from us. We provided a fairly unhelpful letter back in 2014 to this owner that stated that although it was constructed without a permit, that it appears to be outside of the floodplain and conforms to our policies. Upon further review of this lot, I can now confirm that the hot tub and enclosure are outside of the floodplain and likely more than 15m back from the floodplain, which means they are likely not regulated and no permit would have been required. So I don't think any further action is required on our end. This likely did not need a permit from us so no concerns on our end and she can move on with whatever she needs to do for you. I believe she will be sending you a copy of her building permit as she stated she has had one issued already.

Thanks,

Stacy Porter  
Planning Technician  
KAWARTHA CONSERVATION  
277 Kenrei Road  
Lindsay, ON K9V 4R1

Tel: 705.328.2271 ext. 231  
Fax: 705.328.2286  
[KawarthaConservation.com](http://KawarthaConservation.com)



**KAWARTHA  
CONSERVATION**

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**Quadri Adebayo**

**From:** Stacy Porter <sporter@kawarthaconservation.com>  
**Sent:** Friday, December 07, 2018 4:38 PM  
**To:** Quadri Adebayo  
**Cc:** Kent Stainton  
**Subject:** 23 Westview Drive  
**Attachments:** 23 Westview Dr - hot tub and enclosure

REPORT CA2019-010  
FILE NO. D20-2019-003

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hi Quadri

We have reviewed the hot tub and enclosure that was constructed without a permit and we have determined that it is outside the regulated area and no permit is required from us. We would still appreciate being circulated on the Minor Variance, should she apply for one. But no permit would be required once she gets the MV approved.

Thanks,

Stacy Porter  
Planning and Regulation Technician  
KAWARTHA CONSERVATION  
277 Kenrei Road  
Lindsay, ON K9V 4R1

Tel: 705.328.2271 ext. 231  
Fax: 705.328.2286

[KawarthaConservation.com](http://KawarthaConservation.com)



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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](mailto:csisson@kawarthalakes.ca)  
website: [www.kawarthalakes.ca](http://www.kawarthalakes.ca)

APPENDIX " F "

REPORT COA2019-010

## MEMORANDUM

FILE NO. D20-2019-003

**TO:** Mark LaHay, Acting Secretary-Treasurer

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

**FROM:** Christina Sisson, Supervisor, Development Engineering

**DATE:** March 13<sup>th</sup>, 2019

**SUBJECT:** Application for Minor Variance/Permission  
D20-2019-003 – 23 Westview Drive, Part Lot 17, Concession 8,  
Geographic Township of Emily, 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 March 7<sup>th</sup>, 2019.

Further to Engineering's comments sent to you on February 11<sup>th</sup>, it is our understanding that the applicant is applying for a minor variance to request relief from the following provisions in order to permit an accessory building (a hot tub room) in its current location:

1. Section 3.1.2.2 to reduce the minimum side yard setback for an accessory structure from 1.0 metre to 0.6 metres.; and
2. Section 12.2.1.3 e. to reduce the minimum water setback from 30 metres to 28.3 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 requirements 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 " F "

to

REPORT COA2019-019 The Corporation of the  
**City of Kawartha Lakes**  
Community Services  
50 Wolfe Street

FILE NO. D20-2019-003

Lindsay, Ontario K9V 2J2

Tel: 705-324-9411 ext 1300

Toll Free: 1-888-822-2225

[ldonnelly@kawarthalakes.ca](mailto:ldonnelly@kawarthalakes.ca)

[www.kawarthalakes.ca](http://www.kawarthalakes.ca)

LeAnn Donnelly, Executive Assistant, Community Services

## MEMORANDUM

**DATE:** March, 18, 2019  
**TO:** Committee of Adjustment  
**FROM:** LeAnn Donnelly, Executive Assistant, Community Services  
**RE:** Minor Variance - 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:

D20-2019-003 23 Westview Drive, Emily Township  
D20-2019-007 7843 Highway 35, Laxton  
D20-2019-010 159 Shadow Lake Road 3, Laxton  
D20-2019-011 133 Oakdene Crescent, Mariposa  
D20-2019-012 14 Fifth Street, Sturgeon Point  
D20-2019-013 268 Pigeon Creek Road, Manvers

*LeAnn Donnelly*

LeAnn Donnelly  
Executive Assistant, Community Services

APPENDIX " F "  
to

**Quadri Adebayo**

---

**From:** Charlotte Crockford-Toomey  
**Sent:** Friday, May 24, 2019 1:41 PM  
**To:** Quadri Adebayo  
**Subject:** FW: D03-2019-003 23 Westview

REPORT COA2019-010  
FILE NO. D20-2019-003

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

fyi

**Charlotte Crockford-Toomey**  
Administrative Assistant  
Planning Department, City of Kawartha Lakes  
705-324-9411 ext. 1231 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)



---

**From:** Derryk Wolven  
**Sent:** Friday, May 24, 2019 9:37 AM  
**To:** Charlotte Crockford-Toomey  
**Subject:** D03-2019-003 23 Westview

Please be advised building division has no concern with the above noted application.

**Derryk Wolven, CBCO**  
Plans Examiner  
Development Services, Building Division, City of Kawartha Lakes  
705-324-9411 ext. 1273 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)



**Quadri Adebayo**

APPENDIX " F "

**From:** Quadri Adebayo  
**Sent:** Friday, May 24, 2019 8:46 AM  
**To:** Charlotte Crockford-Toomey  
**Subject:** FW: D20-2019-003 - 23 Westview

REPORT COA 2019-010  
FILE NO. D20-2019-003

FYI & File. Thanks

**From:** Anne Elmhirst  
**Sent:** Friday, May 24, 2019 12:05 AM  
**To:** Quadri Adebayo  
**Subject:** D20-2019-003 - 23 Westview

Hello Quadri,

A further review was completed for the proposed Minor Variance for 23 Westview Drive. Through site evaluation it was observed that the constructed hot tub room will not encroach within the setback clearance distance to the sewage system.

As such, the Building Division - Sewage System Program has no concerns with the proposed minor variance.

Best Regards,  
Anne Elmhirst  
Supervisor - Part 8 Sewage Systems

Sent from my BlackBerry 10 smartphone on the Bell network.



**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – Frank Danek**  
Report Number COA2019-040

---

**Public Meeting**

**Meeting Date:** June 20, 2019  
**Time:** 1:00 pm  
**Location:** Council Chambers, City Hall, 26 Francis Street, Lindsay

---

**Ward: 2 – Geographic Township of Somerville**

**Background:**

The statutory Public Meeting was held by the Committee of Adjustment on April 18, 2019 report COA2019-017. The Committee deferred the application to enable the owner and applicant sufficient time to work with the City in order to achieve an amended proposal that can be adequately received for supportability by staff.

**Update:**

1. April 20<sup>th</sup> to 24<sup>th</sup>, 2019 – The applicant discussed the option of building a flat-roofed boathouse and a second utility shed more than 3 metres away from the water. Staff advised that it is possible option and that the context of the proposal would determine whether a minor variance would be applicable or not. Following this, no sketch was provided to staff for review (See Appendix A below);
2. April 29<sup>th</sup>, 2019 – Applicant supplied a revised survey showing the correct shoreline which further substantiates the removal of the request for extension of portions of the boathouse beyond the high water mark from the minor variance reliefs (See Appendix B below);
3. May 14<sup>th</sup>, 2019 – Applicant expressed that the boathouse design submitted to staff back in December 2018 including the design presented to Committee in April are the most desirable choices given the constraints presented by the topography of their property. On May 15<sup>th</sup>, 2019, the Director of Development Services advised that the said designs cannot be supported (See Appendix C below);
4. Some direction was provided via email correspondences to the applicant regarding definitions and interpretation of nuances like attic space, finished grade, and door location/storage space in anticipation of an alternative boathouse design;
5. May 17<sup>th</sup>, 2019 - Further direction was also provided to the applicant informing them that KRCA might have a lesser requirement than an Environmental Impact Study if their boathouse is proposed in the same location of the old boathouse since the area has already been disturbed; and
6. May 23<sup>rd</sup>, 2019 – Applicant expressed that they would stick to the boathouse design presented to Committee in April for the June meeting. Staff subsequently advised that the recommendation would be a denial of the proposal (See Appendix D below).

As advised by staff at the April meeting, the recommended boathouse designs in Appendix F of report COA2019-017 can be supported. Staff's position regarding this design are thus:

- It ensures the height measurement is taken from a water level (a midpoint between the unofficial high water level and the unofficial normal water level) that could in essence help limit a potential flood risk for the boathouse due to unpredictable seasonal changes. Although the by-law prescribes the height to be taken from the normal water level, some flexibility can be attained based on the water level data shown in the applicants sketch; and
- Respecting the height determination above, it also enables some flexibility to achieve an attic space or loft above the first storey for storage rather than a flat roof design that would defeat that opportunity. In this instance, an increase over the maximum height permitted by 0.1 metre to 0.3 metres would be evaluated on its own merits and could be supported provided the height determination from the water is followed.

No further changes have been made to report COA2019-017 regarding staff analysis and evaluation; however, the Recommendation no longer stands as staff could not reach an agreement with the owner on a design during the deferral period; and, the following section has been revised to clarify the revised Recommendation:

**Subject:** The purpose and effect is to request relief from the following in order to permit the construction of a boat house:

1. Section 18.1.5(c) to increase the maximum number of storeys allowed from one-storey to two-storeys; and
2. Section 18.1.5(c)(i) to increase the maximum height for a structure adjacent to or within 3 metres of the lake from 4.5 metres to 6.8 metres.

The variance is requested at 20 Griffin Drive, geographic Township of Somerville (File D20-2019-009).

---

**Author: Quadri Adebayo, Planner II**

**Signature:**

---

**Recommendations:**

**RESOLVED THAT** Report COA2019-040 Frank Danek, be received;

**That** minor variance application D20-2019-009 be **DENIED**, as the application does not meet the tests set out in Section 45(1) of the Planning Act.

## Attachments:



Appendices A-D to  
Report COA2019-040



Appendix E to  
Report COA2019-040

Appendix A – Alternative Options Discussed by Applicant  
Appendix B – Revised Survey  
Appendix C – Applicant's Desired Options  
Appendix D – Applicant's Final Desired Option  
Appendix E – Report COA2019-017

---

**Phone:** 705-324-9411 extension 1367  
**E-Mail:** qadebayo@kawarthalakes.ca  
**Department Head:** Chris Marshall, Director of Development Services  
**Department File:** D20-2019-009

**Quadri Adebayo**

APPENDIX A

**From:** Quadri Adebayo  
**Sent:** Wednesday, April 24, 2019 10:01 AM  
**To:** 'phillip danek'  
**Subject:** RE: Second utility shed question

REPORT COA2019-040  
FILE NO. D20-2019-009

The Zone category on your property is LSR Zone. Thanks.

**Quadri Adebayo**

Planner II

Development Services – Planning Division

City of Kawartha Lakes

180 Kent Street West, 2<sup>nd</sup> Floor, Lindsay, ON Canada K9V 2Y6

[gadebayo@kawarthalakes.ca](mailto:gadebayo@kawarthalakes.ca)

**Office:** (705) 324-9411 ext. 1367 **Fax:** (705) 324-4027 **Toll Free:** 1-888-822-2225

[www.kawarthalakes.ca](http://www.kawarthalakes.ca)



**From:** phillip danek [<mailto:phildanek@gmail.com>]

**Sent:** Wednesday, April 24, 2019 9:56 AM

**To:** Quadri Adebayo

**Subject:** Re: Second utility shed question

I dont think my lot is lsr as i have looked at the map and the lsr does not point on my lot. I would say my lot is a rg

Cpl.Danek 765

Vic Company Recce Plt

QOR of C

cell: 416-554-1612

On Wed, Apr 24, 2019, 9:49 AM Quadri Adebayo, <[gadebayo@kawarthalakes.ca](mailto:gadebayo@kawarthalakes.ca)> wrote:

I have attached the by-law provision with the sections highlighted in yellow. A digital version of the Somerville by-law can also viewed at this link: <https://www.kawarthalakes.ca/en/business-growth/resources/Planning-and-Development-Docs/Somerville---ZBL-78-45---2014.07.25.pdf>

**Quadri Adebayo**

Planner II

Development Services – Planning Division

City of Kawartha Lakes

180 Kent Street West, 2<sup>nd</sup> Floor, Lindsay, ON Canada K9V 2Y6

[gadebayo@kawarthalakes.ca](mailto:gadebayo@kawarthalakes.ca)

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[www.kawarthalakes.ca](http://www.kawarthalakes.ca)



**From:** phillip danek [mailto:[phildanek@gmail.com](mailto:phildanek@gmail.com)]

**Sent:** Tuesday, April 23, 2019 7:05 PM

**To:** Quadri Adebayo

**Subject:** Re: Second utility shed question

**Mr Adebayo,**

**Where in the by law does it say about 15 metre minimum water setback and other accessory structure provisions of the by-law. As well, outside of the 30% lot coverage requirement, there is a maximum of 8% or 225 square metre lot coverage for accessory buildings you need to be wary of.**

**thanks phil**

On Mon, Apr 22, 2019 at 12:41 PM Quadri Adebayo <[gadebayo@kawarthalakes.ca](mailto:gadebayo@kawarthalakes.ca)> wrote:

Good afternoon Mr. Danek,

It may be possible to have a second utility shed provided it meets the 15 metre minimum water setback and other accessory structure provisions of the by-law. As well, outside of the 30% lot coverage requirement, there is a maximum of 8% or 225 square metre lot coverage for accessory buildings you need to be wary of.

The context of the proposed plan would determine if a minor variance would be applicable or not.

Regards,

**Quadri Adebayo**

Planner II

Development Services – Planning Division

City of Kawartha Lakes

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[gadebayo@kawarthalakes.ca](mailto:gadebayo@kawarthalakes.ca)

**Office:** (705) 324-9411 ext. 1367 **Fax:** (705) 324-4027 **Toll Free:** 1-888-822-2225

[www.kawarthalakes.ca](http://www.kawarthalakes.ca)



**From:** phillip danek [mailto:[phildanek@gmail.com](mailto:phildanek@gmail.com)]

**Sent:** Saturday, April 20, 2019 1:03 PM

**To:** Quadri Adebayo

**Subject:** Second utility shed question

Sir,

I am talking to my designer to come up with different plans for our deferral meeting and I just wanted to confirm if I place a flat roof on my proposed boathouse and build a second utility shed that is more than 3 meters from the shore line and not touching my proposed boathouse, is this allowed? The second utility shed would be 20x30x15 (grade to mid rafter) which would still be under the 30 percent land rule. I would not need a minor variance if I go this route is that correct?

**Quadri Adebayo**

APPENDIX " B "

**From:** phillip danek <phildanek@gmail.com>  
**Sent:** Monday, April 29, 2019 5:56 PM  
**To:** Quadri Adebayo; joe@keji; Frank E. Danek  
**Subject:** New survey  
**Attachments:** New Doc 2019-04-29 17.51.02.pdf

REPORT COA2019-040

FILE NO. D20-2019-009

Here is a copy of the new survey with the correct shore line.

Cheers Phillip Danek

Cpl.Danek 765  
Vic Company Recce Plt  
QOR of C  
cell: 416-554-1612





**Quadri Adebayo**

APPENDIX " C "

**From:** Chris Marshall  
**Sent:** Wednesday, May 15, 2019 9:50 AM  
**To:** 'phillip danek'  
**Cc:** Quadri Adebayo; Richard Holy; 'fed45@hotmail.com'; joe@keji  
**Subject:** RE: Deferral meeting new and old drawing

REPORT COA2019-040

FILE NO. 020-2019-009

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged  
**Categories:** Red Category

Hi Mr. Danek, thanks for your call sorry I missed you. I have spoken to Quadri and I am not sure what the misunderstanding is. The Zoning Bylaw is very clear that two storey boathouses are not permitted and that the height limitation is 4.5 m from the water level or 4.5 m from grade if you are building 3 m away from the water. It does not appear that either of your options meet these requirements. I have also been told that your neighbour is in opposition to your proposal and so is the Lake Association. I would suggest that you develop a design for your boathouse that meets the Bylaw as there does not appear to be any support for this variance from staff or the public.

**From:** phillip danek [<mailto:phildanek@gmail.com>]  
**Sent:** Tuesday, May 14, 2019 9:10 PM  
**To:** Richard Holy; Quadri Adebayo; joe@keji; Frank E. Danek; Chris Marshall  
**Subject:** Deferral meeting new and old drawing

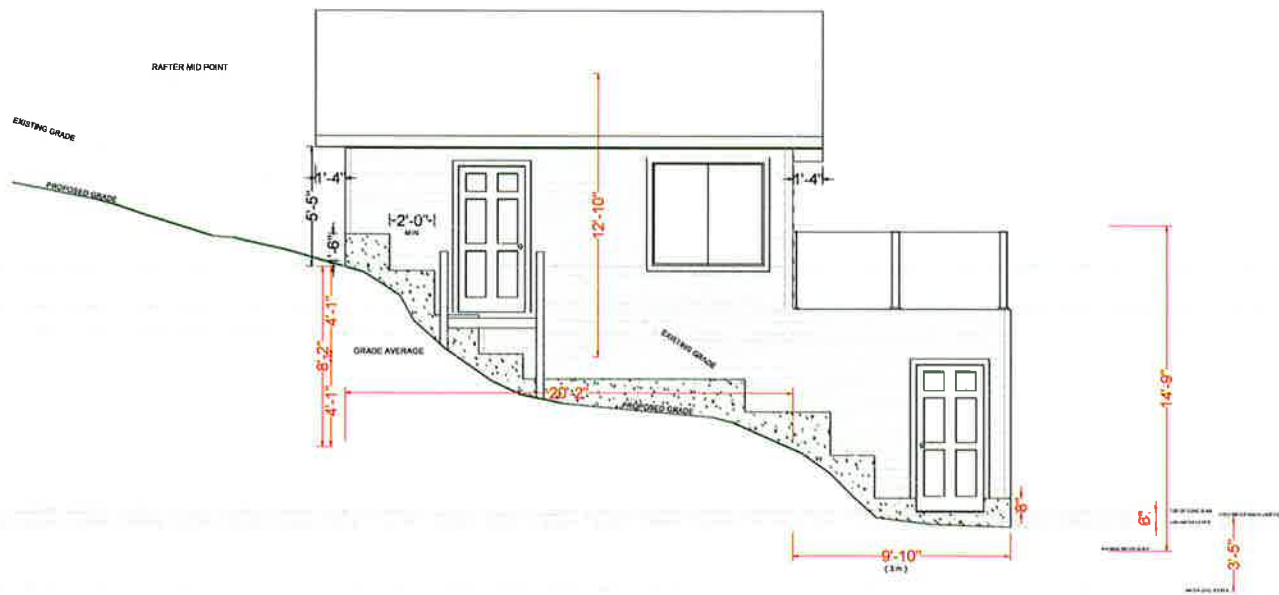
Mr. Adebayo,

There are two attachments, one being the original proposed boat house, and the new boat house moved back 3 meters. You can see that if I move the boat house 3 meters back, how much more I have to dig into the cliff, which would have a great impact on the land. The second attachment is what we did suggest back when we met in Dec, 2018. The original boat house proposed or the redesign back on Dec, 2018 are the best two choices, as they have the least impact on the environment and best use of the land as I am on a cliff. Please let me know what my next step is.

Thank you Phillip Danek

--  
Cpl Danek 765  
QOR of C,  
Vics Coy, Recce Pl  
C: 416-554-1612

December 2018 Design



SIGNATURE		
No.	Revision/Issue	Date
1	FOUNDATION	11.11.18
2	DETAILS	4.20.18
3	SETBACK/HEIGHT	12.5.18



**PLANNERS & BUILDERS**

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joe@keji.ca

705 454 2587

416 315 7751

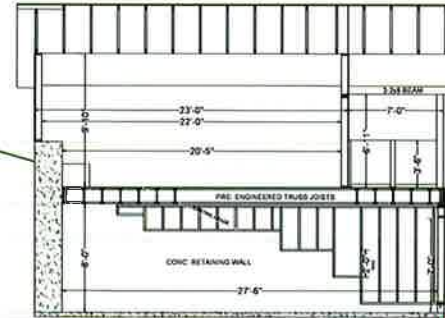
Site and Address

DANEK BOATHOUSE  
20 GRIFFEN DRIVE  
COBOCONK, ONTARIO, CANADA

Project:

PROPOSED DEMOLITION  
NEW BOATHOUSE  
and RETAINING WALL

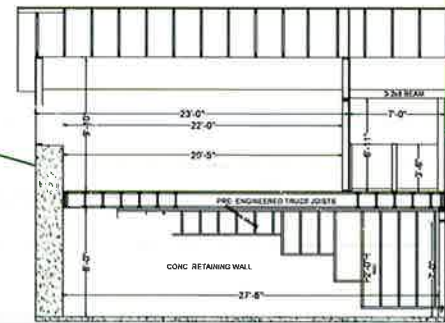
Current Proposal as of April 2019



Alternative Design: Setback away from shoreline



SOUTH ELEVATION (setback 10')



SECTION B-B (setback 10')

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PERSONNEL SHALL VERIFY AND BE RESPONSIBLE FOR  
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THE DESIGNER(S) SHALL BE INFORMED OF ANY VARIATION  
FROM THE DIMENSIONS AND CONDITIONS SHOWN ON  
THE DRAWINGS FOR THE PROJECT

SHOP DRAWINGS SHALL BE SUBMITTED TO THE  
OWNER/CLIENT BEFORE PROCEEDING WITH WORK.

CONTRACTORS WORKING WITH DRAWINGS NOT MARKED  
FOR CONSTRUCTION PURPOSES ASSUME THE  
RESPONSIBILITY FOR AND COSTS OF CORRECTING ANY  
AND ALL ERRORS, OMISSIONS, DEFICIENCIES IN WORK  
COMPLETED OR RESULTING FROM ANY WORK  
COMPLETED.

KEJI PLANNERS & BUILDERS DOES NOT AUTHORIZE THIS  
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ADJUSTMENT, PERMIT APPLICATIONS, TENDER OR  
CONSTRUCTION UNLESS LABELED AS SUCH AND SIGNED  
BY JOE MCCOOL

The undersigned does not warrant and takes responsibility for the  
design, and has the qualifications and meets the requirements  
set out in the Ontario Building Code to be a designer

QUALIFICATION INFO:  
NAME: Joe McCool 30046  
REGISTRATION INFO: OCA  
Required unless design is exempt under 2.17.5.1 of the OBC

SIGNATURE

No.	Revision/Issue	Date
1	FOUNDATION	11.11.18
2	DETAILS	4.20.18
3	SETBACK	9.9.19

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416 434 2587 416 315 7721

Site and Address:  
DANIEK BOATHOUSE  
20 GRIFFIN DRIVE  
COBOCONK, ONTARIO, CANADA

Project:  
PROPOSED DEMOLITION  
NEW BOATHOUSE  
and RETAINING WALL

Scale:  
1/4" = 1' - 0"

Date:  
1.9.2017

Drawn by:  
J.M. MCCOOL

Sheet #:  
A2

**Quadri Adebayo**

APPENDIX " D "  
to

**From:** Quadri Adebayo  
**Sent:** Thursday, May 23, 2019 10:45 AM  
**To:** 'phillip danek'; Frank E. Danek; joe@keji  
**Subject:** RE: June Variance

REPORT COA2019-040

FILE NO. D20-2019-009

Thank you. In the interim, I will draft a report based on this in preparation for the June meeting. The report and the meeting agenda would be available on June 14<sup>th</sup>. Also, staff recommendation in the report would be that Committee denies the proposal as it would not meet the tests for minor variance.

Regards,

**Quadri Adebayo**

Planner II

Development Services – Planning Division

City of Kawartha Lakes

180 Kent Street West, 2<sup>nd</sup> Floor, Lindsay, ON Canada K9V 2Y6

[gadebayo@kawarthalakes.ca](mailto:gadebayo@kawarthalakes.ca)

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**From:** phillip danek [<mailto:phildanek@gmail.com>]  
**Sent:** Thursday, May 23, 2019 9:37 AM  
**To:** Quadri Adebayo; Frank E. Danek; joe@keji  
**Subject:** Re: June Variance

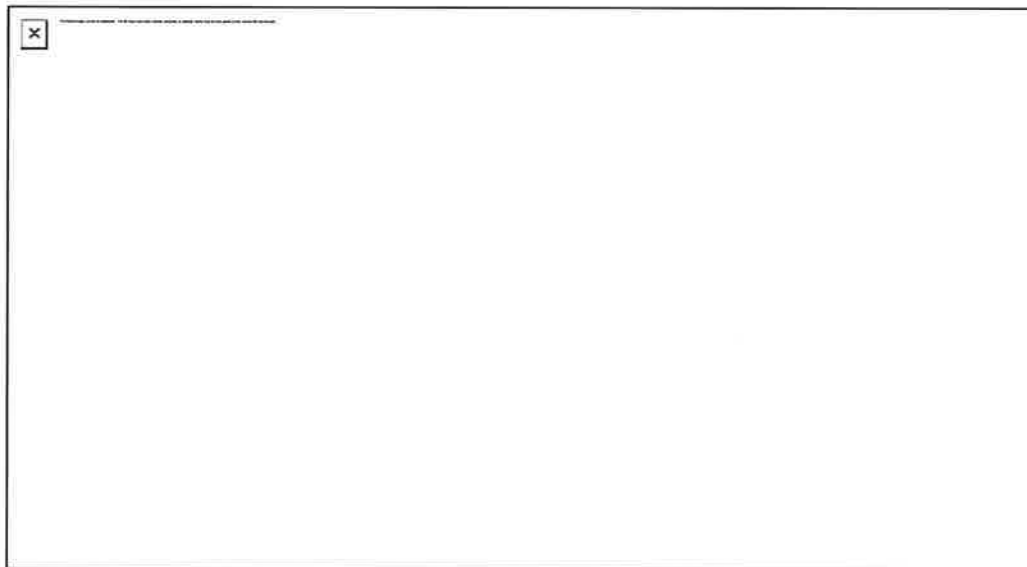
Yes it's the same drawings

Cpl.Danek 765  
Vic Company Recce Plt  
QOR of C  
cell: 416-554-1612

On Thu, May 23, 2019, 9:01 AM Quadri Adebayo, <[gadebayo@kawarthalakes.ca](mailto:gadebayo@kawarthalakes.ca)> wrote:

Good morning Mr. Danek,

When you say 'original drawing', are you referring to this drawing below that was circulated in April? If yes, then there will be no supplementary paper work needed. Kindly confirm and I will advise accordingly. Thanks.



**Quadri Adebayo**

Planner II

Development Services – Planning Division

City of Kawartha Lakes

180 Kent Street West, 2<sup>nd</sup> Floor, Lindsay, ON Canada K9V 2Y6

[gadebayo@kawarthalakes.ca](mailto:gadebayo@kawarthalakes.ca)

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[www.kawarthalakes.ca](http://www.kawarthalakes.ca)



**From:** phillip danek [mailto:[phildanek@gmail.com](mailto:phildanek@gmail.com)]

**Sent:** Wednesday, May 22, 2019 7:33 AM

**To:** Quadri Adebayo

**Subject:** June Variance

Sir,

I hope you had a good long weekend,I am going to keep my original drawing for the June variance. what other paper work do I need,

Thanks Phil

Cpl Danek 765

QOR of C,

Vics Coy, Recce Pl

C: 416-554-1612

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**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – Frank Danek**  
Report Number COA2019-017

---

**Public Meeting**

**Meeting Date:** April 18, 2019  
**Time:** 1:00 pm  
**Location:** Council Chambers, City Hall, 26 Francis Street, Lindsay

---

**Ward: 2 – Geographic Township of Somerville**

**Subject:** The purpose and effect is to request relief from the following in order to permit the construction of a boat house:

1. Section 18.1.5(c) to increase the maximum number of storeys allowed from one-storey to two-storeys;
2. Section 18.1.5(c)(i) to increase the maximum height for a structure adjacent to or within 3 metres of the lake from 4.5 metres to 6.8 metres; and
3. Section 18.1.5(d) to permit any portion of a boathouse on a lot fronting on Four Mile Lake to extend beyond the high water mark.

The variances are requested at 20 Griffin Drive, geographic Township of Somerville (File D20-2019-009).

---

**Author:** Quadri Adebayo, Planning II

**Signature:**



---

**Recommendations:**

**Resolved That** Report COA2019-017 Frank Danek, be received;

**That** minor variance application D20-2019-009 be DEFERRED until such a time when the applicant brings forward a revised application supportable by staff, as parts of the application does not meet the tests set out in Section 45(1) of the Planning Act.

**This approval pertains to the application as described in report COA2019-017. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.**

**Background:** The proposal seeks to replace and enlarge a dilapidated 1-storey upland boat house built circa 1955 (MPAC) with a 2-storey partially in-water boat house that comprises an ancillary covered deck. This application was deemed complete January 14, 2019.

**Proposal:** To construct an approximately 92 square metre (989 square foot) two-storey boat house with an ancillary covered deck on the waterside.

**Owner:** Frank Danek

**Applicant:** Philip Danek

**Legal Description:** Part of Lot 19, Concession 7, Lot 4 on Plan 327, geographic Township of Somerville, now City of Kawartha Lakes

**Official Plan:** Waterfront and SP-1 (Special Lake Policy Area)

**Zone:** Limited Service Residential (LSR) Zone in the Township of Somerville Zoning By-law 78-45

**Site Size:** 0.46 acres (1,851.1 square metres)

**Site Servicing:** Private individual septic and lake water systems

**Existing Uses:** Residential

**Adjacent Uses:** North: Residential and Agricultural  
East: Four Mile Lake  
South: Residential and Four Mile Lake  
West: Agricultural

**Rationale:**

**1) Are the variances minor in nature?**

- (i) **Two-Storey Boat House and Height - No**
  - (ii) **Extension beyond the high water mark - Undetermined**
- And**

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

- (i) **Two-Storey Boat House and Height - No**
- (ii) **Extension beyond the high water mark - Undetermined**

(i) **Two-Storey Boat House and Height:**

The proposed boat house will translate into a larger structure than the former single-storey boat house on the property that is currently dilapidated. As such, in terms of scale, the proposed two-storey boat house is anticipated to be



visually more imposing when compared to the design-character of most boat houses on Four Mile Lake. Most boat houses on Four Mile Lake are single-storeys with flat-top roof designs but the massing of the proposed design under this application is anticipated to present negative land use compatibility issues considering the potential for human habitation. This is substantiated by the Kawartha Conservation (KRCA) concerns regarding the entirety of the property as being in a flood plain hazard area. KRCA have also expressed preference for an amendment to the size of the boat house subject to revised proposal being able to meet their policy conditions (see KRCA comments below).

In terms of the proposed height, Four Mile Lake is a special policy area and developments along its shoreline are directed to be of a modest nature. In keeping with this policy, standards were put in place for boat house heights and how the height should be determined. The Somerville By-law provides that the maximum height for a structure adjacent to or within 3 metres of a lake shall be measured as the vertical distance from the normal water level. Rather, the height proposed under this application was measured from finished grade on land.

Although the applicant stated the second storey is supposed to function as storage for marine rail systems, it is clear that the proposed design was chosen out of preference because it does not appear to correspond with the alternative design advised by staff that demonstrates storage functionality within the confines of the by-law that can be supported.

Based on this, provided the proposed number of storeys for the boathouse is reduced to less than two-storeys and the height measurement revised to comply with the standards allowed in the by-law, the variances for the boat house will be considered minor as well as desirable and appropriate for the use of the land.

(ii) Extension beyond the high water mark:

It is evident that the proposed structure will be replacing an already dilapidated structure on an entirely new and larger building footprint. The shoreline edge also appears to be irregular hence the constraint of achieving a completely inland boat house design. The northerly interior side yard setback is compliant and not anticipated to impact the function as the yard will still serve as naturalization space that can retain and infiltrate surface water run-off before discharging it into the abutting lake.

Overall, KRCA has stated that provided an Environmental Impact Study (EIS), demonstrates no impact to fish habitat, and that necessary permits are obtained from the Ministry of Natural Resources and Forestry (MNRF) prior to any in-water works, the variance for the extension of portions of the boat house over the high water mark will be considered 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?**

- (i) Two-Storey Boat House and Height - No**
- (ii) Extension beyond the high water mark – Undetermined**

**(i) Two-Storey Boat House and Height:**

The Somerville Zoning By-law is clear in the standards allowed for boat houses. It defines *normal water level* as the usual or average summer elevation of the water surface of a body of water or a watercourse as maintained for navigational purposes, as specified by a Conservation Authority with jurisdiction or the Ministry of Natural Resources. It further provides that in the absence of a controlled elevation, the usual elevation of the water surface of a body of water or watercourse exclusive of seasonal flooding shall be adopted.

The By-law also prescribes that only in a situation whereby a structure is constructed more than 3 metres away from the shore lot line shall the height be measured from finished grade (on land).

Staff in conjunction with the KRCA have advised their receptiveness to the unofficial water levels provided by the applicant's designer. They will support a boat house height measured from the average point between the unofficial high water level and the unofficial normal water level following the applicant's concern that adopting the unofficial normal water level may put their proposed boathouse at risk of flooding.

Given that staff have demonstrated reason by working with applicant and their designer to achieve a boat house design that would be supportable within the confines of the corresponding zoning by-law provisions, provided the proposed number of storeys for the boat house is reduced to less than two-storeys and the height measurement revised to comply with standards prescribed in the by-law, the variances for the boat house will be considered to meet the general intent and purpose of the Zoning By-Law.

**(ii) Extension beyond the high water mark:**

By-law 2001-155 which was passed in November of 2001 by Council was specifically enacted for Four Mile Lake to insure boat houses are not constructed substantially in the water with a minimal amount being on the actual lot.

For clarity, *high water mark* is defined as the highest elevation of the water surface of a body of water or watercourse, including seasonal flooding, as evidenced by changes in shoreline or residual water marks left on buildings, structures, vegetation or other shoreline features.

As explained in Rationale 1 and 2 above, the configuration of the shoreline edge presents a physical constraint. Provided an EIS demonstrates no impact to fish habitat, and necessary permits are obtained from the Ministry of Natural Resources and Forestry (MNRF) prior to any in-water works, the variance for the extension of portions of the boat house over the high water mark will be considered to meet the general intent and purpose of the Zoning By-Law.

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

- (i) Two-Storey Boat House and Height - No**
- (ii) Extension beyond the high water mark – Undetermined**

The property is designated Waterfront and SP-1 Special Lake Policy Area within the City of Kawartha Lakes Official Plan. Residential uses, along with accessory uses (e.g. boat houses) are anticipated within the designations.

The Special Lake Policy Designation speaks to the fact that the Lake is a relatively shallow warm water with a closed system that has no navigable access to or from the Trent River System or other lakes. As well, that volume of water in the lake has a very slow flushing rate of once in five years and its small drainage area directly influences it.

The current health of the lake and quality of life in the community is linked to the undeveloped rural character of the watershed. Four Mile Lake residential community is deemed to be 'at capacity' for new recreational development and activities as the entire shoreline has been heavily developed with over 450 residential dwellings. In addition, that the character and geology of the shoreline and surrounding watershed is unique and quite diverse and provides for a wide range fish and wildlife species and landscapes. However, it is recognized that this diversity is fragile and may be threatened from any new development.

Therefore, the designation policy directs that in order to protect the integrity and character of this residential community, new shoreline and backlot residential development must occur in accordance with standards.

In consideration of the above, provided the proposed number of storeys for the boat house is reduced to less than two-storeys and the height measurement revised to comply with standards prescribed in the by-law, and the EIS advised by the KRCA demonstrates no impact to fish habitat, the variances will maintain the general intent and purpose of the Official Plan.

**Other Alternatives Considered:**

- (i) The applicant supplied pictures of the former boat house which appears to be a one-storey design and compliant with the by-law requirement for height and number of storeys (see Appendix H). Staff have been able to demonstrate reason by recommending an alternative boat house design that can achieve a safety and storage functionality while still meeting the tests set out in Section 45(1) of the Planning Act (see Appendix F);
- (ii) Staff have confirmed with the KRCA that the alternative boat house designs recommended in accordance with the by-law provisions will still require an EIS to be done for the in-land works at the shoreline with respect to fish timing windows;
- (iii) The applicant supplied pictures along with their application form which they claim to have downloaded from social media showing boat houses on Four Mile with two-storeys. Staff opine that it is premature to rely on information that does not have a reliable source or municipal address associated with it. Moreover, observation from site inspection also verified

- that the picture supplied by the applicant as being 'The Boathouse from our Neighbor's Deck' does not physically exist (see Appendix I); and
- (iv) The applicant supplied additional pictures on April 2, 2019 labelled 'Other of Boathouse on Lake' showing boat houses with two-storeys (see Appendix I). Staff maintains that it is premature to rely on information that does not have a reliable source or municipal address associated with it. The applicant also supplied an elevation drawing for a two storey boat house on the same day labelled 'Previous Pass Drawing'. The applicant claimed the drawing was done by their designer and that it was approved by the City of Kawartha Lakes. Staff have reviewed the drawing dated July 20, 2009. The property is municipally addressed as 102 Romany Ranch Road in Fenelon Township and fronts on Balsam Lake. Staff maintain that a different zoning by-law jurisdiction applies in this situation and thus, does not hold enough traction as a valid comparable to what is being proposed under this application.

**Servicing Comments:**

The property is serviced by private well and lake systems.

**Consultations:**

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

**Agency Comments:**

Building Division – Sewage System Program (March 1, 2019): No concerns. See comments.

Building Division – Plans Examiner (April 4, 2019): No concerns. See comments.

Kawartha Conservation (KRCA - April 4, 2019): KRCA advised they are not supportive of the request of the minor variance at this time until the following recommendations are addressed to their satisfaction:

- A revised boat house design to a single storey, flat roof configuration in accordance with the previous boathouse design in order to prevent an increase in habitable space in a known flood hazard where none previously existed, and
- The applicant submits an Environmental Impact Study (EIS) conducted by an environmental professional and scoped by Kawartha Conservation staff to ensure the construction and situation of the boathouse presents no negative impacts to fish and fish habitat in accordance with the Natural Heritage System policies of the Growth Plan for the Greater Golden Horseshoe (2017) and Section 2.1.6 of the Provincial Policy Statement (2014).

KRCA also emphasized that, in-water works should only be conducted from July 15th to October 1st. Additional permissions in relation to in-water works surrounding fish-timing windows and Crown land work permits may be required. See Appendix E for Comments.

**Public Comments:**

Marg and Ken Inglis, Owners - 16 Griffin Drive (Received April 2, 2019): They expressed support for the proposed boathouse as it will ensure a safe and proper building. They also added that they have reviewed the plans and toured the proposed location and that they are satisfied that the proposed height of the boat house will not affect their view or enjoyment of the lake.

**Attachments:**



Appendices A-G to  
Report COA2019-017



Appendix H to  
Report COA2019-017



Appendix I to Report  
COA2019-017.pdf

Appendix A – Location Map

Appendix B – Aerial Photo

Appendix C – Applicant's Sketch

Appendix D – Elevation Drawings

Appendix E – Department and Agency Comments

Appendix F – Staff Recommended Boat House Design

Appendix G – Public Comments

Appendix H – Applicant's Old Boat House Pictures and Supporting Pictures  
showing Height of Proposed Boat House

Appendix I – Applicant's Pictures of Comparable Boathouses

---

**Phone:** 705-324-9411 extension 1367  
**E-Mail:** qadebayo@kawarthalakes.ca  
**Department Head:** Chris Marshall, Director of Development Services  
**Department File:** D20-2019-009

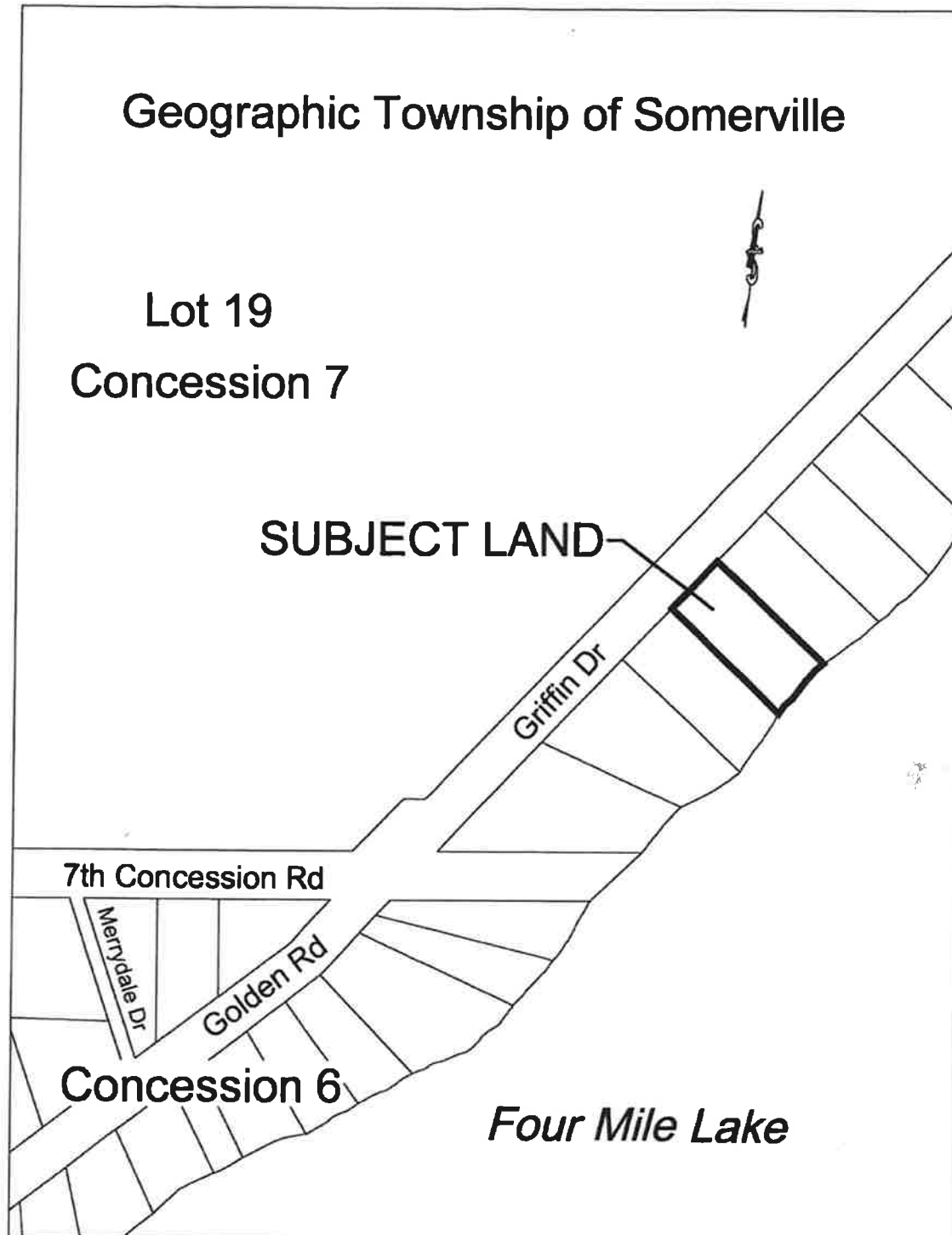
APPENDIX: A

to

REPORT COA2019-017

FILE NO: D20-2019-009

**D20-2019-009**



APPENDIX: B

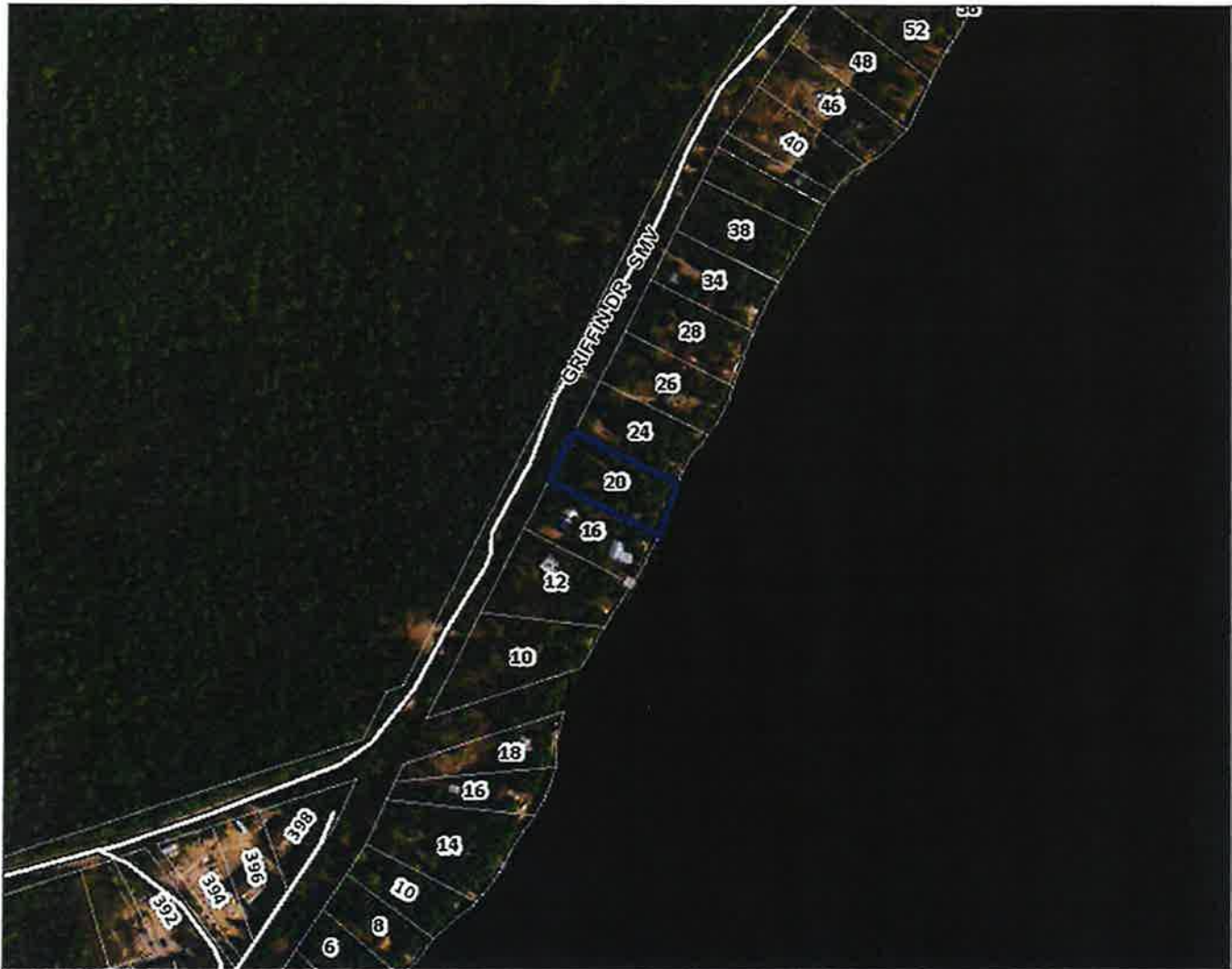
to

REPORT COA2019-017

FILE NO: D20-2019-007



## 20 Griffin Drive, Geographic Township of Somerville



0 23

Kilometers

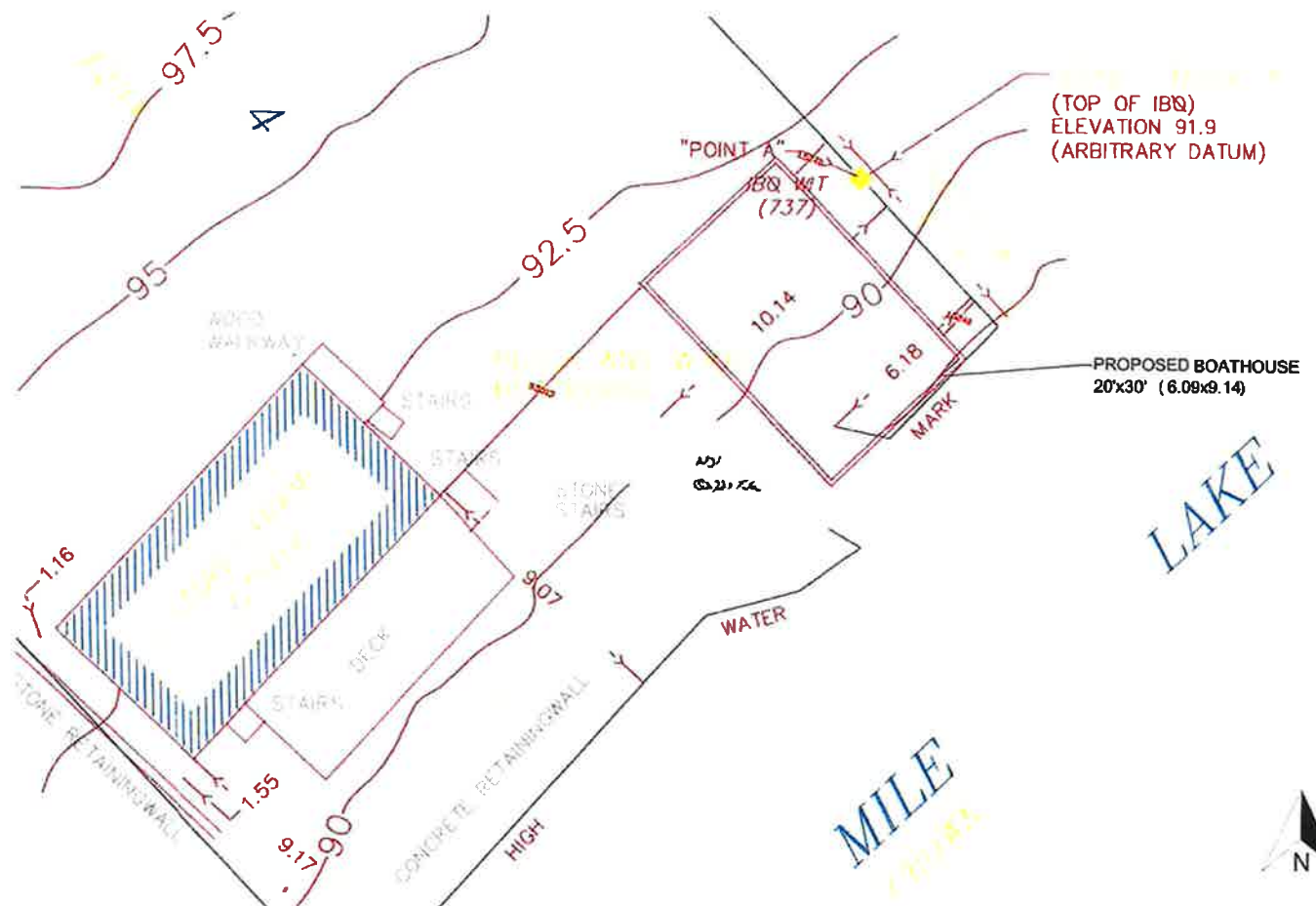
WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© City Of Kawartha Lakes



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

Site Plan Sketch





APPENDIX: D

to

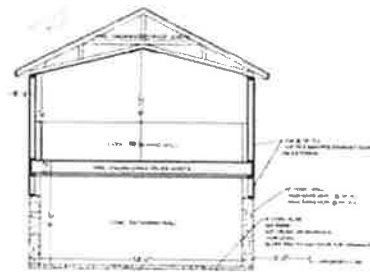
REPORT COA2019-017

FILE NO: D20-2019-009

### Front (East) Elevation and Sectional Drawing

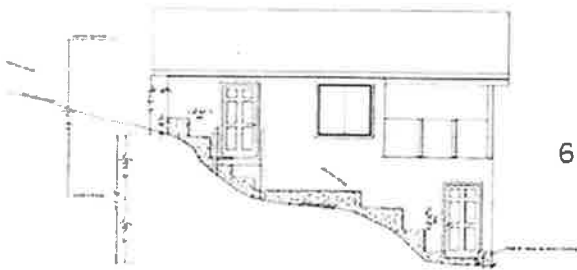


EAST ELEVATION



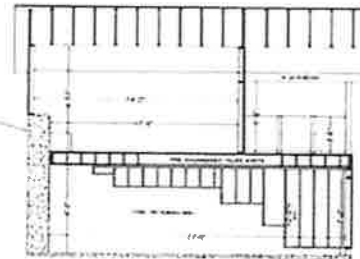
SECTION A-A

### Left (South) Elevation and Sectional Drawing



SOUTH ELEVATION

6.8 metres



APPENDIX " E "  
to

**Charlotte Crockford-Toomey**

---

**From:** Derryk Wolven  
**Sent:** Thursday, April 04, 2019 3:37 PM  
**To:** Charlotte Crockford-Toomey  
**Subject:** Committee of Adjustment

REPORT COA2019-017

FILE NO. D20-2019-009

Please be advised building division has the following comments:

D20-2019-009	No concerns
D20-2019-015	No concerns
D20-2019-016	No concerns
D20-2019-017	No concerns
D20-2019-018	No concerns
D20-2019-019	No concerns
D20-2019-020	No concerns

**Derryk Wolven, CBCO**

Plans Examiner

Development Services, Building Division, City of Kawartha Lakes

705-324-9411 ext. 1273 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)



**Quadri Adebayo**

APPENDIX " E "

**From:** Anne Elmhirst  
**Sent:** Friday, March 01, 2019 10:31 AM  
**To:** Charlotte Crockford-Toomey  
**Subject:** D20-2019-009 - 20 Griffin Dr

REPORT COA2019-017  
FILE NO. D20-2019-009

Hello Charlotte,

RE: Minor Variance Application D20-2019-009  
20 Griffin Drive, Former Somerville Township, City of Kawartha Lakes  
Pt Lot 19, Conc. 7, Plan 427, Lot 4  
Roll No. 165131005009600  
Owner: Frank Danek

I have received and reviewed the above-noted request for minor variance to allow for the construction of a boathouse with a second floor with windows and a deck at 20 Griffin Drive. This request does not include living space as a component of the construction. A site visit was completed as part of this review.

A sewage system installation report was located for this property (file S-31-05). The report indicates a septic tank and weeping bed located at the roadside of the property. The proposed boathouse will be maintained outside of the minimum setback clearance distance to the components of the sewage system.

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

Best Regards,

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



Via E-Mail: [ccrockford-toomey@kawarthalakes.ca](mailto:ccrockford-toomey@kawarthalakes.ca)

Charlotte Crockford-Toomey  
Administrative Assistant  
Committee of Adjustment  
City of Kawartha Lakes  
180 Kent Street West  
Lindsay, ON K9V 2Y6

**Regarding: Application for Minor Variance – D20-2019-009**  
**Frank & Philip Danek**  
**20 Griffin Drive, Part of Lot 19 Concession 7 (Four Mile Lake)**  
**Geographic Township of Somerville**  
**City of Kawartha Lakes**

Dear Ms. Crockford-Toomey:

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 from the requirements of the Township of Somerville Zoning By-Law 78-45, as amended. The purpose and effect is to request relief from the following in order to permit the construction of a boathouse:

- a) Section 18.1.5 (c) – to increase the maximum number of storeys allowed from one-storey to two-storeys;
- b) Section 18.1.5(c)(i) – to increase the maximum height for a structure adjacent to or within 3 metres of the lake from 4.5 metres to 66.8 metres; and,
- c) Section 18.1.5 (d) – to permit any portion of a boathouse on a lot fronting on Four Mile Lake to extend beyond the high water mark.

**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

**KAWARTHA CONSERVATION**  
277 Kenrei Road, Lindsay, ON K9V 4R1  
705.328.2271 Fax 705.328.2286  
[KawarthaConservation.com](http://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

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.

#### **Flooding Hazards (Hazardous Lands)**

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, Four Mile Lake experiences considerable fluctuations during certain times of the year. As there is no recorded Regulatory flood level for Four Mile 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.

A second-storey replacement of the existing single-storey, flat roof boathouse represents the potential for the establishment of habitable space within a known flooding hazard. Moreover, a pitched roof design increases the potential for an immediate and future habitable component within the second-storey of the boathouse. Staff appreciate the concerns raised by the applicant regarding the need to facilitate the storage of a marine rail system; however, implementation of marine rail systems can be achieved using a single-storey, flat-roofed boathouse and the additional height is unnecessary for the proposed use. Kawartha Conservation also recommends no services (aside from electricity, which should be flood-proofed accordingly) within the proposed boathouse. Any replacement boathouse should be firmly anchored and attached to the shoreline. Overall, the proposed replacement boathouse presents an unacceptable risk to public health and safety and the increased potential for property damage on-site and adjacent to the subject lands.

#### **Growth Plan for the Greater Golden Horseshoe (GPGGH) - Natural Heritage System Mapping**

The subject property is located within the Provincial Natural Heritage System (NHS) released by the Ministry of Natural Resources and Forestry (MNRF) through the Growth Plan for the Greater Golden Horseshoe (GPGGH), 2017. Key Natural Heritage Features (KNHFs) / Key Hydrologic Features (KHF) as part of the NHS have been identified on lands within 120 metres of subject lands including woodlands and fish habitat. Section 4.2.3.1 & 4.2.4.3 of the GPGGH prohibits development and site alteration outside settlement areas within key natural heritage features and key hydrologic features and their related vegetation protection zone (VPZ). Section 4.2.4.1 of the GPGGH states that development, including a change of use, and site alteration within 120 metres of a KNHF/ KHF will require a natural heritage evaluation (NHE) or hydrologic evaluation that identifies a VPZ. For fish habitat and significant woodlands, the minimum VPZ is 30 m from the outside boundary of the feature (S. 4.2.4.1(c)). Since the proposed expanded boathouse will be within 120 metres of fish habitat, a scoped NHE/EIS will be required.

### **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 plans provided as part of the application, the proposed boathouse represents considerable expansion within the water and along the shoreline of Four Mile Lake.

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. Ultimately, the expansion of the boat closer to the shoreline, within the fish habitat buffer is contrary to provincial policy unless supported by a technical study.

In addition to the recommended scoped Environmental Impact Study (EIS), the applicant is advised of the in-water timing windows for conducting in-water works. Works should be avoided during the following time periods (as Four Mile Lake is in the Southern Region):

- March 15<sup>th</sup> to July 15<sup>th</sup> Spring spawning species
- October 1<sup>st</sup> to May 31<sup>st</sup> Fall spawning species

Four Mile Lake has both spring (e.g., Walleye) and fall (e.g., Lake Herring) spawning species. Again, in-water works should only be conducted from July 15th to October 1st. Additional permissions in relation to in-water works surrounding fish-timing windows and Crown land work permits (since the proposed boathouse is situated below the spring high water mark (Upper Navigable High water Mark) may be required. It is highly recommended that the applicant contact the Bancroft District MNRF (MNRF Minden Area Office - Adam Challice) for any additional restrictions and/or requirements. More information on in-water works in relation to fish habitat and spawning can be found via the following link <http://www.dfo-mpo.gc.ca/pnw-ppe/timing-periodes/on-eng.html>

During all phases of construction, appropriate erosion and sediment controls (i.e. silt fencing and turbidity curtain as per OPSD 219.110 & 219.260) should be implemented between disturbed areas and Four Mile Lake to prevent sediment-laden runoff from entering into Four Mile Lake.

**Recommendation**

**Based on our review of the natural hazards and natural heritage features adjacent to the property, KRCA staff are not in a position to recommend approval of Minor Variance application D20-2019-009 at this time until the following recommendations are addressed to our satisfaction:**

1. The applicant revises the design of the boathouse to a single storey, flat roof configuration in accordance with the previous boathouse design in order to prevent an increase in habitable space in a known flood hazard where none previously existed, and;
2. The applicant submits an Environmental Impact Study (EIS) conducted by an Environmental professional and scoped by Kawartha Conservation staff to ensure the construction and situation of the boathouse presents no negative impacts to fish and fish habitat in accordance with the Natural Heritage System policies of the Growth Plan for the Greater Golden Horseshoe (2017) and Section 2.1.6 of the Provincial Policy Statement (2014).

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: Quadri Adebayo, City of Kawartha Lakes, via email  
Mark LaHay, City of Kawartha Lakes, via email

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

***Our Watershed Partners:***

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**Charlotte Crockford-Toomey**

APPENDIX " E "  
to

**From:** Mark LaHay  
**Sent:** Tuesday, April 09, 2019 11:11 AM  
**To:** Quadri Adebayo  
**Cc:** Charlotte Crockford-Toomey  
**Subject:** FW: 20190409 D20-2019-009 - Engineering review

REPORT COA 2019-017

FILE NO. D20-2019-009

FYI - file

---

**From:** Kim Rhodes  
**Sent:** Tuesday, April 09, 2019 9:58 AM  
**To:** Mark LaHay  
**Cc:** Christina Sisson; Kirk Timms  
**Subject:** 20190409 D20-2019-009 - Engineering review

**Please see the message below from Christina Sisson:**

---

Good morning Mark - further to our engineering review of the following:

Minor Variance – D20-2019-009  
20 Griffin Drive  
Part Lot 19, Plan 327, Lot 4, Concession  
Geographic Township of Somerville

It is the understanding by Engineering that the purpose and effect is to request relief from the following in order to permit the construction of a boat house:

1. Section 18.1.5(c) to increase the maximum number of storeys allowed from one-storey to two-storeys;
2. Section 18.1.5(c)(i) to increase the maximum height for a structure adjacent to or within 3 metres of the lake from 4.5 metres to 6.8 metres; and
3. Section 18.1.5(d) to permit any portion of a boathouse on a lot fronting on Four Mile Lake to extend beyond the high water mark.

*From an engineering perspective, we have no objection to the proposed Minor Variance.*

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

Thanks,

*CHRISTINA*

**Christina Sisson, P.Eng.**  
Supervisor, Development Engineering  
Engineering & Corporate Assets, City of Kawartha Lakes  
705-324-9411 ext. 1152 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)



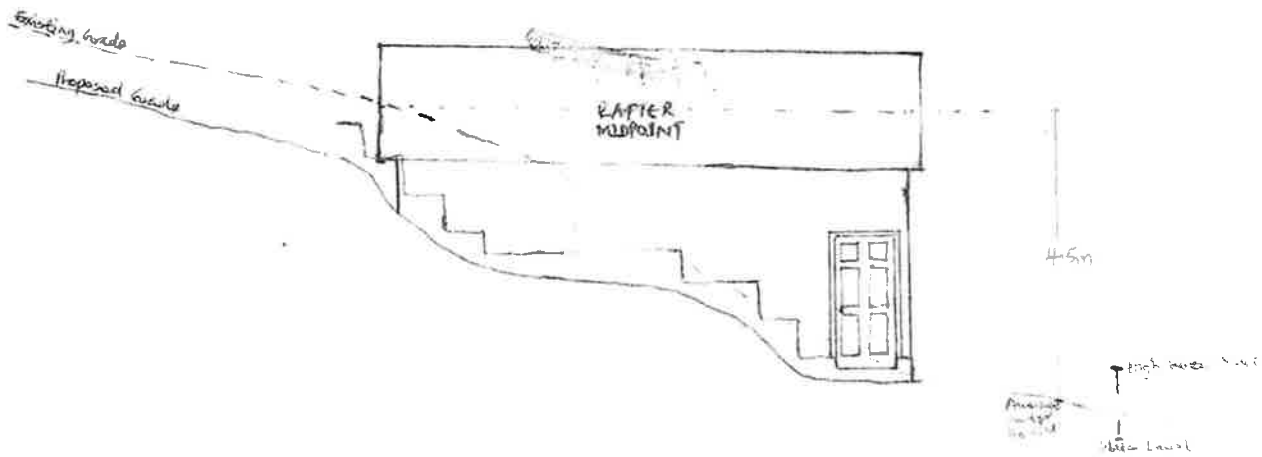
APPENDIX: E

to

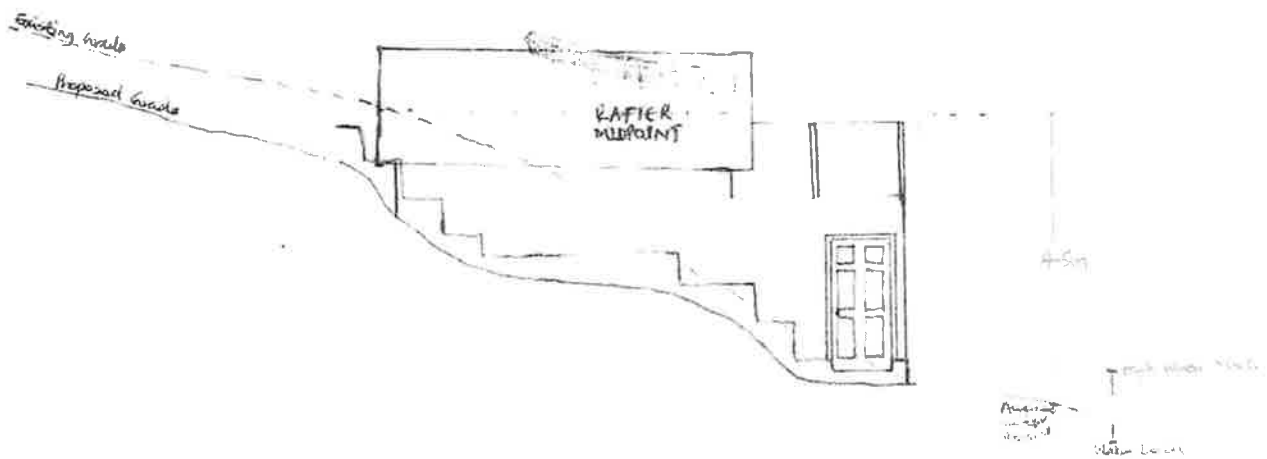
REPORT COA2019-017

FILE NO: D20-2019-009

**Staff Recommended Sample 1**



**Staff Recommended Sample 2**



APPENDIX: G

to

REPORT COA2019-017

FILE NO: D20-2019-009

16 Griffin Drive  
Coboconk, Ontario  
K0M 1K0  
January 26, 2019

To Whom it may concern

We have been neighbours of the Daneks for over 20 years. In all that time the property had a derelict boathouse in such bad shape that we felt it necessary to specifically warn our Grandchildren to never attempt to enter it.

With that in mind we welcome Philip's plan to remove it and build a proper and safe building.

We have reviewed the plans, toured the actual location, noted the grade levels and fully support the building of the boathouse as shown. The height shown on the plans will not affect our view or enjoyment of the lake.

Please feel free to contact us at any time if you would like us to elaborate further on our view of the project.

Marg and Ken Inglis

**Charlotte Crockford-Toomey**

to

**From:** Quadri Adebayo  
**Sent:** Thursday, April 11, 2019 4:20 PM  
**To:** Charlotte Crockford-Toomey  
**Subject:** FW: Minor Variance- D20-2019-009

REPORT COA2019-017FILE NO. D20-2019-009

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Please print as amended package for Committee Members. Thanks.

**From:** Corinne S [<mailto:cssanders@rogers.com>]  
**Sent:** Thursday, April 11, 2019 2:25 PM  
**To:** Quadri Adebayo  
**Subject:** Fwd: Minor Variance- D20-2019-009

Sent from my iPad

Begin forwarded message:

**From:** Corinne S <[cssanders@rogers.com](mailto:cssanders@rogers.com)>  
**Date:** April 11, 2019 at 11:08:05 AM EDT  
**To:** [gadebayo@kawarthalake.ca](mailto:gadebayo@kawarthalake.ca)  
**Cc:** Corinne Sanders <[cssanders@rogers.com](mailto:cssanders@rogers.com)>  
**Subject:** Minor Variance- D20-2019-009

Hi My Wife & I are the owners of the property next door to the variance application 20 Griffin Drive , Part lot 19, plan 327, Lot 4 , Concession 7, Townships of Somerville.

Our cottage is 24 Griffin Drive an is at a higher elevation & set back from the lake than the proposed boat house.

We have concerns of blockage of air flow & view of the lake the primary reason for owning a cottage.

The number of storeys proposed being double the the building code (from 1 to 2 storeys is a big concern)

The total height of the proposed structure being over 50% more than buildings code (from 4.5 meters to 6.8 metres another big concern)

From our cottage deck that looks out towards the lake we would be viewing a 30' x 20' corner wall & roof line of the boat house 5' from our lot line.

We believe that these conditions would be deter mental to the value of our property in the future. It is our belief that the City of Kawartha Lakes building codes should be up held under these circumstance.

We would have rather have done this in person but because of a medical issue my wife has at this time was not possible.

Thanks for your time  
 Ross & Corinne Sanders  
 19 Sawyer Cres.  
 Markham, Ont.  
 L3P5V2



*To preserve, promote and protect the  
beauty and integrity of Four Mile Lake  
and the surrounding area.*

**President / Special Initiatives**

Ron Osborne  
(Holy Bay Drive)  
osborneonc@gmail.com  
226-374-8742

**Past President**

Rob Sylvester  
(Birchglen Drive)  
rob.sylvester@hotmail.com  
705-454-2504

**Vice President / Special Initiatives**

Doug Timmins  
(Cedar Road)  
Doug.Timmins@regalbelloit.com  
705-454-1130

**Secretary-Treasurer**

Ann Hayter  
(6th Concession)  
ann@rwhconstruction.ca  
705-454-3471

**Membership / Advertising**

Greg Worona  
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gw1073@yahoo.ca  
905-244-6815

**Operations / Events**

Ann Castaldo  
(Griffin Drive)  
ann\_castaldo@yahoo.ca

**Director at Large**

David Bates  
(Lakeside Drive)  
batescpas@hotmail.com  
705-454-2335

**Director at Large**

Saul Chernos  
(Hillside Dr.)  
saulfourmile@bell.net  
647-518-6397

**Director at Large**

Trevor Parker  
(Wembley Drive)  
trev\_parker@msn.com

**Director at Large**

Tom Meisner  
(Wilkinson Drive)  
porsche\_lover@sympatico.ca

**Mailing Address**

Four Mile Lake Association  
General Delivery  
Burnt River, Ontario  
K0M 1C0

[www.fourmilake.ca](http://www.fourmilake.ca)

APPENDIX " G "

to

REPORT COA2019-017

FILE NO. D20-2019-009

April 16, 2019

City of Kawartha Lakes  
Committee of Adjustment  
P.O. Box 9000  
Lindsay, Ontario K9V 5R8

Attention: Mr. Adebayo

**RE: Committee of Adjustment Report Number COA2019-017/Department File Number D20-2019-009 (Frank Danek, Applicant)**

Dear Mr. Adebayo,

On behalf of the Four Mile Lake Association we wish to comment on the referenced application regarding the construction of a new two story boathouse.

While we encourage the replacement of the existing dilapidated structure at 20 Griffin Drive, we do not support any construction that contravenes the Four Mile Lake Specific Policy Area (SP-1), as set out in the CKL Official Plan.

We fully support the City staff's recommended design, which is in keeping with the general character of other boathouses on the lake as well as the land use designations and policies outlined in SP-1.

We would appreciate being kept in the loop as to the determination of this application.

Sincerely,

Ron Osborne  
President  
Four Mile Lake Association



the 2017 photo was taken - all photos.

1/10/2019

DSC00962.JPG





1/10/2019

DSC00961.JPG

APPENDIX " H .

to



1/10/2019

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APPENDIX "H"

to

REPORT

FILE







9-007  
07

1/10/2019

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APPENDIX "H"

to

REPORT COA2019-017

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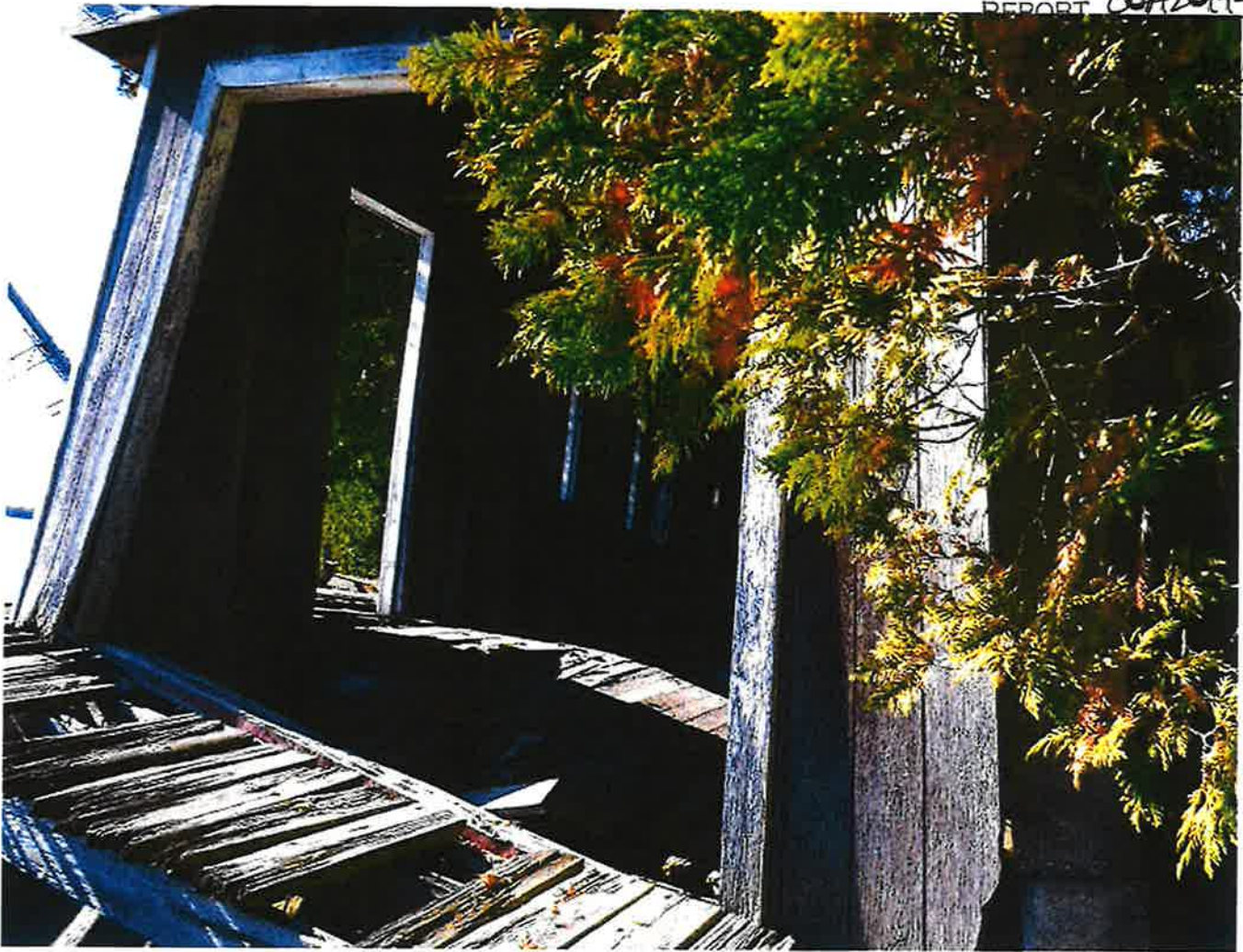




1/10/2019

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APPENDIX H  
to 2019-01-01  
REPORT COA2019-017  
9-009



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APPENDIX "H"

to





1/10/2019

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APPENDIX   H    
to           



1/10/2019

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1/10/2019

DSC00983.JPG

APPENDIX   
to  
REPORT



# HIGH OF BOAT HOWE TO PEAK

APPENDIX

Page 1 of 1

to

REPORT





# HIGH OF BOATHOUSE TO PEAK

APPENDIX Page 1 of 1

to



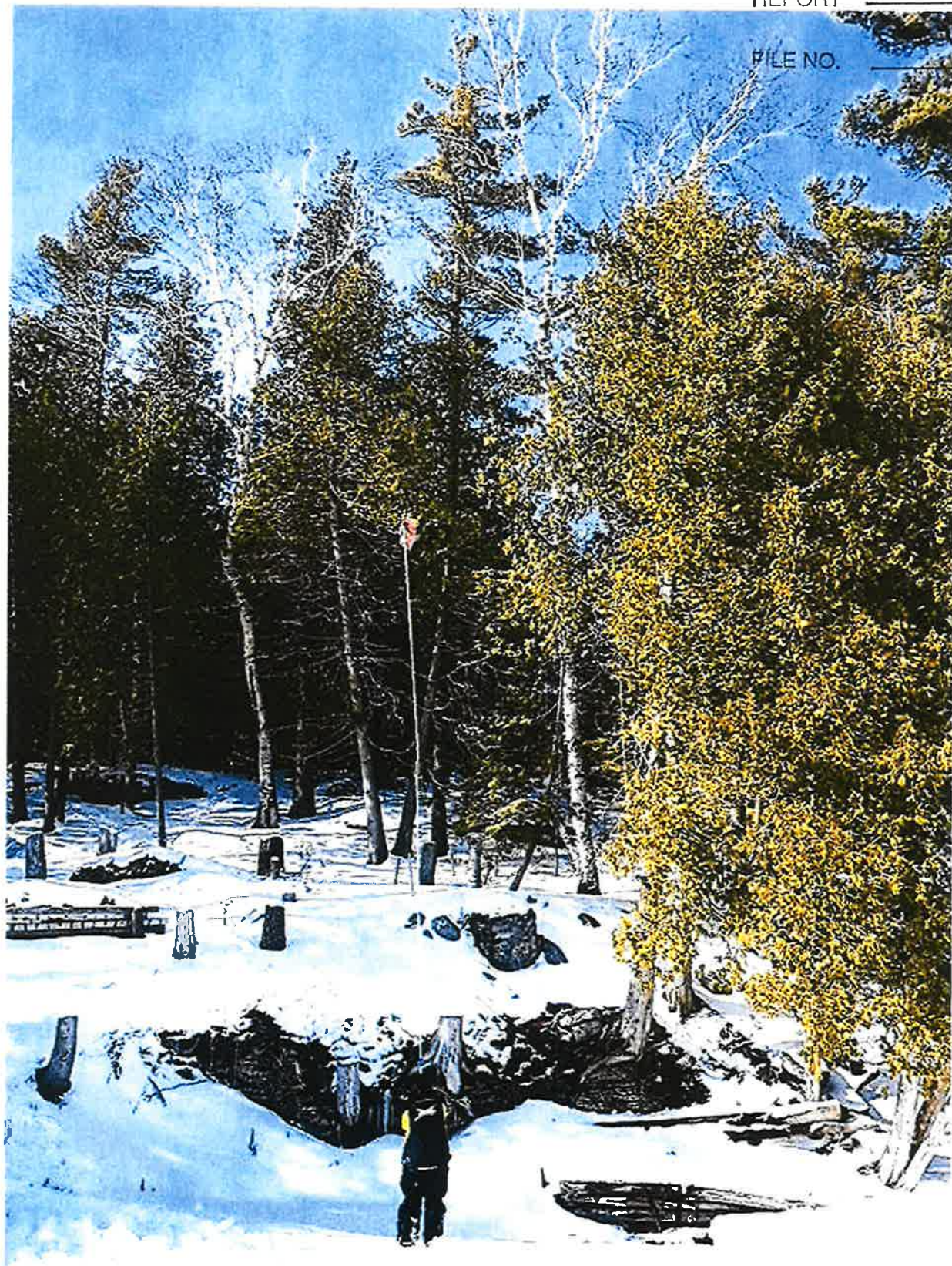


# HIGHT OF BONT HOUSE TO PEAK

APPENDIX "H" to  
REPORT

Page 1 of 1

FILE NO.





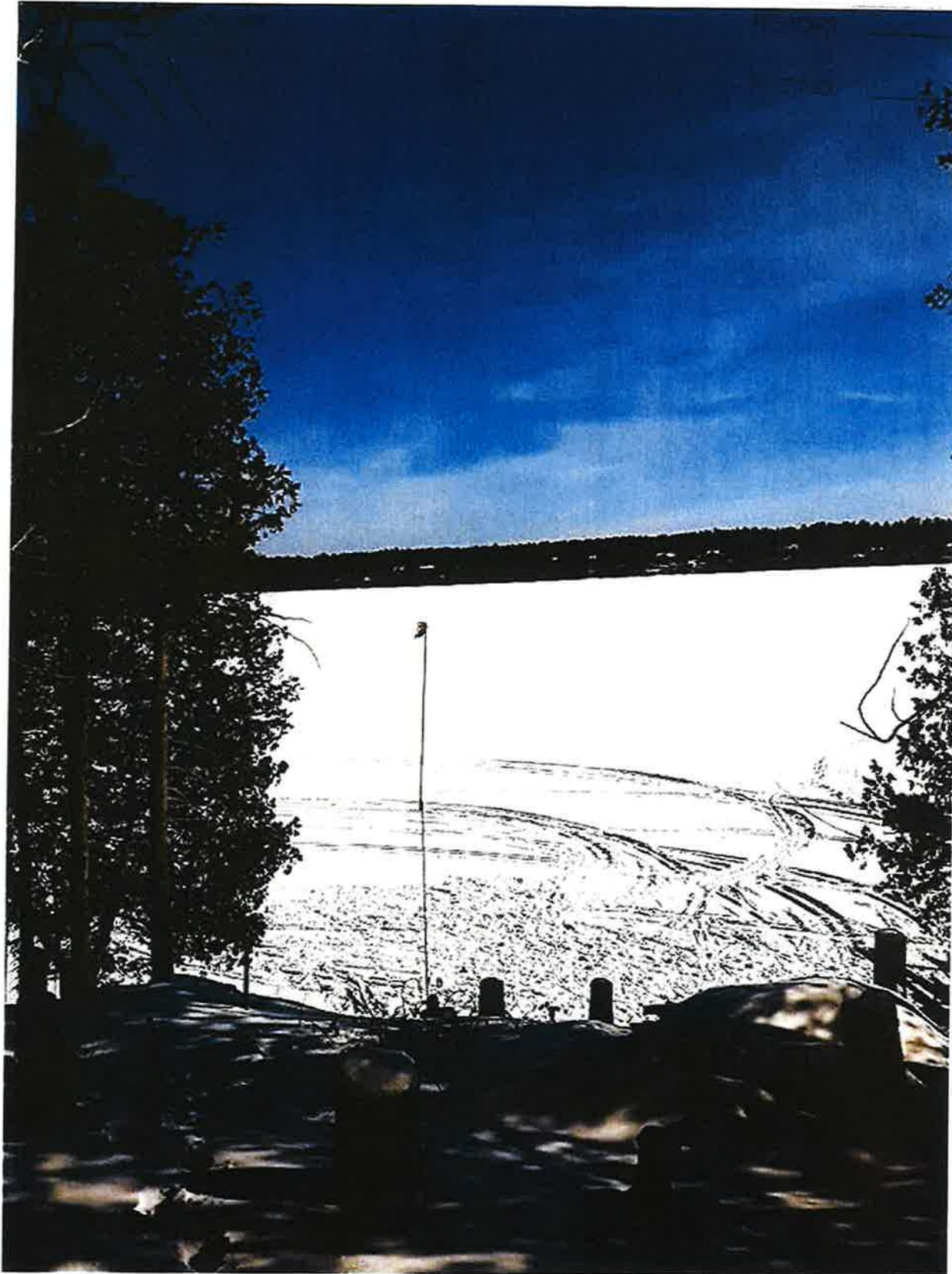
28 1647 of BOATHOUSE TO PEAK

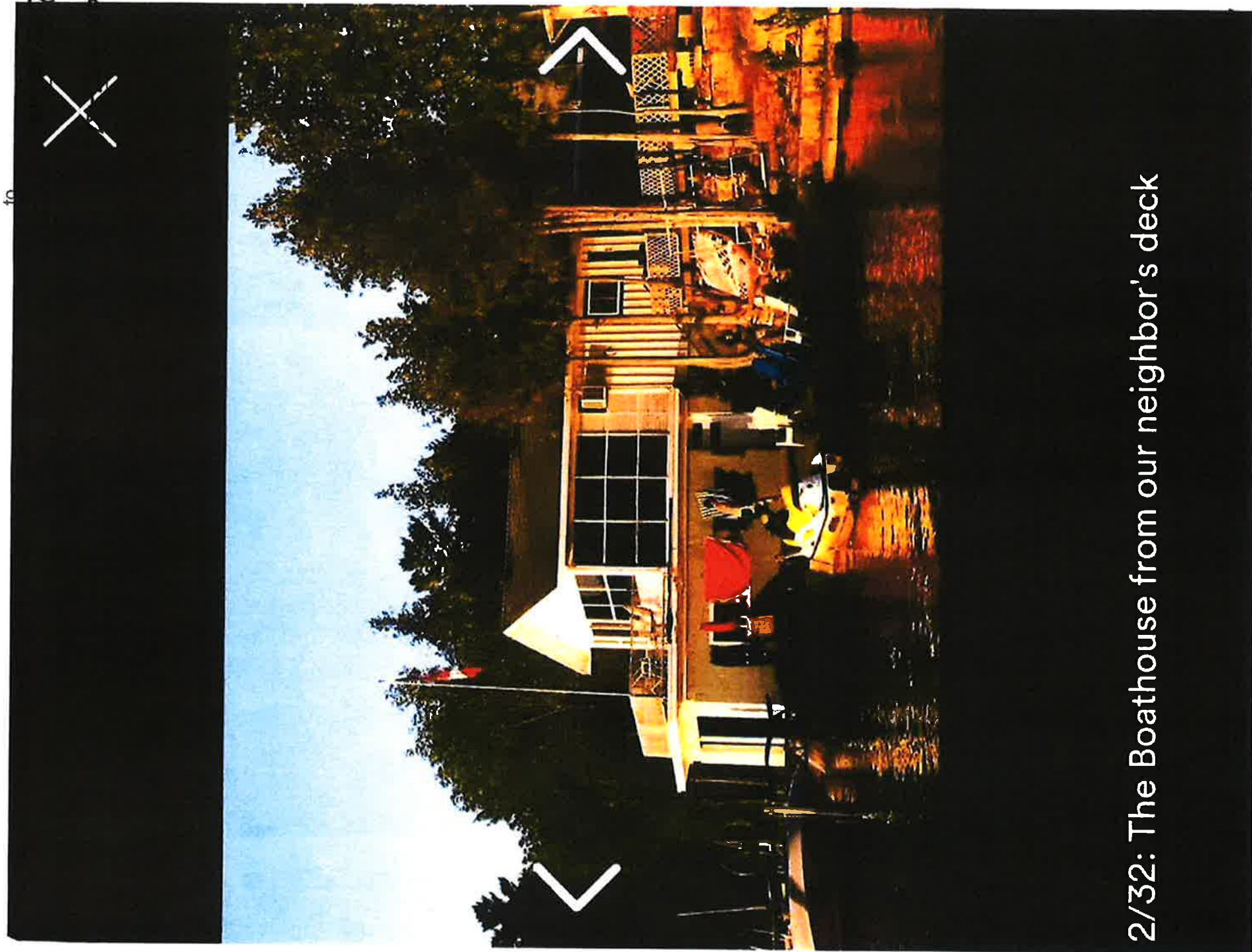
APPENDIX Page 111  
to



# HIGHT OF BOATHOUSE TO PEAK

APPENDIX Page 1 of 1  
to





2/32: The Boathouse from our neighbor's deck





thirtyfourflavours • Follow

Four Mile Lake

APPENDIX "1"  
to

REPORT COA2019-017

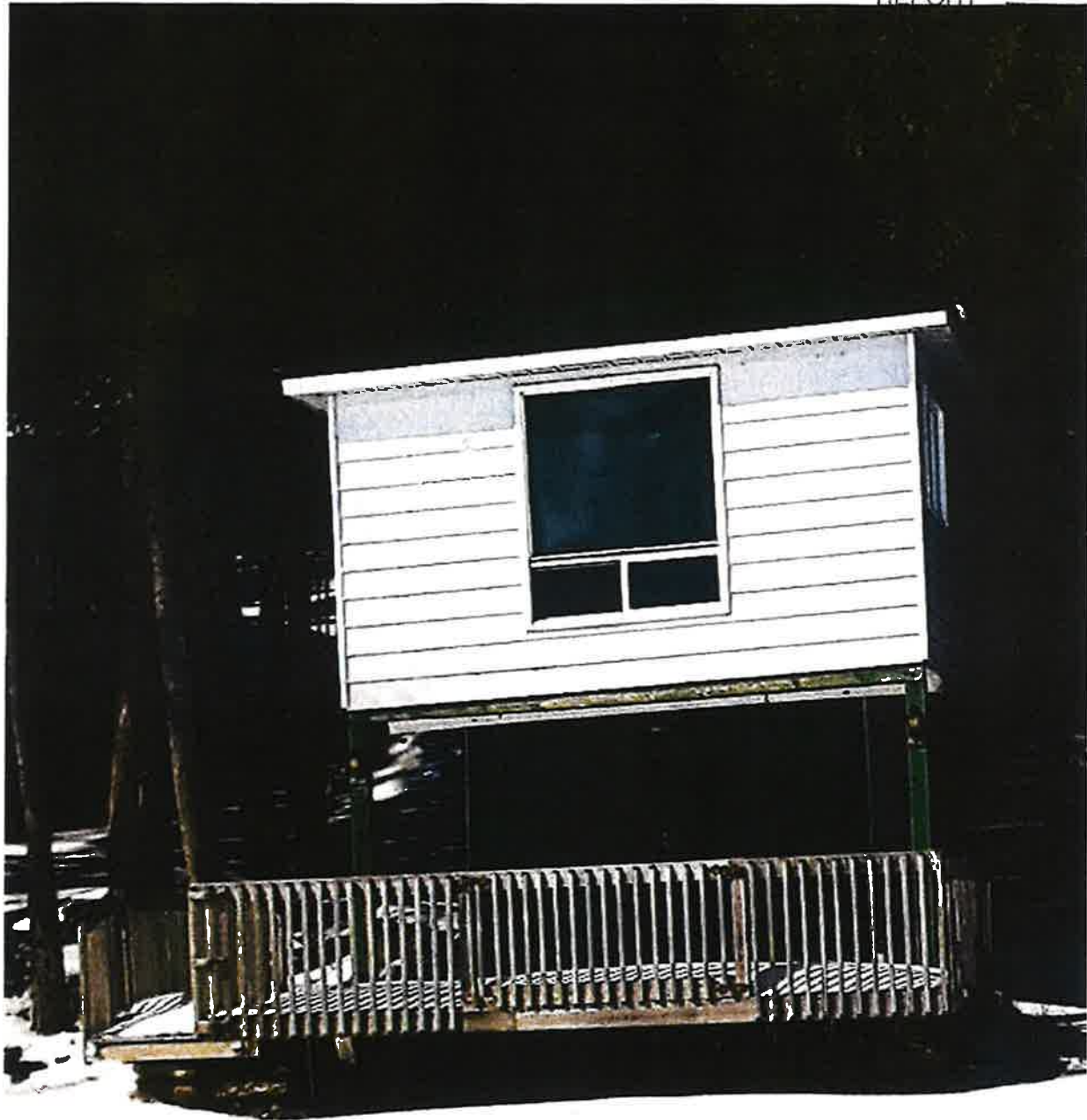
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# OTHER OF BOATHOUSE & LAKE



# OTHER OF BOATHOUSE ON LAKE





# OTHER BOAT HOUSE ON LAKE



# BTHEN BOATHOUSE ON LAKE





# OTHER DOATHING IN LAKE

APPENDIX 2  
to Page 1 of 1  
REPORT



PERVIOUS PASS DRAWING

Mo-2019-009

152

**EAST ELEVATION**

1'-6"

8'-0"

1'-0 <sup>3</sup>/<sub>4</sub>"

3'-6"

20'-10 <sup>1</sup>/<sub>2</sub>"

HIGH WATER MARK

TOP OF CONC. SLAB

TOP OF DECK

TOP OF WALL

FILE NO.

020-2019-031

ROOF PEAK:

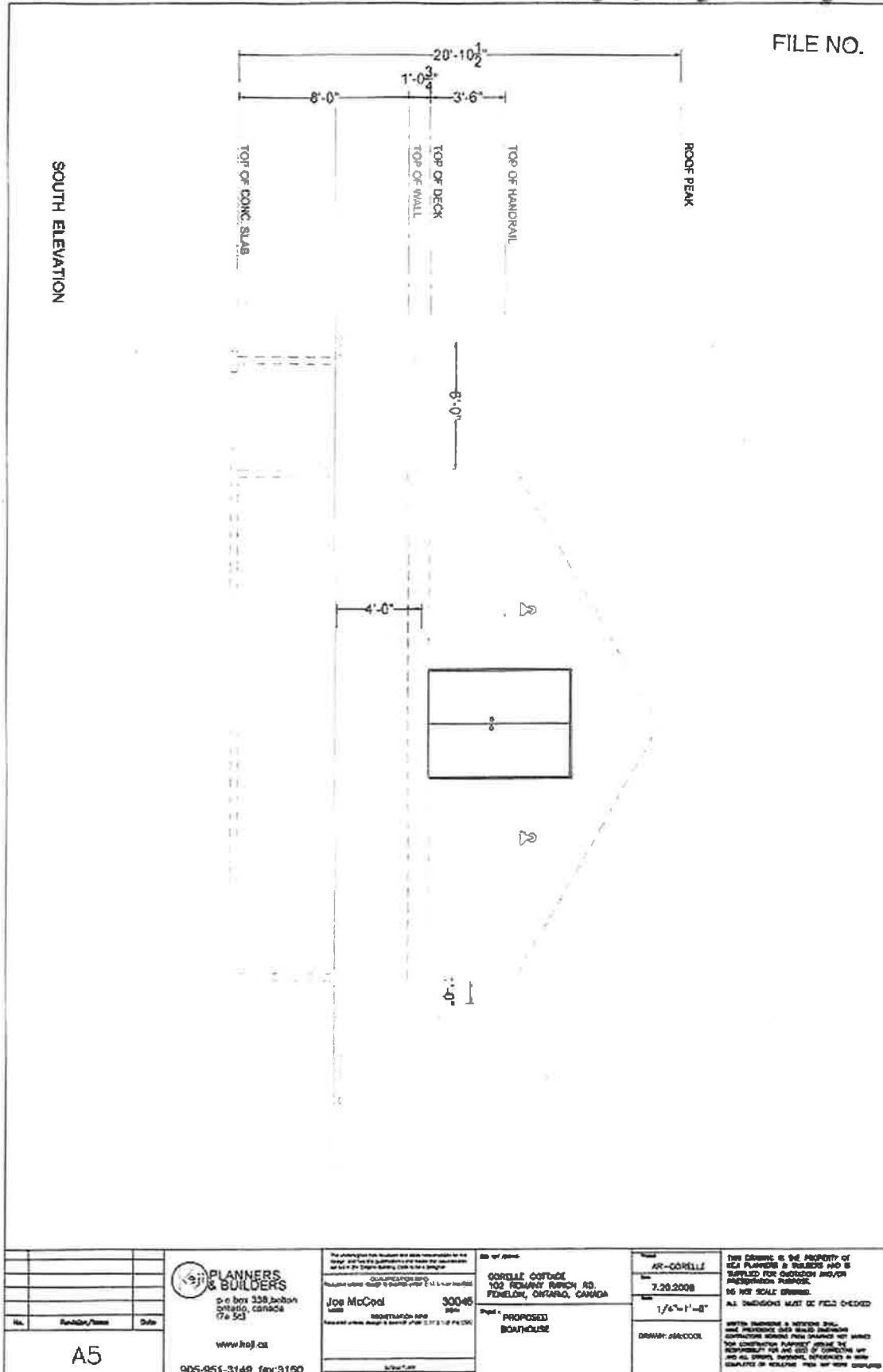
30 YEAR ASPHALT SHINGLES

## PRE-FINISHED SIDING

[illegible]

# PERVIOUS PASS DRAWING

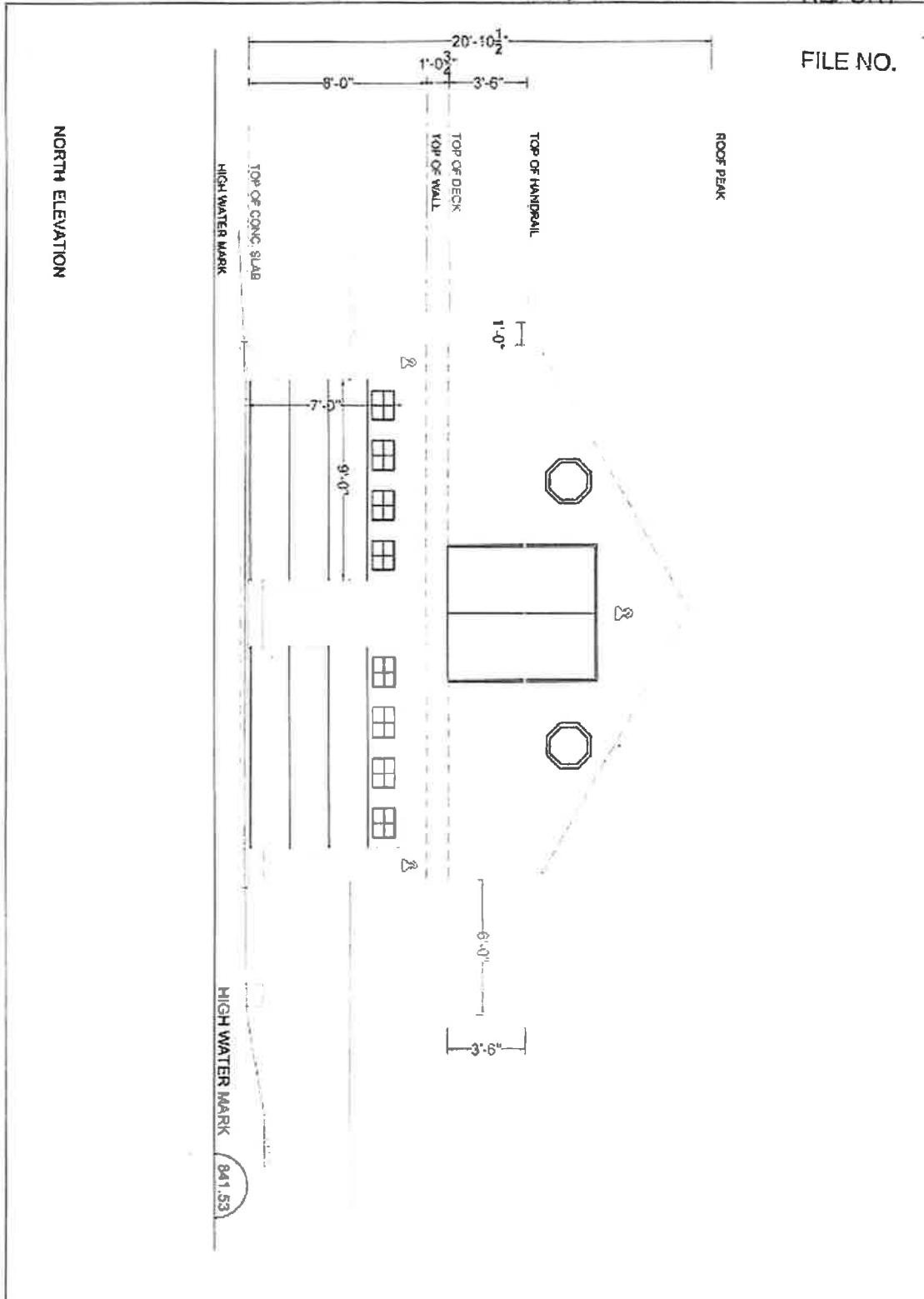
FILE NO. D20-2019-009



# PERVIOUS PASS DRAWING

to  
REPORT

FILE NO.



<p>A4</p>	<p><b>PLANNERS &amp; BUILDERS</b> p.o. box 338, brampton ontario, canada l7e 5g3 www.kaj.ca 905-851-3148 fax 3150</p>	<p>The undersigned has prepared this plan and is responsible for its accuracy and for the construction and use of the structure in accordance with the Ontario Building Code Act and Regulations. <b>QUICK-RELEASE KEY</b> Required unless noted: 1/4\"/&gt; </p>	<p>On site Approval <b>CORDILLER COTTAGE</b> 102 ROMANTIC RANCH RD. FENELTON, ONTARIO, CANADA PROPOSED BOATHOUSE</p>	<p>Project <b>AR-CORRELL</b> Date 7.25.2008 Scale 1/4\"/&gt; </p>	<p>THIS DRAWING IS THE PROPERTY OF AR-CORRELL &amp; ASSOCIATES AND IS SUPPLIED FOR CONSULTATION AND/OR PERMISSION PURPOSES. DO NOT SCALE DRAWING. ALL DIMENSIONS MUST BE FIELD CHECKED UNLESS OTHERWISE NOTED. SHALL NOT BE USED FOR CONSTRUCTION CONTRACTS UNLESS THEY SHOW THE CONTRACTED NUMBER. SHALL BE RESPONSIBLE FOR THE COST OF CORRECTIONS AND ALL OTHERS. DIMENSIONS IN THIS DRAWING OF MATERIAL SHALL NOT BE USED.</p>
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