

The Corporation of the City of Kawartha Lakes

Agenda

Committee of Adjustment Meeting

COA2020-010

Thursday, October 15, 2020

1:00 P.M.

Council Chambers

City Hall

26 Francis Street, Lindsay, Ontario K9V 5R8

Members:

Councillor Emmett Yeo

David Marsh

Andre O'Bumsawin

Sandra Richardson

Lloyd Robertson

Betty Archer

Stephen Strangway

“Note: This will be an electronic participation meeting and public access to Council Chambers will not be available. Please visit the City of Kawartha Lakes YouTube Channel at <https://www.youtube.com/c/CityofKawarthaLakes> to review 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 instructions 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.	COA2020-10.2.1.1 October 15, 2020 Committee of Adjustment Agenda	
2.2.	Declaration of Pecuniary Interest	
2.3.	Adoption of Minutes	
2.3.1.	COA2020-09.2.3.1 September 17, 2020 Committee of Adjustment Minutes	5 - 20
3.	New Applications	
3.1.	Minor Variances	
3.1.1.	COA2020-028 Kent Stainton, Planner II File Number: D20-2020-024 Location: 64 Iris Drive Part Lot 25, Concession 3, Lot 13, Plan 241 Geographic Township of Fenelon Owner: 2126660 Ontario Inc. - Vinti Sansanwal	21 - 36
3.1.2.	COA2020-036 David Harding, Planner II, RPP, MCIP File Number: D20-2020-031 Location: 11 Distillery Street Part Lots 14-18 West of Hughes Street, Plan 109 Former Village of Omemee Owner: 2085633 Ontario Limited C/o Nelson Homes Applicant: Tom deBoer - TD Consulting Inc.	37 - 46

3.1.3.	COA2020-038	47 - 63
	Kent Stainton, Planner II File Number: D20-2020-033 Location: 12 Treewood Lane Lot 11, Plan 75 Geographic Township of Bexley Owners: Samuel Thornbury and Sherrie Walker Applicant: Brian Hoag	
3.1.4.	COA2020-039	64 - 75
	David Harding, Planner II, RPP, MCIP File Number: D20-2020-034 Location: 100 Leslie Frost Lane Part of Lot 7, Concession 9 Geographic Township of Fenelon Owner: Patricia Jarvie	
3.2.	Consents	
4.	Deferred Applications	
4.1.	Minor Variances	
4.1.1.	COA2020-034	76 - 118
	David Harding, Planner II, RPP, MCIP File Number: D20-2020-003 Location: Vacant Lot, Sugar Bush Trail Part Lot 26, Concession 10 Geographic Township of Fenelon Owners: Darren and Gillian Wilkinson Applicant: Doug Carroll - DC Planning Services	

4.1.2.	COA2020-031	119 - 131
	<p>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</p>	
4.1.3.	COA2020-041	132 - 150
	<p>David Harding, Planner II, RPP, MCIP File Number: D20-2020-006 Location: 63 North Taylor Road Lot 16, Plan 224, Part of Lot 54, North of Portage Road Geographic Township of Eldon Owners: Ahsan Ullah and Fahmida Nutan Applicant: Jim Even - C.T. Strongman Survey</p>	
4.1.4.	D20-2020-010 Memorandum	151 - 151
	<p>David Harding, Planner II, RPP, MCIP File Number: D20-2020-010 Location: 87 Marsh Creek Road Part Lot 22, Concession C Geographic Township of Mariposa Owner: Heather Curtis Applicant: Doug Norton - Measurite</p>	
4.2.	Consents	
5.	Other Business	
6.	Correspondence	
7.	Next Meeting	
	<p>The next meeting will be Thursday, November 5, 2020 at 1:00pm in Council Chambers, City Hall.</p>	
8.	Adjournment	

The Corporation of the City of Kawartha Lakes
Minutes
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

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1. **Call to Order**

Chair Robertson called the meeting to order at 1:00pm. Councillor E. Yeo and Members A. O'Bumsawin, B. Archer and S. Strangway were in attendance.

Acting Secretary-Treasurer - M. LaHay

Recording Secretary - C. Crockford-Toomey

Absent: S. Richardson and D. Marsh

2. **Administrative Business**

2.1 Adoption of Agenda

2.1.1 COA2020-09.2.1.1

September 17, 2020

Committee of Adjustment Agenda

CA2020-037

Moved By Councillor Yeo

Seconded By S. Strangway

That the agenda for September 17, 2020 meeting be approved.

Carried

2.2 Declaration of Pecuniary Interest

There were no declarations of pecuniary interest disclosed.

2.3 Adoption of Minutes

2.3.1 COA2020-004.2.3.1

August 19, 2020

Committee of Adjustment Minutes

Amend Page 13, Specifically, to read as follows;

1. **That** the application does not meet the intent and purpose of the zoning by-law as the property is not large enough to accommodate the development proposal.

CA2020-038

Moved By B. Archer

Seconded By Councillor Yeo

That the minutes of the previous meeting held August 19, 2020 be adopted as amended.

Carried

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
 Lot 6, Plan 345
 Former Village of Fenelon Falls
 Owner: Richard Michael D.E. Chartier
 Applicant: Richard Michael D.E. Chartier

Mr. Harding summarized Report COA2020-023, to request relief to reduce the minimum interior side yard setback from 4 metres to 1.80 metres in order to permit an addition to a single detached dwelling.

Staff respectfully recommends that the application be granted approval subject to the conditions identified in the report.

The Committee noted the Kawartha Region Conservation Authority's comments stated the new proposed setback was 2.01 metres rather than the advertised 1.80 metres. They asked whether this discrepancy would affect the comments. Staff replied that there is no problem as the proximity to the natural feature is not changing; the typo error of 2.01 metres would not impact their statement at all.

The applicant, Mr. Chartier was present and thanked the Committee and staff.

No further questions from the Committee or other persons.

CA2020-039

Moved By B. Archer

Seconded By S. Strangway

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.

Carried

3.1.2 COA2020-026

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

Mr. Harding summarized Report COA2020-026, to request relief to reduce the minimum water setback in order to permit an addition to a single detached dwelling and to permit a shed within the front yard whereas an interior side yard or rear yard location is currently permitted.

Mr. Harding noted comments received after the writing of the report from the Building Division, Part 8 Sewage Systems (September 16, 2020). The Division had reviewed the proposal and had a further conversation with the applicant this morning. The Division has no concerns with the proposal.

Public comments were received from Sandra Twiselton of 93 Kenedon Drive and Wayne Gardner and Karen Allain of 97 Kenedon Drive in support of the application.

Staff respectfully recommends that the application be granted approval subject to the conditions identified in the report.

The Committee asked for clarification as to the size of the shed. Staff clarified that the application records it as 30.5 square metres, but from their site visit believes the measurement is likely in square feet. Staff deferred to the applicant for clarification. The Committee asked, if the shed is less than 108 square feet, does the applicant require relief from the zoning by-law? Staff replied that a building permit is not required for buildings under a certain size, but size does not exempt them from compliance with the zoning by-law.

Ms. Richards-Conley was present and confirmed the shed size was a typo and should in fact be 30.5 square feet.

There were no further questions from the Committee or other persons.

CA2020-040

Moved By Councillor Yeo

Seconded By A. O'Burnsawin

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.

Carried

3.1.3 COA2020-027

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.

Mr. Harding summarized Report COA2020-027, to request relief to recognize the size of the lot and to permit a single storey dwelling with a 57.4 square metre footprint.

Agency comments received from the Building Division (September 8, 2020), no concerns.

Mr. Harding made an amendment to report COA2020-027, Condition 1, where it refers to Report COA2020-023, to now read COA2020-027.

Staff respectfully recommends that the application be granted approval subject to the conditions identified in the report as amended.

The Committee questioned Page 3, Rationale 3, paragraph 2, line 2. Provided the Building Division, Part 8 Sewage System has no concerns with the proposed servicing. Have we received a report from the Building Division? Staff replied no. The Committee suggested that a condition be added.

The applicant, Tom deBoer was present and confirmed that he had completed a septic design for the property. Mr. deBoer sought clarification on the proposed staff amendment to condition 1.

No further questions from the Committee or other persons.

CA2020-041

Moved By B. Archer

Seconded By A. O'Bumsawin

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 COA2020-027, which shall be attached to and form part of the Committee's Decision; and
2. **That** prior to issuance of a building permit, the owner shall submit to the Secretary-Treasurer confirmation from the Part 8 Sewage Systems that the sewage system can be accommodated on the property.
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 COA2020-027. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Carried

3.1.4 COA2020-029

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

Mr. Stainton summarized Report COA2020-029, to request relief to construct a detached garage.

Agency comments received from the Building Division, Engineering Corporate Assets and Building Division, Part 8 Sewage Systems with no concerns.

Staff respectfully recommends that the application be granted approval subject to the conditions identified in the report.

There were no questions from the Committee or other persons.

CA2020-042

Moved By Councillor Yeo

Seconded By S. Strangway

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.

Carried

3.1.5 COA2020-030

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.

Mr. Harding summarized Report COA2020-030 to request relief in order to permit an addition to a single detached dwelling and permit an accessory building (shed).

Since the writing of the report, staff noted public comments received from Mr. Cutts (September 16, 2020) seeking clarifications on the nature of the application and existing parking situation. Staff responded to questions and comments as per email provided.

Staff respectfully recommends that the application be granted approval subject to the conditions identified in the report.

The Committee asked if staff would like to speak to the eight conditions in the report. Staff replied that all the conditions were identified through discussions with Planning, Kawartha Region Conservation Authority and the owner/applicant in 2018 and were approved at that time as a result. They are being brought forward again as the application is unchanged.

The Committee asked why the application lapsed. Staff replied that the applicant stated it was due to contractor availability, but deferred to the applicant for further clarification.

The applicant, Tom deBoer of TD Consulting Inc. was present and spoke to the Committee. He confirmed that the application lapsed due to finances and the availability of the contractor.

No further questions from the Committee or other persons.

CA2020-043**Moved By A. O'Bumsawin****Seconded By Councillor Yeo**

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.

Carried

3.1.6 Memorandum - D20-2020-027

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

Mr. Stainton spoke to the requested deferral. It was understood that the applicant is to install an appropriately sized septic system. Staff have requested a deferral of a period of not more than 4 month but believe the application can be brought back sooner.

The Committee asked staff if the applicant has been included in discussions regarding the deferral. Staff replied yes the applicant is aware and is confident they are able to bring back a product that can be brought forward in the future.

There were no further questions from the Committee or other persons.

CA2020-044

Moved By A. O'Bumsawin

Seconded By B. Archer

That Minor Variance Application D20-2020-027 be deferred for a period of not more than four months, returning at the latest to its first meeting in January 2021.

Carried

3.1.7 COA2020-032

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

Mr. Stainton summarized Report COA2020-032, to request relief to reduce the minimum front yard setback in order to permit the construction of a new single detached dwelling.

Agency comments received from Building Division (September 8, 2020) No concerns.

Agency comments received after the writing of the report from Development Engineering (September 15, 2020) had no objections.

The supervisor Anne Elmhirst of Part 8 Sewage Systems had no concerns with the proposed development with Part 8 approvals included as part of the building permit process.

Staff respectfully recommends that the application be granted approval subject to the conditions identified in the report.

No questions from the Committee or other persons.

CA2020-045

Moved By Councillor Yeo

Seconded By S. Strangway

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.

Carried

3.2 Consents

4. **Deferred Applications**

4.1 Minor Variances

4.1.1 COA2020-033

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.

Mr. Stainton summarized report COA2020-033 previously deferred at the July 16, 2020 meeting, to request relief in order to permit the construction of a new single detached dwelling with a deck and attached garage.

Agency comments received from the Building Division (September 8, 2020). Spatial separation required if the Ontario Building Code will govern Fire Resistance Ratings and cladding.

Development Engineering Division (August 31, 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.

Letters of opposition received from:

Kate Rousseau and Ryan Stevenson of 19 Church Street.

John Trennum and Jane Byers of 56 Mary Street East.

Shelley Ferguson of no fixed address in Omemee.

A petition was provided through Shelley Ferguson with 29 signatures again with no addresses provided in opposition to the application. No specific concerns were identified. Survey issues have been resolved. Major concerns-

1. Infilling on undersized lots within the village of Omemee.
2. Lot creation within the village of Omemee.
3. Drainage concerns and storm water conveyance to the adjacent properties.

Ms. Ferguson is the contact for the petitioners. Staff had an extensive talk with her regarding the issues. The conversation was cordial and that she was satisfied with the recommendation that the lot drainage and grading plan condition be imposed.

Staff respectfully recommends that the application be granted approval subject to the conditions identified in the report.

The Committee asked where the well would be or have they drilled it. Staff replied that the well is situated in the front of the dwelling and that it has been drilled already. The Committee asked if a drainage plan be put in place for this lot and will it meet the needs of the residents on the lot and neighbouring homes. Staff replied that the expertise of the Engineering Division review is satisfactory. The Committee asked at what point is the drainage plan developed. Staff replied that because this is a vacant lot of record, a lot drainage and grading plan would be required at the building permit process stage, before building starts.

The Committee questioned Page 5 of 6 under servicing comments. As part of the building permit process the applicant will be required to obtain a connection to the municipal sanitary system. The Committee proposed to add a condition as a red flag to the building division that the applicant is required to connect to the municipal sanitary system and asked if staff have an objection to that. Staff replied that there is no harm in doing so; they will also need to obtain an entrance permit as well as part of the building process.

The applicant, Tom deBoer of TD Consulting Inc. was present and thanked staff. He had no objection to the additional condition.

There were no further questions from the Committee or other persons.

The Committee motioned to grant approval of the application with the addition of a condition that requires the hook up to the municipal sanitary system.

CA2020-046

Moved By S. Strangway

Seconded By A. O'Bumsawin

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;
3. **That** prior to the issuance of a building permit, the owner will be required to obtain a connection to the municipal sanitary system; and
4. **That** the building construction related to the minor variances shall be completed within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

This approval pertains to the application as described in report COA2020-033. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Carried

4.2 Consents

5. **Other Business**

The Chair thanked everyone regarding how well the meeting went with no technical issues. Special thanks to Mr. Holy, Manager of Planning. Mr. Holy noted that the IT Department supplied webcams for everyone in the Planning department as they are in short supply. This will improve Committee of Adjustment, Planning Advisory Committee and Council meetings.

6. **Correspondence**

7. **Next Meeting**

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

8. **Adjournment**

CA2020-047

Moved By B. Archer

Seconded By Councillor Yeo

That the meeting be adjourned at 2:18pm.

Carried



Mark LaHay, Acting Secretary-Treasurer

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – 2126660 Ontario Inc.
Report Number COA2020-028

Public Meeting

Meeting Date: October 15, 2020
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 3 – Geographic Township of Fenelon

Subject: The purpose and effect is to permit the construction of a detached garage and recognize the location of an existing septic system pump house by requesting relief from the following provisions:

Detached Garage

1. Section 13.2.1.3 (a) to reduce the minimum front yard setback for a detached garage from 7.5 metres to 5.33 metres;

Septic System Pump House

2. Section 3.1.2.1 to construct an accessory building which is not part of the main building within the front yard of the property;
3. Section 13.2.1.3 (a) to reduce the minimum front yard setback from 7.5 metres to 5.64 metres, and;

Lot Coverage for Accessory Structures

4. Section 3.1.3.1 to increase the total allowable lot coverage for accessory buildings and structures from 8% to 13.83%

The variance is requested at 64 Iris Drive, geographic Township of Fenelon (File D20-2020-024).

Author: Kent Stainton, Planner II

Signature:



Recommendations:

Resolved That Report COA2020-028 212660 Ontario Inc., be received;

That minor variance application D20-2020-024 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 COA2020-028, which shall be attached to and form part of the Committee's Decision;

- 2) **That** notwithstanding the definition of front yard, the granting of the variance will not be interpreted to permit the placement of any other structure or accessory building between the front wall of the dwelling and the front lot line;
- 3) **That** within 24 months after the date of the Notice of Decision the owners shall submit to the Secretary-Treasurer photographic evidence confirming that the structure identified on Appendix C to Report COA2020-028 as 'gazebo' has been removed;
- 4) **That** within 24 months after the date of Notice of Decision the owners shall submit to the Secretary-Treasurer photographic evidence confirming that the eastern edge of the wooden deck identified on Appendix C to Report COA2020-028 attached to the existing single detached dwelling has been modified to reflect a minimum 1.3 metre setback from the eastern side lot line, and;
- 5) **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 COA2020-028. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: The applicant initially proposed review of the detached garage in 2015 through a prescreening application that was withdrawn. Relief was being sought for a reduced front yard setback and increase in the maximum allowable height for the proposed detached garage.

Through the pre-screening process, the height of the garage was lowered to comply with the Zoning By-law. Additional variances pertaining to the maximum lot coverage for accessory buildings and structures as well as the pumphouse for the septic system were identified. Recognition of the pumphouse within the front yard is being sought. The distance from the front lot line is also being sought to comply with the by-law.

Through conducting a site visit associated with the application, it was determined that the eastern side of the wooden deck associated with an open Building Permit application from 2008

was closer than the allowable side yard setback for accessory structures. The application was not deemed complete until direction regarding modifications to the deck were provided by the applicant.

This application was deemed complete on August 17, 2020.

Proposal: To construct a new 72.466 square metre (780 square feet) detached garage with storage loft and to recognize the construction of a 3.55 square metre (38.2 square feet) pump house associated with a septic system. The detached garage is not proposed to contain habitable space.

Owner: 2126660 Ontario Inc. (Vinti Sansanwal)

Legal Description: Part Lot 25, Concession 3, Lot 13, Plan 241 geographic Township of Fenelon, 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 Fenelon Zoning By-law 12-95

Site Size: 1,437.91 square metres (15,477.53 square feet)

Site Servicing: Private individual well supply and septic system

Existing Uses: Shoreline Residential

Adjacent Uses: North: Balsam Lake
East, West: Shoreline Residential
South: Iris Drive, Rural Residential, Wood lot

Rationale:

1) Are the variances minor in nature? Yes

And

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

The subject property is situated on the south shore of Balsam Lake along a row of shoreline residential lots. The dwellings along Iris Drive are moderately sized and comprised of varying built form. The 1.5 storey single detached dwelling was constructed several years ago with a fairly modern design.

The associated detached garage will be constructed using similar stone and brick composition with an identical colour scheme to the dwelling unit. Since the height of the garage at 4.97 metres to the midpoint of the rafter complies with the maximum allowable height provision for accessory structures and there are no buildings or structures to the east of the proposed location of the garage, there are no anticipated massing impacts from the detached garage.

The subject property is surrounded on all sides by dense vegetative buffers, which effectively screen the proposed garage from the neighbouring lots as well as partially from the road when travelling westbound on Iris Drive. The driveway leading to the double garage doors on the western side of the garage has a wider turning radius that allows vehicles to turn around or drive out of the property, lessening impacts to traffic along Iris Drive. The western property line is also screened by a newer wooden fence immediately west of the septic pump house to assist with privacy screening. On the south side of Iris Drive, a dense buffer of woodland is present. No adverse impacts to the privacy of the neighbourhood are anticipated due to the presence of the vegetative buffers and no visual impedance is created through the proposed site of the garage.

The location of the existing septic system and driveway to the west of the proposed garage prohibits the footprint from being situated in the western front yard. The linear bed of the tertiary system and existing holding tank confine the garage to the proposed location.

The existing dwelling is located closer to the eastern lot line while access to the rear yard is maintained on both sides, but primarily on the western side of the property. While the garage is proposed within the front yard, it is anticipated that the garage use will complement the character of the property and streetscape by providing enclosed storage for vehicles and other items that would otherwise be stored outside within the front yard.

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.

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 General Provisions set a maximum coverage of 8% for accessory buildings or structures to a maximum of 225 square metres. On smaller residential properties, the provision can substantially restrict the ability to construct sufficiently sized buildings or structures. The proposal complies with the maximum lot coverage within the RR3 Zone category. The modest 5.83% increase acknowledges the proposed detached garage at 5.04% (72.47m²), the boathouse at 2.68% (38.46m²), the attached wooden deck at 5.86% (84.32m²) and the septic system pump house at 0.25% (3.55m²). The overall area of the accessory structures is 198.81 m², which is less than the maximum allowable 225 square metres. Unlike most zoning by-laws within the City, the wooden deck does factor into the calculation for lot coverage within the Township of Fenelon Zoning By-law. The gazebo was not considered in the calculation since it is being removed.

The dwelling retains its visual prominence as the primary use and building on the property. The increase in coverage also maintains the intent of the zoning by-law to maintain adequate landscaped open space for amenity, service (i.e. sewage system and well) and storm water infiltration. Therefore, it is

appropriate to increase the lot coverage to permit the additional accessory buildings.

The 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. Another intent of the location provision is to ensure accessory buildings and uses do not dominate the streetscape. Where a lot fronts onto a navigable waterway, the Township of Fenelon Zoning By-law does permit a private garage between the main building on the lot and the street line provided the garage complies with the yard provisions of the zone. The proposed garage complies with all other yard provisions of the Zoning By-law.

Given the overall size and scale of the septic system pumphouse, the presence of the structure within the front yard is relatively imperceptible. The septic system was granted a permit in 2020 and the structure complies with the interior side yard setback from the western lot line. The pumphouse is also positioned with essentially the same setback as the proposed garage. As such, the established building line within the front yard will be virtually the same.

It is important to note that gazebo located along the shoreline will be removed upon completion of construction. The gazebo was acknowledged during the pre-screening process and the applicant has agreed to remove the structure. A condition is recommended in order to confirm removal of the structure.

Upon conducting site inspection associated with the variances, Planning staff identified the wooden deck associated with an open Building Permit had been constructed approximately 0.9 metres from the eastern side lot line. The findings were conveyed to the owner, who has agreed to relocate the eastern edge of the deck to reflect a 1.3 metre side yard setback at minimum. A condition is recommended in order to confirm compliance with the Zoning By-law.

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

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

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

All built form of any substantial height will be at least 15 metres away from the shoreline, satisfying Policy 3.11, which directs development away from the shoreline wherever possible and establishes a minimum water setback of 15 metres.

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 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:

Engineering and Corporate Assets Division (October 5, 2020): No objections.

Building Division (October 2, 2020): A Building permit is required for the construction of the garage. As the pad has been poured, construction began without a permit.

Part 8 Sewage Systems (September 3, 2020): A sewage system has been constructed on the property under File F-18-08. The driveway to access the garage will be maintained wholly in front of the dwelling to avoid the sewage system envelope. No concerns.

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

Public Comments: No comments have been received as of October 6, 2020.

Attachments:



Appendices A-F for
COA2020-028.pdf

Appendix A – Location Map

Appendix B – Aerial Photo of Subject Property

Appendix C – Applicant's Site Plan

Appendix D – Elevation Drawings (North Elevation)

Appendix E – Elevation Drawings (South Elevation)

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: D20-2020-024

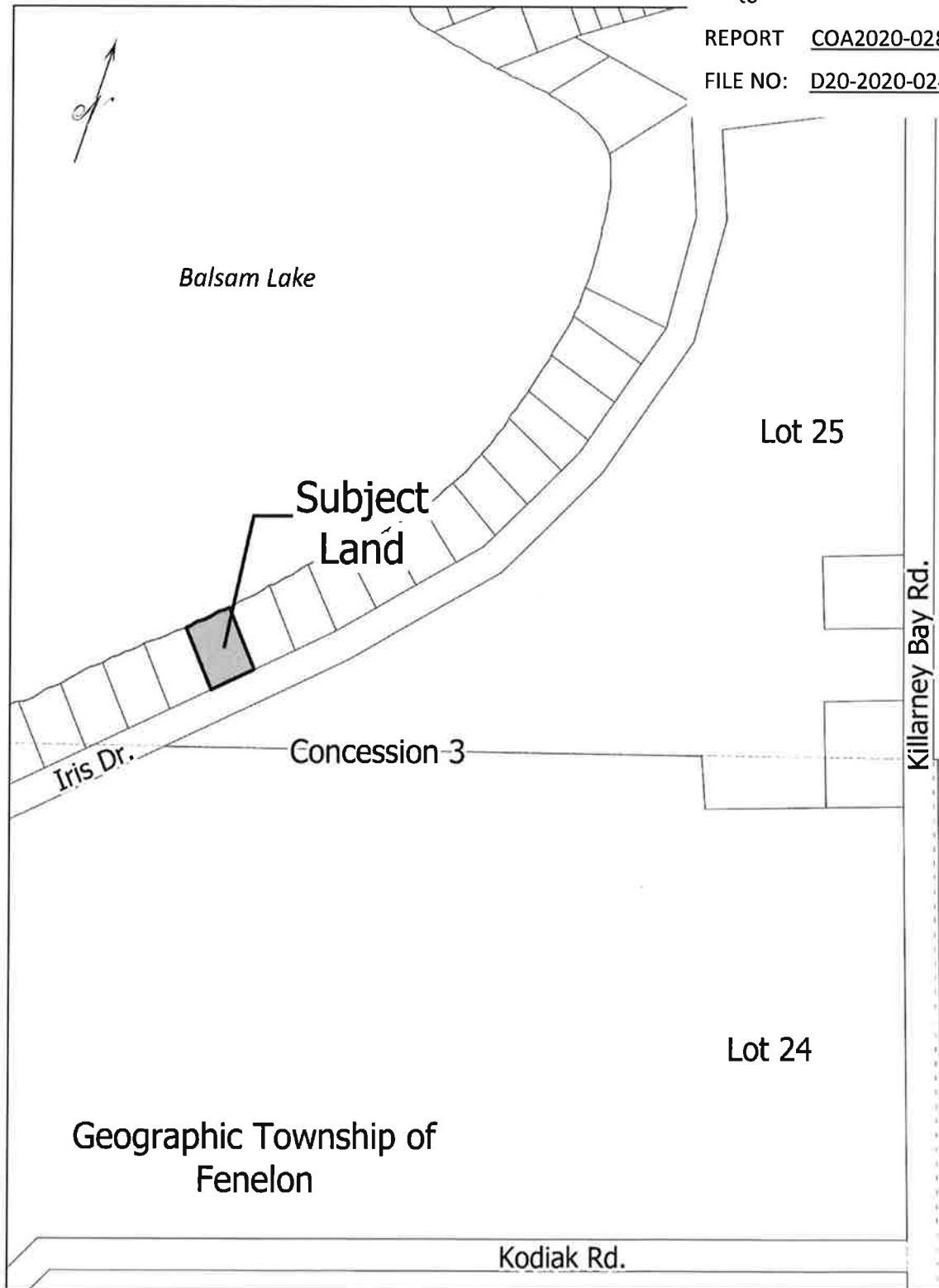
D20-2020-024

APPENDIX " A "

to

REPORT COA2020-028

FILE NO: D20-2020-024





GEOMATICS
MAPPING

64 Iris Drive, Geographic Township of Fenelon



Legend

- ☐ Property Roll Number
- ☐ Lots and Concessions
- ☐ Lower Tier Municipalities

Notes

Notes

APPENDIX " B "

to

REPORT COA2020-028

FILE NO: D20-2020-024

0.07

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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to

FILE NO: D20-2020-024



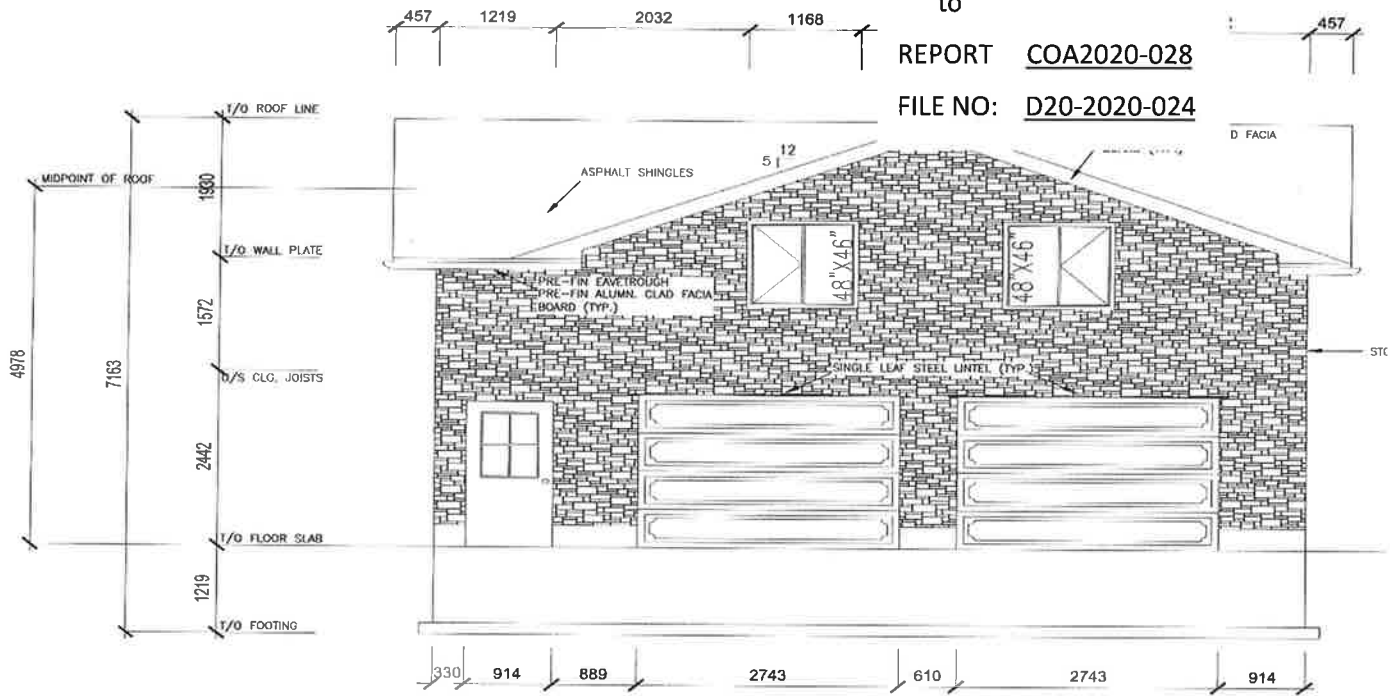
INFORMATION WAS TAKEN IN PART
FROM PLAN OF SURVEY SHOWING
LOT 13 & 14 REG. PLAN 241
TOWNSHIP OF FENELON, CANADA

~~24~~

29

APPENDIX " D "

to
REPORT COA2020-028
FILE NO: D20-2020-024



2 WEST ELEVATION



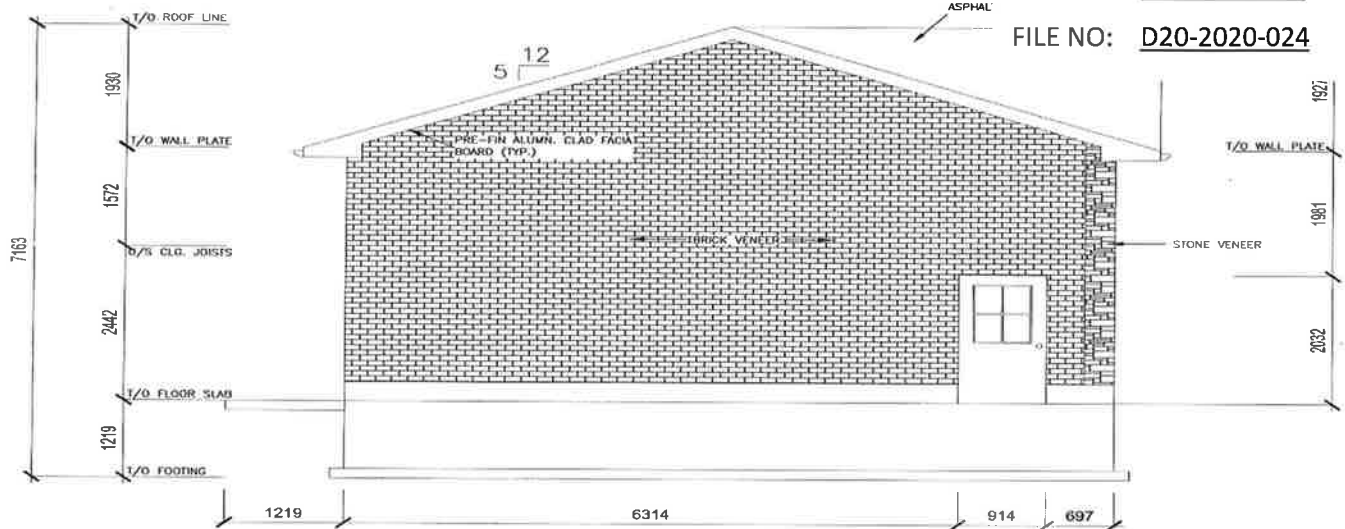
3 SOUTH ELEVATION

APPENDIX " E "

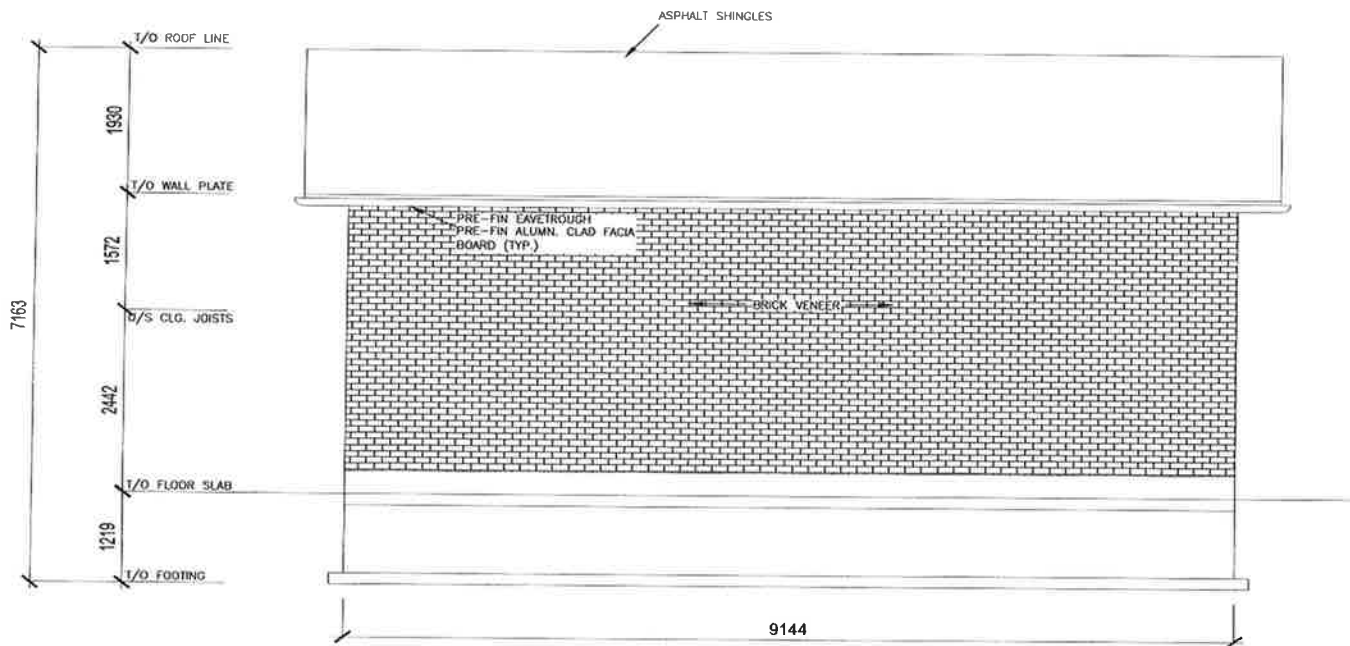
to

REPORT COA2020-028

FILE NO: D20-2020-024



1 NORTH ELEVATION



4 EAST ELEVATION

Kent Stainton

From: Mark LaHay
Sent: Monday, October 5, 2020 10:16 AM
To: David Harding; Kent Stainton
Cc: Charlotte Crockford-Toomey
Subject: FW: 20201005 D20-2020-024 - Engineering review

FYI - file

From: Kim Rhodes
Sent: Monday, October 5, 2020 9:48 AM
To: Mark LaHay
Cc: Christina Sisson ; Kirk Timms
Subject: 20201005 D20-2020-024 - Engineering review

APPENDIX F
to
REPORT COA2020-028
FILE NO. D20-2020-024

Please see the message below from Christina Sisson:

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

Minor Variance – D20-2020-024
64 Iris Drive
Part Lot 25, Concession 3, Lot 13, Plan 241
Geographic Township of Fenelon

It is the understanding by Engineering that the purpose and effect is to request relief from the following provisions in order to construct a detached garage and acknowledge the location of an existing septic system pump house:

1. Section 3.1.2.1 to construct an accessory building (septic system pump house) which is not part of the main building within the front yard of the property;
2. Section 3.1.3.1 to increase the total lot coverage for accessory buildings and structures from 8% to 13.83%;
3. Section 13.2.1.3 (a) to reduce the minimum front yard setback for a detached garage from 7.5 metres to 5.33 metres;
4. Section 13.2.1.3 (a) to reduce the minimum front yard setback for the septic system pump house from 7.5 metres to 5.64 metres.

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

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

Thanks,

CHRISTINA

Christina Sisson, P.Eng.
Supervisor, Development Engineering

Kent Stainton

From: Charlotte Crockford-Toomey
Sent: Friday, October 2, 2020 2:10 PM
To: Kent Stainton
Subject: FW: D20-2020-024 64 Iris Drive

Follow Up Flag: Follow up
Flag Status: Completed

Fyi

I will scan and put hard copy in the file.

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



Please note: The Development Services 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.

From: Derryk Wolven
Sent: Friday, October 2, 2020 1:52 PM
To: Charlotte Crockford-Toomey
Subject: D20-2020-024 64 Iris Drive

Building permit is required for the proposed garage. Construction started without permit in place.

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



KRCA File NO: PPLK-10218

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
D20-2020-024
64 Iris Dr, Fenelon
2126660 Ontario Inc./ Vinti Sansanwal**

Kawartha Conservation has completed review of the above noted Minor Variance Application, submitted by 2126660 Ontario Inc. 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 D20-2020-024 is to:

- Reduce the front yard setback from 7.5 metres to 5.33 metres for the existing septic pump house and proposed garage, and
- Increase accessory building coverage from 8% to 14.827%.

Site Characteristics:

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

Natural Heritage Features:

- Provincially Significant Wetland. The subject property is within the 120 metre regulated buffer of a Provincially Significant Wetland (Balsam Lake South Bay Complex).
- Balsam Lake/Fish Habitat – Kawartha Conservation regulates the shoreline of Balsam Lake and 15 metres from the high water mark.

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



Elin McQuay

Resources Planner Technician
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



Kent Stainton

From: Charlotte Crockford-Toomey
Sent: Thursday, September 3, 2020 8:57 AM
To: David Harding; Kent Stainton
Subject: FW: D20-2020-024 - 64 Iris Dr

fyi

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



Please note: The Development Services 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.

From: Anne Elmhirst
Sent: Thursday, September 03, 2020 12:34 AM
To: Charlotte Crockford-Toomey
Subject: D20-2020-024 - 64 Iris Dr

Hello Charlotte,

I have received and reviewed the application for Minor Variance to request relief from the front yard setback and to request from the required lot coverage for the construction of an accessory structure.

A sewage system has been constructed on the property under file F-18-08. The sewage system is located on the west side of the property. The accessory structure, detached garage, is proposed on the east side of the property. The driveway to access the garage will be maintained wholly in front of the dwelling to avoid the sewage system envelope.

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

Best Regards,

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

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – 2085633 Ontario Ltd. c/o Nelson Homes

Report Number COA2020-036

Public Meeting

Meeting Date: October 15, 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 Section 8.2.1.3(c) to reduce the minimum exterior side yard setback from 4.5 metres to 3.7 metres in order to permit a single detached dwelling.

The variance is requested at 11 Distillery Street, former Village of Omemee (File D20-2020-031).

Author: David Harding, Planner II, RPP, MCIP

Signature: 

Recommendation:

Resolved That Report COA2020-036 2085633 Ontario Ltd., c/o Nelson Homes, be received;

That minor variance application D20-2020-031 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 COA2020-036, 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 COA2020-036. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Background: This application was deemed complete September 17, 2020.

Proposal: To permit a reduced exterior side yard setback to a single detached dwelling.

Owner: 2085633 Ontario Ltd.

Applicant: Tom deBoer, TD Consulting Inc.

Legal Description: Part of Lots 14 - 18, West of Hughes Street, Plan 109, former Village of Omemee, City of Kawartha Lakes

Official Plan: Urban 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: 3,193.9 square metres (0.79 acres)

Site Servicing: Private individual well and septic system

Existing Uses: Vacant Land under Construction

Adjacent Uses: North, East: Residential
South: Agricultural
West: Vacant Land, Wetland

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 within a rural residential area on the southeastern side of the Omemee settlement area.

Distillery Street is a small dead-end road that has experienced small-scale residential development over the past few years. The subject property is the last lot on the north side of the road to be developed. The street appears rural in nature due to the larger lot sizes in comparison to the older, smaller lots found in other parts of Omemee, and the generous distances between the dwellings and lot lines.

As the exterior side yard is calculated from the east lot line, and the east lot line abuts an unopened road allowance, that yard will appear to function as an interior side yard. No adverse impacts are anticipated to the overall rural character of the neighbourhood should a road within the unopened road allowance be constructed at a later date.

The exterior side yard is of sufficient length to permit the maintenance of the east wall of the building.

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 Residential Type One (R1) Zone permits a single detached dwelling, a park and a school.

The intent of the exterior side yard setback is to provide adequate spatial separation between a road allowance and an abutting residential use to avoid items such as: land use conflicts between the transportation and residential uses, spatial buffering between the residential use and road maintenance works, impacts to sightlines, and impacts to snow storage.

The property abuts a portion of the Hughes Street road allowance that is unopened. The portion of the proposed dwelling to utilise the reduced exterior side yard setback contains an attached garage. Therefore, adverse impacts to the residential use, should the road be constructed, would be negligible as the garage is not habitable space. Further, sufficient space remains within the reduced exterior side yard to provide spatial separation between the residential and road use, should the road be constructed. Unless the road is constructed, there will be no perceptible reduction in the exterior side yard. In fact, the yard will appear to function as a large interior side yard.

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

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

The Omemee Secondary Plan is under appeal. As such, the County of Victoria Official Plan (Official Plan) remains in effect. The property is designated Urban within the Official Plan. Low density residential uses, along with accessory uses are anticipated within this designation.

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

Other Alternatives Considered:

No other alternatives were considered at this time.

Servicing Comments:

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

Consultations:

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

Agency Comments:

Building Division (October 2, 2020): No concerns.

Development Engineering Division (October 5, 2020): No concerns.

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

Public Comments:

No comments received as of October 6, 2020.

Attachments:



Appendices A-D to
Report COA2020-031

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:	D20-2020-031

to

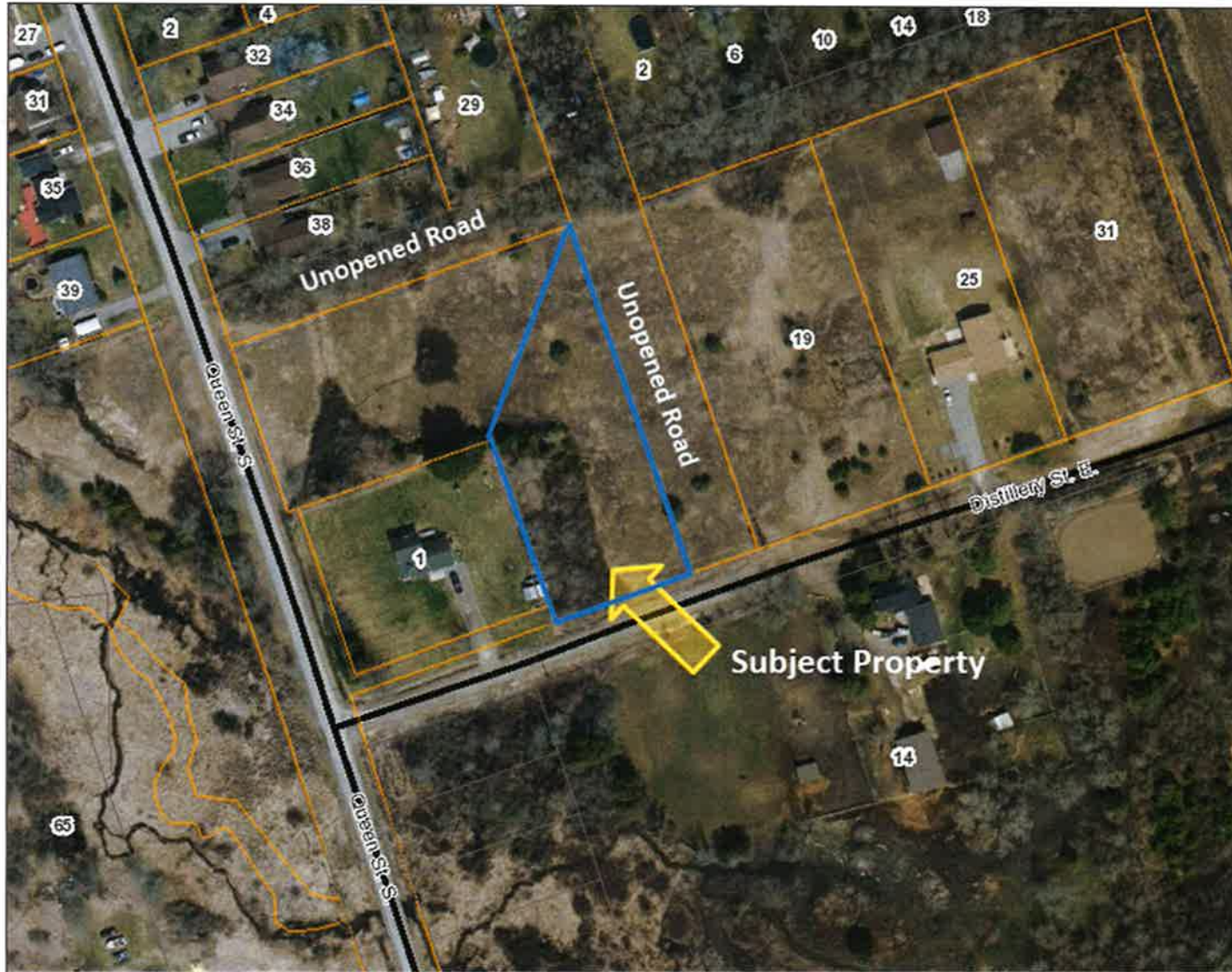
REPORT COA2020-036

FILE NO: D20-2020-031

D20-2020-031



11 Distillery Street, former Village of Omemee



0.11

Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes



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APPENDIX " B "
to
REPORT COA2020-036
FILE NO: D20-2020-031

FILE NO: D20-2020-031



David Harding

From: Derryk Wolven
Sent: Friday, October 2, 2020 2:12 PM
To: Charlotte Crockford-Toomey
Subject: D20-2020-031 11 distillery

APPENDIX " D "
to
REPORT COA2020-036

Building has no concerns.

FILE NO. D20-2020-031

Derryk Wolven, CBCO

Plans Examiner

Development Services, Building Division, City of Kawartha Lakes

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



David Harding

From: Mark LaHay
Sent: Monday, October 5, 2020 10:16 AM
To: David Harding; Kent Stainton
Cc: Charlotte Crockford-Toomey
Subject: FW: 20201005 D20-2020-031 - Engineering review

Follow Up Flag: Follow up
Flag Status: Flagged

FYI - file

From: Kim Rhodes
Sent: Monday, October 5, 2020 9:48 AM
To: Mark LaHay
Cc: Christina Sisson ; Kirk Timms
Subject: 20201005 D20-2020-031 - Engineering review

Please see the message below from Christina Sisson:

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

Minor Variance – D20-2020-031
11 Distillery Street
Part Lots 14-18 West of Hughes Street, Plan 109
Former Village of Omemee

It is the understanding by Engineering that the purpose and effect is to request relief from Section 8.2.1.3 (c) to reduce the minimum exterior side yard setback from 4.5 metres to 3.7 metres in order to permit a single detached dwelling.

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

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

Thanks,

CHRISTINA

Christina Sisson, P.Eng.
Supervisor, Development Engineering
Engineering & Corporate Assets, City of Kawartha Lakes
705-324-9411 ext. 1152 www.kawarthalakes.ca



David Harding

From: Anne Elmhirst
Sent: Tuesday, October 6, 2020 11:17 AM
To: David Harding
Subject: D20-2020-031 - 11 Distillery

Hi David,

I have no issues with this request.

Thanks,

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.

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report –Thornbury and Walker
Report Number COA2020-038

Public Meeting

Meeting Date: October 15, 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 to request relief from Section 12.2.1.3 (c) to reduce the minimum exterior side yard setback of 7.5 metres to 1.2 metres in order to permit the construction of a new single storey detached dwelling and deck.

The variance is requested at 12 Treewood Lane, geographic Township of Bexley (File D20-2020-033).

Author: Kent Stainton, Planner II

Signature: 

Recommendations:

Resolved That Report COA2020-038 Thornbury and Walker, be received;

That minor variance application D20-2020-033 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 & D submitted as part of Report COA2020-038, which shall be attached to and form part of the Committee's Decision;
- 2) **That** prior to proceeding with the building permit process, the owner shall apply for a deeming by-law to ensure that the Federal Crown Land known as Part 1 of 57R-10663, Plan 175 will consolidate with the subject lands known as Lot 11, Plan 175, 12 Treewood Lane, and the by-law be in effect;
- 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 COA2020-038. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: Upon applying for a Building Permit to demolish the existing detached dwelling and wooden deck in order to facilitate the construction of a new single detached dwelling and deck, the Building and Zoning Clerk identified that the lands immediately to the north of the subject property are part of a road allowance.

The applicant sought clarification from the Planning Division in regard to the ownership of the abutting lands to the north of the existing parcel. Following correspondence with the Realty Services Division, it was determined the lands to the north are owned by the City of Kawartha Lakes in the form of a road allowance that facilitates public access to Balsam Lake. As such, the property is considered a corner lot; therefore, the side yard is considered an 'Exterior Side Yard' for the purposes of implementing the Zoning By-law.

This application was deemed complete on September 15, 2020.

Proposal: To demolish the existing one-storey detached dwelling and wooden deck and construct a new 152 square metre (1,636.11 square feet) two-storey detached dwelling and attached wooden deck.

Owner: Samuel Thornbury and Sherrie Walker

Applicant: Brian Hoag

Legal Description: Lot 11 and Part of Block D, Plan 175, geographic Township of Bexley, 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 Bexley Zoning By-law 93-09

Site Size: 674 square metres (7,254 square feet)

Site Servicing: Private individual well and holding tank for septage

Existing Uses: Shoreline Residential

Adjacent Uses: North, South: Shoreline Residential
West: Shoreline Residential, Treewood Lane, Farmingdale Lane
East: Balsam Lake

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 along the shoreline of a southwestern bay of Balsam Lake. This specific parcel is surrounded by smaller shoreline residential lots comprised of cottages and single detached dwellings. The lots in the neighbourhood are flat with a variety of built form ranging from quaint bungalows to modern two-storey in-fill development.

The proposed design of the dwelling incorporates elements of modern and traditional design and will add to the overall character of the neighbourhood. The double patio doors provide for a transition to the amenity space within the rear yard towards the lake. Since the overall footprint of the development is being shifted to the west of the parcel, amenity space in the form of a rear yard is being increased. The slight increase in lot coverage does not impair the area of available landscaped amenity space or the appearance of the property.

The presence of detached accessory structures in the front yard of the subject lands as well as on the lot to the south provides increased privacy for the lot by essentially screening the entire width of the property with the exception of the driveway. Both accessory structures were constructed in 1960 (according to MPAC) and predate the first Zoning By-law for the Township of Bexley (1979).

Dense cedar trees along the northern lot line running the entire length of the parcel combine with the buffer provided from width of road allowance to provide substantial privacy from the neighbouring lot to the north. The boathouse and a mature cedar hedge running the entire length of the southern property line. The vegetation effectively screens the property on both sides from the neighbouring lots. No adverse impacts to the neighbourhood are anticipated due to the presence of the vegetative buffers.

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

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

The Rural Residential Type Three (RR3) Zone permits a variety of uses, including single detached and vacation dwellings.

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

In this case, the exterior side yard functions as an interior side yard, as the road allowance it abuts is densely vegetated and provides the ability for residents to access Balsam Lake. An interior side yard serves primarily as a space to provide for lot and building maintenance, establish utility infrastructure and facilitate access between the rear and front yards. The proposed exterior side yard distance of 1.2 metres is of sufficient space to provide for lot and building maintenance with the opposite interior side yard setback providing ample space for accessibility to the rear yard. In fact, the proposed 1.2 metre setback improves the current 0.2 metre exterior side yard setback of the dwelling.

The location of the proposed septic system in between the dwelling and the southern lot line prevents the development from being relocated further to the south of the lot. While acknowledging the water setback, a slight adjustment of the footprint to the south while maintaining accessibility along the northern property line is pragmatic.

It is understood that a portion of the shoreline identified as Part 1 of PLAN 57R-10663 on the survey provided with the application is under the ownership of the Trent Severn Waterway (TSW). The owner is in the process of purchasing the abutting shoreline lands from the TSW. As a recommended condition of approval, the purchase and melding of the aforementioned lands to the existing lot must be accomplished through approval of a Deeming By-law.

As mentioned in Rationale 1 & 2, the existing detached garage and shed close to the front lot line were constructed in 1960 (according to MPAC), which predates the first Township of Bexley Zoning By-law implemented in 1979.

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

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

The property is designated Waterfront within the City of Kawartha Lakes Official Plan. Low density residential uses, along with accessory uses are anticipated within this designation. As per Policy 3.11, the intent of the Official Plan is that development maintains a minimum setback of 15 metres from the shoreline. All development, including the location of the proposed deck is located greater than 15 metres from the shoreline, which represents an increased setback in comparison to the current location of the dwelling and deck.

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 individual well and septic system.

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

Agency Comments:

Trent Severn Waterway (October 5, 2020): An application has been accepted for the sale of Federal Crown Land and approved.

Engineering and Corporate Assets Division (October 5, 2020): No objection.

Building Division (October 2, 2020): No Concerns.

Part 8 Sewage Systems (September 30, 2020): A submission for a Sewage System Permit to install a Class 5 Holding Tank has been received by the Supervisor of Part 8 Sewage Systems. There are no concerns with the proposal.

Planning staff offer a response to the public comments received October 6, 2020 shown below:

Vegetation Removal: The cedar trees along the northern lot boundary are being preserved as best as possible for privacy and screening purposes.

Sale of lands owned by the City of Kawartha Lakes: The lands being sold as part of the application are confined to the shoreline lands owned by the Trent Severn Waterway. To staff's knowledge, there are no applications with the Land Management Committee administered through the Realty Services Division to purchase and close the road allowance. There is a public process associated with the sale of city-owned lands.

Public Comments:

David & Louise Grandy – Treewood Lane (October 6, 2020): Ms Grandy posed questions regarding the removal of the trees along the property line between the subject lands and the road allowance. Furthermore, Ms. Grandy questioned the ability of the owner of the subject property to purchase the lands owned by the City through the minor variance application. If access to Balsam Lake is being prohibited as a result of the application, Ms. Grandy (and other residents) would like to be made aware.

Attachments:



Appendices A - F
for COA2020-038.pdf

Appendix A – Location Map

Appendix B – Aerial Photo

Appendix C – Applicant's Survey

Appendix D – Elevation Drawings (East and West Facing)

Appendix E – Department and Agency Comments

Appendix F – Public Comments

Phone: 705-324-9411 extension 1367
E-Mail: kstainton@kawarthalakes.ca
Department Head: Chris Marshall, Director of Development Services
Department File: D20-2020-033

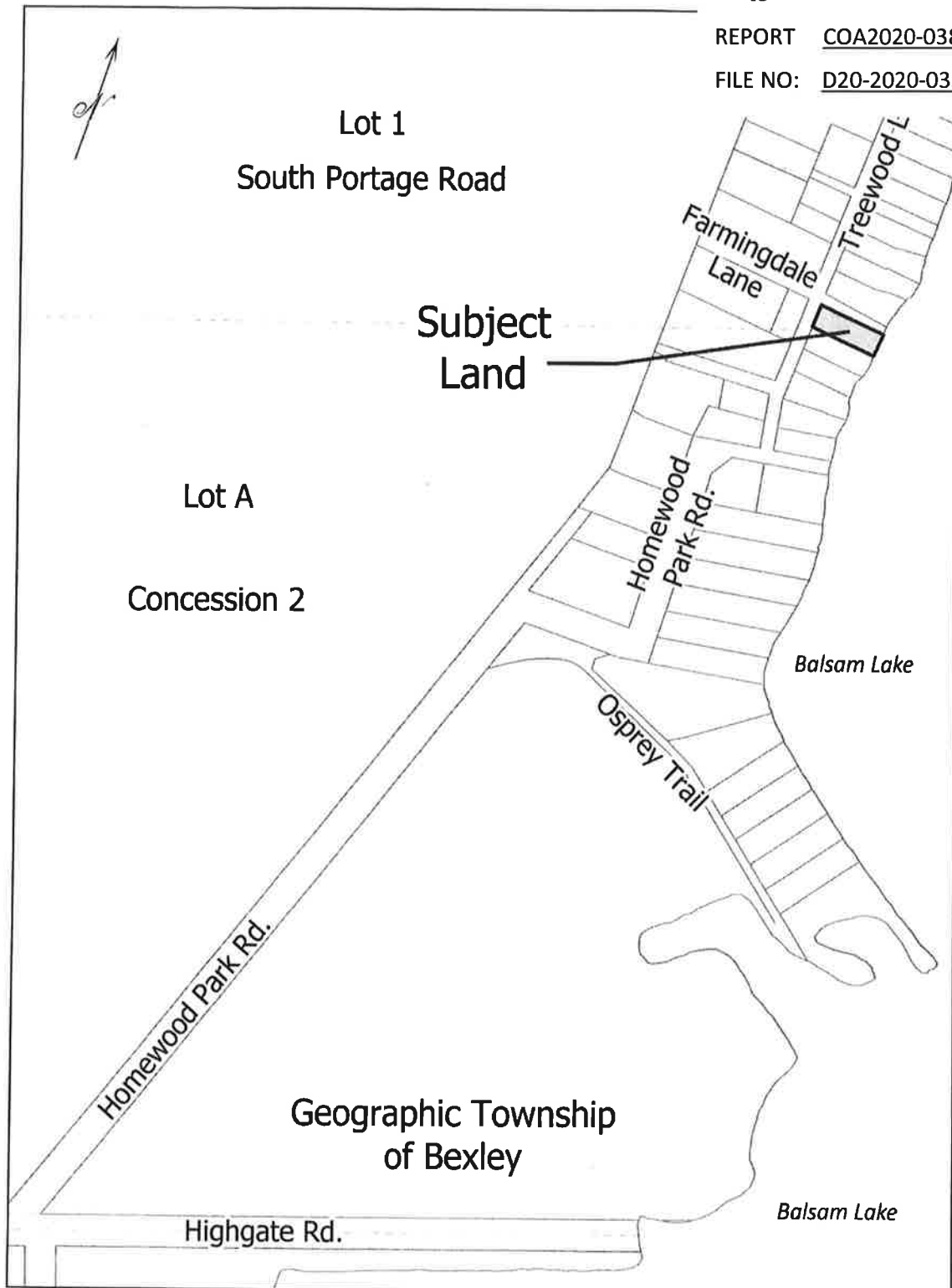
D20-2020-033

APPENDIX " A "

to

REPORT COA2020-038

FILE NO: D20-2020-033





GEOMATICS
MAPPING

12 Treewood Lane, Geographic Township of Bexley



Legend

- ☐ Property Roll Number
- ☐ Lower Tier Municipalities

Notes

Notes

APPENDIX " B "

to

REPORT COA2020-038

FILE NO: D20-2020-033

0.07

Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes

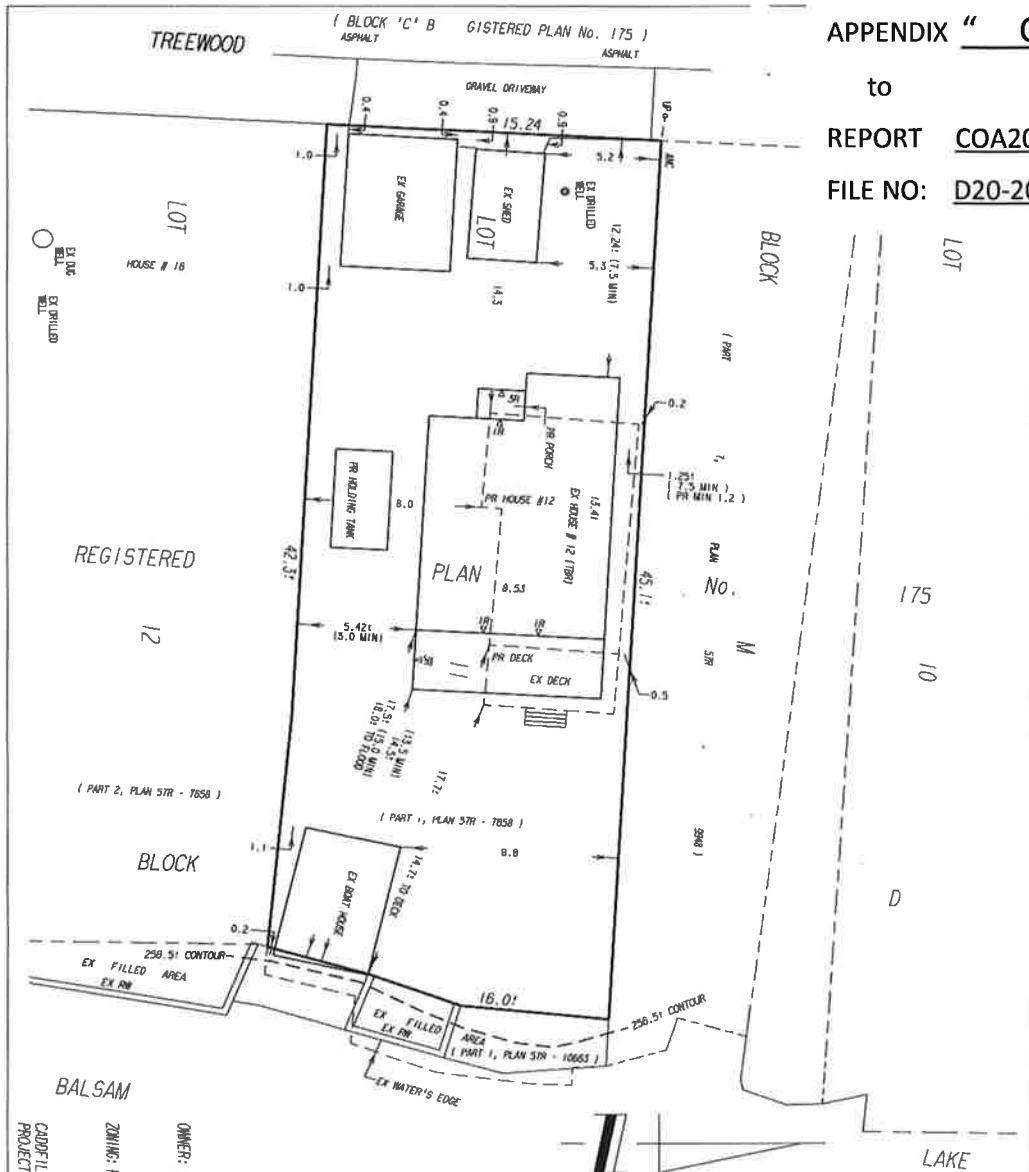


This map is a user generated static map output and is for reference only. All data, layers and text that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP MAY NOT BE USED FOR COMMERCIAL OR LEGAL PURPOSES

APPENDIX " C "

to
REPORT COA2020-038
FILE NO: D20-2020-033



SKETCH FOR MINOR VARIANCE
(# 12 TREEMOOD LANE)
ON ALL OF LOT 11, AND PART OF BLOCK D,
REGISTERED PLAN NO. 175,
GEOGRAPHIC TOWNSHIP OF BEVELY,
CITY OF KAWARTHA LAKES
SCALE 1 : 200 METRES

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

NOTES:

- AREA = 674 SQ. M.
- EXISTING BUILDING AREA = 74.0 SQ. M.
- EXISTING GARAGE AREA = 33.7 SQ. M.
- EXISTING SHED AREA = 17.6 SQ. M.
- EXISTING BOAT HOUSE AREA = 28.9 SQ. M.
- EXISTING BUILDING AREA = 101.3 SQ. M.
- PROPOSED LOT COVERAGE = 27.8%
- MINIMUM OPENING ELEVATION IS 256.80 METRES.

THIS PROPERTY IS REGULATED BY THE K.R.C.A.
WITHIN 15 METRES OF THE 256.5 CONTOUR ELEVATION.

AUGUST 19, 2020

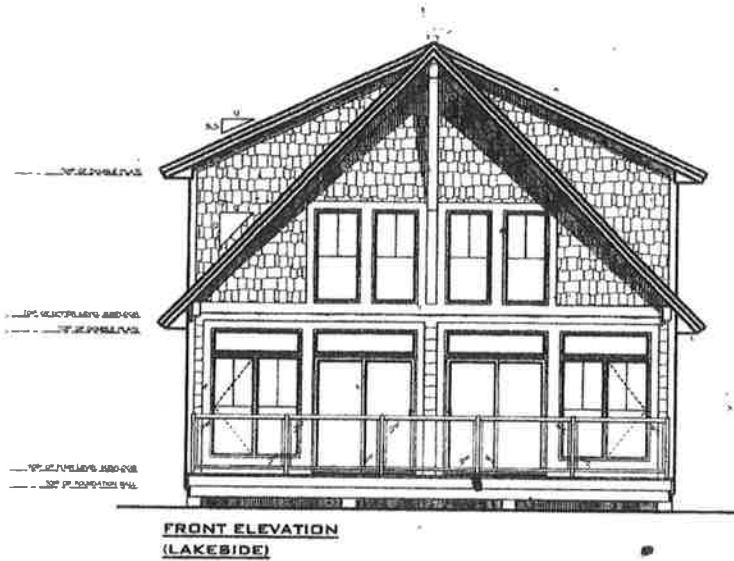
OWNER: WALKER, SHERRI
THORNBERRY, SNAKEL

ZONING: RURAL RESIDENTIAL TYPE THREE (R83).

CADFILE: 80110-M-1.DPD
PROJECT NO. 80110-MV

H. F. GRANGER CO. LTD.
ONTARIO LAND SURVEYOR
1575 HIGHWAY 74 WEST, UNIT 24
PORT PERRY, ONTARIO
L9L 1A6
TEL. (505) 985-3800
FAX. (505) 985-2347

to
REPORT COA2020-038
FILE NO: D20-2020-033





Parks Canada
Parcs Canada



Ontario Waterways

Trent-Severn Waterway National Historic Site &
Rideau Canal National Historic Site
PO Box 56, 2155, Ashburnham Drive
Peterborough, ON K9J 6Z6
705-750-4900
Fax: 705-742-9644

Voies navigables de l'Ontario

Lieu historique national du Canada de la Voie-Navigable-Trent-Severn &
Lieu historique national du Canada du Canal-Rideau
C.P. 567, 2155, promenade Ashburnham
Peterborough, ON K9J 6Z6
705-750-4900
Télécopieur: 705-742-9644

APPENDIX

to

October 5, 2020

REPORT COA2020-038

O/F: 8620-1877

City of Kawartha Lakes

Minor Variance Application - Thornbury

FILE NO. D30-2020-033

To whom it may concern:

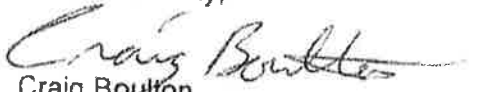
**HER MAJESTY THE QUEEN SALE TO SAM THORNBURY – PART OF LOT A,
CONCESSION 2, GEOGRAPHIC TOWNSHIP OF BEXLEY, CITY OF KAWARTHA
LAKES, BEING PART 1 ON 57R-10663**

Sam Thornbury has applied to purchase Federal Crown Land fronting the upland property in Part of Lot A, Concession 2, Geographic Township of Bexley, City of Kawartha Lakes, being Part 1 on 57R-10663.

The application has been accepted and the sale of the Federal Crown Land has been approved by Parks Canada, Ontario Waterways. Due to the Covid 19 pandemic, there has been a significant delay in getting documents registered, but the process for Sam Thornbury to acquire Part 1 on 57R-10663 is currently under way and is expected to be completed in the coming months.

If the City of Kawartha Lakes staff have any concern with regards to the purchase of the Federal Crown Land, you can reach out to me directly at craig.boulton@canada.ca or 705-760-0293.

Yours sincerely,


Craig Boulton
Real Property Officer
Parks Canada - Ontario Waterways

Canada

Kent Stainton

From: Mark LaHay
Sent: Monday, October 5, 2020 10:17 AM
To: David Harding; Kent Stainton
Cc: Charlotte Crockford-Toomey
Subject: FW: 20201005 D20-2020-033 - Engineering review

FYI - file

From: Kim Rhodes
Sent: Monday, October 5, 2020 9:48 AM
To: Mark LaHay
Cc: Christina Sisson ; Kirk Timms
Subject: 20201005 D20-2020-033 - Engineering review

Please see the message below from Christina Sisson:

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

Minor Variance – D20-2020-033
12 Treewood Lane
Lot 11, Plan 75
Geographic Township of Bexley

It is the understanding by Engineering that the purpose and effect is to request relief from Section 12.2.1.3 (c) to reduce the minimum side yard exterior side yard setback from 7.5 metres to 1.2 metres in order to permit the construction of a single detached dwelling.

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

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

Thanks,

CHRISTINA

Christina Sisson, P.Eng.
Supervisor, Development Engineering
Engineering & Corporate Assets, City of Kawartha Lakes
705-324-9411 ext. 1152 www.kawarthalakes.ca



Kent Stainton

From: Charlotte Crockford-Toomey
Sent: Thursday, October 1, 2020 9:03 AM
To: Kent Stainton
Subject: FW: D20-2020-033 - 12 Treewood Lane Part 8 Sewage System Comments

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

Fyi

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



Please note: The Development Services 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.

From: Anne Elmhirst
Sent: Wednesday, September 30, 2020 11:10 PM
To: Charlotte Crockford-Toomey
Subject: D20-2020-033 - 12 Treewood Lane

Hello Charlotte,

I have received and reviewed the application for Minor Variance to request relief from a side yard lot line for the construction of a new dwelling.

There is a current submission for a Sewage System Permit to Install for a Class 5 Holding Tank. The positioning of the Holding Tank has been confirmed for the waterside of the property.

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

Best Regards,

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

Kent Stainton

From: Derryk Wolven
Sent: Friday, October 2, 2020 1:55 PM
To: Charlotte Crockford-Toomey
Subject: D20-2020-033 12 Treewood

No Concern.

Derryk Wolven, CBCO

Plans Examiner

Development Services, Building Division, City of Kawartha Lakes

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



Kent Stainton

From: Kent Stainton
Sent: Wednesday, October 7, 2020 10:18 AM
To: 'LOUISE GRANDY'
Subject: RE: D20-2020-033

APPENDIX F
to
REPORT COA2020-038

Hi Louise,

FILE NO. D20-2020-033

Thank you for your email regarding Minor Variance File D20-2020-033 (12 Treewood Lane, Bexley). In regard to your question, there is no intention to purchase the lands to the north abutting the parcel. Since the shoreline portion immediately abutting the parcel is technically owned by the Trent Severn Waterway (TSW), a condition is being recommended that these lands (not including the allowance) be purchased in order to clear up any future encroachment or Title issues. This does not include the lands to the north and public access will remain. As for the cedar trees, a lot of the trees (based on the Survey stakes) are actually on the owners property. I believe the intent is to preserve as many as possible for the purposes of screening and privacy.

I am not familiar with the boathouse issues; however, any disposition of City-owned land is a public process administered through the Realty Services Division and overseen by the Land Management Committee. To my knowledge, there is no application to sell and close the allowance.

I trust this is of assistance. If you have any additional questions, do not hesitate to contact me directly.

Best,
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)



Please note: The Development Services 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.

This message, including any attachments, is privileged and intended only for the addressee(s) named above. If you are not the intended recipient, you must not read, use or disseminate the information contained in this e-mail. If you have received this e-mail in error, please notify the sender immediately by telephone, fax, or e-mail and shred this confidential e-mail, including any attachments, without making a copy. Access to this e-mail by anyone else is unauthorized.

From: LOUISE GRANDY <louisegrandy@yahoo.ca>
Sent: Tuesday, October 6, 2020 12:08 PM
To: Kent Stainton <kstainton@kawarthalakes.ca>
Cc: Emmett Yeo <eyeo@kawarthalakes.ca>; Andy Letham <aletham@kawarthalakes.ca>; Committee of Adjustment <cofa@kawarthalakes.ca>
Subject: Fwd: D20-2020-033

Sent from my iPhone

Begin forwarded message:

From: LOUISE GRANDY <louisegrandy@yahoo.ca>
Date: October 6, 2020 at 12:04:02 PM EDT
To: cofa@kawarthalakes.ca
Cc: emmettyeo@kawarthalakes.ca, eyeo@kawarthalakes.ca
Subject: D20-2020-033

Dear committee members

With regard to minor variance
D20-2020-033
12 Treewood Lane
Township of Bexley
H.F. Grander
Ontario Land Surveyor

Caddfile 80110-MV-I.DPD
Project 80110-MV

A few questions and concerns.

1. Will the cedar trees on Block M Public Access to Lake be preserved?
2. Will the Variance of 6.3 metres allow the property owner to apply to purchase and take property away from the public access, namely Block M?

As was done by Lot 10 On the opposite side of Block M approximately 10 years ago.
The CKL sold footage of public access to lot 10 owners.
This resulted in harassment for backlot owners in accessing the lake on Block M.

The CKL admitted after the fact that lot 10 could have maintained their boathouse by using public access Block M. Property to narrow down Public Access Block M did not need to happen.

As a backlot owner, access to the lake affects property values.

If this variance is going to result in issues affecting Block M, residents want assurances from CKL that Block M will not not be partially sold off or stopped up.

Thank you for your consideration.

David and Louise Grandy
Treewood Lane

Sent from my iPhone

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Patricia Jarvie
Report Number COA2020-039

Public Meeting

Meeting Date: October 15, 2020
Time: 1:00pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 6 – Geographic Township of Fenelon

Subject: The purpose and effect is to request relief from the following provisions in order to construct a second storey addition and covered porch:

1. Section 3.11.1 to reduce the minimum lot size of an existing lot of record from 745 square metres to 603 square metres, and
2. Section 15.2.1.3(b)(ii) to reduce the minimum interior side yard setback from 2.3 metres to 1.5 metres.

The variance is requested at 100 Leslie Frost Lane, geographic Township of Fenelon (File D20-2020-034).

Author: David Harding, Planner II, RPP, MCIP

Signature:



Recommendation:

Resolved That Report COA2020-039 Jarvie, be received;

That minor variance application D20-2020-034 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **That** the building construction related to this approval shall proceed substantially in accordance with the sketch in Appendix C and elevations in Appendix D submitted as part of Report COA2020-039, 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 COA2020-039. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background:	This application was deemed complete September 29, 2020.	
Proposal:	To recognize the deficient lot area and permit a reduced interior side yard setback in order to facilitate the construction of a second storey to the existing single storey detached dwelling.	
Owner:	Patricia Jarvie	
Legal Description:	Part Lot 7, Concession 9, geographic Township of Fenelon, City of Kawartha Lakes	
Official Plan:	Waterfront within the City of Kawartha Lakes Official Plan	
Zone:	Limited Service Residential Exception One (LSR-1) Zone within the Township of Fenelon Zoning By-law 12-95	
Site Size:	603.8 square metres (6,499.3 square feet)	
Site Servicing:	Private individual holding tank and lake-based water supply	
Existing Uses:	Shoreline Residential	
Adjacent Uses:	North:	Shoreline Residential
	South:	Shoreline Residential, Sturgeon Lake
	East:	Residential, Shoreline Residential
	West:	Sturgeon Lake

Rationale:

1) Are the variances minor in nature? Yes

And

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

The subject property is situated in a shoreline residential neighbourhood, and is the second last parcel at the end of a private road known as Leslie Frost Lane. The application proposes to renovate the existing single storey dwelling by adding a covered porch over the existing unenclosed porch, and a partial second storey. The second storey will house two bedrooms that are to be relocated from the first floor.

The proposed development is modest, being proposed over a portion of the existing dwelling footprint and over the existing unenclosed deck footprint, and is of a scale appropriate for the size of the existing lot.

The second floor addition will not impact the existing function of the north interior side yard, which functions as a utility space and grassed path between the front and rear yards.

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 Exception One (LSR-1) Zone within the Township of Fenelon Zoning By-law 12-95. The LSR-1 Zone permits vacation dwelling use.

The intent of the enhanced interior side yard setback for second storey buildings is likely to maintain sufficient spatial separation between dwellings on abutting lots to avoid massing/loss of privacy and additional space to perform maintenance on the taller building face.

The second storey addition will be in-line with the existing first storey. As such, there will be sufficient space to continue maintenance on the side of the building where the variance is sought. There is no use or building on 98 Leslie Frost Lane, being the lot immediately across from the proposed second storey wall, which is anticipated to experience adverse impacts from the increased height. The area on number 98 across from the wall is occupied by a modest accessory building, utility infrastructure, and lawn.

The General Provisions appear to have been written on the premise that lots which fall below 750 square metres require further review when development is proposed to ensure the development can be accommodated. The proposed addition is modest, contained upon the same footprint as the existing dwelling, and relocates two bedrooms on the main floor to the second level.

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

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

Yes

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

Policy 3.11 identifies that existing lots of record where buildings and/or structures are within 30 metres of the shoreline, expansion to existing buildings is permitted up to 15 metres from the shoreline. The addition is proposed to be stepped back from the first floor, and will be approximately 16 metres from the shoreline, in compliance with the LSR-1 water setback.

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 private individual holding tanks and lake-based water supply.

Consultations:

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

Agency Comments:

Building Division (October 2, 2020): No concerns.

Development Engineering Division (October 5, 2020): No concerns.

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

Public Comments:

No comments received as of October 6, 2020.

Attachments:

Appendices A-E to
COA2020-039.pdf

Appendix A – Location Map

Appendix B – Aerial Photo

Appendix C – Applicant's Sketch

Appendix D – Elevations

Appendix E – Department and Agency Comments

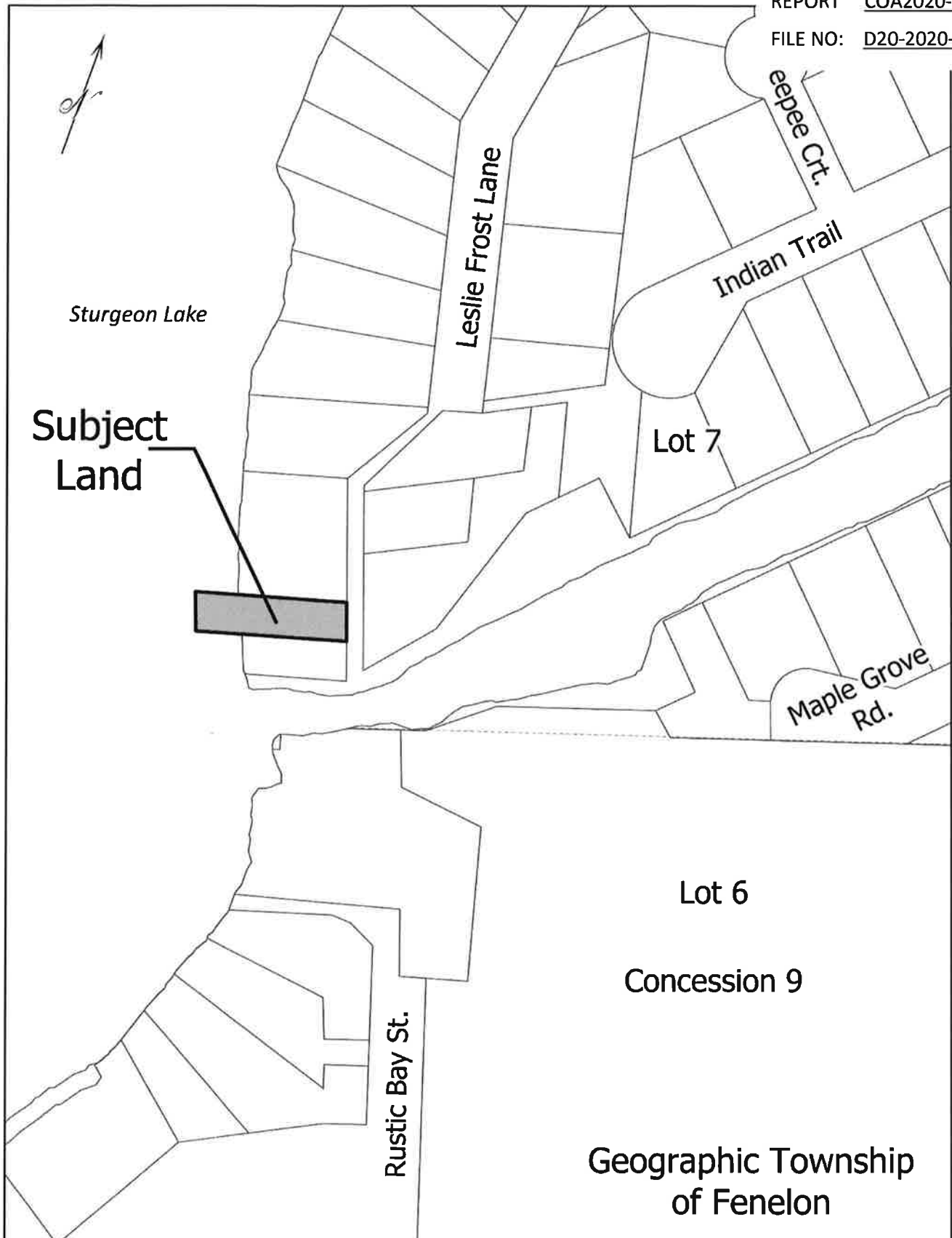
Phone:	705-324-9411 extension 1206
E-Mail:	dharding@kawarthalakes.ca
Department Head:	Chris Marshall, Director of Development Services
Department File:	D20-2020-034

D20-2020-034

to

REPORT COA2020-039

FILE NO: D20-2020-034





100 Leslie Frost Lane, geographic Twp. of Fenelon



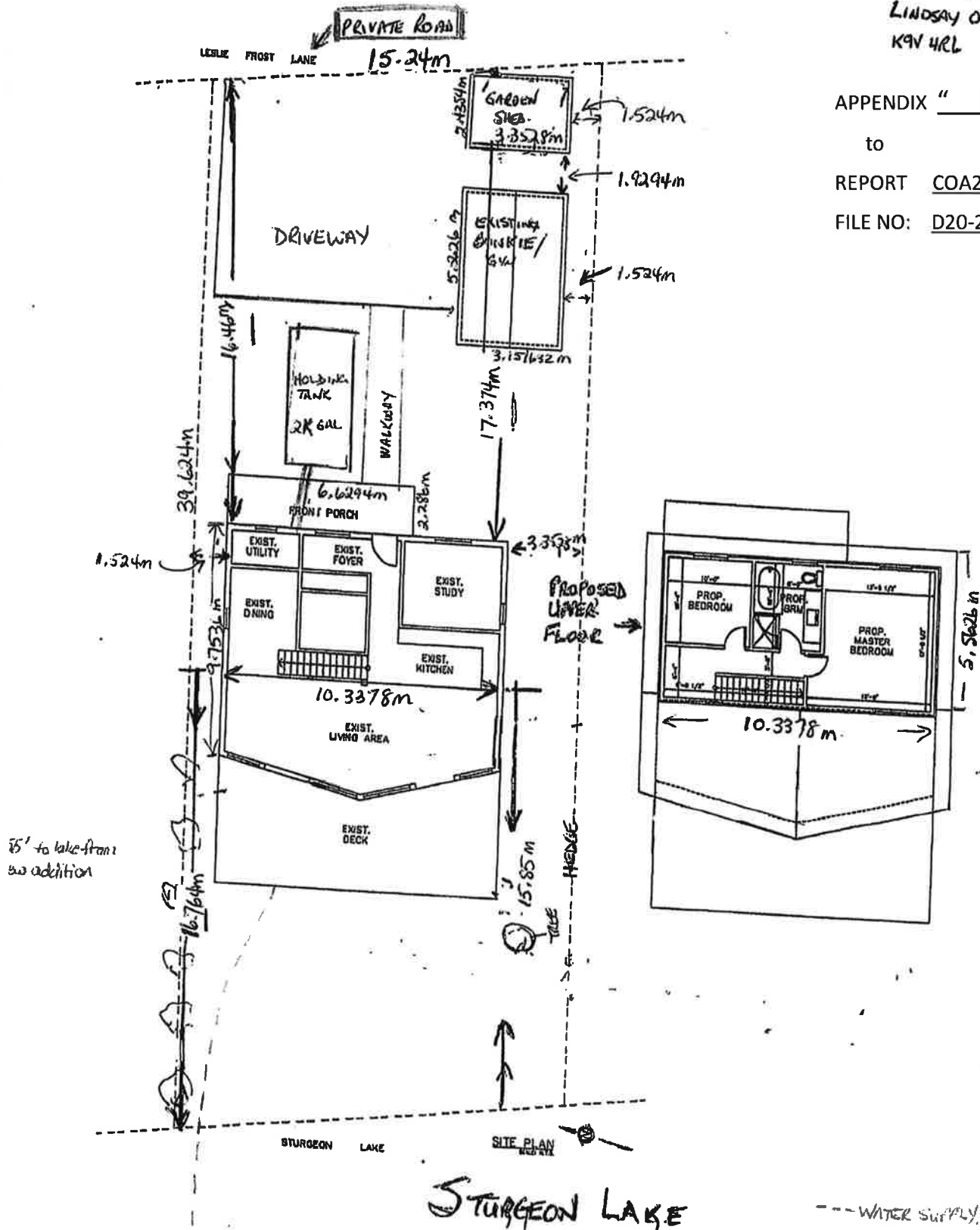
SITE PLAN - 100 LESLIE FLEET,
LINDSAY ON
K9V 4R6

APPENDIX " C "

to

REPORT COA2020-039

FILE NO: D20-2020-034

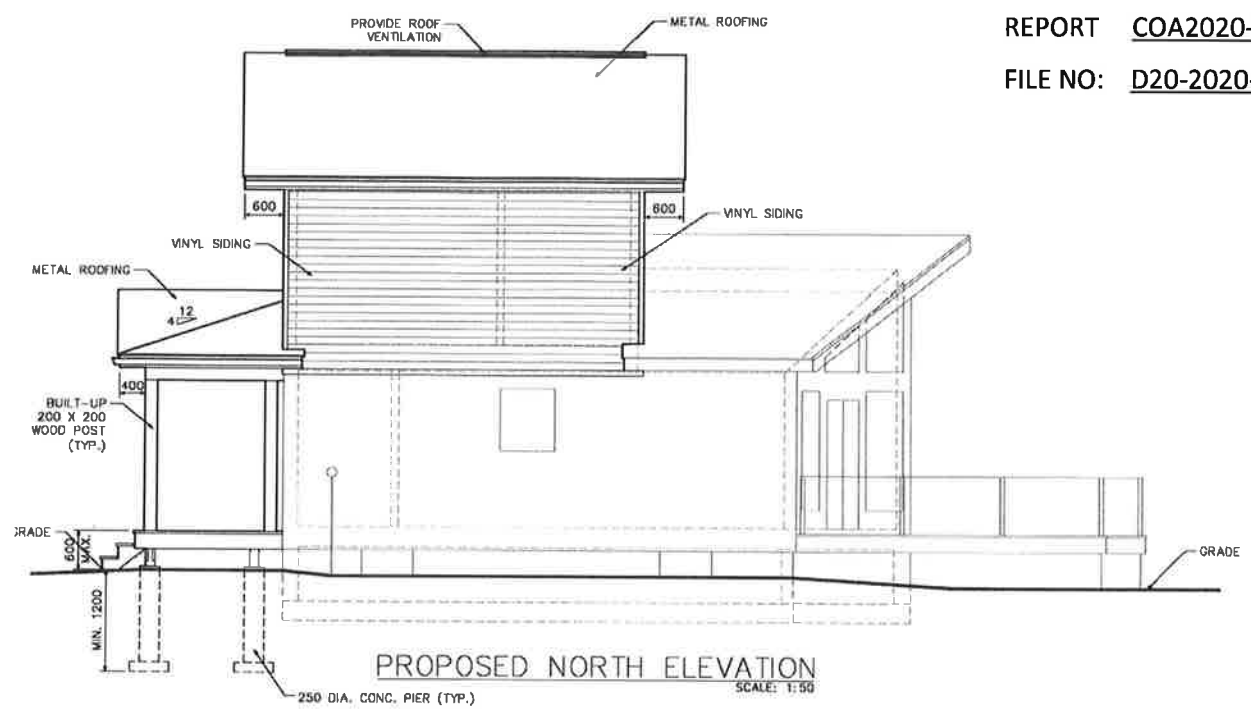


APPENDIX " D "

to

REPORT COA2020-039

FILE NO: D20-2020-034



David Harding

From: Mark LaHay
Sent: Monday, October 5, 2020 10:18 AM
To: David Harding; Kent Stainton
Cc: Charlotte Crockford-Toomey
Subject: FW: 20201005 D20-2020-034 - Engineering review

APPENDIX " E "
to
REPORT Cox2020-039
FILE NO. D20-2020-034

FYI - file

From: Kim Rhodes <krhodes@kawarthalakes.ca>
Sent: Monday, October 5, 2020 9:48 AM
To: Mark LaHay <mlahay@kawarthalakes.ca>
Cc: Christina Sisson <csisson@kawarthalakes.ca>; Kirk Timms <ktimms@kawarthalakes.ca>
Subject: 20201005 D20-2020-034 - Engineering review

Please see the message below from Christina Sisson:

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

Minor Variance – D20-2020-034
100 Leslie Frost Lane
Part of Lot 7, Concession 9
Geographic Township of Fenelon

It is the understanding by Engineering that the purpose and effect is to request relief from the following provisions in order to construct a second storey addition and covered porch:

1. Section 3.11.1 to reduce the minimum lot size of an existing lot of record from 745 square metres to 603 square metres; and
2. Section 15.2.1.3 (b)(ii) to reduce the minimum interior side yard setback from 2.3 metres to 1.5 metres.

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

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

Thanks,

CHRISTINA

Christina Sisson, P.Eng.
Supervisor, Development Engineering
Engineering & Corporate Assets, City of Kawartha Lakes
705-324-9411 ext. 1152 www.kawarthalakes.ca



David Harding

From: Derryk Wolven
Sent: Friday, October 2, 2020 1:57 PM
To: Charlotte Crockford-Toomey
Subject: D20-2020-034 100 Lelise Frost

No Concern

Derryk Wolven, CBCO

Plans Examiner

Development Services, Building Division, City of Kawartha Lakes

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



David Harding

From: Anne Elmhirst
Sent: Tuesday, October 6, 2020 11:21 AM
To: David Harding
Subject: D20-2020-034 - 100 Leslie Frost Lane

Hi David,

I have received and reviewed the application for minor variance for 100 Leslie Frost Lane.

We have completed a Sewage System Review process to review this proposal. The proposal will not constitute an increase in the total daily sewage flow and will not encroach on the existing Class 5 Holding Tank.

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

Thanks,

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.

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Darren and Gillian Wilkinson
Report Number COA2020-034

Public Meeting

Meeting Date: October 15, 2020
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 3 – Geographic Township of Fenelon

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

Unenclosed Decks with Stairs

1. Section 3.18.1.1 to reduce the minimum setback to the Environmental Protection (EP) Zone from 15 metres to 8.3 metres; and
2. Section 15.2.1.3(e) to reduce the minimum water setback from 15 metres to 8.3 metres;

Single Detached Dwelling

3. Section 3.18.1.1 to reduce the minimum setback to the Environmental Protection (EP) Zone from 15 metres to 10.8 metres; and
4. Section 15.2.1.3(e) to reduce the minimum water setback from 15 metres to 10.8 metres.

The variances are requested on vacant land on Sugar Bush Trail, geographic Township of Fenelon (File D20-2020-003).

Author: David Harding, Planner II, RPP, MCIP

Signature: 

Recommendation:

Resolved That Report COA2020-034 Darren and Gillian Wilkinson, be received;

That minor variance application D20-2020-003 be GRANTED, as the application meets the tests for minor variance set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **That** the construction of the dwelling, decks and stairs 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 COA2020-034, which shall be attached to and form part of the Committee's Decision,

- 2) **That** prior to the issuance of a building permit the owners submit to the Secretary-Treasurer written confirmation from the Kawartha Region Conservation Authority that it is satisfied with the proposed shoreline planting plan as recommended by Cunningham Environmental Associates in its Letter of Opinion dated September 10, 2020; 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 COA2020-034. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: The application was submitted January 21, 2020. No consultation through our pre-screening process occurred with the Planning Division prior to the submission of the application. The application was originally scheduled for the March 19, 2020 Committee meeting. The staff report prepared at that time did not recommend approval of the application. That public meeting was cancelled and the staff report never presented.

The applicant subsequently modified the proposal, though not in consultation with staff. Relief from the interior side yard setback was requested in the original application. This request has since been removed. The amended application also proposes to increase the EP and shoreline setbacks by 2 metres. The application was last amended on June 9, 2020.

A report was prepared based on a revised proposal for the August 19, 2020 Committee of Adjustment meeting. In response to the public comments received prior to the meeting, and additional staff consideration, staff requested additional time to confer with the applicant, KRCA, and Building Division Part 8 Sewage Systems to determine if there was an alternative location for the tile bed beside the dwelling which could allow for the dwelling to gain additional water setback. This analysis is contained within the Other Alternatives Considered section. In response, the applicant provided justification of the current design from the sewage system designer and an ecologist.

Proposal: To permit the construction of a single detached dwelling inclusive of a screened porch, deck, and attached garage.

Owners: Darren and Gillian Wilkinson

Applicant: Doug Carroll, DC Planning Services Inc.

Legal Description: Part Lot 26, Concession 10, geographic Township of Fenelon, City of Kawartha Lakes

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

Zone: Limited Service Residential (LSR) Zone within the Township of Fenelon Zoning By-law 12-95

Site Size: 1,089.59 square metres (11,728.3 square feet)

Site Servicing: Private individual well and septic system proposed

Existing Uses: Vacant Land

Adjacent Uses: North, South, West: Shoreline Residential
East: Cameron Lake

Rationale:

1) Are the variances minor in nature? Yes
And

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

The subject property is located upon a peninsula on the east side of Cameron Lake. The peninsula is accessed via a private easement for a right-of-way known as Sugar Bush Trail. The neighbourhood is composed of seasonal and year-round residential uses. Sugar Bush Trail does not run down the centre of the peninsula, resulting in deeper lots on the west side and shallower lots on the east side. The subject property is the last undeveloped lot on the east side. Single storey, 1.5 storey and two storey dwelling designs are found on the east side of Sugar Bush Trail. Some of these dwellings also have walkout basements, which are defined as an additional storey.

The subject property is shallow, and the shoreline runs at an angle. A single storey dwelling with a 1.5 car garage and walk-out basement is proposed. The sewage system is also proposed between the dwelling and Sugar Bush Trail.

As per the zoning by-law, private rights-of-way are not defined as streets. Therefore, the shore lot line is also considered the front lot line. Due to the relation of the front yard to the dwelling, it is anticipated that it will function as a rear yard. Rear yards contain and function primarily as private recreational and amenity spaces related to the dwelling. The footprint ensures the decks project as minimally as possible into the front yard while remaining sufficiently sized to allow transition between the main floor and front yard. This minimal projection ensures as much rear yard space as possible is preserved for amenity and recreational uses.

The proposal ensures the maximum separation between the sewage system and shoreline possible. Further, the proposed design of the main floor with

walk-out basement ensures a low profile design in keeping with the established built form of nearby dwellings. This built form is more appropriate and in character with the neighbourhood than a two or three floor dwelling with a walk-out basement with a smaller building footprint.

The variances allow for the residential use of the lot with a footprint that recognizes to the extent possible the septic system and shoreline setbacks.

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 Fenelon Zoning By-law 12-95. The zone category permits seasonal and year round residential uses.

The intent of the Environmental Protection (EP) Zone setback is to protect built form from natural hazards, and protect and enhance the ecological function of waterbodies by creating a buffer between built form and water for the establishment of vegetation. The role of this vegetative buffer is examined more within the Official Plan test. The setback reduction preserves as much of a buffer as possible given the unique configuration of the lot. The dwelling has been stepped on the southeastern side in order to maximize the setback to the shoreline.

As much open space as possible within the front yard has been retained to allow for the even distribution of recreational and amenity activities associated with the built form.

Therefore, the variances do 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. Residential uses are anticipated within this designation.

The Official Plan establishes water setback policies to provide sufficient spatial separation to protect development from erosion hazards and protect and enhance the ecological function of the waterbody. Through the creation of a water setback, a buffer is created between the built form and waterbody for the establishment of vegetation to protect and enhance the ecological function of the waterbody and its fish habitat. This vegetation provides the following benefits to the waterbody: attenuation of warm water runoff, trapping of sediments and nutrients carried by storm water runoff, enhancement to water quality, and habitat enhancement in the riparian area.

Policy 3.11 permits development within 30 metres of the shoreline on existing lots of record where it is demonstrated that all of the following criteria are met:

A. The 30 metre water setback cannot be met.

As the property is a depth of 28.82 metres on one side and 43.22 metres on the other side, so due to the shallow depth of the property, staff is of the opinion that this condition is met.

B. Development is to be directed away from the shoreline as much as possible.

The proposal has a stepped design, which mirrors the diagonal shoreline of the lot to ensure the built form is directed away from the shoreline where possible. A letter from the sewage system designer, Brad Clark, is included in Appendix F. In his letter, he explains that the sewage system is sited away from the shoreline to the greatest extent possible.

C. A vegetation protection zone be established to the maximum extent possible.

As the proposal attempts to direct the built form away from the shoreline, and is an improvement over the original submission, there is additional area that may now be utilised to establish a greater vegetation protection zone.

The applicant has submitted a Letter of Opinion from Cunningham Environmental Associates, which recommends an approximately 3 metre buffer along the entire shoreline, excluding a 3 metre wide pathway in the southeast corner to provide access to the wood dock, be planted to follow for proper land stewardship.

D. The septic system be elevated 0.9 metres above the water table.

The site grading plan shows this criterion is met.

E. The impact of the expansion or reconstruction is minimized to the maximum extent possible.

This criterion is not applicable as the proposal is not an expansion or reconstruction.

F. In no case shall development be less than 15 metres to the high water mark.

The lot has insufficient depth to comply with the water setbacks for both the dwelling and septic system. The intent of the policy is not to extinguish the residential use of an unusually-shaped lot, but to improve upon shoreline setbacks when development or redevelopment occurs. Due to the shallow depth of the lot, limited opportunity remains to further enhance the shoreline setback without increasing the overall height of the building or bringing the sewage system closer to the shoreline. A taller building is unlikely to comply with the required setbacks given the shallow depth of the lot and present a more prominent built form less in keeping with the designation's other policies that encourage low profile development. As per the sewage designer's comments, placing the sewage system beside rather than behind the house would also direct leachate to run towards the lake, which would be counter to the intent of the buffering policy to lessen environmental impacts.

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

Other Alternatives Considered:

Staff conferred with KRCA and the Building Division – Part 8 Sewage Systems and their offices confirm that it would be possible, subject to further design, to accommodate a sewage system to the south of the dwelling. Such placement would in turn permit the dwelling to move closer to the road and provide additional separation from the shoreline.

The residual footprint for a dwelling would be smaller than the current proposal and be more square in nature. As a result, the dwelling:

- (1) would likely be taller to gain additional floor space lost in the footprint contraction,
- (2) would likely require rear (road) and interior side yard setbacks in an attempt to comply with the water setback; and
- (3) may require the removal of additional vegetation along the north lot line beyond what is contemplated in the current scenario due to its increased proximity to this lot line. See Cunningham Environmental Associates letter synopsis below for examination on current anticipated tree removal.

It is likely that over 1/3 of the sewage system footprint would be located within the 15 metre water setback in such a design scenario. The property slopes toward Cameron Lake, so the system would also slope toward the lake.

In Appendix F, Brad Clark, sewage system designer, identifies that while placing a sewage system to the south of the dwelling may be possible, the current proposal provides the greatest degree of spatial separation between the system and lake, allows for the dwelling to act as a barrier between the septic system and lake, and directs the effluent to the north instead of towards the lake.

David Cunningham, an ecologist, has submitted a letter of opinion also contained within Appendix F. In this letter, a natural hedgerow of trees is identified along the southern lot line consisting of 4 mature sugar maples, 1 eastern white cedar, 1 eastern hemlock and various shrubs. It is noted that the current proposal will have no impact to these trees as minimal grading is required along the tree line. The natural hedgerow along the north lot line will require the removal of 8 trees to accommodate the footprint of the dwelling. A 3 metre shoreline vegetative buffer consisting of native shrubs and groundcover is recommended to act as a buffer between the dwelling along with its lawn and Cameron Lake. The buffer will attenuate and trap some of the sediments and nutrients carried by stormwater runoff.

Planning Staff Analysis: Based on the above-submitted documentation, a sewage system located to the south of the dwelling could have more adverse environmental impacts on the lake, and could require the further removal of or damage to trees along the southern lot line to accommodate the works associated with sewage system installation in addition to the trees that are already to be removed from the north lot line to accommodate the dwelling. The removal of additional established trees is likely to have further adverse effect on the overall character of the neighbourhood.

The current sewage system footprint and dwelling proposal minimizes impacts to the lake and the extent of tree removal required to facilitate construction, and proposed mitigation measures through the installation of shoreline vegetative buffer. Staff have incorporated Condition 2 to ensure the buffer is planned to KRCA's satisfaction. KRCA may then monitor the implementation of the buffer through their permitting process.

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:

Agency Comments:

Kawartha Region Conservation Authority (February 10, 2020): No concerns. Planning Staff did discuss the proposal with KRCA staff. The KRCA clarified that their review of the application related primarily to ensuring the building would be located outside of the Cameron Lake flood plain.

Building Division (August 11, 2020): No concerns.

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

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

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

Public Comments:

The following comments were received, copies of which are contained in Appendix G:

Doug Black of 36 Sugar Bush Trail (March 25, 2020): Letter of objection.

Stanley Black of 36 Sugar Bush Trail (March 25, 2020): Letter of objection.

Eileen Weldon of 42 Sugar Bush (April 1, 2020): Letter of objection.

Peter and Carol Davies of 41 Sugar Bush Trail (August 17, 2020): Letter of objection.

Ron Allinson of 27 Sugarbush Trail (August 18, 2020): Letter of objection.

Applicant Comments:

The applicant provided a response to the public comments about concerns raised concerning the spraying of pesticides, from Greg Ottenbrite, Ontario Exterminator Licence 034245. Greg clarifies that the product was applied twice in August 2018 to control poison ivy, and that the product is the recommended product by the Ministry of Environment. He further clarifies that it is biologically impossible for the

product, PCP 28198, to harm animals as it is a biologically degradable plant protein with the toxicity of half a cup of coffee.

Attachments:



Appendices A-F to
Report COA2020-03.

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

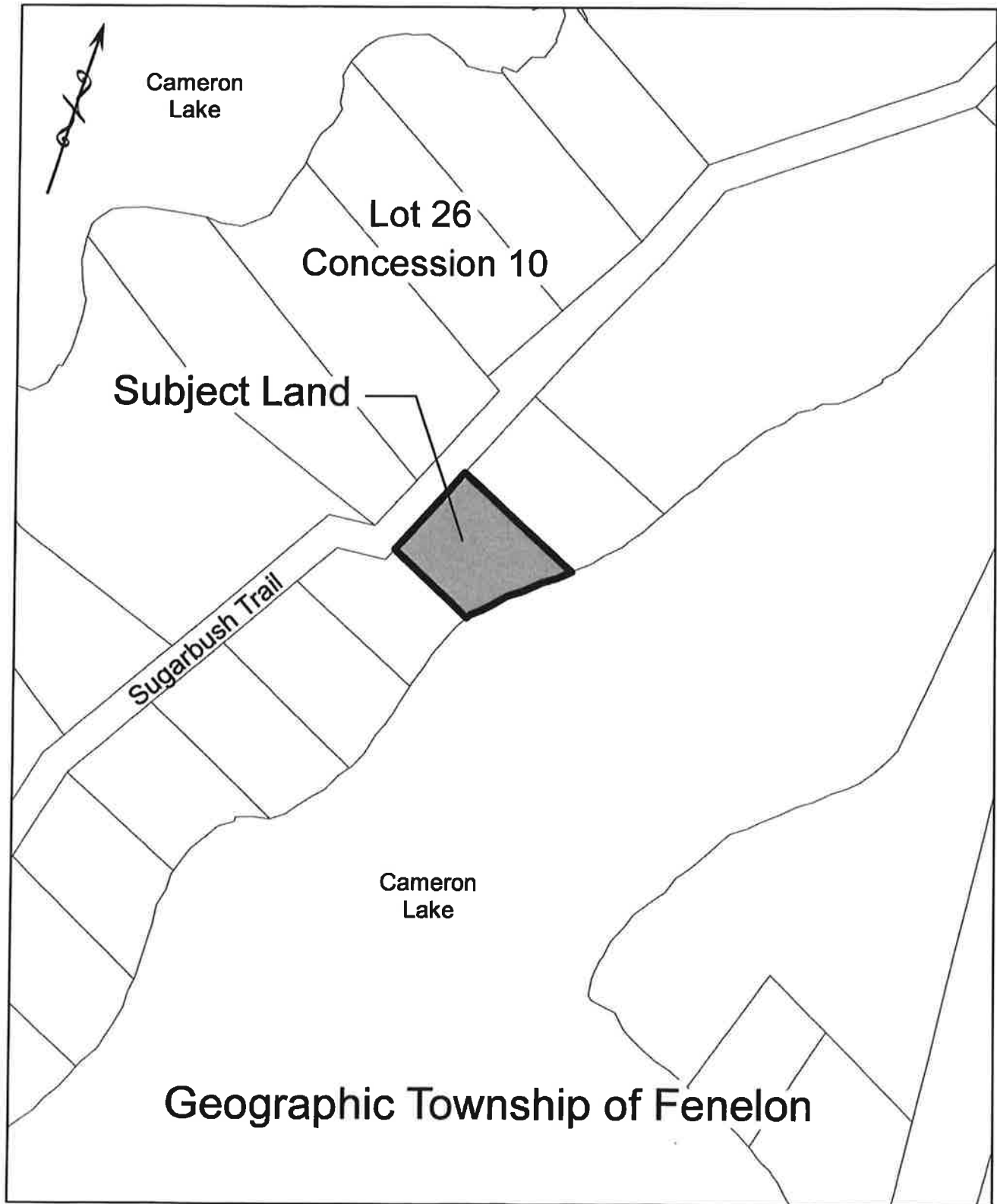
Phone:	705-324-9411 extension 1206
E-Mail:	dharding@kawarthalakes.ca
Department Head:	Chris Marshall, Director of Development Services
Department File:	D20-2020-003

to

REPORT COA2020-034

FILE NO: D20-2020-003

D20-2020-003





GEOMATICS
MAPPING

Vacant Lot, Part of Lot 26, Concession 10, Geographic Township of Fenelon



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 referen
data, layers and text that appear on this map may or may not b
current, or otherwi

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REPORT COA2020-034
FILE NO: D20-2020-003

APPENDIX " B "
to

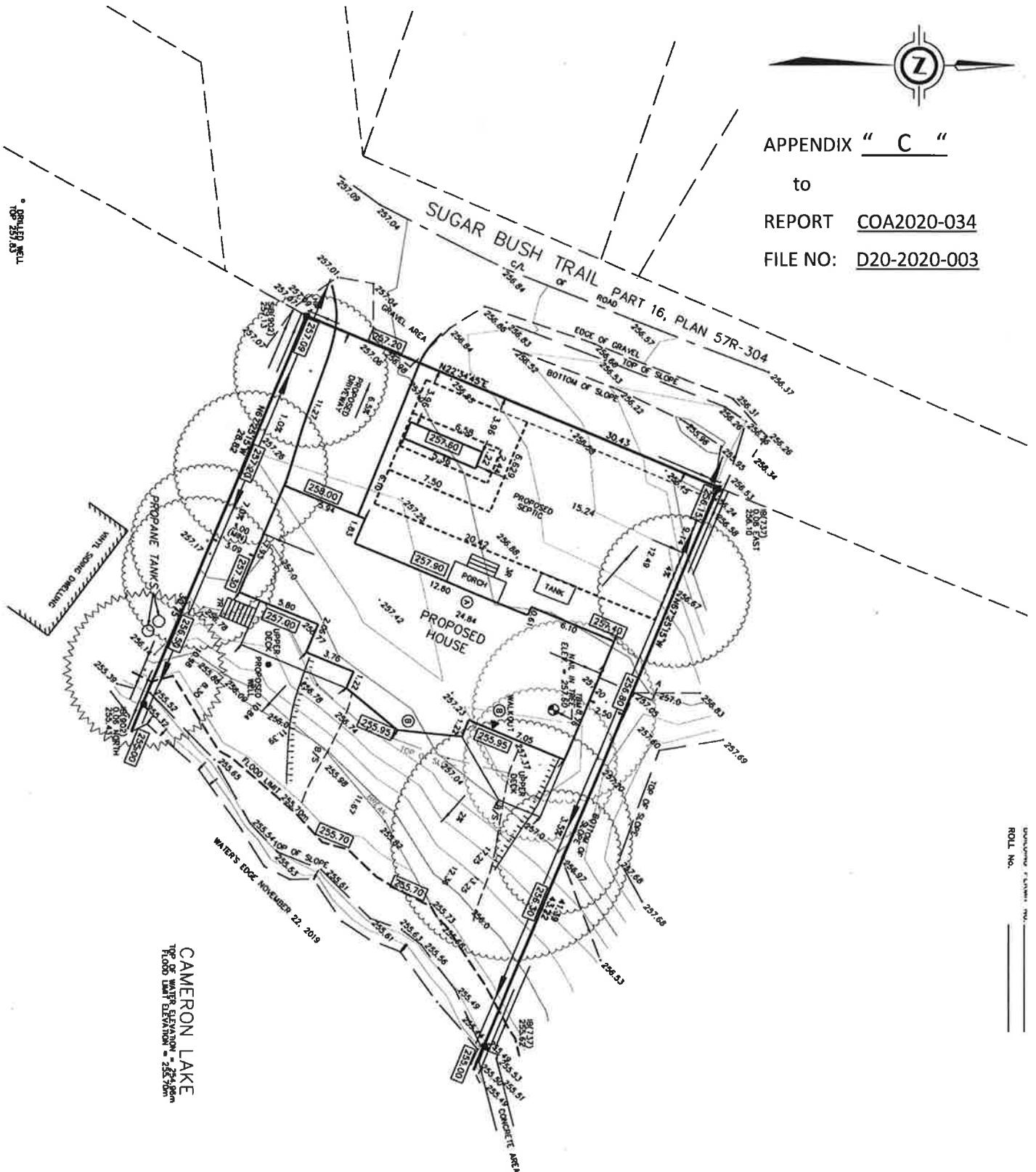


APPENDIX " C "

to

REPORT COA2020-034

FILE NO: D20-2020-003



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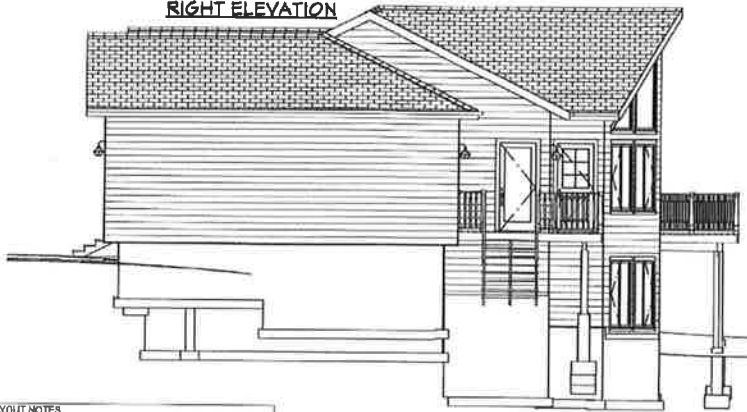
APPENDIX " D "

to

REPORT COA2020-034

FILE NO: D20-2020-003

RIGHT ELEVATION



LAYOUT NOTES

LEFT ELEVATION



FRONT ELEVATION



REAR ELEVATION



IMPORTANT NOTE:
OWNER UNDERTAKES & AGREES TO HOLD A NOT
ASSUME ANY LIABILITY FOR ANY CHANGES MADE
TO ORIGINAL DRAWINGS OR NOT AFTER SUBMITTAL
FOR PERMIT. THE DESIGNER SHALL BE NOTIFIED
OF ANY CHANGES MADE OR PERSONS REQUIRED
TO ORIGINAL CHANGES IMMEDIATELY BEFORE
CONSTRUCTION. IT IS THE RESPONSIBILITY OF
CONTRACTOR/OWNER TO REVIEW AND VERIFY
ALL DIMENSIONS, FINISHES AND MATERIALS BEFORE
CONSTRUCTION AND NOTIFY DESIGNER OF ANY
CHANGES OR CORRECTIONS BEFORE BEGINNING
ANY CONSTRUCTION WORK.
PRODUCED FOR TRUSTEE'S STRUCTURAL ENGINEER
FLOORING FINISHES SHALL BE FURNISHED TO
DESIGNER IF AFFECTING ORIGINAL STRUCTURAL
DESIGN. ALL CONSTRUCTION SHALL COMPLY WITH
PART 8 OF THE CHANDLER BUILDING CODE.

APPENDIX " E "
to
REPORT COA2020-034
FILE NO. D20-2020-003

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

**Regarding: Application for Minor Variance
D20-2020-003
Kawartha Conservation File No: PPLK-81
Vacant Land – Sugarbush Trail
Part Lot 26 Concession 10
Township of Fenelon
City of Kawartha Lakes**

Dear Ms. Crockford-Toomey

Kawartha Conservation has completed review of the above noted Minor Variance Application.

Our comments are as follows:

Application Purpose:

it is Kawartha Conservation's understanding that the purpose of the Minor Variance is to seek relief from the Township of Fenelon Zoning By-law 12-95 section 15.2.1.3 b) (ii) and (e) to reduce the north side yard setback from 2.3m to 1.3m, and to reduce the water setback between the proposed deck from 15m to 6.3m.

Ontario Regulation 182/06:

The subject property contains lands regulated by Kawartha Conservation. Kawartha Conservation regulates the shoreline of Cameron Lake and 15m from the high water mark. Any development, grading, structures, etc., within Kawartha Conservation's regulated area will require a permit pursuant to Ontario Regulation 182/06.

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 • Municipality of Trent Lakes • Township of Cavan Monaghan

Summary:

Kawartha Conservation has no objection to the approval of Minor Variance Application D20-2020-003, and it is the opinion of Kawartha Conservation that the application is consistent with Section 3.1 of the PPS.

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

David Harding

From: Anne Elmhirst
Sent: Friday, March 6, 2020 4:58 PM
To: David Harding
Subject: D20-2020-003 Sugar Bush Trail

Hello David,

RE: D20-2020-003 Minor Variance
Sugar Bush Trail, Former Fenelon Township
Part Lot 26, Conc. 10,
Roll No. 165121006020300

I have received and reviewed the application for minor variance to request relief to permit the construction of a single detached dwelling with a deck and screened porch on the above-noted property. The relief request will allow a reduction of the minimum setback requirement to the Environmental Protection Zone, a reduction to the minimum water setback and a reduction to the north interior yard setback.

An application for a sewage system permit has been submitted and reviewed by our department to service the proposed single detached dwelling on the property. The sewage system is proposed in the road side of the property. The proposal is for a conventional filter bed system to service the dwelling. The sewage system proposal meets the requirements of the Ontario Building Code.

A further review of the property was conducted to determine if there would be a sewage system proposal that would allow for more available space in order to reduce the request for relief for the dwelling on the water setback. An evaluation of alternative sewage systems was conducted. An alternative sewage system proposal would provide some additional alleviation for the relief to the water setback. However, the amount of alleviation would be minimal.

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

Best Regards,

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





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

LeAnn Donnelly, Executive Assistant, Community Services

MEMORANDUM

DATE: March 17, 2020
TO: Committee of Adjustment
FROM: LeAnn Donnelly, Executive Assistant, Community Services
RE: Minor Variance - Various Applications

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

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

LeAnn Donnelly

LeAnn Donnelly
Executive Assistant, Community Services

David Harding

From: Kirk Timms
Sent: Tuesday, August 11, 2020 1:00 PM
To: Mark LaHay
Cc: Christina Sisson; Kim Rhodes; Charlotte Crockford-Toomey
Subject: 20200811 D20-2020-003,016,017,018,019,020,021 Engineering Review

Follow Up Flag: Follow up
Flag Status: Flagged

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, August 11, 2020 4:36 PM
To: Kent Stainton; David Harding
Subject: FW: D20-2020-003 Sugar Bush Trail

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, August 11, 2020 4:31 PM
To: Charlotte Crockford-Toomey
Subject: D20-2020-003 Sugar Bush Trail

Building division has no concerns with the above noted application.

Derryk Wolven
Plans Examiner
City of Kawartha Lakes Building Division

September 9/2020

Re: Wilkinson Sewage Disposal System

Vacant Lot Sugarbush Trail

1651 210 0602 0300 0000

To whom it may concern,

To answer the query from David Harding, in my opinion as a licensed designer the proposed site to the south of the lot presents challenges.

The best location for the sewage system is as originally presented as it provides the most possible separation from the lake, has the effluent moving north, not towards the lake, allows for a barrier from the lake by the placement of the dwelling and stays completely away from the flood plain.



Brad Clark

BCIN 11061

111287

September 10, 2020

Darren and Gillian Wilkinson
c/o Doug Carroll, MCIP, RPP
DC Planning Services Inc.
3 Crestwood Avenue
Lindsay, ON K9V 6A7

Re: Letter of Opinion – Wilkinson Property, Part of Lot 26, Concession 10, Geographic Township of Fenelon, City of Kawartha Lakes; CKL File No. D20-2020-003; CEA File No. 2016

Dear Mr. Carroll:

1.0 INTRODUCTION

Cunningham Environmental Associates (CEA) was retained in April 2020 through DC Planning Services Inc., the Agent (Planner) acting on behalf of Darren and Gillian Wilkinson to provide a Letter of Opinion regarding the proposed development of a single detached dwelling, inclusive of a screened porch, deck and attached garage on a vacant registered shoreline lot ("subject property") on Cameron Lake. The lot size is 1,089.59 hectares (11,726.3 square feet), and fronts onto the eastern shoreline of Cameron Lake along a private right-of-way known as Sugarbush Trail. The legal description of the vacant lot is Part Lot 26, Concession 10, Geographic Township of Fenelon, in the City of Kawartha Lakes. Land uses to the north, south and west are comprised of as-built residential lots.

The intent of the Letter of Opinion is to offer my professional opinion and evaluation of any potential natural feature issues arising from the proposed development. My professional opinion is based on 40 years experience in the natural resources field, and supported by a background data review and site reconnaissance and inventories of the subject property conducted on July 9, 2020 and August 11, 2020. My *Curriculum Vitae* which outlines my academic and work experience is attached as **Appendix A**.

The subject property is designated as Waterfront within the City of Kawartha Lakes (CKL) Official Plan (2012). The zoning is Limited Service Residential (LSR) Zone within the Township of Fenelon Zoning By-law 12-95. The entire property is regulated by the Kawartha Region Conservation Authority (KRCA) under Ontario Regulation 182/06. **Figure 1** shows the general location of the subject property on Sugarbush Trail, with the lot situated on the eastern side of a peninsula of land which juts into the eastern shoreline of Cameron Lake.

2.0 PROPOSED DEVELOPMENT

The landowner intends to build a single-family detached dwelling, with an attached 1.5 car garage, walk-out basement, screened porch and deck. Servicing for the dwelling will be on-site private water and



<https://www.gisapplication.lrc.gov.on.ca/mamh/>

Scale 1:NTS*

Figure 1. Study Site Location

Wilkinson Property

Part of Lot 26, Concession 10
Geographic Township of Fenelon
City of Kawartha Lakes



Cunningham Environmental Associates

sewage. The septic system has been designed and located in an appropriate location. **Appendix B** is the Site Grading Plan (Coe Fisher Cameron Land Surveyors June 4 2020). Given the physical dimensions of the lot, the CKL policy mandated shoreline setbacks cannot be met.

Kawartha Conservation (KRCA) granted Permit No. 2020-077, dated March 27, 2020 for the 1st proposed dwelling. We acknowledge that KRCA has no objection to the proposed increased water setbacks for the 2nd proposed dwelling, and that the March 27, 2020 permit remains in force until March 27, 2022, with no changes to Special and General Conditions contained therein.

To formulate our Letter of Opinion, the results of the following study methods: background documents review; general findings; and conclusions in relation to the proposed development of the subject property are documented in the following sections.

3.0 STUDY METHODS

The general methods used to identify, map, characterize and evaluate the on-site cultural, terrestrial and aquatic features included: a review of natural environment background documents review (e.g., planning designations, technical reports, maps, figures, species lists) germane to the subject property and adjacent lands; site reconnaissance and inventories conducted on July 9th, 2020 and August 11th, 2020. Qualitative notes including photographs were compiled on the on-site vegetation, as well as incidental observations of wildlife, and a general characterization of the shoreline.

3.1 Background Documents Review

Discussions were held with Doug Carroll of DC Planning Services Inc., who provided some of the following documents. Other documents in the list below were garnered from various web data-query sites. These background documents provided an understanding of the proposed development, as well as the types, character, structure, composition and quality of the on-site cultural, terrestrial and aquatic features on-site and abutting the subject property.

- City of Kawartha Lakes Property and Planning Aerial Photograph (2016)
- Ministry of Natural Resources and Forestry Make A Map: Natural Heritage Areas (2016)
- Site Grading Plan of Part Lot 26, Conc. 10, Geographic Township of Fenelon, City of Kawartha Lakes (Coe Fisher Cameron Land Surveyors January 21, 2020)
- Site Grading Plan of Part Lot 26, Conc. 10, Geographic Township of Fenelon, City of Kawartha Lakes (Coe Fisher Cameron Land Surveyors June 4, 2020)
- The Corporation of the City of Kawartha Lakes Committee of Adjustment Report – Darren and Gillian Wilkinson Report Number COA2020-007 (CKL 2020)
- City of Kawartha Lakes Committee of Adjustment Notice of Public Hearing for Minor Variance (CKL August 5, 2020)
- Kawartha Conservation Development, Interference with Wetlands and Alterations to Shorelines and Watercourses – Ontario Regulation 182/06 (Permit No. 2020-077 March 27, 2020)

3.2 Site Reconnaissance and Inventories

A site reconnaissance and inventories were undertaken on July 9, 2020 and August 11, 2020. Weather conditions at the time of the visit were cloudy to sunny and cloudy, with calm winds and no precipitation.

The site visits included documenting the types of cultural, terrestrial and aquatic resources on and abutting the subject property. The on-site features were inventoried and photographed, including the GPSd locations and photographs of trees that are required to be removed to facilitate the proposed development of the single-family dwelling and ancillary structures. Only incidental observations of wildlife were recorded, along with a general description of the aquatic resources of the Cameron Lake shoreline.

4.0 GENERAL FINDINGS

Access to the subject property will be from the private lane known as Sugarbush Trail (**Photographs 1 and 2**).

4.1 Cultural Features

Based on the background document review and site visits, the majority of the subject property consists of an open treeless area covered with a weedy groundcover stratum (old field habitat), along with exposed rocks and boulders, with underlying compacted gravelly/till soils (**Photographs 3 and 4**). The groundcover in the main developable portion of the lot has been sprayed with pesticides by a licenced sprayer (Greg Ottenbrite, Ontario Exterminator Licence 034245) and/or “weed-wacked” in the past, as a means of controlling the weed growth.

Typical weeds, grasses and herbaceous forbs noted during the July 9th, 2020 site visit included the following:

common sow-thistle	prickly leaved sow-thistle
bull thistle	common mullein
purple-flowering raspberry	wild red raspberry
riverbank grape	Virginia creeper
garlic mustard	horseweed
herb-robert	night-flowering catchfly
white sweet-clover	Deptford pink
field bindweed	dog-strangling vine
common dandelion	poison ivy
heart-leaved aster	Canada goldenrod
tall goldenrod	deadly nightshade
New England aster	common plantain
awnless brome grass	Kentucky bluegrass
annual blue grass	yellow sweet-clover
bladder campion	common milkweed

4.2 Terrestrial Features

Bordering the southern property boundary is a line of trees or natural hedgerow (**Photograph 5**). Trees (on the abutting property) in this feature include four (4) mature sugar maples, one (1) eastern white cedar, one (1) eastern hemlock, along with shrubs such as staghorn sumac and pole-sized eastern white cedars. None of these trees will be impacted by the proposed development, and will remain intact, as minimal, if any, grading is required along this tree-line.



Photograph 1. Southward view of private lane - Sugarbush Trail at back of subject property.



Photograph 2. Northward view of private lane - Sugarbush Trail at back of subject property



Photograph 3. Eastward view of central portion of subject property, comprised of weedy groundcover (old field habitat), periodically maintained through spraying and/or mechanical cutting



Photograph 4. Westward view from front of lot at the shoreline, showing central portion of subject property, comprised of weedy groundcover (old field habitat)



Photograph 5. Southward view of southern property perimeter natural hedgerow, comprised of sugar maple, eastern white cedar, eastern hemlock, and staghorn sumac



Photograph 6. Northward view of northern property natural hedgerow, comprise of sugar maple, white ash, eastern white cedar, hop hornbeam, choke cherry, common buckthorn, and staghorn sumac



Photograph 7. View of hop hornbeam to be removed, part of northern natural hedgerow feature



Photograph 8. View of white ash to be removed, part of northern natural hedgerow feature

Bordering the northern property boundary is a line of trees and shrubs, most of which lie on the subject property (**Photograph 6**). Typical trees include dead and/or dying white ash, sugar maple, eastern white cedar, and hop hornbeam. Shrubs and vines include choke cherry, staghorn sumac, pole-sized eastern white cedar, common buckthorn, riverbank grape, Virginia creeper and poison ivy.

In the north natural hedgerow, a total of eight (8) trees were identified by the landowner, which will require removal to facilitate the construction and footprint of the proposed dwelling, decks and stairs. The eight trees are comprised of two (2) hop hornbeam, one (1) white ash in poor condition, two (2) eastern white cedar, and three (3) mature sugar maple (**Photographs 7, 8, 9, 10, 11, 12, 13 and 14**). The remainder of this natural hedgerow will remain intact. There are some additional white ash in this feature which may presently or in the future pose a potential hazard to personal safety and/or property. It is recommended that this dead and/or dying white ash be removed.

4.3 Aquatic Features

The shoreline of Cameron Lake along the “property frontage” consists of a cobble, rock, till, silty clay substrate with good water clarity, along with typical upland weeds along water’s edge, of a similar composition to those found in the proposed development area. Plant species found in the water or in the mucky shoreline edge include aquatics such as spotted jewelweed, reed canary grass, awl-fruited sedge, riverbank grape, creeping bent grass, Canada bluejoint grass and leafy pondweed, and naiad (**Photographs 15 and 16**).

4.4 Wildlife and Wildlife Habitat

Incidental bird species mostly heard or seen on abutting properties include: American robin, black-capped chickadee, ring-billed gull, white-breasted nuthatch, mourning dove, red-eye vireo, house wren, American goldfinch, tree swallow, northern flicker, Canada goose, mallard, belted kingfisher, common grackle, yellow warbler, turkey vulture and common crow. Mammal species heard or observed include: eastern chipmunk, eastern gray squirrel, and raccoon.

All of the above-mentioned wildlife species are typical and common for the on-site and off-site habitats and the local geographic area. None are considered rare or significant. Given the lack of on-site wildlife habitat, the proposed development area on the lot will have minimal to indiscernible impacts to the local wildlife.

5.0 CONCLUDING REMARKS AND RECOMMENDATIONS

As background to the concluding remarks, we reviewed the site plan/grading plan (January 21, 2020) submitted to CKL for the 1st proposed dwelling.

The landowner subsequently revised the site plan/grading plan, such that relief from the interior side yard setback was no longer required, and the EP zone and shoreline setbacks were increased by 2 metres (**Appendix B**). The application was amended on June 9, 2020.

The shoreline lot is designated and zoned for its intended use. Based on the revised site plan/grading plan (**Appendix B**), minor variances will only be required for the unenclosed decks and stairs, and for the



Photograph 9. View of eastern white cedar, to be removed, part of northern natural hedgerow feature



Photograph 10. View of hop hornbeam, to be removed, part of northern natural hedgerow feature



Photograph 11. View of eastern white cedar, to be removed, part of northern natural hedgerow feature



Photograph 12. View of sugar maple, to be removed, part of northern natural hedgerow feature



Photograph 13. View of sugar maple (split trunk), to be removed, part of northern natural hedgerow feature



Photograph 14. View of mature sugar maple, to be removed, part of northern natural hedgerow feature



Photograph 15. Northern view of subject property frontage, along shoreline of Cameron Lake



Photograph 16. Southern view of subject property frontage, along shoreline of Cameron Lake

single detached dwelling, as neither structures can comply with the Environmental Protection (EP) Zone and water setback of 15 metres.

The following concluding remarks and recommendations regarding the proposed construction of a single-family detached dwelling, attached garage, and decks with stairs based on the revised site plan (**Appendix B**), have been formulated based on the existing natural environment conditions on and abutting the subject property, and determined through the background documents review, and site reconnaissance and inventories conducted on July 9th, 2020 and Augusts 11th, 2020.

As previously described in Sections 4.1 and 4.2, the majority of the subject property is comprised of a weedy groundcover (old field habitat), which has been periodically maintained through pesticide spraying (for poison ivy control) and/or mechanical cutting. The naturally treed northern property edge abuts an existing as-built residential shoreline lot. The natural treed southern property edge abuts an existing as-built residential shoreline lot. There is also the shoreline of Cameron Lake along the subject property frontage, and this feature contains fish and fish habitat.

Given the physical restrictions on the lot, it is our professional opinion and experience with similar shoreline residential development in the CKL, that the requested minor variances for both the unenclosed decks and stairs and the single detached dwelling are appropriate from a natural environment perspective. There will be minimal to indiscernible impacts to the adjacent natural features (e.g., north property perimeter and south property perimeter natural hedgerows), as well as the aquatic environment (shoreline and fish and fish habitat) of Cameron Lake.

The removal of eight (8) trees as listed in Section 4.2 are required to facilitate the building footprint. The loss of these on-site trees are not mitigable, unless the landowner decides to plant replacements. However, there is no legal, legislative or regulation requirements (e.g., tree-cutting bylaw) to mitigate this loss. Also, it is to be noted that mitigation for the loss of the eight (8) trees is not a condition of the KRCA permit.

As an added protection measure for the Environmental Protection (EP) Zone, **CEA recommends that the landowner will be seeding/sodding (manicured lawn) the lot frontage from the cottage/deck edges down to the flood limit (255.70 m)**, as shown on **Appendix B**. Manicured lawn is in keeping with adjacent as-built lots to the north and south of the subject property. The manicured grassed lawn will act as a filter and will attenuate surface water runoff, and trap some of the sediments and nutrients carried by stormwater runoff. This lawn will help mitigate potential water quality impacts to the fish and fish habitat of the lake.

Also, as a sign of proper land stewardship, **CEA recommends that the landowner plant potted native shrubs and a natural shoreline groundcover seed mix between the flood limit and the top of slope (255.61 m) for a total width of approximately 3 metres in width, along the entire length of the property frontage**. These added woody plantings and seed mix will act as a buffer between the house/manicured lawn and the fish and fish habitats in the lake and attenuate and trap some of the sediments and nutrients carried by stormwater runoff. The landowner has also indicated the need for a maximum 3 metre wide pathway through the planted buffer in the southeast corner, to facilitate access to the floating wooden dock (presently stored on the property).

In conclusion, it is the professional opinion of CEA and supported by the documenting and evaluation of the on-site cultural, terrestrial and aquatic features, that the proposed development as shown on

Appendix B, will not negatively or adversely impact the on-site and abutting natural environment features. The recommended seeding/sodding of the lot frontage between the house/deck edges to the flood limit and the planting an approximately 3 metre wide buffer comprised of a woody/groundcover seed mixture between the flood limit and top of slope will provide added water quality protection to the fish and fish habitat of the lake, and from the passive operational uses of this typical shoreline residential development.

Sincerely,

CUNNINGHAM ENVIRONMENTAL ASSOCIATES

A handwritten signature in cursive script that reads "David G. Cunningham".

David G. Cunningham, Spec. Hons. B.Sc.
Senior Ecologist/Principal

APPENDIX A – CURRICULUM VITAE

DAVID G. CUNNINGHAM, Spec. Hon. B.Sc.
Senior Ecologist/Principal

- EDUCATION**
- Honours Bachelor of Science (BSc.) Environmental Sciences (1978)
York University, Toronto, Ontario
- MEMBERSHIPS**
- Field Botanists of Ontario
 - Canadian Society of Environmental Biologists
 - Ontario Nature
 - Ontario Field Ornithologists
 - Society for Ecological Restoration (Ontario)
 - Ontario Environmental Network
 - Kawartha Field Naturalists
- CERTIFICATIONS**
- International Open Water Diver (PADI) Certification - 1980
 - Certification for Ministry of Natural Resources and Forestry Ontario Wetland Evaluation System (Southern and Northern Ontario). 1st Edition to 3rd Edition.
 - Ministry of Natural Resources & Forestry Environmental Impact Study (EIS) Training Session
 - MNRF Ecological Land Classification Certification (2009)
 - Butternut Health Assessor Certification (#177)
 - NHIC Species At Risk Data Sensitivity Training

AREAS OF PROFESSIONAL EXPERIENCE

General

Mr. Cunningham has 40 years experience in the natural environment profession, which includes 34 years as an environmental consultant. He specializes in environmental evaluations and impact assessments related primarily to natural resources, with expertise in terrestrial vegetation, wetlands and wildlife. David has managed and/or participated in a variety of projects dealing with natural heritage features and functions, including their significance and sensitivity. He has managed multi-disciplinary studies pertaining to the identification and evaluation of terrestrial, aquatic and wetland resources, from a watershed and subwatershed perspective. This has included the formulation of natural environment policies, standards and targets for natural heritage systems.

Mr. Cunningham regularly identifies and assesses the impacts of various land use development proposals on existing terrestrial and wetland resources. Development proposals have included infrastructures such as oil, gas, water and sewer pipelines, roads, sewage treatment plants, storm water facilities, and landfills. Other projects have included airports, parkland, golf courses, subdivisions, pits, quarries and mines, transportation corridors, coal-fired electric and small-head hydroelectric facilities including transmission line route selection.

David has participated in watershed, subwatershed and master drainage studies throughout Ontario. In these studies, he was responsible for the collection and review of natural environment background information, site inventories and evaluations, as well as liaising with resource management agencies and public interest groups.

He has qualified as an expert witness (biologist/ecologist) before the Ontario Municipal Board (OMB). He has prepared evidence and participated in mediation sessions before the Board and Local Planning Appeal Tribunal (LPAT), Ontario Mining & Lands Division Commissioner, Regional-Municipal and Township Councils, Federal Court (Criminal Division) and Provincial Court.

Transportation and Route Selection Studies

Transportation related projects include the GO-ALRT rapid transit system between Mississauga and Oakville; North-South Link between Highway 417 and Regional Road 30 in Cumberland Township; re-design of the internal road system in Point Pelee National Park; widening and upgrades to Highway 20 between Fonthill and Allanburg; bridge crossing from Hawkesbury to Hamilton Island on the Ottawa River; causeway/bridge crossing to Clarence Island; re-alignment, removal and rehabilitation of County Road 45 near Alexandria; widening and upgrades to

Highway 58 south of Welland; widening and upgrades of Highway 17 near Nairn Centre; widening, upgrades and the extension of Bathurst Street near Newmarket; widening and upgrades to Altona Road from Highway 2 to Finch Avenue in Pickering; widening and re-paving of County Road 28 from Minesing to Hwy 90 near Barrie; and bridge replacements across Axe Creek and Buck River near Huntsville.

Terrestrial Vegetation and Wildlife Studies

David has extensive experience in botanical evaluations including species inventories, vegetation community mapping and is certified in Ecological Land Classification (ELC) protocol. Inventories and after-construction monitoring programs have been undertaken using a variety of qualitative, and quantitative sampling techniques. Species habitat identification, utilization and Species At Risk (SAR) are a critical component of all studies. He has managed/participated in the evaluation of Environmentally Significant/Sensitive Areas (ESAs) as a part of Natural Heritage Systems (NHS), Secondary Plans, Master Drainage Plans and Master Environmental Servicing Plans.

David has also worked extensively on wildlife studies including habitat evaluations and management plans, population assessments and impact mitigation from land uses. He has managed projects dealing with the inventory and control of nuisance animals, particularly bird and mammal species in the vicinity of waterfront parks, airports and construction sites. Wildlife habitat evaluation and management projects have included mapping, as well as the identification and assessment of movement corridors and habitat linkages. These projects were conducted using small mammal trapping and tagging techniques, bird banding, and provincial breeding bird survey protocols. David was a volunteer participant in the 1981-1985 and 2001-2005 Ontario Breeding Bird Atlas (OBBA) project. He regularly utilizes the bird and amphibian survey protocols of the Ontario Marsh Monitoring Program (MMP).

Wetland Studies

Mr. Cunningham has participated in over 100 wetland evaluations throughout Ontario using the standard Canadian Federal and the Ontario Provincial Evaluation System for Wetlands - Southern Ontario and Northern Ontario (OWES). He has managed and prepared Environmental Impact Studies (EIS)/Natural Heritage Evaluations (NHE) for various land use development proposals on wetland features, attributes and functions. Developments involving wetland issues have included housing, industrial, commercial, roads, utility corridors, storm water facilities, landfills, golf courses, hydroelectric facilities and aggregate/mineral/ore extraction.

Mr. Cunningham has formulated and provided mitigation measures and recommendations, site selection and compensation criteria, and restoration/rehabilitation management plans as compensation for land use development proposals in and adjacent to wetlands and shoreline features, within the context of both the Federal and Provincial wetland policies. He has been involved in the research and testing of wetland buffers, including enhancement/restoration planting plans within buffers adjacent to various wetland features. He has worked extensively with the MNRF, Parks Canada, Conservation Authorities and the Trent-Severn Waterway (TSW) on wetland and shoreline issues and is a certified wetland evaluator under the MNRF 1st, 2nd and 3rd editions of the OWES for both Southern and Northern Ontario.

Woodland/Woodlot Studies

David has extensive experience in evaluating woodland/woodlot ecosystems in relation to other identified natural resources. These evaluations have included the integration of information on woodland ecology, soils, surface drainage, flora and fauna. Woodland assessment projects have included the use of quantitative sampling techniques (tree tagging, basal sweeps, GPS) to determine species dominance, age, height, health and community structure. All of these projects have involved due diligence pertaining to flora and fauna Species At Risk (SAR) and the ranking of wooded areas and individual trees for preservation or integration into proposed developments and natural heritage systems. This also involved appropriate buffer restoration/enhancement naturalization planting plans. He has participated in the preparation of managed forest plans using the Managed Forest Tax Incentive Program (MFTIP) guidelines in conjunction with a certified Forest Plan Approver. He has prepared reports related to tree compensation issues under Forest Conservation and Tree-Cutting By-laws. He is also an MNRF certified Butternut Health Assessor (#177).

Aquatic Studies

Mr. Cunningham has participated in studies that focus on aquatic environs, fish and fish habitat evaluations. He has assessed the potential impacts of dredged sediment disposal, hydroelectric facilities, sewage disposal and water supply facilities on fish, fish habitat and water quality. He has prepared plans and drawings, and supervised the construction of MNRF fisheries enhancement projects - FEP (riparian shoreline restoration, fencing, cattle watering

stations, spawning shoals). Most of these projects have included using an array of fish and water quality sampling equipment. Equipment has included a dissolved oxygen/temperature meter, secchi disk, Van Doren bottle, backpack electro-shocker, beach seine net, gill net, trap net, portable HACH kit, ponar, dome sampler, and depth sounder.

Federal, Provincial and Conservation Authority Acts, Statutes, Regulations, Policies & Guidelines

He has extensive knowledge of the regulations pertaining to Species At Risk (SAR) for both the Federal *Species At Risk Act (2002)* - (SARA), as well as the Province of Ontario *Endangered Species Act (2007)* and the Species At Risk in Ontario (SARO) - Ontario Regulation 230/08 list. He regularly reviews updates for both Acts and their applicability to a proposed development project. He has a working comprehension of the Ontario *Oak Ridges Moraine Act (2001)*, *Oak Ridges Moraine Conservation Plan (2002 & 2017)* - (ORMCP) having completed numerous ORM Compliance reports and Natural Heritage Evaluations (NHE). He has also addressed natural environment issues related to the Ontario *Greenbelt Plan (2005 & 2017)* and *Greenbelt Act (2005)*, *Lake Simcoe Protection Act (2008)* and *Lake Simcoe Protection Plan (2009)*, Ontario *Environmental Assessment Act (1990)*, Municipal Class Environmental Assessment (MCEA) and Conservation Authorities Ontario Regulations, planning and development policies and/or guidelines.

PROFESSIONAL HISTORY

Principal

Cunningham Environmental Associates, Lindsay, Ontario 1985 to Present

Associate Ecologist

CF Crozier & Associates Consulting Engineers 2019 to Present

Associate Ecologist

Hensel Design Group, Collingwood, Ontario 2009 to 2019

Associate Ecologist

Michael Michalski Associates Limited, Bracebridge, Ontario 2007 to Present

Associate Ecologist

Bird and Hale Limited, Toronto, Ontario 2000 to 2015

Associate Ecologist

Michalski Nielsen Associates, Bracebridge, Ontario 1998 to 2007

Associate Ecologist

Ecologistics Limited, Waterloo, Ontario 1995 to 1998

Associate Ecologist/Senior Ecologist

Niblett Environmental Associates Inc., Bethany, Ontario 1987 to 1995

Biologist

Toronto Region Conservation Authority (TRCA), Downsview, Ontario 1986

Resource Technician

Ontario Ministry of Natural Resources, Maple District Office, Maple, Ontario 1985

Terrestrial Ecologist

Proctor & Redfern Limited, Toronto, Ontario 1984 to 1985

Resource Technician

Ontario Ministry of Natural Resources, Maple District Office, Maple, Ontario 1984

Biologist

Seatech Investigation Services Limited, Halifax, Nova Scotia 1982

Authority Biologist

Lake Simcoe Region Conservation Authority, Newmarket, Ontario 1982 to 1983

Biologist

Metropolitan Toronto and Region Conservation Authority, Downsview, Ontario 1979 to 1982

* References available upon request

**APPENDIX B – SITE PLAN/GRADING PLAN OF PART OF LOT 25,
CONCESSION 10, GEOGRAPHIC TOWNSHIP OF FENELON, CITY OF
KAWARTHA LAKES (June 4, 2020)**

CMV ADDRESS: SUGAR BUSH TRAIL
OWNER: WILKINSON, DARREN & GILLMAN
BUILDER:
BUILDING PERMIT No. _____
ROLL No. _____

FOR CONSTRUCTION PURPOSES ONLY

**SITE GRADING PLAN OF
PART OF LOT 26
CONCESSION 10
GEOGRAPHIC TOWNSHIP OF FENELON
CITY OF KAWARTHA LAKES**

SCALE 1 : 200



COE, FISHER, CAMERON
© COPYRIGHT 2020

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

LEGEND:

- | | |
|---------------------------|--------------------------------|
| ⊕ - FOUND SURVEY MONUMENT | F.F.E. - FIRST FLOOR ELEVATION |
| ○ - SET SURVEY MONUMENT | T.B.W. - TOP OF BASEMENT WALL |
| SIB - STANDARD IRON BARR | T.B.S. - TOP OF BASEMENT SLAB |
| IB - IRON BARR | T.G.S. - TOP OF GARAGE SLAB |
| PROPOSED ELEVATION | T.G.W. - TOP OF GARAGE WALL |
| GROUND ELEVATION | U.F. - UNDERSIDE OF FOOTING |
| → SLOPE | HP - HIGH POINT |
| ↘ SLOPE | DS - DOWNSPOUT |
| | B/S - BOTTOM OF SLOPE |

GENERAL NOTES:

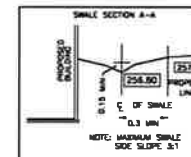
1. DRAINAGE SHALL BE SELF-CONTAINED ON SITE BY THE CONSTRUCTION OF SWALES OR DRAIN TO A PROTECTED OUTLET. DRAINAGE SHALL NOT IMPACT ADJACENT PROPERTIES.
2. SEDIMENT AND EROSION CONTROL MEASURES SHALL BE IMPLEMENTED TO PREVENT MIGRATION OF SOIL AND SEDIMENT FROM THE SUBJECT LOT TO ANY ADJACENT LOT, INCLUDING MUNICIPAL RIGHT-OF-WAY. SPECIAL CARE SHALL BE TAKEN TO ENSURE THAT SOIL AND SEDIMENT LAIDEN SURFACE WATER DOES NOT ENTER ANY WATERSHEDS OR ENVIRONMENTALLY SENSITIVE AREA, EITHER OVERLAND OR THROUGH THE STORM DRAINAGE SYSTEM. THE OWNER/BUILDER SHALL COMPLY WITH ALL DIRECTIVES ISSUED BY ANY OF THE ENVIRONMENTAL AGENCIES.
3. INTERIM GRADING MEASURES MAY BE REQUIRED DURING BUILDING CONSTRUCTION TO ENSURE THAT DRAINAGE DOES NOT ADVERSELY AFFECT THE NEIGHBOURING PROPERTIES. SOUGH GRADING OF THE PROPERTY SHALL BE COMPLETED SUCH THAT DRAINAGE IS CONTAINED ON SITE OR CONTROLLED TO A PROTECTED OUTLET.
4. ALL DOWNSPOUTS AND OTHER DRAINAGE DISCHARGE POINTS SHALL DISCHARGE ONTO A SPLASH PAD OR APPROVED EQUIVALENT.
5. SUMP PUMP DISCHARGE POINTS MUST BE WHOLLY WITHIN PRIVATE PROPERTY.
6. THE OWNER/BUILDER IS RESPONSIBLE FOR OBTAINING UTILITY AND SERVING LOCATES PRIOR TO ANY WORK.
7. ALL DISTURBED AREAS ARE TO BE SOODED OR SEEDD OVER A MINIMUM OF 50MM OF TOPSOIL OR APPROVED EQUIVALENT.
8. THE OWNER/BUILDER MUST OBTAIN A ROAD OCCUPANCY PERMIT FROM PUBLIC WORKS PRIOR TO ANY WORKS WITHIN THE MUNICIPAL ROAD ALLOWANCE.
9. NO ELEVATIONS WILL BE LESS THAN 0.15m BETWEEN FINAL GRADE AND TOP OF FOUNDATION WALL.
10. A COPY OF THE REVIEWED LOT GRADING AND DRAINAGE PLAN IS TO BE ON SITE FOR REFERENCE AT ALL TIMES DURING CONSTRUCTION.
11. THE SUBMISSION OF THIS PLAN REPRESENTS THAT OWNER HEREBY ACKNOWLEDGES THAT ANY GRADING CHANGES THAT OCCUR THROUGHOUT THE CONSTRUCTION THAT RESULT IN ADVERSE EFFECTS TO EXISTING ADJACENT PROPERTIES WILL RESULT IN AN AS-CONSTRUCTED SITE GRADING PLAN WILL BE REQUIRED.
12. BUILDER TO ENSURE MINIMUM OVERLAP FOR FROST PROTECTION ON FOOTINGS.
13. SWALES WITH LESS THAN 2% SLOPE HAVE POTENTIAL FOR PONDING WATER.
14. FOUNDATION TO BE STIFFED FROM REAR WAYOUT AROUND SOETS OF HOME. NO ELEVATIONS WILL BE LESS THAN 0.15m BETWEEN GROUND AND T.B.W.

ZONING		LSR	F.F.E. 256.79
LOT AREA		1089.59 SQ. m.	A T.B.W. 256.44
BUILDING AREA		243.28 SQ. m.	B T.B.S. 256.10
			T.G.S. 256.10
			T.G.W. 256.00
			A U.F. 255.80
			B U.F. 254.73
REL.	DATE	DESCRIPTION	
		REVISIONS	
		SHEET 1	

ELEVATIONS:

ELEVATIONS SHOWN HEREON ARE GEODETIC DERIVED BY GPS OBSERVATIONS AND ARE REFERRED TO AN NAD IN A TREE HAVING AN ELEVATION OF 257.50 (CGD-1928:1976).

DATED: _____
DONALD G. HOCKSON
ONTARIO LAND SURVEYOR



COE FISHER CAMERON
LAND SURVEYORS
A Division of J.D. Barnes Limited
3 COMMERCIAL PLACE, UNIT 201, LINDSAY, ON K9V 1N5
T: (705) 324-4132 F: (705) 324-8406 www.jdbarnes.com

DRAWN BY: DSH / DC	CHECKED BY: GGH	REFERENCE NO: 19-17-250-02-A
FILE: C:\19-17-250-02\Drawings\19-17-250-02-A.dwg		DATE: JUNE 4, 2020
PLOTTER: A3/2020		

David Harding

From: Eileen Weldon <eileenweldon@sympatico.ca>
Sent: Wednesday, March 25, 2020 6:04 PM
To: David Harding
Subject: Lot for sale with City of Kawartha Lakes Minor Variance

APPENDIX " G
to

REPORT COA2020-034

FILE NO. D20-2020-003

I live at 42 Sugarbush Trail. We have had our place here since 1978. A few years ago, whoever bought that property absolutely clear cut it, It was such an eye sore for our lovely treed trail. To keep the weeds down he would spray it with all kinds of chemicals. I don't even spray my lawn for weeds as we're very concerned for the lake. These chemicals are also very dangerous for our pets. He should have done his research before he bought it. If this lot is too small to build on...what about the septic system will he treat his new lawn with all these chemicals. The Loons nest in this bay every year. It is always full of a variety of ducks from spring through to the fall. Some of the turtles in the bay are humungous. How will this place impact the wildlife? I am not in favour of the 'minor' variance.

Sent from Mail for Windows 10

David Harding

From: Doug Black <douglasblack@gmail.com>
Sent: Wednesday, March 25, 2020 1:49 PM
To: David Harding
Subject: Kawartha Lakes: Variance Application D20-2020-003

From:
Douglas Black
36 Sugarbush Trail
Fenelon Falls, ON K0M1N0

18 Cody Ave
Brooklin, ON L1M1K8

Dear Mr. Harding,

I hope you are well and thank you for your time on the phone last week to discuss the minor variance proposal on Sugarbush Trail.

As discussed, I am OPPOSED to granting approval to this variance as it is not minor in nature and not suitable for the land it is on or the neighbourhood it is in. This is similar to what you have posted in your case notes online.

Beyond the official rules and regulations that the proposal deviates from, I am concerned with the environmental impact that this would have on the waterfront. Since the Wilkinsin family purchased this land they have clear cut approx. 100 trees to make the lot completely barren. It has been repeatedly treated it with pesticides for weed control that caused sickness for local dogs and animals, not to mention the wildlife in the lake and the water that we all swim in. It gives me further concern on what would be done with the construction, the environmental impact and how the lot would then be treated once landscaped.

I understand that this lot has been for sale for a couple of years, and it could be deduced that it was originally purchased with a misunderstanding of what could be built on it. Notes on the listing always had a bold mention that the potential purchaser would be responsible for doing due diligence on local zoning and building policies. It appears that after failure to sell and gain any return on the original investment that this variance application is an attempt at a solution for a mistake that was made from not doing proper due diligence on the original purchase. I feel badly that the property owners have ended up in this situation, but it is not fair that the neighbourhood would have to pay for the mistake by allowing a construction that is well outside the regulations. My family and I have owned property on Sugarbush Trail since 1925 and take pride in preserving local policies, the environment and the natural charm of the neighbourhood. I have also included a signed statement from my father, Stanley Black, as an attachment.

As the in-person hearing for March 19th was cancelled due to COVID-19 isolation recommendations, please take this email as my formal statement. Please also advise the neighbourhood with a new sign when it's rescheduled.

Kindly confirm receipt of my email and please feel free to reach out to me directly at any time.

Sincerely,

David Harding

From: Doug Black <douglasrblack@gmail.com>
Sent: Wednesday, April 1, 2020 2:57 PM
To: David Harding
Subject: 36 sugarbush

Hi David,

Thanks for your reply. Yes, my father Stanley is co-owner of 36 Sugarbush. I've recopied a screenshot of his message below.

Thanks,
Doug

ROGERS 2:51 PM 42%

Done

Scan.jpeg



Subject: Variance #000-2020-003 City of Kananis Lakes
Date: March 17, 2020 at 9:19 AM
To: Douglas R. Black <douglasrblack@gmail.com>

Dear Doug,

You have my permission to share this document as my proxy.

Dear Sirs:

As a property owner of many years at 36 Sugarbush Trail, I have significant concerns about the variance proposed for Lot #26.

I feel a variance of over 90% (8.7 meters) is not minor, but major. The proposed structure would be only 8.3 meters from the lake!

I received this notice on 3/26/2020, and am unable to present for the hearing.

Thank you for your consideration.

Stanley R. Black



Doug Black
647.993.3115

From: Susan Black <susan@black-associates.com>
Subject: Variance #D20-2020-003, City of Kawartha Lakes
Date: March 17, 2020 at 9:19 AM
To: Douglas R. Black <douglas@black-associates.com>

Dear Doug,

You have my permission to share this document as my proxy:

Dear Sirs:

As a property owner of many years at **36 Sugarbush Trail**, I have significant **concerns** about the variance proposed for Lot #26. I feel a variance of **over 50%** (8.7 meters) is not minor, but major. The proposed structure would be only 6.3 meters from the lake!

I received this notice on 3/26/2020, and am unable to present for the hearing.

Thank you for your consideration,



Stanley R. Black

March 18, 2020
Revised: August 17, 2020

Committee of Adjustments,
City of Kawartha Lakes

And

Mr. David Harding, Planner II, RPP, MCIP,
Planning Department,
City of Kawartha Lakes

RE: Committee of Adjustments
Minor Variance Application D20-2020-003

I, Peter Davies, am the registered own of 41 Sugar Bush Trail in the Township of Fenelon Falls, located approximately 200 feet to the south of the subject property and my spouse, Carol Davies, is the registered owner of 37 Sugar Bush Trail, Township of Fenelon Falls, located approximately 100 feet to the south of the subject property.

Please accept this letter as the expression of our combined comments and concerns regarding the above referenced matter for your consideration and that of the Committee.

We have reviewed the Committee of Adjustment Report COA2020-007 prepared by the City's Planning Staff and agree with and fully support staff's recommendation that Minor Variance Application D20-2020-003 be denied.

Zoning by-laws are the micro policies that act as the frontline defenders of the overall land use planning scheme established by a municipality. Although there may be situations which require exceptions these exceptions should only be out of necessity and be as insignificant as possible. Deviations from the by-laws set precedents which over time can escalate to the point where the resulting land use bears little, or no resemblance to the original intentions of the Municipality.

The variances being requested in this application are not minor in nature. The Applicant is requesting a reduction in the setback from the Environmental Protection Zone and the Water Setback of up to 8.3 metres (27.2 feet) from the required 15 metres (49.2 feet) a variance of 6.7 metres (21.9 feet) or 45%. That is not minor. Such large variances go against the by-law's underlying setback objectives of maintaining adequate buffer zones between land uses, providing adequate amenity space, preventing building massing and allowing the quiet enjoy of neighbouring properties.

I find it strange that the Kawartha Region Conservation Authority had no comments regarding this application in terms of achieving its mandate of protecting structures from natural hazards, in this case flooding, buffering changes in land use and protecting environmentally sensitive areas and water resources by creating a buffer zone for vegetation to act as a natural erosion control mechanism. In that regard, the owner has over the last two years indiscriminately stripped the property of its natural tree stand and chemically destroyed the ground vegetation permitting whatever herbicide that was used along with the contaminated soil to run off into the lake after rainfalls and the spring snow melts. This

can only have had a negative effect on the aquatic habitat of fish, frogs, turtles, and other wildlife not to mention impacting the quality of water for human enjoyment.

It is no coincidence that the applicant has engaged a planning consultant who, as a former employee of the City's Planning Department, has well established relationships with the members of the Committee however we are confident the Committee will exercise the duty entrusted to them and administer good and proper planning principles in this situation and deny the applicants request.

Yours truly,

Peter T. Davies
Carol A. Davies

Should the situation require, I would request the opportunity to speak to this matter(D20-2020-003):

e-mail: ptdavies@yahoo.com

I also would request receiving notice of the decision.

David Harding

From: ronallinson ronallinson <ronallinson@sympatico.ca>
Sent: Tuesday, August 18, 2020 2:36 PM
To: Committee of Adjustment
Subject: Lot Variance, D20-2020-003 Lot 26 Sugarbush Trail

From : Ron Allinson, 27 Sugarbush Trail

The following are my comments regarding the application for variance on the above stated property. The environment is a huge topic on the agenda of most Canadians including the media and politicians. Just turn on the TV and you can't help but see issues on emissions, pipelines ,water quality etc. and yet , The City Of Kawartha Lakes seems prepared to ignore there own regulations on water setback on an environmentally sensitive bay which is home to ducks, blue herring, osprey, fish turtles etc.. A 45% variance does not seem minor to me.

It would be interesting to see why other similar applications on the same street were denied.

On a personal note , approval of the variance will interfere with my view of the lake from my dwelling. My home was built to comply with the bylaws and is turned sideways to fit the lot so it now faces south with my picture windows facing across the front of the lot in question. Obviously this amendment is of concern to me because the view is one of the main features that makes my location so desirable to me. This could also affect the value of my home in the future should I decide to sell some day. If the variance is approved I think you should seriously consider a reduction in my taxes to compensate me.

Concerned Taxpayer

Ron Allinson

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Cowan
Report Number COA2020-031

Public Meeting

Meeting Date: October 15, 2020
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 4 – Geographic Township of Mariposa

Subject: The purpose and effect is to request relief from Section 14.2.1.4 to reduce the minimum water setback from 30 metres to 21.24 metres in order to permit the construction of an addition to a one-storey single detached dwelling.

The variance is requested at 144 Ball Point Road, geographic Township of Mariposa (File D20-2020-027).

Author: Kent Stainton, Planner II

Signature:



Recommendations:

Resolved That Report COA2020-031 Cowan, be received;

That minor variance application D20-2020-027 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 COA2020-031, which shall be attached to and form part of the Committee's Decision;
- 2) **That** within 24 months after the date of the Notice of Decision the owners shall submit to the Secretary-Treasurer photographic evidence confirming that the building identified on Appendix C to Report COA2020-031 as 'small frame shed to be removed' has been removed, and;
- 3) **That** the building construction related to the minor variance shall be completed within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

This approval pertains to the application as described in report COA2020-031. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background:	<p>The application was submitted August 14, 2020. A pre-screening meeting occurred with the Planning Division on July 28, 2020 prior to the submission of the application. The application was originally scheduled for the September 2020 Committee meeting.</p> <p>On September 2, 2020 Building Division – Part 8 Sewage Systems staff provided Planning Division with a letter indicating that current septic system cannot accommodate the proposal. Staff recommended a deferral of no greater than three (4) months until such time as the septic capacity issues could be resolved. Committee granted the deferral as requested at the September meeting.</p> <p>The applicant subsequently modified the septic system component of the proposal and has resubmitted based on a newly sized septic tank. No changes to the size or configuration of the addition are proposed.</p> <p>The proposal involves the construction of a 44.35 square metre (477.38 square feet) addition to an existing one-storey detached dwelling including a 58.21 square metre (626.57 square feet) replacement deck and new front porch.</p> <p>This application was deemed complete on August 21, 2020.</p>
Proposal:	<p>To construct an infill addition to an existing one-storey detached dwelling no closer to the shoreline than the established building line. The existing deck will be replaced and a new front deck/porch will be constructed.</p>
Owner:	<p>Gary Cowan</p>
Applicant:	<p>Scottie Eisemann, Cottage Life Construction</p>
Legal Description:	<p>144 Ball Point Road, Part Lot 18, Concession C, Lot 40, Plan 425, geographic Township of Mariposa, City of Kawartha Lakes</p>
Official Plan:	<p>Waterfront within the City of Kawartha Lakes Official Plan (2012)</p>
Zone:	<p>Rural Residential Type Three (RR3) Zone within the Township of Mariposa Zoning By-law 94-07</p>
Site Size:	<p>1,561.85 square metres (16,811.61 square feet)</p>

Site Servicing: Private individual water supply and septic system

Existing Uses: Shoreline Residential

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

Rationale:

1) Is the variance minor in nature? Yes

And

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

The subject property is situated on Ball Point, a peninsula on the northern shores of Lake Scugog. Ball Point Road bisects the point with shoreline residential lots on the east and west sides of the road. The neighbourhood consists of smaller sized lots with a mixture of vacation dwellings and smaller single detached dwellings (primarily bungalows).

The site currently contains an existing bungalow and a boathouse containing a habitable floor that were constructed in 1963 (according to MPAC) with a garden shed constructed in 1975 closer to the northwest corner of the property. The construction of the three buildings predate the first Township of Mariposa Zoning By-law (1978).

The topography of the site is relatively flat before sloping towards Lake Scugog approximately 16 metres from the shoreline. A well established vegetative buffer comprised of coniferous and deciduous trees as well as mature shrubs provide ample screening along the northern property line. The buffer offsets any potential privacy concerns with respect to the proposed windows, which are pre-existing on the northern face of the addition. The southern property line contains some mature trees along with shrubs closer to the shoreline. Since there is no proposed expansion to the north or south outside of the established footprint of the deck, there are no anticipated issues with massing or privacy from the proposed addition.

The presence of the septic system to the south and west of the existing dwelling prevent expansion outwards in these directions. Through replacing the existing deck with no encroachment further into the water yard setback, the development is in-line with the established building line of the neighbouring dwellings. The replacement deck offers the provision of amenity space through a transition to the rear yard. The four proposed patio screen doors on the waterside of the addition will provide for a seamless transition onto the deck.

The overall design of the addition compliments the overall character of the neighbourhood by maintaining a low profile that is similar to the built-form of the majority of the homes in the neighbourhood. Aesthetically, the modern design will blend in with the variety found in the area.

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

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

Yes

The Rural Residential Type Three (RR3) Zone permits a variety of uses, including single detached and vacation dwellings.

The intent of the water setback within the zoning by-law is to maintain sufficient space between development and shoreline in order to permit the establishment of vegetation to assist in the infiltration of stormwater runoff and enhance water quality.

Due to the location of the existing septic system, the addition cannot be placed laterally to the south. The proposed addition is infilling the northwest and southwest corners of the existing dwelling and coming no closer to the shoreline than the established building line of the dwelling. The closest point the addition comes to the shoreline is at 21.24 metres. The minimum 15 metre setback required from the Environmental Protection (EP) Zone of Lake Scugog is being maintained. The existing deck footprint will also remain with no additional encroachment into the water setback. The new porch/entryway and front yard deck is being constructed on the opposite side of the dwelling away from the water yard altogether.

The small frame shed located within the front yard along the northern property line will be removed upon completion of construction. The frame shed was acknowledged during the pre-screening process and the applicant has agreed to remove the structure. A condition is recommended in order to confirm removal of the structure.

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

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

Yes

The property is designated Waterfront within the City of Kawartha Lakes Official Plan. Low density residential uses, along with accessory uses are anticipated within this designation. As per Policy 3.11, the intent of the Official Plan is that development maintains a minimum setback of 15 metres from the shoreline. All development, including the location of the proposed addition is located greater than 15 metres from the shoreline.

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 a septic system

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

Agency Comments:

Building Division – Part 8 Sewage Systems (October 5, 2020): As a result of the additions, an environmental engineering firm was retained to review the system. A report was submitted by GHD, dated September 17, 2020 and revised September 30, 2020. The report documented an evaluation of the existing sewage system for the proposed additions. It is noted that the existing septic tank is undersized for the proposal. However, GHD has concluded that the existing leaching bed meets the requirements of the OBC and will function suitably for the proposal.

As such, the Building Division – Sewage System Program will require the septic tank to be upgraded to accommodate the proposal. The owner will be required to submit an Application for a Sewage System Permit to upgrade the septic tank.

Building Division (October 2, 2020): No Concerns

Engineering and Corporate Assets Division (September 15, 2020): No objection.

Public Comments: No comments have been received as of October 7, 2020.

Attachments:



Appendices A-F for
COA2020-031.pdf

Appendix A – Location Map
Appendix B – Aerial Photo
Appendix C – Applicant's Site Plan
Appendix D – Elevation Drawings (North Elevation)
Appendix E – Elevation Drawings (South Elevation)
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:	D20-2020-027

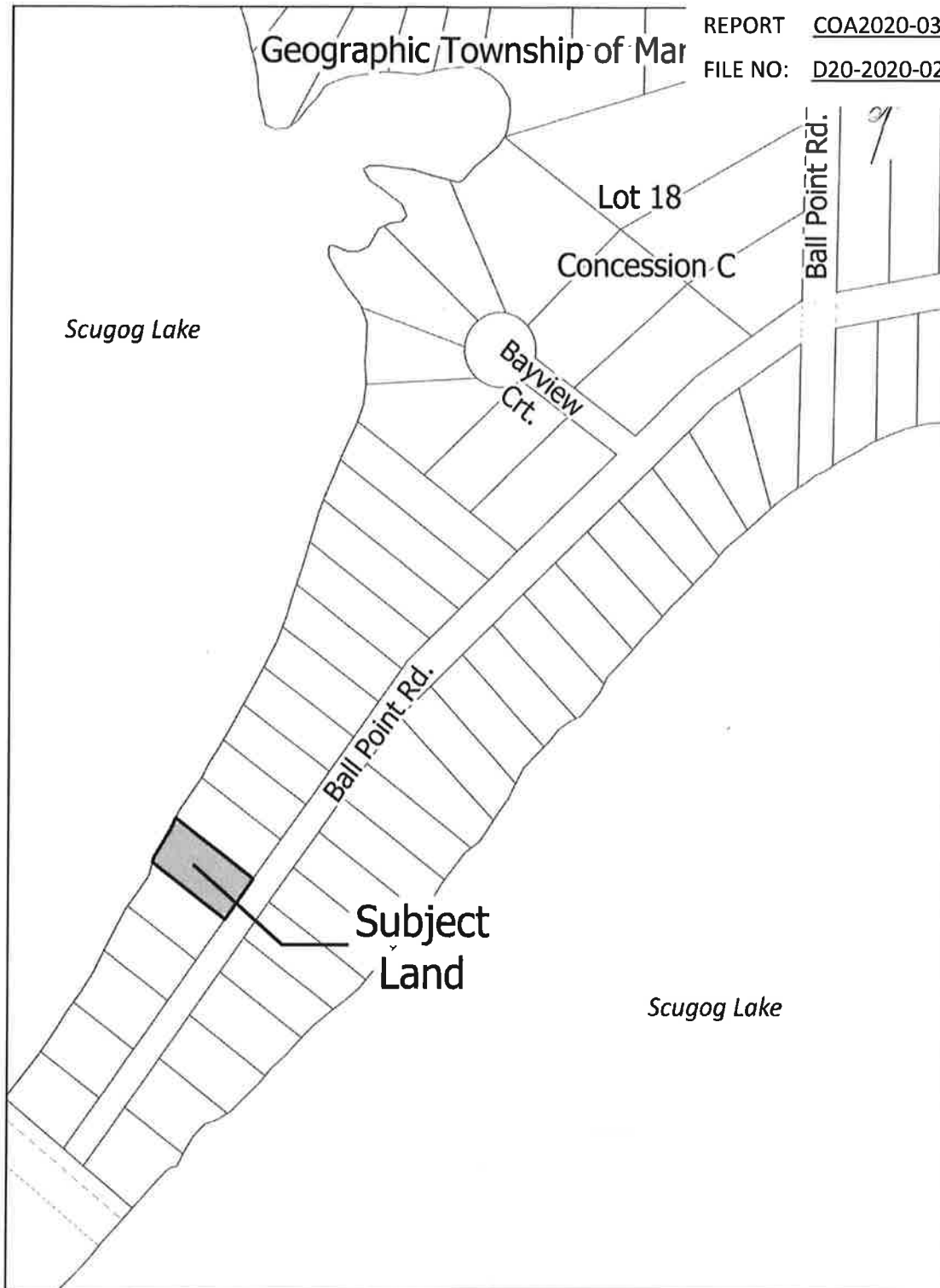
D20-2020-027

APPENDIX " A "

to

REPORT COA2020-031

FILE NO: D20-2020-027



144 Ball Point Road, Geographic Township of Mariposa



Legend

- ☐ Property Roll Number
- ☐ Lots and Concessions
- ☐ Lower Tier Municipalities

Notes

Notes

APPENDIX " B "

to

REPORT COA2020-031

FILE NO: D20-2020-027

0.07

Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes



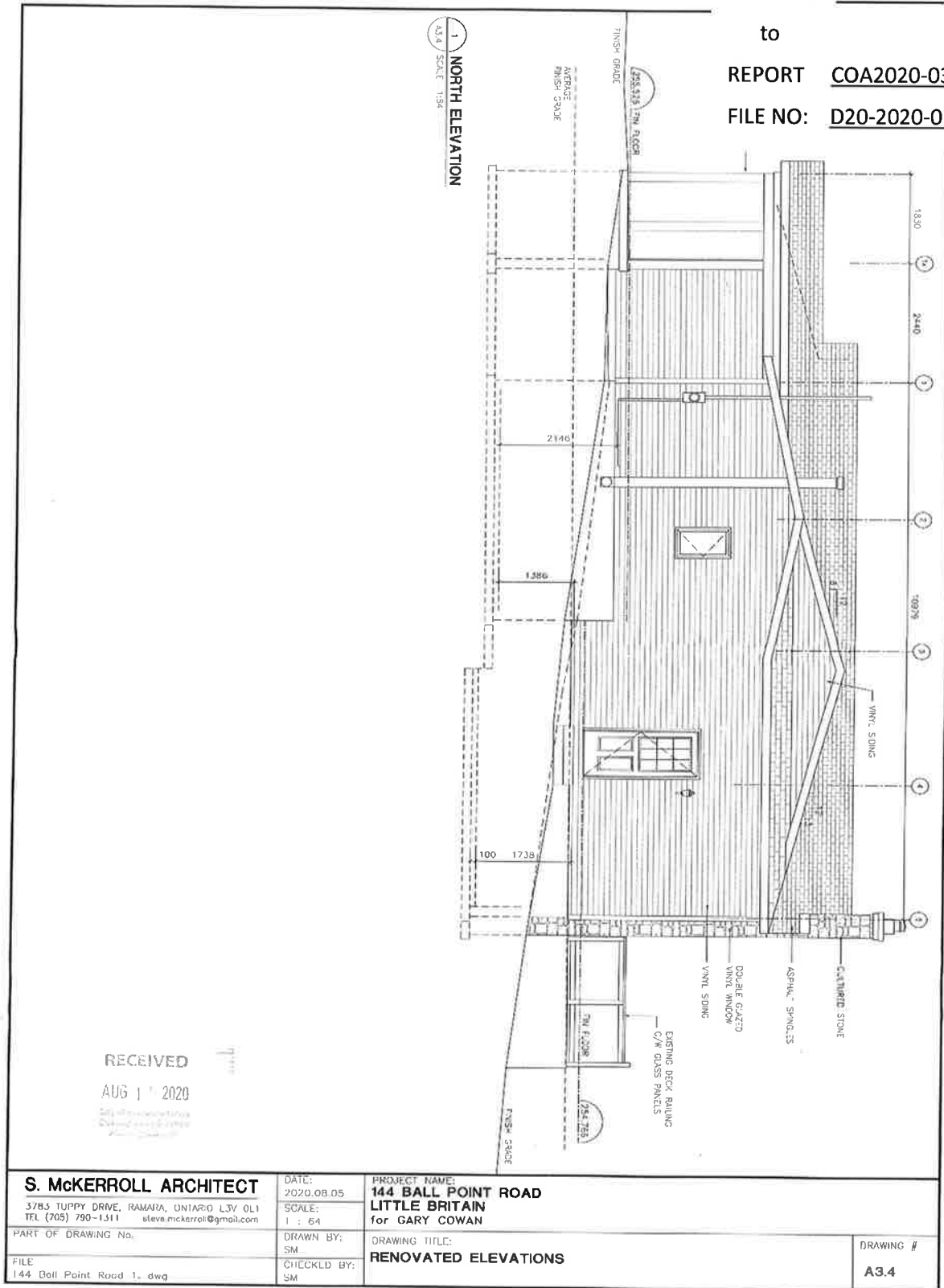
This map is a user generated static map output and is for reference only. All data, layers and text that appear on this map may or may not be accurate, current, or otherwise reliable.

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APPENDIX " D "

to
REPORT COA2020-031
FILE NO: D20-2020-027



USED STONE

EXISTING ROOF PITCH

ASPHALT SHINGLES

NO POST

1 2 3 4 5 6

Office of Cognitive Learning
Developmental Services
Planning Division

128

Kent Stainton

From: Anne Elmhirst
Sent: Sunday, October 4, 2020 11:00 PM
To: Kent Stainton
Subject: 144 Ball Point Road - Minor Variance

APPENDIX " F "
to
REPORT COA2020-031

FILE NO. D20-2020-027

Hello Kent,

I have received and reviewed a proposal to add onto the existing dwelling at 144 Ball Point Road. The proposal is to add an additional 44.35 square metres to the total living space of the dwelling which includes a bedroom and 1 (3-piece) bathroom.

At present, a sewage system use permit was not located for the existing system serving the dwelling. As a result of the additions, an environmental engineering firm was retained to review the system. A report was submitted by GHD, dated September 17, 2020 and revised September 30, 2020. The report documented an evaluation of the existing sewage system for the proposed additions. It is noted that the existing septic tank is undersized for the proposal. However, GHD has concluded that the existing leaching bed meets the requirements of the OBC and will function suitably for the proposal.

As such, the Building Division – Sewage System Program will require the septic tank to be upgraded to accommodate the proposal. The owner will be required to submit an Application for a Sewage System Permit to upgrade the septic tank.

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

Best Regards,

Anne Elmhirst C.P.H.I.(C), B.A.Sc., B.Sc.

Supervisor – Part 8 Sewage Systems

Development Services - Building Division, City of Kawartha Lakes

705-324-9411 ext. 1882 www.kawarthalakes.ca



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.

Kent Stainton

From: Mark LaHay
Sent: Tuesday, September 15, 2020 9:30 AM
To: David Harding; Kent Stainton
Cc: Charlotte Crockford-Toomey
Subject: FW: 20200915 D20-2020-027 - Engineering review

Follow Up Flag: Follow up
Flag Status: Flagged

FYI - file

From: Kim Rhodes
Sent: Tuesday, September 15, 2020 8:52 AM
To: Mark LaHay
Cc: Christina Sisson ; Kirk Timms
Subject: 20200915 D20-2020-027 - Engineering review

Please see the message below from Christina Sisson:

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

Minor Variance – D20-2020-027
144 Ball Point Road
Part Lot 18, Concession C
Geographic Township of Mariposa

It is the understanding by Engineering that the purpose and effect is to request relief from Section 14.2.1.4 to reduce the minimum water setback from 30 metres to 21.24 metres in order to permit an addition to a single detached dwelling.

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

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

Thanks,

CHRISTINA

Christina Sisson, P.Eng.
Supervisor, Development Engineering
Engineering & Corporate Assets, City of Kawartha Lakes
705-324-9411 ext. 1152 www.kawarthalakes.ca



Kent Stainton

From: Derryk Wolven
Sent: Tuesday, September 8, 2020 2:01 PM
To: Charlotte Crockford-Toomey
Subject: D20-2020-027

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



The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Ahsan Ullah & Fahmida Nutan
Report Number COA2020-041

Public Meeting

Meeting Date: October 15, 2020
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 1 – Geographic Township of Eldon

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

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

Author: David Harding, Planner II, RPP, MCIP

Signature: 

Recommendation:

Resolved That Report COA2020-041 Ullah and Nutan be received;

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

Conditions:

- 1) **That** the building construction related to this approval shall proceed substantially in accordance with the sketch in Appendix C submitted as part of Report COA2020-041, which shall be attached to and form part of the Committee's Decision; and
- 2) **That** prior to proceeding with the building permit process the owners shall apply for a deeming by-law to ensure Lot 16 of Plan 224 consolidate with Part of Lot 54, North of Portage Road in order to comply with the reduced lot area of 895 square metres granted by the Committee in application D20-17-046, and the by-law be in effect

This approval pertains to the application as described in report COA2020-041. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Background:	<p>At its July 16, 2020 meeting, the Committee of Adjustment deferred the application due to a request from the Building Division – Part 8 Sewage Systems, which needed time for further review. The review has now been conducted and their office has no further concerns with the proposal.</p> <p>Relief was previously sought from the minimum lot area requirement for an existing lot of record was sought to construct a replacement dwelling on the property via application D20-17-046. On November 9, 2017, the Committee granted the requested relief.</p> <p>Construction of the dwelling proceeded. Drawings were submitted to the Building Division identifying that the dwelling had been constructed in the wrong place: its front wall and covered porch were within the minimum front yard setback requirement.</p> <p>Upon further review of the application it was determined that the property is actually two parcels: (1) a whole of a lot (Lot 16) within a registered plan of subdivision (Plan 224) that has the potential to be separately conveyed and (2) some land along the shoreline (Part of Lot 54, North of Portage Road). The 895 square metre lot area sought and granted in D20-17-046 applies to the two parcels once consolidated. Condition 2 is recommended to consolidate the parcels and bring the property into conformity with the Committee's 2017 decision.</p> <p>The application was submitted on January 27, 2020.</p>
Proposal:	To recognize a two-storey single detached dwelling and covered porch.
Owners:	Ahsan Ullah and Fahmida Nutan
Applicant:	Jim Even – C.T. Strongman Survey
Legal Description:	Lot 16, Plan 224; Part of Lot 54, North of Portage Road, geographic Township of Eldon, now City of Kawartha Lakes
Official Plan:	Waterfront within the City of Kawartha Lakes Official Plan
Zone:	Limited Service Residential (LSR) Zone within the Township of Eldon Zoning By-law 94-14
Site Size:	895 square metres (9,633.6 square feet)
Site Servicing:	Private individual well and septic system
Existing Uses:	Shoreline Residential

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

Rationale:

1) Is the variance minor in nature? Yes

And

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

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

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

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

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

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

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

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

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

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

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

Yes

The property is designated Waterfront within the City of Kawartha Lakes Official Plan. Low density residential uses, along with accessory uses are anticipated within this designation. A single detached dwelling is proposed, which is a low density residential use.

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

Other Alternatives Considered:

No other alternatives have been considered at this time.

Servicing Comments:

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

Consultations:

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

Agency Comments:

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

Community Services Department (July 7, 2020): No concerns.

Building Division – Part 8 Sewage Systems (August 8, 2020): No concerns with the requested variances.

Public Comments:

Jim Riches – 63 North Taylor Road (July 13, 2020): Opposed to the proposal until an evaluation of the sewage system is completed.

Paul Minne – 71 North Taylor Road (July 14, 2020): Concerns over the conversion of the attached garage into living space, size of the dwelling, and sewage system.

North Taylor Road Cottagers Association c/o James Riches – 65 North Taylor Road (July 13, 2020): Concerns over the sewage system capacity with respect to the proposed development.

Planning Division Comments:

The sewage concerns raised by the public were forwarded to the Building Division – Part 8 Sewage Systems for follow-up. Their office has no objections with respect to the proposed variance. See Appendix D.

The front yard can accommodate the two 2 x 6 metre parking spaces the by-law requires whether or not the attached garage is converted to additional living space.

Therefore, the appropriateness of the conversion is beyond the scope of the requested variance for front yard setback reduction. It would be dealt with by the Building Division and has been reviewed by the Building Division – Part 8 Sewage Systems.

Attachments:



Appendices A-E to
Report COA2020-04

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

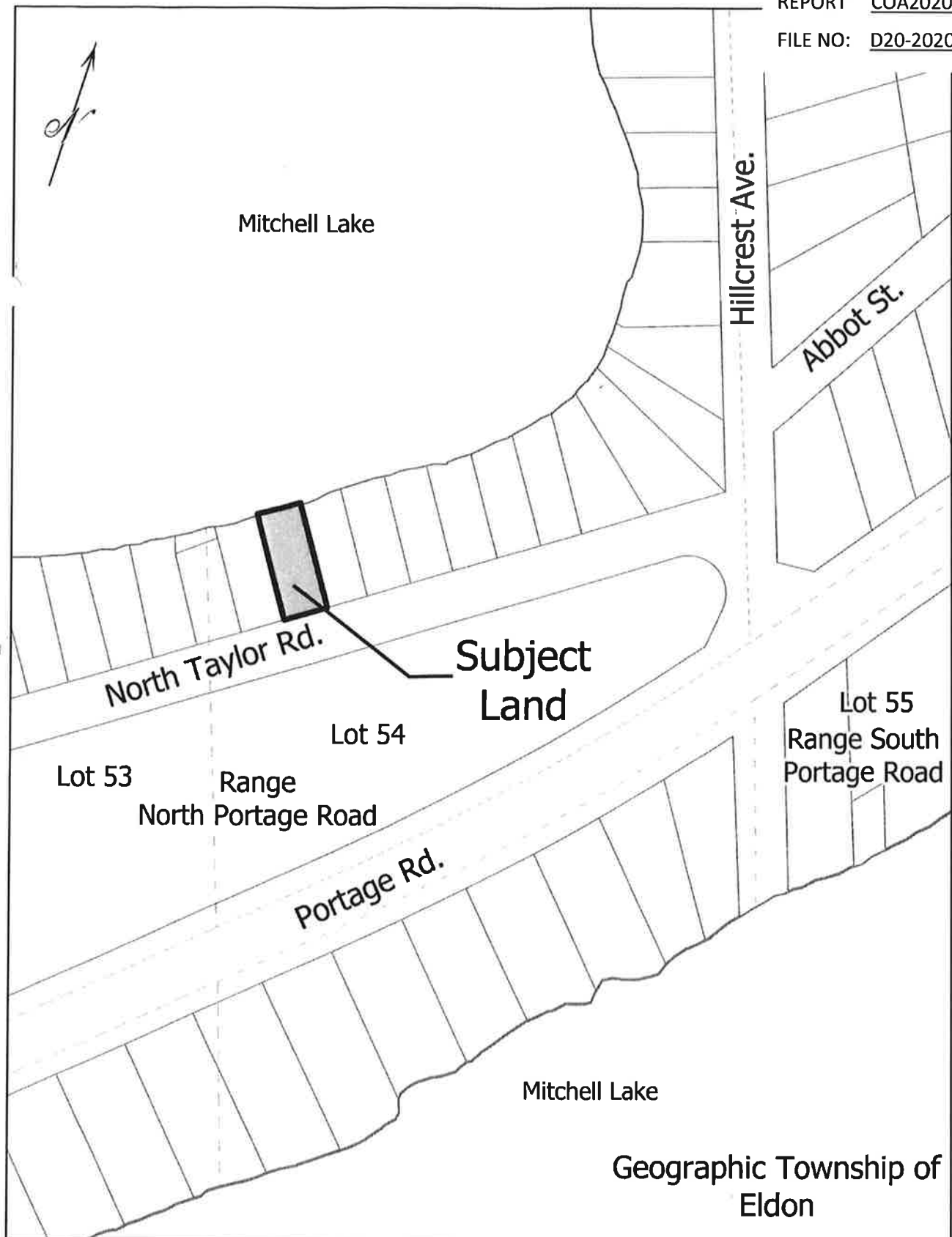
Phone:	705-324-9411 extension 1206
E-Mail:	dharding@kawarthalakes.ca
Department Head:	Chris Marshall, Director of Development Services
Department File:	D20-2020-006

D20-2020-006

to

REPORT COA2020-041

FILE NO: D20-2020-006



63 North Taylor Road, geographic Twp. of Eldon



0.06 Kilometers
WGS_1984_Web_Mercator_Auxiliary_Sphere
© City of Kawartha Lakes



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APPENDIX " B "
to
REPORT COA2020-041
FILE NO: D20-2020-006



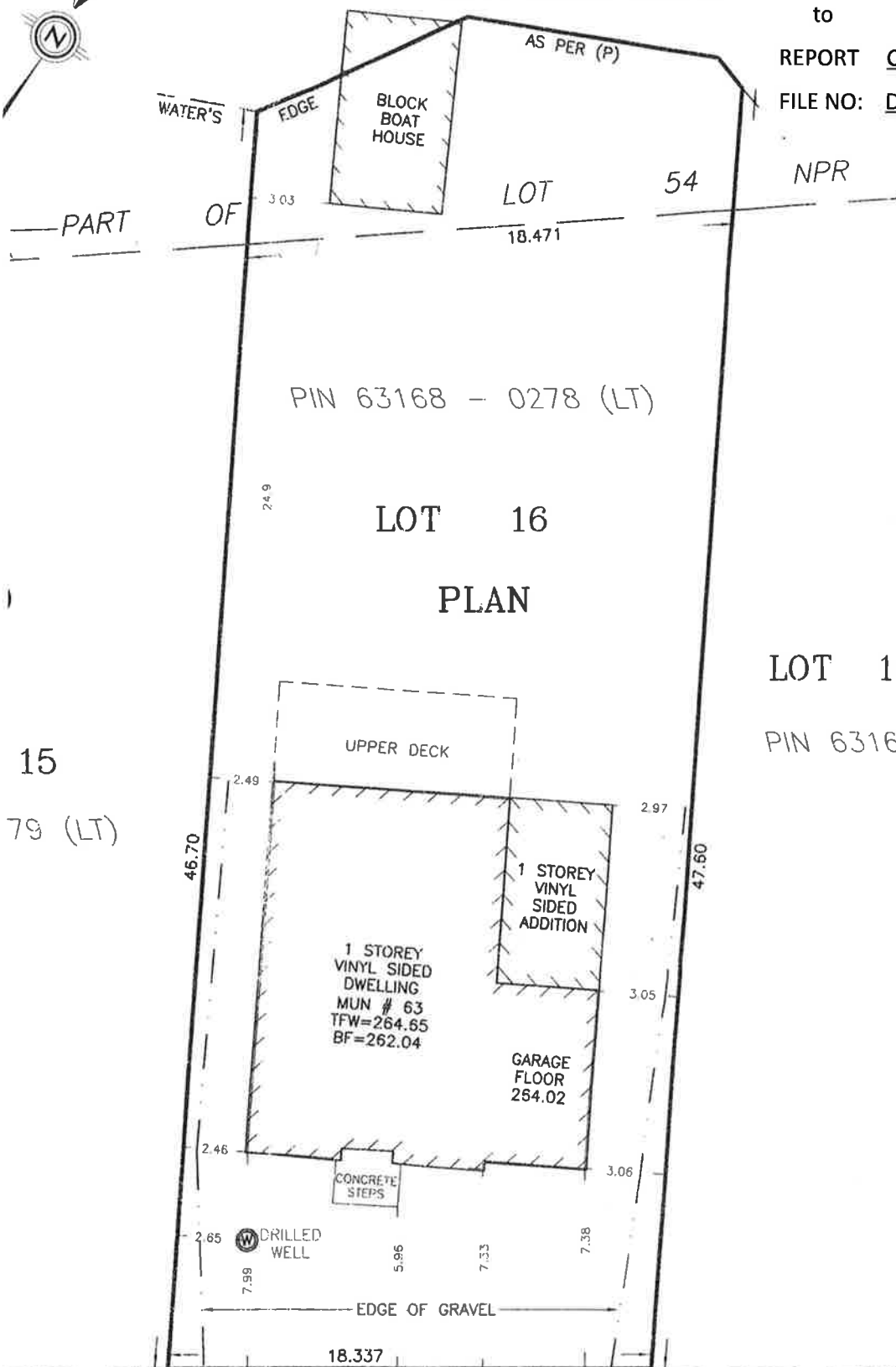
MITCHELL LAKE

APPENDIX " C "

to

REPORT COA2020-041

FILE NO: D20-2020-006



15
79 (LT)

LOT 1'
PIN 6316

KNOWN AS NORTH TAYL

David Harding

From: Anne Elmhirst
Sent: Tuesday, August 4, 2020 12:00 AM
To: David Harding
Subject: D20-2020-006 - 63 North Taylor Road

APPENDIX " D "
to
REPORT COA2020-041
FILE NO. D20-2020-006

Hello David,

I have reviewed the proposal for Minor Variance to provide relief for the construction of a single detached dwelling on the property known as 63 North Taylor Road and completed a site visit.

The new dwelling has been located on the property contrary to the approval granted through the sewage system review conducted in 2017. As well, the dwelling has been constructed substantially larger than the sewage system review approval granted.

During the site visit completed on July 22, 2020, I observed the new dwelling location. The Class 5 Holding Tank is located on the lake side of the dwelling. A minimum 1.5 metre separation was observed from the structure.

As such, the Building Division – Sewage System Program has no concerns with the request to provide relief on the roadside setback to the dwelling/covered porch.

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

Best Regards,

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



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.

David Harding

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

Please see the message below from Christina Sisson:

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

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

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

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

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

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

Thanks,

CHRISTINA

Christina Sisson, P.Eng.
Supervisor, Development Engineering
Engineering & Corporate Assets, City of Kawartha Lakes
705-324-9411 ext. 1152 www.kawarthalakes.ca





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

LeAnn Donnelly, Executive Assistant, Community Services

MEMORANDUM

DATE: July 7, 2020
TO: Committee of Adjustment
FROM: LeAnn Donnelly, Executive Assistant, Community Services
RE: Minor Variance - Various Applications

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

D20-2020-004	6 Cowans Crescent, Emily
D20-2020-005	9 Moynes Court, Lindsay
D20-2020-006	63 North Taylor Road, Eldon
D20-2020-008	27 McGill Drive, Manvers
D20-2020-009	26 Evergreen Street, Emily Township
D20-2020-010	87 Marsh Creek Road, Mariposa
D20-2020-011	74 Colborne Street East, Lindsay
D20-2020-013	Vacant Lot, Church Street, Omemee
D20-2020-014	134-136 Lake Dalrymple Road Carden
D20-2020-015	23 Kenhill Beach Road, Verulam

LeAnn Donnelly

LeAnn Donnelly
Executive Assistant, Community Services

Charlotte Crockford-Toomey

From: North Taylor Road Cottagers Asso <ntaylorrdasso@yahoo.ca>
Sent: Monday, July 13, 2020 11:07 AM
To: Committee of Adjustment
Subject: D20-2020-006 , 63 North Taylor rd

APPENDIX " E"
to
REPORT COA2020-041

Opposed to this .

FILE NO. D20-2020-006

This owner had a fire 3yrs ago and the 60yr old 700 sqft cottage was destroyed. That structure was 2 bedroom 1 bath, and had an inadequate septic because in 2013 the new owner was draining it into the lake. (Health inspector called). The new cottage is 4000sqft and 8 bedrooms 3 baths. It is still on the old septic. With the owner's tendency to rent the cottage out, that 60 yr old metal septic tank could potentially make swimming downstream very hazardous. Also the owner has been witnessed digging around the septic, probably installing makeshift weepers underground.

Will this new Bunkie impede the equipment needed to install a new septic, as setbacks are already limited by the giant house ?

Any new building permits should be refused until answers can be given as to why a new modern septic was not required.

-North Taylor Rd Cottage Assosiation.

Sent from Yahoo Mail for iPhone

Charlotte Crockford-Toomey

From: Paul and Virginia Minne <themmines@cogeco.ca>
Sent: Tuesday, July 14, 2020 1:34 PM
To: Committee of Adjustment
Subject: Minor Variance D20-2020-0006 -- 63 North Taylor Road, Lot 16, Plan 224, Part of Lot 54, North Portage Road, Township of Eldon, Ward 1, now in the City of Kawartha Lakes

The City of Kawartha Lakes
Planning Department
Committee of Adjustment

With regards to the Minor Variance noted above, we wish to have our concerns available to the committee making the decision and are hereby submitting this email. The concerns are as follows:

The single detached dwelling has already been built and the exterior appears complete. It is a very large house, probably the largest one on North Taylor Road;

When the house was being built there appeared to be allocation for a garage on the right side of the building. This garage has been converted into a room complete with outside access;

The owners have already asked for a variance before the building had begun (I believe for the height of the house);

And most importantly

In the past, the owners of this property made the previous dwelling available for short-term rental and rented to large groups of people. When the septic system overflowed they connected a pipe to the septic system which then **directed the overflow of untreated waste directly into Mitchell Lake**. This was made known to the City of Kawartha Lakes by one of the other residents of North Taylor Road. With additional bedrooms and bathrooms in this new building there is a concern to neighbours that this may happen again as, to our knowledge, no new holding tank has been installed on this property.

Paul Minne
71 North Taylor Road,
City of Kawartha Lakes

David Harding

From: Jim R <riches20@hotmail.com>
Sent: Monday, July 13, 2020 2:42 PM
To: Committee of Adjustment
Subject: D20-2020-006 – 63 North Taylor Road
Attachments: Big o.JPG; From road.JPG; From Lake.JPG; 63 Nt Excavation.JPG; 63 survey.jpg

Opposed to this amendment

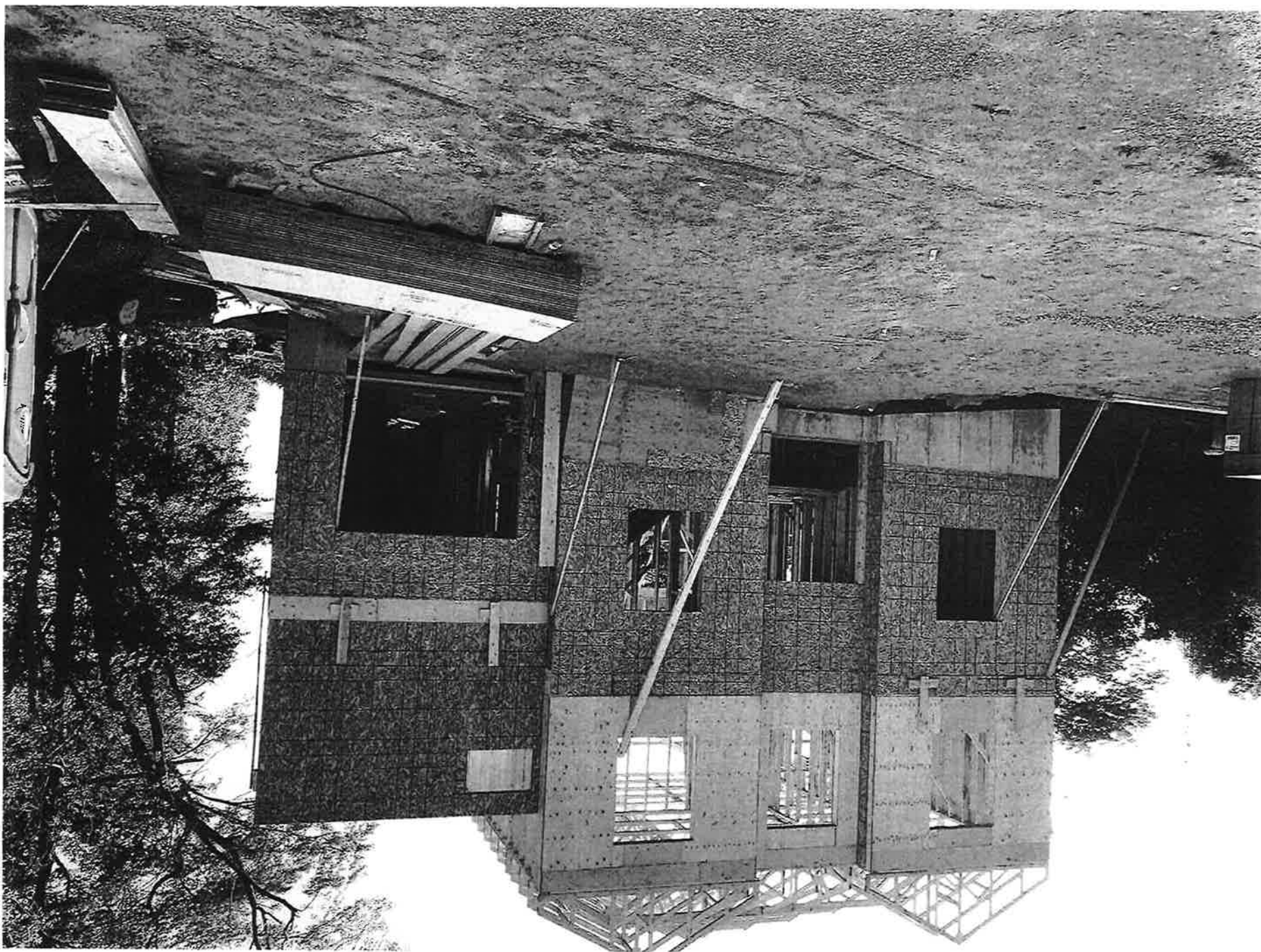
Nothing more should be built onto this lot until the 60 yr old septic is determined to be sound and acceptable for supporting the increase from 700 sq ft 2 bdrm dwelling to 4000 sq ft 8 bdrm dwelling. Numerous calls since the house rebuild started were placed to the building dept, and have resulted in no answers. People downstream are very concerned. The owner has been caught by neighbors several times siphoning septic water into the lake. Also in recent months Joe blundel has been hired to relocate the Big O foundation weepers in close proximity to the septic for some strange reason and the owner has covered the trench with a burn pile. Add to that the property has been rented out for entire summers since 2010, and the owner has seemed not to never have pumped the old septic tank. The owner prior to 2009 had stated her husband put an old metal Barrel into the ground back in the 70's to act as a septic.

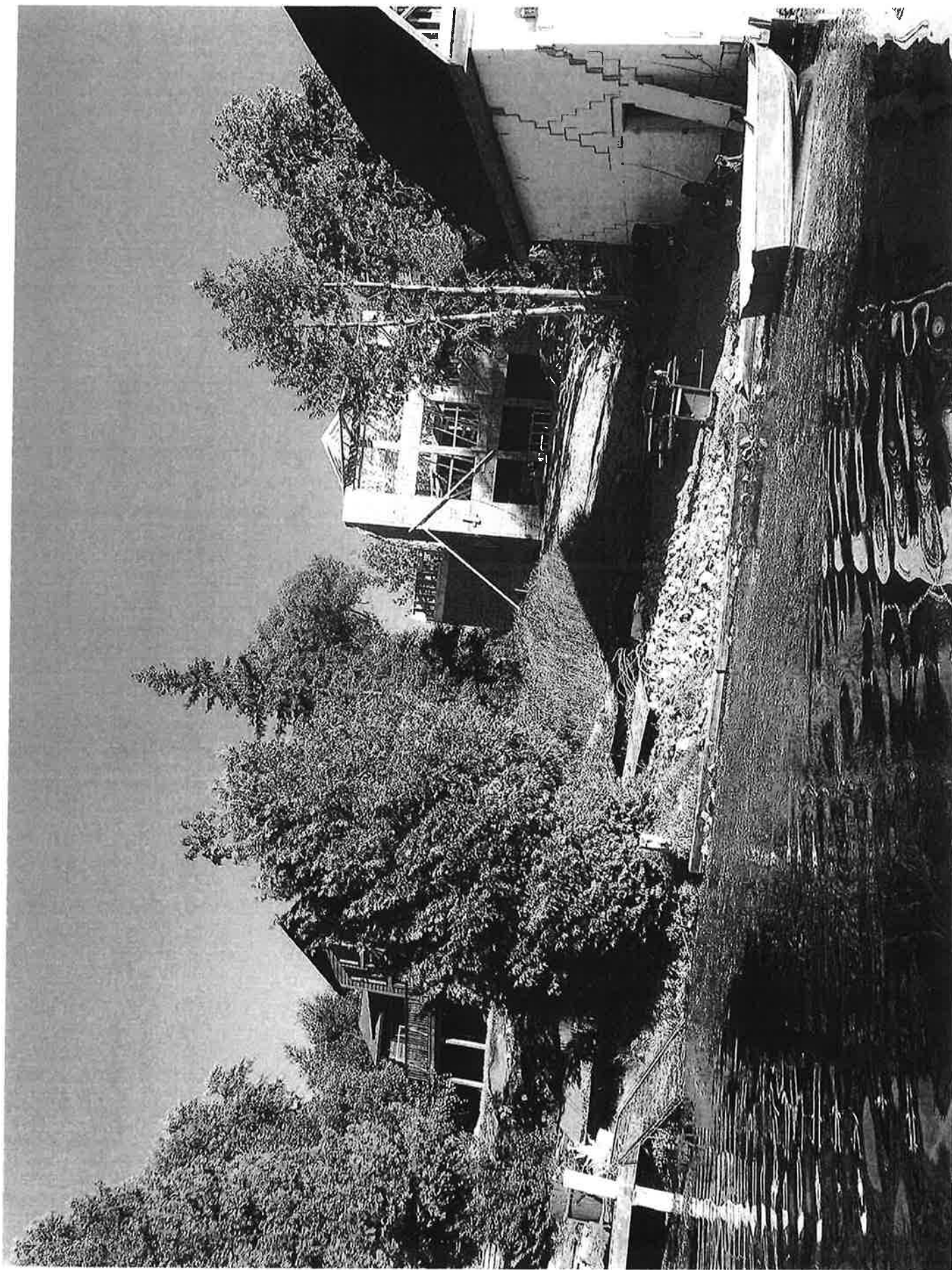
Ideally the next step by the city should be to dig up the old septic and see exactly what is there. It is unacceptable that the city allowed a giant waterfront home to be built without requiring the septic to be replaced.

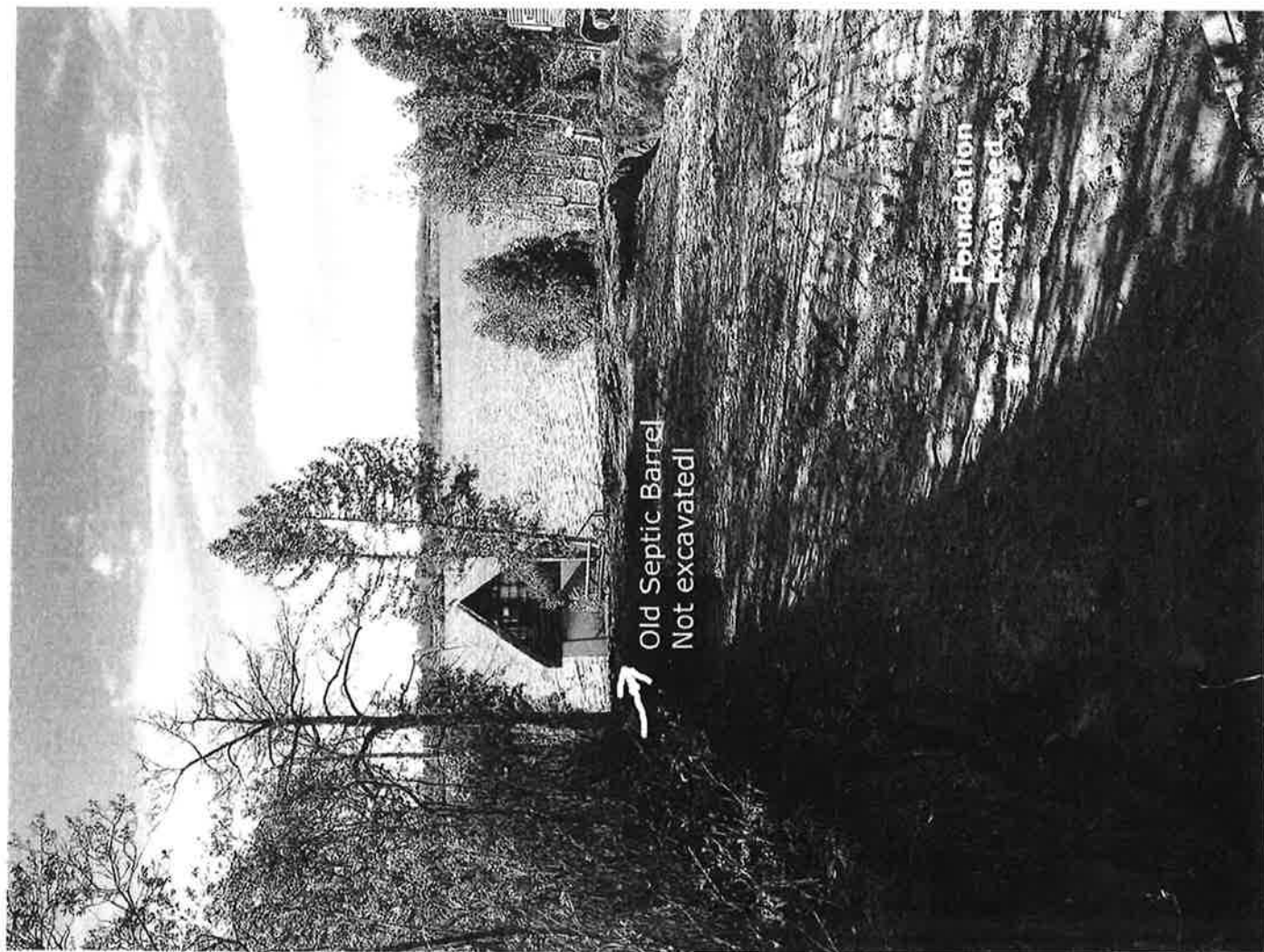
I have included some pictures to clarify my statement.

Jim Riches
65 North Taylor rd











Development Services – Planning Division
180 Kent St. West, 2nd Floor
Lindsay ON K9V 2Y6
Tel: (705) 324-9411 Extension 1206
Fax: (705) 324-4027
E-mail: dharding@kawarthalakes.ca
Website: www.kawarthalakes.ca

MEMORANDUM

TO: Committee of Adjustment

FROM: David Harding, Planner II - Development Services – Planning Division

DATE: October 15, 2020

SUBJECT: Minor Variance Application File Number D20-2020-010
87 Marsh Creek Road, Geographic Township of Mariposa

At its July 16, 2020 meeting, the Committee of Adjustment (the Committee) granted the owner's request to defer consideration of the application to no later than the October 15 meeting so that she and her new applicant are able to carry out the necessary amendments to the proposal, submit the necessary amendment fees, and re-advertise the proposal.

The owner and applicant are unable to deliver the required materials and fees in advance of the October 15 meeting deadline, but are in communication with staff.

Staff respectfully recommend that the Committee consider further deferring the application, returning at the latest to the November 26, 2020 meeting.

Sincerely,

David Harding, Planner II, RPP, MCIP

cc: Heather Curtis - Owner
Doug Norton, Measurite - Applicant
Mark LaHay, Acting Secretary-Treasurer for the Committee of Adjustment