

The Corporation of the City of Kawartha Lakes

Agenda

Committee of Adjustment Meeting

COA2020-007

Thursday, July 16, 2020

Commencing at 1:00pm Electronic Public Participation.

Council Chambers

City Hall

26 Francis Street, Lindsay, Ontario K9V 5R8

Members:

Councillor Emmett Yeo

David Marsh

Andre O'Bumsawin

Sandra Richardson

Lloyd Robertson

Betty Archer

Stephen Strangway

“Note: This will be an electronic participation meeting and public access to Council Chambers will not be available. Please visit the City of Kawartha Lakes Youtube Channel at <https://www.youtube.com/c/CityofKawarthaLakes> to view proceedings.”

To request to speak to public meeting reports on this agenda please email cofa@kawarthalakes.ca and reference the report number in your email. Following receipt of your email you will receive instruction from the City Clerk's Office how to participate in the meeting electronically. Otherwise, please provide written comments by email to cofa@kawarthalakes.ca and reference the report number in the subject line.

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| | | |
|-------|---|---------|
| 1. | Call to Order | |
| 2. | Administrative Business | |
| 2.1 | Adoption of Agenda | |
| 2.1.1 | COA2020-003.2.1.1 July 16, 2020 Committee of Adjustment Agenda | |
| 2.2 | Declaration of Pecuniary Interest | |
| 2.3 | Adoption of Minutes | |
| 2.3.1 | COA2020-002.2.3.1 February 20, 2020 Committee of Adjustment Minutes | 6 - 17 |
| 3. | New Applications | |
| 3.1 | Minor Variances | |
| 3.1.1 | COA2020-008 David Harding, Planner II, RPP, MCIP File Number: D20-2020-004 Location: 6 Cowans Crescent Lot 58, Plan 358 Geographic Township of Emily Owners: Patrick and Lori Brick Applicant: Patrick Brick | 18 - 34 |
| 3.1.2 | COA2020-009 David Harding, Planner II, RPP, MCIP File Number: D20-2020-005 Location: 9 Moynes Court Lot 11, Plan 57M-796 Former Town of Lindsay Owner: Monica Andrus Applicant: Kyle Statten - Northern Touch Landscape Construction | 35 - 44 |

| | | |
|-------|--|---------|
| 3.1.3 | COA2020-010 | 45 - 52 |
| | David Harding, Planner II, RPP, MCIP File Number: D20-2020-006 Location: 63 North Taylor Road Lot 16, Plan 224, Part of Lot 54, North of Portage Road Geographic Township of Eldon Owners: Ahsan Ullah and Fahmida Nutan Applicant: Jim Even - C.T. Strongman Survey | |
| 3.1.4 | COA2020-011 | 53 - 65 |
| | David Harding, Planner II, RPP, MCIP File Number: D20-2020-007 Location: Vacant Land, Chadwin Drive Block 13, Plan 57M-782 Former Town of Lindsay Owner: 2607226 Ontario Inc. Applicant: Martin Lariviere - API Architecture and Planning Initiatives | |
| 3.1.5 | COA2020-012 | 66 - 79 |
| | David Harding, Planner II, RPP, MCIP File Number: D20-2020-008 Location: 27 McGill Drive Lot 16, Plan 33 Geographic Township of Manvers Owners: Nicole Swartz and Tyrone Pereira Applicant: Holly Richards-Conley - Black Point Construction Services | |
| 3.1.6 | COA2020-013 | 80 - 91 |
| | David Toomey, Planner II, RPP, MCIP File Number: D20-2020-009 Location: 26 Evergreen Street Part Lot 12, Block 4, Concession 7 Geographic Township of Emily Owner: Yunmei Ye and Honghua Wu Applicant: Joe Kezar - Joe's Masonry and Son Limited. | |

| | | |
|--------|---|-----------|
| 3.1.7 | COA2020-014 | 92 - 102 |
| | David Harding, Planner II, RPP, MCIP File Number: D20-2020-010 Location: 87 Marsh Creek Road Part Lot 22, Concession C Geographic Township of Mariposa Owner: Heather Curtis Applicant: Dan Furlani | |
| 3.1.8 | COA2020-015 | 103 - 114 |
| | Kent Stainton, Planner II File Number: D20-2020-011 Location: 74 Colborne Street East Part Lot 1, Block PP, Plan 1, Parts 1 and 3, 57R-2210 Former Town of Lindsay Owner: Steve Corley - 1853896 Ontario Inc. Applicant: Beverly Saunders - EcoVue Consulting Services Inc. | |
| 3.1.9 | COA2020-017 | 115 - 125 |
| | Kent Stainton, Planner II File Number: D20-2020-013 Location: Vacant Lot, Part of Lot 7, North of Church Street, East of George Street, Plan 109 Former Village of Omemee Owner: Joe Ferrara - Napa Valley Contracting Inc. Applicant: Tom deBoer - TD Consulting | |
| 3.1.10 | COA2020-018 | 126 - 136 |
| | Kent Stainton, Planner II File Number: D20-2020-014 Location: 134-136 Lake Dalrymple Road Part Lots 16 and 17, Plan 173, Parts 1 and 2, RP57R-8723 Geographic Township of Carden Owners: Craig and Caroline Rendall Applicant: Craig Rendall | |

Kent Stainton, Planner II

File Number: D20-2020-015

Location: 23 Kenhill Beach Road

Part Lot 10, Concession 3, Lot 9, Plan 145

Geographic Township of Verulam

Owners: Douglas and Ida Robson

Applicant: Holly Richards-Conley - Blackpoint Construction Services

3.2

Consents

4.

Deferred Applications

4.1

Minor Variances

4.2

Consents

5.

Other Business

6.

Correspondence

7.

Next Meeting

The next meeting will be Thursday, August 20, 2020 at 1:00pm in Council Chambers, City Hall.

8.

Adjournment

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

COA2020-002
Thursday, February 20, 2020
1:00 P.M.
Council Chambers
City Hall
26 Francis Street, Lindsay, Ontario K9V 5R8

Members:
Councillor Emmett Yeo
David Marsh
Andre O'Bumsawin
Sandra Richardson
Lloyd Robertson

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1. Call to Order

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

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

2. Administrative Business

2.1 Adoption of Agenda

2.1.1 COA2020-02.2.1.1

February 20, 2020
Committee of Adjustment Agenda

CA2020-008

Moved By D. Marsh

Seconded By A. O'Bumsawin

That the agenda for the February 20, 2020 meeting be approved.

Carried

2.2 Declaration of Pecuniary Interest

There were no declarations of pecuniary interest disclosed.

2.3 Adoption of Minutes

2.3.1 COA2020-01.2.3.1

January 23, 2020
Committee of Adjustment Minutes

CA2020-009

Moved By A. O'Bumsawin

Seconded By S. Richardson

That the minutes of the previous meeting held January 23, 2020 be adopted as circulated.

Carried

3. New Applications

3.1 Minor Variances

3.1.1 COA2020-004

David Harding, Planner II, RPP, MCIP

File Number: D20-2019-049

Location: 37 Sugar Bush Trail

Lot 12, Plan 252

Geographic Township of Mariposa

Owner: Robert and Colleen Kneale

Applicant: Robert Kneale

Mr. Harding summarized Report COA2020-004 to request relief to construct an addition to the existing dwelling. The addition is to contain living space and a two level attached garage. The lower level of the garage is closer to the road than the upper level. The lower level is entirely underground at the front of the building. The minor variances meet the four tests.

Mr. Harding noted that since the writing of the report, comments were received from the Community Services Department and the Building Division - Part 8 Sewage Systems noting no concerns.

The Committee questioned why Condition 2 was included. Staff replied that it is common to identify and remediate items which do not comply with the zoning by-law when a property goes through the variance process. The accessory building, if considered a boathouse, remains too close to the interior side lot line to comply with the side yard setback provision.

The Committee asked whether there would be sufficient space to park a vehicle in-front of the garage doors on private property and whether the below-grade garage level could support the weight of the vehicles parking above. Mr. Harding responded that a parking space must be at least 6 metres in length, and the proposal complies with this length. Ms. Murchison, Chief Building Official responded that the structural integrity of the proposal will be reviewed through the building permit process.

The Committee also asked whether a condition needed to be added to reflect the KRCA's concerns with respect to flooding. Ms. Murchison suggested a condition be added to ensure a surveyor confirmed the elevation of the proposed construction.

The applicant, Robert Kneale was present and spoke to the Committee. The Committee asked applicant how difficult is it to move the "boathouse". Mr. Kneale replied it is an 8 x 8 foot shed on patio stones. While it is not difficult to move, it is close to the neighbour's sheds which back onto it and is set back into the trees.

The Committee asked for staff's opinion on the repercussions of removing Condition 2. Staff replied that the building does not comply with the zoning by-law and the Committee's decision will not change this fact.

The Committee motioned to delete the wording of Condition 2 in the staff report for its decision and add new wording to read: "That prior to the issuance of a building permit the owners shall submit from an Ontario Land Surveyor, confirmation that the elevation of the openings relating to the proposed construction, are in compliance with the approval issued by the Conservation Authority in relation to the regulatory flood elevations".

No further questions from the Committee or other persons.

CA2020-010

Moved By Councillor Yeo

Seconded By A. O'Bumsawin

That minor variance application D20-2019-049 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

1. **That** the building construction related to this approval shall proceed substantially in accordance with the sketch in Appendix C-2 and elevation in Appendix D submitted as part of Report COA2020-004, 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 from an Ontario Land Surveyor, confirmation that the elevation of the openings relating to the proposed construction, are in compliance with the approval issued by the Conservation Authority in relation to the regulatory flood elevation,
3. **That** prior to the issuance of a building permit the owners shall submit a holding tank design to the satisfaction of the Building Division – Part 8 Sewage Systems; and

4. **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 COA2020-004. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Carried

3.1.2 COA2020-005

David Harding, Planner II, RPP, MCIP

File Number: D20-2020-001

Location: 945 Frank Hill Road

Part of Lot 22, Concession 6

Geographic Township of Emily

Owner: The Anglican Diocese of Toronto

Applicant: Paul Heath, on behalf of Wardens of St. James Anglican Church

Mr. Harding summarized Report COA2020-005, to request relief from zoning provisions to facilitate the construction of a main floor addition to the existing building.

Mr. Harding brought to the attention of the Committee a typo error in Report COA2020-005, page 3, rationale, last sentence, which read: "...5 accessory and 2 regular..." which should read: "...5 accessory and 3 regular...". Also in the report, page 2, Conditions, the conditions were omitted in the original printed version due to a software issue. Two conditions have been added to the hardcopy to reflect the digital report and were distributed for the Committee's and applicant's review. Mr. Harding noted that since the writing of the report, comments were received from Community Services, noting no comments or concerns.

The Committee asked if the parking spaces exist. Staff clarified that the parking surface exists but the lines are yet to be painted.

The Committee questioned the proposed aisle width from a safety aspect, noting that large vehicles are used for accessible parking. They were concerned

whether it is acceptable according the Zoning By-Law as well as the AODA (Accessibility for Ontarians with Disabilities Act) to have aisle widths of the proposed size. Mr. Holy, Manager of Planning, replied that the parking lot area is substantially constrained due to the location of the church, septic system and cemetery, and recognized that multiple turns may be needed to successfully navigate the smaller aisle if backing up from a parking space. The proposal achieves the best design possible given the site constraints.

The applicant, Paul Heath, Warden Representative, was present and spoke to the Committee. He spoke to the preservations of the Churches in rural areas. Their intention is to bring the Church up to code by making it more accessible as they have an ageing congregation. The Church would like to be a community hub where elections can be held, as well as meetings and events. Being an accessible building will facilitate its ability to be a community hub. The Committee questioned why the Diocese did not approve the improvements suggested in 2012. The applicant, Mr. Heath responded by saying that the Diocese reviewed and suggested applying for a grant. The Diocese rejected the proposal as it was focused on dealing with declining congregations and church closures.

The Committee asked Mr. Heath what made the Diocese change their mind and support the upgrades. Mr. Heath replied, due to having the right Minister and positive atmosphere resulted in a thriving congregation. The Diocese saw revenues increase and the congregation in good spirits, and in return decided to support the addition.

The Committee also had some questions about the location and status of the tile bed. The Committee asked staff if the parking lot is paved. Staff replied yes. The Committee asked whether the pavement over the portion of the tile bed has been removed.

Ms. Murchison, Chief Building Official confirmed due to the weather it will be spring before it can be pulled back. Mr. Heath confirmed that they had spoken with the parking lot installer and had scheduled the partial removal in spring.

The Committee asked about the number of cars present at services.

Emil Nychka, Warden, was present and advised that due to carpooling about 15-20 cars are parked during regular church events, but this can increase substantially during the holidays.

No further questions from the Committee or other persons.

CA2020-011

Moved By D. Marsh

Seconded By S. Richardson

That minor variance application D20-2020-001 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

1. **That** the building construction related to this approval shall proceed substantially in accordance with the sketch in Appendix C submitted as part of Report COA2020-005, which shall be attached to and from part of the Committee's Decision; and
2. **That** the building construction related to the minor variances shall be completed within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

This approval pertains to the application as described in report COA2020-005. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Carried

3.1.3 COA2020-006

David Harding, Planner II, RPP, MCIP

File Number: D20-2020-002

Location: 84-86 Queen Street

Part Lot 25, Lot 26, Part Park Lot 32, N/S Queen Street, Plan 15P; Parts 5 and 6, 57R-4585

Former Town of Lindsay

Owner: Jamol Johnson

Applicant: Doug Carroll, DC Planning Services

Mr. Harding summarized Report COA2020-006 to reduce the driveway setback requirement from a side lot line from 0.6 metres to nil in order to permit a shared driveway between two abutting lots, which are to be created via application D03-

2018-018. The minor variance application meets the four tests.

Mr. Harding noted that since the writing of the report, comments were received from the Community Services Department noting no concerns.

The Committee asked staff if the lot line runs equally through the middle of the properties. Staff replied that it is proposed to run down the driveway. The Committee continued to ask if both properties are required to provide parking. Staff read the conditions of consent D03-2018-018 to the Committee and confirmed that a site plan agreement is a requirement to accommodate the parking for the four-plex building, addressed as 84 Queen Street.

Discussions ensued regarding zoning compliance and the particulars of the site plan agreement process.

The applicant, Doug Carroll, DC Planning Services was present and spoke to the Committee. He requested that Condition 2 be deleted in case the consent lapses on April 23, 2020. If the consent does lapse his client will have to re-apply for the consent application as well as minor variance. Mr. Carroll noted that he received a concept plan survey yesterday for the parking lot on 84 Queen Street, which would form part of the site plan agreement. The concept plan survey also shows parking behind 86 Queen Street. He passed it to Staff and the Committee to review.

The Committee asked staff if a deferral would cause further costs to the applicant with respect to the minor variance process. Staff replied, no.

The Committee asked Mr. Harding if Condition 2 should be removed.

Mr. Harding replied that it is practical to tie a variance decision to the consent application since a condition of provisional consent is the only item requiring the variance application and the owner is given 1 year to fulfill all provisional consent conditions.

In opposition to the application is Ryan Shotlander of 88 Queen Street. He spoke to the Committee regarding his fence which has been there since 1920. He asked if he is required to move the fence line to allow for the 5 foot landscape area and curb shown in the concept plan survey presented to the Committee. Staff replied that he is not required to make any adjustments as a result of this variance application.

Councillor Yeo moved to grant the minor variance application with the exclusion of Condition 2. There was no seconder. The motion failed.

Mr. Marsh moved to defer the minor variance application. Mr. O'Bumsawin seconded.

Staff clarified that a deferral is not necessary as the site plan agreement need not be registered before the provisional consent lapsing date. The condition in application D03-2018-018 requires a solicitor's undertaking that no other document be registered until the site plan agreement is registered.

Mr. Marsh and Mr. O'Bumsawin withdrew the motion.

The Committee motioned to grant the application as printed.

No further questions from the Committee or other persons.

CA2020-012

Moved By Councillor Yeo

Seconded By S. Richardson

That minor variance application D20-2020-002 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Condition:

1. **That** the variance related to this approval shall be applied in accordance with the sketch in Appendix C-2 which depicts shared driveway access between 84 and 86 Queen Street.
2. **That** should the related application for consent, file number D03-2018-018 lapse, this application shall be deemed to be refused.

This approval pertains to the application as described in report COA2020-006. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Carried

At 2:56pm the Chair called for a break. At 3:03pm the Chair called the meeting back to order.

3.2 Consents

4. **Deferred Applications**

4.1 Minor Variances

4.2 Consents

5. **Other Business**

Tribunal Case No. PL190381, 45 Marsh Creek Road, Kawartha Lakes.

Mr. Holy, Manager of Planning spoke to the Committee regarding the Local Planning Appeal Tribunal (LPAT) decision for 45 Marsh Creek Road. Discussion ensued.

The Committee reiterated its displeasure at the lack of support it received from the City Solicitor and Council. The Committee proposed to better articulate its decision so that the City Solicitor and Council have a better understanding of their rationale when deciding whether to support a decision different from the staff recommendation.

The Acting Secretary-Treasurer, Mark LaHay, reminded the Committee that it fulfilled its commitment and obligation to make a decision, and that it has no legal obligation to defend its decision if appealed.

6. **Correspondence**

7. **Next Meeting**

The next meeting will be Thursday, March 19, 2020 at 1:00pm in Council Chambers, City Hall.

8. Adjournment

CA2020-013

Moved By Councillor Yeo

Seconded By D. Marsh

That the meeting be adjourned at 3:24pm.

Carried



Mark LaHay, Acting Secretary-Treasurer

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Patrick and Lori Brick
Report Number COA2020-008

Public Meeting

Meeting Date: July 16, 2020
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 provisions:

1. Section 3.11.1 to reduce the minimum lot frontage from 12 metres to 8 metres to permit the construction of a detached garage and addition to the single detached dwelling; and
2. Section 12.2.1.3(b)(i) to reduce the minimum interior side yard from 3 metres to 1.2 metres to permit a detached garage.

The variances are requested at 6 Cowans Crescent, geographic Township of Emily (File D20-2020-004).

Author: David Harding, Planner II, RPP, MCIP

Signature:



Recommendation:

Resolved That Report COA2020-008 Patrick and Lori Brick, be received;

That minor variance application D20-2020-004 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **That** the construction of the garage and addition related to this approval shall proceed substantially in accordance with the sketch in Appendix C and elevations in Appendix D submitted as part of report COA2020-008, which shall be attached to and form part of the Committee's Decision; and
- 2) **That** the building construction related to the minor variances shall be completed within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

This approval pertains to the application as described in report COA2020-008. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

| | |
|---------------------------|--|
| Background: | This application was last amended March 2, 2020. |
| Proposal: | To construct a 13.7 square metre (148 square foot) addition to a single detached dwelling and a 9.2 x 9.2 metre (30.2 foot x 30.2 foot detached garage). |
| Owners: | Patrick Brick and Lori Brick (Lori-Ann O'Connor) |
| Applicant: | Patrick Brick |
| Legal Description: | Lot 58, Plan 358, geographic Township of Emily, now 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: | 1,603 square metres [MPAC] |
| Site Servicing: | Private individual well and septic system |
| Existing Uses: | Shoreline Residential |
| Adjacent Uses: | North: Shoreline Residential & Shoreline Residential Backlots South Pigeon River West, 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 subject land is part of a shoreline residential neighbourhood located upon the north side of Pigeon River. The neighbourhood is often referred to as Cowan's Bay.

The neighbourhood has a very unique lot configuration, being comprised of "flag and pole" shaped lots on the shoreline lots of Cowan's Crescent. Please refer to Appendices A, B and C. The properties on the shoreline side of Cowan's Crescent are irregularly shaped to maximize the number of lots with shoreline frontage. There are two types of lot configurations: lots that have narrow road frontages sufficient to contain only a single lane driveway with wider shoreline frontages, and lots with wider road frontages and narrow shoreline frontages. The lot configurations cause dwellings to locate close to the road (road side

dwelling) or close to the shoreline (shore side dwellings) to utilise the best area for a building envelope. The subject property is in the shore side dwelling configuration.

Permitting development to occur on the subject property given its narrow lot frontage is appropriate as the lot, like all neighbouring lots of similar shape, contains a building envelope of sufficient size closer to the shoreline. Permitting the construction of the addition and garage is not anticipated to adversely impact the character of the neighbourhood nor cause a land use conflict between abutting and adjacent residential properties.

The detached garage will provide sheltered storage space for items currently stored out on the lawn. The proposed reduced interior side yard is consistent with that permitted for accessory buildings located in other yards. The proposed setback is sufficient for maintenance to be performed on the building, and for lot grading and drainage purposes.

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

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

The property is zoned Rural Residential Type Three (RR3) Zone within the Township of Emily Zoning By-law 1996-30. Existing lots of record are subject to the lesser lot frontage (12 metres) and area (930 square metres) General Provisions requirements. Lots that do not meet these provisions require additional review in the form of a minor variance application. The frontage provision appears to have been developed on the premise that a lot would be rectangular. The property, as a flag and pole shaped shore side lot, is of sufficient size to accommodate the proposed development as the development is proposed where the lot is wider. The addition will comply with all applicable setback provisions.

The garage is proposed within an area in-front of the shore side dwellings and behind the road side dwellings. This in-between band is occupied by accessory uses and buildings on abutting properties.

The intent of the General Provisions section regulating the placement of garages in front yards appears to be to ensure their placement is compatible with that of the dwellings on abutting properties and the broader neighbourhood streetscape. The reduced side yard setback is not anticipated to generate any adverse impacts to the abutting residential uses or streetscape as the proposed garage is located far from the road and is largely set in behind the road side dwellings. It is the road side dwellings which largely define the streetscape of the shoreline lots in Cowans Bay.

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

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

Yes

The subject property is designated Waterfront within the City of Kawartha Lakes Official Plan. Within the Waterfront designation, residential uses, including their accessory uses, are anticipated.

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 system.

Consultations:

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

Agency Comments:

Development Engineering Division (July 6, 2020): No concerns.

Community Services Department (March 17, 2020): No concerns.

Kawartha Region Conservation Authority (March 6, 2020): No concerns.

Building Division – Part 8 Sewage Systems (March 6, 2020): No concerns.

Building Division (March 5, 2020): No concerns.

Public Comments:

No comments received as of July 6, 2020.

Attachments:



Appendices A-E to
Report COA2020-008.

Appendix A – Location Map

Appendix B – Aerial Photo

Appendix C – Applicant's Sketch

Appendix D – Applicant's Elevations

Appendix E – Department and Agency Comments

Phone: 705-324-9411 extension 1206

E-Mail: dharding@kawarthalakes.ca

Department Head: Chris Marshall, Director of Development Services

Department File: D20-2020-004

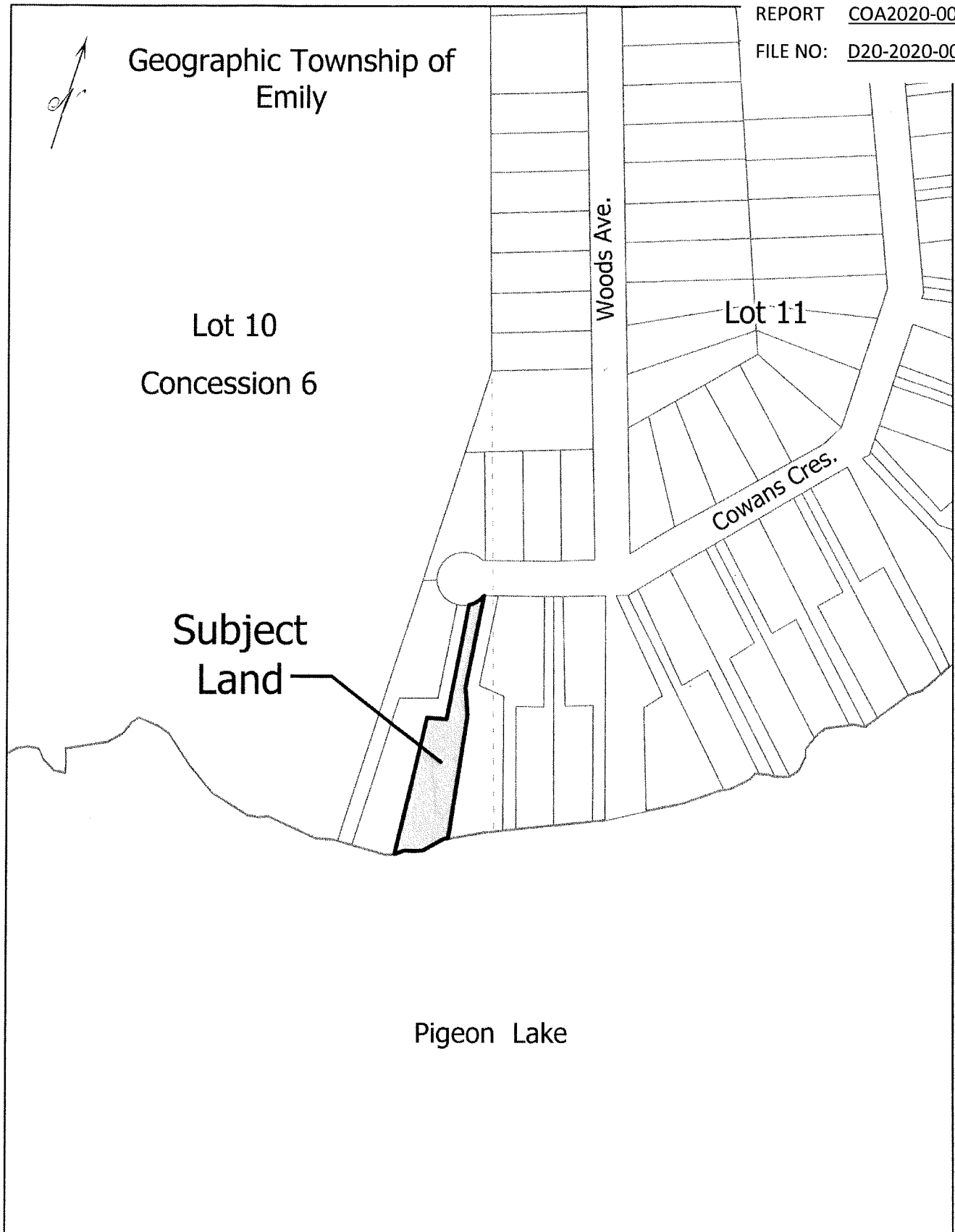
D20-2020-004

APPENDIX " A "

to

REPORT COA2020-008

FILE NO: D20-2020-004



6 Cowans Crescent, geographic Twp. of Emily



Pigeon River

Subject Property

0.11

Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes



This map is a user generated static map output and is for reference only
data, layers and text that appear on this map may or may not be accurate,
current, or otherwise reliable

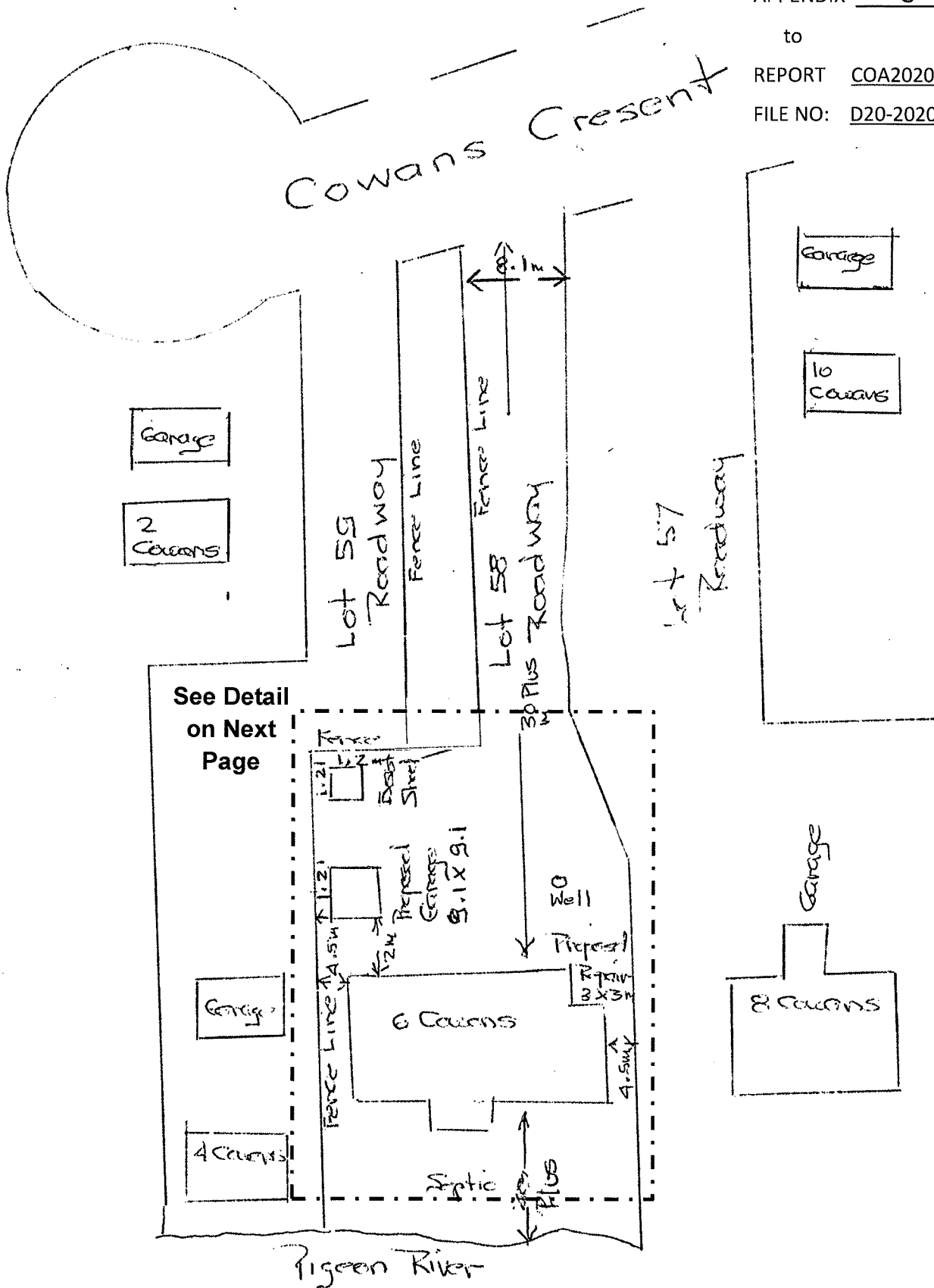
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APPENDIX " B "
to
REPORT COA2020-008
FILE NO: D20-2020-004

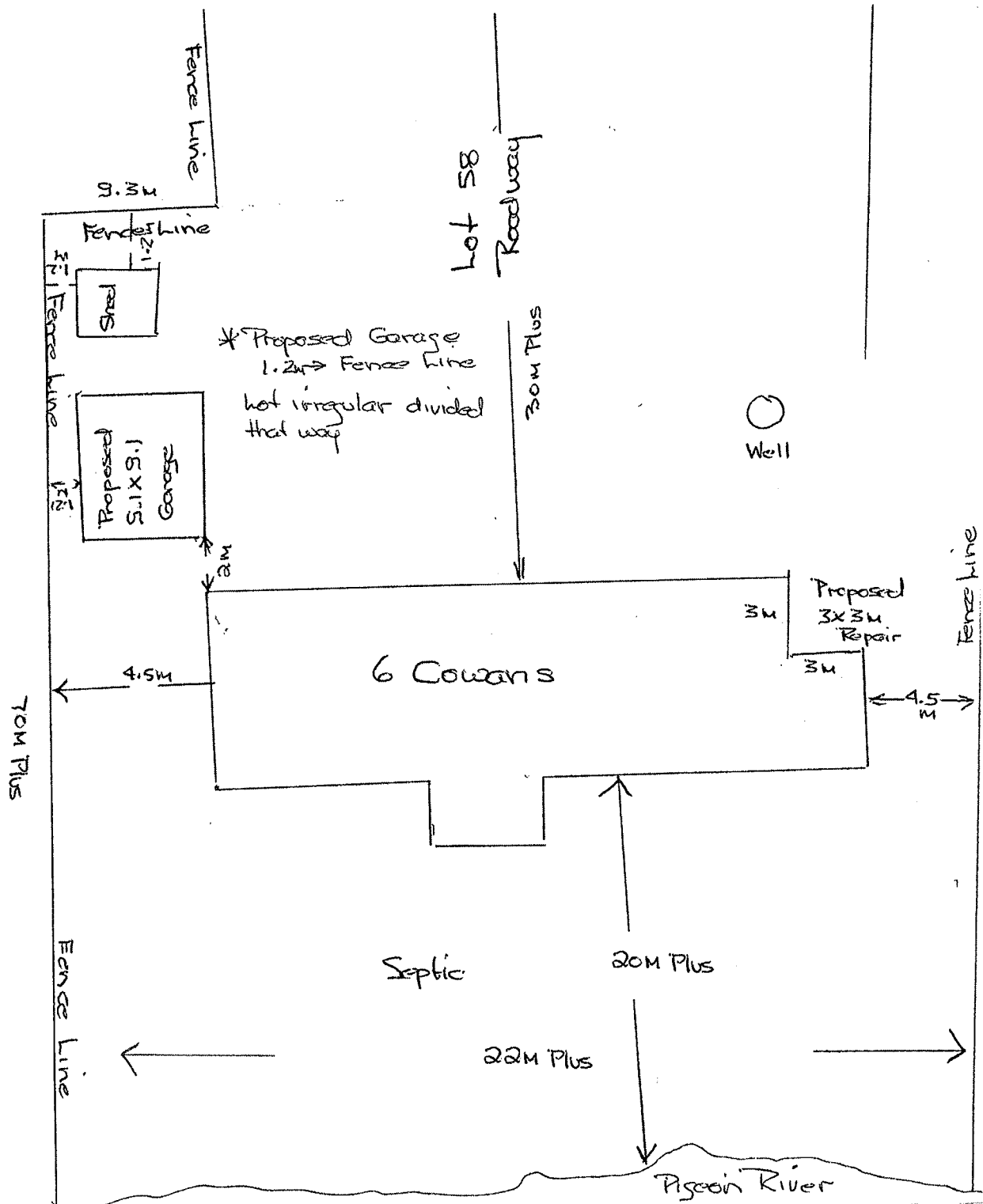
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REPORT COA2020-008

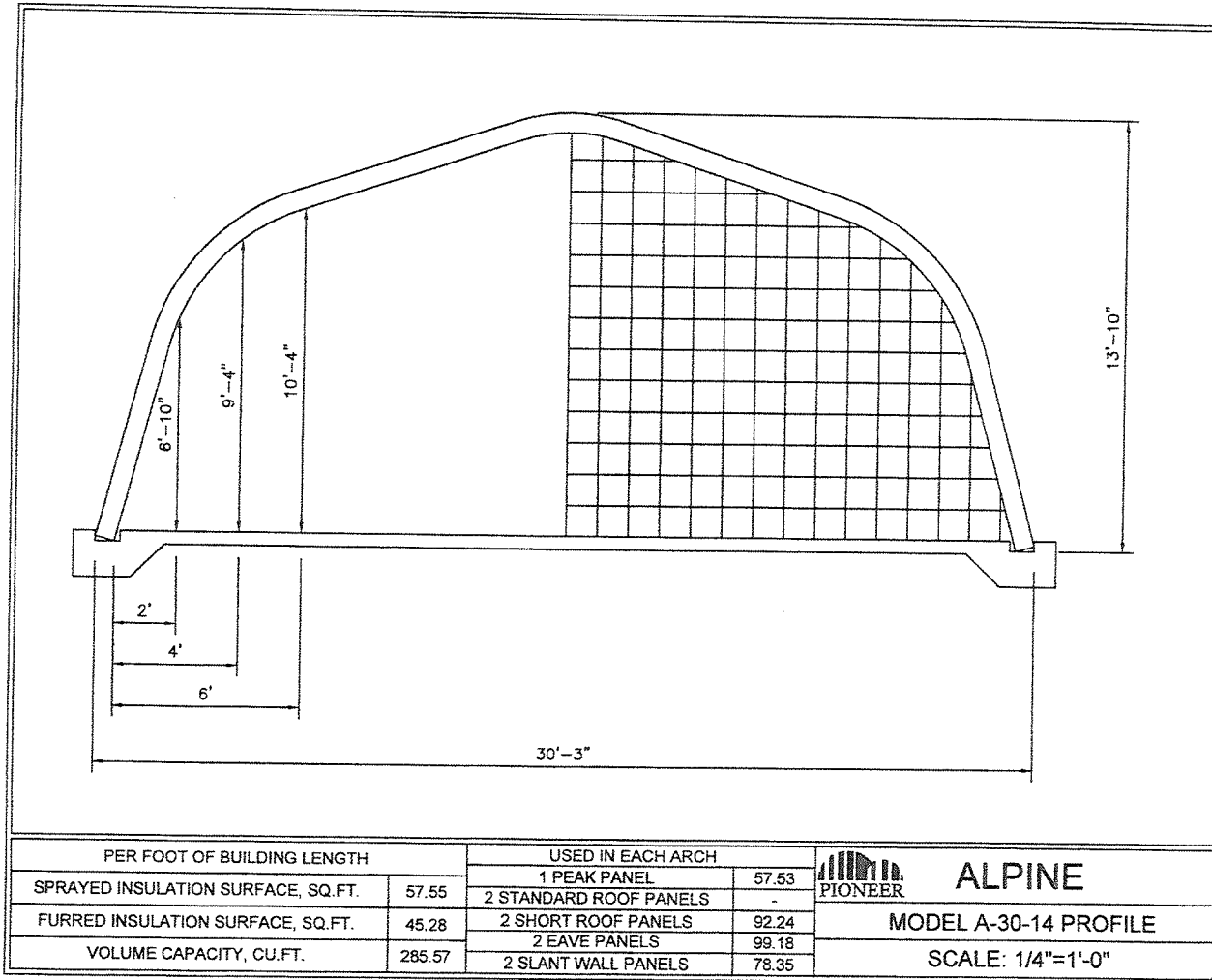
FILE NO: D20-2020-004



Detail



A30-14 PROFILE



David Harding

From: Kim Rhodes
Sent: Monday, July 6, 2020 1:18 PM
To: Mark LaHay
Cc: Christina Sisson; Kirk Timms
Subject: 20200709 D20-2020-004 - Engineering review - REVISED

APPENDIX E
to
REPORT CoA2020-008
FILE NO. D20-2020-004

Please see the message below from Christina Sisson:

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

Minor Variance – D20-2020-004
6 Cowans Crescent
Lot 58, Plan 358
Geographic Township of Emily, Ward 6

It is the understanding by Engineering that the purpose and effect is to consider relief:

1. to reduce the minimum lot frontage from 12 metres to 8 metres to permit the construction of a detached garage and addition to the single detached dwelling; and
2. to reduce the minimum interior side yard from 3 metres to 1.2 metres to permit a detached garage.

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





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

LeAnn Donnelly, Executive Assistant, Community Services

MEMORANDUM

DATE: March 17, 2020
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:

D20-2020-003 Sugar Bush Trail, Fenelon Township
D20-2020-004 6 Cowans Crescent, Emily
D20-2020-005 9 Moynes Court, Lindsay
D20-2020-009 26 Evergreen Street, Emily Township

LeAnn Donnelly

LeAnn Donnelly
Executive Assistant, Community Services

David Harding

From: Anne Elmhirst
Sent: Friday, March 6, 2020 4:19 PM
To: David Harding
Subject: D20-2020-004 - 6 Cowans Crescent

Hello David,

RE: D20-2020-004 Minor Variance
6 Cowans Crescent, Former Emily Township
Plan 358, Lot 58
Roll No. 165100100312100

I have received and reviewed the minor variance application for the above-noted property to request relief to reduce the minimum lot frontage and interior side yard setback to permit the construction of a detached garage. As well, the minor variance has been initiated to request relief from the minimum lot frontage to allow the construction of a small addition onto the existing single detached dwelling.

A site visit was conducted to review clearance distance requirements for the sewage system components to the proposed detached garage and addition. The sewage system is located on the water side of the property outside the required clearance distances and was approved under file EM-30-80.

As such, the Building Division – Sewage System Program has no concerns with the proposal to for the location of the proposed structure and addition.

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



KRCA File NO: PPLK-10132

Via Email - ccrockford-toomey@kawarthalakes.ca
Charlotte Crockford-Toomey
Administrative Assistant
Development Services – Planning Division
180 Kent Street West
Lindsay, ON, K9V 2Y6

**Regarding: Application for Minor Variance
D20-2020-004
6 Cowans Crescent, Lot 10, Concession 6, geographic Township of Emily
Patrick and Lori Brick**

Dear Ms. Crockford-Toomey,
Kawartha Conservation has completed review of the above noted Application for a Minor Variance, submitted by Patrick and Lori Brick. Kawartha Conservation has provided comments as per our MOU with the City of Kawartha Lakes to review the application with respect to Natural Heritage, Watershed Management, and Natural Hazards.
Our comments are as follows:

Application Purpose:

It is Kawartha Conservation's understanding that the purpose and effect of Minor Variance Application D20-2020-004 is to seek relief from Township of Emily By-law No. 1996-30 for a reduced lot frontage (existing) from 12m to 8m, to reduce the side yard setback from 3m to 1.2m

Site Characteristics:

Existing mapping indicates that the subject property is within the vicinity of the following:

Natural Heritage Features:

- Pigeon River
- Fish Habitat
- Provincially Significant Wetlands

Kawartha Conservation regulates 15m from the shoreline of Pigeon River, and 120m from the limit of the Provincially Significant Wetland (the subject property falls within this 120m buffer).

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

Natural Hazards:

- Flooding
- Erosion

Kawartha Conservation regulates the flooding hazard of Pigeon River.

Water Resources:

The subject property is within the Pigeon Lake Management Plan boundary.

Applicable Kawartha Conservation Regulation and Policies

Ontario Regulation 182/06 (as amended):

Any development with Kawartha Conservation's regulated area will require a Permit pursuant to Ontario Regulation 182/06 (Development, Interference with Wetlands and Alteration to Shorelines and Watercourses), as amended.

Permissions are required from Kawartha Conservation prior to any of the following works taking place:

- a) Straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream, or watercourse; or changing or interfering with a wetland; and
- b) Development, if the control of flooding, erosion, dynamic beaches, pollution or the conservation of land may be affected by the development.

Development is defined as:

- a) The construction, reconstruction, erection or placing of a building or structure of any kind,
- b) Any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure,
- c) Site grading or, the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.

Provincial Plans:

The policies of the Provincial Policy Statement (2014), and the Growth Plan for the Greater Golden Horseshoe (May, 2019) apply to the subject property. Staff are of the opinion that the application conforms to the natural heritage, natural hazard, and water resource policies of these plans.

Recommendation:

Kawartha Conservation has no objection to the approval of D20-2020-004, based on our consideration for natural heritage, natural hazards, and water resources.



**KAWARTHA
CONSERVATION**

Discover • Protect • Restore

Page 3 of 3
March 6, 2020

I trust this meets your information requirements at this time. should you have any questions, please contact the undersigned.

Sincerely,

Erin McGregor

Resources Planner Technician
Kawartha Conservation

CC: Ron Warne, Director of Planning, Development, & Engineering

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: Thursday, March 5, 2020 1:50 PM
To: Charlotte Crockford-Toomey
Subject: D20-2020-004

Follow Up Flag: Follow up
Flag Status: Completed

Building division has the following comments:

No concerns.

Derryk Wolven, CBCO

Plans Examiner

Development Services, Building Division, City of Kawartha Lakes

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



The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Monica Andrus
Report Number COA2020-009

Public Meeting

Meeting Date: July 16, 2020
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 7 – former Town of Lindsay

Subject: The purpose and effect is to seek relief from Section 7.2(f) to reduce the minimum rear yard setback from 7.5 metres to 4.5 metres to permit a deck above a walk-out basement.

The variance is requested at 9 Moynes Court, former Town of Lindsay (File D20-2020-005).

Author: David Harding, Planner II, RPP, MCIP

Signature:



Recommendation:

Resolved That Report COA2020-009 Monica Andrus, be received;

That minor variance application D20-2020-005 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **That** the construction of the deck 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 COA2020-009, 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 COA2020-009. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Background: The application was deemed complete January 24, 2020.

Proposal: To construct a deck that is approximately 12.5 metres by 3.68 metres over a walkout basement.

Owner: Monica Andrus

Applicant: Kyle Statten, Northern Touch Landscape Construction

Legal Description: Lot 11, Plan 57M-796, former Town of Lindsay, now City of Kawartha Lakes

Official Plan: Residential within the Town of Lindsay Official Plan

Zone: Residential Two Special Twenty-Five (R2-S25) Zone within the Town of Lindsay Zoning By-law 2000-75

Site Size: 485 square metres

Site Servicing: Municipal water and sanitary services

Existing Uses: Residential

Adjacent Uses: 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 subject property is a lot in a newer plan of subdivision located in a developing neighbourhood.

The proposal will provide outdoor access and amenity space for the main floor. No stairs are proposed to link the deck to the landscaped amenity space within the rear yard. The land over which the deck is proposed is hardscaped with a patio that abuts the walkout basement. The proposal will add additional amenity area above the patio and is not anticipated to affect the patio's function. As stairs are not proposed none of the lawn abutting the patio will be covered.

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 subject property is zoned Residential Two Special Twenty-Five (R2-S25) Zone within the Town of Lindsay Zoning By-law 2000-75. As per the General Provisions, decks exceeding a height of 1.8 metres (5.9 feet) are not permitted as-of-right to project into the minimum rear yard, but are instead subject to the

same setbacks as a dwelling. The intent of the rear yard setback is to provide sufficient rear yard amenity space, address massing impacts, and reduce land use and privacy conflicts between abutting properties.

The dwelling's rear wall faces southwest. The dwelling on the lot to the south, addressed as 66 Logie Street, is not located immediately behind the dwelling at 9 Moynes, nor do the rear walls of either dwelling face one another. 9 Moynes overlooks the landscaped rear yard of 66 Logie Street, and Holtom Street Road beyond.

No massing, land use or privacy impacts are anticipated due to the location and orientation of the dwelling and proposed deck.

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

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

As the Lindsay Secondary Plan is under appeal, the Town of Lindsay Official Plan remains in effect. Within this document, the property is designated Residential. Low rise residential uses and their accessory uses are anticipated within this designation.

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

Other Alternatives Considered:

No other alternatives have been considered at this time.

Servicing Comments:

The subject property is on full municipal services.

Consultations:

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

Agency Comments:

Building Division (March 5, 2020): No concerns.

Development Engineering Division (March 6, 2020): No concerns.

Public Comments:

No comments have been received as of July 2, 2020.

Attachments:



Appendices A-E to
Report COA2020-009.

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

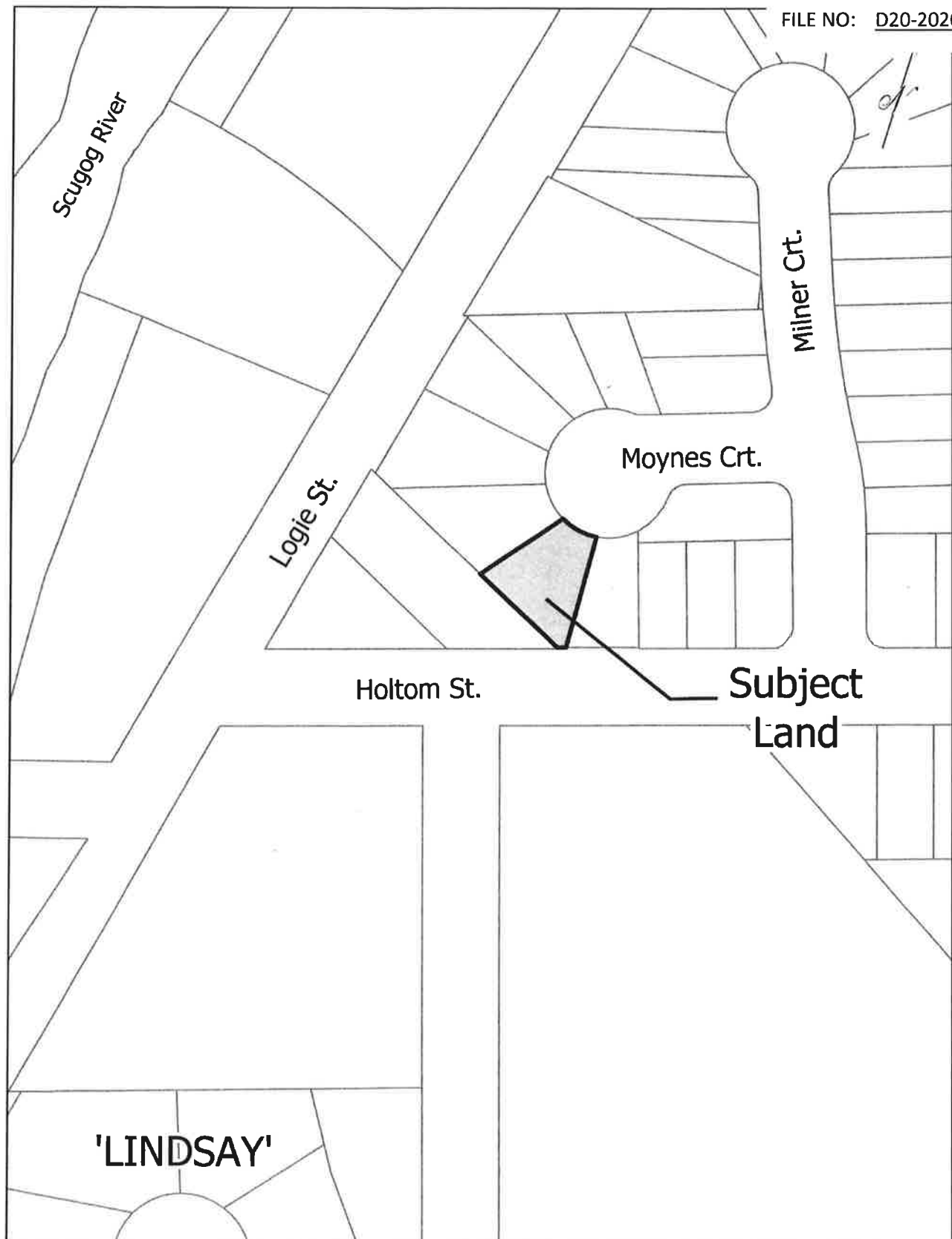
Phone: 705-324-9411 extension 1206
E-Mail: dharding@kawarthalakes.ca
Department Head: Chris Marshall, Director of Development Services
Department File: D20-2020-005

to

REPORT COA2020-009

FILE NO: D20-2020-005

D20-2020-005



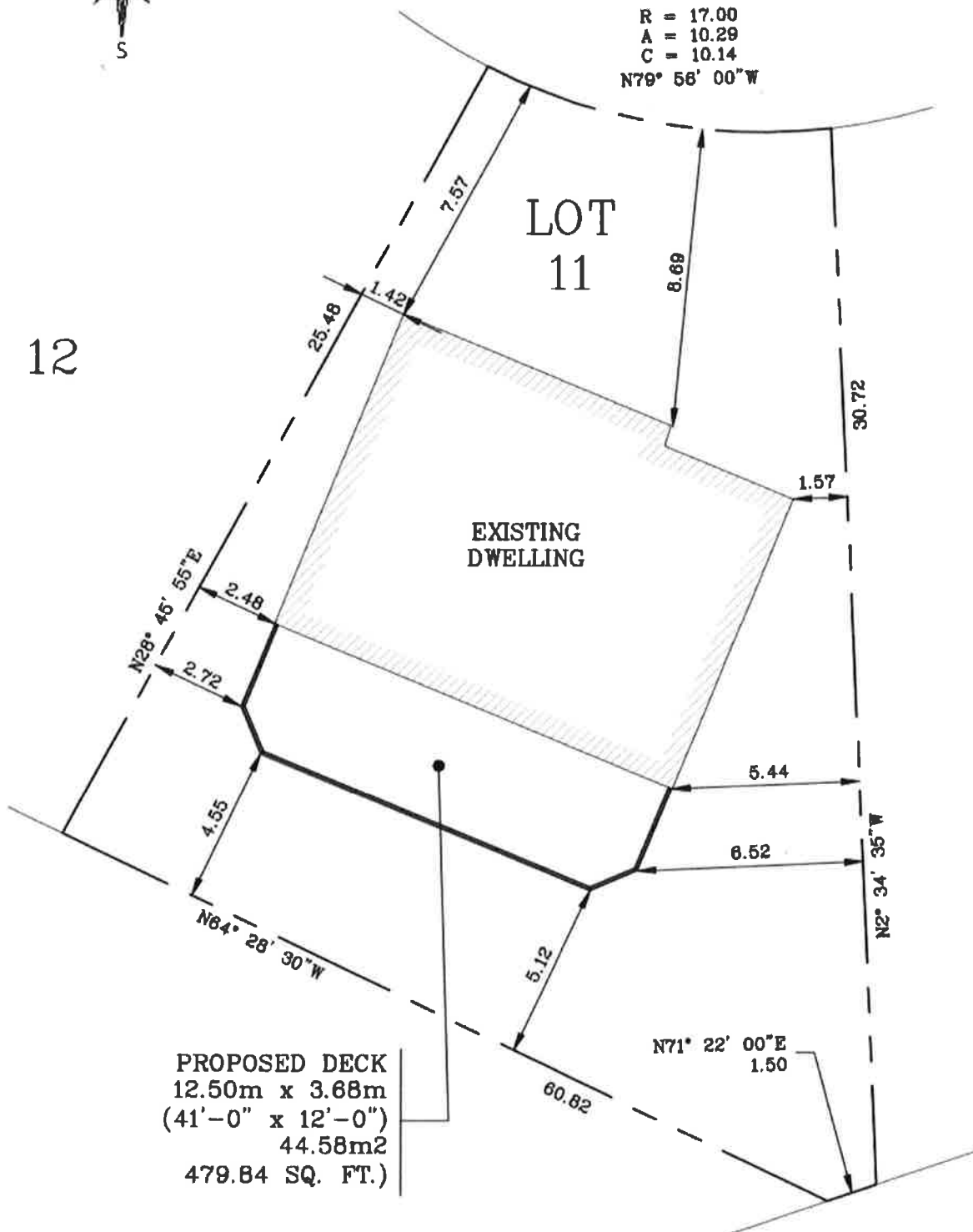
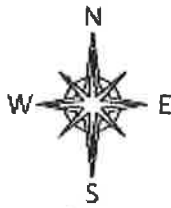


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REPORT COA2020-009

FILE NO: D20-2020-005

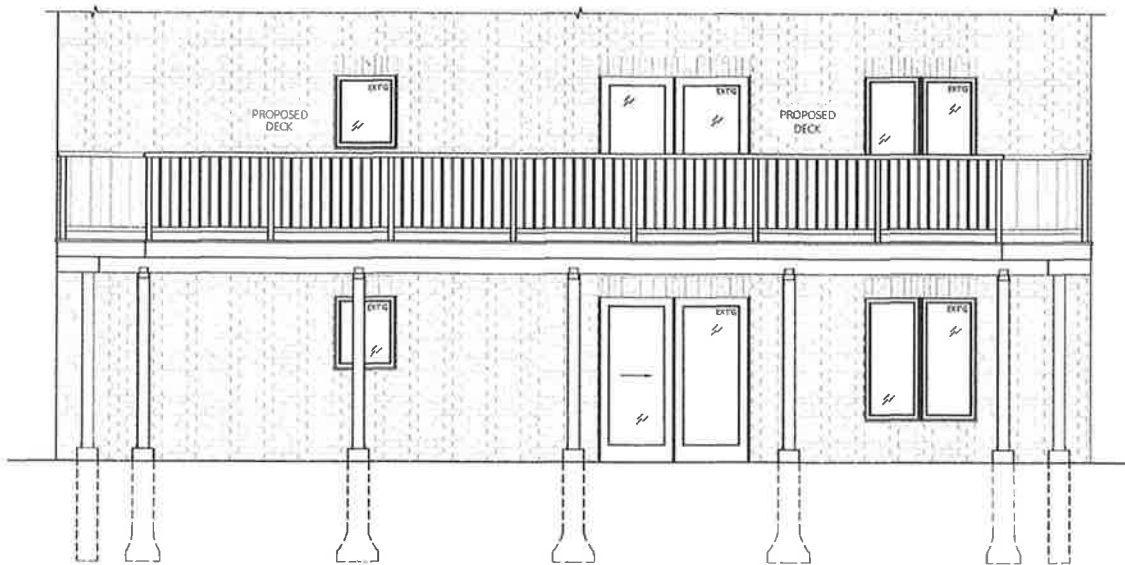


APPENDIX " D "

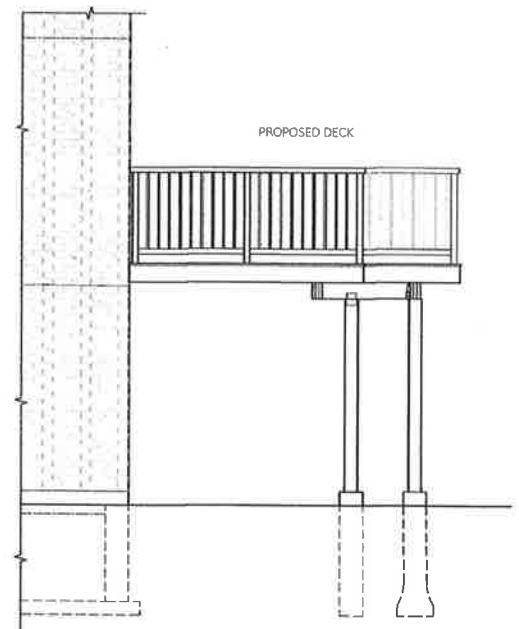
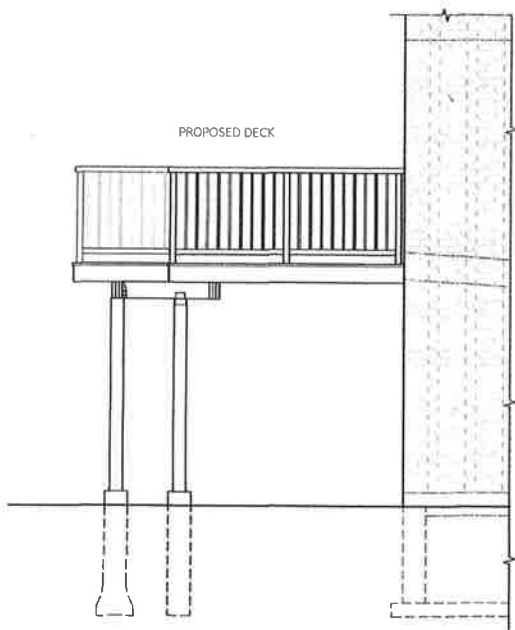
to

REPORT COA2020-009

FILE NO: D20-2020-005



○ Front Elevation



○ Left Side Elevation

Kent Stainton

From: Derryk Wolven
Sent: Thursday, March 5, 2020 1:54 PM
To: Charlotte Crockford-Toomey
Subject: D20-2020-005

Follow Up Flag: Follow up
Flag Status: Completed

APPENDIX " E "
to

REPORT COA2020-009

FILE NO. D20-2020-005

Building division has the following comments:

No concerns.

Derryk Wolven, CBCO

Plans Examiner

Development Services, Building Division, City of Kawartha Lakes

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



Kent Stainton

From: Kim Rhodes
Sent: Monday, July 6, 2020 1:34 PM
To: Mark LaHay
Cc: Christina Sisson; Kirk Timms
Subject: 20200706 D20-2020-005 - Engineering review

Please see the message below from Christina Sisson:

Good afternoon Mark – further to our engineering review of the following:

Minor Variance – D20-2020-005
9 Moynes Court
Lot 11, Plan 57M-796
Former Town of Lindsay, Ward 7

It is the understanding by Engineering that the purpose and effect is to consider relief to reduce the minimum rear yard setback from 7.5 metres to 4.5 metres to permit a deck above a walk-out basement.

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



The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Ahsan Ullah & Fahmida Nutan
Report Number COA2020-010

Public Meeting

Meeting Date: July 16, 2020
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 1, former Geographic Township of Eldon

Subject: The purpose and effect is to request relief from Section 13.2.1.3(a) to reduce the minimum front yard setback from 7.5 metres to 7.3 metres to permit the construction of a new single detached dwelling and 5.9 metres respectively for a covered porch on the single detached dwelling

The variance is requested at 63 North Taylor Road, geographic Township of Eldon (File D20-2020-006).

Author: David Harding, Planner II, RPP, MCIP

Signature: 

Recommendations:

Resolved That Report COA2020-010 Ullah and Nutan, be received;

That minor variance application D20-2020-006 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **That** the building construction related to this approval shall proceed substantially in accordance with the sketch in Appendix C submitted as part of Report COA2020-010, which shall be attached to and form part of the Committee's Decision; and
- 2) **That** prior to proceeding with the building permit process the owner shall apply for a deeming by-law to ensure Lot 16 of Plan 224 consolidate with Part of Lot 54, North of Portage Road in order to comply with the reduced lot area of 895 square metres granted by the Committee in application D20-17-046, and the by-law be in effect.

This approval pertains to the application as described in report COA2020-010. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Background: Relief was previously sought from the minimum lot area requirement for an existing lot of record was sought to construct a replacement dwelling on the property via application D20-17-046. On November 9, 2017, the Committee granted the requested relief.

Construction of the dwelling proceeded. Drawings were submitted to the Building Division identifying that the dwelling had been constructed in the wrong place: its front wall and covered porch were within the minimum front yard setback requirement.

Upon further review of the application it has been determined that the property is actually two parcels: a whole of a lot (lot 16) within a registered plan of subdivision (Plan 224) that has the potential to be separately conveyed and some land along the shoreline (Part of Lot 54, North of Portage Road). The 895 square metre lot area sought and granted in D20-17-046 applies if the lands were consolidated. Condition 2 has been incorporated to consolidate the parcels and bring the property in to conformity with the Committee's 2017 decision.

The application was submitted on January 27, 2020.

Proposal: To recognize a two-storey single detached dwelling and covered porch.

Owners: Ahsan Ullah and Fahmida Nutan

Applicant: Jim Even – C.T. Strongman Survey

Legal Description: Lot 16, Plan 224; Part of Lot 54, North of Portage Road, geographic Township of Eldon, now City of Kawartha Lakes

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

Zone: Limited Service Residential (LSR) Zone within the Township of Eldon Zoning By-law 94-14

Site Size: 895 square metres (9,633.6 square feet)

Site Servicing: Private individual well and septic system

Existing Uses: Shoreline Residential

Adjacent Uses: North: Mitchell Lake
East, West: Rural Residential
South: Vacant Rural Land

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 on the north shore of an island within Mitchell Lake, along a road containing many shoreline residential dwellings.

Many of the dwellings in this neighbourhood were constructed prior to the 1970's and are smaller in size and height. Many are less than 185 square metres in area. The subject property and the property to the east, 65 North Taylor Road, are newer builds. It is anticipated that this neighbourhood will experience a change in building form over time trending towards larger, higher dwellings.

Most of the dwellings within the neighbourhood do not contain garages, but front yard parking areas. The subject property also has a front yard parking area across most of its front lot line. To accommodate this parking, there is no vegetative buffering along the front lot line. This parking layout and absence of front yard vegetation is also present at number 65. As the vegetation is absent, the building is already more visually prominent within the streetscape. The slightly increased proximity of 0.2 metres to the road causes no additional impacts to massing or neighbourhood character than a house that meets the 7.5 metre setback.

The covered porch is completely open. As such, it proposes no structural massing with respect to the road, serves to add visual interest and assists in breaking up the two storey wall.

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 subject property is within the Limited Service Residential (LSR) Zone. The LSR Zone permits seasonal and year-round residential use.

One of the intents of the front yard setback is to provide sufficient spatial separation between the road allowance and built form for the parking of vehicles. Two 2.8 x 6 metre parking spaces are required for a single detached dwelling. Two spaces may be accommodated to the northeast of the covered porch. Another function of the front yard setback is to provide sufficient space for snow storage. Snow storage capability was demonstrated via creating a small island near the centre of the front lot line and additional deposition area around the drilled well.

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

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

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

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

Other Alternatives Considered:

No other alternatives have been considered at this time.

Servicing Comments:

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

Consultations:

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

Agency Comments:

Development Engineering Division (July 6, 2020): No concerns.

Public Comments:

No comments as of July 6, 2020.

Attachments:



Appendices A-D to
Report COA2020-006

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

| | |
|-------------------------|--|
| Phone: | 705-324-9411 extension 1206 |
| E-Mail: | dharding@kawarthalakes.ca |
| Department Head: | Chris Marshall, Director of Development Services |
| Department File: | D20-2020-006 |

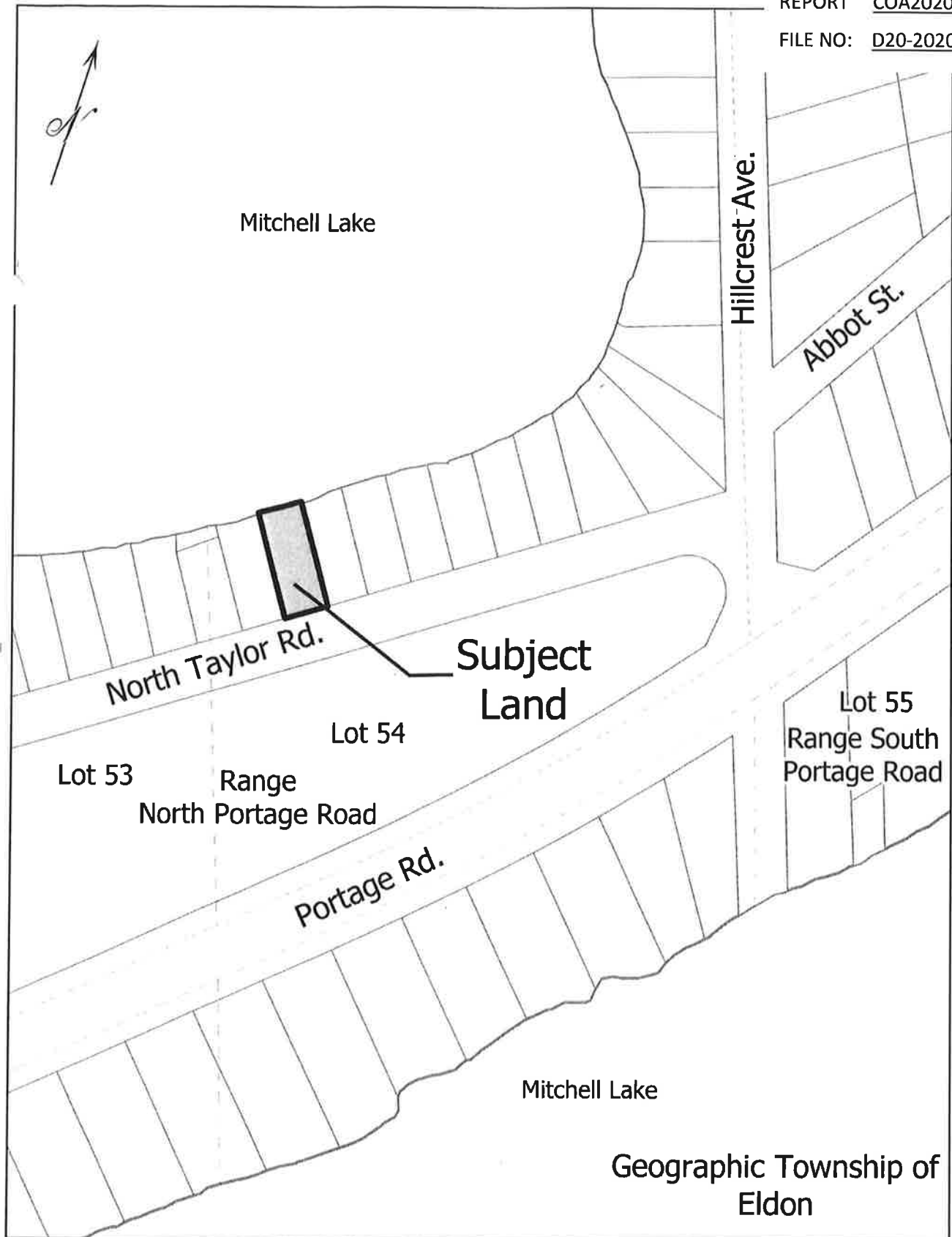
D20-2020-006

APPENDIX " A "

to

REPORT COA2020-010

FILE NO: D20-2020-006



63 North Taylor Road, geographic Twp. of Eldon



0.06 Kilometers
WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes



This map is a user generated static map output and is for reference only. All data, layers and text that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP MAY NOT BE USED FOR COMMERCIAL OR LEGAL PURPOSES

APPENDIX " B "
to
REPORT COA2020-010
FILE NO: D20-2020-006



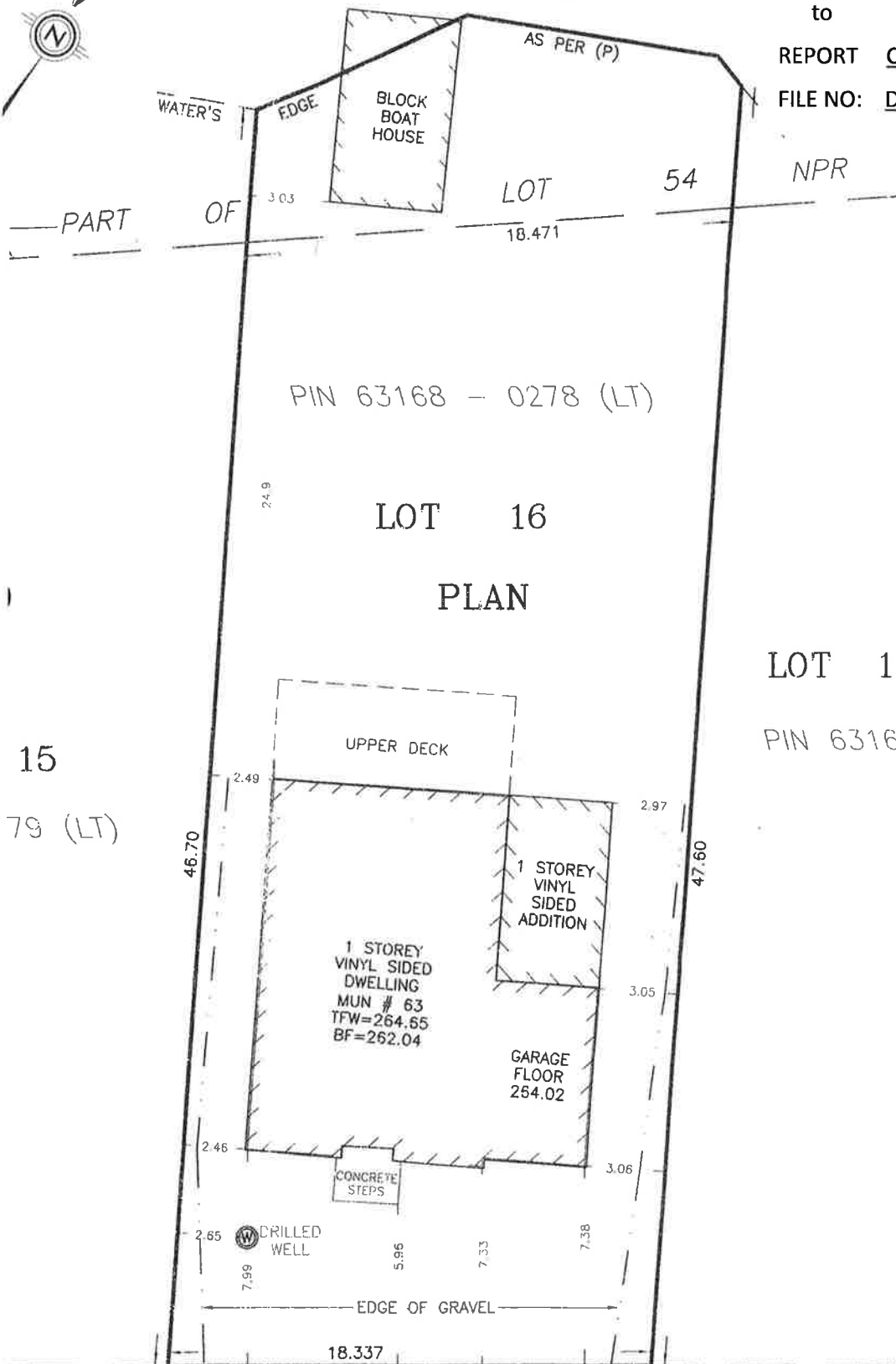
MITCHELL LAKE

APPENDIX " C "

to

REPORT COA2020-010

FILE NO: D20-2020-006



KNOWN AS NORTH TAYL

Charlotte Crockford-Toomey

From: Kim Rhodes
Sent: Monday, July 6, 2020 1:36 PM
To: Mark LaHay
Cc: Christina Sisson; Kirk Timms
Subject: 20200706 D20-2020-006 - Engineering review

APPENDIX D
to
REPORT COA 2020-010
FILE NO. D20-2020-006

Please see the message below from Christina Sisson:

Good afternoon Mark – further to our engineering review of the following:

Minor Variance – D20-2020-006
63 North Taylor Road
Lot 16, Plan 224, Part of Lot 54, North of Portage Road
Geographic Township of Eldon, Ward 1

It is the understanding by Engineering that the purpose and effect is to consider relief:

1. to reduce the minimum front yard setback from 7.5 metres to 7.3 metres to permit the construction of a new single detached dwelling and 5.9 metres respectively for a covered porch on the single detached dwelling; and
2. to reduce the minimum lot area from 930 square metres to 895 square metres to permit the construction of the 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



The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – 2607226 Ontario Inc.
Report Number COA2020-011

Public Meeting

Meeting Date: July 16, 2020
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 5, former Town of Lindsay

Subject: The purpose and effect is to request relief from the following provisions in order to facilitate the construction of a 7 storey apartment building:

1. Section 11.2(f) to increase the maximum building height from 18 metres to 21.5 metres,
2. Section 11.3.14(iii) to increase the maximum height for rooftop mechanical units from 21 metres to 25.5 metres; and
3. Sections 5.14(f) and (g) to provide relief from the requirements to provide a continuous hedgerow of evergreens and shrubs, not less than 1.2 metres high at the time of planting situated immediately adjacent to: (A) the front, rear, and side lot lines, and (B) between ground level parking spaces and ground floor dwelling units, instead allowing for more variation in the vegetation, placement, and length/location of the required landscape strips.

The variances are requested on vacant land on Chadwin Drive, former Town of Lindsay (File D20-2020-007).

Author: David Harding, Planner II, RPP, MCIP

Signature: 

Recommendations:

Resolved That Report COA2020-011 2607226 Ontario Inc., be received;

That minor variance application D20-2020-007 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **That** the building construction related to this approval shall proceed generally in accordance with the sketch in Appendix C and elevations in Appendix D submitted as part of Report COA2020-011, which shall be attached to and form part of the Committee's Decision;

- 2) **That** the landscaping form sought by requesting variances from Section 5.14(f) shall be generally in accordance with drawings L1-01, L1-02 and L1-03 submitted in support of site plan application D19-2019-010 subject to the revisions required in the City's post circulation comments dated March 20, 2020, and addendum comments dated March 24, 2020, and May 5, 2020. This condition shall be considered fulfilled when the applicant submits revised landscaping drawings to the satisfaction of the Planning Division and Community Services Department in support of application D19-2019-010; and
- 3) **That** the site plan agreement shall be registered 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 approval pertains to the application as described in report COA2020-011. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: The application proposes a 7 storey apartment building at the above-noted address. Site Plan application D19-2020-010 has been submitted, with the first round of comments provided between March 20 and May 5. The applicant had been in discussions with the City prior to submitting the site plan application, where it was noted the relief from the height provisions would be required. Through the review of the site plan submission, it was identified that additional relief is required from the landscaping provisions in order to permit the varied landscaping proposed.

The applicant has provided a shadow cast study in support of the application.

This application was last amended June 11, 2020.

Proposal: To permit the seventh storey of the apartment building to be added along with the associated servicing and also to permit additional variation in the arrangement and composition of the landscape buffers surrounding the property and between the parking lot and ground floor units.

Owner: Ray Gupta - 2607226 Ontario Inc.

Applicant: Martin Lariviere - API Architecture & Planning Initiatives

Legal Description: Block 13, Plan 57M-782, former Town of Lindsay, now City of Kawartha Lakes

Official Plan: Residential within the Town of Lindsay Official Plan

Zone: Residential High-Rise One Special Eleven Holding One (RH1-S11(H1)) Zone within the Town of Lindsay Zoning By-law 2000-75.

Site Size: 11,273.4 square metres (2.78 acres)

Site Servicing: Full municipal services available at lot line(s)

Existing Uses: Vacant Land

Adjacent Uses: North: High and Low Rise Residential, Institutional (Fairview Baptist Church)
East: Low Rise Residential, Commercial (Mr. Convenience)
West: Retirement Residence (Colborne Lodge)
South: Townhomes, Vacant Commercial Land

Rationale:

1) Are the variances minor in nature? Yes
And

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

The subject property is situated on a portion of the old Lindsay Fairgrounds. This property is bordered by three roads: Colborne Street West, a former County Road, Adelaide Street to the east, and Chadwin Drive to the south.

Colborne Street is a high traffic street where higher density development exists, as is evidenced by the two apartment buildings and retirement residence within the immediate vicinity (numbers 107, 126 and 133). The subject property is suitably zoned for high-rise development. The building is proposed closer to Colborne Street, with the parking lot and vegetation between it and Chadwin Drive. The addition of an additional storey is not anticipated to adversely impact the Colborne Street West streetscape nor greatly increase shadow casting as per the submitted study.

The building will provide additional residential options in Lindsay, add to Lindsay's skyline and enhance the pedestrian experience on Colborne Street West and Chadwin Drive by providing for a wide assortment of trees, shrubs, and other landscape plantings. Current landscaping zoning standards require continuous buffers of coniferous trees and/or shrubs. However, what the applicant has proposed exceeds the City's minimum landscaping requirements to provide for a more visually appealing building and pedestrian experience but will allow for greater flexibility in the placement of landscaping areas and permits breaks in the landscaping buffers for pedestrian connection to adjacent properties. The landscaping variances, if granted, will allow the City and applicant to register a site plan agreement with enhanced landscaping.

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

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

The subject property is zoned Residential High-Rise One Special Eleven Holding One (RH1-S11(H1)) Zone. The category permits an apartment building that is 6 storeys high. The holding provision pertains to the commissioning of the Northwest Trunk Sanitary Sewer and payment of the capital charge for that project.

All other zone provisions with respect to building form, setbacks and general site features are being maintained. As high-rise development is already proposed, the addition of one additional storey is not anticipated to substantially change the scale of the built form. One hundred and seventeen units are permitted, but only 114 are proposed. By arranging the units vertically into a seventh storey instead of horizontally, the overall length of the building is reduced, allowing for the preservation of more landscaped open space and a shorter building wall along Colborne Street West.

The intent of the landscaping provisions of the zoning by-law is to provide minimum landscaping requirements in the form of continuous coniferous vegetative plantings around the immediate perimeter of the property and portion of the parking lot to buffer the property from surrounding uses and to buffer the ground level apartments from the surface parking lot. In this case, the applicant has proposed landscaping that exceeds these minimum requirements.

Interruptions in the landscape buffers, their placement in some locations that are not immediately abutting the lot line, and adjusting their composition to include perennials and deciduous shrubs and trees in addition to coniferous plantings. As the final landscape drawings have not been submitted or approved under site plan review process at this time, but are anticipated to be in keeping with the previous plans submitted, Condition 2 is requested to permit staff the flexibility to work with the owner to further refine their landscape design in accordance with the City's post circulation site plan comments.

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

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

As the Lindsay Secondary Plan is under appeal, the Town of Lindsay Official Plan remains in effect. The property is designated Residential within this Official Plan. High density residential development in the form of apartment buildings is permitted provided the .

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 as the proposed changes to the landscaping are more suitable for the site than the provisions the zoning by-law currently requires.

Servicing Comments:

The development will be on full municipal services once constructed.

Consultations:

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

Agency Comments:

Development Engineering Division (July 6, 2020): No concerns.

Public Comments:

No comments received as of July 6, 2020.

Attachments:



Appendices A-G
Report COA2020-01

Appendix A – Location Map
Appendix B – Aerial Photo
Appendix C – Applicant's Sketch
Appendix D – Elevations
Appendix E – Renderings
Appendix F – Shadow Cast Study
Appendix G – Department and Agency Comments

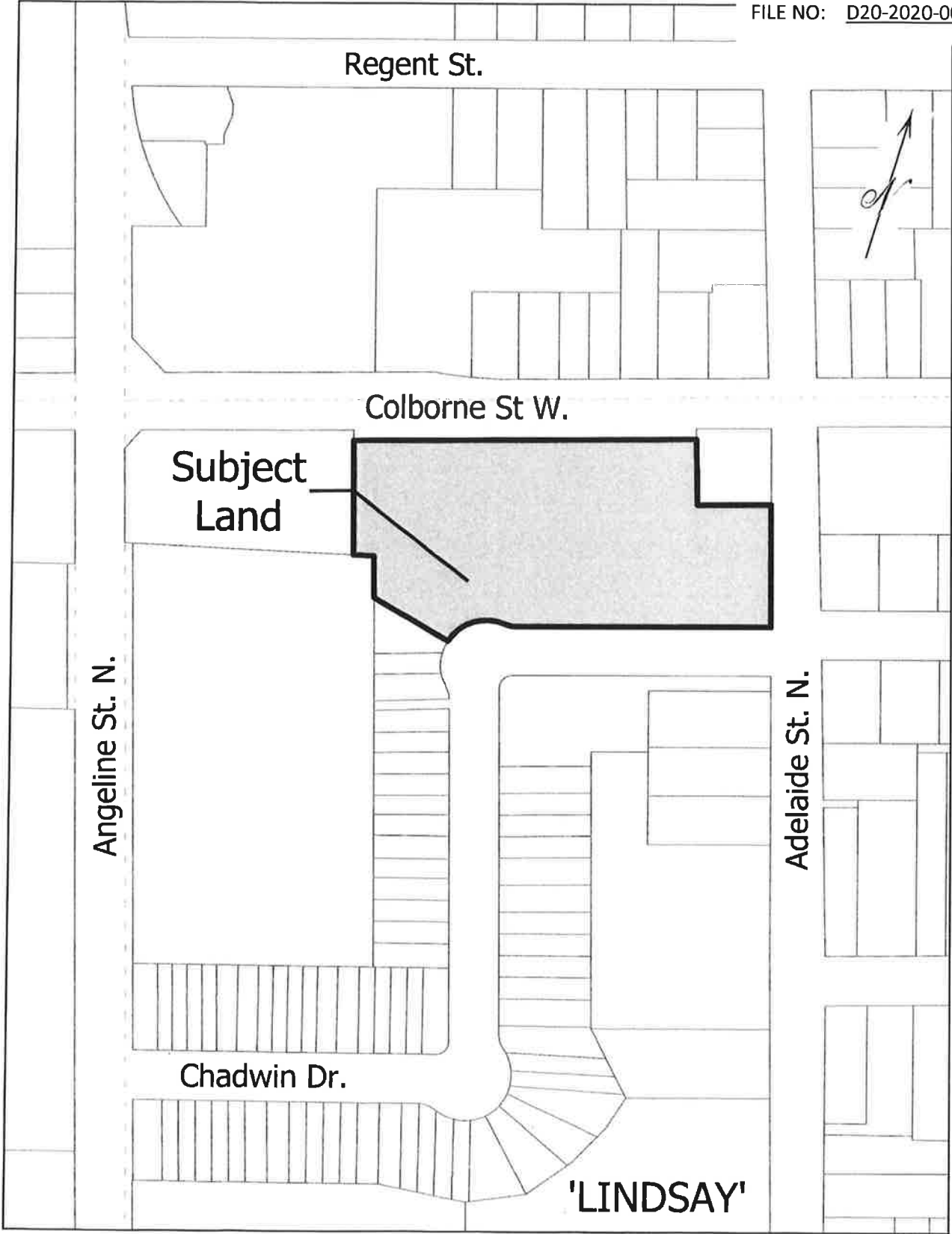
| | |
|-------------------------|--|
| Phone: | 705-324-9411 extension 1206 |
| E-Mail: | dharding@kawarthalakes.ca |
| Department Head: | Chris Marshall, Director of Development Services |
| Department File: | D20-2020-007 |

to

REPORT COA2020-011

FILE NO: D20-2020-007

D20-2020-007



Vacant Land Colborne Street East, Town of Lindsay



0.11 Kilometers
WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes



This map is a user generated static map output and is for reference only. All data, layers and text that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP MAY NOT BE USED FOR COMMERCIAL OR LEGAL PURPOSES

Legend

- ☐ Property Roll Number
- ☐ Lots and Concessions
- ☐ Road Centreline (2016 Needs)
- ☐ Upper Municipalities
- ☐ Lower Tier Municipalities

Notes

APPENDIX " B "

to

REPORT COA2020-011

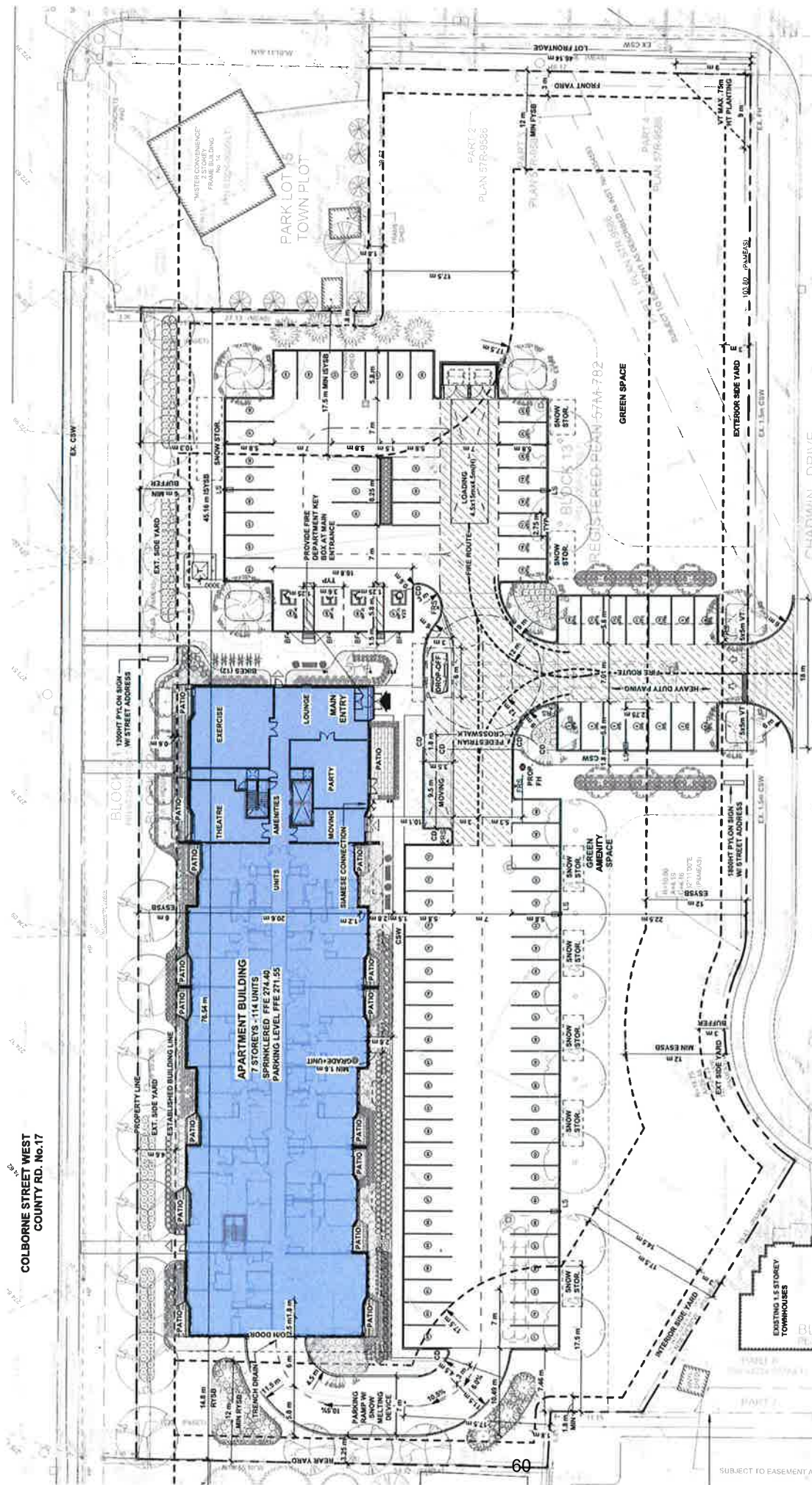
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APPENDIX " C "

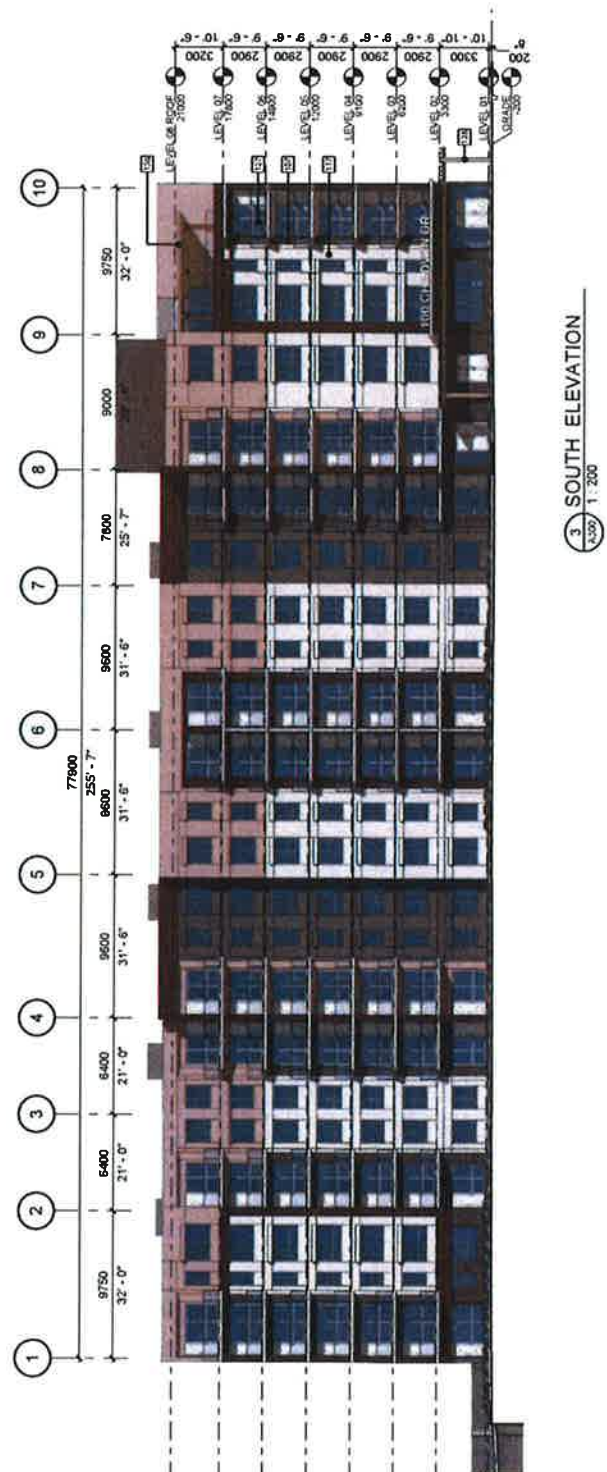
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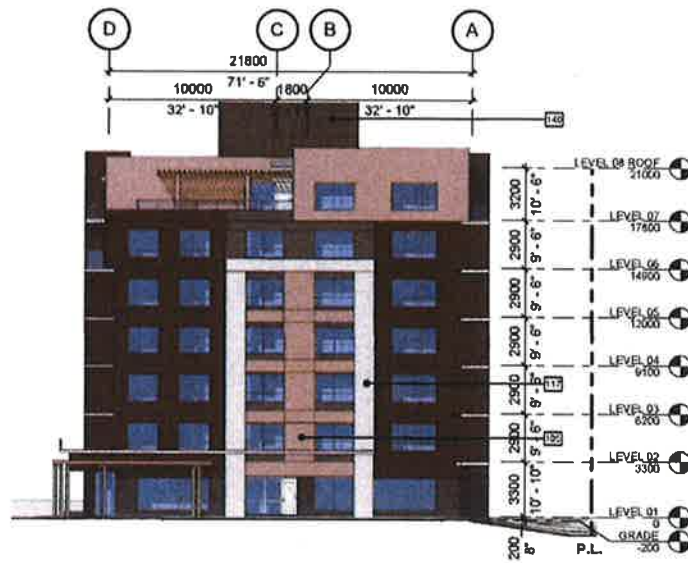
REPORT COA2020-011

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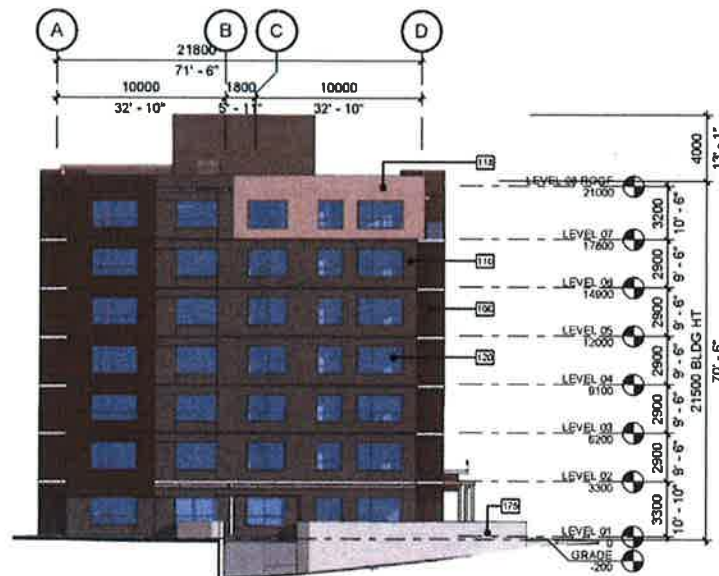


COLBORNE STREET WEST
COUNTY RD. No.17





1 EAST ELEVATION
A300 1:200



4 WEST ELEVATION
A300 1:200

3END

EXTERIOR ELEVATION LEGEND

EXTERIOR ELEVATION LEGEND

- 117 PREFAB. PANELIZED EXTERIOR INSULATED FINISH SYSTEM (EPS) (COLOUR: LIGHT GREY)
- 118 PREFAB. PANELIZED EXTERIOR INSULATED FINISH SYSTEM (EPS) (COLOUR: TAN MATCH ADJACENT)
- 120 ALUMINUM WINDOW (COLOUR: CLEAR ANODIZED)
- 127 GLAZED GUARD

- 136 WOOD TRELLIS/CANOPY
- 140 PREFINISHED METAL ROOF SCREEN (COLOUR: GREY)
- 148 EPS METALLIC FIN. COLOR: IVORY
- 154 EPS COLOR: IVORY
- 175 EXPOSED CONCRETE

to

REPORT COA2020-011

FILE NO: D20-2020-007



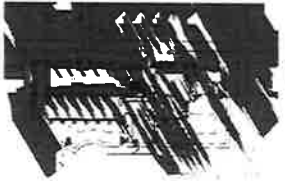
APPENDIX " F "

to

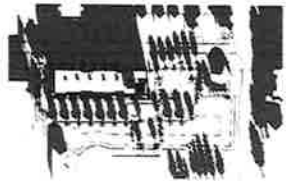
REPORT COA2020-011

FILE NO: D20-2020-007

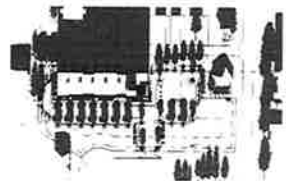
WINTER SOLSTICE



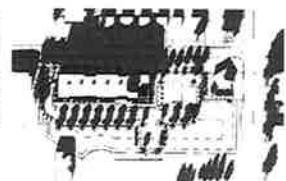
DEC 21 0930h



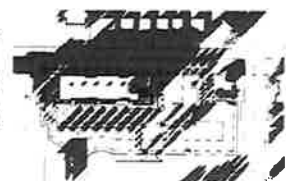
DEC 21 1100h



DEC 21 1200h

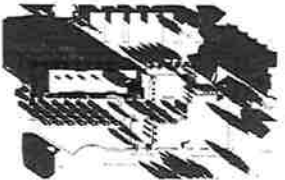


DEC 21 1300h

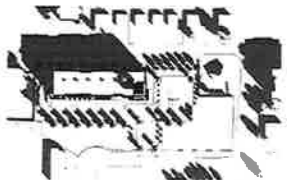


DEC 21 1500h

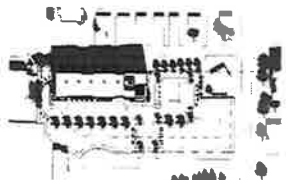
SPRING / FALL EQUINOXES



SEP/MAR 21 0845h



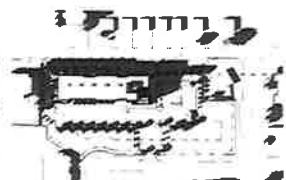
SEP/MAR 21 1000h



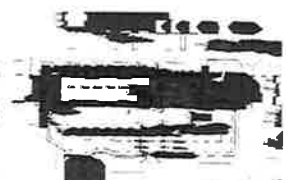
SEP/MAR 21 1200h



SEP/MAR 21 1400h

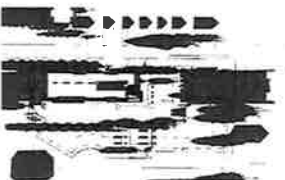


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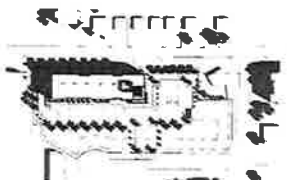


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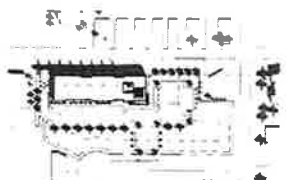
SUMMER SOLSTICE



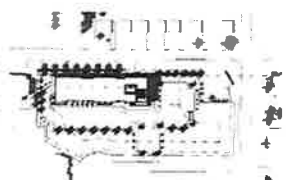
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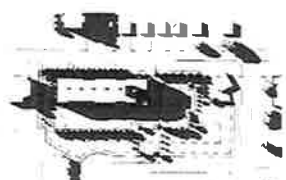
JUN 21 1000h



JUN 21 1200h



JUN 21 1500h



JUN 21 1800h



JUN 21 1930h

David Harding

From: Kim Rhodes
Sent: Monday, July 6, 2020 1:37 PM
To: Mark LaHay
Cc: Christina Sisson; Kirk Timms
Subject: 20200706 D20-2020-007 - Engineering review

APPENDIX " G "
to
REPORT COA 2020-011
FILE NO. D20-2020-007

Please see the message below from Christina Sisson:

Good afternoon Mark – further to our engineering review of the following:

Minor Variance – D20-2020-007
Vacant Land, Chadwin Drive
Block 13, Plan 57M-782
Former Town of Lindsay, Ward 5

It is the understanding by Engineering that the purpose and effect is to consider relief from the following provisions in order to facilitate the construction of a 7 storey apartment building

1. To increase the maximum building height from 18 metres to 21.5 metres
2. To increase the maximum height for rooftop mechanical units from 21 metres to 25.5 metres; and
3. To provide relief from the requirements to provide a continuous hedgerow of evergreens and shrubs, not less than 1.2 metres high at the time of planting situated immediately adjacent to:
(A) the front, rear, and side lot lines, and (B) between ground level parking spaces and ground floor dwelling units, instead allowing for more variation in the vegetation, placement, and length/location of the required landscape strips.

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



The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Swartz and Pereira
Report Number COA2020-012

Public Meeting

Meeting Date: July 16, 2020
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 7, Geographic Township of Manvers

Subject: The purpose and effect is to request relief from the following provisions in order to permit the construction of the following buildings:

Dwelling, Attached Unenclosed Deck with Stairs, and Shed

1. Section 20.4 to decrease the minimum lot area from 750 square metres to 746.5 square metres to permit the development of the lot; and
2. Section 5.2(h) to increase the maximum lot coverage from 25% to 27.4%.

Shed

3. Section 20.1(b)(ii) to permit the construction of a shed within the front yard whereas only a garage is permitted and also permit a side yard setback of 2 metres whereas 3 metres is required in the RR3 Zone; and
4. Section 5.2(c) to reduce the minimum front yard setback from 15 metres to 4.7 metres.

Dwelling and Attached Unenclosed Deck with Stairs

5. Section 5.2(f) to reduce the minimum side yard setback within the southwest side yard from 3 metres to 1.8 metres for the deck and 2.5 metres for the dwelling respectively.

The variances are requested at 27 McGill Drive, geographic Township of Manvers (File D20-2020-008).

Author: David Harding, Planner II, RPP, MCIP

Signature: 

Recommendation:

Resolved That Report COA2020-012 Swartz and Pereira, be received;

That minor variance application D20-2020-008 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **That** the building construction related to this approval shall proceed substantially in accordance with the sketch in Appendix C and elevations in

Appendix D submitted as part of Report COA2019-006, which shall be attached to and form part of the Committee's Decision;

- 2) **That** prior to the issuance of the permit for the shed, the Chief Building Official or his/her designate shall provide written confirmation to the Secretary-Treasurer that the temporary shed within the front yard has been removed from the property;
- 3) **That** notwithstanding the definition of front yard and the granting of the variances to reduce the minimum front yard and permit the shed within the front yard, the variances will not be interpreted to permit the placement of any other accessory buildings between the front wall of the dwelling and the front lot line; and
- 4) **That** the building construction related to the minor variances for the shed shall be completed within a period of twelve (12) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.
- 5) **That** the building construction related to the minor variances for the dwelling and deck with stairs shall be completed within a period of twelve (12) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the next Building Inspection.

This approval pertains to the application as described in report COA2020-012. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: The owners propose to replace the existing cottage with a new single detached dwelling and shed.

This application was last amended June 11, 2020.

Proposal: To permit the construction of a single detached dwelling inclusive of eaves, rear deck with stairs, and a shed.

Owners: Nicole Swartz and Tyrone Pereira

Applicant: Holly Richards-Conley – Black Point Construction Services

Legal Description: Lot 16, Plan 33, Ward 7, former geographic Township of Manvers, now 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 Manvers Zoning By-law 87-06

Site Size: 745.6 square metres (8,025.5 square feet)

Site Servicing: Private individual well and septic system

Existing Uses: Shoreline Residential

Adjacent Uses: Northeast, Southwest: Shoreline Residential
Southeast: Shoreline Residential Backlots
Northwest: Lake Scugog

Rationale:

1) Are the variances minor in nature? Yes
And

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

The subject property is situated in a shoreline residential neighbourhood on the southeastern shore of Lake Scugog. The rear yard functions as the primary amenity space for the shoreline properties.

The variances sought will permit the redevelopment of the property. The southwestern side yard reduction for the dwelling and deck continue to allow sufficient width for passage between the front and rear yards.

The proposal is for a two storey home with walkout basement and accompanying deck, and a shed within the front yard to provide additional storage. The property is of sufficient size to absorb the scale of development proposed.

As the property, much like the neighbouring lots, is a shoreline lot that is relatively narrow, the dwelling would occupy the entire width of the property in order to provide a sufficient functional footprint and floorplan. In order to maintain the required water setback, the front yard is the only yard that remains for accessory buildings to locate and where the parking of vehicles may occur. Many of the shoreline properties are of similar width, and as a result have front yards which function similarly.

The proposed shed is modest in size, which will protect for the two required on-site parking spaces, will have its door face northeast instead of towards the road to provide for some modest landscaping opportunity along the wall facing the street, and will be clad in vinyl siding with a lower stone veneer. The combination of materials will add visual interest to the streetscape and be in keeping with the design of the dwelling. The shed is modest in height and footprint, and is proposed off to one side of the yard. As such, the dwelling is anticipated to maintain visual prominence within the streetscape, rather than the accessory storage use.

A smaller shed (temporary shed) is present within the southeastern area of the front yard, which appears to be serving a temporary storage function in the

absence of the proposed permanent shed. This shed must be removed in order to comply with the zoning by-law provisions for yard setbacks, lot coverage, protect for the two required parking spaces, and ensure additional accessory uses are not located within the front yard. Condition 2 has been included to address this issue.

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

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

The subject property is zoned Rural Residential Type Three (RR3) Zone. The RR3 Zone permits residential uses.

The reduced interior side yard to the southwestern lot line continues to provide sufficient space for access between the front and rear yards and for maintenance of the dwelling, deck, and shed. The reduced side yard setback for the shed also permits there to be greater maneuvering space for vehicles to transition between the driveway entrance and parking area.

The intent of restricting the number and type of accessory buildings within the front yard to garages is to recognize the vehicle storage use, reduce the presence of accessory uses within the front yard and ensure the dwelling maintains visual prominence in a residential streetscape. As the subject property is too small to contain a garage with acceptable setbacks to the road allowance, a shed built to appear like a smaller garage is acceptable to accommodate the ancillary storage uses that garages also perform (lawn mower and patio furniture, etc.).

The increased lot coverage does not propose a built form too large to be accommodated upon the size of lot proposed.

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

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

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

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

Other Alternatives Considered:

Through staff discussion during the pre-screening process, the application was revised from a detached garage within the front yard that faced the road and was larger and closer to the road to the more modest shed building currently proposed.

Servicing Comments:

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

Consultations:

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

Agency Comments:

Development Engineering Division (July 7, 2020): No concerns.

Kawartha Region Conservation Authority (March 6, 2020): No concerns.

Public Comments:

No comments received as of July 7, 2020.

Attachments:



Appendices A-E
Report COA2020-01.

Appendix A – Location Map

Appendix B – Aerial Photo

Appendix C – Applicant's Sketch

Appendix D – Elevations

Appendix E – Department and Agency Comments

| | |
|-------------------------|--|
| Phone: | 705-324-9411 extension 1206 |
| E-Mail: | dharding@kawarthalakes.ca |
| Department Head: | Chris Marshall, Director of Development Services |
| Department File: | D20-2020-008 |

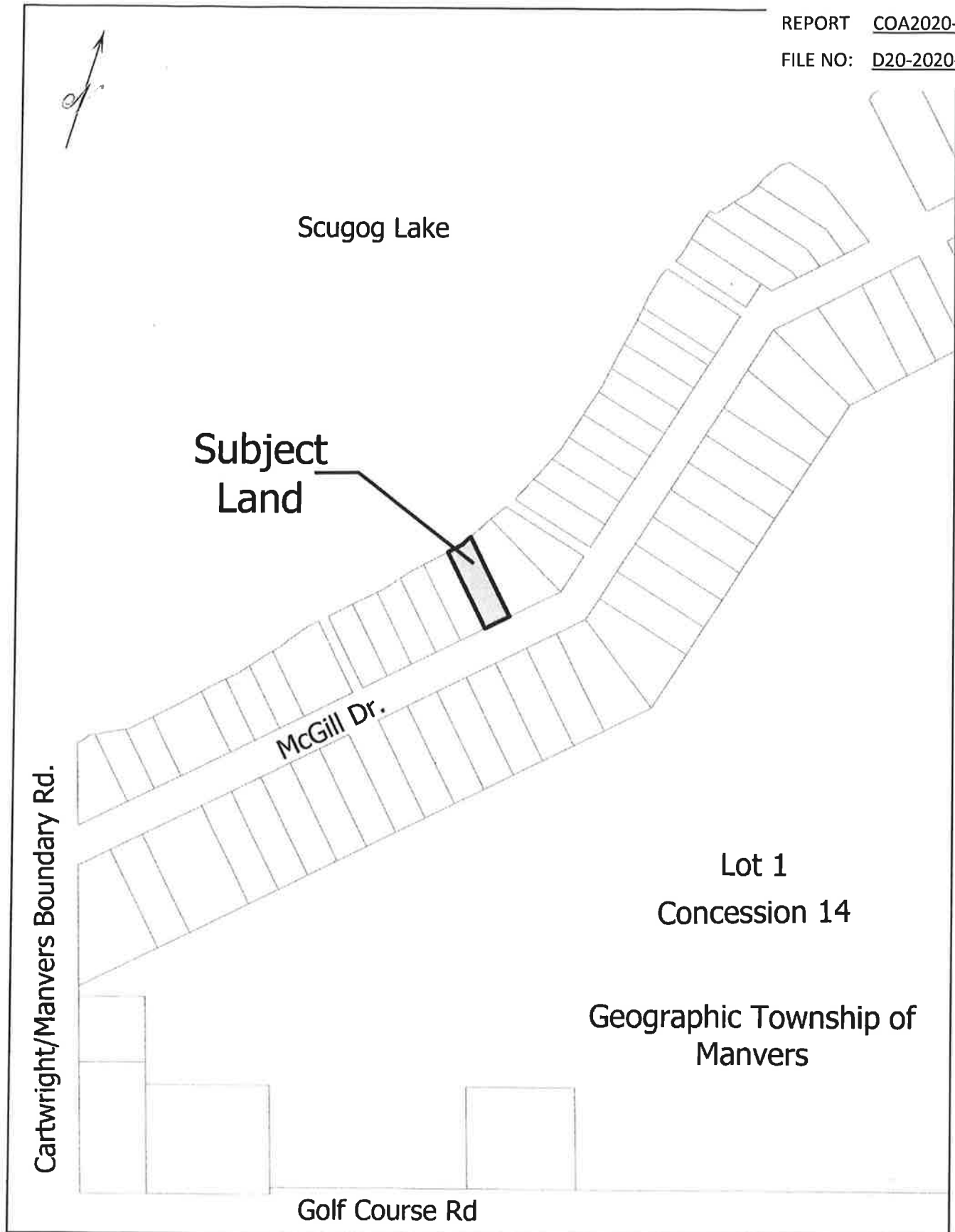
D20-2020-008

APPENDIX " A "

to

REPORT COA2020-012

FILE NO: D20-2020-008



27 McGill Drive, geographic Twp. of Manvers



0.06 Kilometers
WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes



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APPENDIX " B "
to
REPORT COA2020-012
FILE NO: D20-2020-008

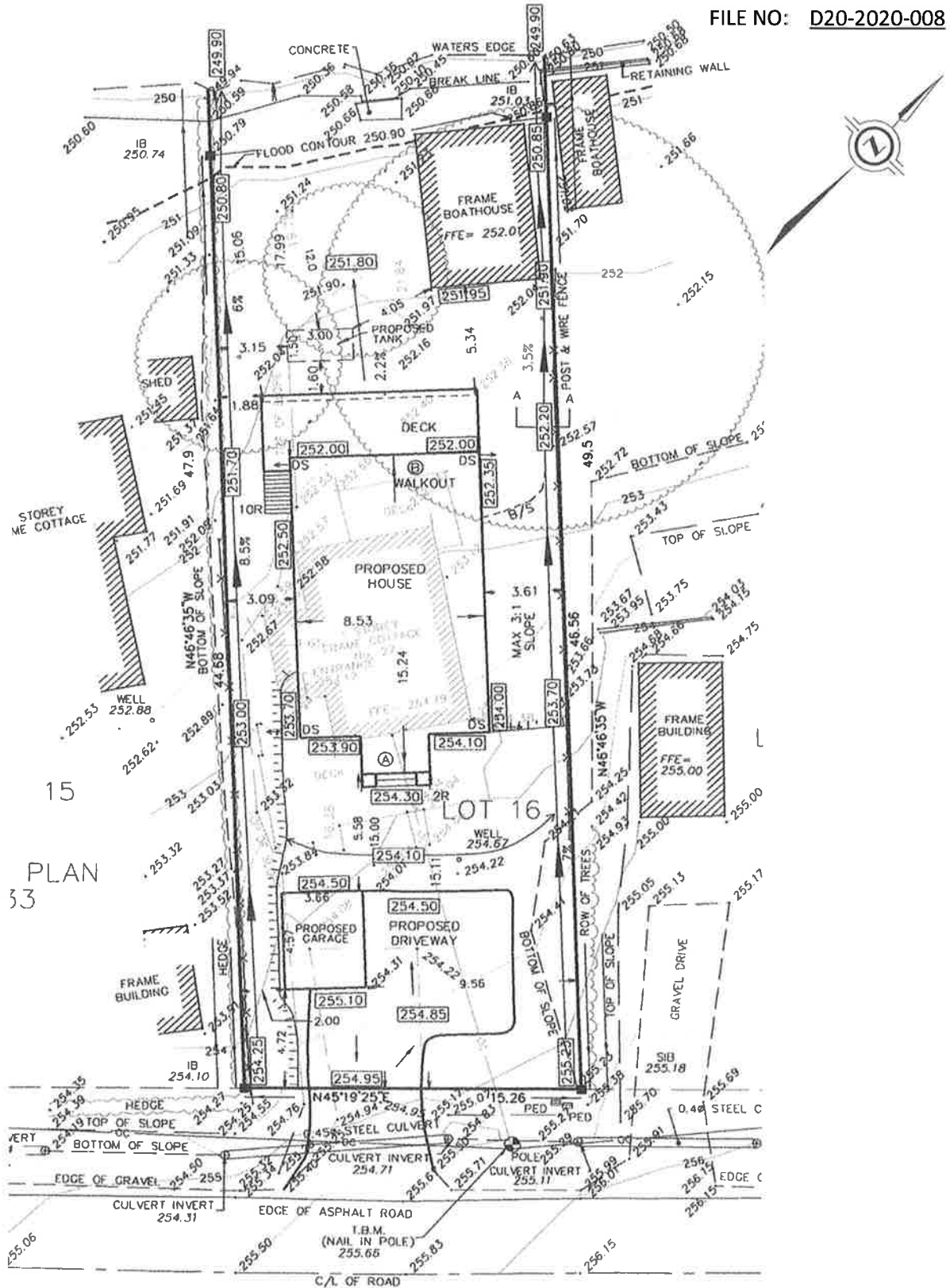
LAKE SCUGOG

APPENDIX " C "

to

REPORT COA2020-012

FILE NO: D20-2020-008



McGILL DRIVE

APPENDIX " D "

to

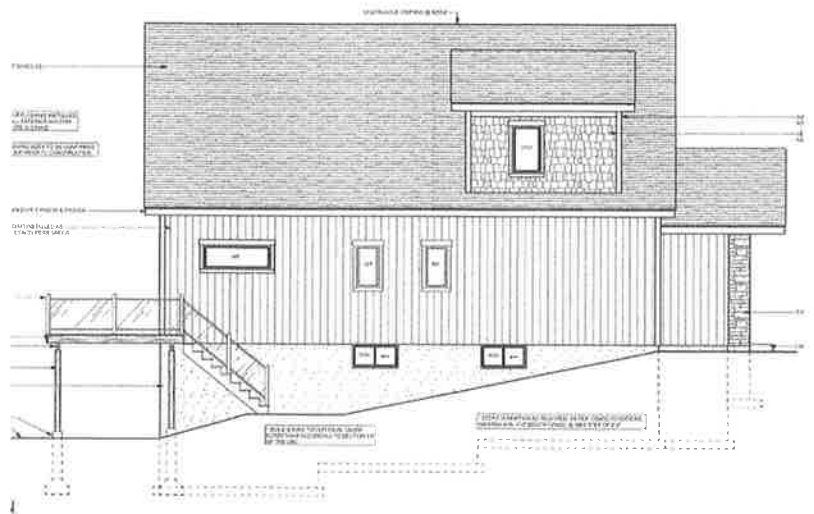
REPORT COA2020-012

FILE NO: D20-2020-008

Proposed Dwelling and Unenclosed Deck



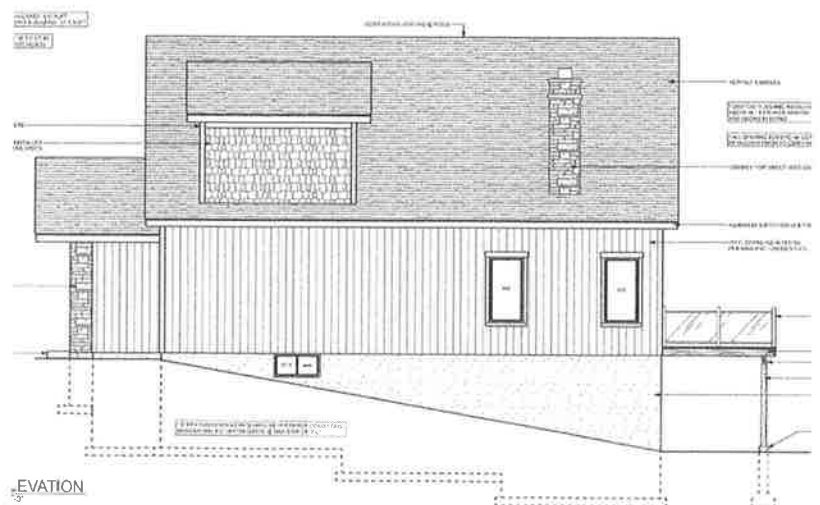
Southeast Elevation



Southwest Elevation

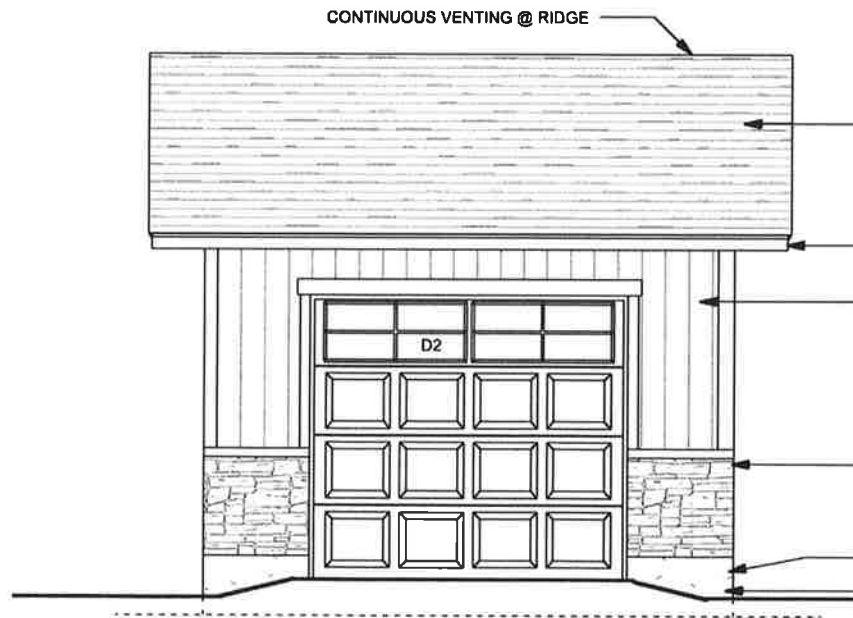
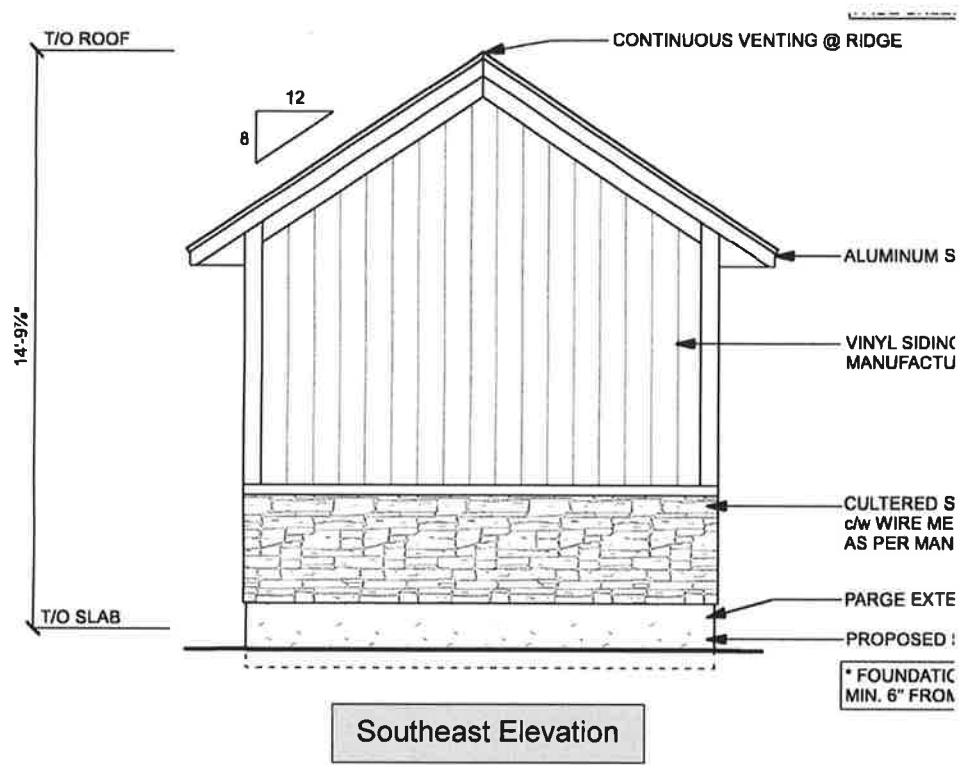


Northwest Elevation



Northeast Elevation

Proposed Shed



Northeast Elevation

David Harding

From: Kim Rhodes
Sent: Monday, July 6, 2020 1:37 PM
To: Mark LaHay
Cc: Christina Sisson; Kirk Timms
Subject: 20200706 D20-2020-008 - Engineering review

APPENDIX E
to
REPORT CoA2020-012
FILE NO. D20-2020-008

Please see the message below from Christina Sisson:

Good afternoon Mark – further to our engineering review of the following:

Minor Variance – D20-2020-008
27 McGill Drive
Lot 16, Plan 33
Geographic Township of Manvers, Ward 7

It is the understanding by Engineering that the purpose and effect is to consider relief from the following provisions in order to permit the construction of the following buildings:

Dwelling, Attached Unenclosed Deck with Stairs, and Shed

1. to decrease the minimum lot area from 750 square metres to 746.5 square metres to permit to development of the lot; and
2. to increase the maximum lot coverage from 25% to 27.4%.

Shed

3. to permit the construction of a shed within the front yard whereas only a garage is permitted and also permit a side yard setback of 2 metres whereas 3 metres is required in the RR3 Zone; and
4. to reduce the minimum front yard setback from 15 metres to 4.7 metres.

Dwelling

5. to reduce the minimum side yard setback within the southwest side yard from 3 metres to 1.8 metres from the deck and 2.5 metres for the dwelling respectively.

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

KRCA File NO: PPLK-9899

Via Email - ccrockford-toomey@kawarthalakes.ca
Charlotte Crockford-Toomey
Administrative Assistant
Development Services – Planning Division
180 Kent Street West
Lindsay, ON, K9V 2Y6

**Regarding: Application for Minor Variance
D20-2020-008
27 McGill Dr, Part Lot 1, Concession 14, geographic Township of Manvers
Tyrone Pereira and Nicole Swartz**

Dear Ms. Crockford-Toomey,

Kawartha Conservation has completed review of the above noted Application for a Minor Variance, submitted by Holly Richards-Conley on behalf of Tyrone Pereira and Nicole Swartz. Kawartha Conservation has provided comments as per our MOU with the City of Kawartha Lakes to review the application with respect to Natural Heritage, Watershed Management, and Natural Hazards. Our comments are as follows:

Application Purpose:

It is Kawartha Conservation's understanding that the purpose and effect of Minor Variance Application D20-2020-008 is to seek relief from the Township of Manvers By-law No. 87-06 to:

- Decrease the front yard setback from the required 15m to 4.72m,
- Decrease the side yard setback from the required 3m to 2m,
- Decrease the SW side yard setback from the required 3m to 1.86m,
- Decrease the SW side yard setback from the required 3m to 2.51,
- Increase the maximum lot coverage from 25% to 27.34%, and
- Decrease the minimum lot area from 750 sq. m to 746.5 sq. m.

Site Characteristics:

Existing mapping indicates that the subject property is within the vicinity of the following:

Natural Heritage Features:

- Lake Scugog

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

Our Watershed Partners:

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

- Fish habitat

Kawartha Conservation regulates the shoreline of Lake Scugog and 15m from the high water mark.

Natural Hazards:

- Flooding
- Erosion
- Steep slopes

Kawartha Conservation regulates steep slopes near the subject property.

Water Resources:

The subject property is within the Lake Scugog Lake Management Plan boundary.

Applicable Kawartha Conservation Regulation and Policies

Ontario Regulation 182/06 (as amended):

Any development with Kawartha Conservation's regulated area will require a Permit pursuant to Ontario Regulation 182/06 (Development, Interference with Wetlands and Alteration to Shorelines and Watercourses), as amended.

Permissions are required from Kawartha Conservation prior to any of the following works taking place:

- a) Straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream, or watercourse; or changing or interfering with a wetland; and
- b) Development, if the control of flooding, erosion, dynamic beaches, pollution or the conservation of land may be affected by the development.

Development is defined as:

- a) The construction, reconstruction, erection or placing of a building or structure of any kind,
- b) Any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure,
- c) Site grading or, the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.

The owners have received a permit from Kawartha Conservation (Permit no. 2019-212).

Provincial Plans:

The policies of the Provincial Policy Statement (2014) and the Growth Plan for the Greater Golden Horseshoe (May, 2019) apply to the subject property. Staff are of the that the application is consistent with the natural heritage, natural hazard, and water resource policies of these documents.

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

Recommendation:

Kawartha Conservation has no objection to D20-2020-008, based on our consideration for natural heritage, natural hazard, and water resources.

I trust this meets your information requirements at this time. should you have any questions, please contact the undersigned.

Sincerely,

Erin McGregor



Resources Planner Technician
Kawartha Conservation

CC: Ron Warne, Director of Planning, Development, & Engineering

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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The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Yunmei Ye and Honghua Wu
Report Number COA2020-013

Public Meeting

Meeting Date: July 16, 2020
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 Section 13.2.1.3(b)(ii) to reduce the minimum interior side yard setback from 5.5 metres to 4.3 metres to permit the raising of a dwelling to add a full walk-out basement.

The variance is requested at 26 Evergreen Street, geographic Township of Emily (File D20-2020-009).

Author: David Harding, Planner II, RPP, MCIP

Signature:



Recommendation:

Resolved That Report COA2020-013, be received;

That minor variance application D20-2020-009 Yunmei Ye and Honghua Wu be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **That** the construction to the dwelling related to this approval shall proceed substantially in accordance with the sketch in Appendix C submitted as part of Report COA2020-013, 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 COA2020-013. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Background: This application was deemed complete February 3, 2020.

Proposal: To permit a vacation dwelling to be raised to add a full lower level (basement).

Owners: Yunmei Ye and Honghua Wu

Applicant: Joe Kezar-Joe's Masonry & Son Ltd.

Legal Description: Part Lot 12, Block 4, Concession 7, geographic Township of Emily, now the City of Kawartha Lakes

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

Zone: Limited Service Residential Exception Four (LSR-4) Zone

Site Size: 1,684 square metres (18,126.4 square feet)

Site Servicing: Private individual well and septic system

Existing Uses: Shoreline Residential

Adjacent Uses: North & South – Shoreline Residential
East: Pigeon River
West: Rural

Rationale:

1) Is the variance minor in nature? Yes

And

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

The property is located within a seasonal residential neighbourhood on the west side of the Pigeon River.

The proposed construction will add additional living space without enlarging the footprint. As such, there is no reduction to any of the landscaped amenity spaces around the dwelling.

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 property is zoned Limited Service Residential Exception Four (LSR-4) Zone within the Township of Emily Zoning By-law 1996-30. The zone category permits vacation dwellings.

The intent of an interior side yard setback is to preserve space sufficient for the passage of items between the front and rear yards and to provide sufficient

spatial separation between dwellings on abutting properties to avoid land use conflicts.

The reduction does not impact the ability to move larger items between the front and rear yards nor are any adverse impacts anticipated to the dwelling to the southwest at 24 Evergreen. No impacts are anticipated to 24 Evergreen as that dwelling is closer to the shoreline and there is also a line of cedar trees along the mutual lot line which acts as a vegetative buffer.

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

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

The property is within the Waterfront designation of the City of Kawartha Lakes Official Plan. Within this designation, shoreline residential uses are anticipated.

The dwelling is more than 30 metres back from the shoreline. As such, its raising meets the intent of Policy 3.11 by maintaining development away from the shoreline.

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 a private well and private septic system.

Consultations:

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

Agency Comments:

Development Engineering Division (July 6, 2020): No concerns.

Kawartha Region Conservation Authority (March 6, 2020): No concerns.

Building Division (March 5, 2020): No concerns.

Public Comments:

No comments have been received as of July 6, 2020.

Attachments:



Appendices A-D for
Report COA2020-01.

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

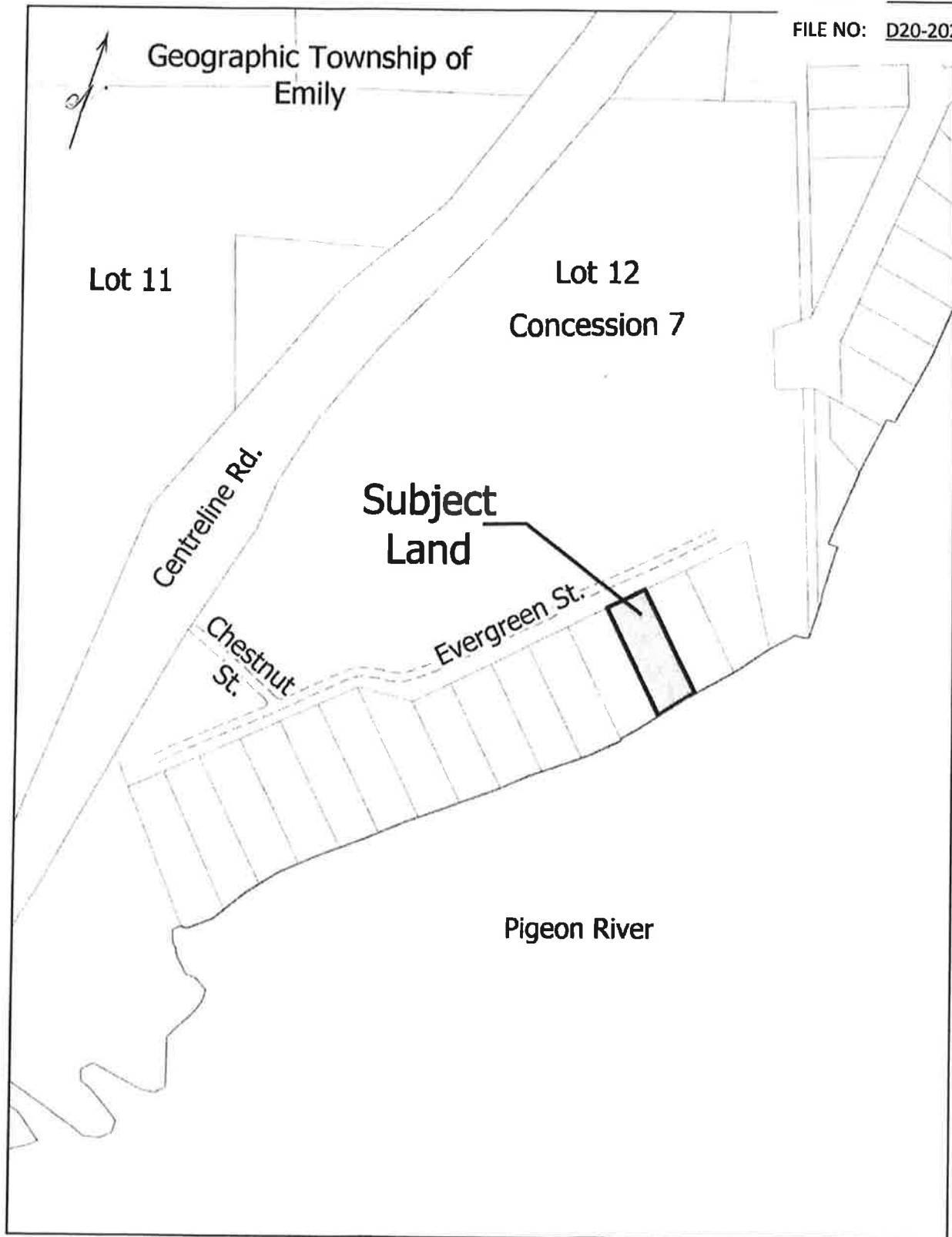
Phone: 705-324-9411 extension 1206
E-Mail: dharding@kawarthalakes.ca
Department Head: Chris Marshall, Director of Development Services
Department File: D20-2020-009

to

REPORT COA2020-013

FILE NO: D20-2020-009

D20-2020-009





- Legend**
- ☐ Property ROLL
 - ☐ Road Centreline (2016 Needs)
 - ☐ Upper Municipalities
 - ☐ Lower Tier Municipalities

Notes

Notes

This map is a user generated static map output and is for reference only. All data, layers and text that appear on this map may or may not be accurate, current, or complete. **THIS MAP MAY NOT BE USED FOR COMMERCIAL OR LEGAL PURPOSES.**



0.11 Kilometers
WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes

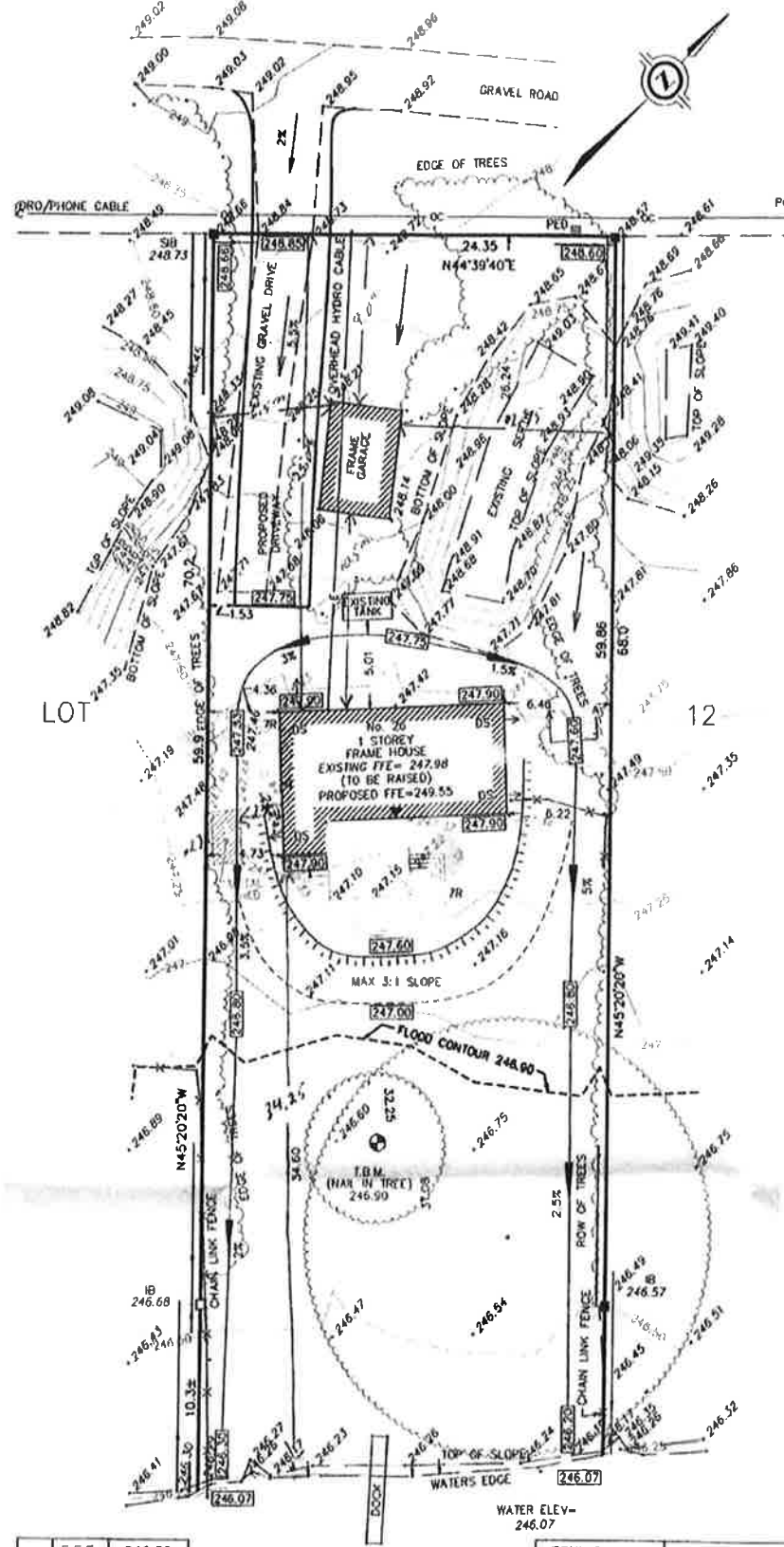
APPENDIX " B "

to

REPORT COA2020-013

FILE NO: D20-2020-009

FILE NO: D20-2020-009



| | |
|--------|--------|
| F.F.E. | 249.55 |
| T.B.W. | 249.25 |
| T.S. | 248.05 |

| | |
|---------------|--------------|
| ZONING | LSR-4 |
| LOT AREA | 1684 SQ. m. |
| BUILDING AREA | 88.42 SQ. m. |

Kent Stainton

From: Derryk Wolven
Sent: Thursday, March 5, 2020 1:54 PM
To: Charlotte Crockford-Toomey
Subject: D20-2020-009

Follow Up Flag: Follow up
Flag Status: Completed

APPENDIX D

to

REPORT

FILE NO.

COA 2020-013
D20-2020-009

Building division has the following comments:

No concerns.

Derryk Wolven, CBCO

Plans Examiner

Development Services, Building Division, City of Kawartha Lakes

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



KRCA File NO: PPLK-10138

Via Email - ccrockford-toomey@kawarthalakes.ca
Charlotte Crockford-Toomey
Administrative Assistant
Development Services – Planning Division
180 Kent Street West
Lindsay, ON, K9V 2Y6

**Regarding: Application for Minor Variance
D20-2020-009
26 Evergreen St, Lot 12, Concession 7, geographic Township of Emily
Ye Yunmei and Wu Honghua**

Dear Ms. Crockford-Toomey,

Kawartha Conservation has completed review of the above noted Application for a Minor Variance, submitted by Joe's Masonry & Sons Ltd. on behalf of Ye Yunmei and Wu Honghua. Kawartha Conservation has provided comments as per our MOU with the City of Kawartha Lakes to review the application with respect to Natural Heritage, Watershed Management, and Natural Hazards. Our comments are as follows:

Application Purpose:

It is Kawartha Conservation's understanding that the purpose and effect of Minor Variance Application D20-2020-009 is to seek relief from Township of Emily By-law No. 1996-30 to reduce the side yard setback from the required 5.5m to 4.36m.

Site Characteristics:

Existing mapping indicates that the subject property is within the vicinity of the following:

Natural Heritage Features:

- Pigeon Lake
- Fish habitat
- Significant Woodlands
- Unevaluated wetland

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KawarthaConservation.com

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Kawartha Conservation regulates the shoreline of Pigeon Lake and 15m from the high water mark. Kawartha Conservation regulates the unevaluated wetland nearby and 30m from the limit of the feature, this buffer falls on a part of the subject property.

Natural Hazards:

- Flooding
- Erosion

Water Resources:

The subject property is within the Pigeon Lake Management Plan boundary.

Applicable Kawartha Conservation Regulation and Policies

Ontario Regulation 182/06 (as amended):

Any development with Kawartha Conservation's regulated area will require a Permit pursuant to Ontario Regulation 182/06 (Development, Interference with Wetlands and Alteration to Shorelines and Watercourses), as amended.

Permissions are required from Kawartha Conservation prior to any of the following works taking place:

- a) Straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream, or watercourse; or changing or interfering with a wetland; and
- b) Development, if the control of flooding, erosion, dynamic beaches, pollution or the conservation of land may be affected by the development.

Development is defined as:

- a) The construction, reconstruction, erection or placing of a building or structure of any kind,
- b) Any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure,
- c) Site grading or, the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.

Provincial Plans:

The policies of the Provincial Policy Statement (2014) and the Growth Plan for the Greater Golden Horseshoe (May, 2019) apply to the subject property. Staff are of the opinion that the application conforms to the natural heritage, natural hazard and water resource policies of these documents.



Recommendation:

Kawartha Conservation has no objection to the approval of D20-2020-009, based on our consideration for natural heritage, natural hazards and water resources.

I trust this meets your information requirements at this time. should you have any questions, please contact the undersigned.

Sincerely,

Erin McGregor

Resources Planner Technician
Kawartha Conservation

CC: Ron Warne, Director of Planning, Development, & Engineering

KAWARTHA CONSERVATION
277 Kenrei Road, Lindsay, ON K9V 4R1
705.328.2271 Fax 705.328.2286
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Our Watershed Partners:

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Kent Stainton

From: Kim Rhodes
Sent: Monday, July 6, 2020 1:38 PM
To: Mark LaHay
Cc: Christina Sisson; Kirk Timms
Subject: 20200706 D20-2020-009 - Engineering review

Please see the message below from Christina Sisson:

Good afternoon Mark – further to our engineering review of the following:

Minor Variance – D20-2020-009
26 Evergreen Street
Part Lot 12, Block 4, Concession 7
Geographic Township of Emily, Ward 6

It is the understanding by Engineering that the purpose and effect is to consider relief to reduce the minimum interior side yard setback from 5.5 metres to 4.3 metres to permit the raising of a dwelling to add a full walk-out basement.

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



The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Heather Curtis
Report Number COA2020-014

Public Meeting

Meeting Date: July 16, 2020
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 4 – Geographic Township of Mariposa

Subject: The purpose and effect is to request relief from Section 14.2.1.4 to reduce the minimum water setback from 30 metres to 19.30 metres to permit an addition to the dwelling and to 15.7 metres to permit a deck.

The variance is requested at 87 Marsh Creek Road, geographic Township of Mariposa (File D20-2020-010).

Author: David Harding, Planner II, RPP, MCIP

Signature:



Recommendations:

Resolved That Report COA2020-014 Curtis, be received;

That minor variance application D20-2020-010 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **That** the building construction for the deck and addition related to this approval shall proceed substantially in accordance with the sketch in Appendix C submitted as part of Report COA2020-014, which shall be attached to and form part of the Committee's Decision;
- 2) **That** prior to the issuance of a building permit the owner shall apply for a demolition permit for the building identified as Old Shed in Appendix C to Report COA2020-014 and the Secretary-Treasurer shall receive written confirmation from the Chief Building Official that the building has been satisfactorily removed from the property; 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 COA2020-014. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Background: Renovations are proposed to an existing cottage, which involves squaring off the south eastern corner of the dwelling, and adding a deck spanning the rear wall. The addition will measure approximately 4.88 x 4.88 metres, and will occupy the footprint of the existing deck.

This application was deemed complete February 4, 2020.

Proposal: To construct an addition to a dwelling along with a deck.

Owner: Heather Curtis

Applicant: Dan Furlani

Legal Description: 87 Marsh Creek Road, Part Lot 22, Concession C, geographic Township of Mariposa now the 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 Mariposa Zoning By-law 94-07

Site Size: 1,457 square metres (15,683 square feet)

Site Servicing: Private individual well and septic system

Existing Uses: Shoreline Residential

Adjacent Uses: North: Agricultural
South: Lake Scugog
East, West: Shoreline Residential

Rationale:

1) Is the variance minor in nature? Yes
And

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

The subject property is situated in a shoreline neighbourhood on the northern shores of Lake Scugog. Marsh Creek Road contains a mix of dwelling unit ages and sizes. The older dwellings tend to be smaller. Within the past 5-10 years, residential properties within this neighbourhood have and continue to experience reinvestment in the form of renovations and additions or complete replacement of the dwellings.

The requested relief will facilitate the renovation and expansion of the existing cottage.

The dwelling is at an angle to the shoreline, with its closest point being its southwestern corner. The addition, proposed in the southeast, will therefore be further away from the shoreline and in-line with the dwelling's existing rear wall. The deck is proposed to be stepped in order to provide adequate spatial separation between built form and the shoreline. This will preserve additional rear yard recreational amenity space and provide for the separation of built form from the shoreline.

The proposal is in keeping with the apparent line of development established by 89 and 85 Marsh Creek Road. No adverse impacts to the character of the shoreline are anticipated.

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 subject property is zoned Rural Residential Type Three (RR3) Zone. The RR3 Zone permits residential use in the form of a single detached dwelling. The General Provisions establish a minimum setback requirement of 15 metres from an Environmental Protection (EP) Zone. This requirement ensures sufficient space to provide for stormwater attenuation and habitat in the form of landscaped open space for the abutting waterbody. The proposal complies with this requirement.

Sufficient rear yard space is being maintained for recreational and amenity purposes.

The applicant advises that the old shed within the rear yard shall be removed in order to facilitate the addition. Condition 2 is included to ensure compliance with the accessory building spatial separation requirements contained in Section 3.1.2.2, as the building would be too close to the proposed deck and addition to comply.

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

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

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

Policy 3.11 permits a minimum water setback of down to 15 metres on developed existing lots of record provided that there is no alternative to expansion and development is directed away from the shoreline as much as possible. The addition is squaring off the existing built form and the deck width is being restricted to the extent possible to provide useable amenity space off of the main floor while complying with the minimum shoreline setback requirements.

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

Other Alternatives Considered:

Through the pre-screening process, adjustments were made to the deck to bring the proposal into conformity with the Official Plan policies and compliance with the setback requirements from an Environmental Protection (EP) Zone.

Servicing Comments:

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

Consultations:

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

Agency Comments:

Development Engineering Division (July 6, 2020): No concerns.

Kawartha Region Conservation Authority (March 6, 2020): No concerns.

Public Comments:

No comments received as of July 6, 2020.

Attachments:



Appendices A-D to
Report COA2020-01.

Appendix A – Location Map

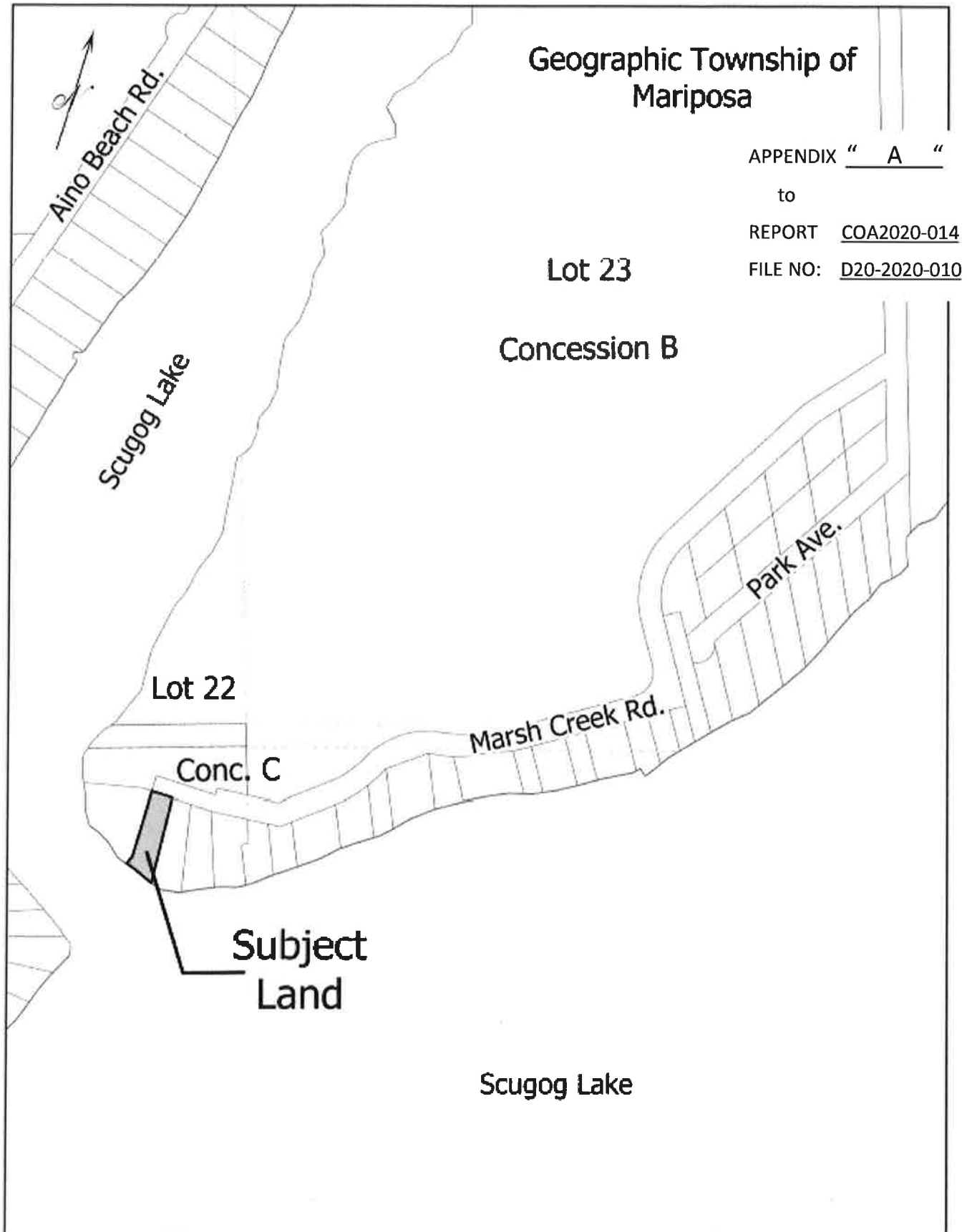
Appendix B – Aerial Photo

Appendix C – Applicant's Sketch

Appendix D – Department and Agency Comments

| | |
|-------------------------|--|
| Phone: | 705-324-9411 extension 1206 |
| E-Mail: | dharding@kawarthalakes.ca |
| Department Head: | Chris Marshall, Director of Development Services |
| Department File: | D20-2020-010 |

D20-2020-010





Legend

- ☐ Property Roll Number
- ☒ Lots and Concessions
- ☒ Road Centreline (2016 Needs)
- ☐ Upper Municipalities
- ☐ Lower Tier Municipalities

Notes

Notes

to
REPORT COA2020-014
FILE NO: D20-2020-010

APPENDIX " B "

0.11

Kilometers

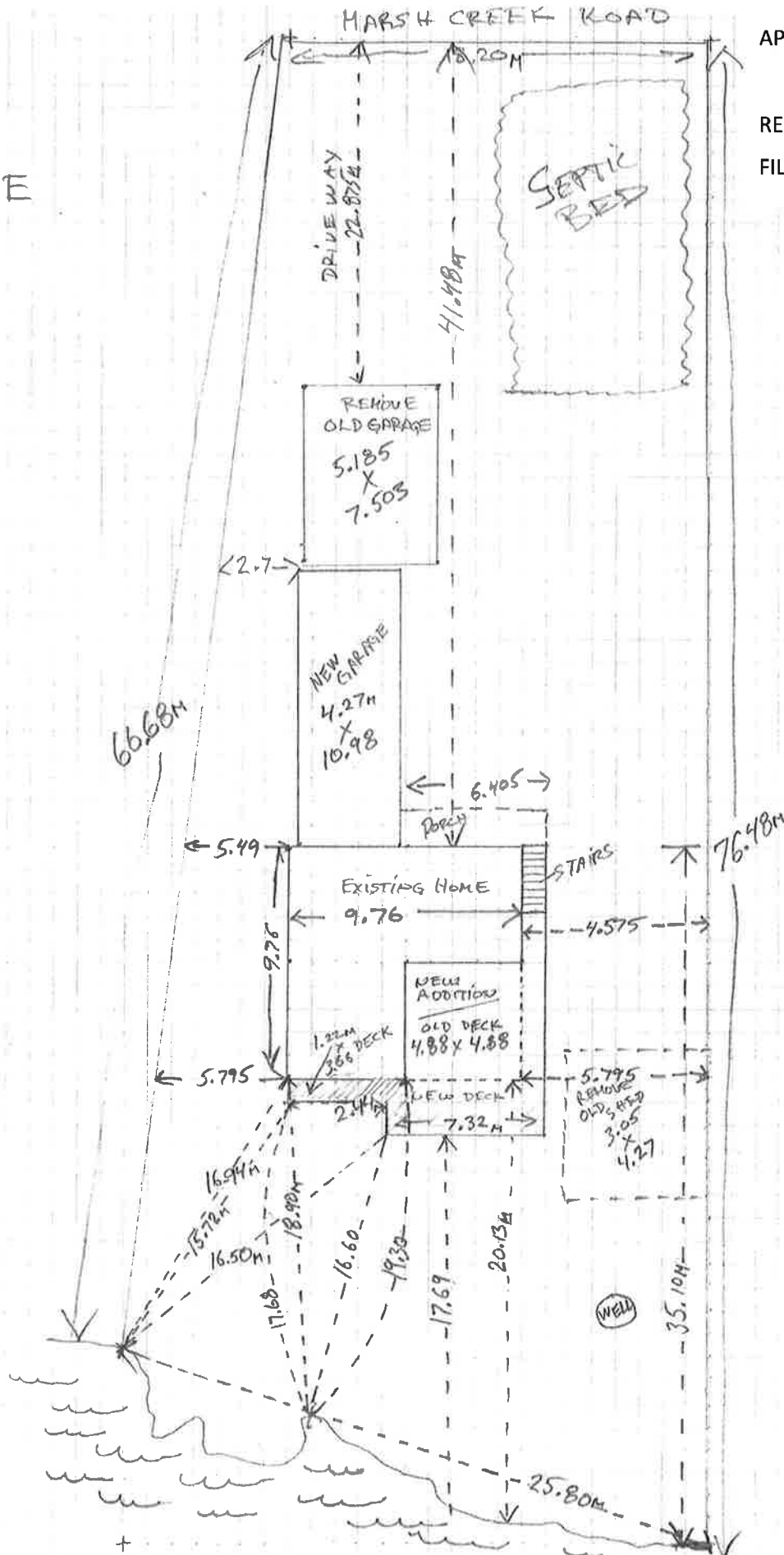
WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes



This map is a user generated static map output and is for reference only. All data, layers and text that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP MAY NOT BE USED FOR COMMERCIAL OR LEGAL PURPOSES

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APPENDIX " C "
to
REPORT COA2020-014
FILE NO: D20-2020-010

APPENDIX " D "
to
REPORT COA2020-014
FILE NO. D20-2020-010

KRCA File NO: PPLD-3237

Via Email - ccrockford-toomey@kawarthalakes.ca
Charlotte Crockford-Toomey
Administrative Assistant
Development Services – Planning Division
180 Kent Street West
Lindsay, ON, K9V 2Y6

**Regarding: Application for Minor Variance
D20-2020-010
87 Marsh Creek Rd, Lot 22, Concession C, geographic Township of Mariposa
Heather Curtis**

Dear Ms. Crockford-Toomey,

Kawartha Conservation has completed review of the above noted Application for a Minor Variance, submitted by Dan Furlani on behalf of Heather Curtis. Kawartha Conservation has provided comments as per our MOU with the City of Kawartha Lakes to review the application with respect to Natural Heritage, Watershed Management, and Natural Hazards.

Our comments are as follows:

Application Purpose:

It is Kawartha Conservation's understanding that the purpose and effect of Minor Variance Application D20-2020-010 is to seek relief from the Township of Mariposa By-law No. 94-07 to reduce the minimum water setback from the required 30m to 15.7m.

Site Characteristics:

Existing mapping indicates that the subject property is within the vicinity of the following:

Natural Heritage Features:

- Lake Scugog
- Fish Habitat
- Provincially Significant Wetland (property within area of interference)

Kawartha Conservation regulates 15m from the high water mark of Lake Scugog. Kawartha Conservation also regulates the Provincially Significant Wetland adjacent to the subject property and 120m from the limit of the feature.

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Our Watershed Partners:

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Natural Hazards:

- Flooding
- Erosion

Water Resources:

The subject property is within the Lake Scugog Management Plan boundary.

Applicable Kawartha Conservation Regulation and Policies

Ontario Regulation 182/06 (as amended):

Any development with Kawartha Conservation's regulated area will require a Permit pursuant to Ontario Regulation 182/06 (Development, Interference with Wetlands and Alteration to Shorelines and Watercourses), as amended.

Permissions are required from Kawartha Conservation prior to any of the following works taking place:

- a) Straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream, or watercourse; or changing or interfering with a wetland; and
- b) Development, if the control of flooding, erosion, dynamic beaches, pollution or the conservation of land may be affected by the development.

Development is defined as:

- a) The construction, reconstruction, erection or placing of a building or structure of any kind,
- b) Any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure,
- c) Site grading or, the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.

The applicant has already obtained a permit from our office (permit no. 2019-395).

Provincial Plans:

The policies of the Provincial Policy Statement (2014) and the Growth Plan for the Greater Golden Horseshoe (May, 2019) apply to the subject property. Staff are of the opinion that the proposal conforms to the natural heritage, natural hazard and water resource policies of these documents.

Recommendation:



**KAWARTHA
CONSERVATION**

Discover • Protect • Restore

Page 3 of 3
March 6, 2020

Kawartha Conservation has no objection to the approval of D20-2020-010, based on our consideration for natural heritage, natural hazards and water resources

I trust this meets your information requirements at this time. should you have any questions, please contact the undersigned.

Sincerely,

Erin McGregor

Resources Planner Technician

Kawartha Conservation

CC: Ron Warne, Director of Planning, Development, & Engineering

KAWARTHA CONSERVATION

277 Kenrei Road, Lindsay, ON K9V 4R1

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Our Watershed Partners:

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David Harding

From: Kim Rhodes
Sent: Monday, July 6, 2020 1:39 PM
To: Mark LaHay
Cc: Christina Sisson; Kirk Timms
Subject: 20200706 D20-2020-010 - Engineering review

Please see the message below from Christina Sisson:

Good afternoon Mark – further to our engineering review of the following:

Minor Variance – D20-2020-010
87 Marsh Creek Road
Part Lot 22, Concession C
Geographic Township of Mariposa, Ward 7

It is the understanding by Engineering that the purpose and effect is to consider relief to reduce the minimum water setback from 30 metres to 19.30 metres to permit an addition to the dwelling and to 15.7 metres to permit a deck.

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



The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – 1853896 Ontario Inc.
Report Number COA2020-015

Public Meeting

Meeting Date: July 16, 2020
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 5 – former Town of Lindsay

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

1. Section 20.2 (d) to reduce the minimum exterior side yard setback from 12 metres to 10.9 metres in order to permit the construction of a new bank of storage units associated with an existing mini-storage establishment and recognize the location of existing mini-storage units; and
2. Section 5.5 (Special Setback Requirements) to reduce the minimum setback from an Arterial Road with a width of 20.12 metres or less from 15 metres to 12 metres to permit the construction of a new bank of storage units.

The variance is requested at 74 Colborne Street East, Town of Lindsay (File D20-2020-011).

Author: Kent Stainton, Planner II

Signature:



Recommendations:

Resolved That Report COA2020-015 be received;

That minor variance application D20-2020-011 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **That** the building construction related to this approval shall proceed substantially in accordance with the sketch in Appendix C submitted as part of Report COA2020-015, which shall be attached to and form part of the Committee's Decision;
- 2) **THAT** the Site Plan Amending Agreement for the subject property be executed and secured within eighteen (18) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused;

- 3) **THAT** the building construction related to this 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 COA2020-015. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: The owner of “All-Into-Storage” has made application for Site Plan Approval (File No. D19-2019-006) to increase the number of storage units on the property while recognizing the location of existing units and parking on the site. Upon reviewing the site plan application, it was determined that two reliefs are required to permit reduced exterior side yard and Arterial Road setbacks associated with the development.

The site currently contains two banks of storage units on the southern portion as well as a central bank of storage units running east-west in the middle of the property.

The application was deemed complete on February 11, 2020.

Proposal: To permit the construction of a new bank of storage units associated with an existing mini-storage establishment and recognize the location of existing mini-storage units

Owner: 1853869 Ontario Inc. c/o Steve Corley

Applicant: Beverly Saunders (EcoVue Consulting Services Inc.)

Legal Description: 74 Colborne Street East, Part Lot 1, Block PP, Plan 1, Parts 1 and 3, 57R-2210, former Town of Lindsay, Ward 5, now in the City of Kawartha Lakes

Official Plan: General Employment within the Town of Lindsay Official Plan

Zone: General Employment Special Exception Seven (GE-S7) Zone within the Town of Lindsay Zoning By-law 2000-75

Site Size: 10,940 square metres (117,757.18 square feet)

Site Servicing: Municipal Water and Sanitary Systems

Existing Uses: Commercial (Mini-Storage)

Adjacent Uses: North: Sinister Creek, Industrial Uses
East: Vacant General Employment Lands
West: St. David Street, Vacant Employment Lands

South:

Residential, Colborne Street East

Rationale:

1) Are the variances minor in nature? Yes

And

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

The subject property is located within a neighbourhood containing a mix of employment lands and residential uses to the south. The applicant proposes to construct a new bank of mini-storage units on the southern portion of the site approximately 174 sq. m. in size as well as two other banks of mini storage units approximately 198 sq. m. and 145 sq. m. respectively. The existing gravel parking surfaces serving the existing and proposed units will remain. Some existing asphalt is present by the entrance from Colborne Street East and new asphalt is proposed at the St. David Street entrance.

The property also stores Recreational Vehicles (RVs) and trailers along the western portion of the site that is visible from St. David Street. These items will be relocated to facilitate the entrance and central bank of storage units, providing an overall aesthetic improvement to the site. The continued existence of the gravel parking lot and additional storage units are not anticipated to adversely impact the character of the neighbourhood.

The exterior side yard reduction will facilitate the construction of two new rows of mini-storage units. The proposal will enable the business to expand, while acknowledging the environmental constraints imposed by Sinister Creek in the northern majority of the property. Kawartha Conservation has no concerns with the proposed expansion, provided permits are obtained prior to the issuance of a Building Permit. Moreover, an additional entrance is proposed from St. David Street, which should alleviate any potential access or traffic volume concerns from the residences on the south side of Colborne Street East. The applicant will need to obtain an entrance permit for the St. David Street entrance as part of the Building Permit process. It is unlikely that the proposal will cause any incompatibility issues between the subject and the adjacent residential and industrial uses to the north.

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

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

The subject property is zoned "General Employment Exception Seven (GE-S7) Zone". The exception zone acknowledges a "mini-storage warehouse" as a permitted use and removes the requirement for loading spaces associated with a mini-storage warehouse.

The zoning by-law requires a 12 metre exterior side yard setback for buildings and structures. The proposed 10.9 metre setback accounts for the existing configuration of the mini-storage units as well as the continuity of the of the

proposed northern row of units, maintaining appropriate spatial separation and considering accessibility for larger vehicles like RVs and trailers. Any landscaping requirements will be addressed through the site plan approval process. A condition is recommended to ensure that the Site Plan Amending Agreement is executed.

The zoning by-law also requires a 15 metre setback from Arterial Roads (Colborne Street East) with a width of 20.12 metres or less. The requested 12 metre setback continues the established building line of the existing southern storage units. Moreover, there are no impacts posed to the requisite 3 metre landscape strip along the width of the front yard setback identified in Section 20.3.10 iii) of the zoning by-law. No adverse massing impacts from the addition to or recognition of the existing southern storage units are anticipated.

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

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

Yes

The subject lot is designated "General Employment", which permits a variety of retail establishments that serve the travelling public, including mini-storage establishments.

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:

This lot is within the Lindsay municipal service area.

Consultations:

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

Agency Comments:

Kawartha Region Conservation Authority (KRCA)(March 6, 2020): No concerns
Engineering and Corporate Assets Department (July 6, 2020): No concerns.

Public Comments:

No comments as of July 6, 2020.

Attachments:



Appendices A-D for
Report COA2020-01

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

| | |
|-------------------------|--|
| Phone: | 705-324-9411 extension 1367 |
| E-Mail: | kstainton@kawarthalakes.ca |
| Department Head: | Chris Marshall, Director of Development Services |
| Department File: | D20-2020-011 |

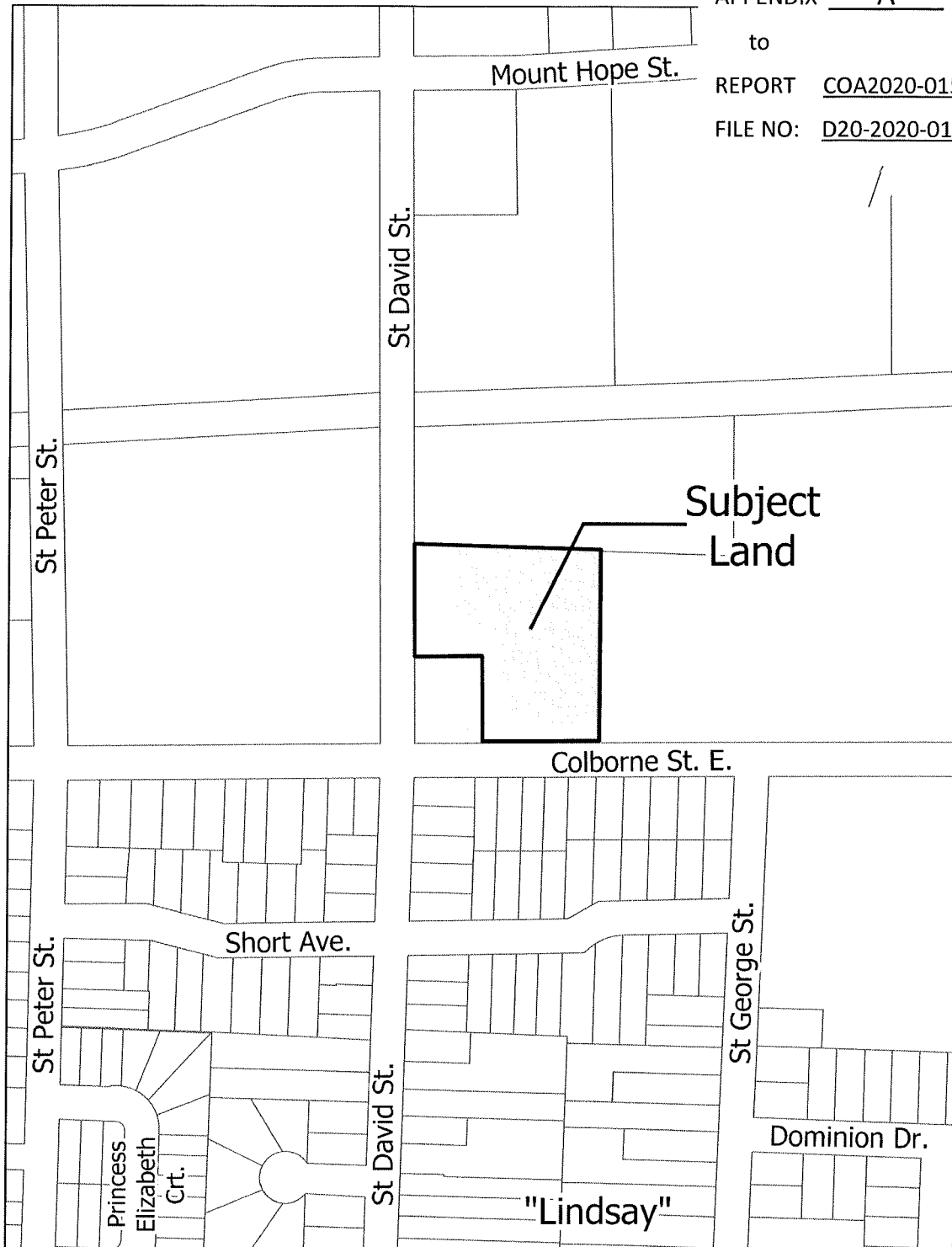
D20-2020-011

APPENDIX " A "

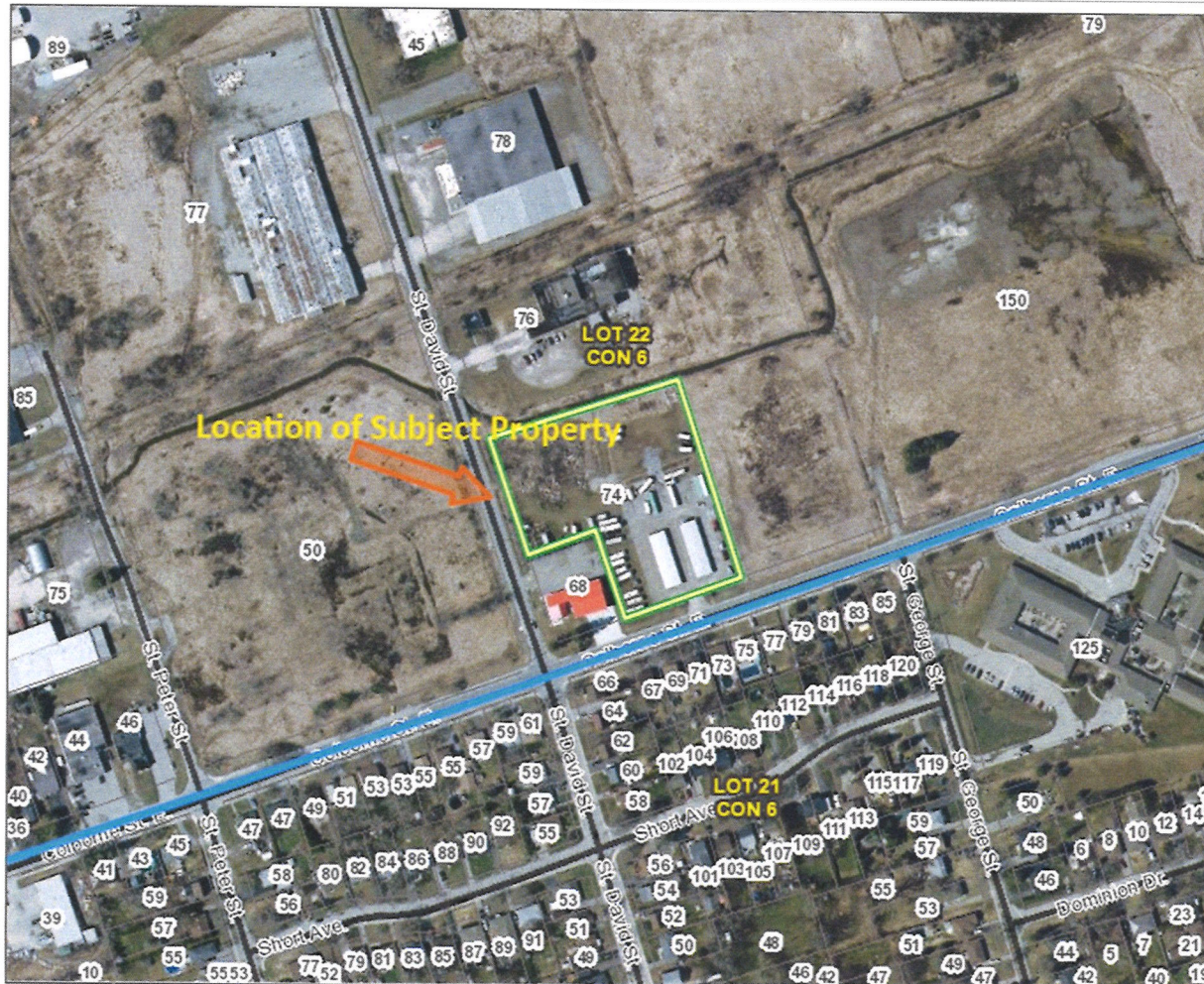
to

REPORT COA2020-015

FILE NO: D20-2020-011



74 Colborne Street East, Town of Lindsay



Legend

- Property Roll Number
- Lots and Concessions
- Road Centreline (2016 Needs)
- Upper Municipalities
- Lower Tier Municipalities

Notes

Notes

REPORT COA2020-015
FILE NO: D20-2020-011

APPENDIX " B "

to

REPORT COA2020-015

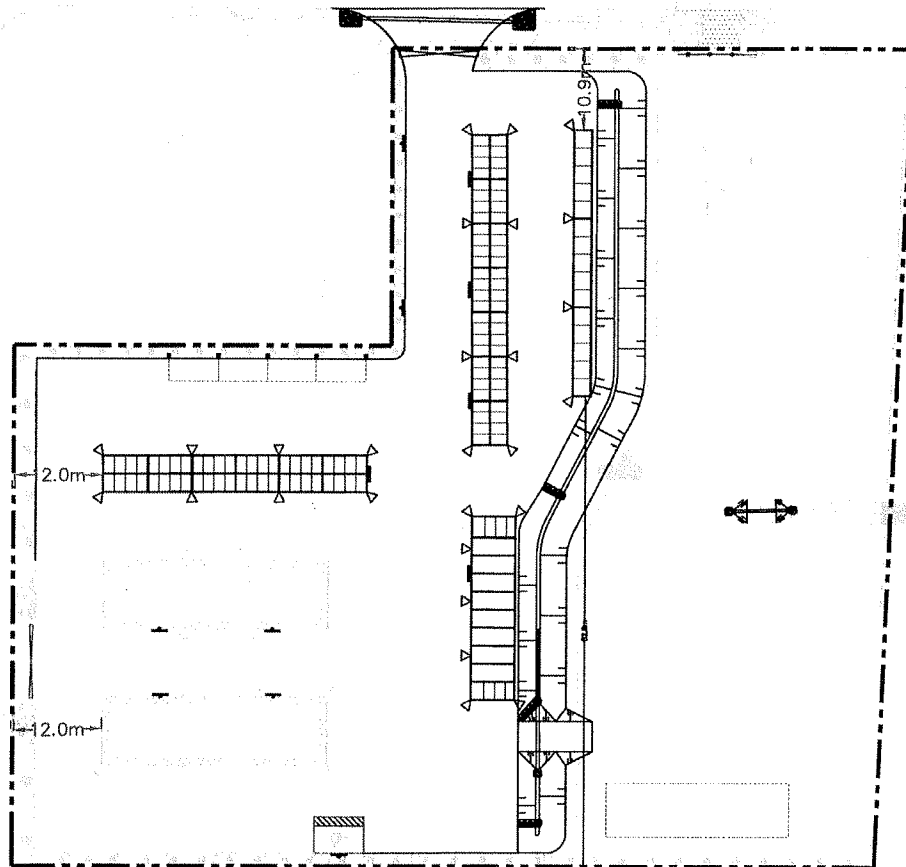
FILE NO: D20-2020-011



ST. DAVID STREET

COLBORNE STREET EAST

SINISTER CREEK



PROJECT NO: 19-1972

DATE: February 10 2020

HORIZ. SCALE: 1:800

Minor Variance Sketch

All Into Storage

74 Colborne Street East,
City of Kawartha Lakes

Kent Stainton

From: Kim Rhodes
Sent: Monday, July 6, 2020 1:40 PM
To: Mark LaHay
Cc: Christina Sisson; Kirk Timms
Subject: 20200706 D20-2020-011 - Engineering review

APPENDIX " D " to
REPORT COA-2020-015
FILE NO. D20-2020-011

Please see the message below from Christina Sisson:

Good afternoon Mark – further to our engineering review of the following:

Minor Variance – D20-2020-011
74 Colborne Street East
Part Lot 1, Block PP, Plan 1, Parts 1 and 3, 57R-2210
Former Town of Lindsay, Ward 5

It is the understanding by Engineering that the purpose and effect is to consider relief from:

1. to reduce the minimum exterior side yard setback from 12 metres to 10.9 metres in order to permit the construction of a new bank of storage units associated with an existing mini-storage establishment and recognize the location of existing mini-storage units; and
2. to reduce the minimum setback from an Arterial Road with a width of 20.12 metres or less from 15 metres to 12 metres to permit the construction of a new bank of storage units.

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



KRCA File NO: PPLK-9990

Via Email - ccrockford-toomey@kawarthalakes.ca
Charlotte Crockford-Toomey
Administrative Assistant
Development Services – Planning Division
180 Kent Street West
Lindsay, ON, K9V 2Y6

**Regarding: Application for Minor Variance
D20-2020-011
74 Colborne Street East, Town of Lindsay
1853896 Ontario Inc.**

Dear Ms. Crockford-Toomey,
Kawartha Conservation has completed review of the above noted Application for Minor Variance, submitted by Ecovue Consulting Services Inc. on behalf of 1853896 Ontario Inc. c/o Steve Corley. Kawartha Conservation has provided comments as per our MOU with the City of Kawartha Lakes to review the application with respect to Natural Heritage, Watershed Management, and Natural Hazards. Our comments are as follows:

Application Purpose:

It is Kawartha Conservation's understanding that the purpose and effect of Minor Variance Application D20-2020-011 is to seek relief from Town of Lindsay By-law No. 2000-75 to reduce the front yard setback from the required 15m to 12m, and the reduce the exterior yard setback from the required 12m to 10.9m.

Site Characteristics:

Existing mapping indicates that the subject property is within the vicinity of the following:

Natural Heritage Features:

- Sinister Creek

Kawartha Conservation regulates 15m from the top of bank of Sinister Creek.

Natural Hazards:

- Flooding

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

- Erosion

Kawartha Conservation regulates the flooding hazard associated with Sinister Creek.

Water Resources:

The subject property is within the Sturgeon Lake Management Plan boundary.

Applicable Kawartha Conservation Regulation and Policies

Ontario Regulation 182/06 (as amended):

Any development with Kawartha Conservation's regulated area will require a Permit pursuant to Ontario Regulation 182/06 (Development, Interference with Wetlands and Alteration to Shorelines and Watercourses), as amended.

Permissions are required from Kawartha Conservation prior to any of the following works taking place:

- a) Straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream, or watercourse; or changing or interfering with a wetland; and
- b) Development, if the control of flooding, erosion, dynamic beaches, pollution or the conservation of land may be affected by the development.

Development is defined as:

- a) The construction, reconstruction, erection or placing of a building or structure of any kind,
- b) Any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure,
- c) Site grading or, the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.

Provincial Plans:

The policies of the Provincial Policy Statement (2014), and the Growth Plan for the Greater Golden Horseshoe (May, 2019) apply to the subject property. Staff are of the opinion that the application conforms to the natural heritage, natural hazard and water resource policies of these documents.

Recommendation:

Kawartha Conservation has no objection to the approval of D20-2020-011, based on our consideration for natural heritage, natural hazards, and water resources.

I trust this meets your information requirements at this time. should you have any questions, please contact the undersigned.

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



Page 3 of 3
March 6, 2020

Sincerely,

Erin McGregor

Resources Planner Technician
Kawartha Conservation

CC: Ron Warne, Director of Planning, Development, & Engineering

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



The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Napa Valley Contracting Inc.
Report Number COA2020-017

Public Meeting

Meeting Date: July 16, 2020
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 6 – former Village of Omemee

Subject: The purpose and effect is to request relief from the following provisions in order to permit the construction of a new single detached dwelling with a deck and attached garage:

1. to reduce the minimum lot area from 830 square metres to 333.25 square metres,
2. to reduce the minimum lot frontage from 17 metres to 11.52 metres,
3. to reduce the minimum front yard setback from 7.5 metres to 7.4 metres; and
4. to increase the maximum lot coverage from 30% to 32.3%.

The Variance is requested for a vacant lot, Part of Lot 7, north of Church Street, East of George Street in the Former Village of Omemee (File D20-2020-013).

Author: Kent Stainton, Planner II

Signature:



Recommendations:

Resolved That Report COA2020-017 Napa Valley Contracting Inc., be received;

That minor variance application D20-2020-013 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **That** the building construction related to this approval shall proceed substantially in accordance with the sketch in Appendix C submitted as part of Report COA2020-017, which shall be attached to and form part of the Committee's Decision; and
- 2) **That** the building construction related to the minor variances shall be completed within a period of twenty-four (24) months after the date of the

Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

This approval pertains to the application as described in report COA2020-017. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: The proposal involves the construction of a 107.6 square metre (1158.2 square feet) single detached dwelling and attached garage with an 11.89 square metre (128 square feet) deck on a vacant lot of record.

This application was deemed complete on February 20, 2020.

Proposal: To permit the construction of a new single detached dwelling with an attached garage and deck on a vacant lot

Owner: Napa Valley Contracting Inc. (Joe Ferrara)

Applicant: Tom deBoer (TD Consulting Inc.)

Legal Description: Vacant lot, Part of Lot 7, north of Church Street, East of George Street, Plan 109, former Village of Omemee now in the City of Kawartha Lakes

Official Plan: Urban Settlement Area within the County of Victoria Official Plan

Zone: Residential Type One (R1) Zone within the Village of Omemee Zoning By-law 1993-15

Site Size: 333.25 square metres (3587.07 square feet)

Site Servicing: Private individual well and Municipal Sanitary System

Existing Uses: Vacant residential lot

Adjacent Uses: North, East, West: Residential
South: Mixed Use (General Commercial, Residential)

Rationale:

1) Are the variances minor in nature? Yes
And

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

The subject property is an infill lot that is part of a Registered Plan of Subdivision (Plan 109) located in the village of Omemee in an established residential neighbourhood that contains a mix of historic and modern

residential buildings. The property is north of a block of General Commercial Zoned properties including the Omemee Foodland to the southeast.

Given the variety of age of residences as well as built form in the neighbourhood, the new raised bungalow is not anticipated to detract away from the general neighbourhood character. The abutting lot to the east contains a two-storey single detached dwelling constructed in the 1920s with a two-storey single detached dwelling. There is an established wooden fence along the eastern property line. To the north, a spacious backyard (12 George Street North) consists of manicured lawn. The lot to the west contains a two-storey single detached dwelling constructed in the 1880s with a detached metal-clad garage constructed in the 1970s immediately adjacent to the western lot line of the subject property as well as two other detached accessory structures. The detached structures as well as established vegetation provide a veritable privacy buffer between the proposed location of the dwelling and the existing two-storey dwelling to the west. There are no anticipated land use incompatibilities associated with the proposal.

The property is an undersized rectangular lot with deficient lot area and frontage. Since the proposed dwelling is able to connect to the municipal sanitary system, the required minimum lot size and frontage is rendered extraneous, as a septic system is not required. As a result, the capacity of the lot can sustain the proposed development, notwithstanding the 60% reduction in minimum lot size. In fact, the proposal does not require additional relief for side yard setbacks and only represents a 2.3% deviation from the maximum lot coverage of 30% including the wood deck to the rear of the dwelling. Sufficient room will be available for a well, driveway and for other amenity uses. A 7.5 metre rear yard setback from the proposed dwelling offers considerable area for amenity space.

The placement of the proposed dwelling is also considered appropriate as the front of the garage is set further back than the established building line along Church Street. The owner will be required to obtain an Entrance Permit to the lot as part of the Building Permit process.

Given the above analysis, the variances are considered to be minor in nature and desirable and appropriate for the use of the land.

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

The property is zoned Residential Type One (R1) Zone within the Village of Omemee Zoning By-law 1993-15.

An intent of the minimum lot area and frontage standards in the By-law is to ensure adequate spatial separation between a dwelling, well and septic system. The subject lands were created as part of a Registered Plan of Subdivision that predated the Village of Omemee Zoning By-Law No. 1993-15. The Zoning By-Law also provides a specific *Lot Area and Frontage Less than Required*

Provision (Section 3.11.1), which identifies a minimum lot frontage of 12 metres and minimum lot area of 370 square metres, if serviced by Municipal Sanitary Sewers. Given consideration to Section 3.11.1, the existing 11.25 metre frontage and 333.25 square metre lot area for the lot-of-record results in more reasonable requests for relief as part of the proposal.

The requested 0.1 metre relief from the minimum front yard setback is required to enable the construction of a one-vehicle garage to permit vehicular and overall storage while acknowledging the need for amenity space within the rear yard of the property. Considering the location of the proposed driveway and well, the attached garage is situated in the most appropriate area of the lot.

The proposed 32.3% lot coverage exceeds the maximum allowable lot coverage by 2.3%. The proposed utilitarian nature of the attached garage for property storage and increase of the main floor area through the walk-out deck to the rear of the dwelling are acknowledged, while not inhibiting accessibility through reduced interior side yard setbacks.

As the proposed dwelling meets or exceeds all other applicable zone provisions (such as interior side yards, height and minimum gross floor area per dwelling unit) the proposal is considered to maintain the general intent and purpose of the zoning by-law.

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

Yes

As the Urban Settlement Area Designation in the City's 2012 Official Plan is under appeal, the Urban designation of the County of Victoria Official Plan (VCOP) applies. As the subject property is within a neighbourhood that would be classified as Low Density Residential within VCOP, the proposed coverage of the dwelling is not anticipated to negatively impact the residential character of its immediate surrounding uses.

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

Other Alternatives Considered:

No other alternatives have been considered at this time.

Servicing Comments:

The property is serviced by a private individual well and municipal sanitary system. As part of the Building Permit process, the applicant will be required to obtain a connection to the municipal sanitary system.

Consultations:

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

Agency Comments:

Development Engineering Division (July 6, 2020): No concerns.

Planning staff offer a response to the public comments received July 7, 2020 shown below:

Survey: Staff are aware of the discrepancies between the two surveys, in particular, the location of the eastern lot line and the length of the front lot line as depicted in both surveys. The applicant and owner of 19 Church Street are currently working toward a solution to the matter.

Flooding: Planning staff note the photographs provided were taken in the Spring months when the ground of both the subject lot and 19 Church Street remain frozen. A lot drainage and grading plan will be required as part of the Building Permit process, which would address any site-specific issues related to stormwater runoff.

Public Comments:

Kate Rousseau - 19 Church Street (July 7, 2020): Ms. Rousseau has advised that the accuracy of the Real Property Survey provided in support of the application contradicts a Survey conducted by the owners of 19 Church Street in 2012.

Moreover, concerns over overland flooding are expressed in that increased impervious surface from the resulting development may result in flooding to their property. See Appendix E.

Attachments:



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

Phone: 705-324-9411 extension 1367
E-Mail: kstainton@kawarthalakes.ca
Department Head: Chris Marshall, Director of Development Services
Department File: D20-2020-013

D20-2020-013

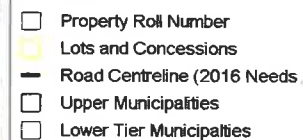
APPENDIX " A "

to

REPORT COA2020-017

FILE NO: D20-2020-013





APPENDIX "B"

to

REPORT COA2020-017

FILE NO: D20-2020-013

Notes

Notes

0.06 Kilometers
WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes



This map is a user generated static map output and is for reference only. All data, layers and text that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP MAY NOT BE USED FOR COMMERCIAL OR LEGAL PURPOSES

| | | | |
|---|----------|----------|---------|
| DATE | 10/20/88 | BY | SP-1 |
| TIME | 10:00 | LOCATION | 020-296 |
| <p>STANDARD Consulting INC.</p> <p>10000 100th Ave. N.E. Suite 200 Redmond, WA 98073</p> | | | |
| <p>SITE PLAN</p> <p>CHADRON STREET CHAUNCEY PLANT LOT 7, NORTH OF CHADRON ST. EAST OF GEORGE ST. REGISTERED PLAIN 100 LOT OF 10.000 ACRES LONES</p> | | | |

Kent Stainton

From: Kim Rhodes
Sent: Monday, July 6, 2020 1:40 PM
To: Mark LaHay
Cc: Christina Sisson; Kirk Timms
Subject: 20200706 D20-2020-013 - Engineering review

APPENDIX D
to
REPORT COA 2020-017
FILE NO. D20-2020-013

Please see the message below from Christina Sisson:

Good afternoon Mark – further to our engineering review of the following:

Minor Variance – D20-2020-013

Vacant lot, Church Street

Part Lot 7, North of Church Street, East of George Street, Plan 109

Former Village of Omemee, Ward 6

It is the understanding by Engineering that the purpose and effect is to consider relief from the following provisions in order to permit the construction of a new single detached dwelling with a deck and attached garage:

1. to reduce the minimum lot area from 830 square metres to 333.25 square metres;
2. to reduce the minimum lot frontage from 17 metres to 11.52 metres;
3. to reduce the minimum front yard setback from 7.5 metres to 7.4 metres; and
4. to increase the maximum lot coverage from 30% to 32.3%.

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



Committee of Adjustment
Planning department
City of Kawartha Lakes

APPENDIX E
to
REPORT COA2020-017
FILE NO. D20-2020-013

July 7th 2020

Good morning Kent.

I wanted to get my concerns to you as soon as possible as I feel they are extremely valuable towards the opposition of variance application D20-2020-013.

My first concern is that the vacant property has had a survey performed, stakes marked in the ground, that are within the boundaries of my survey that I had performed in 2012, by Coe, Fisher, Cameron Ontario Land Surveyors. I have reached out to my survey company and am waiting on there response, but I wanted that to be known. I have included a photograph of the two survey markers (Photograph 1), located at the south end of the properties. The marker on the left is my survey post, the marker on the right is the "vacant lot survey". I also took a photograph of the survey marker located at the north east side of the vacant lot (Photograph 2). On my survey that post is to be 0.2 meters from the fence post. I am also attaching a scanned image of my survey (Photograph 3) for you to compare with the sketch that you provided me. It clearly shows a discrepancy between the two surveys; distance measurements between my home and the property line as well as between my well and the property line, are different from the sketch. It is my opinion that the land survey done recently on this vacant lot, has pushed my property line over to potentially accommodate the 1m required spacing needed.

My second concern is geared toward 3 of the variances in question on the application;

- Section 8.2.1.1 to reduce minimum lot area from 830 square metres to 333.25 square metres
- Section 8.2.1.2 to reduce the minimum lot frontage from 17 metres to 11.52 metres
- Section 8.2.1.4 to increase the maximum lot coverage from 30% to 32.3%

The reason for my concern is overland/storm water. This vacant property; along with my own, the property north of ours, and the property to the north of the vacant lot, all receive annual spring thaw flooding. Some years is worse than others, it depends on the winter/spring season. I have attached multiple photographs from both spring 2018 and spring 2019. In 2019, the flooding was so severe that you can clearly see in Photograph 5 the amount of water located on the Vacant property. This occurs yearly for a few reasons. First, our road, Church St. E does not have curbs, the road is higher than the properties to the North and both the vacant lot and my lot slope down toward the North. Any overland water runs directly down into my property and the Vacant lot. Second the properties surrounding ours to the east and north east, are all a higher grade. The water then pools in the back corner of our lots, as there is no drainage system in place. Essentially the over land water is landlocked. I have been

informed from neighbours whom have lived in the area for many, many years, that there were clay pipes installed in the ground as drainage tubes, travelling east from George St to Colborne Street, eventually draining down into the river. Over the years these have obviously fallen into disrepair, and the subsequent building/developing over the years has landlocked the water drainage in the area. The only saving grace is the amount of greenspace, open land, for the water to absorb into as the ground thaws. We have been lucky in the past, and we have not had the water come up as far as our house, however I feel that if you are to remove the greenspace in the vacant lot, by approving the above variances, and allowing a dwelling of that size to be built, we will have serious flooding issues in the future. Reducing a 334 sq metre lot that has 100% drainage capabilities right now, to only allowing roughly 67% of the lot to absorb water (that percentage will be lower if they plan to pave the driveway) will cause issues for the neighbouring residents. Also, the photograph of the flooded vacant lot shows potential towards, a dwelling located in that area, having a flooded basement itself, if the grade is kept the same.

My next concern regarding the flooding issue, is that in the Variance application, section 7.3 Stormwater Management, the applicant stated their plan to provide stormwater drainage was to install ditches and swales. I am interested to know how they plan on draining water in ditches and swales on this property given that they want to decrease the lot frontage allowed from 17 metres to 11.52 metres??? Where will these ditches be draining to??? Is there a diagram outlining this?? Given that the property in question, vacant lot, slopes downward from the road to the North, and has yearly flooding, the only way I can see to keep water from draining into other yards is to raise the property grade? Does by-law 2019-105 from City of Kawartha Lakes apply?

In conclusion, I want to add that my dwelling, my home, was built in 1924. As hard as I tried, I cannot find records of what the by-laws were back then with regards to building homes. But what I do know is that they would never have built a house 2 metres away from another house. The sheer volume of disturbance that will occur in close proximity to the foundation of my almost century old home may cause unreparable damage. I hope it doesn't get that far.

Thank-you for accepting my concerns, I hope they are of some value to your upcoming decision.

Sincerely,

Kate Stephens

705-930-8485

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Rendall
Report Number COA2020-018

Public Meeting

Meeting Date: July 16, 2020
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 1 – Geographic Township of Carden

Subject: The purpose and effect is to request relief from Section 14.1 (b) to permit the construction of an accessory building (detached garage) in the front yard of the subject property.

The variance is requested at 134-136 Lake Dalrymple Road, former Township of Carden (File D20-2020-014).

Author: Kent Stainton, Planner II

Signature:



Recommendations:

Resolved That Report COA2020-018 Craig and Caroline Rendall be received;

That minor variance application D20-2020-014 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **That** the detached garage related to this approval shall proceed generally in accordance with the sketch in Appendix C submitted as part of Report COA2020-018, 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** notwithstanding the definition of front yard, the granting of the variance will not be interpreted to permit the placement of any other structure or accessory building between the front wall of the dwelling and the front lot line; 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 COA2020-018. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

| | |
|--------------------|---|
| Background: | This application proposes to construct a 80.99 square metre (871.77 square feet) detached garage within a front yard. This application was deemed complete on March 20, 2020. |
| Proposal: | The proposal involves the demolition of multiple dwelling units in order to facilitate the construction of a new 162.37 square metre (1747.74 square feet) one-storey cottage (bungalow) and detached garage. |
| Owners: | Craig and Caroline Rendall |
| Applicant: | Craig Rendall |
| Legal Description: | 134-136 Lake Dalrymple Road, Part Lots 16 and 17, Plan 173, Parts 1 and 2, RP57R-8723, geographic Township of Carden, Ward 1, now in the City of Kawartha Lakes |
| Official Plan: | Waterfront Designation within the City of Kawartha Lakes Official Plan (2012) |
| Zone: | Rural Residential Type Two (RR2) Zone in the Township of Carden Zoning By-Law No. 79-02 |
| Site Size: | 2031.92 square metres (21,871.40 square feet) |
| Site Servicing: | Private Well and Private Sanitary System |
| Existing Uses: | Residential |
| Adjacent Uses: | North: Residential, East: Vacant woodlot, agricultural, South: Residential, West: Lake Dalrymple |

Rationale:

Is the variance minor in nature? Yes And

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

The subject property is situated within a neighbourhood bordering the western shore of Lake Dalrymple. The stretch of Lake Dalrymple Road consists primarily of rural residential and cottage lots of varying size. The neighbourhood as a whole contains a mixture of seasonal and year-round residential dwellings.

The subject property consists of a stepped topography with the steepest grades located to the east (rear) of the site. Situating the garage to the rear of the dwelling would present veritable accessibility issues to the site, particularly within the Winter months. The elevation challenges render the front yard as a more suitable location with a grade of less than 10%.

While selective cutting has taken place to facilitate the footprint and access to the proposed detached garage and single detached dwelling, a vegetative buffer of cedar trees along the northern lot line provides screening between the proposed location of the garage and the detached dwelling on the abutting parcel. By situating the garage closer to the road, vegetative disturbance is minimized thereby improving stormwater drainage from the site through minimizing the amount of impervious cover.

The dwelling will be located within the middle of the site and southern lot line. The location of the replacement septic system will occupy the area in front of the dwelling, which is also the site of the existing septic system. The current access to the site is immediately west of the septic system, relegating the proposed garage to be situated to the north of the septic system. Due to the physical constraints of the property combined with the location of the proposed dwelling and septic system, the most appropriate building envelope for a detached garage is within the front yard.

While the garage is proposed within the front yard, it is anticipated that the garage use will complement the character of the property and streetscape by providing enclosed storage for vehicles and other items that would otherwise be stored outside within the front yard. Through conducting a site visit, it was determined that the property at 140 Lake Dalrymple Road (2 lots to the north of the subject property) also has a detached garage within the front yard.

The two bay doors are proposed on the western wall of the garage. The proposed garage is a significant aesthetic improvement over the existing dwelling units and blends in well with the design and massing of the proposed detached dwelling. The positioning of the garage and compact built-form in relation to the existing dwelling units ensures no further encroachment into the front yard. A considerable spatial separation is proposed between the garage and the street (13.15 metres), as no adverse massing impacts are anticipated by permitting the garage in the proposed location.

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

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

The subject property is zoned Rural Residential Type Two (RR2) in the Township of Carden Zoning By-Law No. 79-02.

The intent of the zoning by-law is to restrict the placement of accessory buildings within a front yard, relegating them to side or rear yards. Side and rear yards are usually less visually prominent locations in comparison to a front yard. As it is usually the most visible yard from the street, front yards have the greatest ability to shape the character of the street through their appearance and use. One of the intents of the location provision is to ensure accessory buildings and uses do not dominate the streetscape. The proposed 13.15 metre setback from the front lot line further assists in mitigating the prominence of the building.

As a result of the steep grade increasing from the road to the rear of the property, the front yard on this property is the most visible yard from the road. As the garage is not proposed directly in front of the dwelling, but off to the side, the dwelling will continue to appear as the principal use when viewed from the road. The west wall of the garage will be the most visually prominent of the garage walls, as the driveway entrance is located west of the proposed garage. Two bay doors and two exterior wall-mounted lights work to break up the face of the wall by adding visual interest and complimenting the overall streetscape.

In this case, the garage is proposed in a location which functions and appears as something other than a front yard. Therefore, the variance maintains the general intent and purpose of the Zoning By-Law.

3) 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. Low density residential uses, along with accessory uses, are anticipated within this designation.

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 a private individual well and private septic system.

Consultations:

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

Agency Comments:

Development Engineering Division (July 6, 2020): No concerns.

Building Division (May 19, 2020): The owner has submitted an application for a sewage system permit to replace the existing system. The application for the sewage system indicates the placement of the system in the area indicated on the site plan. The garage will be established with the required clearance distances to the sewage system and will not impede the ability of the system to be located on the property. No concerns

Public Comments:

No comments have been received as of July 6, 2020.

Attachments:



Appendices A-E for
Report COA2020-018

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

| | |
|-------------------------|--|
| Phone: | 705-324-9411 extension 1367 |
| E-Mail: | kstainton@kawarthalakes.ca |
| Department Head: | Chris Marshall, Director of Development Services |
| Department File: | D20-2020-014 |

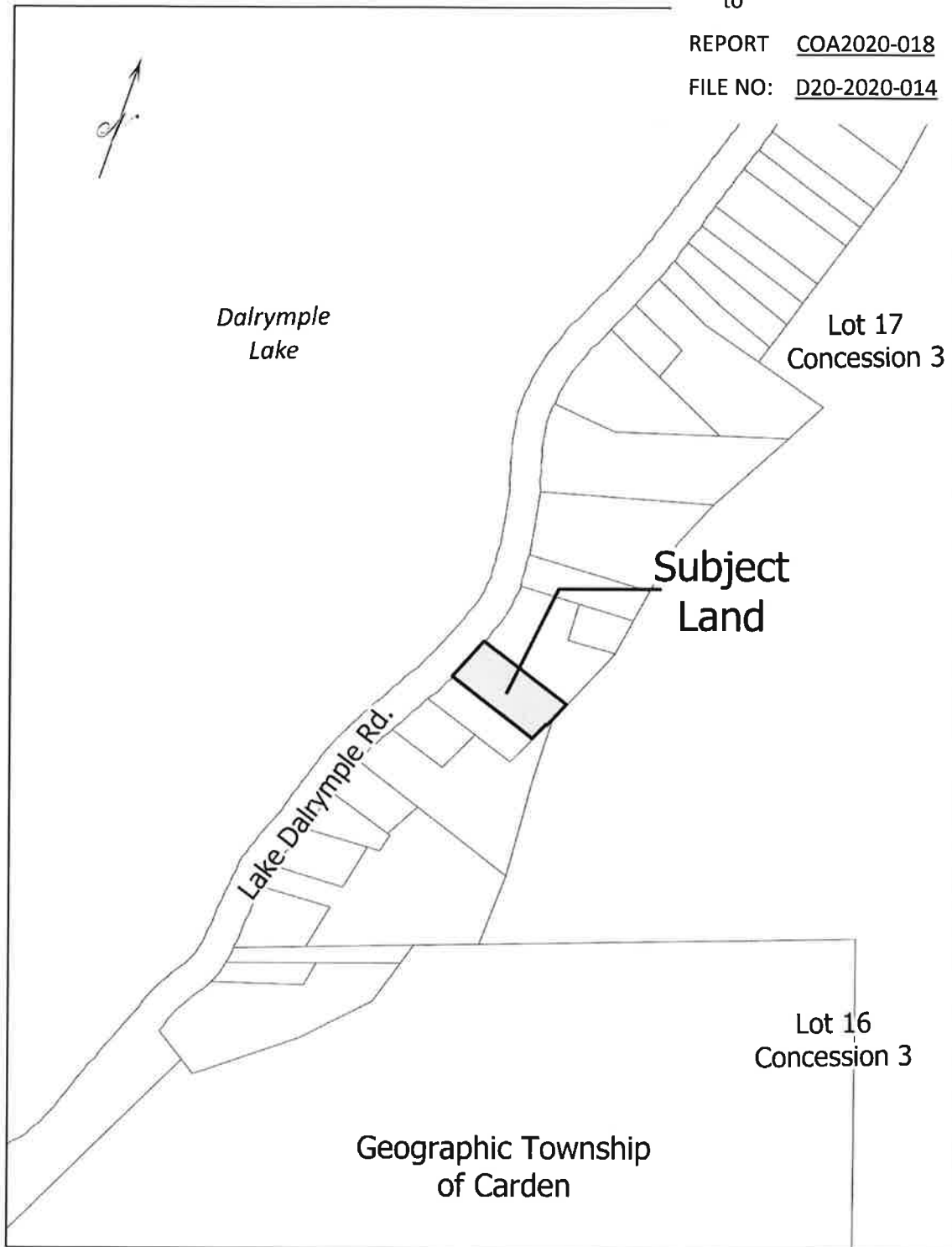
D20-2020-014

APPENDIX " A "

to

REPORT COA2020-018

FILE NO: D20-2020-014



134-136 Lake Dalrymple Road, Geographic Township of Carden



Legend

- ☐ Property Roll Number
- ☒ Lots and Concessions
- ☒ Road Centreline (2016 Needs)
- ☐ Upper Municipalities
- ☐ Lower Tier Municipalities

Notes

APPENDIX " B "

to

REPORT COA2020-018

FILE NO: D20-2020-014

0.11 Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere

© City Of Kawartha Lakes



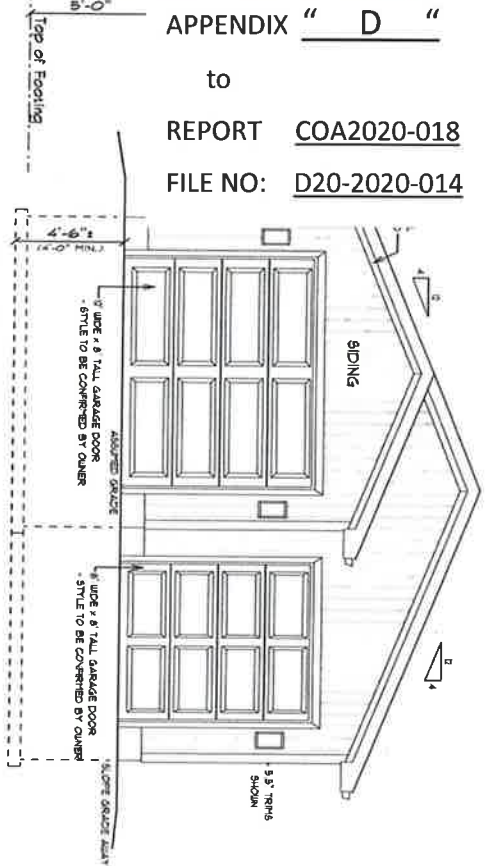
This map is a user generated static map output and is for reference only. All data, layers and text that appear on this map may or may not be accurate, current, or otherwise reliable.

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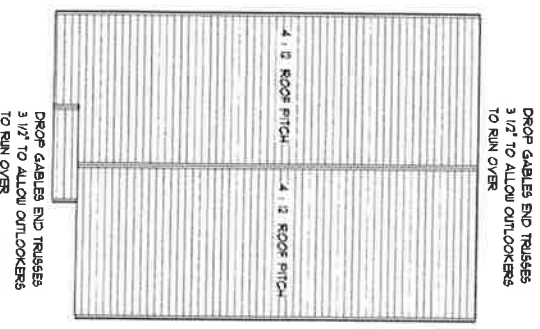


ARTISTIC RENDERING ONLY
-REFER TO CONSTRUCTION DRAWINGS
FOR PLAN SPECIFICS

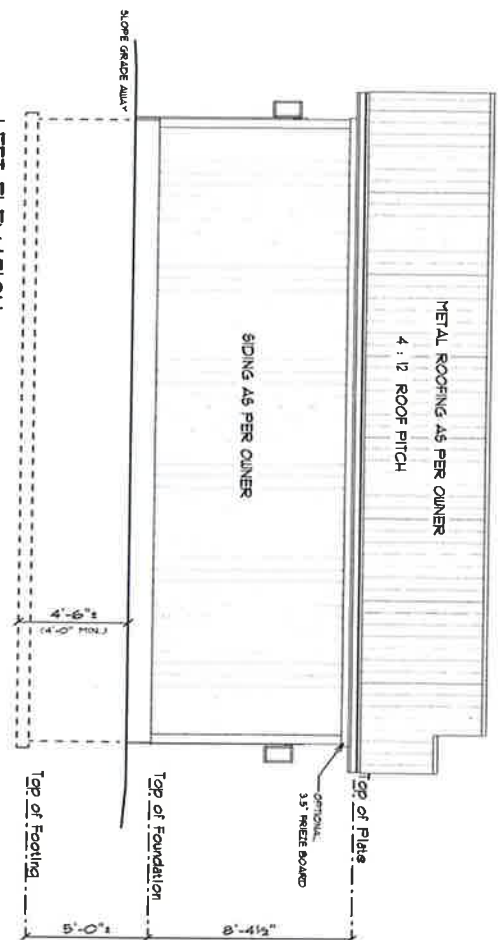
APPENDIX " D "
to
REPORT COA2020-018
FILE NO: D20-2020-014



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



ROOF LAYOUT
NOT TO SCALE



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

| | | | | | | | |
|---|--|--|--|--|--|--|--|
| <p>DRAFTING INNOVATIONS</p> <p>ARCHITECTURAL DESIGN SERVICES</p> <p>17 KING ST. W. - SUITE 101 PHOENIX, AZ 85001 PHONE: 602.799.2213 FAX: 602.799.4405 www.draftinginnovations.com</p> | | <p>THIS DRAWING IS PROVIDED BY JACOB H. THE PROJECT OR DRAWING IS NOT TO BE REPRODUCED OR USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN PERMISSION OF THE PROJECT OR DRAWING.</p> | | <p>CHECKED AND APPROVED BY:</p> <p>BRUCE MCHUGH</p> <p>DATE: 10/18/18</p> <p>FOR APPROVAL, OF THIS DRAWING, I HEREBY CERTIFY THAT I AM A LICENSED ARCHITECT IN THE STATE OF ARIZONA AND THAT I AM THE DESIGNER OF THIS PROJECT.</p> | | <p>THIS DRAWING IS PROVIDED BY JACOB H. THE PROJECT OR DRAWING IS NOT TO BE REPRODUCED OR USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN PERMISSION OF THE PROJECT OR DRAWING.</p> | |
| <p>PROJECT TITLE:</p> <p>PROPOSED 28' x 32' GARAGE for C. RENDALL</p> | | <p>DATE:</p> <p>AUG 2018</p> | | <p>SCALE:</p> <p>AS NOTED</p> | | <p>DATE:</p> <p>AUG 2018</p> | |

Charlotte Crockford-Toomey

From: Anne Elmhirst
Sent: Tuesday, May 19, 2020 11:32 AM
To: Charlotte Crockford-Toomey
Subject: D20-2020-014 - 134 & 136 Lake Dalrymple Rd

APPENDIX " E
to
REPORT COA 2020-018

Follow Up Flag: Follow up
Flag Status: Flagged

FILE NO. D20-2020-014

Hello Charlotte,

I have received and reviewed the request for Minor Variance for 134 & 136 Lake Dalrymple Road and a site visit has been performed.

The owner has submitted an application for a sewage system permit to replace the sewage system. The application for the sewage system indicates the placement of the system in the area indicated on the site plan. The garage will be established with the required clearance distances to the sewage system and will not impede the ability of the system to be located on the property.

As such, I have no concerns with the 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



Kent Stainton

From: Kim Rhodes
Sent: Monday, July 6, 2020 1:41 PM
To: Mark LaHay
Cc: Christina Sisson; Kirk Timms
Subject: 20200706 D20-2020-014 - Engineering review

Please see the message below from Christina Sisson:

Good afternoon Mark – further to our engineering review of the following:

Minor Variance – D20-2020-014
134-136 Lake Dalrymple Road
Part Lot 16 and 17, Plan 173, Parts 1 and 2, RP57R-8723
Geographic Township of Carden, Ward 1

It is the understanding by Engineering that the purpose and effect is to consider relief to permit the construction of an accessory building (detached garage) in the front yard of the subject property.

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



The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Robson
Report Number COA2020-019

Public Meeting

Meeting Date: July 16, 2020
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 6 – Former Town of Verulam

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

1. Section 5.18.3 to reduce the street centreline setback from Kenhill Beach Road from 17.5 metres to 16.01 metres to permit the construction of a new single detached dwelling and deck,
2. Section 8.2 (d) to decrease the minimum front yard setback from 7.5 metres to 5.95 metres to permit the construction of a new single detached dwelling and deck; and
3. Section 8.2 (n) to decrease the minimum water setback from 15 metres to 14.44 metres to permit the construction of a new deck associated with a new single detached dwelling.

The variance is requested at 23 Kenhill Beach Road, former Township of Verulam (File D20-2020-015).

Author: Kent Stainton, Planner II

Signature:



Recommendations:

Resolved That Report COA2020-019 Douglas and Ida Robson be received;

That minor variance application D20-2020-015 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **That** the construction of the dwelling and deck related to this approval shall proceed substantially in accordance with the sketch in Appendix C submitted as part of report COA2020-019, which shall be attached to and form part of the Committee's Decision;
- 2) **That** prior to the issuance of a building permit the owner shall submit to the Secretary-Treasurer written approval from the Building Division – Part 8 Sewage Systems; 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 COA2020-019. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

| | |
|--------------------|--|
| Background: | The proposal involves the replacement of an existing bungalow and the construction of a 277.77 square metre (2989.90 square feet) two-storey single detached dwelling and a 20.81 square metre (224 square feet) deck on the subject property. The application was deemed complete on May 6, 2020. |
| Proposal: | To construct a new two-storey single detached dwelling with walkout basement and a deck. The new construction requires relief from the setbacks from Centreline of Kenhill Beach Road and a reduced front yard setback as well as a reduction in the Water Setback to allow encroachment from the main level deck. |
| Owners: | Douglas and Ida Robson |
| Applicant: | Holly Richards-Conley (Blackpoint Construction Services) |
| Legal Description: | 23 Kenhill Beach Road, Part Lot 10, Concession 3, Lot 9, Plan 145, geographic Township of Verulam, Ward 6, now in the City of Kawartha Lakes |
| Official Plan: | Waterfront within the City of Kawartha Lakes Official Plan (2012) |
| Zone: | Residential Type One (R1) Zone under the Township of Verulam Zoning By-Law No. 6 - 87 |
| Site Size: | 669.24 square metres (7023.64 square feet) |
| Site Servicing: | Private individual well and septic system |
| Existing Uses: | Shoreline Residential |
| Adjacent Uses: | North: Sturgeon Lake East, West: Shoreline Residential South: Vacant Land |

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 located within a shoreline residential neighbourhood on the southeast side of Sturgeon Lake. The parcels within this neighbourhood are smaller, with the nearby lots being of similar size around 680 square metres. However, the homes within the neighbourhood are relatively modest in size, which allows for good spatial separation between homes and for the retention of vegetation screening between properties to increase privacy. The parcel features a "backlot" portion south of Kenhill Beach Road. There is the option to explore the backlot portion of the lot for the purpose of accessory structures if necessary.

The new two-storey dwelling is not anticipated to generate any adverse massing or land use impacts, as it is screened from the abutting neighbours to the east and west (21 and 25 Kenhill Beach Road) by established vegetation and is similar in height to the two-storey dwelling to the west. The terraced topography of the lot permits a two-storey design with the northern half of the basement extending as a walkout to an existing concrete patio. Additionally, the sides of the dwelling which face the neighbouring properties function as interior side yards, reducing the human activity and therefore land use conflict that could occur within these yards.

The water setback is slightly improved with the location of the proposed deck being no closer to the shoreline than the existing footprint of the of the bungalow. The new build is shifted to the south taking a reduced front yard setback (5.95 metres) from the southeast corner of the proposed dwelling, while allowing for two (2) parking spaces to be established in the front yard. The reduction of the front yard setback results from the angular parcel fabric as well as the location of the existing septic system (holding tank) on the site. The proposed parking spaces removes the requirement for on-street parking, keeping the roadway clear and bringing the property into compliance with the Zoning By-Law. Any visual impacts from the presence of the vehicles within the front yard are mitigated by the vegetative screening on both the eastern and western lot lines.

The main level deck represents a relatively minor encroachment into the water setback (0.6 metres) from the southwest corner, as a result of the angular configuration of the lot. The deck is elevated with the walkout patio from the basement as well as existing vegetation to the north to be maintained. Therefore, the deck does not remove landscaped open space from use and maintains continuity of access from the existing basement to the north yard.

The variances are minor in nature and desirable and appropriate for the use of the land.

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

The dwelling is oriented towards the Sturgeon Lake shoreline to the north. As such, the majority of the parcel's recreational amenity space is located within the north yard. The area south of the dwelling functions as its front yard since the front door and parking area is located within this space. The area west and east of the dwelling functions as its interior side yards. The intent of the rear yard setback is to provide sufficient depth for a rear yard amenity space and sufficient spatial separation to buffer residential uses in abutting rear yards.

The proposed reduction of the street centreline setback from Kenhill Beach Road (1.5 metres) and reduced front yard setback (1 metre) is required in order to achieve a greater water setback from the shoreline to the proposed dwelling. The parallelogramic shape of the lot presents challenges without shifting the entire foundation of the existing dwelling, causing greater site disturbance and a reduced spatial separation from the septic system. Notwithstanding the reduced street centreline and front yard setback, off-street parking spaces for the requisite two vehicles is established on-site as opposed to parking on Kenhill Beach Road.

The proposed dwelling on the subject property will not adversely reduce any of the existing side yard setbacks. Interior side yards function primarily as utilitarian spaces to provide maintenance access around buildings, a space to locate utility infrastructure and to facilitate access between front and rear yards. Both interior side yard lot lines are well vegetated with a mature cedar hedge on the western lot line and a variety of mature shrubs providing privacy on the eastern lot line. A 1.8 metre setback from the southeast corner of the dwelling is proposed without limiting accessibility to the eastern interior side lot.

The zoning by-law, through its water setback establishes a minimum spatial separation standards from the shoreline. The setback also ensures the built form does not dominate the shoreline. The proposed 14.4 metre rear yard setback is appropriate and does not introduce adverse massing impacts or land use conflicts. The deck projection into the water setback is less prominent due to the angling of the proposed dwelling with only the corner of the deck encroaching into the setback and the at-grade landscaping to remain intact.

While the purpose of the water setback is also to provide sufficient space to allow for the establishment of an environmental buffer and the infiltration of stormwater runoff, the location of the deck represents the extent of the previous dwelling, which has already created a distinct break and hard-surfacing of this portion of the north yard landscape. The purpose and function of the water setback remains in the space north of the proposed deck.

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

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

Yes

The subject property is designated Waterfront in the City of Kawartha Lakes Official Plan (Official Plan). Residential 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 in accordance with Ministry of Natural Resources and Forestry (MNRF) recommendations. These setbacks also have the added function of directing built form away from the shorelines so that natural, rather than built form, dominates which in turn reduces massing impacts by increasing spatial separation. In keeping with the policies laid out in section 20.3, when it is not possible, development shall be located no less than 15 metres from the shoreline to provide a sufficient buffer of landscaped open space between the water and built form to improve water quality and habitat.

Policy 20.3.10 and 20.5.1 outlines the importance of shoreline development maintaining low profiles in order to blend in with the natural surroundings. The proposed dwelling is being relocated outside of the 15 metre water setback with only the southwest corner of the main level deck remaining 0.6 metres within the setback. As the proposed dwelling is greater than 15 metres from the shoreline and no further aggravation is proposed to the landscape between the overhang of the deck and the shoreline, there are no impacts to the established environmental buffer between the shoreline and dwelling. The main level deck adds further floor space to make the deck area more useable as an outdoor sitting area to enjoy views of the lake.

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 a private well and private septic system.

Consultations:

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

Agency Comments:

Kawartha Region Conservation Authority (May 21, 2020): No Concerns.

Development Engineering Division (July 6, 2020): No concerns.

Building Division – Part 8 Sewage System (May 26, 2020): A sewage system permit to install has been completed for the installation of a replacement Class 5 Holding Tank for this property. The Class 5 system has been granted due to restrictions with clearance distances for this property. The current site plan indicating the location of the new dwelling and Class 5 Holding Tank does reflect the approval for placement. No concerns.

Public Comments:

No comments have been received as of July 6, 2020.

Attachments:



Appendices A-D for
Report COA2020-01'

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

| | |
|-------------------------|--|
| Phone: | 705-324-9411 extension 1367 |
| E-Mail: | kstainton@kawarthalakes.ca |
| Department Head: | Chris Marshall, Director of Development Services |
| Department File: | D20-2020-015 |

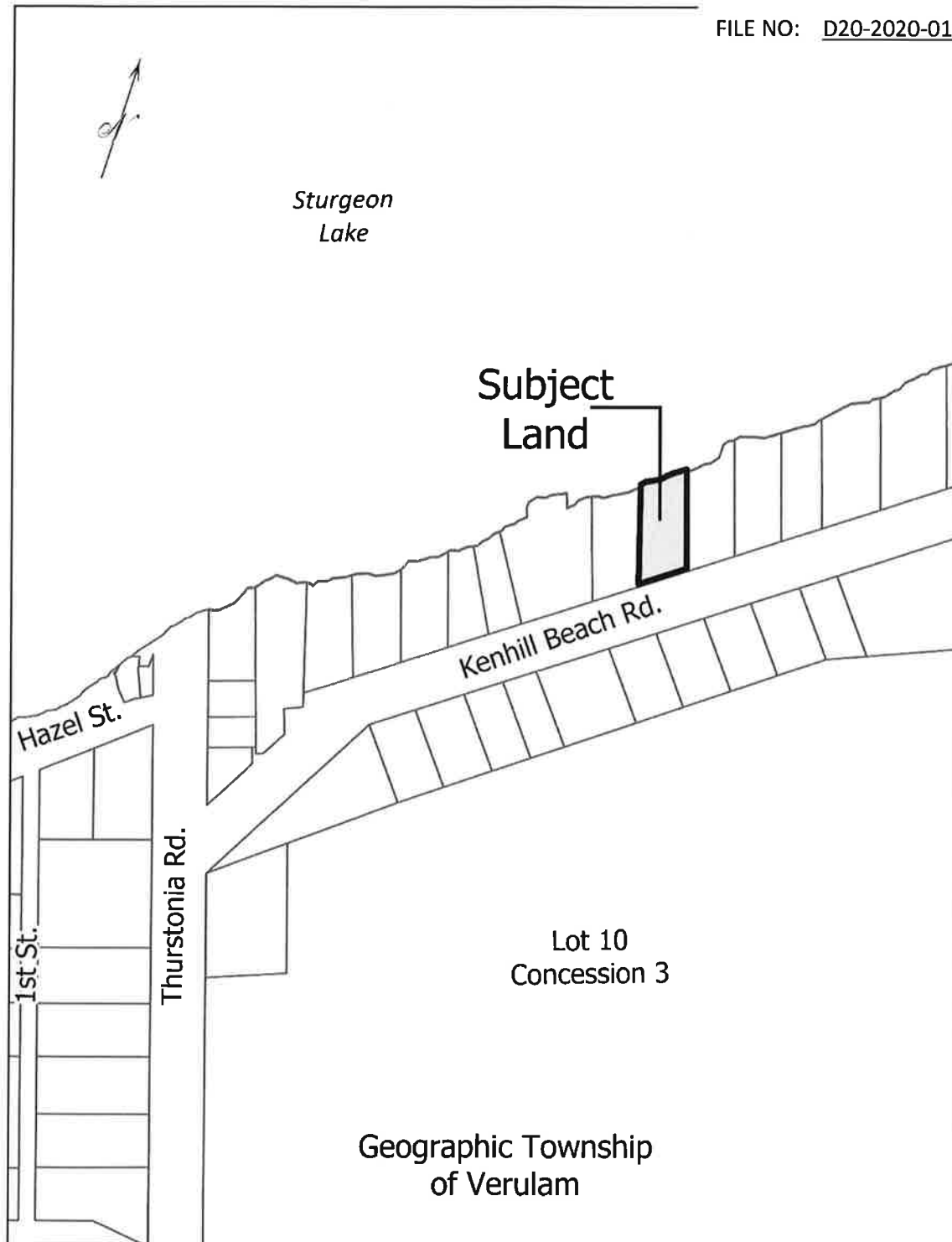
APPENDIX " A "

to

REPORT COA2020-019

FILE NO: D20-2020-015

D20-2020-015



23 Kenhill Beach Road, Verulam



Legend

- ☐ Property Roll Number
- ☐ Lots and Concessions
- ☐ Road Centreline (2016 Needs)
- ☐ Upper Municipalities
- ☐ Lower Tier Municipalities

Notes

Notes

REPORT COA2020-019
FILE NO: D20-2020-015

APPENDIX " B "

0.06 Kilometers
WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes

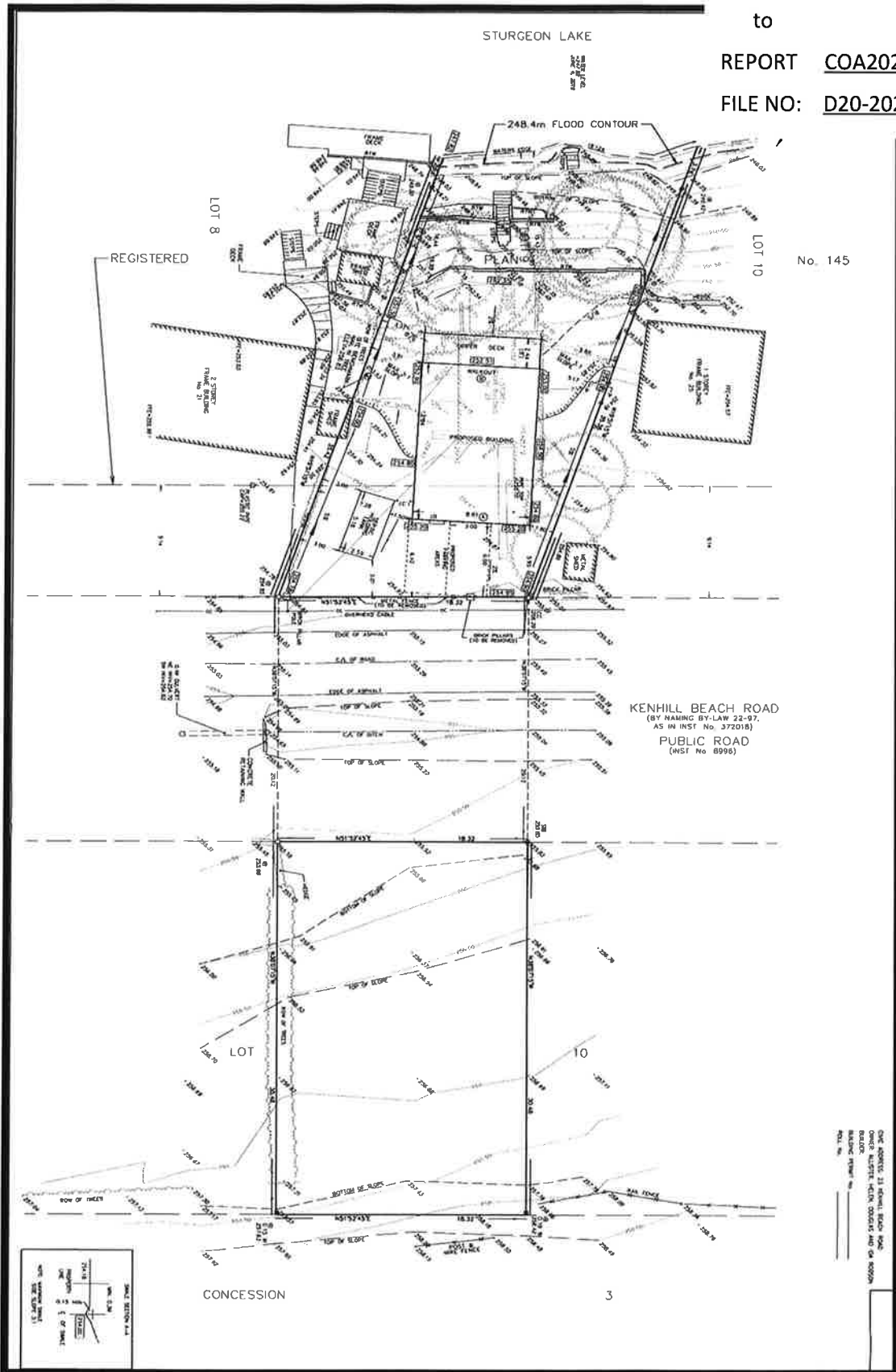


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APPENDIX " C "

to
REPORT COA2020-019
FILE NO: D20-2020-015



to

Charlotte Crockford-ToomeyREPORT COA 2020-019

From: Erin McGregor <emcgregor@kawarthaconservation.com>
Sent: Thursday, May 21, 2020 11:28 AM
To: Charlotte Crockford-Toomey
Subject: RE: Advanced Circulation D20-2020-015, 23 Kenhill Beach Drive, Verulam

FILE NO. D20-2020-015

Hi Charlotte,

I'm back working part-time so I'm just sending some brief comments via email.

No issues with the reduced setbacks. The property is entirely regulated so permits will be required for construction.

Sincerely,

Erin McGregor
Resources Planner Technician
KAWARTHA CONSERVATION
277 Kenrei Road
Lindsay, ON K9V 4R1

Tel: 705.328.2271 ext. 232

Fax: 705.328.2286

IMPORTANT COVID-19 NOTICE: In light of health concerns related to the Covid-19 virus, the Kawartha Conservation Administrative office will be closed to the public until further notice. Events and meetings will be postponed until further notice. Residents can reach the office by calling 705.328.2271 or by emailing geninfo@kawarthaconservation.com.

KawarthaConservation.com



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CONSERVATION**
Discover • Protect • Restore

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From: Charlotte Crockford-Toomey

Sent: May 6, 2020 3:43 PM

To: Anne Elmhirst ; Ron Warne ; Erin McGregor

Subject: Advanced Circulation D20-2020-015, 23 Kenhill Beach Drive, Verulam

Good afternoon

Please find attached an advanced circulation for application D20-2020-015.
Hard copy to follow with the cheque.

Many thanks

Charlotte Crockford-Toomey

Administrative Assistant

Planning Department, City of Kawartha Lakes

705-324-9411 ext. 1231 www.kawarthalakes.ca



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Charlotte Crockford-Toomey

From: Anne Elmhirst
Sent: Tuesday, May 26, 2020 10:37 AM
To: Charlotte Crockford-Toomey
Subject: D20-2020-015 - 23 Kenhill Beach Rd

Hello Charlotte,

I have received and reviewed the request for relief to decrease the minimum front yard setback for the construction of a new dwelling at 23 Kenhill Beach Rd under file D20-2020-015. A site visit was completed to confirm the proposal location.

A sewage system permit to install has been completed for the installation of a replacement Class 5 holding tank for this property. The Class 5 system has been granted due to restrictions with clearance distances for this property. The current site plan indicating the location of the new dwelling and Class 5 Holding Tank does reflect our approval for placement.

As such, the Building Division – Sewage System Program has no objection to the request for 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



Kent Stainton

From: Kim Rhodes
Sent: Monday, July 6, 2020 1:42 PM
To: Mark LaHay
Cc: Christina Sisson; Kirk Timms
Subject: 20200706 D20-2020-015 - Engineering review

Please see the message below from Christina Sisson:

Good afternoon Mark – further to our engineering review of the following:

Minor Variance – D20-2020-015
23 Kenhill Beach Road
Part Lot 10, Concession 3, Lot 9, Plan 145
Geographic Township of Verulam, Ward 6

It is the understanding by Engineering that the purpose and effect is to consider relief from:

1. to reduce the street centerline setback from Kenhill Beach Road from 17.5 metres to 16.01 metres to permit the construction of a new single detached dwelling and deck;
2. to decrease the minimum front yard setback from 7.5 metres to 5.95 metres to permit the construction of a new single detached dwelling and deck; and
3. to decrease the minimum water setback from 15 metres to 14.44 metres to permit the construction of a new deck associated with 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

