

The Corporation of the City of Kawartha Lakes

Agenda

Committee of Adjustment Meeting

COA2020-009

Thursday, September 17, 2020

1:00 P.M.

Council Chambers

City Hall

26 Francis Street, Lindsay, Ontario K9V 5R8

Members:

Lloyd Robertson

David Marsh

Councillor Emmett Yeo

Andre O'Bumsawin

Betty Archer

Sandra Richardson

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.

Accessible formats and communication supports are available upon request. The City of Kawartha Lakes is committed to accessibility for persons with disabilities. Please contact AgendaItems@kawarthalakes.ca if you have an accessible accommodation request.

1.	Call to Order	
2.	Administrative Business	
2.1	Adoption of Agenda	
2.1.1	COA2020-09.2.1.1 September 17, 2020 Committee of Adjustment Agenda	
2.2	Declaration of Pecuniary Interest	
2.3	Adoption of Minutes	
2.3.1	COA2020-004.2.3.1 August 19, 2020 Committee of Adjustment Minutes	
3.	New Applications	
3.1	Minor Variances	
3.1.1	COA2020-023 David Harding, Planner II, RPP, MCIP File Number:D20-2020-019 Location: 101 Juniper Street Plan 345, Lot 6 Former Village of Fenelon Falls Owner: Richard Michael D.E. Chartier Applicant: Richard Michael D.E. Chartier	6 - 18

3.1.2	COA2020-026	19 - 30
	David Harding, Planner II, RPP, MCIP File Number: D20-2020-022 Location: 95 Kenedon Drive Lot 14, Plan 6 Geographic Township of Emily Owner: Lisa Selke Applicant: Holly Richards-Conley - Black Point Services	
3.1.3	COA2020-027	31 - 38
	David Harding, Planner II, RPP, MCIP File Number: D20-2020-023 Location: Vacant Lot, Burnt River Road Part Lot 13, Concession 6, Lot 10, Plan 104 Geographic Township of Somerville Owner: Marty Sheehey Applicant: Tom deBoer - TD Consulting Inc.	
3.1.4	COA2020-029	39 - 49
	Kent Stainton, Planner II File Number: D20-2020-025 Location: 231 Corbett Drive Lot 11, Concession 3, Lot 31, Plan 9M-725 Geographic Township of Manvers Owners: James Brown and Nicole Gilliland Applicants: James Brown and Nicole Gilliland	
3.1.5	COA2020-030	50 - 68
	David Harding, Planner II, RPP, MCIP File Number: D20-2020-026 Location: 152 Island Drive Island N, Four Mile Lake, Lot 5, Plan 453 Geographic Township of Somerville Owners: John and Susan Cook Applicant: Tom deBoer - TD Consulting Inc.	

3.1.6	Memorandum - D20-2020-027	69 - 69
	Kent Stainton, Planner II File Number: D20-2020-027 Location: 144 Ball Point Road Part Lot 18, Concession C Geographic Township of Mariposa Owner: Gary Cowan Applicant: Scottie Eisemann - Cottage Life Construction	
3.1.7	COA2020-032	70 - 80
	Kent Stainton, Planner II File Number: D20-2020-030 Location: 106 French Settlement Road Part Lot 8, Concession 8 Geographic Township of Bexley Owner: Gary Quinn Applicant: Gary Quinn	
3.2	Consents	
4.	Deferred Applications	
4.1	Minor Variances	
4.1.1	COA2020-033	81 - 97
	Kent Stainton, Planner II File Number: D20-2020-013 (Revised) Location: Vacant Lot, Church Street Part 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 Inc.	
4.2	Consents	
5.	Other Business	
6.	Correspondence	

7. Next Meeting

The next meeting will be Thursday, October 15, 2020 at 1:00pm in Council Chambers, City Hall.

8. Adjournment

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Richard Michael D. E. Chartier
Report Number COA2020-023

Public Meeting

Meeting Date: August 19, 2020
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 3 – Former Village of Fenelon Falls

Subject: The purpose and effect is to request relief from Section 4.3.3(c)(iii) to reduce the minimum interior side yard setback from 4 metres to 1.8 metres in order to permit an addition to a single detached dwelling.

The variance is requested at 101 Juniper Street, Former Village of Fenelon Falls (File D20-2020-019).

Author: David Harding, Planner II, RPP, MCIP

Signature: 

Recommendations:

Resolved That Report COA2020-023 Richard Michael D.E. Chartier, be received;

That minor variance application D20-2020-019 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 addition related to this approval shall proceed substantially in accordance with the sketch in Appendix C submitted as part of Report COA2020-023, 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 COA2020-023. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Background:	An addition to the one storey single detached dwelling is proposed. This application was last amended August 28, 2020.	
Proposal:	To permit an approximately 27.3 square metre (293 square feet) one storey addition to a single storey dwelling.	
Owner:	Richard Michael David Edmond Chartier	
Legal Description:	Lot 6 n/s Juniper, Plan 345, former Village of Fenelon Falls, City of Kawartha Lakes	
Official Plan:	Low Density Residential within the Village of Fenelon Falls Official Plan	
Zone:	Residential Type One (R1) Zone within the Village of Fenelon Falls Zoning By-law 89-25	
Site Size:	1,982.96 square metres (0.49 acres)	
Site Servicing:	Municipal water and private individual septic system	
Existing Uses:	Shoreline Residential	
Adjacent Uses:	Northeast:	Fenelon River
	Southwest:	Vacant Land
	Southeast, Northwest:	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 residential neighbourhood bordering the south side of the Fenelon River. The southwestern side of the road is bordered by vacant land and the Fenelon Falls Public School. Therefore, all of the residences along the road, except 22 Juniper to the north, are between the road and river. The neighbourhood has a distinctly rural character due to the lack of development on the southwest side of the road, wide lots, and distance the dwellings are set back from the road.

The dwelling on the subject property is at an angle to the road. Therefore, its interior side yards are of uneven widths. The southeastern corner of the dwelling is closest to the southeast lot line. The addition is proposed on this side, and will provide for an enlarged bathroom. As the dwelling is at an angle, only a corner of the development will utilise the full extent of the variance requested. Sufficient space (1.8 metres) will remain to provide access for maintenance purposes along this side of the house.

The northwestern interior side yard is over 8 metres wide at its narrowest point, providing sufficient space to accommodate equipment to service or replace the septic system within the rear yard. This yard appears to be more intensively utilised due to its parking area and storage (shed) uses, and is more appropriate as a service access point to the rear yard.

There is a cedar hedge which runs along the mutual lot line between the property and 109 Juniper Street. The owner has identified that this hedge will be retained as much as possible to maintain privacy.

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 Residential Type One (R1) Zone within the Village of Fenelon Falls Zoning By-law 89-25. Lots on full municipal services have smaller setbacks than lots on partial or fully private services. The intent of the enhanced setbacks for properties with partial or fully private services is to provide additional space to accommodate well or septic service vehicles or services. Sufficient space remains in the northwestern interior side yard to facilitate access for larger vehicles and equipment for the sewage system within the rear yard.

The purpose of an interior side yard is also to provide sufficient space for lot drainage, access between the front and rear yards, and building maintenance. The addition will be up to 1.8 metres away from the lot line at the yard's narrowest point and up to 3.3 metres away at its widest point. Sufficient space remains within this interior side yard to accomplish these functions.

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 property is designated Low Density Residential within the Village of Fenelon Falls Official Plan. Single detached dwellings, 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 were considered at this time.

Servicing Comments:

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

Consultations:

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

Agency Comments:

Kawartha Region Conservation Authority (August 4, 2020): No concerns.

Development Engineering Division (August 11, 2020): No concerns.

Building Division (September 8, 2020): No concerns.

Public Comments:

No comments received as of September 8, 2020.

Attachments:



Appendices A-D to
Report COA2020-02.

Appendix A – Location Map

Appendix B – Aerial Photo

Appendix C – Applicant's Sketch

Appendix D – Department and Agency Comments

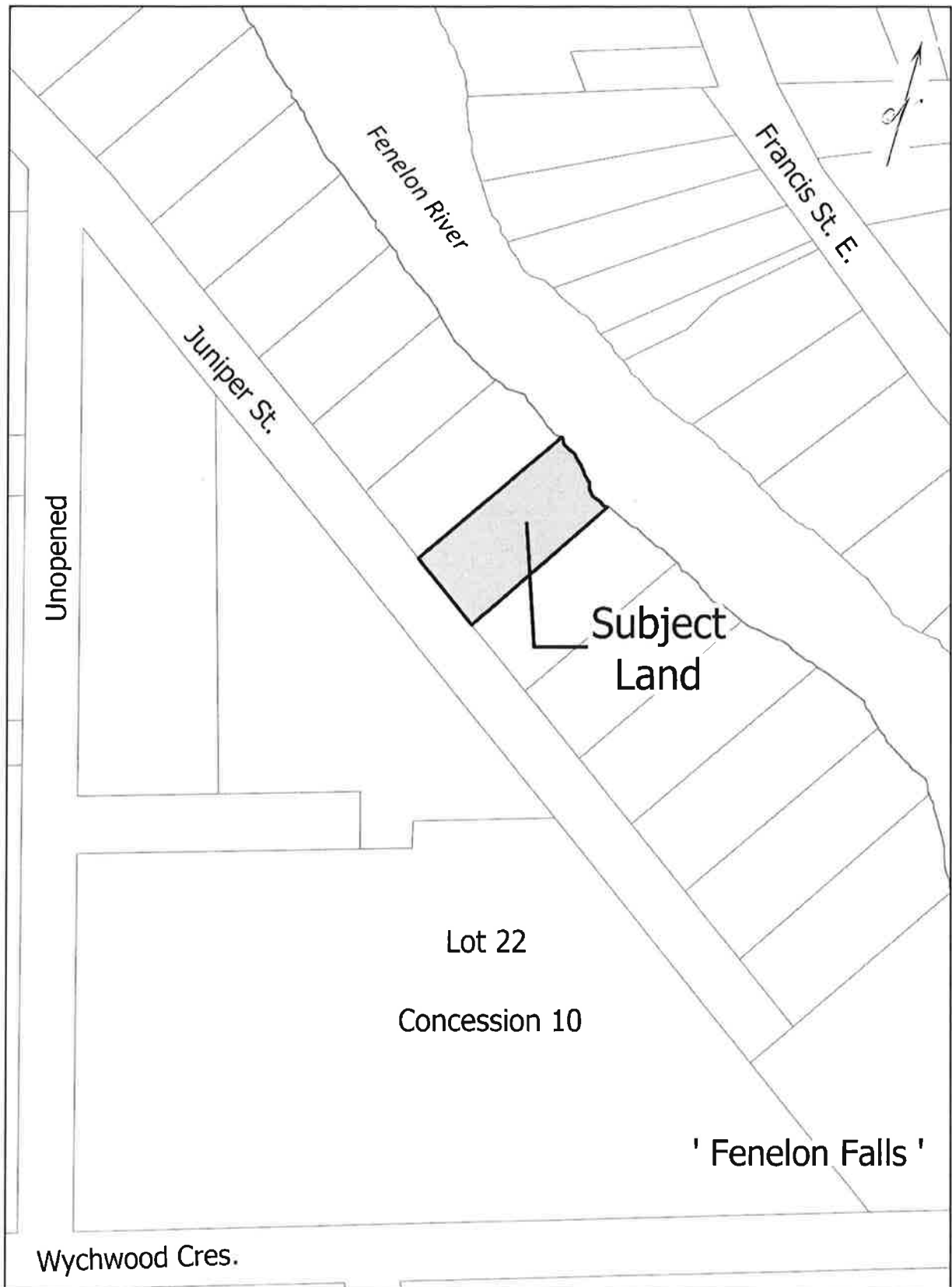
Phone:	705-324-9411 extension 1206
E-Mail:	dharding@kawarthalakes.ca
Department Head:	Chris Marshall, Director of Development Services
Department File:	D20-2020-019

to

REPORT COA2020-023

FILE NO: D20-2020-019

D20-2020-019





GEOMATICS
MAPPING

101 Juniper Street, Village of Fenelon Falls



0.11

Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes



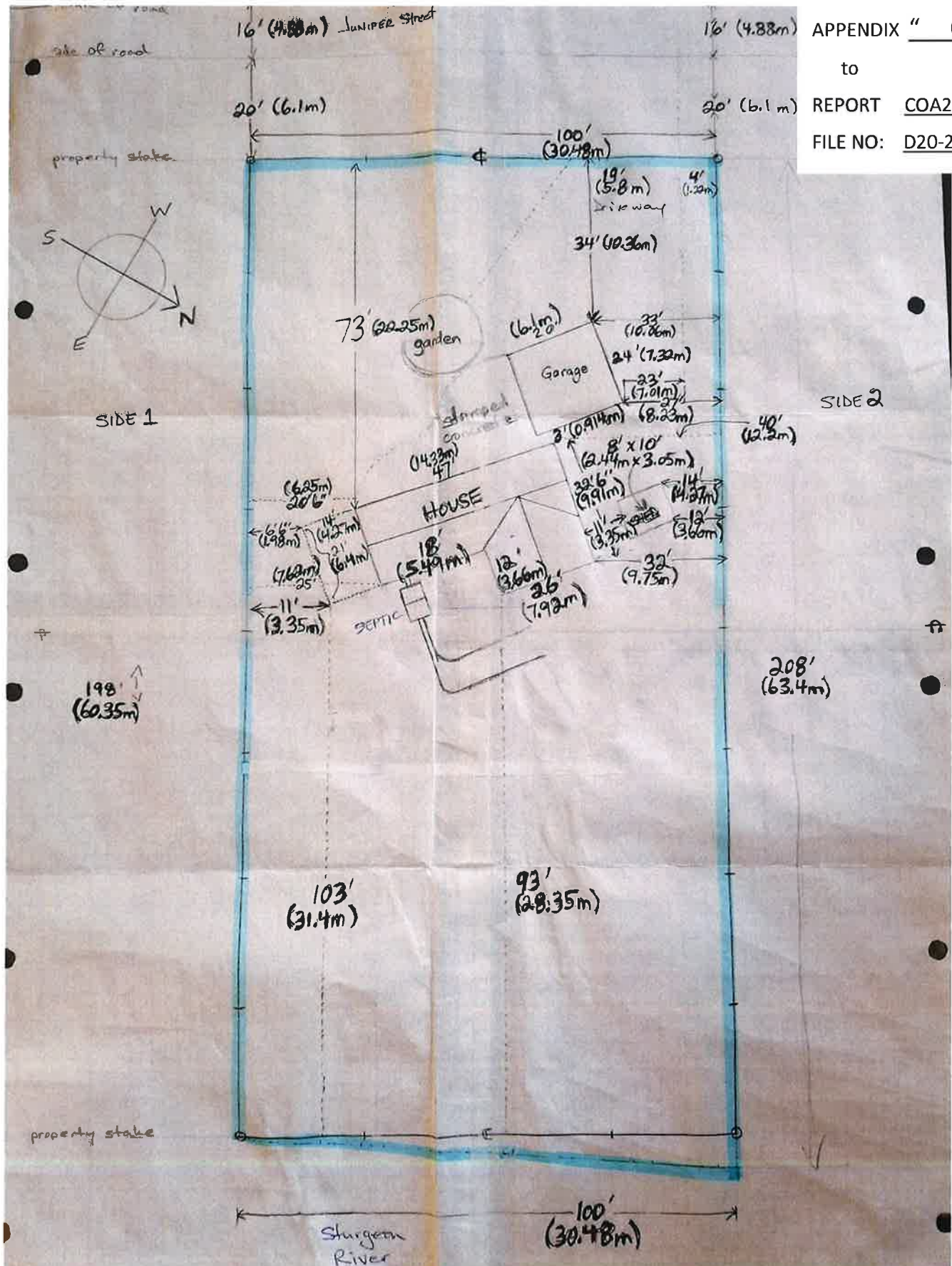
This map is a user generated static map output and is for reference data, layers and text that appear on this map may or may not be current, or other

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REPORT COA2020-023
FILE NO: D20-2020-019

APPENDIX " B "
to

to
REPORT COA2020-023
FILE NO: D20-2020-019



APPENDIX " D "
to
REPORT COA2020-023
FILE NO. D20-2020-019

KRCA File NO: PPLK-10205
Via Email: ccrockford-toomey@kawarthalakes.ca
Charlotte Crockford-Toomey
Administrative Assistant
Development Services – Planning Division
180 Kent St West
Lindsay, ON K9V 2Y6

**Regarding: Application for Minor Variance
D20-2020-019
101 Juniper St, Fenelon Falls
Richard Chartier**

Dear Ms. Crockford-Toomey,
Kawartha Conservation has completed review of the above noted Application for a Minor Variance submitted by Richard Chartier. Kawartha Conservation has provided comments as per our MOU with 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 [D20-2020-019] is to reduce the side yard setback from 4 metres to 2.01 metres to permit an addition to the existing dwelling.

Site Characteristics:

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

Natural Heritage Features:

- Fenelon River
- Fish Habitat

Kawartha Conservation regulates the shoreline of Fenelon River and 15 metres from top of bank.

Natural Hazards:

- Flooding

Kawartha Conservation regulates the flooding hazard and 15 metres from the floodline.

Water Resources:

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

- Subject property is within the boundary of the Sturgeon Lake Management Plan.

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 addition appears to be outside of Kawartha Conservation's regulated area.

Recommendation:

Kawartha Conservation has no objection to the approval Minor Variance Application D20-2020-019, and it is our opinion that the proposal is consistent with sections 2.1 and 3.1 of the Provincial Policy Statement (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

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

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

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

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Kent Stainton

From: Charlotte Crockford-Toomey
Sent: Tuesday, August 11, 2020 2:06 PM
To: David Harding; Kent Stainton
Subject: FW: 20200811 D20-2020-003,016,017,018,019,020,021 Engineering Review

Follow Up Flag: Flag for follow up
Flag Status: Flagged

fyi

Charlotte Crockford-Toomey

Administrative Assistant
Planning Department, City of Kawartha Lakes
705-324-9411 ext. 1231 www.kawarthalakes.ca



Due to COVID-19, all City Municipal buildings are closed to the public and some service levels have been affected. For COVID-19 information including service levels and how to access services, please call 705-324-9411 extension 4000 or visit www.kawarthalakes.ca/covid19

From: Kirk Timms <ktimms@kawarthalakes.ca>
Sent: Tuesday, August 11, 2020 1:00 PM
To: Mark LaHay <mlahay@kawarthalakes.ca>
Cc: Christina Sisson <csisson@kawarthalakes.ca>; Kim Rhodes <krhodes@kawarthalakes.ca>; Charlotte Crockford-Toomey <ccrockford-toomey@kawarthalakes.ca>
Subject: 20200811 D20-2020-003,016,017,018,019,020,021 Engineering Review

Good Afternoon Mark,

Please see Engineering's comments below for the listed Minor Variance Applications;

D20-2020-003 - From an engineering perspective, we have no objection to the proposed Minor Variance.

D20-2020-016 - From an engineering perspective, we have no objection to the proposed Minor Variance.

D20-2020-017 - From an engineering perspective, we have no objection to the proposed Minor Variance.

D20-2020-018 - From an engineering perspective, we have no objection to the proposed Minor Variance.

D20-2020-019 - From an engineering perspective, we have no objection to the proposed Minor Variance.

D20-2020-020 - From an engineering perspective, we have no objection to the proposed Minor Variance.

D20-2020-021 - 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,
Kirk

Kirk Timms, C.E.T., CAN-CISEC

Senior Engineering Technician

Engineering & Corporate Assets Department, City of Kawartha Lakes

705-324-9411 ext. 1119 www.kawarthalakes.ca



Due to COVID-19, all City Municipal buildings are closed to the public and some service levels have been affected. Please note all courier packages and mail must be directed to City Hall, 26 Francis Street, Box 9000, Lindsay, ON, K9V 5R8. For COVID-19 information including service levels and how to access services, call 705-324-9411 extension 4000 or visit www.kawarthalakes.ca/covid19.

David Harding

From: Charlotte Crockford-Toomey
Sent: Tuesday, September 8, 2020 2:02 PM
To: David Harding
Subject: FW: D20-2020-019

Fyi

Charlotte Crockford-Toomey

Administrative Assistant
Planning Department, City of Kawartha Lakes
705-324-9411 ext. 1231 www.kawarthalakes.ca



Due to COVID-19, all City Municipal buildings are closed to the public and some service levels have been affected. For COVID-19 information including service levels and how to access services, please call 705-324-9411 extension 4000 or visit www.kawarthalakes.ca/covid19

From: Derryk Wolven <dwolven@kawarthalakes.ca>
Sent: Tuesday, September 8, 2020 1:59 PM
To: Charlotte Crockford-Toomey <ccrockford-toomey@kawarthalakes.ca>
Subject: D20-2020-019

Building Division has no concerns with the above noted application.

Derryk Wolven, CBCO

Plans Examiner
Development Services, Building Division, City of Kawartha Lakes
705-324-9411 ext. 1273 www.kawarthalakes.ca



The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Lisa Selke
Report Number COA2020-026

Public Meeting

Meeting Date: September 17, 2020
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 8 –Geographic Township of Emily

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

1. Section 12.2.1.3(e) to reduce the minimum water setback from 30 metres to 16.4 metres in order to permit an addition to a single detached dwelling; and
2. Section 3.1.2.1 to permit a shed within the front yard whereas an interior side or rear yard location is currently permitted.

The variances are requested at 95 Kenedon Drive, geographic Township of Emily (File D20-2020-022).

Author: David Harding, Planner II, RPP, MCIP

Signature:



Recommendations:

Resolved That Report COA2020-026 Lisa Selke, be received;

That minor variance application D20-2020-022 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **That** the building construction of the dwelling and shed 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 COA2020-026, 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 COA2020-026. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: To construct an addition to the one storey single detached dwelling and permit a shed within the front yard.
This application was last amended August 27, 2020.

Proposal: To permit an approximately 36.7 square metre (395 square feet) addition to the dwelling. Approximately 18.2 square metres (195 square feet) will be for a seasonal sunroom, with the remaining 18.5 square metres (199.2 square feet) for a bedroom.
To recognize an accessory building (shed) within the front yard.

Owner: Lisa Selke

Legal Description: Lot 14, Plan 6, geographic Township of Emily, City of Kawartha Lakes

Official Plan: Waterfront within the City of Kawartha Lakes Official Plan (2012)

Zone: Rural Residential Type Three (RR3) Zone within the Township of Emily Zoning By-law 1996-30

Site Size: 1,687 square metres (0.42 acres)

Site Servicing: Private individual well and septic system

Existing Uses: Shoreline Residential

Adjacent Uses: North, South: Shoreline Residential
East: Shoreline Residential (Second Tier)
West: Pigeon River

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 west side of Pigeon Lake where it transitions into Pigeon River.

The addition is proposed to the south of the existing dwelling. While the addition is not in-line with the existing west wall, it is proposed to be no closer to the shoreline than the existing dwelling. The slight offset of the addition will allow

access from the sunroom, with the assistance of a new ground-level deck, to the greater deck structure to on north and west of the dwelling.

The addition is a single-storey and proposes a more intensive use of a very wide interior side yard.

The shed is proposed within the front yard. It is set well back from the road, is to the side of the dwelling, and is set into some vegetation that runs near the south lot line. Due to the combination of these site factors, the shed is not very visible from the road. Sheds provide for the storage of items that are not easily stored within the house. As the property does not contain a garage, there are no other buildings on the property that can currently store these items. It is therefore appropriate to permit a storage building on the property.

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

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

The property is zoned Rural Residential Type Three (RR3) Zone within the Township of Emily Zoning By-law 1996-30.

The intent of the water setback is to provide sufficient spatial separation between the shoreline and built form to protect the ecological integrity of the lake. The separation provides space for the establishment of vegetation to provide functions such as stormwater infiltration and attenuation, and provision of habitat.

The intent of relegating accessory buildings to interior side or rear yards is to ensure accessory uses are not the primary use within the front yard. Due to the location of and the screening of the shed, the dwelling visually remains the primary use on the property.

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

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

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

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

Other Alternatives Considered:

As a result of the pre-screening process, the depth and location of the screened porch was altered to provide an increased water setback.

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:

Building Division (September 8, 2020): No concerns.

Kawartha Region Conservation Authority (September 4, 2020): No concerns.

Public Comments:

No comments received as of September 8, 2020.

Attachments:



Appendices A-E to
Report COA2020-026

Appendix A – Location Map

Appendix B – Aerial Photo

Appendix C – Applicant's Sketch

Appendix D – Applicant's Elevations

Appendix E – Department and Agency Comments

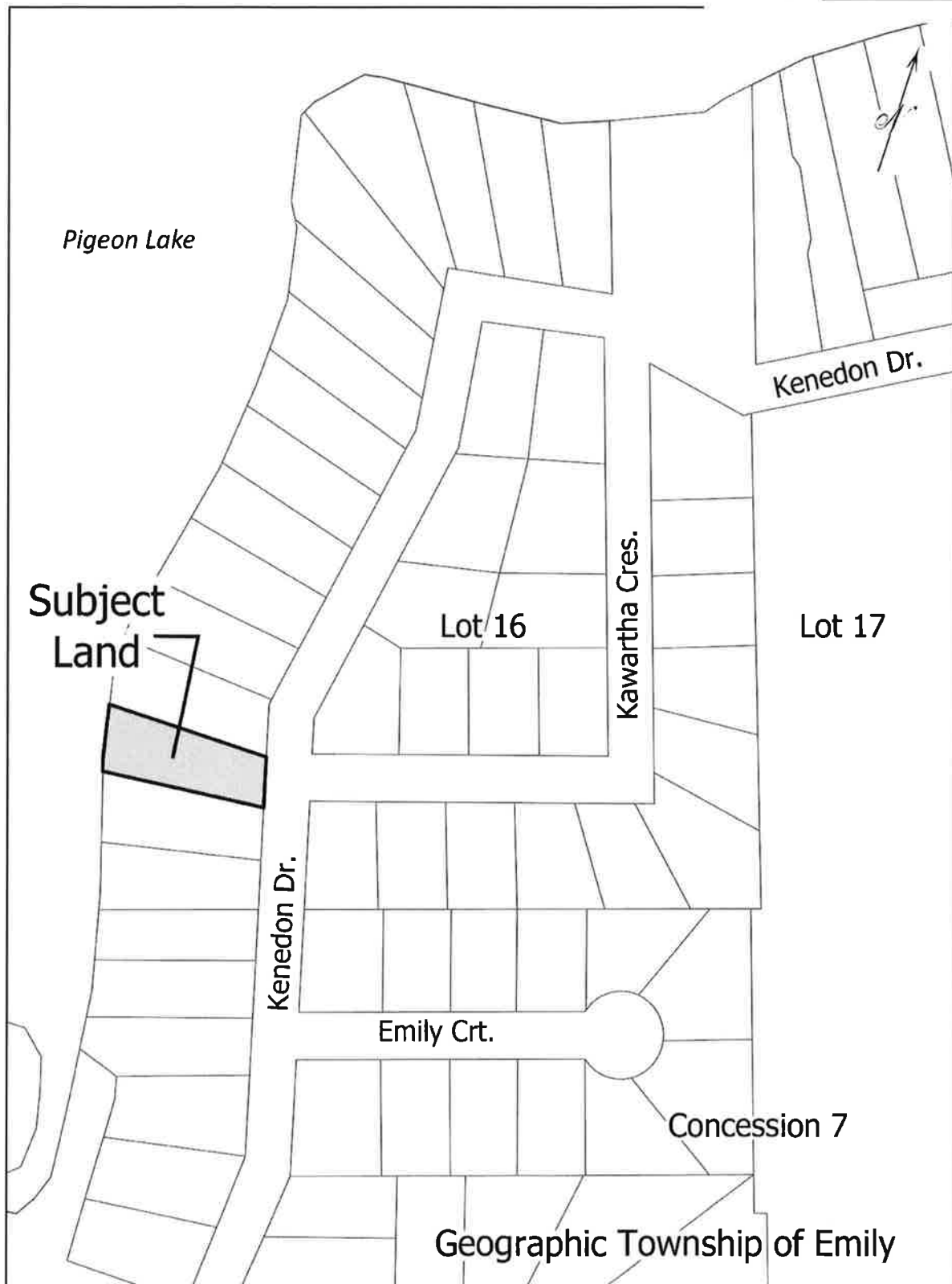
Phone:	705-324-9411 extension 1206
E-Mail:	dharding@kawarthalakes.ca
Department Head:	Chris Marshall, Director of Development Services
Department File:	D20-2020-022

to

REPORT COA2020-026

FILE NO: D20-2020-022

D20-2020-022



95 Kenedon Drive, Geographic Township of Emily



0.06

Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes



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APPENDIX " B "
to
REPORT COA2020-026
FILE NO: D20-2020-022

to
REPORT COA2020-026
FILE NO: D20-2020-022

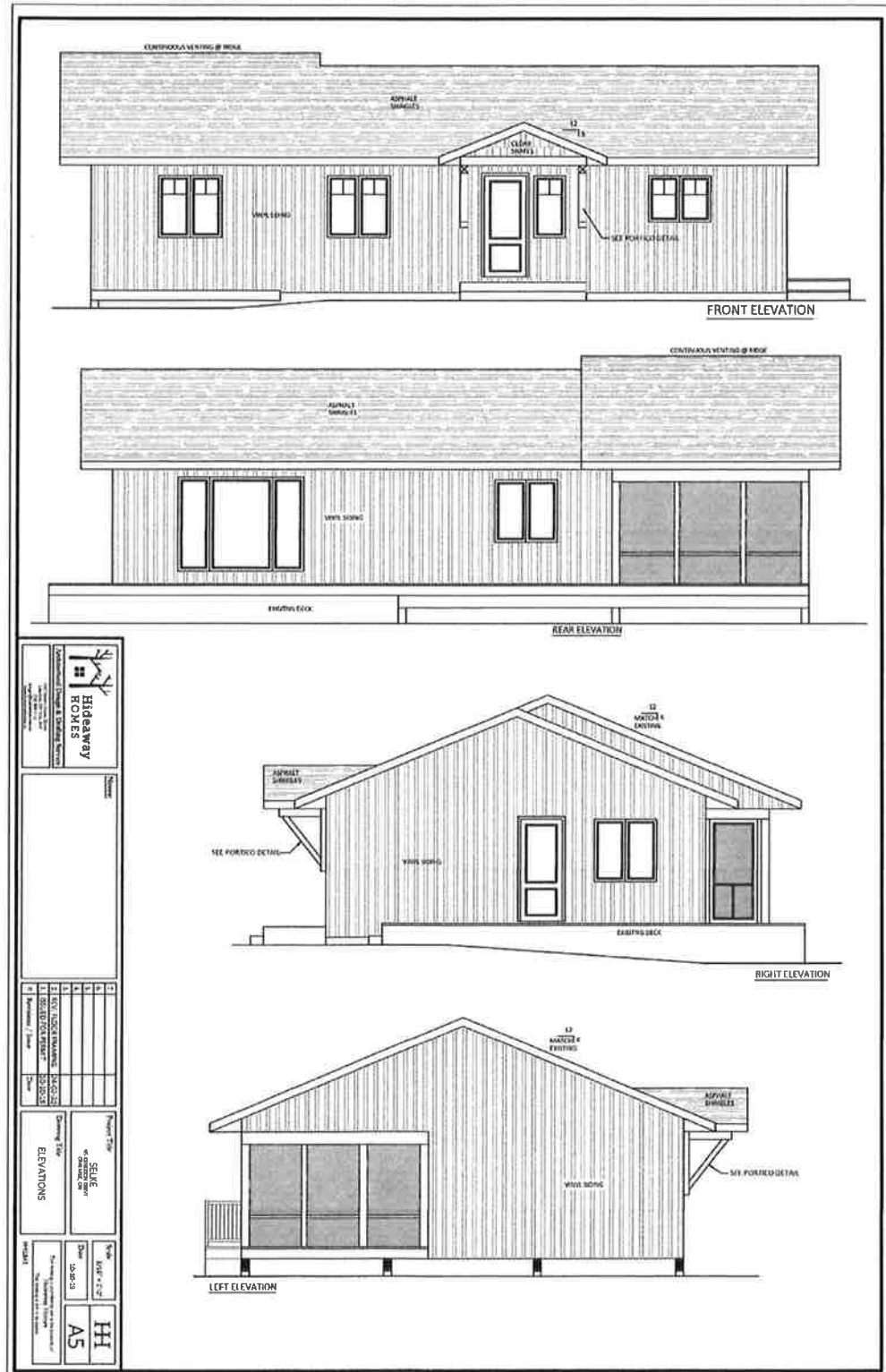


APPENDIX “ D ”

to

REPORT COA2020-026

FILE NO: D20-2020-022



APPENDIX " E "
to

REPORT COA2020-026

FILE NO. D20-2020-022

KRCA File NO: PPLK-10229

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

**Regarding: Minor Variance Application
D20-2020-022
95 Kenedon Dr, Omemee
Lisa Selke/Holly Richards Conley**

Kawartha Conservation has completed review of the above noted Minor Variance Application, submitted by Holly Richards Conley on behalf of Lisa Selke. 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 D20-2020-022 is to:

- Reduce the water setback from 30 metres to 16.4 metres for a proposed addition and screened porch, and
- To permit an existing shed within the front yard.

Site Characteristics:

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

Natural Heritage Features:

- Pigeon Lake/Fish Habitat. Kawartha Conservation regulates the shoreline of Pigeon Lake and 15 metres from the high water mark.

Natural Hazards:

Potential for flooding due to proximity to Pigeon Lake.

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

Water Resources:

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

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.

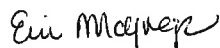
Recommendation:

Kawartha Conservation has no objection to the approval of Minor Variance Application D20-2020-022 based on our consideration for Natural Heritage, Watershed Management, and Natural Hazards, and it is our opinion that the proposal complies with Section 3.1 of the Provincial Policy Statement (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
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



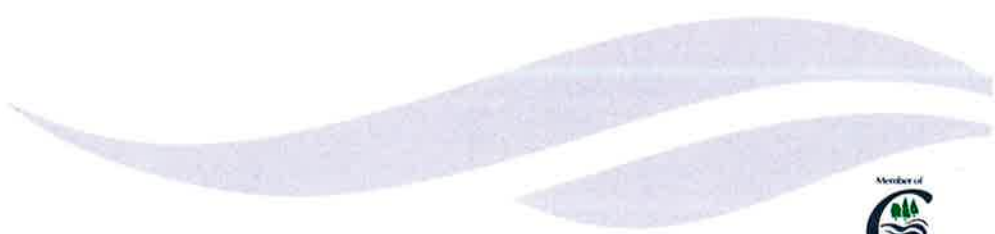
Kawartha Conservation

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

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: Charlotte Crockford-Toomey
Sent: Tuesday, September 8, 2020 2:02 PM
To: David Harding
Subject: FW: D20-2020-022

fyi

Charlotte Crockford-Toomey

Administrative Assistant
Planning Department, City of Kawartha Lakes
705-324-9411 ext. 1231 www.kawarthalakes.ca



Due to COVID-19, all City Municipal buildings are closed to the public and some service levels have been affected. For COVID-19 information including service levels and how to access services, please call 705-324-9411 extension 4000 or visit www.kawarthalakes.ca/covid19

From: Derryk Wolven
Sent: Tuesday, September 8, 2020 1:59 PM
To: Charlotte Crockford-Toomey
Subject: D20-2020-022

Building Division has no concerns with the above noted application.

Derryk Wolven, CBCO

Plans Examiner
Development Services, Building Division, City of Kawartha Lakes
705-324-9411 ext. 1273 www.kawarthalakes.ca



The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Marty Sheehey
Report Number COA2020-027

Public Meeting

Meeting Date: September 17, 2020
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 2 –Geographic Township of Somerville

Subject: The purpose and effect is to request relief from the following zone provisions in order to construct a single detached dwelling on the property:

1. Section 3.3.6(a) to reduce the minimum lot area from 1,100 square metres to 815 square metres; and
2. Section 3.2(i) to decrease the minimum dwelling unit floor area from 60 square metres to 57.4 square metres.

The variances are requested at Lot 10, Plan 104, geographic Township of Somerville (File D20-2020-023).

Author: David Harding, Planner II, RPP, MCIP

Signature: 

Recommendations:

Resolved That Report COA2020-027, be received;

That minor variance application D20-2020-023 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 COA2020-023, 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 COA2020-027. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: The applicant proposes to construct a slightly undersized dwelling on the undersized property.

The property underwent a site-specific zoning by-law amendment process in 1993 (file P06-34-085), which changed the zone category from open space (now known as environmental protection) to its present zone category. However, the incorrect area was represented.

This application was deemed complete July 10, 2020.

Proposal: To recognize the size of the lot and to permit a one storey dwelling with a 57.4 square metre footprint.

Owner: Marty Sheehey

Legal Description: Lot 10, Plan 104 geographic Township of Somerville, City of Kawartha Lakes

Official Plan: Hamlet Settlement Area within the City of Kawartha Lakes Official Plan (2012)

Zone: Rural Residential Type Two (RR2-6) Zone within the Township of Somerville Zoning By-law 78-45

Site Size: 815.2 square metres (8,774.7 square feet)

Site Servicing: Private individual well and septic system

Existing Uses: Vacant Land

Adjacent Uses: North, South: Residential
East: Residential, Community Facility (Library/Firehall)
West: Victoria Rail Trail, Forest, Wetland

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 within the hamlet of Burnt River. The hamlet has a very linear built form, with the majority of the development occurring along Burnt River Road. The approximate geographic centre of this linear form is the Victoria Rail Trail. The subject property is triangular in shape, abutting the rail trail to the northwest. The dwelling is proposed on the southernmost portion of the property where there is the most depth to the triangle shape.

There are dwellings near the subject property that are modestly sized. Therefore, the proposal is in keeping with the built form established by some of the other dwellings within the area.

The applicant has submitted a design to provide well water and septic system service to the lot. The variances, if granted, will facilitate the development of the property and help urbanize this central section of the hamlet.

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 Two Exception Six (RR2-6) Zone within the Township of Somerville Zoning By-law 78-45.

The zone category establishes a minimum lot size anticipated to adequately service proposed residential development. Provided the Building Division-Part 8 Sewage Systems has no concerns with the proposed servicing, the lot is sufficiently sized to service the built form proposed.

The intent of the minimum dwelling unit size provision is likely to ensure minimum consistency in the appearance of built residential form within neighbourhoods, and to ensure there is sufficient habitable space for a dwelling's occupants. In this case there are other modestly-sized dwellings within the vicinity, so there is no adverse impact with respect to the overall neighbourhood appearance.

Further, the dwelling is undersized by approximately 2.6 square metres. Staff have observed a house which has been placed on temporary supports on the property, and believe this to be the proposed dwelling the variance seeks to permit. Adding an additional 2.6 square metres to this dwelling or to the footprint proposed will not perceptibly increase the mass of the dwelling.

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

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

Yes

The property is designated Hamlet Settlement Area within the City of Kawartha Lakes Official Plan. Low density residential uses, along with accessory uses, are anticipated within this designation. Infill development is encouraged, and character is identified as an extremely important item when considering new development. The proposal will facilitate infill within hamlet, and is in keeping with the sizes established by some of the other dwellings in the area.

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 proposed to be 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 the following agencies:

Agency Comments:

Building Division (September 8, 2020): No concerns.

Public Comments:

No comments as of September 8, 2020.

Attachments:



Appendices A-D to
Report COA2020-02

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

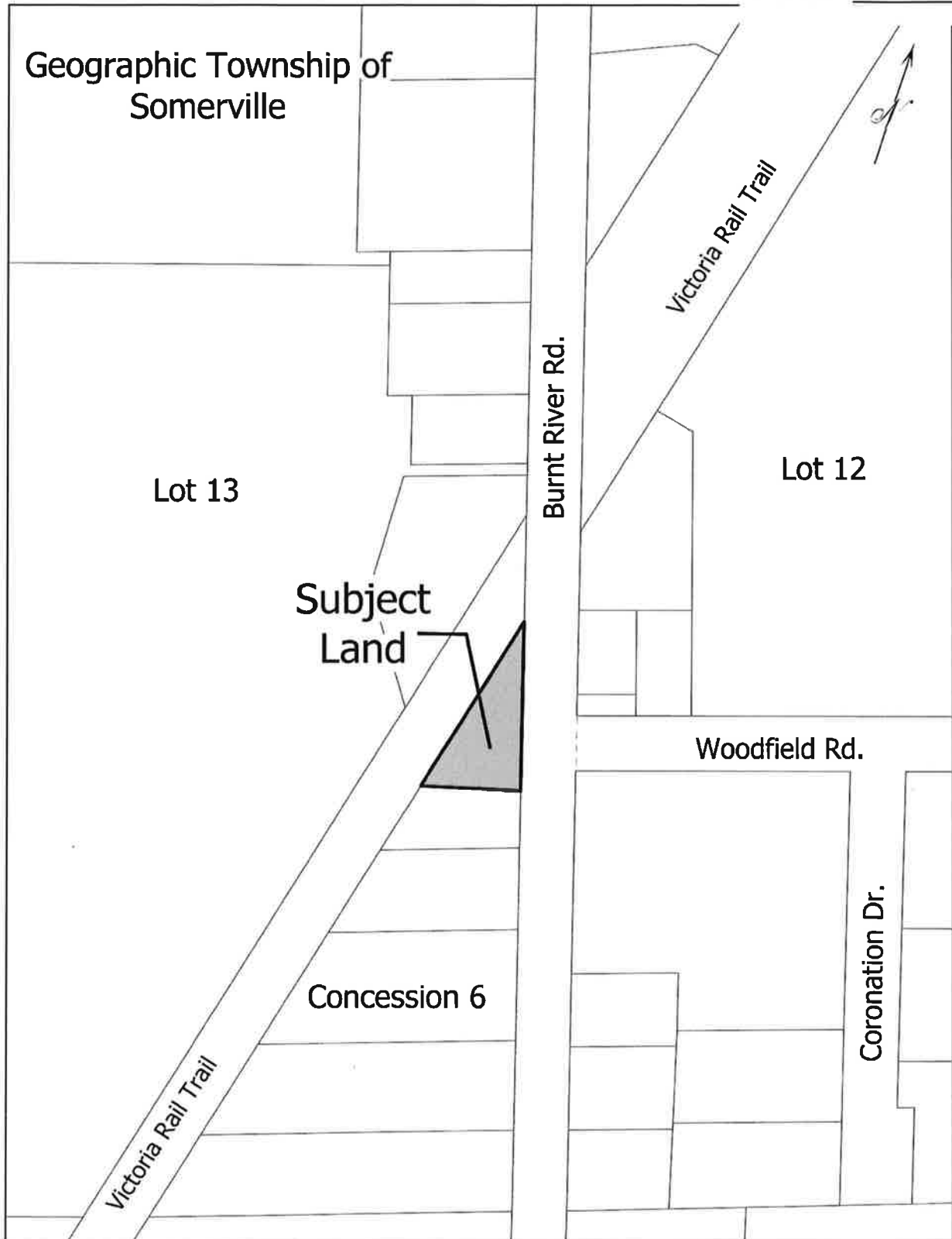
Phone:	705-324-9411 extension 1206
E-Mail:	dharding@kawarthalakes.ca
Department Head:	Chris Marshall, Director of Development Services
Department File:	D20-2020-023

to

REPORT COA2020-027

FILE NO: D20-2020-023

D20-2020-023



Burnt River Road, Part of Lot 13, Concession 6, Geographic Township of Somerville



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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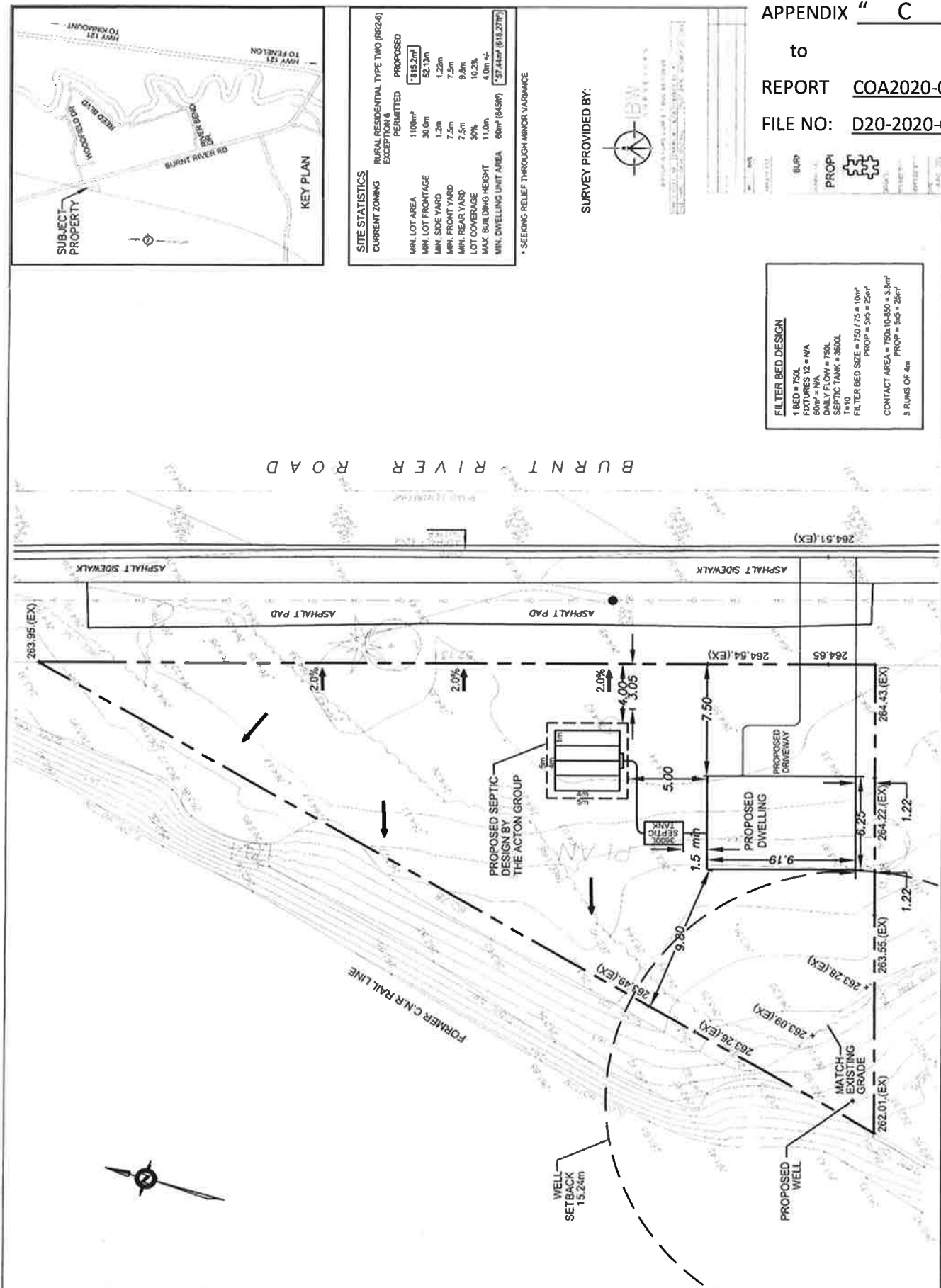
APPENDIX " B "
to
REPORT COA2020-027
FILE NO: D20-2020-023

APPENDIX " C "

to

REPORT COA2020-027

FILE NO: D20-2020-023



David Harding

From: Charlotte Crockford-Toomey
Sent: Tuesday, September 8, 2020 2:03 PM
To: David Harding
Subject: FW: D20-2020-023

APPENDIX " D "
to
REPORT COA 2020 - 027
FILE NO. D20-2020-023

fyi

Charlotte Crockford-Toomey

Administrative Assistant
Planning Department, City of Kawartha Lakes
705-324-9411 ext. 1231 www.kawarthalakes.ca



Due to COVID-19, all City Municipal buildings are closed to the public and some service levels have been affected. For COVID-19 information including service levels and how to access services, please call 705-324-9411 extension 4000 or visit www.kawarthalakes.ca/covid19

From: Derryk Wolven <dwolven@kawarthalakes.ca>
Sent: Tuesday, September 8, 2020 1:59 PM
To: Charlotte Crockford-Toomey <ccrockford-toomey@kawarthalakes.ca>
Subject: D20-2020-023

Building Division has no concerns with the above noted application.

Derryk Wolven, CBCO

Plans Examiner
Development Services, Building Division, City of Kawartha Lakes
705-324-9411 ext. 1273 www.kawarthalakes.ca



The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Brown and Gilliland
Report Number COA2020-029

Public Meeting

Meeting Date: September 17, 2020
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 8 – Geographic Township of Manvers

Subject: The purpose and effect of the application is to request relief from:

1. Section 5.1b) i) to reduce the side yard setback for an accessory building (detached garage) greater in size than 60 square metres from 6 metres to 1.6 metres;
2. Section 5.1b) iii) to reduce the setbacks for a garage accessory to a residential use from 15 metres to the front lot line to 10.68 metres and from 6 metres to the side lot line to 1.6 metres; and
3. Section 5.1b) iv) to reduce the side yard setback for an accessory building (garage), which exceeds 4.3 metres in height, from 6 metres to 1.6 metres.

The variance is requested at 231 Corbett Drive, geographic Township of Manvers (File D20-2020-025).

Author: Kent Stainton, Planner II

Signature:



Recommendations:

Resolved That Report COA2020-029, be received;

That minor variance application D20-2020-025 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 sketches in Appendices C - E submitted as part of Report COA2020-029, 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; and

- 3) **THAT** prior to the request for final Building Inspection, the owner shall confirm to the Secretary-Treasurer, that the portable shelter located to the northwest of the existing dwelling has been removed.

This approval pertains to the application as described in report COA2020-029. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background:	This application proposes to construct a 80.74 square metre (869.08 square feet) detached garage beside the existing single detached bungalow. An existing shed and breezeway from the dwelling unit will be demolished in order to accommodate the garage. The application was deemed complete on August 16, 2020	
Proposal:	The proposal involves the construction of a new 80.74 square metre (869.08 square feet) detached garage.	
Owner:	James Brown and Nicole Gilliland	
Legal Description:	231 Corbett Drive, Part Lot 11, Concession 3, Lot 31, Plan 9M-725, geographic Township of Manvers, City of Kawartha Lakes	
Official Plan:	Rural Settlement - City of Kawartha Lakes Oak Ridges Moraine Policy Area	
Zone:	Rural Residential Type One (RR1) Zone – Oak Ridges Moraine Zoning By-law 2005-133	
Site Size:	1,670.90 square metres (17,985.42 square feet)	
Site Servicing:	Private individual sewage system and municipal water supply	
Existing Uses:	Residential	
Adjacent Uses:	North:	Rural Residential
	East, South, West:	Residential

Rationale:

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

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

The subject property is situated in a residential subdivision north of Pontypool. Based on MPAC data, the homes were built in the mid 1980s and reside on modest sized lots. Side split dwelling configurations dominate the design within

modest sized lots. Side split dwelling configurations dominate the design within the neighbourhood. Noteworthy is the fact that the majority of the homes along Corbett Drive are similarly constructed with either attached garages or garages connected via breezeways to the dwellings. The proposed detached garage would emulate both the location and designs occurring along Corbett Drive.

The subject property abuts two nearly identical parcels to the east and west sides; both containing single detached dwellings. To the north, the property drops off considerably with a vegetative bluff dropping down to a larger rural residential lot to the north that fronts onto Telecom Road. The eastern lot boundary including the lot line from the terminus of the proposed garage to the street contains a well established hedge and shrubs that effectively screen the garage from the neighbouring property and the road if traveling from the east. A wooden fence along the property line also provides a spatial barrier. Since there are no windows on the western side of the neighbouring dwelling and no structures along the western side yard of the neighbouring property, no adverse massing or accessibility impacts are anticipated through locating the garage in the eastern interior side yard. The shed currently occupying a portion of the proposed location of the garage has an established presence that the detached garage will replace.

The location of the existing septic system to the north of the proposed garage prohibits the footprint from being set back further from Corbett Drive. Through eliminating the breezeway, access to the rear yard will be maintained between the dwelling and the detached garage with the western interior side yard remaining open for any required maintenance access to the north of the dwelling unit. Rear yard amenity space is also preserved, which is imperative given how shallow the space is before the grade transitions into a considerable slope. The increased lot coverage as a result of the garage does not impair the area of available amenity space or the appearance of the property.

It is anticipated that the garage 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 either the rear yard or the front yard. The proposed height of the garage will match the elevation of the side split portion of the dwelling unit. Once again, the garage will blend in with the design and location of the other garages along Corbett Drive.

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 One (RR1) Zone" within the Oak Ridges Moraine Zoning By-law 2005-133.

The intent of the zoning by-law is to relegate accessory uses to the interior side or rear yard, and maintain sufficient spatial separation between accessory uses and interior side lot lines. While the zoning by-law requires a minimum side yard

setback of 6 metres for both an accessory building that is greater than 60 square metres and exceeds 4.3 metres in height (garage proposed is 4.87 metres high), the 1.6 metre side yard setback leaves adequate space between the proposed building and the side lot line for maintenance and drainage purposes. The proposal also maintains a 1.5 metre setback from the dwelling unit, which exceeds the required 1.3 metre setback and maintains accessibility to the rear yard. The presence of the mature vegetative screening along the eastern side lot line greatly assists in ensuring no massing or land use incompatibilities arise from the size of the garage, as the building is adequately screened from both the neighbouring property and Corbett Drive.

It is important to note that a temporary storage structure located adjacent to the dwelling near the western property line was found when conducting the site inspection. The small coverall structure currently houses items that will be relocated to the detached garage upon the completion of construction. A condition is recommended in order to confirm removal of the structure upon the final inspection of the garage.

Another intent of the location provision is to ensure accessory buildings and uses do not dominate the streetscape. While the zoning by-law requires a minimum front yard setback of 15 metres, the proposed garage set back of 10.68 metres from the front property line will be imperceptible and follow the established building line of the adjacent lots, representing no greater encroachment into the front yard setback than the adjacent development has established. All existing front yard space is preserved with no visual impedance created by the garage.

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

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

The property is designated "Rural Settlement" within the City of Kawartha Lakes Oak Ridges Moraine Policy Area of the City of Kawartha Lakes Official Plan. The designation permits residential uses and associated accessory structures.

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

Other Alternatives Considered:

Servicing Comments: The property is serviced by municipal water and private septic systems. The proposed accessory use will not be connected to water or septic facilities.

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 (September 8, 2020): No Concerns

Public Comments: No comments have been received as of September 9, 2020.

Attachments:



Appendices A-F for
Report COA2020-02'

Appendix A – Location Map
Appendix B – Aerial Photo
Appendix C – Applicant's Sketch
Appendix D – Elevation Drawings (North and South)
Appendix E – Elevation Drawings (East and West)
Appendix F – 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:	D20-2020-025

D20-2020-025

APPENDIX " A "

to

REPORT COA2020-029

FILE NO: D20-2020-025



231 Corbett Drive, Geographic Township of Manvers



0.11 Kilometers
WGS_1984_Web_Mercator_Auxiliary_Sphere
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Legend

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

Notes

Notes

REPORT COA2020-029
FILE NO: D20-2020-025

APPENDIX " B "

8/10/2020

survey.JPG

APPENDIX " C "

ON LOT 31, PLAN 9M-725
TOWNSHIP OF MANVERS
COUNTY OF VICTORIA
(FORMERLY COUNTY OF DURHAM)
SCALE 1:300 METRES

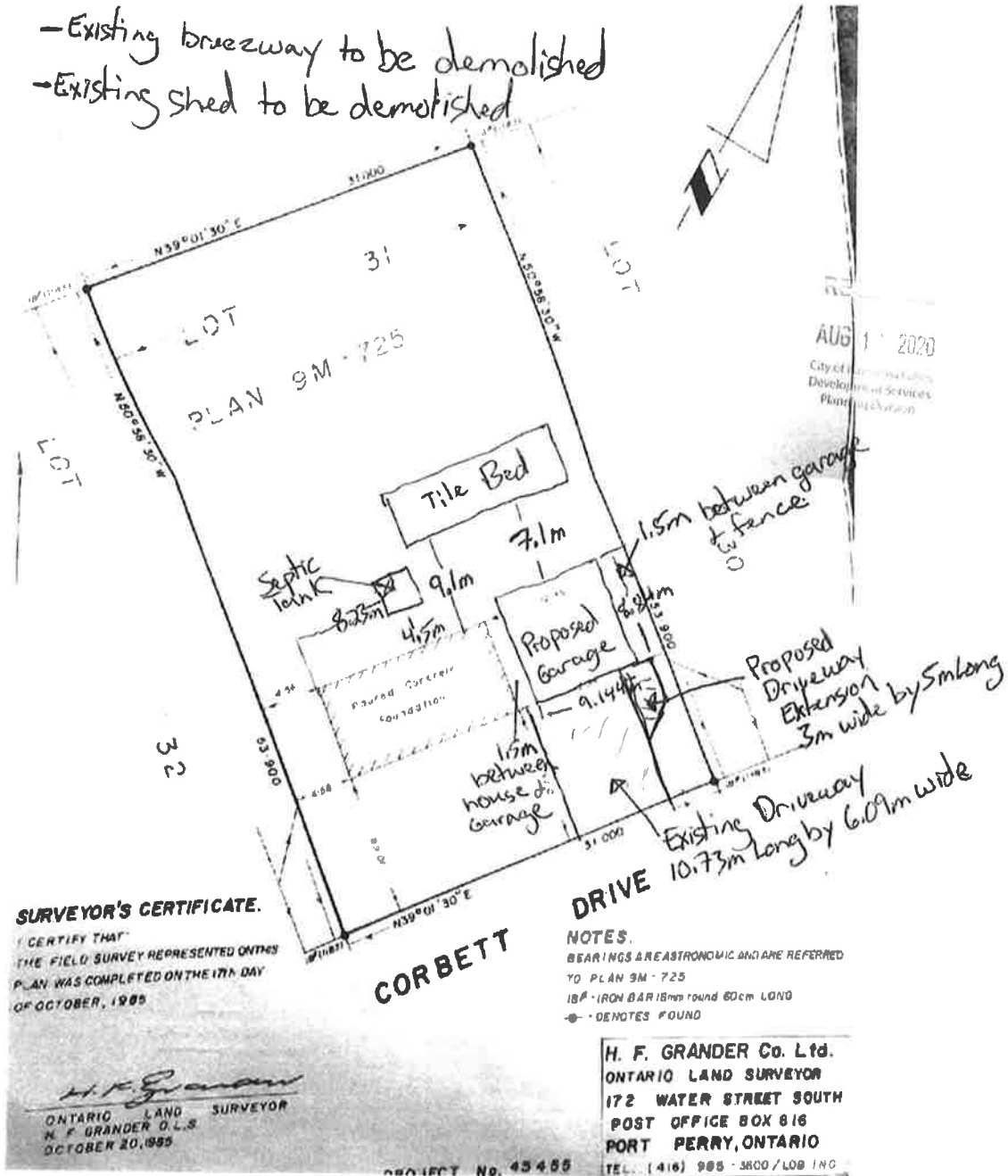
TO BE SET BY DIVIDING BY

to

REPORT COA2020-029

FILE NO: D20-2020-025

- Existing breezeway to be demolished
- Existing shed to be demolished



<https://mail.google.com/mail/u/0/#inbox?projector=1>

1/1

Proposed Garage S.C.

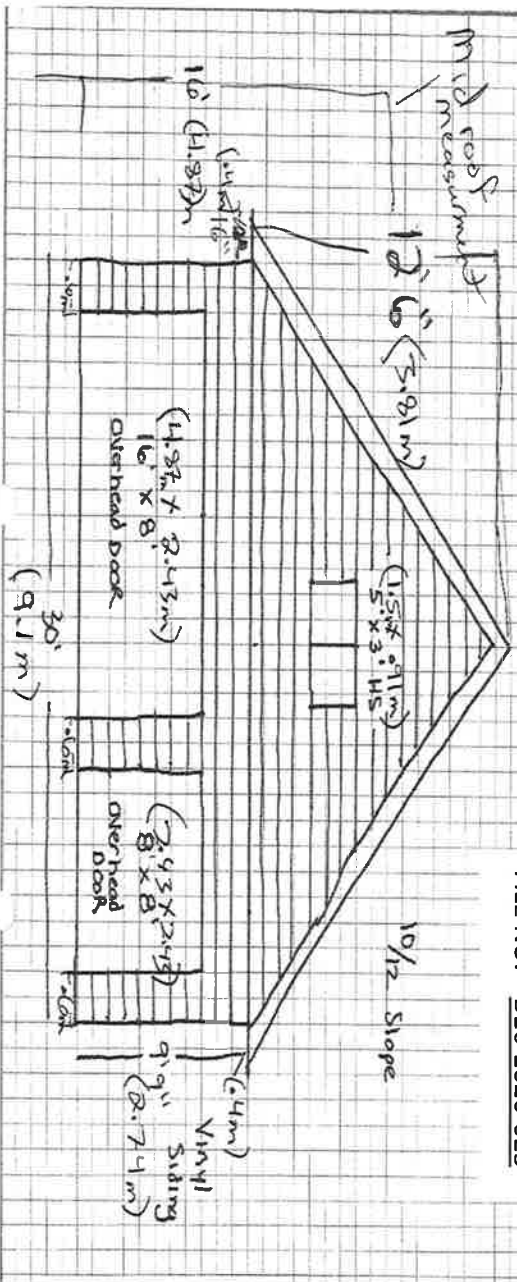
APPENDIX " D "

Dr. Fox

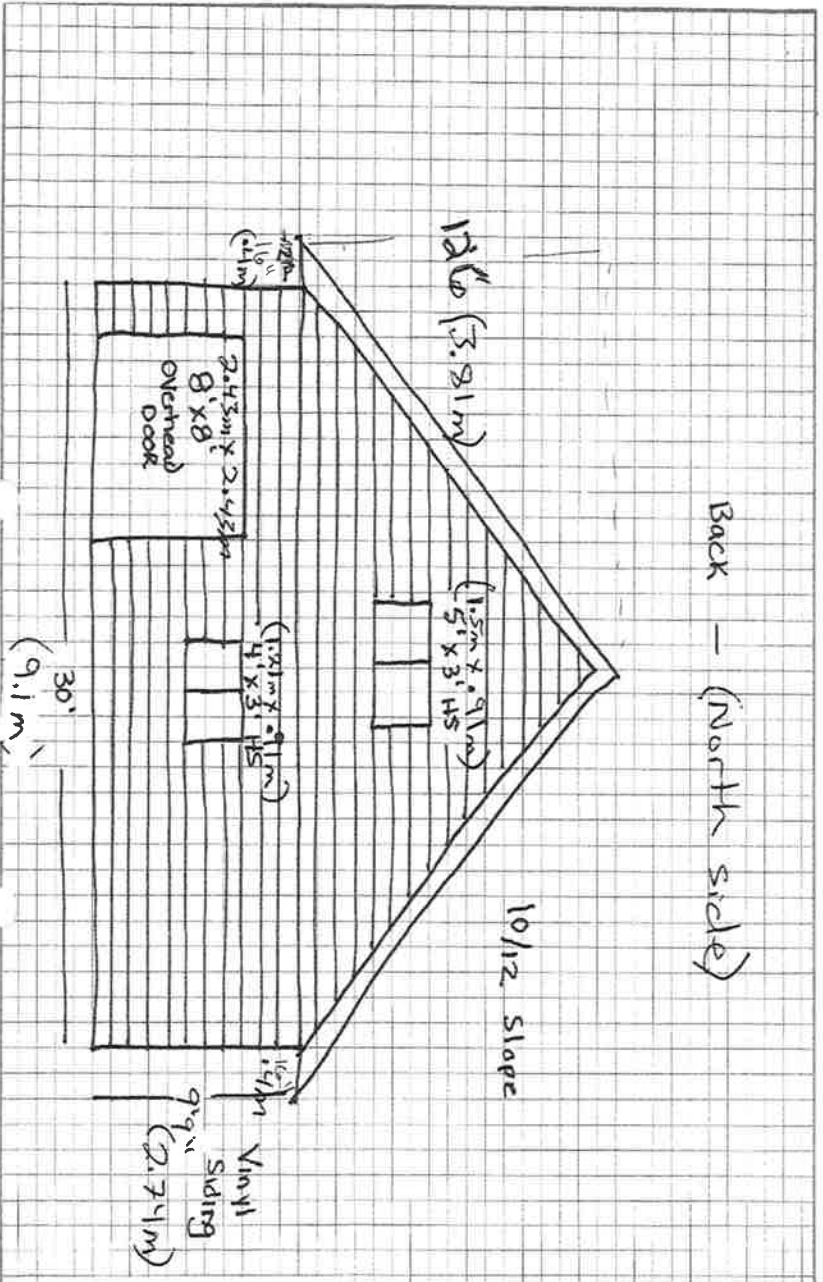
FRONT - South

REPORT COA2020-029

FILE NO: D20-2020-025



Back - (North side)

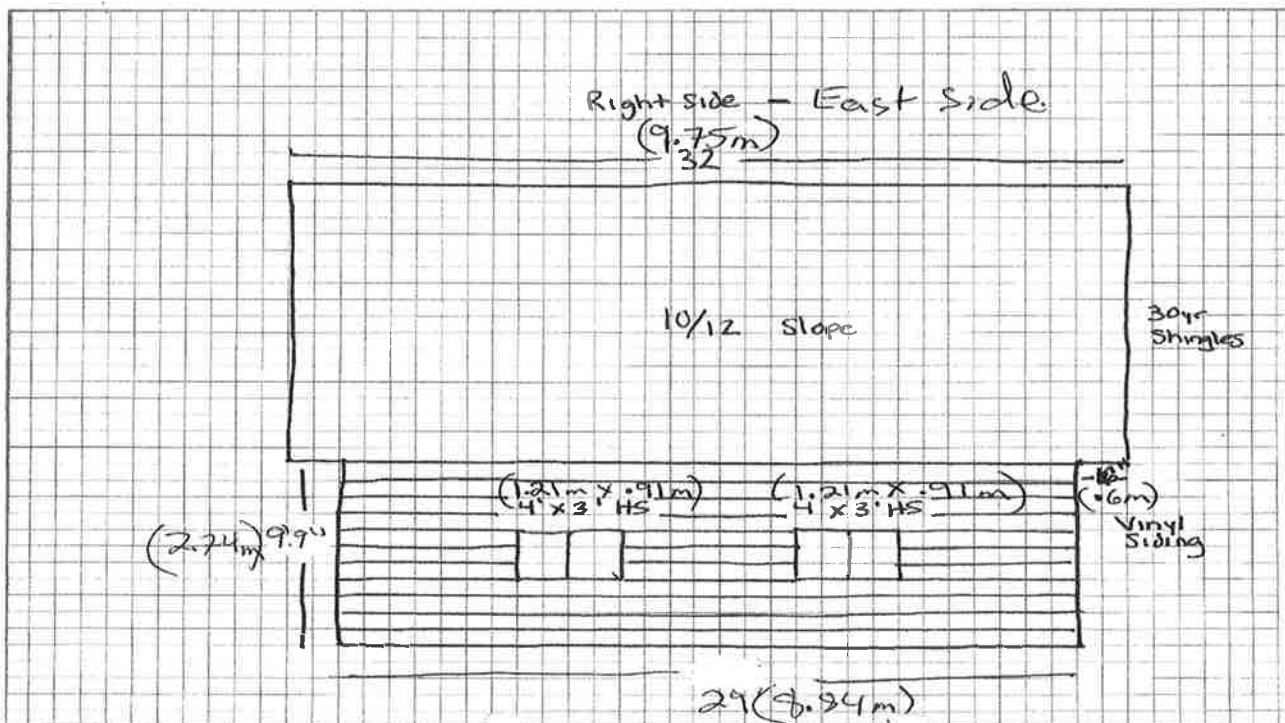
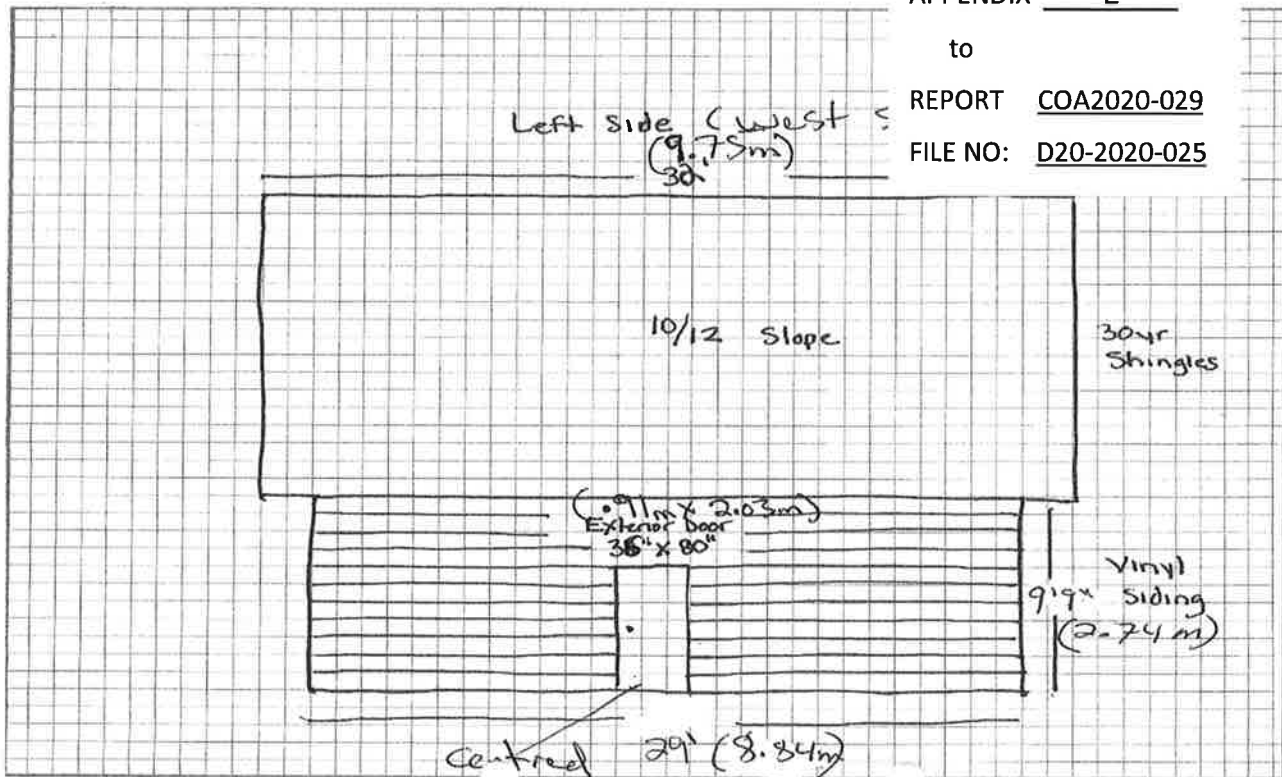


APPENDIX " E "

to

REPORT COA2020-029

FILE NO: D20-2020-025



Kent Stainton

From: Derryk Wolven
Sent: Tuesday, September 8, 2020 2:00 PM
To: Charlotte Crockford-Toomey
Subject: D20-2020-025

APPENDIX " F "
to

Follow Up Flag: Follow up
Flag Status: Flagged

REPORT COA2020-029

FILE NO. D20-2020-025

Building Division has no concerns with the above noted application.

Derryk Wolven, CBCO

Plans Examiner

Development Services, Building Division, City of Kawartha Lakes

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



The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – John and Susan Cook
Report Number COA2020-030

Public Meeting

Meeting Date: September 17, 2020
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 2 – Geographic Township of Somerville

Subject: The purpose and effect is to request relief from the following provisions in order to permit an addition to a single detached dwelling and permit an accessory building (shed):

Single Detached Dwelling Addition:

1. Sections 5.2(f) and 18.23(a) to reduce the minimum water setback from 15 metres to 10 metres,
2. Section 18.1.4(a)(i) to increase the maximum projection of a cantilevered floor area from 0.6 metre to 1 metre,

Shed:

3. Section 18.1.2(a) to permit an accessory building (shed) within the front yard; and
4. Section 5.2(c) to reduce the minimum front yard setback from 7.5 metres to 2.5 metres

The variances are requested at 152 Island Drive, geographic Township of Somerville (File D20-2020-026).

Author: David Harding, Planner II, RPP, MCIP

Signature:



Recommendations:

Resolved That Report COA2020-030, Cook be received;

That minor variance application D20-2020-026 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 drawings and plans in Appendices D and E submitted as part of Report COA2020-030, which shall be attached to and form part of the Committee's Decision;

- 2) **That** the west face of the southerly one-storey dwelling addition not extend west beyond the projection line of the east face of the existing dwelling as illustrated on Appendices D2 and E1;
- 3) **That** roof drainage from the additions be directed to discharge on the east side of the building;
- 4) **That** the foundation for at least the addition section south of the entry area be of a pier system that remains open on the sides;
- 5) **That** the Owner submit to the City of Kawartha Lakes and Kawartha Region Conservation Authority a tree location plan, prepared by an Ontario Land Surveyor or other qualified person, that identifies all existing trees greater than 10 centimetres d.b.h. (diameter at breast height) and indicate which trees are to be removed as a result of the proposed development. The plan will be prepared to the satisfaction of the KRCA and the Building Division be advised prior to issuance of a building permit;
- 6) **That** the Owner submit to the City of Kawartha Lakes and Kawartha Region Conservation Authority a site restoration plan. The plan will be prepared to the satisfaction of the KRCA and the Building Division be advised prior to issuance of a building permit;
- 7) **That** the Owner submit to the Secretary-Treasurer confirmation from Hydro One Networks Incorporated that the overhead hydro conductor clearances over the proposed building is/will be adequate prior to the issuance of a building permit; and
- 8) **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 COA2020-030. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: The Committee of Adjustment previously considered this application at its March 15, 2018 meeting under file number D20-17-049. The approval lapsed, and the applicant has re-applied. All of the conditions incorporated at that time are being proposed now, save the condition requiring that a surveyor confirm the location of the shed, as this was provided.

The application was deemed complete July 24, 2020.

Proposal: To permit an addition to the single detached dwelling and permit the existing shed near the front lot line. The addition will have two components: a two-storey 25.8 square metre (277.7 square feet) addition abutting the east side of the existing two-storey dwelling, and a one storey 51.8 square metre (557.6

square feet) addition extending south from the two-storey addition. The existing dwelling has a gross floor area of 103.3 square metres. The one-storey addition is proposed on piers. The floor is proposed to be cantilevered a maximum of 1 metre beyond the piers, resulting in the building face being 9 metres from the highwater mark.

The 8.75 square metre shed was constructed in 2005 (approximately), thus is required to comply with the Zoning By-law. This section of Island Drive is an unassumed road that is privately maintained. The registered plan identifies a 20.1 metre road allowance being the frontage for this property on Island N.

This application was deemed complete July 24, 2020.

Owners: John and Susan Cook

Applicant: Tom deBoer – TD Consulting Inc.

Legal Description: Island N, Four Mile Lake, Lot 5, Plan 453, geographic Township of Somerville, City of Kawartha Lakes

Official Plan: Waterfront within the City of Kawartha Lakes Official Plan (2012)

Zone: “Limited Service Residential (LSR) Zone” – Township of Somerville Zoning By-law 78-45

Site Size: 1,424.8 square metres (0.35 acres)

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

Existing Uses: Shoreline Residential

Adjacent Uses: North, West: Four Mile Lake
South, East: Shoreline Residential

Rationale: The foundation of the one-storey addition will be comprised of piers, thus the yard setbacks are measured from the piers

1) Are the variances minor in nature? Yes

This property was created in 1967 by Registered Plan and the existing dwelling constructed in 1969 prior to the Zoning By-law coming into effect. The subdivision appears to be primarily composed of seasonal dwellings. The property is located near the northernmost end of an island within Four Mile Lake. The lot is long and narrow and somewhat pie-shaped owing to the irregular shoreline on its northwestern side.

Most of the existing dwelling is within the 15 metre minimum water setback on a high point of rock on the property. The land slopes steeply down to water level

about 3 metres from the south and west sides of the dwelling. There are limited opportunities to locate an addition on the property 15 metres from the highwater mark due to topography, existing hydro lines, and the irregular shoreline.

The applicant is proposing that the addition be attached to the east face of the dwelling, which is 12 metres from the highwater mark on the southeast corner. Due to the above-noted lot constraints, the south-west corner of the addition foundation is proposed to be 10 metres from the high water mark, with the cantilevered west face of the addition being in-line with east face of the existing dwelling.

Island Drive ends at the subject property, with one property having access beyond the subject property. The existing dwelling is set considerably back from the front lot line as will be the addition. The required yard is measured from the location of the addition to the front lot line. The shed location is not anticipated to adversely affect use of the road allowance, nor the easement for right-of-way providing access to 154 Island Drive.

Based on the above analysis, the variances are minor in nature.

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

The location of the addition has been sited to have the least impact on the neighbours. Total lot coverage will be 9.9%, which is under the permitted maximum 35%. However, the building as a whole will reduce the natural functions, such as rain water infiltration and habitat, currently provided by the site as a result of increased lot coverage in the water setback area. The applicant will be removing trees for the new building; however the intention is to retain trees on the remainder of the lot.

The addition follows the east face of the existing dwelling and will not venture beyond this projection line. To mitigate the changes to infiltration and lake water quality that would otherwise be provided by an unaltered buffer, roof runoff should be directed to the east side of the building to discharge and disperse as overland flow or an infiltration basin.

The southern addition will be supported by a pier foundation. This will allow for some migration of animal species through this area and thus should remain open as proposed.

The shed is existing and small in size and provides storage space in an accessible location.

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 "Limited Service Residential (LSR) Zone" within the Township of Somerville Zoning By-law 78-45.

One function of the 15 metre minimum water setback is to provide a natural buffer to moderate the impacts of development on lake water quality and associated natural functions and features. The existing building currently does not meet the 15 metre water setback and ranges from 5.1 metres from the high water mark to 12 metres at the rear southeast corner. About two-thirds (2/3) of the addition is further than 12 metres from the highwater mark. Due to site limitations, the addition has been set back to provide the greatest possible buffer and the design will allow for the movement of wildlife through the pier system.

Projections less than 0.6m beyond the foundation, including building features such as eaves, chimneys, bay windows and cantilevered floors, are permitted and would generally not significantly alter ground conditions, affect neighbours, nor increase living space. Therefore, given the environmental constraints causing the unique design of the one-storey addition, it is appropriate to permit the increase in projection.

The purpose of accessory structures to be located in the rear or side yard is to give prominence to the residential building. The Zoning By-law does allow for garages to be located in the front yard. The proposed shed 2.5 metres from the front lot line is not anticipated to adversely affect road allowance function or prominence of the dwelling given its modest footprint.

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

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

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

Four Mile Lake is located within a Special Policy Area as lake water quality is excellent and it is recognized that the development along the shoreline has a significant influence on maintaining this status. An objective of the Special Policy Area is to ensure expanded development does not alter the natural, social and physical elements that are characteristic to the lake. The owners have sited and sized the addition to retain a treed shoreline and trees to the extent possible on this narrow lot. The one-storey addition will have a low profile and open form. This also implements Waterfront policies to retain vegetated shorelines and ensure built form does not dominate. The intention to retain trees between the addition and the shoreline is integral to providing the benefits sought through the Official Plan.

The Official Plan indicates a minimum water setback of 15 metres (49.2 ft.) may be considered for an existing lot of record where there is insufficient area to meet the setback. The intent of the Official Plan is not to extinguish development potential where this setback cannot be met. As topography limits opportunities to site buildings and structures, more than half of the ~82.9 metre long shoreline will remain undeveloped and the proposed setback for the dwelling addition is generally greater than the existing development, it is staff's opinion that the variances maintain the general intent and purpose of the water setback policies with retention of the remaining natural shore vegetation.

Other Alternatives Considered:

Other design alternatives were considered before the final staff-supported design was arrived at in the approval of application D20-17-049. The original proposal was closer to the shoreline and had a greater footprint.

Servicing Comments:

The property is serviced by a private septic system and lake-based water supply.

Consultations:

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

Agency Comments:

Building Division – Part 8 Sewage Systems (September 3, 2020): The site plan indicates the sewage system at a proposed distance of 5.3 metres. This ensures the components of the sewage system will be adequately separated from the dwelling.

Kawartha Region Conservation Authority (September 4, 2020): No concerns.

Planning Division: In accordance with KRCA's previous comments on D20-17-049, the purpose of the Tree Preservation/Protection Plan identified by the KRCA at that time is to identify existing trees, their sizes and document the trees that will be retained after this development. Typically, this Plan would include tree planting to compensate for the removal of trees. Given the site conditions, restoration of the site has been recommended which encourages the restoration of disturbed areas with a woodland seed mix and planting of seedlings where there is sufficient overburden. Through discussions with the KRCA at that time, conditions 5 and 6 were recommended and previously approved.

Building Division (September 8, 2020): No concerns.

Public Comments:

No comments received as of September 8, 2020.

Attachments:



Appendices A-F to
Report COA2020-030

Appendix A – Location Map
Appendix B – Aerial Photo
Appendix C – Applicant's Sketch
Appendix D – Building Elevations
Appendix E – Building Plans
Appendix F – 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:	D20-2020-026

D20-2020-026

APPENDIX " A "

to

REPORT COA2020-030

FILE NO: D20-2020-026

Geographic Township of Somerville



152 Island Drive, Geographic Township of Somerville



0.11

Kilometers

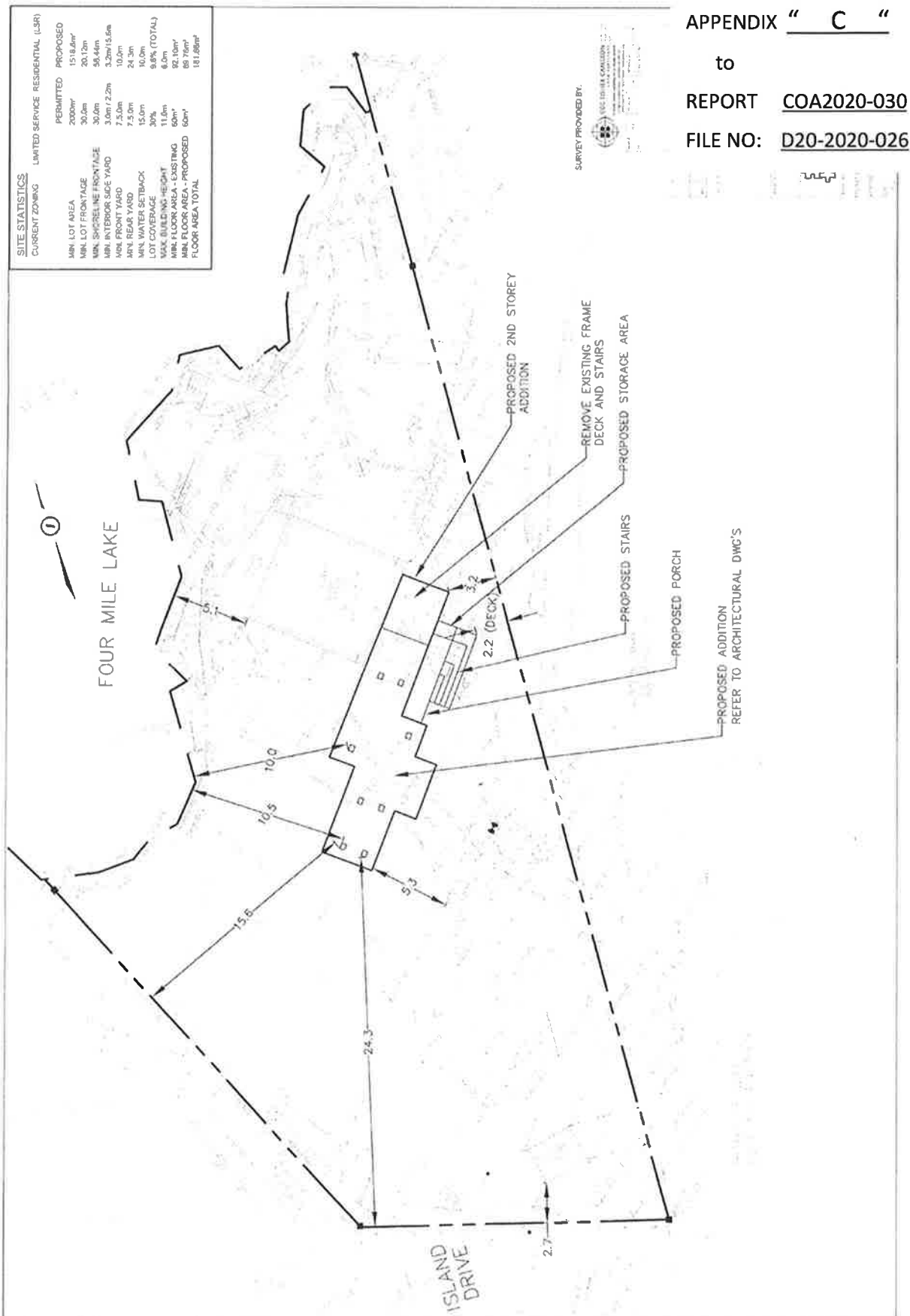
WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes



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

APPENDIX " B "
to
REPORT COA2020-030
FILE NO: D20-2020-026

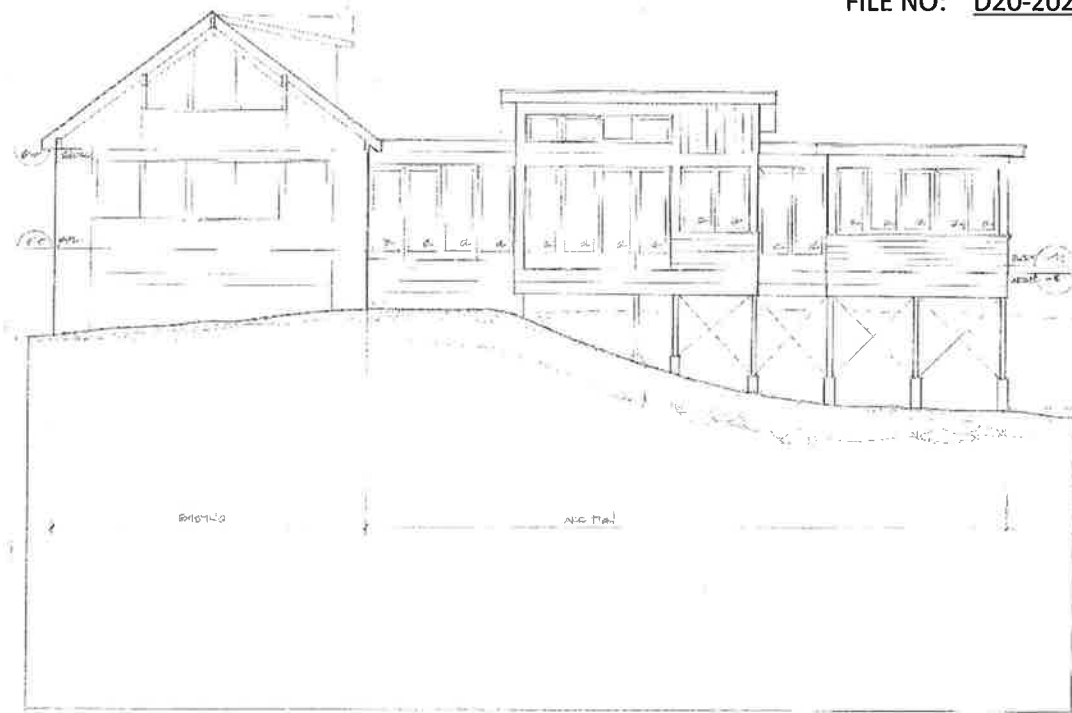


West Face

to

REPORT COA2020-030

FILE NO: D20-2020-026



East Face



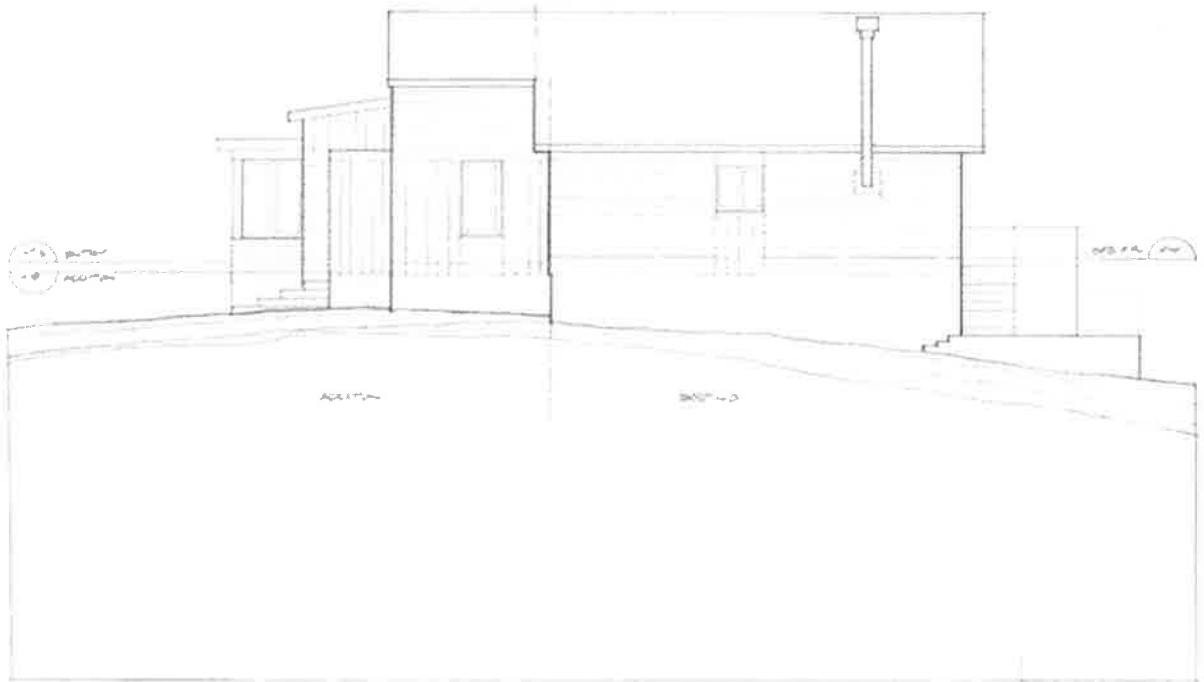
APPENDIX " D2 "

to

North Face

REPORT COA2020-030

FILE NO: D20-2020-026



South Face



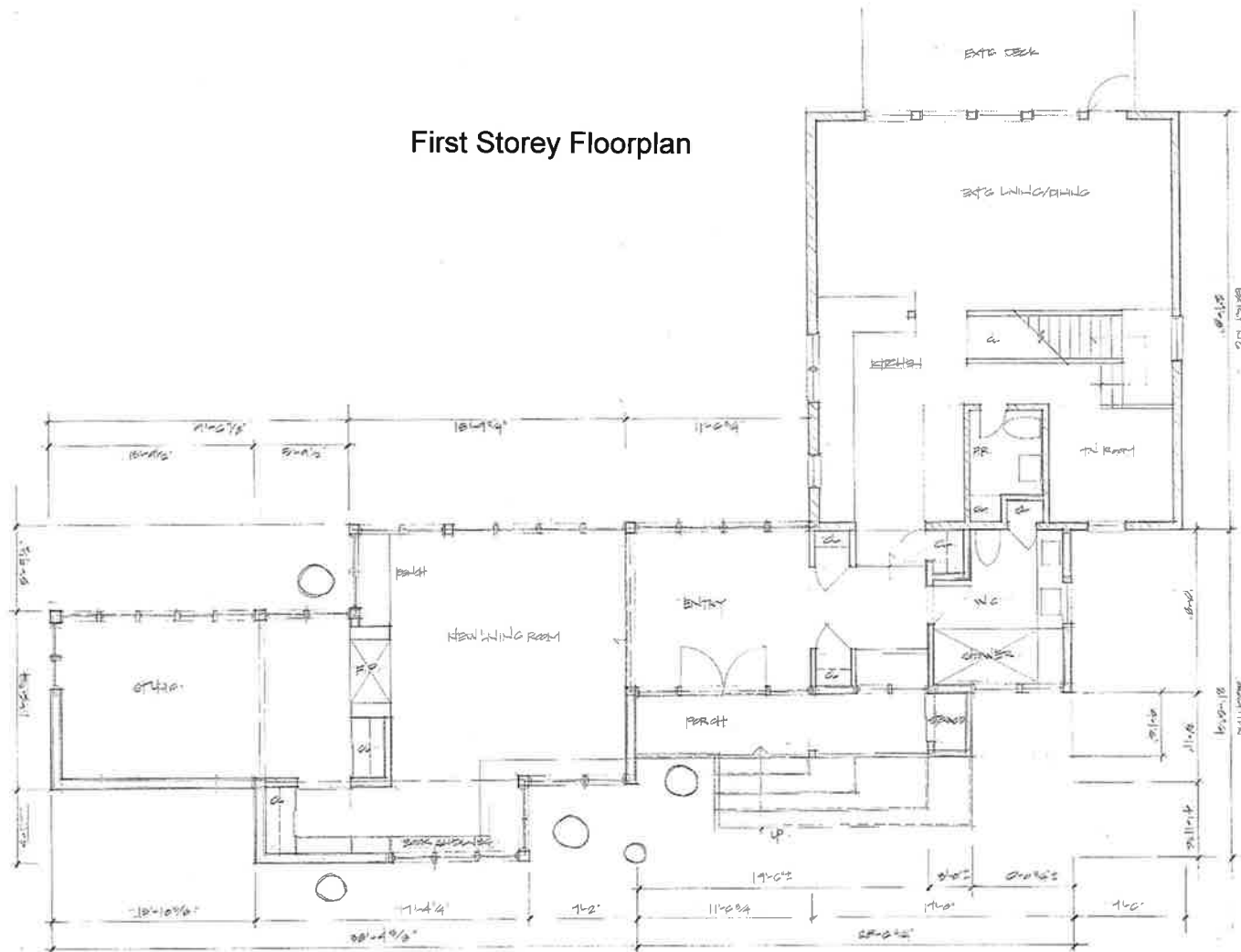
APPENDIX " E1 "

to

REPORT COA2020-030

FILE NO: D20-2020-026

First Storey Floorplan



revised C of A 28.6.2020
client review 14.6.2020
issue date

valerie
farrell
design studio
inc

vfarrell@gmail.com
416 598 8499

COOK COTTAGE

152 ISLAND DRIVE
BURNT RIVER, ON

FIRST FLOOR PLAN

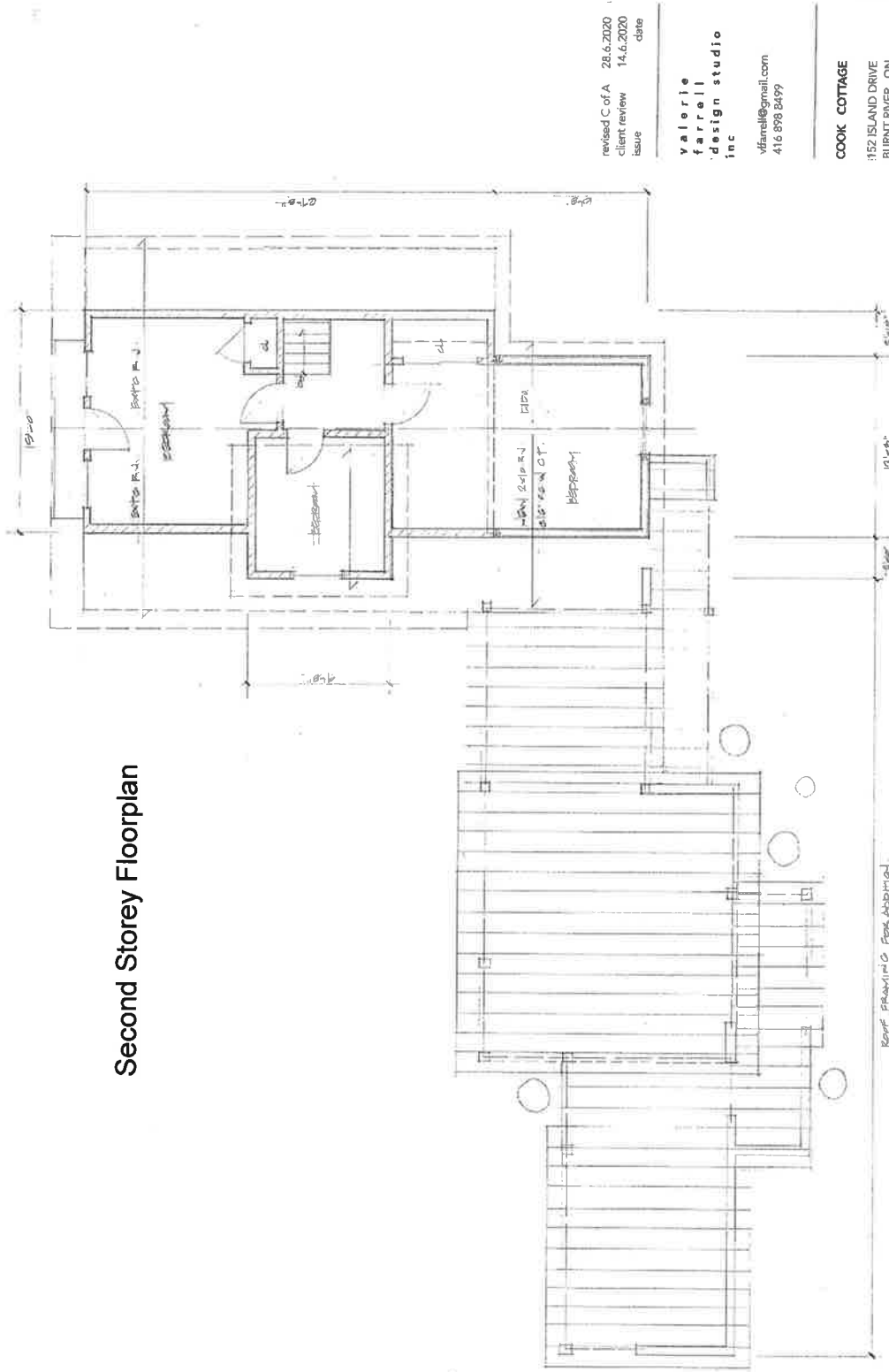
scale: 1/4"=1'-0"

date: 28.6.2020

to

REPORT COA2020-030

FILE NO: D20-2020-026



Second Storey Floorplan

revised C of A 28.6.2020
client review 14.6.2020
issue
date

valerie
farrell
design studio
inc

vfarrell@gmail.com
416.898.8499

COOK COTTAGE

152 ISLAND DRIVE
BURNT RIVER, ON

SECOND FLOOR / ROOF
FRAMING OF ADDITION

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

date: 28.6.2020

Revised Framing for Addition

David Harding

From: Anne Elmhirst
Sent: Thursday, September 3, 2020 10:34 PM
To: Charlotte Crockford-Toomey
Subject: D20-2020-026 - 152 Island Drive

APPENDIX " F "
to
REPORT COA 2020-050
FILE NO. D20-2020-026

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Charlotte,

I have received and reviewed the application for Minor Variance D20-2020-026 for 152 Island Drive.

The proposal is to add a residential addition to the existing dwelling on the property. The property is serviced by an on-site sewage system located on the south side of the dwelling. The site plan submitted by TD Consulting Inc., dated July 2020, indicates the location of the sewage system at a proposed clearance distance of 5.3 metres. This ensures that the components of the sewage system will be adequately separated from the dwelling.

As such, the Building Division – Sewage System Program has no concerns with 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



Please note: The Building Division offices at 180 Kent St W, Lindsay remain closed to public access, however, all services continue to be provided and staff are available by telephone or email during regular business hours.

KRCA File NO: PPLK-9

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

**Regarding: Minor Variance Application
D20-2020-0262
152 Island Dr, Somerville
John and Susan Cook/TD Consulting Inc.**

Kawartha Conservation has completed review of the above noted Minor Variance Application, submitted by TD Consulting Inc. on behalf of John and Susan Cook. 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 D20-2020-0262 is to:

- Reduce the water setback from 15 metres to 10 metres,
- Permit an accessory building in the front yard,
- To reduce the required front yard setback from 7.5 metres to 2.5 metres, and
- Increase the maximum projection of a cantilevered floor area from 0.6 metres to 1 metre.

Site Characteristics:

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

Natural Heritage Features:

- Four Mile Lake/Fish Habitat

Natural Hazards:

Potential for flooding due to proximity to Four Mile Lake.

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

Water Resources:

The subject property is within the boundary of the Four Mile Lake Management Plan.

Applicable Kawartha Conservation Regulation and Policies

Ontario Regulation 182/06 (as amended):

Subject property is not within Kawartha Conservation's watershed. No permits will be required pursuant to Ontario Regulation 182/06.

Recommendation:

Kawartha Conservation has no objection to the approval of Minor Variance Application D20-2020-0262 based on our consideration for Natural Heritage, Watershed Management, and Natural Hazards, and it is our opinion that the proposal complies with Section 3.1 of the Provincial Policy Statement (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

Charlotte Crockford-Toomey

From: Anne Elmhirst
Sent: Thursday, September 03, 2020 10:34 PM
To: Charlotte Crockford-Toomey
Subject: D20-2020-026 - 152 Island Drive

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Charlotte,

I have received and reviewed the application for Minor Variance D20-2020-026 for 152 Island Drive.

The proposal is to add a residential addition to the existing dwelling on the property. The property is serviced by an on-site sewage system located on the south side of the dwelling. The site plan submitted by TD Consulting Inc., dated July 2020, indicates the location of the sewage system at a proposed clearance distance of 5.3 metres. This ensures that the components of the sewage system will be adequately separated from the dwelling.

As such, the Building Division – Sewage System Program has no concerns with 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



Please note: The Building Division offices at 180 Kent St W, Lindsay remain closed to public access, however, all services continue to be provided and staff are available by telephone or email during regular business hours.

Charlotte Crockford-Toomey

From: Derryk Wolven
Sent: Tuesday, September 8, 2020 2:01 PM
To: Charlotte Crockford-Toomey
Subject: D20-2020-026

Follow Up Flag: Follow up
Flag Status: Flagged

Building Division has no concerns with the above noted application.

Derryk Wolven, CBCO

Plans Examiner

Development Services, Building Division, City of Kawartha Lakes
705-324-9411 ext. 1273 www.kawarthalakes.ca





Development Services – Planning Division
180 Kent St. West, 2nd Floor
Lindsay ON K9V 2Y6
Tel: (705) 324-9411 Ext. 1367
Fax: (705) 324-4027
E-mail: kstainton@kawarthalakes.ca
Website: www.kawarthalakes.ca

MEMORANDUM

TO: Committee of Adjustment

FROM: Kent Stainton, Planner II - Development Services – Planning Division

DATE: September 9, 2020

SUBJECT: Minor Variance Application File No. D20-2020-027
144 Ball Point Road, Geographic Township of Mariposa

On September 2, 2020 the Building Division – Part 8 Sewage Systems staff provided the Planning Division with a letter identifying that the application in its current configuration cannot be supported. A site visit was conducted by Building Division staff, which identified that the current system is older and cannot accommodate the additional use proposed through the addition to the existing single detached dwelling. The Supervisor of Part 8 Sewage Systems has advised that the proposal be scaled back or a new septic system installation is required in order to accommodate the proposal as is currently proposed.

Planning staff is supportive of this request and is requesting the Committee consider deferring the application for a period of not more than four months, returning at the latest to its first meeting in January 2021.

Sincerely,

Kent Stainton, Planner II

cc: Gary Cowan - Owner
Scottie – Cottage Life Construction
Mark LaHay, Acting Secretary-Treasurer for the Committee of Adjustment
Anne Elmhirst – Part 8 Sewage Systems

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Quinn
Report Number COA2020-032

Public Meeting

Meeting Date: September 17, 2020
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 1 - Geographic Township of Bexley

Subject: The purpose and effect is relief from Section 7.2.1.3 (a) to reduce the minimum front yard setback from 30 metres to 10.63 metres in order to permit the construction of a new single detached dwelling.

The variance is requested at 106 French Settlement Road, geographic Township of Bexley (File D20-2020-030).

Author: Kent Stainton, Planner II

Signature:



Recommendations:

Resolved That Report COA2020-032 Quinn, be received;

That minor variance application D20-2020-030 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 sketches in Appendices C-E submitted as part of Report COA2020-032, 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 COA2020-032. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: The proposal involves the replacement of previously demolished 1.5 storey farmhouse with a new single detached dwelling with a walkout basement, two-car garage, carport, enclosed porch and unenclosed deck.

This application was deemed complete on August 21, 2020.

Proposal: To construct a new 289.67 square metre (3118 square feet) single detached dwelling with walkout basement, attached two-car garage, carport, a 32.70 square metre (351.98 square feet) unenclosed deck and an enclosed porch.

Owner: Gary Quinn

Legal Description: 106 French Settlement Road, Part of Lot 8, Concession 8, geographic Township of Bexley, City of Kawartha Lakes

Official Plan: Rural with Significant Woodlands and Provincially Significant Wetlands within the City of Kawartha Lakes Official Plan (2012)

Zone: Rural General (RG) and Environmental Protection (EP) Zones within the Township of Bexley Zoning By-law 93-09

Site Size: 36.72 hectares (90.73 acres)

Site Servicing: Private individual well and septic system

Existing Uses: Vacant Lot

Adjacent Uses:	North:	Rural Residential, woodlots
	South, East:	Woodlot, open field
	West:	Rural residential, horse paddock

Rationale:

1) Are the variances minor in nature? Yes

And

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

The subject property is situated in a rural area east of Bexley. A small number of residences are present with woodlots dominating the landscape. Smaller pasturelands are present in the area with evidence of historical agricultural use on several of the neighbouring lots including a small horse paddock on the lot to the west. The open field to the east of the proposed dwelling, which adjoins to the neighbouring lot to the north may have been used for horse riding in the past. The vast majority of the near 37 hectare property is comprised of dense,

deciduous woodlands to the east and south. There is a single detached dwelling on the lot to the north.

The subject lands are relatively flat in the northwest corner where the dwelling is proposed before sloping considerably to the southeast. The location once contained a 1.5 storey farmhouse, which was recently demolished as a result of age and poor condition. The sloping woodlands terminate at wetlands identified as Provincially Significant by the Ontario Ministry of Natural Resources and Forestry approximately 41 metres from the limit of the proposed development. In an effort to minimize tree removal as well as the costly placement of fill, the proposed location on the northwest corner of property is the most logical destination for the dwelling. One of the large Manitoba Maples present on the western lot line will be removed in order to facilitate the new driveway for the dwelling. The environmental and topographical constraints relegate the placement of the dwelling to the footprint identified within the application.

With woodlot dominating the subject lands, the lot essentially functions as an oversized rural residential lot. While a 30 metre front yard setback is required within the Rural General zone category, the proposed reduction of 19.37 metres is relatively imperceptible given both the previous setback of the old farmhouse at 7.92 metres and the dwelling to the north with a similar front yard setback. French Settlement Road is an unpaved, local road with limited usage; the 7.5 metre setback of any of the rural residential zones would suffice in this neighbourhood. There are no anticipated impacts to traffic or sightlines as a result of the location of the dwelling.

Front yard amenity space is maintained with the proposed location of the dwelling. A wrap-around porch provides an opportunity to utilize the front yard space; however, the covered porch and unenclosed decks to the rear of the dwelling are anticipated to draw most of the entertainment. Accordingly, the open deck is located on the south side of the dwelling in order to maintain privacy and minimize disturbances.

The overall design of the single detached dwelling resembles a country bungalow. The wood siding coupled with the gables containing cedar shakes help maintain the character of the overall neighbourhood. The two-car garage and carport provide additional amenity and storage space on the lot without adversely impacting the function of the front yard. Due to the extensive woodlands to the south and east of the dwelling, the entire development is not visible from French Settlement Road south of the woodlands.

Due to the above analysis, the variances are 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 General (RG) and Environmental Protection (EP) Zones within the Township of Bexley Zoning By-law 93-09.

The Rural General (RG) Zone permits a variety of rural uses, including single detached dwellings. The intent of the front yard setback is to provide separation between the road and residential uses; however, French Settlement Road receives low traffic for a Local Road and the proposed 10.63 metre setback maintains a substantial front yard-to-road interface with no anticipated land use compatibility or massing issues resulting from the construction of the dwelling. In fact, the 10.63 metre setback is greater than the 7.92 metre front yard setback of the previously existing dwelling and is located further from the front lot line than the adjacent single detached dwelling on the abutting parcel to the north (110 French Settlement Road).

As previously mentioned, the presence of the environmental constraints and associated Environmental Protection zone renders the lot essentially an oversize rural residential zone. Kawartha Conservation has attended the site, delineated the limit of the wetlands and issued a permit (Permit # 2020-043) for the proposed development including the associated septic system. The carport feature represents the closest level of encroachment to the limit of the wetland feature at a substantial 41.59 metres. The situation of the dwelling acknowledges the sloping topography towards the feature and the presence of the edge of the woodlot by minimizing encroachment. Potential impacts to the wetlands are negated by seeking the reduced front yard setback, as the otherwise necessary placement of fill and subsequent grading is avoided.

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

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

Yes

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

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

Other Alternatives Considered: No alternatives have been considered at this time.

Servicing Comments: The property is serviced by private water and private septic systems

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

Agency Comments:

Building Division (September 8, 2020): No Concerns

Public Comments: No comments have been received as of September 9, 2020.

Attachments:



Appendix A – Location Map
Appendix B – Aerial Photo
Appendix C – Applicant's Sketch
Appendix D – Elevation Drawings (Front & Rear)
Appendix E – Side Elevation Drawings
Appendix F – 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: D20-2020-030

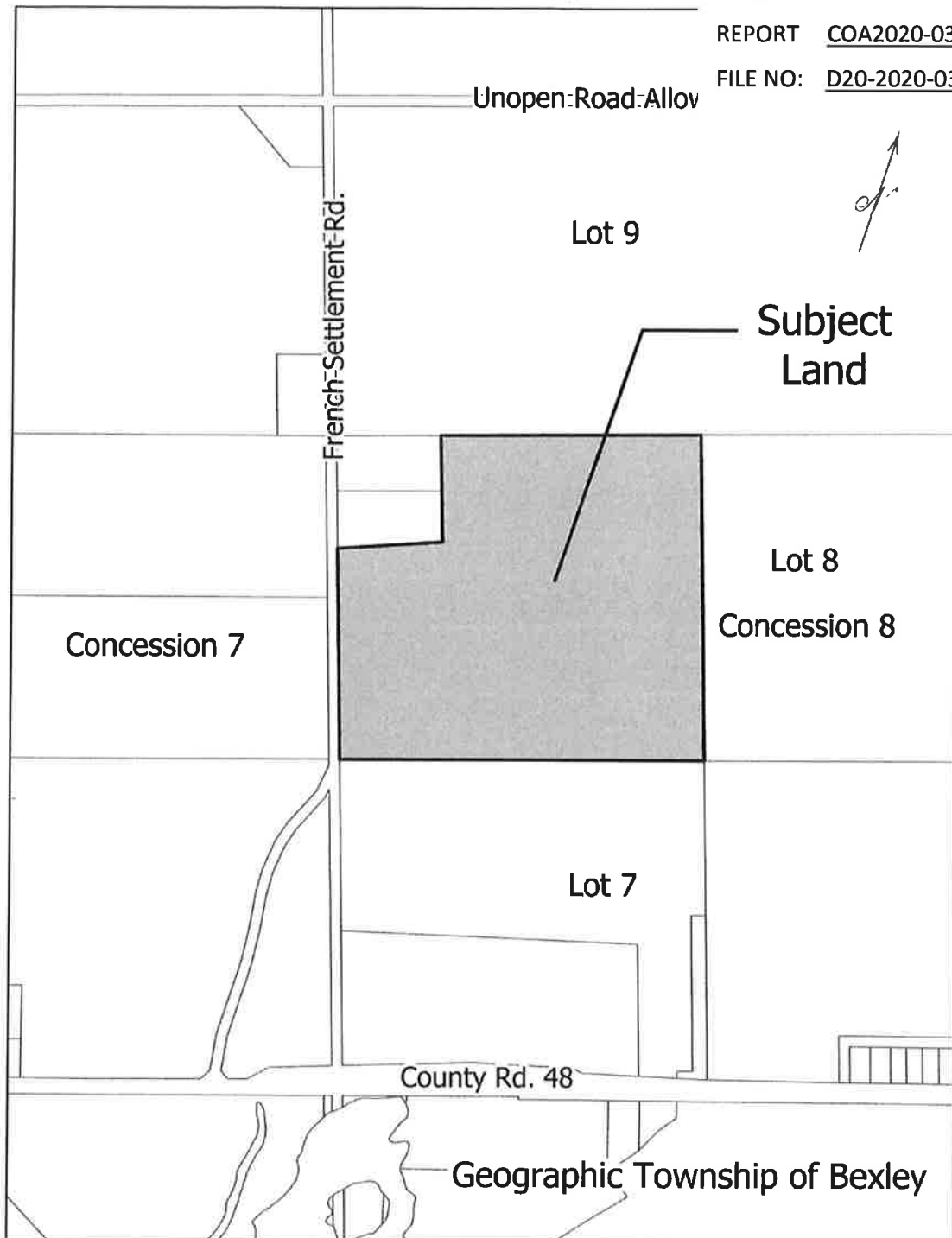
D20-2020-030

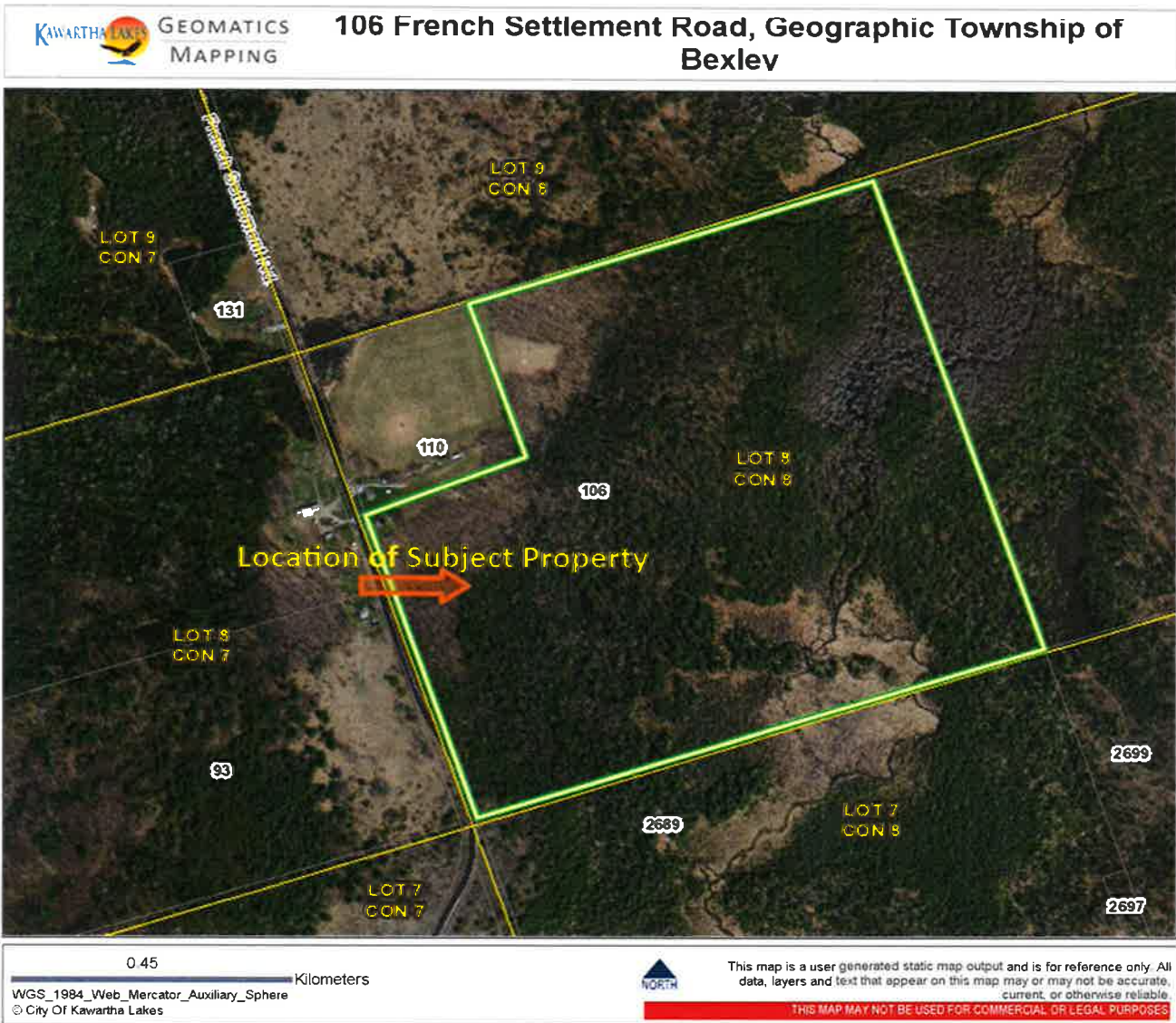
APPENDIX " A "

to

REPORT COA2020-032

FILE NO: D20-2020-030





APPENDIX " B "

to

REPORT COA2020-032

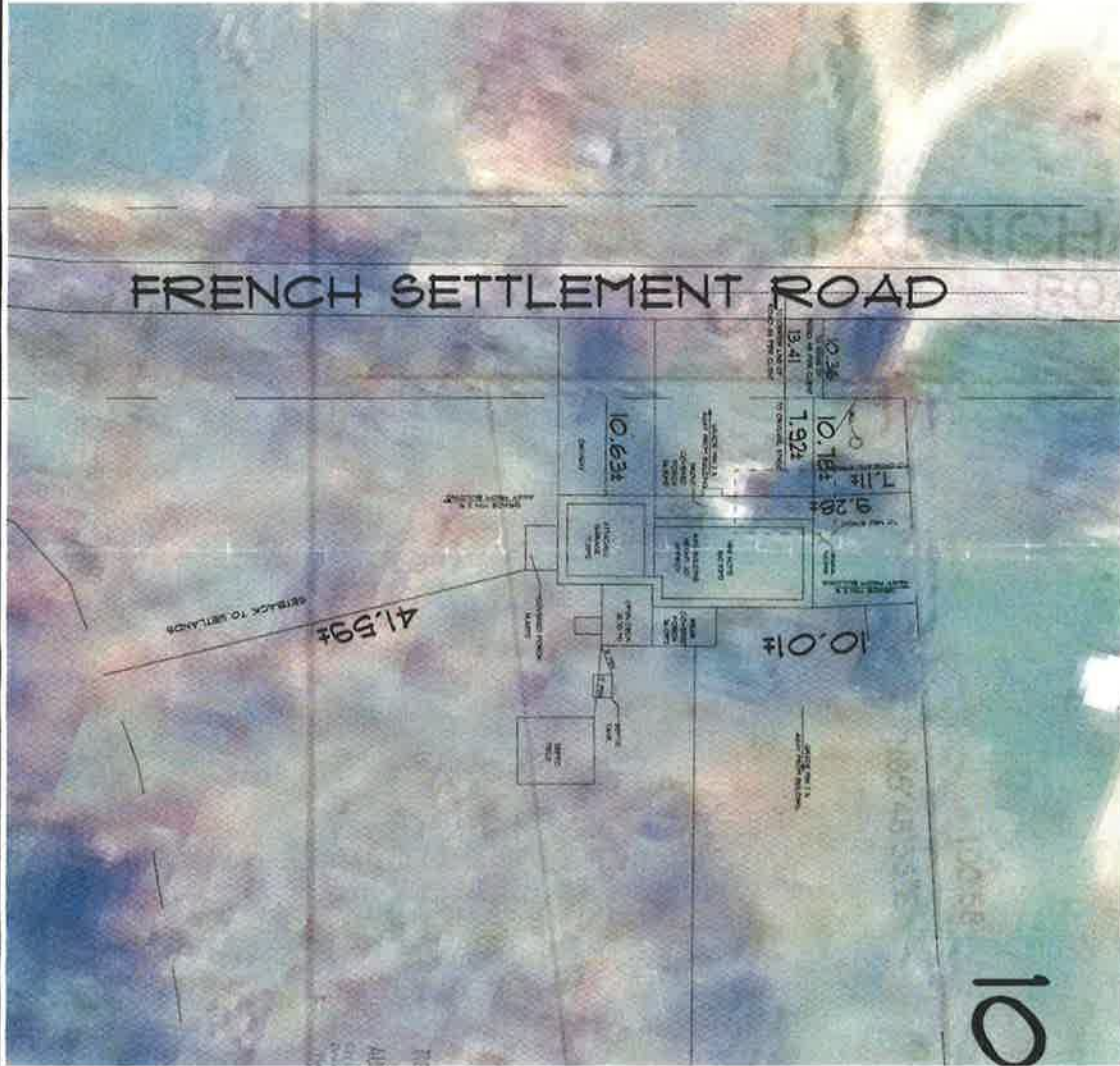
FILE NO: D20-2020-030

APPENDIX " C "


to

REPORT COA2020-032

FILE NO: D20-2020-030



 HIGHLAND DESIGN 10000 Highway 100, Suite 100 Highland, NY 12528 Phone: 518-537-1234 Fax: 518-537-1235 Email: info@highlanddesign.com		PROPOSED ENLARGED SITE PLAN		NEW HOME 10000 Highway 100, Suite 100 Highland, NY 12528 Phone: 518-537-1234 Fax: 518-537-1235 Email: info@highlanddesign.com	
GENERAL NOTES: 1. THIS SITE PLAN IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION. 2. THE PROPOSED LOT IS SUBJECT TO THE APPROVAL OF THE LOCAL GOVERNMENT. 3. THE PROPOSED LOT IS SUBJECT TO THE APPROVAL OF THE LOCAL GOVERNMENT. 4. THE PROPOSED LOT IS SUBJECT TO THE APPROVAL OF THE LOCAL GOVERNMENT.		SITE LOCATION: 10000 Highway 100, Suite 100 Highland, NY 12528 Phone: 518-537-1234 Fax: 518-537-1235 Email: info@highlanddesign.com		DATE: 07/26/20	



HIGHLAND DESIGN
ARCHITECTS

PROJECT: **COA2020-032**
SUBJECT: **STREET LIGHTING**

DATE: **01/15/2020**
BY: **JD**

PROJECT INFORMATION:
SHEET: **01**
SHEET COUNT: **01**

APPENDIX " E "

to

REPORT COA2020-032

FILE NO: D20-2020-030



Kent Stainton

From: Derryk Wolven
Sent: Tuesday, September 8, 2020 2:07 PM
To: Charlotte Crockford-Toomey
Subject: D20-2020-030

Follow Up Flag: Follow up
Flag Status: Flagged

APPENDIX " F "
to

REPORT COA2020-032

FILE NO. D20-2020-030

Building Division has no concerns with the above noted application.

Derryk Wolven, CBCO

Plans Examiner

Development Services, Building Division, City of Kawartha Lakes

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



The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Napa Valley Contracting Inc.
Report Number COA2020-033

Public Meeting

Meeting Date: September 17, 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 325.49 square metres,
2. to reduce the minimum lot frontage from 17 metres to 11.15 metres,
3. to reduce the minimum front yard setback from 7.5 metres to 7.4 metres;
4. to reduce the minimum interior side yard setback from 1.2 metres to 0.89 metres; and
5. to increase the maximum lot coverage from 30% to 33%.

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 COA2020-033 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 Appendices C - E submitted as part of Report COA2020-033, 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 a lot grading and drainage plan to the satisfaction of the Engineering and Corporate Assets Department. The owner shall provide to the Secretary-Treasurer written confirmation from the Engineering and Corporate Assets Department that the lot grading and drainage plan is satisfactory; 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 COA2020-033. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: The application was submitted February 14, 2020. No consultation through the pre-screening process occurred with the Planning Division prior to the submission of the application. The application was originally scheduled for the July 2020 Committee meeting.

Staff became aware of a survey of the neighbouring lot at 19 Church Street, which presented information contradictory to the survey provided in support of the application. Since the discrepancies directly influenced all reliefs sought through the application, staff recommended a deferral of no greater than three (3) months until such time as the survey issues could be resolved and any necessary revisions to the proposal be made. Committee granted the deferral as requested at the July meeting.

The applicant subsequently modified the proposal and has resubmitted based on the newly surveyed boundaries. An additional relief from the interior side yard is now being proposed. No changes to the size or configuration of the dwelling unit, garage and deck were proposed.

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 of record.

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: 325.49 square metres (3503.55 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 a 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 over 69% reduction in minimum lot size and only represents a 3.0% 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. Concerns with respect to lot drainage onto adjacent lots will be addressed through the requisite lot drainage and grading plan as part of the Building Permit process; however, the Engineering and Corporate Assets Division will review the plan prior to issuance of a Building Permit to ascertain that drainage will not negatively impact the neighbouring lots.

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 carrying capacity and 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 11.15 metre frontage and 325.49 square metre lot area for the lot-of-record results in more reasonable requests for relief (0.85 metres and 44.51 square metres respectively) 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 33% lot coverage exceeds the maximum allowable lot coverage by 3.0%. The utility of the attached garage for property storage and the practicality of the walk-out deck as an extension of main floor space to

the rear of the dwelling are acknowledged as contributing to the overall 3% increase in lot coverage.

Any potential lot drainage issues resulting from the 0.31 metre reduction of the interior side yard setback on the west side of the lot will be addressed through a lot drainage and grading plan reviewed by the Engineering and Corporate Assets Division to ensure drainage is self-contained and the lot does not negatively impact drainage routes to adjacent lots.

As the proposed dwelling meets or exceeds all other applicable zone provisions (maximum 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.

4) 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:

Building Division (September 8, 2020): Spatial Separation requirements of the Ontario Building Code will govern fire resistance ratings and cladding.

Development Engineering Division (August 31st, 2020): A lot drainage and grading plan will be required to be submitted and reviewed by the Engineering Division to ensure drainage is self-contained prior to being satisfied with the 0.89 metre interior side yard setback.

Planning staff offer a response to the public comments received July 7 & 12, 2020 shown below:

Survey: There were 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 have resolved the surveying issue.

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:

John Trennum & Jane Byers – 56 Mary Street East (July 12, 2020): Mr. Trennum and Ms. Byers provided identical letters expressing concerns with respect to storm water management and overland flooding.

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. This matter has been resolved.

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 G.

Attachments:



Appendices A-G for
Report COA2020-03.

Appendix A – Location Map
Appendix B – Aerial Photo
Appendix C – Applicant's Sketch
Appendix D – Elevation Drawings
Appendix E – Elevation Drawings 2
Appendix F – Department and Agency Comments
Appendix G – Public Comments

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

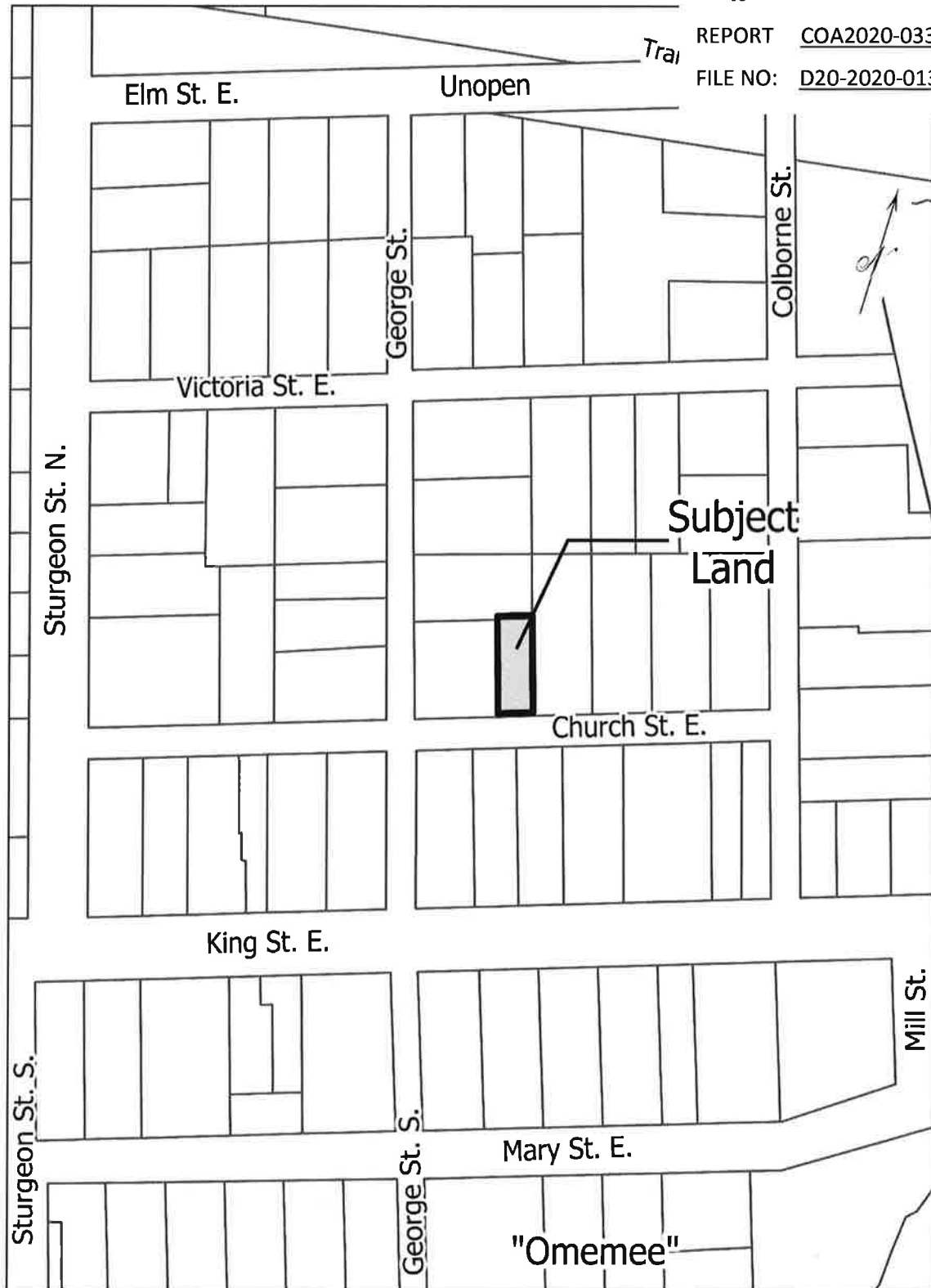
D20-2020-013

APPENDIX " A "

to

REPORT COA2020-033

FILE NO: D20-2020-013



Vacant Lot, North of Church Street, East of George Street, Village of Omemee



Legend

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

Notes

Notes

APPENDIX " B "

to

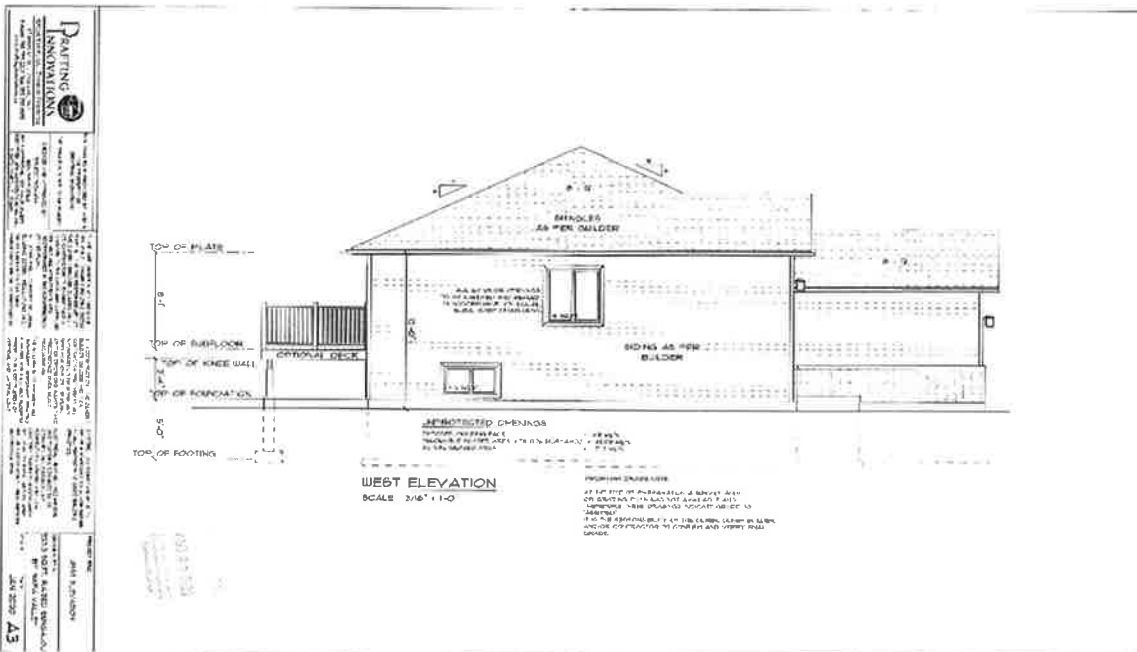
REPORT COA2020-033

FILE NO: D20-2020-013

FILE NO: D20-2020-013



FILE NO: D20-2020-013

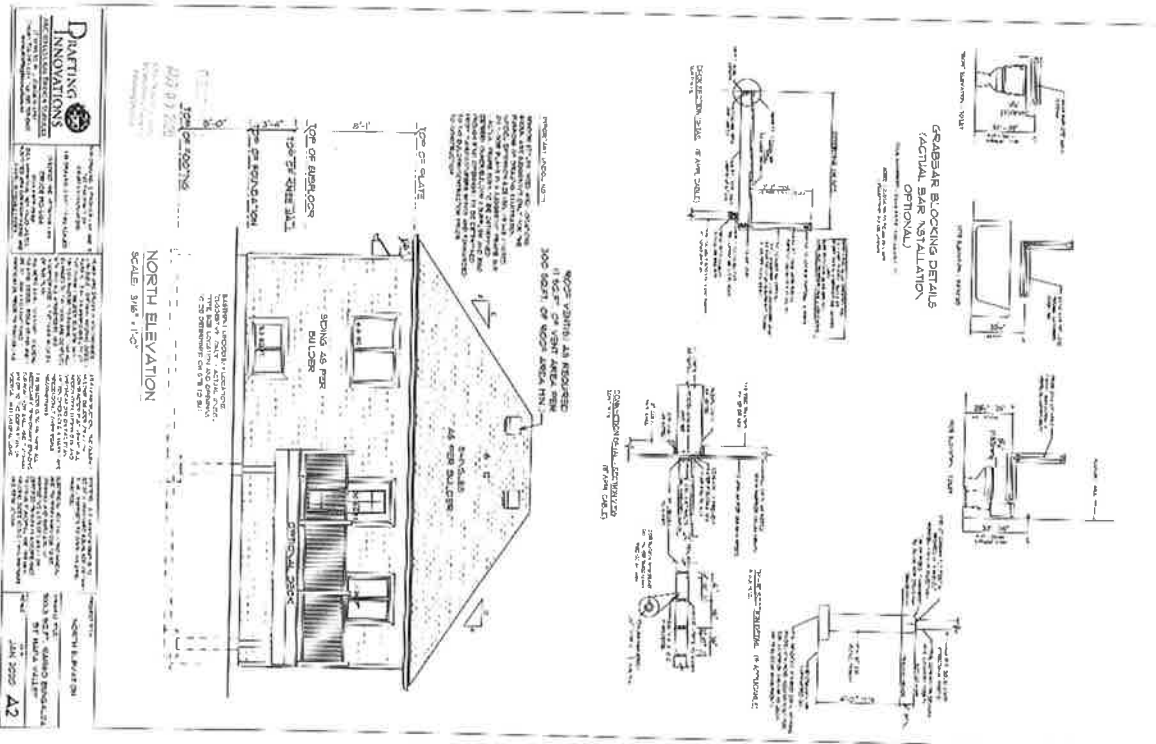
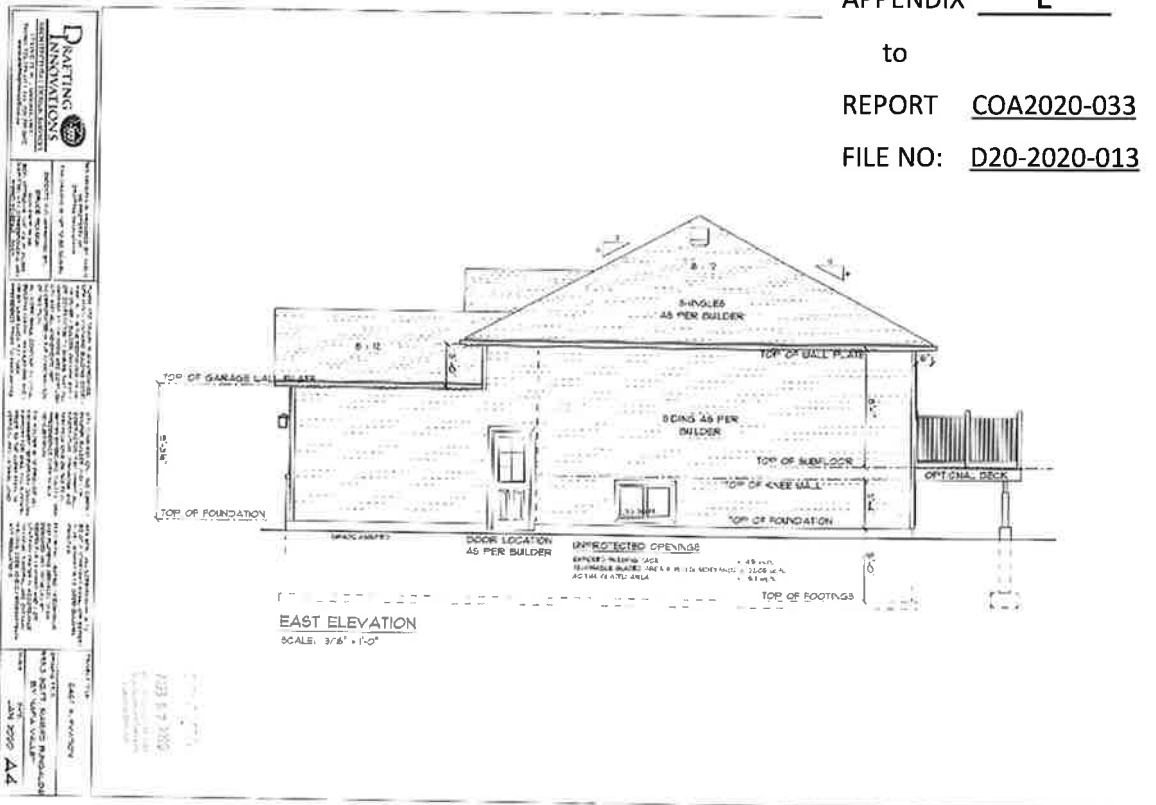


APPENDIX " E "

to

REPORT COA2020-033

FILE NO: D20-2020-013



Kent Stainton

From: Derryk Wolven
Sent: Tuesday, September 8, 2020 1:58 PM
To: Charlotte Crockford-Toomey
Subject: D20-2020-013

APPENDIX " F "
to

REPORT COA2020-033

Follow Up Flag: Follow up
Flag Status: Flagged

FILE NO. D20-2020-013

Please be advised Building division has the following comments:

Spatial Separation requirements of the Ontario Building Code will govern Fire Resistance Ratings and cladding.

Derryk Wolven, CBCO

Plans Examiner

Development Services, Building Division, City of Kawartha Lakes

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



Kent Stainton

From: Kirk Timms
Sent: Monday, August 31, 2020 10:21 AM
To: Kent Stainton
Cc: Christina Sisson
Subject: RE: Committee of Adjustment meeting July 16, 2020, D20-2020-013 Vacant Lot, Church Street, Public Comments

Follow Up Flag: Follow up
Flag Status: Completed

Good morning Kent,

We would require a grading plan to be reviewed to ensure the drainage on the proposed lot is self contained prior to Engineering being satisfied with a 0.89m interior side yard.

Thanks,
Kirk

From: Kent Stainton
Sent: Monday, August 31, 2020 9:47 AM
To: Kirk Timms
Subject: FW: Committee of Adjustment meeting July 16, 2020, D20-2020-013 Vacant Lot, Church Street, Public Comments

Hi Kirk,

I was wondering if you could take a quick look at this before I advertise. This is a deferred application (D20-2020-013), but as a result of the new Survey, the interior side yard has been reduced to 0.89 metres. See the attached. It appears as though they will still maintain 1.2 metres from the structures on the adjacent lot, but I was looking for a quick review from your end.

Best and Thanks in Advance,
Kent

Kent Stainton
Planner II
Development Services, City of Kawartha Lakes
705-324-9411 ext. 1367 www.kawarthalakes.ca

City of Kawartha Lakes
Development Services Department, Planning Division
180 Kent Street West
Lindsay, ON K9V 2Y6
705-324-4027 (F)

APPENDIX " G "
to
REPORT COA2020-033
FILE NO. D20-2020-013

John Trennum
56 Mary St. E
Omeme, ON
K0L 2W0
705-799-1394

City of Kawartha Lakes
Planning Department
Committee of Adjustment
180 Kent St. West
Lindsay, ON
K9V 2Y6

July 12, 2020

To Whom It May Concern:

RE: Notice of Public Hearing for Minor Variance/Permission Application # **D20-2020-013**.
Vacant Lot Church St, Part Lot 7, North of Church St., East of George St, Plan 109, former Village of Omeme, Ward 6, now in the City of Kawartha Lakes.

First and Foremost:

I am not against responsible development that creates growth for the community and tax revenue for the city.

With this being said this minor variance application seems to have **Major** issues:

- 1) Lot area reduction >50% (830 sq. m to 333.25 sq. m)----**Major**
- 2) Frontage reduction is approximately 32% (17m to 11.52m)----**Major**
- 3) Front yard set- back---minor unless curbs are installed then **Major**
- 4) Lot coverage 30% to 32% seems minor however could have **Major** complications

Having grown up in Omeme and having knowledge of the neighbourhood history, I know that this property and adjoining properties are prone to flooding. I have concerns about storm water management due to road elevation of Church Street being higher than the vacant lot and properties surrounding it; thus creating storm water run- off ponding in the vacant lot and the adjoining properties. With the lack of storm drains, curbs and gutters this creates a **Major** problem, to fix this problem you create the Major impact of **point 3** mentioned above.

With all of the above said lastly my major concern, is that these minor/major variances will set a precedence for the creation of possible irresponsible development in the future.

I would personally would benefit by these changes due to the fact I feel I would be able to create additional lots from the existing lots owned. Many other people in Omeme are in the same position.

Please think about what you are creating by approving this application!
Remember: Responsible Development for All!!!!

Sincerely,

John Trennum

Jane Byers
56 Mary St. E
Omeme, ON
K0L 2W0
705-927-5418

City of Kawartha Lakes
Planning Department
Committee of Adjustment
180 Kent St. West
Lindsay, ON
K9V 2Y6

July 12, 2020

To Whom It May Concern:

RE: Notice of Public Hearing for Minor Variance/Permission Application # **D20-2020-013**.
Vacant Lot Church St, Part Lot 7, North of Church St., East of George St, Plan 109, former Village of Omeme, Ward 6, now in the City of Kawartha Lakes.

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With this being said this minor variance application seems to have **Major** issues:

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- 2) Frontage reduction is approximately 32% (17m to 11.52m)-----**Major**
- 3) Front yard set- back---minor unless curbs are installed then **Major**
- 4) Lot coverage 30% to 32% seems minor however could have **Major** complications

Having grown up in Omeme and having knowledge of the neighbourhood history, I know that this property and adjoining properties are prone to flooding. I have concerns about storm water management due to road elevation of Church Street being higher than the vacant lot and properties surrounding it; thus creating storm water run-off ponding in the vacant lot and the adjoining properties. With the lack of storm drains, curbs and gutters this creates a **Major** problem, to fix this problem you create the Major impact of **point 3** mentioned above.

With all of the above said lastly my major concern, is that these minor/major variances will set a precedence for the creation of possible irresponsible development in the future. This change would allow for additional smaller lots throughout the village and may not be in the best interest for Omeme, considering current infrastructure inadequacies.

I would personally would benefit by these changes due to the fact I would be able to create an additional lot from existing lots currently owned. Many other people in Omeme are in the same position. Smaller lots equal greed.

Please think about what you are creating if you approve this application!
Remember: Responsible Development for All!!!!

Sincerely,
Jane Byers

Committee of Adjustment
Planning department
City of Kawartha Lakes

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 unrepairable 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